

August 24, 2023

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



**RE: Application for Consent
770 Broadview Avenue, Ottawa**

Dear Mr. Bellemare,

Fotenn Planning + Design has been retained to act as agent on behalf of the property owners for the submission of the enclosed Consent application for the lands known as 770 Broadview Avenue in the Carlingwood community, in the City of Ottawa.

The owner is proposing to create one (1) new lot from the existing parcel, for a total of two (2) lots. The severed and retained lots are compliant with respect to all performance standards including the minimum lot area and minimum lot width under the Zoning By-law. The application consists of one (1) Primary Consent application and a certificate for the retained lands to allow both parcels to be held independently. No new construction is proposed as part of this application at this time.

In addition to the Planning Rationale report, the following materials have been included as part of this submission:

- / Completed application form (1 copy)
- / Draft Reference Plan / Survey (1 Full-size copy, 1 reduced copy)
- / Tree Information Report
- / Parcel Abstract Page (PIN) (1 copy)
- / Statement from an Ontario solicitor confirming no land abutting the subject property is owned by the owner of the subject property (1 copy)
- / Cheque in the amount of \$3,200.00, made payable to the City of Ottawa.

Sincerely,

Handwritten signature of Brian Casagrande in black ink.

Brian Casagrande, MCIP RPP
Partner

Handwritten signature of Tyler Yakichuk in black ink.

Tyler Yakichuk, MPlan
Planner

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FOTENN

1.0 Introduction

Fotenn Planning & Design, acting as agents on behalf of Appelt Development (“the Owner”), is pleased to submit this Planning Rationale in support of the enclosed Consent application for the lands located at 770 Broadview Avenue in the City of Ottawa.

1.1 Application

The Owner is seeking to sever the existing property into two (2) separate, independent parcels. The following application is required :

- / **Primary Consent Application**, with a certificate for the retained lands

2.0 Site Context and Surrounding Area

2.1 Subject Property

The subject property, municipally known as 770 Broadview Avenue, is located in Ward 7 (Bay Ward) in the City of Ottawa. The subject property is legally described as Part of Lot 29, Concession 1 (Ottawa Front), Geographic Township of Nepean, City of Ottawa. The subject property has a total area of 8,741.89 square metres, and a frontage on Carling Avenue of 47.73 metres and a frontage on Broadview Avenue of 70.02 metres. The subject property is presently improved by a three-storey building along the frontage of Broadview Avenue. The building is primarily used for medical services. The remainder of the subject property is associated at-grade parking.



Figure 1: Aerial image of the subject property and the surrounding area.



Figure 2: Street view image of the subject property's frontage on Carling Avenue.



Figure 3: Street view image of the subject property's frontage on Broadview Avenue.

2.2 Surrounding Area

The following land uses are located in the area surrounding the subject property:

North: Immediately abutting the subject property to the north is Notre Dame High School and its associated exterior recreational area. Broadview School and Nepean Highschool are also located further north of the subject property. The primary use in the area is single detached residential dwellings. Additional uses north of the subject property include parkland, recreational uses, and taller residential buildings on Richmond Road.

East: East of the subject property, along Carling Avenue the use is primarily low-rise commercial units with low-rise residential units to the rear of Carling Avenue. Residential units are typically single-detached dwellings.

South: East of the subject property, the uses on the west side of Broadview Avenue are low-rise residential, in the form of single-detached dwellings, and low-rise commercial on the west of Broadview Avenue. Additional uses include a community centre, a private school, and library.

West: To the west of the subject property, along Carling Avenue, the principal use is low-rise commercial. This includes, gas stations, restaurants, and strip malls. Further west, at Carling Avenue and Woodroffe Avenue is the Carlingwood Shopping Centre, which also includes a large grocery store and public library in the same city block. Additional uses to the west of the subject property include low-rise and high-rise residential buildings, as well as parkland and recreational areas.



Figure 4: Area context views in each cardinal direction.

The subject property is located within close proximity to several area amenities, including the following:

- / Ottawa Jewish Community School
- / Carlingwood Shopping Centre
- / Ottawa Public Library - Carlingwood
- / Multiple parks
- / Ottawa Tool Library
- / Dovercourt Recreation Centre
- / Multiple schools

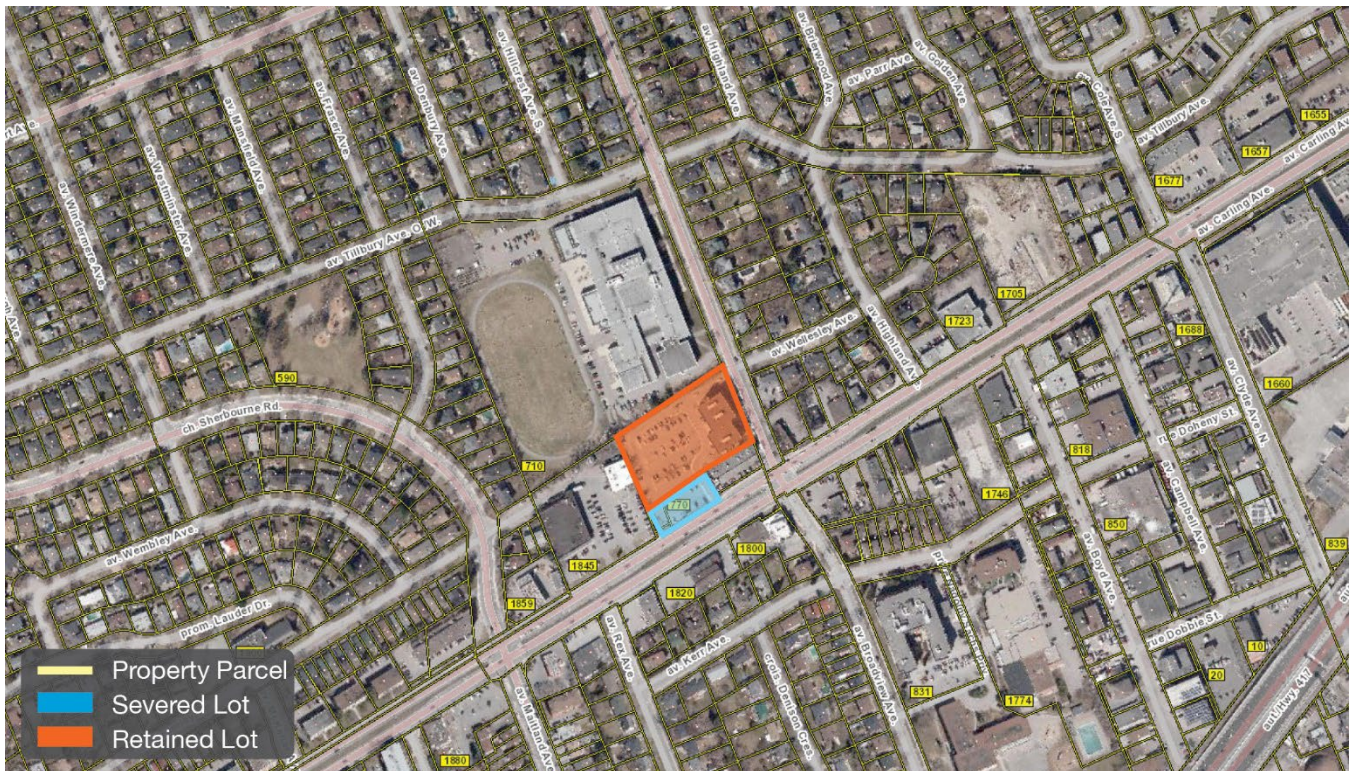


Figure 5: Aerial image of the Severed and Retained lots, as well as the surrounding lot fabric.

3.0 Overview of Applications

The owners of the subject property are proposing to create one (1) new lot from the existing lot for a total of two (2) lots. The parts as shown on the Draft Reference Plan are as follows:

Property	Parts on R-Plan	Status	Total Lot Area	Total Lot Width
770 Broadview Avenue	5	Retained	6,466 square metres	70.02 metres
Carling Avenue (Fronting)	1,2,3, & 4	Severed	2,569 square metres	63.19 metres

The following application is required and has been submitted accompanying this Planning Rationale:

Application – Consent to Sever with a second certificate for the retained lands

- / 770 Broadview Avenue
- / Consent application to sever the lot into two (2) parcels
- / If provisional consent is granted, a second certificate for the retained lands will be requested

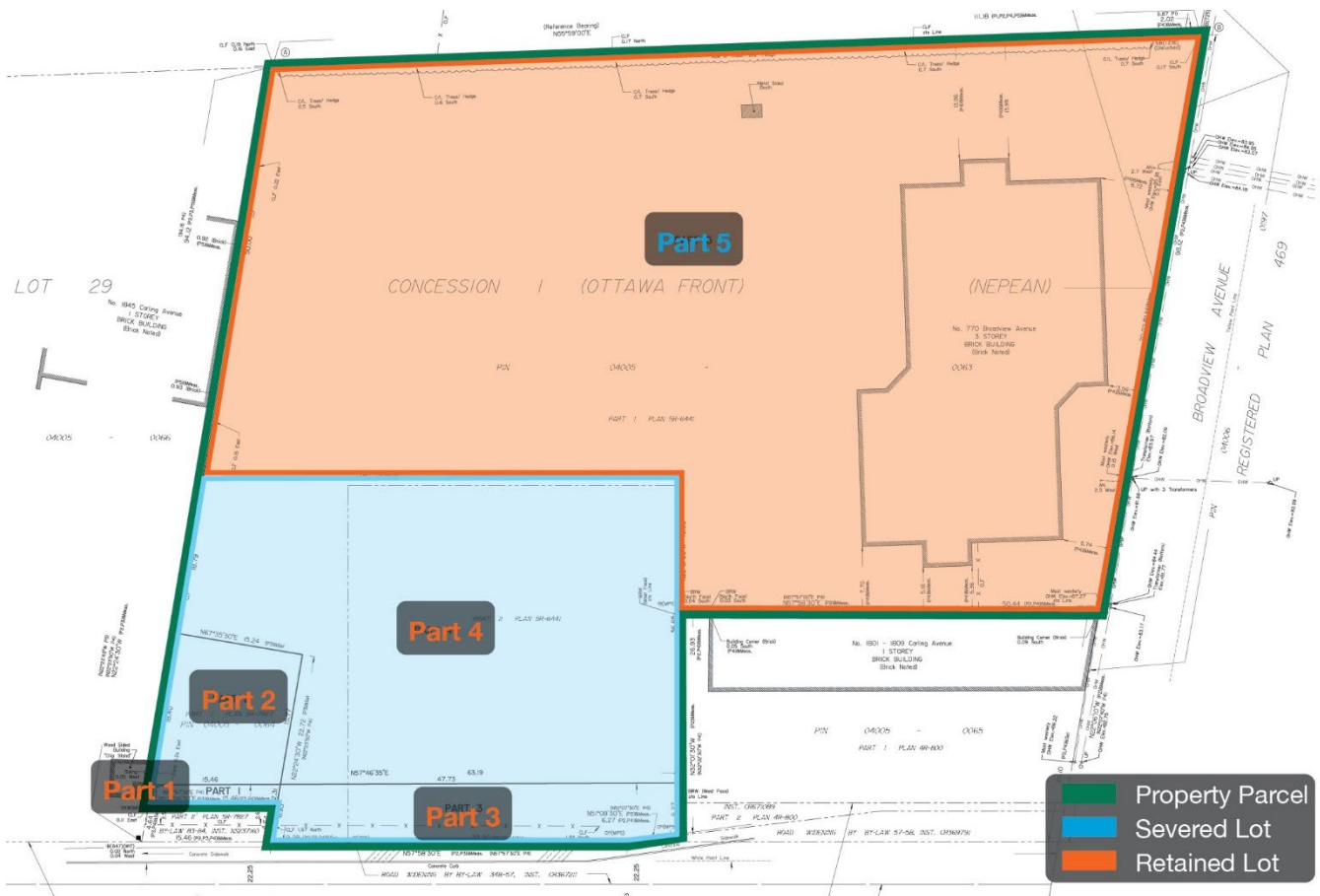


Figure 6: Draft Reference Plan of the subject property with color overlay indicating retained and severed lots.

4.0 Consent Application

It is our professional planning opinion that the application meets the criteria for lot division as described in Section 53(1), 53 (12) and 51 of the 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 applications for consent:

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

The proposed Consent application is consistent with, and has regard to, the prescribed matters of provincial interest outlined in Section 2 of the *Planning Act* and the policies of the Provincial Policy Statement 2020 (PPS). In particular, the PPS focuses growth within settlement areas and recognizes that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, achieving efficient development patterns. The proposed application conforms to these objectives and intentions through the following policies:

- / **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;
 - g) Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- / **Policy 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;
 - d) Prepare for the impacts of a changing climate;
 - e) Support active transportation;
 - f) Are transit-supportive, where transit is planned, exists or may be developed.
- / **Policy 1.1.3.3** - Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification

and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

/ **Policy 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:

b) Permitting and facilitating:

1. 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

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3.

The proposed consent application represents an opportunity for intensification that makes efficient use of existing municipal services, including transit, in an urban area and is therefore aligned with the PPS and provincial interests.

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

The conveyed lands will be used for the purposes established in the Official Plan and Zoning By-law, and the Consent is intended to create separate parcels of land for future development on under-utilized land.

The Consent application is technical in nature, allowing for the creation of one (1) new parcel of land from an existing lot for future development, in addition to retaining the existing building on an existing lot.

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



Figure 7: Schedule B2 – Inner Urban Transect, City of Ottawa Official Plan.

The subject property is presently designated **Mainstreet Corridor**, with an abutting **Evolving Neighbourhood Overlay**, in the Inner Urban Transect, as identified on Schedule B2 of the Ottawa Official Plan (Figure 6). Should the Consent application be granted, the retained parcel fronting Broadview Avenue would become part of the **Neighbourhood** designation, while the severed parcel fronting Carling Avenue would remain designated Mainstreet Corridor.

In the **Inner Urban Transect** both Mainstreet Corridors and Neighbourhoods will generally permit heights up to 40-storeys, given sufficient right-of-way road width, proximity to rapid transit, and proximity to existing taller buildings. **Policies 5.2.3.1** and **5.2.3.2** indicated that given the subject property's ROW is greater than 30 metres (44.5 metres as per Schedule C16) and location within a 300-metre radius of a future rapid transit station, policy would support development heights up to 40-storeys.

The subject property is located within the urban boundary and is designated Mainstreet Corridor, which encourages a wide range of built forms and uses. The Consent application conforms to the Inner Urban Transect and Corridor policies which support infill development in the form of a variety of uses and levels of intensification. The proposed Consent applications do not propose any new construction at this time but will contribute to intensification by creating a new lot that is compliant with existing zoning and compatible with the lot fabric of the broader community.

d) The suitability of the land for the purposes for which it is to be subdivided.

The application proposes to create one (1) new residential lot from one (1) existing parcel of land which exceeds the minimum required lot area for the AM10 zone. Due to the large and wide shape of the subject property, and the availability of municipal services on Carling Avenue, the proposed development is not anticipated to impact or exceed the capacity of the existing servicing for the area, while also contributing to the City's goals for intensification within the urban area.

Overall, the two (2) resulting lots are in keeping with the overall neighbourhood character and the land is suitable for one (1) new lot for future mixed-use development. Servicing will not be an issue, as connections with capacity are available on both Carling Avenue and Broadview Avenue.

e) The dimensions and shapes of the proposed lots.

The proposed lot is consistent with the variety of lot sizes and shapes in the surrounding area. Properties on Carling Avenue in close proximity to the subject property share similar lot widths and areas and provide sufficient area for required AM10 setbacks. Further, the retained lot that fronts Broadview Avenue will continue the existing lot fabric found on that street while continuing to have a property size that is consistent with the accepted size for the community.

The proposed lots are generally rectangular in shape, are capable of being developed with AM10 permitted dwelling types and are similar in size and shape to other lots in the area.

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.

Table 1: Zoning Compliance table for retained lot with existing building (Part 5)

Zoning Mechanism	Provision	Provided	Compliance
Minimum Lot Area	No minimum	6,466 square metres	✓
Minimum Lot Width	No minimum	70.02 metres	✓

Zoning Mechanism	Provision	Provided	Compliance
Minimum Front Yard Setback	No minimum	3.56 metres	✓
Minimum Frontage	At least 50% of the frontage along the front lot line must be occupied by building walls located within 4.5m of the frontage for a Residential use building	>50% (Existing condition)	✓
Front Yard Facade	The ground floor façade facing a public street of a building located within 4.5m of the front lot line must include a minimum of one active entrance	1 active entrances	✓
Minimum Front Yard Facade Glazing	A minimum of 50% of the surface area of the ground floor facade, measured from the average grade up to a height of 4.5m, facing a public street must be comprised of transparent glazing and active customer or resident entrance access doors.	>50%	✓
Minimum Interior Side Yard Setback	3 metres	5.16 metres	✓
Minimum Rear Yard Setback	7.5 metres	76.50 metres	✓
Maximum Building Height	11 metres	3-Storeys	✓
Minimum Required Vehicle Parking Spaces	1 space per 100 m ² GFA (Office use)	110 spaces <i>(As per Zoning By-law 93(1) the lots are treated One Lot for Zoning Purposes)</i>	✓

Table 2: Zoning Compliance table for severed lot with no existing or proposed development (Parts 1, 2, 3 and 4)

Zoning Mechanism	Provision	Provided	Compliance
Minimum Lot Area	No minimum	2,569 square metres	✓
Minimum Lot Width	No minimum	63.19 metres	✓
Minimum Required Vehicle Parking Spaces	N/A	110 spaces <i>(As per Zoning By-law 93(1) the lots are treated One Lot for Zoning Purposes)</i>	✓

Both proposed lots do not impose any restrictions on adjacent lands and are fully compliant with the applicable performance standards in the zoning by-law. Zoning By-law 93(1) allows for the shared site access, infrastructure servicing, and parking on the proposed lots. Future development may necessitate access easements, however, each lot will function independently for present consideration.

Overhead Ottawa Hydro lines are located along the frontage of Broadview Avenue abutting the retained lot. Any future development will respect the five-metre restricted zone clearances.

h) Conservation of natural resources and flood control.

The proposed lots do not comprise the ecological integrity of the area or surrounding properties.

i) The adequacy of utilities and municipal services.

The property is located within the urban boundary, in the Inner Urban Transect, and each parcel will be fully serviced.

j) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

As per Schedule C16 of the Official Plan, it is anticipated that a land conveyance consistent with the 44.5 metre ROW along the subject property's Carling Avenue frontage will be requested.

In our professional opinion, a full Plan of Subdivision is not required and the consent application is appropriate for the site. The resulting lots all front on a municipal right-of-way, are capable of retaining or accommodating new and existing development, are compatible with the surrounding lot fabric, context and character, and positively contributes to the intensification goals of the PPS and Official Plan.

5.0 Conclusion

It is our professional opinion that the proposed consent application meets the criteria for lot division under the *Planning Act*. The proposed creation of one (1) additional lot for future mixed-use development in a predominantly mixed-use area represents good planning and is in the public interest.

Sincerely,



Brian Casagrande, RPP, MCIP
Partner



Tyler Yakichuk, MPlan
Planner