

August 14, 2023

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

**RE: Application for Consent and Minor Variance
56 Capilano Drive**

Committee of Adjustment
Received | Reçu le

2023-08-15

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Ottawa Salus Corporation ("Salus") have retained Fotenn Consultants Inc. ("Fotenn") to prepare and submit Consent and Minor Variance applications for their property at 56 Capilano Drive ("subject property"). The intent of the applications is to sever the existing lot for financing purposes to facilitate the development of the property in accordance with an affordable housing development. The severance application will create one (1) new parcel for a townhouse block, and one (1) retained parcel for a low-rise apartment building. As the severed and retained lots do not meet all the provisions of the Zoning By-law, a concurrent Minor Variance application is also enclosed, as detailed in this Planning Rationale Report.

The proposed development is currently subject to an ongoing Site Plan Control application (D07-12-23-0028) submitted to the City on March 29th, 2023. In addition to this Planning Cover Letter, please find the following materials enclosed in support of the Consent and Minor Variance applications:

- / A draft reference plan, prepared by Fairhall, Moffatt & Woodland;
- / A Site Plan, prepared by CSV Architects, revision 6, dated 2023.08.10;
- / Elevation Drawings, prepared by CSV Architects, revision 2 dated 2023.03.08;
- / A Tree Conservation Report, prepared by IFS Associates, dated July 27, 2023;
- / A Topographic Plan of Survey, prepared by Fairhall, Moffatt & Woodland, dated July 21, 2016;
- / PIN Sheet for the subject property;
- / Authorization by the owners to submit the applications; and
- / A cheque for the required application fees.

Sincerely,



Haris Khan, MES
Planner



Bria Aird, RPP MCIP
Senior Planner

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FOTENN

1.0 Introduction

On behalf of Salus, Fotenn is submitting concurrent Consent to Sever and Minor Variance applications to permit development of an affordable housing community at 56 Capilano Drive.

Salus is a community and social housing provider in the City of Ottawa that provides supportive housing for adults living with mental illness. The development will consist of a low-rise apartment and a four-unit townhouse block and will be owned and operated as an integrated community by Salus. To facilitate financing for the townhouse blocks, a severance is required. The proposed development will also require relief from several provisions of the Zoning By-law. The majority of the relief sought relates to the proposed severance and is procedural in nature.

1.1 Application History

The subject property was formerly part of the City View Curling Club and was created through a severance in 2016. McDonald Bros. Consulting Inc. (“MBC”) retained Fotenn in early 2022 to submit a Zoning By-law Amendment application (D02-02-22-0055) to rezone the property from a Community Leisure (L1) zone to Residential Fourth Density (R4) Zone, with a site-specific exception. The purpose of the rezoning was to facilitate a partnership with a non-profit housing provider to develop the subject property as an affordable or community housing project. Following the application submission, McDonald Brothers partnered with Salus, and the requested amendments to the zoning were adjusted to meet Salus’s needs, including no minimum for resident parking. Council passed the Zoning By-law Amendment in November 2022.

Following approval of the Zoning By-law Amendment, Salus continued to develop the program for the subject property. The proposed development now includes 54 studio units in the low-rise apartment building and four (4) four-bedroom townhouse units. A total of 12 visitor parking spaces and 3 resident spaces are provided, and a common outdoor amenity area is located in an internal courtyard between the two buildings. The proposed development is subject to a Site Plan Control application submitted on March 29th, 2023 (D07-12-23-0028), which is in the latter stages of review.



Figure 1: View of Townhouses from Capilano Drive (looking southeast)

2.0 Site Context and Surrounding Area

2.1 Site Context

The subject property is municipally known as 56 Capilano Drive and is in the Knoxdale-Merivale Ward of the City of Ottawa. The property is legally described as Part 2 on plan 4R-27938 and is part of Lot 15 on Registered Plan 353 in the City of Ottawa and has a total combined area of 2,774.84 square metres and a frontage of 44.86 metres along Capilano Drive.

The property is currently vacant and consists of a softly landscaped area with shrubs located along the western and northern property lines. Hydro and streetlight poles are also located along the Capilano Drive frontage.



Figure 2: Subject Property, and Surrounding Area.

3.0 Overview of Applications

At the time the Zoning By-law Amendment was approved, Salus was contemplating a development consisting solely of studio units in a single low-rise apartment building. However, Salus subsequently identified the opportunity to add a second building with larger, family-sized units. These larger, four-bedroom units will create a greater range of housing options for Salus’s clients: either for multiple clients to live together in a single housekeeping unit, or for Salus clients to live together with their family in a supportive environment. This change to the proposed program for the site has driven the need for the enclosed Consent and Minor Variance applications.

The development is intended to provide supportive housing for Salus clients who are adults living with mental health, substance use and other health issues. It will provide purpose-built housing that supports aging in place and independent living for people of all ages but is expected to serve primarily older adults at a location that is conveniently located near multiple amenities. The development allows for efficient delivery of required services by Salus’s professional staff, and supports their vision of “Stable Housing for Everyone.”

The proposed Consent application seeks to sever the existing lot into two (2) parcels for financing purposes. The concurrent Minor Variance seeks relief from several provisions of the Zoning By-law: relief from two provisions would be required regardless of the Consent application, while the remainder are required solely to facilitate the severance. Because both new parcels will remain under one ownership – technically meeting the Zoning By-law definition of a “lot” – and because they will be developed together under a single Site Plan Agreement, the variances required to permit the Consent are procedural in nature. The remaining two variances – to allow one of 12 visitor parking spaces to be reduced in size, and to permit a reduced east interior side yard setback – are required for efficient development of the parcel and accommodation of Salus’s program, as described below.

3.1 Proposed Development

At the time of Site Plan Application submission, the proposed development was conceived of as a PUD on a single lot; regardless of the enclosed Consent application required for financing purposes, the development will be operated by Salus as an integrated community.



Figure 3: View of Subject Property and Proposed Development from Capilano Drive (looking southwest)

The townhouses provide family sized units that frame a human scale public realm along Capilano Drive, while the low-rise apartment provides studio units that support independent living in a built form that responds to the commercial context around the rear.

Parking is located internally on the site along the eastern property line. The driveway configuration minimizes disruptions to the public right of way along Capilano Drive and maximizes the usability of the lot for residential purposes.

Communal outdoor amenity is provided internally on the site, rather than to the rear of the apartment building. Its location presents an opportunity to create an enjoyable shared space for building residents, that is buffered from the Curling Club parking lot. Private outdoor terraces for the townhouse units abut the communal amenity area.

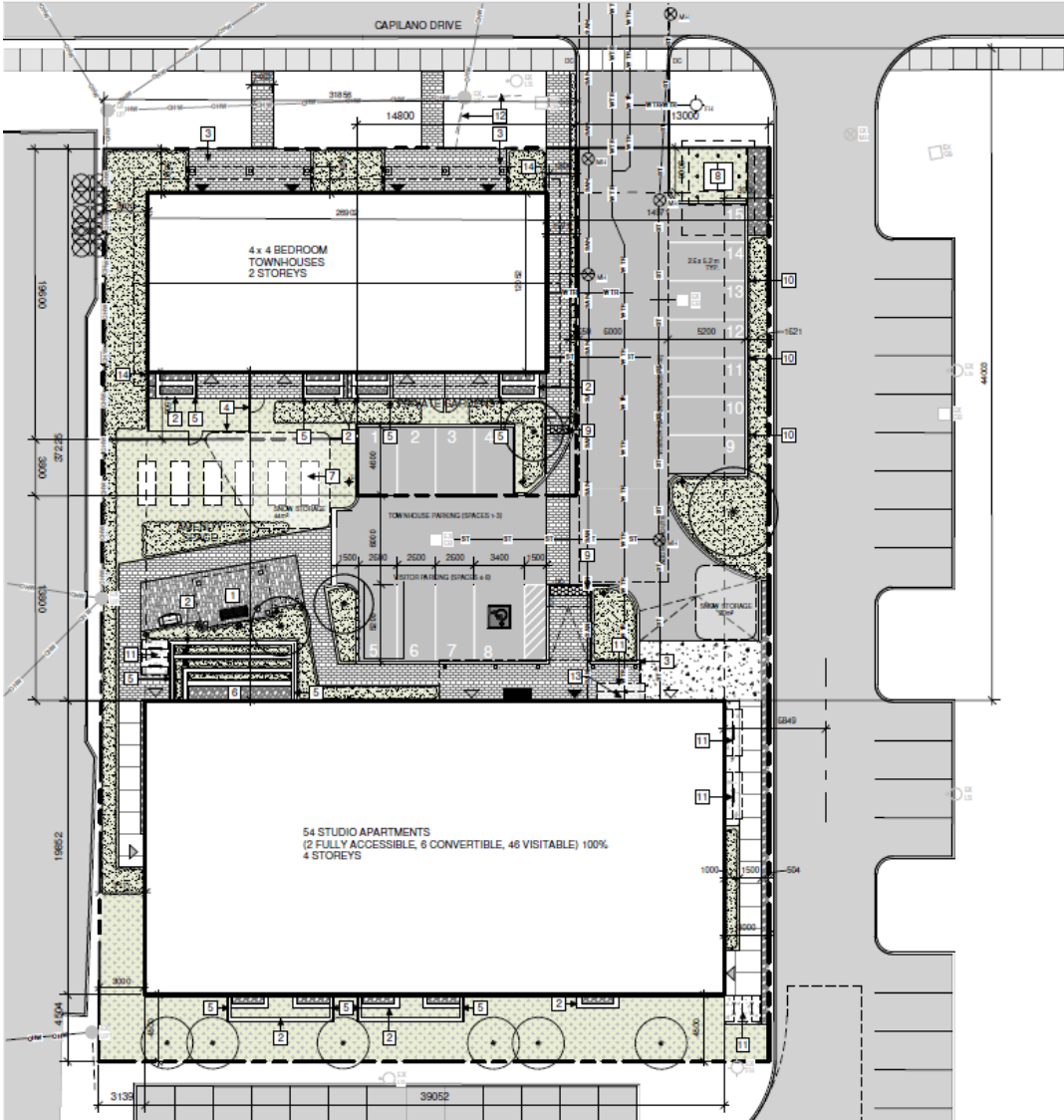


Figure 4: Extract from Proposed Site Plan

3.2 Proposed Severance

Separate public financing sources will be used to develop the townhouse block and the apartment block. Salus is proposing to sever the property and create a new parcel to facilitate separate financing agreements for each portion of the development. When completed, the severance will create a single parcel for a townhouse block abutting Capilano Drive (Parts 1 and 5 on the Draft R-Plan), and a second retained parcel for the low-rise apartment block at its rear (Parts 2, 3, and 4 on Draft R-Plan), as described in the table below and illustrated in Figure 5.

Property	Parts on R-Plan	Status	Total Lot Area	Total Lot Frontage	Compliance
56 Capilano (Townhouse Block)	Part 1, 5	Severed	681 m ²	44.86 m	✓
56 Capilano (Apartment Block)	Parts 2, 3, 4	Retained	2,091 m ²	13m	X

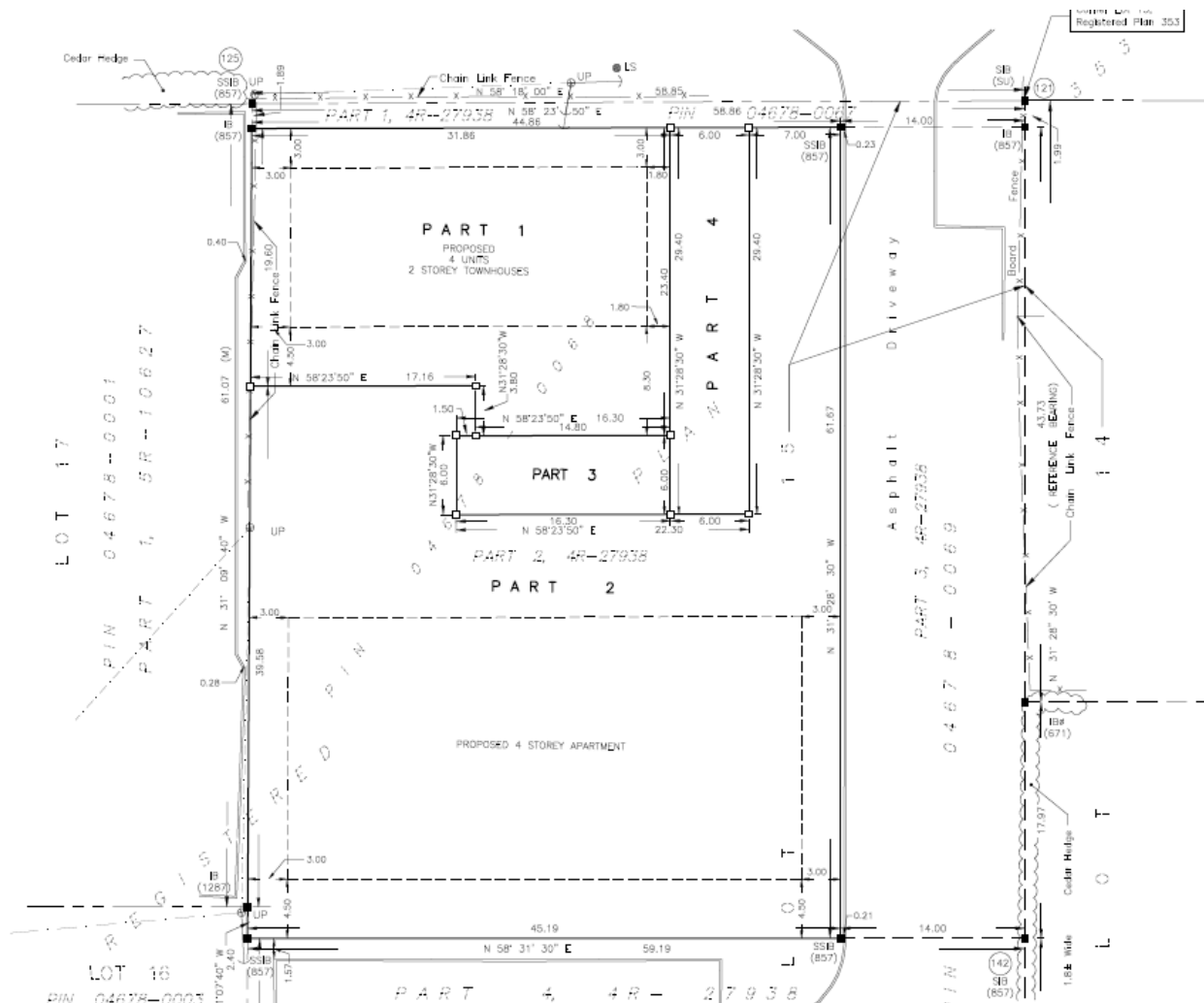


Figure 5: Draft R-Plan demonstrating proposed lot severance.

As schematically shown in Figure 4, the severed lot will accommodate the townhouse block, associated private outdoor amenity space, the one (1) required visitor parking for the townhouse block, the three (3) provided resident parking spaces, and a shared walkway to the internal courtyard and low-rise apartment building.

The retained lot will be flag-shaped, and will accommodate the low-rise apartment building, required visitor parking for the apartment units, and a communal amenity space. Shared parking access is provided via a driveway from Capilano Drive

Description of Easements

Easements will be established over Parts 3 and 4 on the retained parcel, in favour of the severed parcel, in order to permit access to vehicle parking. These easements will also allow for servicing and stormwater management. . An easement will be established over part 5 on the severed parcel in favour of the retained parcel to recognize the shared pathway connecting to Capilano Drive.

3.3 Minor Variance Application

Relief from several provisions of the Zoning By-law is required to facilitate the proposed development. As noted above, the vast majority of the variances are required only to facilitate the severance, and are procedural in nature, given that the development will be subject to a single Site Plan Control agreement, and given that both the severed and retained parcels will remain in a single ownership – making them ‘one lot’ under the Zoning By-law.

In absence of the severance, only two variances would have been required to permit the proposed development – a reduced east interior side yard setback of three (3) metres, whereas 7.5 metres is required, and a reduced size for one (1) visitor parking space out of the 12 provided visitor parking spaces.

Given that a severance is required for financing purposes, the following variances are requested for the Townhouse parcel:

Reduced minimum parking space dimensions for one (1) required and provided visitor parking spaces for the Townhouse Block.

Increased maximum width of a walkway within the front yard from 1.2 meters to 1.5 meters for the townhouse block.

Reduced to the minimum lot width of the low-rise apartment block from 18 meters to 13 meters.

To reduce the minimum interior side yard setback from the eastern property line to 3 meters for the low-rise apartment block.

To permit vehicle parking within the front yard for the low-rise apartment block.

Easements will be established over the drive-aisle of the retained lot to establish rights of way for access to parking and servicing by the new parcel, and an easement will be required over the walkway on the new parcel to provide access for the retained parcel.



Figure 6: View of Subject Property and Proposed Development in its Block Context (South)

4.0 Policy and Regulatory Framework

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to land use planning. Local planning decisions are required to be “consistent” with the policies of the PPS. The following policies of the PPS are relevant to the enclosed Consent and Minor Variance applications:

Section 1.1.1 requires efficient development and land use patterns that sustain financial well-being of the Province and municipalities over the long-term, while accommodating a range of housing types including a mix of **affordable** and market-based housing. Healthy, liveable and safe communities are sustained by promoting transit-supportive development to optimize the use of transit investments, and improving **accessibility for persons with disabilities and older persons** addressing barriers to their full participation in society.

- / Section 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) Efficiently use land and resources;
 - b) 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;
 - c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - e) Support active transportation; and
 - f) Are transit-supportive, where transit is planned, exists or may be developed.

- / Section 1.1.3.3: Planning authorities shall 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.

- / Section 1.1.3.6: New development taking place in designated growth areas should occur adjacent to the existing built-up areas and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

- / Section 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, and redevelopment in accordance with policy 1.1.3.3;
 - promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The proposed severance and minor variance are required to facilitate a residential intensification project that makes efficient use of land and municipal services in an area that is currently well serviced by neighbourhood amenities and transit. The development will provide supportive housing for adults living with mental health illness, responding to the policy direction to provide for affordable housing and remove barriers to the full participation in society of individuals with disabilities.

4.2 City of Ottawa Official Plan

The subject property is designated Neighbourhood with an Evolving Overlay on Schedule B3—Outer Urban Transect of the Official Plan. Neighbourhoods in the Outer Urban Transect support a variety of housing types with an emphasis on low-rise missing-middle housing. Intensification in this designation will transition the Outer Urban Transect towards 15-minute communities with a more urban built form. Further, Section 3 (Growth Management Framework) stipulates that most growth will over time occur within the urban area of the city within built-up areas through intensification. Section 4.2 (Housing) supports the creation of diverse housing with priority for affordable and missing-middle housing with a target to achieve 20% of all residential development in the form of affordable housing.

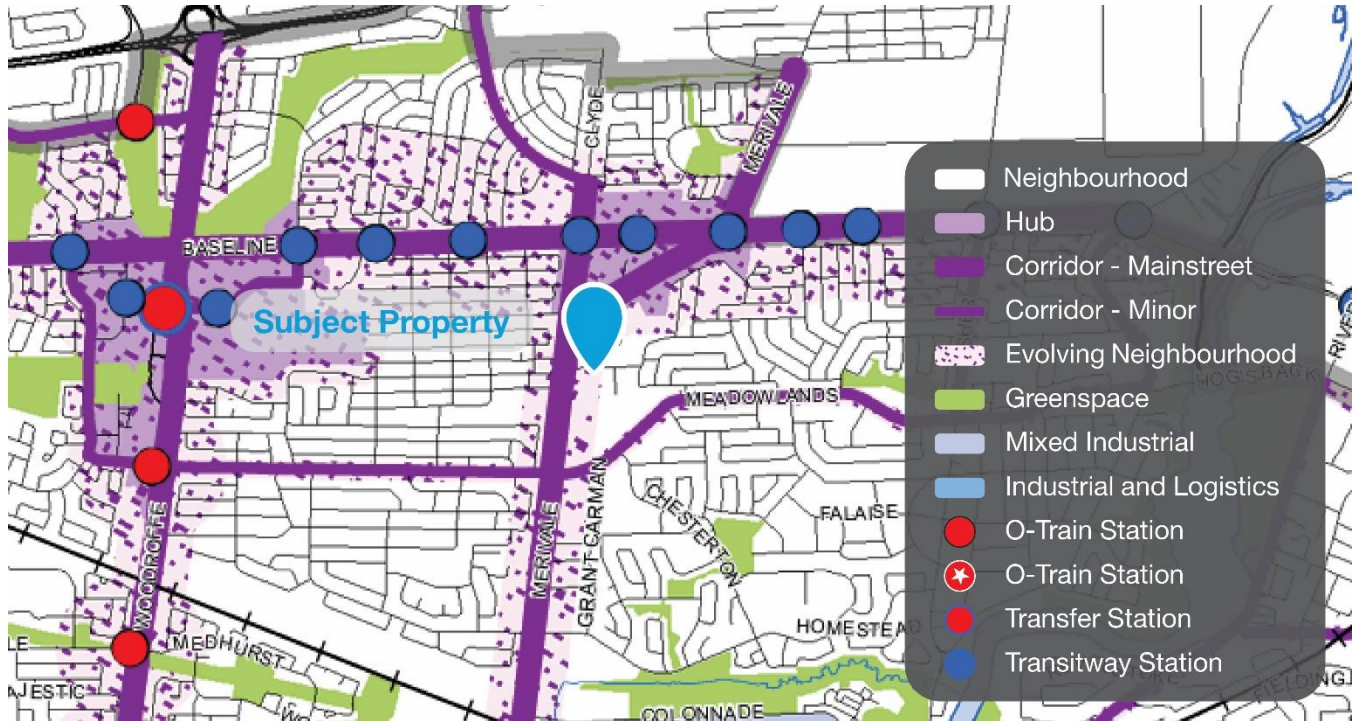


Figure 7: Schedule B3 - Outer Urban Transect, City of Ottawa Official Plan

The following specific policies of the Official Plan are relevant to the enclosed Consent and Minor Variance applications:

Policy 1 of Section 5.3.4: Neighbourhoods in the Outer Urban area will accommodate residential growth to meet the Official Plan's growth targets by permitting a range of housing types through the use of Zoning By-law development standards. Majority of this growth is anticipated to be in the form of lower density, missing-middle housing which generally reflects the existing built form of the neighbourhood, as well as new housing types that are not contemplated by the Plan.

Policy 4 of Section 6.3.1: Zoning By-law and approvals under the *Planning Act* will permit a range of residential and non-residential built forms within the Neighbourhood designation with an emphasis on compatibility through uses, including a full range of low-rise housing options in support of the City's growth and intensification goals.

Policy 3 of Section 5.6.1.1: The City will support applications for low-rise intensification that seek to move beyond the development standards of the underlying zone where the proposal demonstrates that the development achieves objectives of the applicable transect with regards to density, built form and site design in keeping with other sections of the Official Plan (S. 5.6.1.1(3)(a)).

Section 4.6.6: Urban Design will enable sensitive integration of new development to ensure the City meets intensification targets while considering livability for all. **Policy 6** stipulates that low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

The enclosed applications will permit a development that intensifies an underutilised site, accommodates residential growth, and has a sensitive site design which responds to the existing and planned context, provides soft landscaping, and animates the public realm with street-facing entrances. The requested zoning relief achieves the specific requirements for zoning relief set out Policy 3 of Section 5.6.1.1.

4.3 City of Ottawa Comprehensive Zoning By-law (2998-250)

The subject property is zoned **Residential Fourth Density, Subzone “Z”** with site specific **exception 2840** and a **holding symbol (R4Z[2840]-h)** in the City of Ottawa Comprehensive Zoning By-law (2008-250), as shown in Figure 8 below.

The purpose of the Residential Fourth Density (R4) Zone is to:

allow a broad mix of low-rise residential building forms ranging from detached dwellings to low-rise apartment of maximum four (4) storeys building height.

The purpose of Subzone Z is to permit different development standards which promote efficient land use and compact form while showcasing new design approaches.

Low-rise apartment dwelling, townhouse dwelling, and planned unit development are all permitted uses in the R4 Zone:

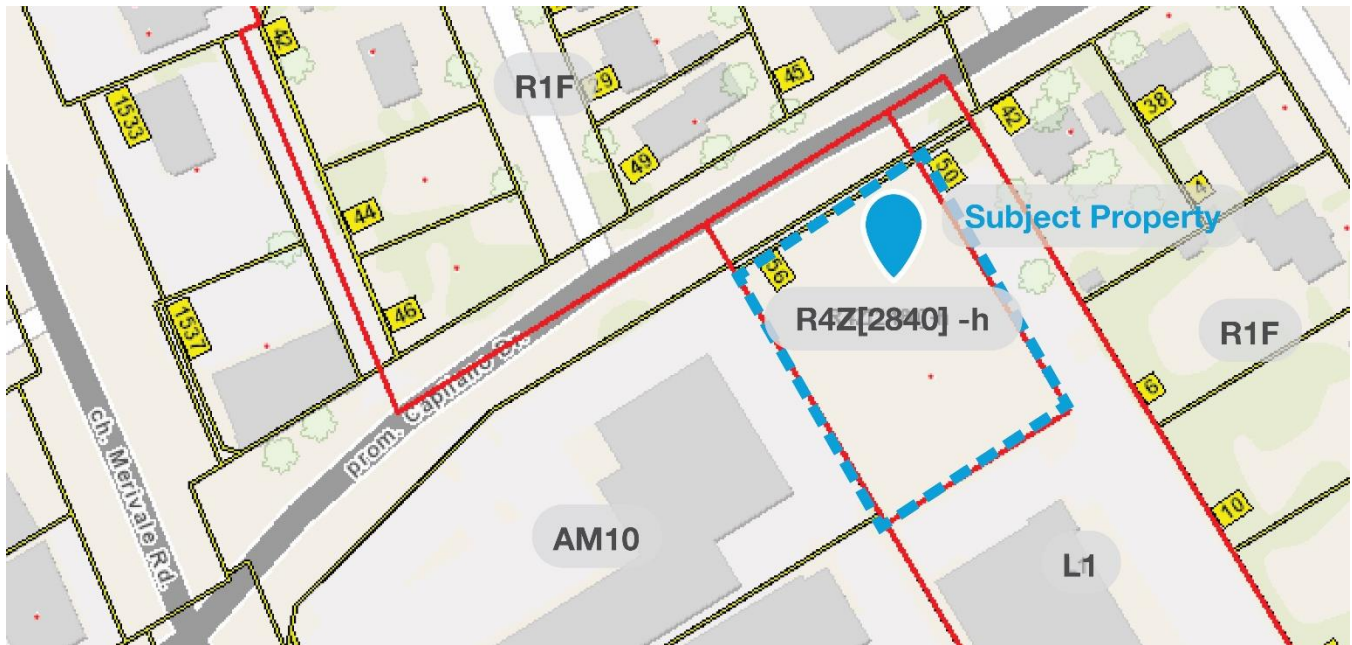


Figure 8: City of Ottawa Zoning By-law 2008-205

The proposed development was conceived as a PUD, and the future ownership of the lots will meet the definition of “one lot” under the zoning by-law. However, because the severance will create two separately conveyable parcels, each lot has been evaluated individually for zoning compliance. Below are zoning compliance tables for the proposed severed and retained lots:

4.3.1 Townhouse Block (Severed Lot)

R4Z [2840] -h				
Provision	Requirement		Townhouse Block	Compliance
Number Of Bedrooms	Dwelling Unit: up to 4 bedrooms		4 bedrooms per unit	✓
Maximum Attached Units	Townhouse: 8 in a row, 16 total		4 attached units	✓
Minimum Lot Area	150 m ² (per townhouse) Total: 600 m ²		Total: 682 m ² Per unit: varies, min. 131 m ²	✓ X
Minimum Lot Width	6 m (per townhouse)*4 = 24 m		31.85 m Per unit: varies, min 6.7 m	✓
Minimum Front Yard Setback	Avg. of nearest lots to max of 3 m		3.0 m	✓
Minimum Interior Side Yard Setback (Exception 2840)	East: 1.2 m		1.9 m	✓
	West: 3 m		3.0 m	✓
Minimum Rear Yard Setback (Exception 2840)	4.5 m		4.5 m	✓
Minimum Rear Yard Area	25% of the lot area = 170.5 m ²		29.59% (199.6 m ²)	✓
Maximum Building Height	11 m		6.70 m	✓
Permitted Projections	Canopy: 1.8 m into required yard, but min 0.6 m from lot line.		1.8 m into required yard, and 1.2 m from property line	✓
Landscaped Area	No minimum		309 m ² (45.3%)	✓
Soft Landscaping (including permitted walkways)	40% of front yard = 95.58 m ²		69.4% (66.37 m ²)	✓
Front Walkways	Location	Must be between ROW and building entrance, max. 1 per yard	Two walkways for four units	X
	Width	Front Yard: maximum 1.2 m from ROW to building entrance.	1.5 m (ROW to lot line) 2.95 m (lot line to entrance)	X
		All Other Yards: max 1.8 m	1.5 m (east side yard)	✓
Waste Storage	Not required for townhouses less than 200 m ² in area		✓	

Parking Provisions

Provision	Requirement	Proposed	Compliance
Resident Vehicular Parking (Exception 2840)	No minimum parking spaces required for affordable housing dwelling units.	3 provided	✓
Visitor Vehicular Parking (Area C)	Minimum 0.2/unit = 1 space for 4 units	1 provided	✓
Parking Space Requirements	Minimum 2.6m x 5.2 m		X

	Max 50% of spaces in lot may be reduced to 4.6x2.4 m, required visitor spaces cannot be reduced.	3 resident and one required visitor reduced to 2.6 x 4.6 m	
Location Of Parking	Not in provided front yard	Rear yard	✓
Parking Lot Landscaping	Min 15% of area must be landscaped	66% (33.1 m ²)	✓
	Abutting a street: 3 m buffer	N/A	✓
	Not abutting a street: 0 m	0 m	✓
Bicycle Parking	Not required	0	✓

4.3.2 Low-rise Apartment Block (Retained Lot)

Provision	Requirement	Proposed	Compliance
Minimum Lot Area	450 m ²	2,093 m ²	✓
Minimum Lot Width	18 m	13.0 m	X
Minimum Front Yard Setback	Avg. of nearest lots to maximum of 3 m	13.9 m	✓
Minimum Interior Side Yard Setback	East: <i>[Closest applicable provision (Table 162 Endnote 6) specifies]</i> 3 m within 21 m of the front lot line, and otherwise 6 m	3.0 m (>21 metres from front lot line)	X
	West: 3 m (Exception 2840)	3.0 m	✓
Minimum Rear Yard Setback (Exception 2840)	4.5 m	4.5 m	✓
Maximum Building Height	Low-rise apartment: 14.5 m	13.5 m	✓
Permitted Projection above Height Limit	Elevator Room	15.0 m	✓
Amenity Area	6 m ² /unit (54 units) = 324 m ² Min. 50% communal, aggregated into areas of up to 54 m ²	245m ² outdoors + 285m ² indoors = 530 m ² total 100% Communal	✓
Landscaped Area	Min 30% lot area = 627.9 m ²	38.22% (800 m ²)	✓
Front Yard Soft Landscaping	Min. 40% of front yard (481.5 m ²) = 96.3 m ²	30.5 % (147 m ²)	X
Waste Storage	Min 1.2 m route between waste storage area and street	Access provided by drive aisle	✓

Parking Requirements

Provision	Requirement	Proposed	Compliance
Resident Vehicular Parking (Exception 2840)	No resident parking required for affordable housing dwelling units.	0 provided	✓
Visitor Vehicular Parking (Area C)	Minimum 0.2/unit = 11 spaces for 54 units	11 provided	✓

Parking Space Requirements	Minimum 2.6 x 5.2 m	2.6m x 5.2m	✓	
Location of Parking	Not in provided front yard	Front Yard	✗	
Driveway Width	Double driveway: Not permitted for lots <15 m in width Serving apartment leading to less than 20 spaces: Maximum 3.6 m	6.0 m	✗	
Aisle Width	Minimum: 6 m			
Driveway Separation	0.15 m landscaped strip between driveway and lot line	East	1.6m	✓
		West	0	✗
Parking Lot Landscaping	Min. 15% of parking lot area	24.79% (360.70m ²)	✓	
	Abutting a street: 3 m buffer	3.0 m abutting Capilano Drive	✓	
	Minimum 1.5 m not abutting a street from east lot line	Varies, min 1.61 m	✓	
Bicycle parking	Apartment: 0.5/unit = 27 spaces	14 Outdoor and 13 Indoor (basement of apartment building)	✓	
Bicycle Parking Dimensions	Horizontal Parking: 0.6m x 1.8m + 1.5 m access aisle	Outdoor spaces: 0.6m x 1.8m horizontal	✓	
	Vertical: 0.5m x 1.5m Stacked: 0.37m x 1.5 m	Complies		
	Minimum 50% must be horizontal, or bottom spaces in stacked system.	Complies		

Relief from the following zoning provisions will be required to facilitate the proposed development and requested Consent application:

Townhouse block (Severed Lot)

- A1. Reduced Lot Area for One Townhouse Unit**
Whereas Column V of Table 162A and Section 161(10) requires that the minimum lot area of 150 square metres be applied to each portion of the lot on which the individual townhouse dwelling unit is located, a reduction to the minimum lot area for one of the townhouse units is requested, to recognize that one unit occupies a portion of a lot that is 130 square metres in area.
- A2. Number of Walkways**
Whereas 139.4 (f), which permits only one walkway per yard, it is requested to permit a total of two walkways serving four units in the front yard, and a third walkway providing access to the low-rise apartment building on the retained lot.
- A3. Maximum Width of Walkway**
Whereas Section 139.4(c)(ii) limits walkways serving a townhouse dwelling to a maximum width of 1.2 metres, it is requested to permit an increased walkway width of 1.5 and 3 metres.
- A4. Reduced Visitors Parking Space Length:**
Whereas Section 106.3(b) permits up to 50% of the parking spaces in a parking lot or parking garage to be reduced to a minimum size of 4.6m long and 2.4m wide, provided that any such space is not a visitor space required under s.102; it is requested to permit one required/provided visitor space to be reduced to 4.6 metres in length.

Low-Rise Apartment Block (Retained Lot)

- B1. Minimum Lot Width**
Whereas Section 162.d, column IV of table 162A requires the minimum lot width for low-rise apartment to be 18 metres, a reduction to 13 metres is requested.
- B2. Minimum Interior Side Yard Setback:**
An apparent error in the endnote numbering in Table 162B means that no minimum interior side yard setback is specified for a low-rise apartment use in Subzone Z. Nevertheless, it has been assumed that Endnote 6 in Table 162 B was intended to apply in this case. Endnote 6 requires that any part of a building that is greater than 11 metres in height and which is located further than 21 metres from a front lot line provide a minimum interior side yard setback of 6 metres; relief is requested to permit an interior side yard setback of 3 metres along the eastern side yard.
- B3. Front Yard Soft Landscaping**
Whereas Table 139(1) requires that 40% of the front yard of a lot with a setback of 3 or more metres and a lot with of more 12 or more metres be soft-landscaped, permit a reduced landscaped area of 30% or 285 square metres for the front yard.
- B4. Location of Parking in Front Yard:**
Despite Section 109. 3(a)(i) that requires that parking not be located in the front yard in residential zones, zoning relief to permit parking within the provided front yard is requested.
- B5. Maximum Driveway Width**
Whereas Section 107.1 (1) (a) (iii) (aa), which limits widths of double driveways associated with low-rise apartment buildings to 3.6 metres, where they serve less than 20 parking spaces, zoning relief to permit a 6.0 metre wide double driveway is requested.
- B6. Double Driveway Permitted**
Whereas per Table 139(3) (iv), a double driveway is not permitted on lots less than 15 metres in width, a double driveway is proposed.
- B7. Landscaped Buffer between a Driveway and a Lot Line**
Whereas Section 139.2 (c) of the Zoning By-law requires a 0.15 metre landscaped strip between a driveway and an interior side lot line, a reduced separation distance of 0 metres is requested.

As noted above, the majority of the required zoning relief relates only to the proposed severance and would not otherwise be required to permit the proposed development.

5.0 Consent Application

5.1 The Planning Act, R.S.O 1990

It is our professional planning opinion the application meets the criteria for lot division as described in Sections 53(1), 53 (12) and 51 of the *Ontario Planning Act*. As the proposal does not include an internal road network, major servicing or other elements of a subdivision, the following criteria are generally those which apply to a severance under Section 51(24).

- a) **The effect of development of the proposed subdivision on matters of provincial interest**
- b) **whether the proposed subdivision is premature or in the public interest;**

The proposed severance is required to create lot parcels for financing purposes. Salus will continue to maintain ownership and operation of both the lots to provide supportive housing for individuals and housekeeping units experiencing mental illness. The proposed severance is an opportunity for low-rise intensification in the form of missing-middle housing on a vacant lot located in a mature neighborhood that has been identified by the City for intensification and development towards a more urban built form. The proposal has minimal impact on the existing neighbourhood and introduces new residential dwellings to this area contributing to provincial and municipal intensification goals.

The proposed Consent is 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 development conforms to the policies of the Official Plan as a development that provides missing middle housing on a vacant land in a mature neighbourhood with convenient access to multiple neighbourhood amenities. It meets several of the Official Plan objectives for development within Neighbourhoods in the Outer Urban Transect, Growth Management, and Housing as noted above.

- d) **The suitability of the land for the purposes for which it is to be subdivided;**

The subject property is a rectangular shaped lot with wide frontage on a public road (Capilano Drive) and is of sufficient size to support residential development as proposed. It is a vacant lot situated abutting commercial uses, at a transitional node between mature residential neighbourhoods where existing services and amenities are present. The proposed severance is required to facilitate financing; however, the two parcels will continue to be owned and operated by Salus. As such, the severance proposes a site layout that permits the development of the site as per a well-thought-out site plan that maximizes efficient use of the site to suite Salus' programming needs, while being mindful of the surrounding area context.

Further, the subject property is designated as a Neighbourhood with an Evolving Overlay, which anticipates low-rise infill development in urban areas. This is detailed further in Section 5.0 of this report in a discussion of the four (4) tests, which concludes the variances support viable and suitable redevelopment of lands.

Overall, the land is suitable for the proposed development.

- e) **The dimensions and shapes of the proposed lots;**

The existing interior lot is generally rectangular in shape with frontage on Capilano Drive just east of Merivale Drive. The proposed severance will create a generally regular and rectangular shaped townhouse block creating a flag shaped retained lot that maintains a connection to Capilano Drive. The proposed lot-width reduction of the retained parcel allows for efficient use of land and allows for use of the rear portion of the flag lot to be developed as a low-rise apartment while maintaining connectivity to Capilano Drive. This configuration allows for appropriate development of the site whereby Capilano Drive is appropriately framed by the townhouse block, and vehicular disruptions are kept to a minimum.

The proposed lots are generally regular in shape and dimension and fit within the surrounding existing and planned context of the neighbourhood.

f) 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;

The subject lands are currently zoned Residential Fourth Density Zone, Subzone Z, Exception 2850 with a holding symbol that permits no parking for an affordable housing project (R4Z [2840]-h) in the City of Ottawa's Comprehensive Zoning By-law (2008-250). As demonstrated in Section 3.2 of this report, the purpose of this zone is to allow a broad mix of low-rise residential building forms ranging from detached dwellings to low-rise apartments limited to four (4)-storeys. The purpose of the Subzone Z is to permit different development standards which promote efficient land use and compact form while showcasing new design approaches.

The proposal meets majority of the applicable performance standards in the R4Z zone with the exception of the variances required as identified in Section 3.2 above and 5.0 below. These variances are mostly required to permit the development of the site as per the in-stream Site Plan Control application. The proposed severance for financing purposes created additional variances as the properties were re-evaluated as a townhouse and low-rise apartment block as opposed to a Planned Unit Development (PUD). Although Salus will continue to maintain ownership and operate the two parcels as one, the proposed severance permits the independent function of each site.

A future easement will be required to permit mutual access over the drive-aisle for servicing and to permit access to parking for the townhouses. In addition, there is a utility pole in the front yard of the townhouse block, which is respected by the proposed development.

There are no restrictions or proposed restrictions on the subject lands or adjoining lands that affect the proposed severance of the lands.

g) The adequacy of utilities and municipal services;

The proposed severance will make use of services that are already present within the area and are sufficient to accommodate the proposed dwellings.

There are no identified or anticipated issues with respect to servicing adequacy.

h) The adequacy of school sites;

The subject property is located in close proximity to a number of public schools including Sir Winston Churchill Public School, Frank Ryan Catholic Intermediate School, Agincourt Road Public School, Baseline Road Public School and others within and Alta Vista Public Schools, both located within 2 kilometres of the subject property.

The subject site is adequately serviced with school sites in the area.

i) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposed severance will make efficient use of land by increasing density within the urban area and limiting vehicle parking on site. Sustainability is at the core of Salus' program, and the development will be a high-performance building which is designed to minimize energy use and maximize occupant comfort. The proposed development also supports electrification and decarbonization through rough ins for six Level 2 electric charging stations. While it cannot yet be confirmed, installation of a roof-mounted solar photovoltaic array is being investigated by the project team, in addition to solar thermal preheat for domestic water.

The proposed development makes efficient use of existing services.

6.0 Minor Variance Application

Section 45 of the *Planning Act*, R.S.O. 1990 provides the Committee of Adjustment with the ability to grant Minor Variances by weighing their appropriateness based on the “Four Tests”. The *Act* requires that an application for a variance demonstrates that it satisfies the following:

1. Is it in keeping with the general intent and purpose of the Official Plan?
2. Is it in keeping with the general intent and purpose of the Zoning By-law?
3. Is it desirable for the appropriate development or use of the land, building or structure?
4. Is the application minor in nature?

It is our professional planning opinion the applications meet the four (4) tests of a Minor Variance as described in Section 45(1) of the *Ontario Planning Act*.

6.1 Maintains the general intent and purpose of the Official Plan

The subject property is designated Neighbourhood with an Evolving Overlay in the Outer Urban Transect, of the City of Ottawa Official Plan. The proposed development is in keeping with the intensification policies for Neighbourhoods in the Outer Urban Transect of the City of Ottawa Official Plan. The proposed severance implements a site design that makes efficient use of serviced lands located in the City’s urban area, to meet City’s growth and intensification targets, through a built form that is compatible with its surrounding uses and meets the objectives of the Outer Urban Transect.

6.2 Maintains the general intent and purpose of the Zoning By-law

The subject property is zoned R4Z [2840]-h; Residential Fourth Density Zone, Subzone Z, exception 2840, with a holding symbol that does not require residential parking for a community housing project, as per the City of Ottawa Comprehensive Zoning By-law 2008-250.

As shown in the compliance table in Section 3.0 of this report, the proposal meets the general intent of the Zoning By-law. The majority of the requested variances, as explained in Section 5.1.3 of this report, are required to facilitate the severance of the property for financing purposes. Both the severed and retained parcels will remain with Salus, and so will meet the Zoning definition for a “Lot.” The Site Plan Agreement will be applied to both lots and ensure they continue to operate as an integrated site.

The variances which are not related to the severance likewise maintain the general intent and purpose of the Zoning By-law:

- / **East Interior Side Yard Setback for Proposed Apartment Building**
 The Planned Unit Development provisions would impose a six (6) metre setback for portions of buildings more than 21 metres from the front lot line. The intent of this provision is to protect existing rear yard amenity spaces on adjacent lots from impacts associated with larger building footprints. In the case of the subject property, the abutting use is a driveway, rather than a rear yard amenity. The requested variance will permit a more compact floorplate and additional housing units, maintaining the intent the R4Z zone to provide for alternative development standards which promote efficient land use and a compact form.
- / **Reduced Visitor Parking Space**
 The requested reduction in size for one (1) of the 12 provided visitor parking spaces will allow for a more efficient parking layout, which increases the private amenity space and soft landscaping to the rear of the townhouse units. The intent of the Zoning By-law is to allow for some parking spaces to be reduced, and the reduction of one of twelve required parking spaces maintains the intent of the by-law.

Overall, the requested variances will permit the development of supportive housing that is integrated into an established neighbourhood and benefits from its surrounding location that is well serviced by neighbourhood amenities and transit. The proposal meets the general intent of the Zoning By-law.

6.3 The Variance is Minor in Nature

The proposed variances do not result in undue adverse negative impact on the subject property or its surrounding neighbours and are minor in nature.

/ **Reduced Lot Area for Townhouse Unit and Reduced Lot Width for Retained (Apartment) lot**

The zoning by-law imposes a minimum lot area of 150 square metres per townhouse unit, which must be provided on the portion of the lot that the individual dwelling unit occupies. Although the total area of the severed lot is 682 square meters, or 170.5 square meters per unit, the second townhouse unit from the west of the building may be considered to have an area of approximately 130 square metres. This variance has been requested out of an abundance of caution and will have no impact on the property or its neighbours.

Relief from zone provisions is required to permit a reduced lot width for the retained low-rise apartment block. Where Zoning By-law requires a minimum lot width of 18 meters for a low-rise apartment block, the development proposes 13 meters width along Capilano Drive, to permit a flag lot. Relief from this provision is required only to permit the proposed severance of the townhouse block for financing purposes. The main “flag” portion of the lot has a width of 44.86 metres, significantly exceeding the minimum lot width. The proposed variance is minor in nature and does not create any undue negative impact on the subject property or its surrounding area.

These variances are required only to permit the severance and are procedural in nature, as the entirety of the site will remain in one ownership and be one lot as defined in the Zoning By-law.

/ **Reduced Visitors Parking Space Length**

Relief is requested to reduce the length of required and provided visitors parking space, and to allow all of the parking spaces located on the severed lot to be reduced in length. Where zone provisions require a minimum parking space size of 5.2 meters length by 2.4 meters in width, the proposed development provides visitors parking spaces with a length of 4.6 meters and maintains the zone required width.

Although the site could a full length visitor parking space in this location a reduction to the length of this space is desirable to allow a more efficient curb layout, provide a consistent landscaped buffer, and increase the area of soft landscaping. The reduction in size of one visitor parking space is not anticipated to create any negative impacts, given that a proportion of the visitors to the proposed development can be expected to have small cars. Further, many of the visitors to the property will be staff and community support workers that visit the site on a frequent basis, and will therefore be familiar with the dimensions of the smaller parking space. The impact of this variance is minor in nature.

/ **Walkway Provisions and Front Yard Landscaping**

Relief is requested from zone provisions that restrict the maximum width of a walkway in the front yard between the right-of-way and building entrance to 1.2 metres where the development proposes a shared walkway width of between 1.5 and 3.0 meters for two adjacent units. The increased width of 1.5 meters for the portion of the walkway connecting to the sidewalk is ensure that wheelchair users and individuals with other mobility aids are able to comfortably access the units. The three-metre wide portion of the walkway creates terrace in the front yard of the townhouses. This terrace will allow barrier-free access to the front porch while acting like a front porch, which would be an as-of-right permitted projection.

It is also requested to permit two walkways to be shared between four units, and a third walkway which will provide access to the apartment building and shared communal amenity area. The consolidation of the walkways, so that they are shared between multiple units, will function well while maximizing the area for soft landscaping, and will not create an adverse impact.

Finally, it is requested to allow a reduced soft landscaped area in the front yard of the retained lot. Due to the flag configuration, the front yard is 37 metres in depth and 481 square metres in area, only 30 percent of which is landscaped. However, the *required* front yard is over 40 percent landscaped, and the shared front yard across the severed and retained lots meets the minimum soft landscaping requirement. This variance is required to allow for access to the shared parking lot, reflects an unusual lot configuration, and will have no adverse impact on the streetscape or abutting lots.

Minimum Interior Side Yard Setback

Relief from provisions of the interior side yard setback along the eastern property line is required. Where zoning requires a 6.0 metre interior side yard setback for part of the property beyond 21 meters from the front property line, the development proposes 3 meters along the full length of the eastern property line.

The intent of this provision is to establish a consistent pattern of rear and interior yard conditions for single-detached dwellings in a typical suburban neighbourhood context. Since the retained lot will continue to abut the driveway of the neighbouring City View Curling Club along the full length of its eastern property line, there will be no impact to adjacent residential properties or rear-yard amenity areas as a result of the variance, and it is minor in nature.

Parking Lot Layout

Relief from several provisions related to the parking lot layout are required to facilitate the proposed severance.

Relief from zone provisions that restrict parking within the required or provided front yard is requested. This variance is only required as a result of the proposed severance. Because of the flag-lot configuration of the retained lot, the entire depth of the drive-aisle is considered the front yard. Parking in the proposed location appropriate as it is adjacent to the drive-aisle and parking on the neighbouring property to the east.

Notwithstanding the zoning interpretation of “front yard” as it applies to the retained lot and proposed apartment dwelling, no parking space will be located closer to the street than the front wall of the townhouse dwelling, which will occupy the majority of the site’s cumulative frontage. The requested variance is therefore minor in nature.

The zoning by-law restricts the width of double drive aisles serving small residential lots to 3.6 metres. However, a 6-metre wide drive aisle is required to provide access for waste collection trucks. If this development were considered a PUD, a 6-metre-wide “private way” would be permitted and not variance would be required. Therefore, no actual impacts from this variance are anticipated.

Finally, the zoning by-law requires a 0.15 metre landscaped strip between a driveway and the interior side lot line. Due to the proposed lot layout, as well as the shared parking access across lot lines, a reduction to 0 metres is requested. As a minimum 1.6 metre buffer is provided to the existing interior side lot lines, and 0.6 metre landscaped buffer is provided between the driveway and the proposed walkway, the intent of this provision is fully met, and no negative impacts are anticipated.

These variances are required only to permit the severance and are procedural in nature, as the entirety of the site will remain in one ownership and be one lot as defined in the Zoning By-law.

6.4 Appropriate for the development and use of the lands

It is proposed to develop the subject property with low-rise residential uses consisting of a townhouse block and a low-rise apartment block. Variances are required to permit the severance, which is critical for financing of the development, and are desirable to permit an efficient parking layout and footprint for the apartment dwelling, which is desirable and appropriate for the property. The proposed development will help to achieve many of the core objectives of the Provincial Policy Statement 2020 and the Official Plan.

The proposed development is appropriate for the development and use of the lands.

7.0 Conclusion

It is our professional opinion that a Consent to Sever is appropriate for the subject property. The proposal to create one (1) new lot, and one (1) retained lot from an existing parcel satisfies the *Planning Act* criteria for a Consent and conforms with the policies of the Provincial Policy Statement 2020 and the City of Ottawa Official Plan.

Further, it is our professional planning opinion that the proposed Minor Variances constitute good planning as:

- / The proposal is consistent with the Provincial Policy Statement (2020);
- / The proposal conforms to the policies and objectives of the Neighbourhood designation and the policy direction of the Official Plan (2022) as a whole;
- / The proposal meets the intent of the R4Z zone and the City of Ottawa Comprehensive Zoning By-law (2008-250); and
- / The proposed Minor Variances meet the four (4) tests as set out in the Planning Act.

In conclusion, the subject applications satisfy the applicable sections of the Planning Act for Consent and Minor Variance applications and represent good land use planning.

Sincerely,



Haris Khan, MES
Planner



Bria Aird, RPP MCIP
Senior Planner