

4. ZONING BY-LAW AMENDMENT – 398, 402, AND 406 ROOSEVELT AVENUE

MODIFICATION AU RÈGLEMENT DE ZONAGE – 398, 402, ET 406, AVENUE ROOSEVELT

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

That Council approve:

1. an amendment to Zoning By-law 2008-250 for 398, 402 and 406 Roosevelt Avenue to permit a five storey mixed use building as detailed in Document 2, as amended by the following:
  - a. amend Document 2, recommendation 2, subsection c, by:
    - i. deleting the words “five” and “fifth” and inserting the word “four” and “fourth” in the following paragraph:

“Where the building height is greater than five storeys, at or above the fifth storey the building must be setback a minimum of 2m more than the provided setback from the rear lot line; and,
    - ii. amending the words “maximum of six storeys is permitted” to read “maximum of five storeys is permitted”
2. that the Westboro Community Association comments dated March 15, 2018 be included as part of Document 3 – Consultation Details of report ACS2018-PIE-PS-0058; and,
3. that there be no further notice pursuant to Subsection 34 (17) of the *Planning Act*.

### **RECOMMANDATIONS DU COMITÉ, TELLES QUE MODIFIÉES**

Que le Conseil approuve :

1. une modification au Règlement de zonage 2008-250 visant les 398, 402 et 406, avenue Roosevelt, afin de permettre la construction d'un immeuble polyvalent de cinq étages, comme l'expose en détail le document 2, dans sa version modifiée par ce qui suit :
  - a. modifier l'alinéa c) de la recommandation 2 du Document 2 par ce qui suit :
    - i. en remplaçant respectivement les mots « cinq » et « cinquième » par « quatre » et « quatrième » :  
« Si la hauteur du bâtiment est supérieure à quatre étages, le retrait du bâtiment doit être, à partir du quatrième étage, supérieur d'au moins deux mètres à celui prévu depuis la ligne de lot arrière »;
    - ii. en remplaçant « six » par « cinq » : « un maximum de cinq étages est permis ».
2. l'ajout des commentaires de la Westboro Community Association du 15 mars 2018 au document 3 – Détails de la consultation (rapport ACS2018-PIE-PS-0058); et
3. qu'aucun nouvel avis ne soit donné en vertu du paragraphe 34(17) de la Loi sur l'aménagement du territoire.

### **DOCUMENTATION/DOCUMENTATION**

1. Addendum to Document 3, Consultation Details - Westboro Community Association comments dated March 15, 2018

L'addendum au Document 3, Détails de la consultation - des commentaires de la Westboro Community Association du 15 mars 2018

2. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 7 May 2018 (ACS2018-PIE-PS-0058)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 7 mai 2018 (ACS2018-PIE-PS-0058)

3. Extract of draft Minutes, Planning Committee, 22 May 2018

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 22 mai 2018

4. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 27 June 2018, in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council meeting of 13 June 2018".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 27 juin 2018 du Conseil, dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73, à la réunion du Conseil municipal prévue le 13 juin 2018 ».

Addendum to Document 3 - Westboro Community Association comments



March 15, 2018

**Re: 398 – 406 Roosevelt Avenue (D02-02-17-0125 or D07-12-17-0171)**

The Westboro Community Association (WCA) supports thoughtful development which balances the need for intensification with the preservation of the environment, green space, affordability, our built heritage, and the walkability of our neighbourhoods. Accordingly, the Community Association is opposed to the rezoning of the above noted site for the following reasons:

1. This application will continue the pattern already evident in our community of “site by site rezoning”. We would like to see a solid plan for development in our community and zoning as per the plan.
2. This application would allow Traditional Main Street zoning to impinge on the immediate residential neighbourhood currently comprising low-density one-and two-storey detached and semi-detached dwellings. We were perplexed by the suggestion that this would be an *extension* of the Traditional Main Street zoning from the corner of Richmond Road, since the properties proposed for development are not *on* the corner (i.e., a parking lot is on the corner of Richmond and Roosevelt.) A six-storey building on this site would not allow for an area of transition to the abutting neighbourhood. In addition to looming over adjacent properties and casting sun shadows, immediate neighbours would have to contend with the noise and exhaust of the proposed surface parking lot to the rear of the building and the 24 hour operation of the garage door leading to the underground parking. Potential noise from the building’s mechanical systems and excess lighting will also be a concern.
3. The traffic impact will be enormous. Roosevelt north of Richmond is a dead-end. It is already subject to noise and fumes from the sizable transport trucks that make deliveries to the commercial sites on Richmond Road, the frustrations of kiss-and-ride drivers trying to find the transit way, cuts through the PharmaSave parking lot to avoid Richmond traffic lights, and all-day circling as shoppers seek free on-street parking. Many of the residents on this stretch of Roosevelt are already afraid to have their children play in their front yards due to the number of drivers who miss the dead end sign, then zoom into their driveways as turnaround zones. The traffic impact will not be

limited to Roosevelt, but will affect all potential access routes to the site, including other residential streets leading to Dominion Station (Berkeley, Tay, Dominion), as well as Richmond Road, Golden, Churchill, and Roosevelt south of Richmond.

4. Everyday operation of a mixed-use building of this size would pose problems with access for services. Where will deliveries be made to the commercial units? Where will moving vans park for the residential units? Canada Post and Purolator? How many times a week will private waste removal trucks rumble through? All of these problems are already evident on this tiny residential street, as they are for the majority of neighbourhoods in Westboro with heavy infill.

5. The infrastructure in this neighbourhood, as in many Westboro neighbourhoods, is incapable of supporting this development. The roads are crumbling under the pressures of intensification and we are already subject to flooding.

6. This building would occupy space that might otherwise be devoted to greenery. The loss of trees in our community in general, and in this neighbourhood in particular, has proceeded at an astounding rate. The implications are long-term in terms of the livability of our streets, the environment, and the stresses on the city's infrastructure.

7. A second high-density building is simultaneously being proposed for the north end of Roosevelt. All of the above problems would be exacerbated in the context of two buildings of this intensity going forward on this small street.

In spite of our objections to locating this building on this particular site, the Community Association would like to note that we found this to be a very attractive design and in keeping with the character of our community. We appreciated the efforts made by this developer to include design elements that recognized the heritage of our community (gooseneck lighting, warm brick façade), and captured Westboro's "village" feel. This is the type of structure we would love to see on Richmond Road. But not on Roosevelt!

Feel free to contact us should you wish to discuss. Please advise us on your decision regarding this application.

Regards,  
Karen Johnson,  
Vice-Chair, Westboro Community Association

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
22 May 2018 / 22 mai 2018**

**and Council  
et au Conseil  
13 June 2018 / 13 juin 2018**

**Submitted on 7 May 2018  
Soumis le 7 mai 2018**

**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**

**Contact Person / Personne ressource:  
Kersten Nitsche, Planner II / Urbaniste II, Development Review Central / Examen  
des demandes d'aménagement centrale  
(613) 580-2424, 16616, kersten.nitsche@ottawa.ca**

**Ward: KITCHISSIPPI (15)**

**File Number: ACS2018-PIE-PS-0058**

**SUBJECT: Zoning By-law Amendment – 398, 402, and 406 Roosevelt Avenue**

**OBJET: Modification au Règlement de Zonage – 398, 402, et 406, avenue  
Roosevelt**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 398, 402 and 406 Roosevelt Avenue to permit a six storey mixed use building as detailed in Document 2.**

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 13 June 2018," subject to submissions received between the publication of this report and the time of Council's decision.

## **RECOMMANDATIONS DU RAPPORT**

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant les 398, 402 et 406, avenue Roosevelt, afin de permettre la construction d'un immeuble polyvalent de six 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 de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 , à la réunion du Conseil municipal prévue le 13 juin 2018», 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**

### **Assumption and Analysis**

The development of a six-storey mixed use building is proposed on the site. Limited commercial uses are proposed to be located on the first and second storeys with 35 dwelling units to be located on the upper four floors. Surface parking for the commercial uses and residential visitors is to be provided at-grade at the rear of the building, with underground parking provided for the dwelling units. As part of the site redevelopment, enhancement of the public realm is proposed through extension of the sidewalk along the site's frontage, installation of public bicycle parking, shrub and tree plantings, and street furniture.

The Zoning By-law amendment recommends to rezone the site to Residential Fifth Density with site-specific provisions to permit limited commercial uses, and to address zoning provisions related to yard setbacks, building height transitions, parking, and location of commercial uses.

Staff is satisfied that the proposed amendments are consistent with the policies of the Official Plan. The development will allow for residential intensification that provides locally-oriented commercial uses within a building form that is compatible and sensitive to the existing residential neighbourhood context.

#### **Public Consultation/Input**

One public meeting was held in the community on February 20, 2018 at the Churchill Senior's Centre at 345 Richmond Road. Approximately 50 residents were in attendance for a presentation by the applicant team followed by a question and answer period. In addition, a total of 67 residents submitted comments during the circulation period for the application. Of these residents, all were opposed to the proposed development, with height and traffic impacts being the main concerns.

### **RÉSUMÉ**

#### **Hypothèse et analyse**

La construction d'un immeuble polyvalent de six étages est proposée sur l'emplacement visé. Des commerces en nombre limité occuperaient les deux premiers étages et 35 logements seraient aménagés aux quatre étages supérieurs. Une aire de stationnement de surface, destinée aux utilisations commerciales et aux visiteurs des unités d'habitation, serait aménagée au niveau du sol, à l'arrière de l'immeuble, et une aire de stationnement souterraine serait aménagée pour les occupants des logements. Dans le cadre du réaménagement de l'emplacement, la mise en valeur du domaine public est proposée grâce au prolongement du trottoir longeant la façade, à l'aménagement d'une aire de stationnement pour vélos, à la plantation d'arbustes et d'arbres et à l'installation d'éléments de mobilier urbain.

La modification au Règlement de zonage recommande d'attribuer à l'emplacement une désignation de Zone résidentielle de densité 5 assortie de dispositions propres à l'emplacement, afin de permettre la présence de certaines utilisations commerciales et de tenir compte de dispositions de zonage associées aux retraits de cour, aux transitions de hauteur, au stationnement et à l'emplacement des utilisations commerciales.



Le personnel estime que les modifications proposées sont conformes aux politiques du Plan officiel. L'aménagement permettra une densification résidentielle associée à des utilisations commerciales locales, dans une forme bâtie compatible avec le contexte résidentiel environnant et adaptée à ce contexte.

#### **Consultation du public et commentaires**

Une réunion publique a été organisée le 20 février 2018 au Centre pour aînés Churchill, situé au 345, chemin Richmond. Une cinquantaine de résidents ont pu assister à une présentation proposée par le requérant, qui a été suivie d'une période de question. De plus, 67 résidents ont soumis des commentaires au cours de la période de diffusion prévue pour cette demande. Tous ces résidents, surtout préoccupés par la hauteur de l'immeuble et les répercussions sur la circulation, se sont dits opposés à ce projet.

#### **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**

398, 402 and 406 Roosevelt Avenue

#### **Owner**

Domicile Developments Inc.

#### **Applicant**

Domicile Developments Inc., Attn: David Renfroe

#### **Architect**

Alcaide Webster Architects Inc.

#### **Description of site and surroundings**

The site is located on the west side of Roosevelt Avenue between Richmond Road to the south and the transitway to the north. Approximately 49 metres of frontage is provided along Roosevelt Avenue and the overall area of the site is approximately 1365 square metres. The site is currently occupied by three two-storey single-detached

dwellings. To the north along Roosevelt Avenue and to the northeast, is a low-density residential neighbourhood comprised primarily of one and two storey single-detached and semi-detached dwellings. Immediately across the street on the east side of Roosevelt Avenue is a two-storey funeral home with surface parking. On the south side of the site is the Richmond Road Traditional Mainstreet with a variety of mixed-use buildings ranging from two to eight storeys. To the west along Berkley Avenue is a low-to medium-density residential neighbourhood ranging from one storey single-detached dwellings to three-storey townhouse dwellings, which transitions into a high-density residential neighbourhood with high-rise buildings further to the west. The Dominion rapid-transit station is located approximately 450 metres walking distance to the northwest of the site.

### **Proposed Development**

The development of a six-storey mixed use building is proposed on the site. Limited commercial uses (as described in Document 2) are to be located on the first and second storeys with 35 dwelling units to be located on the upper four floors. Surface parking for the commercial uses and residential visitors is to be provided at-grade at the rear of the building, with underground parking provided for the dwelling units. As part of the site redevelopment, enhancement of the public realm is proposed through extension of the sidewalk along the site's frontage, installation of public bicycle parking, shrub and tree plantings, and street furniture.

### **Summary of requested Zoning By-law amendment proposal**

The site is currently zoned Residential Third Density, Subzone S (R3S), which permits a maximum of three storeys and does not permit commercial development. In order to develop the site for the proposed six storey mixed use building, the applicant submitted a Zoning By-law amendment to rezone the site to Traditional Mainstreet (TM) with site-specific provisions for setbacks, height, and parking.

In review of the requested rezoning, staff is of the opinion that a Residential Fifth Density (R5) residential zone that permits a six storey building with site-specific provisions to permit limited commercial development is more appropriate as recommended and discussed herein.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. One public meeting was held in the community on February 20, 2018 at the Churchill Senior's Centre at 345 Richmond Road. Approximately 50 residents were in attendance for a presentation by the applicant team followed by a question and answer period. In addition, a total of 67 residents submitted comments during the circulation period for the application. Of these residents, all were opposed to the proposed development, with height and traffic impacts being the main concerns.

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

### **Official Plan designation**

#### **Official Plan Amendment 150**

Official Plan Amendment 150 (OPA 150) was approved by Council in 2013. The application was reviewed with respect to OPA 150, but does not rely on any of the amendments introduced by OPA 150.

#### **Section 2.2.2 – Managing Growth Within the Urban Area**

Directs where growth will occur within Ottawa and identifies target areas for intensification. Policies within this section support the opportunity for intensification within the General Urban Area where the site is within 600 metres of a rapid-transit station and where the development is compatible with the established neighbourhood.

#### **Section 2.5.1 – Urban Design and Compatibility**

Tools and design objectives for new development are provided in Section 2.5.1 to guide compatibility and a high quality of design. These design objectives include enhancing the sense of community; defining quality public and private spaces through development; ensuring that new development respects the character of existing areas; and considering the adaptability and diversity of places that can adapt and evolve easily over time.

#### **Section 3.6.1 – General Urban Area**

The site is designated General Urban Area pursuant to Schedule B of the Official Plan.

The policies for the General Urban Area permit a variety of uses, including all types of densities of housing, as well as commercial uses. Residential intensification is directed to relate to existing community character and contribute to a balance of housing types. Locally-oriented service uses that complement the residential neighbourhood are directed to be compatible, to provide direct access for pedestrians and cyclists from adjacent residential areas and to be of a size and scale that does not attract large volumes of vehicular traffic from outside the immediate area.

#### **Section 4.11 – Urban Design and Compatibility**

New development is reviewed and evaluated using the policies of Section 4.11, which address urban design and compatibility. These aspects of urban design and compatibility include building profile and height, potential impacts, building transitions, and intensification within established neighbourhoods. The purpose of reviewing these design aspects is to ensure that new development is sensitive and compatible to the existing context while providing appropriate transitions between densities and land uses.

#### **Other applicable policies and guidelines**

##### **Richmond Road/Westboro Secondary Plan**

The site is located within the planning area for the Richmond Road/Westboro Secondary Plan. Objectives for the planning area address intensification, the green space network, and distinctive neighbourhoods. The objective for intensification includes a number of principles that speak directly to development that is compatible with and provides appropriate transition to established residential neighbourhoods. Policies on land use and maximum building height ranges are provided for each sector of the planning area. The site is located within Sector 5 – Westboro Village, which directs development to provide mixed-use buildings generally in the range of four to six storeys, locate buildings close to the street, and reinforce the existing Traditional Mainstreet character.

##### **Transit-Oriented Development Guidelines**

The Transit-Oriented Development guidelines are used to provide direction during the review process for development applications where the development is within a 600 metre walking distance of a rapid transit stop. These guidelines address aspects of development such as land use, layout, built form, and streetscape. Transit supportive land uses such as restaurants, offices, and apartments are encouraged and are to

create a transition in scale between the station and the surrounding community. The guidelines also include direction to provide pedestrian connections and to design ground floors to be appealing to pedestrians.

### **Urban Design Review Panel**

The site is not located within a Design Priority Area. As the requested rezoning of the site was to a Traditional Mainstreet zone, however, and the rationale for this request included the adjacent Richmond Road Traditional Mainstreet, the applicant presented their proposal to the Urban Design Review Panel (UDRP) at a formal review meeting, which was open to the public, on February 28, 2018.

A full list of the panel's recommendations is found in Document 4. In summary, the recommendations were to:

- Provide better transition to the surrounding neighbourhood through building setbacks and stepbacks;
- Improve the corner condition to better relate to the Richmond Road Traditional Mainstreet;
- Explore options for reducing the points of vehicular access; and
- Provide a more cohesive architectural language.

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

- Removal of fifth storey massing on the north end and increased stepback to sixth storey portion, to provide a four storey sideyard condition adjacent to the R3 zone;
- Increased northern interior side yard abutting the R3 zone;
- Introduction of southeast corner feature to provide pedestrian-level activity and transition from Richmond Road;
- Separation of vehicular driveways to increase pedestrian safety and to better incorporate public realm improvements; and
- Refinement of architectural detail and materials.

The following recommendations were not implemented:

- A reduction in overall height and number of storeys was not incorporated into the revised plans as staff are satisfied that the applicant's revision to increase the

building setback and provide a seven metre setback at the fourth storey on the north end is appropriate with respect to the Official Plan's compatibility and intensification policies; and

- The number of driveways was not reduced as the applicant wants to maintain surface parking spaces for the proposed commercial uses and visitor parking spaces.

### **Planning Rationale**

#### **Provincial Policy Statement**

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

#### **Conformity with Official Plan**

The proposed development is consistent with the policies of the Official Plan and the Richmond Road/Westboro Secondary Plan by providing a mixed use building that supports transit while providing sensitive and compatible intensification.

The built form of the building includes four storeys on the northern end of the building adjacent to the existing Residential Third Density zone, which creates a sensitive side yard condition between compatible building heights. Further transition to the existing residential neighbourhood is provided through a 7.5 metre rear yard setback and inset balconies. The building transitions from four storeys to six storeys at the southern end of the building adjacent to the Richmond Road Traditional Mainstreet. This height is compatible with the policy direction and planned context for this section of Roosevelt Avenue as the site across the street, which extends north approximately 73 metres, is designated and zoned for Traditional Mainstreet uses and heights, which permit up to six storeys. Furthermore, six storeys is within the permitted height range for the General Urban Area and the four to six storey height range permitted within Sector 5 – Westboro Village of the Westboro/Richmond Road Secondary Plan.

Transition and compatibility is further provided by limiting the permitted commercial uses to those that draw from and serve the immediate neighbourhood and that can be easily accessed by walking, cycling, or transit. The proposed commercial uses will be limited to only the first and second storey of a mixed use building to ensure that residential development is the predominant use on the site. Limiting commercial uses to the lower storeys will also ensure adaptability of the building for appropriate uses as the neighbourhood evolves.

Transit usage is supported as the development is within 450 metres of the Dominion rapid-transit station, which will be converted for light rail transit by 2023. Locating close to a transit station, as well as a Traditional Mainstreet, increases housing opportunities for residents who rely on alternative transportation modes. The proposed development also supports the Transit-Oriented Development Guidelines by providing new housing options together with pedestrian-friendly and locally-oriented commercial uses. The new mixed use building will be easily accessible from the rapid-transit network and will improve the pedestrian realm by extending the sidewalk, providing public bicycle parking, and providing street furniture. The building meets a number of the guidelines including the provision of active pedestrian uses, higher density housing, building transition and height stepbacks, underground parking, architectural variety, and streetscape improvements.

## **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

## **COMMENTS BY THE WARD COUNCILLOR**

The following comments were provided by Councillor Leiper:

“Recently, the planning department undertook to develop a review of the Westboro/Richmond Road secondary plan for the new term of Council. In light of the proposal now before Council, that cannot come soon enough.

In recent years, that secondary plan has begun showing its age. It provides little guidance or certainty in the face of the arrival of LRT to Westboro and new Official Plan provisions for intensification near transit. Without neighbourhood-level planning granularity, residents in a broad swath of Westboro roughly comprising Island Park to Golden, Byron to the Transitway are left to wonder what this Council might approve in their neighbourhoods.

It's unfair.

The proposal before Council seeks to put a traditional mainstreet building deep into a residential, R3 neighbourhood. The street has been hitherto characterized by what planners call “gentle” intensification – a steady march of infills that has transformed the streetscape.

It is understandable that, given the R3 zoning in place, residents have expected that to continue. The traditional mainstreet zoning that would allow six-storey buildings is

clearly delineated in the zoning by-law where it makes the most intuitive sense: along Richmond Road.

There should be no mistake: a six-storey building with commercial uses at grade would, most residents would agree, be of the type normally found on our traditional mainstreets. Our zoning by-law specifically contemplates this kind of development along streets such as Richmond and Bank and Beechwood. Few residents of Ottawa would expect to see a building of the type proposed anywhere but one of our commercial strips.

According to the zoning by-law, these kinds of mixed use buildings are encouraged to result in:

- accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses, including mixed-use buildings but excluding auto-related uses, in areas designated **Traditional Mainstreet** in the Official Plan;
- foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, transit and automobile;
- recognize the function of Business Improvement Areas as primary business or shopping areas; and
- impose development standards that will ensure that street continuity, scale and character is maintained, and that the uses are compatible and complement surrounding land uses.

The proposal now before us faces Roosevelt, an R3 street. There should be no question of it becoming a commercial strip or extension of the Richmond traditional mainstreet. Residents have invested in the street on the basis of the zoning in place, and at no point has Council indicated that it will be permitted to develop as an extension of Richmond.

Residents of Roosevelt are already struggling with an often-chaotic traffic situation on their dead end, a road desperately in need of repair after years of servicing cuts (with no funding apparently on the horizon), a proposed new four-storey apartment building at the other end of their street, and the eventual re-development of the Fendor site. The changes have been largely accomplished as one-offs, with each new approval setting a new bar for intensity on this residential street.



Recently, Council approved new zoning at 404 Eden to put an R4-type apartment building on an R3 street. There are proposals percolating for other parcels on the residential streets, and more will follow. At no point has City Council voted, transparently and after consultation with residents, to essentially see the low-rise nature of Westboro's residential streets between Byron and the Transitway transformed into apartment blocks.

Approving a six-storey, mixed-use building on a residential street (even under the guise of it being an R5) would set a new bar that will certainly be looked to as developers assemble parcels on streets like Wilmont and Clifton and Edgewood. It will signal Council's willingness to treat those streets as R4 and R5 and TM zones without ever having told residents that that's the plan.

I ask colleagues to reject this proposal for the sake of transparency, fairness, and the orderly development of a neighbourhood under intense pressure."

### **LEGAL IMPLICATIONS**

In accordance with Bill 139, if the proposed zoning by-law is adopted, it can only be appealed on the basis of inconsistency with the Provincial Policy Statement or lack of conformity with the official plan. Were the zoning by-law appealed, the preparation of the necessary documentation for the Local Planning Appeal Tribunal and the making of submissions to the Tribunal could be done within staff resources.

If the zoning amendment is refused, reasons must be provided. Due to the limited timeframes now associated with Local Planning Appeal Tribunal matters, the City Clerk and Solicitor Department would seek to retain an external planner to provide an affidavit in support of the refusal for the initial Tribunal review of the item should an appeal of the refusal be forthcoming. For an appeal of a refusal of a zoning application to succeed, the appellant must show that the existing zoning is inconsistent with the Provincial Policy Statement and/or does not conform to the Official Plan.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with this report.

### **ASSET MANAGEMENT IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **ACCESSIBILITY IMPACTS**

Accessibility of a proposed development is reviewed in detail at the site plan stage, including review as per requirements of the *Accessibility for Ontarians with Disabilities Act*. Additionally, any new development is required to meet the accessibility criteria contained within the Ontario Building Code.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

EP2 – Support growth of local economy

TM3 – Integrate the rapid transit and transit priority network into the community

ES1 – Support an environmental sustainable Ottawa

## **APPLICATION PROCESS TIMELINE STATUS**

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the resolution of issues identified through the circulation and review phase.

## **SUPPORTING DOCUMENTATION**

Document 1    Location Map

Document 2    Details of Recommended Zoning

Document 3    Consultation Details

Document 4    Urban Design Review Panel Recommendations February 28, 2018

Document 5    Concept Plans

## **CONCLUSION**

In conclusion, staff is supportive of the proposed development and uses for the site as they will allow for residential intensification that provides locally-oriented commercial uses within a building form that is compatible and sensitive to the existing residential neighbourhood context. Furthermore, the increased residential density proposed by the development supports the existing rapid-transit and future light rail transit network that is within walking distance of the site. The development represents good planning in a building format that provides appropriate transition with respect to built form and permitted uses.

## **DISPOSITION**

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

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

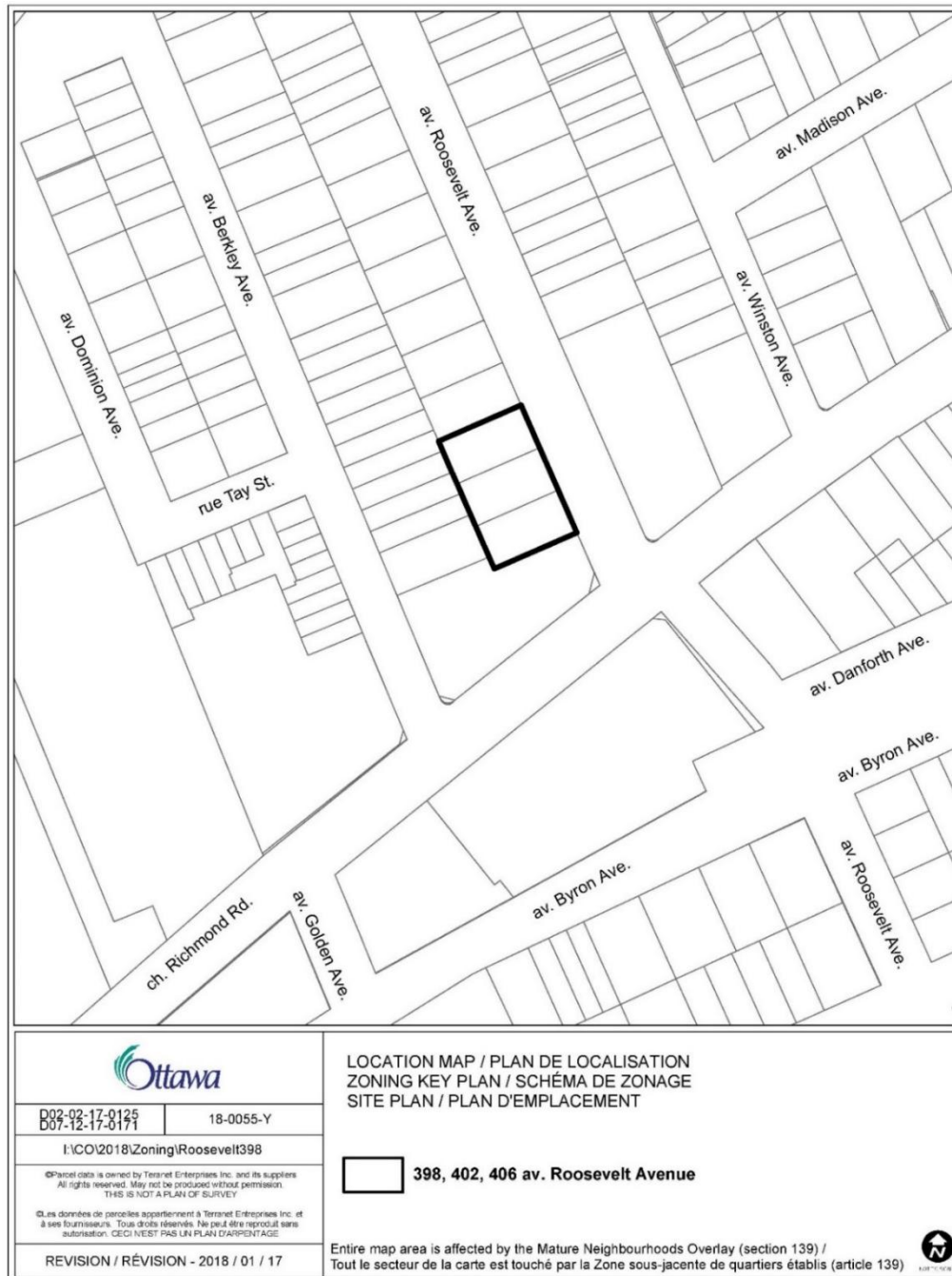
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

## Document 1 – Location Map

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

The site is located at 398, 402, and 406 Roosevelt Avenue to the north of Richmond Road and south of the transitway.



## **Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 398, 402, and 406 Roosevelt Avenue:

1. Rezone the lands shown in Document 1 from R3S to R5B [XXX1] H(21).
2. Add a new exception [XXX1] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
  - a. In Column II, add the text R5B [XXX1] H(21); and
  - b. In Column III, add the following as additional permitted uses:
    - Artist studio
    - Instructional facility
    - Medical facility
    - Office
    - Personal service business
    - Restaurant
    - Retail food store
    - Retail store
  - c. In Column V, add the text:
    - The additional permitted uses are only permitted within the first and second storey of a mixed use building;
    - The maximum cumulative gross floor area for the additional permitted uses is 500m<sup>2</sup>;
    - Despite Sections 106(1) and (3), 40% of parking spaces located within a parking garage, other than parallel parking spaces, may be reduced in width to 2.4m;
    - Section 106(4) does not apply;

- Notwithstanding 107(1), the minimum required width of a driveway providing access to a parking garage is 4.5m for a double traffic lane;
- Despite Section 107(1)(c), the minimum required width of an aisle providing access to parking spaces with an angle of parking from 56 to 90 degrees located within a parking garage is 5.2m;
- Section 163(9) does not apply to a mixed use building;
- Notwithstanding Section 163(6) and Table 164A, the following subzone provisions apply:
  - i. Minimum northern interior side yard setback for a mixed use building and apartment dwelling mid-rise: 1.5m;
  - ii. Minimum southern interior side yard setback for a mixed use building and apartment dwelling mid-rise: 0.5m; and
  - iii. Minimum front yard setback: 0m.
- Endnotes 11 and 31 in Table 164B do not apply;
- Sub-sections 163(11) and (12) do not apply;
- Where the building height is greater than four storeys, at and above the fourth storey the building must be setback a minimum of 7m more than the provided setback from the northern interior side lot line;
- Where the building height is greater than two storeys, at and above the second storey the building must be setback a minimum of 2.5m more than the provided setback from the front lot line;
- Where the building height is greater than five storeys, at and above the fifth storey the building must be setback a minimum of 2m more than the provided setback from the rear lot line;
- Despite Table 113A, a loading space is not required for the additional permitted uses;
- A maximum of six storeys is permitted;
- A roof-top landscaped area, garden, or terrace is not permitted on the uppermost storey;

- A roof-top landscaped area, garden, or terrace must be setback a minimum of 4m from the norther interior side lot line;
- Despite Sub-section (6) of Table 65, a balcony is not permitted to project into the required rear yard setback;
- A parapet is not permitted to project more than 0.3m above the maximum building height;
- Communal amenity space is not required for any use. If communal amenity space is provided, it is not permitted to be located on a roof-top; and
- Despite Table 65(8)(a), an air conditioner condenser, heat pump or similar equipment may project up to 0.2m from a lot line.

### **Document 3 – Consultation Details**

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. One public meeting was held in the community on February 20, 2018 at the Churchill Senior's Centre at 345 Richmond Road. Approximately 50 residents were in attendance for a presentation by the applicant team followed by a question and answer period.

A total of 67 residents submitted comments to the City regarding the proposed development and associated development applications. Of these residents, all were opposed to the proposed development, with height and traffic impacts being the main concerns. The comments submitted to the City are summarized below.

**1. Height and Transition:**

- a) A resident provided a comment that they feel it doesn't meet the policies or principles of the Secondary Plan, which encourages "Providing appropriate setbacks and transition in building heights, including lower heights along the edges of existing low-rise residential areas", respecting a "transition in building scale and density and compatibility of land use from Richmond Road to the Ottawa River Parkway in a north-south direction".

Staff response: Staff is of the opinion that the transition from six storeys adjacent to the Richmond Road Traditional Mainstreet to four storeys adjacent to the Residential Third Density zone provides appropriate transition in built form. Consideration must also be given to the planned context for the interior of Roosevelt Avenue, which is three storeys.

- b) Residents are concerned about overlook into their yards and lack of privacy caused by a six storey building.

Staff response: Staff is of the opinion that the building design mitigates these concerns by providing a 7.5 metre rear yard setback, which is common in residential zones, and balconies that are inset within the building façade.

- c) Residents are concerned that the proposed development height exceeds the three-storey limit as per current zoning as many residents moved and invested into the area due to the maximum three-storey zoning.

Staff response: Staff have reviewed the proposed development with regard to the Official Plan policies and have determined that the development is



consistent with the policies regarding height, compatibility and transition.

- d) Residents are concerned about additional building features beyond the proposed six storeys, including air condition condenser units, elevator shaft protrusion, possibly antennas and possible water storage facilities. They feel that this, in effect, constitutes a seventh floor height.

Staff response: Projections are permitted above the height limit provided they comply with provisions of the Zoning By-law. As such, any projections on the proposed development are intended to meet the zoning provisions.

- e) One resident noted the example of the eight-storey building at Richmond and Berkley, which they feel provided an appropriate transition to Tay Street with the three-storey townhouses.

Staff response: Staff have reviewed the proposed development and are of the opinion that it meets the policies of the Official Plan with respect to transition and compatibility.

## **2. Density:**

- a) Residents feel that the proposed development is too dense.

Staff response: The proposed development supports the Official Plan policies for intensification around transit stations while also meeting the policies for transition, compatibility and design.

- b) One resident has noted that the proposed development exceeds the target density of 200 people per hectare and reference Section 2.2.2.12 of the Official Plan, which states "Where the existing zoning provisions are sufficient to meet the intensification and density targets in the timeframe defined by the OP, these targets shall not be used as the only planning rationale for approving additional height or density in excess of the current zoning."

Staff response: The proposed development supports the Official Plan policies for intensification but does not rely on the argument of meeting density targets provided for in the Official Plan.

## **3. Parking and Traffic:**

Most of the residents that submitted comments shared concerns with increased traffic on Roosevelt Avenue as follows:

- a) The Roosevelt/Richmond intersection is already problematic due to the parking lot from the Starbucks as it is too close and there are issues with queuing due

to its proximity to the intersection. Residents feel that the proposed development will exacerbate this existing issue.

Staff response: The proposed development has been reviewed with respect to traffic impacts and staff do not have any concerns. The compact nature of this development next to a Traditional Mainstreet and in close proximity to a transit station provides the opportunity to use alternative modes of transportation.

- b) Residents feel that there is insufficient visitor parking with the development, which will impact on-street parking on Roosevelt.

Staff response: The proposed development is within 600 metres of a rapid-transit station and is providing visitor parking as required by the Zoning By-law. Staff has no concerns with respect to the impact on parking.

- c) The street is a dead end and there are traffic flow issues that are currently manageable, but adding development will exacerbate the situation.

Staff response: Staff does not have any concerns that the proposed development will impact existing traffic flows. It is located next to Richmond Road, away from the dead end portion of Roosevelt.

- d) Concerned about endangering pedestrians and cyclists that use Roosevelt to access Westboro Beach and the Ottawa River pathway on a daily basis.

Staff response: It is staff's position that the proposed development will be designed in a manner to minimize conflicts and provides the opportunities to use other forms of transportation, thereby lowering the possibility of conflicts with vehicles.

- e) Large waste disposal trucks with limited turning opportunities will need to access the area to service this development as well as the others proposed.

Staff response: The residential dwelling units will be serviced by the City of Ottawa for waste collection, which will not change the current traffic pattern. Waste collection for the commercial uses are anticipated to use the same route and turnaround pattern that the City of Ottawa vehicles use.

- f) Roosevelt is effectively a one-way street during the winter due to snow accumulation and on-street parking. The introduction of parking on the west side along with another high frequency parking lot entrance as proposed for the development will further exacerbate the traffic/parking situation.

Staff response: The proposed development has been revised to remove the

proposed on-street parking spaces.

- g) Traffic study does not address the unique characteristics and issues related to traffic/parking that are currently experienced along Roosevelt Avenue and the intersection with Richmond Road.

Staff response: Staff does not have any concerns that the proposed development will negatively impact existing traffic flows. The proposed development does not disrupt the current parking situation and required parking for the development will be provided onsite.

- h) Illegal parking artificially constricting the street to a single lane servicing traffic in both directions.

Staff response: This is an existing condition and staff is of the opinion that the proposed development will not exacerbate this situation.

**4. Zoning:**

- a) Residents do not feel that the proposed commercial is compatible with the existing residential neighbourhood.

Staff response: Staff is of the opinion that recommended commercial uses provide appropriate transition and are compatible with the existing residential neighbourhood. In addition, commercial uses are allowed on the east side of Roosevelt Avenue to a depth greater than proposed by this application.

- b) Residents are concerned with a precedent being set for development along Roosevelt.

Staff response: Each development application is reviewed on its own merit and for conformity with the Official Plan policies.

- c) Residents feel that increasing height and site coverage (scale and mass) does not represent compact development as per the Official Plan.

Staff response: Staff have reviewed the proposed development and are of the opinion that it meets the policies of the Official Plan with respect to transition and compatibility and represents intensification in a compact form.

- d) Residents put forward that inconsistency between lot depths should not give rise to consider rezoning a residential area to introduce commercial activities; they should be developed where they belong on the Traditional Mainstreet.

Staff response: It is staff's opinion that this is an appropriate planning consideration with respect to commercial uses. Nevertheless, staff have

recommended the site be rezoned to Residential Fifth Density zone with limited commercial uses to maintain residential as the predominant use on the site.

5. Other:

- a) The city is permitting people to overbuild, which is impacting ability to enjoy my backyard and taking away that solitude that was once my backyard.

Staff response: Staff have reviewed the proposed development and are of the opinion that it meets the policies of the Official Plan with respect to transition, compatibility, and minimizing overlook.

- b) Can the by-laws be changed so that residents have at least one day a week without any noise or construction going on?

Staff response: Construction will proceed in accordance with City by-laws related to construction times.

- c) Residents are not against development – they just want development that meets current zoning.

Staff response: Everyone has the right under the Ontario *Planning Act* to make an application for a Zoning By-law amendment and that application is made in evaluation of the policies of the City's Official Plan. As cited in this report, staff are of the opinion that the proposed development meets these policies as an example of compatible development.

- d) Concerned with removal of medium sized trees as the street is already under-treed. Residents want them replaced, whereas plans say that they won't be.

Staff response: Staff will work with the developer through the Site Plan Control process to ensure that trees are retained or replaced as needed.

- e) The state of the street is a mess with potholes, inadequate drainage, etc. It is a major hazard for the large number of cyclists who use it as the primary access to the parkway. Construction traffic will make it worse.

Staff response: Through the Site Plan Control process, the developer will be responsible for reinstating any road surface that is disturbed through the construction of the proposed development.

- f) There will be inadequate parking for construction vehicles. Residents have experienced constant illegal parking and it will become worse. Concerned about blocking exit and entrance to their street as it is the only way in and out.

Staff response: The developer will be responsible for completing a construction

management plan during the building permit process and staff will work with the developer to mitigate such concerns.

**Document 4 – Urban Design Review Panel Recommendations February 28, 2018**

**General Comments**

- The Panel appreciates the applicant's attempt to understand the neighbourhood. The Panel does however have some concerns with reviewing this proposal under Mainstreet (TM), rather than residential (R3) policies. The Panel is of the opinion that critical moves are necessary in order to better transition the building to the existing low-rise residential neighbourhood to the north, and to improve the corner condition to relate more appropriately to the Richmond Road commercial street.
- The Panel strongly believes that the scale and mass of the building is too large for the size of the site, and that more appropriate setbacks and stepbacks are required, particularly on the north side of the lot, and at the corner facing Richmond Road.

**Corner Treatment**

- Given that the southeast corner of the lot is quite visible from the Richmond Road commercial corridor. The Panel emphasizes the need to orient the building toward this important traditional main street. The Panel recommends eliminating the proposed signage and wrapping the glazing around the corner to create a front facing condition onto the public square.
- In addition to wrapping the glazing, the Panel advises that the building be setback to create an exterior area for a public place, such as a plaza or sitting area. It is the opinion of the Panel that this will help develop the building's important relationship to Richmond Road.

**Neighbourhood Transition**

- The Panel recommends that the building be lowered in height to four storeys, with the possibility of stepping back a fifth storey. This step back is particularly important on the north side, abutting the existing residential uses, where the Panel believes an increased separation between this building and the existing house is desirable.
- To improve the transition toward the residential area to the north, consider introducing a driveway along the north side of the lot to establish more space between the proposed building and the house next door.

- The Panel feels strongly that the lack of a landscaped buffer at the rear lot creates an unacceptable transition from this development to the adjacent lots to the rear. The Panel recommends reducing the size of the asphalt pad, and introducing landscaping to improve the impact on the rear neighbours.
- The Panel suggests reducing the number of points of vehicular access to the site, immediately next to the residential neighbours. Ideally, the ramp to the underground parking could be accessed from the existing lane on the adjacent commercial property to the south, to reduce impact on adjacent residential neighbours.
- The Panel is of the opinion that the proposed office units could work commercially. However, the applicant should consider live-work units at the ground floor as an alternative, as this is a transitional area between a main commercial street and an established residential area.

### **Architectural Expression**

- The Panel suggests a more cohesive architectural language by reducing the ambiguity between horizontal and vertical expressions. A reduction in height to four storeys, with a clear step back to a fifth storey will help to achieve a more singular architectural language.
- Generally, the use of brick is good, but the Panel recommends eliminating the use of brick on the top floors, thereby minimizing the visual impact of the top of the building on the streetscape.
- The Panel sees a strong rhythm going north along Roosevelt, however the rhythm gets lost with the archways and disjointed window pattern. It is recommended that the arches are eliminated, so that the character and rhythm created by the 'storefronts' is carried across the front façade of the building.
- The Panel believes that the cornice is a strong design element that can work well. Extend the cornice across the entire fourth floor of the building to help delineate the stepped back floors.
- The Panel suggests that the two-storey band can wrap around the corner to address Richmond Road, with the upper floors stepped back further.
- The Panel appreciates the architectural detailing proposed, however suggests

exploring opportunities to merge the heritage influences with a more contemporary style, to fit the context of this evolving neighbourhood.

- The Panel appreciates the industrial style windows. It is advised that this window style be brought up from the base to the upper floors, simplifying the overall window expressions found on the building.
- The Panel advises increasing the height of the ground floor to between 4.5 and 5 metres. Consider using only this heightened first floor as the band that is wrapped around to orient toward the Richmond Road commercial corridor. With this approach, all the floors above the first level can take on a distinct residential appearance.
- The Panel notes that the mechanical room is absent on the elevations and advises the applicant to ensure that its impact is minimized.
- It is recommended that the applicant work with hydro and other utility providers to eliminate the presence of messy cables, wood poles, screws, etc., where possible.
- The Panel advises that the area of pavement, hardscape, the location of street trees, on-street parking, and drop off areas, be further studied and be more clearly articulated on the plans.

### **Access**

- The Panel has concerns with the location of the vehicular activity on the residential side of the lot. Explore the option of an easement allowance, or pull the building back to locate the ramp access between the adjacent commercial building and the proposed new building. It is the opinion of the Panel that moving the garage entrance to the rear is ideal.
- The Panel feels strongly that there should be no layby along Roosevelt Avenue. Large street trees are needed, along with a wide sidewalk extending up to Richmond Road.
- Consider shifting the main entrance to the residential units closer to the street. The current design could result in bicycles and other clutter accumulating in the inset.



Document 5 – Concept Plans



