

3. Zoning By-Law Amendment – 114 Richmond Road
Modification au Règlement de zonage – 114, chemin Richmond

Committee Recommendations, as amended

That Council:

- 1. approve an amendment to Zoning By-law 2008-250 for 114 Richmond Road to permit a nine-storey apartment building addition to the former Sisters of the Visitation Monastery, as detailed in Document 2;**
- 2. replace the schedule in Document 5, Revised Schedule 256, with a revised schedule, per Planning Committee Motion N° PLC 2019 9/1 (set out in Document 5 below); and**
- 3. approve that, pursuant to the *Planning Act*, subsection 34(17), no further notice be given.**

Recommandations du Comité, telles que modifiées

Que le Conseil :

- 1. approuve une modification au Règlement de zonage 2008-250 visant le 114, chemin Richmond, afin de permettre la construction d'un immeuble d'appartements de neuf étages en annexe à l'ancien monastère des Sœurs de la Visitation, comme l'expose en détail le document 2;**
- 2. remplace l'annexe du document 5, Revised Schedule 256, par l'annexe révisé, conformément à la motion no° PLC 2019 9/1 du Comité de l'urbanisme (comme l'indique le document 15 à l'appui ci-dessous); et**
- 3. approuve qu'en vertu du paragraphe 34(17) de la *Loi sur l'aménagement du territoire*, qu'aucun nouvel avis ne soit donné.**

Documentation / Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 31, 2019 (ACS2019-PIE-PS-0059)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 31 mai 2019 (ACS2019-PIE-PS-0059)

2. Extract of draft Minutes, Planning Committee, June 13, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 13 juin 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of July 10, 2019, 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 June 26, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 10 juillet 2019 du Conseil, dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire* à la réunion du Conseil municipal prévue le 26 juin 2019 »

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
13 June 2019 / 13 juin 2019**

**and Council
et au Conseil
26 June 2019 / 26 juin 2019**

**Submitted on 31 May 2019
Soumis le 31 mai 2019**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

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Ward: KITCHISSIPPI (15)

File Number: ACS2019-PIE-PS-0059

SUBJECT: Zoning By-law Amendment – 114 Richmond Road

OBJET: Modification au Règlement de zonage – 114, chemin Richmond

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 114 Richmond Road to permit a nine-storey apartment building addition to the former Sisters of the Visitation Monastery, as detailed in Document 2.**

2. That Planning Committee 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 City Clerk and Solicitor's Office 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 June 26, 2019," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant le 114, chemin Richmond, afin de permettre la construction d'un immeuble d'appartements de neuf étages en annexe à l'ancien monastère des Sœurs de la Visitation, comme l'expose en détail le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la Loi sur l'aménagement du territoire, à la réunion du Conseil municipal prévue le 26 juin 2019 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

114 Richmond Road.

Owner

Ashcroft Homes

Applicant

Nico Church (Fotenn Consultants Inc.)

Architect

Roderick Lahey Architect Inc.

Description of site and surroundings

The subject property is located in the Westboro community, and fronts onto Leighton Terrace, a local street to the east, which connects directly onto Richmond Road to the north. Other roads of note in proximity to the site include Island Park Drive to the east and Kirkwood Avenue to the west.

The lands directly north of the property consist of Phase I of the Q-West development, a nine storey mid-rise apartment building with ground floor commercial space. To the east, west, and south of the property are predominantly residential neighbourhoods, consisting of primarily low-rise buildings, and include Byron Park to the south, and Hilson Public School to the west. The subject property has an area of approximately 17,200 square metres and frontages of 8.84 metres onto Leighton Terrace; and approximately 15 metres onto Shannon Street, a local street to the southwest. Both of these are local streets. The Sisters of the Visitation convent building, a heritage building that is currently vacant, occupies the subject property. The rest of the property consists of a gravel lot, a landscaped pathway known as the Nun's walk running along the eastern edge of the property, and a drive aisle connecting the property to Leighton Terrace.

Summary of requested Zoning By-law amendment proposal

The proposed development consists of one apartment building, as well as the conversion of the heritage convent building into a mixed-use building. Although future development will involve subsequent buildings and potential amendments to performance standards related to the balance of the site to the south, the subject application relates only to the northern portion and specifically to the following proposed buildings:

A nine-storey mid-rise apartment dwelling, to be connected to the existing convent building via a two-storey glass link to the Heritage Building.

The heritage three-storey convent building will be converted into low-rise apartment dwelling and restaurant space in the original house and chapel portions of the building.

The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 114 Richmond Road (Document 2) consist of the following:

1. Create a new schedule to establish the maximum building heights for the addition.
2. Amend Schedule 256, which establishes the maximum building heights on the property, to remove the portion of the property that relates to the convent and its addition.
3. Delete Exception 1753 from the subject lands as it relates to the previous proposal.
4. Remove the "h" symbol from the subject lands as it relates to the previous proposal.
5. Create a new Exception to the subject lands.
6. Expand slightly to the north the R5B[1763] S256 zone.

Brief history of proposal

The subject property has been the subject of several previous development applications.

The zoning and site plan for the first phase were approved respectively in November 2010 and April 2012. The second phase, which consists of the balance of the property south of the Q-West development, received site plan approval on February 2014. An extension to this approval was issued in March 2015.

The property owner is now seeking to revise the layout and design of the proposed development, which will require changes to the height schedule established under the zoning by-law amendment. A new zoning by-law amendment application, along with a site plan control application, were submitted for the northern portion of the second phase (Phase 2A), which is to contain the convent and its addition. A separate zoning

by-law amendment application and site plan control application were also submitted for the southern portion of the second phase (Phase 2B), which is to contain a residential condominium building and a senior's residence.

The proposed addition and alterations to the convent in report [ACS2018-PIE-RHU-0018](#) were considered under the *Ontario Heritage Act* by the Built Heritage Sub-Committee on August 2, 2018 and; following a resubmission by the applicant, approved as amended at Planning Committee on August 28, 2018.

This report harmonizes the zoning schedules to reflect the proposal approved in August 2018 to permit the proposed development under the *Planning Act*.

DISCUSSION

Public consultation

Community information sessions were held on June 6, 2018 and February 20, 2019 at the Van Lang Field House.

About 30 residents attended the first session, which was organized for the overall community. The applicant, his architect and planning consultants, Councillor Leiper and his staff, and Planning staff were present. The residents in attendance expressed their concern in regards to the scale of the proposed addition, the proposed density, the increase in traffic, and access to the site.

About 10 residents attended the second community information session, which was held specifically for the Shannon Street residents.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designations

The subject property is designated Traditional Mainstreet on Schedule 'B' – Urban Policy Plan of the City of Ottawa Official Plan (OP). Land uses in this designation are often mixed, with commercial uses at the street level and residential uses on the upper levels. It is the intent of this Plan that intensification continue to focus on nodes and corridors (Mixed-Use Centres and Mainstreets) to support the public transit system, to create an essential community focus, to allow for minimum travel and to minimize disruption in existing stable neighbourhoods.

Policy 9 of Section 4.11 of the Official Plan identifies states that building heights can be greater than those identified in the Mainstreets designation within areas characterized by high-rise buildings that have direct access to an arterial road, or; within 600 metres of a rapid transit station, or; where identified in a community design plan, secondary plan, or other similar Council-approved planning document, or; within areas identified for high-rise buildings, or; within areas where a built form transition is appropriate.

Policy 12 of Section 4.11 of the Official Plan states that development proposals will address issues of compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development profile.

Policy 13 of Section 4.11 of the Official Plan states that the need to provide transitions in built form may be offset or reduced where natural buffers and features exist, or through the orientation of buildings and the arrangement of land use patterns.

Other applicable policies and guidelines

Richmond Road/Westboro Secondary Plan

Policy 1.3.3 states that redevelopment and infill are encouraged on Richmond Road and Scott Street Traditional Mainstreets in order to optimize the use of land through increased building height and density. This Plan supports building heights generally in the range of four to six storeys. Greater building heights will be considered based on the Richmond Road/Westboro Community Design Plan.

The Secondary Plan contains the following site-specific language regarding the subject property:

Section 1.3.4 - Land Use Strategy and Maximum Building Height Ranges contains site-specific language regarding the subject property:

City Council shall consider rezoning the Sisters of the Visitation convent to TM-Traditional Mainstreet for mixed-use development should redevelopment be proposed. Given the lot size, higher building heights than the generally recommended maximum of six storeys for lots of greater depth may be possible, provided that: redevelopment is compatible with, and provides an appropriate transition to, the adjacent low-rise residential neighbourhood; the convent wall is removed; and, adaptive reuse of the convent building, with mixed-use residential/ground floor commercial along Richmond Road, incorporating as much of the existing green space as possible, is

proposed. As part of a redevelopment application, the southern part of the property should be rezoned to a maximum four storey residential zone in order to be compatible with the adjacent low-rise residential area.

Richmond Road/Westboro Community Design Plan

Section 6.7 – Land Use Strategy and Appropriate Building Scale contains site-specific language regarding the subject property:

Should the Sisters of the Visitation Convent site be redeveloped sometime in the future, the convent wall should be taken down and the convent building be adaptively used, with mixed- use/ground floor commercial along Richmond and residential behind, incorporating as much of the existing landscaping as possible and views of the convent building. At that time the existing institutional zoning could be changed to more appropriate zoning (TM along Richmond, maximum six storeys; and residential zoning behind, maximum four storeys, compatible with the adjacent land use). Other heritage buildings on the south side of Richmond between Kirkwood and Hilson Avenues should be preserved and used for active commercial uses.

Section 8.7 – Intensification Above the Levels in this Plan states that development applications such as the proposed development that propose levels of intensification above what is envisioned in this CDP should be evaluated based on the following:

- The building should safeguard exposure to sunlight along the sidewalk;
- The building should not have significant negative effects on surrounding properties and residential neighbourhoods regarding shadowing and visual impact;
- The lower portions of buildings facing Richmond Road in Westboro Village should be designed with vertical distinctions that reflect the existing village character;
- The applicant must address the planning strategy and the urban design guidelines of the CDP and undertake a transportation impact study.

Urban Design Review Panel

This proposal was presented to a specific panel that pre-existed the Urban Design Review Panel during the spring and summer of 2010. The panel was formed

specifically for this proposed development.

Planning Rationale

The proposed addition and alterations to the convent in report [ACS2018-PIE-RHU-0018](#) were considered under the *Ontario Heritage Act* by the Built Heritage Sub-Committee on August 2, 2018 and; following a resubmission by the applicant, approved as amended at Planning Committee on August 28, 2018.

This report harmonizes the zoning schedules to reflect the proposal approved in August 2018 to permit the proposed development under the *Planning Act*.

Height transition

The large area of the subject property provides the opportunity to achieve acceptable transitions in building height with adjacent properties. The proposed development will be set back a significant distance from the east interior side lot line that abuts low-rise, single detached dwellings. It also has a landscaped walkway with mature maple trees known as the Nuns Walk running along the eastern edge of the property.

In addition to significant setbacks, the nine-storey addition will feature upper floor stepbacks to limit its impact on the low-rise nature of the residential neighbourhood to the east.

Off-site shadowing on the adjacent residential properties to the east will be negligible until after 4 p.m. Off-site shadowing on the adjacent school site to the west will generally be limited to early morning.

The proposed development will be similar with the previous approval in that the maximum height of the addition is maintained at 9 storeys stepping down towards the property limits.

The proposed development therefore meets the intent and purpose of the Official Plan, Secondary Plan, and CDP by ensuring an effective transition in built form between areas of different development profile, in particular the low-rise residential neighbourhood to the east.

Proximity to transit

The proposed development is approximately 600 metres from the Westboro rapid transit Station.

A transportation study assessing the impact of the proposed development on surrounding roads revealed no significant traffic volume increases during peak hours. The convent and addition will use the existing Leighton Terrace connection, which volume would represent 48 vehicles per hour during the morning and afternoon peak hours.

Direction to staff

At its meeting of August 28, 2018, Planning Committee has directed staff “to explore taking securities for the protection and restoration of the heritage buildings at the appropriate stage of the development process (for example lifting the holding zone on building permit issuance)”. This direction was to help make sure that the proposed addition was not constructed without the restoration of the convent taking place. As these securities would be in the millions of dollars and onerous to the property owner, Staff are intending to add through the zoning application for the southern portion of the property a Holding Symbol on these lands. The Holding symbol restricts development of the southern portion of the property and would only be lifted when occupancy permit is issued for the convent.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper is aware of this Zoning By-law amendment report.

ADVISORY COMMITTEE COMMENTS

No concerns or recommendations were received. Proposer accessibility will be ensured through the Site Plan Control process.

LEGAL IMPLICATIONS

Members of Council will be aware that Bill 108 has been introduced in the Legislature and, at time of writing, is currently before a Standing Committee. This Bill, if passed, will

significantly affect the conduct of hearings before the Local Planning Appeal Tribunal. However, at the time of the writing of this comment, draft transitional regulations have not been provided. Thus, it is not known if a zoning by-law enacted at this time would be subject, upon appeal, to the Bill 139 procedure or the Bill 108 procedure. In any event, should the recommendations be carried and the matter appealed to the Tribunal, it is anticipated that the appeal can be conducted within staff resources. Should the matter be refused, reasons must be provided. In this instance, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

No accessibility barriers are anticipated. Proper accessibility will be ensured through Site Plan Control Approval and Building Code review.

ENVIRONMENTAL IMPLICATIONS

Environmental implications will be assessed through the Site Plan Control Approval process.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

Healthy and Caring Communities

- HC1 - Advance equity and inclusion for the City's diverse population
- HC3 - Create new and affordable housing options

Economic Prosperity

- EP3 Support growth of local economy

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of recommended zoning

Document 3 Consultation Details

Document 4 Schedule XXX

Document 5 Revised Schedule 256

CONCLUSION

Staff is of the opinion that the proposed development provides a sensitive design approach that achieves a desired and compatible built form for the area. The proposed development will also contribute to ensure a full range and choice of housing types, create jobs and add services in the neighbourhood and in close proximity to transit.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

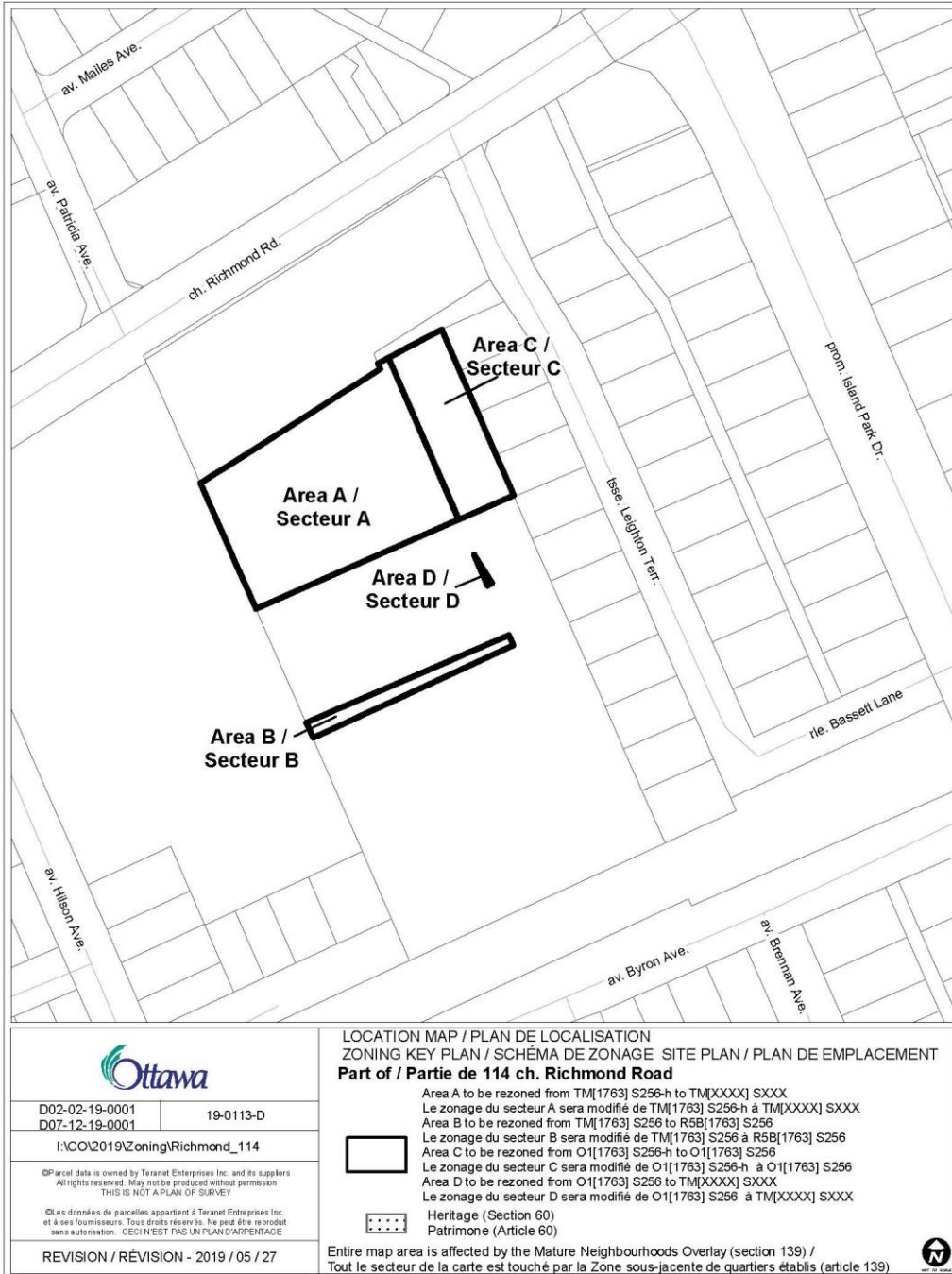
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map (Visit geoOttawa for an interactive Zoning map)

The map shows areas of the property that are subject to the Zoning By-law amendment.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 114 Richmond Road:

1. Rezone the lands as shown in Document 1.
2. Add a new Schedule XXX as shown in Document 4.
3. Amend Schedule 256 as shown in Document 5.
4. Add a new exception, TM[XXXX], to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a) Add to Column II, the text “TM[XXXX] SXXX”.
 - b) Add to Column V, Provisions, the text:
 - Maximum permitted building heights are as set out on Schedule XXX;
 - Subsections 197(3), Table 197 Rows (c) through (g) inclusive do not apply;
 - Subsection 197(4) does not apply;
 - Permitted projections listed in section 65 are allowed in the area described as “No buildings permitted” on Schedule XXX;
 - The lands zoned with exception 1763 and XXXX are considered one lot for zoning purposes;
 - Despite Clause 100(1)(a) parking spaces for non-residential uses within the TM[1763]S256 zone may be included in the calculation of and used as visitor parking spaces for residential uses on the lot; and,
 - Section 113 does not apply.
5. Amend Exception 1763 by replacing the text “The lands zoned TM[1763] S256 R5B[1763] S256 and 01[1763] S256 are considered one lot for zoning purposes” with the text “the lands zoned with exception 1763 and XXXX are considered one lot for zoning purposes”.

Document 3 – 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 Zoning By-law amendments. Two public meetings were also held in the community.

Community information sessions were held on June 6, 2018 and February 20, 2019 at the Van Lang Field House.

About 30 residents attended the first session, which was organized for the overall community. The applicant, his architect and planning consultants, Councillor Leiper and his staff, and Planning staff were present. The residents in attendance expressed their concern in regards to the scale of the proposed addition, the proposed density, the increase in traffic, and access to the site.

About 10 residents attended the second community information session, which was held specifically for the Shannon Street residents.

Public Comments and Responses

Comment:

Residents of the first phase indicated their concern with traffic being routed behind their building.

Response

Additional access will be provided as part of Phase 2B to better distribute the traffic volume. This will be ensured through subsequent rezoning and site plan control applications.

Comment:

Leighton Terrace residents indicated their concern with Phase 2A being accessed off of their street as Richmond Road is already very challenging and the intersection at Richmond and Island Park severely congested.

Response:

Additional access will be provided as part of Phase 2B to better distribute the traffic

volume. This will be ensured through subsequent rezoning and site plan control applications.

Comment:

Local residents indicated their concern that an additional high rise of nine stories will further erode the character of their neighbourhood.

Response:

The large area of the subject property provides the opportunity to better integrate the increased density.

It will also preserve mature trees and the Nuns Walk running along the eastern edge of the property.

Comment:

Abutting residents indicated their concern that the proposed nine-storey building will further block the sunlight, the existing building having already reduced it substantially.

Response:

Off-site shadowing on the adjacent residential properties to the east will be negligible until after 4 p.m. Off-site shadowing on the adjacent school site to the west will generally be limited to early morning.

Comment:

Local residents indicated their concern with an increase in density, as parking and traffic in the area is already a problem.

Response:

The proposed development will provide underground parking on-site and no relief is being sought to reduce the zoning requirements.

A transportation study assessing the impact of the proposed development on surrounding roads revealed no traffic volume issues during peak hours.

Comment:

Local residents indicated their concern with an increase in commercial space as there is

already a lot of vacant space.

Response:

The added density will contribute to increase the demand for commercial/neighbourhood services.

Comment:

Local residents indicated their concern with the proposal further diminishing the charm and character of the neighbourhood already ruined with mega houses, condos and apartments.

Response:

The large area of the subject property provides the opportunity to better integrate the increased density.

It will also preserve mature trees and the Nuns Walk running along the eastern edge of the property.

Comment:

Abutting residents indicated their concern with privacy given the height and density of the proposal.

Response:

The proposed development will be set back a significant distance from the east interior side lot line that abuts low-rise, single detached dwellings. It also has a landscaped walkway with mature maple trees known as the Nuns Walk running along the eastern edge of the property. Building B also features upper floor step backs so as to limit its impact on the low-rise nature of the residential neighbourhood to the east.

Comment:

Local residents indicated their concern that the proposed high rise will obstruct the convent and chapel.

Response:

The east and west perspectives will be preserved and the publicly accessible carriageway under Phase I maintains some exposure to the north.

Community Organization Comments and Responses

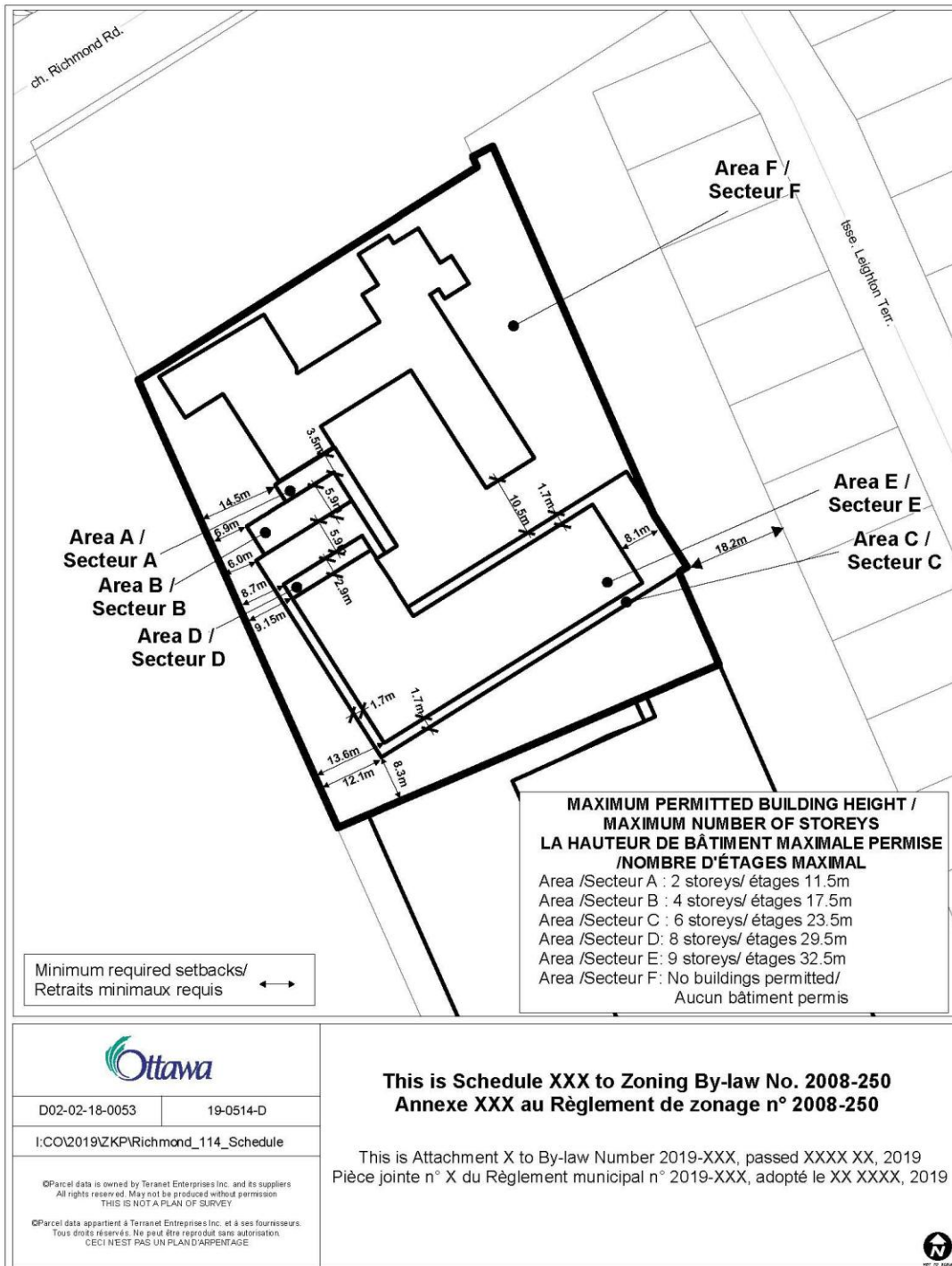
Comment:

The Wellington Village Community Association strongly encouraged the developer to retain (reinstate) as much green space as possible on the property.

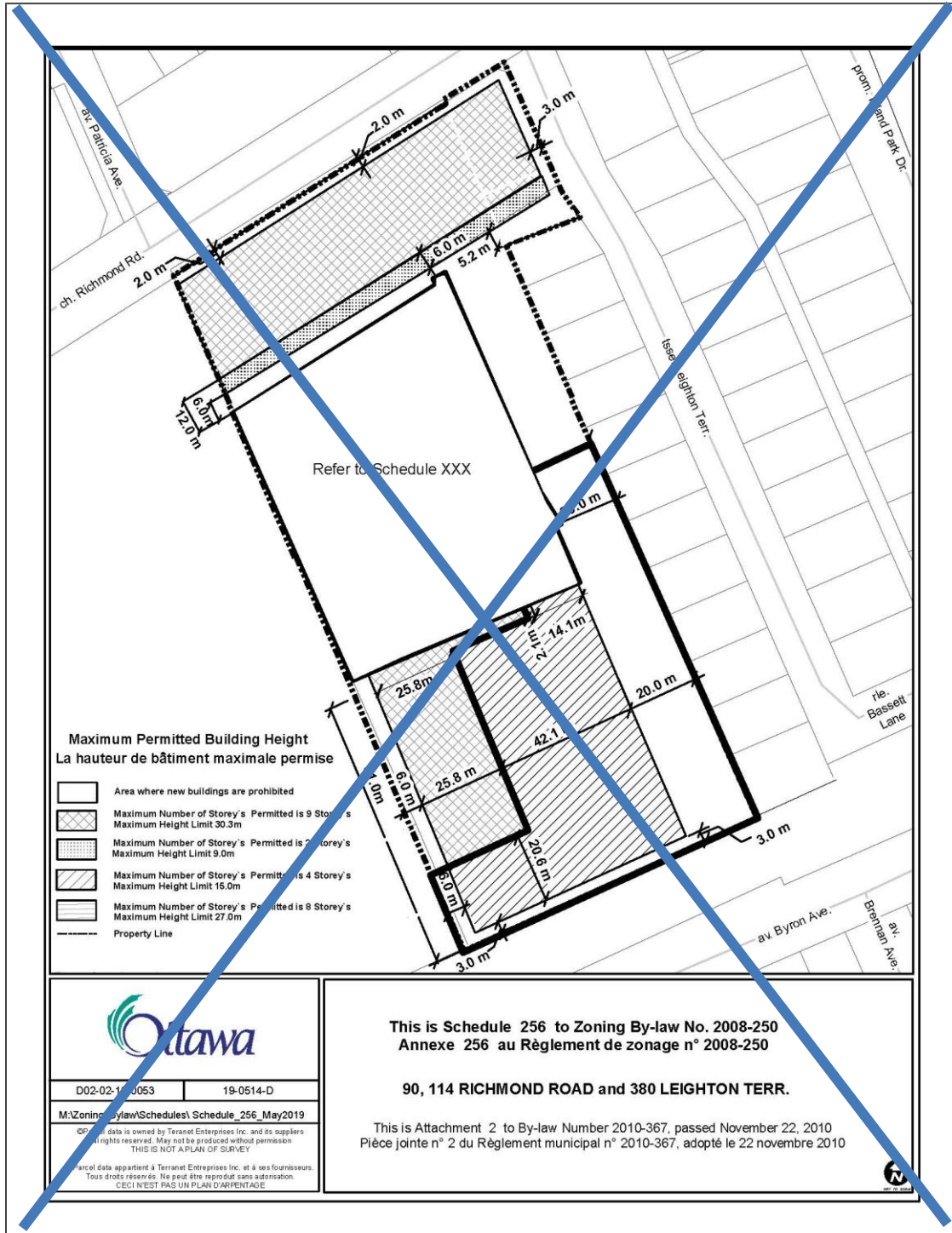
Response:

The landscaped walkway and preservation of mature maple trees represent a considerable amount of green space.

Document 4 – Schedule XXX



Document 5 – Revised Schedule 256



Revised Schedule 256 (per Motion N° PLC 2019 9/1)

