



## **Planning Rationale in Support of an Application for Zoning By-law Amendment**

**Westboro Animal Hospital  
348 Whitby Avenue & 364 Churchill Avenue  
City of Ottawa**

**Prepared by:  
Holzman Consultants Inc.**

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## **1.0 Introduction**

Holzman Consultants Inc. (“HCI”) has been retained by the owners of 364 Churchill Avenue North and of 348 Whitby Avenue (the “Owner”) to prepare a Planning Rationale in support of applications for Zoning By-law Amendment for a parcel of land municipally known as 348 Whitby Avenue in the City of Ottawa (the “Subject Property”).

The Owner’s development proposal calls for the demolition of the existing structure on 364 Churchill Avenue to make way for a new 2 storey structure and the demolition of the existing 2 storey structure on 348 Whitby Avenue to make room for a small parking lot to be used by the abutting new structure. The development is discussed in detail in Section 2.1. The existing clientele are for the majority local residents of the Westboro area who often arrive by foot.

The requirements for this Planning Rationale are outlined in a June 22, 2018 email from Kimberley Baldwin, Planner, Development Review, Central to HCI following recent conversations.

A Planning Rationale typically examines the relevant policies in the Provincial Policy Statement, the Official Plan and the Zoning By-law of the City of Ottawa in the context of the application as well as justification for the development proposal.

## **2.0 Site Overview & History**

The Subject Property consists of an L-shaped parcel of land along the west side of Churchill Avenue and the south side of Whitby Avenue in an area of the City of Ottawa known as Westboro within the former City of Ottawa. The Subject Property is at the southwest corner of the intersection of Churchill Avenue and Whitby Avenue and has a combined total area of approximately 561.7m<sup>2</sup> in area. The intention is to merge the two lots together once the municipal approvals are in place.

The Subject Property is currently occupied by a two storey commercial building along Churchill Avenue where the Westboro Animal Hospital operates from (for 21 years) and a single detached 2 storey dwelling located on the Whitby Avenue lot. A detached single car garage is also located on that property. The main structures were built circa 1940’s. The Whitby Avenue lot is only 20.35m deep and 11.28m wide. There is a single private approach to Whitby Avenue lot while a private approach from Whitby Avenue serves the parking area for the Churchill Avenue lot. A right-of-way exists along the south side of the structure on Churchill Avenue for access over the abutting commercial property to the rear parking lot. Neither structure is designated under Part IV of the Ontario Heritage Act nor is the area within a heritage conservation district. The location and site features are illustrated on **Exhibit “A”** below.





**Exhibit A** – GeoOttawa aerial imagery, 2017. 364 Churchill Avenue is outlined in red and 348 Whitby Avenue is outlined in blue.

The Subject Property is relatively void of vegetation except for some minor perimeter landscaping along a portion of the common property line with the 364 Churchill Avenue property and a large planter that encroaches into the road allowance in front of the Whitby Avenue dwelling. The rear yards are fenced with board on board fencing.

There is a public sidewalk that extends along the Churchill Avenue frontage and wraps slightly around the corner but ends abruptly along Whitby Avenue. It would appear that hydro electric, bell and cable are located along the Whitby Avenue lot line above ground with feed overhead to each building from those lines.

Surrounding uses include a mix of various types of dwellings along Whitby Avenue with a fairly significant apartment dwelling, low-rise with surface parking lot directly across from the Subject Property. Single detached dwellings with some duplexes dominate the south side of Whitby west of the site with a recent semi-detached dwelling(s) diagonally opposed on the north side of Whitby Avenue. Immediately south of the Churchill Avenue lot is a stand alone commercial building and surface parking in the rear yard. The uses

along the west side of Churchill Avenue south of the site are commercial in nature; some are single use buildings while others are multi-tenanted 2 and 3 storey buildings. The commercial lands extend and wrap around the Whitby Avenue lot as well with surface parking lot south of that lot. Commercial retail and service uses dominate the east side of Churchill Avenue in the vicinity of the Subject Property with many 2 storey single use buildings. There appears to have been very little significant reinvestment into the structures along Churchill Avenue since they were constructed in the 1940's.

The lot at 364 Churchill Avenue is legally described as:

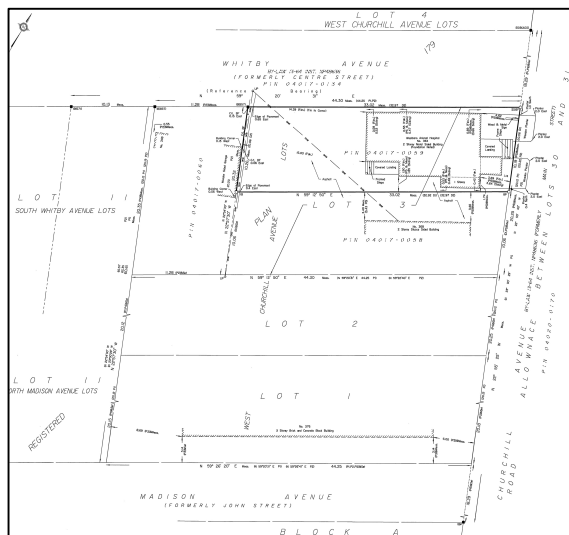
Part of Lot 3 (West Churchill Avenue), Registered Plan 179, City of Ottawa, PIN 040170059

The lot at 348 Whitby Avenue is legally described as:

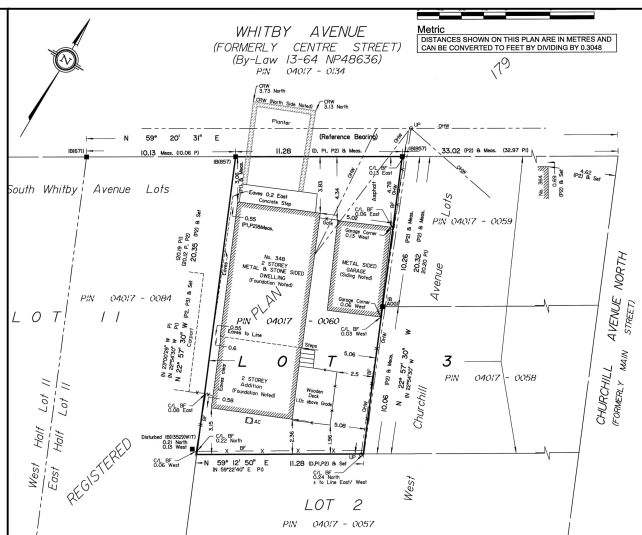
Part of Lot 3 (West Churchill Avenue), Registered Plan 179, City of Ottawa, PIN 040170060

It would appear that these two parcels along with the lot immediately to the south were all created as a single larger corner lot when the neighbourhood was subdivided by Plan 179.

The two Plans of Survey prepared by Annis, O'Sullivan, Vollebekk Ltd., illustrating the boundaries of the Subject Property are included below as **Exhibit "B-1"** and **"B-2"**.



**Exhibit B-1** – Plan of Survey, 364 Churchill Avenue



**Exhibit B-2** – Plan of Survey, 348 Whitby Avenue

Churchill Avenue is an undivided four lane roadway that has on-street parking along both sides, thus reducing the travel width to 2 lanes. Sidewalks extend along both sides. There is excellent transit service along Churchill Avenue in both directions weekdays, holidays

and on weekends. The weekday and Saturday service on the #2 is every 15 minutes while #150 provides weekday service every 15 minutes all day, every 30 minutes in the p.m. peak, and Saturday service at 30 minute intervals. Sunday service on #2 is every 30 minutes.

The Subject Property is located within walking distance of the Westboro Transit Station on Scott Street, approximately 500 metres to the northeast along public sidewalks. Constant bus service runs along this transitway.

The site is currently serviced by municipal water, sanitary and storm sewers within Churchill Avenue. The City of Ottawa recently embarked on a rehabilitation project to replace services within the road allowance and create a more pedestrian friendly walking environment along Churchill Avenue.

The initial applications for Zoning Bylaw Amendment (D02-02-13-0106) and Site Plan Control (D07-12-13-0196) were approved in 2014. The zoning amendment affected the entire site including the introduction of an animal hospital as a temporary use on the 348 Whitby Avenue parcel for a 3-year time period. This would have allowed for the finalization of the site plan control process, design and building permit approval for the replacement structure on the 364 Churchill avenue parcel, and construction of that building. The veterinary clinic would have relocated temporarily into the structure at 348 Whitby Avenue during that time frame. The design of the conversion of that structure including a modest addition, even for a temporary use period, was more significant than envisaged and took more time and expense than originally anticipated. The permit was issued, construction took place and an occupancy permit was granted for the use of that building within the temporary use period.

In addition to the above development approval, the site plan approval was to have lapsed on May 7, 2015, if no agreement was entered into within the designated time frame. We understand that an extension was granted by the City through to August 1, 2018. Prior to the pending expiration, a further extension was applied for but since the temporary use bylaw amendment had expired, that application was not approved and is being held in abeyance until such time as the zoning issue for the temporary use of the 348 Whitby Avenue parcel was resolved.

In summary, once this application for Zoning Bylaw Amendment is approved for the animal hospital to operate on the 348 Whitby Avenue property for another 3-year temporary use, the application for site plan control to extend the current site plan approval can be approved and the site plan agreement, conveyance of the daylight triangle to the City, and the financials can be submitted to the City to finalize the site plan control process. At that time, the demolition permit and the building permit for the replacement structure at 364 Churchill Avenue can be issued.

During the processing of the initial applications, a meeting was held in May 2013 with Gary Ludington, President of the Westboro Community Association (the WCA) to discuss the project. He indicated that the summary of the proposed redevelopment would be

posted on their web site for information and the association would then decide if a meeting prior to formal submission was warranted. Followup correspondence concluded that no such meeting was needed prior to submission. We also contacted Mary Thorne, the Executive Director of the Westboro BIA, who discussed the issue of whether there was a real need for additional parking in the area.

HCI has reached out again to the WCA to inform them of the recent developments and pending application for Zoning Bylaw Amendment.

## **2.1 Development Proposal and Design Statement**

The development proposal includes the demolition of the existing structures and the construction of a two storey building (no basement) that would contain the Westboro Animal Hospital and an accessory dwelling unit for use by the chief veterinarian. Surface parking would be located to the rear of the building extending onto the Whitby Avenue property. The building has a footprint of 2,058ft<sup>2</sup> and a total gross floor area of approximately 382m<sup>2</sup> (4,116ft<sup>2</sup>). The ground floor will be the functioning veterinary hospital, including rehabilitation services, while the 2<sup>nd</sup> floor will be used predominantly by staff and have the accessory dwelling unit. The gross floor area of the building from a Zoning Bylaw perspective is 195.2m<sup>2</sup> based on the applicable deductions (hallways, living quarters, storage, closets, washroom, stairs, etc.).

A parking lot with access solely from Whitby Avenue would be constructed at grade to the rear of the building. This lot would contain 7 spaces solely for the use by patrons and staff/deliveries. An on-site refuse container will be located on a south end of the parking lot with direct access to it from Whitby Avenue. Landscaping would buffer the parking lot from the adjacent residential use at the west. And the existing planter that encroaches into the City's road allowance will be replaced with a landscaped island located between the access to the parking lot and the access to the visitor and the handicapped space. A handicapped ramp will be installed along the north façade to provide handicapped accessibility from the parking area to the front door. The main client door will be from Churchill Avenue. Low level planters will frame the entrance from Churchill Avenue. A staff service door will be provided at the rear (west) end of the building at grade. All of these elements are illustrated on the Preliminary Site / Landscape Plan included as **Exhibit "C"** below.

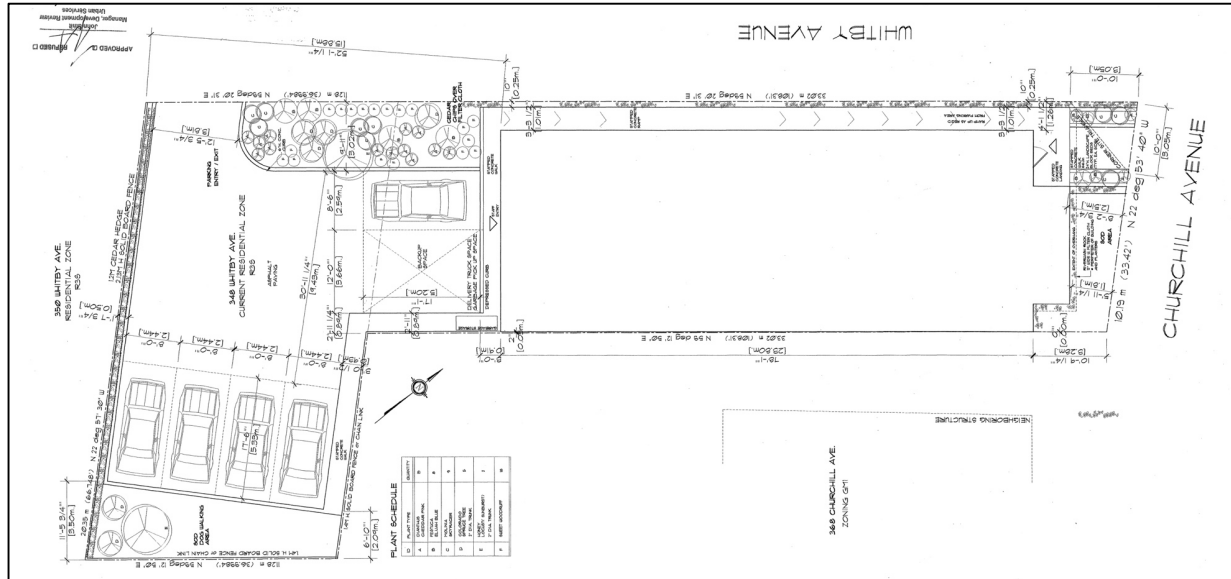


Exhibit C – Site and Landscape Plan

The building's exterior will be a stone veneer with soft natural tone colours to blend into the adjacent residential neighbourhood while providing a "storefront" appearance along Churchill Avenue. A small balcony at the northeast corner of the building, adjacent to the Whitby/Churchill intersection will be constructed at the 2<sup>nd</sup> floor. There will be glass and metal railings around a balcony. The rooftop element is the housing for the mechanical equipment and an access stairwell above the stairs to the roof for maintenance access purposes. No rooftop deck is proposed. The rooftop element may be clad in a matching brick veneer. This is illustrated on [Exhibit "D-1"](#) and [Exhibit "D-2"](#) below.

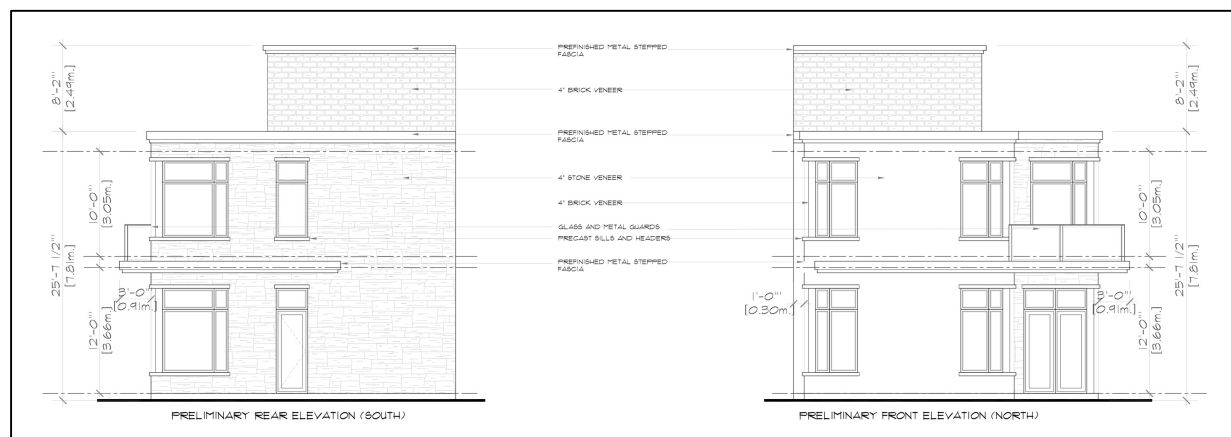
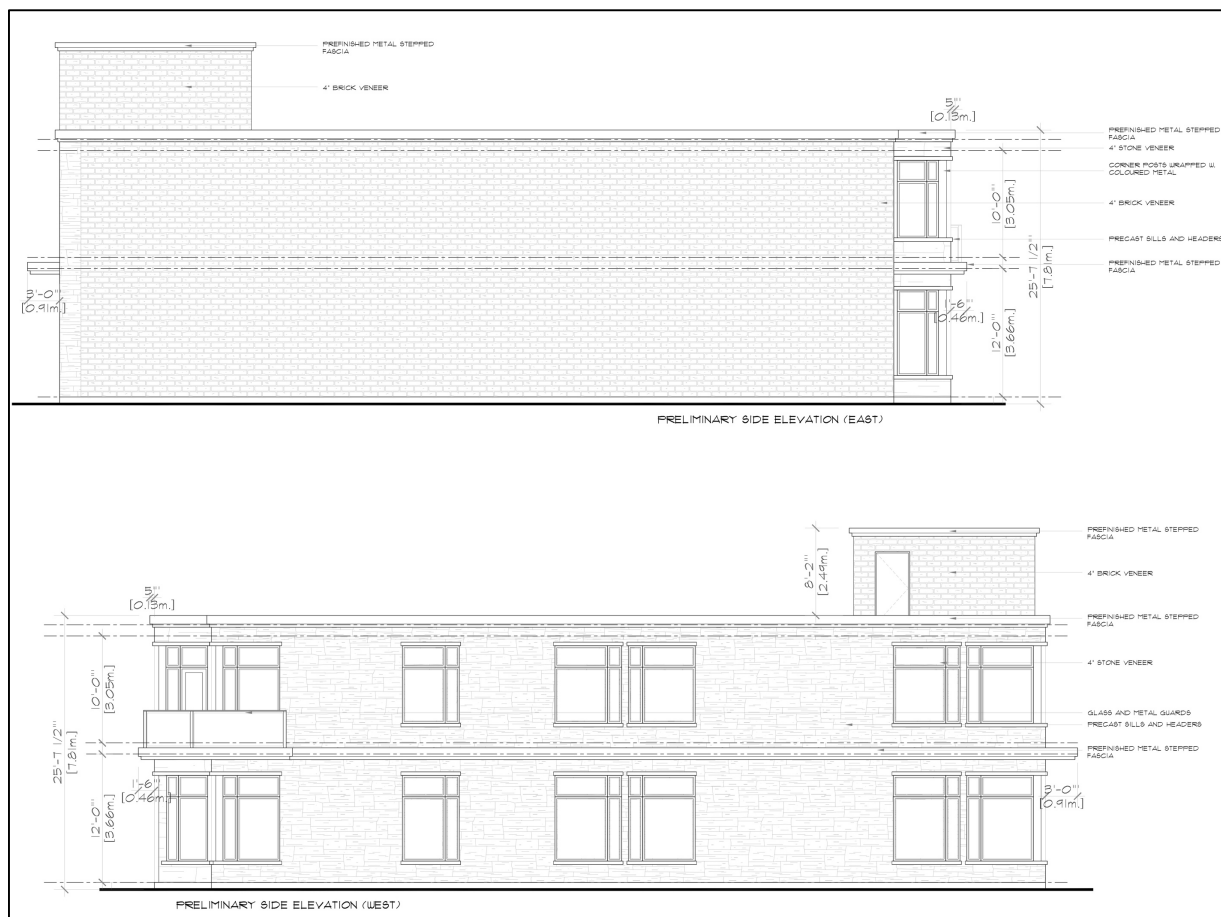


Exhibit D-1 – Western and Eastern elevations



**Exhibit D-2 – Southern and Northern elevations**

As outlined above, it is proposed that upon receipt of the planning approvals, the existing veterinary hospital would relocate into the structure at 348 Whitby Avenue and the structure at 364 Churchill Avenue would be demolished making way for the new 2 storey structure. Once that is complete, the veterinary hospital would re-establish itself within that building and the structure at 348 Whitby Avenue would be demolished so that the parking lot could be constructed and the landscaping treatment installed.

The project will require a Zoning Bylaw Amendment (for temporary use on the 348 Whitby Avenue parcel) and an extension to the current Site Plan Control approval based on the current zoning and development control requirements for the City of Ottawa. This will be discussed in detail in subsequent sections.

### **3.0 Planning Context**

#### **3.1 Provincial Policy Statement**

According to the Provincial Policy Statement (“PPS”), the vision for Ontario’s land use planning system is to carefully manage land to ensure appropriate development to satisfy



current and future needs. In addition, land planning must promote efficient development patterns with a mix of housing, employment, open spaces and multi-modal transportation. The PPS ultimately aims to encourage communities that are economically strong and environmentally sound and that foster social well-being.

Section 1.1.3.1 of the PPS states that “settlement areas *shall be the focus of growth and their vitality and regeneration shall be promoted.*”

The PPS defines settlement areas as urban areas (and rural settlement areas) within municipalities that are:

- *built up areas where development is concentrated and which have a mix of land uses; and*
- *lands which have been designated in an official plan for development over the long term planning horizon,*

The relevant policies are found in Section 1.1.3.2 as follows;

*Land use patterns within settlement areas shall be based on:*

- a. densities and a mix of land uses which:*
  - 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and*
  - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and*
- b. a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

Section 1.1.3.3 states the following;

*1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

*Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*

The proposal to expand your facility onto neighbouring property would not offend these policies. The replacement of the existing residential unit from the Whitby Avenue lot to

the 2<sup>nd</sup> floor of the new facility would be consistent with the objectives of the PPS. The temporary use for an animal hospital does not offend the PPS.

### 3.2 City of Ottawa Official Plan (OP)

The policies that have been addressed below are based on the Council approved Official Plan #150 and #180, although currently under appeal. None the less, they represent the vision of Council and are considered by City Staff when assessing the merits of development applications.

The City's OP contains policies to ensure complete communities (and in significant neighbourhoods), both in the central area, suburbs and rural villages through a set of guiding principles. The use of the Whitby property for the temporary use of an animal hospital does not offend the policies.

The City's Strategic Plan identifies 12 goals for the long-term sustainability. In general, the Official Plan contributes to the achievement of these goals by setting directions for managing growth, providing infrastructure and protecting the environment. The Plan shows how the City will manage growth so that development is compact and land within the urban boundary is used efficiently. This pattern reduces impacts on agriculture land and local food production and helps preserve the biodiversity and eco-system health of natural areas.

Guiding Principles contains a description the important foundations of the City's OP. The following is one of the seven principles and accompanying objectives that must be balanced when making decisions

#### *A City of Distinct, Liveable Communities*

- *Community design plans provide specific criteria for areas identified for intensification and ensure planning policies respond to the specific needs and opportunities of those communities.*
- *The qualities that make neighbourhoods special and contribute to their identity are valued in any consideration of land-use change.*
- *A mix of land uses, housing types, compact and inclusive development, clustering of neighbourhood facilities and services and excellent pedestrian connections make communities more complete as well as walkable. Their attractiveness and pedestrian functions are increased by proactive urban design that improves the relationships between public and private land uses, built forms and the surrounding landscape.[Amendment #76, August 04, 2010]*
- *Livability is addressed by accommodating new growth and development in a more sustainable manner utilizing compact, mixed-use built form principles, including a moderate increase in density.*



The OP designates the lands at 348 Whitby as General Urban Area, the same designation as 364 Churchill. This designation extends along both sides of Churchill Avenue, in fact it covers the entire neighbourhood except along Richmond Road.

The General Urban Area designation permits the development of a full range and choice of housing types in combination with conveniently located retail, service, employment, cultural, leisure, entertainment and institutional uses. This is outlined in Section 3.6.1.1 of the OP. The following is a relevant introductory statement;

*The General Urban Area designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses.*

Section 3.6.1.6 contains the following relevant policies;

6. *Throughout the General Urban Area, the City will encourage the provision of a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses, and are of a size and scale consistent with the needs of nearby residential areas. The City will ensure that these uses:*
  - a. *Are compatible and complement surrounding land uses, and can be developed in accordance with Section 2.5.1 and Section 4.11;*
  - b. *Are conveniently located with respect to concentrations of residential development and provide direct access for pedestrians and cyclists from adjacent residential areas;*
  - c. *Are permitted to cluster with other community-oriented uses, such as parks, pedestrian linkages, community centres or leisure facilities, in order to facilitate interaction among residents and contribute to a sense of community;*
  - d. *Are situated to take advantage of pedestrian and cycling patterns;*
  - e. *Are of a size and scale that will not result in the attraction of large volumes of vehicular traffic from outside the immediate area.*

It is our view that your proposal would not offend any of these policies.

New development within the General Urban Area is subject to specific design criteria. Section 2.5.1 is referenced and contains the following key introductory statement;

#### *Compatibility*

*In support of lively and complete mixed-use communities, the City's growth management strategy includes intensification of development in the urban area over the next 20 years and concentrating rural development in Villages. Introducing new development in existing areas that have developed over a long period of time requires a sensitive approach and a respect for a communities established characteristics.*

*This Plan provides guidance on measures that will mitigate these differences and help achieve compatibility of form and function. Allowing for some flexibility and variation that complements the character of existing communities is central to successful intensification. [Amendment #76, OMB File #PL100206, August 18, 2011 & September 07, 2011]*

*In general terms, compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. It 'fits well' within its physical context and 'works well' among those functions that surround it. Generally speaking, the more a new development can incorporate the common characteristics of its setting in its design, the more compatible it will be. Nevertheless, a development can be designed to fit and work well in a certain existing context without being 'the same as' the existing development. Where a new vision for an area is established through a Community Design Plan or other similar Council-approved planning exercise, or where the Zoning By-law permits development that differs from what currently physically exists, addressing compatibility will permit development to evolve toward the achievement of that vision while respecting overall community character.*

*Objective criteria can be used to evaluate compatibility and these are set out in Section 4.11. Development applications and proposals for public works will be evaluated in the context of this section, as well as Section 4.11.*

Within Section 2.5.1, various Design Objectives are outlined to guide development, of which the following principles are considered most applicable to the proposed development;

2. *To define quality public and private spaces through development*

*Principles:*

*Design should:*

- *Clearly define and connect public and private spaces by:*
- *Defining and enclosing spaces using buildings, structures and landscaping.*
- *Recognizing every building as being part of a greater whole that contributes to the overall coherency of the urban fabric.*
- *Enhance and enliven the quality, character and spatial delineation of public spaces.*
- *Consider streets as public spaces.*
- *Encourage a continuity of street frontages. Where continuous building facades are not a dominant feature of the streetscape, the gradual infilling of empty spaces between buildings and between the building and the street edge is promoted to occur over time. Depending on the stage of evolution of the street, it may be appropriate to achieve this principle in a number of ways e.g., building form, landscape treatment, architectural ornamentation.*
- *Address the relationship between buildings and between buildings and the street.*

4. *To ensure that new development respects the character of existing areas.*

*Principles:*

*Design should:*

- *Integrate new development to complement and enliven the surroundings.*
  - *Allow the built form to evolve through architectural style and innovation.*
  - *Complement the massing patterns, rhythm, character, and context.*
5. *To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.*

*Principles:*

*Design should:*

- *Achieve a more compact urban form over time.*
  - *Provide flexibility for buildings and spaces to adapt to a variety of possible uses in response to changing social, economic and technological conditions.*
  - *Allow for varying stages of maturity in different areas of the city, and recognize that buildings and site development will exhibit different characteristics as they evolve over time.*
  - *Accommodate the needs of a range of people of different incomes and lifestyles at various stages in the life cycle.*
6. *To understand and respect natural processes and features in development design*
  7. *To maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.*

*Principles:*

*Design should:*

- *Orient development to maximize opportunities for passive solar gain, natural ventilation, and use energy efficient development forms and building measures.*
- *Consider use of renewable energy and alternative energy systems.*
- *Maximize opportunities for sustainable transportation modes (walking, cycling, transit facilities and connections).*
- *Reduce hard surfaces and maximize landscaping and site permeability on site.*
- *Consider use of innovative green spaces such as green roofs, and measures that will reduce the urban heat island effect.*
- *Maximize re-use and recycling of resources and materials.*
- *Utilize green building technologies and rating systems such as Leadership in Energy and Environmental Design (LEED).*
- *Utilize advanced water conservation and efficiency measures.*

These issues have been addressed through the design concept that is being proposed, both for the new structure as well as the adjacent accessory parking lot once the

temporary use (animal hospital) ceases to exist. This creative design approach allows for a smooth transition from commercial uses along Churchill Avenue through to the established residential uses located to the west, including on the subject property at 348 Whitby Avenue.

The reference to section 4.11 is important since this section contains referenced to secondary plans in Subsection 1 and a list of criteria in Subsection 2 that a proposal can be evaluated.

1. When evaluating compatibility of development applications, the City will have regard for the policies of the site's land use designation, and all applicable Community Design Plans, Secondary Plans, or site specific policies, Council-approved design guidelines, Provincial Environmental Assessments, and functional design plans for capital projects, as well as the Design Objectives and Principles in Section 2.5.1, and the preceding policies in Sections 4.1 through 4.10. [Amendment #76, OMB File #PL100206, August 18, 2011] [Subject to Amendment #113, November 14, 2012]

There is a Secondary Plan for the area referred to as the Richmond Road/Westboro Secondary Plan. This is discussed in Section 3.2.1 to follow.

The objective criteria identified in Section 4.11.2 is as follows, with the findings inserted after each criteria;

2. *In addition to those matters set out in Policy 1, above, the City will evaluate the compatibility of development applications on the basis of the following compatibility criteria. The measures of compatibility will vary depending on the use proposed and the planning context. Hence, in any given situation individual criteria may not apply and/or may be evaluated and weighted on the basis of site circumstances: [Amendment #76, OMB File #PL100206, August 18, 2011]*
  - a. *Traffic: Roads should adequately serve the development, with sufficient capacity to accommodate the anticipated traffic generated. Generally development that has the potential to generate significant amounts of vehicular traffic should be located on arterial or major collector roadways so as to minimize the potential for traffic infiltration on minor collector roadways and local streets; The proposed development will generate no additional vehicular traffic than what currently exists for the two parcels of land thus no further evaluation is required.*
  - b. *Vehicular Access: The location and orientation of vehicle access and egress should address matters such as the impact of noise, headlight glare and loss of privacy on development adjacent or immediately opposite. Vehicular access and egress for development that has the potential to generate a significant amount of vehicular traffic should be oriented on streets other than local streets, wherever the opportunity exists, considering traffic safety and other transportation objectives of this Plan; [Amendment #76, OMB File*

*#PL100206, August 18, 2011]* The proposed development will have a driveway immediately west of the building for access to the drop off and handicapped accessible space while a driveway will be constructed at the westerly end of the parcel to provide access to the 5 client spaces and the refuse container. There are already 2 existing private approach accesses in similar locations to service the two parcels.

- c. *Parking Requirements: The development should have adequate on-site parking to minimize the potential for spillover parking on adjacent areas. A range of parking forms, including surface, decked, and underground, should be considered taking in account the area context and character. Opportunities to reduce parking requirements and promote increased usage of walking, cycling and transit will be pursued, where appropriate, particularly in the vicinity of transit stations or major transit stops in accordance with the provisions of Section 4.3; [Amendment #76, OMB File #PL100206, August 18, 2011]* The amount of parking is sufficient to address both employee and patron parking for the intended use. That being said, Section 3.3 outlines the actual parking requirements and bylaw issues.
- d. *Outdoor Amenity Areas: The development should respect the privacy of outdoor amenity areas of adjacent residential units and minimize any undesirable impacts through the siting and design of the buildings and the use of screening, lighting, landscaping or other mitigative design measures;* The current single detached dwelling has virtually no private amenity area as illustrated on the site photos and the intended use of the structure does not require amenity areas.
- e. *Loading Areas, Service Areas, and Outdoor Storage: The operational characteristics and visual appearance of loading facilities, service areas (including garbage), parking and areas for the outdoor storage of goods or materials should be mitigated using a variety of methods (e.g., location, containment, screening, berms, and/or landscaping). These uses and activities should be located away from residences where possible;* These activities and elements have been located away from the “mainstreet” edge of the project and sensitively screened from view by the adjacent residential use along Whitby Avenue. The landscaped area along Whitby will help to screen these elements from view for the residential uses located across Whitby Avenue.
- f. *Lighting: The potential for light spill over or glare from any lighting source onto adjacent light-sensitive areas should be avoided or mitigated* Site lighting will be limited to building mounted lighting which must comply with the City’s standards for limited spillover effects;
- g. *Noise and Air Quality: The development should be located and designed to minimize the potential for significant adverse effects on adjacent sensitive uses related to noise, odours, and other emissions.* A noise assessment has been prepared for the proposed development and concludes that no negative impact above the maximum noise levels will impact the adjacent residential uses.

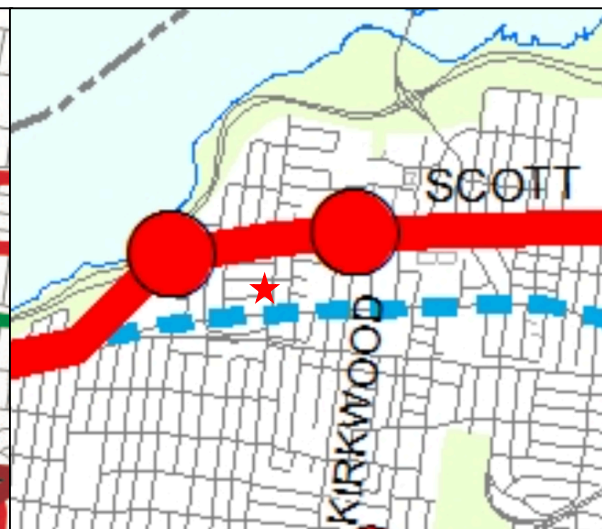
- h. *Sunlight: The development should minimize shadowing on adjacent properties, to the extent practicable, particularly on outdoor amenity areas, through the siting of buildings or other design measures; The modest 2 storey structure and depth of parking lot will minimize any shadowing affects on abutting residential uses.*
- i. *Microclimate: The development should be designed to minimize adverse effects related to wind, snow drifting, and temperature on adjacent properties; None are anticipated by such a modest development.*
- j. *Supporting Neighbourhood Services: The development should contribute to or be adequately served by existing or proposed services and amenities such as health facilities, schools, parks and leisure areas. Where the proposed development itself is to contribute such services and amenities, they should be of a scale appropriate to the needs and character of the area. [Amendment #28, July 13, 2005] [OMB decision #2649, September 21, 2006] The modernization and increase in services by the proposed development will contribute to the existing neighbourhood services.*

Many of these elements are a product of the proposed site plan (concept plan layout) for the redevelopment, including the building(s), parking, landscaping, driveways, etc. and although not dealing specifically with the application for temporary use at this time, they all are valuable to consider the ultimate use of the land for the proposed use of surface parking to support the primary use on the adjacent 368 Churchill Avenue parcel.

The Subject Property is located on Churchill Avenue which is designated as an existing arterial road, as illustrated on Schedule “E” to the Official Plan and included as [Exhibit “E”](#) below.



**Exhibit E** – Official Plan, Schedule E. Subject Property shown in red.



**Exhibit F** – Official Plan, Schedule F. Subject Property shown in red.

These types of roadways are capable of handling significant local traffic collected from adjacent neighbourhoods and connect to major thoroughfares and provincial highways.

The Subject Property is also conveniently located within easy walking distance to/from the Westboro Transit Station as shown above on [Exhibit "F"](#) which is Schedule "D" to the Official Plan and thus can support the proposed development.

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

The City of Ottawa has included the Richmond Road/Westboro Secondary Plan in Volume 2A of the Official Plan through the adoption of Official Plan Amendment #70 adopted on June 24, 2009. This secondary plan provides a framework for change that will see the Richmond Road/Westboro evolve over time. It provides more specific land use policy for an area that extends from the Ottawa River south to Byron Avenue, on the west by southerly extension of the Ottawa River Parkway, and on the east by Island Park Drive. This therefore includes the Subject Property.

This secondary plan was based on the approval of the Richmond Road/Westboro Community Design Plan (CDP), a joint staff-community effort to develop a vision for Richmond Road/Westboro as an attractive and viable place for all who shop, work or live in the area. The CDP provides detailed background information on existing conditions and community issues as well as land use policy and zoning recommendations. Development proposals and public works also need to consider the CDP's urban design guidelines, proposed streetscaping improvements and other implementation measures. The relevant policies in the CDP include the following Objectives and Principles in Section 4.2;

1. Preserve the scale and character of established residential neighbourhoods and minimize any adverse impacts of intensification.

And,

3. Consider Churchill (between Richmond Road and Scott Street) and McRae Avenue to be pedestrian-orientated, mixed-use streets linking Westboro Village and Scott Street mainstreets.

The Secondary Plan includes the Unifying Vision, Overlying Objectives and Principles in Section 1.2. with the relevant guiding principle being the need to "Preserve the scale and character of existing neighbourhoods and ensure the compatibility of new development." The unifying vision includes a reference to a wide range of uses including neighbourhood services to create/maintain complete neighbourhoods. This describes the current animal hospital use.

The Overlying Objectives and Principles section of the Secondary Plan include principles for intensification in Objective 1. Although the proposed development would not be



considered as intensification, the redevelopment of the site should attempt to respect many of these principles. The key principles include the following;

3. Consider Churchill Avenue (between Richmond Road and Scott Street) and McRae Avenue to be pedestrian-orientated, mixed-use streets linking the Westboro Village and Scott Street mainstreets;

The Subject Property is located within Sector 9 – McRae and Churchill Avenues as shown on **Exhibit “H”** below which is the Planning Area Sectors.



**Exhibit H** – Richmond Road / Westboro Secondary Plan, Schedule A. Subject Property is shown in red.

Section 1.3.4 Land Use Strategy and Maximum Building Height Ranges is based on the distinct land use sectors shown on Schedule “A” and the Maximum Height Schedule “C2” that is included as **Exhibit “I”** below.



**Exhibit I** – Richmond Road / Westboro Secondary Plan, Schedule C2. Subject Property is shown in red.



The relevant policies are as follows;

City Council shall:

- Support the redevelopment of Churchill and McRae for mixed-use buildings, generally in the four to six storey range.
- Encourage residential and employment uses as well as commercial uses on the two streets that do not affect the viability of Richmond Road and Scott Street traditional mainstreets.
- Ensure that intensification/infill development provides an appropriate transition to the adjacent low-rise residential neighbourhood.

The proposed redevelopment of the Subject Property responds positively to these policies through the introduction of mixed-use on the site (includes a dwelling unit) and the transition to the adjacent residential use to the west through a low intensified surface parking lot that will be screened from view. The temporary rezoning would help to accomplish this goal/policy.

The “Village of Westboro” has undergone significant growth over the past 5-10 years with the introduction of a number of mid-rise residential condominium buildings along both Richmond Road and Scott Street from Golden Avenue east to Island Park Drive. In addition to over 750 new apartment dwellings, many minor infill projects that have intensified the local neighbourhoods have also taken place. This area of the City of Ottawa has accommodated countless number of new single family dwellings, semi-detached dwellings, and townhouse developments both north and south of Richmond Road. The Secondary Plan for Richmond Road/Westboro does not specifically address this type of infill and intensification in policy. The Secondary Plan does set out policy for key redevelopment sites, generally located along the transitional areas where the development anticipated along the main roads abut residential areas as outlined in Policy 4.2.1 above.

Section 6.10 Sector 9 – McRae and Churchill provides policy that is relevant to the Subject Property. The Secondary Plan states that the corridor along Churchill Avenue linking Richmond Road with Scott Street and the Transit Station should redevelop as a mixed-use street. Furthermore, it states that the current zoning along Churchill Avenue allows for upwards of 6 storey height limit. It acknowledges that Churchill Avenue is not designated as a Traditional Mainstreet, is not under development pressure and will likely see gradual change. Finally, it includes the statement that “infill development on both Churchill Avenue and McRae will need to provide an appropriate transition to the existing residential community to the rear.”

Section 6.11 Development Potential provides a comparison between what the current zoning permits in certain sectors versus what the CDP envisages for each sector. The conclusion for the Churchill Avenue corridor is that they will be identical. The associated

table sets out quite modest growth for this corridor based on the existing zoning allowances such that there is no genuine fear of overdevelopment created by the CDP suggestions. The Subject Property is proposed to undergo a modest redevelopment that includes a moderately larger building and the reallocation of the existing single dwelling unit from the 348 Whitby Avenue parcel to the overall combined parcels that now includes 364 Churchill Avenue. Thus, no measureable change in residential density (increase or decrease) or use is being proposed.

Section 8.5 Infill Development Guidelines by Planning Sector provides policy that complements already defined elsewhere in the CDP and are intended to help ensure that new development will be compatible with the existing features, building scale and adjacent neighbourhoods. The applicable policy for Churchill Avenue includes the following;

- Foster the evolution of these residential/commercial (Churchill) and industrial (McRae) streets toward an enhanced mixed-use image, with an emphasis on office and residential uses, to create a link from the Village to Scott Street and the Westboro Transit Station,
- Provide an appropriate transition with the residential community to the rear and minimize overlook.

With these policies being respected, the design of the redevelopment of the Subject Property takes these into account. The “conversion” or reallocation of the existing single residential dwelling on an undersized lot to the 2<sup>nd</sup> floor of the proposed mixed-use building is in fact creating a more sympathetic development whereby a small surface parking lot will help to transition from non-residential use to existing residential use. If in fact the dwelling at 348 Whitby was to stay as residential, any redevelopment of the 364 Churchill Avenue property that involved a feasible new (larger) building footprint would likely have a more significant impact on that lot since the dwelling is immediately adjacent to the rear lot line. The proposed redevelopment now uses the new parking lot as a low impact transitional use.

The fact that the parking lot is accessory to the main uses (animal hospital and dwelling unit) will reduce the usage since the operating hours of the animal hospital are less onerous than many of the more popular uses located along Richmond Road. The parking lot will not be available to any other users’ other than the patrons of the veterinary hospital.

Finally, the Bylaw Amendment is for a temporary use period only and would result in a modest size surface parking lot to support the rebuilt animal hospital on the adjoining lot.

### **3.3 City of Ottawa Zoning By-law**

The existing zoning for the lands at 348 Whitby Avenue and 364 Churchill Avenue is GM1[2125] that is a subzone of the GM zone with exception, as shown on **Exhibit “J”** below.



**Exhibit J – GeoOttawa Zoning By-law map**

The Zoning Bylaw includes the following;

*The purpose of the GM – General Mixed-Use Zone is to:*

- (1) *allow residential, commercial and institutional uses, or mixed-use development in the **General Urban Area** and in the **Upper Town, Lowertown and Sandy Hill West Character Areas** of the **Central Area** designations of the Official Plan;*
- (2) *limit commercial uses to individual occupancies or in groupings in well defined areas such that they do not affect the development of the designated Traditional and Arterial Mainstreets as viable mixed-use areas;*
- (3) *permit uses that are often large and serve or draw from broader areas than the surrounding community and which may generate traffic, noise or other impacts provided the anticipated impacts are adequately mitigated or otherwise addressed; and*
- (4) *impose development standards that will ensure that the uses are compatible and complement surrounding land uses.*

The permitted uses in the GM1 subzone include the following;

*animal care establishment  
 animal hospital  
 artist studio  
 bank  
 bank machine  
 catering establishment  
 community centre  
 community garden*

*community health and resource centre  
convenience store  
day care  
diplomatic mission  
drive-through facility  
emergency service  
funeral home  
home-based business  
home-based day care  
instructional facility  
library  
medical facility  
municipal service centre  
office  
personal service business  
place of assembly  
place of worship  
post office  
recreational and athletic facility  
research and development centre  
residential care facility  
restaurant  
retail food store  
retail store  
service and repair shop  
shelter  
small batch brewery  
technology industry  
training centre*

## Permitted Residential Uses

(2) The following residential uses are permitted subject to:

- (a) the provisions of subsections 187(3), (4) and (5); and
- (b) a maximum of ten guest bedrooms in a bed and breakfast.

*apartment dwelling, low rise  
apartment dwelling, mid-high rise  
bed and breakfast  
dwelling unit  
group home  
townhouse dwelling  
planned unit development  
retirement home*

retirement home, converted  
 rooming house  
 rooming house, converted  
 rooming unit  
 stacked dwelling

The intended use, that being defined as an animal hospital, is a permitted use in the GM1 zone.

The relevant provisions are found in Table 187 as follows;

I ZONING MECHANISMS		II PROVISIONS
(a) Minimum lot area		<u>No minimum</u>
(b) Minimum lot width		<u>No minimum</u>
(c) Minimum front yard and corner side yard setbacks		<u>3 m</u>
(d) Minimum interior side yard setbacks	(i) for a non-residential or mixed-use building, from any portion of a lot line abutting a residential zone	5 m
	(ii) for a residential use building	1.2 m
	1. for a building equal or lower than 11 metres in height	
	2. for a building higher than 11 metres in height	3 m
	(iii) all other cases	<u>No minimum</u>
(e) Minimum rear yard setback	(i) abutting a street	3 m
	(ii) from any portion of a rear lot line abutting a residential zone	7.5 m
	(iii) for a residential use building	<u>7.5 m</u>
	(iv) all other cases	No minimum
(f) Maximum building height		<u>18 m</u>
(g) Maximum floor space index		<u>2</u> (only those uses listed below can utilize the full fsi, otherwise only 50% of listed fsi as per the GM1 provisions)
(h) Minimum width of landscaped area	(i) abutting a street	<u>3 m</u>
	(ii) abutting a residential or institutional zone	<u>3 m or 1.0 m with 1.4 m high opaque screen</u>
	(iii) other cases	<u>No minimum</u>
(i) minimum width of landscaped area around a parking lot		<i>see Section 110 – Landscaping Provisions for Parking Lots</i>

The following uses can utilize the full 2.0 fsi;

*apartment dwelling, low rise*  
*apartment dwelling, mid-high rise*  
*community centre*  
*community health and resource centre*  
*day care*  
*dwelling unit*  
*group home*  
*library*  
*planned unit development*  
*residential care facility*  
*retirement home*  
*retirement home, converted*  
*rooming house*  
*rooming house, converted*  
*rooming unit*  
*shelter, see Part 5*  
*stacked dwelling*  
*townhouse dwelling*

The proposed site plan includes a minimum front yard setback of 1.81m and a minimum corner side yard setback (along Whitby Avenue) of 1.01m, whereas the Bylaw requires a minimum setback of 3.0m in both cases. The existing building is located 1.14m from the front lot line and 0.47m from the corner side lot line.

The site-specific exception [2125] introduced a number of special provisions to address these design requirements along with the temporary use for an animal hospital on the 348 Whitby Avenue parcel for a 3-year period.

1. Minimum required front yard setback 1.8 metres
2. Minimum required corner yard setback 1.0 metres
3. Parking rate of 2/100 sq. m GFA
4. Minimum Width of a Driveway intended for two-way traffic to be 3.8 metres
5. Outdoor refuse containers within a parking lot can be located within 0 metres of a lot line and does not require screening.
6. Minimum width of a parking space is 2.44 metres
7. A landscape area abutting a street is not required
8. 364 Churchill Avenue and 348 Whitby Avenue shall be considered one lot for zoning purposes.
9. Permit the temporary use of an animal hospital to be located at 348 Whitby Avenue for a period of three years from the date in which this provision comes into full force and effect.

10. No parking required for an animal hospital located at 348 Whitby Avenue for a period of three years from the date in which this provision comes into full force and effect.
11. Permit a corner side yard setback of 3.0 metres for an animal hospital located at 348 Whitby Avenue for a period of three years from the date in which this provision comes into full force and effect.
12. Permit a rear yard setback of 0.6 metres for an animal hospital located at 348 Whitby Avenue for a period of three years from the date in which this provision comes into full force and effect.
13. Permit an interior side yard setback of 1.4 metres for an animal hospital located at 348 Whitby Avenue for a period of three years from the date in which this provision comes into full force and effect.

In summary, due to the expiration of the 3-year time frame, the use as an animal hospital is no longer permitted, however the intention of City Council was to allow that use in order to operate on a temporary basis to provide for the transformation of the rest of the lands to a new and improved animal hospital facility that will be better for the community in the long run. Since it has expired, this rationale is still valid for the intended development over the fullness of time.

#### **4.0 Technical Studies**

As per the submission requirements, only the Planning Rationale has been requested by City staff and have been prepared to support the application for development on the Subject Property. A copy of each of the previously approved plans (for site plan control approval) have been requested as well for reference.

Previous technical studies including the following were submitted in support of the original applications in 2013:

- Noise Impact Assessment was undertaken by Smart Property Advisors Ltd. dated July 2013,
- Functional Servicing and Stormwater Management Study was prepared by Kollaard Associates dated September 18, 2013,
- Geotechnical Investigation was prepared by Kollaard Associates dated July 2013,
- Phase 1 Environmental Site Assessment was undertaken by Kollaard Associated dated September 18, 2013.

## **5.0 Planning Analysis**

### **5.1 Conformity with the Provincial Policy Statement**

Based on a detailed examination of the Provincial Policy Statement with respect to the proposed development, the Subject Property is located within a settlement area and thus as set out in Section 1.1.3.1 of the PPS it is a suitable location for urban development.

Furthermore, the proposed use of the Subject Property for a mixed-use with neighbourhood serving uses would fulfill the objectives of Sections 1.1.3.2.a, & b, and 1.1.3.3. of the PPS. The proposed development would represent an efficient use of land and services.

Finally, the proposed development will not conflict with the policies with respect to the protection of significant or sensitive resources, or health and safety of the community.

### **5.2 Conformity with the Official Plan**

Based on a thorough review of the project having regard to the Official Plan policies in effect, the development proposal for the Subject Property will in part, addresses the mix of used to create complete communities, with the Westboro Village being considered as a community in this respect. Furthermore, the re-allocation of the existing dwelling unit at 348 Whitby Avenue into the new building will not result in a loss of dwelling units in an area of the City that has experienced the highest infill and intensification of residential units over the past 15 years. The redevelopment would allow for a long standing neighbourhood service to continue operating in a feasible manner.

The location of the Subject Property is appropriate for the intended use and built form based on the context of the immediate neighbourhood and the surrounding land uses which include both residential and non-residential uses. It is important that all communities within the City of Ottawa consider accepting some of the neighbourhood servicing uses in a feasible fashion even if a small undersized residential lot is used for accessory parking to support that use. The size and scale of the parking area that is located within lands presently zoned as residential is of low intensive usage and any negative impacts can be mitigated through appropriate site plan design.

The original application for zoning bylaw amendment addressed in part the guiding principles outlined in Section 1.3 and the policies of the General Urban Area designation contained in Section 3.6. The current continuation of the temporary animal hospital use on the 348 Whitby Avenue property continues this objective so that the entire site can be transformed to the intended final configuration/use.

The details of the design of the project discussed in the Design Statement of this report respect Section 2.5.1 of the OP, and meet the criteria outlined in Section 4.11 as evidenced through an examination contained in Section 4.0 of this report.



The Subject Property is well situated along a major roadway, on-road and off-road cycling networks, and a rapid transit station, parks and other infrastructure. The Subject Property is ideal for the intended use as the site is accessible by many modes of transportation. The parking area is located adjacent to the proposed building and at the periphery of the built up residential neighbourhood so as to reduce any traffic flow into the heart of the residential neighbourhood.

The proposed redevelopment will not have any negative impact on the environment and all required infrastructure is available and has sufficient excess capacity to accommodate the intended use.

In terms of compliance with the applicable secondary plan, the project would help to implement the objectives found in Section 4.2.3 while respecting the policies found in Section 4.2.1. as outlined in the discussion under Section 3.2.1 of this report.

### **5.3 Conformity with Comprehensive Zoning By-law 2008-250**

An amendment to the Zoning By-law is required to accommodate the temporary relocation of the current animal hospital to allow for the subsequent demolition and reconstruction of the animal hospital on the 364 Churchill Avenue parcel and thus the proposed redevelopment of the entire Subject Property.

The intention to merge the two parcels together into a single redevelopment site allowed for the opportunity to examine the provisions affecting both parcels to arrive at an acceptable development plan. Small parcels such as the lot at 364 Churchill Avenue was hampered by the previous R3 zoning and City Council agreed by adopting Bylaw 2014-104 to rezone to the GM1[2125] zoning. Finally, the adoption of that bylaw amendment allowed for the implementation through the concurrent approval of the site plan control application and the adoption of the requested.

## **6.0 Draft Zoning By-law Provisions**

The following are the details of the required Zoning Bylaw Amendment:

1. The Subject Property known as 364 Churchill Avenue/348 Whitby Avenue as shown on **Exhibit “A”** continue to be zoned from GM1 – General Mixed-Use GM1 – Exception [2125].
2. The exception provides for the following site specific provision;
  - a. Permit the temporary use of an animal hospital to be located at 348 Whitby Avenue for a period of three years from the date in which this provision comes into full force and effect.

## **7.0 Summary and Conclusions**

- The proposed development complies with the Provincial Policy Statement with respect to land use development patterns within a Settlement Area including providing for a mix of uses and efficient development. Without any adverse environmental impacts.
- The proposed development complies with the City's Official Plan in terms of meeting the objectives for efficient development, and the design and compatibility policies and criteria, and the relevant urban design guidelines.
- The proposed development complies with his policies of the Secondary Plan that promotes mixed-use projects along Churchill Avenue.
- The zoning bylaw amendment would continue to implement the goals of City Council that supported the revitalization of the entire site through in part by the adoption of the initial temporary use bylaw in 2014.
- The proposed temporary use will have minimal impact on the surrounding residential community through a sensitive site plan and landscaping design approach.

It is my professional planning opinion that the application for zoning bylaw amendment and corresponding site plan control application for the Subject Property should be approved. Furthermore, the resultant development will provide a mixed-use development that will assist in achieving the objectives and complying with the City's Official Plan and will result in a desirable outcome for Subject Property and for the local neighbourhood.

Prepared by;

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