

May 31, 2023

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

Attention: Michel Bellemare, Secretary - Treasurer

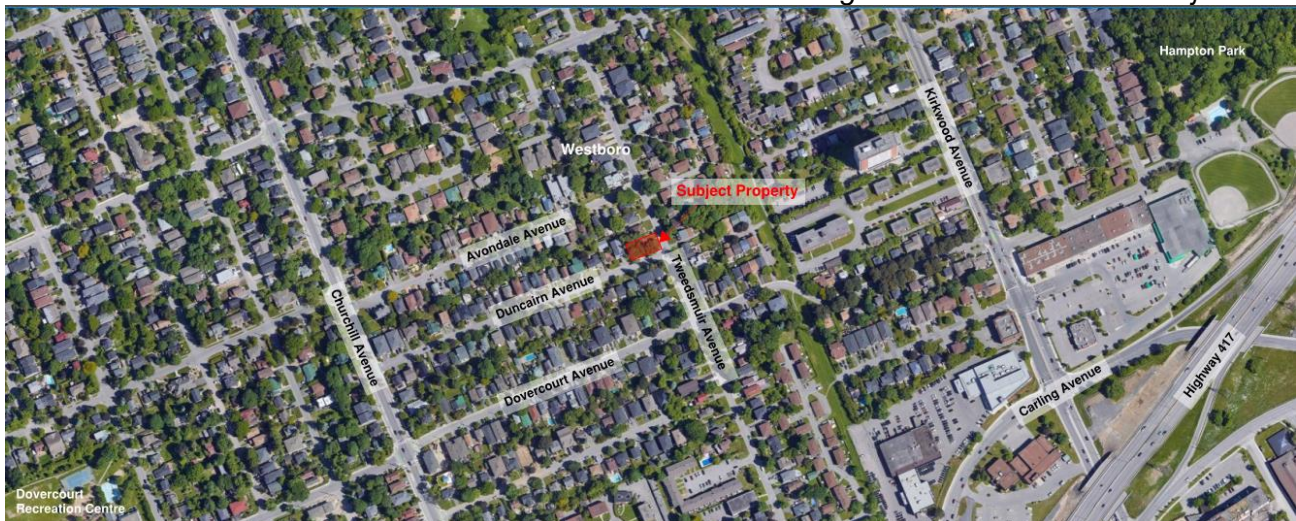
Dear Mr. Bellemare:

**Reference: 612 Tweedsmuir Avenue
Applications for Consent and Minor Variance
Our File No 122099**

Novatech has been retained by the owner of the property municipally known as 612 Tweedsmuir Avenue (the "Subject Property") to prepare and file applications for Consent and Minor Variance in order to facilitate the development of a semi-detached dwelling.

This letter describes the existing conditions of the site and its surrounding context, the proposed development, and the rationale in support of the applications.

Figure 1: Location of the Subject Site

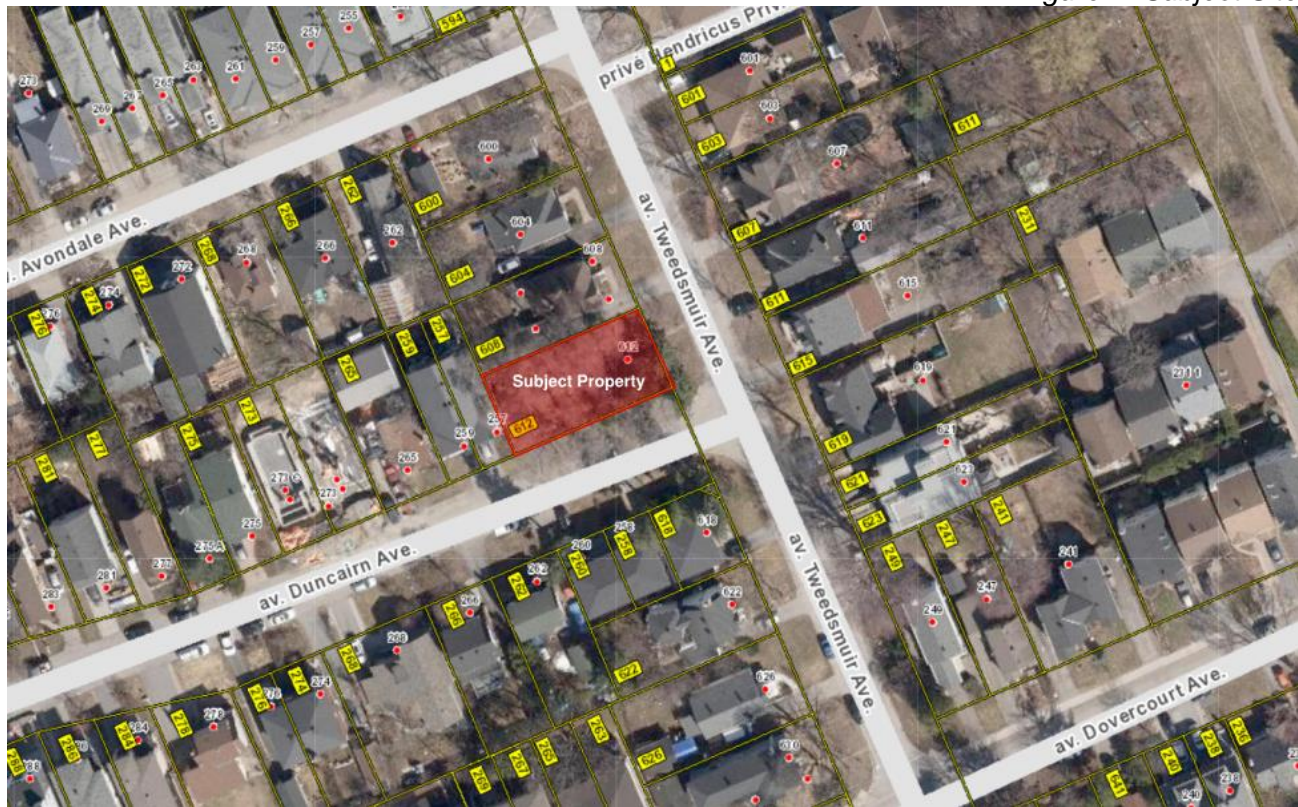


Site and Context

Site

The Subject Property is located in the Westboro neighbourhood and is within the City of Ottawa's Kitchissippi Ward (Ward 15). The property is a corner lot located at the northwest corner of Tweedsmuir Avenue and Duncairn Avenue. The Subject Property is in an area bounded by Avondale Avenue to the north, Churchill Avenue to the west, Dovercourt Avenue to the south, and Kirkwood Avenue to the east. The Subject Property has a frontage of 15.23 meters along Tweedsmuir Avenue, a frontage of 30.48 meters along Duncairn Avenue, and a lot area of approximately 463 square meters. The Subject Property is legally known as Lot 9, Registered Plan 356, City of Ottawa.

Figure 2: Subject Site



The Subject Property is zoned R4-UA[2686] H(8.5) in the City of Ottawa Zoning By-law 2008-250. The property is subject to the Mature Neighbourhoods Overlay and the Westboro Development Overlay. The Subject Property is designated Neighbourhood within the Inner Urban Transect in the City of Ottawa Official Plan (2022) and is subject to the Evolving Neighbourhoods Overlay.

The Subject Property is currently developed with a detached dwelling. There is an existing detached garage located to the rear of the Subject Property. The neighbouring area is similarly developed with a number of low-rise residential uses, including a number of old and new semi-detached dwellings on small lots. Many of these semi-detached dwellings include single driveways and front-facing attached garages.

Figure 3: Existing Building on the Subject Property



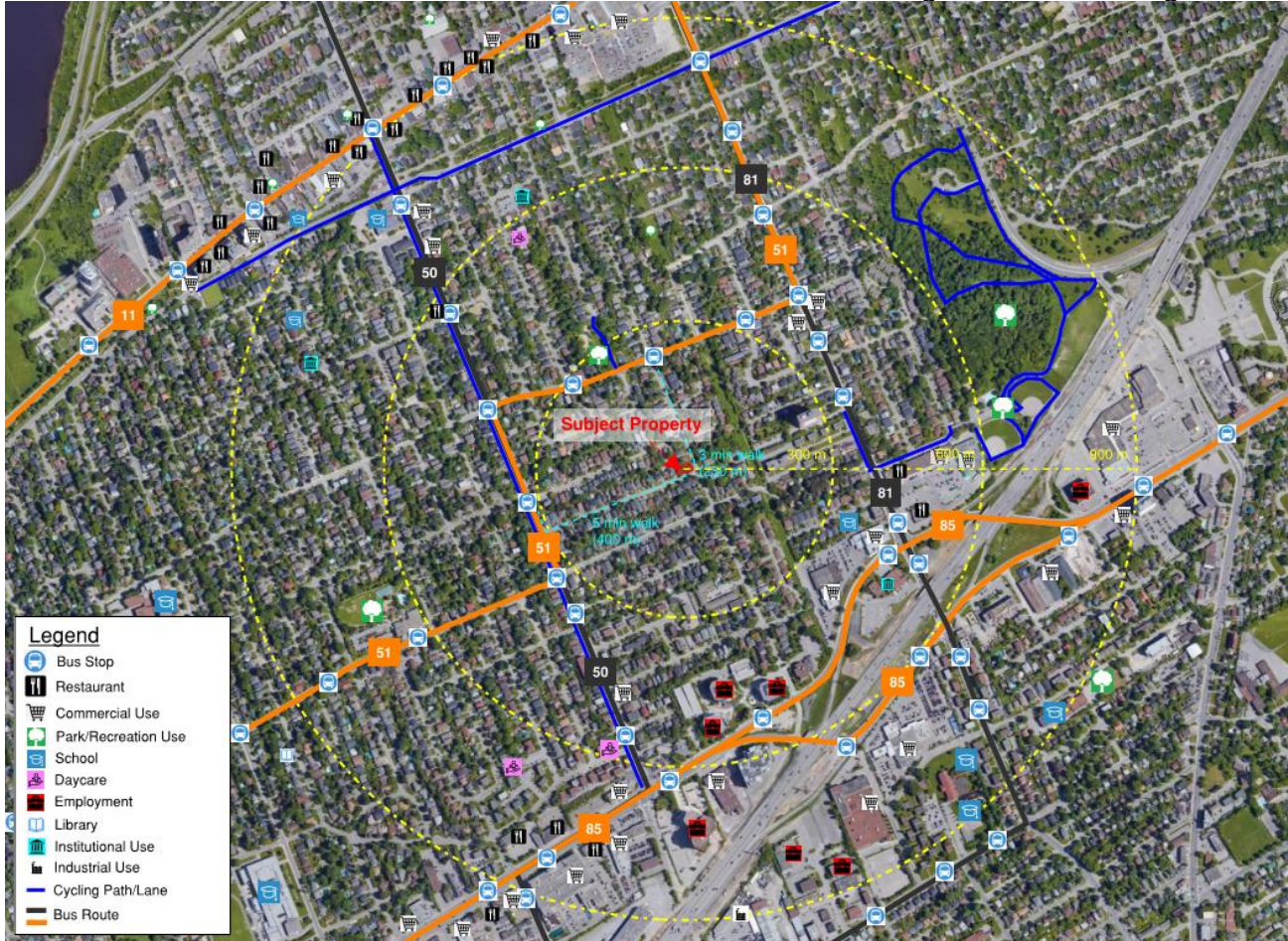
Surrounding Context

The Subject Property is in an area with primarily detached and semi-detached dwellings on smaller lots. There is a mix of older homes and newer dwellings in the neighbourhood. Many of the neighbouring properties, particularly the semi-detached dwellings, have front-facing attached garages that are set back from the front of the building.

The Subject Property is within walking distance of Churchill Avenue, which is identified as a Minor Corridor and Major Collector in the Official Plan. The Subject Property is also in proximity to Kirkwood Avenue, which is identified as a Minor Corridor and Arterial Road in the Official Plan. This means that there is good transportation connectivity to and from the Subject Property. The Subject Property is also a three minute walk (230 m) from the nearest bus stop on Clare Street, where the 51 frequent bus route provides connections to Tunney's Pasture LRT station. Frequent bus transit can also be accessed within walking distance along Churchill Avenue, Kirkwood Avenue, and Carling Avenue (see Figure 4).

Within 300 meters of the Subject Property, there are primarily detached and semi-detached dwellings. Clare Gardens Park is also located within 300 meters of the Subject Property. Within 600 meters, there are more high-density residential uses, including low-, mid-, and high-rise apartment buildings. There are also a number of commercial uses and office buildings along Carling Avenue, including the Hampton Park Plaza. The historic Hampton Park is also within 600 meters. Within 900 meters of the Subject Property is the Westgate Shopping Centre, Dovercourt Recreation Centre, and a number of restaurants and shops along Carling Avenue and Richmond Road. There are also some offices and industrial uses to the south of Carling Avenue.

Figure 4: Surrounding Context



Proposed Development

The Consent and Minor Variance applications will facilitate the development of a two-storey semi-detached dwelling on the Subject Property. Each semi-detached unit will include a secondary dwelling unit in the basement. The two proposed dwelling units will face different streets, with one unit fronting onto Tweedsmuir Avenue and the other fronting onto Duncairn Avenue. Each of the dwelling units will include a single driveway and a front-facing attached garage. An interior yard is provided to the rear of the unit facing Duncairn Avenue (Unit 1) and a front porch is provided in the front yard of the unit facing Tweedsmuir Avenue (Unit 2).

The proposed development will advance the City's intensification goals by providing four dwelling units in a ground-oriented built form. This intensification is well located and meets the City's 15-minute neighbourhood objectives, as the Subject Property is within walking distance of transit, office spaces, and commercial services. The proposed development will fit in well with the neighbourhood, which is characterized by a mix of old and new detached and semi-detached dwellings.

Figure 5: Site Plan Excerpt

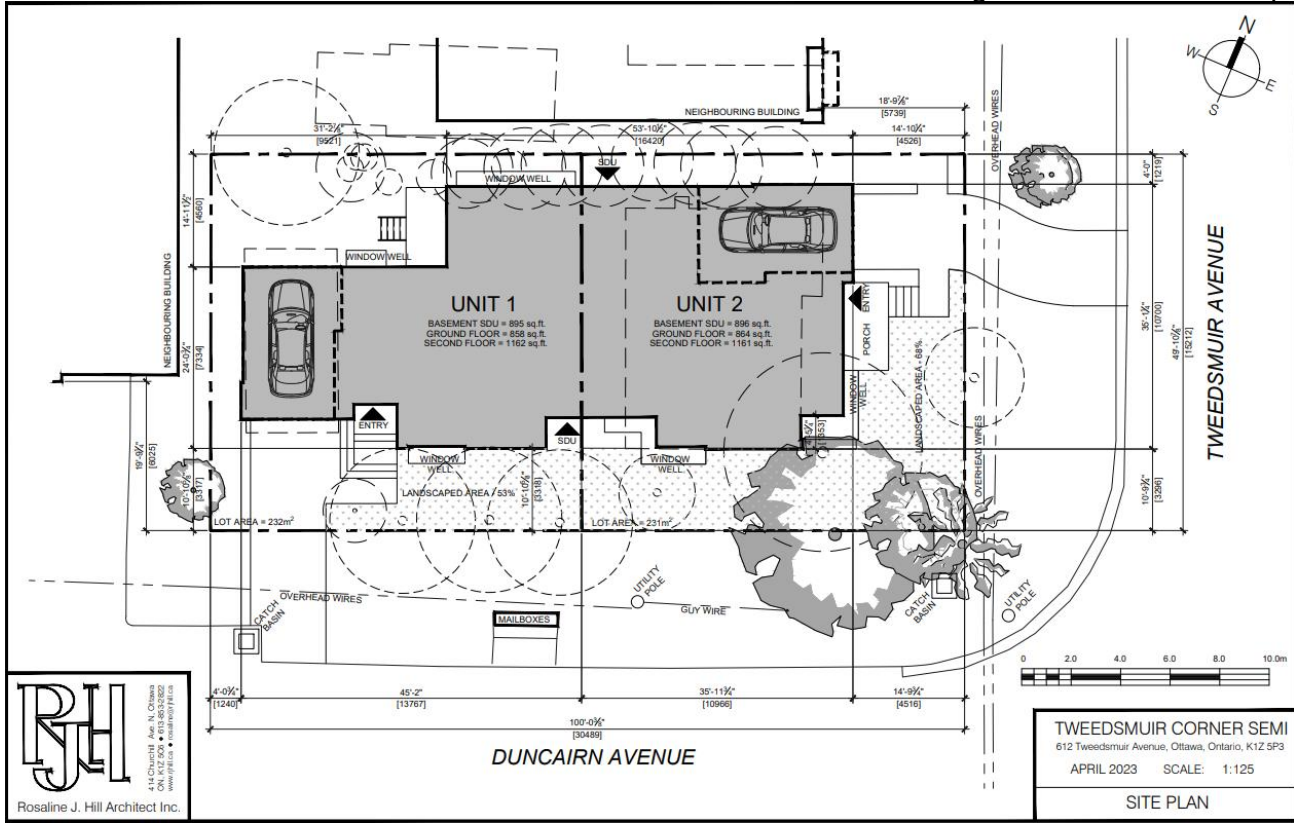
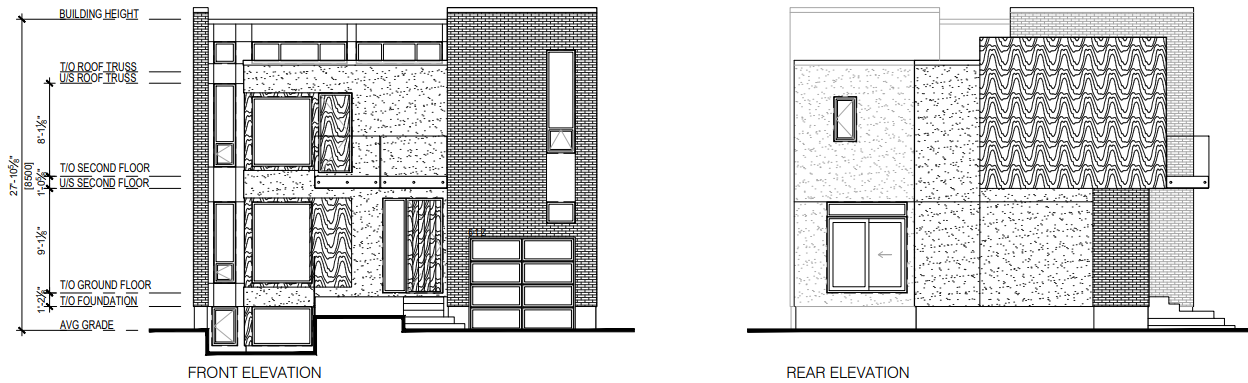


Figure 6: Elevations Excerpt





Streetscape Character Analysis

The Subject Property is subject to the Mature Neighbourhoods Overlay. Section 140(3) requires a Streetscape Character Analysis (SCA) to be conducted prior to any application under the Planning Act. A Streetscape Character Analysis was submitted to the City on April 6, 2023 for both the Tweedsmuir Avenue frontage and the Duncairn Avenue frontage. The results of the analysis indicate that the dominant character groups for both the Tweedsmuir Avenue and Duncairn Avenue frontages are “ABA”. City staff confirmed that the dominant character groups for both the Tweedsmuir Avenue and Duncairn Avenue frontages are “ABA” in their concurrence letter dated April 18, 2023.

The first letter determines the characteristics for garages, carports, and parking. The Subject Property is part of Character Group A, which is dominated by dwellings where no garage or carport is attached to the front façade or corner façade of the dwelling. The second letter determines the characteristics for driveways and legal front yard parking. The Subject Property is part of Character Group B, which is dominated by individual and shared driveways. The third letter determines the characteristics for principal entranceways. The Subject Property is part of Character Group A, which is dominated by principal entranceways that are located on the front façade of dwelling units and face the street.

Severance Applications

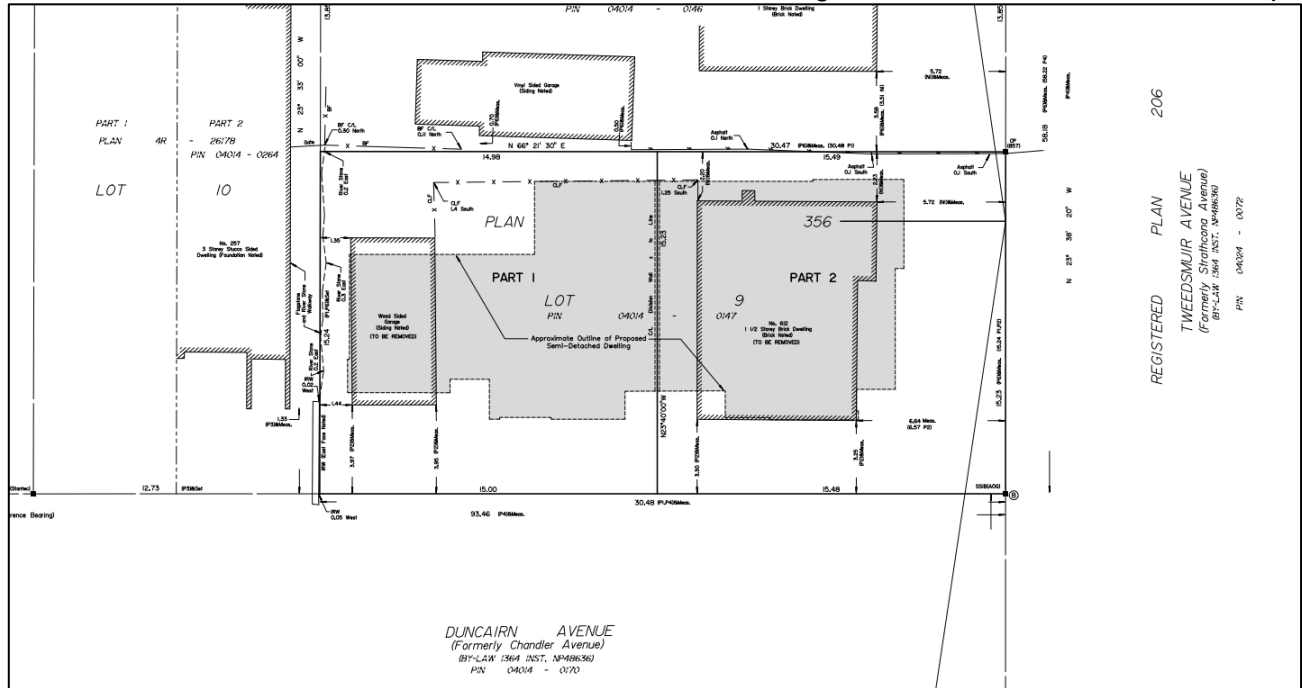
Severance Application 1:

This application will create the lot to the west, labelled as Part 1 on the Draft Reference Plan (Figure 7). This lot will have a frontage of 15 meters along Duncairn Avenue and a lot area of 228.3 square meters.

Severance Application 2:

This application will create the lot to the east, labelled as Part 2 on the Draft Reference Plan (Figure 7). This lot will be a corner lot with a frontage of 15.23 meters along Tweedsmuir Avenue, 15.48 meters along Duncairn Avenue, and a lot area 235.9 square meters.

Figure 7: Draft Reference Plan Excerpt



Severance Rationale

Planning Act

Subsection 53(1) of the Planning Act states:

“53(1) An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).”

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

Subsection 53(12) of the Planning Act states:

“53(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1

apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.”

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

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

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

The proposed severances have regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management system
- the minimization of waste
- the orderly development of safe and healthy communities
- the adequate provision of a full range of housing, including affordable housing
- the appropriate location of growth and development
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians

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

The Subject Property is located within the City of Ottawa’s urban boundary and is in a fully developed neighbourhood. Therefore, the proposed severances are not premature.

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

In order to accommodate the expected growth of the city, the City of Ottawa Official Plan supports infill development and intensification throughout the built-up area (Section 3.2). Policy 3 of Section 3.2 states:

“The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them as shown on Schedules B1 through B8. Hub and Corridor designations are intended to be diverse concentrations of employment, commercial, community and transportation services (in addition to accommodating significant residential opportunities) that are accessible to adjacent Neighbourhood designations on a daily and weekly basis.”

The Subject Property is designated Neighbourhood within the Inner Urban Transect of the Official Plan and is subject to the Evolving Neighbourhoods Overlay. The Subject Property is located in proximity to the Carling Avenue Mainstreet Corridor, where a number of commercial, employment, and transit amenities are available. The Subject Property is also in proximity to the Churchill Avenue Minor Corridor and the Kirkwood Avenue Minor Corridor, where there are higher density residential

buildings and frequent transit access. This proximity to a number of amenities as well as existing and future transit makes the Subject Property a prime location for intensification. The proposed development will increase the number of units on the Subject Property from one to four. This will help meet the City's 15-minute neighbourhood objectives.

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

The proposed severances will allow for intensification on the Subject Property, which is supported by the policies of the Official Plan. The Subject Property is subject to the Evolving Neighbourhoods Overlay and is envisioned for gradual change that will support residential growth and the City's 15-minute neighbourhood objectives. Despite requiring relief from the Zoning By-law, the Subject Property will be suitable to support the proposed development. The relief for the minimum front yard setback and interior side yard setback are relatively minor and will not negatively impact the suitability of the Subject Property for a semi-detached dwelling.

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

Each half of the proposed semi-detached dwelling will contain a secondary dwelling unit in the basement. These secondary dwelling units will provide for additional rental housing that is more affordable.

(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;

The proposed severances do not propose any new roads and will not affect highways or the transportation system.

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

The proposed severances will result in the creation of two regularly shaped lots. One of these lots will have frontage on Tweedsmuir Avenue while the other lot will have frontage onto Duncairn Avenue. The two lots will have similar lot widths (between 15 meters and 15.23 meters) and lot areas. The lot dimensions are adequate to support a semi-detached dwelling while remaining in context with the streetscape.

(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 restrictions or proposed restrictions on the existing or proposed lots, beyond the provisions of the Zoning By-law.

(h) conservation of natural resources and flood control;

The Subject Property is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

The Subject Property is located within the urban boundary and is connected to existing utilities and municipal services. The additional lot will not have any major impacts on the adequacy of the City's municipal services or utilities.

(j) the adequacy of school sites;

The Subject Property is located near Westboro Jewish Montessori Preschool, St. Elizabeth School, Churchill Alternative School, Westboro Montessori School, and Ottawa Torah Institute (see Figure 4). The proposed severances will have no major impact on the adequacy of school sites in the area.

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

No part of the Subject Property will be dedicated for public purposes.

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

The proposed severances more efficiently use the Subject Property by providing additional housing units on the lot. The proposed severances constitute infill development, allowing growth to remain within the urban area. This is more efficient from a transportation and transit perspective and more efficiently uses existing infrastructure, services, and land.

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

The proposed development is not subject to site plan control.

The proposed severances meet the criteria set out in Section 51(24) of the Planning Act. The proposed severances at 612 Tweedsmuir Avenue represent good land use planning.

Provincial Policy Statement

Section 3(5) of the Planning Act states:

"A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,

(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision;"

A decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

Policy 1.1.1 states:

“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.”*

The proposed development promotes efficient development by more effectively using the existing lot and providing additional housing within the urban area. The proposed semi-detached dwelling will fit in well with the neighbourhood and the secondary dwelling units that are proposed will help provide affordable rental units to the area. The Subject Property is ideally located for intensification, as it is located in proximity to frequent transit along Churchill Avenue and Carling Avenue, as well as commercial uses and future LRT connections along Carling Avenue. Since the Subject Property is within the urban area, the proposed lots will have adequate access to the necessary infrastructure and public service facilities, while reducing pressure to expand the urban boundary.

612 Tweedsmuir Avenue is considered part of the “Settlement Areas” as defined in Section 1.1.3 of the PPS.

Policy 1.1.3.1 states:

“Settlement areas shall be the focus of growth and development.”

The proposed severances are in line with this policy as they will add four housing units within the City of Ottawa’s urban area.

Policy 1.1.3.2 states:

“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*
- Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”*

The proposed severances are an appropriate and efficient use of the land. By providing intensification within the urban area, the proposed development reduces pressure for expansion of the urban area. The proposed development is transit-supportive as it is within walking distance of frequent bus service and a future LRT station along Carling Avenue. The Subject Property’s proximity to commercial, employment, and transit amenities makes the site an excellent location for gradual intensification.

The proposed severances are consistent with the Provincial Policy Statement. The proposed severances at 612 Tweedsmuir Avenue constitute good land use planning.

Minor Variance Application

The proposed minor variances are listed below:

Part 1

- a) To permit a reduced front yard setback of 3.2 meters; whereas the By-law requires a minimum front yard setback of 4.5 meters (Section 162(17), Table 162A(R4-UA)).
- b) To permit a reduced interior side yard setback of 1.2 meters; whereas the By-law requires a minimum interior side yard setback of 1.5 meters (Part 15, Exception 2686).
- c) To permit a front-facing attached garage; whereas Section 139(3)(c) does not permit a front-facing attached garage as it does not reflect the dominant character as determined by the Streetscape Character Analysis.
- d) To permit a front-facing attached garage; whereas Section 140(8)(a) does not permit a front-facing attached garage as it does not reflect the dominant character as determined by the Streetscape Character Analysis.
- e) To permit a doorway entrance leading to a secondary dwelling unit to be added to the front wall; whereas Section 133(9) does not permit the creation of a secondary dwelling unit to result in any new doorway entrance on the front wall.

Part 2:

- f) To permit a reduced corner side yard setback of 3.2 meters; whereas the By-law requires a minimum corner side yard setback of 4.5 meters (Section 162(17), Table 162A(R4-UA)).
- g) To permit a reduced interior side yard setback of 1.2 meters; whereas the By-law requires a minimum interior side yard setback of 1.5 meters (Part 15, Exception 2686).

- h) To permit a front-facing attached garage; whereas Section 139(3)(c) does not permit a front-facing attached garage as it does not reflect the dominant character as determined by the Streetscape Character Analysis.
- i) To permit a front-facing attached garage; whereas Section 140(8) does not permit a front-facing attached garage as it does not reflect the dominant character as determined by the Streetscape Character Analysis.

Note: All requested minor variances have been rounded to the nearest tenths decimal place, as instructed by the Committee of Adjustment.

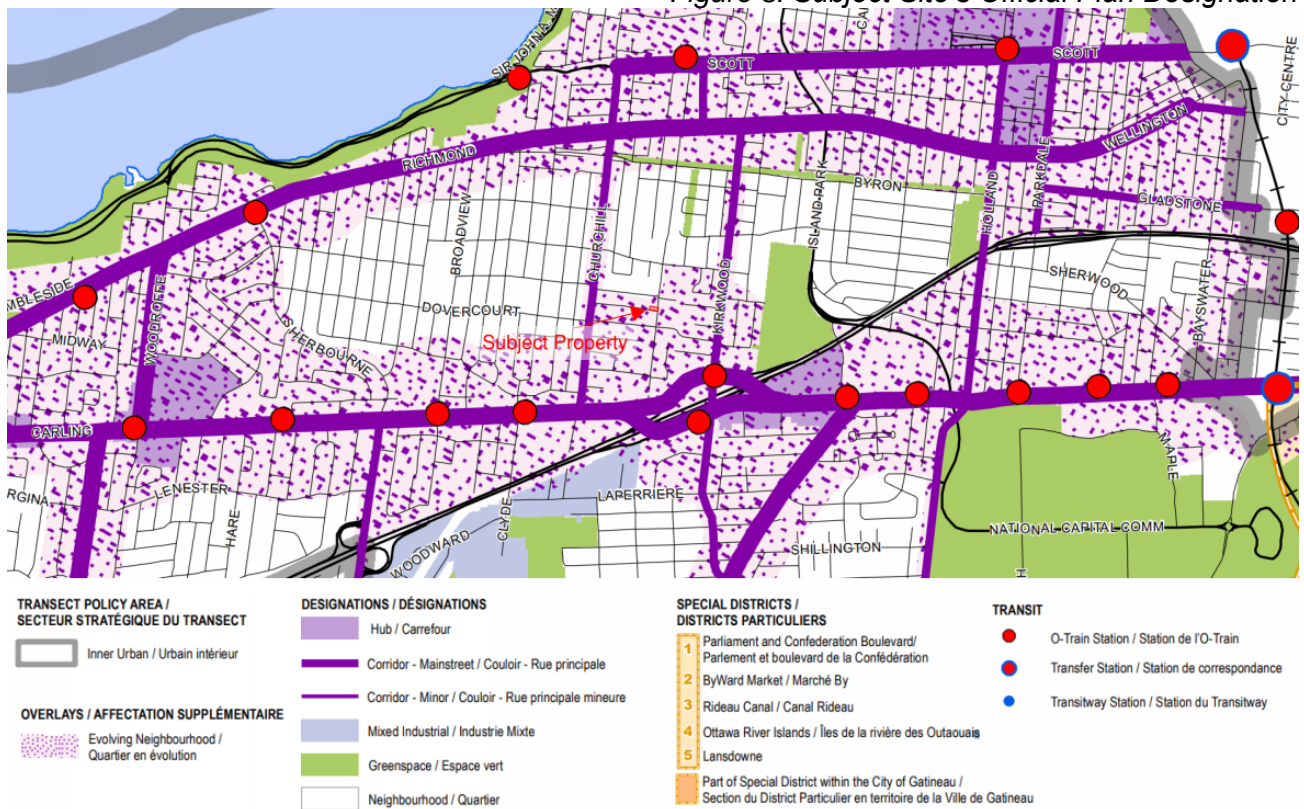
Minor Variance Rationale

Section 45(1) of the Planning Act sets the four tests that a minor variance is required to meet in order to be permitted.

The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.

612 Tweedsmuir Avenue is designated Neighbourhood in the Inner Urban Transect of the City of Ottawa Official Plan (2022). The Subject Property is also subject to the Evolving Neighbourhoods Overlay.

Figure 8: Subject Site's Official Plan Designation



Growth Management Framework:

Section 3 of the Official Plan provides a Growth Management Framework for the City of Ottawa. Section 3 states:

“Most growth will occur within the urban area of the City, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon.”

Section 3.2 of the 2021 Official Plan supports intensification and states the following:

“Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors.”

The Subject Property is located within walking distance of the Churchill Avenue and Kirkwood Avenue Minor Corridors and the Carling Avenue Mainstreet Corridor. The Subject Property is within walking distance of a number of commercial amenities and office towers, as well as a future LRT connection along Carling Avenue. The Subject Property's proximity to these amenities will allow the proposed development to support the City's 15-minute neighbourhood objectives. This makes the Subject Property a prime location for the gradual intensification outlined in the Official Plan.

Policy 4 of Section 3.2 states:

“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. When reviewing planning applications for intensification, the City shall ensure that surface water and groundwater resources are protected, particularly where the groundwater resource is used for drinking water.”

The Subject Property has municipal water and sewer services as it is within the City's urban area. Therefore, intensification is permitted on the Subject Property. The proposed development is consistent with this policy, as it provides four residential dwelling units on the Subject Property while maintaining a height, massing, and built form that is compatible with the neighbourhood context as well as its transect and overlay policies.

Inner Urban Transect

The Inner Urban Transect is characterized by a mix of pre-World War II and post-World War II neighbourhoods with a mix of urban and suburban built forms and character. Policy 1 of Section 5.2.1 states:

“The Inner Urban Transect's built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban.”

The proposed development will fit in well with the neighbourhood context, where there are primarily ground-oriented dwellings including semi-detached dwellings. The proposed development includes both urban characteristics, such as a shallow front yard and corner side yard setback, smaller lot size, and attached built form, and suburban characteristics such as automobile parking. The

proposed development appropriately balances both urban and suburban characteristics to fit together while maintaining compatibility with the neighbourhood.

Policy 4 of Section 5.2.1 states:

“The Inner Urban Transect shall continue to develop as a mixed-use environment, where:

- a) Hubs and a network of Mainstreets and Minor Corridors provide residents with a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods;*
- b) Small, locally oriented services may be appropriately located within Neighbourhoods;*
- c) Existing and new cultural assets are supported, including those that support music and nightlife;*
- d) Larger employment uses are directed to Hubs and Corridors; and*
- e) Increases in existing residential densities are supported to sustain the full range of services noted in Policy a).”*

The proposed development will provide four residential dwelling units on the Subject Property. This will contribute to increasing residential densities in the area, which will help support a range of commercial and employment services along Carling Avenue. The increased density will also support existing and future transit service in the area.

The proposed severances will create a new lot for residential development. This will contribute to increasing residential densities in the area, which will help support the range of commercial and employment services along Carling Avenue. This increased density will also support existing and future transit service in the area.

Policy 1 of Section 5.2.4 states:

“Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:

- a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;*
- b) The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;*
- c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;*
- d) Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and*
- e) In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.”*

The Subject Property is appropriately located for residential growth and intensification, as it is within walking distance of the Carling Avenue Mainstreet Corridor, Churchill Avenue Minor Corridor, and Kirkwood Avenue Minor Corridor. The proposed development will provide four dwelling units on the Subject Property while remaining compatible with the low-rise, ground-oriented built form in the neighbourhood.

Neighbourhood Designation:

The Subject Property is designated Neighbourhood on Schedule B2 of the Official Plan. Section 6.3 provides policy direction for development in Neighbourhoods and describes the intent of the designation as “*permit[ing] a mix of building forms and densities.*” The Plan stresses that “*Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.*”

The proposed development will meet this intent by providing four dwelling units on the Subject Property. The proposed semi-detached dwelling is context-sensitive and compatible with the neighbourhood, which is characterized by low-rise housing forms including semi-detached dwellings. The proposed development will contribute to the gradual transformation anticipated in the Evolving Neighbourhoods Overlay.

Policy 4 of Section 6.3.1 states:

“The Zoning By-law and approvals under the Planning Act shall allow a range of residential and nonresidential 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;”*

Policy 5 of Section 6.3.1 states:

“The Zoning By-law will distribute permitted densities in the Neighbourhood by:

- a) *Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;*
- b) *Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and*
- c) *Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).”*

The proposed development will help provide a full range of low-rise housing options to meet the goals of the Growth Management Framework by providing four dwelling units in a low-rise, ground-oriented built form. The proposed development is located in proximity to the Carling Avenue Mainstreet Corridor and the Churchill Avenue and Kirkwood Avenue Minor Corridors. The proposed development will help support the nearby commercial and transit amenities by providing increased residential density on the Subject Property.

Evolving Neighbourhoods Overlay

The intent of the Evolving Neighbourhoods Overlay is “*to provide opportunities that allow the City to reach the goals of its Growth Management Framework*” through:

- a) *Guidance for a gradual change in character based on proximity to Hubs and Corridors,*
- b) *Allowance for new building forms and typologies, such as missing middle housing;*
- c) *Direction to built form and site design that supports an evolution towards more urban built form patterns and applicable transportation mode share goals; and*
- d) *Direction to govern the evaluation of development.*

The Evolving Neighbourhoods Overlay supports intensification and gradual change within and in proximity to Hubs and Corridors. The proposed development will provide intensification on the Subject Property while maintaining a low-rise ground-oriented built form. The proposed semi-detached dwelling will fit in well with the neighbourhood, where there a number of similar semi-detached dwellings, and will provide missing middle housing in the neighbourhood.

The proposed development meets the intent of the Official Plan as it allows for intensification by providing four dwelling units to the area. The proposed development will maintain a ground-oriented built form that will fit in well with the neighbourhood. The proposed semi-detached dwelling effectively uses a corner lot and will contribute to the streetscape on both Tweedsmuir Avenue and Duncairn Avenue.

The minor variances maintain the general intent and purpose of the City of Ottawa Official Plan.

The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Property is zoned Residential Fourth Density, Subzone UA, Exception 2686, with a Height Exception of 8.5 meters (R4-UA[2686] H(8.5)) in the City of Ottawa Zoning By-law 2008-250.

The purpose of the R4 zone is to:

1. *allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as **General Urban Area** in the Official Plan;*
2. *allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;*
3. *permit ancillary uses to the principal residential use to allow residents to work at home;*
4. *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: and*
5. *permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.*

The following uses are permitted in the R4 zone, as per Section 161 of the Zoning By-law:

- (1) The following uses are permitted uses subject to:
 - (a) the provisions of subsection 161 (2) to (15);
 - (b) a maximum of three guest bedrooms in a bed and breakfast; and
 - (c) a maximum of ten residents permitted in a group home.
apartment **dwelling**, low rise
bed and breakfast, see *Part 5, Section 121*

- detached **dwelling**
- diplomatic mission**, see *Part 3, Section 88*
- duplex dwelling**, see *Part 5, Section 138* (By-law 2010-307)
- group home**, see *Part 5, Section 125*
- home-based business**, see *Part 5, Section 127*
- home-based daycare, see *Part 5, Section 129*
- linked-detached dwelling**, see *Part 5, Section 138* (By-law 2010-307)
- park**
- planned unit development**, see *Part 5, Section 131*
- retirement home, converted** see *Part 5, Section 122*
- retirement home**
- rooming house**,
- secondary dwelling unit**, see *Part 5, Section 133*
- semi-detached dwelling**, see *Part 5, Section 138* (By-law 2010-307)
- stacked dwelling**, see *Part 5, Section 138* (By-law 2010-307)
- three-unit **dwelling**
- townhouse dwelling**, see *Part 5, Section 138* (By-law 2012-334) (By-law 2010-307) (By-law 2014-189)
- urban agriculture**, see *Part 3, Section 82* (By-law 2017-148) (By-law 2018-206)
- (d) in the case of a rooming house in the R4A-R4L, R4-UA and R4-UB zones,
 - (i) a maximum of seven rooming units is permitted; and
 - (ii) no secondary dwelling unit is permitted. (By-law 2018-206) (By-law 2021-111)

The proposed semi-detached dwelling is permitted in the R4 zone.

The zoning provisions that apply to the Subject Property can be found in the table below.

Table 1: Zoning Provisions

Provision	Required – Semi-Detached Dwelling	Provided – Part 1	Provided – Part 2
Minimum Lot Width (m)	6 m	15 m	15.4 m
Maximum Lot Width (m)	38 m		
Minimum Lot Area (m ²)	180 m ²	228.3 m ²	235.9 m ²
Maximum Lot Area (m ²)	1070 m ²		
Maximum Building Height (m)	8.5 m 10.7 m (pitch roof)	8.5 m	8.5 m
Minimum Front Yard Setback (m)	4.5 m	3.2 m	4.5 m
Minimum Corner Side Yard Setback (m)	4.5 m	N/A	3.2 m
Minimum Rear Yard Setback (m)	1.2 m Interior yard required	1.2 m	N/A
Minimum Interior Side Yard Setback (m)	1.5 m	1.2 m	1.2 m
Interior Yard Area	Measuring from required rear yard setback of abutting lot (8.52 m) for	9.52 m for 30% of the lot width (4.56 m) 43.4 m ²	N/A

	30% of the lot width (4.56 m) 38.9 m ²		
Minimum Aggregate Front Yard Soft Landscaping	40%	53%	68%
Front Façade Articulation	20% of the front facade	44%	20.1%
Rear Yard Landscaped Buffer (m)	4.5 m	4.5 m (met within interior yard)	N/A
Maximum Distance from the Front Lot Line (m)	24 m	14 m	15.5 m

The Subject Property is part of the Westboro Development Overlay within Schedule 430. The proposed development meets the requirements of Section 146, including the requirements for front façade articulation, building height, and rear yards. Subsection 146(5) states:

“Where the property is on a corner lot and Section 144(6) applies with respect to the rear yard, subsection (3) and (4) only apply to the interior yard required by 144(6)(a).”

The Subject Property is a corner lot and Section 144(6) applies with respect to the rear yard. The 4.5 meter rear yard soft landscaped buffer required in Subsection 146(3) has been applied to the required interior yard, in accordance with Subsection 146(5).

Exception 2686 applies to the Subject Property. This exception prohibits low rise apartment buildings with more than six dwelling units and states:

- *“Minimum interior side yard setback: 1.5 m*
- *Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 m*
- *Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 m²*
- *Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling.”*

The minimum lot width and lot area required by Exception 2686 does not apply to the Subject Property as the proposed development is a semi-detached dwelling. The minimum interior side yard setback of 1.5 meters does apply to the Subject Property and takes precedence over the 1.2 meter setback required in the underlying zone. Variances from this provision are required to facilitate the proposed development.

The Subject Property is subject to the Mature Neighbourhoods Overlay. The Streetscape Character Analysis for the Subject Property identified the dominant character groups as “ABA” for both the Tweedsmuir Avenue frontage and the Duncairn Avenue frontage. Table 140A provides provisions related to garages, carports, and parking within the Mature Neighbourhoods Overlay. In Character Group A, the following regulation applies:

- (i) *“No front-facing or corner-facing attached garage or carport is permitted.”*

The proposed development proposes front-facing attached garages for both semi-detached units, which is not permitted according to the regulations of Table 140A.

Variance a) requests a reduction in the minimum front yard setback from 4.5 meters to 3.2 meters for Part 1. Variance f) requests a reduction in the minimum corner side yard setback from 4.5 meters to 3.2 meters for Part 2. The intent of the front yard setback and corner side yard setback provisions is to ensure that adequate separation is provided between buildings and the street and that a consistent streetscape is maintained. Despite the reduced front yard and corner side yard setbacks, the proposed development will provide adequate separation from the street while maintaining a shallow setback that is more characteristic of urban streetscapes. Additionally, there is approximately 5.5 meters of City-owned right-of-way between the property line and the street which will provide additional separation between the proposed building and the street.

The proposed development also aligns with the existing corner side yard setback along Duncairn Avenue on the Subject Property. The existing detached dwelling has a corner side yard setback of 3.25 meters, which is the same as the front yard setback and corner side yard setback for the proposed semi-detached dwelling. There will be no change in the streetscape along Duncairn Avenue from what already exists.

Variance b) requests a reduction in the minimum interior side yard setback from 1.5 meters to 1.2 meters for both Parts 1 and 2. The intent of the interior yard setback provisions is to ensure that adequate separation is provided between buildings and to ensure that a consistent streetscape pattern is maintained. Despite the reduced setback, adequate separation will be maintained. The proposed setbacks are only slightly smaller than the required setback and will have little impact on the amount of separation between buildings. An appropriate amount of space will be provided in the interior side yard to access the side or rear of the building for maintenance purposes. The proposed interior yard area is also greater than what is required and will provide additional separation between the proposed semi-detached dwelling and neighbouring dwellings.

The proposed interior side yard setback is consistent with the streetscape. The property immediately to the west of the Subject Property along Duncairn Avenue has an interior side yard setback of 1.3 meters and the proposed semi-detached dwelling to the north along Tweedsmuir Avenue will have an interior side yard setback of 1.2 meters, which is the same as what is being proposed on the Subject Property. While the proposed interior side yard setbacks do not meet the requirements of Exception 2686, they do meet the minimum required setback in the underlying R4-UA zone.

Variance e) requests a doorway entrance leading to a secondary dwelling unit to be permitted on the front wall of a building where this is not permitted according to Subsection 133(9) of the Zoning By-law. The intent of this provision will still be met as the additional entrance on this wall will not disrupt the streetscape along Duncairn Avenue. The additional front-facing entrance is generally consistent with the streetscape character and will provide additional connectivity to the street.

Variances c), d), h), and i) request a front-facing attached garage to be permitted on Part 1 and Part 2, where the results of the Streetscape Character Analysis do not permit a front-facing attached garage. Variances c) and d) and variances h) and i) are functionally the same but address both Sections 139 and 140 of the Zoning By-law, which repeat the requirements for garages to conform with the dominant character as determined by the Streetscape Character Analysis.

The intent of the Mature Neighbourhoods Overlay and the Streetscape Character Analysis is to ensure that new development remains consistent and compatible with the existing neighbourhood

context. The intent of the Section 139 and 140 provisions regulating garages and carports is to ensure that garages do not dominate the front façade of the building and to enhance the streetscape by minimizing the visual impact of vehicles. Despite including front-facing attached garages, the proposed development meets the intent of Section 139, Section 140, and the Streetscape Character Analysis. The proposed development complies with the provisions of Section 139(3)(a) and (b) which state:

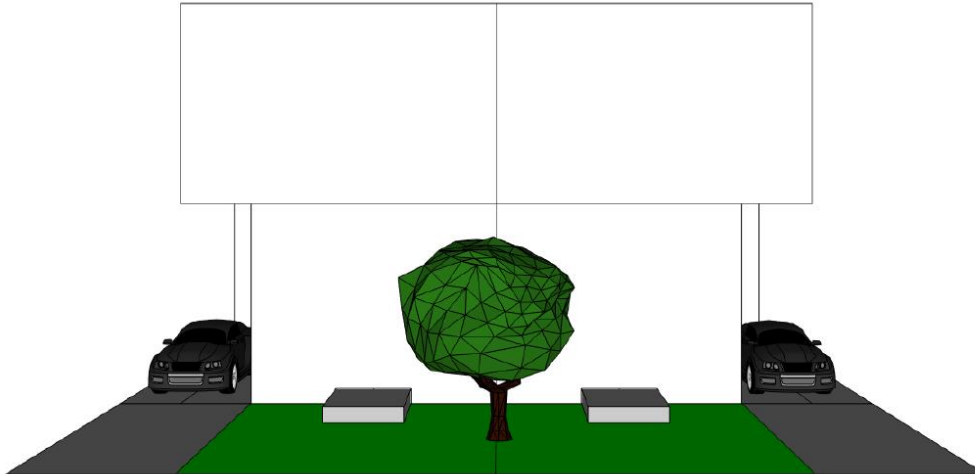
3. *“Any garage or carport facing the front lot line or side lot line abutting a street is subject to the following:*
 - (a) the entrance to the garage or carport must be set back at least 0.6m further from the applicable lot line than either*
 - (i) the principal entrance; or*
 - (ii) The front edge of a landing or porch, giving access to the principal entrance, or the portion of a projecting landing or porch that does not fall within a required yard.*
 - (b) Despite 139(3)(a)(ii), the garage or carport may not be more than 0.6m closer to the front lot line or side lot line abutting a street than is the principal entrance to the dwelling; or”*

The attached garage for Unit 1 is set back 1.2 meters from the front wall and is 0.6 meters closer to the front lot line than the principal entrance. The attached garage for Unit 2 is setback 1.4 meters from the front edge of the porch and is only 0.4 meters closer to the front lot line than the principal entrance. These setbacks and the inclusion of a front porch will reduce the impact of the attached garages on the streetscape. Design elements such as the front façade articulation and large windows will reduce the visual impact of the garage and emphasize the rest of the house.

Additionally, the proposed front-facing attached garages will enhance the streetscape by minimizing the visual impact of parked vehicles. The garages will provide an enclosed space to store parked vehicles, garbage and recycling containers, bicycles, and other household items such as lawnmowers and snow shovels. With these items stored away in the garages, there is less clutter visible from the street and more focus on the principal entrance rather than on vehicles.

Figure 9 shows the cantilever option. The cantilever option is less functional than an attached garage, as vehicles must be parked on the driveway and there is no built-in storage space for garbage and recycling containers, bicycles, and other household items. While accessory storage spaces can be built, they do not fit into the overall design of the building and cannot store larger items such as hockey nets. With an attached garage, a vehicle and other household items can be stored in an enclosed space that fits into the overall design of the building. Despite requiring relief from the Zoning By-law, the proposed development with the front-facing attached garages actually meets the intent of the Zoning By-law and Streetscape Character Analysis whereas the cantilever option that is permitted as-of-right does not.

Figure 9: Cantilever Option Permitted As-of-Right



The proposed development meets the intent of the Zoning By-law to prioritize soft landscaping over hardscaping and vehicle parking. Despite the front-facing attached garages, the proposed development exceeds the minimum required front yard landscaping of 40%, providing 53% and 68% of the front yard as soft landscaping. This meets the intent of the Zoning By-law and contributes to the streetscape by providing mostly soft landscaping in the front yards of these units while reducing any visual impacts from the attached garages. The location of the proposed development on a corner lot means that there is more space for plantings and soft landscaping between the two driveways.

The proposed development with the front-facing attached garages will fit in well with the character of the neighbourhood, despite the results of the Streetscape Character Analysis. Figure 10 shows properties within the neighbourhood that have front-facing attached garages, including several semi-detached dwellings with front-facing attached garages (shown in Figure 11). Several of these properties are just outside of the 21 properties evaluated in the Streetscape Character Analysis (SCA area outlined in pink on Figure 10). Additionally, the Streetscape Character Analysis did not capture the character of new development on Tweedsmuir Avenue, such as the proposed semi-detached dwelling on the adjacent property at 608 Tweedsmuir Avenue (indicated with a red star), where variances for front-facing attached garages were approved on December 7, 2022. If these two new dwellings with front-facing garages were included in the Streetscape Character Analysis, the dominant character of Tweedsmuir Avenue would support front-facing attached garages. Overall, the proposed front-facing attached garages will fit in well with the broader streetscape and neighbourhood.

Figure 10: Neighbouring Properties with Front-Facing Attached Garages (shown in blue)

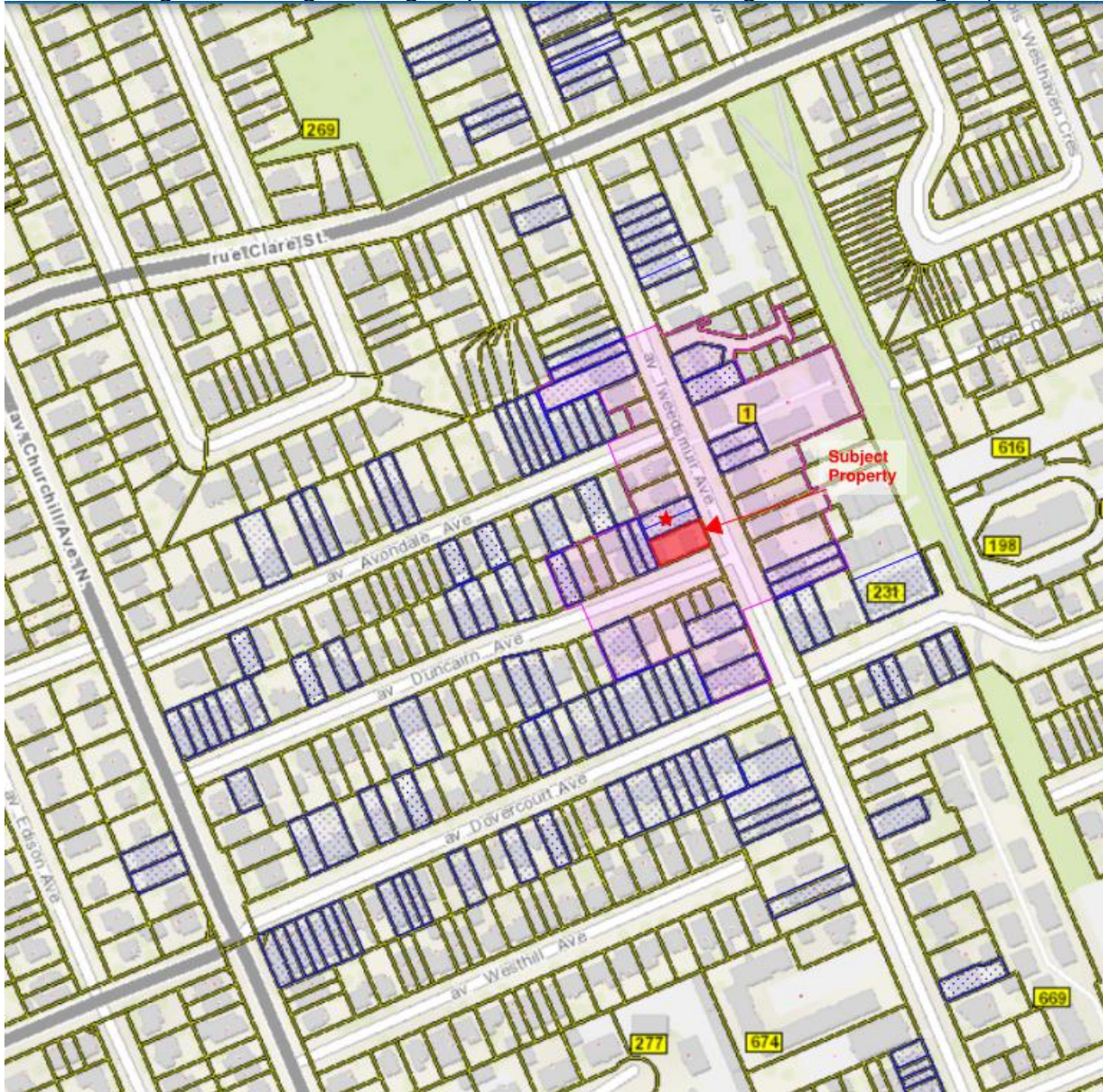


Figure 11: Neighbouring Semi-Detached Dwellings with Front-Facing Attached Garages



534-538 Tweedsmuir Avenue



544A & 544B Tweedsmuir Avenue



582-584 Tweedsmuir Avenue



547A & 547B Tweedsmuir Avenue



565-567 Tweedsmuir Avenue



259-261 Avondale Avenue



257-259 Duncairn Avenue



321-323 Duncairn Avenue



226-228 Dovercourt Avenue

The minor variances maintain the general intent and purpose of the Zoning By-law 2008-250.

The third test for a minor variance is that the minor variance is considered desirable for the use of land.

The proposed development is considered desirable for the use of the land as it will allow for infill development that supports intensification within the urban area, while having regard for the existing uses, lot fabric, and built form of the neighbourhood. The proposed development will better utilize the Subject Property by providing four dwelling units on a lot that is currently developed with one dwelling unit.

Intensification on the Subject Property is further supported by the availability of local services and amenities in the surrounding area. The lot is located within walking distance of a bus stop on Clare Street, as well as a number of stores, restaurants, and offices along Carling Avenue. The Subject Property is also within proximity of a number of schools, parks, and community amenities. In addition, the Subject Property is within walking distance of a future LRT line along Carling Avenue. This context makes the Subject Property a prime candidate for intensification.

The proposed semi-detached dwellings will fit in well with the neighbourhood, which is characterized by a mix of ground-oriented dwellings including a number of semi-detached dwellings with front-facing attached garages. The proposed attached garages will provide an enclosed space to store a vehicle, garbage and recycling containers, bicycles, and other household items and will enhance the streetscape by reducing the visibility of these items.

The minor variances are considered desirable for the use of land.

The fourth test for a minor variance is that the variance is considered minor in nature.

The proposed development requires variances for a reduced front yard setback and interior side yard setback for Part 1, a reduced corner side yard setback and interior side yard setback for Part 2, to permit a secondary dwelling unit entrance on a front wall, and to permit front-facing attached garages.

Variance a) requests a reduced front yard setback of 3.2 meters for Part 1 where the Bylaw requires a minimum front yard setback of 4.5 meters. Variance f) requests a reduced corner side yard setback of 3.2 meters for Part 2 where the Bylaw requires a minimum corner side yard setback of 4.5 meters. The requested variances would constitute a reduction of 1.3 meters in the front yard and corner side yard setbacks for Parts 1 and 2 respectively. This difference is minimal and will still allow for adequate separation to be provided between the street and the front wall of the property. In addition, there is approximately 5.5 meters of City-owned right-of-way between the street and the property line. This will provide for over eight meters of separation between the road and the front wall of the property. Most of this space will be softly landscaped to reduce any impacts on the streetscape.

Additionally, the proposed setbacks align with the existing condition of the Subject Property along the Duncairn Avenue frontage. The existing detached dwelling on the Subject Property has a corner side yard setback of 3.25 meters, which is the same setback as is being requested for the proposed development. The reduced setbacks will have no more impact on the Duncairn Avenue streetscape than the existing condition.

Variances b) and g) request a reduced interior side yard setback of 1.2 meters for both Part 1 and Part 2 where the Bylaw requires a minimum interior side yard setback of 1.5 meters. The requested variances would constitute a reduction in the interior side yard setback of 0.3 meters. This difference is minimal and will not be noticeable from the street. The proposed development meets the required interior side yard setback of the underlying zone and will be an appropriate size to provide adequate separation from neighbours and access to the rear of the property. The interior yard that is provided as part of the development will provide additional separation between neighbouring properties and the proposed semi-detached dwelling as well as additional soft landscaping and amenity area. The reduced interior side yard setback will have no impact on the streetscape, where there are a number of properties with interior side yard setbacks below the minimum required by the Zoning By-law, including the recently approved development adjacent to the Subject Property along Tweedsmuir Avenue.

Variance e) requests a doorway entrance leading to a secondary dwelling unit to be permitted on the front wall of a building, where this is not permitted by the Zoning By-law. The impact of an additional doorway on the Duncairn Avenue frontage is minimal. An additional doorway along Duncairn Avenue will provide connectivity to the street and help break up the façade. The additional front-facing entrance will not detract from the streetscape character.

Variations c), d), h), and i) request front-facing attached garages to be permitted for both units of the proposed semi-detached dwelling where it is not permitted according to the dominant character determined by the Streetscape Character Analysis.

The Streetscape Character Analysis for the Tweedsmuir Avenue frontage determined that 10 of the 21 properties that were analyzed include a front-facing attached garage or carport. This means that there was a difference of only one between the number of properties that have front-facing attached garages and those that do not. Additionally, the Streetscape Character Analysis was not able to capture the newly approved semi-detached dwelling directly to the north of the Subject Property at 608 Tweedsmuir Avenue, which will include a front-facing attached garage for each unit. The inclusion of this new semi-detached dwelling would have resulted in a Streetscape Character Analysis where front-facing attached garages would be the dominant character (11 of 21). The proposed development with the front-facing attached garages is generally in line with the current streetscape along Tweedsmuir Avenue and will be part of the dominant character of Tweedsmuir Avenue in the future.

The Streetscape Character Analysis for the Duncairn Avenue frontage determined that four of the 11 properties that were analyzed include a front-facing attached garage or carport. Despite the results of the Streetscape Character Analysis, the proposed front-facing attached garage will have minimal impact on the streetscape, as there are a number of front-facing attached garages further west on Duncairn Avenue that were not captured as part of the Streetscape Character Analysis.

The inclusion of front-facing attached garages will have minimal impact on the character of the neighbourhood. Many properties in the neighbourhood have front-facing attached garages, including a number of semi-detached dwellings (see Figure 10). Figure 11 shows several semi-detached dwellings within proximity of the Subject Property with front-facing attached garages, including some older homes. A semi-detached dwelling with front-facing attached garages is in line with the character of the neighbourhood.

Despite the results of the Streetscape Character Analysis, the proposed development will have a minimal impact on the streetscape as it will provide more storage space for residents as well as an enclosed space to store a parked vehicle. This will reduce clutter in the front and side yard of the building and reduce the visual impact of a parked vehicle. Design elements such as the front porch and large windows will visually enhance the front entrance and dwelling rather than the garage. Abundant soft landscaping in the front yard will also contribute to the streetscape and reduce any impacts from the garage.

The inclusion of a front-facing attached garage for each unit will allow the interior yard area to be used by residents as an amenity space, with minimal impact from parked vehicles. The attached garages will provide an enclosed space for vehicle storage that is located away from the interior yard area. The cantilever or rear yard parking options would interfere with the use and functionality of the interior yard area and would reduce the amount of soft landscaping provided.

The variances are considered minor in nature.

Conclusion

A plan of subdivision is not required for the proposed development at 612 Tweedsmuir Avenue. The proposed severances are an appropriate use of the Subject Property as they will better use the site and provide four dwelling units in proximity to existing and future transit infrastructure, commercial

amenities, and employment uses. The proposed development maintains the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law by providing intensification that is well located and fits in well with the neighbourhood. The proposed variances are desirable for the use of the land and will fit in with the existing and future streetscape. Therefore, the variances are minor in nature. All four tests under Section 45(1) of the Planning Act have been met. The proposed development represents good land use planning.

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

- Cover Letter (one copy)
- Complete Consent Application Form 1 (one original copy)
- Complete Consent Application Form 2 (one original copy)
- Complete Minor Variance Application Form 1 (one original copy)
- Complete Minor Variance Application Form 2 (one original copy)
- Consent Sketch 1 (one 8.5x11 copy and one 11x17 copy)
- Consent Sketch 2 (one 8.5x11 copy and one 11x17 copy)
- Minor Variance Sketch (one 8.5x11 copy and one 11x17 copy)
- Draft Reference Plan (one 8.5x11 copy and one 11x17 copy)
- Site Plan (one 8.5x11 copy and one 11x17 copy)
- Elevation Drawings (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 612 Tweedsmuir Avenue (one copy)
- Survey Plan (one 8.5x11 copy and one 11x17 copy)
- Tree Information Report (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

NOVATECH



Simran Soor, M.PL
Planner