



30 CONCOURSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085
CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

MIROCA DESIGN INCORPORATED
EST. SINCE 1986

December 5, 2022

Committee of Adjustment

City of Ottawa
101 Centrepointe Drive,
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer
And Committee Members

Re: **Application for Lot Line Adjustment and Minor Variance for lands at 47-49 Elvaston Avenue, Ottawa, ON.**
Lot 222
Registered Plan 645570
Ward 16, River
Zoning R2M, Zoning By-law 2008-250

Dear Mr. Bellemare,

David Taiwo (47 Elvaston Ave.) and Steven & Marguerite Elder (49 Elvaston Ave.) have retained Miroca Design Consulting Services to act as agent on their behalf for the preparation of Lot Line Adjustment and Minor Variance Applications for their lands known municipally as 47-49 Elvaston Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form
2. 1 copy this cover letter prepared by Miroca Design Consultants Inc.
3. 1 full-sized copy and 1 reduced copy of the Draft Reference Plan showing each of the severed and retained lots, prepared Farley, Smith & Denis Surveying Ltd., Ontario Land Surveyors
4. 1 full-sized copy and 1 reduced copy of the Site Plan and Elevation Drawings prepared by David Taiwo
5. A cheque payable to the City of Ottawa, and a copy of the Deed showing ownership.

Purpose of the Application

The semi-detached dwelling at 47 Elvaston Avenue was destroyed during a storm in September 2019. The remaining foundation of #47 is to be demolished, and the owner would like to construct a new 2-storey single family dwelling on their existing parcel of land. In order to do this, a lot line adjustment is necessary to provide space for the remaining half semi-detached home at 49 Elvaston to be repaired and finished as a single-family dwelling. Minor variances will also be necessary for the setbacks of both homes.

Consents Requested

In order to proceed, the owner requires the Consent of the Committee for a Lot Line Adjustment . The properties are shown as Parts 1-6, on a Draft 4R-Plan filed with the application. The separate parcels will be as follows:

| Part No. | Frontage | Depth | Area | Municipal Address |
|------------|----------|--------|---------------------|--------------------|
| 1, 3 | 13.42m | 30.48m | 409.1m ² | 47 Elvaston Avenue |
| 2, 4, 5, 6 | 10.97m | 30.48m | 334.4m ² | 49 Elvaston Avenue |

Part 2 + Part 4 = 0.30m X 30.48m

Proposed severed parcel will be added to 49 Elvaston Avenue. Owners Steven & Marguerite Elder.

Relief Requested

In order to proceed, the owner requires the Authority of the Committee for Minor Variances as follows:

Parts 1+3
47 Elvaston
Avenue

- a) To permit a reduced corner side yard setback of 2.146 metres, whereas the By-law requires a minimum corner side yard setback of 4.5 metres. [Table 158A]
- b) To permit a reduced interior yard area of 7.315m x 4.1m (29.99 sq.m), whereas the By-law requires an interior yard area of 9.0m X 4.1m (36.9 sq.m). [Sec. 144 (6)]

Part 2, 4, 5, 6
49 Elvaston
Avenue

- c) To permit a reduced interior side yard setback of 0.0 metres, whereas the By-law requires a minimum interior side yard setback of 0.9 metres.
- d) To permit an increased eave projection up to 0.0 metres from the lot line, whereas the By-law permits a projection of 1 m, but not closer than 0.3 m to a lot line. [Sec. 65, Table 65]

Zoning

Zoning Bylaw 2008-250 | R2M [Table 158A]

Section 139 – Low-Rise Residential in All Neighbourhoods Within the Greenbelt

Section 144 – Alternative Yard Setbacks Affecting Low-Rise Residential in the R1 to R4 Zones Within the Greenbelt

Existing Conditions and Area Overview

The subject property was originally constructed as a 2-storey semi-detached in the 1970s, the home at 47 Elvaston Ave. was recently destroyed in a wind storm and the dwelling at 49 Elvaston Ave. remains.

Note: All trees on site were destroyed during the storm, no TIR necessary.

Access to the property is provided from Elvaston Avenues and Winlock Cres., which are neighborhood streets. Transit service is provided along Craig Henry Drive to the North, and Greenbank Road to the West. The area is well served by a range of commercial and community amenities principally along Greenbank and Baseline Road to the North. Bateman Park along the hydro green strip can be found to the South, also nearby Knoxdale Public School and Trend-Arlington Park to the West. West Hunt Club Road is to the South.

Neighbourhood Character

The Craig Henry neighborhood was generally built as residential neighborhood starting in the early 1970s. Residential development in the area includes single family homes, semi-detached and townhouses, as well as some apartments. Housing along Winlock Cres is characterized by both single and semi-detached 2-storey homes with attached front-facing garages. Manordale-Woodvale is the local Community Association.

Four Tests

In support of the proposed application, the four tests for minor variances as provided for in Section 45(1) of the Planning Act, have been reviewed as follows:

1. General Intent and Purpose of the Official Plan is Maintained

In accordance with the Official Plan transition policies approved by Ottawa City Council (October 27, 2021), this application was reviewed under the most restrictive policies contained within both the existing Official Plan (2003) and the new Official Plan (2021).

Under the existing Official Plan (2003), the subject property is designated as General Urban Area, which permits a wide range of types and densities of housing. The 2003 Official Plan provides direction that new developments should be compatible with, and complement the surrounding land uses. Section 2.5.1 and Section 4.11 are used in the evaluation of development applications undertaken by the City, and are largely focused on compatibility. These provisions speak to the intention of allowing new development that can enhance and coexisting with existing development, without necessarily being the same as existing buildings, and without causing adverse impacts.

In the New Official Plan (2021), this property is located within the Outer Urban Transect, Neighborhood designation, on Schedule A, and Schedule B3. This designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances in combination with conveniently located employment, retail, services, cultural, leisure, entertainment and institutional uses. A broad scale of uses are found within this designation that are intended to facilitate the development of complete and sustainable communities.

Sections 2.2, 3.2, 4.2, 5.1-5.6, and 11.5 in the new Official Plan (2021) are used in the evaluation of development applications undertaken by the City. These sections outline urban design direction and aim to achieve residential growth through intensification within the built-up urban area to support an evolution towards 15-minute neighbourhoods, with public and private amenities for residents.

The policies provide guidance on the appropriate integration of new and different types of housing with the desirable character of the surrounding neighbourhood. A variety of housing typologies are encouraged across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure. Meeting the needs of diverse households and providing a supply of affordable housing, encouraging housing options for larger households and supporting the evolution of healthy walkable 15-minute neighbourhoods.

The policies also include guidelines for protecting the urban tree canopy and providing access to greenspace that will provide shade and opportunities to promote mental and physical health and well-being.

Sections 5.1 - 5.6 outline the area-specific policies for the six transects identified on Schedule A of the Official Plan. The policies provide guidance as to the general characteristics associated with urban and suburban built form.

The Outer Urban Transect comprises neighbourhoods inside the Greenbelt built in the last third of the twentieth century. The neighbourhoods represent the classic suburban model, and are characterized by the separation of land uses, stand-alone buildings, generous setbacks, and low-rise building forms. The policies aim to recognize a suburban pattern of built form and site design, and to enhance mobility options and street connectivity in the Outer Urban Transect.

- The existing and proposed dwellings meet the intention of the Official Plan's policies for intensification in this Transect, and respect the pattern of built form, site design, and character of the surrounding neighbourhood.
- The proposal takes full advantage of established transit service, water and sewer services and the network of roads and designated cycling routes. The development maintains environmental integrity by focusing growth in the urban area rather than developing lands at the periphery of the City. It contributes to a sustainable community by providing residential uses in close proximity to the rapid transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

2. General Intent and Purpose of the Zoning By-law is Maintained

The zoning of the subject property is Residential Second Density, Subzone R2M. The intent of this zone is to regulate development to detached and two principal dwelling units, while allowing other residential uses to provide additional housing choices within residential areas. Development is to be regulated in a manner that is compatible with existing land use patterns so that the detached and double dwellings residential character of the neighbourhood is maintained or enhanced.

- The existing and proposed dwellings meet the intention of the Zoning By-law by providing detached dwellings which are compatible with existing land use patterns and mixed semi-detached and single detached residential character of the neighbourhood.
- The proposed minor variances have been carefully considered to maintain the specific intent and purpose of each provision of the Zoning By-law where relief is sought. We feel the variances are compatible with the existing pattern of development, and the character of the neighbourhood is maintained.

3. Desirable for the appropriate development of use of the property

The minor variances are respectful of the existing character of the neighbourhood and maintain the general intent and purpose of the Zoning By-law. By taking advantage of existing infrastructure services, and proximity to community amenities, this proposal is desirable for the intentions of the Official Plan.

The dimensions of the lots are appropriate for the intended use, and are compatible with the established lot fabric. The design is respectful of the adjacent properties, and seeks to avoid and/or mitigate any privacy concerns for the neighbors. We feel that the proposal is compatible with existing land use, and maintains or enhances, the residential character of the neighbourhood.

4. The variance is minor

The proposed new detached dwelling at 47 Elvaston will require minor variances for reduced corner yard setback and interior yard area. These variances are necessary due to the nature of the semi-detached lot design becoming a detached dwelling.

The reduced corner yard setback will have no adverse impact on the adjacent neighbors or streetscape character. The interior yard area minor variance is technical in nature, the proposed detached design cannot accommodate the interior yard area as required in Sec. 144. However, the proposed rear yard for 47 Elvaston will maintain a rear yard setback of 7.315 metres, and a rear yard area of 98.1 square metres, which meets and exceeds the area calculation required for the interior yard (36.9 square metres).

Now that 49 Elvaston is considered a detached dwelling, the required side yard setback is 0.9 metres. The owner of 47 Elvaston is willing to transfer 0.3m of land to 49 Elvaston for the lot line adjustment, therefore minor variances are required for reduced side yard setback and the eave overhang. The 0.3m lot line adjustment leaves adequate space to finish the side wall of the 49 Elvaston to meet the OBC requirements. The 0.0 metre setback requested is taken in abundance of caution, the actual finished wall and eaves are expected to be slightly further back from the adjusted lot line when finished.

We feel that these minor variances will have no impact on the streetscape or adjacent neighbors, and are respectful of the established streetscape fabric of the neighbourhood.

Urban Design Guidelines for Low-rise Infill Housing

The proposed new dwelling at 47 Elvaston Ave. was designed in consideration of the purpose and objectives of the Urban Design Guidelines for Low-rise Infill Housing. The proposal incorporates setbacks which preserves and integrate existing natural features, and are consistent with the cultural landscape of the neighbourhood. The design maintains rear yard amenity space that is generally consistent with the pattern of the neighboring homes. The proposed dwellings feature primary entrances that are inviting and visible from the street, articulation of the front façade, and distinguishing characteristics creating distinct identities for the units.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development across Ontario. Sections 1.1 – 1.4 of the PPS directs that land use planning shall be carried out in a manner that:

- Promotes efficient development patterns that contribute to long-term sustainability on a province-wide basis as well as in local communities;
- Takes advantage of opportunities for intensification and redevelopment that optimize the use of existing of planned infrastructure and public service facilities;
- Promotes a compact built form which supports the use of alternative transportation modes and public transit.

This proposal supports the policies of the PPS by providing intensification in the form of new residential accommodation within the City's urban area where infrastructure and services already exist and are in close proximity to service facilities. The proposed use of land will promote an efficient, cost effective pattern of development located within proximity to a range of community services and amenities and well-oriented within the City's roadway and transit system.

Pre-consultations

Pre-consultations were held with Siobhan Kelly in the Development Review Department. The owners have discussed the proposal with their adjacent neighbors.

Conclusion

With respect to the Consents, it is our opinion that Section 53(1) of the Planning Act has been satisfied and a plan of subdivision is not necessary for the orderly development of the land and all provisions of Section 51(24) of the Planning Act have been met.

With respect to the Minor Variances, it is our opinion that the variances are desirable for the appropriate development or use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variances sought are minor.

We believe that the Consents and Minor Variances sought represent good land use planning and are appropriate for the subject property.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,

Michael Segreto
Miroca Design Consulting Services Inc.