

February 17, 2023

Committee of Adjustment
101 Centrepointe Dr. (4th Floor)
Ottawa, ON K2G 5K7

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2023-03-06

City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: Application for Consent and Minor Variances: 31 Starwood Street

Dear Members of the Committee,

I am acting as the Agent on behalf of clients for the preparation of applications for Consent and Minor Variances for the property municipally known as 31 Starwood Street. On behalf of the Owners, I am submitting these applications for combined Consent and Minor Variances for the proposed single detached dwellings to be built on this property.

In addition to this Planning Rationale explaining the application, please find enclosed the following for your consideration:

- Topographic Plan prepared by **J.D. Barnes Ltd.**
- The draft R-plan prepared by **J.D. Barnes Ltd.;**
- Tree Information Report prepared by **Dendron Forestry Services;**
- Proposed siteplan prepared by **Muzaiko Architecture.**

Development Proposal

The subject applications are being submitted to allow for the creation of two separate parcels of land, where new single detached residential dwellings are proposed as well as a reciprocal consent for legal purposes. For the purposes of this rationale, focus will be placed on the newly created parcels and the required variances.

Proposed Development

The proposed development requires the severance of the subject property, into two parts and obtain relief from the following zoning provisions: lot area and lot width. Together, these proposed variances are minor and have minimal impact, as this Planning Rationale will demonstrate. The proposed applications, being two consents and two minor variance applications are detailed below.

Consents

- a) To sever Part 1 from Part 2, in where Part 1 has a total lot area of 552.8m², lot frontage of 19m, and a depth of 27.45m.
- b) To sever Part 2 from Part 1, in where Part 2 has a total lot area of 552.8m², lot frontage of 19m, and a depth of 27.45m.

Minor variances

Part 1

- To permit a reduced lot area of 552.8m², whereas the By-law requires a minimum of 600m²
- To permit a reduced lot width of 19m, whereas the By-law requires a lot width of 19.5m

Part 2

- To permit a reduced lot area of 552.8m², whereas the By-law requires a minimum of 600m²
- To permit a reduced lot width of 19m, whereas the By-law requires a lot width of 19.5m

Site and Context

Site

The subject site is legally described as Lots 1913, 1914, 1915, 1916, 1917 on Registered Plan 375 and municipally known as 31 Starwood Street. The property is in Nepean in the City View neighbourhood (Ward 8 – College) near Baseline Road and Clyde Avenue. The property is quadrilateral; it has a frontage of 38.05m and a depth of 27.4m, totalling 1044.3m² in area. It currently has a one-storey single-detached, wood sided residential dwelling with an attached below grade garage. It is set 7.7m away from the front lot line; its current rear setback is 12.3m the east side yard setback is 11.3m and the west side yard is 8.4, as indicated on the topographic plan.



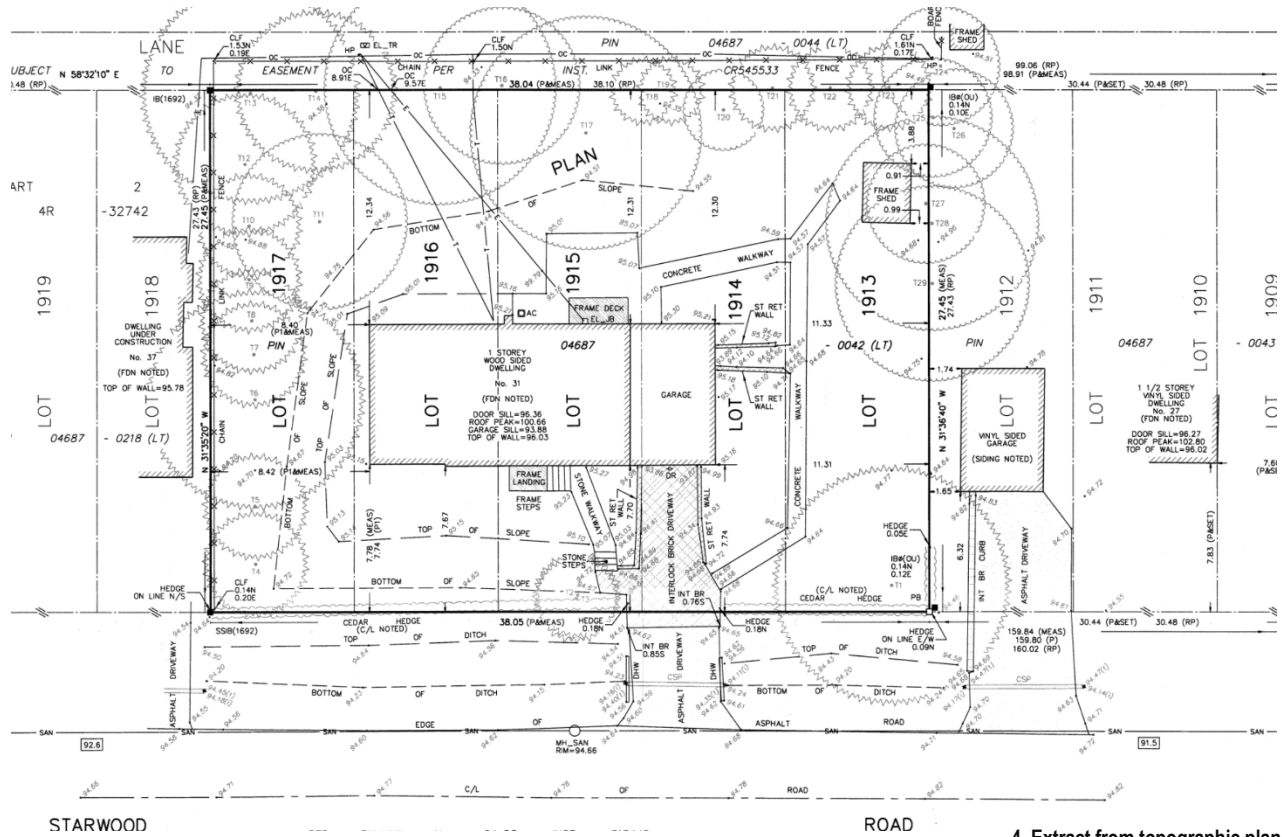
1. Existing Dwelling – East View from Starwood Street



2. Existing Dwelling – South View from Starwood Street



3. Context- View from above

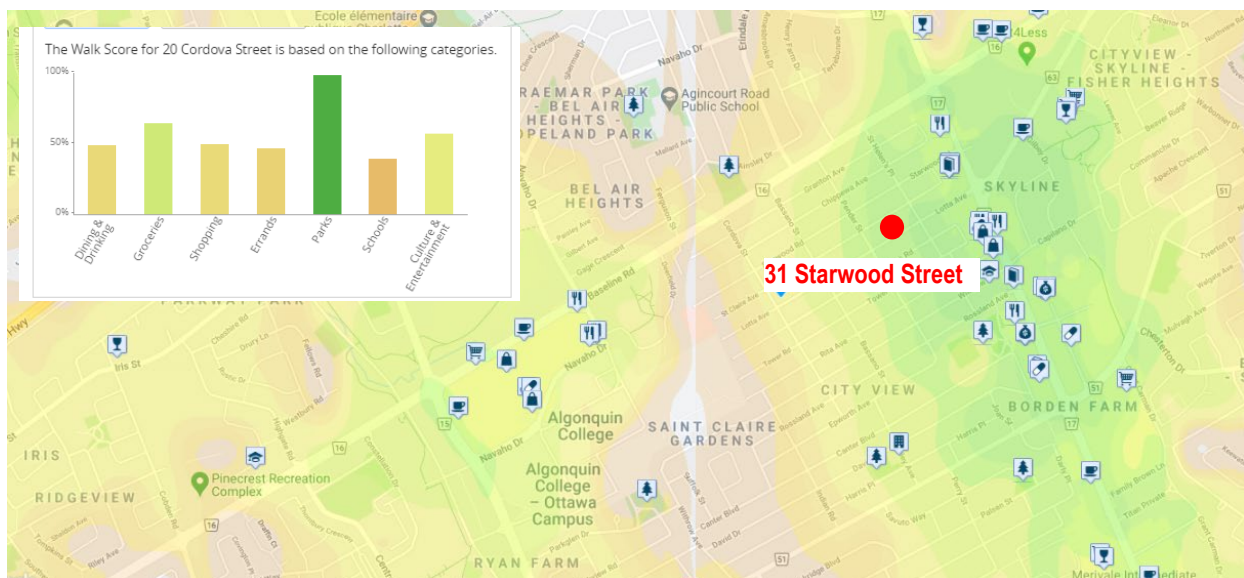


4. Extract from topographic plan

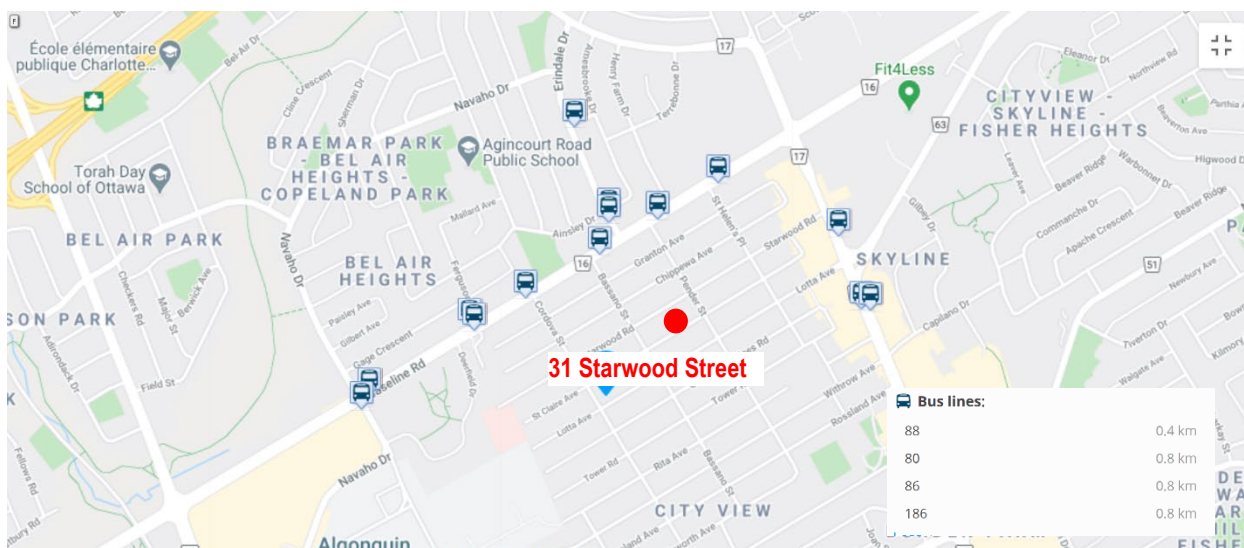
Context

The subject property is in a built-up, growing neighbourhood, where the original styles of homes were built in the mid 20th century, characterized by the one to two-storey vinyl-sided, stucco, brick, single-detached dwellings, some with front porches. Due to its older history, the neighbourhood is set up with a typical grid pattern of streets. Since then, development in various forms has contributed to the intensification of the neighbourhood, which is generally reflected in the large lot pattern of regular lots sizes been subdivided for infill projects. This location is somewhat walkable; thus, some errands can be accomplished on foot. Nearby parks include Ainsley Park, Doug Frobel Park and City View Park. Location offers practical transit which means a few nearby public transportation options.

Refer to following maps and images:



Amenities / Walkability Intensity Map



Transportation Map

Subject site



1. Looking west on Starwood Street

Subject site



2. Aerial View

Zoning By-law Review:

The proposed detached dwellings are located within R1FF [632] - Residential First Density. This zone permits the proposed use but requires variances to lot dimensions and rear yard area and setback to achieve the necessary building program. These required variances are detailed below in the Zoning Comparison Chart for Part 1 and Part 2.

	REQUIRED	Part 1	Part 2
Min Lot Width (m)	19.5	19	19
Min Lot Area (m²)	600	*552.8	*552.8
Max Building Height (m)	8.5	TBD	TBD
Min Front Yard Setback (m)	6	6	6
Min Rear Yard Setback (m)	28% of Lot Depth or 8.13	8.13	8.13
Min Rear Yard Area (m²)	25% of Lot Area Part 1: 138.2 Part 2: 138.2	*155.06m ²	*154.2m ²
Min Interior Side Yard Setback (m)	Total 2.1 m, with one minimum yard, no less than 0.9 m Corner side yard 4.5m	0.9m & 1.2m	0.9m & 1.2m
Lot coverage	45%	43%	37%

*As per Exemption 632 - solely and specifically for the purposes of calculating minimum lot area, maximum lot coverage and minimum rear yard requirements for lands described herein, the lots on Plan 375 may utilize a portion of the lane not exceeding 1.6 m in depth measured perpendicularly from and running along the entire length of the rear lot line but not extending beyond the points of intersection with both of the side lot lines

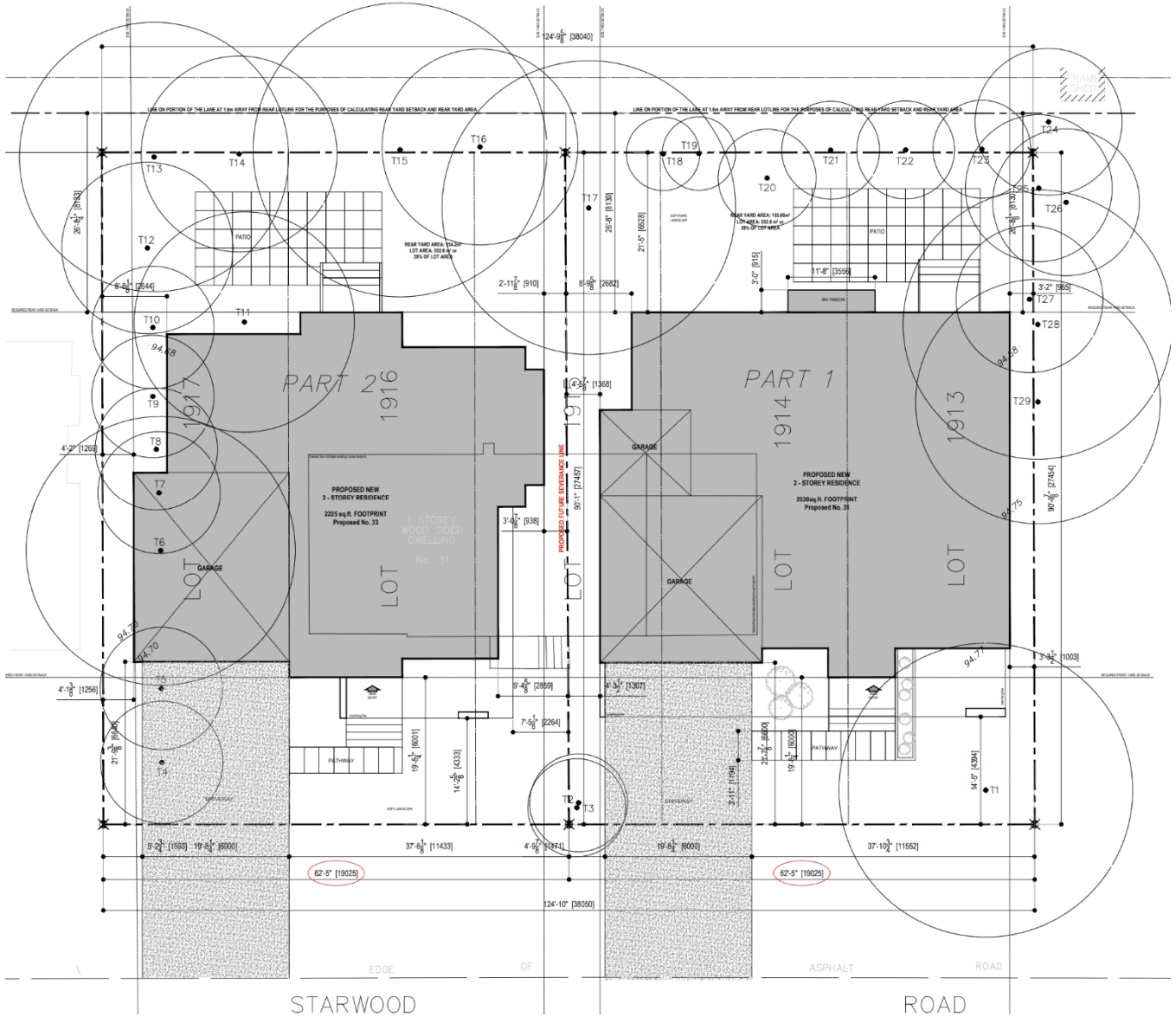
As detailed above, we require two variances for Part 1 and Part 2, which are in reference specifically to the areas and widths of the lots.

PROPOSED DEVELOPMENT

The proposed developments are an example of the gradual evolution of the City View neighborhood. Single detached dwellings are consistent with the community character while representing a sensitive response to the City's intensification initiatives. These developments offer a unique addition to the neighbourhood, incorporating materials and elements in a modern interpretation of the characteristic single-detached dwelling unit predominantly found in this area.

The proposed detached dwellings are two-storey buildings, featuring covered recessed front entrances with a double driveway leading to two-car garages. The proposals do not require any variances and stays within the required zoning provisions.

Proposal:



Extract from Proposed Siteplan

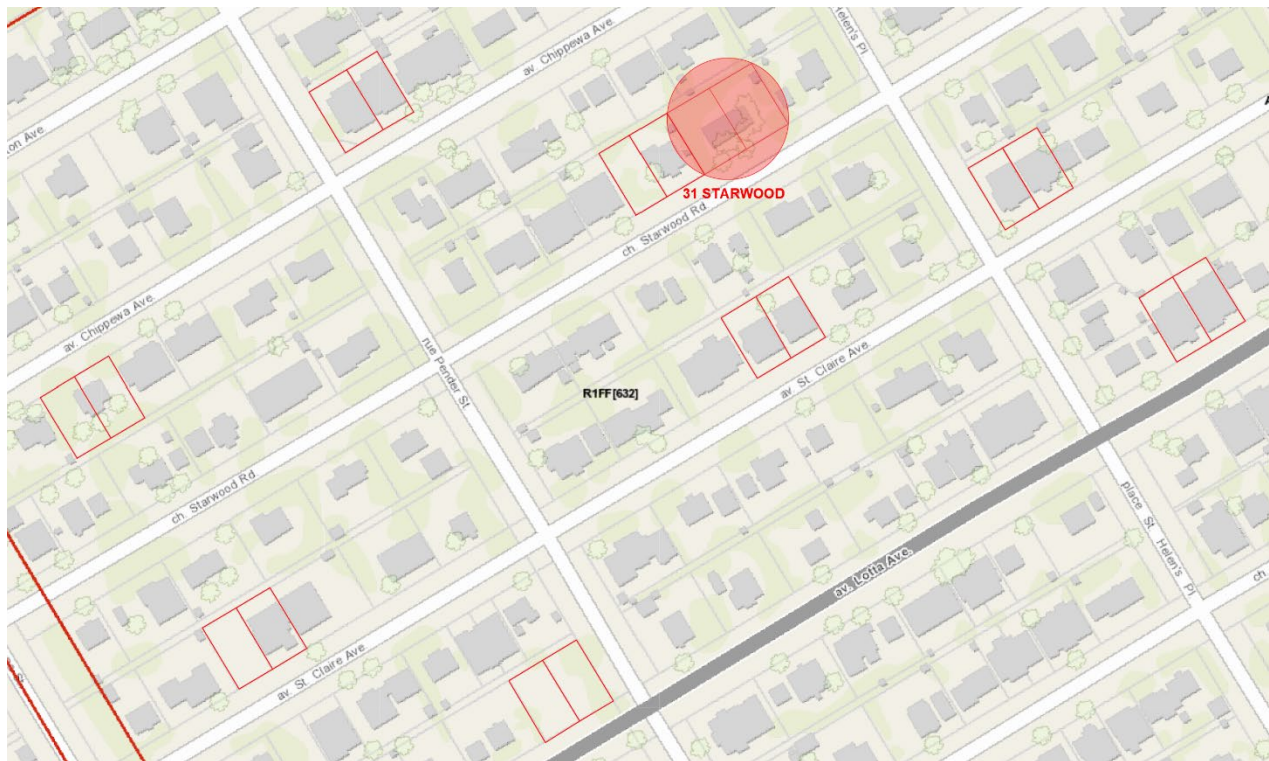
PLANNING ACT REVIEW

APPLICATIONS FOR MINOR VARIANCES

The following is a review of Section 45(1) of the Planning Act to assess the suitability of the proposed variance.

Is the variance minor?

a) Lot Widths and Lot Areas: The proposed lot widths and areas are suitable for the proposed developments and are common lot patterns seen in this neighbourhood, as illustrated on the map below. The proposed lot widths are deceptive from the street and fit within the evolving fabric of the neighbourhood. The following map illustrates properties that are similar in lot widths and lot areas within a 300m radius of proposed properties. Most of these lots are slightly smaller in area and frontage than what is being proposed.



Does the variance meet the intent and purpose of the Official Plan?

The intent and purpose of the Official Plan, and specifically the General Urban Area, is to permit a wide variety of residential uses as well as to encourage infill development in existing built-up areas. The proposed consents and detached dwellings, with the variances as requested, serves to provide for an infill type in a neighbourhood where it is compatible with recent developments, single detached homes. The proposed use and density are both permitted and encouraged by the Official Plan.

As proposed, the development relates to the existing community character to enhance desirable established patterns and built form. **Section 2.5.1 – Urban Design and Compatibility** provides guidance on how to appropriately incorporate infill development into existing built-up areas. According to the definition provided in the Official Plan, ‘*compatible development*’ is development that is not necessarily the same as or like existing buildings but that enhances and coexists with existing development without undue adverse impacts. It is development that ‘*fits well*’ and ‘*works well*’ with its surroundings. The OP emphasizes that the above objectives are achievable without designing a development to be the same as existing developments.

Within Section 2.5.1 a variety of design principles are presented to guide development. The most applicable principles for this development include:

- Create distinctive places and appreciate local identity in patterns of development, landscape, and culture.
- Reflect a thorough and sensitive understanding of place context and setting.
- Integrate new development to complement and enliven the surroundings.
- Complement the massing patterns, rhythm, character, and context.
- Achieve a more compact urban form over time.
- Allow for varying stages of maturity in different areas of the city and recognize that buildings and site development will exhibit distinctive characteristics as they evolve over time.

Furthermore, the proposed development was specifically created to minimize the requirement for the removal of the current trees, as recommended by the city arborist and in accordance with the Tree Information Report that was prepared by Dendron Forestry Services. The plans were designed to ensure that some more mature trees' health and safety were not compromised while also accommodating the proposed development's needs. By implementing these strategies, the proposed developments demonstrate a commitment to preserving the natural environment. For trees that are affected by the proposed development, replacement trees will be planted as per the arborist report and in accordance with Section 52.

Does the variance meet the intent and purpose of the Zoning By-law?

a) Lot width and area: These provisions are designed to protect the proposed uses are suitable for the space provided. From this, building design and overall context of the area play a large part in further determining scale and appropriateness. With the evidence that the variances are minor, in terms of their overall impact, and that similar developments are displayed in the area, and similar scale developments exist on nearby properties, the proposed

detached dwellings, with the provided area and widths, meet the intent and purpose, in that the proposed use is suitable for the space.

Is the variance appropriate and desirable for the intent and use of the land?

Planned, these variances reflect a minor deviation from what is currently permitted in the By-law, the character of this consent request is comparable to many developments in the neighbourhood as shown on these applications. The proposed development provides appropriate and feasible infill and where the scale of nearby developments is also comparable, as shown in Appendix A.

Consent

The proposed consent is desirable as:

- The new lots will be consistent in width, orientation and area with similar developments found in the neighbourhood as demonstrated.
- The lots will also be adequately serviced with municipal infrastructure, schools, and amenities.

Variances

The requested variances are desirable as:

- The proposed development meets most performance standards of the R1FF zone except for lot area and width for the new lots.
- The proposed use meets the stated purpose of the R1 zoning.
- The proposed lot area is suitable and favourable within the neighbourhood; besides, the area and width deficiency are in line with other developments.
- The proposal responds positively to the applicable sections and policy the Official Plan in Sections 2.5.1 & 4.11 – Urban Design and Compatibility.
- The proposed development offers a well-designed infill, adding to the diversity of the City View community.

Conclusions:

It is our planning opinion that the proposed Consents and Minor Variance applications constitute good planning as they meet the general policy intent of the Official Plan as well as the criteria for approval of consent and minor variance applications as set out in the Ontario Planning Act. The proposed development fits well within the lot fabric of the

neighbourhood, meets the Official Plan's strategic growth direction to intensify land uses within the urban area. Further, the lot area and lot widths along with the rear yard area and setback deficiencies are common in this neighbourhood.

If you have any questions or comments relating to this application, please contact the undersigned at your convenience.

Sincerely,



Paulo Alves, oaa

APPENDIX A:

Development Examples



37 & 39 Starwood Street



49 & 51 Chippewa



23 & 25 St Claire Ave



17 & 19 Lotta Ave



80 & 82 Starwood Street