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June 8, 2023

Committee of Adjustment

City of Ottawa
101 Centrepointe Drive,
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer
And Committee Members

Committee of Adjustment
Received | Reçu le

2023-06-09

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: **Application for Consents to Sever and Minor Variance for lands at 469 Edgeworth Avenue, Ottawa, ON.**
Lot 87, Registered Plan 324
Ward 7, Bay
Zoning R2F, Zoning By-law 2008-250

Dear Mr. Bellemare,

Faik Ayvaz has retained Miroca Design Consulting Services to act as agent on their behalf for the preparation of Consents to Sever and Minor Variance Applications for their lands known municipally as 469 Edgeworth Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form
2. 1 copy of this cover letter prepared by Miroca Design Consultants Inc.
3. 1 full-sized copy and 1 reduced copy of the Draft Reference Plan showing each of the severed and retained lots, prepared by Farley, Smith & Denis Surveying Ltd., Ontario Land Surveyors
4. 1 full-sized copy and 1 reduced copy of the Site Plan, Elevation Drawings, and 3D Streetscape prepared by Miroca Design Consultants Inc.
5. 1 copy of the Tree Information Report & Tree Replacement Plan prepared by Dendron Forestry Services
6. A cheque payable to the City of Ottawa, and a copy of the Deed showing ownership.

Purpose of the Application

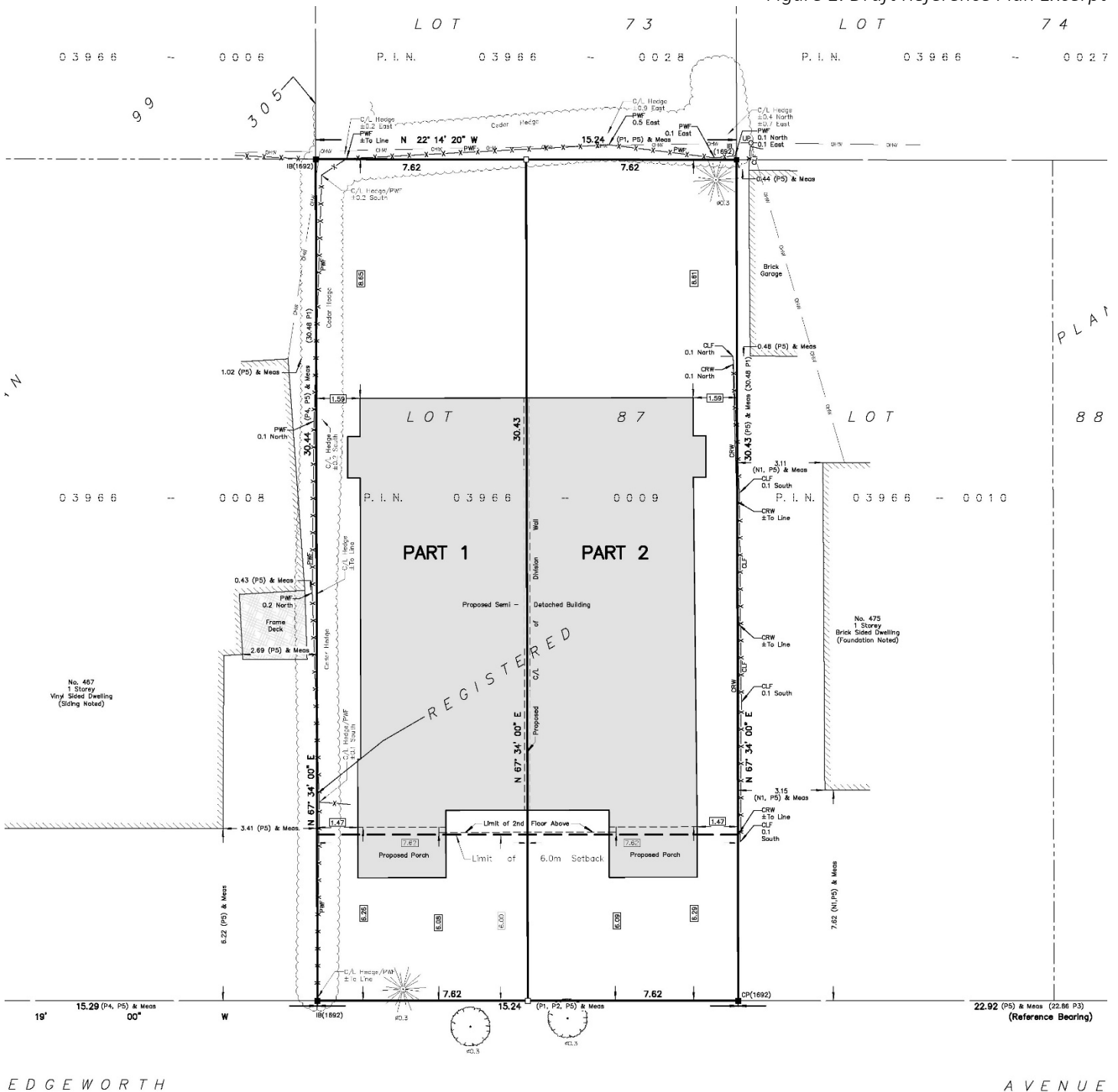
The owner would like to sever their property into two separate parcels of land. The existing dwelling on the property is to be demolished, and it is proposed to construct two new 2-storey semi-detached homes, with one home on each of the newly created parcels. The proposed new dwellings will have a floor area of approx. 1,800sq.ft each.

Consents Requested

In order to proceed, the owner requires the Consent of the Committee for Conveyances. The property is shown as Parts 1 and 2, on a Draft 4R-Plan filed with the application. The separate parcels will be as follows:

Part No.	Frontage	Depth	Area	Municipal Address
1	7.62m	30.43m	231.9 m ²	Edgeworth Avenue
2	7.62m	30.43m	231.9 m ²	Edgeworth Avenue

Figure 1: Draft Reference Plan Excerpt



Relief Requested

In order to proceed, the owner requires the Authority of the Committee for Minor Variances as follows:

Part 1:

- a) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9 metres. [Table 158A]
- b) To permit a reduced lot area of 231.9 square metres, whereas the By-law requires a minimum lot area of 270 square metres [Table 158A]
- c) To permit a front-facing attached garage, whereas the By-law states that a front-facing garage is not permitted as per the outcome of the Streetscape Character Analysis. [Sec. 139(3)(b) & Sec. 140(8)(b)]

Part 2:

- d) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9 metres. [Table 158A]
- e) To permit a reduced lot area of 231.9 square metres, whereas the By-law requires a minimum lot area of 270 square metres [Table 158A]
- f) To permit a front-facing attached garage, whereas the By-law states that a front-facing garage is not permitted as per the outcome of the Streetscape Character Analysis. [Sec. 139(3)(b) & Sec. 140(8)(b)]

Zoning

Zoning Bylaw 2008-250 | R2F

Section 139 – Low-Rise Residential in All Neighbourhoods Within the Greenbelt

Section 140 – Low-Rise Residential Development within the Mature Neighbourhoods Overlay

Section 144 – Alternative Yard Setbacks Affecting Low-Rise Residential in the R1 to R4 Zones Within the Greenbelt

Table 1: Zoning Provisions

Zoning Provisions	Required	Provided: Part 1	Provided: Part 2
Min. Lot Width	9m	7.62m	7.62m
Min. Lot Area	270m ²	231.9m ²	231.9m ²
Max. Building Height	8m	8m	8m
Min. Front Yard Setback	6m	6.08m	6.08m
Min. Corner Yard Setback	4.5m	-	-
Min. Rear Yard Setback	28% (8.52m)	28.36% (8.63m)	28.29% (8.61m)
Min. Rear Yard Area	25% (57.99m ²)	28.39% (65.87m ²)	28.39% (65.87m ²)
Min. Interior Side Yard Setback	1.5m	1.59m	1.59m
Max. Lot Coverage	-	-	-
Front Yard Landscaping	30%	48.4%	48.3%
Max. Driveway Width	3m Single	2.60m	2.74m

Existing Conditions and Area Overview

There is a 1-storey dwelling with attached garage on the property which was constructed in the 1940s/50s, and has a floor area of approximately 1,000sq.ft. Access to the property is provided from Edgeworth Avenue, which is a neighbourhood street. Transit service is provided along Carling Avenue to the South and Richmond Road to the North, the Transitway is close by to the West. The area is well served by a range of commercial and community amenities, principally along Carling Avenue to the South and Richmond Road to the North.

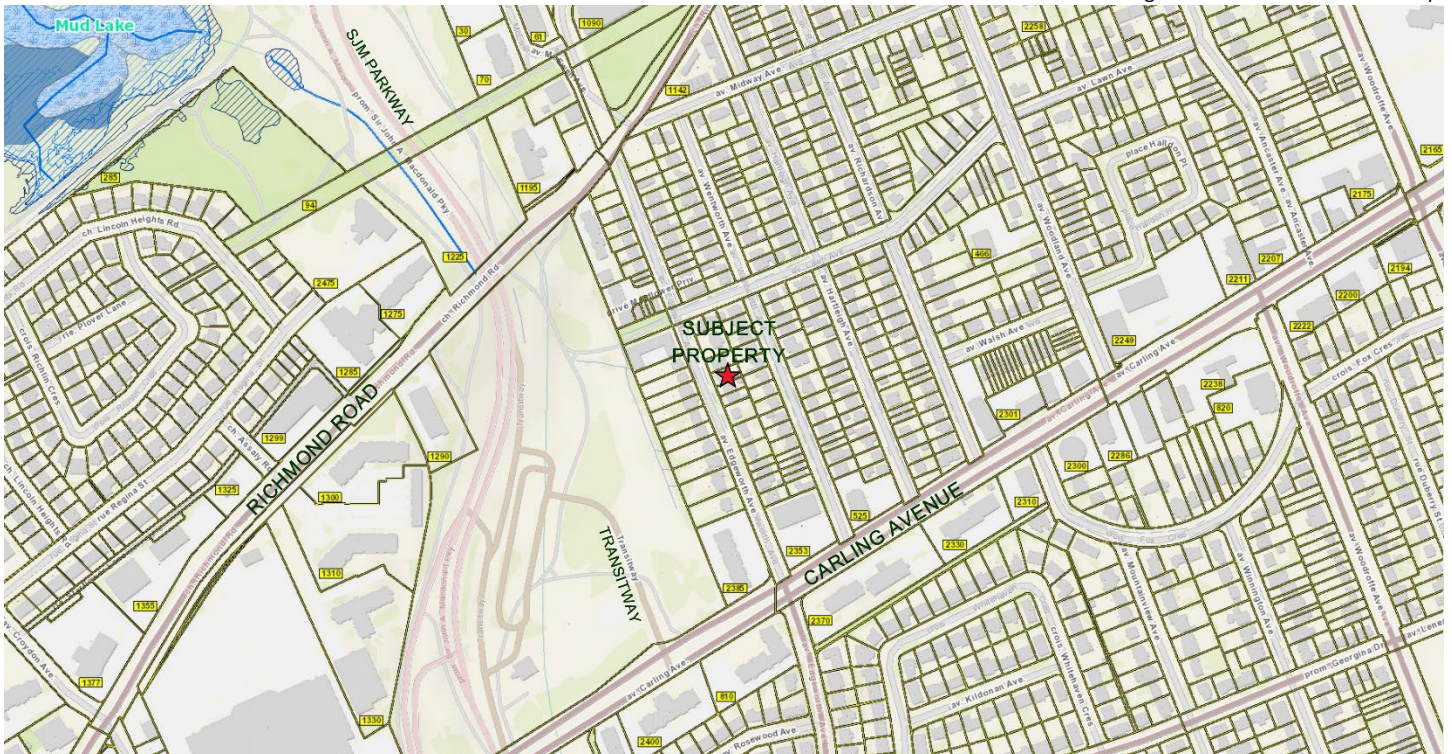
Figure 2: Existing home on Subject Property



Neighbourhood Character

The Wood Park residential neighborhood is post-war neighbourhood with classic suburban characteristics and was generally built in the 1940s/50s. Housing along Edgeworth Ave. is characterized by 1 and 2-storey single family homes, along with higher density townhomes to the North. The replacement of the existing homes by larger 2-storey semi-detached dwellings on smaller severed lots has occurred throughout this area in the last 5 to 10 years to maximize residential development on these lots.

Figure 3: Site Location Map



Four Tests

In support of the proposed application, the four tests for minor variances as provided for in Section 45(1) of the Planning Act, have been reviewed as follows:

1. General Intent and Purpose of the Official Plan is Maintained

The Official Plan provides direction that neighbourhoods located in the Inner Urban area and within a short walking distance to Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework. This is to be implemented through the Zoning By-law by supporting a wide variety of housing types with a focus on missing-middle housing and higher-density low rise residential development. The intent of the Evolving area is to signal a gradual shift towards a more urban built form.

The proposed new lots meet the intentions of the Official Plan by providing growth in the neighbourhood that is respectful of the established suburban context, while gradually moving towards a more urban model. The proposed new semi-detached homes increase the housing stock, by replacing one 1-storey detached dwelling with two 2-storey semi-detached dwellings, which have been designed with provisions for secondary dwelling units, offering additional housing types and tenure of more units for missing-middle housing.

The property is located within the Evolving Neighbourhood overlay, and intensification through the creation of new lots moving towards a more urban built form meets the intention of the Inner Urban area policies. We feel this proposal is a good example of gentle intensification.

In keeping with the Official Plan directions, the proposed site design incorporates more lot coverage on smaller lots, and includes space for soft landscape, trees and hard surfacing that is sensitive to the context of the street. The proposed new semi-detached homes are in-keeping with the low-rise residential character of the neighborhood, with height, massing and setbacks that fit in with the established context while also moving towards a more urban built form.

This proposal also maintains the intentions of the Official Plan by taking advantage of established transit service, water and sewer services and the network of roads, pathways, and designated cycling routes. It supports intensification in the Inner Urban area rather than developing lands at the periphery of the City, and supports the intensification targets for large-household dwellings for neighbourhoods. It contributes to a sustainable community by providing residential uses in close proximity to the rapid transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

As such, we feel that the proposed minor variances meet the intent and purpose of the Official Plan.

2. General Intent and Purpose of the Zoning By-law is Maintained

The Zoning of the subject property is Residential Second Density, Subzone R2F. The intent of this zone is to restrict the building form to detached and two principal unit buildings, while allowing a number of other residential uses to provide additional housing choices within the second density residential areas. Ancillary uses are permitted for the principal residential use to allow residents to work at home. Development is to be regulated in a manner that is compatible with existing land use patterns so that the detached and two principal dwelling residential character of a neighbourhood is maintained or enhanced.

This proposal meets the intentions of the Zoning By-law by providing new semi-detached (two principal unit) dwellings which are compatible with existing land use patterns and the varied detached and semi-detached residential character of the neighborhood.

The intent of the minimum lot areas is to ensure that lots are appropriately sized to accommodate the proposed dwellings with sufficient landscaped area and setbacks. The intent of minimum lot widths is also to provide for appropriately sized lots which are consistent with the lot fabric along the street.

The proposed reduced lot areas are fully functional for the intended use, and the proposed dwellings will meet all other performance standards of the Zoning By-law in terms of building setbacks and height. The proposed reduced lot widths are consistent with other semi-detached dwellings in the neighbourhood.

The intent of The Mature Neighbourhoods Overlay, Section 140 of the Zoning By-law and the Streetscape Character Analysis is that development should be consistent with the streetscape's dominant characteristics.

The Streetscape Character Analysis result was found to be ABA, which does not permit an attached garage or carport that faces the street. Despite the arbitrary streetscape character analysis results, this proposal is consistent with the established character of the street which predominantly features single width driveways, leading to either single attached, or detached garages facing the street.

3. Desirable for the appropriate development of use of the property

We feel that this proposal is desirable for the area as it provides intensification in the heart of the City, while still maintaining adequate private yard amenity space and greenery. The proposed design will protect mature trees wherever possible, under the direction of a professional arborist. Existing trees on site have been assessed throughout the planning stage, and the design will follow the arborist's advice on best practices to maintain and protect them or replace them with new desirable trees where applicable.

The design will work towards improving the site grading and drainage, and to mitigate any impact to adjacent properties, in accordance with the City of Ottawa requirements. This may include culverts, retaining walls and/or other measures following the recommendations of a professional engineer.

We feel that this proposed site design maintains, or enhances, the residential character of the neighbourhood. The dimensions of the proposed lots are appropriate for the intended use, and are compatible with the established lot fabric. The design is respectful of the adjacent properties and seeks to avoid and/or mitigate any privacy concerns or impact to the neighbours.

The minor variances are respectful of the existing character of the neighbourhood and are desirable for the general intent and purpose of the Zoning By-law, creating semi-detached dwelling units. Through gentle intensification in the context of the neighborhood, taking advantage of existing infrastructure services, and proximity to community amenities, this proposal is desirable for the intentions of the Official Plan.

4. The variance is minor

Relief is requested to permit reduced lot widths and reduced lot areas for both parcels.

The proposed dwellings will meet or exceed all other performance standards of the By-Law in terms of building setbacks, height and soft landscaping in the front and rear yards. The proposed lots are generally consistent with the existing pattern of development for semi-detached homes found throughout the neighborhood, and do not pose any adverse impact to the lot fabric or the character of the street.

Figure 4: Lot Fabric Map

LOT FABRIC MAP

Similar reduced lot widths and areas found throughout the neighbourhood indicated in blue:

495 & 497 Edgeworth Ave
LW = 9.14m, LA = 278m²

498 & 500 Wentworth Ave.
LW = 7.68m, LA = 229m²

502 & 504 Wentworth Ave.
LW = 7.78m, LA = 230m²

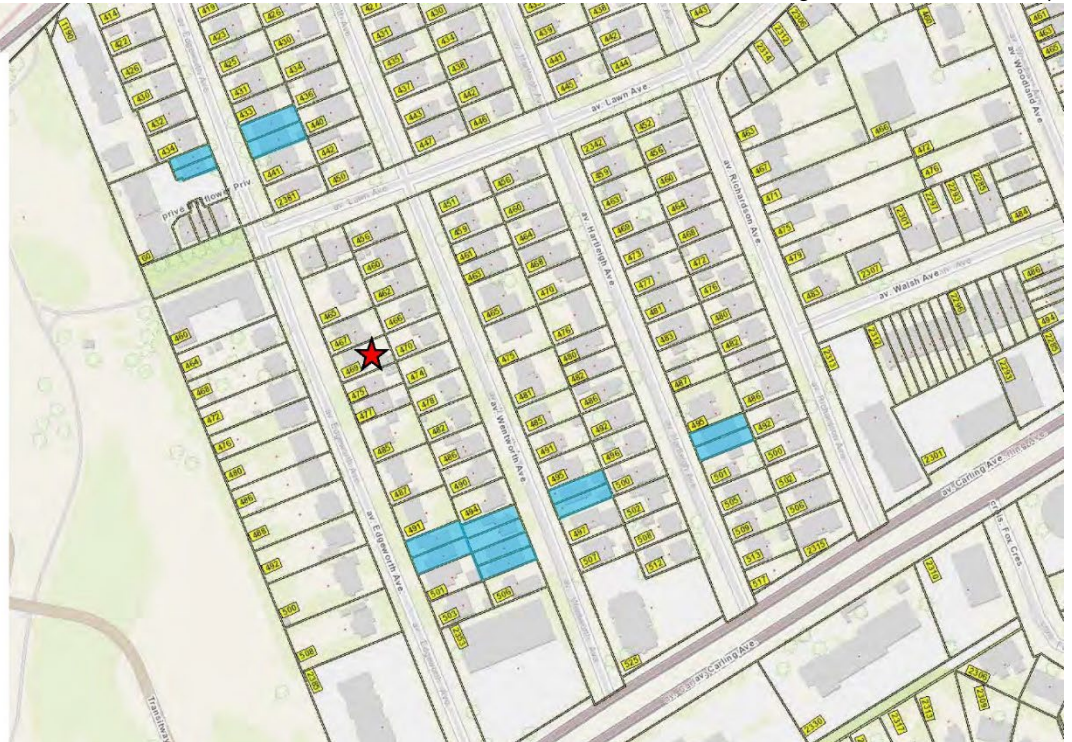
495B & 495C Wentworth Ave.
LW = 7.63m, LA = 232m²

437 & 439 Edgeworth Ave.
LW = 9.14m, LA = 278m²

499 A+B Hartleigh Ave.
LW = 7.63m, LA = 232m²

440 & 444 Edgeworth Ave.
LW = 6.5m, LA = 143m²

Star indicates subject property.



Relief is requested to permit a front-facing attached garage, whereas the By-law states that a front-facing garage is not permitted as per the outcome of the Streetscape Character Analysis.

The parking characteristics along Edgeworth Avenue are single-width driveways, mixed with garages and side yard parking, neither appearing more dominant than the other. While we recognize that the lots which we were required to reference for the SCA result in an ABA dominant character, we feel that the single-width front-facing attached garages proposed have no adverse impact on the established character of the street or adjacent neighbours. The proposed design complies with all other provisions of Sec. 139 in terms of soft landscaping in the front yard, garage setback from the front entrance, and walkways.

Figure 5: Front-Facing Attached Garages

FRONT-FACING ATTACHED GARAGES

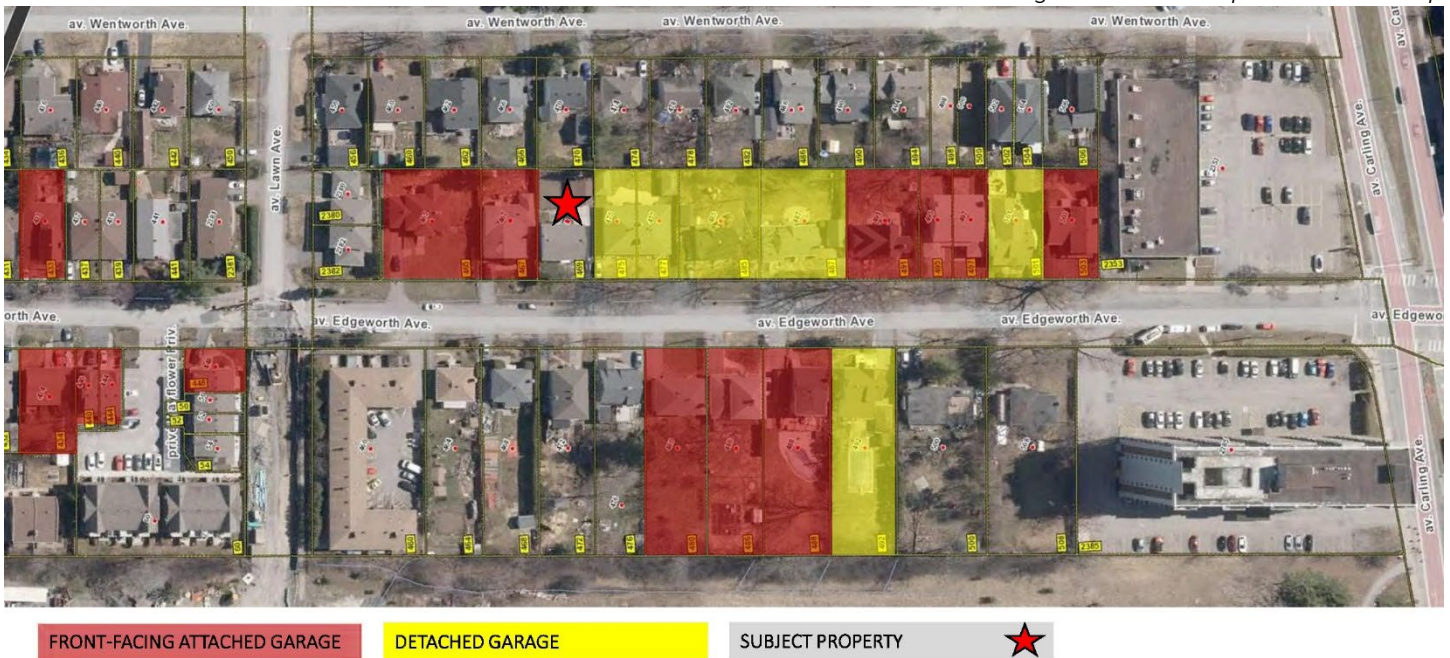


Subject Property



There are 6 front-facing attached garages on the east side of Edgeworth Avenue, including the two properties directly to the north of the subject property, and there are 3 front-facing attached garages on the west side of Edgeworth Avenue. Of the 21 homes assessed for the streetscape character analysis, 9 have front facing attached garages, and 12 have either detached garages, or side yard parking.

Figure 6: Streetscape Character Map



Urban Design Guidelines for Low-rise Infill Housing

The proposed new dwellings at 469 Edgeworth Avenue were designed in consideration of the purpose and objectives of the Urban Design Guidelines for Low-rise Infill Housing. The proposal incorporates setbacks which preserve and integrate existing natural features, and are consistent with the cultural landscape of the neighbourhood. The design maintains rear yard amenity space that is generally consistent with the pattern of the neighboring homes. The proposed dwellings feature primary entrances that are inviting and visible from the street, articulation of the front façade, and distinguishing characteristics creating distinct identities for the units.

Planning Act

Subsection 53(1) of the Planning Act states:

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 severance does not require a Plan of Subdivision, as the proposal is intended to facilitate the creation of two residential lots which will meet the intentions of the underlying zoning. The proposed severance does not require the construction of new public infrastructure, including roads and services. The subsequent building permit application will ensure that the proposed construction of the new semi-detached dwellings will conform to the appropriate performance standards, and that appropriate site servicing is in place, ensuring that this parcel is developed in a proper and orderly manner.

Subsection 53(12) of the Planning Act states:

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.”

The proposed severance has adequate regard for the subdivision criteria set out in Section 51(24) of the Planning Act, reviewed as follows.

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 severance has regard for the relevant matters of provincial interest, including the following:

- *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- *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;*
- *the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*

(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 within an established neighbourhood. The proposed severance is not premature and is in the public interest as it creates a desirable lot for infill and context-sensitive intensification.

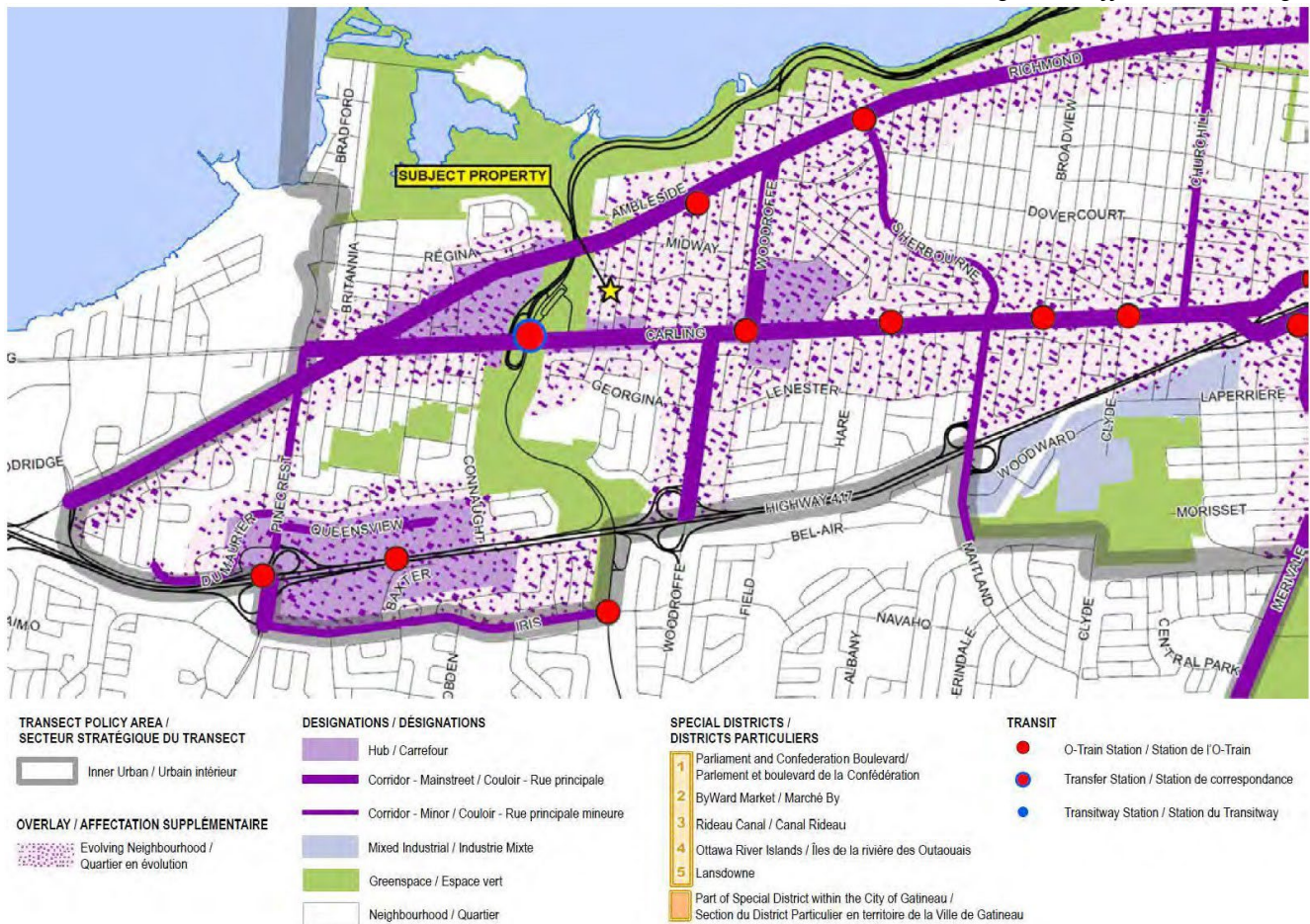
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed severance conforms to the relevant policies of the City of Ottawa Official Plan (November 2022), reviewed as follows:

Transects and Neighborhoods

The subject property is located within the Inner Urban Transect, under the Evolving Neighbourhood Overlay on Schedule B2 in the Official Plan. The Woodpark neighbourhood is a post-war neighbourhood which reflects classic suburban characteristics. Sec. 5.2.4. of the Official Plan directs that these Inner Urban neighbourhoods shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. This is to be implemented through the Zoning By-law by supporting a wide variety of housing types with a focus on missing-middle housing and higher-density low rise residential development.

Figure 7: Official Plan Designation



Section 5.2.1 (1) of the Official Plan 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 severance and built form site design are in keeping with the criteria laid out in Table 6, with a mix of urban and suburban characteristics. Suburban characteristics such as: moderate front yard setbacks focused on soft landscaping and separation from the right-of-way, and principal entrances oriented to the public realm but set back from the street. Urban characteristics such as: a range of lot sizes that will include smaller lots, higher lot coverage and floor area ratios, a minimum of two functional storeys, attached buildings with minimal functional side yard setbacks, and medium to small areas of formal landscape that includes space for soft landscape, trees and hard surfacing.

Section 5.2.4 (1) of the Official Plan 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 located in proximity to Carling Avenue and Richmond Road Corridors.

The proposed severance and new semi-detached dwellings meet the intentions of the Official Plan by providing growth in the neighbourhood that is respectful of the established suburban context, while gradually moving towards a more urban model.

In keeping with the Official Plan directions, the proposed site design incorporates more lot coverage on smaller lots, and includes space for soft landscape, trees and hard surfacing that is sensitive to the context of the street. The proposed new semi-detached homes are in keeping with the low-rise residential character of the neighborhood, with height, massing and design that fits in with the established context while also moving towards a more urban built form. The proposed homes will feature two functional stories and ground-oriented principal entrances facing the public realm.

Section 5.6.1 of the Official Plan states:

The Evolving overlay is applied to areas in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

(6) Zoning By-law development standards and development on lands with an Evolving Overlay should generally include built form and site design attributes that meet most of the urban characteristics described in Table 6 in Section 5, and where suburban attributes are retained, that these do not structurally impede the achievement of a fully urban site design over time."

The subject property is located within the Evolving Neighbourhood overlay, and intensification through the creation of new lots moving towards a more urban built form meets the intention of the Inner Urban area policies. We feel this proposal is a good example of gentle intensification.

Housing

Section 4.2.1 of the Official Plan supports a diverse range of flexible and context-sensitive housing options in all areas of the City. These are to be provided through the Zoning By-law by regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology. The Official Plan promotes diversity in unit sizes, densities and tenure options within neighbourhoods, including diversity in bedroom count availability; and permits a range of housing options across all neighbourhoods to provide the widest possible range of price and occupancy.

Section 4.2.1 of the Official Plan states:

- (1) *A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by:*
 - a) *Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology;*
 - b) *Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;*

- c) *Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;*
- (2) *The City shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:*
- a) *Allowing housing forms which are denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;*
- (3) *Accessory Dwelling units as provided for by the Planning Act, including coach houses and secondary dwelling units in the main building, are recognized as key components of the affordable housing stock and shall be protected for long-term residential purposes. The Zoning By-law shall permit these uses on residential lots with one principal dwelling unit in all areas of the City and shall establish criteria to govern appropriate integration of these units with the main dwelling and surrounding context.*

This proposal meets the intentions of the Official Plan as it is a residential use that is permitted in the Evolving Neighbourhood designation. It maintains the low-rise residential character of the neighbourhood, and increases the housing stock, by replacing one 1-storey detached dwelling with two 2-storey semi-detached dwellings which have been designed with secondary dwelling units in the basement level, offering additional housing types and tenure of more units for missing-middle housing.

Cross-Cutting Issues

Sec 6.3 of the Official Plan speaks to the intention for the development, maturity and evolution of 15-minute neighbourhoods. Energy and Climate Change direction is discussed in 2.2.3, and Healthy and Inclusive Communities are discussed in Sec. 2.2.4. Sec. 3.2 of the Official Plan details the residential intensification targets, including large-household dwellings for Neighbourhoods and Minor Corridors.

This proposal meets the intentions of the Official Plan by taking full advantage of established transit service, water and sewer services and the network of roads and designated cycling routes. It supports intensification in the Inner Urban area rather than developing lands at the periphery of the City, and supports the intensification targets for large-household dwellings for neighbourhoods. It contributes to a sustainable community by providing residential uses in close proximity to the rapid transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

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

The proposal meets the intentions the Zoning By-law in terms of lot width and lot area. The proposed new dwellings comply with all other performance standards of the By-law, including yard setbacks, and height. The dwellings fit comfortably on the proposed lots, and function well in terms of soft landscaping area and private amenity area. The lots are suitable for residential use.

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

No affordable housing units are proposed.

(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 proposal does not suggest any new roads and will not affect highways or the transportation system.

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

The proposed severance will create 1 additional lot on this neighbourhood block. The existing and retained parcels are an appropriate and functional size to accommodate the proposed semi-detached dwellings. The size and dimensions of both parcels are appropriate in the context of the existing lot fabric and zoning, and will provide adequate space for private amenities and soft landscaping.

(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;

With the exception of the provisions of the Zoning Bylaw, there are no other restrictions or proposed restrictions on the existing or proposed lots.

(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 has access to existing utilities and municipal services. The proposed development is not anticipated to have an impact on the adequacy of utilities and municipal services. Site-specific servicing details will be provided at time of building permit application.

(j) the adequacy of school sites;

The subject property is located near Woodroffe Highschool, Woodroffe Public School, Édouard-Bond Catholic School, and Regina Street Alternative School.

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

Not applicable.

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

Not applicable.

(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.

In our opinion, the proposed severance meets the criteria set out in Section 51(24) of the Planning Act, a plan of subdivision is not required, and the proposed severance at 469 Edgeworth Avenue represents 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 severance promotes efficient development and land use by focusing growth in the urban area rather than developing lands at the periphery of the City. The proposal takes full advantage of existing services and infrastructure in the urban area, with thoughtful infill development of under-utilized land, which is sensitive to the existing neighbourhood character.

The proposed severance includes provisions for a mix of residential types, in this case secondary dwelling units, supporting affordable housing options and long terms needs in the community.

The proposed severances will not cause environmental or health and safety concerns. The subject property is within the urban area, and therefore the proposed lots will have adequate access to the necessary infrastructure and public service facilities, while reducing pressure to expand the urban boundary.

Policy 1.1.3.1 states:

Settlement areas shall be the focus of growth and development.

The proposal is in line with this policy as the proposed development is located within the City of Ottawa's urban area. Edgeworth Avenue is considered part of the "Settlement Areas" as defined in Section 1.1.3 of the PPS.

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*
- h) *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 severance is an appropriate and efficient use of the land as it takes full advantage of established transit service, water and sewer services and the network of roads and designated cycling routes. It contributes to a sustainable community by providing residential uses in close proximity to the rapid transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

Policy 1.1.3.6 states:

New development taking place in designated growth areas should occur adjacent to the built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposed severance supports this policy.

In our opinion, the proposed severances are consistent with the Provincial Policy Statement, and the proposed severance at 469 Edgeworth Avenue constitutes good land use planning.

Pre-consultations

Pre-consultations were held with Siobhan Kelly in the Development Review Department, and Nancy Young, Planning Forester.

A letter explaining our application and plans was provided to the Woodpark Community Association for their review and comments, they have indicated no concerns with the proposal. A flyer explaining the proposal has also been distributed to all surrounding neighbours.

Trees

Existing trees on site were assessed by Dendron Forestry during the preliminary design stage for this file. There are 4 trees on the property which meet the City of Ottawa Tree Protection By-law guidelines for assessment. Please refer to enclosed Tree Information Report and Tree Replacement Report.

There are 2 City-owned Crabapple trees in the front yard which are proposed to be removed. Consideration was given to protecting these trees with an alternative driveway configuration; however, it has been determined that the trees are only in fair health, and are a low priority for retention. Additionally, there are significant lot grading and drainage concerns with placing a driveway on the north side of the property instead of the middle. Therefore, it is proposed to replace these Crabapple trees with new more desirable trees, which will have greater long-term benefits for the property, urban canopy, and streetscape.

There is a Scot's pine tree located in the front yard of Part 1. Dendron Forestry has recommended this tree for removal due to impact by construction combined with thin crown and fair health. However, during the pre-consultation, the Planning Forester requested for this tree to be retained. The Scot's pine tree will be protected during construction, and servicing for the new dwellings will be located underneath the driveways.

The Balsam fir tree in the rear yard of Part 2 will not be impacted by the construction, and will be retained and protected.

It is proposed to plant two new large deciduous trees on the property at completion of the project, to be located in the front right-of-way for each dwelling.

Conclusion

With respect to the Consents, is it our opinion that the proposed severance does not require a plan of subdivision and meets the criteria of Subsection 51(24) of the Planning Act, as it is not premature and is a suitable and efficient use of the land with minimal impact on the public interest. The proposed severance also meets the intentions of the relevant policies and provisions of the Official Plan, and the Zoning By-law. The proposed severance is consistent with the Provincial Policy Statement by creating an additional lot for future development within the urban area.

As the requirements of Subsections 53(1) and 51(24) of the Planning Act are met and the proposal is consistent with the Provincial Policy Statement, we believe that the Consents sought represent good land use planning and are appropriate for the subject property.

With respect to the Minor Variances, it is our opinion that the variances are desirable for the appropriate development or use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variances sought are minor.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,

Michael Segreto
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