

March 14, 2023

**Mr. Michel Bellemare**  
Secretary-Treasurer  
Committee of Adjustment  
101 Centrepointe Drive, Fourth Floor  
Ottawa, ON K2G 5K7

**RE: Application for Minor Variance**  
183 Forward Avenue, Ottawa

**Committee of Adjustment**  
Received | Reçu le  
**2023-03-15**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

1

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Blueprint Builds ("the Client") to prepare a Planning Rationale for a Minor Variance application to permit a 3.5 storey, 10-unit apartment building at 183 Forward Avenue ("subject site") in the Mechanicsville community of the City of Ottawa.

The subject site is currently occupied by a two-and-a-half storey residential building and associated parking lot. The proposed Minor Variances are required to reduce the minimum required rear yard setback and rear yard area. These variances have been assessed against the Four Tests of the Planning Act, and our determination is that the variances can satisfy these tests and are therefore appropriate and in the public interest.

It is noted that following the recent Royal Assent of *Bill 23 – More Homes Built Faster Act (2022)*, development proposals for up to 10 residential units no longer require Site Plan Control. Accordingly, a concurrent application for Site Plan Control is not in process nor contemplated at the time of this submission.

Please find enclosed the following material in support of the application:

- / This cover letter explaining the nature of the application (1 copy);
- / Minor Variance application form (1 copy);
- / Building Elevation Drawings, prepared by Laura Hands Design (1 full-sized and 1 reduced copy);
- / Site Plan, numbered A-01 dated December 21<sup>st</sup>, 2022, prepared by Laura Hands Design (1 full-sized and 1 reduced copy);
- / Survey Plan, prepared by Annis O'Sullivan Vollebakk, dated July 21, 2022 (1 full-sized and 1 reduced copy);
- / Tree Information Report, dated February 28<sup>th</sup>, 2023, prepared by Dendron Forestry Services (1 copy); and,
- / Tree Planting Plan, dated February 28<sup>th</sup>, 2023, prepared by Dendron Forestry Services (1 copy).

Please contact the undersigned with any questions or requests for additional material.

Sincerely,



Jillian Simpson, M.P.L  
Planner



Scott Alain, MCIP RPP  
Senior Planner

## 1.0 Background and Context

Fotenn Planning + Design ("Fotenn") has been engaged by Blueprint Builds ("the Client") to prepare this Planning Rationale in support of a Minor Variance application for the subject site, municipally known as 183 Forward Avenue in the City of Ottawa.

The subject site is a rectangular lot with a total area of 456.65 square metres and a frontage of 15.31 metres along Forward Avenue. The subject site is currently occupied by a two-and-a-half-storey residential building and associated parking lot. Two mature trees are located in the front yard of the property. In addition to fronting onto Forward Avenue, the site is served by a rear lane accessed from Lyndale Avenue.

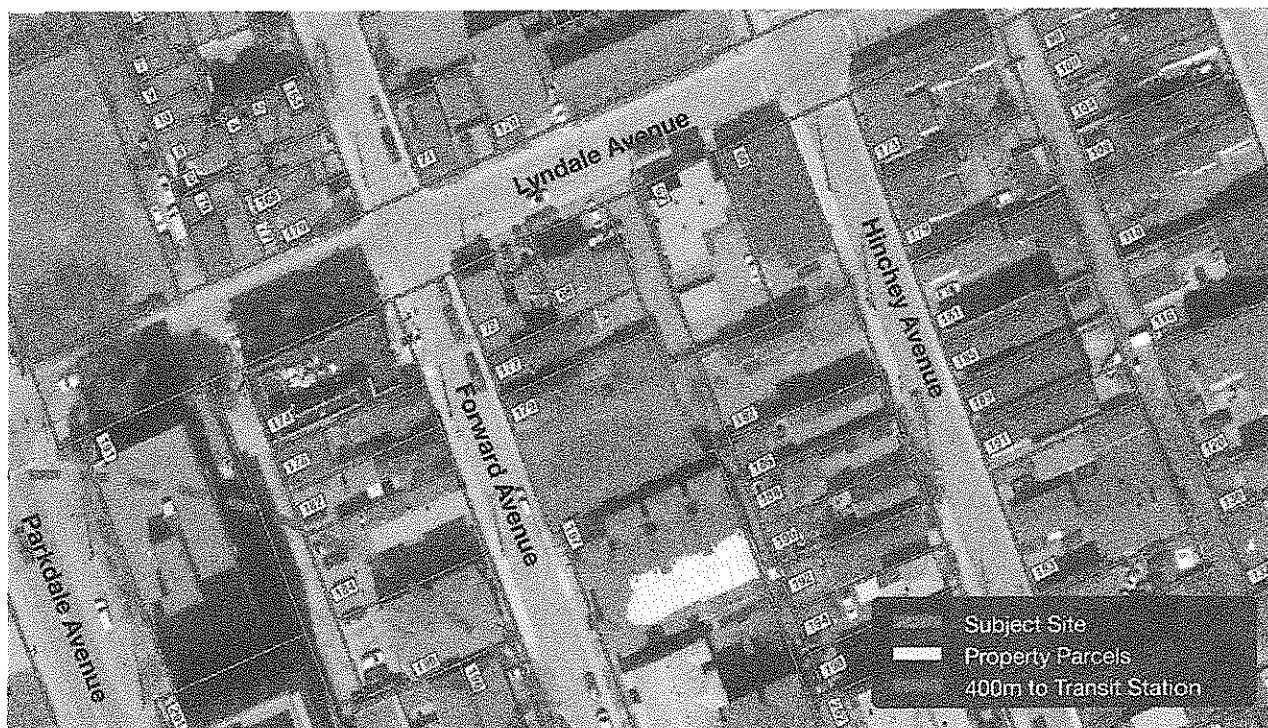


Figure 1: Subject Site and surrounding context

### 1.1 Surrounding Area

**North:** North of the subject site and continuing towards the intersection of Forward Avenue and Lyndale Avenue are low-rise single-detached dwellings, in some cases converted to multi-unit buildings. Further north along Forward Avenue, the condition changes to include mid-rise townhouses, and, further north, mid- to high-rise apartment buildings. At the intersection of Parkdale Avenue and Emmerson Avenue is a diplomatic mission and the onramp to the Sir John A. MacDonald Parkway. Across the Parkway is the Ottawa River Multi-Use Pathway and the Ottawa River.

**East:** East of the subject site are low-rise residential dwellings, Laroche Park and a seniors' residence accessible via Stonehurst Avenue. Further east of this is an industrial warehouse facility, Bayview Station Road and the Trillium Multi-Use Pathway, as

well as National Capital Commission-owned lands which extend to the Lebreton Flats neighbourhood and the Downtown Core.

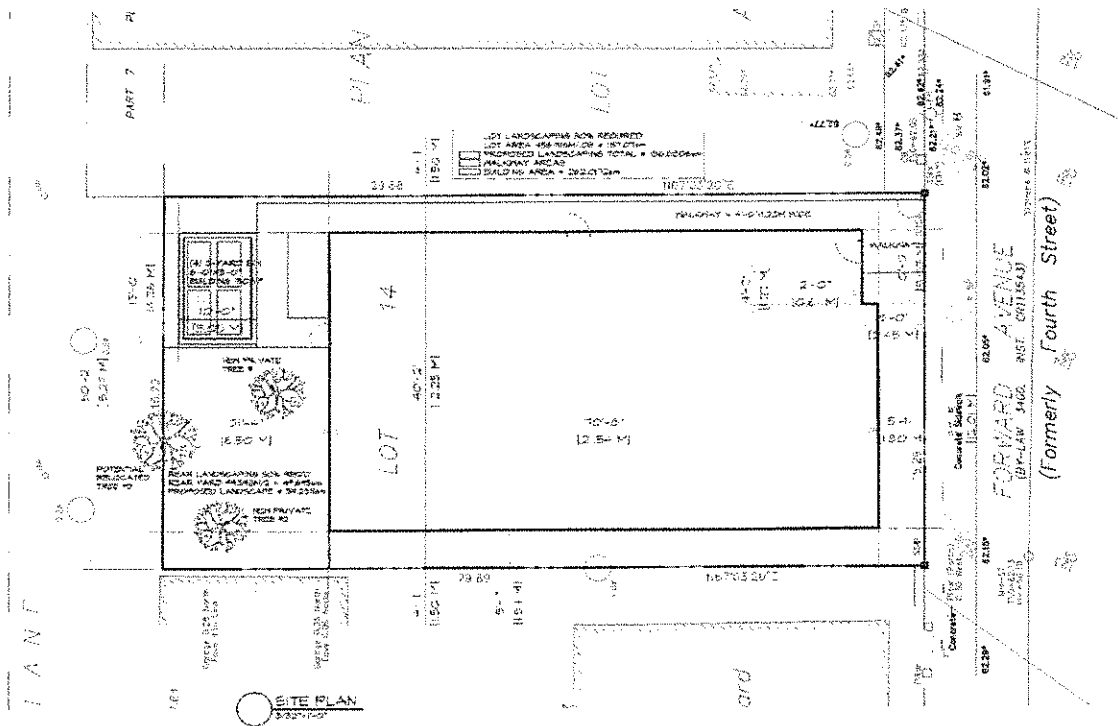
**South:** Immediately south of the subject site are low-rise townhouse and apartment forms with frontage on Forward Avenue, a local road that culminates in a cul-de-sac. The cul-de-sac provides direct access to pathways in east and west directions towards the multi-use pathway network south of the LRT corridor. The LRT corridor itself provides a physical barrier to Scott Street to the south; a Mainstreet Corridor that is transitioning to incorporate various high-rise forms in co-location with the higher orders of transit. Beyond Scott Street, the low-rise, high-density neighbourhood fabric continues into the Hintonburg neighbourhood of Ottawa.

**West:** Immediately west of the site is Forward Avenue. Further west is Parkdale Avenue, a Minor Corridor and north-south Arterial Road. Across Parkdale Avenue is Tunney's Pasture, a federal employment site. The Tunney's Pasture LRT station is located approximately 500 metres west of the subject site. Further west are the Champlain Park and Westboro Beach residential neighbourhoods, and southwest of this is the Westboro neighbourhood.

# 2.0 Overview of Application

## 2.1 Proposed Development

The applicant is proposing to demolish the existing detached dwelling and construct a 3.5-storey residential building comprised of 10 units: seven (7) one-bedroom units, and three (3) two-bedroom units. The proposed development fronts onto Forward Avenue with landscaping along the majority of the front yard and communal amenity space proposed in the rear yard. In addition, a small outdoor storage shed is proposed in the rear yard for the purpose of refuse and recycling storage. Two new trees and one relocated tree are being introduced in the rear yard. There is no vehicle parking, and 10 bicycle spaces proposed internal to the building. Figure 2 below shows the proposed site plan for the proposed development on the subject site.

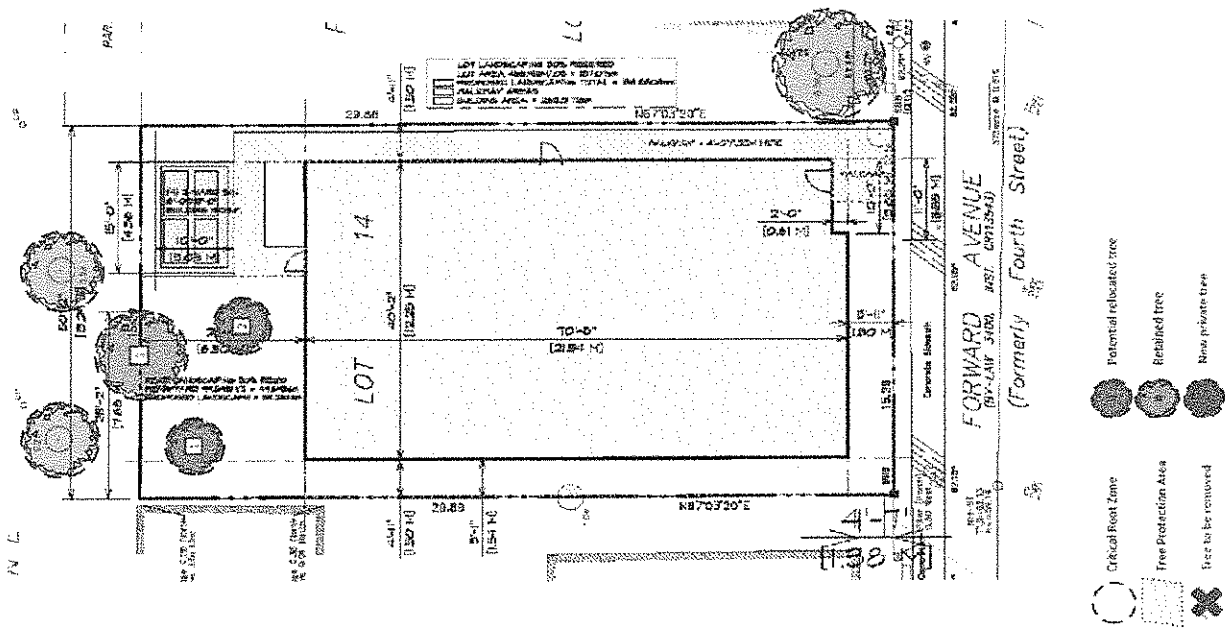


A walkway is proposed to the south of the building which provides access from the front of the building to the refuse storage bins at the rear. A side door exit is proposed along the walkway, and a rear exit is proposed which serves to provide easier access to the rear yard amenity area. A seamless connection is therefore envisioned between the rear lot context and the laneway to facilitate use of it for access by tenants to simplify connections by bicycle and foot.

As shown in Figure 3, the proposed exterior building design applies a modern approach to infill, incorporating rectilinear elements with generous window patterns, providing the opportunity for natural illumination of the units during daytime, and a comfortably lit public realm after sunset. An eave overhangs the primary entrance, adding emphasis to the front door, while incorporating shelter from the elements when standing in the entranceway.

Brick cladding is proposed to provide variety and interest to the front and side profiles of the building, and to break up the form of the massing.





A Tree Information Report, prepared by Dendron Forestry Services indicates the increase in footprint for the new building will make retention of the existing trees on site not possible. The Ginkgo tree located at the front of the building is in relatively good condition and if left in its location is unlikely to survive construction due to the proximity of the excavation. It is therefore proposed that the tree be relocated to the rear of the property, and a suggested location has been provided in the Tree Replacement/Planting Plan (Figure 4). Two new trees are also proposed in the rear yard.

## 2.2 Proposed Minor Variances

The property is located within the Residential Fourth Density, Subzone UD (R4-UD) zone. While broadly complying with the applicable provisions, in order to proceed with the development, the following minor variances are required:

- / To permit a reduced minimum rear yard setback of 6.5 metres, whereas the By-law requires a minimum rear yard setback of 8.96 metres (Section 144(3)(a)(i)(iii) of City of Ottawa's Comprehensive Zoning By-law (2008-250)); and
- / To permit a reduced minimum rear yard area of 99.39 square metres, whereas the By-law requires a minimum rear yard area of 114.2 square metres (Section 144(3)(a)(i)(iii)).

An assessment of these variances in relation to the Four Tests of the Planning Act is provided below, following the policy and regulatory overview.

## 3.0 Policy and Regulatory Review

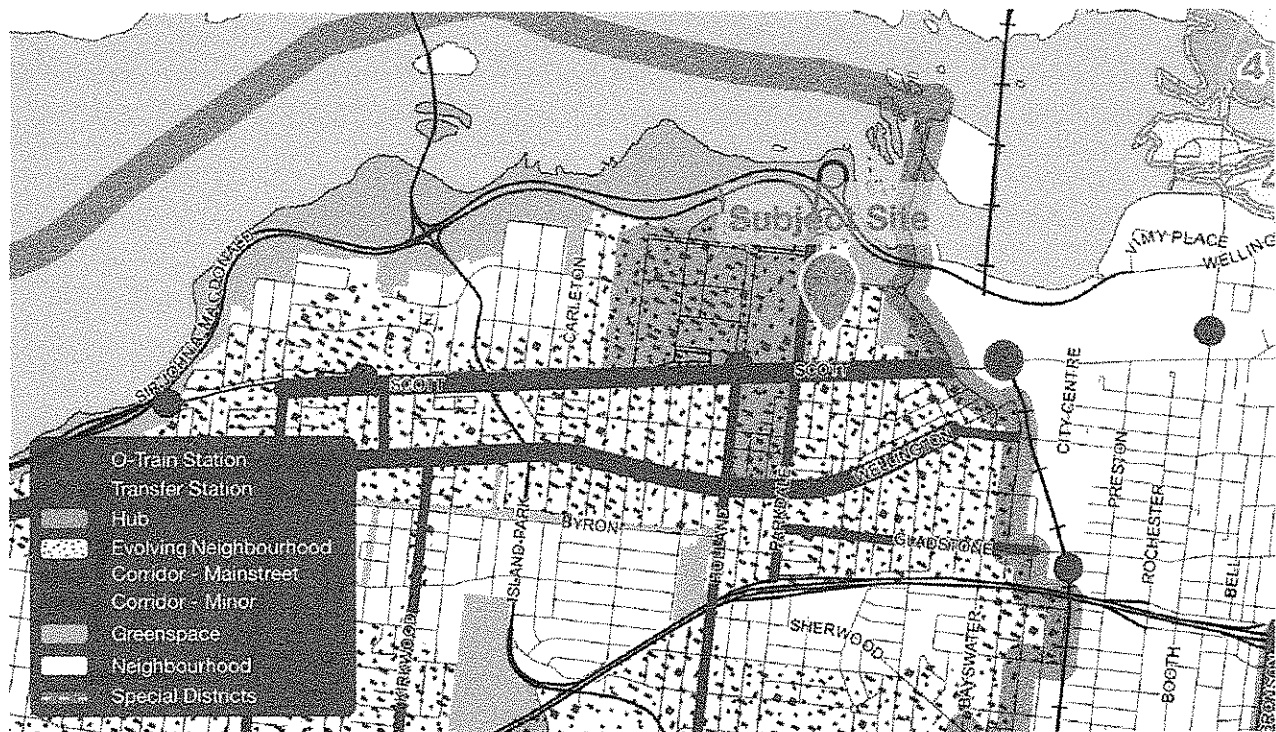
### 3.1 Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) establishes the high-level planning policies for land use planning in Ontario. The PPS is issued under Section 3 of the Planning Act and requires that all planning matters are consistent with the PPS, including decisions made by municipalities. Applicable policies for the proposed Minor Variance application include:

- / 1.1.1: Healthy, liveable and safe communities are sustained by:
  - a) Promoting efficient development and land use patterns;
  - b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons);
  - e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.
- / 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
  - a) Efficiently use land and resources;
  - b) Are appropriate for, and efficiently use, the infrastructure which are available;
  - f) Are transit-supportive, where transit is planned, exists or may be developed.
- / 1.1.3.3: Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas;
- / 1.4.3: Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
  - b) permitting and facilitating:
    - 1. All types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
  - c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
  - d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
  - e) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
  - f) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

**As the property is located on an underutilized lot within an established settlement area and in proximity to existing rapid transit, the Minor Variance application to permit a 3.5-storey, 10-unit residential building will support transit use. The proposed development would contribute to the provision of an array of housing typologies and configurations. The proposed development is therefore consistent with the Provincial Policy Statement, 2020.**

### 3.2 City of Ottawa Official Plan (2022)



The Official Plan for the City of Ottawa was approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046 when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs the manner that the City will accommodate this growth over time and set out the policies to guide the development and growth of the City.

The Official Plan provides guidance for development across the Ottawa region, highlighting specific desired features, such as 15-minute neighbourhoods, and other intensification targets aimed at improving the walkability and sustainability of existing built-up areas. The Official Plan encourages infill and intensification through the development of various housing types, such as missing middle housing, within existing neighbourhoods in the City's urban areas.

#### 3.2.1 Inner Urban Transect

The subject site is located within the "Inner Urban Transect" of the Official Plan (Figure 5). The Inner Urban Transect includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them. Generally, the older neighbourhoods reflect the urban built form characteristics, including shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationship with the public realm. The focus in these areas will be to enhance or establish an urban pattern of built form, site design and mix of uses, while simultaneously prioritizing walking, cycling and transit within, and to and from the Inner Urban Transect.

- / Per Policy 3(a) of Section 5.2.1 of the Official Plan, the Inner Urban Transect is planned for mid- to high-density development, subject to proximity and access to frequent street transit or rapid transit.
- / Per Policy 5 of Section 5.2.1, the Inner Urban area is planned for mid- to high-density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway.



### 3.2.2 Neighbourhood Designation

The subject site is designated "Neighbourhood" in the Official Plan.

- / Per Policy 4(b) of Section 5.2.1 of the Official Plan, the Inner Urban Transect shall continue to develop as a mixed-use environment, where small, locally oriented services may be appropriately located within Neighbourhoods.
- / Per Section 5.2.4, Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:
  - c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, permitting 3 storeys, and where appropriate allow a built height of up to 4 storeys to permit higher-density low-rise residential development.

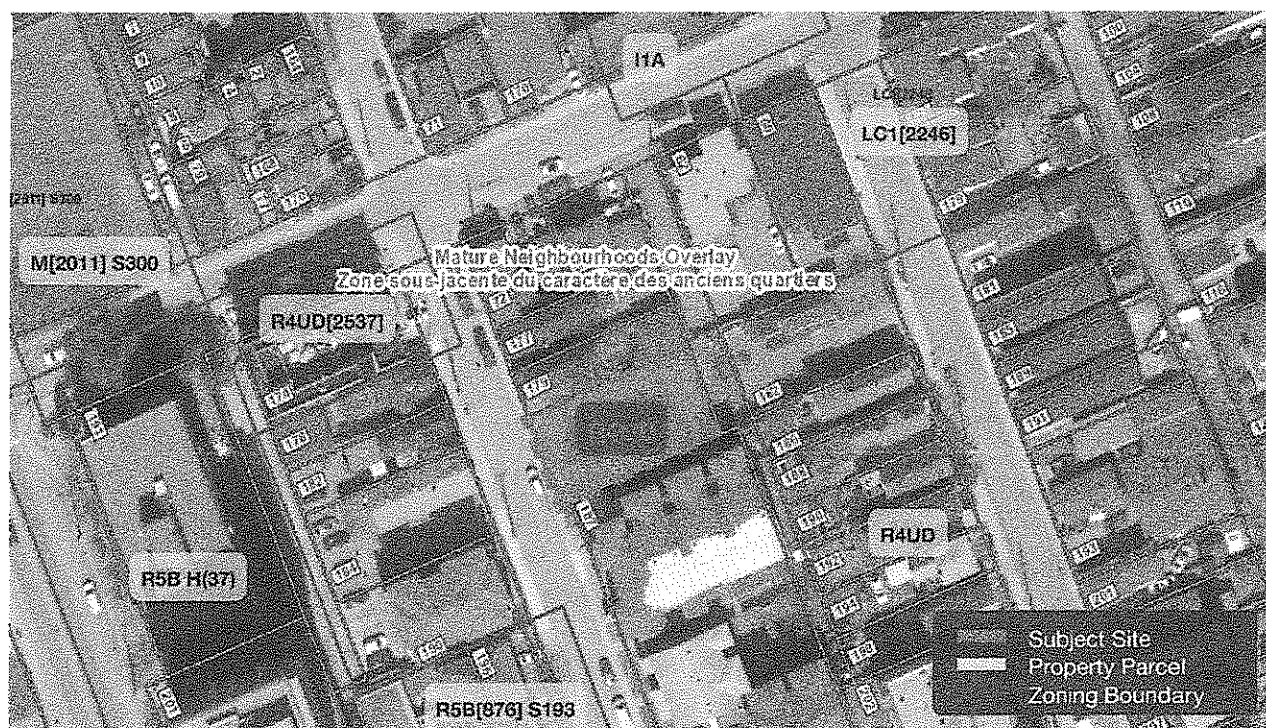
### 3.2.3 Evolving Overlay

An Evolving Neighbourhood Overlay is applied to the subject site and surrounding area. The area shall evolve to create the opportunity to achieve an urban form in terms of use, density, built form and site design. The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies.

**The proposed development conforms to the policies within the Inner Urban Transect, as it provides 10 residential units in close proximity (within 600 metres) of rapid transit. No vehicle parking has been included in the site design to encourage sustainable modes of transportation. Further, the proposed development is 3.5 storeys in height, which conforms to the height provisions for the Neighbourhood designation. The Evolving Neighbourhood Overlay is applied to the subject site and indicates the area is subject to gradual change in both built form and density, such as that proposed herein.**

**The proposed minor variances maintain the general intent and purpose of the Official Plan. The proposed development is within the height range of the Neighbourhood designation, has been designed in a manner which intensifies the site, is in close proximity to transit and is within a target area for intensification.**

### 3.3 City of Ottawa Zoning By-Law (2008-250)



The subject site is zoned "Residential Fourth Density, Subzone UD" (R4UD) in the City of Ottawa's Comprehensive Zoning By-Law (2008-250) as shown on Figure 6. The purpose of this zone is to:

- / allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys;
- / allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
- / permit ancillary uses to the principal residential use to allow residents to work at home; and,
- / regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced.

The Mature Neighbourhoods Overlay also applies to the subject site. The Overlay includes zone provisions intended to ensure that new infill development complements and reinforces the established neighbourhood character as seen along each street. As per Section 140 of the By-law, the Mature Neighbourhoods Overlay generally regulates development or additions within the front or corner side yard through the completion of a Streetscape Character Analysis. Pursuant to Section 140 (4a), the proposed low-rise development is not subject to a Streetscape Character Analysis, as the proposal does not include a driveway or attached garage or carport, and includes a principal entrance facing the front lot line.

Permitted uses include:

- |  |                       |
|--|-----------------------|
| / apartment dwelling, low rise;                    | / detached dwelling;  |
| / bed and breakfast (maximum of 3 guest bedrooms); | / diplomatic mission; |
|  | / duplex dwelling;    |

- / group home (maximum of 10 residents);
- / home-based business;
- / home-based daycare;
- / linked-detached dwelling;
- / park;
- / planned unit development;
- / retirement home, converted;
- / retirement home;
- / rooming house;
- / secondary dwelling unit;
- / semi-detached dwelling;
- / stacked dwelling;
- / three-unit dwelling;
- / townhouse dwelling; and,
- / urban agriculture.

Table 1 below evaluates the proposed development against the applicable zoning provisions, confirming that the subject site can adequately accommodate the development.

Table 1: Zoning Provisions

Provision	Required	Provided	Compliance
<b>R4-UD</b>			
<b>Minimum Lot Width</b> [Table 162A]	15 metres	15.29 metres	Yes
<b>Minimum Lot Area</b> [Table 162A]	450 metres	457 metres	Yes
<b>Minimum Front Yard Setback</b> [S.144(1)(a);(d)]	Front yard setback must align with the average of the abutting lots' corresponding yard setback abutting the street  = approx. 1.8 metres	1.80 metres	Yes
<b>Minimum Rear Yard Setback</b> [S.144(3)(a)(i)(iii)]	Lot depth greater than 25 metres: 30% of lot depth  29.89 x 30% = 8.96 metres	6.5 metres	No
<b>Minimum Rear Yard Area</b> [S.144(3)(a)(i)(iii)]	Must comprise at least 25% of the lot area  Total lot area: 457 m <sup>2</sup>  Minimum rear yard area: 457 m <sup>2</sup> x 25% = 114.2 m <sup>2</sup>	99.39 m <sup>2</sup>	No
<b>Minimum Interior Side Yard Setback</b> [S.144(2)(a)]	1.5 metres	1.5 metres	Yes
<b>Maximum Building Height</b> [Table 162A]	14.5 metres	>14.5 metres	Yes
<b>Parking Requirements</b> (Area Z) [S.101]	No parking required	No parking provided	Yes

Provision		Required	Provided	Compliance
<b>R4-UD</b>				
<b>Front Yard Parking</b> [S.161(15)]		The front yard and corner side yard must be equipped with solid, permanent fixtures sufficient to prevent motor vehicle parking	Front yard not large enough to accommodate motor vehicle parking	Yes
<b>Bicycle Parking</b> [S.111A]		0.5 spaces/dwelling unit 11 units= 5.5 spaces	13 spaces provided	Yes
<b>Bicycle Parking Space Dimensions</b> [S.111B]		Horizontal: 0.6 m by 1.8 m Vertical: 0.5 m by 1.5 m (max 50% of required spaces)	Horizontal: 0.6 m by 1.8 m Vertical: 0.5 m by 1.5 m	Yes
<b>Landscaping Requirements</b> [S.161(15)]	Front Yard Landscaping	In the case of any lot with a width of 12 metres or more, 40%  Front Yard: 30.29 m <sup>2</sup> of FY 30.29 m <sup>2</sup> x 40% = 12.11 m <sup>2</sup>	12.01 x 1.80 = 21.6 + (1.27 x 0.61) =22.37 m <sup>2</sup>	Yes
	Front Yard Soft Landscaping	<1.5 metres: no minimum but all lands within the front yard and within the corner side yard that are not used by permitted projections, driveways and walkways, must consist of soft landscaped area.	Provided	Yes
	Rear Yard Soft Landscaping	Lot 450 m <sup>2</sup> or greater, at least 50% of rear yard  Rear yard: 99.39 m <sup>2</sup> x 50% = 49.66 m <sup>2</sup>	59.28 m <sup>2</sup>	Yes
		Any part of the rear yard not occupied by accessory buildings and structures, permitted projections, bicycle parking and aisles, hardscaped paths of travel for waste and recycling management, pedestrian walkways, patios, and permitted driveways, parking aisles and parking spaces, must be softly landscaped.	Provided	Yes
	Minimum Soft Landscaping	Must comprise at least one aggregated rectangular area of at least 25 square metres and whose longer dimension is not more than twice its shorter dimension, for the purposes of tree planting.	Provided	Yes

Provision	Required	Provided	Compliance
<b>R4-UD</b>			
<b>Principal Entrance Requirement</b> [S.161(15)]	At least one principal entrance to a ground-floor unit or to a common interior corridor or stairwell must be located on the facade and provide direct access to the street.	Provided	Yes
<b>Front Façade Window Coverage</b> [S.161(15)]	The front facade must comprise at least 25 per cent windows.	Provided	Yes
<b>Front Façade Setback</b> [S.161(15)]	At least 20 per cent of the area of the front facade must be recessed an additional 0.6 metres from the front setback line.	Provided	Yes
<b>Minimum Number of Two Bedroom Dwelling Units</b> [S.161(15)]	In the case of a lot of 450 square metres or greater at least 25 per cent of dwelling units must have at least two bedrooms.	Total # bedrooms: 10 Two-bedroom units: 3	Yes

## 4.0 The Four Tests of the Planning Act

Section 45 of the *Planning Act, R.S.O. 1990* provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness on the basis of Four Tests. It is required to be demonstrated that a proposed variance satisfy the following tests:

1. Is it in keeping with the general intent and purpose of the Official Plan?
2. Is it in keeping with the general intent and purpose of the Zoning By-law?
3. Is it desirable for the appropriate development or use of the land, building or structure?
4. Is the application minor in nature?

It is our professional planning opinion that the application meets the "Four Tests" as follows:

### 4.1 Does the Proposal Maintain the General Intent and Purpose of the Official Plan?

The subject site is designated "Neighbourhood" on Schedule B3 (Inner Urban Transect) of the Official Plan. The Neighbourhood designation is intended to support housing in a compact, mixed-use environment. The minimum built height is 2 storeys and up to 4 storeys to permit higher-density low-rise residential development. The intent of this designation is to ensure new infill is functionally and aesthetically compatible and contributes to the towards the reduction of reliance on private vehicles while furthering the establishment of 15-minute neighbourhoods.

**The proposal meets the form and context of the Neighbourhood designation, conforming to the intent of the Official Plan. Further, no vehicle parking has been provided, as the Official Plan supports the reduction of parking in close proximity to transit. The proposed variances support the compact and urban form of development proposed for the site. The subject site is in close proximity to transit and incorporates the inclusion of bicycle parking. The height of the building also maintains the intent of the Official Plan which is to have a low-rise built form (in this case 3.5 storeys). Limits on the height of the building are intended to ensure compatibility and transition with adjacent uses. The applicable Evolving Neighbourhood Overlay anticipates higher density forms of infill being introduced into this neighbourhood over time, such as that currently proposed.**

### 4.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject site is zoned **Residential Fourth Density Zone, Subzone UD (R4UD)** in the City of Ottawa's Comprehensive Zoning By-Law. The purpose of the R4UD zone is to allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings.

As noted earlier in the report, the proposal requires relief from the required minimum rear yard setback and minimum rear yard area. The intent of the rear yard setback and area requirements are to provide adequate separation from abutting properties to the rear and to offer an on-site open space for amenity purposes. The 6.5 metre rear yard setback and 99.39 square metres rear yard lot area provide sufficient area for these purposes.

**It is important to note that the rear lot line context is unique in this instance, where a rear laneway abuts the site. The R4-UD zone normally anticipates a direct interface with an abutting rear yard. In this case, the 6m laneway results in a total separation of 12.5m between the rear building wall and the nearest rear lot lines. This considerably reduces concerns of undue overlook and shadowing.**

**Concerning the adequacy of the rear yard area, 99.39 m<sup>2</sup> provides enough area to support sufficient amenity for the tenants. To compare to Section 137 of the by-law, which considers amenity requirements for low-rise apartments in non-residential zones, a measurement of 6m<sup>2</sup> per dwelling unit is applied, which would result in 60m<sup>2</sup> if applied to this proposal.**

While it is recognized that Section 137 does not apply to the subject site, it serves to illustrate the scale of amenity that could support a given number of tenants.

The variances requested meet the general intent and purpose of the Zoning By-law, as the proposed building could successfully provide an appropriate transition to adjacent landowners while offering an appropriate supply of rear yard amenity to serve the needs of the tenants.

#### 4.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The proposed development consists of the establishment of a 3.5-storey low-rise apartment building containing 10 units. As noted previously, the project is consistent with the intended function of the R4UD zone. Additionally, the proposal contributes to intensification goals of the R4UD zone by providing an increased supply of housing. The policies of the Inner Urban Transect of the Official Plan promote intensification, encouraging low-rise apartment buildings and other low-rise residential dwellings where they can be accommodated and fit within the local context. Further, policies within the PPS support the proposed development by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating an appropriate affordable and market-based range and mix of residential types;
- / promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The proposed development makes efficient use of the land, proposes land uses that are compatible with the existing context of the surrounding community, makes use of underutilized land connected to services, and positively contributes to provincial and municipal intensification goals.

In addition, the proposal would add additional soft landscaping to a site currently dominated by hardscaped area used for vehicle parking. In doing so, the sidewalk curb could also be reinstated, resulting in a more walkable, defined street edge and increased street parking supply for visitors in the neighbourhood. Overall, the proposal is desirable for the development and use of the lands.

#### 4.4 Is the Proposal Minor in Nature?

The establishment of the proposed development on the basis of the proposed minor variances is not anticipated to generate any undue or adverse impacts on adjacent properties. The proposed development is generally consistent with the provisions under the R4UD zone and capable of accommodating new development that is consistent with the existing mix of dwelling types in the area.

The variances being sought are minor in nature and deviate only marginally from the minimum requirement under the By-law. The reduction of the rear yard area and setback by the proposed variances does not affect the overall character of the neighborhood, as the existing character is found to have varying rear yard areas and setbacks. A deficiency of approximately 15 m<sup>2</sup> in rear yard area relative to the 99.39 m<sup>2</sup> already provided does not represent a shortfall that would be perceptible as inadequate by a layperson or user of the rear yard. The same can be stated for the rear yard setback, which as stated above, provides sufficient separation from adjacent rear yards when the 6m-wide laneway is considered. The rear yard setback therefore does not generate any undue overlook into other properties. Lastly, these variances do not produce adverse impact on the public realm of Forward Avenue, nor to adjacent properties. These variances

accommodate for the unique nature of the site which could not have been anticipated by the R4-UD zoning on a broad level. The proposed variances are therefore considered minor in nature.



## 5.0 Conclusion

It is our professional opinion that the Minor Variances described herein meet the Four Tests of the Planning Act and result in a development proposal which represents good planning principles and is in the public interest. The variances allow for the establishment of a compatible, low-rise apartment form that contributes positively to the housing supply, the public realm, transit, and active transportation objectives. This report recognizes the following:

- / The proposal conforms to the direction of the Provincial Policy Statement (2020);
- / The proposal conforms to the policies and objectives of the "Neighbourhood" Official Plan designation;
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law; and
- / The proposed minor variances meet the four tests, as set out in the Planning Act.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,



Jillian Simpson, M.PL  
Planner



Scott Alain, MCIP RPP  
Senior Planner