

PLANNING RATIONALE REPORT

APPLICATION FOR  
COMBINED CONSENT (SEVERANCE) AND MINOR VARIANCE.  
LOT 10, REG. PLAN 145 City of Ottawa  
14-16 Gould Street, Ottawa, Ontario

Property Owners:

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**Committee of Adjustment**  
Received | Reçu le  
  
2023-02-16  
  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

## **Introduction**

This report is prepared to provide support for combined severance and minor variance application for 14 - 16 Gould Street, Ottawa.

The subject property is legally described as Lot 10 Registered Plan 145. The property is located on the south side of Gould Street in Ward 15 Kitchissippi.

The subject property has a total lot area of 463.4 m<sup>2</sup>, a depth of 30.44 m and a frontage of 15.23 m . along Gould Street.

The property is designated as Residential First Density (R1MM) in the City of Ottawa Comprehensive Zoning By-law No. 2008-250 that allows a residential single detached dwelling.

A two storey detached dwelling with a detached garage is presently constructed on the subject property.

## **Project Description**

The property owner wishes to sever the land to construct a new two storey detached dwelling with single attached garage on the proposed severed lot.

In order to accommodate the proposed detached dwelling, the existing framed detached garage is to be demolished. A reduction in lot width, lot area, rear yard and interior side yard setbacks and rear yard area required for the severed lot. The retained lot requires a reduction of lot width and lot area. The existing interior yard setback of .60m along the east property line is a non-conforming right. The proposed detached dwelling will be fronting Gould Street.

The existing detached dwelling on the retained lot shall remain.

The severance/consent application for this land to become two properties will have an individual lot area of 222.5 m<sup>2</sup> for Part 1 retained lot and 240.9 m<sup>2</sup> for Part 2 severed lot. The lot survey dated December 6, 2022 and Draft Reference Plan were done by Farley Smith & Denis Surveying Ltd.

The application for a minor variance for Part 2 is requesting the permission to allow relief for lot width from 15 m. to 7.92 m., lot area from 450 m<sup>2</sup> to 240.9 m<sup>2</sup> , interior side yard setbacks from 1.2 m to 0.61 m (West) and 0.64m (East cantilevered Second Floor) , rear yard setback from 8.52 m. to 7 m, rear yard area from 60.22 m<sup>2</sup> to 55.37 m<sup>2</sup>.

Also a permission for front facing garage and front yard parking similar to existing house on 18 and 20 and surrounding area along Gould St. This request is contrary to SCA report, but we believed that the proposed garage and parking avoid the occupants to park on the street.

Permission to allow relief for lot width from 15m to 7.31 m, lot area from 450 m<sup>2</sup> to 222.5 m<sup>2</sup> for Part 1 retained lot. And permission to allow a single front yard parking.

## **Consent Application**

### Part 1: Retained Lot

- The retained lot will have a lot area of 222.5 m<sup>2</sup>, a lot width of 7.31 m, and a lot depth of 30.44 m. An existing two storey detached dwelling to remain.

### Part 2: Severed Lot

- The severed lot will have a lot area of 240.9 m<sup>2</sup>, a lot width of 7.92 m, and a lot depth of 30.44 m. The existing detached garage to be demolished.

## **Minor Variance Application**

The lot is currently zoned R1MM Residential First Density and a detached dwelling is one of the permitted uses.

### City of Ottawa zoning by-law: R1MM

MIN. LOT WIDTH: 15 m

MIN. LOT AREA: 450 m<sup>2</sup>

MAX. BUILDING HEIGHT: 8.5 m.

MIN. FRONT YARD SETBACK: 3 m

MIN. REAR YARD SETBACK: 9.1 m (Table 144A)

MIN. REAR YARD AREA: 112.5 m<sup>2</sup>

MIN. INTERIOR SIDE YARD SETBACK: 1.2 m

PARKING: No off street parking is required

### **Proposed for Part 1 Retained Lot**

LOT WIDTH: 7.31 m

LOT AREA: 222.5 m<sup>2</sup>

BUILDING HEIGHT: 7.12 m. (approximate)

FRONT YARD SETBACK: 5.66 m (existing)

REAR YARD SETBACK: 9.39 m (existing)

REAR YARD AREA: 68.64 m<sup>2</sup> (existing)

INTERIOR SIDE YARD SETBACK: 0.60 m (East non-conforming right), 1.34 m (West proposed)

PARKING: Front yard single driveway/parking.

### **Proposed for Part 2 Severed Lot**

LOT WIDTH: 7.92 m (FRONT), 7.91 m (REAR)

LOT AREA: 240.9 m<sup>2</sup>

BUILDING HEIGHT: 8.37 m.

FRONT YARD SETBACK: 4.71 m. (Second Floor cantilevered wall)

4.91 m (Ground Floor front entrance wall)

REAR YARD SETBACK: 7 m

REAR YARD AREA: 55.37 m<sup>2</sup>

INTERIOR SIDE YARD SETBACK: 0.61 m (West), 1.20m (East Ground floor), 0.64 m (East Cantilevered Second floor)

PARKING: 1 front facing single attached garage

### **Surrounding Land Uses**

The lots surrounding the subject property are all zoned R1MM. The site is located in Ward 15 Kichissippi in existing residential neighbourhood of Hintonburg with on-going intensification and transformation. Majority of newly built homes have reduced lot width, lot areas and setbacks.

### **Policy and Regulatory Framework**

#### *Provincial Policy Statement*

The Provincial Policy Statement (PPS) under Section 3 of the Planning Act spells out key Provincial interests with regard to land use planning. Decisions made by all approval authorities in the Province on planning applications must be consistent with the policies of the Statement.

Generally, the PPS focuses growth within settlement areas (which includes the urban area of the City of Ottawa) and away from areas that are either significant resources or may pose a significant threat to public health and safety.

The following is a brief commentary on the applications for minor variance with regard to the policies of the Provincial Policy Statement:

- Part V of the PPS sets out Provincial policies on land use.

Within Part V, Section 1.1.1 of the PPS indicates that healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate mix of residential and employment land uses to meet long term needs and by promoting cost effective development standards to minimize land consumption and servicing costs.

This application is intended to assist the City of Ottawa in achieving a mix of residential land uses in this area of the City by allowing single detached, stacked and townhouse

units to meet its long term needs in a form of development that makes efficient use of land and services.

- Section 1.1.3.1 indicates that settlement areas are to be the focus of growth. This site is within the urban area of the City of Ottawa, which is a settlement area under the PPS.
- Section 1.1.3.4 encourages municipalities to establish appropriate development standards that facilitate intensification and compact form.
- Section 1.4 of the PPS addresses the Provincial interest in housing.

Section 1.4.3 requires municipalities to provide an appropriate range of housing types and densities to meet the requirements for existing and future residents by various means including; permitting and facilitating all forms of intensification in accordance with Policy 1.1.3.3; directing development of new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available; by promoting densities for new housing which efficiently use land; and by establishing development standards for new residential development which minimize the cost of housing and facilitate compact form.

The application for a minor variance meets all of these policies as the project will assist the City in meeting its requirements for housing at a location where infrastructure is in place to support the development at a density that efficiently uses land and services.

#### *Official Plan*

The site is governed by the City of Ottawa Official Plan. Schedule B, Urban Policy Plan designates the site General Urban Area. Section 3.6 of the Official Plan sets out the policies for lands so designated. All types and densities of housing are permitted to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment retail, service, cultural, leisure, entertainment and institutional uses. This will facilitate the development of complete and sustainable communities

Section 3.6.1 Policy 3 addresses residential intensification through infill. The Policy states that when the City is considering a proposal for residential intensification through infill it will:

- a) Recognize the importance of new development relating to existing community character so that it enhances and builds upon desirable established patterns and built form;
- b) Apply the policies of Section 2.5.1 and Section 4.11;
- c) Consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles throughout the General Urban Area.

Section 2.5.1 speaks to the issue of compatibility and defines compatible development as not necessarily new buildings being identical to its surroundings but rather as enhancing the established community and co-existing with existing development without causing undue adverse impact on adjacent properties. Section 2.5.1 contains a series of Design Objectives and Principles and the relevance of some of them to these applications is noted below; Objective 4 is aimed at new development respecting the character of existing areas and encourages design to integrate new development to complement and enliven the surroundings and complement the

massing patterns, rhythm, character and context. The proposed development responds favourably to its context by proposing the most efficient use of space with a narrow lot. The residential development is compatible with its surroundings in terms of building height and minimum setbacks.

Section 4.11 of the Official Plan contains policies to ensure that new development and infill development is compatible with or fits well with its surroundings. This Section describes the following situation as an example, which is the case of the subject property that is located at the periphery of its neighbourhood:

*“To achieve the Plan’s strategic directions for managing growth, the zoning in many areas of the city, particularly areas adjacent to major roads, at the periphery of neighbourhoods and proximity to transit stations, may allow for more intensive development than has occurred in the past. In these circumstances, the compatibility of the proposed development must be considered.”*

#### **Four Tests**

The application for the development of 14-16 Gould Street meets the Four Tests (as defined in Section 45(1) of the Planning Act) as follows:

*Test 1: Does the proposal maintain the general intent and purpose of the Official Plan?*

Our proposal effectively supports the seven principles of the Ottawa Official Plan, with special regard to the intention to create: “A Green and Environmentally-Sensitive City”, and “A City of Distinct, Liveable Communities”.

Specifically, this proposal will address the intention to accommodate “new growth and development in a more sustainable manner utilizing compact built form principles, including a moderate increase in density.”

The proposed development would demonstrate a compatible form of modest intensification within the urban area, as directed by policies for Managing Growth within the Urban Area, while supporting policies for Maintaining Environmental Integrity.

*Test 2: Does the proposal maintain the general intent and purpose of the Zoning By-law?*

Our proposal adheres to the purpose of the applicable zone by contributing to the creation of new Single Family Dwelling compatible with the existing land use pattern.

Our intention to create a compatible form of intensification requires us to seek minor variances, since the form of development characteristic promotes efficient land use.

*Test 3: Is the proposal desirable for the appropriate development or use of the land?*

Our applications seek only to vary the zoning by-law provisions in a manner that still respects the character of the existing built environment of the area.

*Test 4: Is the proposal minor?*

The extent of impact of the proposed development on neighbouring properties and the neighbourhood as a whole are minor in relation to its permitted uses. The mass and height of the proposed development will not create any significant issues for abutting property owners related to loss of sunlight, privacy or views. The proposed development is similar to or less than the established norms of the neighbourhood. The proposed development would not create any negative impacts related to access, trees, parking, drainage, traffic or noise. The proposed development is compatible with the established built form and character of the neighbourhood and serves to improve the affected streetscapes.

### **Conclusion**

It is our professional opinion that the proposed development conforms to the goals, objectives, and intent of the Official Plan, and the proposed development is consistent with the design policies of the Official Plan. A minor variance to zoning interior side yard setback is deemed an appropriate measure for the redevelopment and infill of this property.

It is our opinion that approval of the application should be granted for the following reasons:

- The approval of the applications is consistent with the Provincial Policy Statement;
- The approval of the draft plan of subdivision is consistent with the regulatory controls in Section 51(24) of the Planning Act;
- The approval of the applications is in conformity with the City of Ottawa Official Plan;
- The proposed development and its minor variances are in general compliance with the City of Ottawa Standards;
- The proposed development is an appropriate use of land and is compatible with adjacent land uses.

In conclusion, approval of the minor zoning variance and consent for severance of the existing lot at 14 -16 Gould Street would be consistent with the Provincial Policy Statement.

Please do not hesitate to contact us should you require additional information.

Sincerely,

Joseph Vahidi

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In support of the minor variance and consent applications, please find the following enclosed:

- A cheque in the amount of \$4,538.00 for the combined consent and minor variance application fees;
- Two Consent Application Forms Part 1 and Part 2(one original and two copies);
- Two Minor Variance Application Forms Part 1 and Part 2 (one original and two copies);
- Lot Survey Plan (2 18x24 copies and two reduced copies);
- Draft Reference Plan (2 18x24 copies and two reduced copies);
- Grading Plan, Site Servicing and Detail Plan (2 24x36 copies and two reduced copies);
- Site Plan (2 11x17 copies and two reduced copies);
- Elevation Drawings (2 24x36 copies and two reduced copies);