

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
14 January 2021 / 14 janvier 2021**

**and Council  
et au Conseil  
27 January 2021 / 27 janvier 2021**

**Submitted on 23 December 2020  
Soumis le 23 décembre 2020**

**Submitted by  
Soumis par:  
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**Ward: KITCHISSIPPI (15)**

**File Number: ACS2021-PIE-PS-0010**

**SUBJECT: Temporary Zoning By-law Amendment – 114 Richmond Road**

**OBJET: Modification temporaire du Règlement de zonage – 114, chemin  
Richmond**

#### **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 114 Richmond Road to permit a temporary surface parking lot, 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 January 27, 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 pour le 114, rue Richmond afin de permettre un stationnement de surface temporaire, comme il est expliqué en détail dans 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 27 janvier 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

114 Richmond Road

### Owner

Ashcroft Homes

### Applicant

Kieran Watson

## **Description of site and surroundings**

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

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

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

The proposed temporary zoning is submitted to support the first phase of development by providing surface visitor parking for a period of three years, while the second phase is constructed. This application also requests to temporarily lower the number of required visitor parking spaces from 27 to 11 until completion of the second phase, where the full amount of visitor parking for both phases will be provided.

## **Brief history of proposal**

All of the proposed temporary surface visitor parking spaces are currently being provided on site and the ingress and egress to this visitor parking is provided from Leighton Terrace. The proposed temporary zoning is being submitted to regularise the present situation where no required visitor parking spaces remain from the first phase of development. While 27 visitor parking spaces had been provided on site in the underground parking garage in accordance with the Zoning By-law, these visitor spaces have in turn been sold individually to unit owners of the first phase.

## **DISCUSSION**

### **Public consultation**

No information session was held in the community.

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

### **Official Plan designation**

The subject property is designated Traditional Mainstreet on Schedule 'B' – Urban Policy Plan of the City of Ottawa Official Plan (OP). Land uses in this designation are often mixed, with commercial uses at the street level and residential uses on the upper levels.

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

The Richmond Road/Westboro Secondary Plan and Community Design Plan Land Use Strategies contains site-specific language regarding the subject property that promotes mixed-use development.

### **Planning rationale**

Staff is comfortable in supporting the temporary zoning given that a Site Plan Control application has been filed for the second phase of development (to contain the convent and its addition) where eventually sufficient visitor parking will be provided to ensure zoning compliance for both the first and second phase.

Although staff is conscious that a shortage of 16 visitor parking spaces is not an ideal situation, it is also recognised that the temporary 11 surface spaces will contribute in minimising the overflow onto the immediate local streets.

As part of the development of Phase 2, parking requirements would then have to meet the minimum visitor parking rate for the uses in that phase while also including 27 visitor parking spaces from Phase 1.

A concurrent Site Plan Control application has also been filed for the temporary visitor parking, which is to be located in and around the existing driving aisle behind the first phase of development, as shown in Document 4.

### **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 Leiper is supportive of the temporary visitor surface parking.

**ADVISORY COMMITTEE COMMENTS**

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

**LEGAL IMPLICATIONS**

It is noted that the enactment of a temporary zoning by-law does not provide the property with any legal, non-conforming rights upon the expiration of the by-law. Should the recommendations be adopted and the resulting temporary zoning by-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a one day hearing will result. It is anticipated that this hearing can 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

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendations in this report.

**ASSET MANAGEMENT IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the report recommendations. In the event that the zoning application is refused and appealed, an external planner would need to be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

**ACCESSIBILITY IMPACTS**

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

## **ENVIRONMENTAL IMPLICATIONS**

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

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-19-0001) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the temporary zoning needing to be supported simultaneously with the site plan approval for the second phase where the full amount of the required visitor parking spaces will be provided.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan

## **CONCLUSION**

Staff is comfortable in supporting the temporary zoning given that the full amount of required visitor parking for both Phase 1 and Phase 2 will be ensured as part of the second phase of development. Staff is also of the opinion that the proposed 11 spaces will contribute in minimising the overflow of visitors parking onto nearby local streets.

## **DISPOSITION**

Office of the City Clerk, Council and Committee Services, to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; 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.

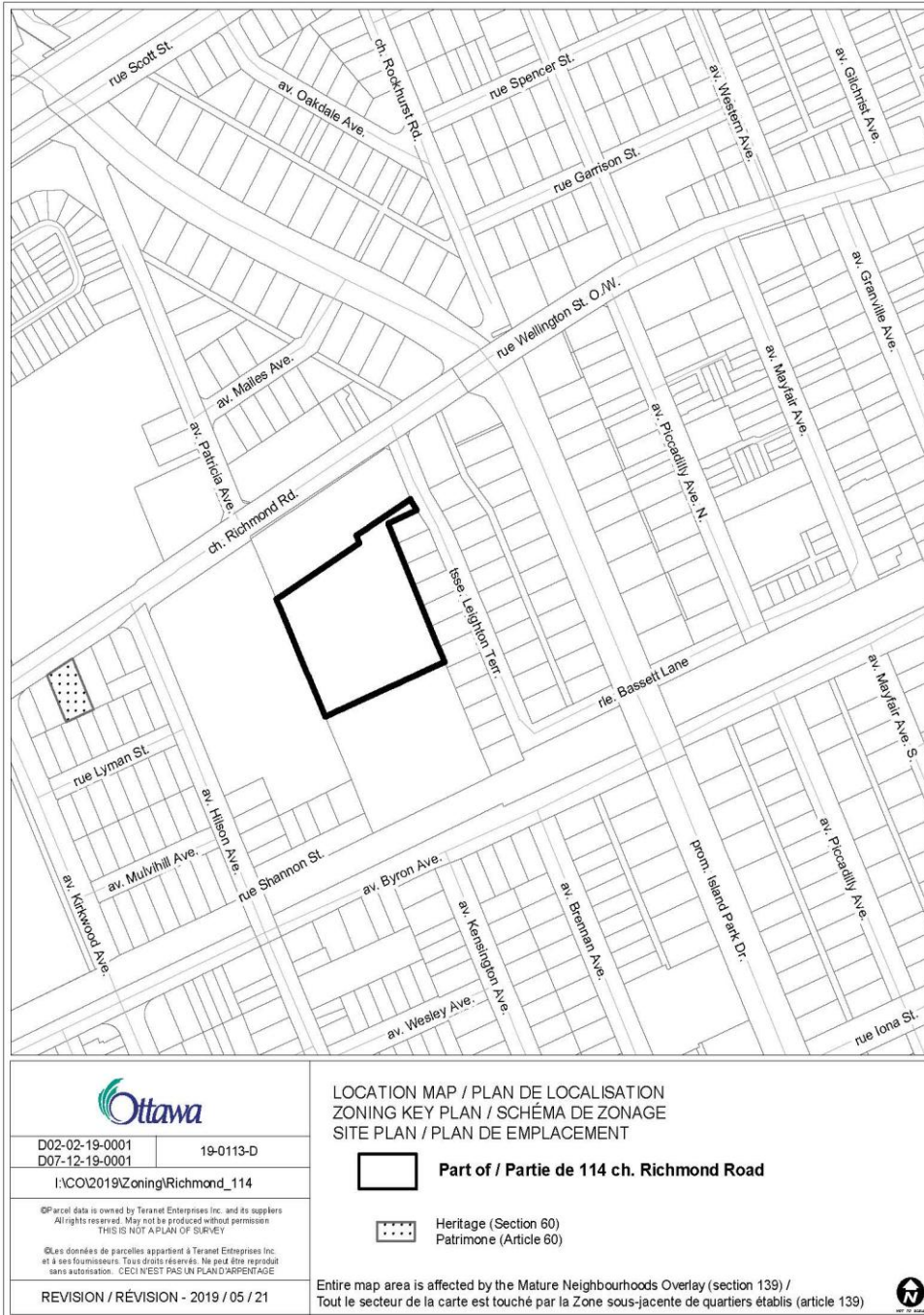
Legal Services, Innovative Client Services Department, to forward the implementing by-law to City Council.

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

## Document 1 – Location Map

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

This map shows the portion of the subject property where the temporary surface visitor parking is proposed.





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

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

1. To rezone the lands shown in Document 1 by adding to Exceptions [2570] and [1763], Section 239 – Urban Exceptions, additional provisions similar in effect to the following:
  - a) Add to Column V, Provisions, the text:

“- minimum number of temporary surface visitor parking spaces for a period ending on January 31, 2024: 11.”

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

#### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. No public meeting was held in the community.

Fifteen residents provided comments. They were divided in two groups: - Eight people were in favor of the proposed spaces, as long as they remained temporary, to improve the existing parking overflow situation; - the other group, representing seven residents, were against the temporary permission, stating that the visitor spaces should not have been sold at the first place and that bad practice from developers was being encouraged.

Document 4 – Site Plan

