

Purpose:

**To Respond To Motion from
Planning and Environment
Committee Meeting of 28 September
2010**

That Planning and Environment Committee approve:

1. **That the rezoning in respect of 90 Richmond Road, 114 Richmond Road and 380 Leighton Terrace be referred back to staff in consultation with the ward councillor and relevant community representatives, to be determined by the ward councillor, with the direction that a by-law and agreement be brought forward pursuant to the *Planning Act*, section 37 providing for services, facilities and other matters in return for the increases in height and density to be submitted to Planning and Environment Committee on November 16, 2010.**
2. **That, pursuant to the Official Plan, public consultation on what would be appropriate services, facilities and other matters to be provided be conducted prior to the submission of a report back to Planning and Environment Committee and Council.**
3. **That such consultation consider and the report back to Committee and Council address as possible services, facilities and other matters:**
 - (a) **The conveyance of the convent to the City;**
 - (b) **Restoration, accessibility, improvements and programming for the convent; and**
 - (c) **Use of the convent by community groups, not-for-profit groups and/or recreational organizations; and**
4. **That preservation or maintenance of the heritage building not be included in the possible list of community benefits to be considered in section 37 of the *Planning Act*, because it is already designated.**

Section 37:

The council of a local municipality may, in a by-law passed under section 34, authorize increases in the height and density of development otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law

Official Plan:

Increase in Height and Density By-law

- 8. Pursuant to Section 37 of the *Planning Act*, the City may authorize increases in the height and density of development above the levels otherwise permitted by the zoning by-law. Public consultation will be included in the development and approval of such a by-law. Limited increases will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law. Such provisions that may be authorized include, but are not limited to:**
- a. Public cultural facilities;**
 - b. Building design and public art;**
 - c. Conservation of heritage resources;**
 - d. Conservation/replacement of rental housing;**
 - e. Provision of new affordable housing units; land for affordable housing, or, at the discretion of the owner, cash-in-lieu of affordable housing units or land; [Amendment 10, August 25, 2004]**
 - f. Child care facilities;**
 - g. Improvements to rapid-transit stations;**
 - h. Other local improvements identified in community design plans, community improvement plans, capital budgets, or other implementation plans or studies;**
 - i. Artist live-work studios.**

- **Section 37 is not to lead to inappropriate development**
- **Compensates Community for stresses placed upon it by proposed increased height or density.**
- **Should not be used for matters that can be obtained under site plan control approval (Section 41), e.g.**
 - **landscaping**
 - **sidewalks**
 - **fences**

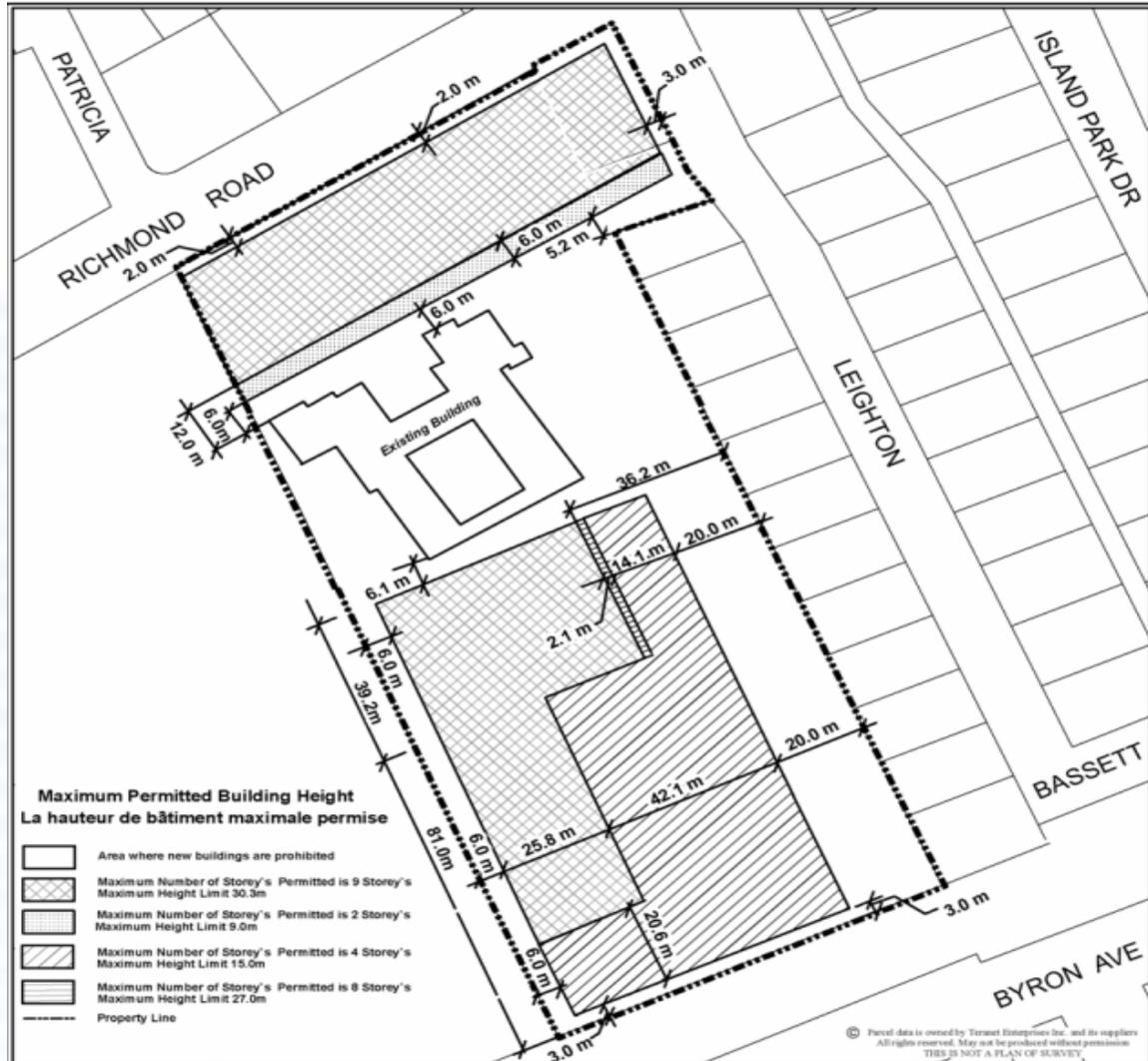
- **Base from which “stress should be measured”**
- **Six Storeys along Richmond**
- **Four Storeys behind monastery**

Two questions:

1. Appropriate height and density?

2. Appropriate Facilities or Services?

- **Height and/or Density**
- **To be considered by Committee and recommended to Council**
- **Planning Staff Recommendation:**
 - **Nine Storeys Along Richmond**
 - **Four Storeys Next to Leighton Terrace**
 - **Nine Storeys Next to School**
 - **Approximately 595 Units**



**Maximum Permitted Building Height
La hauteur de bâtiment maximale permise**

- Area where new buildings are prohibited
- Maximum Number of Storeys Permitted is 9 Storeys
Maximum Height Limit is 30.3m
- Maximum Number of Storeys Permitted is 2 Storeys
Maximum Height Limit is 9.0m
- Maximum Number of Storeys Permitted is 4 Storeys
Maximum Height Limit is 15.0m
- Maximum Number of Storeys Permitted is 8 Storeys
Maximum Height Limit is 27.0m
- Property Line

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D02-02-10-0021	10-0927-C
ICO2010Zoning Schedule / Richmond114 MZoning By-Law Schedules/ORIG/Richmond114.mxd	
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REVISION DATE / DE RÉVISION: JULY 25, 2010	

This is Schedule _____ to Zoning By-Law No. 2008-250
Annexe _____ au Règlement de zonage n° 2008-250

90,114 RICHMOND ROAD and 380 LEIGHTON TERR.

This is Attachment _____ to By-Law Number _____, passed _____, 2010
Pièce jointe n° _____ du Règlement municipal n° _____, adopté le _____ 2010

Échelle
N.T.S.
Mètres

Scale
N.T.S.
Metres

- **Premise of this consultation**
- **Ten Storeys along Richmond**
- **Four Storeys to the south of monastery**
- **Approximately 485 units**
- **Why Ten:**

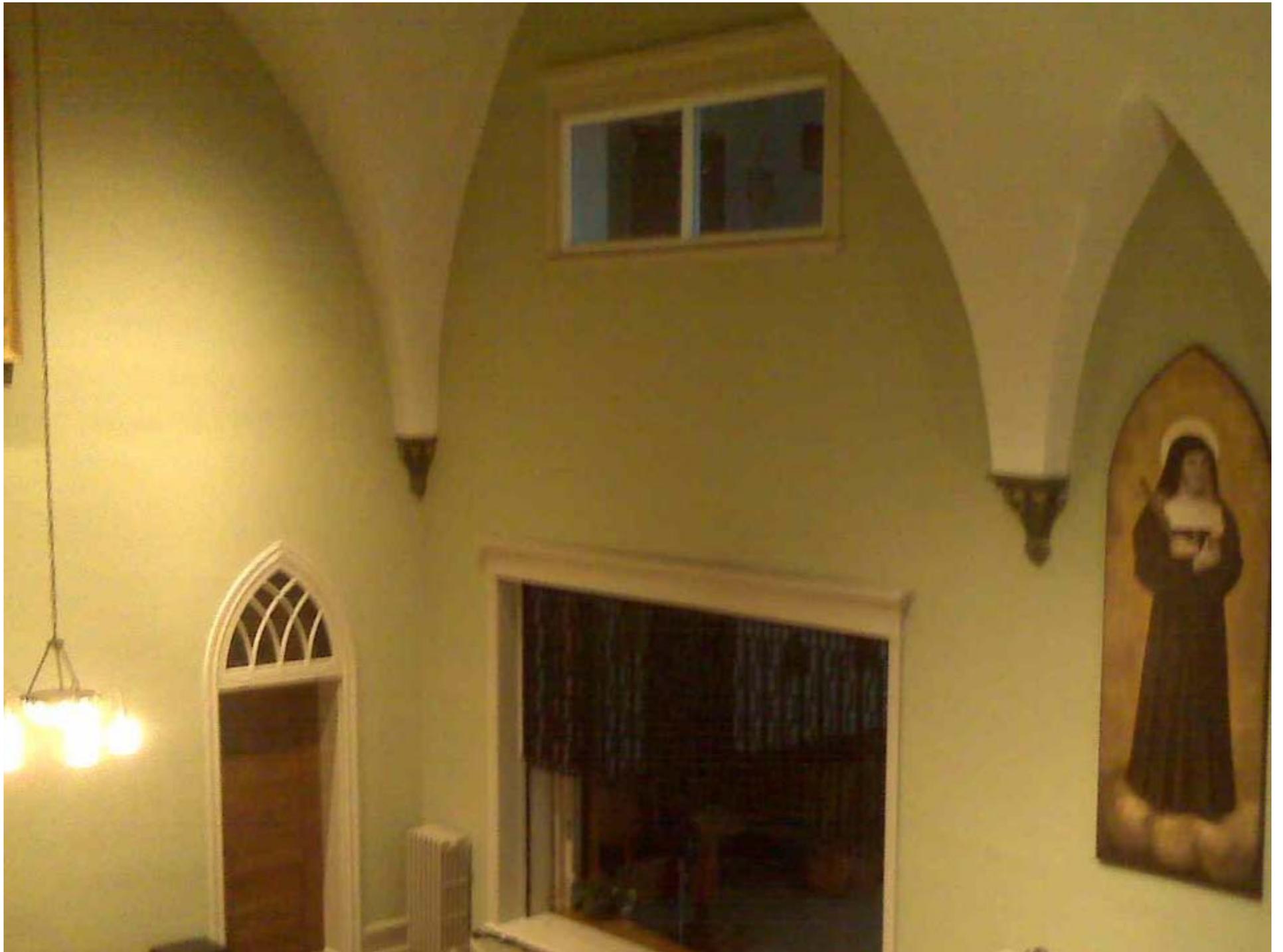
Consider rezoning the Soeurs de la Visitation convent to TM-Traditional Mainstreet for mixed-use development should redevelopment be proposed. Given the lot size, higher building heights may be possible, provided that: redevelopment is compatible with, and provides an appropriate transition to, the adjacent low-rise residential neighbourhood; the convent wall is removed; and, adaptive reuse of the convent building, with mixed-use residential/ground floor commercial along Richmond Road, incorporating as much of the existing green space as possible, is proposed. As part of a redevelopment application, the southern part of the property should be rezoned to a maximum four storey residential zone in order to be compatible with the adjacent low-rise residential area

- **Planning and Environment Committee will recommend and Council will decide**

- 1. That a lease from Ashcroft to the City be provided for a 15-year period for \$1.**
- 2. The portions of the building to be leased would include the chapel, the room immediately to the south-east (for use for example as a “green room” for theatre or other performance arts), sufficient space at the entrance to the chapel for a lobby, as well as an additional 5,000 square feet, all space to be located on the first floor.**
- 3. The leased space would preferably be contiguous but adjustments could be made to permit the preservation of important aspects of the building’s interior.**
- 4. The leased space would be required to have separate accesses from outside, both for the chapel and the balance of the leased space.**
- 5. The cost of the fit-up (including making the chapel usable for theatre (e.g. stage, lighting)) for the City purposes as well as all operating costs for the 15 years would be borne by Ashcroft. In other words, the \$1 would be the complete cost to the City for the space.**
- 6. The fit-up would include making the space accessible to persons with disabilities.**
- 7. The uses that would take place in the leased space could include theatre, musical performances, other cultural activities, community organizations, and the type of activities that take place at community recreation programs typically found in municipal recreation facilities.**
- 8. The responsibility for Ashcroft to fit-up the space would only crystallize upon Council allocating operating funds for the programming of the space by the later of the 2012 budget and Ashcroft obtaining its first building permit for construction on the site.**

- 1. That a lease from Ashcroft to the City be provided for a 15 year period for \$1**
-
- Space is to be provided to the City at no cost**

- 2. The portions of the building to be leased would include the chapel, the room immediately to the south-east (for use for example as a “green room” for theatre or other performance arts), sufficient space at the entrance to the chapel for a lobby, as well as an additional 5,000 square feet, all space to be located on the first floor**
 - Staff were provided with a tour of the monastery**
 - Chapel would have potential as a performance arts facility**
 - At a high level, Parks and Recreation staff are of the view that a further 5,000 square feet could be utilized**
 - Need to balance space request against cost/lost revenue to Ashcroft**



- 3. The leased space would preferably be contiguous but adjustments could be made to permit the preservation of important aspects of the building's interior**
- Desire is that all the space be contiguous**
 - However, non-contiguous space could possibly be accepted as part of an effort to preserve some portion of the interior**

- 4. The leased space would be required to have separate accesses from outside, both for the chapel and the balance of the leased space**
 - Separate accesses desired to permit optimum use of the space, minimum disruption of other uses and protection of children**

- 5. The cost of the fit-up (including making the chapel usable for theatre (e.g. stage, lighting)) for the City purposes, as well as all operating costs for the 15 years, would be borne by Ashcroft. In other words, the \$1 would be the complete cost to the City for the space**

- Again, space is to be provided at no cost to the City**

6. The fit-up would include making the space accessible to persons with disabilities

- 7. The uses that would take place in the leased space could include theatre, musical performances, other cultural activities, community organizations, and the type of activities that take place at community recreation programs typically found in municipal recreation facilities**
 - Community input, both today and in the future, is key**
 - Uses specified above are only examples**
 - The City would consult with the community as to the how the space would be programmed**

- 8. The responsibility for Ashcroft to fit-up the space would only crystallize upon Council allocating operating funds for the programming of the space by the later of the 2012 budget and Ashcroft obtaining its first building permit for construction on the site**
 - The programming of the space would be a City cost**
 - Would likely exceed \$50,000**
 - As Council is “lame duck” (*Municipal Act, section 275*), decision on proceeding with programming of leased area must be made by new Council**

- **Questions**
- **Comments**