

# Variance Rational

## Chris Jalkotzy

### Modulink, Planning & Design

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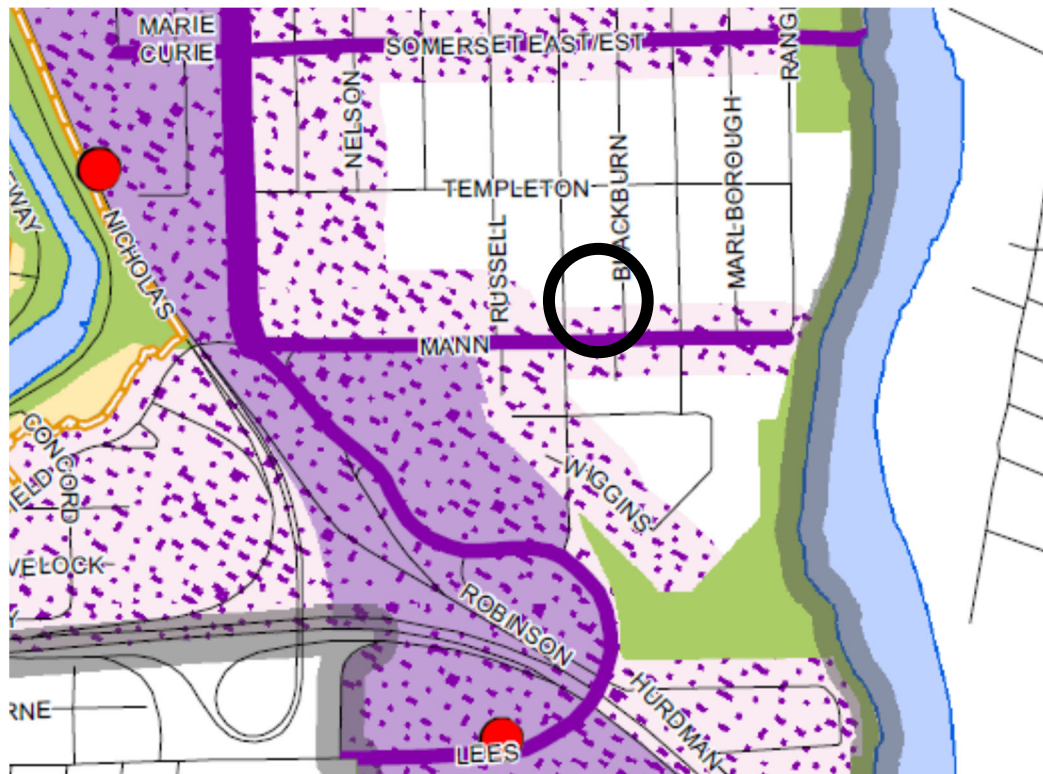
## 1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for variance(s) to renovate part of a building containing a primary dwelling unit and a secondary unit and add an addition to convert it to a six dwelling unit building. The unit mix includes 2 studios, 1 - 2 bedrm, 1 - 4 bedrm and 2 - 5 bedrm units. The property is located on Blackburn Ave between Mann and Templeton in Sandy Hill. The variances requested are for front, side and rear yards. All these variances are an existing condition.

## 2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a three-storey dwelling constructed in the 50's and earlier. The property is in the City of Ottawa. It has a street frontage width of 17.76m (north/south) and a depth of 30.51m (east/west). It has a lot area of 538.80 sqm. The zoning is R4UA[480].

It is located in the Schedule B1 - Downtown Core Transect on Blackburn that is classified as a local road. The closest intersection is Mann Ave classified as a Corridor – Minor. The site is in a designated neighbourhood but is just north of or part of the evolving neighbourhood designation.



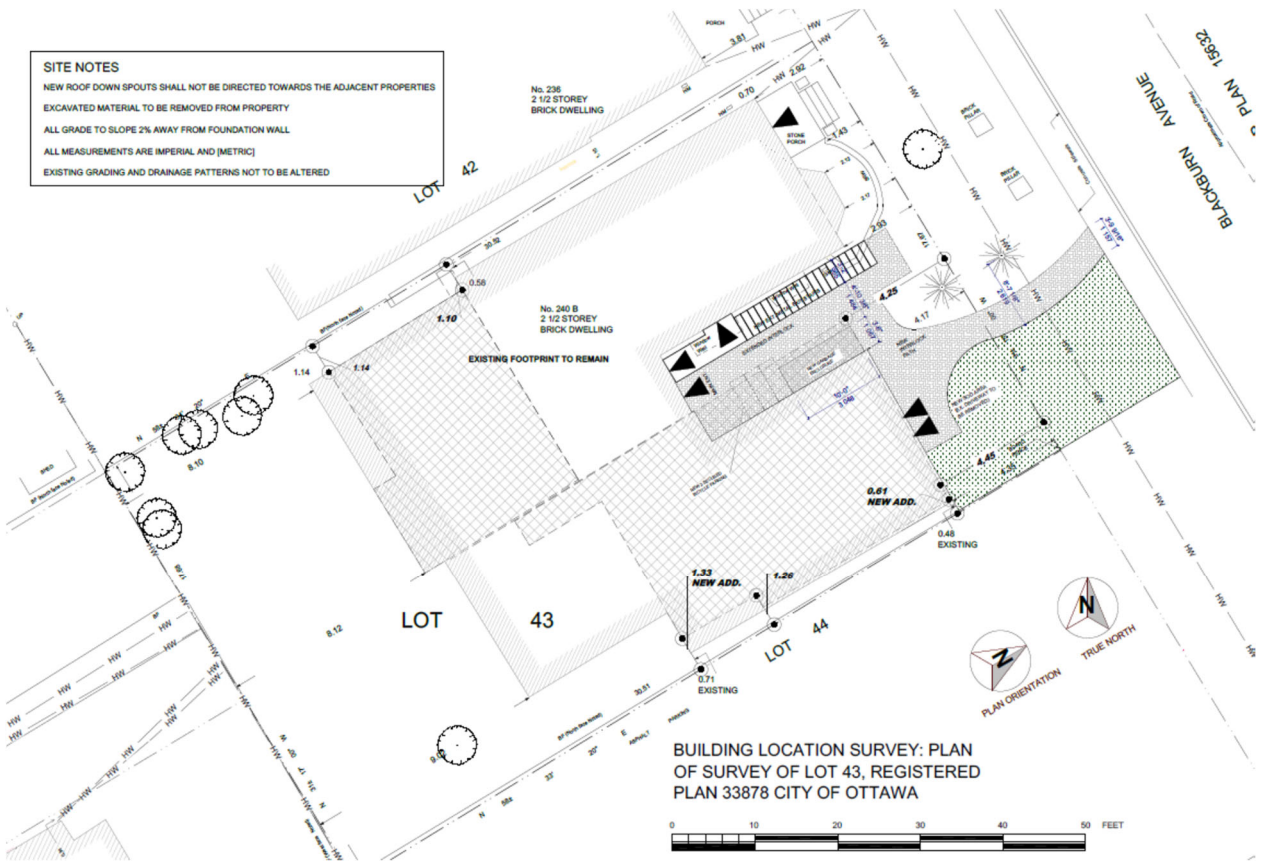
**Surrounding Land Uses:**

The property is bounded primarily by detached dwellings on the North and East side of Blackburn. There is a low-rise apartment building at 225 Blackburn. The property to the south is zoned LC1[2263] and is occupied by a commercial strip mall East and West. There is a low-rise apartment building on the west side adjacent to a detached dwelling. There will be no changes to the at grade area other than landscaping and the addition of an exterior exit stair.



Neighbourhood

Subject Site





1) Subject Property



2) The Streetscape looking to the North

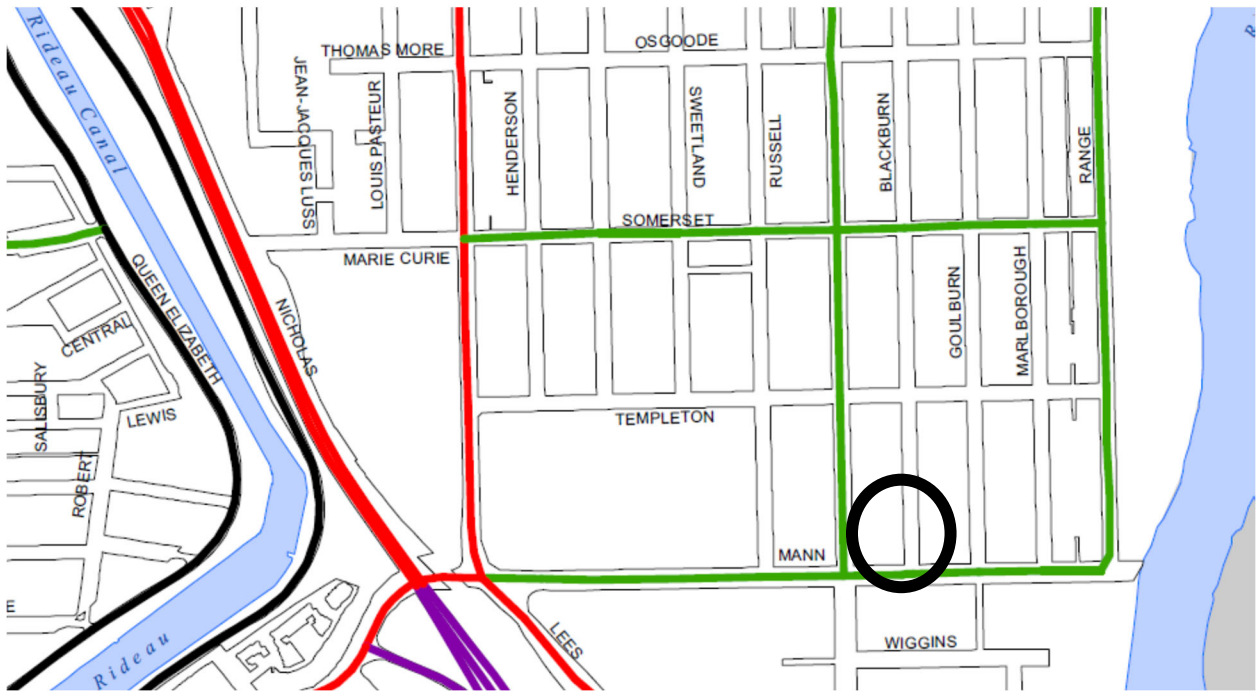


3) The Streetscape looking to the East



**Road Network:**

Blackburn is a local two way road leading to Mann and Templeton all local roads. Mann Ave., is designated an existing collector on Schedule C5 - Downtown Core Road Network

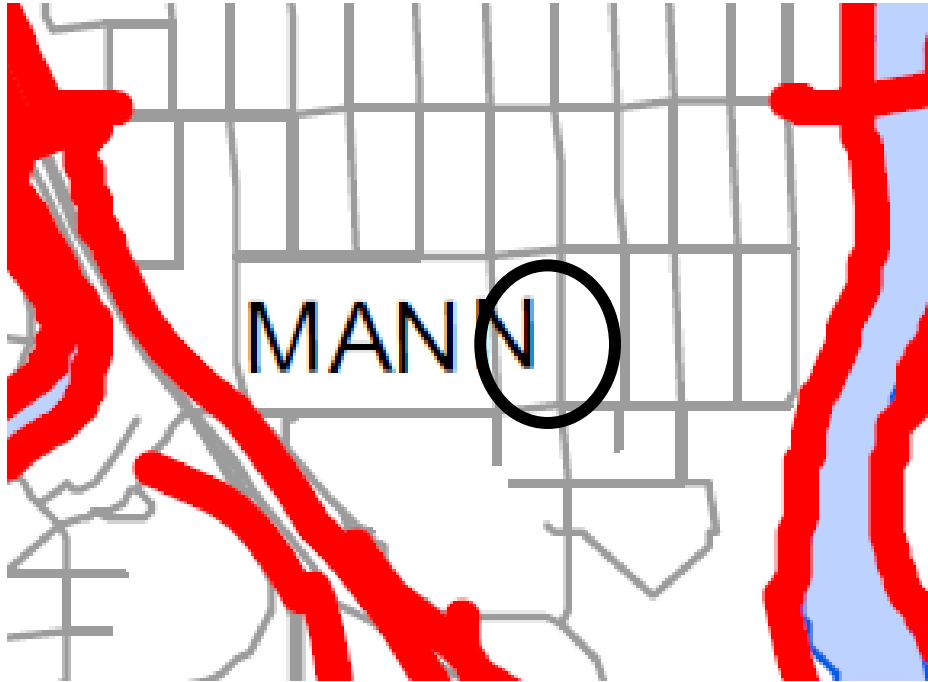




**Bicycle Network:**

The new active transportation mapping Schedule C3 - Active Transportation Network, major pathways identifies several major pathways that the site is close to.

New Active Transportation Plan



**Transit Services:**

The site is within walking distance (800m) of 2 transit stations



### **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 an existing 3 unit semidetached building. The proposed variances will permit the retention of the existing building and the conversion into a 6-unit low rise apartment building. The existing driveway and garage are to be removed. The driveway will be soft landscaped with a new walkway to permit the retention of the existing trees. There is 150 sqm of at grade amenity space in the rear.

The requested variances are to permit the addition of dwelling units and conversion to a low-rise apartment building are as follows:

- 1) permit interior side yards of 0.58m and 0.48m for the existing building whereas the bylaw requires 1.5m
- 2) permit front yard setback of 2.12m whereas the bylaw requires a front yard setback of 3.81m (the distance the dwelling to the north).
- 3) Permit a rear yard setback of 8.10m whereas the bylaw requires 30% of the lot depth or 9.16m

Variations 1, 2 and 3 are a result of the retention of the existing original building. The existing building is not being modified in any way to make worst the current variances being requested.

### **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 “Neighbourhood” under Schedule B1 - Downtown Core Transect. It also falls with the Annex 1 - Metropolitan Downtown Core.

The Proposal supports 15 min neighbourhood through the following:

- a) The parking space and garage are eliminated so there will be little traffic impact.
- b) Amenity space is provided in the rear yard.
- 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 complies with the zoning bylaw
- f) 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

**Inner Urban Transect, 60 to 80,”**

This project helps move the inner urban transect closer to 60 to 80 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 Inner City Transect

“5.2.4 Provide direction to the Neighbourhoods located within the Inner Urban Transect

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;

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.

<b>Transect</b>	<b>Official Plan Policy Reference</b>	<b>Designation</b>	<b>Height Category and Details</b>
<b>Downtown Core Transect</b>	<b>5.1.3(1)</b>	<b>Hubs</b>	<b>High-rise and High-rise 41+: between 10 storeys and 40 storeys and 41 storeys plus, through criteria and area-specific policy</b>
	<b>5.1.4(1)</b>	<b>Hubs</b>	<b>Low-rise, Mid-rise and High-rise: minimum 4 storeys and maximum 40 storeys</b>
	<b>5.1.4(3)</b>	<b>Mainstreet Corridors</b>	<b>Low-rise and Mid-rise: minimum 2 storeys and maximum 9 storeys</b>
	<b>5.1.4(4)</b>	<b>Minor Corridors</b>	<b>Low-rise and Mid-rise: minimum 2 storeys and maximum of 9 storeys</b>
	<b>5.1.5(1)</b>	<b>Neighbourhoods</b>	<b>Low-rise: minimum 2 storeys, generally permit 3 storeys, allow a built height of up to 4 storeys where appropriate</b>

**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.

## **5 – Central and East Downtown Core Secondary Plan**

The site is located in the Central and East Downtown Core Plan SECONDARY PLAN - VOLUME 2 Schedule B - Designation Plan area and is identified as Local Neighbourhood. It is also located within the East Neighbourhood Character Area, SECONDARY PLAN - Volume 2 Annex 1 - Centretown Character Areas.

### *3.1 Built Form*

*Development in the Central and East Downtown Core will contribute to an active street life and pedestrian convenience through its design, function and activity.*

*1) Development will contribute positively to the entire adjacent public realm. It should maximize the activity visible from the public realm and the activity easily accessible to it. Measures include but are not limited to:*

*a) Functional main entrances directly accessible from the public realm for each unit on the ground floor. For further specification, this includes residential, retail and commercial units.*

*b) Usable indoor and/or outdoor amenity areas where possible. These amenities are meant to encourage people to linger in or within view of the public realm. Examples include patios, porches, atria, stoops, etc.*

*c) Lower floor articulation with a high degree of transparency and functional permeability.*

**The proposed renovations maintain the existing front façade of the buildings while adding soft landscaping where there is currently hardscape, garage, and driveway.**

### *4.7.3 Land Use and Built Form*

#### *Local Neighbourhood*

*99) Preserve and enhance a stock of good housing.*

**The proposed development preserves the exiting build while adding to it.**

### *4.7.6 Site Development*

*122) Enhance development with landscaping, especially for parking and loading areas and as a buffer between dissimilar land uses.*

**Hardscaping is being converted to soft landscaping as previously noted**

### *4.7.8 Building Heights*

*128) Within the Sandy Hill Character Area, any maximum building heights permitted in the Zoning By-law that exceed the heights indicated on Schedule B as of the date of adoption of this Secondary Plan will continue to apply. Any increases beyond these maximum heights will require an Official Plan Amendment.*

**The height limit is 4 storeys, the building will be 3 storeys**



### **City of Ottawa Site Plan Control Bylaw 2014-256**

While Bill 23 does not require compliance with Site Plan Control, the proposed project complies with intent of the bylaw section that related to the Sandy Hill Area on Schedule B. (By-law 2019-39)

3.1 (1) This section applies to the Sandy Hill Special Site Plan Control Area of the City identified on Schedule B. (By-law 2019-39)

#### **We are providing the following information:**

*(5) The applicant may be required to provide the following information and documentation in support of an application for site plan control pursuant to this section:*

*(a) A one-page planning rationale providing a summary of the nature and intent of the proposed development or redevelopment; (provided as part of this report)*

*(b) A site plan showing site layout, the location of the building and all its entrances, details of landscaping, and the layout/location of any on-site motor vehicle and bicycle parking; (full architectural plans are provided where new work is occurring)*

*(c) In the case of additions resulting in buildings of 275 square metres gross floor area and greater, a grading and drainage plan prepared by a certified professional engineer licensed to work in Ontario; (the addition is less than 275 sqm)*

*(d) Elevation drawings and three-dimensional colour renderings (at a scale of 1:50) of the building before (in the case of redevelopment or additions) and after development or redevelopment; (pictures of the before and architectural elevations of the changes)*

*(e) Details on cladding materials, windows, and other architectural elements proposed or, in the case of an existing building proposed to be modified, details on how these materials are being changed or replaced; (architectural plans)*

*(f) Floor plans of each floor of the building showing the use of all space, consistent with Building Permit application, including all rooms with their intended purpose, vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material; (architectural plans)*

### **Urban Design Guidelines for Low-rise Residential Buildings**

The proposal maintains the current lot pattern and keeps the exiting building fronting on the street, 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 R4UA[480]. (exception 480 refers to dwelling unit is a permitted use.)

#### **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 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