

Committee of Adjustment

August 31, 2023

Re: 4A+B Huron Ave N, Ottawa, Ontario

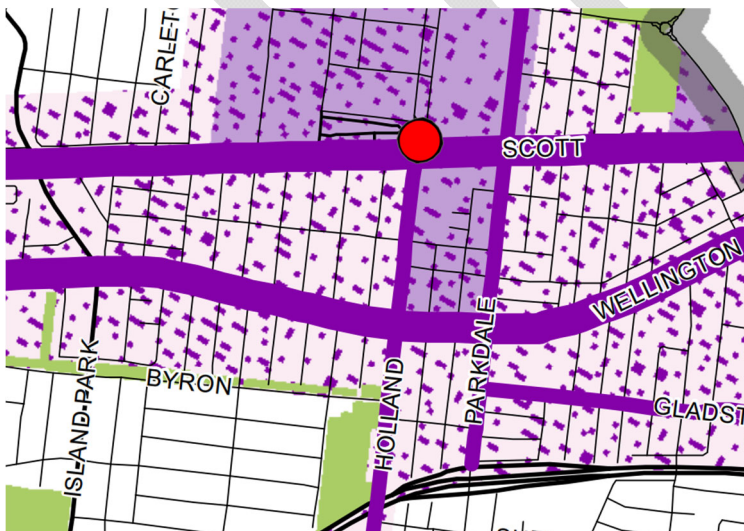
The following information is provided in support of the application for a consent to sever (and associated Minor Variances) to the Committee of Adjustment to allow for the transfer of title for an existing long semi-detached dwelling at 4 Huron Ave N. The property is located in Wellington Village, in very close proximity to Tunney's Pasture LRT station, in the Inner Urban Transect (Kichissippi, Ward 15) of the City of Ottawa.

The Site

The subject property at 4 Huron Ave N. is 393m² in area and has 10.08m (33 ft) of frontage on Huron Ave. N. This property is Lot 539 on Registered Plan 152206. It is located in Ward 15 (Kitchissippi Ward) in the Inner Urban Transect in the City of Ottawa Official Plan (Schedule A). Within the Inner Urban Transect, the property is designated with an 'evolving neighborhood' overlay (Schedule B). It is further designated by the Scott Street Secondary Plan (Volume 2A of the Official Plan). This lot is within the Low-Rise Residential sector of the Scott Street Secondary Plan (Volume 2A of the Official Plan), Annex A and the height is restricted to 3 storeys under Annex B of the Secondary Plan. It is zoned under By Law 2008-250, Residential Third Density, Sub-Zone T (R3T).

A semi-detached home exists on the property. It was built in 2021 and has been occupied since 2022 as 4 residential units, including 2 primary dwelling units and 2 secondary dwelling units. The front and back yard are landscape and a large mature tree has been preserved in the front yard. Two existing parking spots are provided via a travelled rear lane and are accessed from Scott Street. Existing covered garbage storage is provided with the rear unit, and access pathways with gated access through a privacy fence are also provided on each side of the home.

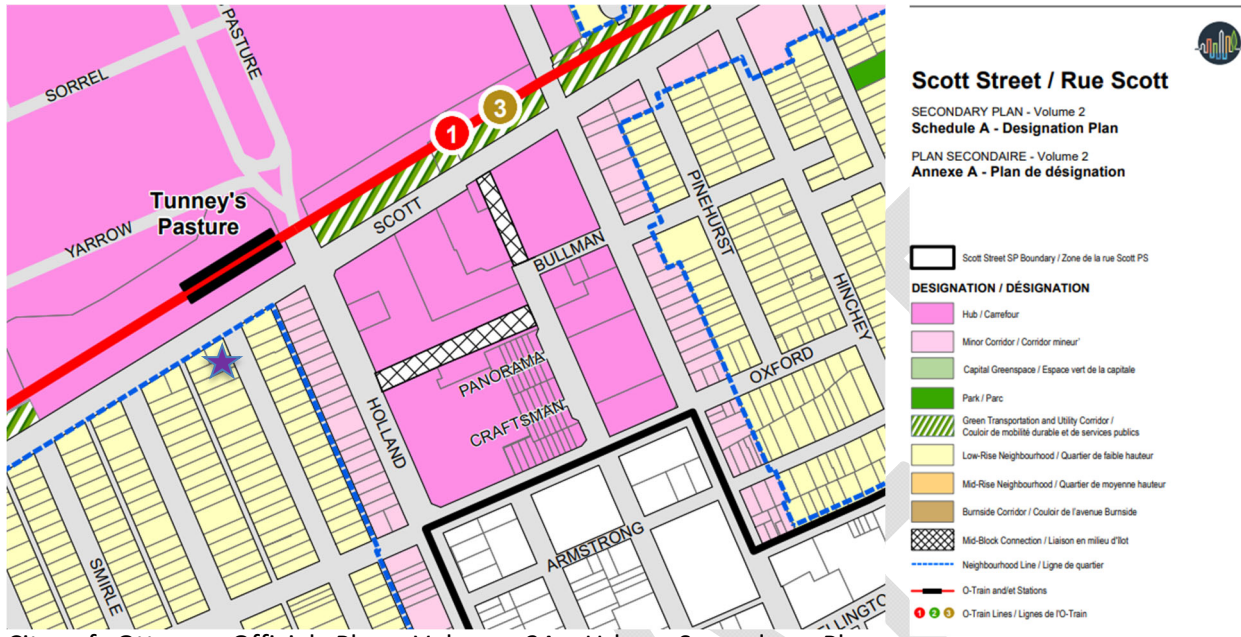
The property is within close walking distance to a wide variety of uses and community amenities on the mixed-use areas adjacent and main streets of Scott Street, Holland, Parkdale and Wellington. It is very well served by both local and rapid transit; approximately 50m from Tunney's Pasture rapid transit station.



TRANSECT POLICY AREA / SECTEUR STRATEGIQUE DU TRANSECT	DESIGNATIONS / DESIGNATIONS
Inner Urban / Urban intérieur	Hub / Carrefour
	Corridor - Mainstreet / Couloir - Rue principale
	Corridor - Minor / Couloir - Rue principale mineure
OVERLAYS / AFFECTATION SUPPLÉMENTAIRE	Mixed Industrial / Industrie Mixte
Evolving Neighbourhood / Quartier en évolution	Greenspace / Espace vert
	Neighbourhood / Quartier



City of Ottawa Official Plan – Inner Urban Transect, Land Use Designation `Neighborhood`, with `Evolving Neighborhood Overlay` (Schedule B2)



City of Ottawa, Official Plan, Volume 2A, Urban Secondary Plans (www.ottawa.ca), Annex A – Designation Plan



GeoOttawa, showing R3T zone, and Mature Neighborhood Overlay.

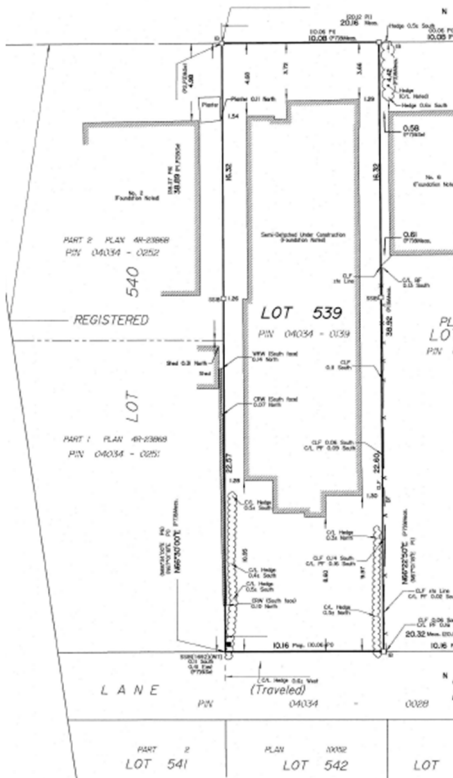




REGISTERED PLAN 127961

HURON AVENUE NORTH (Formerly Huron Avenue)

PIN 040354 - 0390



Lot 539, Registered Plan 152206 (City of Ottawa) (as-built foundation plan, AOV, August 2021)

Existing context photos



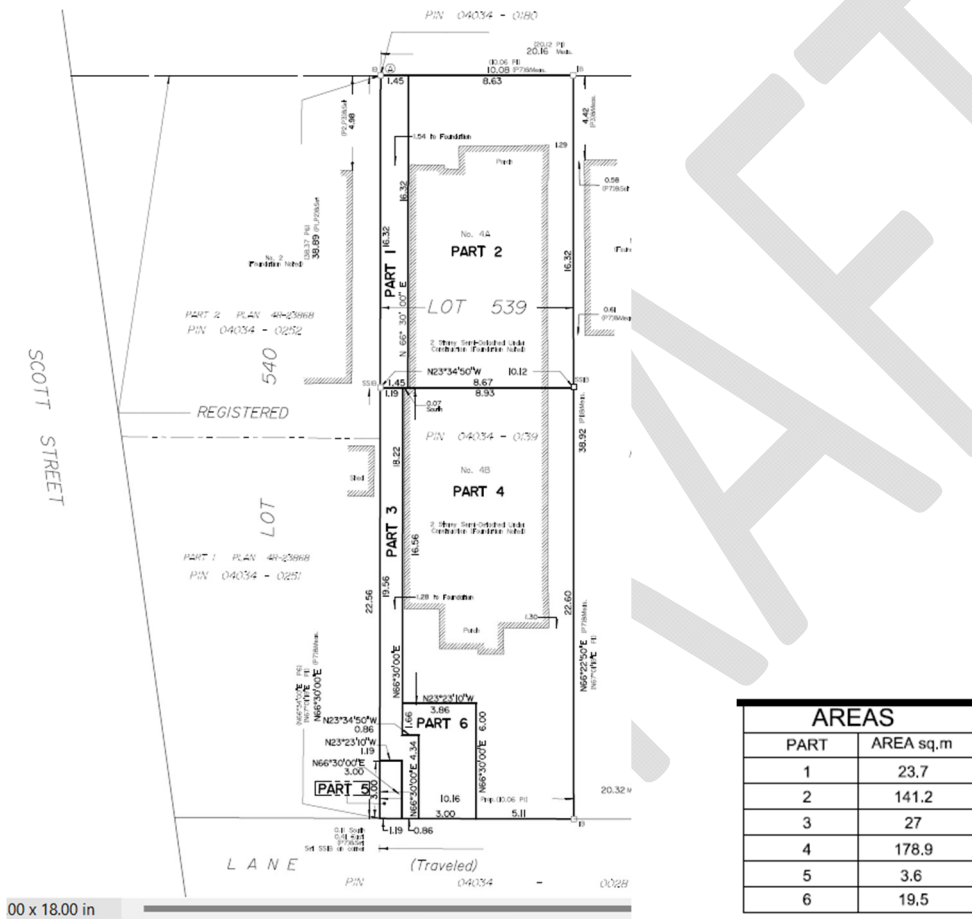


The Proposal

The applicant is proposing to mutually sever Part 2 to create a new lot that can be sold and registered on title under separate ownership. And also to sever Part 1, 3,4,5 and 6 so that it can be sold and registered separately on title.

Access easements is proposed to be provided on Part 1, 3, 5 and 6 for access, recycling and compost storage and parking. Allowing for mutual access to the rear lane and to parking in the rear lot, also accessed from the travelled lane.

A joint-use and maintenance agreement is proposed to be created by the property owner as part of the proposed severance for ongoing property maintenance related to the access path, garbage storage and parking.



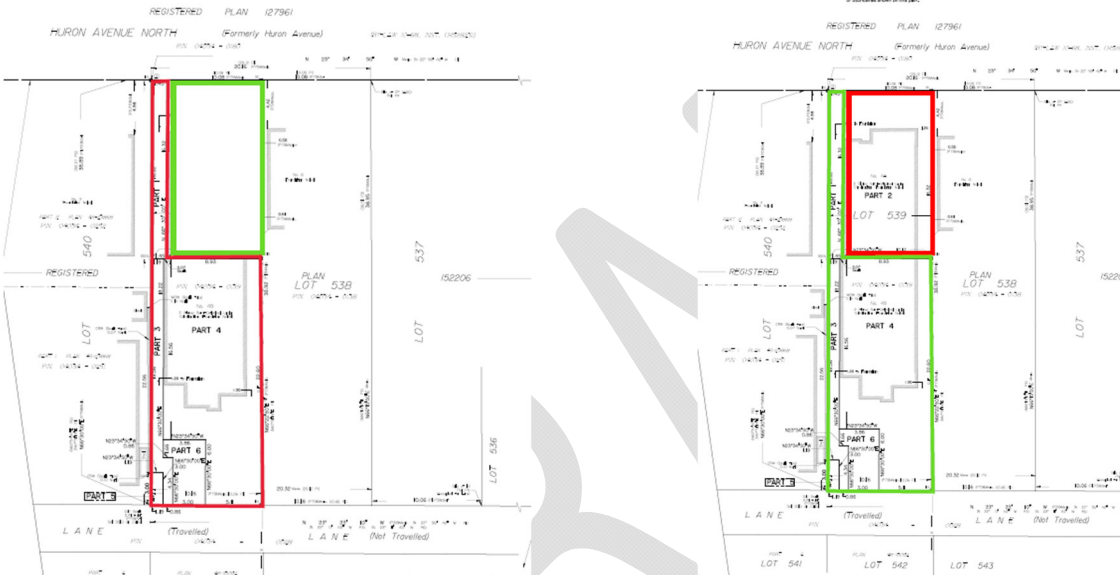
Proposed severance. R-Plan; Part 2 to be severed; part 1,3,4,5,6 to be retained (AOV, 2023) and Part 1,3,4,5,6 to be mutually severed from Part 2.





The following severances are proposed:

Proposed Lot	Lot Area
Part 1 ,3,4,5,6	252.7 m2
Part 2	141.2 m2



The long semi-detached conforms with the Official Plan and it also conforms with all of the required performance standards in the zoning by law (R3T).

There was an update to the zoning by law in 2021 specific to long semi-detached units (Section 145, 2021-2011) specific to the situation of when a severance is to be undertaken for a long semi-detached unit. There was an increased from the requirement for the sideyard setback on the 'flagpole' from 1.5m to 1.7m where there are two adjacent long semi-detached units and to 2.2m where there is one long semi-detached unit.

The following minor variance is required to bring the future severed lot in to conformity with ZBL 2008-250 S[145]:

Proposed Lot	Minor Variances Requested
<u>Part 1,3-6 (retained)</u>	(A) S(145)(4) Where a long semi-detached dwelling is severed in a flag lot configuration, the minimum lot width of the pole portion, as measured from the original lot's interior side lot line... (2) in all other cases <u>1.45</u> , 2.2m (2021-111) S[145](4)(2)





Planning Policy Conformance

City of Ottawa - Official Plan (By Law: 2021-386)

The subject property is in the City of Ottawa, Inner Urban Transect Area, designated Neighborhood, and is a lot on a plan of Subdivision. The following excerpts from the OP relate to development in the Inner Urban Transect Area:

Section 3.0 of the OP outlines the Growth Management Framework.

It identifies that `...most growth will occur within the urban area of the City, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon.`

Policy Intent:

- To provide an appropriate range and mix of housing that considers the geographic distribution of new dwelling types and/or sizes to 2046;
- To provide a transportation network that prioritizes sustainable modes over private vehicles, based on the opportunities for mode shifts presented by each transect area context;
- To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;
- To reduce greenhouse gas emissions in the development and building sectors and in the transportation network; and
- To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt

The support for urban intensification and variety of housing choices is clear throughout the OP. For example,

“Section 4.2 Support Intensification” outlines that 4.2(3) *The vast majority of Residential intensification shall focus within 15- minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them.*

4.2(4) *Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable.*

4.2(8) *Intensification should occur in a variety of dwelling unit floorspace sizes to provide housing choices. Dwelling sizes are categorized into two broad categories, with a range of floorspaces occurring within each category: a) Small-household dwellings ...; and b) Large-household dwellings*

Section 5.0: Transects outlines the key features of Urban areas, including Inner Urban Areas.





URBAN
Shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationship with the public realm
Principal entrances at grade with direct relationship to public realm
Range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios
Minimum of two functional storeys
Buildings attached or with minimal functional side yard setbacks
Small areas of formal landscape that should include space for soft landscape, trees and hard surfacing
No automobile parking, or limited parking that is concealed from the street and not forming an integral part of a building, such as in a front facing garage

5.2 Inner Urban Transect

‘What we want to achieve’

- 1) Enhance or establish an urban pattern of built form, site design and mix of uses
- 2) Prioritize walking, cycling and transit within, and to and from, the Inner Urban Transect
- ...
- 4) Provide direction to the Neighbourhoods located within the Inner Urban Transect

5.2.1 Enhance or establish an urban pattern of built form, site design and mix of uses

1) The Inner Urban Transect’s built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban.

- ...
- 3) The Inner Urban Transect is generally planned for mid- to high-density development, subject to:
 - a) Proximity and access to frequent street transit or rapid transit;
 - b) Limits on building heights and massing, as per the underlying functional designation, and the separation of tower elements, established through secondary plans or area-specific policy, the functional designations and urban design policies in Subsection 4.6, or as a result of the application of heritage conservation policies in Subsection 4.5; and





c) Resolution of any constraints in water, sewer and stormwater capacity.

5) The Inner Urban area is planned for mid- to high-density, urban development forms where either no onsite parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. The following policies apply to private approaches:

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

1) Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors 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 built form requirements as described in Subsection 5.6.1, as applicable and that:

- 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;
- b) The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;
- 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) Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and e) In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.

The proposed consent conforms with the Official Plan

The Minor Variance maintains the general intent and purpose of the Official Plan:

Part 1, 3, 4, 5,6	Maintains the general intent and purpose of the Official Plan
<p>(A) ...the minimum lot width of the pole portion, as measured from the original lot's interior side lot line... (2) in all other cases 2.2m 1.45m (2021-111) (S[145](4)(2))</p>	<p>Supports the goals of the Official Plan and is consistent with the objectives 4.0, 4.2, 5.2. Allows for a more compact form of urban form over time. It allows flexibility in housing choices to adapt to a variety of possible uses.</p> <p>The reduction in servicing line access from 2.2m to 1.45m does not negatively impact any adjacent neighbors. All setbacks related to height, front and rear yard setback are met.</p>

The proposed addition of an added primary dwelling unit (through a long semi-detached dwelling) in the existing Inner Urban Transect area will allow for some moderate infill (intensification) in the urban area. It has regard for the policies throughout the official plan, including 3.0, 4.2, 5.2. Within walking distance of many community amenities and transit, this type of infill development helps to support the development of sustainable communities and is consistent with the objectives and goals of the Official Plan, and maintains the general intent and purpose of the Official Plan.

The proposed minor variances maintains the general intent and purpose of the City of Ottawa Official Plan.

The proposed consent conforms with the Official Plan.





City of Ottawa – Consolidated Zoning By-Law (2008-250) The property is zoned “R3T– Residential, Third Density, Sub-Zone T. The proposal meets all of the requirements of the R3T zone and performance standards. The form of housing is further subject to policies for long semi-detached housing, in sub-section 145.

The proposed consent conforms with the Zoning By Law (with the inclusion of the proposed minor variance)

The proposed Minor Variance maintains the general intent and purpose of the zoning by-law:

Part 1 ,3,4,5,6	Maintain the general intent and purpose of the zoning by-law
...the minimum lot width of the pole portion, as measured from the original lot’s interior side lot line... (2) in all other cases <u>1.45</u> 2.2m (2021-111) (S[145](4)(2))	Maintains the general intent and purpose of the subsection 145 of the zoning by law. To allow for severances of long semi-detached homes, while allowing for an appropriate sideyard to service both the front and rear units. And to provide sufficient setback for access and future property maintenance. In this case, the existing built unit will sufficiently accommodate this requirement.

The proposed variances allow a wider mix of residential ownership and building forms, provide an added housing choice within this residential area, while also allowing sufficient setback to service the property, to provide access and egress and to move garbage in and out of the storage area.

The proposed minor variances maintain the general intent and purpose of the zoning by-law.

Variances are desirable for the appropriate development of the property:

The proposed long semi-detached dwelling will allow for appropriate infill in this neighborhood that enhances and provides new opportunity for a different housing form within the urban area on the existing rapid transit line. Providing for a mix of rental and owned semi-detached housing. It has been demonstrated that bicycle, garbage storage and private car parking can be accommodated under separate property ownership through access easement and a proposed joint use and maintenance agreement (JUMA). It has been demonstrated and discussed with the City of Ottawa infrastructure staff that the property can be serviced with separate water, sewer and stormwater service laterals to each of the two separate properties.

Part 1 ,3,4,5,6	Variances are desirable for the appropriate development of the property
(A) ...the minimum lot width of the pole portion, as measured from the original lot’s interior side lot line... (2) in all other cases <u>1.45</u> 2.2m (2021-111) (S[145](4)(2))	The design of the long semi-detached home specifically for this lot, allows for consideration of proper servicing, amenity area, access to primary and secondary dwelling units, parking of vehicles and bicycles, recycling and garbage storage and access to the public road. The rear travelled lane already in use provides for additional





	access for bicycle, garbage, and private vehicles for added convenience through a public access lane.
--	---

The proposed variance is minor in nature:

The proposed variance is minor in nature.

Part 1,3,4,5,6	Variations are minor in nature
(A) ...the minimum lot width of the pole portion, as measured from the original lot’s interior side lot line... (2) in all other cases 1.45 -2.2m (2021-111) (S[145](4)(2))	The variance will allow for the separate ownership of the front unit, and secondary dwelling unit. It does not alter anything about the location of the building on the lot. It allows for a mix within the four units of ownership and tenancy.

The proposed severance is compatible with the surrounding land uses

The existing semi-detached dwelling provides for a range of housing choices. The severance will allow for separate ownership of the primary dwellings. The semi-detached land use under separate ownership is compatible with the surrounding residential low-rise land uses.

The proposed severance is appropriate with respect to lot size and geometry

The existing semi-detached dwelling provides for a range of housing choices. The severance will allow for separate ownership and the parking, access, recycling, bicycle and garbage storage have all been taken in to account given the lot size and geometry. The provision of a joint use and maintenance agreement and access easements will allow for separate ownership of the front and rear unit, given the lot size and geometry.

The proposed severance can be accommodated by existing municipal services

It has been confirmed with City of Ottawa Planning and Infrastructure staff that the newly created lot can be serviced with water and sewer, connecting directly from the municipal services in the road. This will allow services for each of the separately owned primary dwellings. The secondary dwelling units will be serviced from the same services as the primary dwellings.





Conclusion

We request the Committee of Adjustment to approve the consent for the requested **lot severance** under **Section 53** of the Planning Act and the **minor variance** to zoning by-law 2008-250 under **Section 45** of the Planning Act. **ZBLA 2008-250 (S[145](4)(2) to be modified as outlined below.**

Proposed Lot	Minor Variances Requested
Part 1 ,3,4,5,6	(A) ...the minimum lot width of the pole portion, as measured from the original lot's interior side lot line... (2) in all other cases <u>1.45</u> -2.2m (2021-111) (S[145](4)(2))
Part 2	No variances

The variances are minor in nature, the variances are desirable for the appropriate development of the property, the general purpose and intent of the Zoning By-Law is maintained, and the general intent and purpose of the Official Plan is maintained.

The proposed lot severance is in conformity with the City of Ottawa Official Plan, is compatible with the surrounding land-uses, is appropriate with respect to the lot size and geometry, can be accommodated by existing municipal services, and is in compliance with the zoning for the lot (with the inclusion of the minor variances).

Prepared by:

Jennifer Murray, P.Eng., MBA
Terrain Development Consulting

