

June 29, 2023

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

RE: Application for Consent
451 Roosevelt Avenue, Ottawa

Committee of Adjustment
Received | Reçu le

2023-07-06

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Consultants Inc. ("Fotenn") has been retained by the owner of 451 Roosevelt Avenue, as agent to submit a Consent and Minor Variance application to the Committee of Adjustment. The intent of the application is to sever the existing lot into two (2) separate lots and seek relief from the minimum required lot area for the retained lot.

No new development is proposed as part of this application. The existing semi-detached dwelling is proposed to remain. The line of severance follows the common wall of the existing semi-detached dwelling. A strata severance is required for vertical and horizontal division in accordance with policy 11.5.5 of the City of Ottawa Official Plan and section 53 of the Planning Act.

In addition to this cover letter, the following materials have been enclosed in support of this application:

- / Completed application form;
- / Parcel Abstract;
- / Letter from Solicitor;
- / Draft Reference Plan (R-Plan);
- / Plan of Survey;
- / Cheque in the amount of \$4,864.00, made payable to the City of Ottawa.

Sincerely,



Thomas Freeman, B.URPL
Planner



Brian Casagrande, MCIP RPP
Partner

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1.0 Introduction

Fotenn Consultants Inc. ('Fotenn') has been retained to prepare this Planning Rationale in support of Consent to Sever and Minor Variance applications for the site known municipally as 451 Roosevelt Avenue (the "subject site") in the Westboro Neighbourhood of the City of Ottawa.

The Intent of this Planning Rationale is to assess the proposed Consent and Minor Variance against the applicable policy and regulatory framework and to demonstrate how the proposed severance and minor variances are appropriate for the subject site and compatible with surrounding land uses and existing infrastructure.

1.1 Purpose of Application

The purpose of this application is to sever the existing lot into two separate parcels of land, that would include stratified elements. A minor variance is required to permit a reduced lot area of 143.79 square metres for the retained lot where 180 square metres is required.

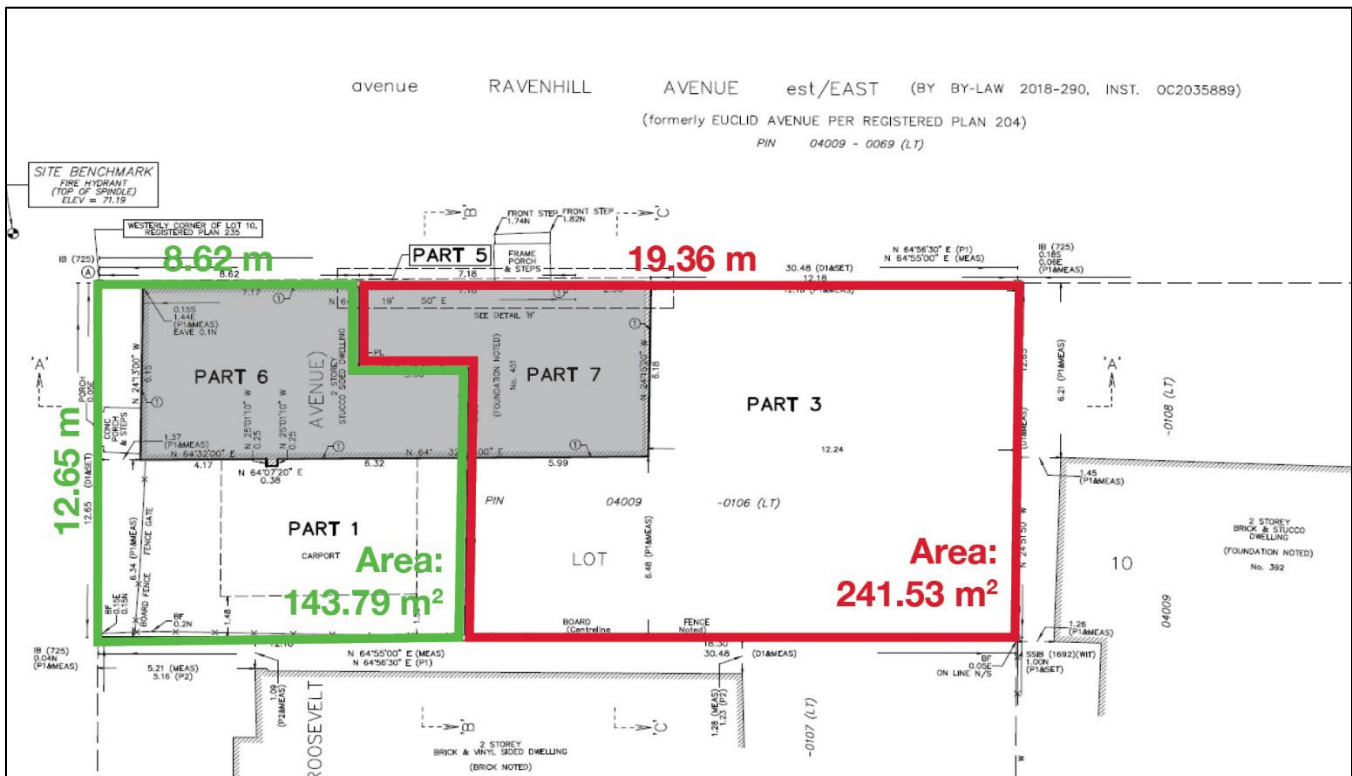


Figure 1: Draft Reference Plan - showing lot area and width for the severed (red) and retained (green) parcels

Site Context and Surrounding Area

2.1 Subject site

The subject site, municipally known as 451 Roosevelt Avenue, consists of a rectangular lot of 385.47 square metres, with 12.65 metres of frontage on Roosevelt Avenue and 30.48 metres of frontage on Ravenhill Avenue. The subject site is currently occupied by a two-storey semi-detached building and carport accessed from Roosevelt Avenue.



Figure 2: Subject Site and Surrounding Context

2.2 Surrounding Context

The subject site is located in the Westboro neighbourhood. The neighbourhood is characterized by a range of low-rise housing typologies including detached, semi-detached, townhouse, and low-rise apartment dwellings.

North: The subject site abuts Ravenhill Avenue to the north. North of Ravenhill Avenue there is a row of detached dwellings as well as detached dwellings and a semi-detached dwelling fronting onto Roosevelt Avenue. Further north there is a four-storey office building fronting onto Richmond Road.

East: The subject site abuts a detached dwelling to the east.

South: Immediately south of the subject site there are several detached dwellings fronting onto Roosevelt Avenue.

West: The subject site abuts Roosevelt Avenue to the west. Further west on Ravenhill Avenue there are several Triplex dwellings.

2.3 Transportation

The subject site is located near public transit, active transportation, and urban road networks.

2.3.1 Transit

The subject site falls outside of the 600 metre radii of the future Kìchì Sìbì LRT Station (expected to open in 2025), but is nonetheless within walking distance, generally considered to be 800 metres by foot, not as the bird flies.

The stretch of Richmond road closest to the subject site is considered a Transit Priority Corridor in the new Official Plan with frequent bus service.

Bus service is provided by two (2) bus routes, with stops within a five (5) minute walk of the subject site:

- / Route 11 Parliament ↔ Bayshore via Wellington Street West, with a stop at Roosevelt and Richmond.
- / Route 50 Tunney's Pasture ↔ Lincoln Fields, with a stop at Churchill and Kenwood.

2.3.2 Road Network

The subject site is located on a neighbourhood street. Nearby roads and their classifications include:

- / **Arterial Roads:** Richmond Road, Carling Avenue
- / **Major Collector Roads:** Churchill Avenue
- / **Collector Roads:** Byron Avenue, Golden Avenue, Dovercourt Avenue
- / **Provincial Highway:** Highway 417
- / **Federally Owned Roads:** Sir John A. Macdonald Parkway, Island Park Drive

3.0 Proposed Strata Severance

3.1 Application Overview

Due to the nature of the existing semi-detached dwellings and the exiting shared common wall, a strata consent application is proposed to sever the subject site both vertically and horizontally. The line of severance aligns with the common wall of the existing semi-detached building, as shown in 3 below which illustrates the line of severance on each floor of the building including the basement, ground floor, and second floor of the existing building.

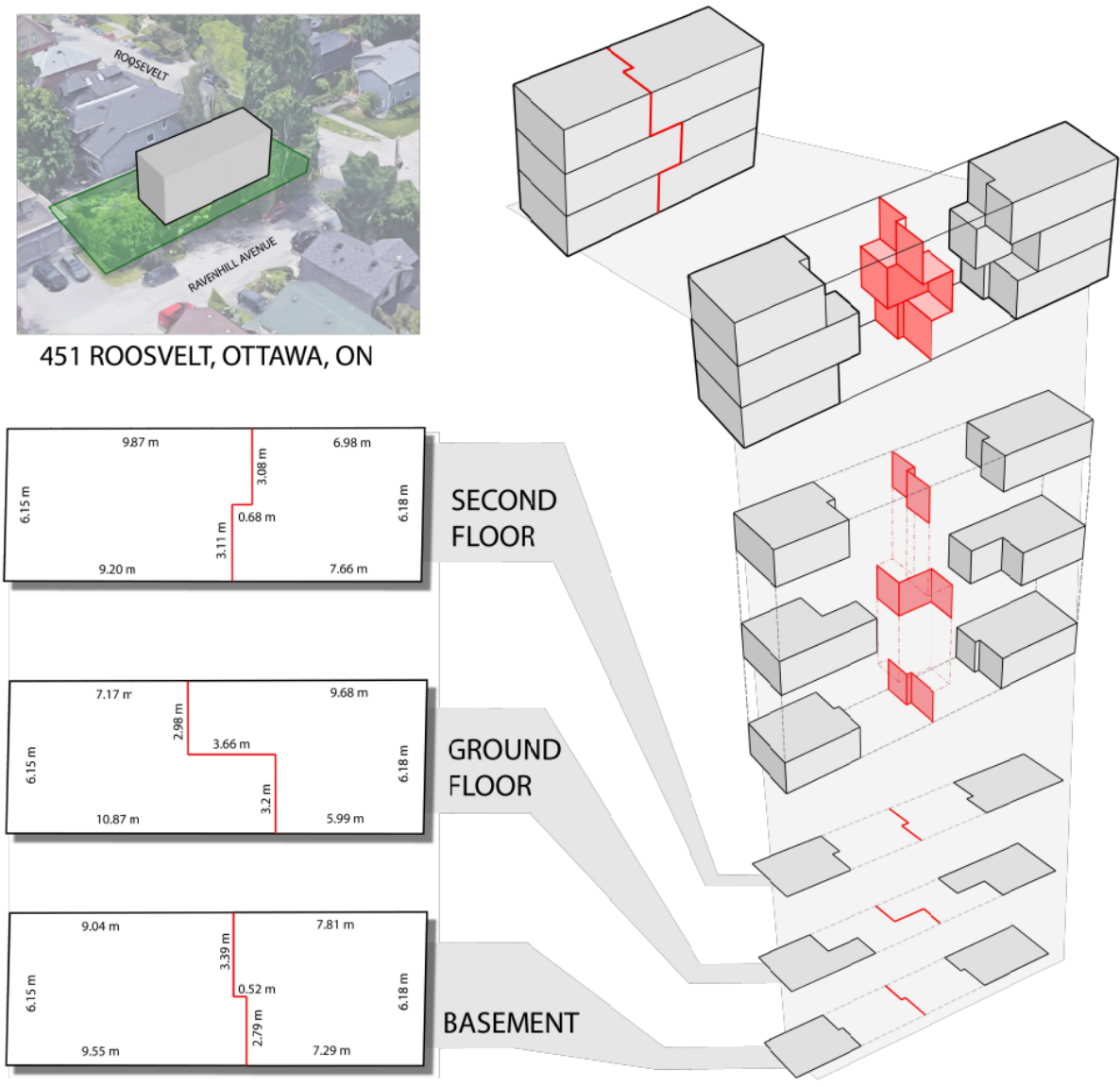
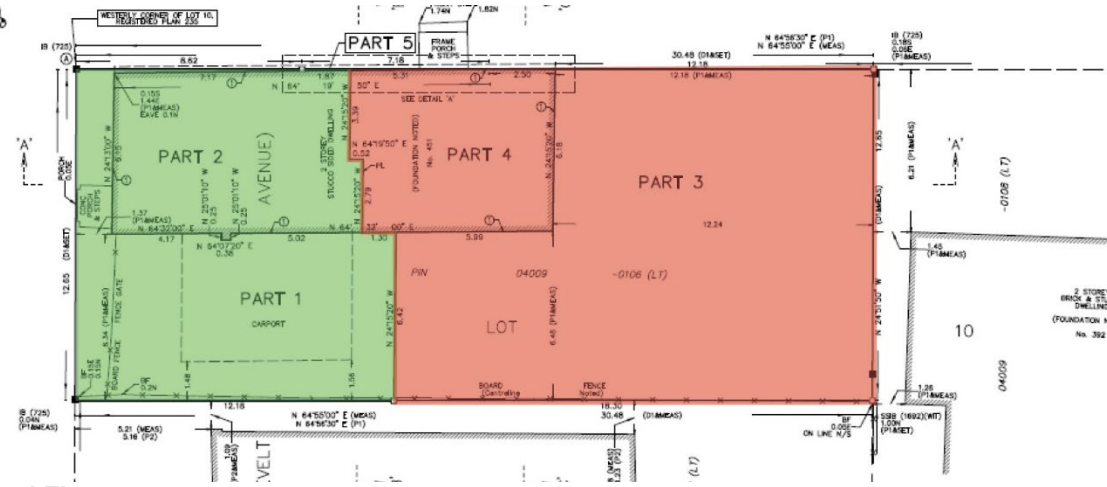


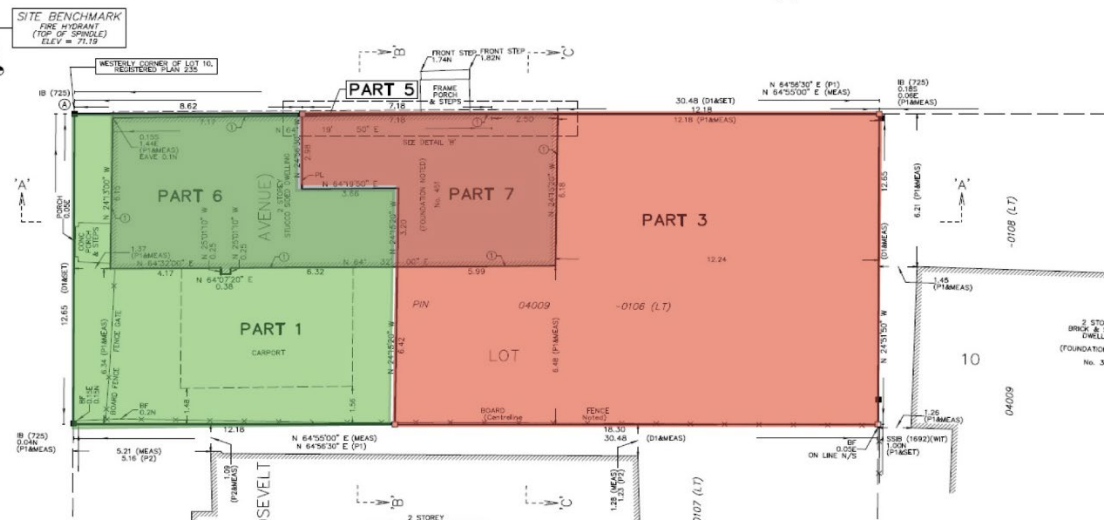
Figure 3: Strata Severance Diagram showing each floor

The proposed strata severance is also illustrated in the Draft R-plan, submitted as part of this application. Figure 4 below shows the proposed severance on each level of the semi-detached building.

Basement



Ground Floor



Second Floor

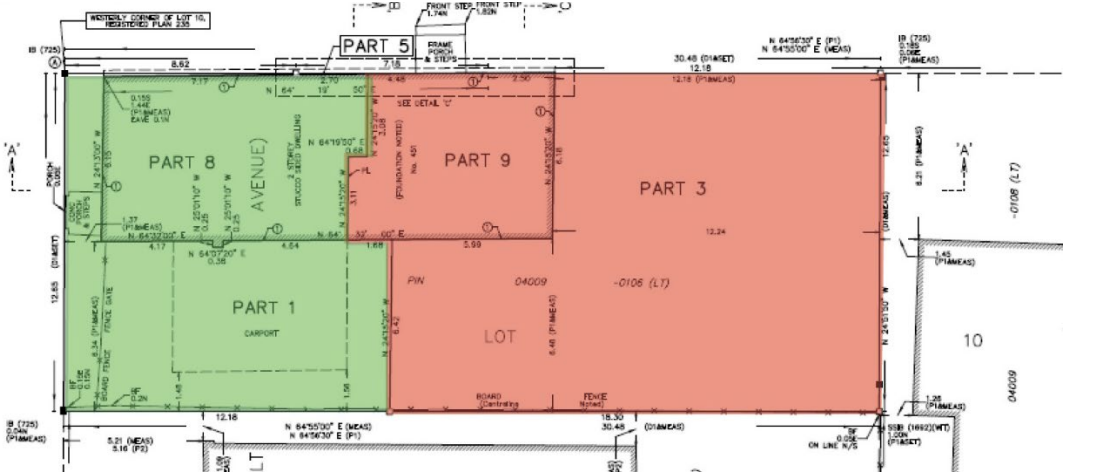


Figure 4: R-plan showing each level of the exiting semi

3.2 Minor Variance

The proposed Consent complies with the vast majority of the zoning provisions and the intent of the R4UA Subzone. However, to facilitate the proposed severance, relief from the Zoning By-law is required to permit a reduced lot area of 143.79 square metres for the retained lot (indicated in green above), where 180 square metres is required.

R4UA Zoning for a Low – Semi detached	Requirement	Severed	Retained	Compliance
Minimum Lot Width (m) s.162, Table 162A	6 m	12.65 m	19.36 m	Yes
Minimum Lot Area (m²) s.162, Table 162A	180 m ²	241.53 m ²	143.79 m ²	No

3.3 Servicing Approach

Each proposed lot will be individually serviced by separate sanitary and watermain lines. The proposed retained lot will be serviced from Roosevelt Avenue and the proposed severed lot will be serviced from Ravenhill Avenue as shown in figure 5 below.

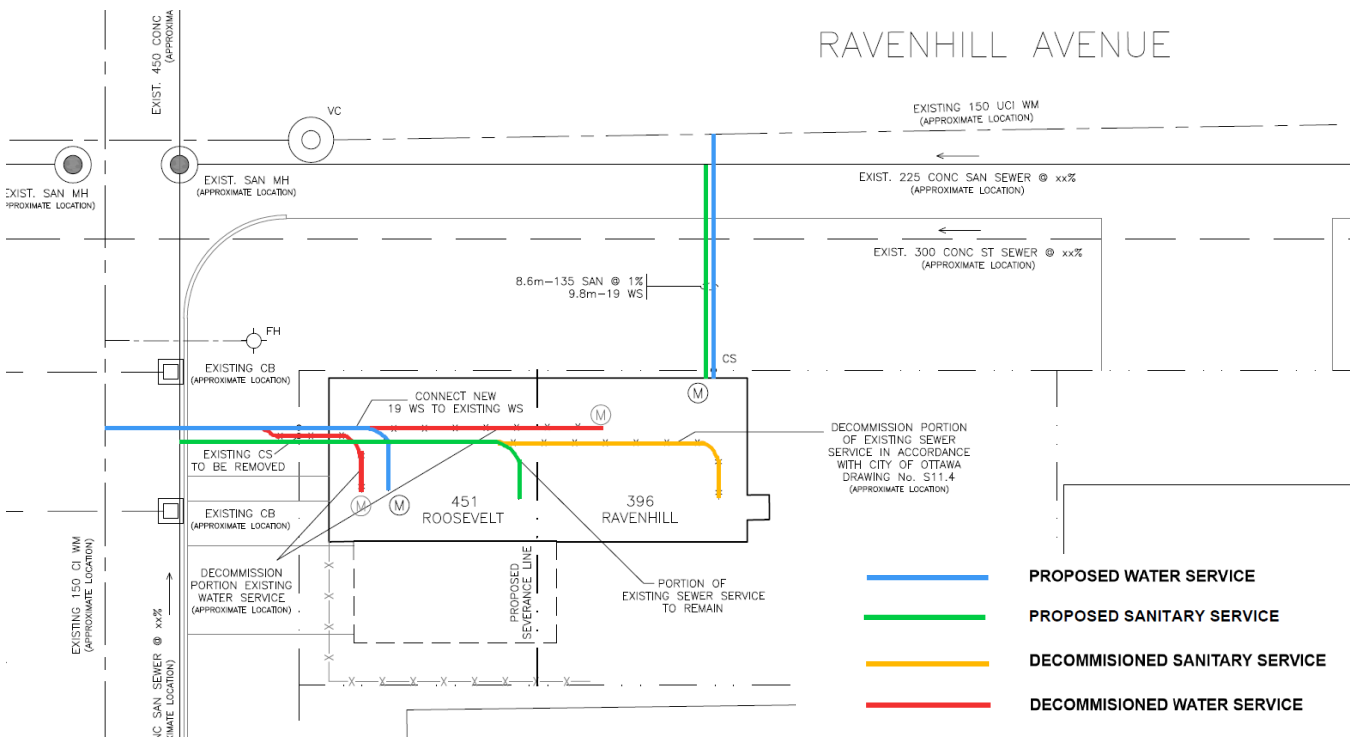


Figure 5: Proposed Servicing Plan

Policy and Regulatory Framework

4.1 Planning Act

The Planning Act is provincial legislation that empowers municipalities to engage in land use planning activities in Ontario. Sections 53(1), 53(12), and 51(24) of the Planning Act establish the criteria for the severance of land. As the proposal includes one severed lot and no public infrastructure, a plan of subdivision is not required for the orderly development of the lands. The proposed severance meets the criteria established in Section 51(24) of the Planning Act as follows:

a) The effect of development of the proposed subdivision on matters of provincial interest

The proposed Consent application has regard for matters of provincial interest found in Section 2 of the Planning Act and is consistent with the policies of the Provincial Policy Statement (2020) by providing for an additional lot within the urban area that will efficiently use the land, existing infrastructure, and public service facilities.

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

The proposed Consent allows for one additional lot within the urban area where municipal servicing is available. The severed and retained parcels will be used for purposes established in the Official Plan and Zoning By-law, and the Consent contributes to the housing and intensification goals of the City of Ottawa and the Government of Ontario. The application is therefore not premature and is in the public interest.

c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;

The proposed Consent conforms with the policies of the City of Ottawa Official Plan (2022) and permits intensification within the Neighbourhood designation within the Inner Urban Transect. The proposed severed and retained lots are consistent with the lot fabric of the surrounding area and are both individually serviced.

d) The suitability of the land for the purpose for which it is to be subdivided;

The intent of the proposal is to create one (1) new lot from the existing parcel of land which is consistent with the low-rise character and intensification patterns within the area. The proposed severed and retained parcels meet the majority of the provisions of the Zoning By-law (one variance is requested for lot area), are able to be serviced by full municipal services and are void of any natural or man-made constraints.

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 abutting roads are all publicly maintained and connected to the larger urban road network of the City of Ottawa. The proposed retained lot will front onto Roosevelt Avenue and the proposed severed parcel will front onto Ravenhill Avenue. The severance line was set based on the layout of the existing building. No new construction or structural alterations are proposed.

f) The dimensions and shapes of the proposed lots;

The proposed lot sizes and shapes are consistent with the lot fabric for other properties in the surrounding area. The lots are designed to accommodate the existing semi-detached dwelling footprint on the site.

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;

No development is proposed as part of this Consent application. No easements or restrictive covenants are registered on title and no easements are required as part of this Consent application.

h) Conservation of natural resources and flood control;

The subject site is not located in a sensitive ecological area or in a floodplain. No adverse impacts are anticipated on natural resources and flood control.

i) the adequacy of utilities and municipal services;

The severed and retained lots will be independently serviced by existing Municipal services, including watermain and sanitary services.

j) the adequacy of school sites;

The subject site is within proximity to existing public school sites.

The proposed Consent has proper regard to the criteria found in Section 51(24) of the Planning Act.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters be consistent with policy statements issued under the Act.

The PPS promotes the development of strong communities, which relies on the establishment of efficient land use and development patterns and the accommodation of an appropriate range and mix of uses.

The relevant policy interests to the subject application are as follows:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

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

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating an appropriate affordable and market-based range and mix of residential types and other uses to meet long-term needs;
- / 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; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

1.1.3.1 Settlement areas shall be the focus of growth and development;

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- / efficiently use land and resources; and
- / 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.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.4 Housing

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - / permitting and facilitating:
 - all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and,
 - all types of residential intensification, including additional residential units;
 - / directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.

1.6 Infrastructure and Public Service Facilities

- 1.6.6.1 Planning for sewage and water services shall:
 - a. accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 - 1. municipal sewage services and municipal water services; and
 - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
 - d. integrate servicing and land use considerations at all stages of the planning process.
- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The severance of the lands to create one (1) new parcel on full municipal services promotes the efficient use of the land in accordance with housing and growth management policy direction. The subject site is well suited for intensification

being located close to transit and neighbourhood amenities, Overall, the proposed severance is consistent with the policies of the 2020 Provincial Policy Statement.

4.3 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for development in the City until 2046, when it is expected that the City’s population will surpass 1.4 million people. The Official Plan directs how the City will accommodate this growth over time and sets out the policies to guide the development and growth of the City.

The subject site is located within the Inner Urban Transect and is designated as Neighbourhood and has an Evolving Neighbourhood Overlay applied, as shown on Schedule B2 – Inner Urban Transect, figure 6 below.



Figure 6: Schedule B2 - Inner Urban Transect

4.3.1 Inner Urban Transect

Policy 5.2.1.1 states that the Inner urban Transect’s built form and site design includes both urban and suburban characteristics and that its intended pattern is urban.

Policy 5.2.4.1 states that 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 the Official 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) Provide 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.

4.3.2 Neighbourhood Designation

Neighborhoods are contiguous urban areas that constitute the heart of communities. They are planned for ongoing gradual, integrated, sustainable, and internally compatible development. Neighbourhood policies will allow for the development of a full range and choice of housing, with complementary small-scale non-residential land uses to support the creation of 15-minute neighbourhoods.

Policy 6.3.1.2 states that Permitted building heights in Neighborhoods shall be Low-rise.

Policy 6.3.1.4 states that 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 3b;
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Policy 6.3.2.1.

Policy 6.3.1.5 states that 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 form, 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).

Policy 6.3.2.1 states that The Zoning By-law and approvals under the Planning Act will allow innovative buildings forms, including in the missing middle housing category, in order to strengthen, guide towards or seed conditions for 15-minute neighbourhoods.

Section 11.5 of the Official Plan provides direction to the Committee of Adjustment process.

Policy 11.5.4 states that in support of Policy 5.2.4, 1 b) and c) the Committee of Adjustment shall consider for applications for Consent with lot patterns and dimensions that result in intensification in support of ground oriented medium density residential that is consistent with the planned context.

Policy 11.5.5 states that the Committee of Adjustment **shall consider strata severance applications**, for both vertical and horizontal division, as it is authorized to do according to the Planning Act. Strata severance applications shall be assessed according to planning principles applicable to severances.

Policy 11.5.6 states that when considering an application, the Committee of Adjustment shall have due regard for the professional advice provided, including legal, planning, engineering, etc., and the Committee shall provide an explanation as to what effect the written and oral submissions it received had on the decision, if any.

The proposed strata severance conforms with the policies of the City of Ottawa Official Plan, including the Neighbourhood designation and the policies in Section 11.5 which provide direction to the Committee of Adjustment process.

4.4 City of Ottawa Comprehensive Zoning By-law (2008-250)

The subject site is zoned Residential Fourth Density, Subzone UA -R4UA[2686] H(8.5) in the City of Ottawa Comprehensive Zoning By-law 2008-250.

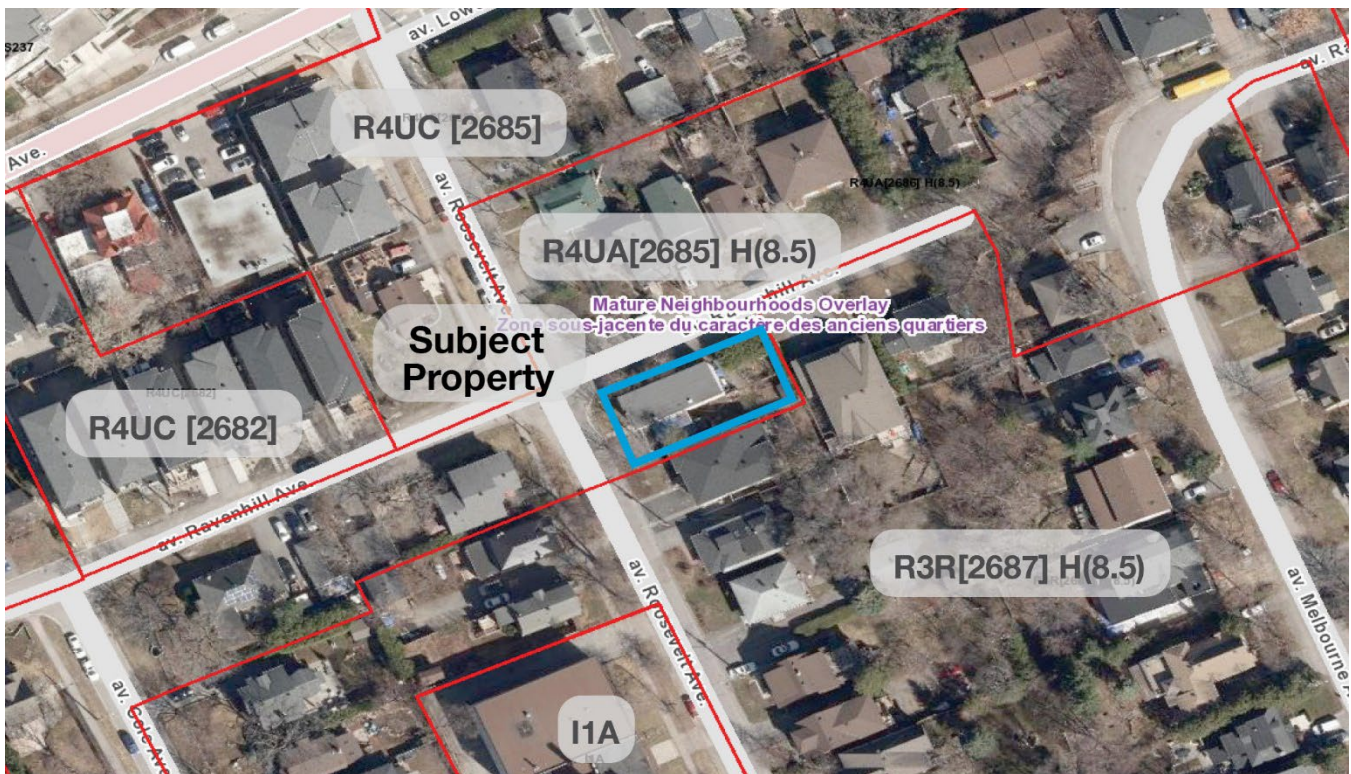


Figure 7: Zoning Map of the Subject Site

The table below evaluates the proposed lots against the performance standards in the R4UA subzone.

R4UA Zoning for a Low – Semi detached	Requirement	Severed	Retained	Compliance
Minimum Lot Width (m) s.162, Table 162A	6 m	12.65 m	19.36 m	Yes
Minimum Lot Area (m ²) s.162, Table 162A	180 m ²	241.53 m ²	143.79 m ²	No

The proposed consent conforms to the vast majority of performance standards of the R4UA Zoning provisions for a semi-detached dwelling. However, a variance is sought for a reduced lot area for the retained parcel.

5.0

Minor Variance Applications: The Four Tests

It is our professional opinion that the proposed development constitutes good planning and meets the four (4) tests outlined in the Planning Act as discussed below.

5.1 Does the proposal maintain the general intent and purpose of the Official Plan?

The proposed minor variance application conforms with the general intent and purpose of the Official Plan.

The subject site is designated Neighbourhood within the Inner Urban Transect and subject to an Evolving Neighbourhood Overlay in the City of Ottawa Official Plan. The minor variance application is consistent with the policies related to the transect, designation, and overlay; as well as growth management framework, and urban design. The proposed consent and minor variance contribute to the vision of the Inner Urban Transect. The proposed lot sizes are consistent with the anticipated evolution towards a denser urban fabric within the Inner Urban Transect.

The proposed minor variance application maintains the general intent and purpose of the Official Plan. The proposed minor variance will permit the creation of one (1) new lot that is consistent with a dense urban parcel fabric within the Neighbourhood designation in the Inner Urban Transect.

5.2 Does the proposal maintain the general intent and purpose of the Zoning By-law?

The subject site is zoned Fourth Density Residential, Subzone UA – R4UA in the City of Ottawa Comprehensive Zoning By-law 2008-250. The intent of the R4UA zone is to allow a wide mix of residential building forms to provide additional housing choices and regulate development in a manner that is compatible with existing land use patterns so that the mixed building form and residential character of a neighbourhood is maintained or enhanced.

A zoning compliance table has been provided in section 3.4 of this rationale and summarizes the provisions of the R4UA subzone. The proposed minor variance seeks to permit a reduced lot area for the retained parcel as the lot cannot meet the minimum lot area required for a “semi-detached dwelling” in the R4UA subzone. However, the proposed retained lot meets the minimum lot width of 6 metres for a semi-detached dwelling and is of a consistent size and shape with other semi-detached and townhouse lots in the surrounding neighbourhood and the R4UA subzone. It is also noteworthy that the proposed lots represent an existing built condition relative to the general layout of the semi-detached dwelling and the combined areas of the existing and retained lot represent more than twice the minimum area because the severed parcel is significantly larger than the minimum lot area.

Therefore, the proposed minor variance meets the general intent and purpose of the zoning by-law.

5.3 Is the proposal Minor in Nature?

The proposed variance relates solely to the area of the proposed retained lot, which is consistent with the Zoning By-law and the surrounding neighbourhood. No development is proposed as part of the proposed minor variance. Therefore, the proposed minor variance is not anticipated to generate any undue impacts on the neighbouring lands or the broader community.

The proposed variance is minor in nature.

5.4 Is the proposal desirable for the appropriate development and use of the land?

The proposed variance allows for the severance of an existing semi-detached dwelling, effectively creating an additional lot that is serviced by municipal infrastructure, proximate to transit and community services, in conformance with the policies

of the City of Ottawa Official Plan, meets the general intent and purpose of the zoning by-law and is minor in nature. The minor variance will not be perceptible, and it does not create an irregular or unacceptable lot pattern in the area.

Therefore, the proposed variance is desirable for the appropriate use of the land.

6.0 Conclusion

It is our professional planning opinion that a full Plan of Subdivision is not required for the orderly development of the land, and a Consent is appropriate for the subject site.

The proposal to create two (2) lots from an existing parcel satisfies the Planning Act criteria for a Consent and conforms with the policies of the Provincial Policy Statement and the City of Ottawa Official Plan.

Further, it is our professional planning opinion that the proposed Consent and Minor Variance constitutes good planning as:

- / The proposal conforms with the Provincial Policy Statement (2020);
- / The proposal conforms to the policies and objectives of the Neighbourhood designation of the Official Plan (2022);
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law (2008-250); and
- / The proposed minor variance meets the four tests as set out in the Planning Act.

Sincerely,



Thomas Freeman, B.URPL
Planner



Brian Casagrande, MCIP RPP
Partner