

Date: May 2, 2023

File: 040323 - 149 Willow Street

To: Michel Bellemare, Secretary Treasurer
Committee of Adjustment
City of Ottawa, 101 Centrepointe

Committee of Adjustment
Received | Reçu le

2023-05-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: PROPOSED MINOR VARIANCE APPLICATIONS FOR 149 WILLOW STREET, OTTAWA, ON

Dear Mr. Bellemare,

Q9 Planning + Design have been retained by 6176381 Canada Inc. to prepare a Planning Rationale in support of the requested minor variance applications required to permit an additional dwelling unit in the basement of the existing triplex building at 149 Willow Street.

The following represents the Planning Rationale cover letter required as part of the submission requirements for an application to the Committee of Adjustment.

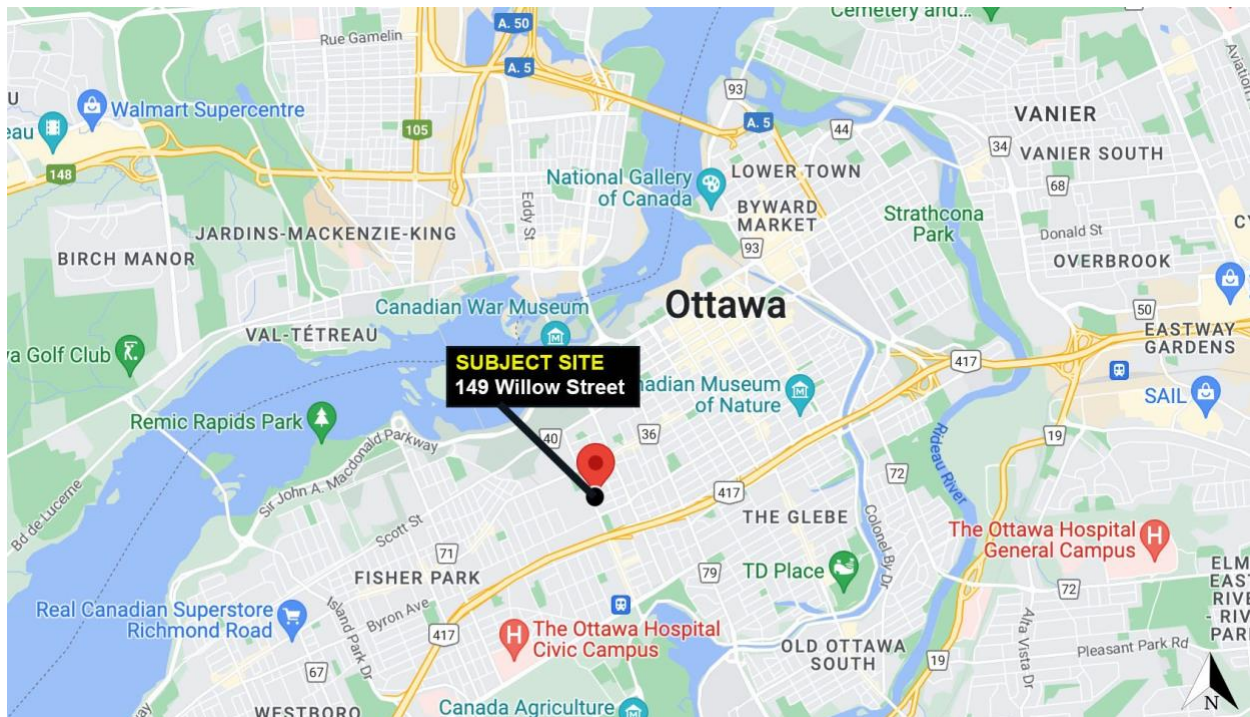


Figure 1: Location Map (Source: GeoOttawa)

OVERVIEW

The subject site is a long and narrow, interior lot located on the north side of Willow Street, east of Preston Street in the Centretown West / Little Italy neighbourhood in Ward 14 - Somerset in the City of Ottawa. The Centretown West / Little Italy neighbourhood is characterized by a deep lots with narrow frontages on both sides of Preston Street. The property is currently developed with a 3.5 storey triplex. The context of Willow Street is primarily detached dwellings between 2 and 3.5 storeys in height, ranging in architectural styles and size, indicating that gradual redevelopment has occurred over time.

The requested minor variances will permit an additional dwelling unit (in the basement of the existing building) which will result in a net gain of one dwelling unit through gentle intensification of the site, while maintaining the neighbourhood's built form typology. No exterior massing will be added to the existing building thereby the form will be compatible with the surrounding neighbourhood and streetscape. The proposal supports the creation of new housing in accordance with the PPS and meets the Official Plan's intent to provide for housing choice and accommodate growth through intensification.

The development will more efficiently use the existing lot while retaining the existing built form. In order to facilitate this development, only a minor variance application is required.

Previously Approved Variances (2019) & Existing Use

In November 2019 a decision was granted by the Committee of Adjustment (Minor Variance Application) to permit a reduced lot area and width for the subject property in able to permit the redevelopment of the site as a 3.5 storey triplex. Since that date, the zoning of the subject property has changed, and in addition, infill zoning regulations for properties within the greenbelt have come into effect. The recognized reduce lot area and width applies to the triplex use and therefore variance will be required to permit the addition of the fourth unit, which changes the use to a low-rise residential building.

It is noted that the performance standards for a low rise apartment in this zone are less than the performance standards for a triplex with regards to lot area and lot width. Therefore, the change in use results in the site being closer to compliance than in the previous approval.

The breakdown of the existing lot is provided below and is consistent with the Site Plan provided in conjunction with this application.

Minor Variance Approved 149 Willow (D08-02-19/A-003004)	Use & Zone	Required		Provided
Lot Frontage	Triplex R4H	12 m		7.62 m
Lot Area	Triplex R4H	360 m ²		249.4 m ²
Existing Lot	Use	Lot Width	Lot Depth	Lot Area
149 Willow	Triplex	7.62 m	32.37 m	249.4 m ²

Minor Variances Requested

The requested variances for these applications are identified below:

- (a) To permit a reduced lot area of 249.4 m² whereas the Zoning By-law requires a minimum lot area of 300 m². (Section 162, Table 162A).
- (b) To permit a reduced lot width of 7.62 metres whereas the Zoning By-law requires a minimum lot width of 10 metres. (Section 162, Table 162A).
- (c) To permit a reduced interior side yard of 1.2 m whereas the Zoning By-law requires a minimum interior side yard setback of 1.5 m. (Section 162, Table 162A).
- (d) To permit a parking space where a parking space is prohibited for low-rise residential uses (Section 101.3(a)).

Variances to Address Legal Non-Complying Performance Standards

- (e) *To permit a reduced aggregate front yard landscaped area of 26% (8.98 m²) whereas the By-law requires an aggregated front yard landscaped area of 30% (10.28 m²). (Section 161, Table 161)*
- (f) *To permit a minimum fenestration on the front façade of 14.75% whereas the By-law requires a minimum fenestration of 25% on the front façade. (Section 161(15)(g))*

Documents Required and Submitted

The following lists all required and submitted documents in support of the identified Committee of Adjustment application.

- [Site Plan
- [Elevations
- [Email from City of Ottawa Forestry Staff (Appendix A to this report)
- [Survey
- [Planning Rationale (this document)
- [Fee
- [Application Form

SITE & CONTEXT

Site

The subject site is a rectangular-shaped, long and narrow, interior lot located along the north side of Willow Street in the Centretown West / Little Italy neighbourhood. It is currently developed with a three-and-a-half (3.5) storey triplex. The lot is consistent in size with other residential lots east of Preston, which are generally long, narrow and rectangular. The adjacent properties are both residential, with a 2-storey dwelling to the west and a 2.5- storey dwelling to the east. Across the street from the subject property is a 2-storey semi- detached dwelling. Willow Street increases in grade from Willow and Preston moving east. The lots along Preston tend to be larger as they consist of commercial and mixed-use buildings. There is currently a laneway that runs behind the buildings that front on Preston and to the west of the subject property, which provides rear yard parking to abutting buildings.

- [Lot frontage: 7.62 metres
- [Lot depth: 32.73 metres
- [Lot area: 249.4 square metres



Figure 2: Site Context Map (Source: Google Maps)

The following pages provides images of the site and surrounding context:

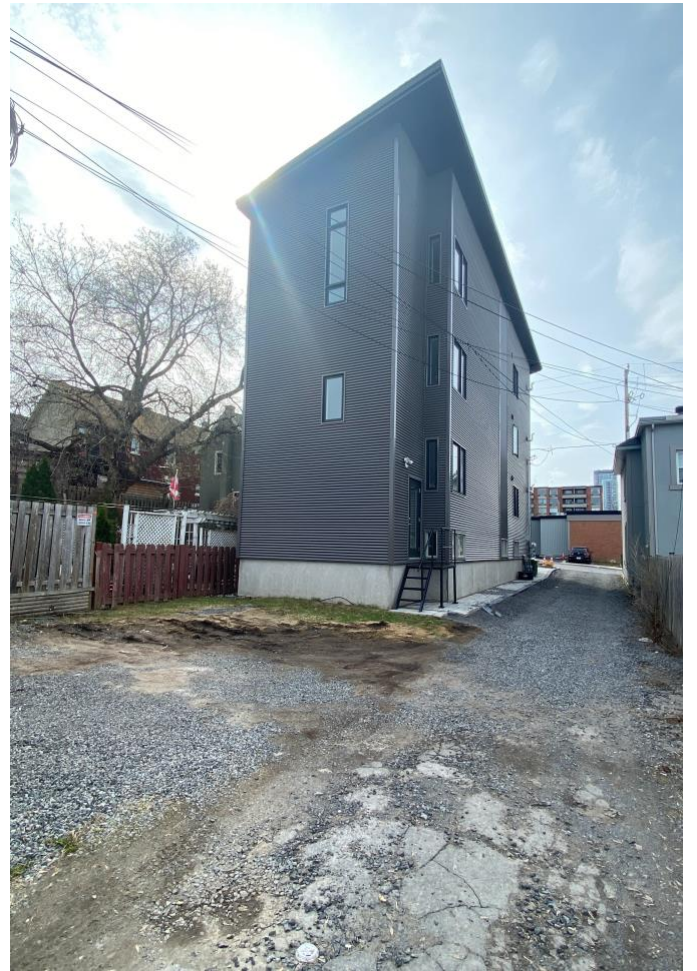




Figure 4: View of the laneway looking north towards Poplar Street, parking shown is rear yard parking for neighbouring properties



Figure 5: Subject property and surrounding buildings, Willow Street looking east



Figure 7: Subject property and surrounding buildings, Willow Street looking west towards Preston Street

Context

The subject site is located in a medium density, mixed-use area within Little Italy in Centretown West. The property is just east of Preston Street and is therefore in close proximity to other commercial and mixed-use buildings. The area is comprised of a variety of lot sizes, with more regular, rectangular lots along the west part of Preston Street and along residential streets and larger, under-utilized parcels along the eastern side of Preston Street and further west of the site near the proposed LRT expansion.

Most of the buildings along Preston Street are two-storey buildings with some single-storey, three-storey, and four-storey buildings. The residential streets that are east and west of Preston are characterized by longer more narrow residential properties. The area is generally characterized by low-rise buildings, with some mid-rise and high-rise buildings in the vicinity. The area is undergoing significant redevelopment and intensification, with large-scale mixed use developments being proposed in the area, including behind the site at 933 Gladstone Avenue and 145 Loretta Avenue.

The property is well-served by public transportation, with OC Transpo Route 85 providing north-south transit service from Bayshore Station to Pimisi Station and across Chaudière Bridge to Hull. OC Transpo Route 14 providing east-west transit service between Tunney's Pasture Station and St. Laurent Station. Additionally, the site is located near the Corso Italia LRT station under construction on the Trillium Line, which provides excellent transit connection with the rest of the City.

Bike lanes are not provided along either side of Preston Street near the site, while shared bike lanes are provided along Gladstone Avenue. Sidewalks are provided on both sides of Preston Street and Gladstone Avenue, both of which are bi-directional streets with a single lane of traffic in either direction. The relatively high densities in the area, along with the small blocks, grid street pattern, and at-grade commercial uses enhance the area's walkability, with a variety of parks, commercial uses, schools, and recreational facilities within walking distance and transit access close by.

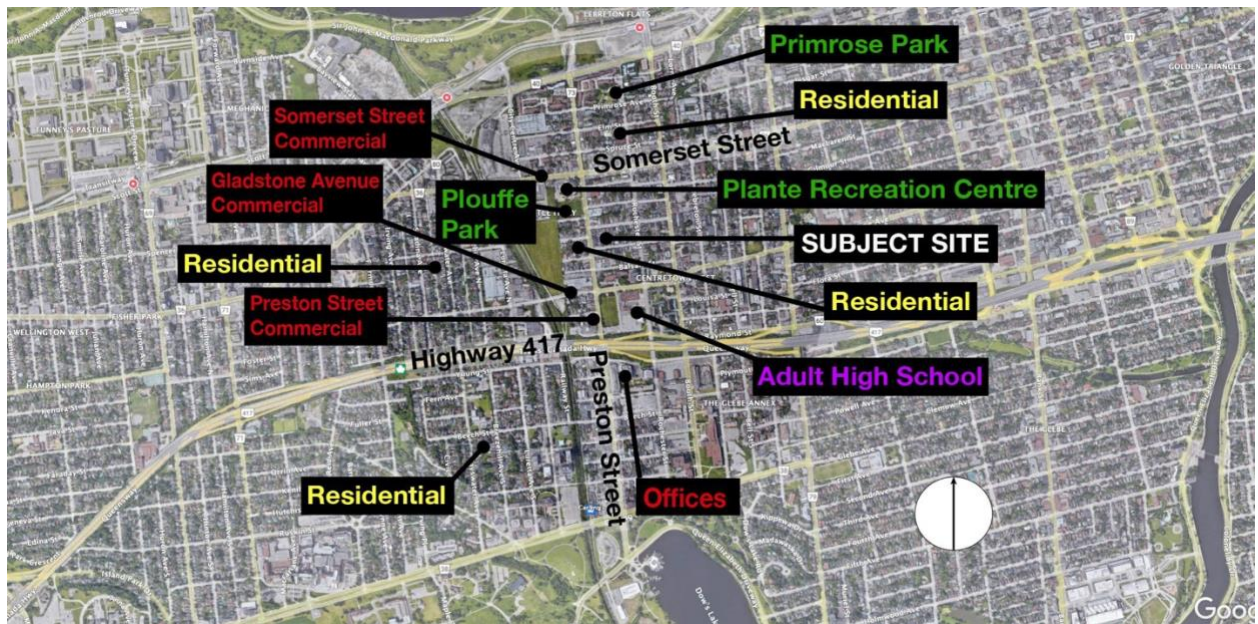


Figure 8: Context Map (Source: Google Maps)



Figure 9: Public Transit Network (Source: OC Transpo)



Figure 10: Cycling Network (Source: National Capital Commission)

PROPOSED DEVELOPMENT

The proposed development is to add an additional dwelling unit in the basement of an existing 3.5-storey triplex. No renovations are proposed to the exterior of the building to accommodate the new unit. A minor variance is application is required to permit four units (a low-rise residential use) on the subject property.

In November 2019 a decision was granted by the Committee of Adjustment (Minor Variance Application) to permit a reduced lot area and width for the subject property in order to permit the redevelopment of the site as a 3.5 storey triplex. Since that date, the zoning of the subject property has changed, and in addition, revised infill zoning regulations for properties within the greenbelt have come into effect. The recognized reduced lot area and width applies to the triplex use and therefore variance will be required to permit the addition of the fourth unit, which changes the use to a low-rise residential building. In addition to variances for lot area and width, minor variances will also be sought to permit a reduced interior side yard setback and to permit a parking space where one is not permitted for low-rise residential use. Furthermore, this application is requesting variances to regularize the legal non-complying performance standards.

When the 3.5 storey triplex was approved in 2019, the revised infill zoning regulations were not in effect and the zoning has since changed to an R4UB zone. As such, some components of the existing condition are legal non-complying. Existing condition non-compliant items have not typically required a variance unless the variance is caused by the alteration but staff have requested the inclusion of the non-complying variances.

In order to comply with the low-rise use and to provide more soft landscaping on the subject property the following amendments to the site are proposed:

- [The landscape planter in the front yard has been expanded to provide more soft landscaping, including the provision of an ornamental tree;
- [The landscaped space in the rear yard has an added tree;
- [The landscaped space in the rear will introduce barriers to protect the space for vehicular movement;
- [Space for garbage bins have been added to to the rear of the building to provide a clear path of travel for pedestrians at the side of the building;
- [Two (2) bicycle parking spaces have been provided in the front yard;
- [The hard surface parking space has been made smaller to reduce the total area of impervious surface in the parking area and to comply with the By-law.

The following pages contain the Site Plan and Elevations.

SITE PLAN

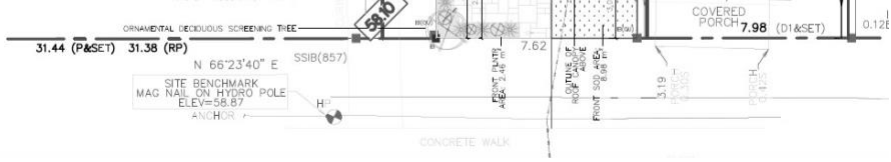


Figure 11: Excerpt from Site Plan

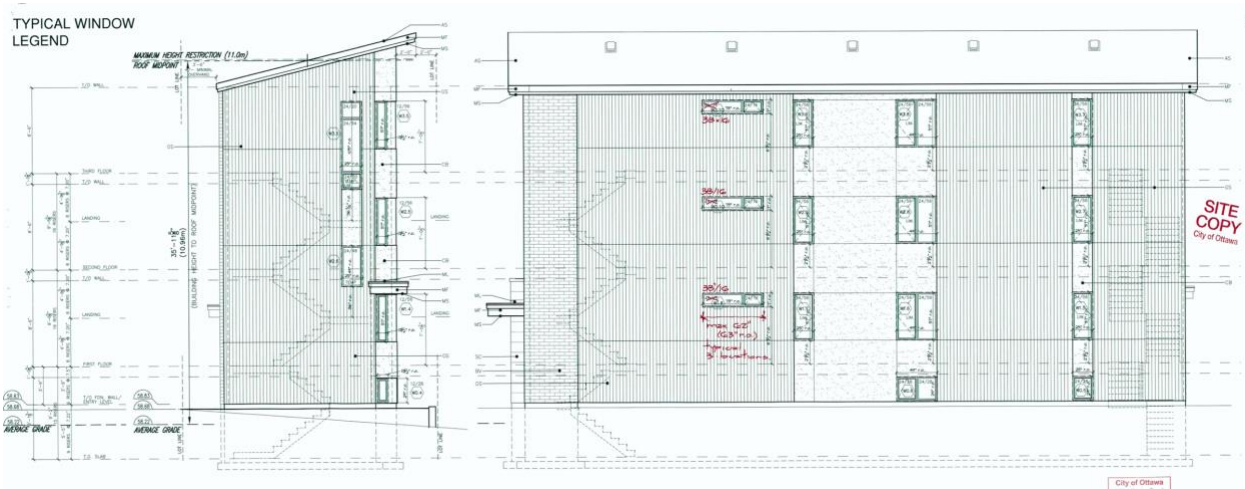
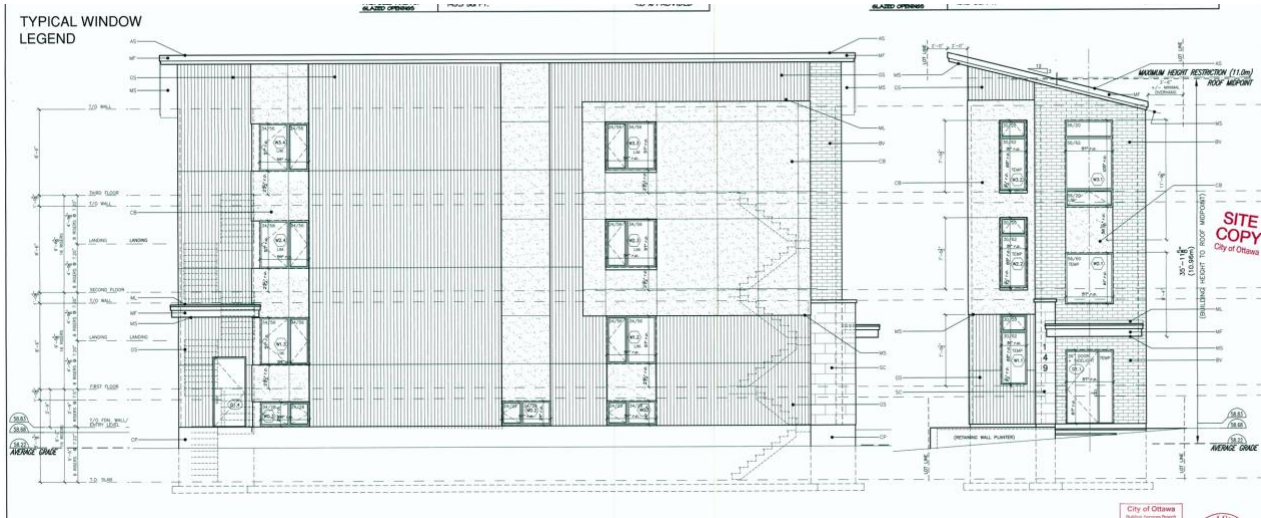


Figure 12: Excerpt of Approved Elevations

POLICY REVIEW

In order to obtain approval of the proposed minor variances, a review of the relevant and applicable policies and provisions is required. These are reviewed and discussed below. Relevant policies will be indicated in *italics*.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020 and provides broad policy direction on matters of provincial interest related to land use planning and development. The Plan is intended to provide for appropriate development while protecting Provincial resources of interest, public health and safety, and the quality of the natural and built environment. The PPS is complemented by other Provincial plans as well as municipal plans such as Official Plans and Secondary Plans. All plans and decisions affecting planning matters “shall be consistent with” the PPS.

Section 1.0 intends to wisely manage change and plan for efficient land use and development patterns, which in turn help support sustainability through strong, liveable, healthy, and resilient communities.

1.1.1 *Healthy, liveable 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), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- 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;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity; and*
- i) *preparing for the regional and local impacts of a changing climate.*

Comment: The proposed construction addition of a dwelling unit in the basement will add a new

home to the area by more effectively utilizing the available lot, resulting in a more efficient lot pattern that maintains the prevailing low-rise context of the area. The proposal

will increase the size of the landscape planter in the front yard, provide the addition of two new trees (one in the front and one in the rear yard), provide two bicycle parking spaces, reduce the size of the parking space in the rear and provide for waste receptacle storage in the rear yard. No exterior building modifications are proposed to the existing 3.5-storey dwelling, therefore the proposal and existing building is in keeping with the character of the community while contributing new housing units in the urban area through infill development.

1.1.3.1 *Settlement areas shall be the focus of growth and development.*

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 and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation;*
- f) *are transit-supportive, where transit is planned, exists or may be developed; and*
- g) *are freight-supportive.*

Comment: The subject site is located within the urban boundary and supports an additional dwelling unit in effort to use the available land more effectively. By developing within an existing serviced area, the proposal supports a more optimal use of municipal infrastructure and public transportation services.

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 housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 2. *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.*

Comment: The development proposes the addition of a new dwelling unit to the area through contextually-appropriate infill development. The dwelling will contribute to the existing stock of housing in the area, help achieve housing targets and support existing transit and infrastructure investments in the area.

Section 2.0 of the PPS aims to ensure Ontario’s long-term prosperity, environmental health, and social well-being through the wise management and conservation of natural resources. This includes policy direction on conserving biodiversity, protecting the Great Lakes, and protecting natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources.

Section 3.0 of the PPS intends to provide for Ontario’s long-term prosperity, environmental health, and social wellbeing by reducing potential natural and human-made hazards and threats to public safety. Development is to be directed away from natural or human-made hazards.

Based on our review, it is our professional planning opinion that the proposed development conforms with the Provincial Policy Statement (PPS), 2020.

City of Ottawa Official Plan

Designation: *Downtown Core Transect, designated Neighbourhood with an Evolving Overlay*



Figure 13: Downtown Core Transect, City of Ottawa Official Plan (Source: Ottawa OP)

The New City of Ottawa Official Plan was adopted by City Council on November 24th, 2021 was approved by the MMAH on November 4th, 2022. The Plan is intended to manage growth and change in Ottawa to the year 2046.

Section 2 contains the overall strategic direction of the new Official Plan and is based around the Five Big Policy Moves, which are intended to make Ottawa the most liveable mid-sized City in North America. The Five Big Moves call for increased growth through intensification, sustainable transportation, context-based urban and community design, environmental, climate, and health resiliency embedded into planning policy, and planning policies based on economic development. Six cross-cutting issues have also been identified as essential to the achievement of liveable cities, which are related to intensification, economic development, energy and climate change, healthy and inclusive communities, gender equity, and culture.

Comment: The proposed development results in a net increase of one dwelling unit through intensification of an existing site, contributing towards gentle intensification that maintains that character of the area.

Section 3 of the Official Plan provides a growth management framework that plans for growth across differing geographies in the City. Most growth is to occur in the urban area, which contains six different transect policy areas that have grown and are expected to grow in varying ways. The central link between all transect policies is the creation and connection of networks of 15-minute communities.

Comment: The proposed development of one new detached dwelling through infill of an existing lot contributes to strategic direction of accommodating new housing units through intensification. It adds a new unit to the area in an existing building that fits contextually within the local neighbourhood.

Section 4 of the Official Plan provides policies applicable to development throughout the City. It includes policies for more sustainable modes of transportation and the design and creation of healthy, 15-minute neighbourhoods. This includes the provision of jobs, recreational amenities, and retail uses within a 15-minute walking distance of residential uses.

Section 4.6 provides policies that address urban design, which involves designing the built form and public realm in a manner that supports healthy, 15-minute neighbourhoods. It also emphasizes design excellence throughout the City, especially in Design Priority Areas. The subject site is located within a Design Priority Area.

Comment: The proposed development provides for compatible infill by creating additional density through the addition of a unit to an existing building. The existing three-and-a-half storey height is compatible with the surrounding built forms, which range from 2 - 3.5-storeys and fit with the overall neighbourhood context of low-rise heights. Furthermore, the additional unit in the basement dwelling does not overdevelop the lot, and in fact, the ability to add the unit would bring the lot closer into compliance by adding trees, waste management, bicycle parking, and an expansion of the planter area to improve soft landscaping and stormwater management. There are no proposed changes to the existing building, as it is constructed to

achieve a consistent and uniform streetscape that maintains the character of the Little Italy neighbourhood. The building contributes quality design to the area and constitutes compatible infill of the subject site.

Section 5 provides detailed policies for each of the six transect policy areas within the City. Each of the transect policy areas recognize the existing development patterns and provide tailored approaches to transition towards healthier, more sustainable 15-minute communities. The subject site is located within the **Downtown Core Transect** and is designated **Neighbourhood**. It is also part of the Evolving Overlay.

Section 5.1 of the Official Plan contains policy direction for the Downtown Core Transect. The Downtown Core is characterized by a mix of uses, an urban built form pattern, and higher levels of density. It is also where the tallest buildings are planned to be located and has complex and unique planning challenges. Within the Downtown Core Transect, Neighbourhoods are planned for up to four storeys.

Comment: The proposed dwelling supports the gradual transition towards 15-minute neighbourhoods by gently increasing the subject property's density while retaining the existing context of low-rise built form prevalent throughout the neighbourhood. It aligns with the planned height and density for Neighbourhoods within the Downtown Core Transect.

Section 5.6.1 provides policies for built form overlays, including the Evolving Overlay. The Evolving Overlay applies to areas in close proximity to Hubs and Corridors which will gradually evolve to support intensification, transitioning from a suburban to an urban character.

Comment: The proposed development supports a gradual intensification of the area while retaining the overall character of the neighbourhood, where low-rise, ground-oriented dwellings are prevalent. The proposal does not preclude the future evolution of the area towards a more urban character over time.

Section 6.0 contains policies specific to designations within the urban settlement area.

Section 6.1.2 provides policy direction for Protected Major Transit Station Areas (PMTSAs), including the prohibition of auto-oriented uses and the permission of mid-to-high density residential development and the full range of non-residential uses.

Comment: The proposal will provide an additional dwelling unit in a Protected Major Transit Station Areas (PMTSAs) thereby contributing to transit supportive densities in an urban area. The building has one existing parking space and no new parking is being provided. This will encourage building occupants to walk and take transit.

The proposed development will result in one new unit through infill of an existing, under-utilized lot. No adverse shadowing or overlook impacts are anticipated, and the proposed building height aligns with the established 2 to 3.5-storey context of the neighbourhood and the abutting 2-storey homes. No adverse noise impacts or traffic will be generated as a result of the development, which constitutes a net gain of one dwelling unit. Furthermore, the proposal does not overdevelop the site, and is considerate of the surrounding context of detached dwellings.

Section 6.3 contains policies that pertain to Neighbourhoods, which are continuous areas that form the heart of communities. A mix of built forms and densities are permitted in Neighbourhoods, with the intent of creating and reinforcing 15-minute communities. Permitted building heights are generally 2-4 storeys, which includes a range of low-rise residential built form types and gradually transition in density towards Corridors and Hubs.

Comment: The proposed development provides a new unit in an existing 3.5-storey detached dwelling, within an established low-rise residential character. The proposal aligns with the planned height context for Neighbourhoods and provides an appropriate and compatible building type, density, and scale.

Based on our review, it is our professional planning opinion that the proposed development conforms with the City of Ottawa Official Plan.

City of Ottawa Zoning By-law

The City of Ottawa zones this site as R4UB - Residential Fourth Density, Subzone UB in the City of Ottawa Zoning By-law 2008-250, as identified on the map below. The intent of the R4UB Zone is to allow for a wide mix of residential building forms ranging from detached to low-rise apartment dwellings. The performance standards in the zone seek to 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. As the property is located within the Greenbelt, it is subject to the alternative provisions of Section 139 and 144. The table below provides an overview of the required provisions for this zone and the proposed development's compliance.

EXISTING ZONING BY- LAW R4UB Low-rise Apartment Dwelling	Requirement	Provided	Section
Minimum Lot Width	10 m	7.62 m	Section 162, Table 162A
Minimum Lot Area	300 m ²	249.4 m²	Section 162, Table 162A
Max Building Height	11 m	11 m	Section 162, Table 162A
Minimum Front Yard Setback	Lesser of the average of abutting lots' corresponding FYS (~ 1.65 m) or 4.5 m	2.61 m	Section 144(1)(a); Section 162, Table 162A
Minimum Rear Yard Setback	30% of lot depth (9.819 m)	9.82 m	Section 144, Table 144A
Minimum Rear Yard Area	25% of lot area (62.35 m ²)	74.8 m ²	Section 144(3)(a)

EXISTING ZONING BY- LAW R4UB Low-rise Apartment Dwelling	Requirement	Provided	Section
Minimum Interior Yard Setback	1.5 m	1.2 m and 1.21 m	Section 162, Table 162A
Minimum Area of Soft Landscaping in Rear Yard	On a lot less than 360 m ² in area: 35 m ² Minimum aggregate area of 25 m ² , with a longer dimension $\leq 2 \times$ shorter dimension	42.96 m ² 42.96 m ²	Section 161(15)(b)(i) Section 161(15)(b)(iv)
Minimum Aggregate Front Yard Soft Landscaped Area	For lot width < 8.25 m where FYS is > 3m: 30% FY Area: 34.29 m ² 30% of FY = 10.28 m ²	8.98 m ² (26%)*	Section 161, Table 161
Minimum Fenestration requirement	Front facade: at least 25% windows	14.75%*	Section 161(15)(g)
Minimum Front Facade Additional Recess	At least 20% of front facade minimum of 0.6 m from front setback line	38%	Section 161(15)(h)
Maximum Parking for Low-rise Apartment Dwelling in R4-UB	No motor vehicle parking for lot < 450 m ² in area	1 space	Section 161(16)(a)
Minimum Parking Space	2.6 m (width) x 5.2 m (length) Maximum width of 3.1 m	Maximum width: 2.75 m	Section 106(1)
Maximum Driveway Width	2.75 m	2.75 m	Section 139, Table 139(3)(iii)
Minimum Bicycle Parking	0.5 per dwelling unit (2 spaces)	2 spaces	Section 111, Table 111A(b)

*Non-compliant items unrelated to the proposed change.

The addition of a 4th unit will not expand or perpetuate any legal non-complying conditions, in fact with soft landscaping, trees, bicycle parking and permeable pavers will be added to improve the site condition from a landscaping, environmental and soft landscaping perspective.



Figure 14: Zoning Map (Source: GeoOttawa)

Review of Section 45(1) Minor Variances

The Planning Act requires that minor variances are only to be permitted so long as they meet the four tests as set in Section 45(1). These tests are: whether the variance is minor; whether the variance meets the intent and purpose of the Official Plan; whether the variance meets the intent and purpose of the Zoning By-law; and lastly whether variance is suitable and desirable for the use of the land. **The following is a review of the four tests for the variances that are being sought which are triggered by the addition of the fourth unit.**

Are the variances minor?

The requested variances are to permit a reduced minimum lot areas of 249.4 square metres, whereas 300 square metres is required and for a reduced minimum lot width of 7.62 metres whereas 10 metres is required.

The requested variances for reduced minimum lot areas and reduced minimum lot widths are considered minor, as the proposed lots are still sufficiently-sized to accommodate the proposed development. The building is appropriately scaled to the lot, with most of required setbacks and all of the landscaped areas met. Furthermore, the consistency of lot widths in the area will be maintained, as the proposed lots are uniform and still provide landscaped amenity and soft landscaped spaces on the property. Currently the site contains a triplex. By permitting the additional unit through the requested variances, the proposal will improve upon the existing condition through the addition of soft landscaping, bicycle parking, trees, and garbage storage.

It is also noteworthy that many lots within the immediate neighbourhood are below the minimum lot area and width requirements in the zoning by-law and are similar in size to the proposed lots. In 2019, a variance application was approved to recognize the reduced lot area and width to permit a triplex on the subject property. The addition of the unit to the basement will change the use from a triplex to a low-rise apartment, therefore the lot area and width will need to be recognized as it pertains to the low-rise apartment use but the built form remains unchanged.

Lots that are similar in size to the subject site are noted with a star in the below graphic. As indicated by the graphic, there are a significant number of lots within the neighbourhood that are similar in area and width to the proposed lots.



Figure 15: Lots in area of similar size to subject property (outlined in red)

Along Willow Street itself, between Preston Street and Rochester Street, there are approximately 11 lots that are similar in area and frontage to the subject property and >40 lots that meet this criteria in the greater neighbourhood. A narrow and deep lot is characteristic of this neighbourhood, thus the proposed reduction aligns with the character and planned intent for the neighbourhood.

Based on the evidence above, the proposed lot areas and lot width would not detract from the character of lots along Willow Street or in the neighbourhood as a whole, and would align with

the gradual transition of the area that is already occurring.

When the existing triplex was approved and built in 2019 & onward, the side yard setback requirement was 1.2 m. The addition of a unit (and change to a low-rise apartment use) will require an increased side yard setback of 1.5 m. On the west side of the subject property is a laneway that connects Willow and Popular and provides access to rear yard parking. A side yard walkway as been provided on the west side of the property and waste receptacles have been moved to the rear to provide for a clear path of travel at the side yard. The eastern side yard has been soft landscaped with river rock. The building is existing and the 1.2 - 1.5 m side yard setback is consistent with what is observed on the street and in the greater neighbourhood. The additional unit will not change the size or scale of the building, therefore an increase to the setback is not warranted.

The R4-UB prohibits parking for lots under 450 m² in size. When the existing triplex was constructed one parking space was permitted and legally constructed. The rear laneway provides access to rear yard parking for this property but also for neighbouring properties. Many of the surrounding properties have driveways that provide parking. The addition of the unit (low rise use) will prohibit parking, however the variance is requesting permission to maintain the existing parking space on the subject property. The size of the parking space will be reduced to comply with the by-law and decrease the imperviousness of the parking area.

The variances noted above should thus be considered minor.

Do the variances meet the intent and purpose of the Official Plan?

The intent and purpose of the current Official Plan as it applies to this property is to provide for a full range of dwelling types and housing choices, while ensuring that new development is compatible in built form type, height, and scale with the existing context. A mix of dwelling types are supported in the Downtown Core, Neighbourhood (Evolving), which is generally characterized by low-rise development.

The proposed development with the requested variances fulfills this intent by facilitating the infill development of an additional unit in an existing triplex. The proposal results in a gentle intensification of the site while retaining the characteristic built form of the neighbourhood by not providing any exterior changes to the recently constructed building. The building is compatible in massing, height, and scale with the abutting dwellings and does not result in any adverse impacts on neighbouring properties. Site modifications are proposed to improve conditions through the addition of soft landscaping in the front yard, the addition of bicycle parking and the reduction to the parking area. Two new trees will be planted on the subject property. The provision of 1 parking space per 4 units (0.25 parking rate) will result in a transit supportive development on the subject property.

Do the variances meet the intent and purpose of the Zoning By-law

The intent of the minimum lot areas is to ensure that lots are appropriately sized to suitably accommodate proposed built form with sufficient landscaped area and setbacks. The intent of minimum lot widths is also to provide for appropriately-sized lots along with consistent and uniform lot widths along the street. The intent of side yard setbacks and prohibiting parking are to ensure that there is adequate space on a smaller site to accommodate bicycle parking,

amenity, waste receptacles and soft landscaping.

The proposed lots are sufficient in area and width to accommodate the proposed low-rise apartment comfortably, while meeting or exceeding almost all required setbacks and landscaped areas. The existing building (recently built) provided for an adequate amount of soft landscaping, amenity and parking to serve the needs of the building occupants. Since that time, the R4UB zone was applied to the subject property. The addition of the unit in the basement will require compliance to the zone. While the request is relief from lot area, width, side yard setback and the parking exemption, it should be noted that increased front yard landscaping and rear yard landscaped spaces are being provided. The addition of more soft landscaping will be provided in the front and waste receptacles will be relocated to the back to provide an improved path of travel along the side yard. It is our opinion, that the relief from the zoning to accommodate the additional unit will not only meet the intent of the current By-law, but will in some areas bring the existing site more in compliance with the recently applied zoning (R4UB).

Thus the intent of the minimum lot area, minimum lot width, interior side yard setbacks and parking provisions are met.

Are the variances suitable for the use of the land?

The development with the requested variances constitute a suitable and desirable use of land. The proposal results in a new dwelling unit through intensification of an existing site while retaining the existing built form. Further, the addition of basement rental units contributes to the availability of more affordable housing by offering a different price point of rental unit and adds to the variety of housing options available to residents.

The addition of soft landscaping, trees, bicycle parking, a designated waste area and a reduced parking area will improve the function and appearance of the site over what currently exists. The development is consistent with the intent of applicable provincial and municipal policies, including the PPS, both Official Plans, and the Zoning By-law.

The following is a review of the variances that are being requested to address the existing conditions of legally non-complying site elements:

	Reduced Aggregate Front Yard Landscaped Area	Reduce Front Façade Fenestration
Is the Variance Minor	The aggregate soft landscaped area is 26% whereas the by-law requires 30%. The difference is minor and the site is being improved with the addition of an ornamental tree where none is provided currently. As the impact of this variance is non-existent due to it being an existing condition, the variance is minor.	A site visit of the building notes sufficient glazing, including within the front door, to provide for a quality design and streetscape engagement that the variance is considered minor. Further, since the variance is related to an existing condition and there are no impacts, the variance is minor.
Does it meet the intent and purpose of the Zoning By-law	The intent and purpose is to improve stormwater management, allow space for trees, and to improve quality of streetscape design. The variance recognizes an existing condition and improves on the existing condition by adding a tree and expanding the existing planter area – both changes that improve stormwater management. A 4% reduction retains the intent of the provision and recognizes an existing condition.	The intent and purpose is to support quality of design, interaction with the streetscape, and in some cases, address environmental building practices (i.e. solar heat gain to reduce energy costs). The intent is met as the percentage of fenestration upon site visit is more than sufficient to provide an active and engaging façade. Due to the newer construction of the building the environmental performance of the building is assumed to be adequate and that additional fenestration would not materially change this.
Does it meet the intent and purpose of the Official Plan	The intent and purpose of the Official Plan designation is to support	The provided fenestration is appropriate for the residential use and

	<p>density, housing mix, and housing affordability. The proposed addition of the basement unit addresses all of these components of the direction of the Official Plan and broader provincial policy. The variances being sought to bring the site into compliance ensure the proposal meets the intent and purpose of the Official Plan</p>	<p>therefore supports the intent and purpose of the Official Plan policies and direction.</p>
<p>Are the variances suitable and desirable for the use of the land</p>	<p>The variance recognizes an existing site condition and supports the alteration of the existing residential building so that it can incorporate an additional basement unit. In pursuing this change, improvements to the site are being provided: addition of trees, 2 bicycle parking spaces, reduced hardscape, improved pervious material. The variances are suitable and desirable.</p>	<p>The variance recognizes an existing site condition and supports the alteration of the existing residential building so that it can incorporate an additional basement unit. In pursuing this change, improvements to the site are being provided: addition of trees, 2 bicycle parking spaces, reduced hardscape, improved pervious material. The variances are suitable and desirable.</p>

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The addition of soft landscaping, trees, bicycle parking, a designated waste area and a reduced parking area will improve the function and appearance of the site over what currently exists. The development is consistent with the intent of applicable provincial and municipal policies, including the PPS, both Official Plans, and the Zoning By-law.

CONCLUSION

As noted, the proposed minor variances to permit subsequent development of an additional dwelling unit will result in a net gain of one dwelling unit through gentle intensification of the site within the neighbourhood's characteristic built form typology. No exterior massing will be added to the existing building thereby the form will be compatible with the surrounding neighbourhood and streetscape context and will not adversely impact abutting properties. The proposal supports the creation of new housing in accordance with the PPS and meets the Official Plan's intent to provide for housing choice and accommodate growth through intensification. The addition of basement rental units also contributes to housing affordability by offering different price points than above grade rental units.

The proposed development requires variances for lot area and width, to permit a reduced interior side yard setback, and to permit the existing parking space where one is not required for low-rise residential use. As part of this application, variances are being requested to address existing condition items.

As demonstrated in this cover letter, the proposed variances are minor in nature, with the existing unit being provided within an existing building which is consistent with the context, built form and character of the surrounding area. The development with the proposed variances also meets the intent of the Official Plan by contributing to housing choice in the City and accommodating growth through intensification. Furthermore, the variances meet the intent of the Zoning By-law, with the proposed lot areas and lot widths providing sufficient space to accommodate the dwellings along with compliant setbacks and the additional unit will seek to provide more soft landscaping and a trees in the front yard to provide a reduction in impervious surfaces from the existing, non-complying condition.

Lastly, the proposed development is demonstrated to be a suitable and desirable use of land.

Collectively considered, the development with the requested variances meets the four tests required under Section 45(1) of the Planning Act.

It is the opinion of Q9 Planning + Design that the proposed minor variances are good land use planning and meet the required tests and criteria set out in the Planning Act.

Yours truly,



Christine McCuaig, RPP MCIP M.Pl Principal
Senior Planner + Project Manager



CC: Anthony Cava

APPENDIX A

Email Correspondence from City of Ottawa Staff:

RE: 149 Willow Street External Inbox x



Committee of Adjustment Trees/Comité de Dérogati... Tue, Apr 25, 4:45 PM (16 hours ago) ★ ↶ ⋮
to Christine, me, Committee ▾

Hello Christine and Dayna,

I can confirm a TIR will not be required with this application to add a fourth unit in the basement of this existing triplex. Thank you for your note on tree planting. Canopy cover in this area is limited so where tree planting is feasible, we are always happy to see and support it. The new Official Plan also has strong policy to support the urban canopy through growth, development and intensification.

Thank you,

Hayley Murray

Planning Forester (T), Natural Systems and Rural Affairs

Planning, Real Estate and Economic Development

City of Ottawa | Ville d'Ottawa

☎ 613.580.2424 ext. | poste 24616

ottawa.ca/urbanforest

ottawa.ca/treebylaw