



City of Ottawa Committee of Adjustment
101 Centrepointhe Drive, 4th Floor
Ottawa, On, K2G 5K7

February 09, 2023

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: 667 Churchill Ave. (Minor Variance application)
Eric Einagel
Lot 27, Registered Plan 460, City of Ottawa

**Committee of Adjustment
Received | Reçu le**

2023-02-15

**City of Ottawa | Ville d'Ottawa
Comité de dérogation**

On behalf of our clients we are submitting a Minor Variance application for the lands at 667 Churchill Avenue to permit a semi-detached dwelling with Secondary Dwelling Units fronting on Churchill and Westhill Avenue.

Each unit is proposed with a single lane driveway and attached garage fronting on Westhill Ave. The property is zoned R3S in the City of Ottawa Zoning By-Law 2008-250, as amended, and currently houses a single detached dwelling fronting on Churchill Avenue.

The proposal requires the following variances:

- A) Interior yard area. To permit a reduced interior yard depth of 19.4% of the lot width (2.92 m), whereas the Zoning By-Law requires an interior yard depth of 30% the lot width (4.53 m) (Section 144, (6)).
- B) Attached garages. To permit the construction of two attached garages (one per primary unit) despite the findings of the Streetscape Character Analysis, whereas the Zoning By-Law requires that a front-facing attached garage is permitted or prohibited according to the dominant pattern of garages. (Section 140, (8) (a)).
- C) Attached Garages. To permit the construction of two front-facing attached garages (one per primary unit) despite the dominant pattern of the streetscape prohibiting front-facing attached garages, whereas the Zoning By-Law states any front-facing garage or carport is subject to the following: Within the Mature Neighbourhood Overlay, no such garage or carport is permitted except subject to the SCA (Section 139, (3) (c)).

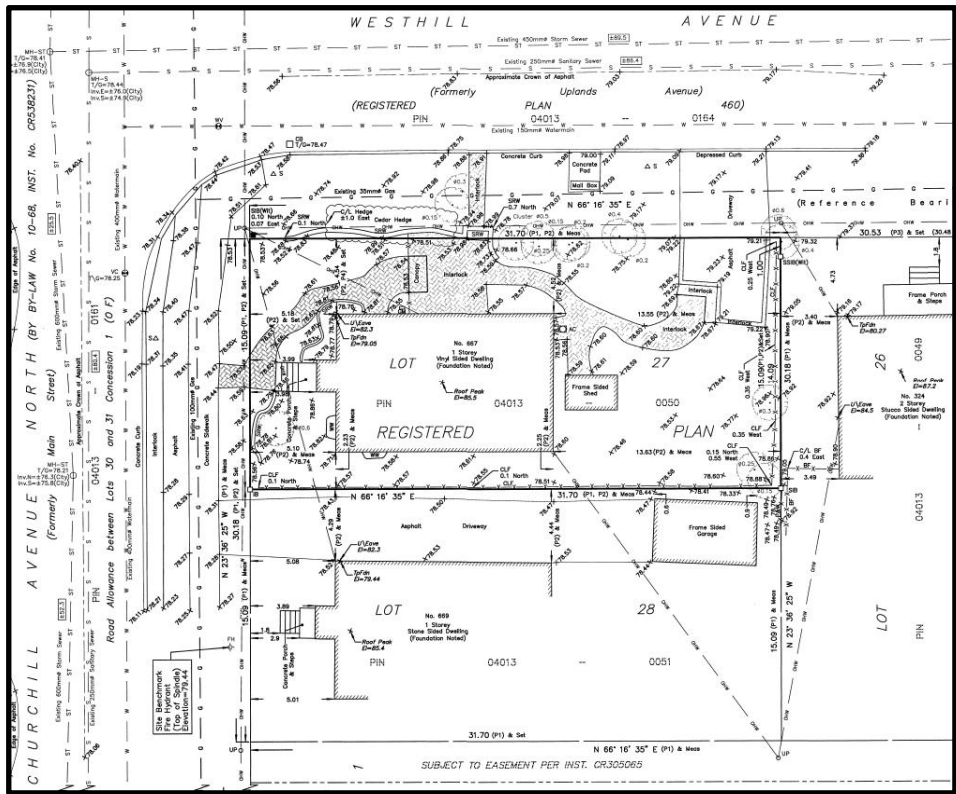
The proposal conforms to all other Zoning By-Law requirements such as building height, setbacks, landscaping, and parking. The requested relief for the interior yard area is needed due to the lot being a corner lot where the principle units front on and face

different streets. **If both units fronted on Westhill Ave. then the interior yard area variance request would not be required.** Although, if the entrances faced the same street then the required rear yard setback would have increased from 1.2 m to 4 m. The decreased interior yard area is compensated by the site's proximity to the Dovercourt Recreation Center and the Westboro Kiwanis wading park/pool.

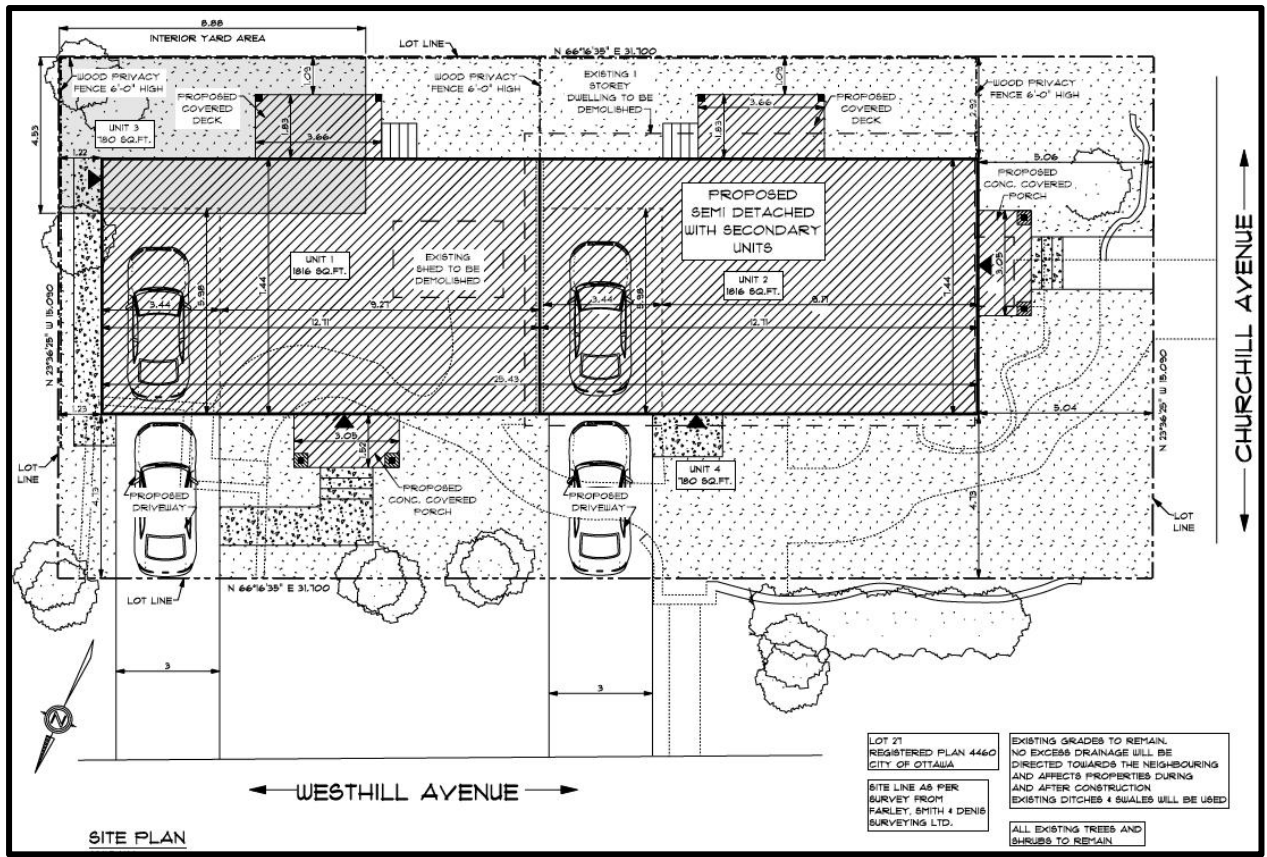
The requested variances regarding the attached garages are for the same item but they are referenced in two separate clauses in the Zoning By-law.

Essentially, the relief is needed due to the reduced scope of the Streetscape Character Analysis. In the design that was initially proposed, both units had primary entrances on Westhill. So in our initial Westhill SCA, we analysed 21 properties which permitted an attached garage with a result of 13 lots having front facing attached garages and 8 lots not having front facing attached garages.

Planning staff then advised us that since we have entrances fronting on both streets, we needed a 21 property Churchill SCA and an 11 property Westhill SCA. When the scope of the SCA was reduced from 21 to 11 properties on West Hill Avenue, the analysis of the attached garages became 4 : 7. Additionally, 314 Westhill was recently brought to the Committee of Adjustment for severance which was approved by the Committee. This property at 314 Westhill is a fully constructed pair of semi-detached dwellings with an attached garage for each primary unit. Since the severance conditions have yet to be cleared, it is still considered as one lot and therefore only one of the attached garages was taken into account for the scoped SCA. More examples of semi-detached dwellings on Westhill with attached garages are 315 and 311 Westhill, and 305 and 303 Westhill.



Survey Plan



Site Plan



Image showing existing 667 Churchill frontage. Note: the mature tree on the right of the existing house is to be retained.



Image showing existing 667 Churchill from Churchill / Westhill.



Image showing the approximate location of the **667 Churchill lot** from Westhill.
Note: the deciduous tree on the left of the image is to be retained.



Image showing 300A and 300B Westhill located just outside the scope of the Westhill SCA.



Image showing 302 and 304 Westhill located just outside the scope of the Westhill SCA.



Image showing 303 and 305 Westhill located just outside the scope of the Westhill SCA.



Image showing 314 and 316 Westhill located just outside the scope of the Westhill SCA.

The four (4) tests of a Minor Variance as per Section 45 of the Planning Act are:

1. The application is minor in nature.

It is our opinion that the variances requested are minor in nature. The required interior yard width is 4.53 m, whereas the provided is 2.92 m. The difference between the required and provided is only 1.61 m. The reason we cannot increase the interior yard width is due to the placement of the SDU entrance and the location of the garage. The SDU entrance is located on the east facade behind the primary unit's garage. If we were to increase the interior yard width, the SDU entrance would have to be relocated to either the rear or front facade. If the SDU entrance was relocated to the rear or front facade, it would cause issues of privacy between the SDU and principle units. By keeping the SDU entrance on the east facade, we are maintaining privacy between the units and making sure the principal unit has full, private access to the rear yard.

The construction of the attached garage should be permitted as a full SCA of Westhill Ave would have permitted them. It is only due to the reduced scope of the corner lot SCA that attached garages are not permitted.

2. The application is desirable for the appropriate development of the lands in question.

Urban Design Guidelines for Low-rise Infill Housing

1.0 Streetscape

1.1 Contribute to an inviting, safe, and accessible streetscape by emphasizing the ground floor and street façade of infill buildings. Locate principal entries, windows, porches and key internal uses at street level. *Principle entries and porches are located directly on both frontages three steps above the ground level. There is also a secondary entrance located on Westhill. The porch driveways, and front doors are all elements that bring attention to the inviting streetscape.*

1.2 Reflect the desirable aspects of the established streetscape character. *Elements of the Westhill streetscape are small, articulated porches, single or 2-storey dwellings, large vegetation, and single lane driveways. Our proposal includes an articulated porch on each frontage, 2-storeys, retention of two mature trees (and an additional 3 to be planted), and a single lane driveway for each unit.*

2.0 Landscape

2.1 Landscape the front yard and right-of-way to emphasise aggregated soft landscaping as much as possible and provide adequate soil volume for the planting of large sized trees. *The proposal is retaining two mature trees, one fronting on Churchill and one fronting on Westhill, as well as proposing three replacement trees in the ROW.*

2.3 Design buildings and parking solutions to retain established trees located in the right-of-way, on adjacent properties and on the infill site. *The proposed building and driveways have been designed with tree retention in mind. The removal of trees number 2 and 3 are due to their location under the overhead hydro wires and their fair health.*

3.0 Building Design

3.1.1 Ensure that new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street contribute to the animation, safety and security of the street. *Effort was made to improve both the Churchill and Westhill streetscapes by detailing both facades with*

consideration for the context of the street. The ground floor of the development includes five windows facing Westhill and one window facing Churchill (the building facade is considerably smaller on Churchill).

3.1.3 In determining infill lot sizes, recognize the provisions of the Zoning By-law, the Official Plan's Transect-, Overlay-, and Neighbourhood policies, and local lot sizes, including lot width, the existing relationship between lot size, yard setbacks and the scale of homes. *The general massing of the development is not dissimilar to the recent developments at 300, 302, 303, 304, 305, 314, 316 Westhill and 649, 651, 676, 678 Churchill. The proposed lot area and lot width are considerably larger than the required provisions set in the Zoning By-Law. Additionally, the proposal is compliant on both front and corner side yard setbacks.*

3.1.11 Respect the grades and characteristic first-floor heights of the neighbourhood by not artificially raising or lowering grades. *The grades on site are relatively flat, meaning there is no risk of significantly altering the first-floor height characteristics of the neighbourhood.*

3.3.1 Design all sides of a building that face public streets and open spaces to a similar level of quality and detail. Avoid large blank walls that are visible from the street, other public spaces, or adjacent properties. *The facades of the development are designed similarly, and are animated using entry doors, porches and stairs, pedestrian walkways, and windows.*

3.3.3 Provide primary building entrances that are inviting and visible from the street by adding architectural elements such as porches which promote street-oriented interaction; *The proposal features covered porches over both primary entrances and a walkway to each of the primary entrances from the street (Churchill) and one of the driveways (Westhill).*

3. It conforms to the general intent and purpose of the Official Plan.

Provincially approved Official Plan

2.2.1 Intensification and Diversifying Housing options

Policy 1 - Direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods. *Churchill is a Minor Corridor as indicated on Schedule B2 of the Official Plan. This site is also located in the Westboro neighbourhood which is characterised by small to mid-sized lots and compact low rise developments. Our site represents an intensification supporting a 15-minute*

neighbourhood because we are proposing two primary and two secondary units on the site when the site currently houses one unit, and the site is located on a Minor Corridor connecting two Mainstreet Corridors (Carling and Richmond).

4.1.2 Promote healthy 15-minute neighbourhoods

6) New developments will provide direct connections to the existing or planned network of public sidewalks, pathways and cycling facilities. *The proposal contains a walkway from the primary unit facing Churchill that directly connects to the existing sidewalk system. Additionally, Churchill is a Cycling Spine Route as per the Transportation Master Plan which provides dedicated bike lanes beside the sidewalk but separated from the road.*

4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city

1) A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by:

a) Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology; *The design of this development is based on the context of the streetscape, primarily along Westhill as the site fronts mostly onto that street. Density, height, and general massing were also informed by the neighbourhood context as most of the dwellings on Westhill are 2-stories, brick or stone veneer with siding and with pitched roofs.*

b) Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability; *This development proposes various sizes of rental units for varying levels of attainability. The primary units feature three bedrooms while the secondary dwelling units feature one bedroom.*

2) 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; *This proposal contains two primary and two secondary units on a single lot. The proposal only includes two driveways and garages to be used by the primary unit residents. Whereas it is expected that the residents of the secondary units will use alternative transit. Directly in front of the property is a bus stop that is serviced by Line 50 (Tunney's Pasture / Lincoln Fields) approximately every 30 minutes.*

Additionally, there is a bus stop within 400m (5 minutes walking distance) serviced by Line 51 (Tunney's Pasture / Britannia) approximately every 15 minutes.

3) Accessory Dwelling units as provided for by the Planning Act, including coach houses and secondary dwelling units in the main building, are recognized as key components of the affordable housing stock and shall be protected for long-term residential purposes.
The proposal includes two secondary dwelling units.

5.2.2 Prioritise walking, cycling and transit within, and to and from, the Inner Urban Transect

2) The transportation network for the Inner Urban Transect shall:

a) Prioritise walking cycling and transit, *As mentioned before, Churchill Ave is a cycling Spine Route as per the Transportation Master Plan, and has sidewalks on both sides of the street with various protected crossings. Additionally the transit service in the area, while limited to a single line, quickly connects to the greater transit network at many key stations (Queensway, Iris, Westboro, Tunney's Pasture, Lincoln Fields).*

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. *All personal vehicular movement will take place on Westhill as to not undermine the priority of pedestrians, cyclists, and transit users.*

3) Motor vehicle parking in the Inner Urban Transect shall be managed as follows:

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; *Parking will occur within the garage of each unit and will be screened from the public realm.*

ii) Shall be accessed by driveways that minimise the impact on the public realm and on both City Owned trees and privately-owned distinctive trees. *The proposed driveways are not causing the removal of any trees (City or private) and the development will result in the removal of a significant amount of hardscaped walkways around the existing building. Instead, City trees number 2 and 3 are recommended for removal due to their health and location under existing hydro wires.*

4. It conforms to the general intent and purpose of the Zoning By-Law.

The proposed development is located in the R3S zone which proposed to:

- *Allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban area in the old Official Plan.*
- *Regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced*

The proposal represents two semi-detached dwellings with SDUs that allows for additional housing choices in the area. The development is also consistent with the scale, massing, design, and land use of the surrounding neighbourhood. The proposal is mostly zoning compliant in regards to performance standards such as setbacks, height, and projections; however, it is deficient on the interior yard area width and the inclusion of attached garages.

The interior yard area width is represented by 19.4% of the lot width (2.92 m) as opposed to the required 30% of the lot width (4.53 m). This deficiency is due to the narrow nature of the lot, being a total of 15.09m, and the eastern SDU entrance located behind the garage.

The attached garages are not permitted on this site due to the lot being a corner lot with the front lot line as Churchill Ave. This forced a scoped SCA on Westhill from 21 properties to the 11 closest properties, whereas we were permitted to include a full 21 properties on the Churchill SCA. The inclusion of driveways and attached garages is a major incentive for families who would reside in the principle three bedroom units and is not uncommon for properties on Westhill.



At this time we are also submitting the following in support of the application:

- Completed application form (1 original)
- Application fees
- Full size copy (and an 8 1/2 x 11 reduction) of the site plan showing the proposed new building
- Full size copy (and an 8 1/2 x 11 reduction) of the architectural elevation plans of the proposed building from all four sides
- Full size copy (and an 8 1/2 x 11 reduction) of the survey plan of the entire property
- Owners authorisation
- Tree Information Report