MINOR ZONING BY-LAW AMENDMENT APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW

Location of Minor Re-zoning:	255, 249 Richmond Road and 372 Tweedsmuir Avenue
File No.:	D02-02-25-0023
Date of Application:	April 9, 2025

This MINOR ZONING BY-LAW AMENDMENT application, for the land zoned TM[2900] S480 (Traditional Mainstreet, Exception 2900, Schedule 480), in Zoning By-law 2008-250, as shown on the attached Location Map, and as submitted by Fotenn Planning & Design (c/o Lisa Dalla Rosa), on behalf of Young Street Capital (c/o Victor Menasce), is to permit the development of a 127-unit, nine-storey, mixed-use building containing at-grade commercial and underground parking. To facilitate the proposed development, the subject Minor Zoning By-Law Amendment will refine the existing zoning provisions related to step backs, setbacks, building height, vehicular parking space size, the number of bicycle parking spaces and minor adjustments to provisions in the existing zoning exception.

This application was processed as a minor re-zoning under the minor re-zoning category of modifications to performance regulations only, maximum height the lesser of 5 storeys, 15 additional metres, or 25% of the permitted building height, rounded down to the nearest half-metre.

This MINOR ZONING BY-LAW AMENDMENT IS HEREBY APPROVED, and the following action is required:

1. That an exception be amended to Zoning By-law No. 2008-250 for this property with provisions similar in effect to the following:

    a. Amend Exception [2900] S480 of Section 239 - Urban Exceptions of By-law 2008-250 with provisions similar in effect to the following:

        a) Replace Column V, Provisions, in its' entirety with the following text:

        - Minimum setbacks, minimum stepbacks and maximum permitted building heights per Schedule 480.

        - Drive Aisle Width:

1. For any part of the underground parking garage within 16 metres of the rear lot line, the minimum width of a drive aisle is 5.0 metres

2. In all other cases, the minimum drive aisle width is 5.8 metres.

- No minimum landscaped area along any lot line abutting a residential zone is required.

- An awning or canopy feature at the height of the ground floor may project up to 0m from the front lot line and the side lot line abutting a public street.

- A cornice feature may project up to 0m from the front lot line, corner lot line, and from the side lot lines.

- Minimum bicycle parking rate: 1.2 spaces per dwelling unit

- Permitted projections listed in Section 64 and 65 of the Zoning By-law are not subject to the minimum setbacks, minimum stepbacks maximum building height limits identified on Schedule 480.

- An underground parking garage is permitted in Area J on Schedule 480.

- Despite Schedule 480, at least 50 per cent of the front façade above the 2nd storey must be setback 1.5m from the lot line abutting Richmond Road.

b. Amend Part 17 – Schedules by replacing Schedule 480 with Document 2

October 24, 2025

Date

Andrew McCreight,
Manager, Development Review Central
Planning, Development and Building Services Department

Enclosures: Minor Re-zoning By-law Amendment Supporting Information
Document 1 - Location Map
Document 2 – Zoning Schedule

MINOR ZONING BY-LAW AMENDMENT APPLICATION
SUPPORTING INFORMATION

File Number: D02-02-25-0023

SITE LOCATION

255, 249 Richmond Road and 372 Tweedsmuir Avenue, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject Minor Zoning By-Law Amendment application proposes to permit an amendment to schedule 480 and the existing site-specific zoning exception [2900] to facilitate the development of mid-rise, mixed-use building that is nine-storeys tall and includes 127 units, 161 bicycle parking spaces, 85 residential parking spaces, 12 visitor parking spaces and 611.1 square metres of commercial space.

The proposed changes being made are the following: Changes to the minimum setbacks, stepbacks, and maximum permitted heights; a reduced minimum width of a drive aisle; no minimum landscaped area for a portion of the western interior lot line; projection of an awning or canopy feature from a lot line abutting a public street; projection of a cornice architectural feature from a lot line, reduction to the minimum bicycle parking rate, no minimum setbacks, minimum stepbacks, and maximum building height limits for permitted projections; and permitting an underground parking garage in the northern portion of the site.

Residential Units and Types

Dwelling Type	Number of Units
Apartment	127

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal is consistent with the Provincial Planning Statement, 2024, by contributing to a mix of land uses in proximity to residential areas and supported by transit and active transportation.

- The proposal is in conformity with the Official Plan. The subject site is located within the Inner Urban Transect (Schedule A) and designated Mainstreet Corridor on B2 of the Official Plan. This area is encouraged to develop as a mixed-use environment, with higher densities along Corridors, and stepbacks and transition where appropriate (3.1.2). The proposal is also in conformity with the Richmond Road and Westboro Secondary Plan. The proposed development is comparable in scale and compatible with existing buildings in the Westboro Village (Sector 3)

and is consistent with the policy direction for mid-rise development along Mainstreet Corridors. The proposed development further reinforces the Mainstreet Corridor character of the Westboro Village and maintains a pedestrian scale with a strong podium base that complements the existing built-form along Richmond Road and provides at-grade commercial/retail that will activate the street.

- The existing zoning already permits a 9-storey mid-rise, mixed-use apartment building, however the following site-specific zoning exceptions are being requested to be added or amended, where applicable:

    - Revision to maximum permitted building heights, minimum stepbacks and minimum setbacks established in existing Exception 2900, Schedule 480.

      The proposal seeks minor revisions to the dimensions to the approved Zoning Schedule, where maximum heights, and minimum stepbacks and minimum setbacks are prescribed.

      The proposal is in conformity with the Richmond Road / Westboro Secondary Plan, and the Westboro Village planning sector, by supporting the growth of transit-supportive, walkable 15-minute neighbourhoods providing a mix of uses with active frontages fronting onto the Mainstreet Corridor. Land Use strategy in Westboro Village sector encourages maintaining a pedestrian scale in Westboro Village, minimizing the impacts on nearby low-rise residential uses (5.3). The Secondary Plan also allows taller building heights to be considered in circumstances that include, but are not limited to, compatibility in scale with (or providing a transition between) existing built form, and a proposal that provides a cultural asset, or is located on a corner lot, or is located in a prominent location (4.2.2).

      While there are proposed minor changes to stepback depths of the podium, the pedestrian scale is maintained in a way that is consistent with the existing built form height along Richmond Road and building transitions to adjacent low-rise, residential use along Tweedsmuir Avenue. This proposal's stepback along Tweedsmuir Avenue transitions from zero to two metres as the building approaches the adjacent low-rise residential uses north of the site. A landscape plan was submitted with the application and still shows an enhanced public realm consisting of sidewalk, trees and landscaping, despite the reduced corner side yard setback.

      The proposal is identified as a Tier 3 – Local (Major) Design Priority Area (3.1.3 Table 5 – Design Priority Areas) and the previous Zoning By-Law Amendment and Site Plan Control application were presented to the Urban Design Review Panel (UDRP) on December 5, 2021. Through this process, previous feedback was received that influenced the refining and

proposed amendment to the stepbacks, the corner expression, and the simplification of the architectural expression. This proposal is generally consistent with the built form reviewed through this process. Given the information above, this Zoning By-law Amendment application was exempted from the Urban Design Review Panel (UDRP).

- Reduction in the drive aisle.

  The proposal seeks minor revisions to the approved Zoning Exception 2900, where minimum drive aisle widths are prescribed. The amendment proposes a minimum drive aisle width of 5.0m for any part of the underground parking garage within 16m of the rear lot line, whereas 5.2m was permitted. In all other cases, the minimum drive aisle width remains 5.8m. Although most of the drive aisles will achieve a minimum width of 6.0m, there are several pinch points for drive aisle in the underground parking garage which will be accommodated through this request.

  The amendment to this performance standard is minor, interior to the building, does not negatively impact the functionality of the underground parking garage, and does not cause adverse impacts to the exterior of the proposal or surrounding neighbourhoods.

- No minimum landscaped area along the most western side lot line abutting a residential zone is required as per Schedule 480. Approved through Zoning By-law Amendment 2023-383.

- An awning or canopy at the height of the ground floor may project up to 0m from the front lot line and the side lot line abutting a public street. A amendment is being made to clarify that these features may project up to 0m from both the front lot line and the side lot line abutting a public street. Approved through Zoning By-law Amendment 2023-383.

- An architectural cornice feature can project up to 0m from the front lot line, corner lot line, and from the interior side lot lines. An amendment is being made to clarify that this feature may project up to 0m from the front lot line, corner lot line, and side lot line. Approved through Zoning By-law Amendment 2023-383.

- Reduction in bicycle parking spaces established with Exception 2900, Schedule 480, reducing 222 amount of bicycle parking spaces to 152 amount of bicycle parking spaces.

  Policy direction in this transect area prioritizes sustainable transportation modes. The proposal will provide more than 1 bicycle parking space per unit, even with the proposed reduction to bicycle parking spaces from the previous approval, which exceeds the minimum standards of the Zoning

By-law. The amendment to this performance standard maintains zoning compliance and do not cause adverse impacts to the proposal or surrounding neighbourhood.

- Permitted projections listed in Section 64 and 65 of the Zoning By-law are not subject to the minimum setbacks, minimum stepbacks maximum building height limits identified on Schedule 480.

  A provision has been added to this zoning by-law amendment to provide clarity on the interpretation of permitted projections. For zoning interpretation purposes, the permitted projections listed in Section 64 and 65 will continue to be permitted despite the minimum setbacks, minimum stepbacks, and maximum building height limits of Schedule 480. The amendment to this performance standard does not cause adverse impacts to the proposal or surrounding neighbourhoods.

- A below-grade parking garage is permitted in Area J as per revised Schedule 480.

  The proposal seeks a minor revision to the approved Zoning Schedule 480, where an underground parking that is located beneath Area J will be permitted. The underground parking garage was not previously permitted in Area J due to the clause: no buildings or structures permitted. This request makes an exception to that clause in Schedule 480 by permitting a below-grade parking garage within Schedule “J”. The request is appropriate as below-grade parking garages are typically constructed up to property limits.

- Despite Schedule ‘480’, at least 50 per cent of the front building façade above the 2nd storey must be setback 1.5m from the lot line abutting Richmond Road. The front façade is setback 1.5m from the front lot line to provide architectural articulation and enhancing the podium. This request will ensure that the podium setback limits from the front lot line identified in Schedule 480 are maintained.

- The proposal has regard to the design direction for land use, appropriate building scale and streetscaping improvements of the Richmond Road / Westboro Community Design Plan.

- The proposal has regard to the Urban Design Guidelines for development along Traditional Mainstreets.

- The zoning requests are appropriate, and the proposal represents good land use planning.

RELATED APPLICATIONS

D02-02-21-0138 (Zoning By-law Amendment)

D07-12-21-0179 (Site Plan Control)

CONSULTATION DETAILS

Councillor Jeff Leiper provides concurrence for delegated authority for this report.

and

Councillor Jeff Leiper indicated the following:

> I have reviewed this application and am of the view that it meets the criteria for a Minor Zoning By-Law Amendment.
>
> As I noted with the original rezoning for this development, I am keen to see this proposal move forward. It will retain the urban built form characteristic of Westboro's traditional mainstreet and ensure a vibrant and inclusive mix of shops and services, consistent with our Official Plan goals. The proposed development also helps the City work towards the goal of providing more – and much needed - housing.
>
> At initial glance, I was not pleased to hear that the high number of bicycle parking spaces previously allotted were being reduced through this application. Upon closer examination, I understand that the request is due to the potential elimination of a third parking level – and that an overprovision (compared to the standard zoning requirement) is still being provided for. Having said that, I encourage the developer to look at ways to add more bicycle parking, particularly if a third level of underground parking does indeed proceed.
>
> I am aware of concerns that the Westboro Community Association, particularly with regards to the reduction in the setback requirement along a portion of Tweedsmuir Avenue. While it is important to ensure that we create breathing space along the corner there, I understand that the proposed building will be further setback from where the existing (former Whispers) patio exists – and improvements to the public realm, including tree plantings, can still be achieved

<u>Response to Councillor Comments</u>

Staff acknowledge Councillor Leiper's comments.

Public Comments

Summary of Comments - Public

This application was subject to the Public Notification and Consultation Policy requirements for minor re-zoning amendment applications. Comments were received by approximately six residents.

Public Comments and Responses

Theme 1: Increased Density/Intensification

Comment:

- Pleased with increased densification in the neighbourhood.

Response:

- Acknowledged.

Theme 2: Built Form and Land-Use

- Concern with environment created for wind tunnel at ground level.
- Concern with increase in noise and air quality.
- Concern that reduced setback and stepbacks are rear will negatively impact neighboouring property.
- Clarification on location of garbage storage area and commercial area loading area.

Response:

- The existing height and built form are generally permitted by the existing zoning. Where applicable, wind and noise studies will continue to be reviewed through the concurrent Site Plan Control application.
- The proposed revision to stepbacks and setbacks are nominal and have been determined to have no adverse impacts on the adjacent propertied by Planning staff.
- The garbage storage area is located in a centralized area in the underground garage (Level P1). Commercial loading will continue to be reviewed through the concurrent Site Plan Control application.

Theme 3: Increase in Traffic

Comments:

- Concern that proposal will increase the amount and speed of traffic in area.
- Recommends revsion of TIA to ensure safety of residents and visitors.

Response:

- Transportation staff have reviewed the proposal are satisfied for the purposes of zoning approval. The Transportation Impact Assessment (TIA) will continue to be reviewed through the concurrent Site Plan Control application.

Theme 4: Tree Planting and Landscaping

Comments:

- Concern that terrace planting not sufficient to mitigate noise.

Response:

- Terrace planting helps to mitigate the overall impact of the building through screening/ increased privacy. Noise mitigation will continue to be reviewed through the concurrent Site Plan Control application.

Theme 5: Vehicular and Bicycle Parking

Comments:

- Pleased with increase in vehicular parking.
- Requested clarification on mitigation of traffic.
- Recommendation to reduce bicycle parking to encourage alternative transportation.

Responses:

- Acknowledged, thank you for the comment.
- Transportation staff is satisfied with the proposal from a zoning approval perspective. Other Transportation Impact Asessment (TIA) matters will continue to be reviewed through the concurrent Site Plan Control application.
- The proposed bicyle parking spaces, in excess of 1 space per resident rate, encourages alternative forms of transportation and is supported by the applicable policies which ecnourage the prioritization of active transportation modes.

Theme 6: Public Engagement

Comment:

- The applicant is encouraged to continue public engagement in neighbourhood.

Responses:

- Acknowledged.

Westboro Community Association Comments

1. We agree with the applicant that this site is an important property in Westboro and its location is well suited for development. It is well severed by the transit with a bus route right at the front door and the future LRT station 1 block to the north. It also has cycling infrastructure nearby with the crosstown cycle path 1 block north at Scott street and the newly finished Byron cycle path 1 block south. This make the project ideal for residents who choose to live without a car.

2. The site also has excellent access to the day to day retail that people need. A short walk to the Superstore or the Farm Boy on McRae along with all the shops and services along Richmond Road makes this site a very livable and well suited for development.

3. The WCA does not have an issue with the amount of parking whether it be 97 or 75 parking spaces. We do wish that at this stage in the project's development that question would have been resolved.

4. We feel that more could easily be done to support active transportation and transit users. The TIA written in 2021/10/27 is still relevant to the project even with the changes the applicant is now proposing.

5. In that document the TDM-Supportive Development Design and Infrastructure Checklist shows the the applicant will not commit to any other than what is required or some of the most basic option when it comes to supporting transit use and cycling.

6. The WCA would like the developer explore a discounted transit pass tied to the monthly rent. Considering this project can easily be called a TOD support for transit uses even if that would be limited to the first year or two would be a step in the right direction.

7. It is unclear what impact that the reduction of the 3rd floor underground parking level will have on the amount of bike parking/storage. The WCA would like to see a small room that can be used for bike repair/maintenance. Having a room that

residents can wash their bike and do basic repairs is very useful. It could also be used as a room for dog washing if properly designed.

8. The applicant should also consider an inhouse bike sharing option for residents. Having a small number of bikes available for residents uses may help reduce the need for a higher number of bike parking spaces. One of those bikes could be a cargo bike. The cost to the developer to offer better cycling infrastructure is the fraction of the cost to construct just one car parking space.

9. The WCA does understand that people need cars but some people choose live without one or simply can't afford a car. To that, the WCA like to see developer work with the local carsharing service. Westboro already has a high number of cars and carsharing members and those numbers are growing. We would like to see that applicant work with the local carsharing service to get a discounted membership for residents if they would like to use carsharing.

10. The WCA feel that for a small cost the applicant could make a significant difference in active transportation and transit users.

11. As for the elimination of the setback on Tweedsmuir and the reduction of the setbacks at the podium level the WCA have very serious concerns.

12. We are not sure if the elimination of the setback on Tweedsmuir is even possible without burying the overhead hydro line. A proximity sketch was not provided with the application.

13. We feel the original application asked for and was granted some significant relief from some setbacks. Specifically the rear yard setback at the north property line which is only 1.2 meters when a 7.5 meter setback is required. We understand that there now is a low rise apartment is now on the property to the north so there was some room for reduction. But in the original application Fotenn and the architect illustrated the 45 degree angular plane incorrectly. The maximum height for the R4UB subzone which 368 Tweedsmuir is zoned is 11 meters and not 15 meters. That error allow for extra 4 meters on the angular plan.

14. The by-laws also called for a 3 meter landscape buffer at the north property line which the developer receiver relief from. This is to say that the project have already received considerable relief from setbacks to allow for greater density but now the developer is back yet again for more relief.

15. We disagree with the applicant that the elimination of the setback on Tweedsmuir will have little impact. The elimination of the of the setback will significantly impact the number and type of trees that can be planted.

16. Trees and tree canopy lost is a major issue in Westboro and all areas within the greenbelt and the primary reason for tree lose is development. The new Official Plan has recognized that tree lost must be stopped and development must address the increase of tree canopy. The elimination of the Tweedsmuir setback will restrict the size of the replacement tree at maturity. It is the expectation of residents and city forestry staff that development accommodate replacement trees that are native and will mature with a diameter of 0.3 meters along the street.

17. For example a quick search of a "Street Keeper Locust" recommends that it be planted 15 feet from a building, the current landscape plan only calls for 5 feet.

18. The latest application does not address trees and tree lost at all in fact it takes a big step backwards from the original application.

19. The WCA must look at an application from a point of how it will effect future development. In the past few years two developments on Richmond Road similar to this application. One at Richmond Churchill and Winona the other at Richmond and Roosevelt the Tubman's Funeral Home property. Both applications has accommodated a setback on the side street, Winona or Roosevelt.

20. Those applications recognized that these side streets are not Traditional Mainstreets and need to have setbacks that address that difference. It is common that the setbacks on Richmond are 0 meters or very small which helps for a constant streetscape that reflect a high volume of pedestrians where retail is the norm. The WCA see the elimination of the Tweedsmuir setback as an attempt to do wrap around zoning. That is applying the same setbacks to the side street as the mainstreet and the WCA feels that the character of these side street must be protected. The zoning by-laws clearly are structure to just that.

21. The applicant only has consideration for their project but the WCA must look at a project as to what standard or precedent it will set for future projects in Westboro. At some point Otto's car dealership will be redeveloped into a residential project. When that time comes that developer will certainly ask for a 0 meters setback on Tweedsmuir because a new standard has been set right across the street. The elimination of the Tweedsmuir setback will create a tunnel effect with dark cold side streets.

22. If you eliminate the side street setback you are reducing the streetscape area by 4 meters. These side streets already start with a reduced right of way width as opposed to Richmond Road and that is a factor that needs to be recognized in the design. Originally it was addressed by having a 2 meter setback and at the time the WCA felt it was a bare minimum but it did follow the standard that the

city had set in other applications. At the time the WCA felt the 2 meter setback was a critical element considering the building will be nine storeys and a podium at the seventh floor.

23. The WCA has concerns with the reduction setback at the podium level on Richmond Road.

24. Richmond road has an evolving streetscape from builds that are 2 and 3 storey to buildings that are 9 storeys. The setback at the podium level is to help with the transition between the existing low rise building and the new 9 storey buildings. The city has recognized that the setback is a very important element to have a desirable street experience along Richmond Road. Without the 2 meter setback at the podium level it frames the building at the level of the existing building and it lessens the effect of the additional storeys above the surrounding building. Without the 2 meter setback the building will visibly overpower the surrounding building at the street level.

25. Setbacks at podium levels are mandate at all types of building from low rise to 30 and 40 storey buildings and that helps to frame the building at street level. In this case this reduction setback will make a very big difference in how the build feels at street level. The WCA again has a concern that a reduced setback will become the standard and dramatically change the desirability of Richmond Road which is the back bone of Westboro.

26. The WCA believe it is fair to make a comparison to a very similar project in Westboro and that is the at 1590 Scott street.

27. Both projects are on corner properties along a traditional mainstreet. Both project converted from a condo development to rentals.

28. The difference is that at 1590 Scott the building foot remained about unchanged. There was a request for a small change to the 7.5 meter rear yard setback.

29. The project retained the setback of 3.0 meters on the side street (Clifton Ave) with no change. The setbacks at the podium level also remained unchanged.

30. The project did have to make a considerable increase in the unit count but they were able to do that without making any notable change to the building footprint and the setbacks.

31. How can one project convert from condo to rental with very little zoning changes yet this application can not?

32. The additional relief that this application is now asking for is not insignificant and will have a negative impacts on the community.

Response to Community Association Comments

33. Staff note the reasons for support, and for the reasons outlined in the main report approval is recommended.

34. The approved zoning by-law amendment is for 95 total vehicle parking spaces for 104 dwelling units, whereas the current proposal is 77 total vehicle parking spaces for 127 dwelling units. The proposed development continues to exceed the minimum zoning requirements for parking but provides a much-improved ratio of vehicle parking spaces to dwelling units. The proposed development provides a parking to dwelling unit ratio that is less than 1:1. To prioritize alternative modes of transportation the proposed development offers 190 bicycle parking spaces. The recommendation to the applicant to consider bike share and car share as options for future residents for this development is included in this report.

35. While there are proposed minor changes to stepback depths of the podium, the pedestrian scale is maintained in a way that is consistent with the existing built form height along Richmond Road and building transitions to adjacent low-rise, residential use along Tweedsmuir Avenue. This proposals stepback along Tweedsmuir Avenue transitions from zero to two metres as the building approaches the adjacent low-rise residential uses north of the site. A landscape plan was submitted with the application and still shows an enhanced public realm consisting of sidewalk, trees and landscaping, despite the reduced corner side yard setback.

    Through the December 5, 2021, Urban Design Review Panel (UDRP) process, previous feedback was received that influenced the refining and proposed amendment to the stepbacks, the corner expression, angular plane, and the simplification of the architectural expression. This proposal is generally consistent with the built form reviewed through this process. This proposal does not detract from the streetscape and surrounding context.

36. Though the surrounding context is considered during Staff review also considered existing policy and guidelines. This proposal remains in conformity with the Zoning By-law and the City's Official Plan.

37. Staff acknowledge the Community Association's comments. Staff have provided a rationale above which supports the proposed minor zoning by-law amendment.

Technical Agency/Public Body Comments

Summary of Comments –Technical

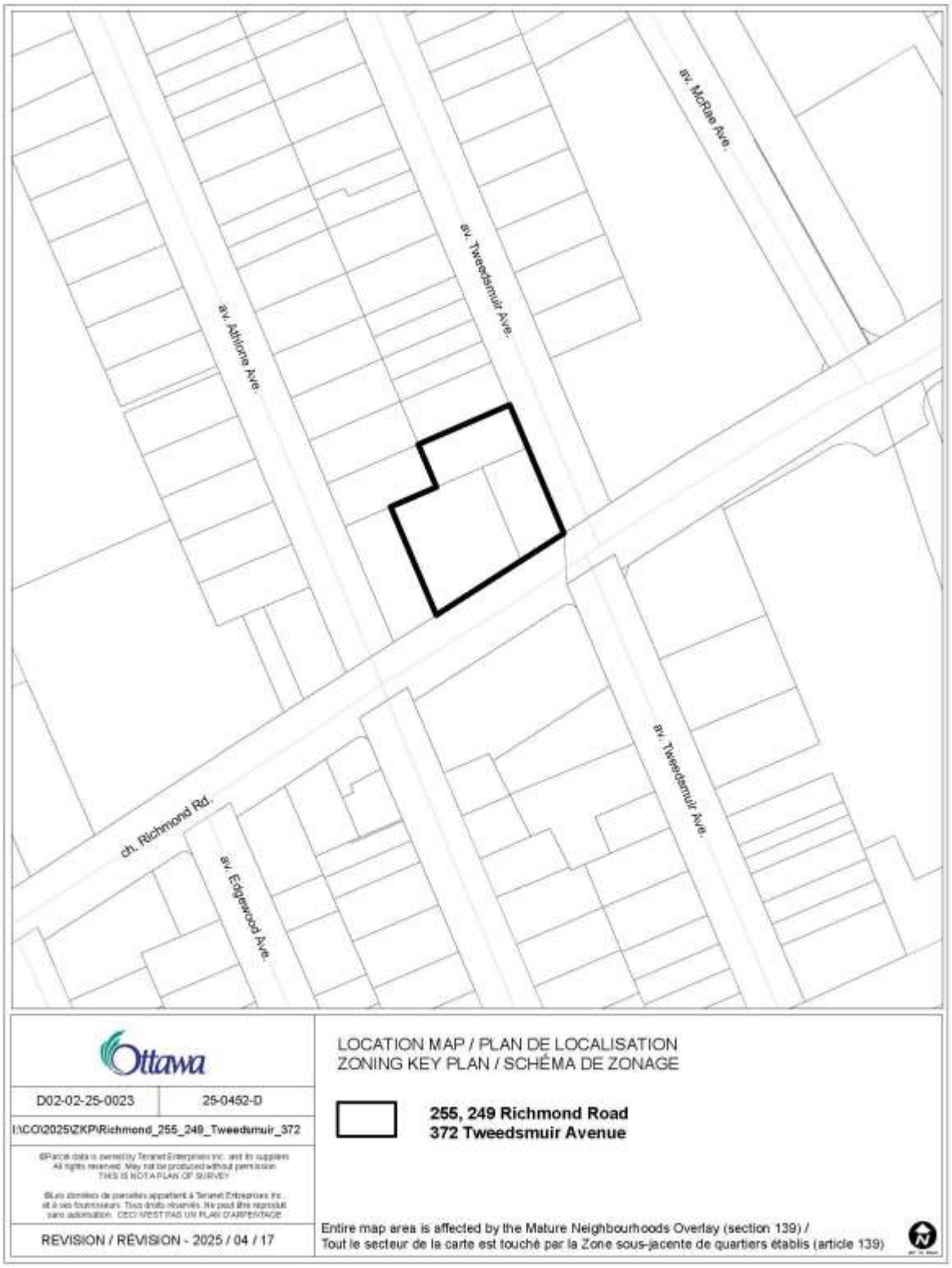
All technical agency correspondence was forwarded to the applicant, and the applicant was advised to contact technical agencies directly for additional information and requirements.

APPLICATION PROCESS TIMELINE STATUS

This Minor Zoning By-law Amendment application was processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority.

Contact: Nastassia Pratt Tel: 613-580-2424, ext. 70468 or e-mail: Nastassia.Pratt@ottawa.ca

Document 1 – Location Map



Document 2 – Zoning Schedule