

June 25, 2024

Committee of Adjustment
City of Ottawa
101 Centrepont Drive
Ottawa, ON K2G 5K7

Committee of Adjustment
Received | Reçu le
2024 - 07 - 08
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Object: Cover Letter in support of the minor variance application
Project: Renovation of an existing building into a McDonald's restaurant
Address: 388 Richmond Road, Ottawa
K2A 0E8, Ontario
Reference: Project #2402-1114

MRA Architecture + Design has been mandated by McDonald's Restaurants to submit this Cover Letter in support of a minor variance application to facilitate the development of the new McDonald's restaurant in the existing building located on 388 Richmond Road.

A minor variance is required to permit a restaurant with no off-street parking on the subject lot. However, 02 parking spaces will be provided on a neighboring lot under agreement with the lot owner. Their location as well as the terms of the agreement are currently under negotiations (refer to page 5 of the supporting document)

The supporting document presents a preliminary design. It is possible that this design will be further refined through design development. For this reason, we request that any minor variance approval not to be tied to the plans and drawings and some flexibility be granted for further development of the proposal.

I. Existing Site Conditions

The subject site is located in Ward 15 Kitchissippi in the Westboro neighborhood, on the south side of Richmond Road between Roosevelt Avenue and Churchill Avenue, refer to Figure 1.

The subject site has 11.28 meters of frontage on Richmond Road, a main Commercial artery in the neighborhood. The existing building is currently used as a bank (Scotia bank) and has no heritage designation. It was originally constructed in 1955 and underwent extensive renovation in 2006. The building's footprint is ±297 sq.m (± 3195 sq.ft), which equates to a Floor Area Ratio (FAR) of 0.76. A minimal, unusable area of ±30 sq.m (323 sq.ft) remains in the rear yard of the site. This space is proposed as a bicycle parking area.

The subject site is legally described as: PT LT 10, PL 204 , S/S OF RICHMOND RD; AS IN CR324900; S/T & T/W CR324900 ; OTTAWA/NEPEAN.

The existing Right-of-Way per instances CRC324900 and N691396 as indicated in the site survey, is used as part of the access lane to the parking lot on the adjacent site.

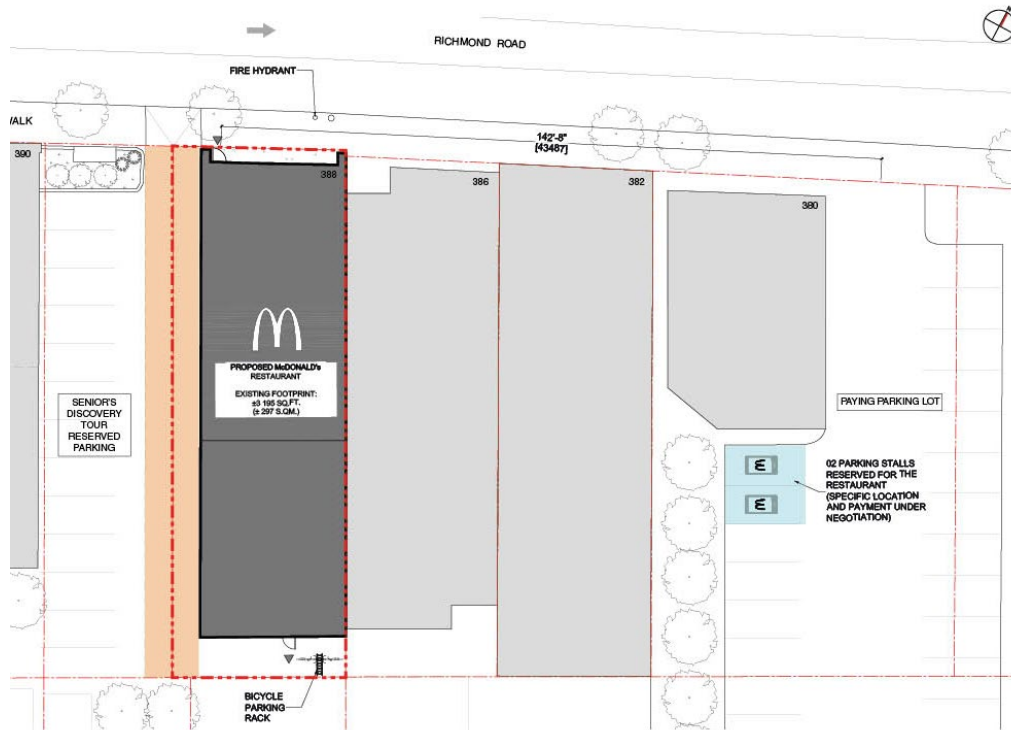


Figure 1 Site Plan (excerpt from page 5 of the presentation doc)

II. Minor Variance Application

The requested variance relates to the minimum number of required parking spaces to be provided for the proposed use of a restaurant in accordance with *Zoning By-law 2008-250*. As per Section 101(4), off-street motor vehicle parking must be provided at the rates set out in *Table 101*. The minimum required parking spaces for the proposed use as a restaurant are to be calculated for Area X on Schedule 1A of the *Zoning By-law 2008-250* as summarized below:

Table 101

N74) 5 per 100 SQM of gross floor area.

Calculations for the minimum required parking spaces:

Total Gross Floor Area (GFA) = ±366 sq.m (3924 sq.ft)

- Ground floor GFA = ±266 sq.m (2870 sq.ft)
- Second Partial floor GFA: ±100 sq.m (1072 sq.ft)

(Refer to page 7 of the supporting presentation)

Minimum number of required parking spaces = $(366 \text{ sq.m} \times 5) / 100 \text{ sq.m} = 18$ parking spaces

The existing condition of the Site Plan, with a FAR of 0.76, does not allow for off-street parking on the remaining side and rear yards, whereas the Zoning By-law requires a minimum of 18 parking spaces.

The intent of the proposed project is to preserve the existing building as much as possible with minimal intervention on the building envelope. To accomplish this, the proposed layout of the restaurant utilizes the existing spaces in the following manner.

- The main functions of the restaurant, such as the dining area and kitchen, are entirely located on the ground floor.
- The accessory uses, such as storage spaces and the preserved existing restrooms for the use of employees, are located on the existing partial second floor.

The restaurant, as a whole, utilizes ± 366 sq.m (3942 sq.ft), of which only ± 82 sq.m (879 sq.ft) represents the customer-accessible spaces entirely located on the ground floor. Due to the partial existing second floor being used; the present project cannot be exempt from the minimum parking requirement in Section 101(4)(D):

*Where a non-residential use is located partly or entirely on the ground floor or in the basement:
ii) in the case of a restaurant with a gross floor area of 350 square metres or less, no off-street motor vehicle parking is required to be provided.*

To benefit from this exemption, which waives the requirement to provide off-street parking spaces, there may be an implication to demolish the second floor of the existing building. However, this approach is far from being sustainable and does not align with the City of Ottawa Climate Change Masterplan nor with the zoning goal to promote densification.

Therefore, the following minor variance is required to facilitate the proposed project:

- a) To allow for the development of the proposed restaurant use with no off-street motor vehicle parking to be provided, whereas the by-law requires a minimum of 18 parking spaces.
(Section 101, Subsection 4 of Zoning by-law 2008-250)**

III. Rationale

The minor variances listed above meet the four tests for minor variances under Section 45(1) of the Planning Act which are:

1. The general intent and purpose of the Official Plan must be maintained.
2. The general intent and purpose of the Zoning By-law must be maintained.
3. The variance must be desirable for the appropriate development of the land, building, or structure;
and

4. The variance must be a minor variance from the provisions of the Zoning By-law.

The first test for a minor variance is that the general intent and purpose of the Official Plan maintained.

Pursuant to Schedule B2, the subject site giving onto Richmond Road, a Mainstreet Corridor, is located in an area designated as an *Evolving Neighborhood* within an Inner Urban Transect.

Section 5.2.2 of the Official Plan, relating to the goals of the Inner Urban Transect, highlights the reduction of automobile-oriented land uses and “prioritizing walking, cycling and transit within, and from, the Inner Urban Transect”.

Motor vehicle parking in the Inner Urban Transect is listed to be managed as follows:

- a. *Motor vehicle parking may only be required for large-scale developments, and only to the extent needed to offset sudden large increases in parking demand. (meets criteria or not and why for every point)*
- b. *No parking shall be required as a condition of development within Hubs;*
- c. *Surface parking within 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned rapid transit station, shall be limited to a very small amount of spaces only for short term drop-off and pick-up, or delivery vehicles; shall not be located between the building and the sidewalk; and shall be accessed and egressed by the narrowest possible driveway; and*
- d. *Where new development is proposed to include parking as an accessory use, such parking:*
 - i. *Shall be hidden from view of the public realm by being located behind or within the principal building, or underground;*
 - ii. *Shall be accessed by driveways that minimize the impact on the public realm and on both City owned trees and privately-owned distinctive trees, and result in no net increase in vehicular private approaches; and*
 - iii. *May be prohibited on small lots or where parking cannot reasonably be accommodated in a manner consistent with the intent of this Plan.*

The proposed minor variance is consistent with the intent of the Official Plan as the reduced minimum number of parking spaces encourages the use of transit, cycling and walking. The site is also situated between two future rapid transit stations, 450-metre walking distance to the Kichì Sìbì LRT station and 850-meter walking distance to the Westboro LRT station.

Additionally, the Official Plan specifies that parking may only be required for large-scale development, only to the extent where it is needed to offset sudden large increases in parking demand. On the contrary, the proposed project is a small-scale renovation, and the site is well served by public transit and will not undergo sudden increases in parking demands. The Official Plan also acknowledges that if the site conditions are not consistent with the plan’s intent and parking cannot reasonably be accommodated, parking is prohibited. The subject site falls within this condition.

The requested variance maintains the general intent and purpose of the Official Plan

The second test for a minor variance is that the general intent and purpose of the Zoning Bylaw is maintained.

The subject site is currently zoned as Traditional Mainstreet (TM). The purpose of the Zone as outlined in Sections 197-198 is to :

1. *Accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses, including mixed-use buildings but excluding auto-related uses, in areas designated Traditional Mainstreet in the Official Plan;*

Granting the requested minor variance will allow the integration of a project that is consistent with the purpose of the zone. The presence of a McDonald's restaurant in this neighborhood will act as a catalyst for local economic development, providing jobs, supporting local suppliers, leading to a multiplier effect where increased economic activity generates further business opportunities.

2. *Foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, transit, and automobile;*

The proposal encourages pedestrian movement as it enhances activity in a commercial main street within an 800m radius shared with residential zoning. Additionally, bicycle parking racks will be added in the front and rear yards of the site to encourage the use of bikes as well as the use of public transit over vehicular

3. *Recognize the function of Business Improvement Areas (BIAs) as primary business or shopping areas;*

The McDonald's restaurant can act as an anchor business attracting other businesses and services to the area thereby reinforcing the area's role as a key business and shopping hub.

4. *Impose development standards that will ensure that street continuity, scale and character is maintained, and that the uses are compatible and complement surrounding land uses.*

The project proposes the reuse of the existing building and its massing, which in itself has contributed to the existing image of the street and will maintain its scale and continuity within the urban fabric. The main façade on Richmond Road will be renovated to modernize it. At the same time, the existing mural on its right façade by Shaun McInnis, a local artist, will be preserved to maintain the building's original character. The goal is to give a second life to the building while being conscious of the benefits of reusing its existing massing for environmental reasons as well as maintaining its scale, character and contribution to the urban fabric.

The third test for a minor variance is that the minor variance is considered desirable for the use of the property.

The minor variance is desirable for the use of the property for the following reasons:

1. Granting the minor variance will not impact the operation of the restaurant. As previously demonstrated, the area is well equipped with public transportation and a majority of the clientele is located within an 800m radius or a 10-minute walk to the restaurant.
2. If the minimum parking requirement is maintained, costly demolition work will have to take place, which is highly undesirable as it is contradictory to the goals of the Climate Change Masterplan or of the Official Plan.
3. Granting the minor variance will encourage the engagement of a clientele oriented towards using public transport or zero emission alternatives. This helps the neighborhood as a whole transition into becoming a Transit-Oriented Development (TOD) and reducing car dependency and the associated negatives like traffic and greenhouse gas emissions which in turn will benefit all businesses.

Therefore, the requested minor variance is desirable for the use of the property as it allows for the reuse of the existing building and encourages the development of a transit-oriented neighborhood. If the project is not granted the minor variance, the proposed layout of the restaurant will be constrained to the ground floor and consequently the second floor would have to be demolished to benefit from the zoning bylaw exemption listed under Section 101.4.D.

The fourth test for a minor variance is that the variance is considered minor in nature.

The proposed project complies with the provisions relating to the TM zoning requirements and the only non-compliance is regarding the parking provision. The reduction in the minimum number of parking spaces for the subject site is considered minor as it does not impede the goals of the Official Plan or the Zoning Bylaws. The minor variance does not have a negative impact on the neighboring sites, on the contrary, it is in line with the intended use and view of the neighborhood and encourages its development as a Business Improvement Area (BIA) and a Transit-Oriented Development (TOD).

IV. Conclusion

Granting the minor variance, to allow for no off-street motor vehicle parking required to be provided (18 parking spaces), will greatly facilitate the development of the proposed restaurant on Richmond Road. The restaurant will attract businesses to the commercial artery and will encourage pedestrian activity and access by public transportation to its location. As demonstrated, the project maintains the intents of the Official Plan and the Zoning Bylaws. Additionally, it will allow the client to reuse the existing building and modernize its image on Richmond Road, simultaneously maintaining its existing character, and

contribution to the urban fabric. In conclusion, the requested variance is considered desirable for the use of the land and is minor in nature. The proposed development represents good land use planning because it will improve the urban fabric.

Sincerely,

R FEGHOUL

Rachida Feghoul, architect MOAQ
MRA Architecture + Design

Attachments:

1. 2024-06-25_388 Richmond Road_Presentation Document.pdf
2. 388 Richmond Road_2017 Site Survey.pdf