



March 17, 2023

Committee of Adjustment  
City of Ottawa  
101 Centrepointe Drive  
Ottawa, ON  
K2G 5K7

Committee of Adjustment  
Received | Reçu le

2023-03-28

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**Attention: Michel Bellemare, Secretary - Treasurer**

Dear Mr. Bellemare:

**Reference: 366 Winona Avenue  
Applications for Consent  
Our File No. 121143**

---

Novatech has been retained by the owner of the property municipally known as 366 Winona Avenue (the "Subject Site") to prepare and file Consent applications to sever the lot into two parcels for development of a low-rise apartment dwelling on each newly created lot.

The following letter describes the existing conditions of the site, the proposed severances, and the rationale in support of the applications.

### Existing Conditions

The Subject Site is located in the Kitchissippi ward of the City of Ottawa, within the Westboro neighbourhood, on the west side of Winona Avenue. The Subject Site is in an area bounded by Whitby Avenue to the north, Richmond Road to the south, Churchill Avenue North to the west, and Athlone Avenue to the east. The Subject Site is an interior lot with 20.12 metres of frontage along Winona Avenue and an area of 599.4 m<sup>2</sup>.

The Subject Site is legally known as Lot 25, Part Lot 37, within the City of Ottawa/Nepean. The Subject Site is zoned Residential Fourth Density, Subzone UB, Exception XXXX (R4UB[XXXX]) in the City of Ottawa Zoning By-law 2008-250.

### Proposed Development

The applications will sever the property into two lots. The requested severances will facilitate construction of one, low-rise apartment dwelling on each newly created lot. A separate application for minor zoning by-law amendment was recommended for approval by Planning and Housing Committee on April 5, 2023. The minor zoning by-law amendment establishes site-specific zoning provisions on the Subject Site for minimum required lot width, minimum required lot area, minimum required front yard setback, minimum required rear yard setback, minimum required rear yard area and the minimum required interior side yard setback along the shared property line at the centre of the Subject Site.

The newly severed lots will facilitate separate ownership for one, low-rise apartment dwelling on each newly created lot that fully conform to site-specific zoning provisions for low-rise apartment dwellings in the R4UB zone.



Figure 1. Subject Site

## Reciprocal Severance Applications

### Severance Application 1:

This application will create the vacant northerly lot labelled as Part 1 on the Draft Reference Plan (Figure 2). Part 1 will have a total area of 299.7 m<sup>2</sup>, a depth of 30.19 metres, and a frontage of 10.05 metres on Winona Avenue.

### Severance Application 2:

This application will create the southerly lot labelled as Part 2 on the Draft Reference Plan (Figure 2). Part 2 will have a total area of 299.7 m<sup>2</sup>, a depth of 30.18 metres, and a frontage of 10.05 metres on Winona Avenue.

## WINONA AVENUE

(Formerly BIRCH STREET PER REGISTERED PLAN No. 37)

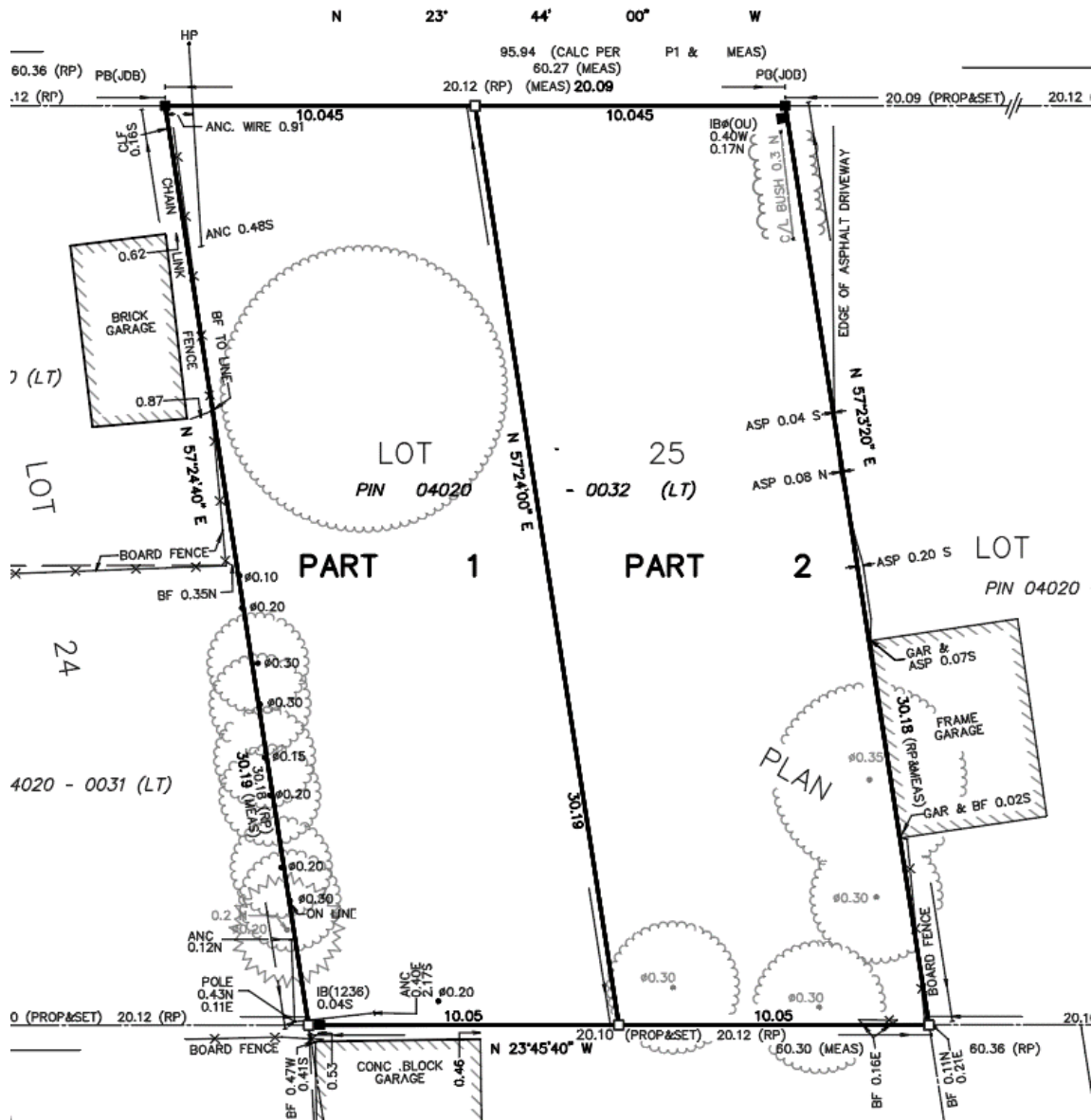


Figure 2: Draft Reference Plan

### Rationale

Subsection 53(1) of the Planning Act states:

*53. (1) An owner of land or the owner's agent duly authorized in writing may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 1994, c. 23, s. 32.*

The proposal does not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

*53. (12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.*

This rationale will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

*51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

*(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposed severances are within an inner urban area of the City of Ottawa and have regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water;
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the appropriate location of growth and development;

*(b) whether the proposed subdivision is premature or in the public interest;*

The proposed lots are located within a fully developed neighbourhood where hard and soft services are available. The severance of the lots is not premature.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

**City of Ottawa Official Plan (2021)**

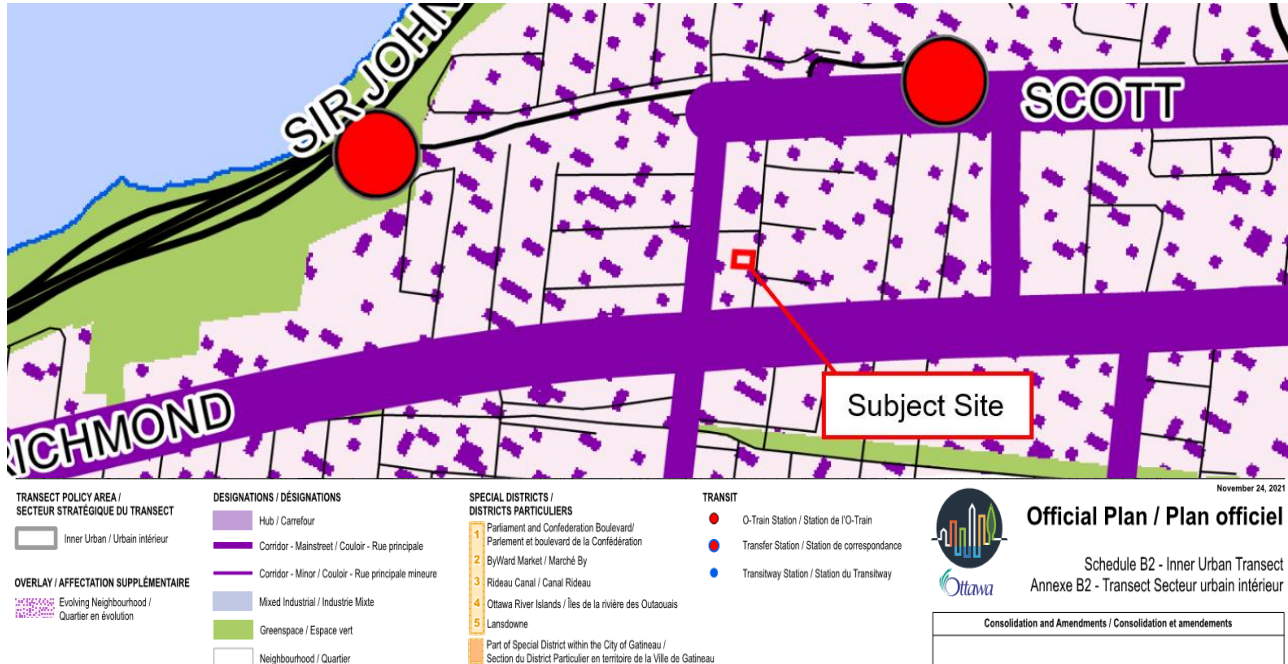


Figure 3. Official Plan Schedule B2 Excerpt

The Subject Site is designated “Neighbourhood” and “Evolving Neighbourhood Overlay” in the Inner Urban Transect on Schedule B2 of the City of Ottawa Official Plan (see Figure 3). Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: “The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them”. The consent to sever applications will support intensification in a Neighbourhood designation that is in proximity to designated corridors on Churchill Avenue North and Richmond Road with a permitted form of housing that complements the pattern, scale, and desirable characteristics of development along Winona Avenue and contributes to the growth of 15-minute neighbourhoods.

**Richmond Road/Westboro Secondary Plan**

The Subject Property is located within the boundary of the Richmond Road / Westboro Secondary Plan (“the Secondary Plan”). Detailed policy direction regarding development within distinct sectors apply where provided by the Secondary Plan. No detailed land use policies apply to the Subject Site in the Secondary Plan.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The proposed severances will result in lots that fully conform with site-specific R4UB zone provisions for lot width and lot area for low-rise apartment dwellings.

*(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Not applicable.

*(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

Not applicable.

*(f) the dimensions and shapes of the proposed lots;*

The proposed severances will result in lots that fully conform with site-specific R4UB zone provisions for lot width and lot area for low-rise apartment dwellings. The proposed lot widths and lot areas are compatible with existing land use patterns and the lot fabric of the neighbourhood.

*(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

Not applicable.

*(h) conservation of natural resources and flood control;*

The Subject Site is not within or adjacent to a flood plain or any areas of natural interest.

*(i) the adequacy of utilities and municipal services;*

The proposed lots have connections to existing utilities and municipal services.

*(j) the adequacy of school sites;*

There are several schools located in proximity to the Subject Site including Churchill Alternative School, Hilson Avenue Public School and Nepean High School.

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

It is anticipated that cash-in-lieu of parkland dedication will be a condition of approval.

*(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

Infill and intensification within the urban area efficiently utilizes energy (infrastructure, services, transit, etc.) and land.

*(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Not applicable.

The proposed severances at 366 Winona Avenue represent good land use planning. The proposed severances are within an urban area and have regard for matters of provincial interest. The proposed severances are not premature and are in line with public interest. The severances conform to policies of the City of Ottawa Official Plan with regards to infill and intensification. The proposed severances will result in lots that fully comply with the site-specific R4UB zone provisions for lot width and lot area for low-rise apartment dwellings.

A Tree Information Report was prepared in support of the applications for consent by Dendron Forestry Services, dated December 20, 2022. The Tree Information Report provides recommendations on proposed removal and replacement for tree 1 in the rear yard based on planned excavation and potential grading activity for the proposed development. No impacts to existing trees on abutting properties are anticipated as a result of the proposed development.

In support of the applications for consent, please find enclosed:

- One (1) copy of this Cover Letter;
- Severance Application Form for Part 1 (one original copy)
- Severance Application Form for Part 2 (one original copy)
- Severance Sketch for Part 1 (one copy of 11 x 17 and one 8 ½ x 11)
- Severance Sketch for Part 2 (one copy of 11 x 17 and one 8 ½ x 11)
- Draft Reference Plan (one copy of 11 x 17 and one 8 ½ x 11)
- Tree Information Report (one copy)
- Parcel Abstract (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact either Murray Chown or the undersigned.

Yours truly,

**NOVATECH**



Jeffrey Kelly, MCIP, RPP  
Project Planner