

July 28th, 2023

Committee of Adjustments
City of Ottawa
Building service Department
101 CentrepoinTE Drive
Nepean, Ontario

Committee of Adjustment
Received | Reçu le

2023-06-30

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: Application for Minor Variance: 2663 Innes Rd, Gloucester, Ontario K1B 3J7

The purpose of this document is to serve to supplement and provide clarity to the application for minor variance for the proposed 4-storey mixed-use development at 2663 Innes Road in Blackburn Hamlet. To accompany the formal application, we would like to use this as an opportunity to address the nature of the proposed construction and the criteria for minor variance acceptance in the planning act.

The property is zoned as AM 11 (Primary Zone: Arterial Main Street; Sub-Zone: Innes Road – Blackburn Hamlet). The building is a mix of commercial, office and residential use spaces.

The proposed development will address housing needs in the area through the provision of 18 new residential units as well as provide three commercial units to support additional services required by the community.

This submission includes the application for variance for four (4) separate provisions of the zoning bylaw. Each will be addressed separately and are as follows:

1. Increasing the principal facades setback from the lot line;
2. Reducing the landscape buffer between the lot line and parking lot;
3. Allowing parking to be approved within the front yard;
4. Reducing the drive aisle width.

Minor Variance Request #1 – Increasing the Principal Façades setback from the Lot Line

Section 185

(11) (d) despite Table 185 (c) the front yard and corner side yard provisions are as follows;

(i) for non-residential, mixed-use, and residential use building the minimum setback is 3.0 metres.

(ii) despite clause (d), at least 50% of the frontage along the front lot line and corner side lot line must be occupied by building walls located within 3.0 metres of the lot line.

We are requesting relief from Section 185 (11)(d)(ii) of the zoning bylaw since 50% of our frontage is not occupied by building walls within 3.0m of the lot line. Given the minimum of 5.0m of required clearance around the Hydro lines running parallel to the Southern lot line, we are proposing to position the principal

façade setback 5.1m from the lot line.

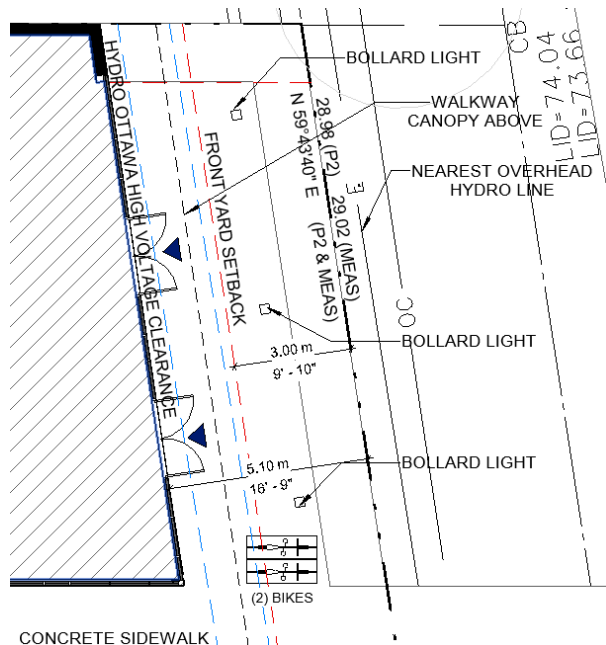


Figure 1: Proposed Principal Façade Setback

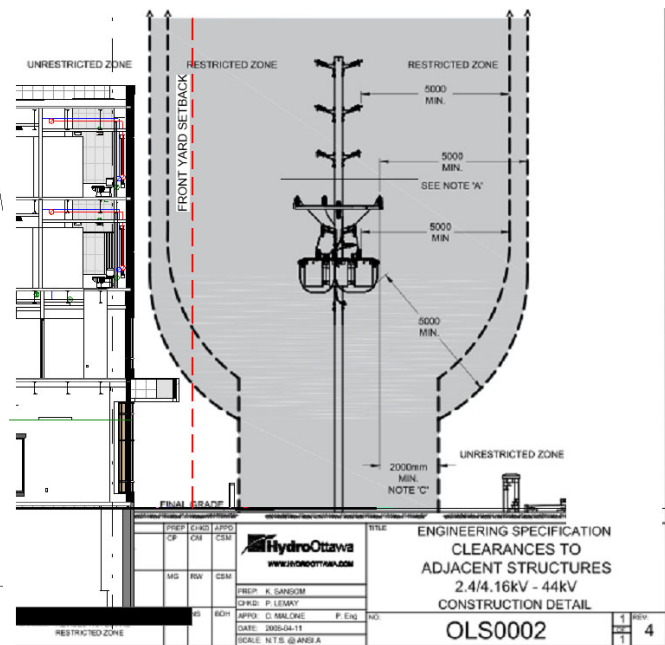


Figure 2: Required Hydro Clearance

Minor Variance Request #2 – Reducing the Landscape Buffer between the Lot Line and Parking Lot

Table 110

I Location of Landscaped Buffer	II For a parking lot containing 10 or fewer spaces	III For a parking lot containing more than 10 but fewer than 100 spaces	IV For a parking lot containing 100 or more spaces
(b) Not abutting a street	None	1.5 metres	3 metres

We are requesting relief from Table 110 (b) of the zoning bylaw since we do not maintain a consistent 1.5m landscape buffer along the Northeast end of the parking lot. A limiting distance agreement has been made with the landowners of the adjacent property to the East to allow sufficient unprotected openings along the Eastern lot line. Provisions have been made for plantings to be integrated along the neighbouring property's Western lot line, acting as a landscape buffer from the proposed development. The neighbouring property includes a public path used to access an elementary school North of the site, and it is in the best interest of the Owner to ensure the completion of this off-site landscaped edge to provide privacy for the proposed residential suites.

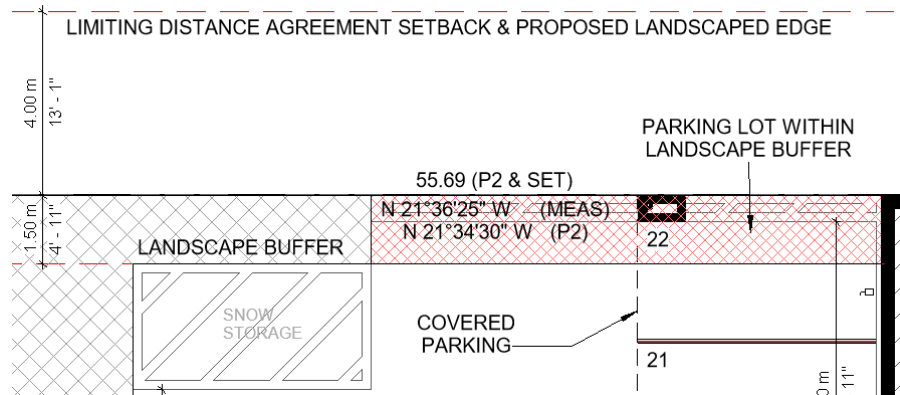


Figure 3: Area of Parking Lot within Landscape Buffer

Minor Variance Request #3 – Allowing Parking to be Approved in the Front Yard

Section 109 – Location of Parking

- (2) In the LC, GM, AM and MC Zones, no person may park a motor vehicle: (By-law 2017-302)
(a) in a required front yard.

We are requesting relief from Section 109 (2)(a) of the zoning bylaw since we are proposing that a portion of a compact parking space be located within the front yard. Due to the small footprint of the site, as well as the abnormal geometry along the South lot line, about 70% of the parking space encroaches into the front yard. Given that the front yard is being proposed to be increased from 3.0m to 5.1m due to the required Hydro line clearance (see Request MV-1), the parking space will be positioned greater than 3.0m from the South lot line. This space will be used to host an ornamental fence used to screen the parking spaces beyond while adding visual interest to the pedestrian realm along Innes Road.

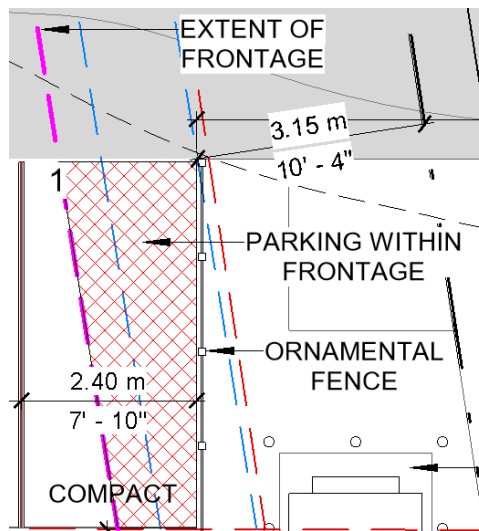


Figure 4: Parking within Frontage

Minor Variance Request #4 – Reducing the Drive Aisle Width

Section 107

- (1) (c) An providing access to parking spaces in a parking lot or parking garage:
- (i) must comply with the minimum required width specified in Table 107;
 - (ii) despite (i), in the case of a parking garage, or parking lot accessory to a residential use an aisle serving parking spaces angles at between 56 and 90 degrees must be at least 6.0 metres wide.

Table 107 – Minimum Required Aisle Width

I Angle of Parking (degrees)	II Minimum Required Aisle Width (metres)
(d) 71-90	6.7

We are asking for relief from Section 107 (1)(c)(i) and (ii) as our drive aisle width does not meet the required 6.7m for parking spaces at 90 degrees to the aisle or the minimum 6.0m when serving a residential use. Figure 5 is a clearance diagram depicting vehicles safely pulling in and reversing out of parking spaces from a 5.8m wide drive aisle.

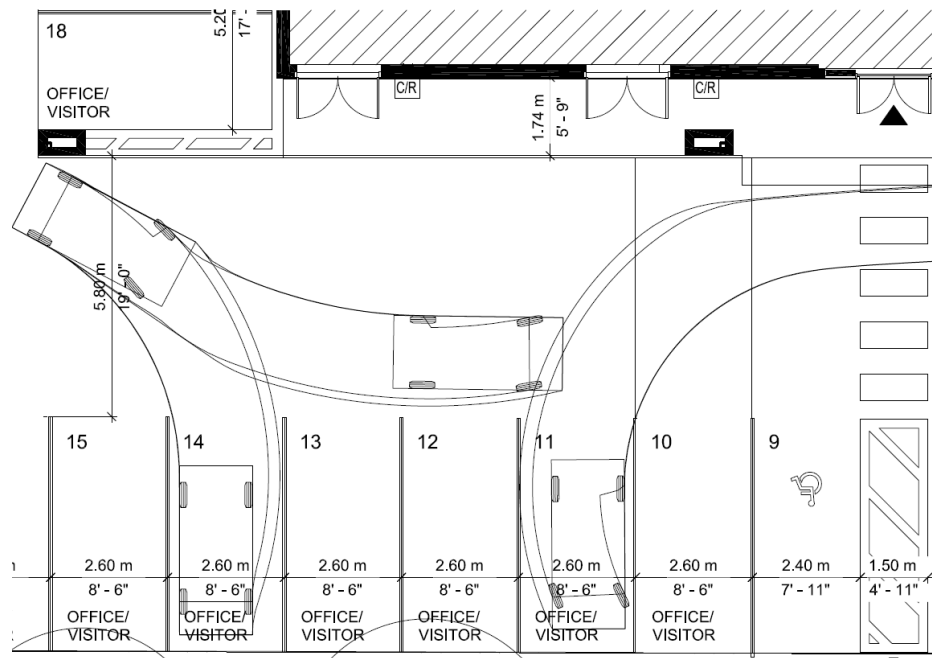


Figure 5: Parking Clearance for a Standard Vehicle

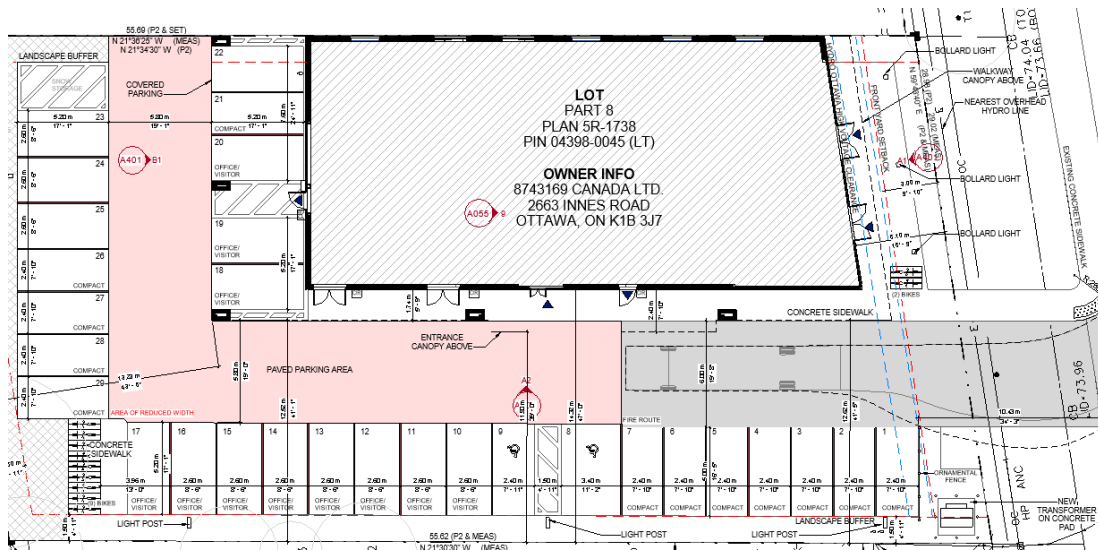


Figure 6: Extent of Drive Aisle with Reduced Width

The criteria of a minor variance are governed by ‘four tests’ under section 45(1) of the planning act. We feel that the proposed variance requests are minor in nature and respond to the four test questions in the following ways:

1. *Is the variance minor?*

This submission includes the application for variance on four (4) separate provisions of the zoning by-law, all of which we consider to be minor.

MV-1 The proposed reduction of the requirement dictating that 50% of the frontage be occupied by building walls within 3.0m of the lot line is a result of the required clearance from the Hydro lines that run parallel to the Southern lot line. The variance would allow the building to sit 5.1m from the lot line, ensuring the safety of the building’s users in meeting the required Hydro clearance. While the required amount of building walls will not be located within the frontage, it will be activated by a public patio space beyond the ground floor commercial suites.

MV-2 The current required landscape buffer is to be a minimum of 1.5m. This is maintained and exceeded in multiple areas across the site. We consider the variance to be minor as leniency is only being requested for a partial area to accommodate sufficient parking. Further, due to the limiting distance agreement with the neighbouring property, a landscaped edge will be implemented beyond the East lot line at 2663 Innes Road, providing the same benefits as the landscape buffer required in the by-law.

MV-3 The proposed allowance of a partial compact parking stall to be located within the yard frontage is considered minor for a variety of reasons. Pending approval, the yard frontage will be increased from 3.0m to 5.1m (MV-1) and the location of the partial parking stall will not impede the required

frontage of 3.0m. Furthermore, the parking stall will be screened with an ornamental fence that contributes to visual interest from the pedestrian realm along Innes Road.

MV-4 The proposed reduction of the drive aisle width to 5.8m results from the tight site arrangement. This request is considered minor as it does not impede safe vehicular maneuverability into and out of the parking stalls. Compact parking spaces are arranged in the Southwest portion of the parking lot, providing a 6.0m wide, Building Code compliant fire route to the main entrance of the building. Only in the portion of the parking lot North of the required fire route is where a reduced width of 5.8m is being proposed, which as shown is sufficient for standard vehicles.

2. *Is the variance desirable for the appropriate development or use of the land?*

Desirability is often difficult to establish since it is subject to opinion and interpretation. In many cases establishing desirability relates directly to the surrounding context of the proposed development. In this case, the minor variances requested are needed as a means to allow the appropriate development of the land to proceed, with the completion of the proposed development in this location deemed desirable for a number of reasons, including:

- Focusing intensification within the urban core on an underutilized site (Blackburn Hamlet is considered inside the greenbelt),
- Using existing services and infrastructure,
- Sited near existing transit infrastructure,
- Intensifying the residential component of the area which will encourage economic growth and local community development,
- Offering a mix of commercial and residential development along a mainstreet,
- Gently inserting itself into the surrounding context, informed by surrounding building heights and materiality.
- Supporting the migration to sustainable transportation through its location along an existing frequent transit route along Innes Road, with proximity to future proposed transit stops.
- Providing access to adjacent bicycle infrastructure that connects into the city-wide paths and cycling infrastructure, supported by on-site bike racks for both resident and visitor use,
- Supporting diversity by providing three accessible suites.
- The development is designed to conform to the sustainable development practices that are required at the time of this letter.

The owner has also initiated discussions with various members of the community to gain feedback and assess how the proposed development will impact the wider community. To date, the project has received favourable feedback and support from the Blackburn Community Association, and its neighbours – the School Board and Aspira Bearbrook Retirement residence, to name a few. It is

expected that the proposed development will be a positive and welcomed upgrade for the community.

3. *Does the variance maintain the general intent and purpose of the zoning by-law?*

MV-1 The general intent of Section 185 (11)(d)(i) of the zoning by-law is interpreted to ensure proximity of the principal façade to the street to ensure an active frontage.

While, upon approval, the request would move the principal façade 5.1m away from the lot line, large floor-to-ceiling curtainwalls are proposed at the commercial suites to engage passers-by and contribute to a more active façade. A public patio space is proposed within the front yard to contribute towards the active frontage, as well as a series of plantings proposed to surround the patio space and provide a more visually stimulating pedestrian realm along Innes Road.

MV-2 The requirement from Table 110 (b) is intended to provide a 1.5m landscape buffer around parking is to screen vehicles from neighbouring sites and soften the property line.

The limiting distance agreement on the East property line includes the replacement of the existing landscaped edge of the property, buffering the building from the neighbouring public path while also providing privacy. This additional landscaping will create an equivalent landscape buffer on the neighbouring site, achieving the presumed intent of Table 110 (b).

MV-3 The requirement in Section 109 (2)(a) preventing the location of parking within a front yard is intended to contribute to an improved pedestrian realm, softening the lot line and to an active, attractive, and unencumbered frontage.

Given the proposed depth increase of the front yard, as well as maximum use of the site, a portion of a compact parking space is located within the front yard. This space will maintain clearance from the compliant front yard depth (3.0m) which will be used to host an ornamental fence that will work to screen the parking from the street, as well as provide visual interest to the pedestrian realm. The overall encroachment is limited to a portion of only 1 parking space and is minor in the dimensional sense rather than in the overall intent of the bylaw requirement.

MV-4 The intent of Section 107 (1)(c)(i) and (ii) is interpreted to ensure provision minimum drive aisle widths are prescribed to ensure adequate clearance for the pulling in and reversing out of vehicles.

As depicted in the diagram provided above, the turning of a standard 4-door car was analyzed for its ability to turn into the spaces easily and safely, as well as reverse out. This analysis validates the proposed drive aisle width of 5.8m and the presumed intent of the clauses in the zoning by-law. Further, this affects only a portion of the overall drive aisle.

4. Does the variance maintain the general intent and purpose of the official plan?

A selection of the Guiding Principles of the official Plan include 1) Intensification and diversifying housing options, 2) Economic development, 3) Designing for climate change and reduced energy consumption, and 4) Encouraging healthy and inclusive communities. As with the question of appropriate development, alignment with the Official Plan will happen as a result of the development proceeding following the acceptance of the proposed Minor Variances.

MV-1 The proposed placement of the building ensures that no exterior walls or projections will encroach on the 5.0m clearance required around the hydro lines. The organization of the floor plan sees four residential suites, two of which are barrier-free and three commercial/office suites along the South face of the building. Respecting this clearance will protect residents, tenants, and the public from adverse health effects associated with proximity to hydro lines.

MV-2 In order to accommodate the required number of parking stalls the 1.5m landscape buffer cannot be maintained along the East property line. As mentioned previously, a landscaped edge will be

MV-3 developed within the space of the limiting distance agreement. Similarly, due to the limited site area, a portion of a compact parking space is located within the front yard. Given the abnormal site geometry and the request for the front yard to be increased from 3.0m to 5.1m due to the required hydro line clearance, the parking space will be positioned greater than 3.0m from the South lot line. All the proposed parking stalls on-site will support both intensification of residential suites and economic development at the commercial/office suites on-site.

MV-4 As a result of the limited site width, the drive aisle has been reduced from 6.7m to 5.8m wide. Even at a reduced width, vehicles can safely and comfortably enter and exit the parking spaces, contributing to both the intensification and economic development of the site. The reduction will also reduce the overall pavement coverage on site, reducing the urban heat island effect while also providing greater space for additional plantings.

The general intent and purpose of the official plan is to provide safe, healthy, and livable communities. The addition of the 18 residential suites and 3 commercial suites are in near proximity to cycling lanes and bus routes, contributing to the 15-minute neighbourhood, while also providing sufficient parking to support the proposed intensification to be in keeping with the official plan.

Attachments:

Drawings:	Rev. # & Date:	Consultant:
A101 Site Plan	E 2023-06-28	Architecture
A401 Exterior Elevations	D 2023-06-28	Architecture

Thank you for your consideration.

Sincerely,

IDEA INC.
INTEGRATED DESIGN | ENGINEERING + ARCHITECTURE



Dino Di Sano, B. Arch, OAA, MRAIC, LEED AP
Principal & Director of Architecture