

May 1, 2025

**Mr. Michel Bellemare**  
Secretary-Treasurer  
Committee of Adjustment  
101 CentrepoinTE Drive, Fourth Floor  
Ottawa, ON K2G 5K7

**RE: Application for Minor Variance  
424 Churchill Avenue North**

**Committee of Adjustment**  
Received | Reçu le

2025-05-06

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained to act as agent on behalf of the property owner of 424 Churchill Avenue North to submit the enclosed Minor Variance application to the Committee of Adjustment.

The subject site currently contains a low-rise commercial building, subject to demolition in the coming month. The proposed development includes the construction of an eight (8) storey, mid-rise, mixed-use apartment building containing 70 units, 32 underground parking spaces and 214 square metres of commercial space at-grade.

The site was subject to Official Plan and Zoning By-law Amendments, approved on November 13, 2024 (D01-01-22-0011 & D02-02-22-0098). The Site Plan Control application (D07-12-22-0152) is currently ongoing.

To facilitate the development as proposed, this Minor Variance application seeks to permit a reduction to the minimum number of required residential parking spaces, as well as a reduction to the minimum required garage door width. The variances have been assessed against the Four Tests of the Planning Act, and our determination is that the variance can satisfy these tests and is therefore appropriate and in the public interest.

In addition to this Cover Letter, the following materials have been included as part of this submission:

- / Completed application form (1 copy);
- / Topographical Plan of Survey (1 full-size copy, 1 reduced copy);
- / Site Plan and Elevations (1 full-size copy, 1 reduced copy);
- / Tree Information Report Memo (1 copy); and
- / Cheque in the amount of \$3,446.00 for the Minor Variance application fee.

Please contact the undersigned at [simpson@fotenn.com](mailto:simpson@fotenn.com) with any questions or requests for additional material.

Sincerely,



Jillian Simpson, MCIP RPP  
Planner



Lisa Dalla Rosa, MBA MCIP RPP  
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# 1.0

## Background and Context

Fotenn Planning + Design (“Fotenn”) has been retained by GSI Properties (the “Owner”) of 424 Churchill Avenue North (the “Subject Site”) to prepare this Cover Letter in support of a Minor Variance application for the subject site. The purpose of the application is to facilitate the construction of an eight (8) storey mixed-use building.

### 1.1 Subject Site

The subject site, municipally known as 424 Churchill Avenue North, is in the Kitchissippi ward in the City of Ottawa, bounded by Danforth Avenue to the north, Churchill Avenue North to the east, and Byron Avenue to the south (Figure 1). The subject site has an area of approximately 1,007 square metres with approximately 25.31 metres of frontage along the east side of Churchill Avenue North.

The site is an irregularly shaped lot which currently contains a single-storey commercial building. The subject site has a significant grade change to the northern and western portions of the site and hydro poles and lines running along Churchill Avenue North. The site is located approximately 100 metres south the area known as Westboro Village along Richmond Road, a mainstreet characterised by low- to mid-rise commercial and retail buildings, and some high-rise residential buildings. The site is located within 600 metres of Westboro Station and the OC Transpo Transitway.

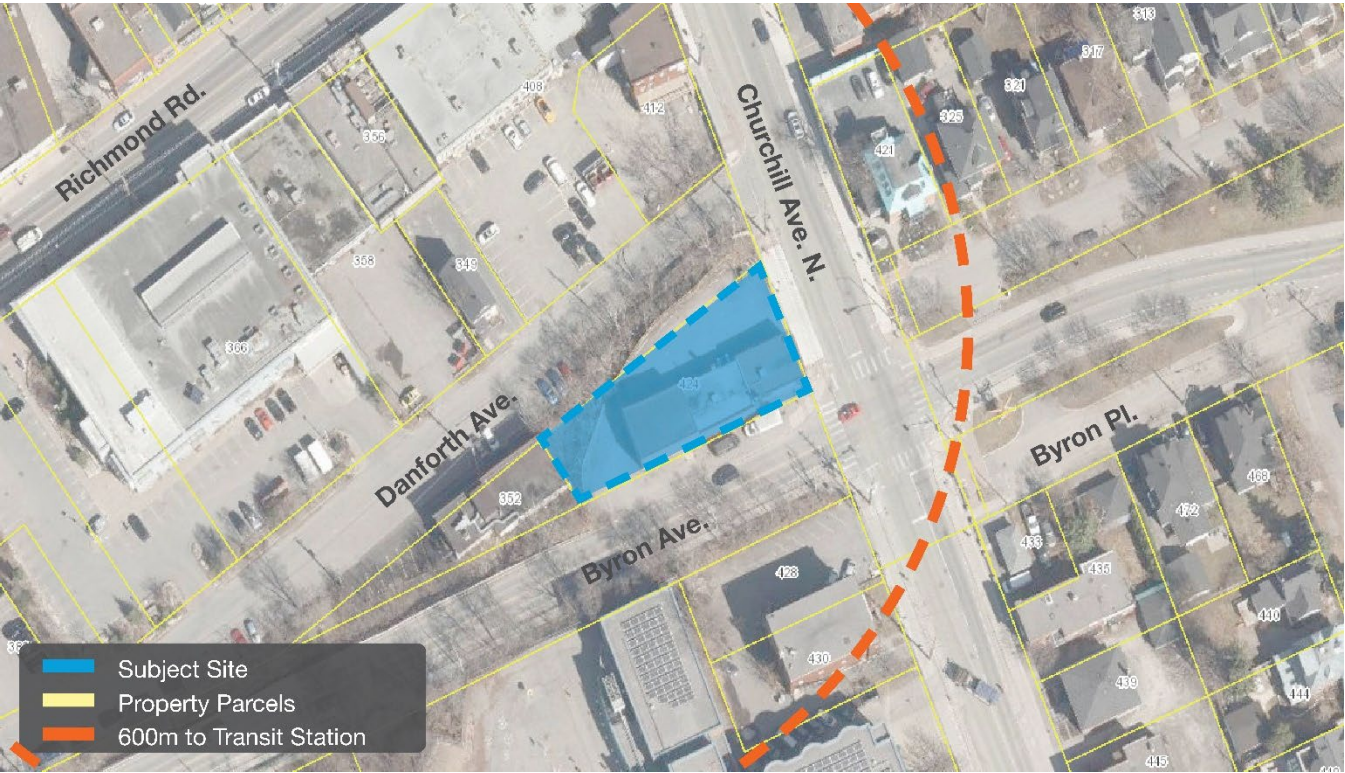


Figure 1: 424 Churchill Avenue North, subject site indicated.



## 1.2 Surrounding Context

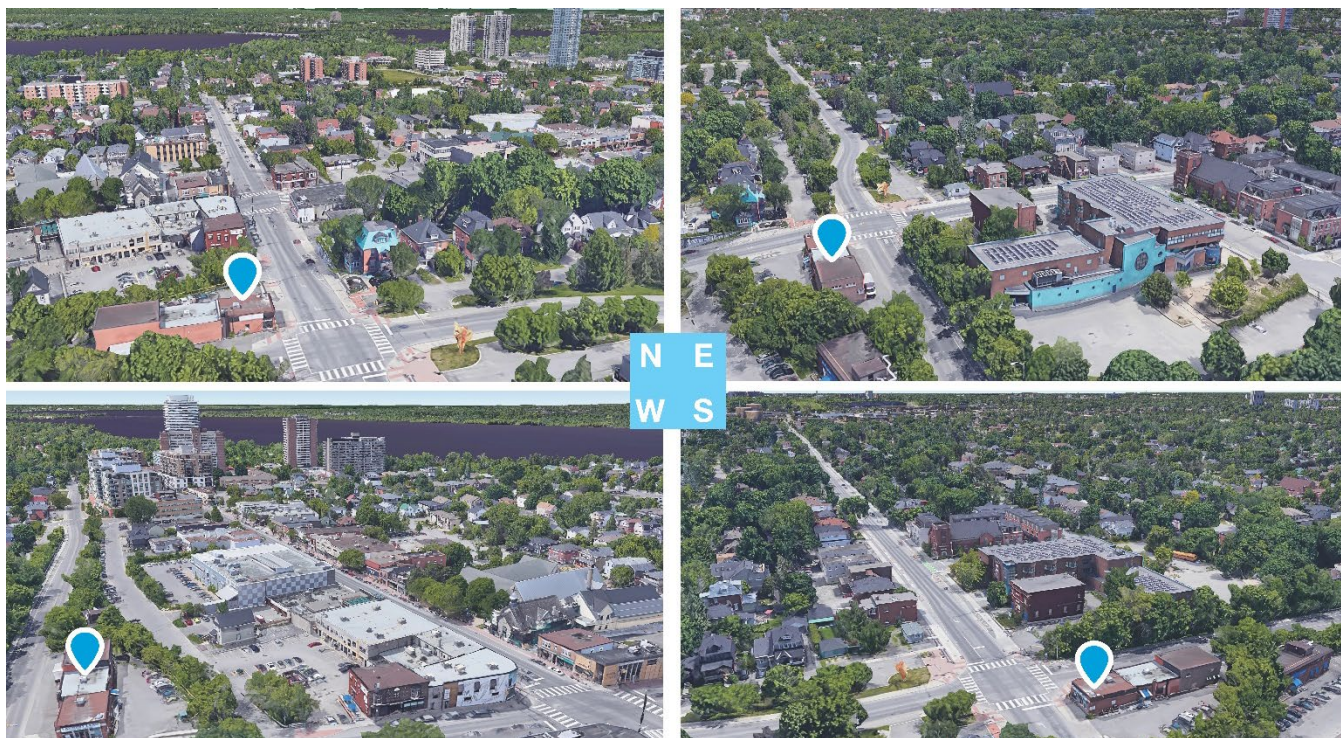


Figure 2: Site context (clockwise from top left) looking north, east, south and west.

**North:** Immediately north of the subject site is Danforth Avenue, across which are single and two-storey commercial buildings. These uses have entrances along Churchill Avenue North and the south side of Richmond Road. Directly facing the site is a surface parking lot, servicing the commercial tenants. It should be noted that there is an approximately one-storey drop from this site to Danforth Avenue. A masonry retaining wall is evident on the south side of Danforth Avenue. Richmond Road is 100 metres north of the site and functions as a mainstreet, supporting a broad range of uses and varying building types and heights. Further north is a neighbourhood generally containing low-rise residential buildings, with sporadic commercial buildings located along either side of Churchill Avenue North.

**East:** Immediately east of the subject site is Churchill Avenue North. Perpendicular to Churchill Avenue North is Byron Avenue, an east-west Collector Road, where the condition is generally low-rise commercial and residential. The Byron Avenue multi-use pathway runs parallel to Byron Avenue. Further east is a neighbourhood generally containing low-rise residential buildings.

**South:** Immediately south of the subject site is Byron Avenue which intersects with Churchill Avenue North, a stop-light controlled intersection. South across Byron Avenue are institutional buildings, one containing the Westboro Masonic Hall, and the other containing the Churchill Public and Churchill Alternative schools. Further south is the Bluesfest School of Music and Art, and a low-rise neighbourhood, with both commercial and residential uses located along Churchill Avenue North.

**West:** Immediately west of the subject site is a two-storey commercial building, accessed via Danforth Avenue. There is natural vegetation in the form of trees, scrub on the site that buffers this development. Further west are commercial properties with frontage along Richmond Road, and a low-rise residential neighbourhood through to Roosevelt Avenue. Further west of is mid- to high-rise mixed-use buildings along Richmond Road and a low-rise residential neighbourhood.



### 2.1.1 Access and Parking

The main entrance to the building is located at the corner of Churchill Avenue North and Byron Avenue (Figure 4). Tenant entrance and exit doors are also located on Byron Avenue. The proposed development is served by two basement levels. Owing to the topography of the subject site, Level P1 includes entrances fronting Danforth Avenue including car access to the parking garage and a loading area for waste services.

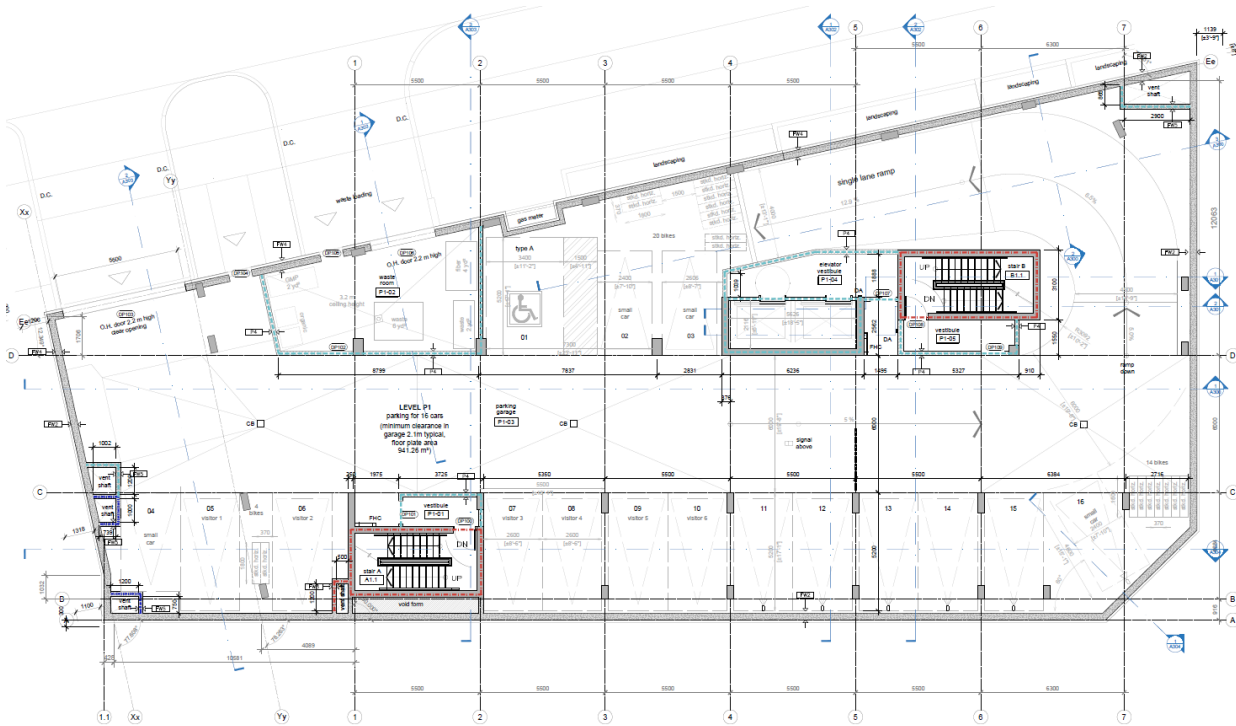


Figure 4: Revised Parking Plan, Level P1

### 2.1.2 Built Form

The materiality of the building incorporates natural materials (Figure 5 & 6). The main walls are proposed as beige concrete or stucco cladding. The use of horizontal bandwork in the podium level walls differentiates the upper levels and generates the base-middle-top composition noted in the City's guidelines for tower design.

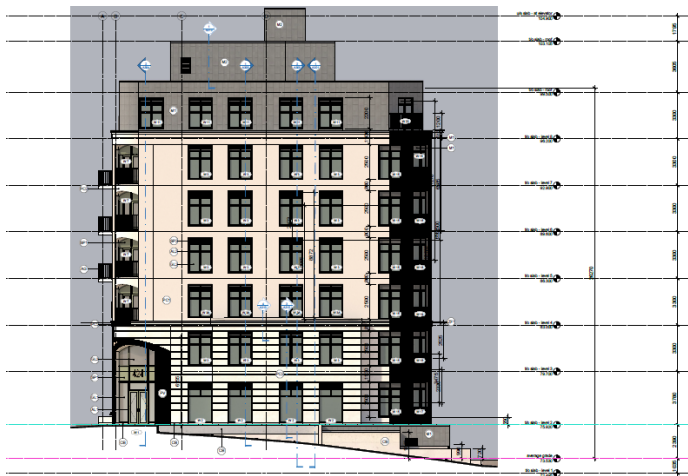


Figure 5: East (Front) Elevation of proposed development





Figure 6: North and South Elevations of proposed development

### 2.1.3 Landscaping and Tree Conservation

Landscaping elements have been at both entrances include trees and concrete planters, as well as lighting and cornices along the facade provide for an animated streetscape. There will be a significant number of new plantings proposed throughout the site, with cascading planting beds which will enable the landscape and building to merge more gently.

A Tree Information Report, prepared by Arcadis and dated August 12, 2024, confirms thirty-five (35) trees inventoried on the subject property and another four (4) on adjacent properties, for a total of thirty-nine (39) trees included in the detailed inventory and assessment (Figure 7).

Based on the layout of the subject property, location of the trees, and necessary site work to facilitate the construction onsite, thirty-five (35) trees are recommended to be removed, which includes thirty-four (34) live trees and one (1) dead tree. Tree 1, Tree 2, Tree 5, and Tree 6 will be preserved and protected on the adjacent property. Tree preservation fencing will be erected at the property limit to protect these trees during construction.

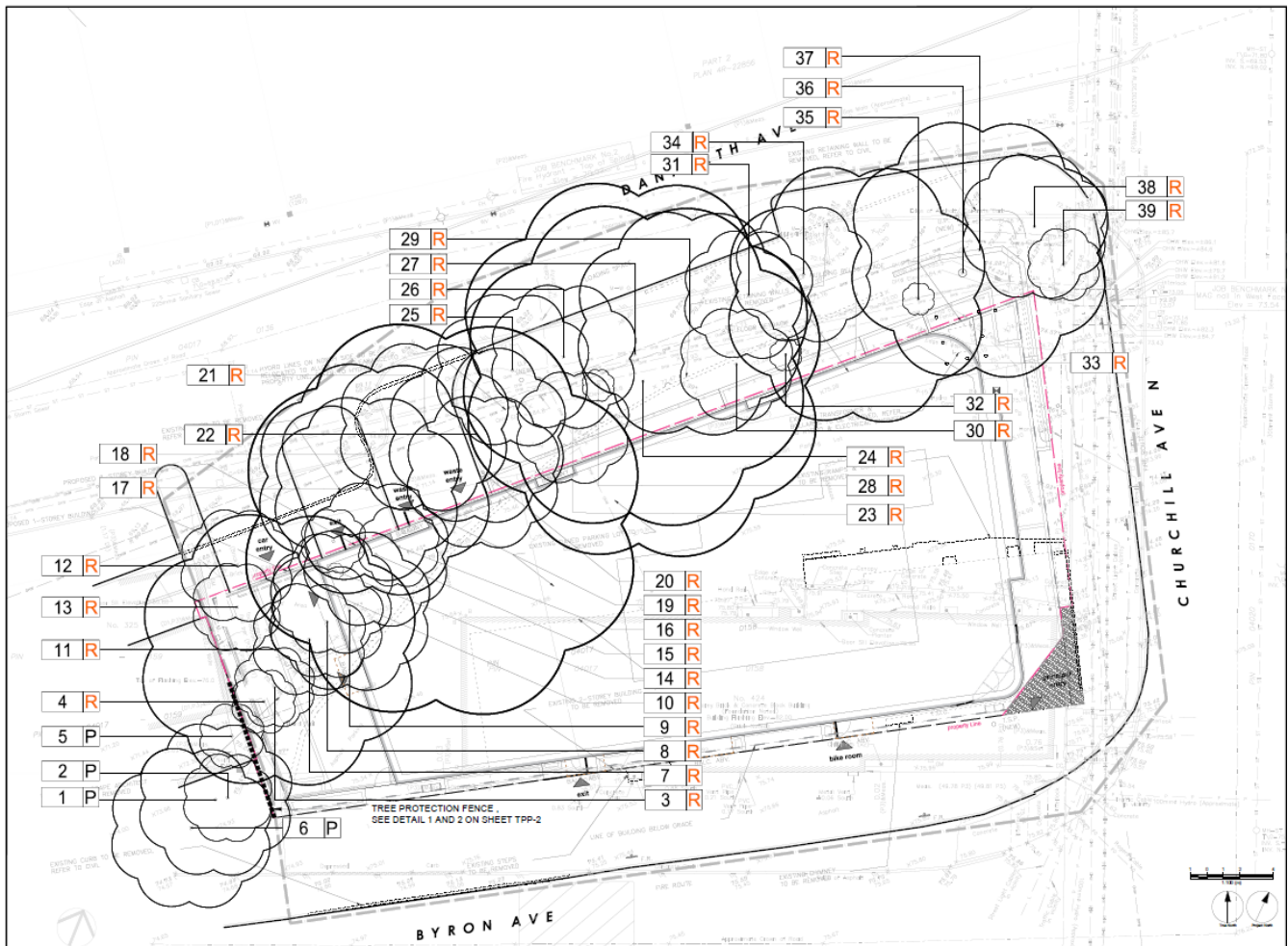


Figure 7: Tree Preservation Plan for the subject site.

## 2.2 Proposed Minor Variance

The property is zoned “Traditional Mainstreet, Exception 2992 with a maximum height of 28 metres” (TM[2992] H(28)). While broadly complying with the applicable provisions, in order to proceed with the development, the following minor variance is required:

- / To permit a reduction in the minimum number of required residential parking spaces to 26 spaces, whereas the By-law requires a minimum of 29 spaces (0.5 space per dwelling unit); and,
- / To permit a reduction in the minimum required garage door width for a double traffic lane to 5.5 metres, whereas the By-law requires a minimum of 6.0 metres.

An assessment of this variance in relation to the Four Tests of the Planning Act is provided below, following the policy and regulatory overview.

## 3.0 Policy and Regulatory Review

### 3.1 Provincial Planning Statement (October 2024)

Adopted on October 20, 2024, the Provincial Planning Statement (PPS) is a policy document issued under the Planning Act which provides direction on matters of provincial interest related to land use planning and development. All decisions on planning matters “shall be consistent with” the PPS. Generally, the PPS recognizes that “land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns”.

Policy 6 of Section 2.1 (Planning for People and Homes) requires planning authorities to support the achievement of complete communities by, among others, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open spaces, and other uses to meet long-term needs.

Policy 1 of Section 2.2 (Housing) expands on this direction, requiring planning authorities to provide for a range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by, among others:

- / Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents;
- / Permitting and facilitating all types of residential intensification, including redevelopment, which results in a net increase in residential units in accordance with Policy 2.3.1.3;
- / Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.
- / Requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors.

Policy 1 of Section 2.3.1 continues the previous PPS policy that settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in “strategic growth areas,” which include lands along corridors with frequent transit service. Within settlement areas generally, land use patterns should be based on densities and a mix of land uses which:

- / Efficiently use land and resources;
- / Optimize existing and planned infrastructure and public service facilities;
- / Support active transportation; and
- / Are transit-supportive.

Policy 1 of Section 2.4.3 (Frequent Transit Corridors) requires that planning authorities plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.

Policy 1 of Section 2.8.1 (Supporting a Modern Economy) requires planning authorities promote economic development and competitiveness by encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.

Policy 2 of Section 3.6 states that municipal water and sanitary servicing are the preferred form of servicing for settlement areas, continuing the policy direction from the current PPS. Policy 8 states that stormwater management shall be integrated with planning for sewage and water services and ensure that systems are optimized.

**The proposed development is consistent with the above noted policies of the PPS (2024). More specifically, the proposal seeks to develop an area that is located within the City of Ottawa’s urban area, within an existing built-up area, allowing for the logical and efficient use of existing services and roads. The proposal provides increased residential density in**



proximity to rapid transit, with Westboro Station located within 600 metres north of the subject site, and Richmond Road designated as a Transit Priority Corridor. The proposal prioritizes residential units over parking spaces. Further, new employment opportunities are introduced through the at-grade commercial spaces.

### 3.2 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa came into effect on November 4, 2022. The Plan provides a framework for development in the City until 2046, when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the City will accommodate this growth over time and sets out the policies to guide the development and growth of the City. The Official Plan places the subject site in the Inner Urban Transect with a Minor Corridor designation.



Figure 8: Schedule B2 - Inner Urban Transect, City of Ottawa Official Plan, subject site indicated.

#### 3.2.1 Strategic Directions

The Official Plan is proposing five broad policy directions as the foundation to becoming the most liveable mid-sized city in North America over the next century. The proposed development adheres to the following Big Policy Moves stated in Section 2 of the Official Plan:

**Big Policy Move 1:** Achieve, by the end of the planning period, more growth by intensification than by greenfield development.

**The proposal supports Big Policy Move 1 by introducing 70 residential units to an underutilized site within 600 metres of Westboro Station. This aligns with the Official Plan's intensification policies by directing higher densities to areas well-served by rapid transit, Mainstreets, and key neighbourhood amenities.**

**By redeveloping an underutilized commercial property into a mixed-use, compact built form with full municipal services, the**

	proposal makes use of existing infrastructure while providing for additional housing options within the community.
<b>Big Policy Move 2:</b> By 2046, the majority of trips in the city will be made by sustainable transportation.	<p>The proposal aligns with Big Policy Move 2 by promoting sustainable transportation through its close proximity to Westboro Station, and the introduction of a 1:1 bicycle parking ratio for the building's residents. The variance requested to reduce the amount of vehicle parking will encourage residents to take advantage of the sustainable modes in area.</p> <p>The commercial uses and improvement to the streetscape condition along Churchill Avenue North contributes to an active and engaging public realm, creating an inviting and safe space for pedestrians and cyclists.</p>
<b>Big Policy Move 3:</b> Improve our sophistication in urban and community design and put this knowledge to the service of good urbanism at all scales, from the largest to the very small.	<p>The proposal adheres to Big Policy Move 3 by prioritizing high-quality urban and community design that improves the vibrancy of the Churchill Avenue North and Byron Avenue intersection.</p> <p>Through a thoughtful sense of scale, the development fosters a more inclusive and engaging streetscape. The mixed-use building features a front entrance on Churchill Avenue North that activates the public realm, creating a pedestrian-friendly environment and reinforcing a strong street presence.</p>
<b>Big Policy Move 4:</b> Embed environmental, climate and health resiliency and energy into the framework of our planning policies.	<p>The proposal aligns with Big Policy Move 4 by providing a compact, mixed-use development in close proximity to rapid transit.</p> <p>Through the redevelopment of an underutilized commercial property with a dense, efficient design, the project supports energy efficiency, housing diversity, and long-term environmental sustainability.</p>
<b>Big Policy Move 5:</b> Embed economic development into the framework of our planning policies.	The redevelopment of the site proposes a mixed-use building which a range of residential and commercial uses along Churchill Avenue North and in close proximity to Westboro Station. This supports Big Policy Move 5, allowing people to have choice to work and shop closer to where they live.

### 3.2.2 Inner Urban Transect

The subject site is located within the Inner Urban Transect area, as shown in Schedule B2 (Figure 8). The built form and site design in this Transect includes both urban and suburban characteristics with the intended pattern being urban. The direction of the Official Plan sees it continue to develop as a mixed-use environment, where a full range of services are located within walking distance from home to support the growth of 15-minute neighborhoods.

The proposed development meets the following Inner Urban Transect policies outlined in Section 5.2, among others:

- 5.2.1.3 The Inner Urban Transect is generally planned for mid- to high-density development, subject to:
- Proximity and access to frequent street transit or rapid transit;
  - Limits on building heights and massing, as per the underlying functional designation, and the separation of tower elements, established through secondary plans or area-specific policy, the functional designations and urban design policies in Subsection 4.6, or as a result of the application of heritage conservation policies in Subsection 4.5; and,

- c) Resolution of any constraints in water, sewer and stormwater capacity.

**The Inner Urban Transect is directed to have mid-to high density development. The proposed development will add residential units and commercial space to an underdeveloped site to increase the density of the subject site, bringing it more inline with the density goals of the Inner Urban Transect. Further, this density will be accomplished in a way that is consistent with the existing character and planned context of the neighbourhood and is supported by the existing servicing capacity.**

- 5.2.1.4 The Inner Urban Transect shall continue to develop as a mixed-use environment, where:
- a) Hubs and a network of Mainstreets and Minor Corridors provide residents with a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods; and,
  - e) Increases in existing residential densities are supported to sustain the full range of services.

**The proposed mixed-use development will increase the residential density and commercial options in the neighbourhood, helping to support and sustain new services with the growth of 15-minute neighbourhoods.**

- 5.2.2.2 The transportation network for the Inner Urban Transect shall:
- a) Prioritize walking cycling and transit; and
  - b) Accommodate motor vehicle access and movement provided doing so does not erode the public realm nor undermine the priority of pedestrians, cyclists and transit users.

**The proposed development is located within a 600-metre walking distance of existing and planned transit infrastructure, supporting a transit-oriented approach. To further encourage active transportation, the development will provide ample bicycle parking, including a 1:1 bicycle parking ratio for residential units. This will offer tenants convenient, secure options to support cycling as a viable and sustainable alternative to car ownership.**

**Although the development includes a reduction to the number of residential vehicle parking spaces, this is consistent with the site's access to transit and the growing demand for multi-modal transportation options. The emphasis on cycling infrastructure, combined with walkable access to public transit, aligns with broader City policies promoting reduced reliance on private vehicles.**

**Vehicular access to the two levels of parking will be provided via Danforth Avenue, a side street. The design of garage access has taken into account traffic flow, pedestrian safety, and overall movement patterns to ensure safe and efficient circulation within the parking garage and the wider public right-of-way.**

- 5.2.2.3 Motor vehicle parking in the Inner Urban Transect shall 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;
  - 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 development locates parking below-grade accessed via Danforth Avenue and parked cars will not be visible from the street.**

5.2.3.4 All buildings along Mainstreets or Minor Corridors shall have active entrances facing the Mainstreet or Minor Corridor, regardless of use.

**The proposed development has located the primary residential and commercial entrances along Churchill Avenue North, a Minor Corridor.**

### 3.2.3 Corridor Designation

The Corridor designation applies to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs. The Corridor designation includes two sub-designations, Mainstreet Corridors (also referred to as Mainstreets) and Minor Corridors. Development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building setbacks where appropriate. While this site is in proximity to Richmond Road, a Mainstreet Corridor, the Minor Corridor policies apply to the subject site.

The proposed development meets the following Corridor designation policies outlined in Section 6.2, among others:

- 6.2.1.3 Corridors will generally permit residential uses and such non-residential uses that integrate with a dense, mixed-use urban environment. The City may require through the Zoning By-law and/or development applications to amend the Zoning By-law:
- a) Commercial and service uses on the ground floor of otherwise residential, office and institutional buildings with a strong emphasis on uses needed to contribute to 15-minute neighbourhoods;
  - b) Residential and/or office uses on the upper floors of otherwise commercial buildings.

**The proposal introduces a mixed-use building with commercial uses at grade and residential units on the upper floors. The proposed built form contributes to a vibrant streetscape and the continued evolution of Churchill Avenue North as a complete street. By introducing local retail and services within walking distance of rapid transit, the development helps reinforce the City's Official Plan direction of 15-minute neighbourhood framework of Westboro, extending the activity and walkability of Richmond Road further south down Churchill Avenue North.**

- 6.2.1.4 Unless otherwise indicated in an approved secondary plan, the following applies to development of lands with frontage on both a Corridor and a parallel street or side street:
- a) Development shall address the Corridor as directed by the general policies governing Mainstreet Corridors Minor Corridors, particularly where large parcels or consolidations of multiple smaller parcels are to be redeveloped; and
  - b) Vehicular access shall generally be provided from the parallel street or side street.

**The proposed development locates parking below-grade, which is accessed via Danforth Avenue, a side street. Parking is not visible from the street.**

## 3.3 Richmond Road / Westboro Secondary Plan (2022)

The subject site is located within the Richmond Road/Westboro Secondary Plan, approved by City Council with the adoption of the Official Plan in 2022, and is based on the Richmond Road/Westboro Community Design Plan, and Secondary Plan from 2009.

Principles for intensification within this area include:

- / Preserve the scale and character of established residential neighbourhoods and minimize any adverse impacts of intensification;
- / Preserve and enhance the human scale (generally four to six storeys) of the Westboro Village traditional mainstreet, Richmond Road;
- / Achieve compatible infill and intensification by:
  - o conforming to the maximum recommended building height ranges for each sector, where buildings higher than six-storeys will be limited to sites that are compatible with adjacent uses, such as the Ottawa River Parkway open space, have deeper lots, or have other natural or manmade separations enabling impacts associated with such development to be mitigated and where lesser heights abutting existing lower rise buildings can be provided; and,
  - o conforming to the Richmond Road/Westboro CDP design guidelines respecting built form, setbacks, relationship of the building to the adjacent neighbourhood's character, and other criteria aimed at achieving compatible intensification/ infill development while minimizing impacts on adjacent residential neighbourhoods.

### 3.3.1 Westboro Village (Sector 3)

While it appears that the subject site is not located within a specified planning sector as described in Schedule A (Figure 9), those outlines are fluid, not following roads and/or other defining edges. As such, the subject site should be considered within the Westboro Village planning sector considering that it is within the study area as indicated in Schedule C, Maximum Building Heights (Figure 10). Further it is within 220 metres from Richmond Road, a Mainstreet Corridor in the parent Official Plan.

Policies applicable to the Westboro Village planning sector seek to reinforce the mainstreet corridor character of Westboro Village, maintain a sense of human scale in Westboro Village by providing for mixed-use buildings, generally in the four- to six-storey range, with a minimum of two-storeys, with buildings located close to the street, and encourage mixed use, including a continuity of ground floor retail/restaurant uses with residential and office uses on the upper floors.

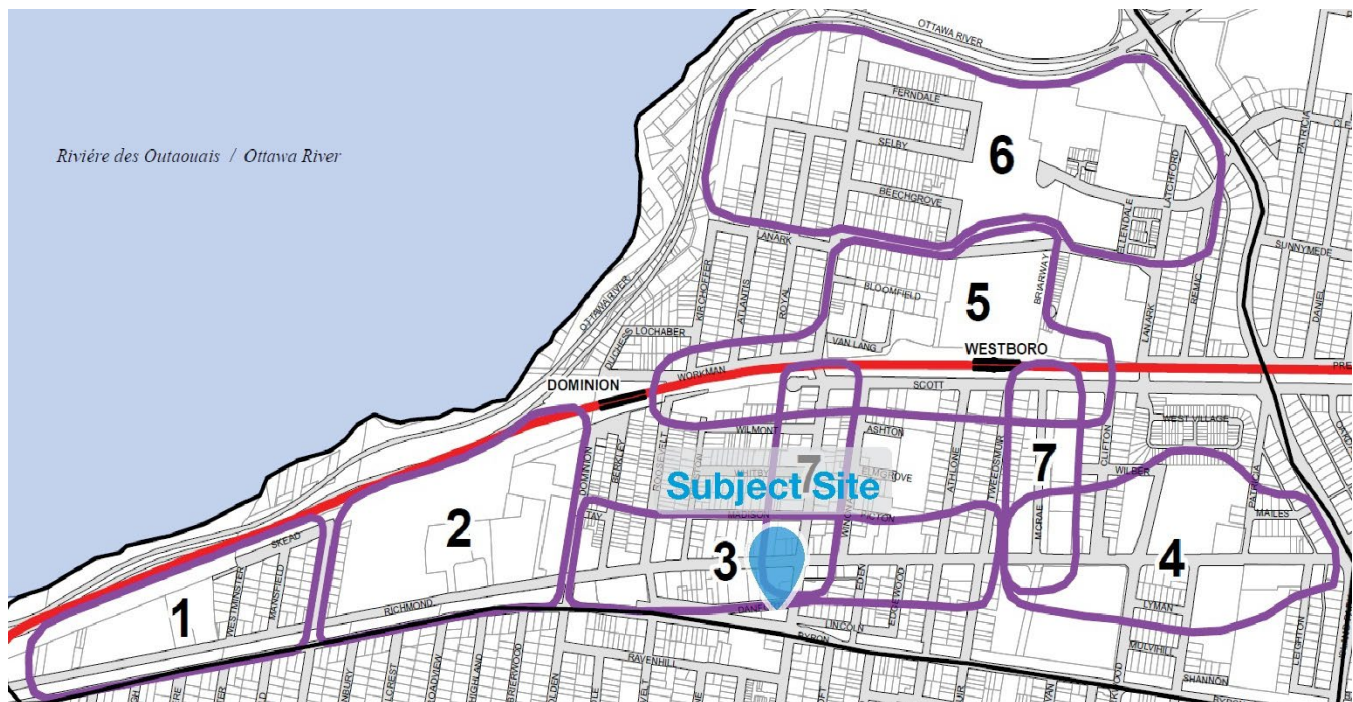


Figure 9: Schedule A - Planning Area Sectors, Richmond Road / Westboro Secondary Plan, subject site indicated.

### 3.3.2 City of Ottawa Official Plan Amendment No. 38 (2024)

On November 13, 2024, City Council adopted Amendment No. 38 of the Official Plan for the City of Ottawa, which included an amendment to Volume 2 – Urban Secondary Plans, Richmond Road / Westboro Secondary Plan (By-law No. 2024-491). The amendment to Schedule C – Maximum Building Height redesignated 424 Churchill Avenue North as having a Maximum Building Height of “7 to 9 Storeys / etages”.

**The Richmond Road/Westboro Secondary Plan is supportive of mixed-use development and intensification of underutilized sites. Further, the proposed development of 8 storeys conforms to Official Plan Amendment No. 38.**

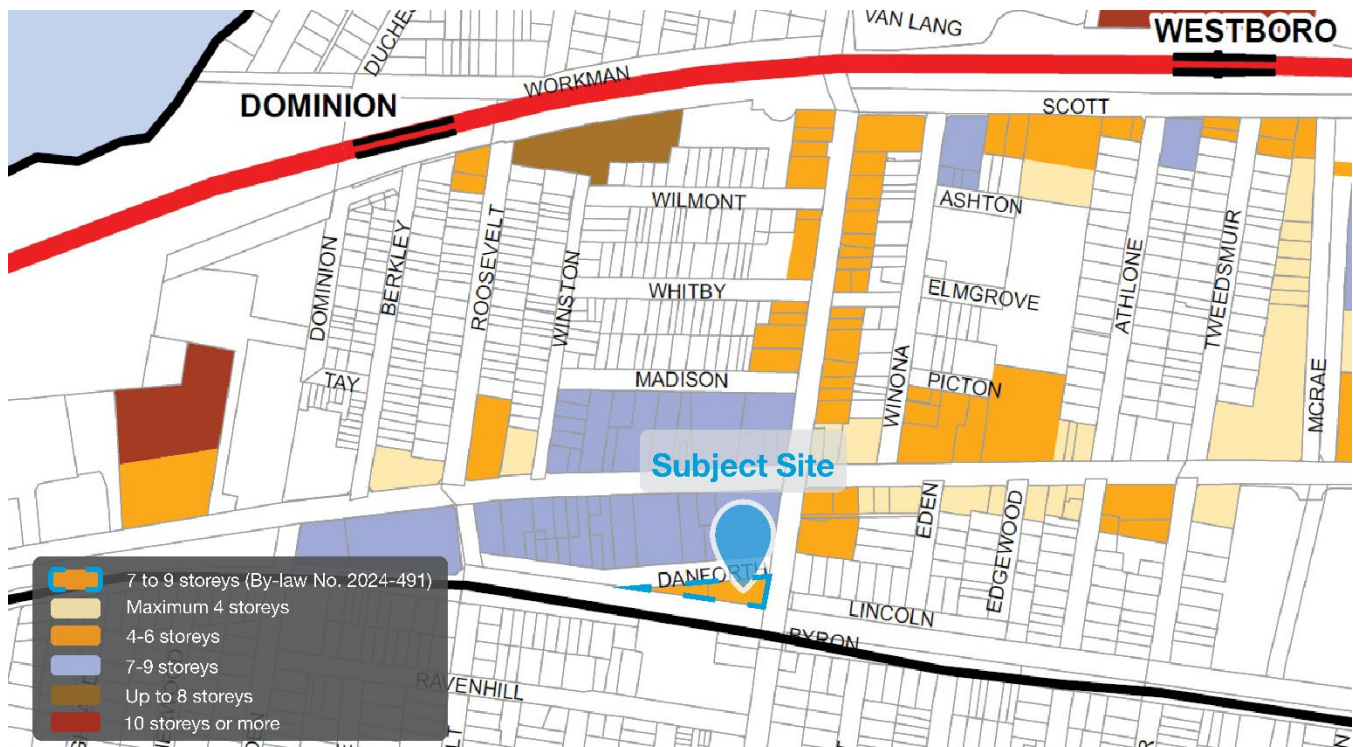


Figure 10: Amendment No. 38: Schedule C - Maximum Building Heights, Richmond Road / Westboro Secondary Plan, subject site indicated.



### 3.4 City of Ottawa Zoning By-law (2008-250)

The subject site is zoned “Traditional Mainstreet, Exception 2992 with a maximum height of 28 metres” (TM[2992] H(28)) (Figure 11).

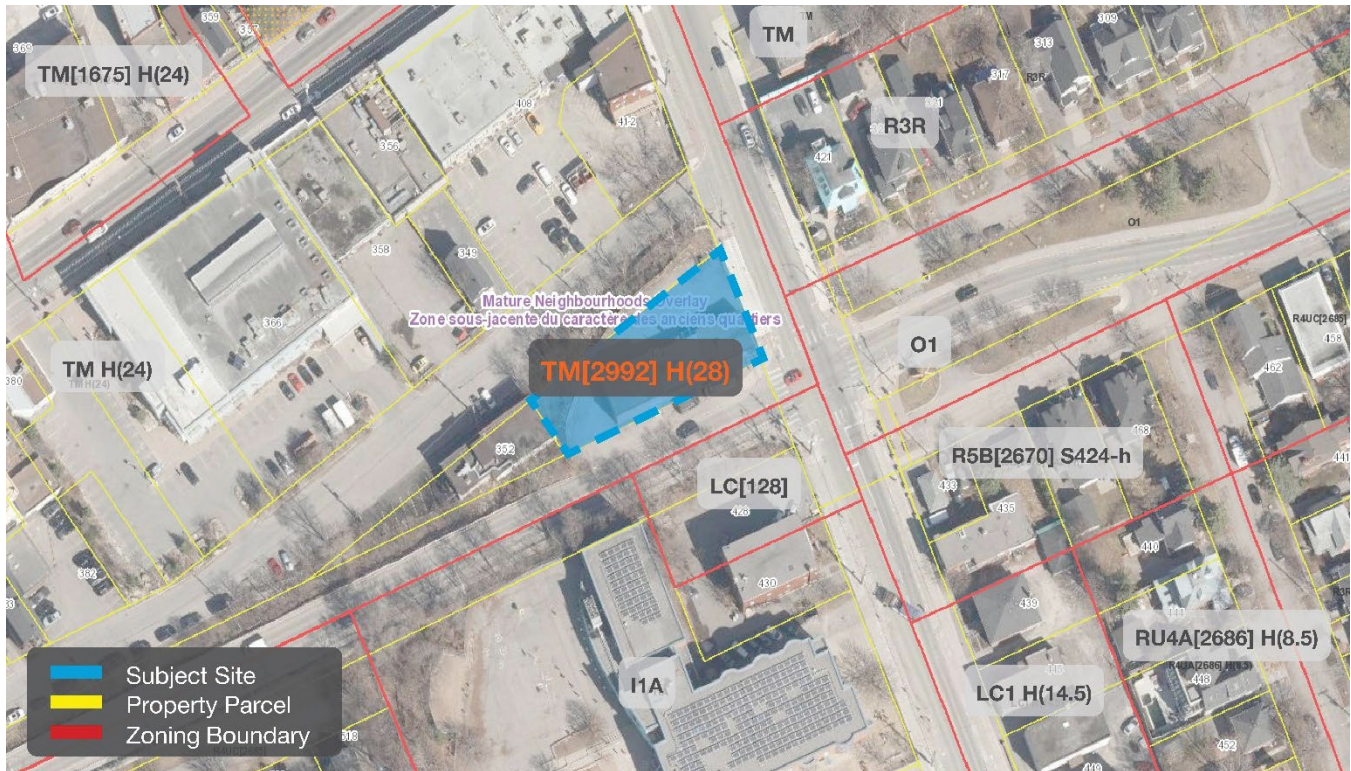


Figure 11: Zoning Map for the subject site and surrounding context.

The purpose of the TM – Traditional Mainstreet Zone is to:

- / accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses, including mixed-use buildings but excluding autorelated uses, in areas designated Traditional Mainstreet in the Official Plan;
- / foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, transit and automobile;
- / recognize the function of Business Improvement Areas as primary business or shopping areas; and
- / 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 subject site is also within the Mature Neighbourhoods Overlay, which includes zone provisions intended to ensure that new infill development complements and reinforces the established neighbourhood character as seen along each street. As per Section 140 of the By-Law, the Mature Neighbourhoods Overlay generally regulates development or additions within the front or corner side yard through the completion of a Streetscape Character Analysis. Pursuant to Section 140 (4a), the proposed development is not subject to a Streetscape Character Analysis as it is not a low-rise built form.

Permitted uses in the TM zone include **apartment dwelling, low rise and mid-rise**. In addition, **several non-residential uses** are permitted on the site, with office and residential uses permitted entirety on the ground floor.

Tables 1 and 2 below evaluate the proposed development against the applicable zoning provisions:

Table 1: Zoning Compliance for Proposed Mixed-Use Building

<b>424 Churchill Avenue North – 8-storey mixed-use building with 70 dwelling units &amp; 214.1m<sup>2</sup> commercial</b>				
<b>Zoning 2008-250:TM[2992] H(28) – Traditional Mainstreet with Exception, Height Limit 24m</b>				
<b>Zoning Mechanism</b>		<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
<b>Minimum Lot Width</b> (Churchill Ave N) [Table 197]		No minimum	25.34m	Yes
<b>Minimum Lot Area</b> [Table 197]		No minimum	1,009.6m <sup>2</sup>	Yes
<b>Maximum Front Yard Setback</b> (Churchill Ave N) [Exception 2992]		i) 2.6m	2.6m	Yes
<b>Minimum Interior Side Yard Setback</b> [Table 197]		1.2m	n/a (no interior side yard)	n/a
<b>Minimum Corner Side Yard Setback</b> [Exception 2992]	v) a) From the north property line, abutting Danforth Avenue:	0m	0.2m	Yes
	v) b) From the south property line, abutting Byron Avenue:	1m	1m	Yes
<b>Minimum Rear Yard Setback</b> [Exception 2992]		vi) 0.5m	0.76m	Yes
<b>Building Stepbacks</b> [Exception 2992]	iii) Any part of a building above the third storey facing the front lot line must be setback a minimum of 0.9m from the building wall beneath it.	0.9m	0.9m	Yes
	iv) Any part of a building above the seventh storey must be setback a minimum of 0.5m from the building wall beneath it.	0.5m	0.5m	Yes
	vii) Any part of a building above four metres in height, measured from average grade, must be setback 7.5m from the rear lot line.	7.5m	7.5m	Yes
<b>Maximum Building Height</b> [H(28)] [Exception 2992]		27.5m	27.5m	Yes

		0.9m setback at the 4 <sup>th</sup> floor along the front façade  0.5m setback on all sides at the 8 <sup>th</sup> floor	0.9m setback at the 4 <sup>th</sup> floor along the front façade  0.5m setback on all sides at the 8 <sup>th</sup> floor	
<b>Amenity Space</b> [Table 137]	Total	6m <sup>2</sup> per dwelling unit 70 x 6m = 420m <sup>2</sup>	430.81 m <sup>2</sup>	Yes
	Minimum communal amenity space	Minimum of 50% of the required total amenity area 420m <sup>2</sup> x 50% = 210m <sup>2</sup>	314.25m <sup>2</sup> total communal	Yes
	Layout of communal amenity area	Aggregated into areas up to 54m <sup>2</sup> , and where more than one aggregated area is provided, at least one must be a min of 54m <sup>2</sup>	Level 1 Rm. 102: 44.89 m <sup>2</sup> Rm. 107: 47.92 m <sup>2</sup> Rm. 108a-c: 19.53 m <sup>2</sup> Rm. 108: 22.61 m <sup>2</sup> Rm. 114: 106.71 m <sup>2</sup>  Level 2 Rm. 202: 28.19 m <sup>2</sup> Rm. 204: 44.40 m <sup>2</sup>	Yes
<b>Hydro Setbacks</b> [S.197(4)(e)]	Hydro pole on N-E corner (on corner of Churchill Ave N and Danforth Ave)	2m	4.7m	Yes
	Hydro pole on N-W corner (on Danforth Ave)	2m	4.7m	Yes
	High-voltage power line along eastern property line, on Churchill Ave N	5m for that portion of the building affected by the high voltage power line	5.2m	Yes
<b>Permitted Projections into Required Yards</b> [Exception 2992]		a) balconies may project to 0m abutting the Byron Avenue lot line.  b) an uncovered deck may be located no closer than 0.5m to the rear lot line.	North: There are no balconies on the north side of the building. South: 0m from the lot line.  East: There are no balconies on the east side of the building. West: 0.76m from the lot line.	Yes

Table 2: Vehicle and Bicycle Parking Requirements and Compliance

<b>Parking &amp; Loading, Area X: Inner Urban, ZBL Sch 1A / 70 dwelling units &amp; 214.1 m<sup>2</sup> commercial proposed</b>				
<b>Performance Standard for Mid-high rise Apt</b>		<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Vehicular Parking</b> [S.101;102]	<b>Minimum number of parking spaces for Dwelling Units in mid-high rise apt (residential):</b> 0.5 per dwelling unit, less the first 12 dwelling units 70 units = 29 spaces required	29	26	No



	<b>Minimum number of parking spaces for Commercial use:</b> 3b) Where a non-residential use located partly or entirely on the ground floor has a gross floor area of 200 square metres or less, no off-street motor vehicle parking is required to be provided Amenity area <200 m <sup>2</sup> = 0 spaces required	0	0	Yes
	<b>Minimum number of parking spaces for Visitors:</b> 0.1 spaces/unit of visitor parking, less the first 12 units to a maximum of 30 visitor spaces 70 units = 6 spaces required	6	6	Yes
	Minimum number of spaces to be reserved for physically disabled persons (By-law 2017-301, Part C (S.111(2)) 1 to 19 public parking spaces: 0 spaces required	0	1	Yes
	<b>Maximum limit on number of parking spaces near rapid transit stations</b> (S.103) – Area B	102	32	Yes
	<b>Total Vehicular Parking Required</b>	35	32	No
<b>Bicycle Parking</b> [Exception 2992] [S.111]	The minimum number of bicycle parking spaces required is one per dwelling unit. 70 units = 70 spaces	70	70	Yes
	Minimum number of bicycle parking spaces for Commercial use: 1 per 250m <sup>2</sup> of gross floor area  S.111(2) Where a building contains more than one use, bicycle parking must be provided for that building in accordance with the proportion of the building occupied by each use.  214.1m <sup>2</sup> = 0 spaces required	0	0	Yes
	<b>Total Bicycle Parking</b>	70	70	Yes
	<b>Minimum number of loading spaces</b> [S.113]	None required	None provided	Yes
	<b>Minimum Drive Aisle width</b> [S.107]	6m	6m	Yes
	<b>Minimum Driveway width</b> [S.107]	6m	6m	Yes
	<b>Garage Door:</b> S.107(1): The following regulations apply to parking lots and parking garages, whether as principal or accessory uses: (iii) In the case of a parking garage, 6.0 metres for a double traffic lane.	6.0m	5.5m	No

The proposal will result in non-compliance with the following provisions of the Zoning By-law:

- / A reduction in the minimum number of required residential parking spaces for a mid-high-rise apartment to 26 spaces; and,
- / A reduction to the minimum parking garage door width for double traffic to 5.5 metres.

It should be noted that the request to reduce or eliminate non-residential commercial parking on-site has not been included in this application. Per Section 101(3)(b)

where a non-residential use located partly or entirely on the ground floor has a gross floor area of 200 square metres or less, no off-street motor vehicle parking is required to be provided. (By-law 2016-249)

The Zoning By-law defines “Ground floor” as that floor at or nearest grade, and “Grade” as the average elevation of the finished level of the ground adjoining all the walls of a building. With this site, the ground floor is technically not at street level. In discussion with Planning Staff, it was agreed that the ground floor could be interpreted as being at street level so that the “second” floor non-residential units would not require parking. The decision was based on the non-residential use be located on a floor that functions as the ground level, providing direct pedestrian access to Churchill Avenue North via the main building entrances.

For this reason, this Minor Variance application is submitted only to seek relief from the provisions related to required residential parking spaces, and reduction to the width of the garage door. A detailed discussion of the proposed variances and how they meet the four (4) tests of a Minor Variance under Section 45(1) of the Planning Act is included in Section 4 of this Cover Letter.

## 4.0

# The Four Tests of the Planning Act

Section 45 of the *Planning Act, R.S.O. 1990* provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness on the basis of Four Tests. It is required to be demonstrated that a proposed variance satisfy the following tests:

- / Is it in keeping with the general intent and purpose of the Official Plan?
- / Is it in keeping with the general intent and purpose of the Zoning By-law?
- / Is it desirable for the appropriate development or use of the land, building or structure?
- / Is the application minor in nature?

It is our professional planning opinion that the application meets the “Four Tests” as follows:

### 4.1 Does the Proposal Maintain the General Intent and Purpose of the Official Plan?

The subject site is designated “Minor Corridor” on Schedule B2 (Inner Urban Transect) of the Official Plan and is also within the Richmond Road / Westboro Secondary Plan, permitting up to 9 storeys on site. The intent of the Inner Urban Transect and Minor Corridor designation is to develop as a mixed-use environment, where a full range of services are located within walking distance from home to support the growth of 15-minute neighborhoods. The transportation network for the Inner Urban Transect shall accommodate motor vehicle access and movement, provided doing so does not erode the public realm nor undermine the priority of pedestrians, cyclists and transit users.

**The proposed development contemplates construction of an 8-storey building on an underutilized lot that currently contains a low-rise commercial building. The requested variance to reduce the number of required residential parking spaces by 3 spaces is keeping in line with the intent of the Official Plan, which supports the reduction or elimination of parking in close proximity to transit and in well-served, walkable, 15-minute communities. To further support this reduction, a 1:1 bicycle parking ratio has been proposed to support active modes of transportation.**

The Inner Urban area is planned for mid- to high-density, urban development forms where either no onsite parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. The proposed reduction in garage door width, from 6.0 metres to 5.5 metres (a difference of 0.5 metres), meets all Ontario Building Code requirements. Even though vehicular access from Danforth Avenue (a local street) has been reduced in width it has been designed to ensure both smooth circulation and safety, thereby satisfying Inner Urban Transect Policy 5.2.2.3) d) ii) minimizing the impact of parking on the public realm.

**The proposal therefore maintains the general intent and purpose of the Official Plan.**

### 4.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject site is zoned **Traditional Mainstreet, Exception 2992 with a maximum height of 28 metres (TM [2992] H(28))** in the City of Ottawa’s Comprehensive Zoning By-Law. The purpose of the TM zone is to accommodate a broad range of uses including mixed-use buildings, and foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, transit and automobile. To facilitate a 70-unit mid-rise, mixed-use building on site as proposed, the proposal requires relief from the minimum required residential parking spaces from the 29 required spaces to 26 spaces, and reduction to the minimum garage door width from 6.0 metres to 5.5 metres.

**The general intent of parking minimums is to ensure adequate parking availability for various land uses, while also encouraging alternative transportation modes. The request to reduce the number of residential parking spaces on-site by 3 spaces will not have a significant impact on the traffic and parking patterns in this area. The development takes advantage**



of its location: along Churchill Avenue, and close to Richmond Road, a Transit Priority Corridor in the Official Plan, as well as proximity to transit stations, local bus routes, and other local amenities and active transportation routes. Moreover, the area is well positioned with multiple options for groceries, schools, parks, shops, and other community amenities, reducing the need for personal vehicle trips. Further, there is a 1:1 bicycle parking space ratio proposed to promote sustainable modes of transportation.

The request to reduce the minimum width of the garage door by 0.5 metres from 6.0 metres to 5.5 metres respects Ontario Building Code requirements and still allows for adequate space for vehicular access and turning movements. Further, the parking garage is only proposed to be accessed by tenants of the building and their visitors, reducing potential vehicle conflict from the wider general public.

The variances requested meet the general intent and purpose of the Zoning By-law.

#### 4.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The proposed development consists of the establishment of an 8-storey mid-rise mixed-use building containing 70 residential units and 214 square metres of commercial space at-grade. As noted previously, the project is consistent with the intended function of the TM zone. Additionally, the proposal contributes to intensification goals of the TM zone by accommodating a broad range of uses by introducing both residential and commercial uses to an underutilized site. The policies of the Inner Urban Transect and Minor Corridor of the Official Plan encourages residential densification and employment opportunities through the commercial space at-grade contributing to the cultivation of a 15-minute neighbourhood.

Further, policies within the PPS support the proposed development by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating an appropriate affordable and market-based range and mix of residential types;
- / promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

**The proposed development makes efficient use of the land, proposes land uses that are compatible with the existing context of the surrounding community, makes use of underutilized land connected to services, and positively contributes to provincial and municipal intensification goals. The relief requested aligns with the approach of reducing parking requirements, as is evident with the draft new Zoning By-law has been released for public comment, and where residential units will not require parking.**

Overall, the proposal is desirable for the development and use of the lands.

#### 4.4 Is the Proposal Minor in Nature?

The establishment of the proposed development on the basis of the proposed minor variances is not anticipated to generate any undue or adverse impacts on adjacent properties. The proposed development is generally consistent with the provisions under the TM zone and capable of accommodating a mixed-use development that is consistent with the existing mix of uses and dwelling typology in the area.

**The variances being sought are minor in nature and deviate only marginally from the minimum requirements under the By-law. The request to reduce the number of residential parking spaces from 29 spaces to 26 spaces, and the reduction of**

the garage door width from 6.0 metres to 5.5 metres, does not preclude the ability of the proposed development to meet all other requirements in the Zoning By-law, allowing the lot to develop in a manner consistent with the built form of the surrounding area. The reduction in parking spaces does not create any adverse impacts to adjacent properties and is appropriate considering the context of the wider neighbourhood. Further, the reduction to the garage door width does not impact functionality of the parking garage, as two vehicles can still enter and exit without conflict.

## 5.0 Conclusion

It is our professional opinion that the Minor Variances described herein meet the Four Tests of the Planning Act and result in a development proposal which represents good planning principles and is in the public interest. The variance allows for the establishment of a compatible, mid-rise, mixed-use building that contributes positively to the housing supply, commercial opportunities in Westboro Village, and the City's public realm and active transportation objectives. This report recognizes the following:

- / The proposal conforms to the direction of the Provincial Planning Statement (2024);
- / The proposal conforms to the policies and objectives of the City of Ottawa Official Plan (2022) Inner Urban Transect and Corridor designation, and the Richmond Road / Westboro Secondary Plan;
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law; and
- / The proposed minor variance meets the four tests, as set out in the Planning Act.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,



Jillian Simpson, MCIP RPP  
Planner



Lisa Dalla Rosa, MBA MCIP RPP  
Associate