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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Variance Rational

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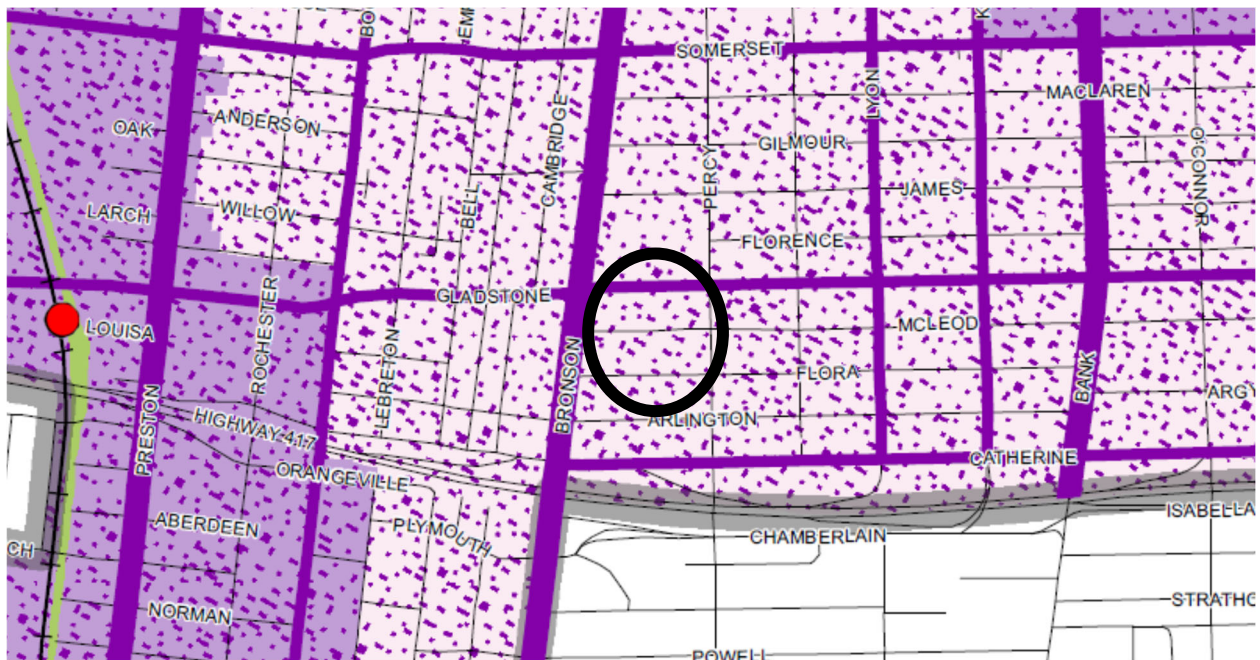
1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for variance(s) for the demolition of a two-storey residential building. The proposed variance(s) would permit the construction of a three storey, XXXX sqm gross floor area above grade stacked dwelling building with 8 units with parking 8 bicycles and no parking for 2 cars. The unit mix includes 4 - 1 bedrm and 4 - 2 bedroom units. The property is located at on McLeod between Percy and Bronson in Centretown. The variances requested are for lot width, lot area and side yard setback. The lot width and area variances are only as a result of the classification of the building as a stacked dwelling building with each unit having separate entrances. An identical low rise apartment building would not require these variances.

2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a two-storey dwelling constructed in the 50's. The property is in the City of Ottawa. It has a street frontage width of 10.03m (east/west) and a depth of 30.21m (north/south). It has a lot area of 303.2 sqm. The zoning is R4UD.

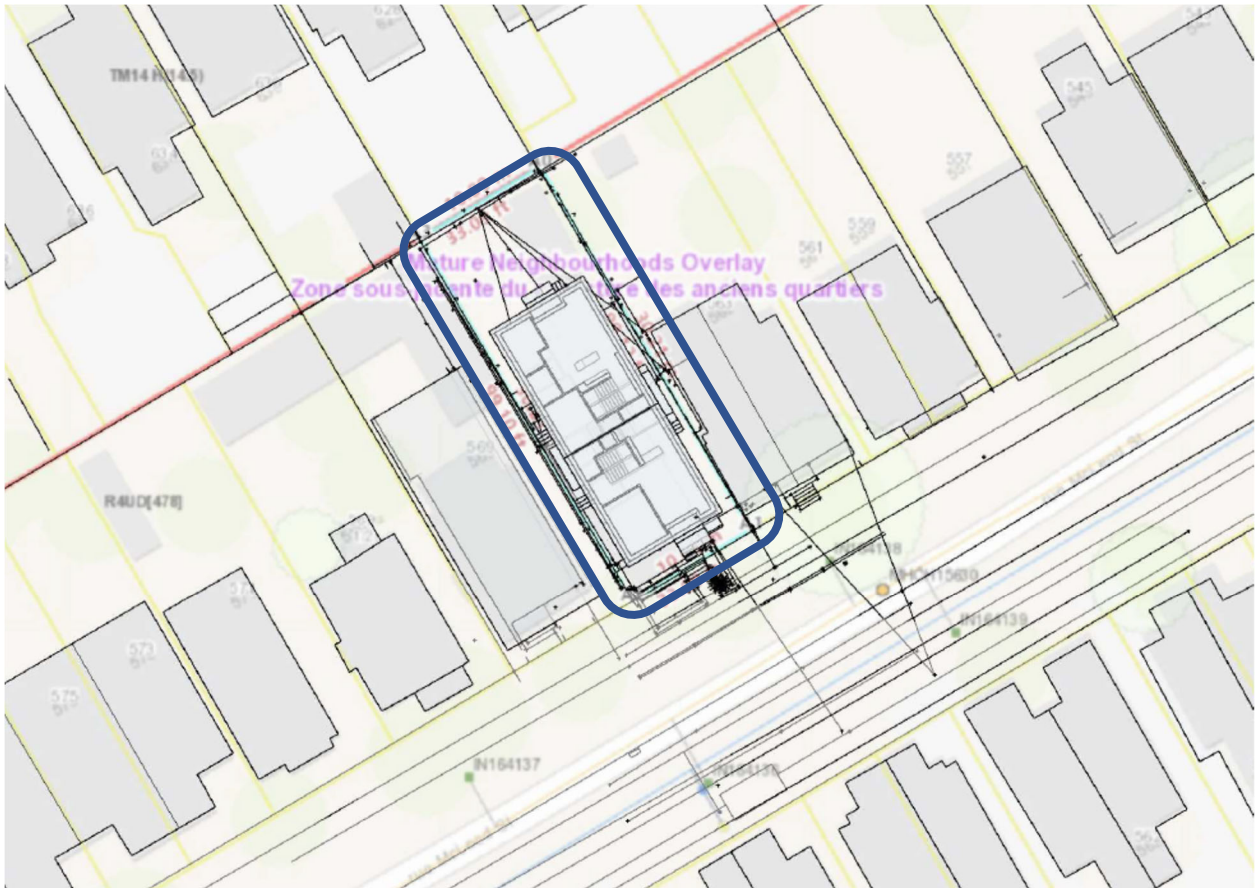
It is located in the Schedule B1 Downtown Urban Transect on McLeod that is classified as a local road. The site is in a designated evolving neighbourhood.



Surrounding Land Uses:

The property is bounded by detached dwellings on the South, East and West. The properties to the north are zoned as Traditional Mainstreet.

Subject Site



1) The building proposed fits into the street as shown below.



2) The Streetscape looking to the West

Google Maps 563 McLeod St



3) The Streetscape looking to the East



Road Network:

McLeod is a local one way road leading to Bronson Ave.

Bicycle Network:

The new active transportation mapping identifies Scott Street and Island Park Drive as important connection to active transportation networks in the City.

New Active Transportation Plan



Current Access to Bicycle Paths and Transit

Transit Services:

The site is within walking distance to multi bus routes on Gladstone and Bronson

Community Services:

The site is located within easy walking distance to numerous schools, many restaurants, shops, parks and is in a quintessentially 15 min walking neighbourhood.

3.0 DEVELOPMENT PROPOSAL AND VARIANCES

The proposed building is a unique individual unit entrance building with 1 entrance at the front with a wheelchair lift, 3 entrances on each side of the building and 1 entrance at the rear and is classified as a stacked dwelling. There is no space for car parking and a garbage and bicycle storage building are located at the rear of the building. Amenity space is provided at grade in the rear and balconies are provided for the units on the second and third floors. The height of the building is less than 10m compared to the permitted height of 11m. The proposed building has no common areas, and the tenants are required to maintain all interior spaces. There are no exterior stairs. Property management will maintain the property grounds.

The requested variances are as follows:

- 1) permit a stacked 8 unit dwelling with a lot width of 10.03m where as the bylaw requires a lot width of 14m
- 2) permit a stacked 8 unit dwelling with a lot area of 303.2 sqm where as the bylaw requires a lot area of 420 sqm
- 3) permit a stacked 8 unit dwelling with a side yard of 1.2m on one side only (west) where as the bylaw requires a side yard of area of 1.5m
- 4) permit access to the waste and recycling accessory building over 4 steps, whereas the bylaw a path uninterrupted by any window well, depression or grade change that would impede the movement of a wheeled garbage container

The first 2 variances are only as a result of the classification of the building as a stacked dwelling as per Zoning Bylaw 2008-250

Section 54: Definitions:

1) Apartment Dwelling, Low Rise means a residential use building that is four or fewer storeys in height and contains four or more principal dwelling units, other than a townhouse dwelling or Stacked Dwelling. (un immeuble d'appartements de faible hauteur) (By-law 2013-54) (By-law 2012-334) (By-law 2014-189)

12. Stacked Dwelling means a residential use building of four or fewer storeys in height containing four or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior. (une habitation superposée) (By-law 2019-410)

While the building is classified as a stacked dwelling it is very similar in function to an apartment building, low rise which would not require the variances for lot width and lot area.

The third variance for side yard setback of 1.2m vs the required 1.5m is not dissimilar other buildings in the neighbourhood. In addition, because the units all face either the rear or the front there is not an overlook issue to the side yards. (see drawings). The fourth variance is required to permit access to the waste management accessory structure while also permitting access to the dwelling units in addition to having one and two bedroom dwelling units in the basement with adequate window area.

4.0 POLICY AND REGULATORY FRAMEWORK:

Provincial Policy Statement (2020)

The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Under the PPS, settlement areas are intended to be the primary focus of growth in the province.

Policy 1.1.1. Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

h) promoting development and land use patterns that conserve biodiversity;

and

i) preparing for the regional and local impacts of a changing climate.

The subject lands are situated within the urban boundary of the City of Ottawa and constitute a settlement area. Accordingly, the lands are a logical and preferred location for new development. Within settlement areas, the PPS encourages land use patterns that make efficient use of land, effective use of infrastructure and public services, support active modes of transportation and are transit-supportive (Policy 1.1.1).

City of Ottawa Official Plan

The Ottawa Official Plan has been reviewed. The site is designated General Urban Area on Schedule B of the City of Ottawa Official Plan. Lands within this designation are meant to provide a full range and choice of housing options in combination with conveniently located employment, retail, service, entertainment and institutional uses. The project site does not fall within any of Schedule C7-A - Design Priority Areas – Urban. It is classified as “Evolving Neighbourhood” under Schedule B1 - Downtown Core Transe

The Proposal supports 15 min neighbourhood through the following:

- a) no car parking spaces have been provided so there will be little traffic impact.
- b) Amenity space is provided in the rear yard, as well as 4 private balconies.
- c) Lighting will be for safety purposes and will respect the dark skies initiative.
- d) The building will not generate additional noise.
- e) The building height is less than 10m
- f) On the north side there a podium height of 10.31m with an average setback of 2.0m
- g) The additional people living in the neighbourhood will increase the number of commercial services that might chose to locate in the area as well as better utilize transit services.

OP Section 3. Growth Management Framework

OP 3.2 Support Intensification

Table 3b

“Housing density

Downtown Transect 80 to 120, Within the Neighbourhood designation: Existing lots with a frontage approximately 15 metres or wider: - Target of 25 per cent for Low-rise buildings;”

This project helps move the inner urban transect closer to 80 to 120 units per hectare with a net density of 190 units per hectare.

OP Section 4. City-Wide Policies

OP 4.2 Housing

“4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city

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;
- b) Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law;”.

OP Section 5. Transects

OP 5.1.5 Provide direction to the Neighbourhoods located within the Downtown Core Transect

“5.2.4

1) Neighbourhoods located in the Downtown Core 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 following:

- 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, as appropriate, 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) Building on Table 6, provides an emphasis on regulating the maximum built form envelope that frames the public right of way; and
- e) In appropriate locations, to support the production of missing middle housing, prohibit lower-density typologies.

OP 5.6 Overlays

5.6.1.1 Provide built form direction for the urban area where intensification is anticipated to occur

2) Where an Evolving overlay is applied:

- a) The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies;

While low rise apartment buildings are not characteristic to this neighbourhood, as an “Evolving Neighbourhood” the OP encourages their development.

OP Section 6. Urban Designations:

The site is designated a Neighbourhood under 6.3 of the OP

“6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan.

2) Permitted building heights in Neighbourhoods shall be Low-rise...”

And

“4) The Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:

a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;

b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);”

The proposed building responds to these requirements by proposing a three storey stacked residential dwelling.

Urban Design Guidelines for Low-rise Residential Buildings

The proposal maintains the current lot pattern, some characteristics of the buildings in the neighbourhood with a modern architectural style.

City of Ottawa Comprehensive Zoning By-law 2008-250:

Purpose of the Zone

The property is currently R4UD:

Purpose of the Zone

The purpose of the R4 - Residential Fourth Density 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.

5.0 CONCLUSION:

The proposed development has been designed to meet the current planning framework. It is consistent with the Provincial Policy Statement and conforms to the City of Ottawa Official Plan.

The proposed variance should be considered minor for the following reasons:

1. They are minor and desirable.
 - a. They reflect the current character of the neighbourhood
2. The general intent and purpose of the Zoning By-law is maintained
 - a. the intent of the bylaw is to permit the low rise dwellings/apartments.
 - b. The intent of the bylaw that the new infill properties respect the existing character of the neighbourhood.
3. The general intent and purpose of the Official Plan is maintained;
 - a. The official plan supports this kind of gentle intensification of land uses compatible with the current urban fabric.
4. The Ontario Planning Act supports intensification in residential urban areas