

2. Zoning By-law Amendment – 319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue

Modification du Règlement de zonage – 319, 325 et 327, chemin Richmond, 381, avenue Churchill Nord et 380, avenue Winona

Committee recommendations

That Council approve:

- 1. an amendment to Zoning By-law 2008-250 for 319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue to permit a nine-storey mixed-use building with at-grade commercial uses and residential dwelling units in the upper storeys, as detailed in Document 2; and**
- 2. that the implementing Zoning By-law not proceed to Council until such time as the agreement under Section 37 of the *Planning Act* is executed.**

Recommandations du Comité

Que le Conseil approuve :

- 1. une modification du Règlement de zonage 2008-250 visant les 319, 325 et 327, chemin Richmond, le 381, avenue Churchill Nord et le 380, avenue Winona, afin de permettre la construction d'un immeuble polyvalent de neuf étages abritant des utilisations commerciales au rez-de-chaussée et des logements aux étages, comme l'expose en détail le document 2; et**
- 2. que le règlement de mise en œuvre ne soit pas soumis à l'examen du Conseil avant la conclusion de l'entente prévue en vertu de l'article 37 de la *Loi sur l'aménagement du territoire*.**

Documentation/Documentation

- 1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated June 14, 2021 (ACS2021-PIE-PS-0078)**

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 14 juin 2021 (ACS2021-PIE-PS-0078)

- 2. Extract of draft Minutes, Planning Committee, June 24, 2021**

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 24 juin
2021

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
24 June 2021 / 24 juin 2021**

**and Council
et au Conseil
7 July 2021 / 7 juin 2021**

**Submitted on 14 June 2021
Soumis le 14 juin 2021**

**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: ACS2021-PIE-PS-0078

**SUBJECT: Zoning By-law Amendment – 319, 325 and 327 Richmond Road, 381
Churchill Avenue North, and 380 Winona Avenue.**

**OBJET: Modification du Règlement de zonage – 319, 325 et 327, chemin
Richmond, 381, avenue Churchill Nord et 380, avenue Winona**

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to
Zoning By-law 2008-250 for 319, 325 and 327 Richmond Road, 381 Churchill
Avenue North, and 380 Winona Avenue to permit a nine-storey mixed-use**

building with at-grade commercial uses and residential dwelling units in the upper storeys, as detailed in Document 2.

2. That the implementing Zoning By-law not proceed to Council until such time as the agreement under Section 37 of the *Planning Act* is executed;
3. 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 July 7, 2021" 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 du Règlement de zonage 2008-250 visant les 319, 325 et 327, chemin Richmond, le 381, avenue Churchill Nord et le 380, avenue Winona, afin de permettre la construction d'un immeuble polyvalent de neuf étages abritant des utilisations commerciales au rez-de-chaussée et des logements aux étages, comme l'expose en détail le document 2.
2. Que le règlement de mise en œuvre ne soit pas soumis à l'examen du Conseil avant la conclusion de l'entente prévue en vertu de l'article 37 de la Loi sur l'aménagement du territoire; et
3. 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 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 7 juillet 2021 », 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.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Zoning By-law amendment application for 319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue to permit a nine-storey mixed-use building with at-grade commercial uses and approximately 180 residential dwelling units in the upper storeys.

The zoning application proposes to rezone the entirety of the site into a Traditional Mainstreet zone (TM), including site-specific amendments for various performance standards, including increasing the maximum height to 31 metres (nine-storeys), to permit the new mixed-use building.

The proposal aligns with applicable Official Plan policies for the Traditional Mainstreet zone as well as applicable provisions of the Richmond Road/Westboro Secondary Plan.

Applicable Policy

The following policies support this application:

- Mid-rise buildings are permitted in this area as a Traditional Mainstreet as set out in Section 3.6.3 of the Official Plan, which provides specific direction on areas for intensification, and a designation which envisions some of the most significant development opportunities. The proposal's mixed-use features relate well to neighbouring properties.
- The Richmond Road/Westboro Secondary Plan represents an implementation of the Richmond Road/Westboro Community Design Plan (CDP) which encourages a pedestrian-friendly environment with measures such as wider sidewalk and room for tree planning. The proposal's public courtyard relates well to the Secondary Plan.
- The Urban Design Guidelines for Traditional Mainstreets and for Transit Oriented Development apply to this site, both aim to provide a mix of uses and densities that complement both transit users and the local community. The proposal's features relate well to the relevant Urban Design Guidelines.

The OP's goal for a Traditional Mainstreet is 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.

Public Consultation/Input

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

Councillor Leiper and the application organized a public open house on May 6, 2020, which was held prior to application submission.

During application review approximately 10 individuals/groups provided comments. Concerns raised were focused on the public plaza design, massing on the street, architecture, traffic and parking.

RÉSUMÉ

Recommandation du personnel

Le personnel chargé de l'urbanisme recommande l'approbation de la demande de modification du Règlement de zonage visant les 319, 325 et 327, chemin Richmond, le 381, avenue Churchill Nord et le 380, avenue Winona, afin de permettre la construction d'un immeuble polyvalent de neuf étages abritant des utilisations commerciales au rez-de-chaussée et environ 180 logements aux étages.

La demande de modification du Règlement de zonage ferait passer l'intégralité de l'emplacement à une désignation de Zone de rue principale traditionnelle (TM), qui ferait l'objet de modifications propres à l'emplacement relatives à diverses normes de rendement, notamment une augmentation à 31 mètres (neuf étages) de la hauteur maximale, afin de permettre la construction du nouvel immeuble polyvalent.

Le projet est conforme aux politiques du Plan officiel s'appliquant à la zone de rue principale traditionnelle, ainsi qu'aux dispositions pertinentes du Plan secondaire du secteur du chemin Richmond à Westboro.

Politique applicable

Les politiques suivantes sont favorables à cette demande :

- Les immeubles de hauteur moyenne sont autorisés dans ce secteur de rue principale traditionnelle, comme le stipule la section 3.6.3 du Plan officiel, qui prévoit des orientations particulières pour les secteurs cibles de densification, et

une désignation qui vise à permettre les possibilités d'aménagement parmi les plus importantes. Les éléments polyvalents de la proposition s'agencent bien avec les propriétés voisines.

- Le Plan secondaire du secteur du chemin Richmond à Westboro représente une mise en œuvre du Plan de conception communautaire (PCC) du secteur du chemin Richmond à Westboro, qui encourage la création d'un environnement favorable aux piétons par l'application de mesures comme l'élargissement des trottoirs et la création d'espaces pour la plantation d'arbres. La cour publique évoquée dans le projet correspond bien à la vision du Plan secondaire.
- Les lignes directrices en matière de design urbain le long des rues principales traditionnelles et dans les aménagements axés sur le transport en commun s'appliquent à cet emplacement; elles visent à permettre une variété d'utilisations et de densités qui viennent desservir les usagers du transport en commun et la collectivité locale. Les éléments du projet correspondent bien aux lignes directrices pertinentes en matière de design urbain.

L'objectif du PO dans une rue principale traditionnelle est la création d'aménagements qui favorisent et que favorisent une plus grande utilisation de moyens de déplacements comme la marche, le vélo et le transport en commun, tout comme les formes bâties qui mettent en valeur l'animation au niveau de la rue et l'environnement piétonnier grâce à leurs façades actives.

Consultation et commentaires du public

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes d'aménagement.

Le conseiller Leiper et le requérant ont organisé une réunion portes ouvertes le 6 mai 2020, qui s'est déroulée avant la présentation de la demande.

Une dizaine de personnes ou de groupes ont formulé des commentaires à l'étape d'examen de la demande. Les préoccupations soulevées avaient trait à la conception de la place publique, à la volumétrie le long de la rue, à l'architecture, à la circulation et au stationnement.

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

319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue

Owner

Richmond Churchill Ltd. Partnership (c/o Josie Tavares)

Applicant

Fotenn Consultants Inc. (Kersten Nitsche)

Architect

Hobin Architecture (Rheal Labelle)

Description of site and surroundings

The subject site is located in the Westboro neighbourhood, along the north side of Richmond Road in the block between Churchill Avenue North to the west and Winona Avenue to the east. The subject site also incorporates properties with frontage on Churchill Avenue North and Winona Avenue.

The site has approximately 60 metres of frontage along Richmond Road, a lot depth of approximately 55 metres along Churchill Avenue North as well as Winona Avenue. The subject site is 3,270 square metres in size. Currently, the subject property is developed with a one-storey automobile garage and surface parking at the east corner at Winona Avenue, and a two-storey mixed-use building with commercial at-grade and a rear surface parking lot at the corner of Churchill Avenue. On the Churchill Avenue portion of the subject property, there is currently a 2.5-storey residential apartment building, and on the Winona Avenue portion there is a two-storey duplex.

The surrounding properties contain a mix of uses including small-scale retail, service commercial and low-density residential uses, ranging from low-rise apartment buildings to older 1.5-storey houses to the North and transitioning to a new four-storey

commercial building to the South. East and west of the subject site, along Richmond Road, is the traditional mainstreet environment within two-storey buildings with ground floor retail and restaurant uses.

Summary of proposed development

The applicant is proposing to construct a nine-storey mixed-use building with at-grade commercial uses and approximately 180 residential dwelling units in the upper storeys. A tenth storey incorporates the mechanical penthouse and indoor amenity room with access to a roof-top terrace. An underground parking garage accessed from Churchill Avenue provides 131 parking spaces; 114 residential and 17 visitors. Bicycle parking spaces are provided within a ground floor bike room, the parking garage levels, and some outdoor visitor spaces. The initial design included 100 bicycle parking spaces, but the applicant will use a stacking system to increase the amount of space to at least a 1:1 ratio.

Summary of requested Zoning By-law amendment proposal

The consolidation of properties results in a variety of current zoning applicable to the subject site. The properties along Richmond Road are located within a Traditional Mainstreet zone with height limit of 15 metres. The portion along Churchill Avenue is in a General Mixed-use zone with a height limit of 18 metres, and the Winona Avenue property is currently in a residential R4 zone with a height limit of 11 metres.

The zoning application proposes to rezone the entirety of the site into a Traditional Mainstreet zone (TM), including site-specific amendments for various performance standards, including increasing the maximum height to 31 metres (nine-storeys), to permit the new mixed-use building.

Details of the recommended rezoning includes the following:

- Rezone the subject site to TM [xxxx] SYYY
- Urban Exception “xxxx” will require minimum yard setbacks, minimum building stepbacks and maximum building heights as defined in Schedule “YYY” (Document 3).
- Schedule “YYY” identifies the minimum yard setback, minimum building stepbacks, and maximum building height as per the proposed development.

- Additional provisions include allowing stacked bicycle parking systems, increasing the required bicycle parking to minimum of a one space per unit, exemption from the maximum front yard setback, reduced corner sideyard setback above 15 metres, reduced parking for non-residential use greater than 500 square metres, allowing an amenity room as a permitted project above the height limit, and permitting an aisle width of 6.0 metres in the parking garage.
- Details of the Section 37 contributions.

DISCUSSION

Public consultation

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

Councillor Leiper and the applicant organized a public open house on May 6, 2020, which was held prior to application submission.

During application review approximately 10 individuals/groups provided comments. Concerns raised were focused on the public plaza design, massing on the street, architecture, traffic and parking.

For this proposal's consultation details, see Document 5 of this report.

Official Plan designation

According to Schedule B of the Official Plan, the property is designated as Traditional Mainstreet.

Pursuant to Schedule C of the Official Plan, the subject property is bordered on two sides by a multiuse pathway and spine route within the Urban Cycling Network and, as per Schedule D, the portion of Richmond Road adjacent to the subject property is designated as a Transit Priority Corridor.

Other applicable policies and guidelines

The subject property is located within the [Richmond Road/Westboro Secondary Plan](#) area and, specifically, within the 'Westboro Village' and 'McRae and Churchill Avenue' planning sectors pursuant to Schedule A of the Secondary Plan. Policies for the Westboro Village planning sector (Sector 3) are intended to maintain a sense of human scale by providing mixed-use buildings generally in the four- to six-storey range with a

minimum of two storeys. Buildings are to be located close to the street, except at the intersection of Churchill Avenue and Richmond Road where it has been identified that wider sidewalks are needed. Buildings in the seven- to nine-storeys range are also permitted as shown on Schedule C where block sizes and the street network aid in minimizing impacts on low-rise residential neighbourhoods. Mixed-use development is encouraged in order to provide a continuity of retail and restaurant uses on the ground floor.

Within the McRae and Churchill Avenues planning sector (Sector 7), support for redevelopment of Churchill Avenue for mixed-use buildings, generally in the four- to six-storey range is identified. Additionally, residential, employment and commercial uses are permitted provided they do not affect the viability of Richmond Road as a traditional mainstreet.

Furthermore, new infill development will provide appropriate transition to the adjacent low-rise residential community. This plan, however, also recognizes Richmond Road as a Traditional Mainstreet where redevelopment and infill are encouraged to optimize the use of land through height and density. The Plan supports building heights generally in the range of four to six storeys, but permits consideration for greater building heights in Policy 1.3.3, without the need for an Official Plan Amendment (OPA), where the proposed building height provides a transition between existing buildings, the building is located where there are opportunities to support transit, the development incorporates Section 37 benefits, or the application of Provisions 2.5.1 and 4.11 of the Official Plan determine that additional height is appropriate.

The Secondary Plan represents an implementation of the Richmond Road/Westboro Community Design Plan (CDP). Section 7.4 encourages a pedestrian-friendly environment with measures such as wider sidewalk and room for tree planning. Section 8.2., Westboro Village and East Village Guidelines, includes guidelines such as locating taller buildings at major intersections, such as Churchill, and creating a variation in the building alignment by increasing the setback in order to provide a wider sidewalk or a semi-public amenity area, especially at major intersections. The proposed development is consistent with the CDP, and more importantly satisfies the implementing Secondary Plan policies, as described in the planning rationale below.

[The Urban Design Guidelines for Traditional Mainstreets](#) guide development to provide compatibility in context, to achieve high-quality built forms, provide continuity along Mainstreets, to foster compact pedestrian-oriented development and a broad range of uses. Mainstreets promote buildings that respect the rhythm and pattern of the existing

or planned buildings on the street, set back upper storeys, and respect the privacy of buildings to the rear.

[The Urban Design Guidelines for Transit-Oriented Development](#) apply as the site is within 600 metres of two rapid transit stations (Westboro Station and Dominion Station). The guidelines aim to provide a mix of uses and densities that complement both transit users and the local community; ensure that the built form is designed and orientated to facilitate and encourage transit use; manage the safe circulation of pedestrians, cyclists, vehicles and parking; and create quality public spaces that provide direct, convenient, safe and attractive access to transit.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law amendment application and Site Plan Control application were subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, on December 4th, 2020, which was open to the public.

The panel's recommendations from the formal review of the Zoning By-law amendment application and Site Plan Control application are provided in Document 6.

The panel was successful in aiding in the implementation of the following:

- The H-shaped building design was selected as it provides a balance of density and open space. It is important to note that building design and layout significantly changed from application submission, and this was positively reflected in the panel recommendations.
- The level 8/9 canopy projections along Churchill were reduced in size to improve the building setback, and the mechanical penthouse and amenity room level was further setback.
- Window sizes were reduced on the southern façade and materiality simplified to improve relationship as the development transitions into low-rise context.
- Patio was removed from the corner of Churchill and Richmond to allow for wider pedestrian realm and streetscaping at this corner.

Certain recommendations of the panel were not met for the following reasons:

- The scale on Winona Avenue was not massed down further as the rear yard

setbacks comply with the Traditional Mainstreet guidelines using a 45-degree angular plane above the fourth floor with building stepbacks at every floor to create a transition of scale.

- The Churchill massing and the garage access were not further stepback as it could reduce the overall area of the open space at the corner of Churchill and Richmond.
- The built form was not altered for greater alignment to Richmond Road following two example references (1277 and 1278 Wellington Street West). The development spans the entire block and the setback is consistent with the Secondary Plan direction.

Staff are satisfied with the design changes resulting from the UDRP process, and details, such as materiality, will be confirmed through Site Plan approval.

Planning rationale

The proposed development and rezoning bring the entire site into a Traditional Mainstreet zone in conformity with the Official Plan and provides for appropriate intensification given the site context. The nine-storey mixed-use building will contain at-grade commercial uses and approximately 180 residential dwelling units, offering a variety of studio, one, and two-bedroom units.

While the development proposes 131 residential vehicular parking (114 resident spaces, 17 visitor), it has been designed to, and is strategically located to, encourage an active transit supportive development. The residential parking ratio is 0.6 spaces per unit (in compliance with the minimum required by zoning); however, the building design focuses on making transportation choices for alternative modes. Churchill Avenue and Richmond Road have strong pedestrian realms with sidewalk connectivity and animated street frontages. Additionally, the property is well served by public transit including local bus service, current rapid bus and the Westboro and Dominion O-Train Stations.

Official Plan (OP)

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 improvements purposes. The Department supports the land assembly of 319, 325 and 327 Richmond Road, 381 Churchill Avenue North and 380 Winona Avenue, 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. This proposal represents an excellent example of lot consolidation on a Mainstreet that allows for appropriate transition and public realm improvement.

Sections 2.5.1 and 4.11 of the Official Plan provides policy direction for urban design and compatibility. Document 4 provides supporting images to highlight some of the positive urban design and compatibility features described below.

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. Attention has been made to provide an appropriate buffer and transition into the adjacent low-rise residential neighbourhood along Winona Avenue and general mixed-use area along Churchill Avenue. The applicant has also included landscape plantings along Churchill Avenue, Richmond Road, and Winona Avenue to achieve an improved pedestrian-focused public realm. The design of the building satisfies the angular plane transitioning into low-rise as the building approaches Winona Avenue, and the unique "H" building configuration breaks up the mass along Richmond and creates a strong public realm. Providing stepback at the third and seventh floor levels avoids the canyon affect and appropriately relates to the right-of-way with and human scale of Richmond Road.

Section 4.11 further references compatibility of new buildings with their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, location of loading facilities and service areas, and podium design. The proposed development results in quality architecture and an enhanced public realm with active entrances and wider sidewalks with room for street trees and furniture. Transition on the building responds to the varying contexts between Churchill, Richmond and Winona

Avenue, with different massing and stepback strategies, including a 45-degree angular plane at the rear of the building along Winona Avenue. Furthermore, the Richmond Road/Westboro Secondary Plan, Policy 1.3.3, supports greater building heights where there are opportunities to support transit at a station, 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 and is within 550 metres walking distance of Westboro Station, and 750 metres of Dominion Station.

Secondary Plan

As per the Richmond Road / Westboro Secondary Plan, the policies allowing for greater heights, without requiring an OPA, were explained above, and the proposed development satisfies these criteria. In addition to the proximity to Westboro and Dominion Stations, 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 a development and intensification on the Traditional Mainstreet that incorporates human-scale design elements, enhanced pedestrian realm, and compatibility on an appropriate redevelopment site. The public courtyard, façade treatment, and clocktower contribute to an interesting streetscape that differentiates the context of Richmond Road, Churchill Avenue and Winona Avenue while maintaining active frontages. The rear of the development successfully provides for a 45-degree angular plane in built form transition.

Recommended Zoning Details

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

- The site is being rezoned to Traditional Mainstreet for conformity with the Official Plan and Richmond Road / Westboro Secondary Plan, which allows for a broad range of uses encouraging the evolution of Richmond Road.
- Maximum building height and minimum corner side yard setback reductions reflective of Official Plan and Secondary Plan provisions for targeted intensification on Traditional Mainstreets and areas in close proximity to transit services. Schedule 'YYY' ensures the positive design elements of the building and setbacks, such as additional front yard setback and courtyard design, stepbacks at levels three and seven, the 45-degree angular plane towards

Winona Avenue, and limiting the size and location of the Mechanical penthouse and amenity room level as a project above the nine-storeys.

- Minimum bicycle parking was increased from 0.5 spaces per unit to 1.0 space per unit to provide assurance about the proposed cycling facilities and active transportation design of the building, and the provisions allow for stacked bicycle parking system to enable more parking options.
- Traditional Mainstreet zoning normally requires a maximum setback of 2.0 metres. This requirement is being removed for this application to allow for a greater setback along Richmond Road, as encouraged by the Secondary Plan allowing for a broader public realm with wider sidewalks, street trees and furniture. Staff have no concern with a great setback for this block.
- On a Traditional Mainstreet, non-residential uses less than 500 square metres in size do not require parking. One of the commercial units at grade slightly exceeds this with an anticipated gross floor area of about 570 square metres. Depending on the use, this could result in a parking requirement ranging from seven to 28 spaces. Staff are supportive of allowing no commercial parking in this development as the site location is within a highly walkable neighbourhood with excellent access to a variety of public transportation options. It is anticipated that most trips to the commercial units at grade will be made via active transportation, and surrounding on-street parking options, including on Richmond Road provided additional options for parking.
- The mechanical penthouse level above the ninth storey incorporates an indoor amenity room. The design, size and location of this level is significantly setback from the property edges and at least 2.0 metres from the roof below limited the visibility of this level. Staff support the inclusion of an amenity room at this level to increase the amount of amenity area for residents, and the zoning details limit the size and height.
- The parking garage has been designed with an aisle width of 6.0 metres, which has proven to be functional for residential use, and staff have no concern reducing this requirement from the normal 6.7 metres.

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 permits a mid-rise building (up to 31 metres, nine storeys) where the current zoning on the subject properties permits a maximum 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.

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution, based on a gross floor area of 13,857 square metres (using 79 per cent efficiency for the ground floor, 89 per cent efficiency for the second and third floors, and 88 per cent efficiency for all remaining floors), for this proposal has been determined to be \$779,205.00 after draw-down factors. This contribution will provide the following:

- \$15,000 for a mural at Westboro Beach underpass (any additional funds to go into the affordable housing fund)
- \$40,000 for a placemaking project at the corner of Churchill and Workman
- \$362,102.50 for road safety improvements in the Westboro area
- \$362,102.50 for Ward 15 (Kitchissippi) affordable housing fund

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. The implementing Zoning By-law will not proceed to City Council until such time as the agreement under Section 37 of the *Planning Act* is executed.

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

Councillor Jeff Leiper is aware of the application.

LEGAL IMPLICATIONS

Should the recommendations be adopted, and the resulting zoning by-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a three to five day hearing would be required. It is anticipated that this hearing could be conducted within staff resources. In the event that the zoning application is refused, reasons must be provided. Should there be an appeal of the refusal, it would be necessary to retain an external planner and possibly an external architect.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution, has been determined to be \$779,205. This contribution will provide the following:

- \$15,000 for a mural at Westboro Beach underpass (any additional funds to go into the affordable housing fund)
- \$40,000 for a placemaking project at the corner of Churchill and Workman
- \$362,102.50 for road safety improvements in the Westboro area
- \$362,102.50 for Ward 15 (Kitchissippi) affordable housing fund

The contribution 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, and will be secured prior to the issuance of the first building permit. Details on the final Section 37 contribution will be contained within the Section 37 agreement.

In the event that the zoning application is refused and appealed, it would be necessary to retain external resources. 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*. Based on current Site Plan review, the development demonstrates that the proposed building is accessible, including common entrances, corridors and amenity areas. Staff have no concerns about accessibility.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities
- Integrated Transportation

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0045) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to a number of revisions to the proposed building design and additional review required.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule YYYY

Document 4 Development Concept Images

Document 5 Consultation Details

Document 6 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 Secondary Plan and is consistent with the relevant design guidelines. The proposed development incorporates amenity and public open space and uses appropriate transition in the built form context. The development has been designed to encourage active transportation use and is located within walking distance of two rapid transit station. The development fits within the existing and planned context and is a compatible use. The Zoning By-law amendment is recommended for approval.

DISPOSITION

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

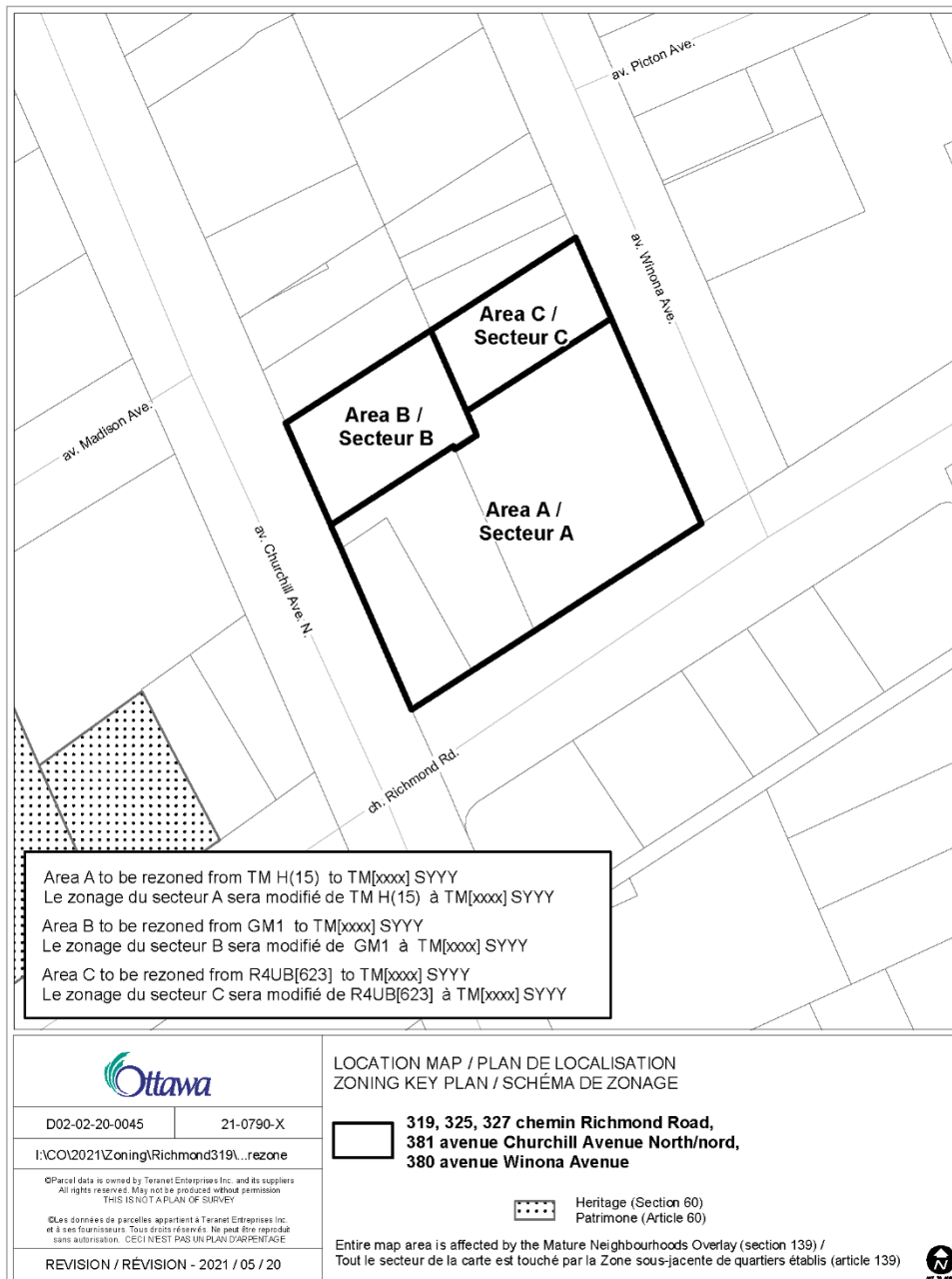
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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.com).



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue are as follows:

1. Rezone the lands as shown in Document 1, as follows:
 - a. Rezone 319, 325 and 327 Richmond Road from TM H(15) to TM [xxxx] SYYY
 - b. Rezone 381 Churchill Ave. North GM1 to TM [xxxx] SYYY
 - c. Rezone 380 Winona Avenue from R4UB [623] to TM [xxxx] SYYY
2. Amend Part 17, Schedules, by a new Schedule 'YYY', as shown in Document 3.
3. Amend Section 239, Urban Exceptions, by adding a new exception [xxxx] with provisions similar in effect as follows:
 - a. In Column II, add the text TM [xxxx] SYYY.
 - b. In Column V, include provisions similar in effect to the following:
 - i. Maximum permitted building heights, minimum setbacks and minimum stepbacks are as per Schedule YYY.
 - ii. Area G on Schedule YYY is permitted a maximum height of 31 metres (9 storeys) but may also include a projection above the height limit in the form of an ornamental element, such as clock tower.
 - iii. Area H on Schedule YYY is a permitted projection above the height limit and may include indoor amenity rooms with a maximum cumulative floor area of 225 square and amenity area rooms have a height limit of 4.5 metres.
 - iv. Permitted projections listed in Section 65 are not subject to the height limits identified on Schedule YYY.
 - v. Despite Section 65, ground-floor canopies and awnings are permitted to project 2.0 metres into the front and corner side yard, and may be located within 0 metres of the front and corner side lot lines.
 - vi. Stacked bicycle parking systems are permitted, and such systems are

exempt from the minimum bicycle parking space dimensions.

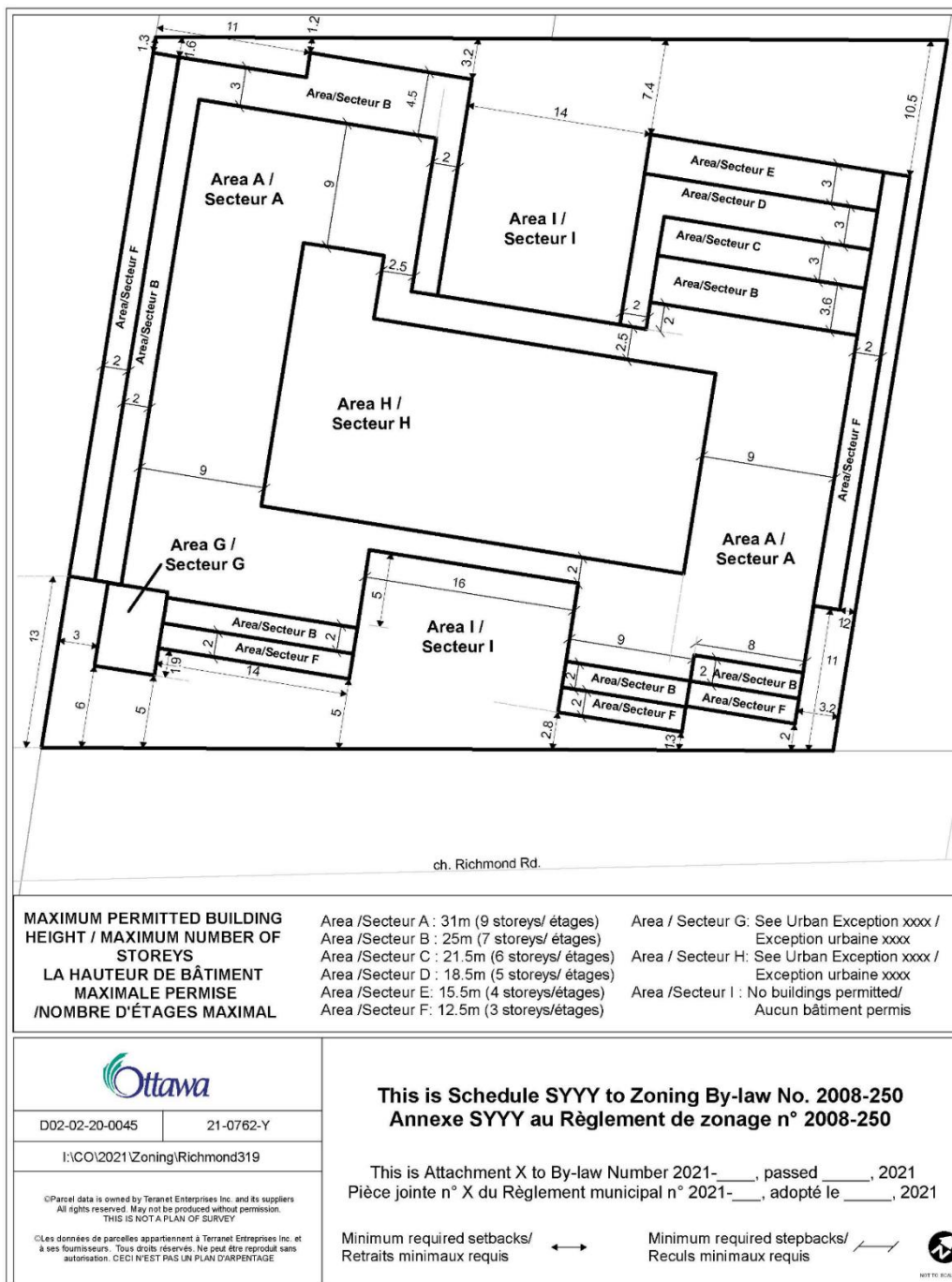
- vii. Despite Table 111(a)(b)(c), the minimum number of bicycle spaces required is 1.0 per dwelling unit or rooming unit.
 - viii. Table 197(c), maximum front yard setback, does not apply.
 - ix. Minimum aisle width in parking garage: 6.0 metres
- c. The following provisions dealing with Section 37 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 319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:

319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue

The City shall require that the owner of the lands at 319, 325 and 327 Richmond Road, 381 Churchill Avenue North, and 380 Winona Avenue 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, Infrastructure and Economic Development, to secure the public benefits noted below, and which will comprise 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 being \$779,205.00 to the City, 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.

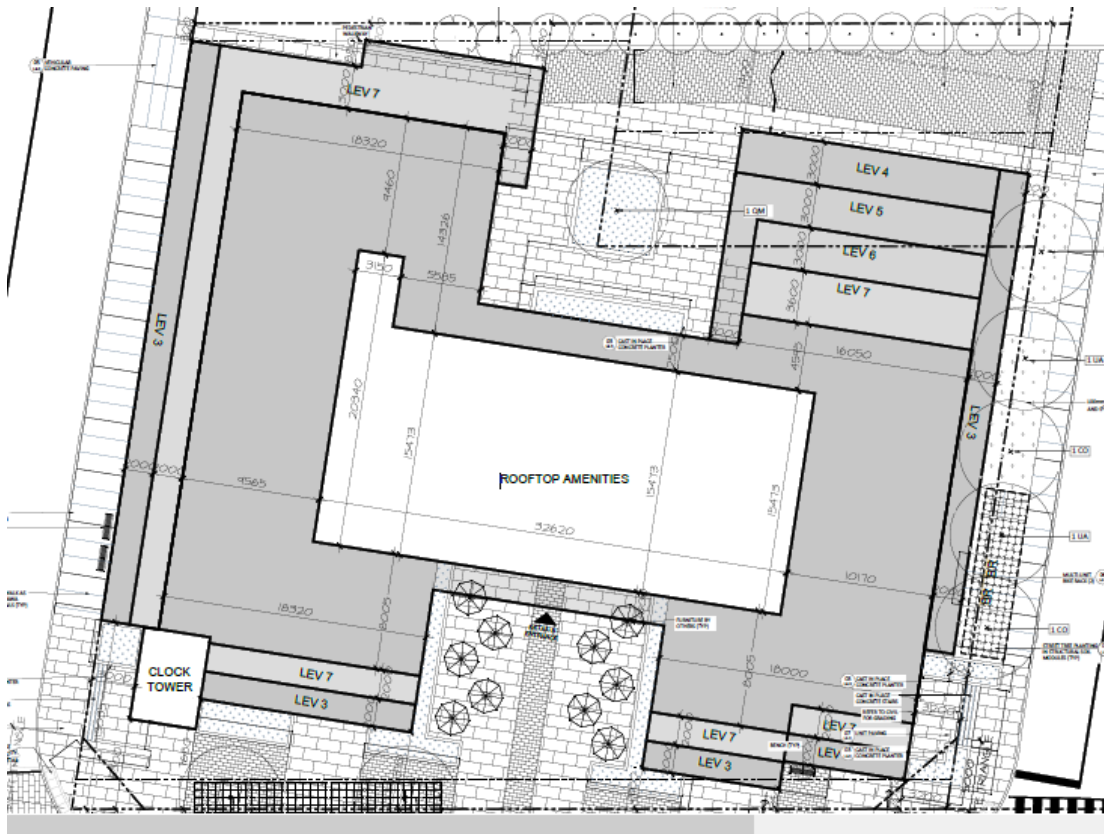
- (a) The specific benefits to be secured and provided are:
 - \$15,000 for a mural at Westboro Beach underpass (any additional funds to go into the affordable housing fund)
 - \$40,000 for a placemaking project at the corner of Churchill and Workman
 - \$362,102.50 for road safety improvements in the Westboro area
 - \$362,102.50 for Ward 15 affordable housing fund
- (b) Notwithstanding the foregoing, the owner and the City may modify or amend said agreement(s), from time to time upon the consent of the City and the owner, without further amendment to those provisions of the Zoning By-law which identify the facilities, services and matters to be secured.
- (c) The payment of Section 37 funds shall be provided prior to the issuance of a building permit for the proposed development.

Document 3 – Schedule 'YYY'



Document 4 – Development Concept Images





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.

Councillor Leiper and the applicant organized a public open house on May 6, 2020, which was held prior to application submission.

During application review approximately 10 individuals/groups provided comments. Concerns raised were focused on the public plaza design, massing on the street, architecture, traffic and parking.

PUBLIC COMMENTS AND RESPONSES

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

Corner Public Plaza

- Concerned with safety and noise due to street proximity
- Appreciate the opportunity for natural sunlight due to southern exposure.
- Presentation did not include streetscape amenities such as bicycle stands.

Response:

The public plaza has been relocated from the corner of Churchill and Richmond to a mid-block location off of Richmond to provide greater separation from the street. The courtyard space is south facing to maximize sun exposure. The corner space will be revised as a more informal pedestrian area, with wider sidewalks and room for street trees and furniture. The project will incorporate locations for bicycle racks near both residential and retail entrances along all three streets.

Presentation to the main village streets

- Concerned that the building's height, setbacks, and the clocktower, make it too imposing a structure for a village.
- The building does not have sufficient setbacks making the façade is very imposing for pedestrians.

Response:

The height and scale of the building was reviewed in accordance with Official Plan, Richmond Road / Westboro Secondary Plan, and key design guidelines as discussed in the report. Richmond Road is a Traditional Mainstreet which represents a significant opportunity for intensification, and the specific policies in the Secondary Plan that allow for the consideration of a taller building have been satisfied. The clocktower portion of the building is set furthest from the neighbouring low-rise residential properties. The rear portion of the development has the podium transition to height of three-storeys using a 45-degree angular plane. The building incorporates stepbacks along the street frontages after the third and seventh levels.

Architecture

- Would like to see more attractive architecture with an emphasis on contemporary units that have more natural light
- It would be great to have Westboro maintain its ties to its industrial past by keeping some street imagery or through architectural features.

Response:

The Official Plan provides direction for urban design and compatibility, outlining, in a broad nature, 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. The proposed building design demonstrates quality architecture and the revision from the original submission of the “U” shaped building to the current “H” shaped building resulted in further design improvement. Final materiality will be confirmed through Site Plan approval.

Traffic/Parking Considerations

- Parking for retail in Westboro is primarily on street and as the popularity of the retail in the area has grown the pressure on street parking has increased. As a result parking on the more residential side streets off Richmond Road has become a problem. The amount of commercial parking is an important consideration with this application because it is right on Richmond.
- You will really need to reconsider traffic flow issues once all the towers are built on Scott, Richmond, Churchill and Winona.

- You are going to need arrowed turn lights at Richmond/Churchill and Winona Avenue South at Richmond. This is clogged nowadays without added population.

Response:

The Official Plan encourages intensification and development where there are opportunities to support alternative modes of travel from the car. The site is located approximately 550 meters from a transit station and will include improved pedestrian and cycling connections.

Review of the submitted Transportation Impact Assessment has determined that the development has provided all measures required by the Transit Demand Strategies to support design.

General Comments

- Overall I don't think this apartment building is right for Richmond and Churchill.
- I would like to see our neighbourhood be more liveable and walkable with lots of trees, green space, and wide sidewalks. Buildings should be no taller than the full height of an average tree.
- What are the plans for charging stations?
- What environmental class of building do you intend this to be?

Response:

The height and scale of the building was reviewed in accordance with Official Plan, Richmond Road / Westboro Secondary Plan, and key design guidelines as discussed in the report. Staff are satisfied that the proposed height is consistent with the policy framework and the use of stepbacks and setbacks for transition has resulted in a compatible built form.

The applicant is aware of design elements, such as charging stations, and will consider this during the design of the building for construction purposes.

COMMUNITY ORGANIZATION COMMENTS AND RESPONSES

At the time of writing this report, no comments were received from a registered community group.

Document 6 – Urban Design Review Panel: Recommendations

Formal Review – December 4, 2020

327 RICHMOND ROAD | Formal Review | Zoning By-law amendment and Site Plan Control Application | Richmond Churchill Limited Partnership; Interrent REIT; Hobin Architecture

Summary

- The Panel generally supported the architectural expression of the proposal but reiterated several of its previous recommendations for improving the massing of the proposal and its relationship with the neighbourhood to the north.

Massing

- The Panel appreciates the elegant and sophisticated design and the design moves that have been made since the last proposal, but it reiterates its previous recommendation that an L-shaped building would be preferable to a U-shaped building.
- The Panel also reiterates its previous recommendation to reduce the scale of the Wynona Avenue mass down to four storeys to better reflect the character of the street, improve transition to the existing neighbourhood, and to increase the amount of light that the courtyard receives.

Proposed Massing Configuration (H-shape)

- The Panel recognizes that the H-shape massing configuration will improve the condition for the units in the building, is beneficial in terms of expanding the public realm, and the stepping does hold the streetwall condition.
- The transition of the massing on Churchill to the neighbourhood to the north and the amount of glazing on this side façade is concerning. Explore possibilities of increasing the tight setback and stepping the massing away from the north property line. Shifting the garage access one bay to the south and stepping the upper floors away from the north property line by one additional bay would help improve this relationship.
- The Panel expressed concern that the inset middle portion of the “H” is now flush with the mechanical penthouse above. It is recommended that the mechanical

penthouse level be setback to reduce its visibility from the street.

- The clocktower element feels more out of place in an H-shape configuration and overwhelms the patio. It was suggested that it felt more purposeful in the previous scheme and may no longer be needed.
- The Panel recommended a greater alignment of the built form to Richmond Road.

Materiality

- Consider lightening the colour of the materials of the base of the building, as it would make the ground floor more welcoming. A black cornice line with a lighter material below is recommended.
- Study the materiality of the corner feature carefully. How brightly will it be lit at night and how will curtains affect this? Will the clocktower be an entirely transparent box and will the clock mechanisms behind be visible?

Public Realm

- The Panel appreciates the generous public realm along Richmond. Ensure that sidewalk continuity is maintained and that at least four or five street trees are planted along this frontage.
- In the “H” configuration, the Richmond courtyard space will become the more important space compared to that at the corner, which previously was larger. The courtyard should be the focus for a patio and the corner space should be designed as a strong pedestrian area. The patio at the corner detracts from the public realm at this important intersection.
- The Panel reiterates its previous recommendation that the project would benefit greatly from a mid-block connection at the rear of the site. If this is not possible, ensure that the narrow walkway from Churchill to the courtyard is designed to adhere to CPTED principles and is adequately lit.
- Explore ways of introducing street parking to support retail.
- Consider appropriate locations for bicycle racks on the site.