

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

March 28, 2023

Attention: Mr. Michel Bellemare
Committee of Adjustment, Secretary-Treasurer

Committee of Adjustment
Received | Reçu le

2023-04-11

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Re: Combined Applications for Consent (Primary) and Minor Variances (Primary & Secondary)
1044 Secord Avenue, Ottawa ON

JD Planning has been retained by LSC Developments Ltd. (the 'Owner') to submit Combined Applications for Consent (Primary) and Minor Variance (Primary and Secondary) for the property municipally known as 1044 Secord Avenue (the 'site'). The site presently contains a one and a half-storey single-detached dwelling which will be demolished. The proposal is to sever the parcel in half to create two new lots, and construct a semi-detached dwelling, with one primary dwelling unit and one secondary dwelling unit on each new lot. Three minor variances are required for each of the properties to facilitate the proposed development:

- Variances A & D:** To permit a reduced lot width of 7.62 metres whereas the By-law requires 9.0 metres (Table 160A);
- Variances B & E:** To permit a reduced lot area of 232.30 square metres whereas the by-law requires 270 square metres (Table 160A);
- Variances C & F:** To permit a reduced rear yard setback of 25% of the lot depth or 7.67 metres, whereas the by-law requires a rear yard setback of 28% of the lot depth or 8.53 metres in this case (Table 144B(iii)).



Figure 1. Exterior rendering of proposed new development prepared by Justin Seguin Architecture + Interiors

SITE & SURROUNDING CONTEXT

The site is located in the Billings Bridge – Alta Vista neighbourhood in Ward 17 – Capital. More specifically, the site is located on the south side of Secord Avenue, just east of the intersection of Clover Street and Secord Avenue in the block bounded by Clementine Boulevard to the east and Heron Road to the south.

Billings Bridge – Alta Vista is generally located east of the Rideau River, west of the parkland that runs north-south bordering the Playfair Park – Lynda Park neighbourhood, south of Smyth Road, and north of Riverside Park. The neighbourhood is characterized by low-rise residential uses, primarily in the format of single- and semi-detached dwellings on large well-treed lots. The site is well-situated in proximity to shopping, outdoor activities, greenspace, roadways, and transit. The site is located to the northeast of the Ottawa Hospital Riverside Campus, east of Confederation Heights, southeast of the RA Centre, and just to the south of the Billings Bridge Shopping Centre. The site is located approximately 630 metres west of Bank Street which runs north-south and features various commercial, retail, and restaurant uses. Bank Street provides connection across the City from downtown Ottawa to the north to the City’s rural area to the south. The site is located just north of Heron Road which runs generally east-west, transitioning to Baseline Road at the Experimental Farm to the west, to Walkley Road to the east. In terms of transit connectivity, the site is located within the 400-metre buffer zone to Heron Station along the Transitway which is situated just to the west and is just outside of the 600-metre buffer zone to Mooney’s Bay Light Rail Station / Confederation Heights Station located to the southwest.

The site is situated close to various parks and greenspace, located just east of Heron Park which is a large greenspace area traveling north-south bordered by the Transitway and the immediate residential community. There are large areas of greenspace and parkland to the west along the Rideau River as well as to the east, bordering the most easterly side of the Billings Bridge – Alta Vista neighbourhood. Schools in the area include Westboro Academy and Lamoureux Catholic Elementary School approximately 600 metres to the south; St Patrick’s High School, Ridgemont High School and Charles H. Hulse Public School just over one kilometer to the southeast; Alta Vista Public School approximately one kilometer to the northeast; and, Brookfield Highschool just over one kilometer to the southwest.

The following building types and uses about the site, with the property parcels and configuration shown in Figure 2 below:

- **North (front yard)** One-storey single-detached dwellings
- **East (side yard)** One-storey single-detached dwelling
- **South (rear yard)** One-and-a-half storey single detached dwelling; Two-storey duplex dwelling (fronting onto Heron Road)
- **West (side yard)** Two-storey duplex residential dwelling



Figure 2. Aerial mapping of subject site and immediately surrounding context (GeoOttawa, 2021)

The site presently contains a one-and a half-storey sided single-detached dwelling in roughly the centre of the property. There is a driveway along the west side of the property leading to one parking space. There is a City-owned Norway maple in the front yard, as well as two jointly owned pine trees in the rear yard. The dwelling and driveway are to be removed and replaced by the proposed new semi-detached dwelling, while the existing trees are to be protected and retained throughout construction.

The site consists of the following specifications and legal description, with the topographic survey shown in Figure 3, and the existing site conditions in Image 1.

Area	464.60 m ²
Frontage	15.24 m on Secord Avenue
Depth	30.48 m
Legal Description	Part of Lot 21, Registered Plan 527
PIN	04146 – 02453

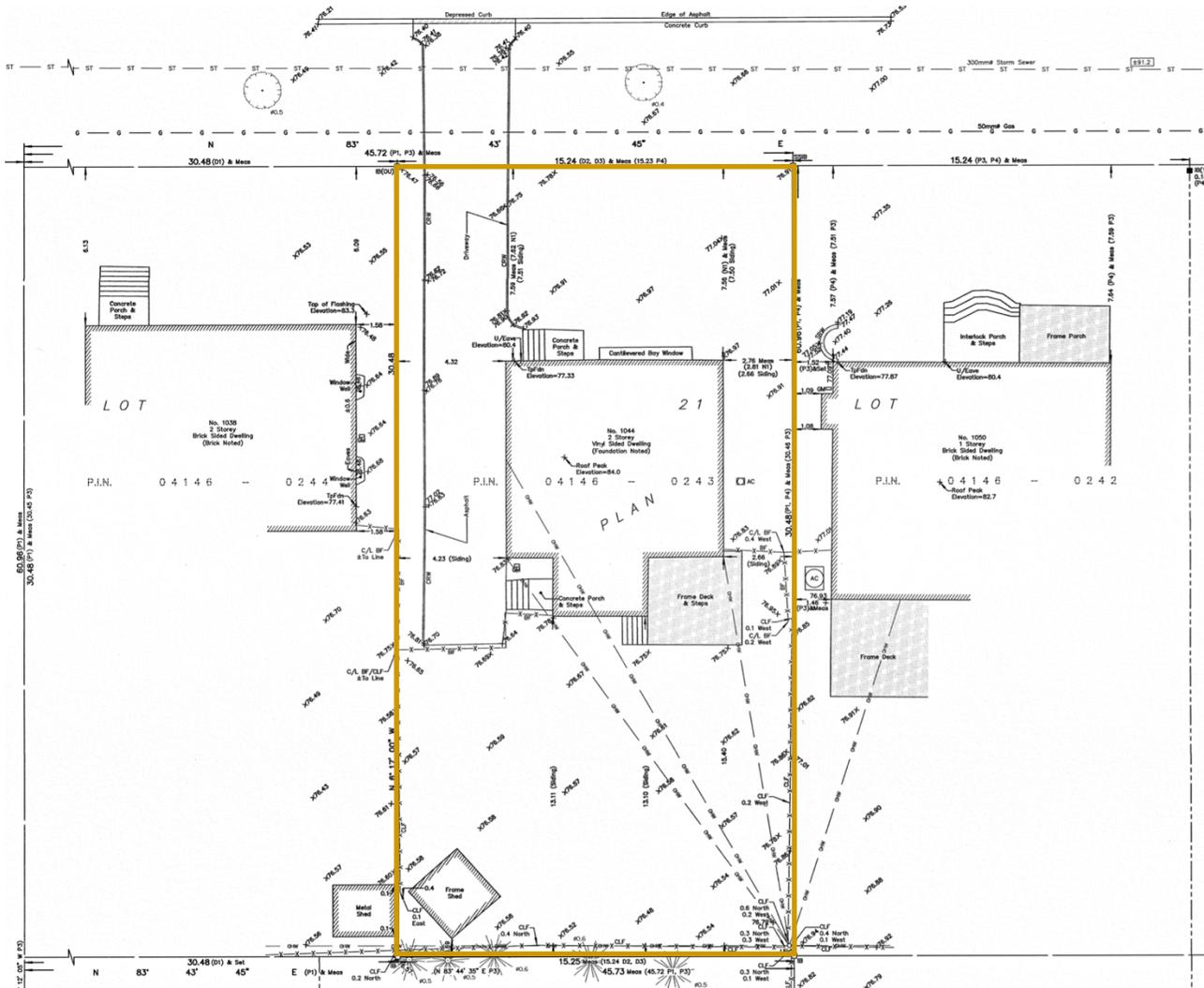


Figure 3. Extract of topographic survey prepared by Farley, Smith & Denis Surveying Ltd.

Images 1 through 7 below demonstrate images of the subject site and immediately surrounding context along Secord Avenue, showing a variety ages and styles of single-detached, semi-detached, and duplex dwellings.



Image 1. Subject site looking south from Secord Avenue (Google Maps, June 2019)



Image 2. Adjacent properties to the east with dwellings in the rear including three-storey new build (Google Maps, June 2019)



Image 3. Intersection of Secord Avenue and Clover Avenue looking east towards subject site (Google Maps, June 2019)



Image 4. New semi-detached dwellings opposite subject site looking north from Secord Avenue (Google Maps, June 2019)



Image 5. Single-detached dwellings opposite subject site looking north from Secord Avenue (Google Maps, June 2019)



Image 6. Single-detached and duplex dwellings opposite subject site looking west from Secord Avenue toward Clover Avenue (Google Maps, June 2019)



Image 7. Duplex dwellings and parkland looking southwest from intersection of Secord Avenue and Clover Avenue (Google Maps, June 2019)

PROPOSED DEVELOPMENT

The proposal is to demolish the existing single-detached dwelling and construct a new semi-detached dwelling with a total of two primary dwelling units and two secondary units in the lower level. The proposal is to sever the property into two parcels with one primary dwelling unit and one secondary dwelling unit on each parcel of land. The dwellings will each feature a permitted attached front-facing garage and driveway on the east and west sides of the dwellings, respectively. The garages will be setback from the front wall of the dwelling and accessed from Secord Avenue. Each dwelling will have a covered entry, walkway, and landscaped planting areas in the front. Each of the rear yards will contain a ground-level patio area and soft landscaping. Access to the Secondary Dwelling Units is via a pathway along the easterly and westerly interior side yards, respectively, to a doorway leading to the lower-level units. The development details are presented in Table 1.

Table 1. Development details

	Unit A / Part 1	Unit B / Part 2
Lot Width	7.62 m	7.62 m
Lot Area	232.30 m ²	232.30 m ²
Rear Yard Setback	7.67 m	7.67 m
Rear Yard Area	58.5 m ²	58.5 m ²
Front Yard Setback	6.0 m	6.0 m
Front Yard Soft Landscaping	21.5 m ²	21.5 m ²
Building Height	8.0 m	8.0 m
Building Footprint Area	104 m ²	104 m ²
Gross Floor Area	179.30 m ² (1,930 ft ²)	179.30 m ² (1,930 ft ²)
Secondary Dwelling Unit GFA	67.82 m ² (730 ft ²)	67.82 m ² (730 ft ²)

PROPOSED SEVERANCES

The proposal is for two applications to the Committee: (1) one primary combined consent and minor variance (Parcel A – West, Part 1), and (2) one secondary minor variance (Parcel B – East, Part 2), which will result in the creation of two rectangular lots with frontage on Secord Avenue. It is understood that both the severed and retained parcels may be registered through one consent application. As such, if provisional consent is granted, a second certificate for the retained lands will be requested. The Owners’ legal representation has confirmed that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening Section 50 of the Act. Details of the proposed severances are outlined in Table 2 below with the extract of the Draft R-Plan and severance proposal prepared by Farley, Smith & Denis Surveying Ltd. in Figure 4 below.

Table 2. Proposed severances and lot configurations

	PROPOSED PARCEL A (WEST) SEVERED	PROPOSED PARCEL B (EAST) RETAINED
Parts	1	2
Lot	Part of Lot 21	
Plan	Registered Plan 527	
PIN	04146 – 0243	
Lot Area (m ²)	232.30 m ²	232.30 m ²
Lot Frontage (m)	7.62 m	7.62 m
Lot Depth (m)	30.48 m	30.48 m
Lot Width (m)	7.62 m	7.62 m

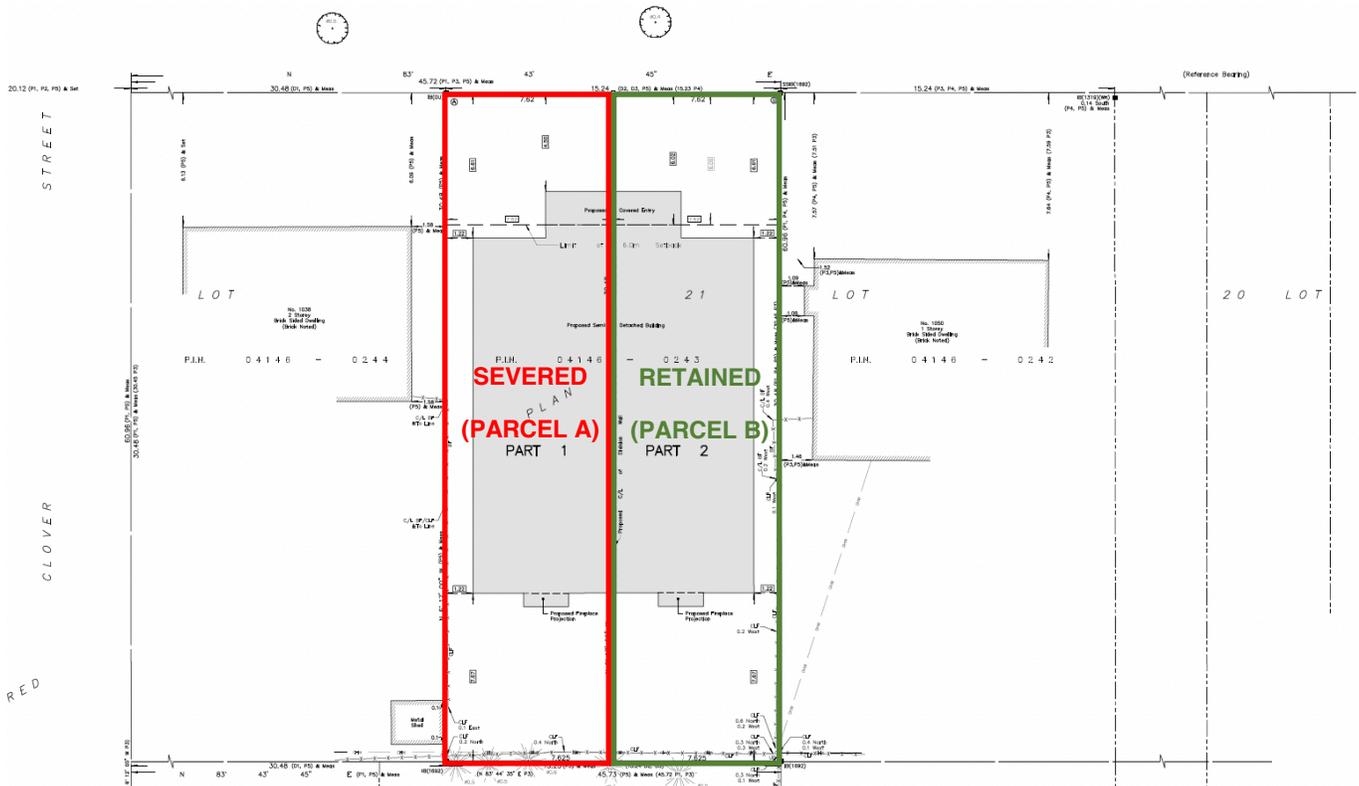


Figure 3. Extract of proposed Draft R-Plan showing severed and retained lands

PROVINCIAL POLICY STATEMENT 2020

The Provincial Policy Statement 2020 (PPS) provides policy direction on planning matters for the Province of Ontario, and decisions affecting all planning matters shall be consistent with the PPS policies. The proposed development is consistent with the applicable policies of the PPS, as demonstrated below.

Section 1.1.1 of the PPS states that healthy, livable, and safe communities are sustained by:

- a) “promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- 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), employment (including industrial and commercial) [...] to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- 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;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;”...

Section 1.4.1 of the PPS states that “to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans”.

- The proposed development will allow for the creation of two new primary residential dwelling units and two secondary units where there was previously only one, representing a form of modest, desirable, and permitted infill intensification. The severances will create added and needed housing in a diversity of size and typology in the City’s urban area. The semi-detached dwellings are an appropriate size, massing and scale for the context, and the proposed variances are minor. There will be a significant amount of greenspace and landscaping on site both in the front and rear yards, and sufficient separation between the existing homes to the south. The front yard configuration allows for the retention of a distinctive City-owned tree, while the rear yard configuration retains the privately owned and neighbouring trees.
- The sites will be independently serviced by municipal water, sewer, and storm services. The use of existing municipal roads and services is also an appropriate and efficient use of resources. The proposed development fits and functions well within the City’s Urban Area.

OFFICIAL PLAN

The City of Ottawa’s New Official Plan was adopted by Council on November 24th, 2021 (By-law 2021-386) and approved (with modifications) by the Ministry of Municipal Affairs and Housing on November 4th, 2022. The subject site is designated Neighbourhood, Evolving Overlay within the Inner Urban Transect Policy Area in the New Official Plan.

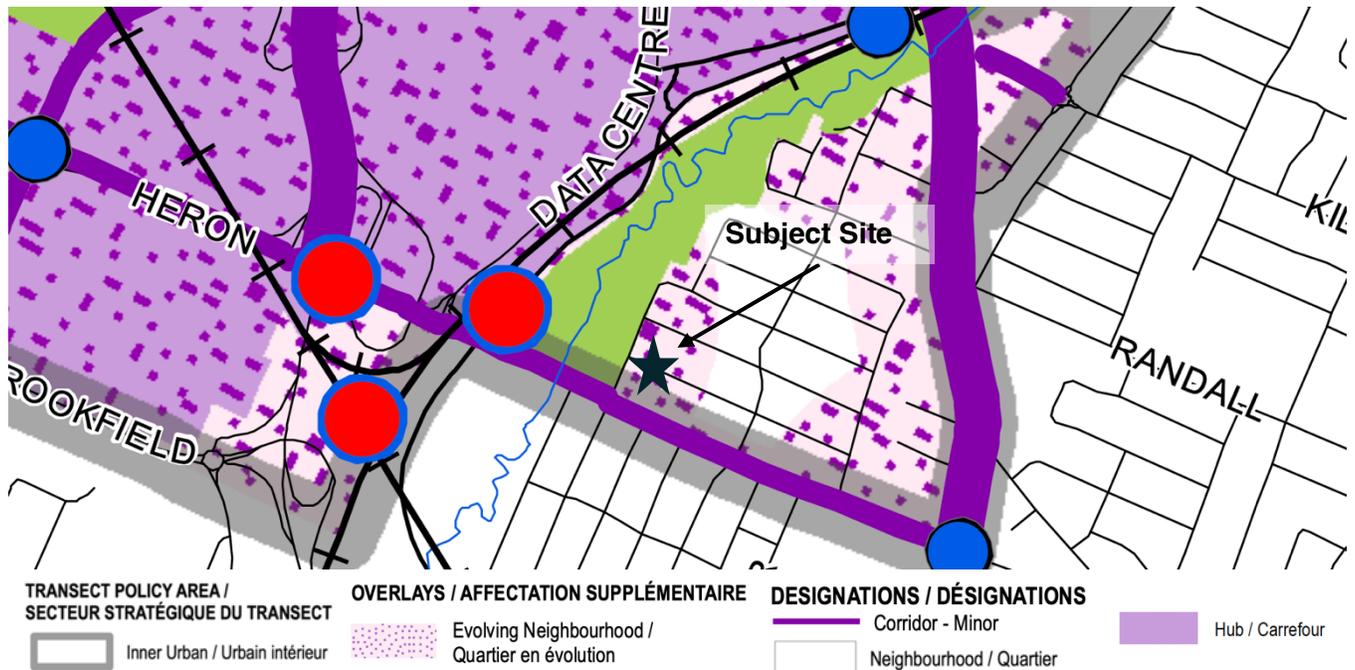


Figure 7. Extract of New Official Plan - Inner Urban Transect Policy Area

Section 2.2.1 Intensification and Diversifying Housing Options sets out policy intent for provision of housing options for larger households. Subsection ii) states that “[m]uch of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed... There needs to be opportunities in residential Neighbourhoods within a short walking distance to Hubs and Corridors to build dwelling units with enough floor space to accommodate larger households within buildings typologies that increase densities on existing lots. This will provide more choices for housing with three or more bedrooms within the developed built-up portions of the urban area.” Subsection (iii) provides for policies related to improvement of public amenities and services, and states the following: *“To support the City’s strategy to achieve a 60 per cent intensification target by 2046, the City will:*

- *Direct residential intensification to Hubs, Corridors and residential Neighbourhoods within a short walking distance of those Hubs and Corridors;*
 - *Require an appropriate proportion of housing with three or more bedrooms that will provide more housing choices for larger households...*
- The proposed new semi-detached dwellings provide opportunity for ground-oriented, “family-sized” dwelling units with three bedrooms in each, offering more housing choice for larger households within proximity to a Hub and Minor Corridor area. The development protects the urban tree canopy with

conservation of a distinctive street tree and offers significant greenspace in both the front and rear yards. The dwellings are immediately adjacent to parks and open space which is an appropriate and desirable location for larger units.

- The introduction of Secondary Dwelling Units (SDUs) in the lower level of each principal unit is an appropriate and desirable form of modest intensification, allowing for a diversity of housing choice (ie. rental units) within the urban area, in a neighbourhood with access to transit, parks, shopping and other amenities.

Section 2.2.4 Healthy and Inclusive Communities states that “[t]he City’s physical layout and design play an important role in shaping health and well-being by enabling Ottawa’s diverse population to thrive and live their lives to the fullest.” The policy intent to achieve healthy and inclusive communities is to:

- 1) “Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities ... this includes a range of housing types and affordability, shops, services, access to food, schools and local childcare, employment, greenspaces, parks and pathways. They are complete communities that support active transportation and transit, reduce car dependency and enable people to live car-light or car-free.”
- The proposed development of semi-detached dwellings with lower-level SDUs allows for development of a mix of housing options. With the proximity to parks, transit, commercial areas, and schools, the gentle intensification of this property with two ground-oriented primary dwelling units contributes to the healthy communities' policy of the New Official Plan.

Section 3: Growth Management Framework sets out the following policy intent for the urban area:

- *To provide an appropriate range and mix of housing that considers the geographic distribution of new dwelling types and/or sizes to 2046;*
- *To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;*
- *To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt*

Section 3.2: Support Intensification sets out policies for intensification throughout the urban area, as follows:

- 4) *“Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable.*
- 8) *“Intensification should occur in a variety of dwelling unit floorspace sizes to provide housing choices. Dwelling sizes are categorized into two broad categories, with a range of floorspaces occurring within each category:*
 - a) *Small-household dwellings are units with up to two bedrooms and are typically within apartment-built forms; and*
 - b) *Large-household dwellings are units with three or more bedrooms or an equivalent floor area and are typically within ground-oriented built forms.*

10) *The residential density and proportion of large household dwelling targets as shown on Schedules B1 through B8 are established in Table 3a for Hubs and Mainstreet Corridors and Table 3b for Neighbourhoods and Minor Corridors. Within Neighbourhoods, provide for a diversity of housing opportunities such that generally, higher densities will be directed closer to Mainstreets, Minor Corridors, rapid transit stations, Hubs and major neighbourhood amenities...*

→ The proposed semi-detached, ground-oriented dwellings are supported by the intensification policies and residential density targets of the New Official Plan. The development of larger semi-family homes with lower-level apartment type SDU dwellings within the urban area allows for a diversity of housing choice in the urban area.

Section 4.2.1: Enable greater flexibility and an adequate supply and diversity of housing options throughout the city sets out the following policies:

- 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;
 - b) Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;
 - c) Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure...

→ As noted, the provision of multi-bedroom and family-sized units in the urban area is supported by the Official Plan policies. The proposed minor variances will facilitate the development of two appropriately sized ground-oriented dwelling units each with SDUs, which are an appropriate and compatible form of infill intensification in the urban area.

Section 5.6.1 Built Form Overlays notes that “[t]he Evolving overlay is applied to areas in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land”. **Section 5.6.1.1** applies to areas that are in a “location or at a stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors...” The OP therefore sets out policies for “gradual change in character based on proximity to Hubs and Corridors; allowance for new building forms and typologies, such as missing middle housing; and, [d]irection of built form and site design that support an evolution towards more urban built form patterns...”.

→ The site is located within the Evolving Overlay and modest intensification through the proposed semi-detached dwellings with SDUs meets the intent of the urban area.

ZONING BY-LAW 2008-250

The site is zoned Residential Third Density, Subzone A – R3A, in the City of Ottawa’s Zoning By-law 2008-250. The Residential Third Density zone permits low-rise residential development in the format of detached, semi-detached, linked-detached, duplex, triplex, and townhouse dwellings. The purpose of the R3 – Residential Third Density zone is to allow a range of low-density building typologies to provide additional housing choice and regulate compatible development to enhance the residential character of a neighbourhood.



Figure 8. Map showing R3A zoning and subject site outlined blue (GeoOttawa 2021)

The applicable performance standards of the Zoning By-law are set out in Table 3 below, with the required variances highlighted in red.

Table 3. Zoning provisions

R3A			
Provision (Semi-Detached Dwelling)	Required	Provided	
		Semi A (West)	Semi B (East)
Minimum Lot Width (s.160)	9 m	7.62 m	7.62 m
Minimum Lot Area (s.160)	270 m ²	232.30 m ²	232.30 m ²
Maximum Building Height (s.160)	8.0 m	8.0 m	8.0 m
Minimum Front Yard Setback (s.144(1)(a))	6.0 m	6.0 m	6.0 m
Minimum Rear Yard Setback (Table 144A(iii))	28% lot depth 8.53 m	25% lot depth 7.67 m	25% lot depth 7.67
Minimum Rear Yard Area (s.144(3)(a))	25% lot area 58.08 m ²	25% 58.45 m ²	25% 58.45 m ²
Minimum Interior Side Yard Setback (s.160)	1.2 m	1.2 m (w) 0.0 m (e)	0.0 (w) 1.2 (e)
Minimum Aggregated Front Yard Soft Landscaping (s.139(1))	35% 15.75 m ²	47.7% 21.5 m ²	47.7% 21.5 m ²
Maximum Driveway Width (s.139(3)(iv))	3.0 m	2.75 m	2.75 m

RATIONALE FOR CONSENT

In Section 51(24) of the Planning Act, 1990, a series of criteria are presented that state in the case of any subdivision of land, regard shall be had to:

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

The proposed consent does not have any effect on matters of provincial interest.

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

The proposed consent is in the public interest as it supports the City's policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the site zoning and Official Plan designations permit semi-detached development and the severance of those lands to create two parcels to be independently conveyed. There are other examples within the immediate context of sites that have been redeveloped with semi-detached dwellings on severed lots in a similar size and configuration.

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

The proposed semi-detached residential development and severances conform to the applicable City of Ottawa Official Plan policies for development, intensification, and compatibility. The Official Plan supports intensification in the urban area, and the proposed severance and redevelopment will add a mix of compatible and appropriate larger family-sized housing choice and typology.

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

The land is suitable for the proposal, with surroundings that consist of semi-detached, and duplex dwellings on comparably sized lots. Despite the requested variances for reduced lot width and area, the proposed lot sizes can appropriately accommodate the proposed built form, and all zoning provisions are met in terms of setbacks save and except a small variance for rear yard setback. The development of two semi-detached dwellings with one lower-level secondary dwelling unit on each lot is a desirable, permitted, and suitable use of these residentially zoned and designated lands.

- (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;

No new roadways are proposed as part of the consents. The proposed development and severances will have adequate frontage to an open public municipal roadway (Secord Avenue), close to east-west Heron Road which provides connection to generally north-south Riverside Drive and Bronson Avenue to the west, and Bank Street and Alta Vista Drive to the east.

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

The dimensions and rectangular shape of the proposed lots are functional and compatible with the surrounding neighbourhood character and development pattern. Despite the requested minor variances for reduced lot width and area, there is sufficient space on site for separation between neighbouring

properties to the east and west, and to fit a functional, appropriate development footprint on the sites while meeting all other zoning provisions save for a slight requested reduction in rear yard setback.

(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;

There are no known restrictions on the land or future buildings for either parcel of land.

(h) conservation of natural resources and flood control;

The proposed soft landscaping in the front and rear yards complies with or exceeds the provisions of the Zoning By-law. No watercourses or flood plains impact the site. The distinctive City-owned Norway Maple in the front yard will be protected throughout construction, and existing trees on the site and shared with the neighbouring property along the rear lot line will be protected. Please refer to the Tree Information Report and Site Plan enclosed with this submission.

(i) the adequacy of utilities and municipal services;

Municipal water, sewer and storm services are available and will be independently provided for both lots.

(j) the adequacy of school sites;

There are several schools servicing the area including: Westboro Academy and Lamoureux Catholic Elementary School approximately 600 metres to the south; St Patrick's High School, Ridgemont High School and Charles H. Hulse Public School just over one kilometer to the southeast; Alta Vista Public School approximately one kilometer to the northeast; and, Brookfield Highschool just over one kilometer to the southwest.

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

N/A

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

The proposal provides opportunity for gentle and compatible intensification within the urban area thus allowing for a more efficient use of land and resources. The proposed severances will facilitate the infill intensification of semi-detached dwellings on two parcels of land, with one lower-level Secondary Dwelling Unit (SDU) in each. This is a modest and appropriate form of density increase and will make use of existing available municipal water, sewer, and storm services. The proposed severances optimize the available supply of land and energy resources and are an efficient use of the 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).

The proposal for development of two single-detached dwellings is not subject to the Site Plan Control By-law and therefore an application for Site Plan Control is not required.

Overall, the proposed severance applications demonstrate regard for the criteria of Section 51(24) of the Planning Act.

RATIONALE FOR MINOR VARIANCES

To facilitate the development, three minor variances to the Zoning By-law are required for each newly created lot and unit. The variances required for each parcel include:

- Variations A & D:** To permit a reduced lot width of 7.62 metres whereas the By-law requires 9.0 metres (Table 160A);
- Variations B & E:** To permit a reduced lot area of 232.30 square metres whereas the by-law requires 270.0 square metres (Table 160A);
- Variations C & F:** To permit a reduced rear yard setback of 25% of the lot depth or 7.67 metres, whereas the by-law requires a rear yard setback of 28% of the lot depth or 8.53 metres in this case (Table 144B(iii)).

The following reviews the variance against the four tests as presented in Section 45(1) of the Planning Act. Note that the rationale for variances for each of the units have been reviewed together.

IS THE VARIANCE MINOR?

Variance A & D: Reduced lot width; Variance B & E: Reduced lot area

The proposed minor variances for reduced lot width of 7.62 metres whereas the by-law requires 9.0 metres and the reduction of lot area from required 270 m² to proposed 232.30 m² is minor both nominally and in terms of surrounding neighbourhood impact. The proposed reduction of lot width of 1.38 metres and reduction of 37.70 m² in lot area are minor in this case given all other zoning provisions are met or exceeded on each lot, save for rear yard setback. The lots are sufficiently wide and large in area to support the development of two semis. The development footprint is reasonably and appropriately sized for the lots with the provision of side yard setbacks providing access to the rear yards along the most easterly and westerly lot lines, respectively. Each of the front yards is sufficiently large to provide a permitted driveway, soft landscaping, planting beds, and a covered entry on the front façade of the building. There is an existing tree in the City's right of way in the front yard, which is to be protected and retained throughout construction, located roughly in the centre of the lot at the proposed severance line, flanked by the two driveways. The site is sufficiently wide to support a severance into two parcels to construct two new semi-detached dwellings while protecting on site trees, soft landscaping and respecting most zoning setbacks.

Further, as shown in the context imagery in this report, there are examples of newer semi-detached dwellings on similarly sized lots in the immediate neighbourhood, as well as various duplex dwellings along Secord Avenue. Though located on one unsevered lot, the existence of duplexes demonstrates that the proposed added density is reasonable and appropriate for this community. Finally, the visual impact from the street of a 1.38 metre reduction in lot width on each lot will be negligible. The sites function well with semi-detached dwellings and the proposed building footprints and lot fabrics are consistent with the surrounding context along Secord Avenue and Heron Road. Given this site complies

with site-specific setbacks for the building envelope (save for rear yard setback), the site is appropriately sized for two semi-detached dwellings even with the lot width and reductions. As such, the proposed variances for reduced lot width and area to facilitate the development of new semis is minor in this case.

Variance C & F: Reduced rear yard setback

The proposed minor variance for a reduction in rear yard setback from the required 28% of the lot depth or 8.53 metres in this case to proposed 25% of the lot depth or 7.67 metres for both units is minor. The variance results in a setback reduction of only 0.86 metres and will allow for adequate amenity space, soft landscaping, and setback between yards of neighbouring properties. The rear yard setback will provide 25% of the lot depth, which is the minimum requirement under the zoning by-law depending on their lot depth, and therefore a standard applied to many urban lots across the city. A rear yard area of 25% of the lot area is also required, which is being met on both parcels. Considering the proposed setbacks will meet both the 25% setback provision, as well as comply with the 25% lot area for rear yard area, the proposed reduction is minor.

The proposed reduction in rear yard setback is also minor when considering surrounding impacts. The height and massing comply with the zoning by-law, and the building design features limited second storey windows in the rear to mitigate overlook concerns to neighbouring properties’ rear yards to the east and west. Finally, there is a currently a small shed in the rear yard which will be removed and replaced with grass, which provides additional amenity space and soft landscaping. There are four distinctive trees in the rear yard (white pine and Scots pine), three of which are jointly owned with the property at 1035 Heron, and one of which is fully owned by 1035 Heron. These trees will be protected and preserved throughout construction and will not be impacted by the slight reduction in rear yard setback. When considering these factors, the proposed reduction in rear yard setback for each parcel is minor and will have no impact on the surrounding neighbourhood.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE OFFICIAL PLAN?

The intent and purpose of the Official Plan, specifically within Neighbourhoods in the Inner Urban Area Transect is to accommodate residential growth to meet housing and density targets. The OP supports a variety of housing types, focusing on missing-middle housing and the provision of low-rise built form with more emphasis on built form rather than unit count or lot configuration. The intent of the Evolving area is to signal a gradual shift of intensification towards a more urban built form, and supports new built forms and typologies, including missing middle housing. The OP also notes that the development standards for built form and building envelope are to be consistent with the planned characteristics of the Evolving overlay area, which may be different from the existing characteristics.

Overall, the Official Plan generally supports infill intensification and densification through the provision of a wide variety of housing typology and built form. The OP specifically sets out the need for ground-oriented, larger, family-sized units and missing middle housing, and emphasizes the importance of building livable, 15-minute, and healthy communities. The proposed development of two semi-detached units with two SDUs contributes to the housing targets of the Official Plan and the site is in a location which supports this development format. Further, redevelopment of this site contributes to the “15-minute

neighbourhood” policy intent given its proximity to schools, parks, transit, and commercial/retail areas. Overall, the proposed severances and minor variances facilitate the development of two family-sized dwelling units which is encouraged and supported through the policies of the New Official Plan.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE ZONING BY-LAW?

Variance A & D: Reduced lot width; Variance B & E: Reduced lot area

The intent and purpose of the lot width and area provisions of the zoning by-law is to ensure that appropriate separation between buildings is maintained and to ensure that there is sufficient area on the lot to accommodate the dwelling and open space without overdeveloping the site. The proposed reduction of lot width of 1.38 metres and reduction of 37.70 m² in lot area meet the intent and purpose of the zoning by-law considering the building footprints can accommodate the required interior side yard and front yard setbacks, as well as all yard and soft landscaping area provisions. The development can sufficiently manage its impacts on site with the provision of required setbacks and greenspace in both the front and rear yards, appropriate height, and a sympathetic building design with a pitched roof, activated front porch, and compatible materiality. Considering these factors, the proposed reduction in lot width and area to facilitate the development of a semi-detached dwelling meets the intent and purpose of the zoning by-law.

Variance C & F: Reduced rear yard setback

The proposed variance to permit a reduced rear yard setback meets the intent and purpose of the zoning by-law, which is to ensure there is adequate separation between abutting rear yards of buildings while offering appropriate on-site open and amenity space including soft landscaping. As previously noted, the proposed rear yard setback for each parcel provides 25% of the lot depth, which is the minimum requirement for other lots under the zoning with shallower lots. This standard therefore applies to many urban lots across the City, and still allows for a reasonable and appropriate separation between the neighbouring property to the south, while providing a contiguous area of mid-block greenspace. Further, each parcel is required to have a rear yard area of 25% of the lot depth, which is being met on both parcels. The existing distinctive trees in or adjacent to the rear yard are to be protected throughout construction and there will be appropriate soft landscaping and amenity area for both lots. The development maintains appropriate interior side yards, provides adequate amenity space, is of appropriate and permitted height, and therefore the overall massing and size of the building is otherwise permitted under the zoning by-law. Considering all zoning standards are met otherwise for both Units A and B, including the required rear yard area provisions, the proposed severance and minor variance for required rear yard setback meet the intent and purpose of the zoning by-law.

IS THE VARIANCE DESIRABLE FOR THE APPROPRIATE DEVELOPMENT / USE OF THE LAND?

The proposed variances for each newly severed parcel are desirable for the appropriate development and use of the land and will facilitate the gentle intensification of this presently under-utilized urban property with a permitted and appropriate semi-detached dwelling with one primary dwelling unit and one Secondary Dwelling Unit on each newly created lot. The surrounding context contains a mix of housing sizes, ages, and massing, primarily in the format of low-rise single-detached, semi-detached, and duplex dwellings. There are examples of nearby newly developed semi-detached dwellings, demonstrating the neighbourhood is undergoing gradual change and redevelopment.

The New Official Plan supports added density within the Inner Urban Area and supports the development of new “family-sized” dwellings and focuses intensification in Evolving Areas that are close to Hubs, Corridors and transit as is the case with this site. The severance of this lot to facilitate the development of a new semi-detached dwelling supports this policy intent. The proposed lots and dwellings are compatible with the context, and the variances to permit the reduced lot width and area facilitates the severance of these units to be conveyed individually. The buildings have been designed to be compatible with the existing conditions of the adjacent properties to the east and west. The massing of the building is appropriate for the context. Further, it is desirable and appropriate to introduce a wider choice of housing types through gentle infill intensification, including family-sized semi-detached dwellings as well as Secondary Dwelling Units, within an urban area that has municipal servicing and a multitude of amenities including schools, commercial and retail uses, transit, and parks. When considered collectively, the proposed variances are desirable for the appropriate residential development and use of the land.

CONCLUSION

The subject site is a regularly shaped urban lot municipally known as 1044 Secord Avenue, fronting onto Secord Avenue in the Billings Bridge – Alta Vista neighbourhood, and presently contains a one-and-a-half storey single-detached residential dwelling. The Owner is proposing to demolish the existing dwelling, sever the property into two separate parcels, and construct a new semi-detached dwelling with one primary dwelling unit and one lower-level Secondary Dwelling Unit on each parcel. Three minor variances are required for each parcel and dwelling unit, to permit a reduced lot width and area, and reduced rear yard setback. The development of new semi-detached dwellings is a permitted use under the current zoning and appropriate for the neighbourhood fabric and planned function of the surrounding community. The proposed configuration and size of the lots is compatible, appropriate, and desirable with the existing neighbourhood context. Each lot will be municipally serviced, and the site and neighbourhood have the capacity to support this type and form of modest and permitted residential intensification. The proposal offers a diversity of housing typology and choice in the format of both family-sized principal units and apartment SDUs, which is needed and supported within the urban area.

The proposed consents and minor variances are consistent with the Provincial Policy Statement, 2020 conform to the policies of the City of Ottawa Official Plan and comply with the City of Ottawa’s Zoning By-law 2008-250 save and the requested minor variances for each newly created parcel. The consents meet the criteria as set out in Section 51(24) of the Planning Act as detailed in this report and the proposed minor variances meet the four tests under Section 45(1) of the Planning Act. The proposed development represents good land use planning and is recommended for approval.

Respectfully submitted,



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