

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



## MINOR VARIANCE/PERMISSION APPLICATION

Under Section 45 of the Planning Act

To be held on Wednesday, October 4, 2006 starting at 1:00 p.m.

**Ben Franklin Place, The Chamber, Main Floor, 101 Centrepointe Drive**

<b>File No.</b>	D08-02-06/A-00378	<b>Legal Description:</b>	Lots 13-20 S.S. Richmond Road, Lots 13 & 14 W.S. Roosevelt Avenue on Reg. Plan 204
<b>Owner(s):</b>	Bourk's Ignition		Part Lots 17-20 S.S. Richmond Road & Part
<b>Location:</b>	416-420, 422-426 Richmond Road, 414 Roosevelt Avenue 567 Byron Avenue		Lots 14-20 N.S. James Street on Reg. Plan 179
<b>Committee Panel:</b>	1	<b>Zone:</b>	CN
<b>Ward:</b>	15	<b>Zoning By-law:</b>	1998
		<b>Former Municipality:</b>	Ottawa

### PURPOSE OF THE APPLICATION:

The Owners of the property bounded by Richmond Road on the north, Byron Avenue on the south, Roosevelt Avenue on the east and Golden Avenue on the west, want to redevelop the entire block, commencing with the redevelopment of the western portion. The proposed development will consist of the following:

- 1-storey retail base along Richmond Road and Roosevelt Avenue.
- 2-storey town houses at grade on the west end of the site facing Byron.
- Eight floors of residential condominium units on top of the retail base, on the west end of the site. Four floors of office on retail base at the east end of the site.
- 2-storey townhouses built on top of retail base adjacent to office space.
- 1-storey restaurant/café building freestanding in plaza at centre of site.
- Plaza ancillary to restaurant/café.

### RELIEF REQUIRED:

In order to proceed the Owners require the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

1. To remove the requirement for residential and non-residential loading spaces whereas the By-law requires loading spaces for residential and non-residential development.
2. To permit relief from the By-law requirement which states that all dwelling units must be located above the ground floor, This will allow the proposed 6 townhouses at grade fronting on Byron Avenue.
3. To permit an increase in building height to 31 metres for the 8-storey condominium building at the western portion of the site whereas, the By-law permits a maximum building height of 18 metres. The application states that the Owners are willing to accept a reduction in the permitted height limit from 18 metres to 7 metres for the central portion of the site, to offset the requested height increase for the west end of the development.

**THE APPLICATION** indicates that the Property is not the subject of any other current application under the Planning Act.



**COMMITTEE OF ADJUSTMENT  
FOR THE CITY OF OTTAWA**

**DECISION**  
MINOR VARIANCE/PERMISSION  
(Section 45 of the *Planning Act*)

**File No.:** D08-02-06/A-00378

**Owner:** Bourk's Ignition

**Agent:** Ted Fobert

**Property Address:** 416-420, 422-426 Richmond Road, 414 Roosevelt Avenue,  
567 Byron Avenue

**Legal Description:** Lots 13-20 S. side Richmond Rd, Lots 13 & 14 W. side Roosevelt  
Avenue on Reg. Plan 204 - Part Lots 17-20 S. side Richmond Road -  
Part Lots 14-20 N. side James Street on Reg Plan 179

**Zoning:** CN

**By-Law:** 1998

**Ward:** 15

**Former Municipality:** Ottawa

Notice was given and a Public Hearing was held on Wednesday, October 4<sup>th</sup>, 2006, as required by the *Planning Act*.

**PURPOSE OF THE APPLICATION:**

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**RELIEF REQUIRED:**

In order to proceed the Owners require the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

1. To remove the requirement for residential and non-residential loading spaces whereas the By-law requires loading spaces for residential and non-residential development.
2. To permit relief from the By-law requirement which states that all dwelling units must be located above the ground floor. This will allow the proposed 6 townhouses at grade fronting on Byron Avenue.
3. To permit an increase in building height to 31 metres for the 8-storey condominium building at the western portion of the site whereas, the By-law permits a maximum building height of 18 metres. The application states that the Owners are willing to accept a reduction in the permitted height limit from 18 metres to 7 metres for the central portion of the site, to offset the requested height increase for the west end of the development.

It should be noted that the application indicates that this property is not the subject of any other current application under the *Planning Act*.

**DECISION AND REASONS OF THE COMMITTEE:**

**APPLICATION GRANTED**

In deliberating on this application, the Committee, having considered the evidence presented and reviewed the plans and correspondence on file, is aware that there will undoubtedly be some impact on the neighbouring properties as a result of any residential development in this area. It is the Committee's view, however, that although the increase in building height for the construction of the 8-storey apartment building to be located on the westerly portion of the site will have an impact on the adjacent residential and commercial properties, it recognizes the efforts made by the Owner to mitigate this impact by stepping the building back from Richmond Road, as well as reducing the heights of the other buildings proposed for this site. In addition, the Committee notes that the variance to the height is in keeping with the adjacent condominium building located on the north side of Richmond Road. Furthermore, the Committee notes that traffic and loading issues, which were some of the concerns raised by many of the area residents who appeared at the Hearing, will be adequately dealt with during the Site Plan Control Approval and through other related studies, as agreed to by the applicant. As such, the Committee is satisfied that, in all the circumstances, and in this instance, the variances sought are minor, that they are desirable for the appropriate development or use of the land and that the general intent of the Zoning By-law and the Official Plan is maintained. This application is granted subject to the size and location of the proposed construction being in accordance with the plans filed as they relate to the variances sought.