

Urban Planning, Consulting and Project Management

City of Ottawa Committee of Adjustment
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Committee of Adjustment

Received | Reçu le

2023-04-25

City of Ottawa | Ville d'Ottawa
Comité de dérogation

April 28th 2023

Committee of Adjustment

APR 25 2023

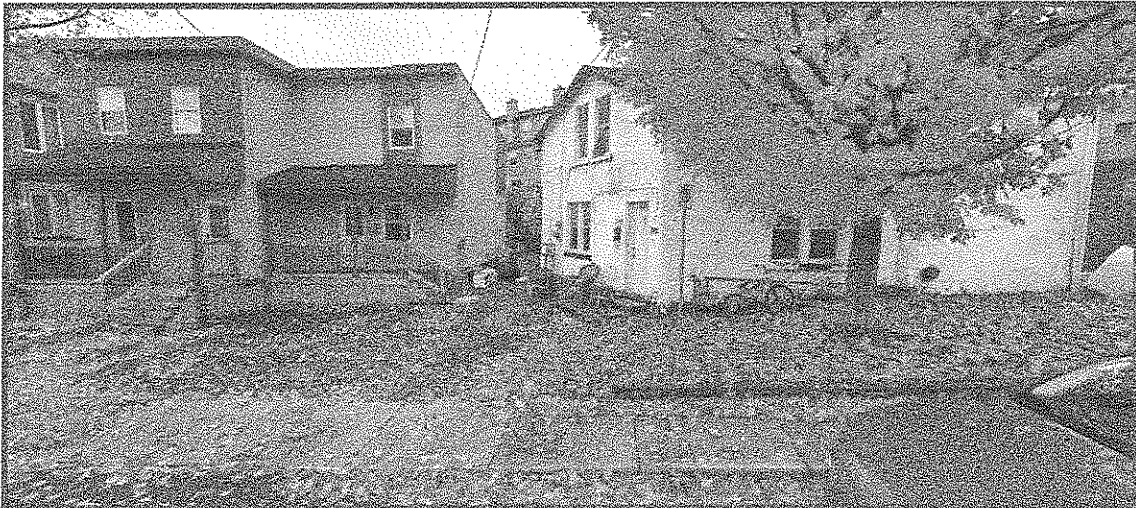
City of Ottawa

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: 290 Montfort Street (Minor Variance application) - Panel 2
Daniel Ibrahim
Part of Lot 76, Registered Plan 246 - City of Ottawa

On behalf of our clients, we are submitting the enclosed Minor Variance application for the property at 290 Montfort Street in order to permit 3 townhouse units on the property. At the present time, the property contains a pair of semi detached units (2 units) and a detached building that contains a separate residential unit. The intent is to **remove** the detached building and **build a new unit on the west side of the semis** so that the overall development consists of 3 townhouse units. This application is a recirculation as the application was originally scheduled for June 1st, 2022 and was adjourned sine die.

Please see the enclosed letters of support from nearby residents for this application. Also note the retraction of the previous comments of concern from the tenant of 290 Montfort (white building) who has now moved out of the building.



The subject property consists of the 'semis' on the left and the detached building on the right (located on the existing edge of the Right of Way). Tree on the right to be retained.



Semis on the left (with existing front yard parking) and detached building (white) on the right. Tree on the left to be retained and detached building on the right to be removed and a new 'townhouse' unit to be added on the right hand side of the existing semis.

The proposal requires the following variances/permissions:

- A) To permit a front yard setback of 1.64 m (requirement = 3.30 m)
- B) To permit a front porch located 0.31 m from the front lot line (requirement = 1 m)
- C) To permit a reduced lot area of 96.35 m² (290 Montfort) (requirement = 135 m²) (existing situation)
- D) To permit a reduced lot area of 84.10 m² (292 Montfort) (requirement = 135 m²) (existing situation)
- E) To permit a reduced lot area of 98.75 m² (294 Montfort) (requirement = 135 m²) (existing situation)
- F) To allow front yard parking (an existing condition that is intended to remain for one parking space in front of 292 Montfort). This item is included as a permission application item.

All other zoning requirements including rear yard setback, interior side yard setback and the building height meet the requirements for townhouse units in the R4UA zone.

The middle 'unit' has benefitted from a front yard parking space from at least June 1966 and the intent of the variance related to parking is to maintain the front yard parking space to be used by one of the tenants. Front yard parking has been prohibited in this area since the enactment of By-law 1233 of the Town of Eastview on October 2 1961. Aerial vintage photography of pre October 1961 is not clear enough to determine if front yard parking was in place and due to the age of the enactment of that by-law it is not possible to speak to a person in the area who could confirm when front yard parking first occurred on the property as it needs to be someone with knowledge of the area for more than 60 years.

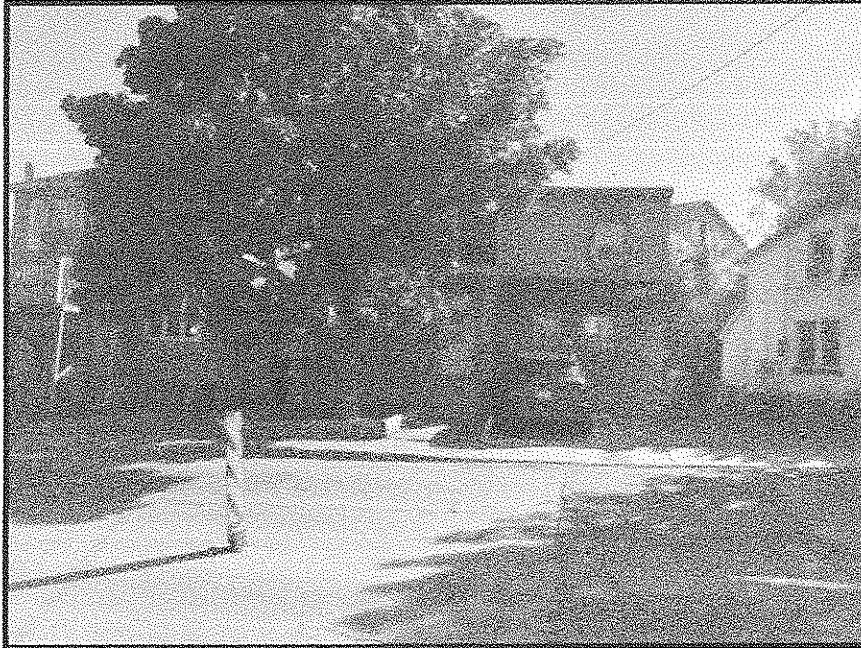


Extract of aerial photography from the National Air Photo Library taken on June 22 1966.

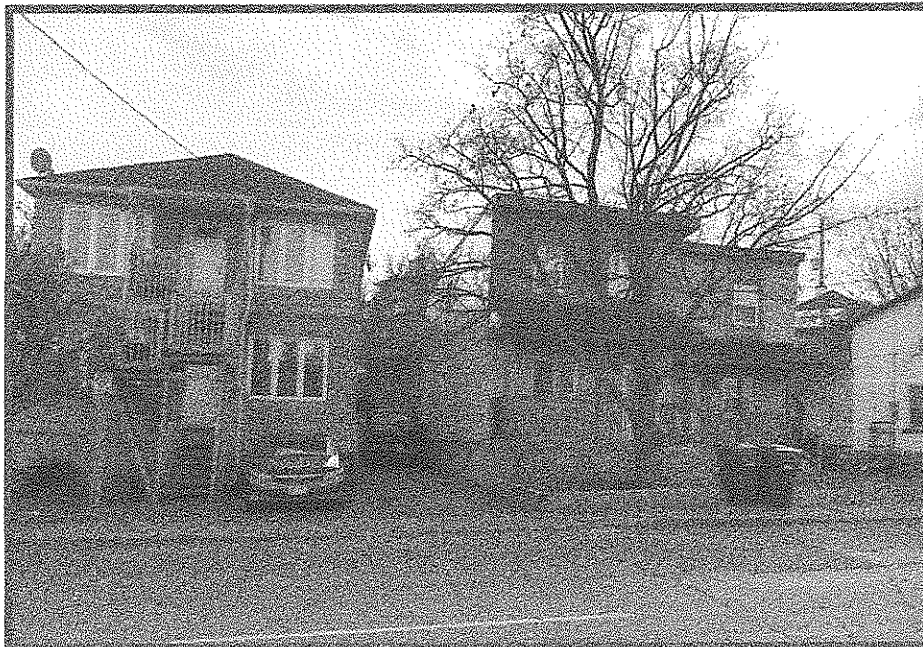


Vintage 1960's image of front yard parking (yellow) at 290 Montfort and the building proposed to be removed (red).

Currently, there is parking between the porch and the sidewalk of 292 Montfort (as per the photos below) (westerly semi detached unit on the property) and we are requesting that this situation can continue through a permission application.



Location of the current front yard parking situation.



296 Montfort (left) also has front yard parking.

East of the subject property is 296 Montfort which also has front yard parking (the subject property is on the right hand side of the photo) and there are other properties in the area with this situation.



Front yard parking at 298 Montfort which is a triplex building.

Immediately to the east of 296 Montfort is another multi unit building which has front yard parking. It is adjacent to a commercially zoned property.

As shown on the photos on pages 1 and 2 of this document, there are two trees along the frontage of the property and they are intended to be retained as per the Tree Information Report prepared by the client's arborist and filed with this application.

The four tests of a Minor Variance application from Section 45 (1) of the Planning Act are that the variances are to maintain the general intent and purpose of the Official Plan and the Zoning By-law, are desirable for the appropriate development or use of the land and building and are minor in nature.

Official Plan

As per the Provincially-approved Official Plan, the Official Plan designation for this property is 'Neighbourhood' in the Inner Urban transect.

As per Section 6.3.1.2 of the Official Plan,

Permitted building heights in Neighbourhoods shall be Low-rise, except:

- a) Where existing zoning or secondary plans allow for greater building heights; or
- b) In areas already characterised by taller buildings.

The maximum building height is 2 storeys which is a 'low rise' building height.

As per 6.3.1.4 of the new Official Plan, the Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:

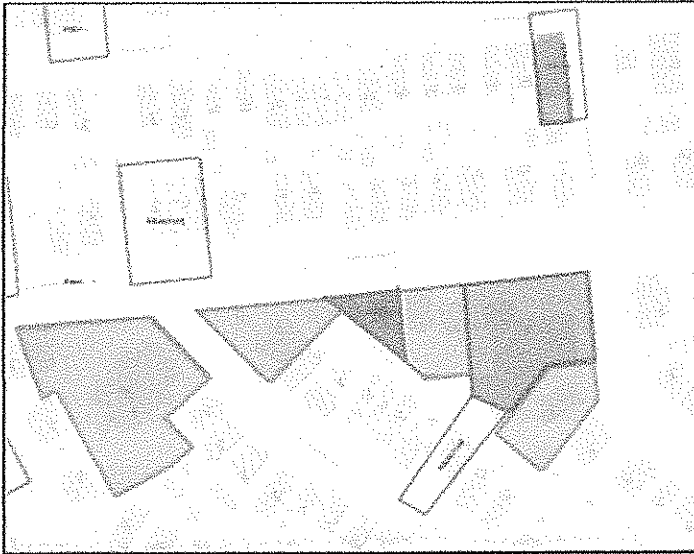
- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);
- c) In appropriate locations including near rapid-transit stations, zoning may prohibit lower-density housing forms.
- d) To provide for a range of local services and promote the emergence or strengthening of 15- minute neighbourhoods, the Zoning By-law may permit compatible and complementary small scale non-residential uses and services (including retail, service, cultural, leisure and entertainment uses) that primarily serve residents within walking distance and that:
 - i) Are compatible with, and do not reasonably pose a risk or nuisance to, nearby residential uses; The removal of one building on the site that was in need of repair and very close to the street edge and replacing it with a new residential unit in line with the retained units will be compatible with nearby residential properties and will not pose a risk or nuisance to those properties.
 - ii) Are contained within building forms and site design compatible with low-rise, predominantly residential neighbours; The proposed resulting building form is compatible with the residential neighbours in the immediate vicinity
 - iii) Are appropriately integrated with the neighbourhood street network, pedestrian network and public realm; the proposed new unit to result in townhouse units which is at a density that is integrated into the neighbourhood
 - iv) May establish building and site design standards specific to such uses, in order to ensure functional requirements and context sensitive building form are met; The removal of the existing detached building on the site which is located on the front lot line and for it to be replaced with a new unit to result in a townhouse development will result in a context sensitive building form on the property.
 - v) May restrict or prohibit motor vehicle parking in association with such uses; and The only parking space is the existing parking space in front of the westerly existing unit to be retained and it is the subject of a permission application.

This property is located close to the edge of the Neighbourhood designation and the Evolving Neighbourhood Overlay (but within the Neighbourhood designation) and the project represents a change from a semi and a detached building to a townhouse development which represents a slight increase in floor area. Due to the relatively small size and the shape of the property it is difficult to have much more in terms of units or building type to be developed on this site and the proposal represents a gradual change in the property and presents a strong street presence with a new unit that is attached to the existing semis.

The surrounding area is a mixture of single family homes, duplex units, semi detached units, triplex units and also some low rise and mid rise apartments buildings and some scale commercial properties. Montfort Street is a street with an OC Transpo route. The transit route on Montfort is the Line 20 which runs between St.Larent and Vanier approximately every 30 minutes. On Marier Ave., Line 19 runs between St. Laurent and Parliament every 15 minutes during peak times and 30 minutes during off-peak times. Lines 12 and 15 run frequently along Montreal Rd between Blair and St. Laurent, and Main and Tunney's Pasture/Westboro (respectively).

Nearby amenities include Nault Park, some other small park areas, schools and churches and the commercial buildings, medical centres and community facilities along Montreal Road.

The subject property is shown in red along the south side of Montfort Street, other nearby multiple dwelling units and apartments buildings are shown in orange immediately to the east and west of the subject property and further to the west and south east. The commercial uses are shown in purple that shows the mixture of densities and uses in the nearby area. The commercial area to the east is an automotive repair facility and the commercial lot to the north east is a ground floor convenience store with residential units above. Exception zoned properties are shown in a thin red outline. See the extract from GeoOttawa below.



Subject property and surrounding properties

It is our opinion that minor variances that are proposed maintain the general intent and purpose of the Official Plan and are desirable for the appropriate development of the land.

The lot fabric on this block of Montfort contains a number of properties that are similar in overall lot width as this property that contain similar low rise residential uses. This lot has an unusual shape along the rear lot line which is as a result of the angled orientation of the properties to the south that front on to Bradley Avenue which is at a south east/north west orientation running off Montreal Road. This is why the lot shape of the subject property is triangular in shape rather than square or rectangular.

The Urban Design Guidelines for Low-Rise Infill Housing are to ensure that any new developments are a good fit for the neighbourhood and respect its character.

Key Urban Design Guidelines that this infill development meets include:

1.1 Contribute to an inviting, safe and accessible streetscape by emphasising the ground floor and street facade of infill buildings. Locate principal entries, windows, porches and key internal uses at street level.

The front facade of the building at street level contains the entrance for the units and the front facade of the building contains large windows overlooking the street

1.2 Reflect the desirable aspects of the established streetscape character.

The new unit (west side of the property) as part of this project is located at the same front yard setback as the easterly unit of this project and is further back

from the front lot line than the unit that it is replacing which was located on the front lot line.

3.1.1 Ensure new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street.

The ground floor contains the principal entry points for the building and there are large front facade windows which face and animate the street and a porch for the new unit.

3.1.2 Locate and build infill in a manner that reflects the existing or desirable planned neighbourhood pattern of development in terms of building height, elevation and the location of primary entrances, the elevation of the first floor, yard encroachments such as porches and stair projections as well as front, rear and side yard setbacks.

The proposed building height is slightly lower than the permitted building height and the primary entrance is in conformity with surrounding properties which are located along the front facade of the building. The rear and side yard setbacks of the new development are equal to or more than zoning requirements and the front yard setback is the same as the easterly unit on the property.

3.1.8 Determine appropriate side and rear separation distances between existing homes and new infill to ensure appropriate light, view and privacy.

The proposed side yard setbacks for the new units is between 1.2 and 1.52 m and the property to the west has a detached garage another 2.13 m beyond the mutual lot line. The proposed side yard setbacks of at least 1.2 m meets the zoning requirements and will allow for appropriate light and will provide suitable setbacks for privacy and views.

As a small scale intensification on each of the 'lots' of this overall property to a townhouse development, the proposal is in conformity with the Official Plan designation for the lands and maintains the general intent and purposes of the Official Plan which allows for a variety of ground orientated multiple housing forms.

Zoning

The zoning for the property is R4UA which permits a variety of housing types including townhouse units, triplex units and low rise apartments. Due to the existing lot area there is a requirement for a variance request for the lot area for each of the units. The nonstandard shape of the lots and irregular lot depths are

the reason for the variance requests for each unit on the overall property (as detailed in the bylaw which states each unit is to be reviewed in conjunction with the land area that it is a part of). There is no variance needed for lot width. The existing semis are on portions of the overall lot that do not meet the required lot area requirements.

The property to the west is a five (5) unit building with a slightly larger lot area and the property is shaped similarly to the subject property. In addition, the two properties immediately to the east of the subject lot are both triplex buildings with front yard parking and with only slightly larger lot areas.

The proposed townhouse units are zoning compliant for side yard, rear yard, and building height regulations based on the zoning in effect.

Due to the fact that the zone permits this type of use, the intent of the zoning is maintained.

In conclusion, the variance requested is minor in nature and desirable for the appropriate development of the land. This proposal meets the general intent of the Provincially-approved Official Plan and the Zoning By-Law.

It will allow for a sensitive modification to the property and will minimise any issues that currently exist with the existing detached building which would need extensive building upgrades.

At this time we are submitting the following in support of the application:

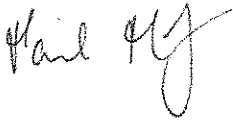
- Completed application form
- Owners authorisation for filing the applications
- Application fees (for recirculation of a minor variance application)
- The site plan showing the townhouse units.
- The architectural elevation plans of the new unit
- The survey plan of the entire property.
- Tree information report
- Surveyors area certificate

When the notification signs are ready for this application could you please email the undersigned and I will arrange for their installation on the property.

Should you have any questions or require anything further, please do not hesitate to contact the undersigned at (613) 599 9216 or via email at probinson@probinsonconsulting.com

P. H. Robinson Consulting
Urban Planning, Consulting and Project Management

P H Robinson Consulting

A handwritten signature in black ink, appearing to read "Paul Robinson". The signature is fluid and cursive, with a large initial "P" and "R".

Paul Robinson RPP

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