

21 February 2023

22012

Re: Minor Variance Application
4140 Kelly Farm Drive, Ottawa

Dear Committee of Adjustment,

Committee of Adjustment
Received | Reçu le
2023-02-27
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Application Submission

This application is for a Minor Variance Application for a new 1 storey elementary school located at 4140 Kelly Farm Drive, Ottawa. The legal description is "Block 147 Registered Plan 4M-1273 City of Ottawa, Formerly the City of Gloucester". The corner site is bounded by Kelly Farm Drive to the North, Bradwell Way to the West, Vimy Ridge Public School to the East and Dragon Fly Park to the South. Residential lots are located across both streets. The site is situated within Ward 22 of the City of Ottawa.

The following documents are appended with this application:

- Completed Committee of Adjustment Application Form (1 copy)
- Cheque in the amount of \$2,671
- Minor Variance Report (1 copy)
- Survey Plan (1 full size copy, 1 reduced copy to 8.5"x11")
- A100 Site Plan (1 full size copy, 1 reduced copy to 8.5"x11")
- L1 Tree Conservation Report & Landscape Plan (the file is going through Site Plan Application (D07-12-22-0146) and all tree issues will be managed through this process therefore a Tree Information Report is not required, as previously confirmed with Mark Richardson) (1 full size copy, 1 reduced copy to 8.5"x11")
- A201 & A202 Building Elevations (1 full size copy, 1 reduced copy to 8.5"x11")

The intent of this letter is to demonstrate that:

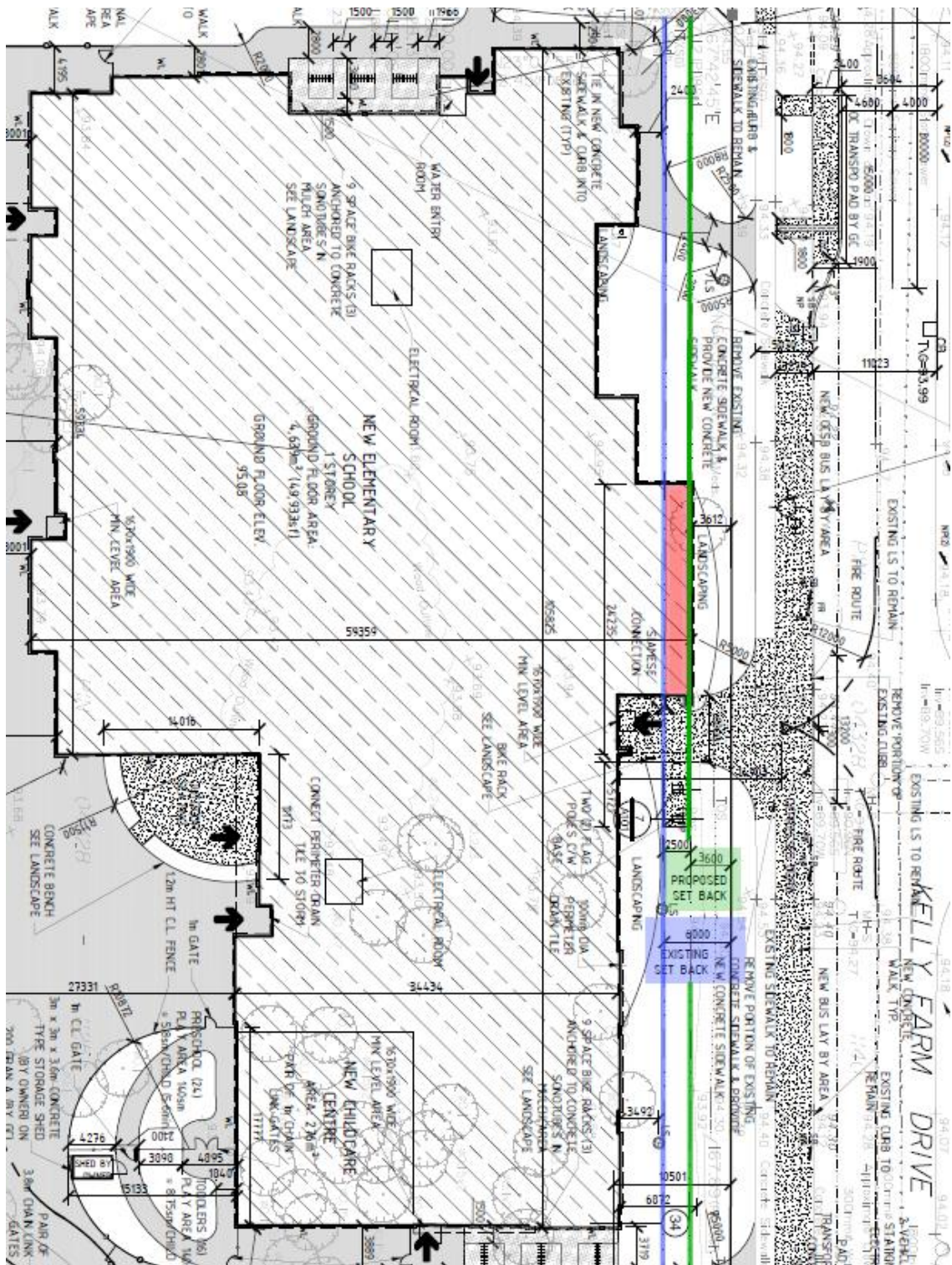
- The variance is minor;
- The variance is desirable for the appropriate development or use of the property;
- The general intent and purpose of the Zoning By-law is maintained;
- The general intent and purpose of the Official Plan is maintained.

1. Introduction

The purpose of this application is to obtain a minor variance for a site that will be developed for a single storey elementary school located at 4140 Kelly Farm Drive, Ottawa. The building is planned to accommodate up to 507 students, 40 child care spaces and approximately 36 staff, with potential future expansion of up to 18 portables or a 6 classroom addition. The proposed gross building area is 4,639sm. A total of 50 parking spaces is proposed with a further 16 spaces for future, in accordance with the Zoning Bylaw. The lot area is 29,410sm.

2. The Variance is Minor

The Minor Variance request is to obtain a reduction of the front yard set back along Kelly Farm Drive from 6m to 3.6m. All other set backs will be followed, and all other zoning will comply with the current By-law. The variance is minor in nature since the change in question is only 2.4m, and only the front entrance canopy and administration portion will extend beyond the current set back, which accounts for 23% of the front elevation. The majority of the building massing is at a minimum of 2.6m beyond the current 6m setback, therefore at 8.6m from the affected property line. Furthermore, the site layout, particularly the location of the building respects the dominant street intersection corner in that there is more than ample green space and substantial landscaping proposed to create an attractive feature and protect the views from the intersection to the proposed building. It is our opinion that the impact is far less with the current single storey encroachment into the required yard for only a small portion of the proposed building than if the entire building was built at the minimum setback, without any architectural relief, and at the maximum permitted building height (18m) for the intended institutional use. The entire building is low scale and as such minimizes the impact of the placement of the front entrance/lobby portion within the required 6m minimum building setback. Finally, only a pedestrian walkway connection extends from the public sidewalk along Kelly Farm Drive to connect to the front door with all other vehicular traffic strategically located along the side of the building away from the encroachment area of the building. Please refer to the Site Plan A100 and sketch below for zone of encroachment with current set back.



Thus, in our opinion, the requested minor variance is minor based on the above rationale.

3. Variance is desirable for the appropriate development or use of the property

Setbacks play an important role in creating the character of the neighborhood and the streets. The residential lots across the street from the school have a consistent setback, but the school site is a much larger lot on a street corner. The building is distanced from its residential neighbours by the street; a zoning change to the front yard setback would not adversely affect any direct neighbours.

The reason for the minor variance application is to further animate the street by having the building closer to the street, to create a focal point for the school and the street, to engage pedestrians and neighbors, to create a more urban environment, and to allow more space in the rear yard for children's play area, and reducing the amount of impervious surface areas. The proposed 3.6m setback will not hinder sight lines at the corner of Kelly Farm Drive and Bradwell Way, or at the school's parking lot entrance, in fact, by being a bit shorter distance to the front door, one could argue that it is safer for students to arrive and depart directly onto the public sidewalk. All of this results in a more desirable end product for the public.

Thus, in our opinion, the requested minor variance would be desirable for the development of the Subject Property.

4. The General intent and Purpose of the Zoning By-law is maintained

The proposal is consistent with the Planning Act and Provincial Policy Statement as it follows the City of Ottawa Zoning; The site is zoned I1E – Minor Institutional Zone, which permits schools, as proposed.

The application conforms to all applicable zoning regulations except that we are seeking a minor variance for the set back along Kelly Farm Drive in order to reduce the setback from 6m to 3.6m. The proposed 3.6m setback would only affect the entrance canopy/administration block of the school. Only 23% of the façade on Kelly Farm Drive extends into the existing setback. The rest of the massing is behind the current 6m setback by a minimum of 2.6m. There is a balance between a single storey portion slightly closer to the relevant lot line versus a much taller building that respects the required minimum building setback as in our view, both would maintain the intent and purpose of the By-law to provide adequate separation between the structure and the lot line.

In addition, I1 Zone contemplates certain situations in which the front and corner side yard for schools may be reduced. Though Section 169(5)(a)(i) of the Zoning By-law does not describe our exact situation since the residential lots do not abut our site but are across Bradwell Way it can be argued that the provision supports our proposal since the minimum required front yard setback for these lots as per R3VV zoning is 3m.

“(5). (a) Despite any provisions to the contrary the minimum required front yard setback or minimum corner side yard setback for a school may be reduced in the following instances:

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- (i) Where located on a lot that abuts a residential zone on the same street, the minimum front yard setback of the abutting residential zone may be used as the minimum front yard or minimum corner side yard setback of the school, where the school is facing the same street as that abutting residential zone;
 - (ii) Where located on a lot that abuts two different residential zones on the same street, the minimum front yard setback of the abutting residential zone with the smaller minimum required front yard setback may be used as the minimum front yard setback or minimum corner side yard setback of the school, where the school is facing the same street as that abutting residential zone;

Thus, in our opinion, the requested minor variance would maintain the general intent and purpose of the Zoning By-law.

5. The General Intent and Purpose of the Official Plan is Maintained

The Official Plan (OP) for this site is General Urban Area (Official Plan, Schedule B, Urban Policy Plan). "The General Urban Area designation permits the development of a full range and choice of housing types ...with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses" (Volume 1, Urban Plan, 3.6.1-General Urban Area.)

Section 2.5.1 includes the following policy;

In general terms, compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, can enhance an established community through good design and innovation and coexists with existing development without causing undue adverse impact on surrounding properties. It 'fits well' within its physical context and 'works well' with the existing and planned function.

It is our opinion that a single storey structure fits in well with the multi-storey dwellings located in the neighbourhood, particularly those facing the school and entrance that requires the variance.

Section 4.11 establishes criteria to evaluate development proposals, noted as follows:

- 5. *Compatibility of new buildings with their surroundings will be achieved in part through the design of the portions of the structure adjacent to existing buildings and/or facing the public realm. Proponents of new development will demonstrate, at the time of application, how the design of their development fits with the existing desirable character and planned function of the surrounding area in the context of:*
 - 1. *Setbacks, heights and transition;*
 - 2. *Façade and roofline articulation;*
 - 3. *Colours and materials;*
 - 4. *Architectural elements, including windows, doors and projections;*

5. *Pre- and post-construction grades on site; and*
6. *Incorporating elements and details of common characteristics of the area.*

Since the proposal is for an institutional use that is not the same use as the residential buildings in the neighbourhood, it is impractical to incorporate all of the above noted elements. However, in our view the most important is the setback, heights, and architectural elements of the proposed building. The rationale already provides the justification for the reduced setback for only a small portion of the intended structure, while the overall height may actually be lower than the residential buildings in the area. The exterior design, windows and façade treatment, roof line, etc. are all intended to minimize the impact of a fairly large building, however located on a very large lot.

The development proposal for this site is for a one storey elementary school and therefore meets the general intent and purpose of the Official Plan. If approved, the minor variance would maintain the general intent and purpose of the OP.

6. Context Plan

The following site photographs illustrate the recent site conditions and surrounding contexts. The site map contains tags with arrows referencing the location of the photograph and direction.



Aerial Photos

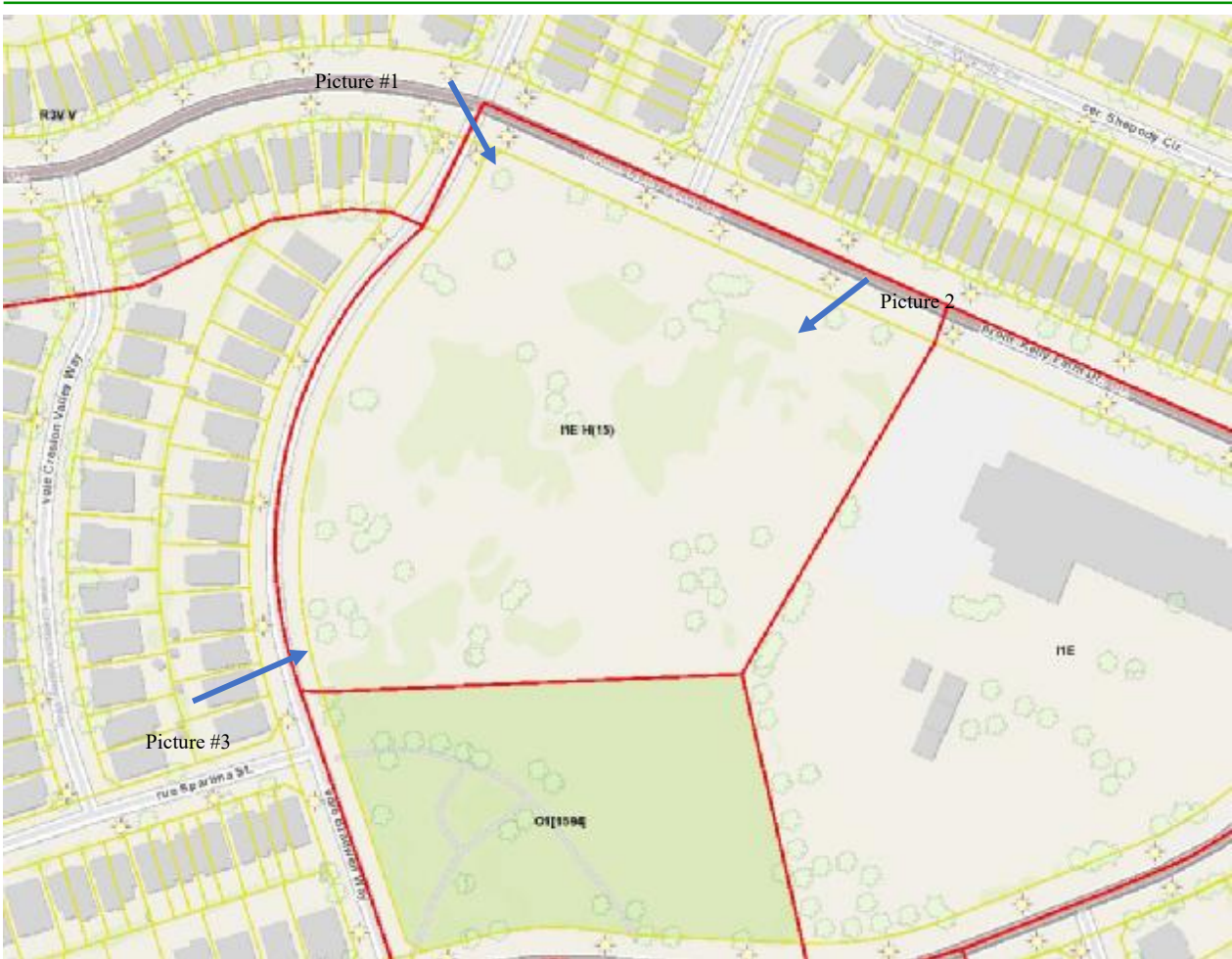


Photo 1



Photo # 2



Photo #3

7. Building Massing

See below proposed building perspectives of the building massing.



Massing model looking to the South-East from Kelly Farm Drive (Childcare Entrance and Main Entrance)



Massing model looking to the West from Bradwell Way(rear of building)



View from Kelly Farm Dr



View from rear yard



Close up of main entrance

See below for views of the perspective set within its current context.



View from intersection of Kelly Farm Dr and Bradwell Way with context



View along Kelly Farm Drive approaching site with context



View along Kelly Farm Drive going West bound with context

8. Conclusion

The proposal is good planning and should be considered and approved because it is consistent with the Planning Act and Provincial Policy Statement as it follows the City of Ottawa Zoning. It is contextually appropriate for its use with its neighbors and will form an institutional destination as per the Official Plan's designation of General Urban Area, thus in our opinion meets the 4 tests under Section 45 of the Planning Act.

Sincerely,

Isabel Richer
PYE & RICHARDS – TEMPRANO & YOUNG ARCHITECTS INC.

cc: Donald Wood, OCSB