RJH ARCHITECTURE + PLANNING



# 433 – 435 Churchill Avenue North
# 468 – 472 Byron Place

## Planning Rationale
## Minor Zoning By-Law Amendment

November 9, 2026

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# Executive Summary

The owner of the combined properties at 433-435 Churchill Avenue North and 468-472 Byron Place would like to construct two 12-unit apartment buildings on the eastern half of the site and a 6-storey mixed-use building fronting on Churchill Avenue North. The lands that make up the Subject Property are legally described as Lots 1, 2, 3 and 4 on Registered Plan 269, in the City of Ottawa. **To facilitate this development, a minor zoning by-law amendment is required to remove the existing Exception 2670, Schedule 424 and the holding symbol from the Subject Property.** The proposed development would then be fully zoning compliant with By-Law 2026-50 and with sections of By-Law 2008-250 where ongoing appeals make these provisions still applicable.



Figure 1. 3D Model of Proposed Development, viewed from Byron Place, with Churchill Avenue at the right edge of the image (trees in the linear parkland between Byron Place and Byron Ave have been removed for the visual clarity of the image).

At the time of this application, Zoning By-Law 2026-50 (here after referred to as the 'new zoning') is in force with the exception of the appealed portions. For the appealed portions only, the most restrictive provisions between Zoning By-Law 2008-250 (here after referred to as the 'old zoning') and Zoning By-Law 2026-50 apply. Where appealed portions of Zoning By-Law 2026-50 apply, the proposed development is compliant with the most restrictive of the two by-laws.

The Minor Corridor Zone 1 (CM1) of the new by-law will become the underlying zoning for the entire site, together with Exception 2670 and Schedule 424. The CM1 zoning would facilitate the proposed development, however the exception and schedule is problematic.

We are requesting to remove the existing Exception 2670 and associated Schedule 424 as they result in cost-prohibitive design features. The Exception 2670 was introduced through a rezoning to permit a single mixed-use building to be constructed across the entire Subject Property, extending from Churchill Avenue North to Highcroft Avenue with a 52.7m long northern façade. When the rezoning application was under review (approved in 2020), there was concern about the impact of the development. City planning staff worked with the owners to modify the proposal – stepping it in as it ascended to 6 storeys. The resulting exception zoning is very prescriptive in defining these stepbacks and height limits. Now that an entirely new development strategy is proposed, this project-specific exception zoning is no longer appropriate. Compliance with the exception zoning (intended specifically for another design solution) will introduce oddly placed stepbacks that are of no benefit and add significant costs.

The proposed buildings will fit in well with the surrounding neighbourhood context of low-rise homes and low to mid-rise apartment buildings. In particular, the proposed 6-storey mixed-use building, with it's attractive and welcoming ground-floor commercial space, will enhance the walkability of Churchill Avenue North (a Minor Corridor). The street will be enriched through added density and a commercial destination, which will help support other local businesses and public transit. The two 3-storey 12-unit residential apartment buildings proposed on the eastern side of the Subject Property will architecturally complement the nearby residential street, being sensitive to the existing low-rise massing and built form. Across all proposed buildings, the use of alternating materials, focusing brick on the lower levels, aligns with the low-rise pattern of the adjacent neighbourhood.

The new CM1 zoning includes performance standards that will support development that is in keeping with the intent of the Official Plan, Richmond Road / Westboro Secondary Plan, and Provincial Planning Statement. Exception 2670 was specific to a development that did not move forward, and now this exception stands as a barrier to desirable development.

# Introduction

## 1 Subject Property and Community Context

### 1.1 Subject Property

The Subject Property is 20,510ft$^2$ (1905m$^2$) in area and includes four existing parcels bounded by Byron Place, Churchill Avenue North and Highcroft Avenue.




Figure 2. 3D Aerial Views of Subject Property and Surrounding Context.

Fronting on Byron Place, there are two existing 2-storey semi-detached homes; 472-474 Byron Place and 468-470 Byron Place. On Churchill Avenue North, there is a permanently closed auto shop (433 Churchill Avenue North) and a 4-unit apartment building (435 Churchill Avenue North).



Figure 3. Streetview of the Subject Property facing 433-435 Churchill Avenue North. Abandoned garage on the left and small apartment building on the right.



Figure 4. Streetview of the Subject Property facing the semi-detached homes on 468-472 Byron Place. Garage of 435 Churchill Avenue North on the far right.

## 1.2 Site Context

The Subject Property is located in the Westboro Village neighbourhood. The proposed development fits in well with the existing pattern of low- and mid-rise (mixed-use) buildings in the immediate vicinity and surrounding neighbourhood.



Figure 5. Context Map Including Site, Nearby Low-Rise / Mid-Rise Apartment Buildings, Corridor Designations and Key Amenities.




Figure 6. Streetviews Looking North, East, South and West from Subject Property and Further. Map for Reference.

**View 1:** Looking up Churchill Avenue North towards Richmond Road there is a selection of large and small businesses, including Equator Coffee and Lululemon.

**View 2:** Churchill intersects with Richmond Road (a Mainstreet Corridor) which is lined with small shops and businesses that would benefit greatly from additional foot traffic. There is a 9-storey mixed-use commercial / residential development approved to replace the building on the left - a larger scale version of our proposal for 433 – 435 Churchill Avenue North.

**View 3:** Looking up Byron Avenue towards Highcroft is more residential, with the Byron Linear Park that stitches the neighbourhoods together.

**View 4:** Farther down Byron Avenue are two low-rise apartment buildings side-by-side in a similar configuration to what our client is proposing on 468 – 472 Byron Place.

**View 5:** Looking down Churchill Avenue North towards Kenwood Avenue is a mix of residential and commercial uses as well as services like the Churchill Alternative School.

**View 6:** Farther down Churchill are two more low-rise apartment buildings side-by-side in a similar configuration to what our client is proposing on 468 – 472 Byron Place.

**View 7:** Looking west on Byron Avenue, the active construction site at the corners of Byron, Churchill and Danforth is visible - an 8-storey apartment building with 58 dwelling units on 424 Churchill Avenue North. This approved building has no step backs until the 8th storey.



Figure 7. Rendering of approved development for 424 Churchill Avenue North. 2022. FOTENN. Planning Rationale.

**View 8:** Farther down Byron Avenue is an 8-storey mixed use commercial / residential development.

### 1.2.1 Public Transit & Active Transportation

There are two bus routes within approximately a 400m radius of the Subject Property. The 11 to Parliament and Bayshore and the 51 to Tunney's Pasture and Britannia. The existing Westboro Rapid Transitway Station is 1km away (approximately a 15minute walk) and is scheduled to integrate into the O-Train system for 2027, significantly increasing the connectivity of the area.

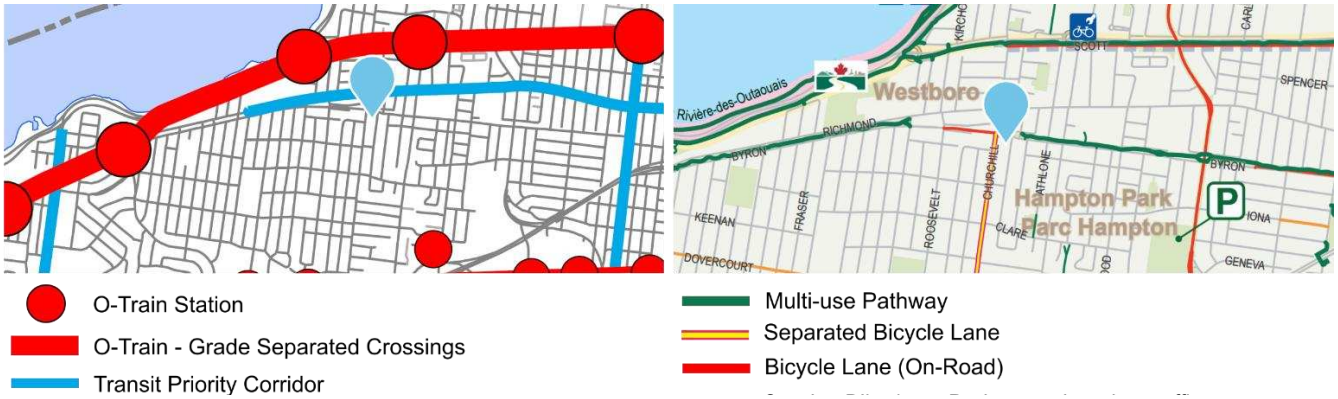


Figure 8. Schedule C2 – Transit Network, Official Plan, 2021 (left). Cycling Network, NCC, 2018 (right)

The Subject Property is connected to Ottawa's cycling network as it fronts on a Multi-Use Pathway that runs east along Byron Avenue. Extending west along Byron Avenue to Roosevelt Avenue is a short section of Bicycle Lane that quickly turns back into a Multi-Use Pathway. Along Churchill Avenue North heading south is a Separated Bicycle Lane.

### 1.2.2 Road Network & Access

The Subject Property is well-serviced by Churchill Avenue North which has Major Collector designation, Byron Avenue which has Collector designation, and nearby Richmond Road which has Arterial designation. According to the City of Ottawa's Official Plan, Major Collectors and Collectors serve neighbourhood travel between Local and Arterial roads. Arterial roads function as major corridors in urban communities, accommodating a variety of transit modes including vehicular, pedestrian, bicycle and public transportation.



Figure 9. Schedule C4 – Urban Road Network, City of Ottawa Official Plan, 2021.

Because of the Subject Property's proximity to public transit, the cycling network and walking distance to many daily destinations, we do not predict much impact on traffic in the immediate vicinity. Furthermore, there is no parking proposed for the two 12-unit buildings planned for 468 – 472 Byron Place. Underground parking is proposed for the 6-storey, multi-unit building planned for 433-435 Churchill Avenue North.

### 1.2.3 Access to Services, Amenities & Recreation

The Subject Property faces a lovely pedestrian path and is within walking distance of key amenities including a school, churches, a grocery store, a senior's center and the multitude of small businesses that populate both Churchill Avenue North and Richmond Road.



Figure 10. 400m Radius around Subject Property.

## 1.3 Consultation Strategy

### 1.3.1 Consultation with City Staff

**2023**
In 2023, pre-application consultations were conducted with the City of Ottawa about a development plan very similar to the one now proposed: two 10-unit buildings to the east side of the lot and a 6-storey building on Churchill Avenue North. City staff advised that the proposal was not possible under the R5B[2670]S424-h zone, and that in order to proceed, a rezoning application would be required to the R4UD zone with site specific exceptions for setbacks, building and parapet height, landscaped buffers and areas, and parking.

Following this consultation the project was put on hold.

**December 2025**
Following a recent decision to exempt Site Plan Application requirements for buildings of 12-units and less, the owners of the Subject Property decided to proceed with the proposed plan for three buildings, but including 12-units in each of the smaller apartments. Informal consultations with the zoning team at the city were conducted during December 2025 regarding removing the existing Exception 2670 from Zoning By-Law 2026-50 in advance of its approval. There was ultimately not enough time for these changes to be made.

**March 2, 2026**
A formal pre-application consultation was conducted with City staff for a minor rezoning to facilitate the development of three apartment buildings, one 6-storey mixed-use building and two 12-unit low-rise apartment buildings. Community association representatives were also in attendance. Staff provided written feedback on March 13, 2026.

# 2 Previous Approvals

Exception 2670 and associated Schedule 424 were originally established to facilitate the development of one large mixed-use building that would span the entire block along Byron Place between Churchill Avenue North and Highcroft Avenue. This involved a rezoning from the R3R and LC zones to an R5B Zone. The R3R Zone did not permit apartment buildings of any kind, so jumping to the R5B Zone for such a large project necessarily required a lot of care in ensuring the development of one very large 73-unit mixed-use building would be contextually appropriate.

Stepbacks and height changes were applied to offset the impact of the single large building footprint.

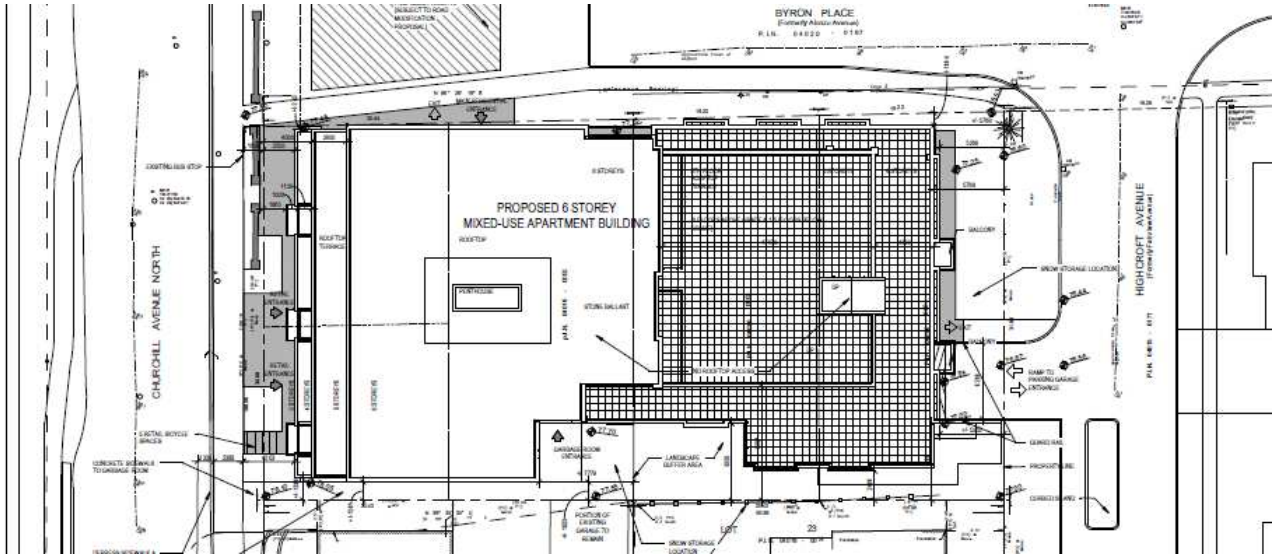


Figure 11. 2020 Site Plan of original 73-unit mixed-use building, D07-12-19-0059.

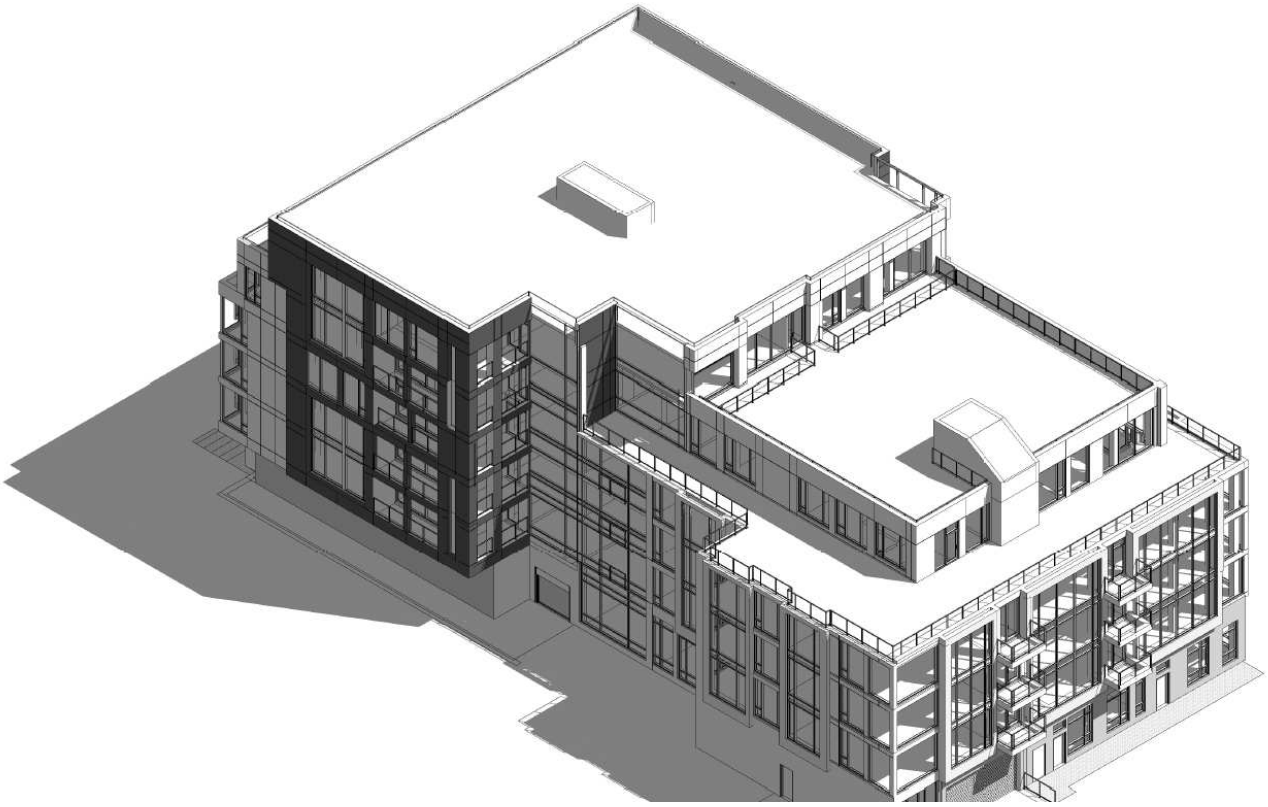


Figure 12. 2020 Application 3D rendering for original 73-unit mixed-use building.

Exception 2670 was added to the by-law at the completion of the rezoning process.

Exception 2670 adds the following additional land uses:

- animal care establishment
- artist studio
- bank
- bank machine
- community health and resource centre
- convenience store
- day care
- instructional facility
- library
- medical facility
- personal brewing facility
- personal service business
- post office
- restaurant
- retail food store
- retail store
- service and repair shop
- urban agriculture

Exception 2670 regulates maximum permitted building heights, minimum setbacks and minimum stepbacks as per Schedule 424, below.

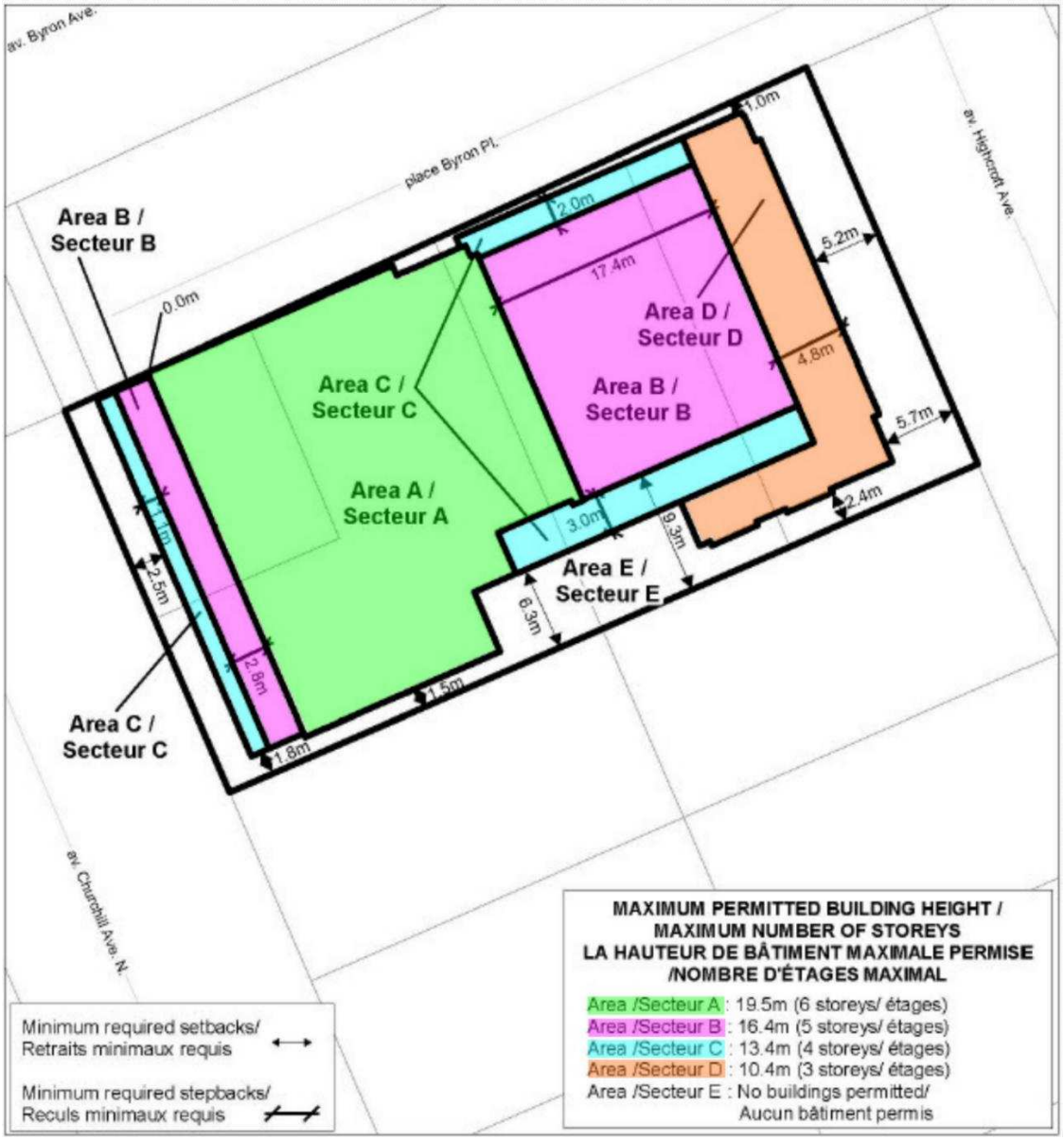


Figure 13. Schedule 424 - Zoning By-Law No. 2008-250.

Exception 2670 also includes the following:

- At least 17.5 % of the lot area must be provided as landscaped area.
- A communal outdoor roof-top amenity area is only permitted on the roof atop the sixth storey.
- A single occupancy washroom is permitted as a projection above the height limit provided it is located within the roof-top access and mechanical penthouse level above the sixth floor.
- Balcony projections are prohibited within the interior yard and/or interior side yard, where facing an abutting residential zone along the southern property line.

- Outdoor roof-top terraces must be setback at least 1.5 m from the outer edge of the storey below.
- Non-residential uses listed in Column III are subject to the following provisions:
    1. Each single occupancy must not exceed 300 m2 of gross floor area; and
    2. Must be located on the ground floor only, and have an active entrance facing Churchill Avenue North.
- The holding symbol may not be lifted until:
    1. A Site Plan application is approved, including the registration of an agreement pursuant to Section 41 of the Planning Act, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, and
    2. The owner, in consultation with the community, Ward Councillor and City, will develop a concept for the enhancement of the existing public space along the Byron Place frontage; such consultation to be completed within six months of the zoning coming into full force and effect, and
    3. Subject to agreement on a concept plan as set out in ii. above, demonstration of an implementation strategy through conditions of approval and/or details on approved plans, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department and the General Manager of Recreation, Cultural and Facility Services.
- Land uses legally existing prior to November 25, 2020 are not subject to the holding symbol.

**The development was abandoned after the rezoning was complete. The project was too complex and costly to build. The stepbacks were cost-prohibitive.**

**The owners remain interested in developing the land and providing new homes and commercial spaces in this desirable location. However, applying the existing zoning schedule of setbacks, stepbacks and height limits to a new development proposal is very complicated and once again, cost-prohibitive.** The complexity of the exception zoning, drafted with the intent of regulating the original design, does not lend itself to a new design solution.

# 3 Development Proposal

The proposed development includes a 6-storey apartment building with ground floor commercial space and one level of underground parking, located on Churchill Avenue North (the western half of the Subject Property). It would contain 50 dwelling units with a range of sizes, an indoor and rooftop amenity space and approximately 13 underground parking spaces. On the eastern half of the Subject Property two 12-unit low-rise apartment buildings are proposed with rear yard amenity space, no on-site parking, and garbage and bike storage located in sheds in the rear yards.

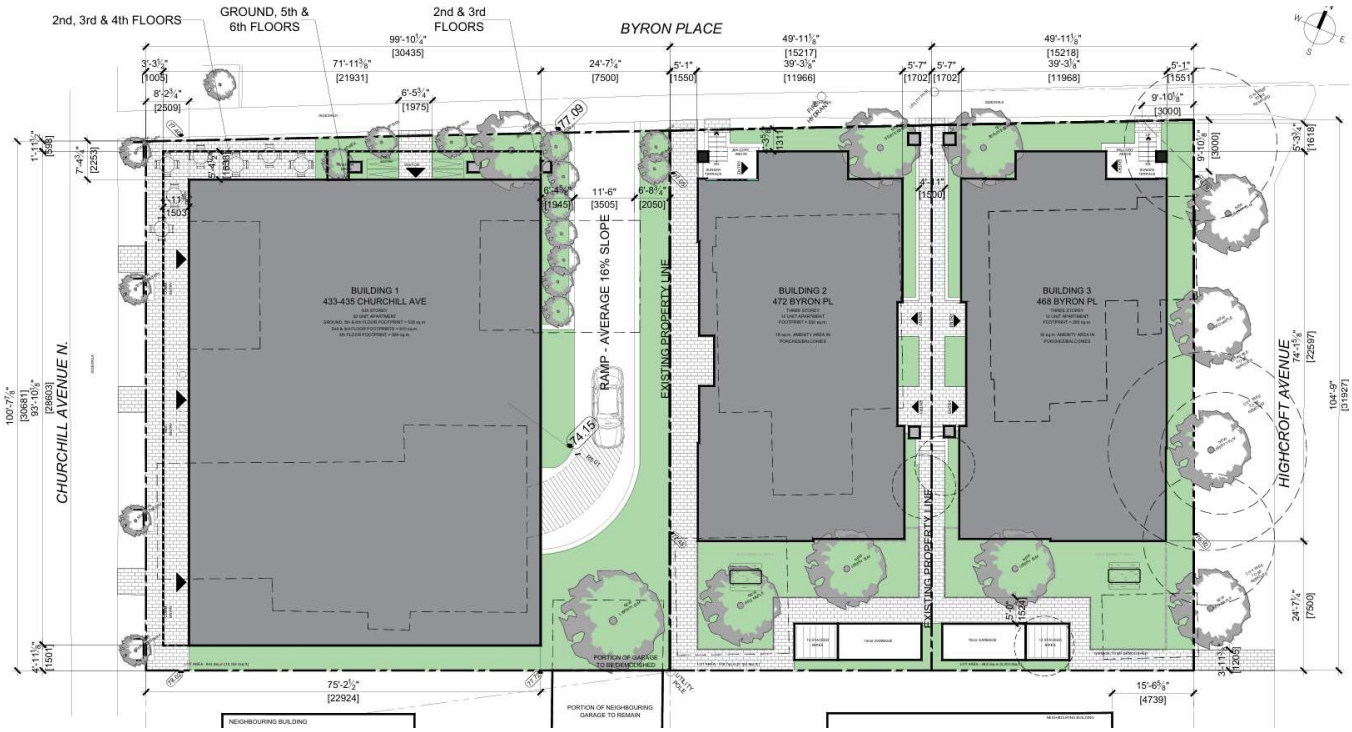


Figure 14. Proposed Site Plan.

For the proposed development to proceed, the existing Exception 2670 must be removed. The project could be designed to be completely zoning compliant under the CM1 zoning. The proposed development meets the intent of Exception 2670 for appropriate development abutting a low-rise residential area but is not compliant with the stepbacks of Schedule 424.


Figure 15. 3D Model of Proposed Development, Looking Southeast from the Intersection of Byron and Churchill.



Figure 16. 3D Model of the Proposed Development, Looking South from Byron Avenue.



Figure 17. 3D Model of the Proposed Development, Looking Southwest from Byron and Highcroft Avenue.

This application to remove Exception 2670 and associated Schedule 424 would facilitate the development of a new design that is not encumbered by the complications of the exception zoning but meets the intent.

With 3-storey developments to the east and 6-storeys to the west, the proposal to build three separate buildings, rather than one long building is more compatible with the smaller mixed-use buildings and low-rise apartment buildings already prevalent in Westboro (see Figures 5 and 6). Using brick on the lower levels of the two proposed low-rise buildings also establishes a relationship between the new buildings and the surrounding, low-rise, low-density neighbourhood along Highcroft.

The proposed 6-storey mixed-use building and two 3-storey apartment buildings would be compliant with the new underlying Minor Corridor Zone 1 performance standards. The CM1 performance standards include appropriate requirements for setbacks and height for the planned future of this area given the Minor Corridor and Evolving Neighbourhood Overlay in the Official Plan.



Figure 18. 2020 Rendering (left) vs 2026 3D Proposal (right).



Figure 19. 2020 Rendering (left) vs 2026 3D Proposal (right).

## 3.1 Development Statistics

The following table provides information about the proposed development.

**Table 1. Development Statistics.**

| Statistic | Building 1 | Building 2 | Building 3 |
|---|---|---|---|
| **Building Height** | 20m (6-storeys) | 11.5m (3-storeys) | 11.5m (3-storeys) |
| **Density** | 530 du per hectare | 250 du per hectare | 248 du per hectare |
| **Number of units** | 50 | 12 | 12 |
| • **Bachelors** | 30% | 0 | 0 |
| • **1-Bedrooms** | 30% | 0 | 0 |
| • **2-Bedrooms** | 30% | 12 (2 w 80 $m^2$ floor areas) | 12 (2 w 80 $m^2$ floor areas) |
| • **3-Bedrooms** | 10% | 0 | 0 |
| **Gross Floor Area** | 44,590 $ft^2$ | 10,880 $ft^2$ | 10,880 $ft^2$ |
| **Parking Spaces** | 13 | 0 | 0 |
| • **Resident** | 9 | 0 | 0 |
| • **Visitor** | 4 | 0 | 0 |
| **Bike Parking Spaces** | 54 | 12 | 12 |
| • **Resident** | 50 | 12 | 12 |
| • **Visitor** | 4 | 0 | 0 |
| **Residential Garbage Storage** | 10 $m^2$ | 10 $m^2$ | 10 $m^2$ |

| | | | |
|---|---|---|---|
| **Amenity Area** | 300 $m^2$ | 72 $m^2$ | 72 $m^2$ |
| **Soft Landscaping** | 20.5% | 19.9% | 29.2% |
| **New Trees** | 6 | 3 | 6 |
| **Protected Trees to be Removed** | 0 | 0 | 4 (as recommended in TIR) |

# Policy Justification

Exception 2670 and associated Schedule 424 intend to meet the directive of the Provincial Planning Statement and the Official Plan, but falls short, by structuring the requirements in a way that is cost-prohibitive because it triggers design features that are inefficient to construct. In particular, the stepping in of the building at various floor levels results in additional structural costs and costly and complicated architectural details for waterproofing, insulation and soundproofing.

It is my professional opinion that since the new CM1 zone would facilitate the proposed development with no exceptions, applying the CM1 zoning performance standards as they are is the cleanest and most appropriate approach. The CM1 zoning performance standards would produce a cost and energy efficient design in keeping with the Provincial Planning Statement and Official Plan directives for energy efficiency and housing supply.

# 4 New Zoning By-Law 2026-250

## 4.1 Exception 2670 and Schedule 424

**The Minor Corridor Zone 1 performance standards will produce high-quality, context-appropriate development in the neighbourhood. The new Minor Corridor performance standards achieve the intent of Exception 2670 and Schedule 424, while permitting flexibility in the design approach. As a result, we propose that the new zoning be applied to the Subject Property with no site-specific exceptions to facilitate the development of one 6-storey mixed-use building and two 3-storey apartment buildings that will complement the neighbouring context in reflecting the existing massing and form.**

The following table demonstrates the redundant or negative impact of Exception 2670 on the proposed development, as well as the effectiveness of the new CM1 zoning in meeting the intent of Exception 2670 while supporting the proposed development.

**Table 2. Proposed development with and without Exception 2670.**

| Exception 2670 | Minor Corridor Zone 1 | Impact of Exception 2670 on the proposed development |
|---|---|---|
| *Maximum permitted building heights, minimum setbacks and minimum stepbacks as per S424.* (Intended to ensure compatibility by stepping down toward neighbouring low-rise development) | The Minor Corridor 1 Zone permits 20m building heights, but only 15m in height within 10m of low-rise residential zones. This echoes the intent of S424, but without the detail that was fine-tuned to a previous design.<br><br>The proposed 3-storey apartment buildings are within 10m of a low-rise residential zone and therefore much shorter than the proposed building on the Churchill Avenue North Minor Corridor.<br><br>In complying to the CM1 zoning, the design meets the intent of Exception 2670. | The proposed 3-storey building at the corner of Highcroft and Byron would not be compliant unless it were reduced in height to only 10.4m. This would result in a more costly accessible entrance, and a design that is different from the neighbouring 3-storey proposed building – adding to project costs.<br><br>This added complexity and cost would prevent the project from moving forward. |
| *At least 17.5 % of the lot area must be provided as landscaped area.* | The Minor Corridor 1 Zone performance standards include requirements for landscaping and amenity spaces such that more than 17.5% will be landscaped. | Landscaping will be provided in all yards of all buildings in excess of 17.5%. This exception is irrelevant. |
| *A communal outdoor roof-top amenity area is only permitted on the roof atop the sixth storey.* | CM1 zoning permits rooftop amenity space. | The proposed development has rooftop amenity only on the 6-storey building. Amenity spaces for the 12-unit buildings will be provided in the rear yards, as rooftop amenity spaces are cost-prohibitive on smaller buildings. |
| *A single occupancy washroom is permitted as a projection above the height limit provided it is located within the roof-top access and mechanical penthouse level above the sixth floor.* | Section 203 Subsection 3(j) of the new by-law permits indoor rooftop amenity areas to project up to 5m above the height limit, if less than 300sq.m. This would allow for a washroom. | The proposed 6-storey building will have rooftop amenity space and a washroom, permitted by either Exception 2670 or the new by-law. The exception is redundant. |
| *Balcony projections are prohibited within the interior yard and/or interior side yard, where facing an abutting residential zone along the southern property line.* | | This side yard condition is not present in the new proposed design, due to the more conventional orientation of lots. |

| | | |
|---|---|---|
| *Outdoor roof-top terraces must be setback at least 1.5 m from the outer edge of the storey below.* | Section 203 Subsection 3(o) of the new by-law regulates that a rooftop terrace must be setback 1.5m from the exterior wall. | The new bylaw and the exception contain the same performance standard. The exception is redundant. |
| *Non-residential uses listed in Column III are subject to the following provisions:*<br>*i. Each single occupancy must not exceed 300 m2 of gross floor area; and*<br>*ii. Must be located on the ground floor only, and have an active entrance facing Churchill Avenue North.* | ii. The Minor Corridor 1 Zone performance standards require that a façade facing a Minor Corridor have at least one active entrance per occupancy. | i This requirement is no longer relevant -- the proposal for 3 separate buildings (as opposed to one large building spanning the entire end of the block) results in smaller areas for single commercial occupancies. |
| *Non-residential uses:*<br>• *animal care establishment*<br>• *artist studio*<br>• *bank*<br>• *bank machine*<br>• *community health and resource centre*<br>• *convenience store*<br>• *day care*<br>• *instructional facility*<br>• *library*<br>• *medical facility*<br>• *personal brewing facility*<br>• *personal service business*<br>• *post office*<br>• *restaurant*<br>• *retail food store*<br>• *retail store*<br>• *service and repair shop*<br>• *urban agriculture* | Permitted non-residential use under the CM1 zoning (in **bold** are overlapping with Exception 2670 permissions):<br>• ***animal care establishment***<br>• ***artist studio***<br>• ***bank***<br>• *broadcasting and production studio*<br>• *catering establishment*<br>• ***community centre***<br>• *courthouse*<br>• ***day care***<br>• ***emergency service***<br>• *funeral home*<br>• *government service centre*<br>• *hotel*<br>• ***instructional facility***<br>• ***library***<br>• *market*<br>• ***medical facility***<br>• ***micro distribution facility***<br>• *museum*<br>• ***office*** (including post office)<br>• *payday loan establishment*<br>• ***personal service business***<br>• *place of assembly*<br>• *place of worship*<br>• *recreation and athletic facility* | Both the CM1 and Exception 2670 non-residential uses lists are extensive and adequate to meet the development objectives. The exception is redundant. |

| | | |
|---|---|---|
| | • *research and development centre*<br>• ***restaurant***<br>• ***retail store*** (i.e. convenience store, food store)<br>• *school*<br>• *storefront industry*<br>• *theatre*<br>• *training centre*<br><br>The CM1 performance standards include all the permissions for non-residential uses that were provided in the Exception Zoning, except for the service and repair shop and urban agriculture. The CM1 zoning also increases the permissions to additional non-residential uses that may be desirable in this area. | |

**Holding Symbol**

The holding zone was applied to the Subject Property at the time of the rezoning in 2019, requiring the enhancement of the public space along the Byron Place frontage as part of the project. In 2025, Bill 17 was passed, providing direction for municipalities to no longer impose upgrades to municipal lands as conditions of approval on development applications. We therefore request that the holding symbol be removed.

Should the city decide that the holding symbol must remain, we request that it only apply to 433-435 Churchill Avenue North, where the 6-storey mixed-use apartment building is proposed. A 6-storey building is subject to Site Plan Control, whereas the proposed low-rise apartments are not. If the holding symbol remains on the east half of the Subject Property, it would prevent the development of the proposed low-rise 12-unit apartments because, outside of the Site Plan Application process, there is no mechanism to lift the holding restriction.

## 4.2 Zoning By-Law 2026-50 Appeals

At the time of this application, for the appealed portions of Zoning By-Law 2026-50, the most restrictive of both Zoning By-Law 2026-50 and Zoning By-Law 2008-250 apply.

The appealed portions of Zoning By-Law 2026-50 applicable to the proposed development are as follows:

- Amount of communal amenity area
- Maximum parking space rates
- Minimum long-term bike parking spaces
- Minimum short-term short parking spaces
- Minimum large dwelling units

**Communal amenity area**
The total amount of communal amenity area has not been appealed, only the proportion of communal amenity area. As a result, the requirement for 6m$^2$ per dwelling unit stands, but for the low-rise buildings, 100% of the requirement for the first 8 dwelling units must be communal as per Zoning By-Law 2008-250 (the most restrictive). The proposed development meets this more restrictive requirement.

**Maximum parking spaces**
The 13 proposed parking spaces for the mid-rise building are well below the 1.25 per dwelling unit maximum, the more restrictive requirement, in Zoning By-Law 2026-50.

**Minimum bike parking spaces**
1 bike parking space per dwelling unit will be provided for all proposed buildings as per the more restrictive requirement, in Zoning By-Law 2026-50.

**Minimum short-term bike parking spaces and minimum large dwelling units**
There is no equivalent requirement for short-term bike parking or large dwelling units in Zoning By-Law 2008-250, so the proposed development is compliant with the requirements of Zoning By-Law 2026-50.

A summary of the proposed development's compliance with regards to the appeals is illustrated in the table below:

**Table 3. Summary of Zoning By-Law 2026-50 Appeals**

| By-Law 2026-50 Requirement | By-Law 2008-250 Requirement | Building 1 (Mid-Rise) | Building 2 (Low-Rise) | Building 3 (Low-Rise) |
|---|---|---|---|---|
| **Min. 50% Communal Amenity Area** *Section 208(6)* | **Min. 50% Communal Amenity (mid-rise)** *Table 137(5)*<br><br>**Min. 100% of requirement for 1st 8 du to be communal (low-rise)** *Table 137(11)* | 50% of required | Required amenity for 1st 8 du = 48m$^2$<br><br>56m$^2$ is provided as communal | Required amenity for 1st 8 du = 48m$^2$<br><br>56m$^2$ is provided as communal |
| **Max. 1.25 Resident Pkg Spaces Per du** *Table 602(b)(i)* | **Max. 1.75 Parking Spaces Per du** Table 103(III)(a) | 13 | None | None |

| | | | | |
|---|---|---|---|---|
| **Min. 4 Short-Term Bike Parking Spaces (mid-rise)** *Table 613B(iii,v)* | No requirement | 4 | NA | NA |
| **Min. 1 Long-Term Bike Space Per du** *Table 613B(iii,v)* | **Min. 0.5 Bike Parking Spaces Per du** *Table 111A* | 1 per du (50) | 1 per du (12) | 1 per du (12) |
| **Min. Two 3-Bedroom Units OR min. 80m² floor areas** *Section 708(2)* | No requirement | NA – appealed only for low-rise | Two 2-bedroom units with 80m2 floor areas | Two 2-bedroom units with 80m2 floor areas |

# 5 Provincial Planning Statement

The 2024 Provincial Planning Statement (PPS) provides policy direction on land use planning and development matters of provincial interest, in order to meet the needs of a growing province. All decisions affecting planning matters "shall be consistent with" policies issued under Section 3 of the Planning Act.

Chapter 2, *Building Homes, Sustaining Strong and Competitive Communities* of the PPS sets out the policies for planning for people and homes, housing, settlement areas and expansions, strategic growth areas, rural areas, employment, and energy.

Policy 2.1.6 of the PPS states that:
*"Planning authorities should support the achievement of complete communities by:*

a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
b) *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
c) *improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups."*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 will facilitate the development of a mixed-use building and two low-rise apartment buildings on the Subject Property. The proposed development is consistent with Policy 2.1.6 as it will add a mix of housing options in the neighbourhood, with units ranging from bachelor's to 3-bedrooms. The proposed commercial spaces in the mixed-use building will provide employment opportunities in the neighbourhood. The proposed development supports multi-modal transportation options by increasing residential density in proximity to transit and providing approximately 74 on-site bike parking spaces. The proposal would

improve the quality of the pedestrian environment, increasing overall accessibility by eliminating curb cuts along both Byron Place and Churchill Avenue North. At least 15% of the units in all proposed buildings will be barrier free, totalling approximately 12 units.

Policy 2.2.1 of the PPS states that:
*"Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- *b) permitting and facilitating:*
  1. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
  2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
- *c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- *d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations."*

The proposed application will facilitate the development of a range of unit options capable of housing a diversity of tenants with a range of income and accessibility needs. The proposal represents much-needed intensification in a developed area and on underutilized land currently being occupied by an abandoned garage, two semis and a small multi-unit building. The proposal represents transit-supportive intensification by increasing the residential density of an already transit-served area, contributing to further ridership.

Policy 2.3.1.2 of the PPS states that:
*"Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

- *a) efficiently use land and resources;*
- *b) optimize existing and planned infrastructure and public service facilities;*
- *c) support active transportation;*
- *d) are transit-supportive, as appropriate; and*
- *e) are freight-supportive."*

The proposed application represents an efficient use of land and resources that optimizes existing infrastructure and servicing facilities, on a currently underutilized site. The existing lots are all connected to municipal services. The proposed development is in a walkable neighbourhood near amenities such as grocery stores, restaurants, schools, churches, pharmacies, coffee shops, daycares, parks, salons, libraries, a senior's centre and fitness centres. The Subject Property is very well-serviced by public transit, being steps from multiple bus lines (11, 51) as well as a 15-minute walk from the planned Westboro O-Train Station. Active transportation modes will be supported by providing residents with 1:1 long-term bicycle parking spaces, as well as increasing residential density across from the Byron linear park.

Policy 2.3.2.3 of the PPS states that:
*"Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities."*

The proposed application would support the neighbourhood becoming a more complete community through the added residential density of the two proposed apartment buildings and mixed-use building. The businesses in proximity to the Subject Property will be supported by the new residents, who will also be contributing to increased transit ridership. The new commercial spaces established on the ground floor of the mixed-use building will enhance the streetscape and attract foot traffic to the area.

Policy 2.4.3.1 of the PPS states that:
*"Planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate."*

The proposed application would support the development of mixed-use intensification within walking distance of the City's planned rapid transit network, as well as the existing network of bus lines.

Policy 2.8.1.1 of the PPS states that:
*"Planning authorities shall promote economic development and competitiveness by:*

a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*

c) *identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
d) *encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
e) *addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses."*

The proposed application would support the development of both residential and commercial intensification in a vibrant walkable neighbourhood. Such a development would contribute to the surrounding neighbourhood's evolution towards a complete community, meeting long-term needs of residents for both a mix of housing options as well as commercial employment opportunities.

Policy 2.9.1 of the PPS states that:
*"Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*
a) *support the achievement of compact, transit-supportive, and complete communities;*
b) *incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;*
c) *support energy conservation and efficiency;*
d) *promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
e) *take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate."*

The proposed application would support compact urban development that will contribute to increased transit ridership and contribute to the neighbourhoods transition to a complete community. One long-term bicycle parking space per unit will be provided to residents of all proposed buildings, supporting active transportation. The shared walls, floors and ceilings between units of the proposed developments are also energy-conserving in terms of heating and cooling of the homes.

# 6 City of Ottawa Official Plan

## 6.1 Strategic Directions

Section 2.1 of the Official Plan sets out the broad strategic directions for the city, based on policy directions towards becoming the most liveable mid-sized North American city.

Big Policy Move 1 is to:
*"Achieve, by the end of the planning period, more growth by intensification than by greenfield development."*

The Official Plan aims to increase the share of future growth within Ottawa's existing built-up areas by 60% by 2046 by increasing the variety of low-rise housing options close to corridors and promoting the evolution of 15-minute neighbourhoods. The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of a 6-storey mixed-use building and two 3-storey apartment buildings, representing appropriate intensification in an Evolving Neighbourhood Overlay and Minor Corridor designation of the Inner Urban Transect. The proposal for the Subject Property will contribute to this policy objective by establishing a greater diversity of unit types and commercial destinations in the neighbourhood in proximity to transit and a broad range of services and amenities.

Big Policy Move 2 is to:
*"By 2046, the majority of trips in the city will be made by sustainable transportation."*

The proposed application contributes to the objectives of Big Policy Move 2 by providing intensification in proximity to transit, including the planned Westboro O-Train Station. In addition, residents of the larger mixed-use building will be provided with long-term bicycle parking spaces at a rate of 1:1, plus the required short-term spaces. Long-term bicycle parking for the two low-rise apartment buildings will also be provided at a rate of 1:1. The Subject Property is within walking distance of many daily/weekly destinations of residents, including grocery stores, restaurants, schools, churches, pharmacies, coffee shops, daycares, parks, salons, libraries, a senior's centre and fitness centres. As a result, the proposed development supports increased transit, cycling and pedestrian travel.

Big Policy Move 4 is to:
*"Embed environmental, climate and health resiliency and energy into the framework of our planning policies."*

The stepbacks and varying heights required by Exception 2670 result in complicated architectural details for waterproofing and insulation which are not energy efficient. In contrast, the proposed development under the CM1 zoning performance standards would

produce a much more energy efficient structure, because the building would not be stepped in at different floor levels.

Big Policy Move 5 is to:
*"Embed economic development into the framework of our planning policies."*

Big Policy Move 5 speaks to supporting "*a broad geographic distribution of employment so that people have the choice to work close to where they live*". The proposed application would facilitate the development of approximately 74 dwelling units in proximity to an abundance of employment opportunities nearby along Richmond and Churchill, as well as creating employment opportunities in proximity to residences through the development of commercial spaces as part of the proposed mixed-use building.

## 6.2 Growth Management Framework

Section 3 of the Official Plan sets out policies to direct growth to target areas for intensification. Most projected growth between 2018 and 2046 is directed within the urban boundary, representing 93% of all new development. 47% of the growth allocation is directed to take place within existing built-up areas inside the urban boundary where services are available or can easily be provided for new development to accommodate the creation of jobs, housing and increased transit use.

The Subject Property is within the targeted area for growth, and the proposed application to not carry forward Exception 2670 and associated Schedule 424 would add 74 new homes.

Section 3.2, Policy 3 of the Official Plan identified "Corridors" as one of the target areas designated for the vast majority of residential intensification in the City of Ottawa.

The Subject Property is designated as a Minor Corridor within the Evolving Neighbourhood Overlay of the Inner Urban Transect as per Schedule B1, therefore the proposed development of a 6-storey mixed-use building and two 3-storey residential apartment building are consistent with growth objectives for intensification in the Official Plan.

Section 3.2, Policy 10, Table 3B of the Official Plan sets out residential density targets that apply to Minor Corridors, and states that the residential density targets are 60 to 80 dwellings per net hectare in the Inner Urban Transect.

With approximately 74 dwelling units on a combined 1905m2 lot area, the Subject Property would comprise approximately 388 dwelling units per net hectare, exceeding the target density and increasing the density of this residential area.

## 6.3 City-Wide Policies

Section 4 of the Official Plan sets out city-wide policies to be considered where all new development is proposed.

Section 4.1.2, Policy 1 of the Official Plan sets out the framework for establishing 15-minute neighbourhoods across the City and states that:
*"In general, this Plan equates a walking time of:*

a) *5 minutes to be equivalent to a radius of 300 metres, or 400 metres on the pedestrian network;*
b) *10 minutes to be equivalent to a radius of 600 metres, or 800 metres on the pedestrian network; and*
c) *15 minutes to be equivalent to a radius of 900 metres or 1,200 metres on the pedestrian network."*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of mixed-use intensification located centrally in the heart of Westboro, with an abundance of services and amenities within 400m and beyond of the proposed development (see Figure 10), particularly along Richmond Road. The proposed development would contribute to the area transitioning towards a 15-minute neighbourhood through the increased residential density as well as commercial opportunities.

Section 4.1.2, Policy 6 of the Official Plan states that:
*"New developments will provide direct connections to the existing or planned network of public sidewalks, pathways and cycling facilities."*

The proposed application would facilitate the development of mixed-use intensification that would provide direct connections to the existing network of public sidewalks via pathways from active entrances to residential and commercial spaces. In addition, a 1:1 bicycle parking ratio is being provided with indoor bike storage facilities for the larger mixed-use building, and a 1:1 ratio for the low-rise apartment buildings in rear sheds. From the Subject Property, residents will have access to the multi-use pathway along Byron Avenue and the separated bike lane along Churchill Avenue North (see Figure 8).

Section 4.2.1, Policy 2 of the Official Plan states that:

*"The City shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:*

a) *Allowing housing forms which are denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;*
b) *Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law; and*
c) *In appropriate locations allowing missing middle housing forms while prohibiting lower-density typologies near rapid-transit stations within the Zoning By-law.*

The new zoning by-law successfully permits denser, multi-unit missing middle housing forms in appropriate locations. The application for the proposed development to be required to comply with the new CM1 zoning would produce context-appropriate residential density and commercial opportunity in close proximity to rapid transit and services and amenities, contributing the neighbourhoods evolution to a healthy 15-minute community.

Section 4.2.1, Policy 9 of the Official Plan states that:
*"Proponents of development shall provide an adequate number of bicycle parking facilities as follows:*

a) *Long-term bicycle parking facilities shall be secure, sheltered and usable by all types of cyclists. Where located inside buildings, long-term bicycle parking facilities shall provide safe, accessible, direct and convenient access to the exterior."*
b) *Short-term bicycle parking facilities shall be highly visible, well-lit, near building entrances and where appropriate, sheltered.*

One long-term bicycle parking space will be provided for every dwelling unit of the mid-rise mixed-use apartment building indoors. Long-term bike storage will also be provided to both low-rise apartment buildings at a rate of 1 per dwelling unit in rear sheds. For the mixed-use building, approximately 4 short-term bike parking spaces will also be provided outside near building entrances.

The proposed application to not carry forward Exception 2670 and associated Schedule 424 into the new zoning by-law aligns with the City-Wide Policies of the Official Plan.

## 6.4 Land Use Designation

The Subject Property is in the Inner Urban Transect, within the Evolving Neighbourhood Overlay and Minor Corridor designations.

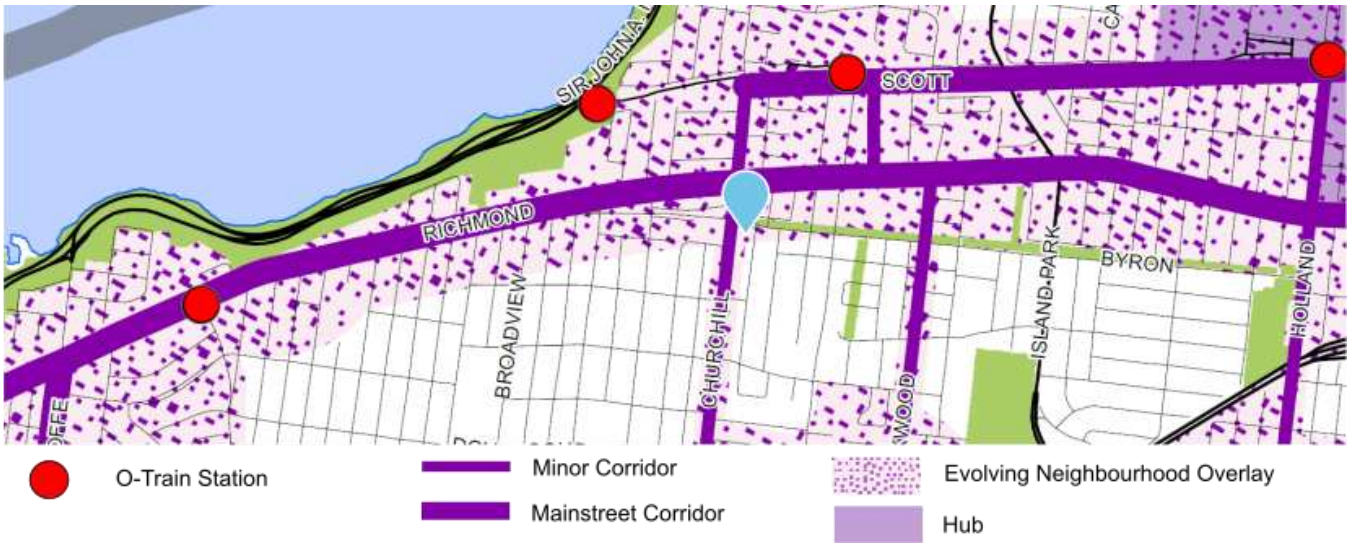


Figure 20. Excerpt from the Official Plan (2021), Schedule B2 – Inner Urban Transect.

### 6.4.1 The Inner Urban Transect

Section 5.2 of the Official Plan sets out general policies and guidance for proposed development in Neighbourhoods within the Inner Urban Transect.

Section 5.2.1 of the Official Plan aims to maintain and enhance the built form, site design and a mix of uses within the Inner Urban Transect. Policy 1 states that:
*"The Inner Urban Transect's built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban."*

Table 6 of the Official Plan identifies the following characteristics of urban built form:

- *"Shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationship with the public realm*
- *Principal entrances at grade with direct relationship to public realm*
- *Range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios*
- *Minimum of two functional storeys*
- *Buildings attached or with functional side yard setback*
- *Small areas of formal landscape that should include space for soft landscape, trees and hard surfacing"*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 will facilitate a development that conforms with the characteristics of the urban pattern of built form identified in Table 6. The CM1 zone performance standards of the new by-law achieve this intended urban pattern. The proposal includes a 2.5m front yard setback for the mid-rise mixed-use building fronting in Churchill Avenue North at the ground floor, prioritizing the built-form relationship with the public realm through active entrances to welcoming commercial spaces. Shallow front yards are proposed for the two 3-storey

apartments fronting on Byron Place, with active entrances and small areas of formal landscaping. Lot sizes will range from approximately 943m$^2$ for the mixed-use building and around 480m$^2$ for the low-rise buildings, with lot coverages ranging from around 60% (mid-rise), to 50% (low-rise). The proposed development would exceed the minimum requirement for two functional stories with one 6-storey building and two 3-storey buildings. All side yards are functional. Soft landscaping will be provided in the front and rear yards of the two low-rise apartment buildings, and in the bottom right-hand portion of the rear yard of the mixed-use building.

Section 5.2.1, Policy 4 of the Official Plan states that:
*"The Inner Urban Transect shall continue to develop as a mixed-use environment, where:*

a) *Hubs and a network of Mainstreets and Minor Corridors provide residents with a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods;*
b) *Small, locally oriented services may be appropriately located within Neighbourhoods;*
c) *Existing and new cultural assets are supported, including those that support music and nightlife;*
d) *Larger employment uses are directed to Hubs and Corridors; and*
e) *Increases in existing residential densities are supported to sustain the full range of services noted in Policy a).*"

The proposed application would facilitate mixed-use development fronting a Minor Corridor where new residents will have easy access to an abundance of services and amenities within walking distance of their homes. These new residents will also be supporting the growth of 15-minute neighbourhoods and small local businesses by increasing foot traffic in the area.

Section 5.2.1, Policy 5 of the Official Plan states that:
*"The Inner Urban area is planned for mid- to high-density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. The following policies apply to private approaches:*

a) *The privatization of curb space through increasing private approaches, whereby an on-site private parking space for one or two landowners precludes the use of curb space for street parking and other purposes for all users:*
   i. *Is generally discouraged; and*
   ii. *May be prohibited on small or narrow lots, or where such private approaches are proposed to serve a small number of parking spaces.*
b) *Maintaining or enhancing unbroken curb space for short-term, visitor and permit-zone street parking and other common purposes, and front yard space for trees and intensive landscaping, is given priority over private approaches; and*

c) *Further to the above, development applications may be required to*
   i. *Reduce the number and/or width of private approaches on a site;*
   ii. *Re-use existing private approaches; or*
   iii. *Relocate and/or combine existing private approaches with no net increase in number or width.*
d) *In the case of completely new areas or neighbourhoods developed by Plan of Subdivision, each city block shall be planned to minimize the number of vehicular private approaches and combine or share accesses to the greatest extent possible."*

The proposed application follows a mid-density urban development form. For the mixed-use building planned for 433 – 435 Churchill Avenue North around 13 underground parking spaces are proposed, accessed via one driveway coming off Byron Place. For the two 3-storey apartment buildings planned for 468 – 472 Byron Place, the client may request street permit parking on Byron Place. The proposed development would eliminate the existing private approach along Churchill Avenue North, reducing from six to one private approaches and curb cuts along Byron Place.

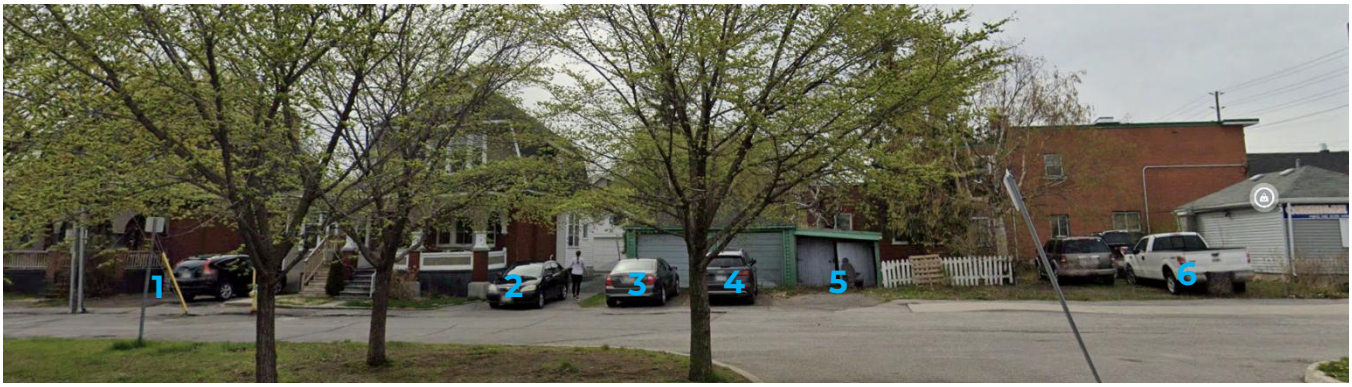


Figure 21. Existing driveways and curb cuts along Byron Place.

Section 5.2.2, Policy 2 of the Official Plan states that:
*"The transportation network for the Inner Urban Transect shall:*
a) *Prioritize walking cycling and transit; and*
b) *Accommodate motor vehicle access and movement provided doing so does not erode the public realm nor undermine the priority of pedestrians, cyclists and transit users."*

The proposed application prioritizes walking, cycling and transit by making the ground floor of 433 – 435 Churchill Avenue North a pedestrian destination as parking spaces will not be provided for customers. The proposed driveway leading to the shared underground parking garage for residents of the mixed-use building will come off Byron Place, so as not to undermine the priority of pedestrians and cyclists along Churchill Avenue North. Furthermore, approximately 74 bicycle parking spaces will be provided to residents either indoors or near that main entrance of the mixed-use building and in sheds for the low-rise buildings to promote active transportation among both residents and visitors.

Section 5.2.2, Policy 3 of the Official Plan states that:
*"Motor vehicle parking in the Inner Urban Transect shall be managed as follows:*

a) *Motor vehicle parking may only be required for large-scale developments, and only to the extent needed to offset sudden large increases in parking demand;*
b) *No parking shall be required as a condition of development within Hubs;*
c) *Surface parking within 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned rapid transit station, shall be limited to a very small amount of spaces only for short-term drop-off and pick-up, or delivery vehicles; shall not be located between the building and the sidewalk; and shall be accessed and egressed by the narrowest possible driveway; and*
d) *Where new development is proposed to include parking as an accessory use, such parking:*
    i. *Shall be hidden from view of the public realm by being located behind or within the principal building, or underground;*
    ii. *Shall be accessed by driveways that minimize the impact on the public realm and on both City-owned trees and privately-owned distinctive trees, and result in no net increase in vehicular private approaches; and*
    iii. *May be prohibited on small lots or where parking cannot reasonably be accommodated in a manner consistent with the intent of this Plan."*

No surface parking is proposed for this development. The on-site parking proposed for the mid-rise mixed-use building will be shielded from view from the public realm in an underground parking garage. The proposed driveway location will limit the impact on the public realm by being located on a side street off Byron Place, prioritizing pedestrian and cycling access along the Minor Corridor – Churchill Avenue North. This single driveway represents a reduction from a total of 6 existing private approaches along Byron Place and Churchill Avenue North. No parking is proposed for the low-rise apartment buildings.

Section 5.2.3, Policy 3 of the Official Plan states that:
*"Along Minor Corridors, permitted building heights are as follows, subject to appropriate height transitions and stepbacks:*

a) *Generally, not less than 2 storeys and in the maximum height range of between 4 to 6 storeys, except where a secondary plan or area-specific policy specifies different heights;*
b) *Where the Zoning By-Law permits a Low-rise building, an amendment to this Plan shall not be required to consider a building of 5 or 6 stories;*
c) *The wall heights directly adjacent to a street of such buildings shall be proportionate to the width of the abutting right of way, and consistent with the objectives in the urban design section on Mid-rise built form in Subsection 4.6.6, Policy 7); and*

d) *The height of such buildings may be limited further on lots too small to accommodate an appropriate height transition."*

The proposed application does not exceed the maximum of 4 to 6 storeys. See Section 5.1 Richmond Road / Secondary Plan below for relevant secondary plan policies. No area-specific policy specifies different heights, except for Schedule 424 which is proposed to be removed. The proposed wall heights are proportionate to the width of the abutting right of way (see Section 4.6.6(7) below). The lots are not too small to accommodate an appropriate height transition. Height transition is proposed to be achieved between the Minor Corridor and the adjacent low-rise residential neighbourhood with the two 3-storey apartment buildings between the 6-storey mixed-use building and the dwellings on Highcroft.

Section 5.2.3, Policy 4 of the Official Plan states that:
"All buildings along Mainstreets or Minor Corridors shall have active entrances facing the Mainstreet or Minor Corridor, regardless of use."

The entrances proposed for the 433 – 435 Churchill Avenue North (Minor Corridor) will be active and welcoming commercial spaces, alongside large shop-front windows. An active residential entrance is also proposed on the front façade of the mixed-use building facing Churchill.

### 6.4.2 The Evolving Neighbourhood Overlay

Section 5.6.1 of the Official Plan provides policy direction for Built Form Overlays, including the Evolving Neighbourhood Overlay.

Section 5.6.1.1, Policy 1 of the Official Plan states that:
*"The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:*

a) *Guidance for a gradual change in character based on proximity to Hubs and Corridors,*
b) *Allowance for new building forms and typologies, such as missing middle housing;*
c) *Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals; and…"*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate suitable intensification on the Subject Property, in the form of mixed-use and missing-middle housing, designed to support the neighbourhood's evolution towards a more urban built form along a Minor Corridor in the Evolving Neighbourhood Overlay. The proposed 6-storey mixed-use building and two 3-storey apartment buildings are consistent with City objectives to promote intensification within walking distance of existing and planned rapid transit facilities, as well as providing new residents with ample long-term bike storage facilities adjacent to the existing cycling network.

Section 5.6.1.1, Policy 2 of the Official Plan states that:
*"Where an Evolving overlay is applied:*

a) *The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies; and*
b) *The Zoning By-law shall include minimum-density requirements as identified in Table 3a, and permissions to meet or exceed the density targets of Table 3b."*

The CM1 zoning performance standards successfully set appropriate standards for built form and buildable envelope consistent with the planned characteristics for the Evolving Neighbourhood Overlay in the Inner Urban Transect (Section 5.6.1). The proposed development would support this transition by contributing to a more urban built form consistent with Table 6, including shallow (or no) front yard setbacks, active entrances with a direct relationship to the public realm, higher lot coverage, functional side yards, at least 2 functional storeys and small areas of formal landscaping. For the Inner Urban Transect, Table 3B of the 2021 Official Plan has a target residential density range for intensification of 60 to 80 dwellings per net hectare. The proposed development exceeds this target, providing approximately 388 dwelling units per net hectare.

Section 5.6.1.1, Policy 3 of the Official Plan states that:
*"In the Evolving Overlay, the City:*

a) *Where the Zoning By-law for an area has not been updated either before adoption of this Plan in anticipation of this Plan's policy direction, or post adoption of this Plan, to be consistent with the policy intent of this Plan, the City will generally be supportive of applications for low-rise intensification that seek to amend the development standards of the underlying zone where the proposal demonstrates that the development achieves objectives of the applicable transect with regards to density, built form and site design in keeping with the intent of Sections 3 and 5 of this Plan;*
b) *May support amendments to the Zoning By-law for intensification that proposes non-residential uses, provided the proposal demonstrates that the development achieves the objective(s) of the applicable overlay with regards to built form and site*

*design and the applicable designation with regards to function and height permissions."*

This application includes no proposal to amend any provision of the future underlying CM1 zone. The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of a mid-rise mixed-use building and two low-rise apartment buildings in keeping with the intent of Section 3 with regards to exceeding the density targets outlined in Table 3B. The proposal is also in keeping with Section 5 with regards to the urban built form and directions for site design in the Inner Urban Transect and along Minor Corridors for higher-density intensification providing a variety of housing types focusing on missing middle; multi-modal transportation options with an emphasis on walking, cycling and public transit use; mid-rise (4 to 6 storey) building heights; and a mix of uses and development in proximity to services and amenities to support the area's transition to a 15-minute neighbourhood.

Section 5.6.1.1 Policy 6 of the Official Plan states that:
*"Zoning By-law development standards and development on lands with an Evolving Overlay should generally include built form and site design attributes that meet most of the urban characteristics described in Table 6 in Section 5, and where suburban attributes are retained, that these do not structurally impede the achievement of a fully urban site design over time."*

See response to Sections 5.2.1 and 5.6.1.1 Policy 2.

### 6.4.3 Minor Corridor Designation

Section 6.2 of the Official Plan sets out functional policies related to Corridor designations that are to be applied to each Transect on a site-specific basis.

Section 6.2.1, Policy 1 of the Official Plan states that:
*"The Corridor designation applies to any lot abutting the Corridor, subject to:*
- *a) Generally, a maximum depth of:*
  - *ii. In the case of Minor Corridors, a maximum depth of 120 metres from the centreline of the street identified as Minor Corridor."*

The Subject Property has frontage on Churchill Avenue North. All lots subject to this proposal (433 – 435 Churchill Avenue North and 468 – 472 Byron Place) are located entirely within 120m of the centreline of Churchill Avenue North, designated as Minor Corridor.

Section 6.2.1, Policy 2 of the Official Plan states that:

*"Development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building stepbacks where appropriate. Further, development:*

*a) Shall ensure appropriate transitions in height, use of land, site design and development character through the site, to where the Corridor designation meets abutting designations;"*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of a 6-storey mixed-use building fronting on the Minor Corridor, effectively framing Churchill Avenue North and establishing a comfortable pedestrian environment. The two 3-storey apartment buildings proposed on Byron Place would be designed to provide appropriate transition and built form complimentary to the surrounding low-rise neighbourhood.

Section 6.2.1, Policy 3 of the Official Plan states that:
*"Corridors will generally permit residential uses and such non-residential uses that integrate with a dense, mixed-use urban environment. The City may require through the Zoning By-law and/or development applications to amend the Zoning By-law:*

*a) Commercial and service uses on the ground floor of otherwise residential, office and institutional buildings with a strong emphasis on uses needed to contribute to 15-minute neighbourhoods;*
*b) Residential and/or office uses on the upper floors of otherwise commercial buildings; and/or*
*c) Minimum building heights in terms of number of storeys to ensure multi-storey structures where uses can be mixed vertically within the building."*

The proposed application would facilitate the development of a 6-storey mixed-use building with commercial spaces on the ground floor fronting on Churchill Avenue North and residential uses proposed on the upper floors.

Section 6.2.1, Policy 4 of the Official Plan states that:
*"Unless otherwise indicated in an approved secondary plan, the following applies to development of lands with frontage on both a Corridor and a parallel street or side street:*

*a) Development shall address the Corridor as directed by the general policies governing Mainstreet Corridors and Minor Corridors, particularly where large parcels or consolidations of multiple smaller parcels are to be redeveloped; and*
*b) Vehicular access shall generally be provided from the parallel street or side street."*

The proposed application would facilitate a development on lands with frontage on both a Corridor and a side street. Vehicular access to underground parking for residents of the proposed 6-storey mixed-use building would be from Byron Place (the side street).

## 6.5 Urban Design

Section 4.6 of the Official Plan sets out policies related to urban design and is intended to promote design excellence in Design Priority areas, encourage innovation in site planning and building design, support the objectives of Corridors, Hubs and neighbourhoods and enable integration of new development with existing communities.

Section 4.6.5, Policy 2 of the Official Plan states that:
*"Development in Hubs and along Corridors shall respond to context, transect area and overlay policies. The development should generally be located to frame the adjacent street, park or greenspace, and should provide an appropriate setback within the street context, with clearly visible main entrances from public sidewalks. Visual impacts associated with above grade utilities should be mitigated."*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of a 6-storey mixed-use building framing the Churchill Avenue North Minor Corridor. The built form of the proposed development is appropriate given the Corridor designation within the Evolving Neighbourhood Overlay which is planned for intensification and a denser built environment to support the transition towards a 15-minute neighbourhood. All proposed buildings would have clearly visible main entrances from the pedestrian network, especially the ground floor commercial spaces of the mixed-use building.

Section 4.6.5, Policy 3 of the Official Plan states that:
*"Development shall minimize conflict between vehicles and pedestrians and improve the attractiveness of the public realm by internalizing all servicing, loading areas, mechanical equipment and utilities into the design of the building, and by accommodating space on the site for trees, where possible. Shared service areas, and accesses should be used to limit interruptions along sidewalks. Where underground parking is not viable, surface parking must be visually screened from the public realm."*

Direct pedestrian access would be provided from active entrances along both Churchill Avenue North and Byron Place. One driveway is proposed from Byron Place leading to underground parking intended for residents of the mixed-use building. This driveway placement prioritizes pedestrian and cycling activity along Churchill, reducing the total number of existing curb cuts along Churchill Avenue North and Byron Place from seven to one. A zero front yard setback is permitted for the mixed-use building fronting on Churchill (2.1m is proposed), so landscaping features will be planned for the corner side yard and the front yards of the two low-rise apartment buildings fronting on Byron Place.

Section 4.6.6, Policy 1 of the Official Plan states that:

*"To minimize impacts on neighbouring properties and on the public realm, transition in building heights shall be designed in accordance with applicable design guidelines. In addition, the Zoning By-law shall include transition requirements for Mid-rise and High-rise buildings, as follows:*

a) *Between existing buildings of different heights;*
b) *Where the planned context anticipates the adjacency of buildings of different heights;*
c) *Within a designation that is the target for intensification, specifically:*
    i. *Built form transition between a Hub and a surrounding Low-rise area should occur within the Hub; and*
    ii. *Built form transition between a Corridor and a surrounding Low-rise area should occur within the Corridor."*

The proposed application would facilitate context appropriate building height transition between the Minor Corridor and the surrounding low-rise neighbourhood within the Corridor designation. The 6-storey mixed-use apartment building does not share a lot line with a neighbourhood zone and is proposed to be compliant with the new CM1 performance standards for building height. The CM1 zone requires that for 10m from a lot line abutting a Neighbourhood Zone, the maximum building height is 15m, which is applicable to the two proposed low-rise apartment buildings fronting on Byron Place. At 3-storeys, these buildings represent an appropriate transition between the Minor Corridor and the abutting N4 zone, intended by the Official Plan.

Section 4.6.6, Policy 2 of the Official Plan states that:
*"Transitions between Mid-rise and High-rise buildings, and adjacent properties designated as Neighbourhood on the B-series of schedules, will be achieved by providing a gradual change in height and massing, through the stepping down of buildings, and setbacks from the Low-rise properties, generally guided by the application of an angular plane as may be set in the Zoning By law or by other means in accordance with Council-approved Plans and design guidelines."*

See response above regarding the proposed transition between the Minor Corridor and N4 zone. A 7.5m rear yard setback would be established for the proposed 6-storey mixed building, and 7.5m rear yard setbacks would be established between the proposed 3-storey apartment buildings and the abutting low-rise neighbourhood.

Section 4.6.6, Policy 6 of the Official Plan states that:
*"Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context."*

The proposed application would facilitate the development of two 3-storey apartment buildings that would complement the existing low-rise scale of the surrounding neighbourhood along Byron Place and Highcroft Avenue in accordance with policies of the Official Plan in the Evolving Neighbourhood Overlay within the Inner Urban Transect. Soft landscaping and trees will be provided within the building setbacks in the front, exterior and rear yards. Active entrances will be provided along the front facades to enhance the interface with the public realm. The buildings will be designed to integrate into the existing context with complementary building massing.

Section 4.6.6, Policy 7 of the Official Plan states that:
*"Mid-rise buildings shall be designed to respond to context, and transect area policies, and should:*

- *a) Frame the street block and provide mid-block connections to break up large blocks;*
- *b) Include a base with active frontages, and a middle portion that relates to the scale and character of the surrounding buildings, or, planned context;*
- *c) Be generally proportionate in height to the width of the right of way as illustrated in the Figure below, with additional height permitted in the Downtown Core Transect; and*
- *d) Provide sufficient setbacks and step backs to:*
  - *i. Provide landscaping and adequate space for tree planting;*
  - *ii. Avoid a street canyon effect; and*
  - *iii. Minimize microclimate impacts on the public realm and private amenity areas."*

This application would facilitate the development of a 6-storey mixed-use building that would successfully frame Churchill Avenue North (designated Minor Corridor). At 20m, the building height permitted by the CM1 performance standards is proportional in height to the right-of-way (see Figure 22 below). Appropriate setbacks will be provided between buildings, thus avoiding any street canyon effect. The base of the proposed mixed-use building will include welcoming and active street frontages to commercial spaces. A variation in materials will be employed such that the middle portion of the building relates to the low-rise scale of the surrounding neighbourhood.



Figure 22. Screenshot for GeoOttawa estimating width of the ROW of Churchill Avenue North.

# 7 Richmond Road / Westboro Secondary Plan

The Richmond Road / Westboro Secondary Plan guides long-term design and development while providing a framework of intensification in Westboro. The Subject Property does not fall within the boundary since extends North from Byron Avenue, and the Subject Property is located to the South. However, given that the site is in such proximity to the Secondary Plan area, we understand that it is relevant to our study.

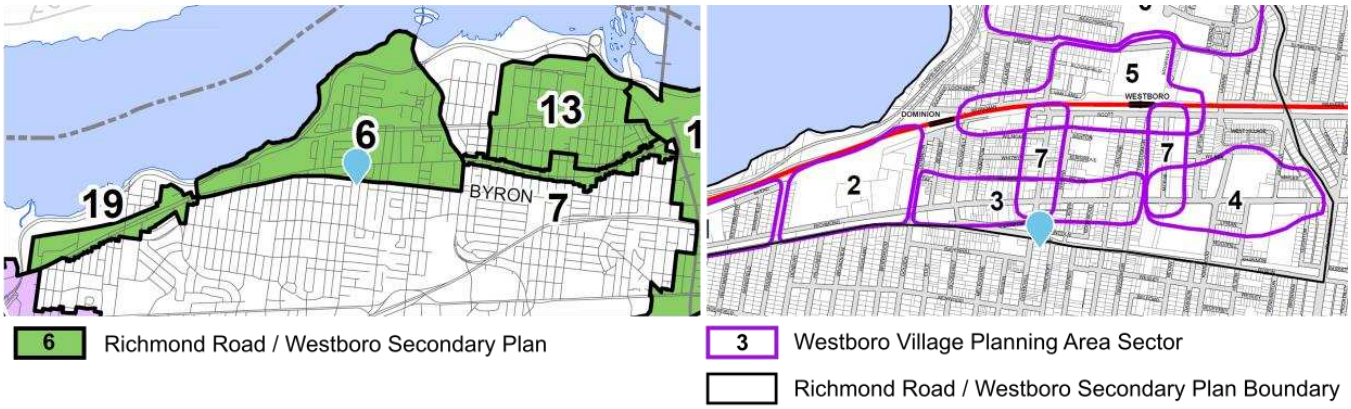


Figure 23. Annex 6 – Urban Areas Subject to a Secondary Plan, City of Ottawa Official Plan, 2021 (left). Richmond Road / Westboro, SECONDARY PLAN – Volume 2, Schedule A – Planning Area Sectors (right).

The Subject Property is closest to the Westboro Village Planning Area Sector as per the Richmond Road / Westboro Secondary Plan (see Figure 23).

Section 2 of the Secondary Plan speaks to the unifying vision that sets out the desired direction for managing future growth in the Richmond Road / Westboro neighbourhood. This includes broad objectives for intensification, the greenspace network and defining a distinct urban character.

Section 2.2, Objective 1 of the Secondary Plan aims to:
*"Support intensification at a scale that is compatible with the existing community on appropriate key potential redevelopment sites.*

1) *Preserve the scale and character of established neighbourhoods and minimize any adverse impacts of intensification.*
2) *Preserve and enhance the scale of the Westboro Village Mainstreet Corridor and Richmond Road in accordance with street proportion and building transition principles in Section 4.6 of the Official Plan.*
3) *Emphasize the role of Churchill Avenue (between Richmond Road and Scott Street) and McRae Avenue as streets that connect Westboro Village to Scott Street. These streets shall be pedestrian-oriented, with a mix of uses. Churchill Avenue is designated as a Minor Corridor, and Scott Street as a Mainstreet, in the Official Plan.*
4) *Consider the traffic impact on north-south residential streets south of the planning area.*
5) *Achieve compatible intensification on key redevelopment sites by:*
    a) *Providing appropriate setbacks and transition in building heights, including lower heights along the edges of neighbourhoods; and*
    b) *Contributing to the restoration of the urban fabric and introducing transit supportive development. The future Westboro O-Train Station area has the greatest potential for intensification in the form of high-rise buildings with appropriate transition to their surroundings, while the future Kìchì Sìbì O-Train Station has more limited potential; and*
    c) *Conforming to the maximum recommended general maximum building height ranges for each sector. High-mid rise and High-rise buildings will be limited to sites that are compatible with adjacent uses, such as the Capital Greenspace, sites that have deeper lots, or sites that have other natural or constructed separations enabling impacts associated with such development to be mitigated and where a step down in height can be provided abutting existing low-rise buildings; and*
    d) *Conforming to the CDP design guidelines respecting built form, shared use of facilities, setbacks, relationship of the building to the adjacent neighbourhood's character, other policies of the Official Plan aimed at achieving compatible development while minimizing impacts on adjacent residential neighbourhoods, and the High Performance Design Standards that ensure sustainable and climate resilient design; and*

e) *Respecting a transition in building height from Richmond Road to the Ottawa River Parkway in a north-south direction and along Richmond Road between different sectors in an east-west direction; and*
f) *Avoiding the creation of a street canyon effect by providing breaks in massing where appropriate or variations in building height, building setback and alignment to add interest to the streetscape and to provide space for activities and trees along the sidewalk."*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of transit-supportive mixed-use intensification that is at scale with the existing character of mid- and low-rise development in the area. The proposal represents an appropriate transition from the Churchill Avenue North Minor Corridor and adjacent low-rise neighbourhood with the 3-storey apartment buildings proposed in between. The proposed 6-storey mixed-use building fronting on Churchill is proportional in height to the 20.5m width of the right-of-way and avoids any street canyon effect with functional side and rear yard setbacks providing breaks in massing, as well as variations in building height between the proposed mid-rise building and two 3-storey buildings.

Section 2.2, Objective 2 of the Secondary Plan aims to:
*"Preserve, enhance and add to the greenspace network that provides access to the Ottawa River and serves local community needs.*

6) *Provide multi-use pathway gateways to the Capital Greenspace along the Ottawa River at Rochester Field / Maplelawn the pathway adjacent to the Jules Léger Centre and other potential locations identified by this secondary plan.*
7) *Create a safe and attractive pedestrian and cycle-friendly infrastructure that provides links though the area, to the Ottawa River and to other neighbourhoods.*
8) *Transform key streets with street tree planting and landscaping to create informal green pedestrian links to the Ottawa River.*
9) *Preserve and enhance Byron Linear Park, including the westerly extension of the existing pathway network.*
10) *Maintain a green buffer between the Ottawa River Parkway and adjoining development without using parkland dedication obligations.*

This application would facilitate the development of 74 on-site bike parking spaces for the residents of the proposed buildings. Safe and attractive pedestrian linkages would be established from the buildings to the existing sidewalk network, with active entrances to new commercial spaces on Churchill Avenue North. Curb cuts along the sidewalks of Byron Place and Churchill Avenue North would be reduced from 6 to 1 (with none proposed on Churchill), establishing an uninterrupted pedestrian route.
The proposed commercial spaces fronting onto the end of the Byron Linear Park will animate this space, attract more people, and attract more social and community-oriented activities.

Section 5.3, Policies 5-7 of the Secondary Plan sets out the policies outlining the land use strategy and maximum building height ranges for the Westboro Village Sector.

5) *"Maintain a pedestrian scale in Westboro Village by providing for mixed-use buildings of an appropriate height that ensures street proportionality and is consistent with transition and other built form policies of the Official Plan, generally within the range of four to six storeys, with a minimum height of two storeys. Buildings should be located close to the street, except at the key Churchill Avenue/Richmond Road intersection where wider sidewalks are needed and an opportunity for a Privately-Owned Public Space (POPS) exists;*
6) *Where block sizes and the street network help to minimize impacts on nearby low-rise neighbourhoods, permit mid-rise buildings generally in the seven- to nine-storey range as shown on Schedule C - Maximum Building Height;*
7) *Encourage a mix of uses, including a continuity of ground floor retail/restaurant uses with residential and office uses on the upper floors. Automobile-oriented uses should be redeveloped in accordance with Mainstreet Corridor and Inner Urban transect policies of the Official Plan."*

The proposed development maintains the pedestrian scale of the surrounding area by providing a mixed-use building (ground-floor commercial use with residential on the upper floors) on existing lots 433 – 453 Churchill Avenue North. The proposed height of this development is proportional to the 20.5m width of the right-of-way (given a 20m 6-storey building height).

The application to not carry forward the Exception 2670 zoning and associated Schedule 424 into the new by-law is aligned with the policies of the Richmond Road / Westboro Secondary Plan. The new CM1 zoning sets appropriate performance standards such that new development will adhere to the Secondary Plan.

# 8 The Transportation Master Plan

The Transportation Master Plan (2023) sets out the policies that guide the development of the City's transportation network and mobility goals.

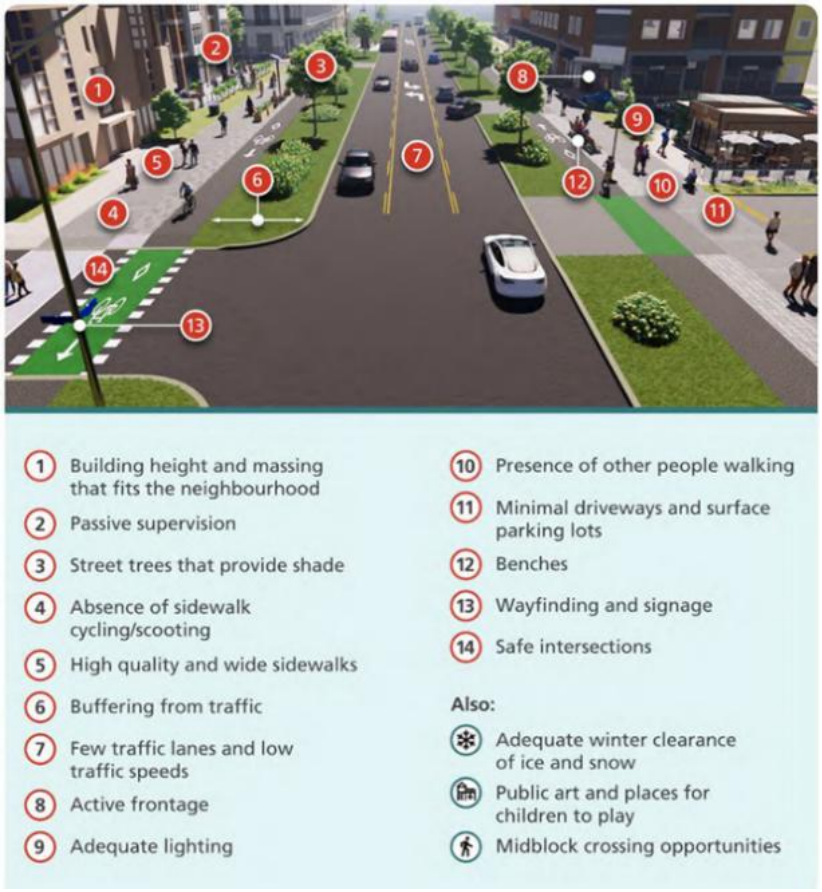
Policy 2-2 of the TMP to *Promote Healthy Communities Through Transportation Planning* states that:
*"One of the primary ways in which the transportation system can support public health goals is by encouraging active transportation as a form of physical activity."*

The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate a development that prioritizes the use of active transportation as the Subject Property is in a very walkable area near daily destinations like grocery stores,

restaurants, pharmacies and many others along Richmond Road. In addition, a 1:1 bike parking ratio is being provided in an indoor bike room for the proposed mixed-use building, and 1:1 for the two low-rise apartment buildings in rear sheds.

Policy 5-2 of the TMP *Prioritize Modes of Travel That are Space-Efficient* states that:
*"As Ottawa continues to grow and intensify, the transportation network will need to move more people and goods using the space available today. (…) the City will need to accommodate this growth through more space-efficient modes including walking, cycling, and transit to maximize the capacity of the network."*

The proposed development prioritizes modes of travel that are space-efficient such as walking by increasing the residential density of a walkable area. In addition, each unit in the proposed mixed-use building will be provided a bicycle parking space, and most units in the low-rise apartment buildings will be provided with a bike parking space as well. The Proposed development is also 200m from bus route 11, 450m from bus route 51 and 1km (15min walk) from the Westboro rapid transit station (future O-Train).




Policy 5-3 of the TMP to *Encourage Sustainable Transportation Through Community Planning and Design* states that:
*"Exhibit 9. These elements contribute to the perceived safety and enjoyment of walking. An overarching objective is to create a sense of place and character in neighbourhoods by fostering human-scaled design and creating "Healthy Streets" that are welcoming places to be, rather than simply move through. These objectives and key elements apply to both new and existing communities."*
***Exhibit 9. Elements that Contribute to the Quality of the Pedestrian Environment.***

The proposed development encourages sustainable transportation use through community planning and design by contributing to the development of healthy, welcoming streets through its positive impact on the surrounding public realm. The proposed development:

- Has appropriate height and massing that fits into the surrounding neighbourhood and existing examples of similar mid-rise mixed-use buildings and low-rise apartment buildings (1),
- Will increase passive supervision in the neighbourhood by adding residential density and providing active commercial entrances on the mid-rise building and high-quality outdoor spaces in the front yards of the low-rise buildings (2),
- Provide active frontages along both Churchill and Byron through high quality architectural design, materials, and welcoming, glassy entrances (8),
- Include lighting at the street facing entrances, (9)
- Increase the number of people walking by increasing the residential density (10), and
- Reducing the number of driveways from 7 to 1, leading to underground parking (not surface parking) (11).

Policy 7-9 of the TMP to *Require Adequate, Secure Bicycle Parking in New Developments* states that:
*"Bike ownership is a prerequisite to utilitarian cycling in Ottawa. However, people are less likely to purchase a bicycle if they have no place to store it. Bicycle storage is of particular concern for people living in apartments and condos. Floor space is limited, modifications to units are difficult, and transporting a bicycle to and from a unit can be a major deterrent. (…)*
*Ottawa's minimum bike parking rates should support long-term cycling mode share targets and associated bike ownership levels. The current rate of 0.5 bike parking spaces per unit in multi-residential buildings is not expected to be adequate based on experience in other cities."*

Under the CM1 performance standards, the proposed mid-rise mixed-use building would be provided 1:1 (approximately 50) resident bike parking spaces, plus 4 visitor spaces. The proposed low-rise apartment buildings would be provided 12 resident bike parking spaces each. All resident bike parking would be provided as long-term spaces in indoor bike rooms within the main buildings. The 4 visitor spaces would be provided outside near the main residential entrance.

# 9 The Climate Change Master Plan

The Climate Change Master Plan (2020) sets out the policies and framework by which the City will mitigate and adapt to climate change in the coming decades.

Section 4 of the Climate Change Master Plan, *Mitigation* discusses community GHG emissions, and states that:

*"In 2018, 90 per cent of Ottawa's [community] emissions came from the building and transportation sectors. (...)*
*In order to align with the IPCC target to limit global average temperature increases to 1.5°C, a new long-term commitment to reduce community emissions 100 per cent by 2050 is required."*

Exception 2670 and associated Schedule 424 impose requirements to stepback the building at various floor levels, resulting in a design that was not energy efficient. The proposed application to not carry forward Exception 2670 and associated Schedule 424 would facilitate the development of a building designed to maximize efficiency for heating, cooling and waterproofing.

# Urban Design Brief

## 10 Design Directions Provided by City Staff

After a formal pre-consultation meeting held on March 2, 2026 with the applicant team, city staff and community association representatives, city staff provided comments relating to urban design in the pre-consultation feedback form on March 13, 2026. The following documentation describes how the proposed development achieves the design directions provided by city staff.

**12. Recommend that both streets facing façade be treated as principal facades with larger windows, corner building to have entrance from both streets and not be treated as a side yard condition.**

The proposed development includes generous window sizes for street-facing facades of all buildings, and achieves the minimum 25% glazing requirement for ground floor front façade facing Churchill Avenue North. Large windows are also proposed on the façades facing Byron Place. The residential entrance facing Byron Place on the larger corner building is framed by two brick columns and landscaping on either side with a welcoming canopy to further distinguish it from the rest of the facade.



Figure 24. 3D View of Entrance at Corner Façade of Larger at Building of Churchill / Byron.

The low-rise corner building at Byron Place and Highcroft Avenue will have an active entrance to the lower unit at its depressed terrace. The terrace and entrance are visible from both frontages. The primary entrance for both 12-unit buildings is located in the interior side yard between them, in a space that is both formal and inviting. This centralized entrance provides accessible access to both buildings with a single ramp, and frees the corner side yard from having a ramp or lift, that would have been tight to the building face. The corner side façade is dynamic and interesting with brick to 2 storeys, as well as changes in materials and textures. All street-facing façades have generous window sizes, and alternating materials for visual interest.



Figure 25. 3D View of Entrance at Corner Building of Byron / Highcroft.

**13. Entrance between two buildings that provide access to interior units be well lit and is pedestrian friendly.**

The proposed entrances for the 12-unit buildings will be located between the two buildings. These entrances will be visible from the street, well signed, formal and welcoming. They will be approached along a ramping path that meets the sidewalk, where it is framed by two brick piers with decorative light fixtures. The path will be well-lit with down-lights. Building address numbers will be mounted on the walls to either side, framing the entrance path. The space between the two buildings will function as an entrance court, with planting beds, lighting, warm wood panelling, and canopies. Beyond the entrances, the entrance court will end with steps leading to the rear yard, framed with formal brick piers and light fixtures.



Figure 26. 3D View of Pedestrian Walkway Between the Low-Rise Buildings

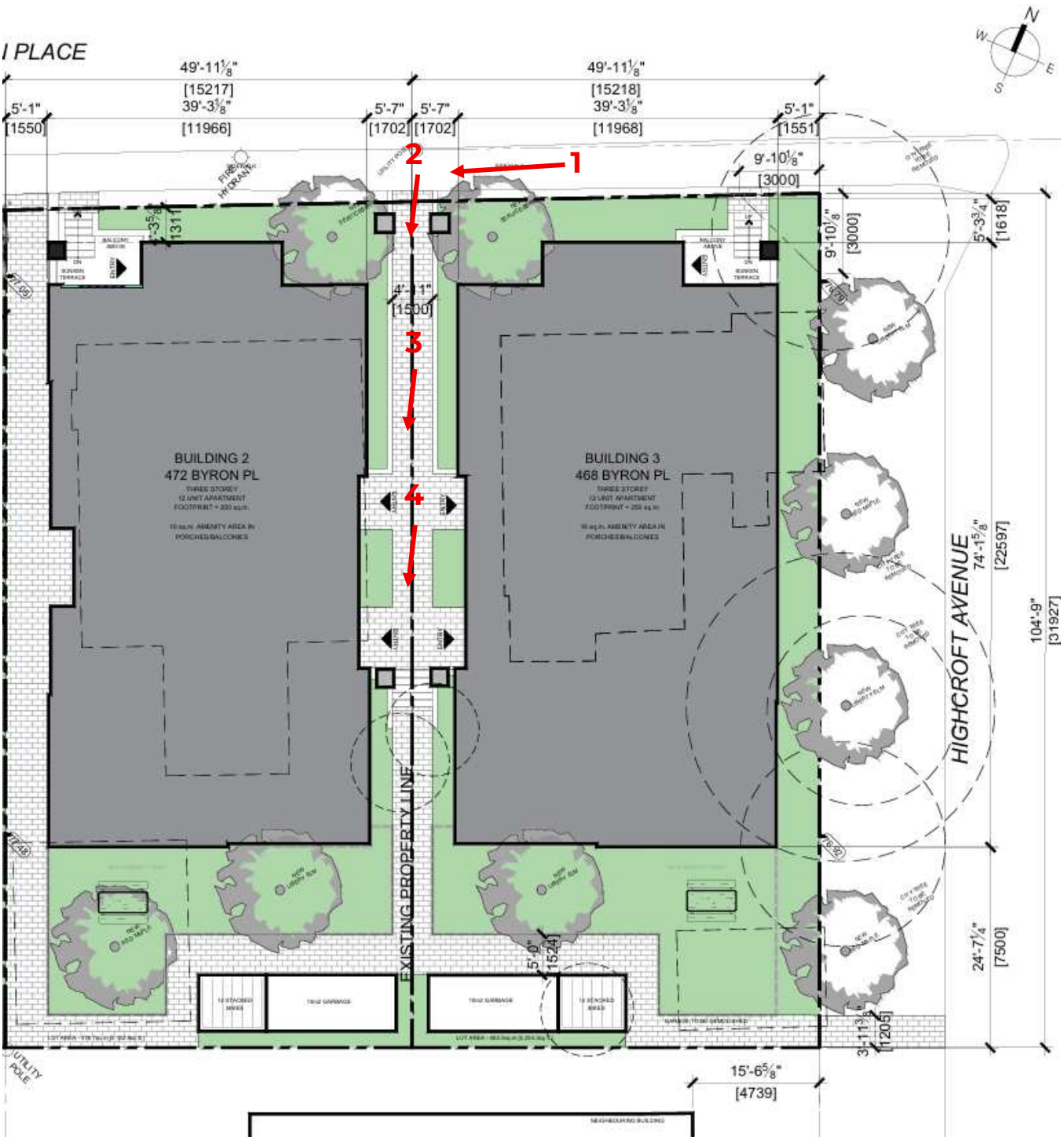


Figure 27. Site Plan Indicating Views From Figure Above.

**14. Recommend all resident bike parking be within the building or in the rear yard in weather protected structure. Limit any bike parking to front for visitors only.**

All resident bike parking spaces will be located in secure and enclosed sheds in the rear yards of the low-rise buildings. For the mid-rise building, resident bike parking will be located in a dedicated area indoors.

**15. Maximize the front yard for landscaping.**

All land in front yards and exterior side yards not occupied by walkways, driveways and patio surfaces will be soft landscaped. The ground floor of the mid-rise building is setback to increase landscaping along Byron Place, provide more pedestrian space on the street level at Churchill Avenue North and better facilitate people lingering and enjoying their time around the commercial amenities. Trees will be planted in planters along the Churchill frontage to provide some shade. Beyond the planters, there is no soft landscaping proposed along Churchill in order to support the pedestrian experience to the commercial areas, including patio surfaces for tables and chairs.



Figure 28. 3D View of Front Landscaped Areas.

**16. Recommend additional opportunities for tree planting along the site.**

Along Byron Place, Spirea bushes will be planted in the exterior side yard as well as three Serviceberry trees. Four Serviceberry trees will also be planted along Church Avenue North in planters. Two Liberty Elms and two Red Maples will be planted along Highcroft Avenue to replace the city trees being removed as a result of their poor condition as per the Tree Information Report. One Red Maple and two Liberty Elms will be planted in the rear yards

of the low-rise buildings, and one liberty elm will planted in the rear yard of the larger mixed-use building.

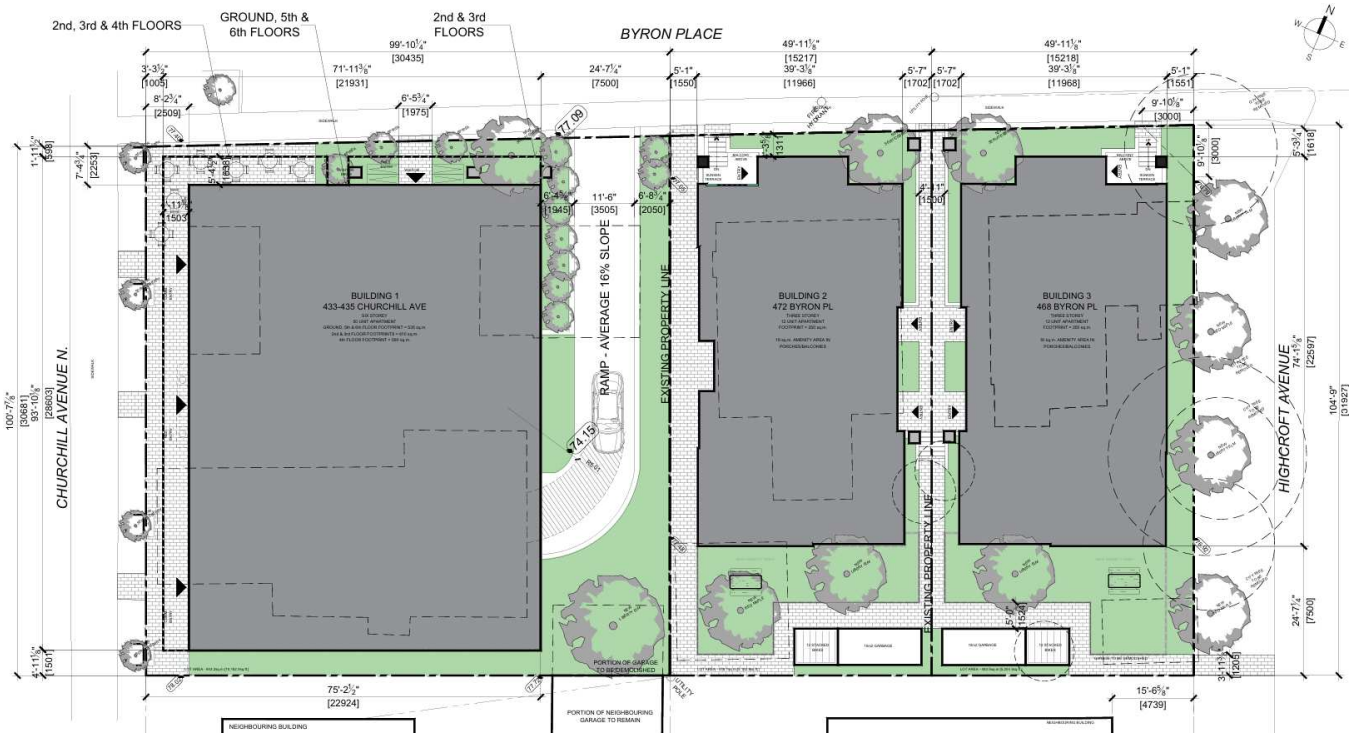


Figure 29. Site and Landscape Plan.

**17. Recommend waste storage be located either within the building or within a protected structure in the rear yard away from public view.**

Waste storage will be located inside the mid-rise building in dedicated garbage areas, and in rear sheds of the low-rise buildings.

# 11 Future and Current Development Proposals on Adjacent Properties

Across Churchill Avenue North from the Subject Property a Site Plan Control application has been approved for an 8-storey apartment building with 58 dwelling units on 424 Churchill Avenue North where the laundromat has recently been demolished. This approved building steps back at the 8th storey.



Figure 30. Rendering of approved development for 424 Churchill Avenue North. 2022. FOTENN. Planning Rationale.

# 12 Planned Functions of Adjacent Properties

The following images illustrate the maximum permitted building envelopes of the adjacent properties. The low-rise neighbourhood along Highcroft Avenue is zoned N3C[2686] H8.5. Exception 2686 and the H-suffix have been carried over into the new by-law. However, the city is undertaking a review of all old exceptions and determining whether they are to be retained, which is expected to be completed sometime in 2027. Without the 8.5m H-suffix, the maximum permitted height of the N3C zone is 11m or 3-storeys. As a result, in the following image the 8.5m height is shown in the green portion of the building envelope, and the 11m height, shown in the taupe, indicated the height of the underlying NC3 zone. Should the H-suffix be retained, the two storeys of brick on the facades of the proposed low-rise building aligns with the 8.5m planned function of the adjacent properties, and the total 3-storey height provides appropriate transition between the planned 20m mid-rise context on Churchill and the low-rise neighbourhood on Highcroft. Should the city decide to remove Exception 2686 and the H-suffix, the proposed 3-storey buildings will match the future 3-storey planned function of the neighbourhood. The proposed low-rise buildings along Byron have been designed to be contextually appropriate and enhance the urban characteristics of the neighbourhood.



Figure 31. 3D Rendering of Massing of Maximum Permitted Building Envelopes of Adjacent Property of the Low-Rise Buildings, shown on the left in green and taupe.

The neighbouring lots along Churchill Avenue North will be zoned CM1 (with no exceptions). The proposal to remove Exception 2670 and associated Schedule 424 would allow the Subject Property to match the zoning of its neighbours. The proposed development will be setback more than the 0m minimum requirement under the CM1.



Figure 32. 3D Rendering of Massing of Maximum Permitted Building Envelopes of Adjacent Property of the Mid-Rise Building, shown on the right in green and taupe.

# Conclusion

The R5B zoning designation with accompanying Exception 2670 and associated Schedule 424 were established through a rezoning to facilitate the development of one large mixed-use building that covered the entire end of the block along Byron Place between Churchill Avenue North and Highcroft Avenue. The provisions included in the exception zoning were intended to minimize the impact of such a large building, and to add desirable performance standards that were not included in the 2008-250 zoning by-law. Unfortunately, the complexity of these additional provisions added to the estimated construction costs, and resulted in the cancellation of the development. The exceptions have been carried forward into Zoning By-Law 2026-50 without review or further consideration, and continue to stand in the way of new developments.

The proposed development now consists of three distinct buildings with spaces between them. A height transition between the Minor Corridor (Churchill Avenue North) and the surround low-rise neighbourhood is achieved the proposed 6-storey mixed-use building fronting on Churchill, and the two 3-storey apartment buildings proposed on Byron Place abutting the future N4 zone. This significant design change – three smaller buildings rather than one large building -- has eliminated several of the conditions that Exception 2670 was established to regulate. Other provisions in the exception zoning such as those related to rooftop amenity space and terraces are now regulated in the new zoning by-law, rendering the exception zoning irrelevant.

We are requesting that Exception 2670 and associated Schedule 424 be removed in order for the development to proceed. No exceptions are required to CM1 zone, as the proposed development is entirely compliant. This proposal would facilitate context-appropriate mixed-use intensification in a walkable, transit-served neighbourhood with an abundance of services and amenities nearby. Along Churchill Avenue North, the proposed commercial spaces will attract foot traffic to the area and activate the streetscape. The pedestrian environment will be enhanced by the reduction of driveways and curb cuts along the sidewalk, and cycling will be supported by the provision of 1:1 long-term bike parking spaces provided on-site. Increased residential density near the transit network will boost ridership.

The proposal is appropriate for the Subject Property and represents good land use planning.

Regards,

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