



Committee of Adjustment

JUN 05 2023

City of Ottawa

200- 1886 Merivale Rd.  
Ottawa Ontario  
K2G 1E6  
613-225-9991

# Ottawa General Contractors

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Committee of Adjustment  
101 Centrepointe Drive  
Ottawa, Ontario, K2G 5K7

June 05, 2023

RE: 70 Havelock & 123 Harvey – Consent & Minor Variance Application

Dear Committee Members,

OGC Ltd. is pleased to submit a Combined Consent & Minor Variance application on behalf of the owner, for the subject sites known as 70 Havelock and 123 Harvey. The requested consent application is to permit separate titles for each parcel of land and the minor variance requested is for a reduced rear and interior yards.

Upon review of our application, you will find the following:

- One (1) copy of a cover letter/planning rationale
- One (1) copy of the Permission Application form, including owner authorization for 70 Havelock
- One (1) copy of the Permission Application form, including owner authorization for 123 Harvey
- Two (2) copies of the Survey plan (1 full size and 1 reduced)
- Two (2) copies of each of the following plans (1 full size and 1 reduced):
  - Drawing A-1 Existing Site Plan – 70 Havelock
  - Drawing A-2 Existing Site Plan – 123 Harvey
  - Drawing A-3 Proposed Site Plan – 70 Havelock
  - Drawing A-4 Proposed Site Plan – 123 Harvey
  - Drawing A-5 Floor Key plans
  - Drawing A-6 Floor Key plans
  - Drawing A-7 Exterior Elevations
  - Drawing A-8 Exterior Elevations
  - Drawing A-9 Exterior Elevations



## 1.0 – Introduction

This application has been prepared and submitted to provide consent to sever the title of both lots known as 70 Havelock street and 123 Harvey street.

The proposed development is also seeking relief on minor variances to permit a reduced interior side yard and rear yard setback to construct a 3 story low-rise, 8 unit apartments on each lot.

## 2.0 – Site Context

The subject sites are in the Old Ottawa East neighborhood and are back to back in similar configuration of a through lot, but are currently separate parcels under one title. 123 Harvey's site remains vacant and 70 Havelock resides an existing 2 story detached dwelling. Both lots are zoned residential fourth density, R4UD.

**Figure 1 – Site Location**







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70 Havelock has a lot frontage of 10.115m, lot depth 30.29m, lot area of 306.29m<sup>2</sup> and resides a 2 story detached dwelling.

123 Harvey has a lot frontage of 10.06m, lot depth 30.29m, lot area of 305.39m<sup>2</sup> and is vacant.

All surrounding properties are of the same zoning designation and are within the mature neighborhood overlay and consist of a mixture of low-rise, townhome and detached dwelling properties ranging in 2 to 3 stories.

**Figure 2 – Zoning Context**





Under the zoning by-law 2008-250, yard setbacks for the construction of low-rise apartments of 8 units or less, in the R4UD zones is 1.5m for interior yards and 30% of the lot depth for rear yards considering the size/depth of lots along Havelock Street and Harvey Street. Upon review of existing lots, it has been found that the requested yard reductions are of similarity for the sought variances to permit a reduced rear and side yard.

**Figure 3 – Setback Reduction Analysis**

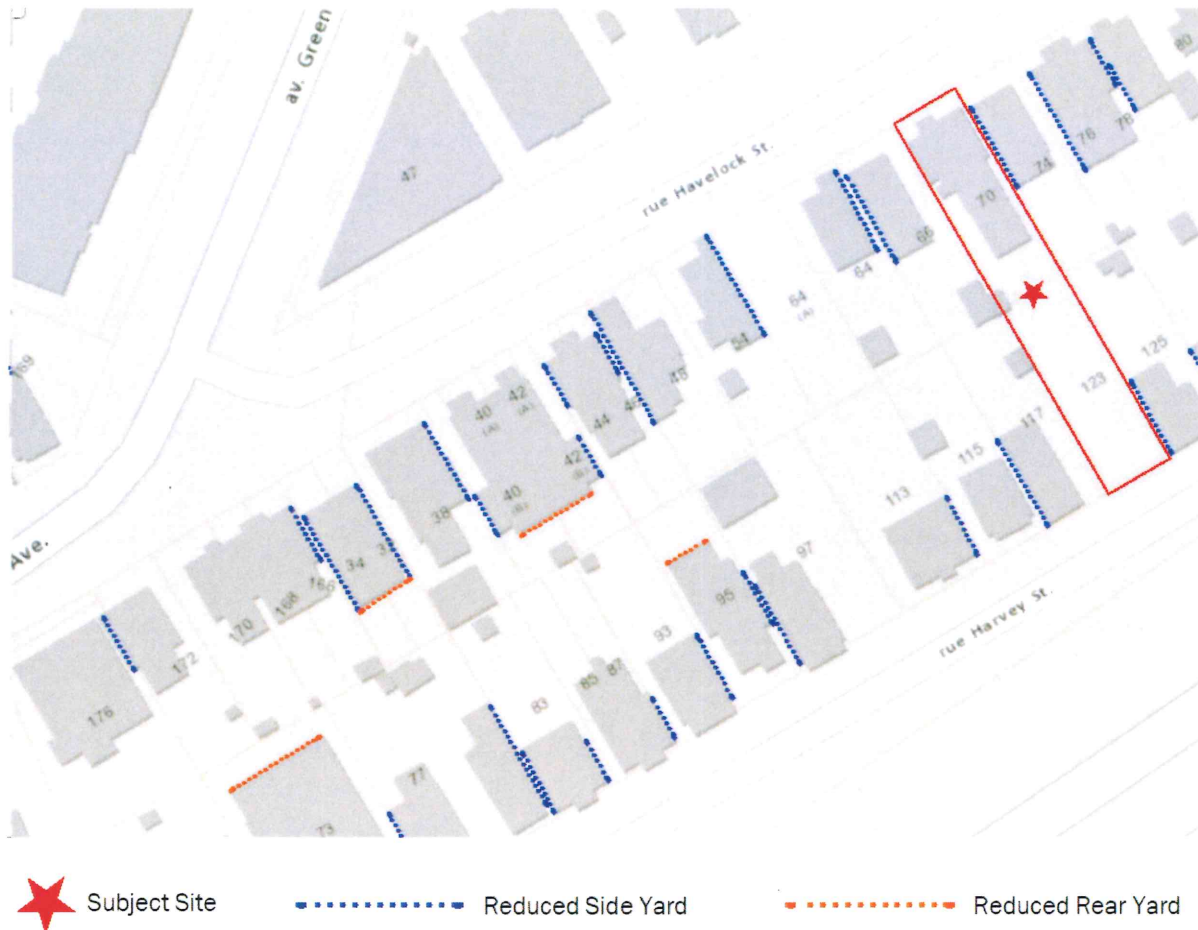


Figure 3 above, outlines surrounding properties with existing conditions with yard reductions in comparison to the by-law requirements.





## 3.0 – Policies

The City of Ottawa Official Plan lists the property as General Urban. The General Urban area designation permits a full range of housing types, which includes low-rise apartments as a listed permitted use under the R4UD zoning designation.

Under the new City of Ottawa Official plan, the subject site is classified as Inner Urban Transect and is listed as an evolving neighborhood. The evolving Neighborhood overlay is applied to properties in close proximity to hubs and corridors that can support intensification through land diversity.

The City of Ottawa Urban Design Guidelines for low-rise infill housing offers strategies for layout, massing and function for infill projects for the impact on the community and neighboring properties. The proposed development is found to meet the purpose and intent of these guidelines, specifically, the increase in glazing requirements along the front façade, the requirement to have the façade setback an additional 600mm for 20% of the façade area, landscape requirements and massing when compared to existing comparable developments within the neighborhood.

## 4.0 – Zoning Requirements

The subject properties are designated Residential Fourth Density (R4UD) in the City of Ottawa zoning by-law (2008-250). The following table summarizes the zoning requirements and outlines the area of non-compliance.

	Required	Provided – 70 Havelock	Provided – 123 Harvey	Compliance
Minimum Lot Area	300m <sup>2</sup>	306m <sup>2</sup>	305m <sup>2</sup>	Yes
Minimum Lot Width	10m	10.115m	10.06m	Yes
Minimum Front Yard Setback	Average of abutting properties	3.29m	2.93m	Yes
Minimum Interior Yard	1.5m	0.8m / 1.58m	0.8m / 1.53m	No
Minimum Rear Yard	30 % lot depth	28.73%	30%	No
Maximum Building Height	11m	10.53m	10.53m	Yes
Permitted projections Canopies and Stairs at grade	Stairs <0m Canopies <0.6m	Stairs: 0.3m Canopies: 0.6m	Stairs: 0.3m Canopies: 0.6m	Yes
Minimum Landscape	35m <sup>2</sup>	>35m <sup>2</sup>	>35m <sup>2</sup>	Yes
Minimum Parking Spaces	0 spaces for first twelve units	0 Provided	0 Provided	Yes
Minimum Bicycle Parking	0.5 per unit 4 required	6 Provided	6 Provided	Yes
Maximum Walkway Width	Front yard walkway width 1.25m	1.20m	1.2m	Yes



The proposed development meets the majority of the zoning provisions under R4UD with the (2) exceptions. We seek consent and variances for the following items:

#### 70 Havelock

- To receive consent to sever the properties with separate titles
- To permit a reduce rear yard to 28.7% of the lot depth where the zoning by-law requires 30%
- To permit a reduced interior side yard of the Northern yard to 0.8m where the by law required 1.5m. This is to permit electrical services distribution to the proposed 8 units for sub-metering.

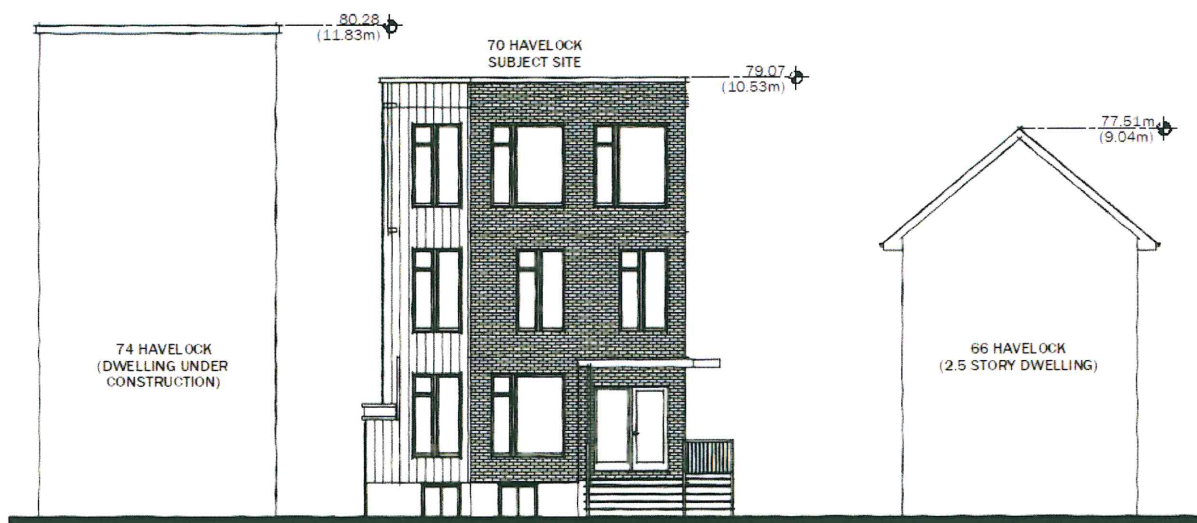
#### 123 Harvey

- To receive consent to sever the properties with separate titles
- To permit a reduced interior side yard of the Southern yard to 0.8m where the by law required 1.5m. This is to permit electrical services distribution to the proposed 8 units for sub-metering.

## 5.0 – Site Massing

Under the R4UD zoning design for low-rise apartments of 8 units or less, the building is permitted to be construction up 11m in height. The following figures have been created to evaluate the proposed development adjacent to the neighboring properties.

**Figure 4 – Havelock Street Context**



70 Havelock has been found to follow the streetscape of adjacent properties. 74 Havelock is currently under construction with a development in similarity in massing and height. The proposed development is lower in building height to help transition the roofline between both adjacent properties.



Figure 5 – 123 Harvey Street Context



123 Harvey has been found to minimally impact the adjacent property at 117 Harvey due to the existing side yard setbacks with the private approach configuration of the lot. In addition, the proposed development will be setback an additional 1.79m from the face of the existing wall of the dwelling at 125 Harvey in order to meet Hydro Ottawa overhead clearances which will benefit the transition in heights and massing from one structure to another.

## 6.0 – Tree Protection

The adjacent sites have existing distinctive trees with critical root zones extending into the subject properties. Please refer to report prepared by IFS Associates on June 5<sup>th</sup>, 2023.

## 7.0 – Hydro Ottawa

Main hydro corridors occur on both lot frontages along Havelock and Harvey. Clearances will be adhered to for permanent structures to overhead distribution lines as per Hydro Ottawa's OLS0002 standard. Further coordination with Hydro Ottawa will occur for the service layout to the proposed electrical metering rooms that are related to the requested interior side yard reductions.





## 8.0 Rationale

In summary, it is in our opinion that the requested reduced rear yard meets the four tests for the following reasons:

**1. Is the variances minor**

- a. We find the rear yard reduction at 70 Havelock to be minor as the yard area will be increasing from the existing detached dwelling that resides on the property.
- b. We find for the reduced interior yard to be minor as it only applies to a portion of the building as required for the location of hydro distribution equipment.

**2. Is the variance desirable for the appropriate development or us of the property**

- a. The design of the low-rise apartments are of similar massing and use as the properties located on the North side of Havelock Street, which consist a mixture of 2-3 story low-rise apartments/townhomes.
- b. Development on vacant property will increase the City's housing options and be closer to achieving the City's goal for increasing housing in the years to come.

**3. Is the variance maintaining the general intent and purpose of the zoning by-law**

- a. Yes, as under the R4UA zoning designation, intensification is outlined for increase dwelling options through-out the City.
- b. The proposed development will create an increase in rental housing options within the Old Ottawa East community.

**4. Does the variance maintain the general intent and purpose of the Official Plan**

- a. The proposed development is located in the General Urban area which offers a full range of housing types and supports intensification that compliments the neighborhood.
- b. The proposed development creates a building type offering a wide range of rental options for affordable housing within in the community when compared to the surrounding context and building types.
- c. Under the new official plan, the development is located in an evolving neighborhood which is in close proximity to main corridors and hubs, we find the proposed development meets the intent of the new and previous official plans.

In summary, we are of the opinion that the requested relief for the proposed development meets the four tests as established in the planning act.

Yours truly,



**Alain Bisson**

Senior Architectural Technician, M.A.A.T.O

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