

# Variance and Consent to Sever Rational

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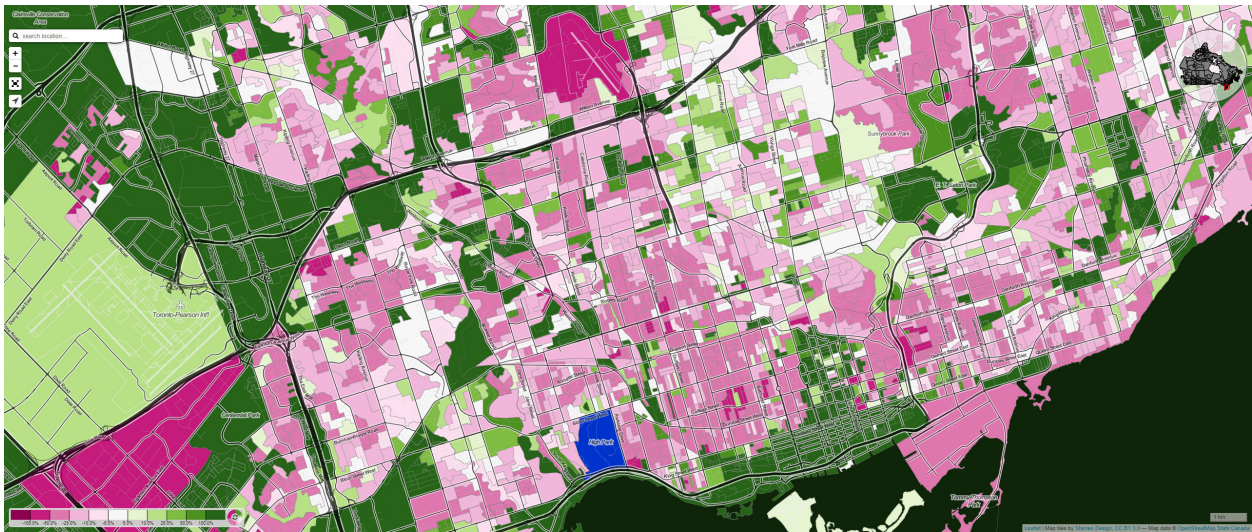
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## 1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for variances and consent to sever one lot permit two single family detached dwellings with the demolition of a detached dwelling.

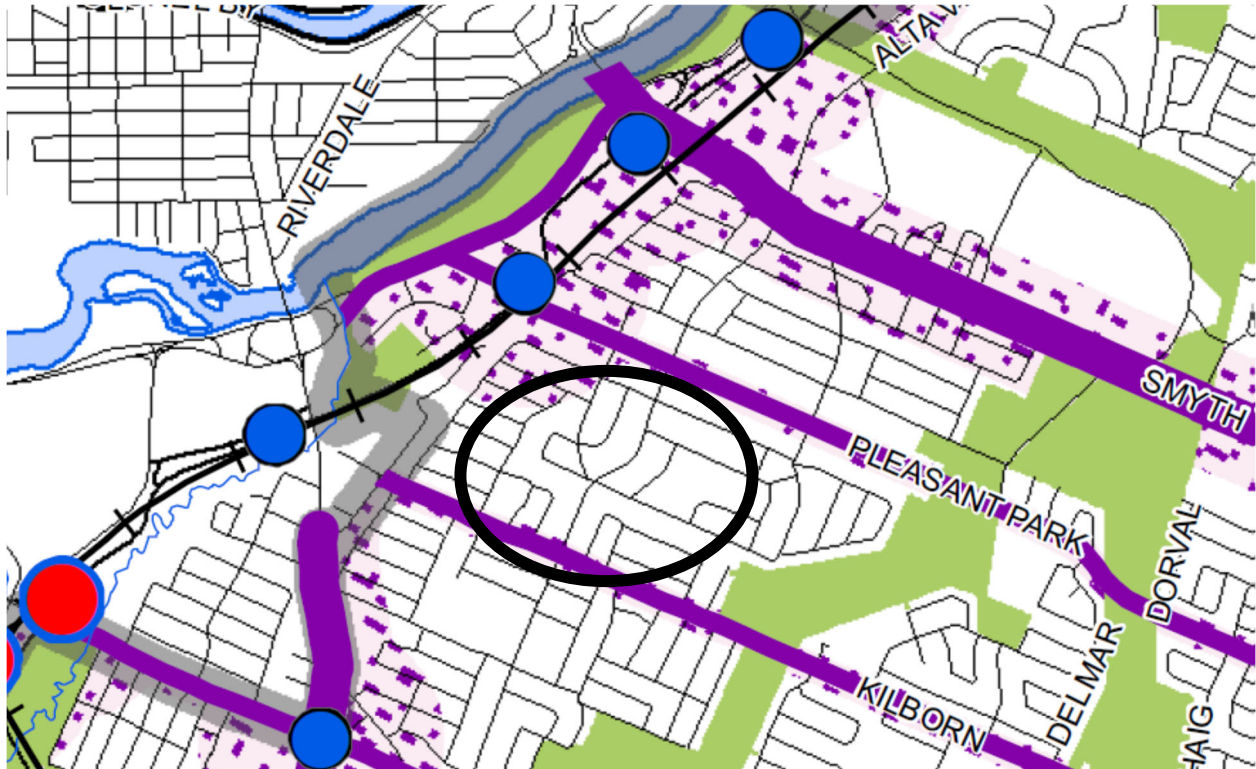
The zoning for the property is R1GG in the City of Ottawa. The neighbourhood is characterized by large single-family homes. It is also a neighbourhood that has either seen its population decrease between 1971 and 2016 similar to Toronto below (census tract data, Statistics Canada). The proposed severance will support gentle intensification.



## 2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a detached dwelling constructed in the 60's. The property is an irregular lot in the City of Ottawa. It has a street frontages totalling 99.5 m and interior lot lines totaling 48.02m. It has a lot area of 1,100.4 sqm. The zoning is R1GG.

It is located in the Schedule B3 Outer Urban Transect at the intersection of Alta Vista Drive, a major collector and Cunningham that is classified as a local road. The site is in a designated as a neighbourhood.



Subject Site

### Surrounding Land Uses:

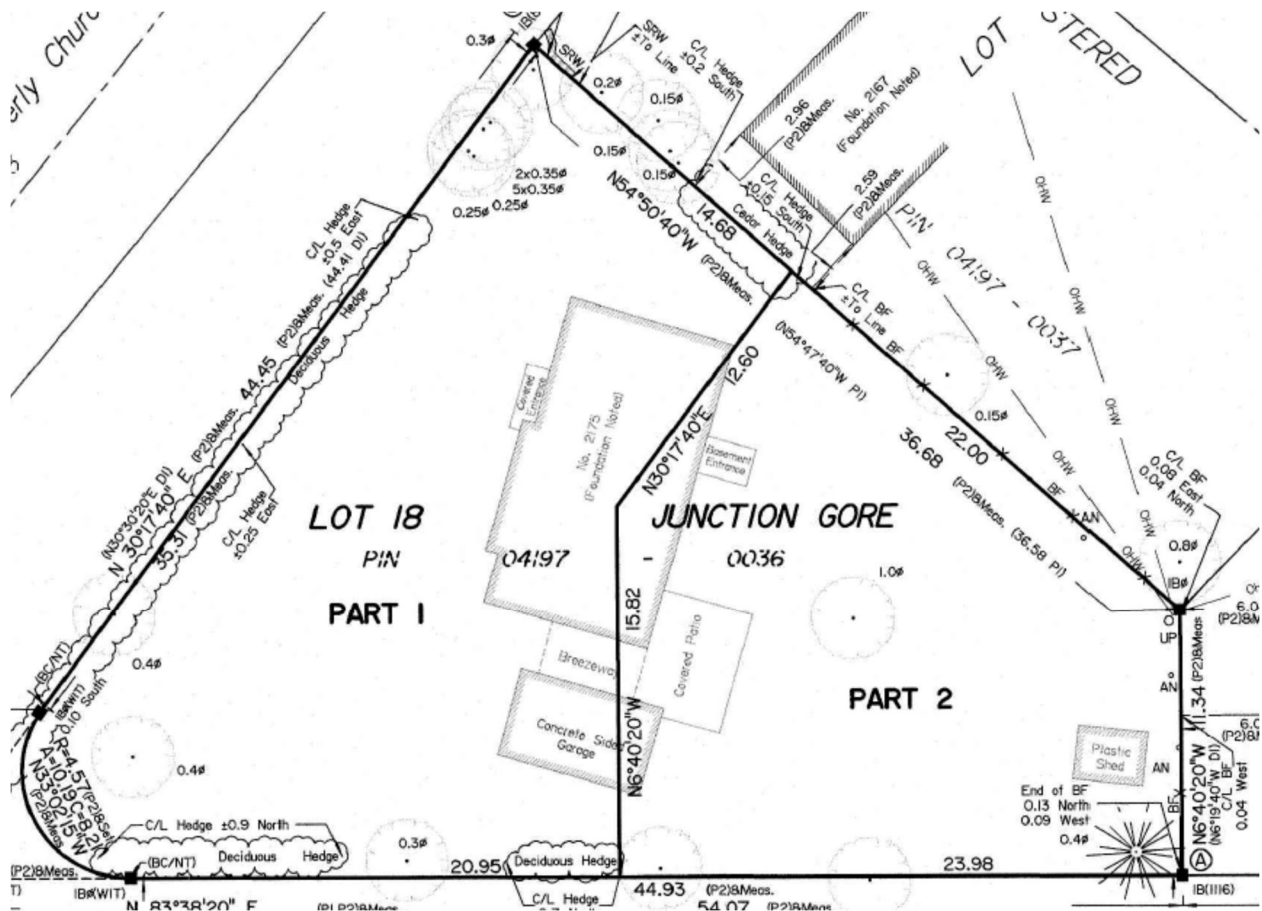
The property is bounded by detached dwellings on the North, East and West. A church is on the south side of Cunningham across the street.

**Road Network:**

Cunningham Ave. is a local Road. Alta Vista Drive is an existing Major Collector at this location.

**3.0 DEVELOPMENT PROPOSAL AND VARIANCES**

The proposed development consists of the demolition of an existing detached dwelling, severing the existing lot into 2 lots with the proposed construction of 2 detached dwellings. building is an existing 3 individual unit building. While the lot areas and lot widths are fully in compliance with the zoning bylaw, the irregular lot will require several variances. The proposed severance creates lots identified by Parts 1 and 2.



The requested variances for :

Part 1 are as follows:

permit the entrance on the severed corner lot to face the same street as the created interior lot, where as the bylaw requires that the entrances face alternate streets.

Part 2 are as follows:

- 1) permit a rear yard area of 10.3% of the lot area, 43.96 sqm, where as the bylaw requires an area of 25% of the lot area 115.9 sqm
- 2) permit a rear yard of 2.18 m, where as the bylaw requires a rear yard of 28% of the lot depth 26.31m is 7.37m

The variance for Part 1 is a result of Alta Vista Drive being a Major Collector Road. From a traffic management and safety perspective it is more reasonable to access the corner property from Cunningham which is a local road. The driveway entrance has been placed on the east side of the property furthest from the intersection.

The variances for Part 2 are a result of the already irregularly shaped original lot.

- 1) The legal definition for a rear yard that can include only the rear yard adjacent to the back lot line at the building closest dim. And as such is 43.96 sqm. The actual overall practical rear yard is 116 sqm about 25% of the lot area.
- 2) Due to the irregularly shaped original lot the legal rear lot line is the long line across from the front property line. The proposed building is within 2.18m of this property line but the depth of the yard increases to 10.5m along the centre line of the property, more than the 28% of the lot depth.

#### 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 in 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. It is classified as “Neighbourhood” under Schedule B3 – Outer Urban Transect

### **OP Section 5. Transects**

*OP 5.3.1 Recognize a suburban pattern of built form and site design 2) The Outer Urban Transect is generally characterized by low- to mid-density development. Development shall be:*

*a) Low-rise within Neighbourhoods and along Minor Corridors;*

*b) Generally Mid- or High-rise along Mainstreets, except where the lot is too small to provide a suitable transition to abutting low-rise areas, in which case only low-rise development shall be permitted*

**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...”*

*The proposed development is in character of the existing neighbour in lot typology area and lot width. See more detail below.*

**Alta Vista / Faircrest Heights / Riverview Park Secondary Plan**

*Low-Rise Development*

*1) The following portions of arterials, major collector and collector streets shown on Schedule A – Designation Plan, are designated for low-rise neighbourhood development. **In determining the acceptability of low-rise neighbourhood growth proposals, lot sizes in the immediate surrounding blocks of the proposed growth will be considered representative of the typical lot size of the surrounding area.** Where lot sizes vary as a result of redevelopment, street trees at the same interval as the established street tree alignment must be provided in order to maintain streetscape continuity:*

*a) South side of the Smyth Road Mainstreet from Alta Vista Drive to Faircrest Heights Park; and*

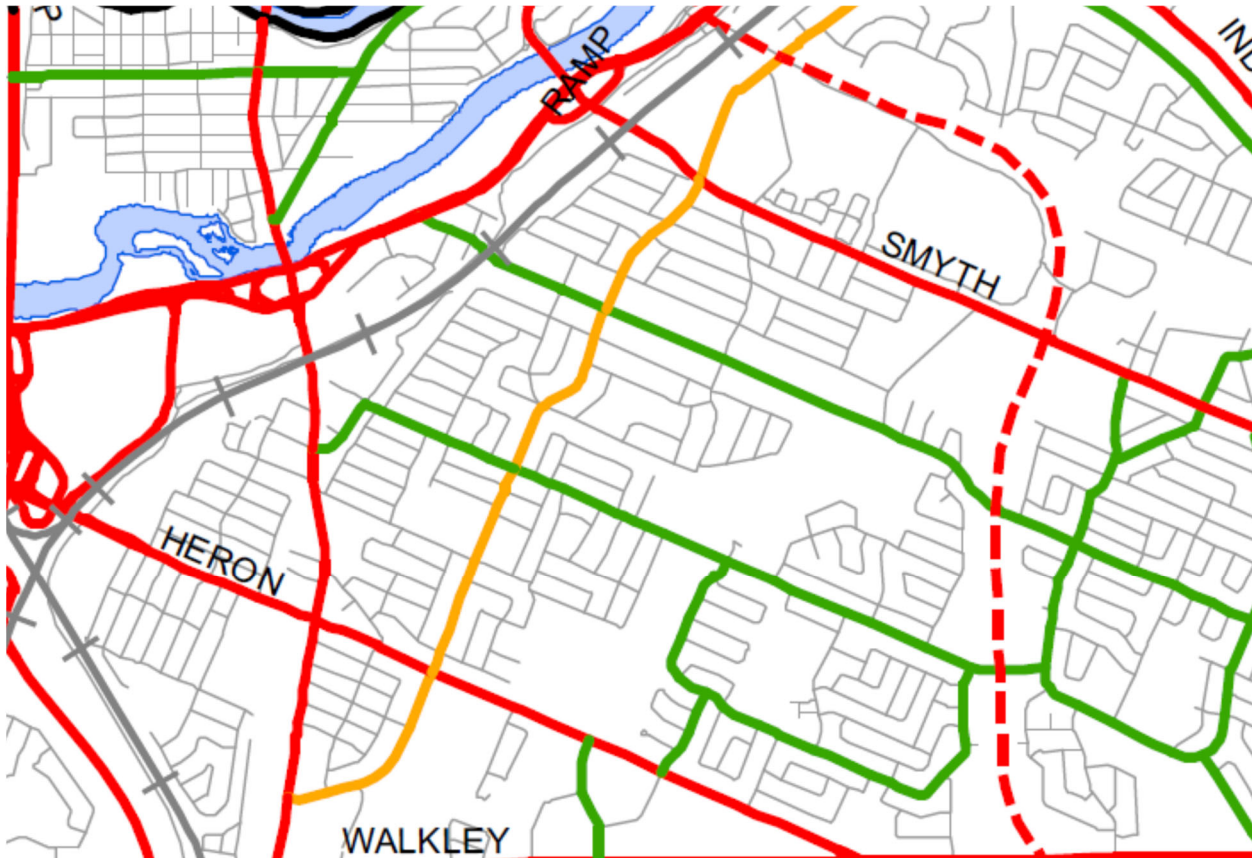
***b) Alta Vista Drive from Dale Avenue to Heron Road, excluding that portion of Alta Vista Drive from the Green Transportation and Utility Corridor to Smyth Road; and***

*c) Pleasant Park Road Minor Corridor from Riverside Drive to the Green Transportation and Utility Corridor; and*

*d) Heron Road from Bank Street Secondary Plan boundary to east of the Heron Corridor; and*

*e) Kilborn Avenue Minor Corridor from Blossom Drive / Utah Street to Green Transportation and Utility Corridor and Featherston Drive.*

The proposed severance would create lots consistent with the Secondary Plan requirements along Alta Vista Drive. The proposed lot is 636.8 sqm, slightly smaller than the average of the surrounding lots at 680 sqm. It is still larger than the 3 smaller lots on the east side of Alta Vista Drive to the north of which the smallest is 500.08 sqm. The lot that will face Cunningham in its entirety is smaller but has a lot width characteristic of the street at 23.8m and therefore maintains the pattern of home on Cunningham. The new home on the corner will also face Cunningham due to the significantly higher traffic volumes on Alta Vista Drive which is classified as an Major Collector Existing



Arterial - Existing		Artère - Établie
Arterial - Future (alignment defined)		Artère - Future (alignement déterminée)
Major Collector - Existing		Grande collectrice - Établie
Major Collector - Future		Grande collectrice - Future
Collector - Existing		Collectrice - Établie



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

**Purpose of the Zone**

The property is currently zoned as R1GG:

***Purpose of the Zone***

*Purpose of the Zone*

1. *The purpose of the R1- Residential First Density Zone is to:*
2. *restrict the building form to detached dwellings in areas designated as General Urban Area in the Official Plan;*
3. *allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;*
4. *permit ancillary uses to the principal residential use to allow residents to work at home;*
5. *regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced; and,,,,,*

**The proposed severance is consistent with the intent of the bylaw to permit detached dwellings and is compatible with the existing land use pattern.**

**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 with the retention of the original building
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

The Consent to Sever without a plan of subdivision complies with the Planning Act in that it represents orderly development

- Adequate services, sewer, hydro, water and transportation are available
- No new public infrastructure is created
- No changes in land use are being made