

**Subject: Official Plan Amendment and Zoning By-law Amendment – 70
Richmond Road and 376 Island Park Drive**

File Number: ACS2022-PIE-PS-0067

Report to Planning Committee on 9 June 2022

and Council 22 June 2022

**Submitted on May 30, 2022 by Lily Xu, Acting Director, Planning, Real Estate and
Economic Development**

Contact Person: Jean-Charles Renaud, Planner II, Development Review Central

613-580-2424 x27629, *Jean-Charles.Renaud@ottawa.ca*

Ward: Kitchissippi (15)

**Objet : Modification du Plan officiel et modification du *Règlement de zonage*
– 70, chemin Richmond et 376, promenade Island Park**

Dossier : ACS2022-PIE-PS-0067

Rapport au Comité de l'urbanisme

le 9 juin 2022

et au Conseil le 22 juin 2022

**Soumis le 30 mai 2022 par Lily Xu, Directrice par intérim, Direction générale de la
planification, des biens immobiliers et du développement économique**

**Personne ressource : Jean-Charles Renaud, urbaniste II, Examen des demandes
d'aménagement centrale**

613-580-2424 x27629, *Jean-Charles.Renaud@ottawa.ca*

Quartier : Kitchissippi (15)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council:**
 - a. Approve an amendment to the Official Plan, Volume 2a, Richmond Road/Westboro Secondary Plan, for 70 Richmond Road and 376 Island Park Drive, with site-specific policies and an amendment to Schedule C2 for increased building height, as detailed in Document 2a.**
 - b. Approve an amendment to the New Official Plan, Volume 2A, Richmond Road/Westboro Secondary Plan, as detailed in Document 2b, for 70 Richmond Road and 376 Island Park Drive, with site-specific policies and an amendment to Schedule C for increased building height.**
 - c. Approve an amendment to Zoning By-law 2008-250 for 70 Richmond Road and 376 Island Park Drive to permit a nine-storey mixed use building, as detailed in Document 3.**
- 2. That the implementing Zoning By-law be listed upon the same agenda for enactment as that upon which this Report is listed in order to meet statutory deadlines, but that the by-law state that it shall not come into force until such time as the agreement under Section 37 of the Planning Act is registered on title to the lands.**
- 3. Direct staff to incorporate the Amendments to the Official Plan, Volume 2a, as detailed in Document 2b, into ____ of the new Official Plan and the ____ Secondary Plan as part of the new Official Plan being considered for approval by the Ministry of Municipal Affairs and Housing.**
- 4. 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 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 June 22, 2022,” 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 municipal :
 - a. d'approuver une modification à apporter au volume 2A (Plan secondaire du secteur du chemin Richmond à Westboro) du Plan officiel pour le 70, chemin Richmond et le 376, promenade Island Park, ainsi qu'aux politiques propres au site, et une modification à apporter à l'annexe C2 pour augmenter la hauteur de l'immeuble, selon les modalités précisées dans la pièce 2a;
 - b. d'approuver une modification à apporter au volume 2A (Plan secondaire du secteur du chemin Richmond à Westboro) du Plan officiel selon les modalités précisées dans la pièce 2b pour le 70, chemin Richmond et le 376, promenade Island Park, ainsi qu'aux politiques propres au site, et une modification à apporter à l'annexe C pour augmenter la hauteur de l'immeuble;
 - c. d'approuver une modification à apporter au *Règlement de zonage n° 2008-250* pour le 70, chemin Richmond et le 376, promenade Island Park afin de permettre de construire un immeuble polyvalent de neuf étages, selon les modalités précisées dans la pièce 3.
2. Que le *Règlement de zonage* à mettre en œuvre soit, pour que ce règlement soit adopté, inscrit dans le même ordre du jour que ce rapport afin de respecter les échéances officielles, mais que le règlement municipal précise qu'il n'entrera pas en vigueur tant que l'entente prévue à l'article 37 de la *Loi sur l'aménagement du territoire* ne sera pas enregistrée pour les droits fonciers.
3. Que l'on demande au personnel d'intégrer les modifications apportées au volume 2A du Plan officiel, selon les modalités précisées dans la pièce 2b, dans ____ du nouveau Plan officiel et dans le Plan secondaire ____ dans le cadre du nouveau Plan officiel à approuver par le ministère des Affaires municipales et du Logement.
4. Que le Comité de l'urbanisme 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 greffier 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 22 juin 2022 », 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 applications for 70 Richmond Road and 376 Island Park Drive to facilitate the construction of a nine-storey mixed-use building.

The applicant has requested an increase in height, reductions in corner and rear-yard setbacks, a reduction in driveway width, as well as other site-specific details meant to preserve the Island Park Drive character.

The proposal aligns with applicable Official Plan policies for Traditional Mainstreets.

Applicable Policy

The following policies support this application:

Section 3.6.3 Traditional Mainstreets includes which envision some of the most significant development opportunities. Development that supports, and is supported by, increased walking, cycling and transit use is encouraged, along with a built form that emphasizes street level animation and a pedestrian-friendly environment with active frontages. The OP supports mid-rise building heights on Traditional Mainstreets, and provides direction on design and compatibility, and transition between buildings and adjacent low-rise context.

Section 2.5.1 Designing Ottawa seeks to implement design objectives which will help ensure a sensitive approach and a respect for a community's established characteristics. The proposed development provides adequate transition to the neighbouring properties to the south, while staying respectful of the heritage resource at the front of the property.

Section 4.11 seeks to ensure high quality urban design in all parts of the city and design excellence in design priority areas. The design features high-quality materials and architectural elements that are successful at respecting and elevating the existing heritage building, which is integrated with this new building.

Other Matters

Heritage staff have recommended approval for the application under the *Ontario Heritage Act* at 70 Richmond Road. The proposed alterations include the on-site relocation and rehabilitation of the service station and its integration into the proposed building. Heritage planning staff are of the opinion that the design of the proposed development is compatible with the service station, and that the relocation of the building will maintain the resource's cultural heritage value.

Consultation with the BHSC has taken place on May 10, 2022, with consideration from Planning Committee on June 9, 2022.

Public Consultation/Input

A public consultation was held in advance of the applications' submission, on May 10, 2019 at the Van Lang Field House. A second public consultation was held virtually on December 9, 2020. Concerns related to traffic, parking, trees and height were raised.

SYNTHÈSE ADMINISTRATIVE

Recommandation du personnel

Le personnel des Services de planification recommande d'approuver les demandes de modification du Plan officiel et de modification du Plan de zonage pour le 70, rue Richmond et le 376, promenade Island Park afin de permettre de construire un immeuble polyvalent de neuf étages.

Le requérant a demandé d'augmenter la hauteur, de réduire les marges de retrait dans la cour d'angle et dans la cour latérale, de diminuer la largeur des voies d'accès et d'apporter d'autres modifications propres au site et destinées à préserver le caractère de la promenade Island Park.

La proposition cadre avec les politiques applicables du Plan officiel pour les rues principales traditionnelles.

Politiques applicables

Les politiques suivantes justifient cette demande.

La section 3.6.3 (Rues principales traditionnelles) prévoit des modalités qui permettent de réaliser les projets d'aménagement les plus importants. On encourage les projets d'aménagement qui visent à favoriser les déplacements à pied, à vélo et dans les transports en commun, ainsi qu'une forme bâtie qui priorise l'animation au niveau de la rue et un environnement convivial pour les piétons, de même que des façades actives, et qui sont justifiés par ces déplacements et par cette forme bâtie.

La section 2.5.1 (Concevoir Ottawa) vise à mettre en œuvre les objectifs de la conception qui permettront d'assurer une approche sensible et de respecter les caractéristiques établies de la collectivité. Le projet d'aménagement proposé assure une transition adéquate avec les propriétés voisines au sud, tout en continuant de respecter les ressources patrimoniales sur le devant de la propriété.

La section 4.11 vise à assurer la qualité supérieure de l'esthétique urbaine dans tous les secteurs de la Ville et l'excellence de la conception dans les secteurs prioritaires correspondants. L'esthétique urbaine est caractérisée par des matériaux de grande qualité et par des éléments architecturaux qui réussissent à respecter et à rehausser l'édifice patrimonial existant qui est intégré dans ce nouvel immeuble.

Autres questions

Le personnel de la Planification du patrimoine a recommandé d'approuver la demande déposée en vertu de la *Loi sur le patrimoine de l'Ontario* pour le 70, chemin Richmond. Les transformations proposées consistent à relocaliser sur le site et à réaménager la station-service, de même qu'à l'intégrer dans l'immeuble proposé. Le personnel de la Planification du patrimoine est d'avis que la conception du projet d'aménagement proposé est compatible avec la station-service et que la réinstallation du bâtiment permettra de préserver la valeur de patrimoine culturel du bâtiment.

Le personnel a consulté le Sous-comité du patrimoine bâti le 10 mai 2022 et a tenu compte des commentaires exprimés le 9 juin 2022 par le Comité de l'urbanisme.

Consultation et commentaires du public

La consultation du public s'est déroulée le 10 mai 2019 au pavillon Van Lang, en prévision de la présentation des demandes. Une deuxième consultation publique a eu

lieu en virtuel le 9 décembre 2020. On a exprimé des inquiétudes à propos de l'achalandage, du stationnement, des arbres et de la hauteur.

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

70 Richmond Road and 376 Island Park Drive

Owner

Trinity Group (Aly Premji)

Applicant

Fotenn (Paul Black)

Architect

Hobin Architecture

Description of site and surroundings

The property is located at the southwest intersection of Richmond Road and Island Park Drive, within the Westboro neighbourhood. The development site, which is an assembly of 70 Richmond Road and 376 Island Park Drive, has approximately 23 metres of frontage along Richmond Road and approximately 52 metres of frontage along Island Park Drive, with a total area of approximately 1,578 square metres. 70 Richmond Road is occupied by a vacant one-storey building, previously used as a service station, and currently designated under Part IV of the *Ontario Heritage Act*, and 376 Island Park Drive is occupied by a one-storey single-detached dwelling. A 5-metre-wide public easement abuts the property to the west and extends from Richmond Road to the north to Leighton Terrace to the south.

Description of proposed development

The applications seek to facilitate the construction of a nine-storey mixed-use building, including 88 residential units and retail uses at grade. Vehicular access to the underground parking area is provided from the public laneway on the west side of the

subject property with access to Richmond Road. At-grade commercial uses are proposed along the Richmond Road frontage and seven ground-oriented townhouse units are proposed along the Island Park Drive frontage as well as along the rear of the building. Amenity spaces are provided internally as well as on the rooftop. The proposed building steps down from nine storeys down to two storeys as it approaches the neighbouring properties along Island Park Drive. The proposal also includes a Section 37 benefits contribution. A Site Plan Control Application will be submitted at a future time.

The proposal also includes the relocation and retention of the existing heritage building along Richmond Road. The proposal therefore also involves an application for alteration under the *Ontario Heritage Act*, which requires City Council approval after consultation with the Built Heritage Sub-Committee (BHSC). Consultation with the BHSC has taken place on May 10, 2022, with consideration from Planning Committee on June 9, 2022.

Summary of requested Official Plan Amendment

The Official Plan Amendment seeks to achieve the following:

- To amend Schedule C – General Maximum Building Height Range within the Richmond Road / Westboro Secondary Plan to permit heights up to nine-storeys. The schedule currently identifies 70 Richmond Road as having a maximum height of four-storeys.
- To amend policies in Section 1.3.4 of “Sector 4 – East Village” within the Richmond Road / Westboro Secondary Plan to permit a mid-rise apartment building up to nine storeys. Presently, these policies limit building heights to a maximum of six storeys on lots with 45 metres in depth and backing onto low-rise residential areas.

An amendment to the new Official Plan, Volume 2A, would add a site-specific policy within Section 5.4 East Village (Sector 4) stating that a nine-storey building height is permitted at 70 Richmond Road and 376 Island Park Drive. Schedule C would also be amended in order to identify the maximum permitted building height on the property as nine-storeys.

Summary of requested Zoning By-law Amendment

The site in question consists of a land assembly having frontage on both Richmond Road and Island Park Drive. 70 Richmond Road is zoned TM[83] H(15) (Traditional

Mainstreet, Exception 83, Maximum height 15 metres) and 376 Island Park Drive is zoned R1MM[2501] (Residential First Density, Subzone MM, Exception 2501).

Exception 83 permits additional automobile-related uses such as a gas bar and an auto dealership. Exception 2501 establishes a minimum lot area, minimum rear yard setback and minimum front yard setback for properties along Island Park Drive.

The site is proposed to be rezoned to TM[xxxx] SYYY (Traditional Mainstreet, Exception XXXX, Schedule YYY). The following site-specific provisions are proposed:

- Increased building height up to 32.25 metres (nine storeys), as reflected on Schedule YYY.
- Enclosed rooftop amenity space permitted as a projection above the height limit and reflected on Schedule YYY.
- Reductions to the corner and rear-yard setbacks, as reflected on Schedule YYY.
- Reduced driveway width to reflect the 5.4 metre width of the existing public lane.
- For the purposes of residential units on the first floor, a mezzanine is not a storey.
- No commercial units are permitted beyond 31 metres of Richmond Road.
- No commercial units may have an active entrance facing Island Park Drive.
- Projections above the height limit in excess of the height of “Area F” on Schedule YYY are not permitted, other than for an elevator runoff.
- Details of the Section 37 contribution.

Brief history of proposal

An application for Zoning By-law Amendment was originally submitted for the 70 Richmond Road property. Following the initial circulation, the owner opted to purchase the abutting property at 376 Island Park Drive in order to provide better massing transition to the low-rise residential community. Given the addition of land, a recirculation of the application was warranted on its second submission, under the same application number.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications.

A public consultation was held in advance of the applications' submission, on May 10th, 2019 at the Van Lang Field House. A second public consultation was held virtually on December 9, 2020. Concerns related to traffic, parking, trees and height were raised.

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

Official Plan designation(s)

Applications must be evaluated against the [existing Official Plan \(OP\)](#) and must also include an evaluation of the application against the Council approved [new Official Plan](#) (and new Secondary Plan, where applicable).

In this current period, between Council approval of the new OP and the Minister's approval of the new OP, staff are to apply whichever provision, as between the current and new OP, is more restrictive.

Current Official Plan

According to Schedule B of the Official Plan, the property is designated as Traditional Mainstreet. The site is also located within the Richmond Road / Westboro Secondary Plan East Village Sector.

New Official Plan

The subject site is located within the Inner Urban Transect of the new Official Plan. Richmond Road is identified as a Corridor – Mainstreet and the immediate area is identified as an Evolving Neighbourhood.

The Inner Urban Transect is generally planned for mid- to high-density development. It speaks to maintaining and enhancing an urban pattern of built form, prioritizing walking and cycling, and providing direction to hubs, corridors and neighbourhoods. The recommended Official Plan and Zoning By-law Amendments satisfy the new OP by adding residential intensification within an area designed as 15-minute neighbourhood, and a built form design that is compatible and fits within its surroundings.

The Corridor – Mainstreet policies allow heights up to a high-rise on arterial roads such as Richmond Road where the parcel is of sufficient size to allow for a transition in built form massing. While the property in question would be too small to accommodate heights up to 40 storeys, these policies are indicative of the consideration for taller buildings along Mainstreet Corridors within the new Official Plan.

Other Applicable Policies and Guidelines

The Urban Design Guidelines for Development Along Traditional Mainstreets apply to this development. The purpose of these guidelines is to provide urban design guidance at the planning application stage in order to assess, promote and achieve appropriate development along Traditional Mainstreets.

Heritage

A heritage permit has been submitted to alter the former Champlain Oil Company Service Station located at 70 Richmond Road. The property was designated under Part IV of the *Ontario Heritage Act* by City Council in 2019 as a rare example of a 1930s service station and for its association with the growth in private car ownership in the early twentieth century, and its contextual location on Richmond Road, the historic western gateway to the City. The proposed alterations include the on-site relocation and rehabilitation of the service station and its integration into a nine-storey mixed use mid-rise building containing 85 residential apartment units, ground floor retail, and a two-level underground parking garage. The proposed development also includes the acquisition and demolition of the existing house located at 376 Island Park Drive, a property that does not have heritage status.

Heritage planning staff are of the opinion that the design of the proposed development is compatible with the service station, and that the relocation of the building will maintain the resource's cultural heritage value. Further, the conservation approach to relocate the building while evaluating, repairing, and maintaining all of its character-defining elements is appropriate and feasible and will be secured through a Letter of Credit, and therefore staff recommend approval of the heritage permit.

Consultation with the BHSC has taken place on May 10, 2022, with consideration from Planning Committee on June 9, 2022.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application and/or Site Plan Control application was subject to the Urban Design Review

Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting on January 8, 2021, which was open to the public. The panel was successful in aiding in the implementation of the following:

The panel recommendation is included in Document 8

- Revisions to the building's scale, stepbacks and materiality in order to better respect the area's residential character. The property at 376 Island Park Drive was acquired to accommodate an improved transition into the community to the south.
- The Podium has been re-designed to respond to the character of both Richmond Road with retail and Island Park Drive with residential frontage.
- Revisions to the height and mass of the glass volume that projected above the heritage garage. Adjustments to the height as well as re-deployment of the building mass in order to provide more openness around the existing heritage building and to increase the open space at the corner of Island Park and Richmond Road.
- Materiality has been revised (lighter masonry colour is now proposed).

Planning rationale

Official Plan

The Official Plan (OP) designates the site as Traditional Mainstreet (Section 3.6.3), a target area for intensification, and a designation which envisions some of the most significant development opportunities. Development that supports, and is supported by, increased walking, cycling and transit use is encouraged, along with a built form that emphasizes street level animation and a pedestrian-friendly environment with active frontages. The OP supports mid-rise building heights on Traditional Mainstreets, and provides direction on design and compatibility, and transition between buildings and adjacent low-rise context.

Additionally, the City is committed to the development of Mainstreets and considers them as priority locations for the assembly of land for redevelopment and community improvement purposes. The Department supports the land assembly of 70 Richmond Road and 376 Island Park Drive, which has resulted in a land parcel of sufficient size for development on a Traditional Mainstreet that allows for intensification through a mid-rise

built form that fits and implements appropriate transition, built form relationship, setbacks, and yard treatments.

Policy 3.6.3.3 states that Mainstreet designations generally apply to the whole of those properties fronting on the road, however, for very deep lots, the designations will generally be limited to a depth of 200 metres from a Traditional Mainstreet. This same policy also states that the designation may also include properties on abutting side streets that exist within the same corridor. In the case of this development, the depth of the lot assembly is measured at just under 45 metres and is therefore entirely affected by the Traditional Mainstreet designation.

Section 2.5.1 is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character of the community, considerations on the adaptability of space in a building, and sustainability. New design and innovation co-existing with existing development without causing undue adverse impacts on surrounding properties is also considered. Since its initial submission, the proposal has evolved to provide adequate transition to the neighbouring properties to the south, while staying respectful of the heritage resource at the front of the property. To do so the owner has acquired the property at 376 Island Park Drive in order to better distribute the massing of the proposed building. While the original proposal offered a nine-storey sheer wall massing next to the residential neighbourhood, the addition of 376 Island Park Drive allows the distribution of the massing to gradually step down towards the residential neighbourhood down to a height of 6.6 metres, which is comparable in height to that of a single detached home and represents an appropriate built-form transition. The 3.9-metre setback between the proposed building and the neighbouring property to the south is also much greater than the required side yard setback of 1.2 metres within the R1MM zone. The proposal also blends its corner yard landscaping in with that of the generous Island Park Drive boulevard, and a public plaza space is also proposed near the intersection. The design also includes varying corner side yard setbacks which taper in towards the south of the property in order to tie in with the front yard setbacks along Island Park Drive. Furthermore, the design incorporates ground-oriented townhouse style units along the Island Park Drive frontage and locates the active commercial façade to the Richmond Road frontage. The design also includes strategic articulation at the front of the building, shifting the building back from Richmond Road to better reveal the Service Station and the potential for visual compatibility. The proposed development provides a strong street frontage with a landscape area that wraps around the corner of Richmond Road and along Island Park Drive.

Section 4.11 further references the compatibility of new buildings with their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, location of parking and service areas, and podium design. The proposed development results in quality architecture and an enhanced public realm with active entrances, sidewalks, and preservation of a heritage resource along Richmond Road. The inclusion of the residential units along Island Park Drive also provides transition in the legibility of moving from the mixed-use nature of Richmond into the residential context of Island Park Drive. Built form transition on the building also responds to the desirable massing along Richmond Road, avoiding a canyon effect through choice articulations, and the rear of the development reduces in height to a low-rise built form.

Furthermore, the Richmond Road/Westboro Secondary Plan, Policy 1.3.3, supports greater building heights where the development fosters the creation of a community focus where the proposal is on a corner lot, or where Section 2.5.1 and 4.11 of the Official Plan determine that additional height is appropriate. The proposed nine-storey building is consistent with the direction of 2.5.1 and 4.11, as detailed above, and the proposed development on a corner lot proposes to include a public plaza component near the intersection.

Richmond Road / Westboro Secondary Plan

The property is located within Sector 4 – East Village Area on Schedule A of the Richmond Road / Westboro Secondary Plan. Section 1.3.4 limits heights to four storeys on properties that are less than 45 metres in depth, with heights up to six storeys otherwise permitted. Schedule C2 identifies the property at 70 Richmond Road as having a maximum height limit of four storeys.

While the plan supports heights generally in the range of four to six storeys, Section 1.3.3 states that greater building heights can be considered where the heights are established in the Zoning By-law, where the proposed building conforms to prevailing heights and provides transition, and where the additional height has been deemed appropriate through the application of Sections 2.5.1 and 4.11 of the Official Plan.

In addition to being located close by to other buildings of similar heights, the analysis of Section 2.5.1 and 4.11 of the Official Plan determined that additional height is appropriate. The proposed building also responds positively to the Secondary Plan by providing development and intensification on the Traditional Mainstreet that incorporates human scale design elements, enhanced pedestrian realm, and compatibility on an appropriate redevelopment site, in addition to the adaptive reuse of a heritage resource. The proposal includes additional public realm improvements near

the intersection and the design incorporates meaningful stepbacks and built form transitions towards the residential neighbourhood to the south.

The OPA has the effect of amending Schedule C2 to show the height designation as seven to nine storeys, as well as introducing a site-specific policy to the effect of permitting heights up to nine storeys on the property in question.

Island Park Drive Covenant

Island Park Drive was built in the 1920s and is owned by the National Capital Commission (NCC). It is part of the NCC Parkway system and runs generally from north to south, terminating at the Central Experimental Farm. The streetscape is characterized by deep front yard setbacks and landscaped boulevards on either side of Island Park Drive.

Covenants that had been registered on title by the NCC requiring a 7.6-metre front yard setback that affect properties along Island Park Drive had begun expiring in 2020. Following consultations with the public, the City initiated a rezoning process to add exception provisions to the R1 subzones along Island Park Drive, Island Park Crescent and 302, 304 Harmer Avenue South. The exception provisions require a minimum front yard setback of 7.6 metres.

While the amendments ensured conformity with the General Urban Area designation of the Official Plan (OP) in terms of preserving the character of existing neighbourhoods and ensuring the compatibility of new development, the amendments did not affect corner properties having frontage on both Island Park Drive and streets subject to the Mainstreet designation (Richmond Road, Wellington Street W and Carling Avenue). These properties maintained their TM or AM zoning. This is indicative of an intent to allow Traditional and Arterial Mainstreet properties to develop as intended, while allowing the designation's built-in policies related to compatibility with adjacent developments to have their impact on a development's built form.

While the proposal to rezone the entire property to a TM zone, including the 376 Island Park Drive property, is a departure from the current R1 zone, the proposed setbacks from Island Park Drive are 0 metres near Richmond Road, but taper in to 6 metres towards the south end of the property. This gradual increase in setbacks provide an appropriate transition from the TM property to the R1 neighbourhood to the south.

While the Covenants are no longer in place, staff are confident that the proposal meets the spirit of these past Covenants, as well as the site-specific exceptions that followed it.

Recommended Zoning Details

As detailed in Document 2, the proposed Zoning By-law Amendment has the effect of rezoning the site into a Traditional Mainstreet zone with site specific provisions. The following summarizes the site-specific zoning provisions and planning rationale:

- The entire lot assembly is proposed to be rezoned to TM[xxxx] Syyy (Traditional Mainstreet, Exception xxxx, Schedule yyy). In order to ensure that commercial activity is oriented to the Traditional Mainstreet corridor, no commercial units are permitted to be located further than 31 metres from Richmond Road. With similar intent, no commercial units are permitted to have an active entrance facing Island Park Drive.
- Schedule yyy will include the various heights, setbacks and stepbacks of all floors of the building. The site-specific exception will allow a mechanical penthouse and amenity area to be considered as a permitted projection above the height limit but limited to the area identified as Area F on Schedule yyy. An elevator overrun will be permitted to project above the height limit as normal. Given the establishment of the various heights, setbacks and stepbacks by Schedule yyy, Section 197(13) no longer applies.
- Given the adaptive reuse of the heritage building and its integration into the proposed building, the ground floor commercial space was designed to have a 6.5-metre floor-to-ceiling height. To address the dichotomy of the storey distribution between the commercial unit and the residential units at grade, the site-specific exception will state that, for residential units on the first floor, a mezzanine will not be considered as a storey.
- Access to the service area and underground parking garage will be provided via an existing public lane. Zoning relief is requested in order to reduce the width of the access driveway down to 5.4 metres in order to reflect the width of the existing lane.

Section 37 Agreement

Pursuant to Section 37 of the *Planning Act*, the City may authorize increases in the height and density of development above the levels otherwise permitted by the Zoning By-law, in return for the provision of community benefits. The Official Plan (Section 5.2.1.11) states that limited increases will be permitted in return for the provision of community benefits as set out in the Zoning By-law, which shall be secured

through an agreement registered on title, as per the *Planning Act*. The project must represent good planning.

The proposed zoning seeks to permit a nine-storey mid-rise building where the current zoning on the properties permits heights up to 15 metres, and the proposed Gross Floor Area is more than 25 per cent of that permitted as of right. As such, the owner is required to provide a Section 37 contribution. As discussed, in this report, Planning staff are satisfied that the proposed development conforms with the principles and policies of the Official Plan, the Richmond Road/Westboro Secondary Plan, and relevant Council-approved design guidelines and that it represents good planning.

As set out in the Council-approved Section 37 Guidelines, the Ward Councillor, in consultation with the local community, will identify potential benefits to be considered for inclusion in a Section 37 By-law and Agreement. Council will then give approval to the contributions and associated community benefits being secured as part of the approval of the zoning changes for increased height and density. Potential community benefits may also be determined through a secondary planning process.

The as-of-right Gross Floor Area (GFA) permitted for development under the current zoning of the site has been calculated at 2,867 square metres, whereas the proposed GFA is calculated at 7,389 square metres. In accordance with the Council-approved guidelines, the combined benefits to be secured and provided through a Section 37 Agreement are:

- A cash contribution of \$750,000.00 towards improvements to the Island Park/Richmond intersection (in line with the concept shown as part of the unsafe intersection report from October 2020).
- A cash contribution of \$194,562.54 to be put into the Ward 15 ward-specific affordable housing fund.

The exact details of the improvements are to be determined between City of Ottawa staff, the Ward Councillor and the community, subject to community consultation and concurrence by the Ward Councillor.

The details of the Section 37 contributions are also contained within the Zoning By-law amendment (see Document 2). These community benefits will be secured prior to the issuance of the first building permit and details on final Section 37 contribution will be contained within the Section 37 agreement and will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of

community benefit being secured, calculated from the date of the Section 37 agreement to the date of payment.

Ordinarily the implementing Zoning By-law would not proceed to City Council until such time as the agreement under Section 37 of the *Planning Act* is executed. However, Council will be in a position to enact a new Community Benefits Charge By-law at the July 6, 2022 meeting of Council. This will trigger transition provisions in the *Planning Act* which will prevent the City from enacting new zoning by-law amendments under the former section 37 authority. Accordingly, the June 22, 2022 meeting is the last regularly scheduled meeting of Council at which a zoning by-law incorporating section 37 agreement provisions may be enacted. The present by-law must be listed on the agenda for this meeting of Council for enactment. Recommendation 2 ensures that it will be so listed and also ensures that it will not come into force until the agreement is registered. This, along with the conditional language contained in section 3.c.ii of the Details of Recommended Zoning (Document 3), meets the statutory deadline while ensuring that development does not proceed until the agreement dealing with section 37 benefits is finalized and enforceable.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR(S)

The Ward Councillor has no comments to offer for the staff report but offers his awareness of the application.

LEGAL IMPLICATIONS

As discussed in the Discussion section, under “Section 37 Agreement”, upon enactment of a Community Benefits Charge (CBC) by-law the City will no longer be able to pass new zoning by-laws that incorporate section 37 agreement provisions. Staff anticipates bringing a report to the July 6, 2022 meeting of Council for approval of the CBC by-law, with enactment to occur on the same agenda of Council. That means that if this report were to be deferred, and if Council enacts the CBC by-law brought forward by Staff,

Council would lack the authority to approve the aspects of the present zoning by-law amendment dealing with the section 37 agreement at a future meeting of Council.

In the event the recommendations are adopted and the resulting Official Plan and zoning by-law amendments are appealed to the Ontario Land Tribunal, it is estimated that a three day hearing would be required. It is anticipated that the hearing could be conducted within staff resources. Should the applications be refused, reasons must be provided. An external planner would need to be retained by the City in the event the applicant chose to appeal the decision to refuse the applications.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with 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

In accordance with the Council-approved guidelines, the combined benefits to be secured and provided through a Section 37 Agreement are:

- A cash contribution of \$750,000.00 towards improvements to the Island Park/Richmond intersection (in line with the concept shown as part of the unsafe intersection report from October 2020).
- A cash contribution of \$194,562.54 to be put into the Ward 15 ward-specific affordable housing fund.

These community benefits will be secured prior to the issuance of the first building permit and will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of community benefit being secured, calculated from the date of the Section 37 agreement to the date of payment.

In the event the applications are refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within Planning Services' operating budget.

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the *Ontario Building Code*. Staff will review elements such as accessibility in common entrances, corridors and amenity spaces during the forthcoming Site Plan Control Review. Staff have no concerns about accessibility. The Accessibility Advisory Committee will be circulated during Site Plan.

ENVIRONMENTAL IMPLICATIONS

A Phase I and a Phase II Environmental Site Assessment were prepared in order to address areas of potential environmental concerns. Soil and water samples were collected and analysed. As stated in the report, the property will be redeveloped for residential land use and as such, the subject property will require a Record of Site Condition (RSC) during the Site Plan Control Process.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

These applications (Development Application Numbers D01-01-20-0018 & D02-02-20-0102) were not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to extended periods of time between review submissions as well as elevated workloads.

SUPPORTING DOCUMENTATION

Document 1	Location Map
Document 2a	Details of Recommended Official Plan Amendment
Document 2b	Details of Recommended Official Plan Amendment (New Official Plan)
Document 3	Details of Recommended Zoning
Document 4	Schedule YYY

Document 5	Consultation Details
Document 6	Proposed Site Plan
Document 7	Proposed Renderings
Document 8	Urban Design Review Panel Recommendations

CONCLUSION

The proposed development introduces intensification through a mid-rise building in a manner which conforms to the Official Plan and Richmond Road / Westboro Secondary Plan and is consistent with the relevant design guidelines. The proposed development incorporates appropriate built form transition, enhances the public realm and preserves a heritage resource, while providing a mixed-use development. The development fits within the existing and planned context and is a compatible use. The Official Plan and Zoning By-law amendments are recommended for approval.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

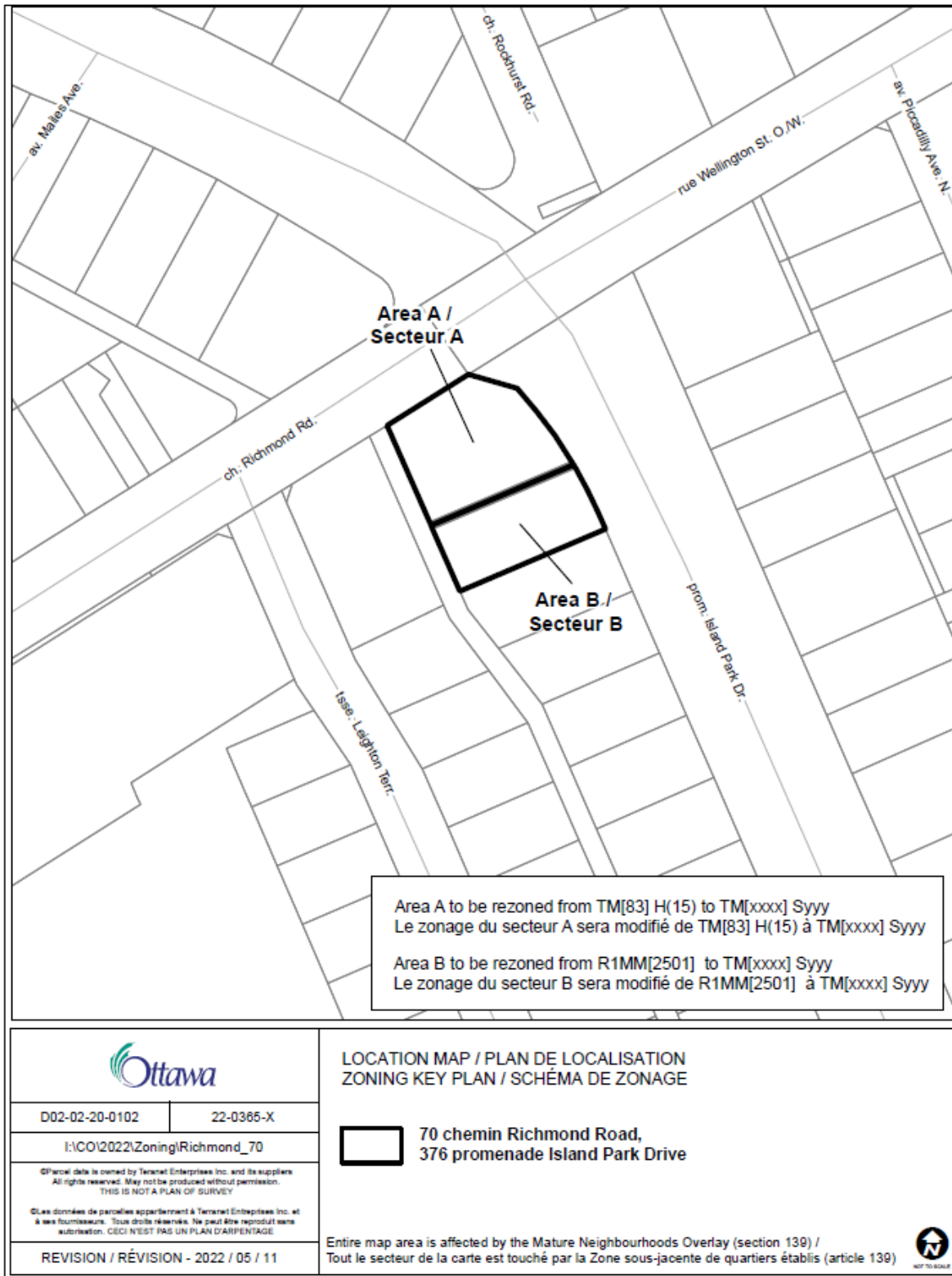
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.ca)



Document 2a – 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 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 C – THE APPENDIX -Schedule 1 of Amendment XX – Official Plan for the City of Ottawa

PART A – THE PREAMBLE

Purpose

Location

Basis

Rationale

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART C – THE APPENDIX

Schedule 1 of Amendment XX – Official Plan for the City of Ottawa

PART A – THE PREAMBLE

1. Purpose

The purpose of this amendment is to amend the Richmond Road / Westboro Secondary Plan, specific to 403 Richmond Road and 389 Roosevelt Avenue, by re-designating the lands on Schedule C2 with a maximum height limit of “seven to nine storeys”. The summary of proposed amendments and changes to the Richmond Road / Westboro Secondary Plan made through this amendment area as follows:

- a. Increase the maximum permitted building heights from “Maximum four storeys” to “seven to nine storeys”.
- b. Provide site specific policy for 70 Richmond Road and 376 Island Park Drive to allow for a mid-rise apartment building up to 9 storeys.

2. Location

The proposed Official Plan amendment includes changes only applicable to 70 Richmond Road and 376 Island Park Drive. The subject lands are located at the south-west corner of Richmond Road and Island Park Drive.

3. Basis

The amendment to the Official Plan was requested by the applicant in order to build a nine-storey mixed-use building.

4. Rationale

The proposed Official Plan amendment to the Secondary Plan represents good planning as the amendments will allow for a mixed-use development, while preserving the important heritage attributes of the existing building and ensuring appropriate transitions to the nearby residential community. The development, in manner consistent with policy, will allow for a range of housing choices and add residential intensification within an existing community with excellent access to amenity and active transportation. The development achieves compatibility through built form transition and by providing setbacks and landscaping. The amendment is consistent with broader goals of the Official Plan and represents quality city building and good planning.

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

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

2.1 by amending Schedule C2 – General Maximum Building Height Ranges, by re-designating 70 Richmond Road and 376 Island Park Drive from “Maximum 4 storeys” to “7-9 storeys” as shown on Schedule 1 of this document, in Part C – The Appendix.

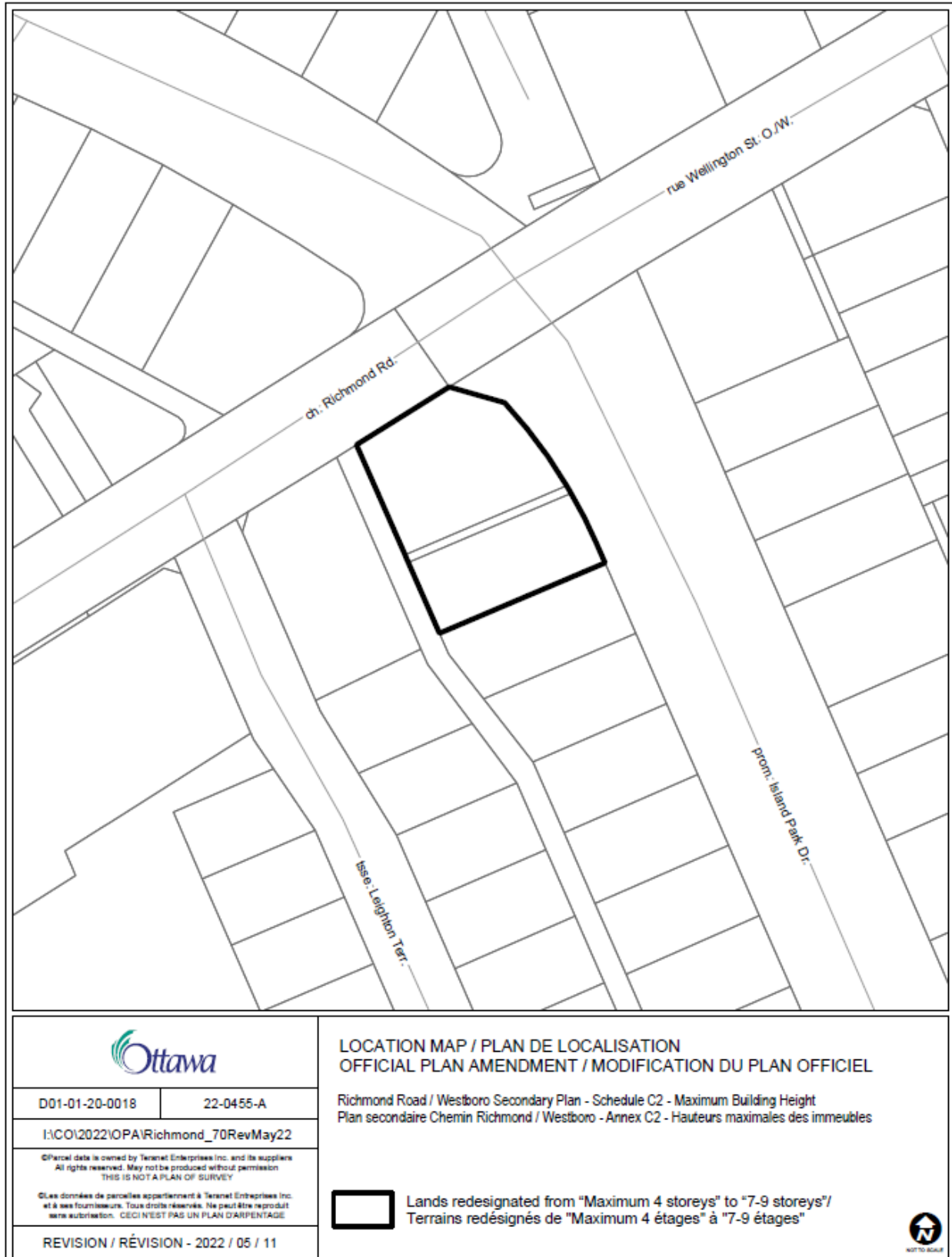
2.2 by adding a new policy in Section 1.3.4, Sector 4 – East Village, as follows:

“Despite Schedule C2 and the provisions of Section 1.3.4, the maximum permitted height for the property municipally known as 70 Richmond Road and 376 Island Park Drive is nine storeys.”

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.

PART C – THE APPENDIX



Document 2b – Details of Recommended Official Plan Amendment (New Official Plan)

**Official Plan Amendment XX to the
New Official Plan for the
City of Ottawa**

INDEX

THE STATEMENT OF COMPONENTS

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

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

PART A – THE PREAMBLE

Purpose

Location

Basis

Rationale

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART C – THE APPENDIX

Schedule 1 of Amendment XX – Official Plan for the City of Ottawa

1. Purpose

The purpose of this amendment is to amend the Richmond Road / Westboro Secondary Plan, specific to 403 Richmond Road and 389 Roosevelt Avenue, by re-designating the lands on Schedule C2 with a maximum height limit of “seven to nine storeys”. The summary of proposed amendments and changes to the Richmond Road / Westboro Secondary Plan made through this amendment area as follows:

- c. Increase the maximum permitted building heights from “Maximum four storeys” to “seven to nine storeys”.
- d. Provide site specific policy for 70 Richmond Road and 376 Island Park Drive to allow for a mid-rise apartment building up to 9 storeys.

2. Location

The proposed Official Plan amendment includes changes only applicable to 70 Richmond Road and 376 Island Park Drive. The subject lands are located at the south-west corner of Richmond Road and Island Park Drive.

3. Basis

The amendment to the Official Plan was requested by the applicant in order to build a nine-storey mixed-use building. Given the review process and consultation on the proposed development, and the timing between the current and new Official Plan, details of the amendment cover both the current and new Official Plan.

4. Rationale

The proposed Official Plan amendment to the Secondary Plan represents good planning as the amendments will allow for a mixed-use development, while preserving the important heritage attributes of the existing building and ensuring appropriate transitions to the nearby residential community. The development, in manner consistent with policy, will allow for a range of housing choices and add residential intensification within an existing community with excellent access to amenity and active transportation. The development achieves compatibility through built form transition and by providing setbacks and landscaping. The amendment is consistent with broader goals of the Official Plan and represents quality city building and good planning.

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

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

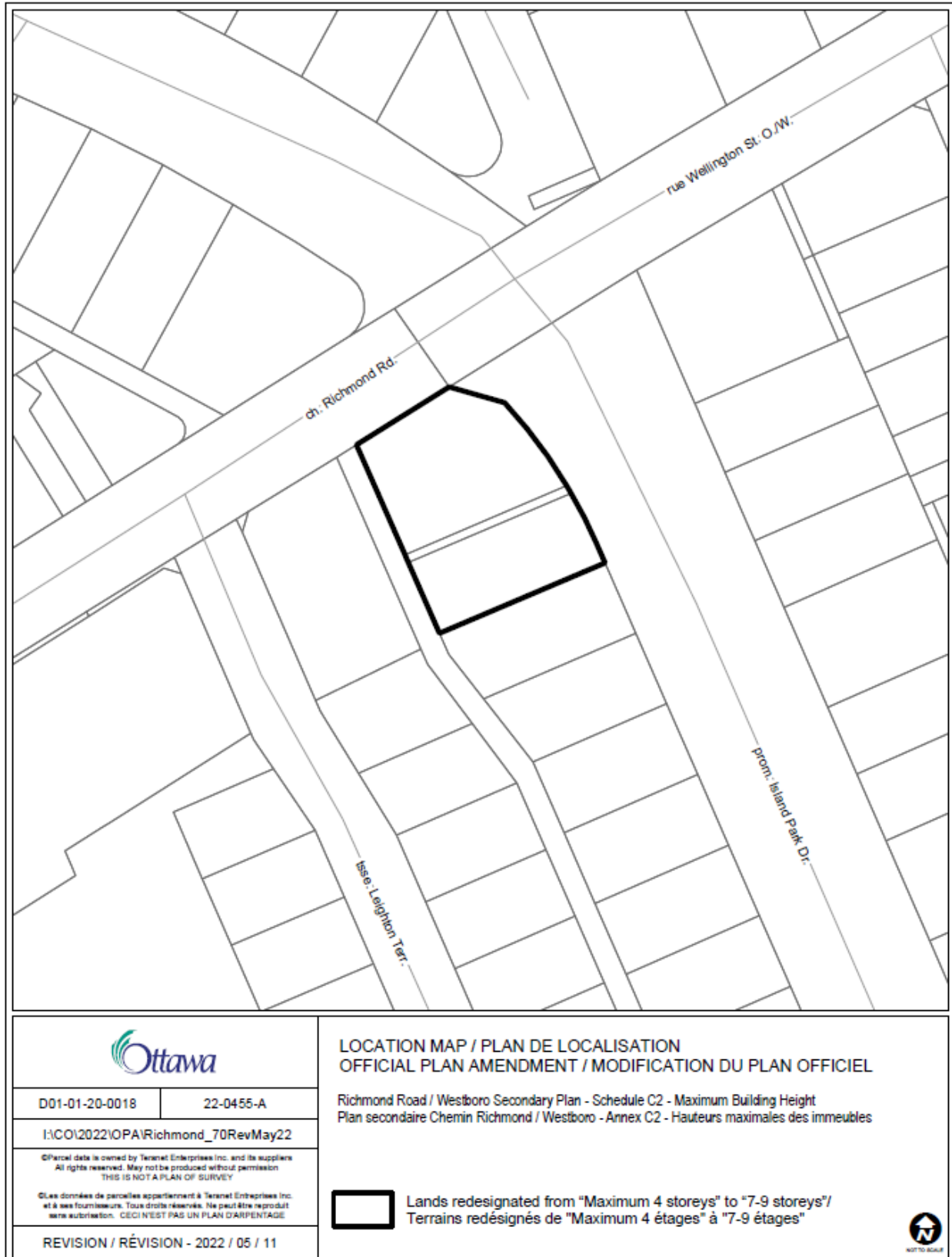
- 3.1 by amending Schedule C –Maximum Building Height, by re-designating 70 Richmond Road and 376 Island Park Drive from “Maximum 4 storeys” to “7-9 storeys” as shown on Schedule 1 of this document, in Part C – The Appendix.
- 3.2 by adding a new policy in Section 5.4 East Village (Sector 4), as follows:

“Despite Schedule C and the provisions of Section 5.4(8)(4), the maximum permitted height for the property municipally known as 70 Richmond Road and 376 Island Park Drive is nine storeys.”

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.

PART C – THE APPENDIX



Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 70 Richmond Road and 376 Island Park Drive are as follows:

1. Rezone the lands as shown in Document 1.
2. Amend Part 17, Schedules, by adding a new Schedule 'YYY', as shown in Document 4.
3. Amend Section 239, Urban Exceptions, by adding a new exception [xxxx] with provisions similar in effect as follows:
 - a. In Column II, Applicable Zoning, add the text "TM[xxxx] Syyy"
 - b. In Column V, include provisions similar in effect to the following:
 - i. Minimum building setbacks, setbacks and maximum height are as per Schedule YYY.
 - ii. A mechanical penthouse and amenity area are limited to being located within Area F on Schedule YYY and are permitted to extend above the height limit to a maximum projection of 4.5 metres. An elevator overrun may project further.
 - iii. Minimum driveway width: 5.4 metres.
 - iv. For the purposes of residential units on the first floor, a mezzanine is not a storey.
 - v. Commercial units are only permitted within 31 metres of Richmond Road.
 - vi. No commercial units are permitted to have an active entrance facing Island Park Drive.
 - vii. Section 197(13) does not apply.
 - c. The following provisions dealing with Section 37 authorization will also be added to the new exception in Section 239:
 - i. Pursuant to Section 37 of the *Planning Act*, the height and density of development permitted in this by-law are permitted subject to compliance with all of the conditions set out in this by-law including

the provision by the owner of the lot of the facilities, services and matters set out in Section X of Part 19 hereof, to the City at the owner's sole expense and in accordance with and subject to the agreement referred to in ii. below of this by-law.

- ii. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Section X of Part 19 hereof, the lands are subject to the provisions of this By-law. Building permit issuance with respect to the lot shall be dependent upon satisfaction of the provisions of this by-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
 - iii. Wherever in this by-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue.
4. The following will be added as Section X of Part 19 of the Zoning By-law, will be titled 70 Richmond Road and 376 Island Park Drive and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:

70 Richmond Road and 376 Island Park Drive

The City shall require that the owner of the lands at 70 Richmond Road and 376 Island Park Drive enter into an agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor and General Manager, Planning, Real Estate and Economic Development, to secure the public benefits noted below, and which will comprise a combination of public benefits including monies that would be paid to the City to be used for defined capital projects and facilities/works to be undertaken by the owner with the total value of the benefits to be secured to the City being indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Ottawa, calculated from the date of the Section 37 Agreement to the date of payment.

The benefits to be secured are:

- A cash contribution of \$750,000.00 towards improvements to the Island Park/Richmond intersection (in line with the concept shown as part of the unsafe intersection report from October 2020).
- A cash contribution of \$194,562.54 to be put into the Ward 15 ward-specific affordable housing fund.



Document 5 – Consultation Details

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications.

A public consultation was held in advance of the applications' submission, on May 10th, 2019 at the Van Lang Field House. A second public consultation was held virtually on December 9, 2020.

Public comments received, summarized and organized by theme, can be found below, along with staff responses. Comments from the Island Park Community Association, the Hampton-Iona Community Group and the Westboro Community Association can be found further below.

General

- Council should refuse the applications and enforce the current zoning provisions. Alternatively, the application should propose a new design in the 4-6 storey range, along with appropriate angular plane requirements.
- There is a complete disregard for the Secondary Plan.
- If the set back is not observed on both Richmond Road and Island Park Drive, how will the snow removal be accomplished, there will be nowhere for the snow to be pushed, and if it is pushed to the side, there will be no pedestrian walk path.

Staff Response: The proposal is aligned with the Secondary Plan policies. While a reduction in setback is proposed at the front and corner yards, the generous Right-of-Way maintains ample public space.

Proposed Use/Zoning

- The condo is in the wrong spot because there is already a dense population in the area. Other areas of the city need more housing.
- There shouldn't be retail uses facing Island Park Drive.
- Island Park Drive properties need to remain as R1s.
- The area specific R1 zoning with set-backs to match the historical spirit of the NCC covenants are now being challenged with the proposed rezoning.

- Including townhouse units on Island Park Drive sets a dangerous precedent.
- Ground floor commercial spaces in the area have remained vacant in the recent years. The space would be better utilized as amenity space in order to truly activate the streetscape.

Staff Response: Retail uses have been reserved for the Richmond Road frontage. The tapering corner yard setbacks and at-grade residential uses along the Island Park Drive frontage help provide appropriate transition to the R1 neighbourhood.

Built form

- The proposed building, situated at a prominent location in our neighbourhood, would blemish the streetscape and diminish our iconic Island Park Drive.
- There is no space on the lot for greenspace.
- The request for reduction of setbacks results in loss of trees, which is unacceptable. There also doesn't seem to be any plans for replacement of trees.
- The building will block my current views, for which I paid a premium.
- The proposed height is too much of a departure from what the by-laws currently allow
- The current zoning and land use designation are appropriate for a property adjacent to low-rise residential. They should not be altered.
- The application proposes to increase the building height, while reducing the setbacks, stepbacks and driveway width. It is counterintuitive to propose a larger building while making everything else tighter.
- Nine-storey buildings by their sheer size are inconsistent with the existing scale and character of the neighbourhood.
- The building should be set back to be equal to that of the residential properties on Island Park Drive.
- This building will exacerbate the wind tunnel issue along Richmond Road.
- The 1.8 metre setback at the rear of the property to a 9-storey building is unfair to the adjacent and nearby property owners.
- The building proposes no mitigation for the obstruction of daylight.

- The proposal does not preserve the scale and character of the neighbourhood, nor does it ensure the compatibility with its surroundings.
- The architectural treatment of the building is not one that belongs on such a prominent corner site.
- The bland and uninspiring architectural design does not match the standards and precedent set by Mizrahi Developments
- The proposed building is very imposing and makes no attempt to integrate with the character of Island Park Drive or the heritage building.
- The height and minimal setbacks would result in an imposing structure that is far out of character with neighbouring structures.
- There seems to be no protection for adjacent R1 zoning homes, no setback, no concern for their privacy for homes that have been there for decades. This seems to be a determined attack on R1 zoning properties that have few or no means of protecting themselves from these oversized proposed building.
- The original proposal is preferable to this one as it at least contained the negative impacts of an incompatible development (size and scale, and setbacks) to the 70 Richmond Road property.

Staff Response: Staff have consulted with the National Capital Commission throughout the review process. Items related to landscaping and tree cover will be considered at the Site Plan Control stage. The proposed architectural treatment and overall massing has evolved throughout the review process to ensure a quality product that fits in with its surrounding.

Heritage

- The heritage building should be better respected than to be incorporated into an ugly building.
- The heritage building is tacked onto a modern building and looks ridiculous.
- The proposal including the heritage building moved to the front looks absolutely terrible, it would truly be an eyesore that would ruin the aesthetic of Richmond Road and Island Park's aesthetic which I've always thought was one of the best in the city. I truly believe the city should consider removing the heritage

designation on that building and allowing it to be torn down in favour of a suitable development which respects the zoning by laws.

- The current heritage building at 70 Richmond Road is of a similar age as many homes on Island Park Drive. Putting a nine-storey building between the heritage designated structure and adjacent homes makes a mockery of heritage protection and makes the idea of a Heritage Conservation District of the unique residential structures on Island Park Drive much more difficult to achieve.

Staff Response: The Heritage elements of the proposal have been reviewed by Heritage Staff, who are supportive of the proposal.

Transportation

- The condo is in the wrong place because it is at one of the busiest intersections in Ottawa.
- It is ridiculous to propose a lay-by so close to a busy intersection.
- The proposed parking allocation is inadequate. The area already suffers from a lack of on-street parking.
- Not enough visitor parking: Friends and family visiting shouldn't be forced to use public transportation due to a lack of parking
- The large increase in density would exacerbate traffic problems at what is already a problematic area. It is already quite frequent in rush hours to have Island Park Drive backed up for kilometers. Amending the Zoning By-law to allow for more high-occupancy buildings on this route will only make the problem worse for residents.
- Other developments in the area have already increased traffic. This will make things worse.
- There is no consideration of the cumulative effect of the developments, including the Mizrahi Development which is still under construction.
- The entry/egress from the parking garage across the sidewalk and into Richmond Road will be unsafe.
- The major question is the lack of condo owners parking, the entry/egress of the vehicles, the moving companies, the delivery trucks, the garbage /recycling trucks, all of which would be a nightmare within a truck's length to the

intersection and traffic lights at the corner of Richmond Road and Island Park Drive.

Staff Response: A Transportation Impact Assessment was submitted with the application and reviewed by staff. Transportation staff are not concerned with the proposal.

Comments from the Island Park Community Association and the Hampton-Iona
Community Group

Oct. 15, 2021

Jean-Charles.Renaud@Ottawa.ca
Ottawa City Hall
110 Laurier Avenue West
Ottawa, Ontario K1P 1J1

Re: Application **D01-01-20-0018 & D02-02-20-0102**

Dear Mr. Renaud:

This letter is to register the Island Park Community Association's (IPCA) opposition to the latest version of Trinity Development Group's application to develop 70 Richmond Road.

We submit this on behalf of the residents of Island Park Drive. While this letter has been substantially prepared by IPCA, it has been reviewed and is endorsed by Hampton Iona Community Group (HICG).

We urge Ottawa City Council to reject this application, as the bylaw amendments proposed are not justified. Our community's concerns are outlined in detail in the attached submission.

Cathy Shaw, President, IPCA

Paul Forster, Vice President, IPCA

Lorne Cutler, President HICG

From: Island Park Community Association (IPCA)
 Hampton-Iona Community Group (HICG)
Re: Application by Trinity Development Group
 for Re-Zoning and Official Plan Amendments at 70 Richmond Road
File No.: D01-01-20-0018 & D02-02-20-0102
Date: Oct. 15, 2021

1. Summary:

The IPCA and the HICG are strongly opposed to the application by Trinity Development Group (Trinity) for relief from applicable municipal zoning and planning rules to support a development project at 70 Richmond Road, now expanded to include 376 Island Park Drive.

- The new Trinity proposal is less acceptable in many ways than the project proposed in December 2020.
- There has been no attempt to address community concerns expressed at that time and no consultation with residents before the updated application was filed.
- The redevelopment of 376 IPD, a residential property next door to 70 Richmond, should be considered a separate project with its own notification process.
- The proposed townhouse-like structure at 376 IPD – five two-storey townhouses topped with four floors containing 20 additional apartments and underground parking -- is incompatible with the residential properties in the neighbourhood.
- A building with less mass and volume, along with appropriate architectural transitions to the neighbourhood, would make 70 Richmond more in keeping with the neighbourhood.

2. About the IPCA

The Island Park Community Association (IPCA) represents approximately 200 households, several embassies and embassy staff residences along Island Park Drive (IPD) and Island Park Crescent.

Our Board comprises nine members elected by residents at an Annual General Meeting in June 2021. As stewards of our unique and historic neighbourhood, we consider it our mission to protect the character of Island Park Drive, recognized as a Distinctive Street and Scenic Entry Point in the Official Plan and by the National Capital Commission (NCC) for over 100 years.

Our assessment of the Sept. 2021 proposal to develop 70 Richmond Road is based on:

- comments received from Island Park Drive residents, solicited through a community flyer, direct e-mail to our members, and conversations;
- discussions with Councillor Jeff Leiper and his team;
- consultations with members of the K9 group representing all community associations in the Kitchissippi Ward; and
- a careful study of the new documents submitted by Trinity in September 2021 in light of the Official Plan, Westboro Secondary Plan and current zoning.

We also refer to direct comments made by representatives of Trinity, its planning contractor Fotenn, and members of the IPCA and HPICA in a meeting on September 28, 2021.

3. About Island Park Drive

Island Park Drive is home to a diverse community of long-time residents and newcomers – from distinguished seniors to young families.

With its mature trees, boulevard sidewalks and curving roadway stretching from the Experimental Farm to Bate Island, Island Park is a pleasant place to walk, ride a bike, push a stroller or indeed drive a car – for all residents of Ottawa.

Island Park Drive is one of Ottawa's few ceremonial streets and attracts tour buses. There are no fences or walls between the houses in the front yards, and there is a strong community spirit among residents.

We can thank former elected officials, federal and city planners and committed residents for creating such a livable and beautiful neighborhood. Over 100 years, they adopted covenants, government policies and municipal zoning rules to define and protect the residential purpose and aesthetic character of Island Park.

They believed that these features can and should be retained even with changes to other municipal planning frameworks over the years. City officials and planners have passed a number of measures over recent years to protect the character of Island Park Drive. These include:

- In 2018, officials and planners approved Area Specific Zoning that preserves the front yard setbacks along IPD; among other things this encourages homeowners to landscape their front yards and protect their mature trees.
- Previously they chose to provide heritage protection for the historic gas station at 70 Richmond Road.
- In 2019 they stopped the Royal Thai embassy from putting an office building on IPD.
- They also played a key role in ensuring the suitability of the Mizrahi project at Wellington West and Island Park, encouraging appropriate architectural design for the structure itself and careful planning for the transition green space to IPD known as a "parkette."

While Richmond Road has seen extensive redevelopment in recent years, Island Park Drive has remained a tree-lined, low density residential street. Most of the original single-family houses remain. Any new construction has been in keeping with the historical look and feel of the street, with residences well set back from the NCC boulevard.

We believe such considerations should be applied to the Trinity project and indeed all corners of the intersection at Richmond Road, including the northwest and southeast corner lots should they be developed in future.

4. IPCA's position on the latest Trinity Proposal

IPCA and HICG are not opposed to seeing a development project on the 70 Richmond site. We understand the need for intensification in Ottawa neighborhoods like ours. The residents who eventually occupy this building are certain to enjoy the friendly and safe neighborhood as we do.

However, we know that any development at this site will have an impact on the look, feel and quality of life on Island Park Drive. As such, we believe a more modest structure would be more in keeping with the history and character of Island Park.

The IPCA and residents raised a number of concerns with the Trinity proposal of December 2020. The most significant issue was the developer's request for relief from municipal zoning to allow inappropriate setbacks and an awkward "transition" of the building to the neighbourhood; the 9+-storey structure would have been immediately adjacent to a two-storey single-family home on Island Park.

Other concerns related to the likelihood of increased traffic congestion at this major intersection -- already a safety hazard for cars, cyclists, pedestrians and crossing guards. As well, the development required removal of several mature trees -- another loss to the Ottawa's important and valuable tree canopy.

The fact that the proposal did not proceed through the city's planning process in early 2021 suggests others may have shared our concerns.

September 2021 version

Community concerns have not been relieved in any way since the first application in December 2020. The developer has made no attempt address or mitigate any of them.

The new building complex proposed is even larger than the December version. The developer plans to double down on their unsuccessful 2020 proposal by adding a massive new "townhouse" section that faces Island Park Drive. This consists of five two-storey townhouses topped with four floors containing 20 additional apartments and underground parking.

In our view, this does not address the issue of abrupt transition of the structure to the neighborhood. The additional 25 units at 376 IPD make the whole project even further out of context. Trinity once again has not provided sufficient justification for the relief they request from zoning by-laws affecting both Island Park Drive and Richmond Road.

5. IPCA specific concerns as of October 2021

The IPCA submits that Trinity's request for rezoning and site-specific amendment should be denied.

- The Applicant should not be entitled to the relief sought, in particular the special exemptions with regarding to zoning, building heights, setbacks and step-backs.
- The proposal does not align with the Official Plan, Site-Specific Zoning, and is not appropriate given the planning context.
- The number and impact of the special exemptions sought and the ensuing impact on the surrounding neighbourhood is disproportionate to the value of the additional intensification achieved.
- Most importantly, 376 Island Park Drive should not be rezoned to TM. This rezoning is inappropriate from a planning and legal context.

Further details on these and other points can be found in submissions made separately by IPCA board members. We refer you in particular to separate submissions by Michelle Taylor and Paul Forster/Erin McCarthy. The IPCA agrees with and fully supports these separate detailed submissions.

IPCA's position is also consistent with submissions to the city made independently by many residents of Island Park Drive.

The incremental changes articulated in the documents submitted by Trinity in early September in effect add insult to injury. We highlight the additional IPCA concerns as follows.

5.1 Late addition of "Townhouse" section to plans

The chief new concern is the fact that the proponent intends to redevelop an Island Park property now zoned R1, tear down the existing home, and put a mixed use apartment and retail complex on the amalgamated site.

The 376 IPD "townhouse" section – with 25 new units proposed to be added to 70 Richmond – increases the size and scope of the condominium tower.

To state the obvious, this was never part of the original proposal. The notion that it can just be included at this point – by adding a few sketches to the file on the original development – seems fundamentally unfair from a process point of view.

City officials would never allow the current residents of 376 IPD to tear down their home and replace it with two or more town houses – let alone 25 units. Indeed, residents of IPD and nearby neighborhoods must go through a detailed process to get approval for even minor repairs and expansions to buildings on their properties as city officials rightly attempt to uphold the bylaws.

So it is unacceptable for the city to provide extensive relief from zoning bylaws to a potential new owner who happens to own the property next door.

We submit that this new apartment complex should be considered a completely different project. Residents should be given appropriate notice and opportunity to give input on this project. As of writing, there is no sign in front of 376 IPD indicating a plan to redevelop.

5.2 Building Height

Trinity is also asking for approval to consider the double level first storey at 70 Richmond Road as a "mezzanine." This makes the building 10 storeys, and not nine, as described.

While this may be appropriate along a main street, Trinity is also requesting that the first level of 376 IPD also be considered as a mezzanine even though this "level" contains the two levels of five two-storey townhouses.

So while 376 IPD is described as four storeys, it is in reality a five-storey building – that much more inappropriate for the residential property that is 376 IPD.

5.3 Inadequate transitions and buffers

The developer is once again asking for the 45-degree angular plane to be waived for this plan, without justification.

The setbacks proposed are still too steep, ending with a sharp wall next to what will be the adjacent house at 380 IPD. And instead of being oriented away from IPD, the units on the south side of the building are facing 380 IPD with intrusive balconies that overlook the entire block.

The setbacks requested also do not meet the current requirements. The building will still stick out well past the house fronts in IPD, disrupting continuity on the street and encroaching on property and trees owned by the National Capital Commission (NCC) at the corner.

5.2 Lack of Adequate Tree canopy and green space

The trees at the back of 70 Richmond currently provide an important buffer between the commercial site and the residences along IPD. They offer a desirable canopy for the surrounding residential neighbourhood and a link to the mature trees along Island Park Drive.

These appear to be eliminated in the new development scenario proposed. Aside from contributing to the ongoing, cumulative destruction of Ottawa's tree canopy, loss of these trees will have a broader negative impact on the look and feel of the surrounding neighbourhood.

The IPCA had been hoping that the developer might use the unsolicited purchase of 376 IPD to save some trees and add green space around the building; instead, they have done the opposite – using the added space to expand the building footprint.

6. **Viability**

Trinity has argued in years past that new zoning to allow a nine-storey building is required to offset the extra cost of retaining and moving the historic gas station on the site. At one point they offered to build a seven-storey building if they did not have to maintain the gas station structure.

Given that they purchased the property knowing that it contained a heritage structure, this factor should have been built into the financial arrangements for future development of the site.

In a recent meeting with IPCA representatives and Councillor Leiper, the proponent indicated that the gas station is no longer an important factor in the building construction. Instead, they say the viability of the project now depends – apparently – on the construction of the additional 25 units at 376 IPD.

This implies that earlier versions of the project—the December 2020 version included – have suddenly become “not viable.” This seems unlikely, given that the full proposal was submitted less than a year ago.

In any event, the proponent is obliged to factor the city's planning principles into any considerations of viability. Economic arguments are not planning arguments.

7. **Application process issues**

The latest phase of this application process has been hasty in its execution. This has added to the community's dismay.

Trinity/Fotenn representatives met only the minimum requirements for an updated submission to the city's planning committee, by means of a short September addendum to the December 2020 file.

Residents have still not been formally notified of the proposed changes to the 376 IPD property. This is a legally separate property with a separate address on a different street. There is no signage to indicate to the public that the IPD property is the subject of any development proposal.

The proponents also didn't see fit to consult with the residents affected in any way before the updated application was filed.

It is the IPCA's view that no revised submission should be accepted by the City without proper notice of the full proposal, including plans for the IPD property.

8. Conclusion:

The IPCA is well aware of the challenges this site poses and it is not our intention to obstruct development. The IPCA will support any development that is respectful of and consistent with the unique history and character of Island Park Drive.

Our priority is to ensure that development is in line with existing urban planning regulations, which include provisions to minimize any negative impact on the surroundings while preserving the heritage character and livability of Ottawa's neighbourhoods.

Members of our community remain open to working with Trinity and Councillor Leiper, the City of Ottawa and the NCC to achieve that goal.

It is our view that the revised proposal should be rejected for the same reasons that caused the 2020 proposal to stall in its original process. None of the key issues have been addressed, and new issues have been added – as we have outlined in this letter.

We thank you for your consideration.

Cathy Shaw, President, IPCA
Paul Forster, Vice President, IPCA
Lorne Culter, President, HICG

Cc Jeff Leiper, Councillor

Comments from the Westboro Community Association

October 5, 2021

Jean-Charles Renaud

Development Review Planner

Planning, Infrastructure and Economic Development Department

City of Ottawa

Jean-Charles.Renaud@ottawa.ca

[RE: Application by Trinity Group for Re-Zoning and Official Plan Amendments at 70 Richmond Rd. and 376 Island Park Drive \(File No.: D01-01-20-0018 & D02-02-20-0102\)](#)

Dear Jean-Charles:

I am presenting some comments on the second submission for a proposed development at 70 Richmond Road on behalf of the Westboro Community Association.

The developer has used the acquisition of 376 Island Park Drive to create an even larger, denser project than the first iteration. The developer is using this new piece of property to add more residential dwellings; a nine storey building plus mezzanine means a real life height of 11 storeys, resulting in a project that has gone from 60 units to 85 units and parking from 37 to 73.

Given this situation, our community association has the following comments:

1. **Lack of consultation:** It is unfair and wrong there was no consultation with the community about the acquisition of 376 Island Park Drive and the redesign. No

neighbours or community associations were contacted or consulted after the Island Park property was purchased and a new design was being developed. The City signage on the site is inaccurate and misleading.

2. **Inappropriate zoning:** It is unacceptable that the R1 residential property should be rezoned to Traditional Mainstreet (TM). This would be unacceptable for any residential street, and it is completely out of character for Island Park Drive. It is a unique street and its set-backs contribute to the boulevard character the NCC sought to create as a ceremonial route. These qualities would evaporate with the proposed design and for what? To allow a commercial project on a residential street when there is ample room on the main TM-zoned site for a successful project – this makes no sense.
3. **Economic viability:** The project does not need to “wrap-around” to 376 Island Park to be economically viable. The original design was apparently good enough for the developer. Since then, they were asked to create adequate step-downs on the south side to create a buffer to the two-storey homes on Island Park and Leighton Terrace. However, the new design has not achieved this.
4. **Inadequate step-down:** The addition of the townhomes on the 376 Island Park site still does not solve the step-down issue: it is overly dense, overlooks neighbours yards, does not provide the relief from the 45 degree angular plane requirement, shows a reduced corner side yard setback from 3 and 5 metres to 0 and 3.5 metres and the issues of transition, privacy, overlook, and noise remain. In other words, this design has simply pushed the problem further down the street.
5. **Inconsistent with past zoning decisions:** We would call your attention to the City’s previous attention to upholding zoning and other challenges faced by Island Park Drive:
 - As the NCC covenants for Island Park were about to lapse, the Island Park Community Association, the Councillor and the City worked to create a special amendment to the zoning by-law to secure the setbacks of houses on the street. This zoning amendment was passed unanimously by City Council, By-law 2018-220 on June 27, 2018, under Section 34 of The *PLANNING ACT*.

- The City declined a change in zoning requested by the Thai Embassy, which wanted to build a two storey office building on its R1 residential property and requested a rezoning. In fact, the embassy has tried twice to rezone and twice the City has refused. We would expect the City to continue to refuse rezoning R1 property on Island Park Drive to allow a commercial use.
6. **Harmful precedent:** The Westboro Community Association is deeply alarmed of the precedent this would set at that corner, for our neighbourhood and the Ward. It is threat to all R1 neighbourhoods in Westboro.
 7. **No encroachment with other developers:** There are several other developers in the neighbourhood who have managed to build economically viable projects in the area without encroaching onto a residential neighbourhood. We do not think conditions have changed so much that would allow this project to do so. In our view, the developer has failed to show why intensification and development of the 70 Richmond Road site cannot be achieved within the planning guidelines, or with only minor amendments.

We would ask that the developer consults with the community and returns with a design that respects the current zoning, does not involve rezoning an R1 property into a TM, achieves the correct step-downs to the two-storey buildings on the abutting residential streets and preserves the heritage gas station.

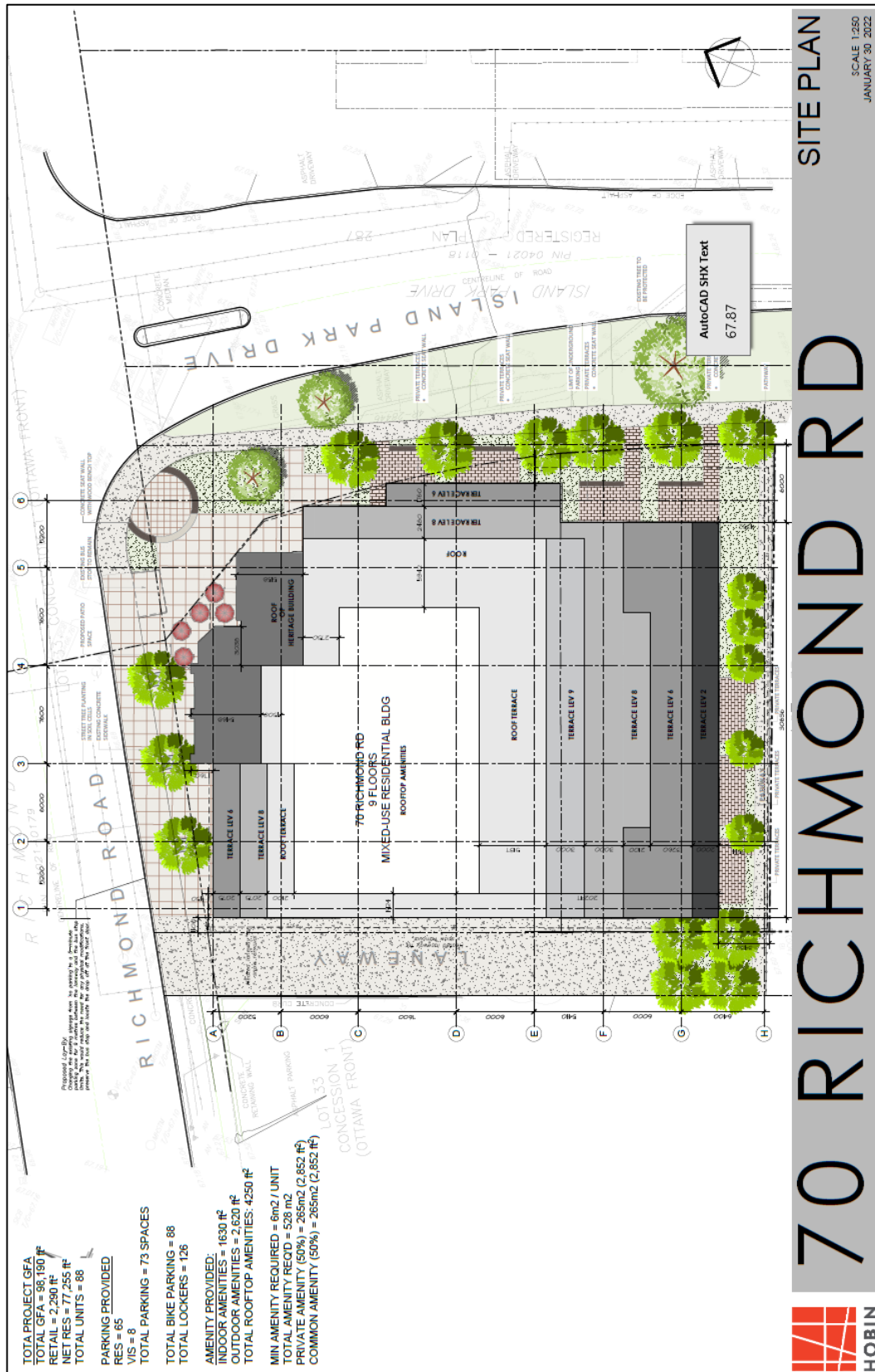
Thank you for your attention.

Heather Mitchell

Chair, Westboro Community Association

Cc: Jeff Leiper

Document 6 – Proposed Site Plan



Document 7 – Proposed Renderings

**Bird's eye view of
Richmond Road frontage**



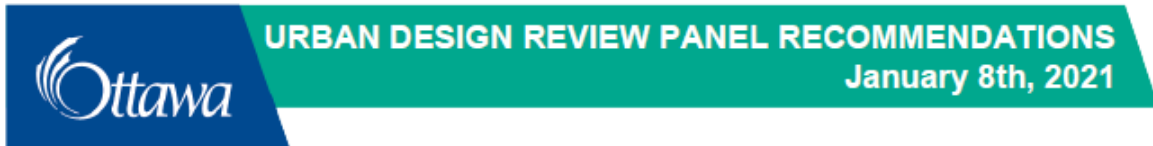
**View of Island Park Drive
frontage**



**Bird's eye view of the heritage
building's integration**



Document 8 - Urban Design Review Panel Recommendations



70 RICHMOND ROAD | Formal Review | Official Plan Amendment and Zoning By-law Amendment | Trinity Group; Hobin Arch



Summary

- The Panel appreciates the complexity of the site and commended the proponent for their efforts to preserve the heritage building and provide a generous public realm treatment.
- Strong concerns were expressed towards the proposed massing, particularly the poor transition that it produces towards the neighbourhood to the south and how it overwhelms the heritage building. Recommendations were primarily aimed at improving these two relationships.

Massing and Transition

- The Panel had strong concerns with the proposed nine-storey massing, which it did not feel was appropriate for the site and context. It was suggested that a six-storey mass that dropped to four storeys on the south edge would be more of an appropriate height.
- Improving the transition to the established neighbourhood to the south is strongly recommended. The nine-storey sheer wall in close proximity to the property line creates a poor relationship and not adhering to the 45-degree angular plane is problematic. Island Park Drive is an important historical street.
- It was suggested that the nine-storey height was out of context for Wellington Street and the without setbacks, it reads as a wall.

Relationship to Heritage

- The Panel commended the proponent for their efforts to preserve the heritage building on the site, but felt that the proposed massing and building design are overwhelming the structure. The Panel suggested that the new building should read as a backdrop to the heritage component and strive to fade into the background as much as possible.
- Continue to study how the new building sits on the site and transitions to the heritage building, given the scale of the two are so different.
 - Reducing the base of the building to one storey would help improve the relationship.
 - The Panel strongly recommends eliminating the projecting central glassy vertical element and avoiding pronouncing the middle.
 - Setting the new building back from Wellington Street (to the "B" gridline on pg. 35) would help improve the heritage building's prominence and improve views towards it along Wellington.

Materiality

- The Panel felt that, in general, the material palette of the proposal was appropriate for the context.
- Study what effect a lighter brick would have on the building's relationship to the context. It may strengthen the relationship with the building to the west.

Pedestrian Realm

- The Panel commends the proponent on the treatment of the public realm. The proposed corner plaza, the setback on Wellington, and the expanded pedestrian clearway are supported.