

**Subject: Official Plan Amendment and Zoning By-law Amendment – 424
Churchill Avenue North**

File Number: ACS2024-PDB-PS-0098

**Report to Planning and Housing Committee on 6 November 2024
and Council 13 November 2024**

**Submitted on October 25, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services**

Contact Person: Ann O'Connor, Planner III, Development Review Central

613-580-2424 ext.12658, Ann.OConnor@ottawa.ca

Ward: Kitchissippi (15)

**Objet : Modification du Plan officiel et modification du *Règlement de zonage*
– 424, avenue Churchill Nord**

Dossier : ACS2024-PDB-PS-0098

Rapport au Comité de la planification et du logement

le 6 novembre 2024

et au Conseil le 13 novembre 2024

**Soumis le 25 octobre 2024 par Derrick Moodie, Directeur, Services de la
planification, Direction générale des services de la planification, de
l'aménagement et du bâtiment**

**Personne ressource : Ann O'Connor, Urbaniste, Examen des demandes
d'aménagement centrale**

613-580-2424 ext.12658, Ann.OConnor@ottawa.ca

Quartier : Kitchissippi (15)

REPORT RECOMMENDATIONS

That Planning and Housing Committee:

1. Recommend Council approve an amendment to the Official Plan, Volume 2a, Richmond Road / Westboro Secondary Plan, for 424 Churchill Avenue North, as shown in Document 1, for increased buildings heights as detailed in Document 2.
2. Recommend Council approve an amendment to Zoning By-law 2008-250 for 424 Churchill Avenue North, as shown in Document 1, to permit an eight-storey residential building, as detailed in Document 3.
3. Approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of November 13, 2024," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

Que le Comité de la planification et du logement :

1. recommande au Conseil municipal d'approuver une modification à apporter au volume 2A (Plan secondaire du secteur du chemin Richmond à Westboro) du Plan officiel pour le 424, avenue Churchill Nord, comme l'indique la pièce 1, pour augmenter la hauteur des immeubles selon les modalités précisées dans la pièce 2;
2. recommande au Conseil municipal d'approuver une modification à apporter au *Règlement de zonage* (n° 2008-250) pour le 424, avenue Churchill Nord, comme l'indique la pièce 1, afin d'autoriser la construction d'un immeuble d'habitation de huit étages selon les modalités précisées dans la pièce 3;
3. approuve l'intégration de la section Détails de la consultation du rapport dans la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffe municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la

réunion tenue par le Conseil municipal le 13 novembre 2024 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Official Plan Amendment and Zoning By-law Amendment for 424 Churchill Avenue North to permit a mid-rise residential development up to eight-storeys in height.

The applicant has requested an Official Plan Amendment to allow for an eight-storey building in an area currently limited to a maximum height of four to six storeys. The proposed Official Plan amendment will amend the Richmond Road / Westboro Secondary Plan, Schedule C – Maximum Building Heights by changing the designation of 424 Churchill Avenue North from having a maximum building height of four to six storeys to having a maximum building height of seven to nine-storeys as detailed in Document 2 – Details of Recommended Official Plan Amendment.

The applicant has also requested a Zoning By-law Amendment to rezone the site from TM H(24) – Traditional Mainstreet Zone, Height Limit 24 metres to TM[xxx] H(28) – Traditional Mainstreet Zone, Exception xxx, Height Limit 28 metres, as detailed in Document 3 – Details of Recommended Zoning By-law Amendment. The proposed zoning increases the maximum height limit by four metres and introduces a site-specific exception that addresses building setbacks, stepbacks in massing, a bicycle parking ratio, and projections.

Applicable Policy

The proposed eight-storey residential building adheres to applicable Provincial and City planning policies. The property is designated Inner Urban Transect and Churchill Avenue North is designated a Minor Corridor. The property is within the study area for the Richmond Road / Westboro Secondary Plan and Community Design Plan. The property is also one block south of Richmond Road and within 600 metres of the Kichi Zibi Transit station. The site has unique development constraints that impact how the property can be developed, including steep slopes across the property, proximity to hydro infrastructure, on-site contamination that requires remediation, and required land conveyances for a Council approved protected intersection at Byron Avenue and Churchill Avenue North. Staff support remediating the site and replacing a vacant dry-cleaning business with housing close to transit along a Minor Corridor in the Inner Urban Transect Area.

Public Consultation/Input

Notification and public consultation was undertaken in accordance with the City's Public Notification and Public Consultation Policy. One public meeting was held for the community virtually on January 11, 2023. Approximately 14 residents commented on the proposed development during the review process. Document 4 – Consultation Details provides a summary of the comments that were received and staff responses. The concerns expressed related to elements of the proposal such as parking, traffic, contamination, loss of greenery, reduced setbacks, height, and cycling infrastructure.

SYNTHÈSE ADMINISTRATIVE

Recommandation du personnel

Le personnel des Services de planification recommande d'approuver la modification du Plan officiel et la modification du *Règlement de zonage* pour le 424, avenue Churchill Nord afin d'autoriser la construction d'un bâtiment d'habitation de moyenne hauteur, soit d'au plus huit étages.

Le requérant a demandé d'apporter une modification au Plan officiel afin d'autoriser un immeuble de huit étages dans un secteur dans lequel la hauteur maximum est actuellement limitée à un nombre d'étages compris entre quatre et six. La modification qu'il propose d'apporter au Plan officiel aura pour effet de modifier l'annexe C (Hauteur maximum des bâtiments) du Plan secondaire du secteur du chemin Richmond à Westboro en changeant la désignation du 424, avenue Churchill Nord, pour remplacer la hauteur maximum des bâtiments de quatre à six étages par une hauteur maximum de sept à neuf étages selon les modalités précisées dans la pièce 2 (Les détails de la modification que l'on recommande d'apporter au Plan officiel).

Le requérant a aussi demandé d'apporter une modification au *Règlement de zonage* afin de rezoner le site pour passer de la zone TM H(24) (Zone de rue principale traditionnelle, limite de hauteur de 24 mètres) à la zone TM[xxx] H(28) (Zone de rue principale traditionnelle, exception xxx, limite de hauteur de 28 mètres), selon les modalités précisées dans la pièce 3 (Détails de la modification que l'on recommande d'apporter au *Règlement de zonage*). Le zonage proposé a pour effet d'augmenter de 4 mètres la limite de hauteur maximum et prévoit une exception propre au site qui tient compte des marges de retrait des bâtiments, des marges de recul de la volumétrie, d'un ratio de surface pour le stationnement des vélos et d'ouvrages en saillie.

Politiques applicables

L'immeuble d'habitation de huit étages proposé respecte les politiques du gouvernement provincial et de la Ville sur l'urbanisme. La propriété porte la désignation

de transect du secteur urbain intérieur, et l'avenue Churchill Nord porte la désignation de couloir mineur. Cette propriété fait partie de l'aire de l'étude du Plan secondaire du secteur du chemin Richmond à Westboro et du Plan de conception communautaire. Elle est aussi située à un quadrilatère au sud du chemin Richmond et à moins de 600 mètres de la station de transports en commun Kichi Zibi. Le site comporte des contraintes exceptionnelles dans l'aménagement, qui influent sur le mode d'aménagement de la propriété, dont un terrain pentu sur l'ensemble de la propriété, la proximité des infrastructures d'hydroélectricité, la contamination du site à assainir et les accords obligatoires de cession de terrain pour une intersection protégée approuvée par le Conseil municipal à l'angle de l'avenue Byron et de l'avenue Churchill Nord. Le personnel est favorable à l'assainissement du site et à l'aménagement, pour remplacer un bâtiment ayant abrité une entreprise de nettoyage à sec qui a fermé ses portes, d'un immeuble à logements à proximité des transports en commun dans un couloir mineur de l'aire du transect du secteur urbain intérieur.

Consultation et commentaires du public

La notification et la consultation du public se sont déroulées conformément à la Politique sur les avis publics de la Ville. Une assemblée publique a eu lieu en virtuel pour la collectivité le 11 janvier 2023. Environ 14 résidents ont commenté le projet d'aménagement proposé pendant le déroulement de l'examen. La pièce 4 (Détails de la consultation) fait la synthèse des commentaires qui ont été exprimés et des réponses du personnel. Les inquiétudes exprimées se rapportent à des éléments de la proposition comme le stationnement, la circulation automobile, la contamination, la disparition de la verdure, la réduction des marges de retrait, la hauteur et les infrastructures cyclables.

BACKGROUND

Site location

424 Churchill Avenue North

Owner

GSI Slough Street Properties Inc.

Applicant

Fotenn Planning + Design (c/o Jillian Simpson and Lisa Della Rosa)

Description of site and surroundings

The subject site is located in the Westboro neighbourhood and is known municipally as 424 Churchill Avenue North. The subject site is a through, corner-lot occupying the entire west side of Churchill Avenue North, between Danforth Avenue and Byron Avenue. It is irregularly shaped with approximately 55 metres of frontage along Danforth Avenue, 25 metres of frontage along Churchill Avenue North, and 50 metres of frontage along Byron Avenue, with a total area of approximately 1,000 square metres.

The property has steep slopes rising toward the south-east corner of the site (the intersection of Churchill Avenue North and Byron Avenue). Along both the north property line (facing Danforth Avenue) and the east property line (facing Churchill Avenue North) there are hydro poles and hydro wires. The site is currently occupied by a building which is now vacant but was previously used as a personal service business (dry cleaning outlet and laundromat). Due to the former dry-cleaning outlet use, the site is contaminated and requires remediation.

The site is surrounded by a mix of uses, including commercial, office, institutional, and low-and mid-rise residential. The site is located on a triangular block bound by Danforth Ave to the north-west, Churchill Avenue North to the east, and Byron Avenue to the south. Other than the subject site, only one other property is located along the block. The following land uses and built form surround the site:

- To the north, the site abuts the Danforth Avenue Right-of-Way, beyond which are two- and three-storey mixed-use, commercial, and residential buildings and associated surface parking. One block north of the property is Richmond Road, a designated Mainstreet Corridor. Further north, within 600 metres of the subject site, is the “Kichi Zibi Transit Station”, formerly “Dominion Transit Station”.
- To the east, the site abuts the Churchill Avenue North Right-of-Way, a designated Minor Corridor. Across the street on Churchill Avenue North, located on a retaining wall, is the “Westboro Village” mural, above which is a three-storey residential building; also, across the street on Churchill Avenue North is Byron Linear Tramway Park. On the east-south corner of Churchill Avenue North and Byron Avenue is a property that has zoning approval to redevelop into a six storey mixed-use building.
- To the south, the site abuts the Byron Avenue Right-of-Way, beyond which is a short, treed escarpment, above which is a two-storey place of assembly and its associated surface parking lot (Westboro Masonic Hall) and a three-storey school (Churchill Alternative School).

- To the west, below an approximately four metre tall on-site retaining wall, the site abuts a two-storey office building. Further west, along Danforth Avenue, is the rear access to the surface parking lot adjacent to the commercial store Mountain Equipment Co-op.

Summary of proposed development

The Owner has submitted an Official Plan Amendment (File No. D01-01-22-0011), Zoning By-law Amendment (File No. D02-02-22-0098), and Site Plan Control (File No. D07-12-22-0152) application to construct an eight storey (mid-rise) residential building. The development includes 58 dwelling units, of which one is a bachelor unit, 30 are one-bedroom units, 20 are one-bedroom plus den units, and seven are two-bedroom units. A two-level parking garage with 31 vehicular parking spaces is to be accessed from Danforth Avenue. There are also 68 bicycle parking spaces proposed, of which 30 spaces are located within a bike room that can be accessed directly from Byron Avenue (on the second level, which is for practical purposes considered “ground level”) and 38 spaces located in the first level of underground parking. 393 square metres of amenity space is proposed.

Summary of requested Official Plan Amendment

The requested Official Plan Amendment is to allow for an eight-storey building in an area currently designated with a maximum height of “four to six storeys” in the Richmond Road / Westboro Secondary Plan, Schedule C – Maximum Building Height. The proposed Official Plan amendment will amend the Richmond Road / Westboro Secondary Plan, Schedule C by designating 424 Churchill Avenue North as having a Maximum Building Height of “seven to nine-storeys” as detailed in Document 2 – Details of Recommended Official Plan Amendment.

Summary of requested Zoning By-law Amendment

The requested Zoning By-law Amendment is to rezone the site from from TM H(24) – Traditional Mainstreet Zone, Height Limit 24 metres to TM[xxx] H(28) – Traditional Mainstreet Zone, Exception xxx, Height Limit 28 metres. The proposed zoning retains the Traditional Mainstreet zone and does not change the uses permitted or prohibited on-site.

As detailed in Document 3 – Details of Recommended Zoning By-law Amendment, the requested Zoning By-law amendment is to permit:

- A maximum building height of 28 metres. The current zoning sets the maximum building height to 24 metres; therefore, the new zoning will increase the maximum height limit by four metres.

- A maximum front yard setback of 2.6 metres. The current zoning requires a maximum front yard setback of 2 metres.
- A minimum corner side yard setback of 0 metres from the north property line (abutting Danforth Avenue) and 1.0 metre from the south property line (abutting Byron Avenue). The current zone requires a corner side yard setback of 3 metres at-grade, except for any part of a building above 15 metres for which an additional 2 metre setback must be provided. Different setbacks in massing are provided, as outlined below.
- A minimum rear yard setback of 0.5 metres. The current zoning sets the minimum rear yard setback to be 7.5 metres. Due to the topography onsite and the grading solutions proposed, the current required 7.5 metre rear yard setback is not being met; however, a provision is proposed in the new zoning exception that will require the building to be setback 7.5 metres from the rear lot line for any portion of the building greater than 4 metres in height, as shown in Document 5 – Concept Site Plan and Elevations.
- Table 197(g) does not apply. Row (g) of Table 197 requires that for a building that exceeds four-storeys or 15 metres in height, for all storeys above the fourth storey, or 15 metres in height, whichever is the lesser, the building must be setback a minimum of 2 metres more than the provided setback from the front lot line and from a corner lot line. Different setbacks in massing are provided, as outlined below.
- The following setbacks in massing:
 - Any part of a building above 4 metres in height, measured from average grade, must be setback 7.5 metres from the rear lot line.
 - Any part of a building above the third storey facing the front lot line must be setback a minimum of 0.9 metres from the building wall beneath it.
 - Any part of a building above the seventh storey must be setback a minimum of 0.5 metres from the building wall beneath it.
- The following relief from permitted projections into required yards provision:
 - Balconies may project to 0m abutting the Byron Avenue lot line. Section 65 in the Zoning By-law currently permits balconies to project 2 metres, but no closer than 1 metre from any lot line.

- An uncovered deck may be located no closer than 0.5 metres to the rear lot line. Section 65 in the Zoning By-law currently permits uncovered decks to project 2 metres, but no closer than 1 metre from any lot line.
- A minimum required number of bicycle parking spaces of one space per dwelling unit. The zoning requires that the minimum number of bicycle spaces required is at a rate of 0.5 per dwelling unit.

DISCUSSION

Public Consultation

Notification and public consultation was undertaken in accordance with the City's Public Notification and Public Consultation Policy. One public meeting was held for the community virtually on January 11, 2023. Approximately 14 residents commented on the proposed development during the review process. Document 4 – Consultation Details provides a summary of the comments that were received and staff responses. The concerns expressed related to elements of the proposal such as parking, traffic, contamination, loss of greenery, reduced setbacks, height, and cycling infrastructure.

Official Plan designation(s) and policies

The site is subject to the following applicable Official Plan designations and policies:

- Inner Urban Transect policy area (OP, Schedule A – Transect Policy Areas).
- Churchill Avenue North is a Minor Corridor (OP, Schedule B2 – Inner Urban Transect).
- Richmond Road is located one block north of the site and is a Mainstreet Corridor (OP, Schedule B2 – Inner Urban Transect).
- The subject site is within 600 metres of KichiZibi Transit Station, formerly Dominion Transit Station (OP, Schedule B2 – Inner Urban Transect).
- Byron Avenue is a “Major Pathway” and there is currently a cycle track on the south side of Byron Avenue, running from west to east (OP, Schedule C3 – Active Transportation Network).
- Churchill Avenue North is designated an “existing major collector” and Byron Avenue is designated an “existing collector” (OP, Schedule C4 – Urban Road Network).

- The Byron Linear Tramway Park is located both east and west of the site (OP, Schedule C12 – Urban Greenspace).

Other applicable policies and guidelines

- The property is within the study area of the Richmond Road / Westboro Secondary Plan and is identified in Schedule C – Maximum Building Height as having a maximum building height of “four to six storeys”.
- The property is within the study area of the Richmond Road / Westboro Community Design Plan.
- The property abuts the Byron Avenue and Churchill Avenue North intersection, where the City of Ottawa is working on a design for a protected intersection.

Planning rationale

Official Plan

The applications for Official Plan Amendment and Zoning By-law Amendment have been reviewed against the policies of the Official Plan. Pursuant to Schedule A and Section 5.2 of the Official Plan, the site is designated Inner Urban Transect. The Inner Urban Transect Policy Area is generally planned for mid- to high-density development. This proposal is a high-density development as it is a mid-rise, eight-storey building containing 58 residential dwelling units. Section 5.2.1, Policy 4 provides direction for development within Inner Urban Transects to increase existing residential densities to sustain a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods.

Pursuant to Schedule B2 and Section 6.2 of the Official Plan, the subject site is also designated a Minor Corridor (Churchill Avenue North) and is located one block south of a Mainstreet Corridor (Richmond Road). Development along Corridors shall establish buildings and locate the maximum permitted heights and highest densities close to the Corridor, subject to building stepbacks where appropriate. Policy 2 of Section 6.2.2 states that development on Minor Corridors may include residential-only buildings. The proposed residential building will increase the amount of housing close to the amenities, services, and employment options located along Churchill Avenue North and Richmond Road.

Policy 4 of Section 6.2.1 of the Official Plan, states that for properties, like 424 Churchill Avenue North, which have frontage on both a Minor Corridor (Churchill Avenue North) and a side street (Danforth Avenue), that development shall address the Corridor. In addition, the urban design policies 2 and 3 in Section 4.6.5 of the Official Plan, identify

that developments should have clearly visible main entrances from public sidewalks, minimize conflicts between vehicles and pedestrians, and limit interruptions along sidewalks. These policies are achieved by locating the main pedestrian entrance at the corner of Churchill Avenue North (the corridor) and Byron Avenue and by providing vehicular access from Danforth Avenue (the side street).

In Schedule C4 – Urban Road Network in the Official Plan, Churchill Avenue North is designated an “existing major collector”, and Byron Avenue is designated an “existing collector”. The proposal eliminates two existing egresses to the site from these collector streets and, alternatively, provides one on Danforth Avenue, a local road. A left-in/left-out to and from a parking garage will be provided on Danforth Avenue. As a result, pedestrian and cyclist safety is expected to be improved along Churchill Avenue North and Byron Avenue. Furthermore, the property is currently an underdeveloped lot, and the proposed new development will help to enclose and define the street edge along all three public streets that it abuts. The proposal will, therefore, improve site access, pedestrian safety, and public realm design.

Section 6.2 of the Official Plan also provides direction for development in Minor Corridors to ensure appropriate transitions in height, use of land, site design and development character where the Corridor designation meets abutting designations. The proposal incorporates architectural measures, including setbacks in massing and changes in materiality, to ensure effective transition to neighbouring uses.

Along Minor Corridors, permitted building heights are generally not less than two storeys and up to six storeys, except where a secondary plan or area-specific policy specifies different heights (Section 5.2.3, Policy 3). In this case, the subject site is within the study area for the Richmond Road / Westboro Secondary Plan and this Secondary Plan provides policy guidance on maximum permitted heights. Additionally, the existing zoning permits a height of 24 metres, which would typically equate to an eight storey building, and the additional four metres in height recommended remains consistent with the mid-rise built form.

Richmond Road / Westboro Secondary Plan

The subject site is located in the Richmond Road / Westboro Secondary Plan area. It is just south of the boundary for “Westboro Village” and is, therefore, outside of any identified “planning area sectors” and associated sector-specific policy. However, it is designated as having a maximum building height of four to six storeys on Schedule C – Maximum Building Height. The proposed Official Plan Amendment recommends changing the maximum height designation from four to six storeys to seven to nine storeys on Schedule C.

Section 2.2 of the Secondary Plan outlines objectives that support intensification when development is compatible with the existing community and when adverse impacts of intensification are mitigated. The proposed height of the building is appropriate in its context and is compatible with the existing community. The proposal is for a mid-rise built form in an area that is transitioning from a low-rise neighbourhood uphill to a Mainstreet Corridor (Richmond Road) downhill. The building is designed to include stepbacks in massing that provide transitions to surrounding uses. The proposal also responds to a significant grade change on-site that presents challenges in terms of site design. The proposal is consistent with the applicable policies of the Secondary Plan and its intent.

The existing zoning on-site permits a maximum building height of 24 metres, which based on a three metre floor-to-ceiling height per floor, could accommodate an eight -storey built form as-of-right. Amending the Secondary Plan to be consistent with the existing zoning permissions on-site is supported by Staff. The accompanying Zoning By-law amendment application will permit an additional four metres in height, beyond the as-of-right 24 metre height limit, to allow a building with a maximum height of 28 metres, still within the eight-storey built form. The additional four metres will allow for greater floor-to-ceiling heights within the eight-storey built form and will help to address the unique development constraints on-site.

Unique Development Constraints

The property has site-specific development constraints that impact how the property can be developed, including steep slopes across the property, close proximity to hydro poles and wires, on-site contamination that requires remediation, and required land conveyances for a Council approved protected intersection at Byron Avenue and Churchill Avenue North.

The sloped topography of the site has the effect of having a different number of storeys visible depending on what street the building is viewed from. For example, the building appears taller from Danforth Avenue (nine-storeys exposed) because that is the lowest point of the slope; whereas, the building appears shorter from Byron Avenue (seven -storeys exposed) because that is the highest point of the slope. Therefore, despite how the building may be perceived to be taller from certain views, the proposed zoning will limit the building to a maximum 28 metres in height measured from average grade. See Document 5 – Concept Site Plan and Elevations, and Document 6 – Concept Renderings.

Along both the north property line (facing Danforth Ave) and the east property line (facing Churchill Ave N) there are hydro poles and hydro wires. To accommodate the

high-voltage power lines along Churchill Ave N, the building is proposed to be setback from the front property line (Churchill Ave N) beyond the maximum required front yard setback of 2 metres, to be 2.6 metres. An additional 0.9 metre stepback in massing at the fourth floor facing Churchill Avenue North is also incorporated to allow for a five metre clearance distance from the hydro wires. The proximity to hydro infrastructure impacts the proposed building setbacks and massing.

The property is currently occupied by a building that is currently vacant but was previously used as a personal service business (dry cleaning outlet and laundromat). Due the former dry-cleaning outlet use, the site is contaminated and requires remediation. Staff support remediating the site and replacing a vacant dry-cleaning business with additional housing close to transit along a Minor Corridor in the Inner Urban Transect Area.

The property abuts the Byron Avenue and Churchill Avenue North intersection, which is being designed to be a protected intersection by City staff. This project was approved by City Council through the approval of the Transportation Master Plan – Part 1 on April 23, 2023. The purpose of the protected intersection improvements is to connect the existing cycle tracks on Byron Avenue (east of Churchill Avenue North), and the existing cycle tracks on Churchill Avenue North (south of Byron Avenue). In addition, there is a future Transportation Master Plan project to examine the feasibility of adding cycling facilities on Churchill Avenue from Byron Avenue to Scott Street.

To aid in increasing the functionality of this intersection, the Owner will be conveying to the City, via Site Plan approval, a 5 metre by 5 metre corner triangle as well as a 0.75 metre by 6 metre rectangular parcel of land at the corner of Byron Avenue and Churchill Avenue North. The rectangular parcel will allow space for a standard signal pole that is aligned with the north edge of the crosswalk. The land conveyance results in a decreased developable area at-grade for the 424 Churchill Avenue North redevelopment but will allow for an improved public Right-of-Way.

Zoning Details

As detailed in Document 3 – Details of Recommended Zoning, the proposed Zoning By-law amendment will re-zone the site from Traditional Mainstreet Zone, Height Limit 24 metres to Traditional Mainstreet Zone, Exception xxx, Height Limit 28 metres. The proposed residential mid-rise apartment use is permitted under the existing parent Traditional Mainstreet Zone, which is not changing. The following summarizes the site-specific zoning provisions:

Maximum Permitted Height Increased

Under the current zone, the maximum permitted height is 24 metres. The proposal seeks to allow an additional four metres in height to permit a maximum height of 28 metres. The proposal is designed with various setbacks and stepbacks as outlined below that will provide transition and break up the building massing. The largest stepback is 7.5 metres from the rear property line to minimize the impact on the only lot that this property abuts, 352 Danforth Avenue. The additional four metres in height allows for greater floor-to-ceiling heights within an eight-storey built form and addresses site-specific topography. It is Planning Services' position that the requested height is appropriate for the development of the site.

Front Yard Setback Increase

The existing zoning requires a maximum front yard setback of 2 metres. The applicant is proposing a 2.6 metre front yard setback. The additional 0.6 metres will allow an adequate setback from hydro infrastructure along Churchill Avenue North and will allow for planters with soft landscaping to be included along the Churchill Avenue North frontage. The intent of having a maximum front yard setback for properties zoned "Traditional Mainstreet" is to encourage developments to have a continuous built form with interior uses that are close to the public Right-of-Way. This development still achieves this desired active street presence along Churchill Avenue North.

Corner Side Yard Setback Reduction

The property has two corner side yards: along Danforth Avenue to the north and Byron Avenue to the south. The existing requirement for a corner side yard setback is 3 metres at the ground floor level with an additional requirement for a 2-metre setback for any part of the building above 15 metres in height. From Danforth Avenue (the north property line), the applicant is providing a 0-metre setback. From Byron Avenue (the south property line), the applicant is providing a 1 metre setback. There is no consistent streetscape along either Danforth Avenue or Byron Avenue. There is only one other property located on this block, which abuts subject site to the west and is a two-storey office building located below an approximately four-metre-high retaining wall. This neighbouring building, located at 352 Danforth Avenue, also has a non-conforming corner side yard setback of approximately 0.8 metres from Danforth Avenue. From Byron Avenue, due to the extreme slopes on this block, there is a treed escarpment behind the two-storey office building at 352 Danforth Avenue, and no access into this neighbouring building from Byron Avenue. Therefore, the impacts of the reduced corner side yard setbacks at-grade are minimal. The proposal also does not provide the 2-metre setback for any part of the building above 15 metres in height; alternatively, the

proposal includes three other stepbacks in massing detailed below, that help to break up the massing of the building and provide transition. Given the lack of defined streetscape character and the alternative stepbacks in massing provided, Staff believe the reduced corner side yard setbacks are appropriate.

Rear Yard Setback Reduction

As per the Traditional Mainstreet zoning, the required rear yard setback is 7.5 metres. The proposed rear yard setback is 0.5 metres. The proposal does achieve a 7.5 metre setback in what is functionally the ground level of the building; however, due to the unique topography of the property, there are two floors below this functional ground level that are exposed along Danforth Avenue. It is these two levels that are 0.75 metres from the rear property line; however a 0.5 metre setback is being requested to allow for some flexibility. Considering that the proposed zoning exception includes a provision that requires a 7.5 metre setback from the rear property line for the parts of the building above four metres in height (at this functional ground floor level and higher), the intent of providing privacy and massing relief is still achieved.

Massing Stepbacks

The proposed zoning exception seeks to have Table 197(g) not apply. In the Traditional Mainstreet Zone, row (g) of Table 197 requires that for a building that exceeds four-storeys or 15 metres in height, for all storeys above the fourth storey, or 15 metres in height, whichever is the lesser, the building must be setback a minimum of 2 metres more than the provided setback from the front lot line and from a corner lot line. To respond to the site-specific context, the proposal seeks to be exempt from this provision in Table 197(g) and, alternatively, incorporate the following stepbacks in massing:

- Any part of a building above 4 metres in height, measured from average grade, must be setback 7.5 metres from the rear lot line. This setback has the effect of creating a stepback in massing located just above what is functionally the ground floor of the building. This stepback provides the massing relief that would otherwise be provided by a 7.5 metre rear yard setback, which is not provided in this proposal.
- Any part of a building above the third storey facing the front lot line must be setback a minimum of 0.9 metres from the building wall beneath it. This stepback breaks up the massing and façade treatment facing Churchill Avenue North.
- Any part of a building above the seventh storey must be setback a minimum of 0.5 metres from the building wall beneath it. This stepback helps to reduce the impact of the height of the building by reducing the size of the eighth floor. It also

helps to visually break up the massing of the building and the materiality of the eight floor is also distinct from the floors below it.

Balcony and Deck Projections

Section 65 in the Zoning By-law outlines provisions related to permitted projects into yards and limits balconies and uncovered decks in this case to project 2 metres from the building, but no closer than 1 metre from any lot line. The building is setback 1 metre from Byron Avenue and includes balconies that project to the Byron Avenue lot line. The building is also setback 0.75 metres from the rear lot line (although the zoning details permit a 0.5 metre setback from the rear lot line) and includes a 7.5 metre setback from the rear lot line above 4 metres in height. On top of this 7.5 metre setback there is an uncovered deck. Planning Services support this relief as the balconies and deck help to bring animation the streetscapes and increase the amount of amenity areas for the residential development.

Minimum Bicycle Parking Spaces

Section 111 in the Zoning By-law requires that for an apartment building mid rise, the minimum number of bicycle parking spaces required is 0.50 per dwelling unit. The provision proposed in the new zoning exception will require that a rate of one bicycle parking space be provided per dwelling unit. The proposal contains 58 dwelling units and 68 bicycle parking spaces; therefore, this ratio can easily be achieved.

Provincial Policy Statement

The proposal is consistent with the 2020 and 2024 Provincial Policy Statement. Staff note that the 2024 Provincial Policy Statement will come into force on October 20, 2024, and as of that date, will replace the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Notification and public consultation was undertaken in accordance with the City's Public Notification and Public Consultation Policy. One public meeting was held for the community virtually on January 11, 2023. Approximately 14 residents commented on the proposed development during the review process. The City received feedback that was a mix of support and concern for the redevelopment. Document 4 – Consultation Details provides a summary of the comments that were received and staff responses. The concerns expressed related to elements of the proposal such as parking, traffic, contamination, loss of greenery, reduced setbacks, height, and cycling infrastructure.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper provided the following comments:

“I am pleased to see the proposal for this important corner site in Westboro move forward. Its location just south of Richmond Road and Churchill Avenue, in an area rich in amenities, shops and services, in close proximity to two future LRT stations make it an appropriate site for increased density and height. Moreover, it supports many of the goals and policies for corridors of the Official Plan and helps the City work towards our goal of providing more housing.

I was also pleased to work with Staff to ensure that land from the site will be conveyed for the future protected intersection at Churchill and Byron Avenues. Its implementation will help improve and fill a gap along this corridor’s existing and critical cycling infrastructure, towards Richmond Road.”

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendations.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations in this report.

ASSET MANAGEMENT IMPLICATIONS

There are no servicing constraints identified for the proposed rezoning at this time. Servicing capacity requirements to be confirmed at time of site plan.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The redevelopment will improve the accessibility into the property by providing multiple at-grade accesses into the site from the abutting Right-of-Ways and includes an accessible vehicular parking space. The new building will also be required to meet the accessibility criteria contained within the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act (AODA) as it pertains to accessibility standards. Accessibility will be further reviewed prior to the issuance of a building permit.

ENVIRONMENTAL IMPLICATIONS

The site is currently occupied by a building which is now vacant but was previously used as a personal service business (dry cleaning outlet and laundromat). Due to the former dry-cleaning outlet use, the site is contaminated and requires remediation. The City's Environmental Remediation Unit is reviewing the submitted applications and associated plans and studies, including a Phase I and Phase II Environmental Site Assessment (ESA), to ensure that potential issues of contamination will be addressed. Conditions of Site Plan approval will require that remediation be undertaken by the property owner. Additionally, a Record of Site Condition will be required from the provincial Ministry of Environment, Conservation and Parks.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more liveable for all.
- A city that is more connected with reliable, safe and accessible mobility options.

The proposal adds to the existing housing stock, through a range of unit types, in an urban area that is close to transit.

APPLICATION PROCESS TIMELINE STATUS

These Official Plan and Zoning By-law amendment applications (Development Application Numbers: D01-01-22-0011 and D02-02-22-0098) were not processed by the "On Time Decision Date" established for the processing of Official Plan and Zoning By-law amendment applications due to multiple rounds of review and the complexity of planning issues to be addressed.

SUPPORTING DOCUMENTATION

Document 1 – Location Map and Zoning Key Plan

Document 2 – Details of Recommended Official Plan Amendment

Document 3 – Details of Recommended Zoning By-law Amendment

Document 4 – Consultation Details

Document 5 – Concept Site Plan, Landscape Plan, and Elevations

Document 6 – Concept Renderings

DISPOSITION

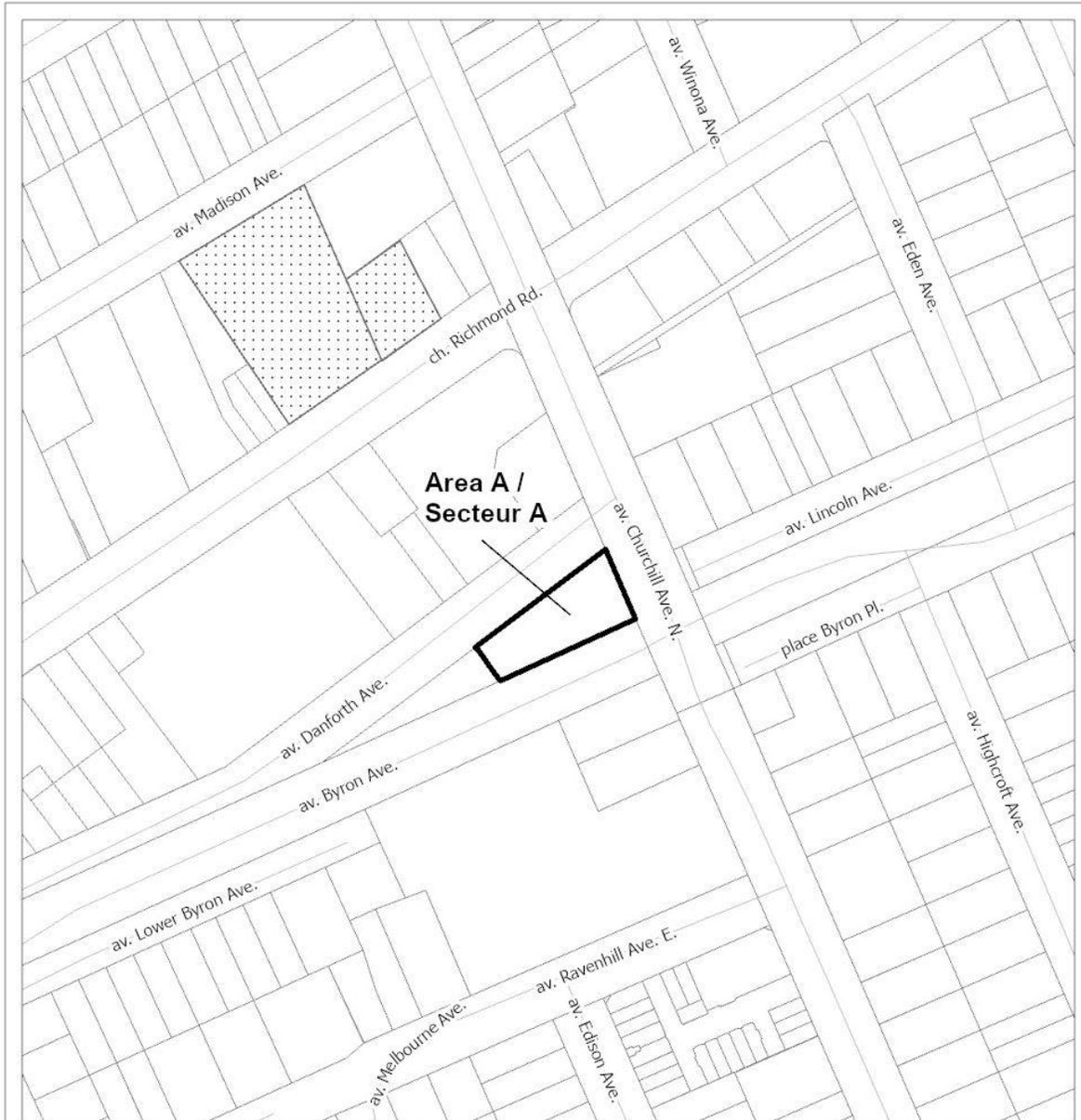
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

Planning, Development and Building Services Department will prepare a implementing by-law and forward it to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Location Map and Zoning Key Plan



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-22-0098	24-1058-X	424 avenue Churchill Avenue North/nord	
I:\CO\2024\ZKP\Churchill_424		 Area A to be rezoned from TM H(24) to TM[xxx] H(28) Le zonage du secteur A sera modifié de TM H(24) à TM[xxx] H(28)	
©Parcel data is owned by Terranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.		 Heritage (Section 60) Patrimoine (Article 60)	
©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE.		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
REVISION / RÉVISION - 2024 / 09 / 20			

**Document 2 – Details of Recommended Official Plan Amendment
Official Plan Amendment XX to the
Official Plan for the
City of Ottawa**

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE

1. PURPOSE
2. LOCATION
3. BASIS

PART B – THE AMENDMENT

1. INTRODUCTION
2. DETAILS OF THE AMENDMENT
3. IMPLEMENTATION AND INTERPRETATION
4. SCHEDULE A OF AMENDMENT XX – OFFICIAL PLAN FOR THE CITY OF OTTAWA

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

PART A – THE PREAMBLE

1. Purpose

The purpose of Amendment No. XX is to permit an eight-storey building.

2. Location

The site is in the Westboro neighbourhood and is approximately 1,000 square metres in area. The site is a through corner lot occupying the entire west side of Churchill Avenue North between Danforth Avenue and Byron Avenue.

3. Basis

The site is currently designated as having a maximum building height of 4 to 6-storeys on Schedule C – Maximum Building Height within the Richmond Road / Westboro Secondary Plan. The proposed eight-storey building requires an Official Plan amendment to Schedule C to permit an eight-storey building in areas currently limited to a maximum height of 4 to 6-storeys. The proposed Official Plan amendment will amend Schedule C by designating 424 Churchill Avenue North as having a Maximum Building Height of 7 to 9-storeys as shown as Schedule A of this amendment. The accompanying Zoning By-law amendment (File No. D02-02-22-0098) will further limit the height on-site to a maximum height of 28 metres.

Background

An Official Plan amendment (File No. D01-01-22-0011), Zoning By-law amendment (File No. D02-02-22-0098), and Site Plan Control (File No. D07-12-22-0152) application was submitted on the subject lands on October 25, 2022, to facilitate the redevelopment of 424 Churchill Avenue North. The property is currently occupied by a personal service business (dry cleaning outlet and laundromat) that is no longer in operation. The proposal is for an eight-storey (mid-rise) residential building.

Rationale

The existing zoning on-site already permits a maximum building height of 24 metres, which based on a 3m floor-to-ceiling height per floor, accommodates an 8-storey built form. Amending the Secondary Plan to be consistent with the existing zoning permissions on-site is supported.

The site also has unique development constraints that impact how the property can be developed. Permitting an eight-storey building at this location can help to mitigate site-specific development challenges. Site constraints include the: (1) topography, (2) proximity to hydro poles and wires, (3) required land conveyances for a Council approved protected intersection at Byron Ave and Churchill Ave N, and (4) on-site contamination that requires remediation.

The property has steep slopes rising toward the south-east corner of the site (the intersection of Churchill Ave N and Byron Ave). The sloped topography on-site has the effect of making the building appear to be different heights, depending on the street you are on; for example, the building appears to be seven-storeys from Byron Ave but appears to be nine-storeys from Danforth Ave. Despite the perceived nine-storey height from views from Danforth Ave, the building is in fact adhering to an eight-storey built form as height is calculated from the average grade on-site.

Along both the north property line (facing Danforth Ave) and the east property line (facing Churchill Ave N) there are hydro poles and hydro wires. To accommodate the high-voltage power lines along Churchill Ave N, the building is proposed to be setback from the front property line (Churchill Ave N) beyond the maximum required front yard setback of 2 metres, to be 2.6 metres. An additional 0.9 metre stepback in massing at the fourth floor facing Churchill Ave N is also incorporated to allow for a 5m clearance distance from the hydro wires. The proximity to hydro infrastructure impacts the proposed building setbacks and massing.

A protected intersection at Byron Ave and Churchill Ave N was approved by City Council through the approval of the Transportation Master Plan – Part 1 on April 23, 2023. To accommodate the planned construction of this intersection, through the associated Site Plan Control application (File No. D07-12-22-0152), the Owner will be conveying to the City of Ottawa a 5 metre by 5 metre corner site triangle at Byron Ave and Churchill Ave N, as well as a 0.75 metre by 6 metre rectangle along the Churchill Ave N frontage. This conveyance has reduced the buildable area at-grade on-site.

Lastly, the site is currently occupied by a building that was previously used by a personal service business (dry cleaning outlet and laundromat), which is no longer operating. This previous on-site dry-cleaning use has caused contamination on-site that requires costly remediation. The Owner has provided the City with a Phase 2 Environmental Site Assessment and the City's Environmental Remediation Unit have been involved in the review of the project and will be implementing conditions

related to the on-site remediation through the accompanying Site Plan Control application (File No. D07-12-22-0152). Treating the on-site contamination and replacing a vacant dry-cleaning business on-site with additional housing is desirable.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text and the attached Schedule constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details of the Amendment

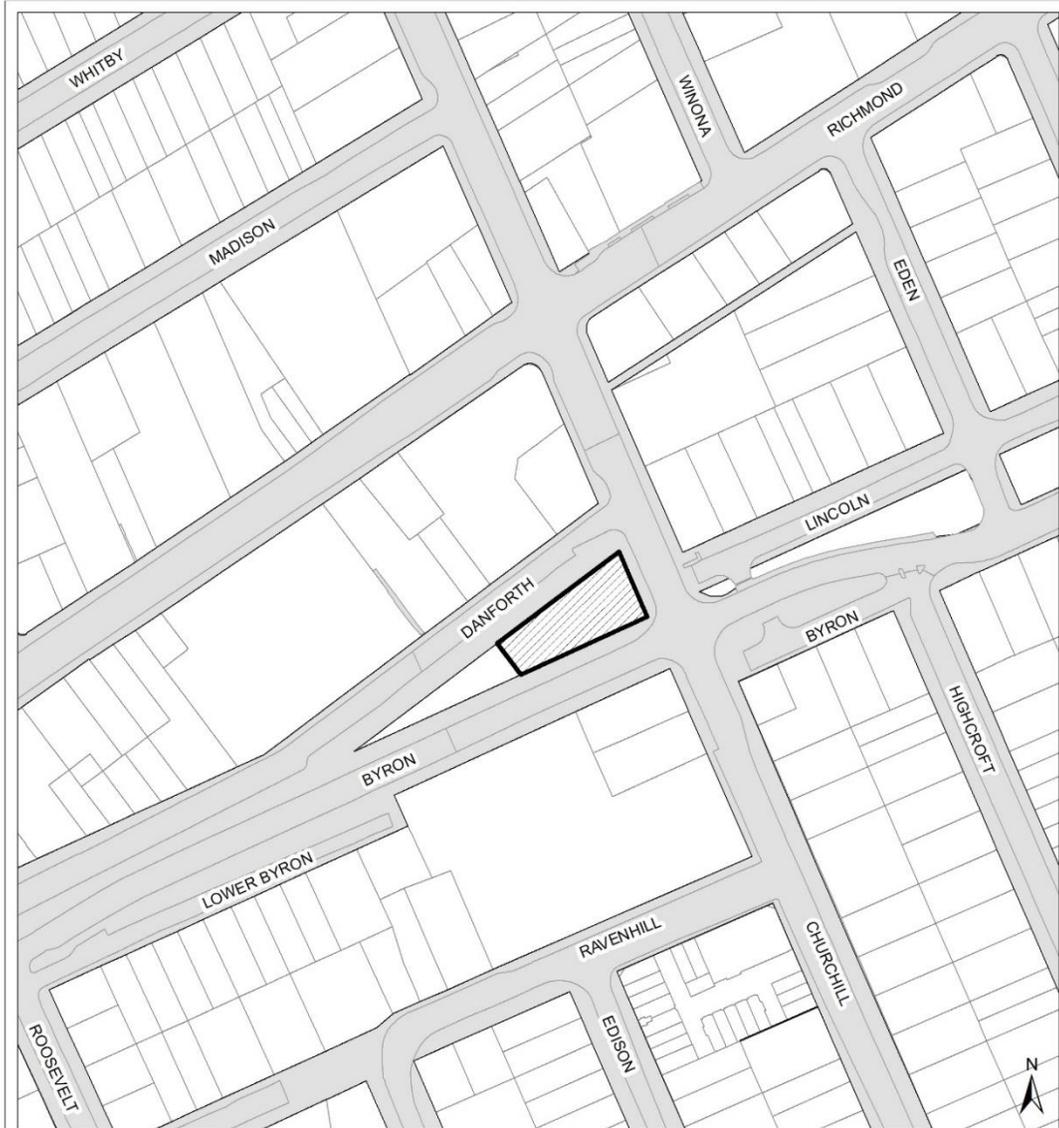
The City of Ottawa Official Plan, Volume 2A – Urban Secondary Plans, Richmond Road / Westboro Secondary Plan, is hereby amended as follows:

2. 1 by amending Schedule C – Maximum Building Height by designating 424 Churchill Avenue North as having a Maximum Building Height of “7 to 9 Storeys / étages” as shown as Schedule A of this amendment.

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa. The scope of this amendment is limited to the lands shown on Schedule A of this amendment.

SCHEDULE A



Prepared by Planning, Infrastructure and Economic Development Department,
 Services de la planification, de Géospatial Analytics, Technologie and Solutions



Préparé par: l'infrastructure et du développement économique,
 Analyse géospatiale, technologie et solutions

D01-01-22-0011 24-1051-A

M:\Master_Plans\2022 OffPlan OPN\OPN_Churchill_424_RichWest_SP

Revision:

© 2022. Tous droits réservés. Toute reproduction ou utilisation non autorisée est strictement interdite.
 All rights reserved. May not be reproduced without permission.
 Toute reproduction ou utilisation non autorisée est strictement interdite.
 Tous droits réservés. Ne peut être réproduit sans autorisation.

Scale - N.T.S. / Echelle N.A.F.

**SCHEDULE A to
 AMENDMENT NO.**
 to the OFFICIAL PLAN
 for the CITY OF OTTAWA

Amending Volume 2 -
 Richmond Road / Westboro Secondary Plan
 Schedule C - Maximum Building Height

**ANNEXE A de
 L' AMENDEMENT No.**
 au PLAN OFFICIEL
 de la VILLE D'OTTAWA

Modification du volume 2 -
 Plan secondaire Chemin Richmond / Westboro
 Annexe C - Hauteur maximale des immeubles

 LANDS REDESIGNATED FROM MAXIMUM BUILDING HEIGHT "4 TO 6 STOREYS / ÉTAGES" TO MAXIMUM BUILDING HEIGHT "7 TO 9 STOREYS / ÉTAGES"
 TERRAINS DONT LA DÉSIGNATION PASSERA DE HAUTEURS MAXIMALES DES IMMEUBLES «4 TO 6 STOREYS / ÉTAGES» À HAUTEURS MAXIMALES DES IMMEUBLES «7 TO 9 STOREYS / ÉTAGES»

Document 3 – Details of Recommended Zoning By-law Amendment

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 424 Churchill Avenue North:

- 1) Rezone the lands as shown in Document 1.
- 2) Add a new exception xxx to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a) In Column I, Exception Number, add the text “xxx”
 - b) In Column II, Applicable Zones add the text “TM[xxx] H(28)”
 - c) In Column V, Provisions, add the text:
 - Table 197 (g) does not apply.
 - Maximum front yard setback is 2.6 metres.
 - Any part of a building above the third storey facing the front lot line must be setback a minimum of 0.9 metres from the building wall beneath it.
 - Any part of a building above the seventh storey must be setback a minimum of 0.5 metres from the building wall beneath it.
 - The minimum corner side yard setback:
 - i. from the north property line, abutting Danforth Avenue, is 0 metres
 - ii. from the south property line, abutting Byron Avenue, is 1 metre
 - Minimum rear yard setback is 0.5 metres.
 - Any part of a building above four metres in height, measured from average grade, must be setback 7.5 metres from the rear lot line.
 - Despite Section 65:
 - i. balconies may project to 0m abutting the Byron Avenue lot line.

- ii. an uncovered deck may be located no closer than 0.5m to the rear lot line.
- Despite Table 111A(b), the minimum number of bicycle parking spaces required is one per dwelling unit.

Document 4 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Official Plan and Zoning By-law amendments. One public meeting was also held for the community virtually on January 11, 2023.

Approximately 14 individuals commented on the proposed development during the review process. The Westboro Community Association did not submit formal comments on these applications. The City received feedback from the public meeting and in submissions that was a mix of support and concern for the redevelopment. The supportive comments highlighted that the proposal would increase housing supply and be a welcome redevelopment of the existing site. The concerns expressed related to elements of the proposal such as parking, traffic, contamination, loss of greenery, reduced setbacks, height, and cycling infrastructure.

Public Comments and Responses

The following summarizes, in no particular order, a list of common topics and items raised by members of the public in response to the application.

1. Parking

- Some residents are concerned that there are not enough vehicular parking spaces provided. Parking is already limited in the area and there is high-demand for on-street parking.
- Some other residents are conversely concerned that there are too many vehicular parking spaces provided. The vehicular parking proposed will negatively affect the community by adding additional cars and pollution to the community.

Response:

- The proposal is above the minimum vehicular space requirements and below the maximum vehicular space requirements in the Zoning By-law.
 - 31 vehicular parking spaces are proposed within a two-level underground parking garage. Of the 31 vehicular spaces provided, 26 spaces are for the dwelling units and 5 spaces are for visitors.

- The Zoning By-law requires a minimum of 26 vehicular parking spaces (21 for residents and 5 for visitor) be provided. The maximum limit on the number of parking spaces near rapid transit stations at this location is 102.
- 68 bicycle parking spaces are also proposed, whereas 29 bicycle spaces are required under the Zoning By-law.

2. Traffic

- There is concern that the traffic study provided is outdated.
- There is concern that additional vehicular traffic will increase the demand on the intersection of Churchill Avenue North and Byron Avenue.
- There is concern that the redevelopment may negatively impact traffic flows on Danforth Avenue.
- There is concern with construction-related traffic causing congestion in the neighbourhood.
- Concern with the impacts of loading and deliveries on local traffic congestion.

Response:

- A Transportation Impact Assessment Strategy Report, prepared by Castleglenn Consultants, dated November 3, 2022, was provided by the Owner. This report was reviewed by Transportation staff and they confirmed the report is still applicable and that the report met the City's Transportation Impact Assessment guidelines.
- The proposed development is not expected to generate more than 60 vehicle trips during the peak hours of travel demand and is thus not expected to be a significant generator of traffic.
- The proposal eliminates two existing egresses to the site from Churchill Avenue North and Byron Avenue and alternatively provides one on Danforth Avenue, a local road. A left-in/left-out driveway to and from a parking garage will be provided on Danforth Avenue, approximately 100 meters from the Byron Avenue and Churchill Avenue North intersection and 130 meters from the Richmond Road and Churchill Avenue North intersection. Pedestrian safety is, therefore, expected to be improved along Churchill and Byron.
- Loading and deliveries and waste collection will similarly be provided from Danforth Avenue. No commercial loading and deliveries will occur as no commercial units are proposed.

3. **Bicycle Infrastructure and Bicycle Parking**

- There is a desire for additional bicycle parking to be provided at a ratio of at least one space per dwelling unit.
- Community members wish for investments in bicycle infrastructure, particularly at the Churchill Avenue North and Byron Avenue intersection.

Response:

- 58 residential dwelling units are proposed, and whereas 29 bicycle parking spaces are required to be provided under Section 111 of the Zoning By-law (0.5 per dwelling unit), the applicant proposes 68 bicycle parking spaces, at a rate of 1.2 spaces per dwelling unit.
- Investments in bicycle infrastructure at this intersection is anticipated. Construction of a protected intersection at Byron Avenue and Churchill Avenue North was approved by City Council through the approval of the Transportation Master Plan – Part 1 on April 23, 2023. The purpose of the project is to connect the existing cycle tracks on Byron Avenue (that are east of Churchill Avenue North), and the existing cycle tracks on Churchill Avenue North (that are south of Byron Avenue). In addition, there is a future Transportation Master Plan project to examine the feasibility of adding cycling facilities on Churchill Avenue North from Byron Avenue to Scott Street. Through the associated Site Plan Control application (File No. D07-12-22-0152), the City of Ottawa will establish conditions to address coordinating the construction of the protected intersection and the construction of 424 Churchill Avenue North.

4. **Lighting**

- There is interest in understanding whether the awnings and outdoor lighting will be installed as per the renderings provided.

Response:

- Through the associated Site Plan Control application (File No. D07-12-22-0152), the applicant is required to provide a Lighting Certificate to demonstrate that the proposed lighting will not cast direct light onto neighbouring properties. While renderings will not be tied to the Site Plan Control approval, any projections from the building (such as awnings) will need to conform with the applicable zoning.

5. Proposed Uses

- There is a desire to see commercial uses within the building (not just residential).

Response:

- The subject site is located on Churchill Avenue North, which is a designated Minor Corridor in the Official Plan. The Minor Corridor designation encourages but does not require ground floor commercial uses. The applicant has considered the possibility of introducing commercial units at grade and elected not to proceed with a mixed-use building at this time.

6. Contamination

- There are concerns about existing groundwater contamination associated with the former personal service business (dry cleaning outlet and laundromat) on site. Residents would like to know how remediation will be addressed.

Response:

- The site is currently occupied by a building which is now vacant but was previously used as a personal service business (dry cleaning outlet and laundromat). Due to the former dry-cleaning outlet use, the site is contaminated and requires remediation. The City's Environmental Remediation Unit is reviewing the submitted applications and associated plans and studies including a Phase I and Phase II Environmental Site Assessment (ESA) to ensure that potential issues of contamination will be addressed. Conditions of Site Plan approval will require that remediation be undertaken by the property owner. Additionally, a Record of Site Condition will be required from the provincial Ministry of Environment, Conservation and Parks.

7. Environment

- There are concerns about the new building contributing to the urban heat island effect.
- Concerns about loss of trees.
- Community members request additional trees be planted that are native species.

Response:

- City staff are working with the developer through the associated Site Plan Control application (File No. D07-12-22-0152) process to find opportunities to introduce landscaping and tree planting.
- Proposed materials were revised to introduce more light-coloured materials that are less absorbent to heat.

8. Corner side yard setbacks

- Concern that corner side yard setbacks from Danforth Avenue and from Byron Avenue are insufficient and do not comply with urban design provisions within the Official Plan.
- Concern that the reduced corner side yard setbacks will prevent green landscaping along the streets.

Response:

- The existing requirement for a corner side yard setback is 3 metres at the ground floor level with an additional requirement for a 2-metre setback for any part of the building above 15 metres in height. The property has two corner side yards: along Danforth Avenue to the north and Byron Avenue to the south.
- From the Danforth Avenue lot line to the building is 0.2 metres; however, the zoning exception permits a 0-metre setback. There is no consistent streetscape along Danforth Avenue, as there is only one other property located on this block (352 Danforth), which abuts subject site to the west and is a two-storey office building located below an approximately four metre tall retaining wall. The existing building at 352 Danforth Ave also has a non-conforming corner side yard setback of about 0.8 metres.
- From the Byron Ave lot line to the building is 1 metre. From Byron Avenue, due to the extreme slopes on this block, there is a treed escarpment behind the 2-storey office building at 352 Danforth Avenue, and no access into this neighbouring building from Byron Avenue.
- Due to the lack of consistent existing streetscape character along Danforth Avenue and Byron Avenue, as well as the significant grading changes along the block, Staff are satisfied that the at-grade corner side yard setbacks are appropriate.

- The proposal also does not provide the 2-metre setback for any part of the building above 15 metres in height; alternatively, the proposal includes three other setbacks in massing detailed within the Planning Rationale section of this report. The proposed setbacks help break up the massing of the building and provide transition.
- Staff are satisfied that the proposal complies with urban design provisions as it relates to requested corner side yard setback relief. Policy 4.6.6 states that transitions between mid-rise buildings and adjacent properties designated as Neighbourhood will be achieved by providing a gradual change in height and massing, through the stepping down of buildings. This development provides a setback in massing from 28 metres to four metres above average grade at the rear.
- Through the Site Plan Control process, landscaping will be introduced along the Danforth Avenue Right-of-Way and on-site.

9. Building Height

- Residents question the need for additional height beyond that anticipated by the Secondary Plan.
- Some residents are of the opinion the building should be taller to add more units.

Response:

- The proposed Official Plan Amendment is required to change the maximum building height category from “4 to 6 storeys” to “7 to 9 storeys” on Schedule C of the Richmond Road / Westboro Secondary Plan. Immediately to the north, along Richmond Road and Danforth Avenue, the maximum building height category is “7 to 9 storeys”.
- The existing zoning on-site currently permits a maximum building height of 24 metres, which based on a 3m floor-to-ceiling height per floor, accommodates an 8-storey built form. The accompanying Zoning By-law amendment application (File No. D02-02-22-0098) will permit an additional 4 metres in height, beyond the as-of-right 24 metre height, to allow a building with a maximum height of 28 metres within an 8-storey built form.
- Due to the significant grade changes on the subject site, the new building will appear as a seven-storey building along Byron Avenue and as a nine-storey building along Danforth Avenue. Despite the perceived 9-storey height from

views from Danforth Ave, the building is in fact adhering to an 8-storey built form as height is calculated from the average grade on-site.

- Planning staff are of the opinion that the proposed height in this specific context is appropriate and that the proposed amendment does not represent a significant departure from the intent of the Secondary Plan.
- A building height of more than eight storeys is not being proposed or under review through this application.

10. Construction Impacts

- Residents are concerned that the impacts of blasting during construction will cause damage to nearby buildings.

Response:

- Any blasting that may occur will be addressed through the Site Plan Control process conditions and subsequently reviewed through the building permit process.

11. Development Rights

- There is concern that this development will negatively impact the future development rights of the property abutting the subject property to the west.

Response:

- There is no evidence that property values will decrease as a result of the proposed infill development, and this is beyond the purview of a planning application.

Concept Elevations:



Document 6 – Concept Renderings

Note: These renderings do not accurately depict the streetscape and Right-of-Way improvements proposed by the City’s Active Transportation Branch’s Draft Functional Design for the protected intersection at Byron Avenue and Churchill Avenue North.

Concept Rendering – View looking north-west at the corner of Churchill Avenue North and Byron Avenue:



Concept Rendering – View looking north-east from Byron Avenue (appears to be 7-stores due to slope):



Concept Rendering – View looking south-west at the corner of Churchill Avenue North and Danforth Avenue:



Concept Rendering – View looking south-east from Danforth Avenue (appears to be 9-stories due to slope):

