

<p>8. Zoning By-law Amendment – 397 and 399 Winston Avenue</p> <p>Modification du Règlement de zonage – 397 et 399, avenue Winston</p>
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Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 397 and 399 Winston Avenue to permit a seven-storey mixed-use building with at-grade commercial uses and residential dwelling units in the upper storeys, as detailed in Document 2.

Recommandations du Comité

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant les 397 et 399, avenue Winston, afin de permettre la construction d'un immeuble polyvalent de sept étages qu'occuperaient des utilisations commerciales au rez-de-chaussée et des logements aux étages, comme l'expose en détail le document 2.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated August 3, 2021 (ACS2021-PIE-PS-0099)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 3 août 2021 (ACS2021-PIE-PS-0099)
2. Extract of draft Minutes, Planning Committee, August 26, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 26 août 2021

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
26 August 2021 / 26 août 2021**

**and Council
et au Conseil
8 September 2021 / 8 septembre 2021**

**Submitted on 3 August 2021
Soumis le 3 août 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-0099

SUBJECT: Zoning By-law Amendment – 397 and 399 Winston Avenue

OBJET: Modification du Règlement de zonage – 397 et 399, avenue Winston

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 397 and 399 Winston Avenue to permit a**

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

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the 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 September 8, 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 397 et 399, avenue Winston, afin de permettre la construction d'un immeuble polyvalent de sept étages qu'occuperaient des utilisations commerciales au rez-de-chaussée et des logements aux étages, comme l'expose en détail le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et 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 8 septembre 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.

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

397 and 399 Winston Avenue

Owner

10759716 Canada Inc.

Applicant

Serene Shahzadeh, Novatech

Architect

GRC Architects (Alex Leung, Sean Fright)

Description of site and surroundings

The subject site is located in the Westboro neighbourhood, along the east side of Winston Avenue in the short block between Madison Avenue to the north and Richmond Road to the south. Currently, the subject site contains two single detached dwellings, and has a total lot area of 727.5 square metres with 25.31 metres of frontage along Winston Avenue.

North of the site is comprised of a mix of low-rise residential uses. Further north is the Transitway, and Dominion Transit Station. South of the subject site is Richmond Road, a Traditional Mainstreet with a mix of retail and commercial uses. East and west of the site are a mix of commercial uses and low-rise residential units.

Summary of proposed development

The applicant is proposing to construct a new seven-storey mixed-use building containing 42 dwelling units (14 one-bedroom, 28 two-bedroom) in the upper storeys and two commercial units on the ground floor. The main building entrance faces Winston Avenue. Two levels of underground parking are provided with 18 parking spaces, including three visitor spaces, and 23 bicycle parking spaces.

Summary of requested Zoning By-law Amendment

The subject property is currently zoned Traditional Mainstreet with a maximum building height of 24 metres (TM H(24)), which permits a broad range of residential and non-residential uses. The purpose of the application is to seek relief on the amount of ground floor transparent windows (50 per cent) and active entrances by reducing the

requirement to 28 per cent. The rezoning will be facilitated by a new urban Exception 'xxxx' with a site-specific provision to reduce the glazing requirement to a minimum of 28 per cent.

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 community information session on March 30, 2021 during the initial comment period. The meeting, held virtually, was attended by approximately 20 members of the public. The applicant presented an overview of the proposal and responded to audience questions. Majority of the time was focused on questions from members of the public. Staff attended the meeting to field questions on process and next steps.

During the application review approximately 10 individuals/groups provided comments. Concerns raised were focused on the increased density in the neighbourhood, traffic, and parking constraints, as well as building and streetscape design.

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

Official Plan designations and policies

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

The subject site is in close proximity to planned O-Train Rail corridor and existing bus Transit Stations, and a Transit Priority Corridor (Richmond Road). The subject site is within 400 metres radius of the Dominion Transit Station, which is listed as a rail transit station in Schedule D of the Official Plan.

Other applicable policies and guidelines

The subject property is located within the [Richmond Road/Westboro Secondary Plan](#) area and, specifically, within the Westboro Village planning sector 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 and encourage mixed uses, including a continuity of ground floor retail/restaurant uses with residential and office uses on the upper floors.

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 the Dominion Transit 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; and manage the safe circulation of pedestrians, cyclists, vehicles, and parking, while creating 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 and Site Plan Control applications were subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, on April 9, 2021, which was open to the public.

The panel's recommendations from the formal review of the Zoning By-law amendment and Site Plan Control applications are provided in Document 4.

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

- Balcony treatments were revised to provide less visual bulk to the west elevation and to clearly express the setback of the upper floors.
- Podium treatments were revised to provide a lighter surface at the third floor to visually divide the podium and two-storey expression.
- Upper level treatments were revised to lighter colour materials to increase contrast with the podium and better integrate the building into the neighbourhood context with simplified expression.
- The blank wall treatments were improved by adding a variation in the materiality and pattern.

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

- Rear and side yard setbacks were not increased as they complied with the provisions of the Traditional Mainstreet zoning and would reduce the overall area of the building.
- The height of the podium was not reduced as a three-storey massing height is compliant with the provisions of the Traditional Mainstreet zoning, however, the materiality was revised to lessen the visual weight of the third level and emphasize a two-storey expression.

Note: these matters do not relate to the requested Zoning By-law amendment and will be further assessed through the review of the concurrent Site Plan Control application (D07-12-21-0028).

Planning rationale

The proposed development is in a Traditional Mainstreet zone, conforms with the Official Plan, and provides for appropriate intensification given the site context and existing zoning. The seven-storey, mixed-use building will contain two at-grade commercial units and 42 residential dwelling units, offering a mix of one- and two-bedroom units.

The development proposes two levels of underground parking, providing 18 vehicular parking spaces (15 residential spaces, three visitor spaces) and 23 bicycle parking spaces. Richmond Road and Winston Square 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 Dominion O-Train Station.

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 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, compatibility and transition between buildings and adjacent low-rise context.

The only zoning relief requested through this amendment is to reduce the required ground floor transparent glazing from 50 per cent to 28 per cent. The site, while zoned Traditional Mainstreet, does not have direct frontage on Richmond Road (the mainstreet corridor), but is rather oriented towards the local street, Winston Avenue, as well as the public plaza known as Winston Square. Despite the reduction, the ground floor demonstrates an appropriate approach to the design in maintaining the ground floor with active entrances and glazing. The residential and commercial units have direct access to the sidewalk and are oriented towards the street. With the inclusion of a garage access and constraint of internal mechanical requirements, such as the hydro vault, a design with 28 per cent glazing is appropriate for the site context and development. The proposal is otherwise a fully compliant development, and matters such as materiality, balcony design, stepbacks, for example, will be reviewed through the corresponding Site Plan Control application.

The requested zoning amendment is appropriate, is consistent with the intent of the Zoning By-law, conforms to the Official Plan and Richmond Road / Westboro Secondary Plan, and will enable a development that represents good planning through the completion of Site Plan Control review.

Recommended Zoning Details

As detailed in Document 2, the Zoning By-law amendment application proposes site-specific provisions to permit the ground floor glazing required to be reduced from 50 per cent to 28 per cent.

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

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

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 regarding 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: D02-02-21-0015) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications due to revisions made after the initial comment and confirmation that no additional zoning requests were being made.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 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 requested amendment to reduce the amount of ground floor transparent glazing is suitable for the site context, and the development maintains the intent by providing active entrance for the residential and commercial uses. Given the property does not front onto Richmond Road, the ground floor design is appropriate for Winston Avenue. The Zoning By-law amendment is recommended for approval.

DISPOSITION

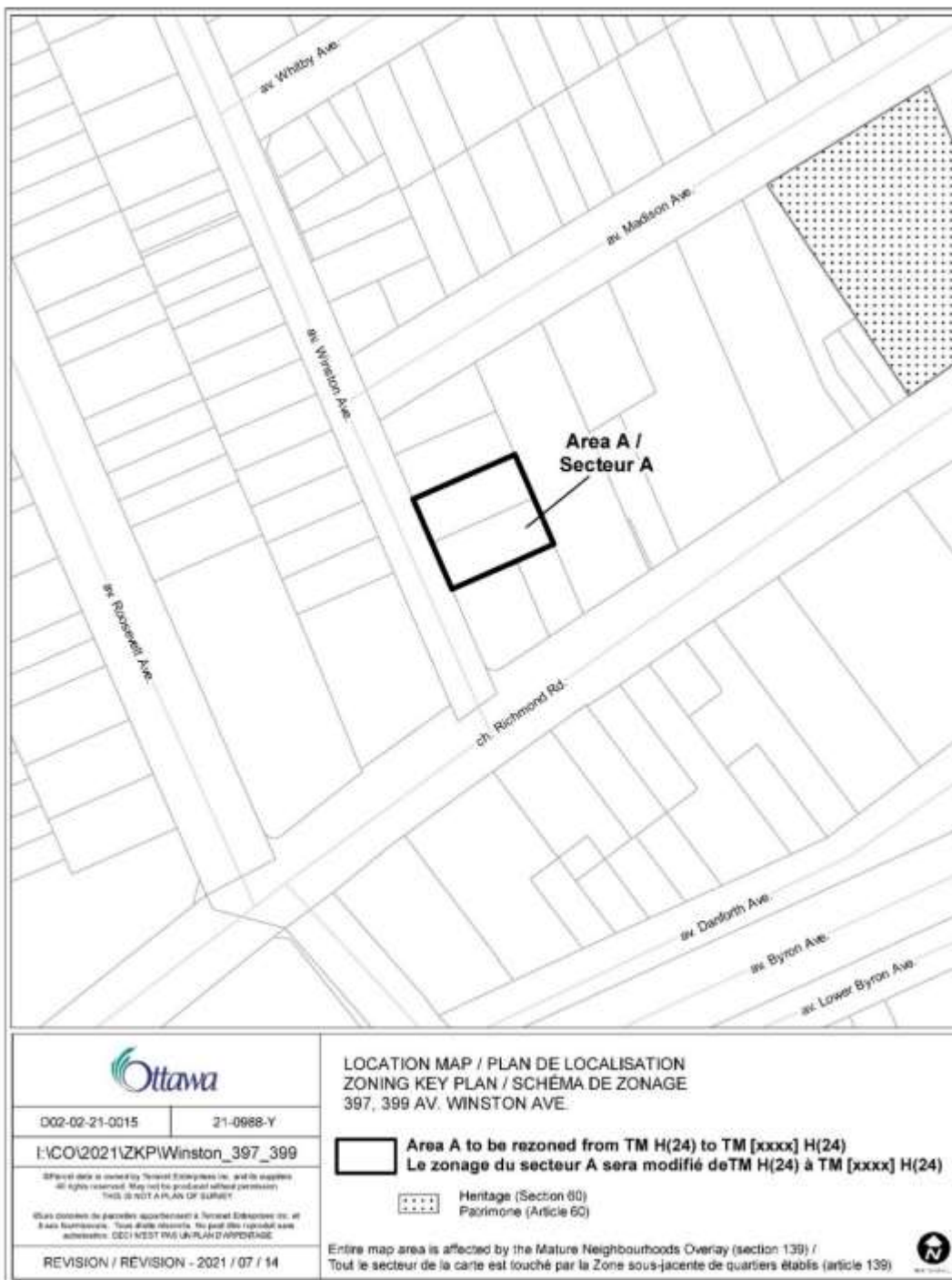
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

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



Document 2 – Detail of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 397 and 399 Winston Avenue are as follows:

1. Rezone the lands as shown in Document 1, from TM H(24) to TM [xxxx] H(24):
2. 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] H(24)
 - b. In Column V, add the provision “Despite Section 197 (1)(c), a minimum of 28% of the ground floor façade facing the main street, measured from the average grade to a height of 4.5 metres, must comprise transparent windows and active entrances.

Document 3 – 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 community information session on March 30, 2021 during the initial comment period. The meeting, held virtually, was attended by approximately 20 members of the public. The applicant presented an overview of the proposal and responded to audience questions. Majority of the time focused on questions from members of the public. Staff attended the meeting to field questions on process and next steps.

During the application review approximately 10 individuals/groups provided comments. Concerns raised were focused on the increased density in the neighbourhood, traffic, and parking constraints, and building and streetscape design.

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:

Density

- Yet even more large buildings being packed into Westboro and neighbouring areas.
- This particular area (Winston) is suited for commercial shops, townhouses. This proposal is not appropriate for our neighbourhood.
- Winston Ave is not the typical traditional mainstreet.

Response:

The height and density proposed are permitted by the existing zoning and do not form part of the zoning amendment being sought. Furthermore, the height and scale of the building conforms 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, and demonstrate by the current, permit the proposed height and density.

Traffic / Parking and Noise

- Whitby and Madison already see significant traffic and parking infractions. As Winston is a dead end, we can expect these issues to increase if this plan proceeds.
- The street will not be able to accommodate intensive bi-directional traffic caused by the development.
- There is no street parking available nearby. With lack of parking spaces, people will constantly violate the parking rate creating risk of for everyone living on the street.
- Concerned regarding issues of undue traffic, undue noise, that continue to interfere with the quiet enjoyment of residential life
- We do not feel that the number of parking spots will support the number of units. This means that residents will be looking outside the building to park their cars.

Response:

The proposed parking, which includes 15 residents parking spaces, and three visitor spaces complies with the requirements of the Zoning By-law. The Official Plan encourages intensification and development where there are opportunities to support alternative modes of travel from the car. The site is located within 600 metres from two transit stations 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.

Architecture / Streetscape

- Winston Square must be protected, it is a “gem”.
- It isn't fair to compare Winston to Richmond Road but should a TM zoned development be able to accommodate a two metre wide sidewalk and some very basic streetscape like a tree or two or some greenery?

- Winston Ave. is a quaint street with character. A seven-story building will be aesthetically unappealing and will take away the charm of our street.
- The balcony treatments intending to provide privacy make the building stand-out more and defeat the intent of the step-back.

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 balconies and building materiality resulted in further design improvement.

The design allows for a 2.0-metre wide sidewalk, which will be improved during the construction of this business. Final building elevations and frontage design, such as the sidewalk treatment and relation with Winston Square will be detailed through the review and approval of the Site Plan application.

Servicing / Infrastructure

- I feel adding a third commercial site would further compromise the residential nature of the neighbourhood that is already unduly burdened by the heavy traffic of tradesmen daily servicing the two existing businesses.
- Is the sewer line large enough to handle the increased usage that intensification brings?
- I do have a real concern that the street width of 40 feet on Winston is not consistent with TM zoning along streets like Richmond, Wellington, Somerset or Preston that have a width of 66 feet.

Response:

Residential and commercial uses are permitted by the existing zoning, and mixed-use development is encouraged by the OP and Secondary Plan. The infrastructure, such as water, sewer and storm will continue to be reviewed through the Site Plan application, however, staff are satisfied with the submission material that the existing infrastructure has sufficient capacity to support this development. Winston Avenue is a local road and the right of way width is appropriate for the context despite the subject property being

zoned Traditional Mainstreet. As noted above, the Site Plan approval will result in a new sidewalk and pedestrian pathway at least 2.0 metres in width.

COMMUNITY ORGANIZATION COMMENTS AND RESPONSES

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

Document 4 – Urban Design Review Panel: Recommendations

Formal Review – April 9, 2021

397 and 399 WINSTON AVENUE | Formal Review | Site Plan Control Application | Jianbin (Jimmy) Wang, DOLYN Construction Ltd., GRC Architects; NOVATECH; GJA Inc.

Summary

- The Panel thanked the proponent for their presentation and appreciated the context renderings showing how the area might develop in the future.
- The Panel believes the development will set a precedent and should be an example of design excellence for secondary streets zoned Traditional Mainstreet.
- The Panel expressed concerns with the architectural expression facing Richmond Road, the podium treatment, the building's relationship with the adjacent residential dwellings, and the liveability of units. Recommendations were made to address these concerns.

Context

- The site's location provides a great opportunity to create a project that is an intimate scale and sensitive to the adjacent residential zone. The proponent should balance the existing and planned function of the area and provide a transition to the surrounding residential area, as it might take time before the surrounding lots develop.

Massing and Building Design

- Further studies of the podium are necessary as the building's 3:4 ratio is not ideal. A two-storey podium and a setback of 6 metres from the lot line, at the third storey and above, will improve the building's proportions and its compatibility with the existing residential context across the street.
- The balconies add bulk to the building's mass. The Panel believes that removing the folded box expression and simplifying the balcony treatment will reduce its impact on the public realm and improve the massing.
- The vertical "zippers" on both the north and south elevations make the building appear heavy. The Panel recommends removing the vertical balcony folds to

lighten the overall expression. The yellow façade treatment at the balcony corners could be redesigned as a window treatment to soften the building's corner expression and provide a neighbourhood view from the units.

- The Panel believes the lightwell and stairwell conditions can be improved by increasing the side yard setback, recessing the corridor, and re-orienting the bedroom windows to expand the lightwell's depth.
- The Panel has concerns with the blank sidewall treatment of the building, given the long views to it from the surrounding neighbourhood and main street. One option to consider would be a public art treatment

Site Plan

- The Panel considers the proposed 3-metre setback appropriate, should the adjacent lot also provide a similar setback. However, the Panel cautions this assumption and encourages the proponent to provide a greater setback and increase the glazing to futureproof the units.
- The Panel suggests stepping back the upper floors by an additional 3 metres to provide more liveability for the rear units, to improve the quality of the rear yard and to reduce the shadow impacts on adjacent properties.
- The commercial unit at the rear might not be viable. The proponent should consider removing the rear commercial unit, expanding the residential lobby into the rear commercial unit, and providing one commercial unit facing the street with appropriate size. The Panel suggests using landscaping and signage to make the commercial unit more welcoming and attractive.

Materiality

- The Panel appreciates the efforts to articulate the podium; however, the treatment does not have a consistent rhythm. The proponent should carefully study how the proposed materials can unify the building's design to distinguish between residential and commercial uses.
- Warmer tones of brick for the lower levels and lighter colour materials for the upper levels will better integrate the building into the neighbourhood context.
- Carefully consider the brick and cement panel interface treatment.

Public Realm

- The Panel appreciates the extension of the Winston Square materials and suggests the proponent incorporate some of the existing streetscape elements as well, for example, the vertical steel frames and vines.