

**Date:** October 6, 2023

**File:** 032923 - 2199 Boyer Road

**To:** Michel Bellemare, Secretary Treasurer  
Committee of Adjustment  
City of Ottawa, 101 Centrepointe

**Committee of Adjustment**  
Received | Reçu le

**Revised | Modifié le : 2023-10-19**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**RE: PROPOSED SEVERANCE APPLICATION FOR 2199 BOYER ROAD**

Dear Mr. Bellemare,

Q9 Planning + Design have been retained by Luke Shannon to prepare a Planning Rationale regarding the requested consent to sever application required to create two new lots to facilitate the development of a long semi-detached dwelling at 2199 Boyer Road.

The following represents the Planning Rationale cover letter required as part of the submission requirements for an application to the Committee of Adjustment.

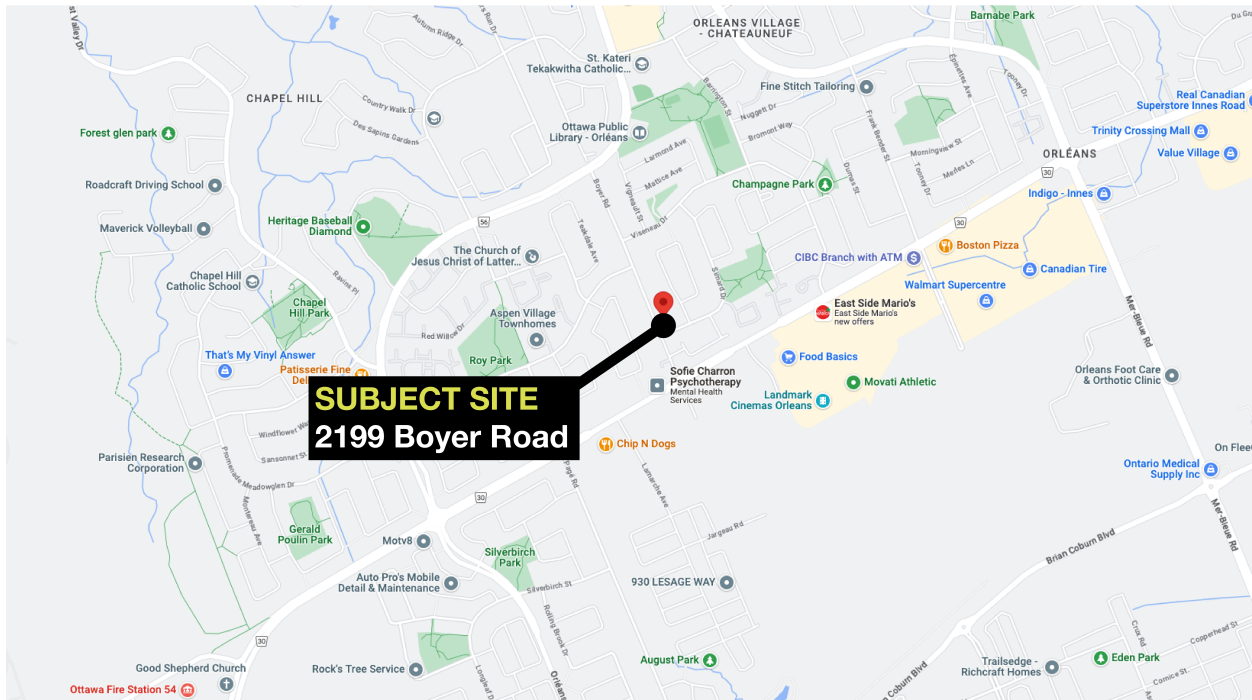


Figure 1: Location Plan (Source: Google Maps)

## OVERVIEW

The subject site is an irregularly-shaped lot located on the east side of Boyer Road in the Orleans Village-Chateaufort within Ward 2 - Orleans West-Innes in the City of Ottawa. The lot is located within a residential neighbourhood along a street containing a variety of low-rise dwelling types including detached and semi-detached dwellings. Most of the lots along Boyer Road are uniform rectangular lots, with some lots close to Simard Drive being irregular in shape. The lot is currently undeveloped.

The proposed development is to sever the existing lot into two new lots in a flag lot configuration to facilitate the development of a long semi-detached dwelling. Each long semi-detached dwelling unit will feature an additional dwelling unit in the basement level. In order to permit this development, a consent application is required to establish two new lots.

The proposed consent application was discussed with members of City staff to confirm the severability of the site prior to submission. Cass Schlauzero confirmed that a long-semi typology is considered one lot for the purposes of zoning.

## Proposed Consent Applications

The breakdown of the proposed Consent to Sever application is provided below and are consistent with the Draft Reference Plan provided in conjunction with this application.

Part Number	Use	Lot Width	Lot Depth	Lot Area
<b>Existing</b>	Vacant	11.24 m	Irregular, 35.36 m	459 m <sup>2</sup>
<b>Parts 3 &amp; 4 Retained Parcel (Rear)</b>	Long Semi-Detached Dwelling	2.66 m	14.96 m	303 m <sup>2</sup>
<b>Part 1, 2 &amp; 5 Severed Parcel (Front)</b>	Long Semi-Detached Dwelling	8.58 m	Irregular, 35.36 m	157 m <sup>2</sup>

	Severed	Retained	ROW/Easement Description
<b>Application B - Secondary Consent)</b>	3 & 4	1, 2 & 5	Part 4 is subject to (s/t) a blanket easement in favour of Parts 1, 2 & 5 for access, vehicular parking, bicycle parking and amenity space.
<b>Application A - Primary Consent)</b>	1, 2 & 5	3 & 4	Part 3 & 4 are together with (t/w) rights-of-way over Parts 2 & 5 for access.

**Parts 1, 2 & 5:** Front unit (severed parcel), pedestrian access, and shared stairway.

**Parts 3 & 4:** Rear unit (retained parcel), vehicular parking, bicycle parking, amenity space.



\*\*It is important to note that Part 5 is a stratified easement. The terms of the easements/rights-of-way will be detailed in a Join Use & Maintenance Agreement.

### **Description of ROWs/Easements:**

**Primary Consent:** Part 3 & 4 are together with (t/w) rights-of-way over Parts 2 & 5 for access.

**Secondary Consent:** Part 4 is subject to (s/t) a blanket easement in favour of Parts 1, 2 & 5 for access, vehicular parking, bicycle parking and amenity space.

**Stratified Easement:** Part 5 is a stratified easement. The terms of the easements/rights-of-way will be detailed in a Join Use & Maintenance Agreement.

### **Documents Required and Submitted**

The following lists all required and submitted documents in support of the identified Committee of Adjustment applications.

- [ Survey
- [ Draft Reference Plan
- [ Site Plan
- [ Planning Rationale (this document)
- [ Fee
- [ Application Form
- [ Parcel Abstract

## SITE & CONTEXT

### Site

The subject site is an irregularly-shaped lot located on the east side of Boyer Road in the Orleans West-Innes neighbourhood. The property has a narrow frontage which widens towards the rear, with the northerly interior lot line having a steep jog that tapers the abutting lot to the north at 2193 Boyer Road. The site is currently vacant and abuts a side-by-side two-storey semi-detached on an unsevered parcel to the north and a single-storey detached dwelling to the south. The lot is fairly average in size compared to the rest of the area, being smaller than some of the unsevered parcels along Boyer Road and larger than some recently severed lots along the nearby portion of the street. Boyer Road is characterized by mostly single-detached and semi-detached dwellings that showcase a mix of architectural styles. Most homes along Boyer Road range in height from one-to-two storeys. Higher density uses including a townhouse development at the southeast corner of Simard Drive and Boyer Road provide contextual support for higher density development in the neighbourhood, while commercial uses are located nearby along Innes Road. The site is mostly grassed, with a single tree located in the rear yard.

The following list provides the existing lot dimensions for 2199 Boyer Road:

- [ Lot frontage: 11.24 metres
- [ Lot depth: Irregular, 35.36 metres
- [ Lot area: 459 m<sup>2</sup>

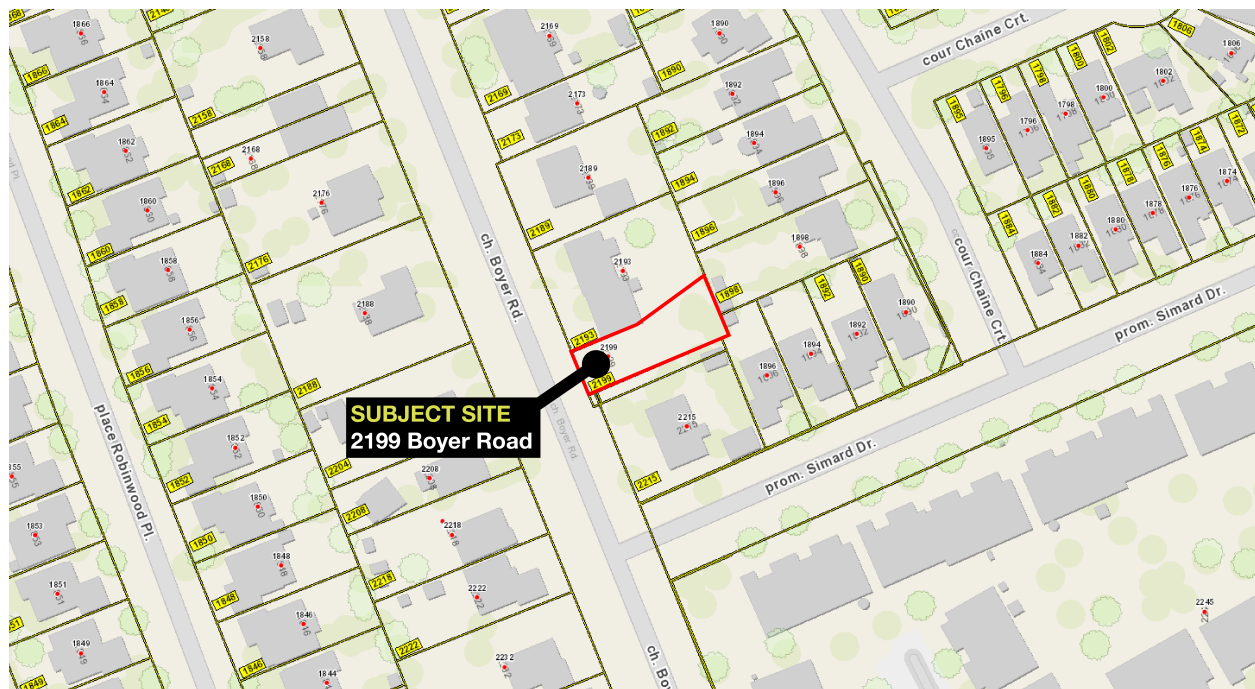


Figure 2: Site Map (Source: GeoOttawa)



Figure 3: Photo of subject site



Figure 4: Directly across the street from subject site





*Figure 5: Directly across the street from subject site*

## Context

The subject site is located within a low-density residential neighbourhood (Orleans Village-Chateauf) in Ward 2 - Orleans West-Innes. The area is characterized by single-detached dwellings, semi-detached dwellings, and townhouses. Homes in the area vary in size, height, and architectural features and styles, with heights ranging from one storey to two storeys. Both contemporary architectural styles and mid-to-late 20th century architectural styles existing in the neighbourhood and larger lots are developed with correspondingly large homes while smaller lots represent gentle density in the area and developed with semi-detached dwellings, townhouses, and small detached homes. Boyer Road is a residential road which runs from St. Joseph Boulevard in the north to Innes Road in the south. However, between St. Joseph Boulevard and Orleans Boulevard, the street is dead-ended on both sides. Boyer Road can be accessed from Orleans Boulevard, which terminates in a dead end just before Innes Road, preventing vehicular through access to Boyer Road from Innes.

The property is not within close proximity to any LRT stations or any proposed rapid transit station areas. However, the property does have public transportation access via bus routes along Innes Road, which is within a 15-minute walking distances from the site. Other bus routes along Meadowglen Drive and Viseneau Drive are also located within a short walk of the property. There are no sidewalks along Boyer Road. However, there is pedestrian and cycling infrastructure along Innes Road.

The site is also within a 15-minute walking distance of commercial uses along Innes Road. It is located within a short walk of many parks and schools, including Barrington Park, Saint Francois Park, and Roy Park, amongst others. Overall, the site's context is principally vehicle-oriented, though there are some public and active transportation opportunities nearby and many amenities within walking distance. The context supports a gentle

increase in density that will support the existing public and active transportation infrastructure connecting to the site.

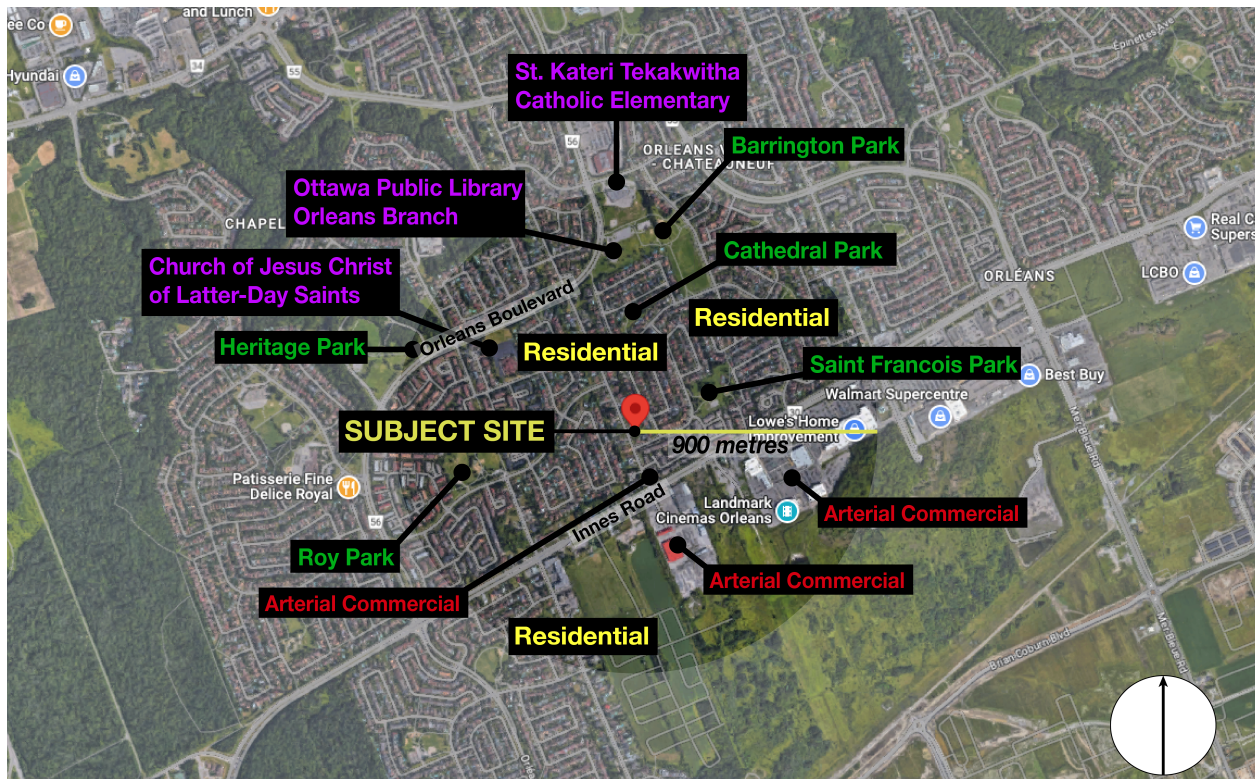


Figure 6: Context Map (Source: Google Maps)

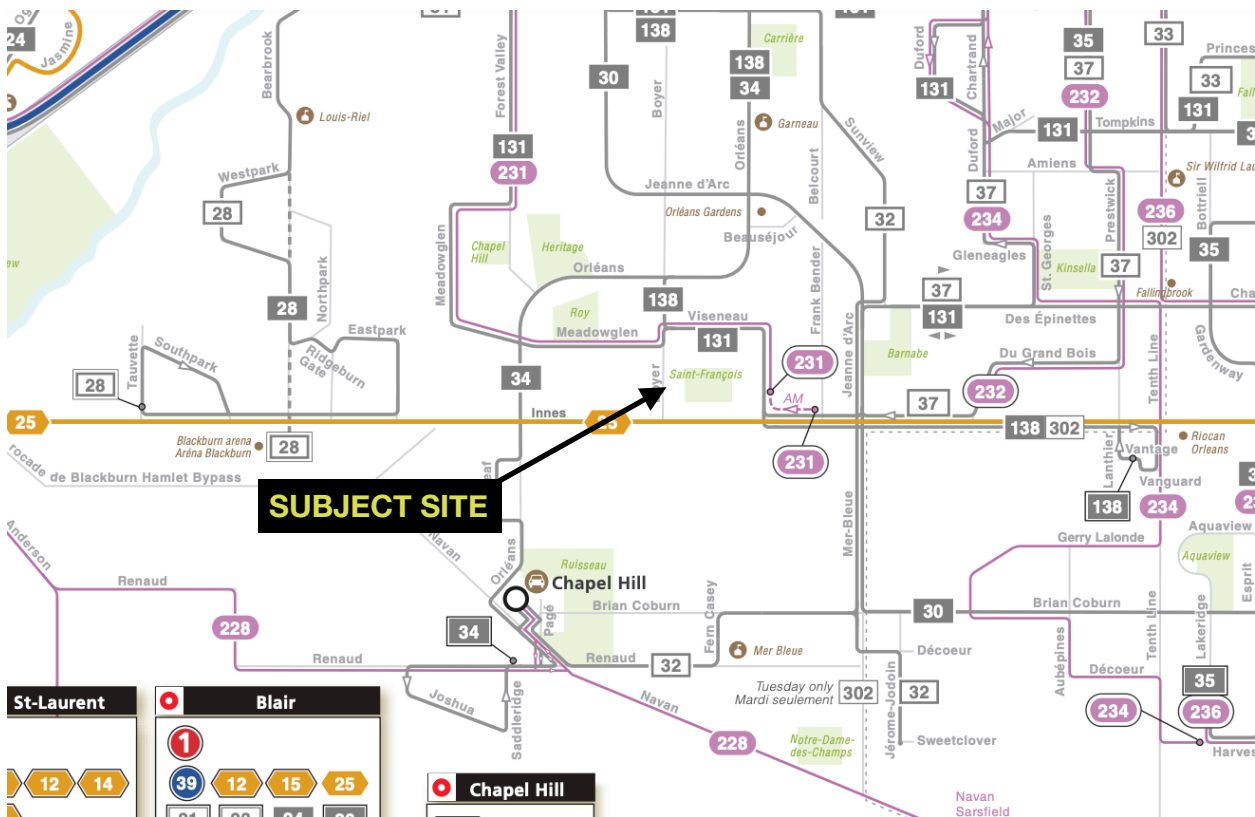


Figure 7: Transit Map (Source: OC Transpo)



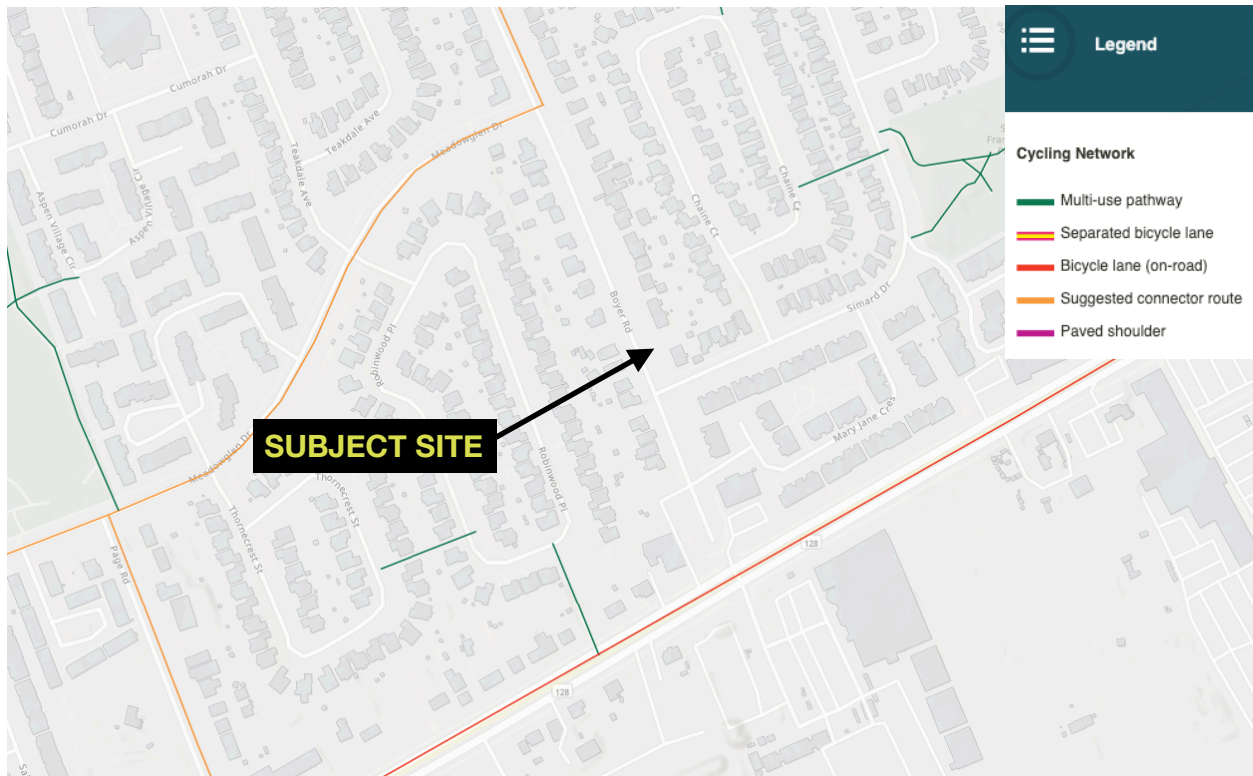


Figure 8: Cycling Map (Source: National Capital Commission)



Figure 9: View from subject property looking south along Boyer Road, towards Innes Road





*Figure 10: Townhouse development at Boyer Road and Mary Jane Crescent, south of the subject site*

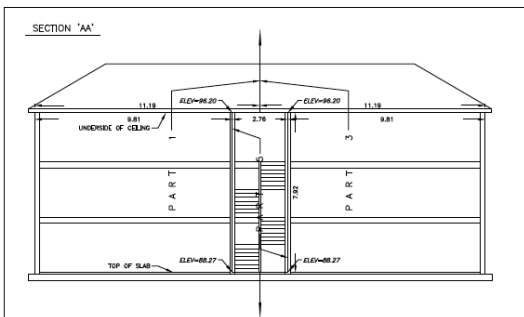
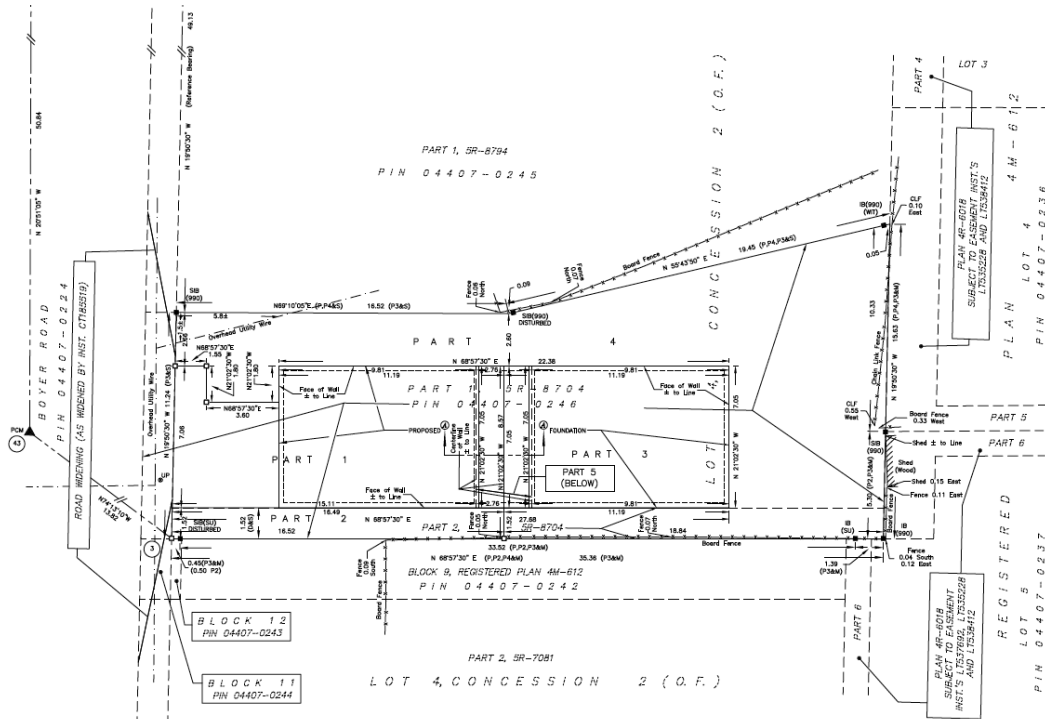


*Figure 11: View from across the street from the subject site looking north along Boyer Road*





*Figure 12: Multi-unit residential at Boyer Road and Meadowglen Drive, north of the subject site*



**NOTES**

1. BEARINGS ARE ASSUMED ASTROMONIC AND ARE REFERRED TO THE EASTERN LIMIT OF BOYER ROAD AS SHOWN ON REGISTERED PLAN 4M-812, HAVING A BEARING OF N89°30'00".
2. DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR 0.999963.
3. BEARINGS CAN BE CONVERTED TO GRID BY APPLYING AN ANGLE NORTH OF 241.84' COUNTER-CLOCKWISE.
4. ELEVATIONS ARE REFERRED TO GEODETIC DATUM (GDA08).

**LEGEND**

- - SURVEY MONUMENT SET
- - SURVEY MONUMENT FOUND
- SB - STANDARD IRON BAR
- B - IRON BAIL
- (P) - PLAN 5R-8704
- (P2) - REGISTERED PLAN 4M-812
- (P3) - PLAN BY FAIRHALL, MOFFATT & WOODLAND DATED JANUARY 16, 2022 (REF: 172-2 (P) GR)
- (P4) - PLAN 5R-8704
- (S) - INST. NS27341
- (S47) - J. S. FARLEY, G.L.S.
- (S48) - J. S. FARETTI, G.L.S.
- (S5) - SOURCE UNKNOWN
- (W) - WITNESS
- (M) - MEASURED
- (S) - SET
- Pin - PROPERTY IDENTIFIER NUMBER
- CLF - CHAIN LINK FENCE
- UP - UTILITY POLE
- - OVERHEAD UTILITY WIRES

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON

DATE: \_\_\_\_\_ JOHN N. GIBBE  
ONTARIO LAND SURVEYOR

Figure 13: Draft R Plan (Source: Fairhall, Moffatt & Woodland, marked up by Q9 Planning + Design)

## PROPOSED DEVELOPMENT

The proposed development is to sever the subject lot which is currently undeveloped into two parcels in order to facilitate the construction of a long semi-detached dwelling. The severance will allow for each of the two halves of the long semi to be located on its own lot, with a secondary dwelling unit on each half. It also supports separate sale and ownership of each half of the long semi.

The proposal offers 6 bicycle parking spaces, two vehicle parking spaces, soft landscaping in the rear and in the front with two new proposed trees.

The development features a 5.15-metre front yard setback, 1.5-metre and 2.6-metre interior side yard setbacks, and a 7.68-metre rear yard setback. The following pages contain the Site Plan and Draft Reference Plan.

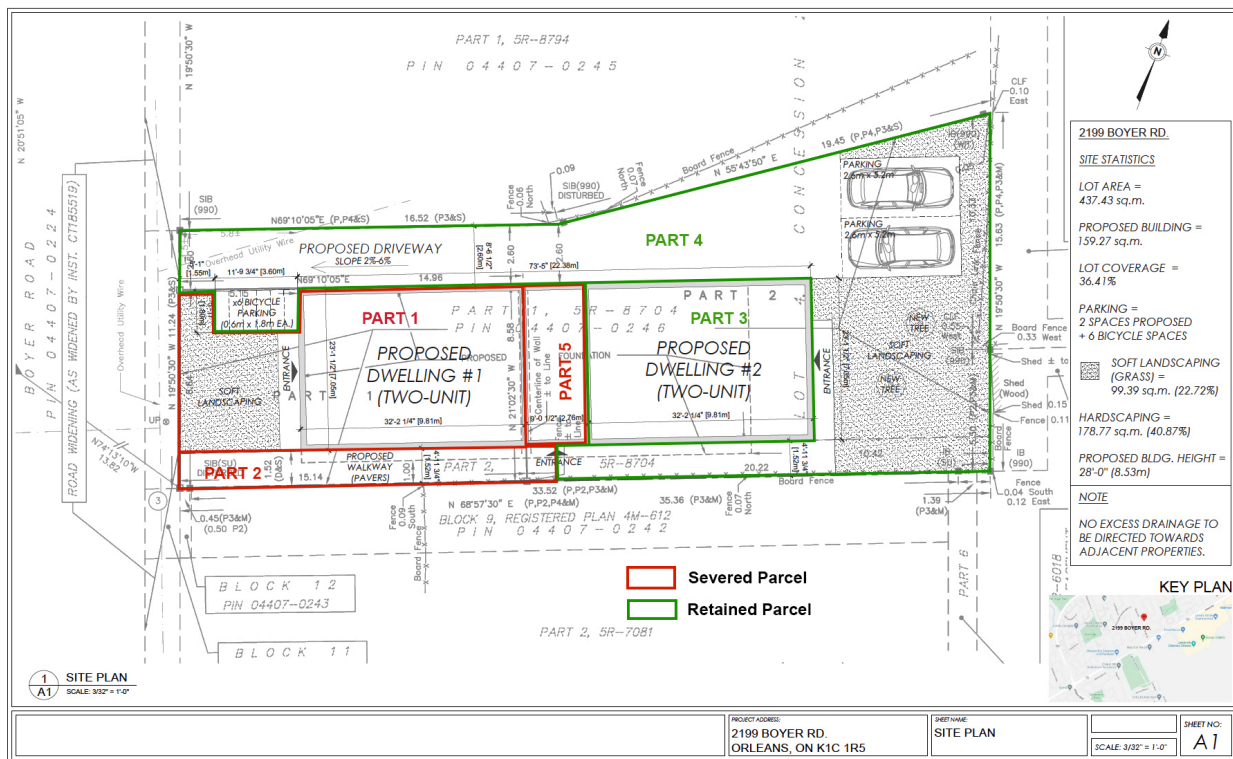


Figure 14: Site Plan (Source: EJ Drafting and Design, Markup by Q9 Planning + Design)

## POLICY REVIEW

In order to obtain approval of the proposed minor variance and severance to create two new lots with a long semi-detached dwelling, a review of the relevant and applicable policies and provisions is required. These are reviewed and discussed below. Relevant policies will be indicated in *italics*.

### Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020 and provides broad policy direction on land use planning and development matters of provincial interest. The Plan ensures that the goals of the province are met by land use planning policies and decisions. Its policy intent is to enhance the quality of life for all Ontarians and protect resources of provincial interest, public health and safety, and the quality of the natural and built environment while providing for appropriate development. Provincial plans and municipal plans (such as local Official Plans and Secondary Plans) must align with the PPS and are responsible for implementing its direction. All decisions affecting planning matters “shall be consistent with” the PPS.

Section 1.0 is intended to wisely manage change and plan for efficient and effective land use and development patterns. It provides for policies that sustain healthy, liveable, and safe communities.

#### 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.*



1.1.3.1 *Settlement areas shall be the focus of growth and development.*

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; and*
- g) *are freight-supportive.*

**Comment:** The proposed long semi-detached dwelling results in an efficient use of a currently undeveloped parcel in the urban settlement area. It provides for two principal dwelling units and two additional dwelling units (ADUs) on the site through intensification. The development contributes to the mix of housing types in the area by resulting in a ground-oriented built form that is contextual with the single-detached dwellings that Boyer Road is comprised of. The 2.5-storey profile aligns with the one- and two-storey height context in the area. The development supports existing public transportation service along Innes Road and Meadowglen Drive and more optimally utilizes existing public infrastructure.

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:*

- a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- 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;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *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;*



- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

**Comment:** The proposed development will result in increased housing options in the area and provides gentle residential intensification and additional units in an area with existing municipal infrastructure and servicing. The long semi-detached dwelling constitutes a more compact built form that is responsive to the narrow frontage and irregular lot shape of the underlying parcel. It results in an efficient utilization of the existing site, contributing two new principal dwelling units to the area, which more optimally utilizes existing transportation and infrastructure investments in the neighbourhood.

Section 2.0 of the PPS provides policies aimed at ensuring Ontario's long-term prosperity, environmental health, and social wellbeing through the wise use and management of resources. The policies provide direction on conserving biodiversity, protecting the Great Lakes, and protecting natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources.

Section 3.0 of the PPS contains policies to ensure Ontario's long-term prosperity, environmental health, and social wellbeing through the reduction of health risks from human-made or natural hazards.

**Based on our review, it is our professional planning opinion that the proposed development conforms with the Provincial Policy Statement (PPS), 2020.**

## City of Ottawa Official Plan

Designation: *Neighbourhood within the Suburban East Transect*

The new City of Ottawa Official Plan was passed by City Council on November 24th, 2021 and was approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4th, 2022. The Official Plan builds on the Five Big Policy Moves identified in the City's Strategic Plan and provides renewed goals, objectives, and policies intended to guide future growth and land use decision-making into the year 2046.

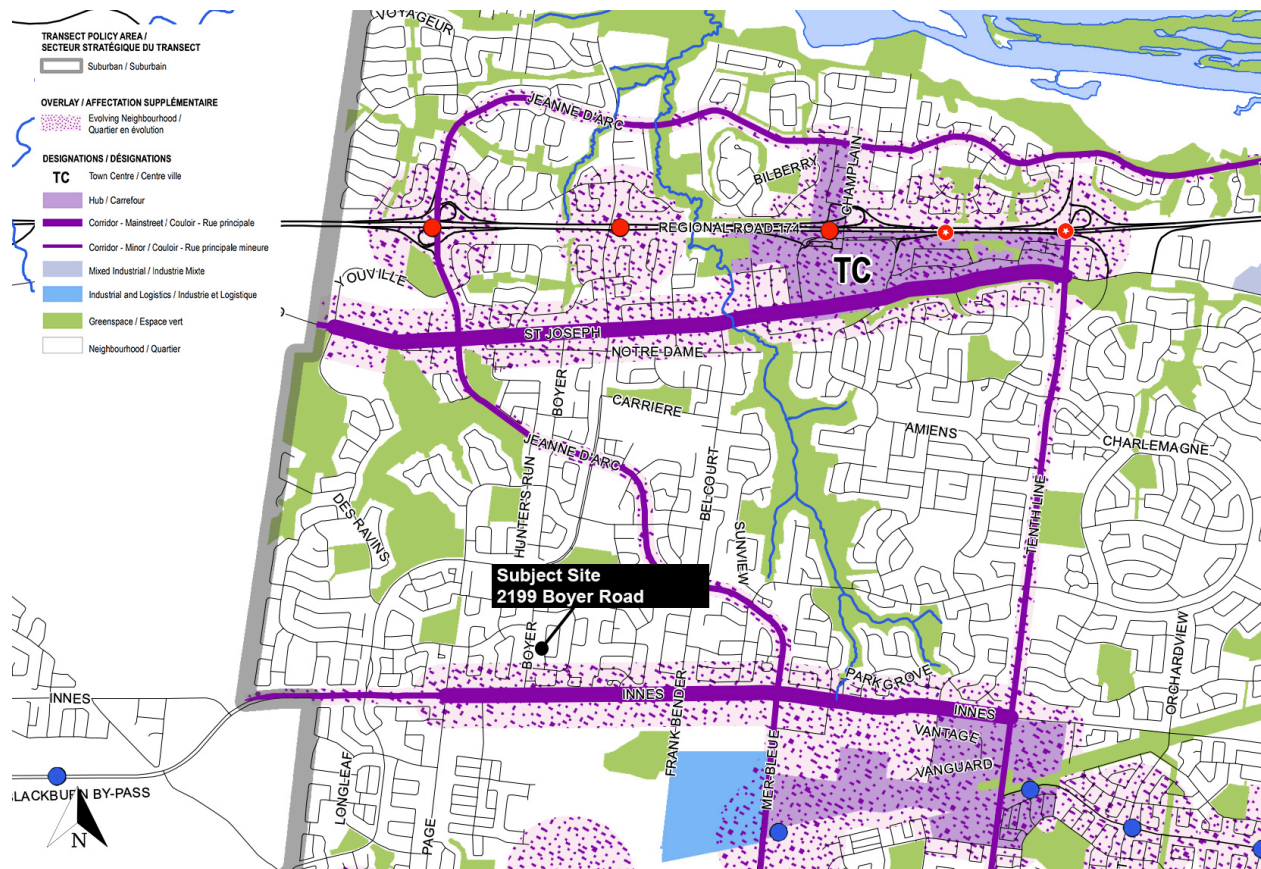


Figure 15: Excerpt from City of Ottawa Official Plan

Section 2 contains the overarching strategic directions of the new Official Plan, centred around the Five Big Moves which call for increased growth through intensification, sustainable transportation, context-based urban and community design, environmental, climate, and health resiliency embedded into planning policy, and planning policies based on economic development. Six cross-cutting issues have also been identified as essential to the achievement of liveable cities, which are related to intensification, economic development, energy and climate change, healthy and inclusive communities, gender equity, and culture.

**Comment:** The proposed development of a long semi-detached dwelling on the subject property results in two new dwelling units being added to the neighbourhood via a contextually-appropriate dwelling type. It provides a gentle increase in density through a

built form that is designed to be compatible in height and scale with the surrounding neighbourhood and contributes to more housing choice in the area. The additional density supports existing public transportation and infrastructure investments in the area while fitting within the neighbourhood context of one-to-two-storey ground-oriented dwelling types and the planned development for Neighbourhoods in the Suburban Transect. The proposal thus supports the Five Big Moves and the City's overall strategic objectives.

Section 3 of the Official Plan provides a renewed growth management framework that directs various types and intensities of growth to appropriate areas, ensuring that adequate land is provided to accommodate new growth. Most of the future growth in population and jobs is expected to occur within the urban settlement area, with the balance being accommodated in rural areas. Six transect policy areas underpin this growth management framework, with each transect policy area planning for new growth accommodation in accordance with the existing development context. Tailored direction is provided to gradually transition lands within these transects towards 15-minute communities.

**Comment:** The subject site is located within the urban settlement area in an established residential neighbourhood in the Suburban East Transect. It is currently an undeveloped parcel located between a semi-detached dwelling on the northerly abutting lot and a single-detached dwelling on the southerly abutting lot. The proposal develops this vacant parcel with a new, long-semi-detached dwelling, providing a contextually-appropriate residential use while adding new homes and unit types to the area through gentle intensification. This supports the objectives of the City's growth management framework and achieves growth accommodation through intensification, while also retaining a compatible, appropriately-scaled built form.

Section 4 of the Official Plan provide policies applicable to development throughout the City, including those for more sustainable modes of transportation and the design and creation of healthy, 15-minute neighbourhoods. It also promotes housing choice to accommodate a variety of needs.

**Comment:** The proposed development provides for a new long semi-detached dwelling within the urban area, which contributes to housing choice and a variety of unit types in the area. It also contributes to a more transit-supportive neighbourhood density through gentle intensification of an existing site, promoting the creation of 15-minute neighbourhoods and accommodating a greater variety of housing needs in the area.

Section 4.6 provides policies aimed at regulating the design of built form and the public realm in a manner that supports 15-minute neighbourhoods. It emphasizes design excellence throughout the City, especially in Design Priority Areas. The subject site is not located within a Design Priority Area.

**Comment:** The proposed development contributes a well-designed long semi-detached dwelling to the area, which adds two principal dwelling units and two additional dwelling units to the neighbourhood through gentle intensification of an existing undeveloped parcel. The overall site design more efficiently utilizes the available space on the lot, with the long semi-detached design accommodating the narrow frontage and taper of the lot while still providing zoning compliant setbacks and landscaped areas. The planned 2.5-storey height and the overall scale and massing of the long semi is compatible with the abutting homes and the other dwellings along Boyer Road, which has homes that vary in

size from one storey to 2.5 storeys. No adverse shadowing or overlook impacts onto neighbours will result from the development. Two parking spaces are provided in the rear yard along with six bicycle parking spaces in the front and designated waste collection area inside the building, ensuring that adequate vehicular parking is provided while also contributing to active and public transit mode share in the area. The long semi will also utilize contextually-appropriate architectural features, with a hipped roof and a mixed stone and panel siding facade. Overall, the design contributes contextually-appropriate building to the neighbourhood which is compatible in the intensity of the proposed use and the overall building scale with other homes along Boyer Road. It adds new units to the area through gentle intensification and results in an efficient site design. The proposal provides compliant setbacks and landscaped areas while retaining functional design components such as adequate vehicle parking, bicycle parking, and waste collection areas.

Section 5 provides more detailed policies for each of the six transect policy areas within the City. The transect policy areas recognize the existing land use and built form context of the city and provides tailored policy direction based on these existing geographies. The subject site is part of the Suburban East Transect. Within the Suburban East Transect, the site is designated as Neighbourhoods.

Section 5.4 provides policies specific to the Suburban Transect. The Suburban Transect is comprised of neighbourhoods outside the Greenbelt, and reflecting the suburban model of development such as separated uses, generous setbacks, and low-rise, stand-alone built forms. The Plan intends to support the gradual transition of neighbourhoods within the Suburban Transect towards the 15-minute neighbourhood model. It supports a range of dwelling unit types in the Suburban Transect, with opportunities for increased density near existing or planned public transportation infrastructure. Generally, up to three storeys are planned for Neighbourhoods within the Suburban Transect, with four storeys in some cases.

Section 5.4.5 further states that Neighbourhoods within the Suburban Transect are should strive to meet the planned density targets outlined in Section 3 of the Official Plan. This will be achieved by accommodating a wide variety of housing types and up to four storeys in height.

**Comment:** The proposed development results in the creation of two new lots from the existing lot, which facilitates the construction of a long semi-detached dwelling on the property. The long semi-detached dwelling will have two principal dwelling units, along with two additional dwelling units, contributing gentle density within a low-rise, 2.5-storey built form that aligns with the existing neighbourhood context. It thus aligns with the planned height context for Neighbourhoods within the Suburban Transect, while contributing to increased density near transit service and supporting the 15-minute neighbourhood model.

Section 6.0 contains policies specific to designations within the urban settlement area.

Section 6.3 contains policies that pertain to the Neighbourhoods designation. Neighbourhoods are considered the heart of communities and are recognized as occurring at different densities and stages of development. The intent of the Official Plan is to reinforce the 15-minute neighbourhood model through support for gradual, integrated, sustainable, and context-sensitive development. Specifically, neighbourhoods are planned

for low-rise development up to four storeys, within which a variety of housing types and options are included.

**Comment:** The proposed development results in the creation of two lots from the existing property which is currently undeveloped. The severance will support the construction of a 2.5-storey long semi-detached dwelling, with an additional dwelling unit in each half. This will add new housing units to the area through intensification of an existing, undeveloped lot within an established neighbourhood while contributing the variety of unit sizes, tenure types, and price points in the area. The proposal also maintains the existing height context of the area and aligns with the planned development context for Neighbourhoods, which is primarily low-rise intensification up to four storeys. By contributing to the overall housing choice in the area, the proposed development supports public and active transit mode shares and contributes to the achievement of 15-minute communities.

**Based on our review, it is our professional planning opinion that the proposed development conforms with the City of Ottawa Official Plan.**



## City of Ottawa Zoning By-law

The City of Ottawa zones this site as R2N - Residential Second Density Zone, Subzone N in the City of Ottawa Zoning By-law 2008-250. The property is not located within the Mature Neighbourhoods Overlay, the Floodplain Overlay, or the Heritage Overlay. The intent of the R2 Zone is to restrict residential development to detached and two principal unit dwellings, such as semi-detached dwellings and long semi-detached dwellings.

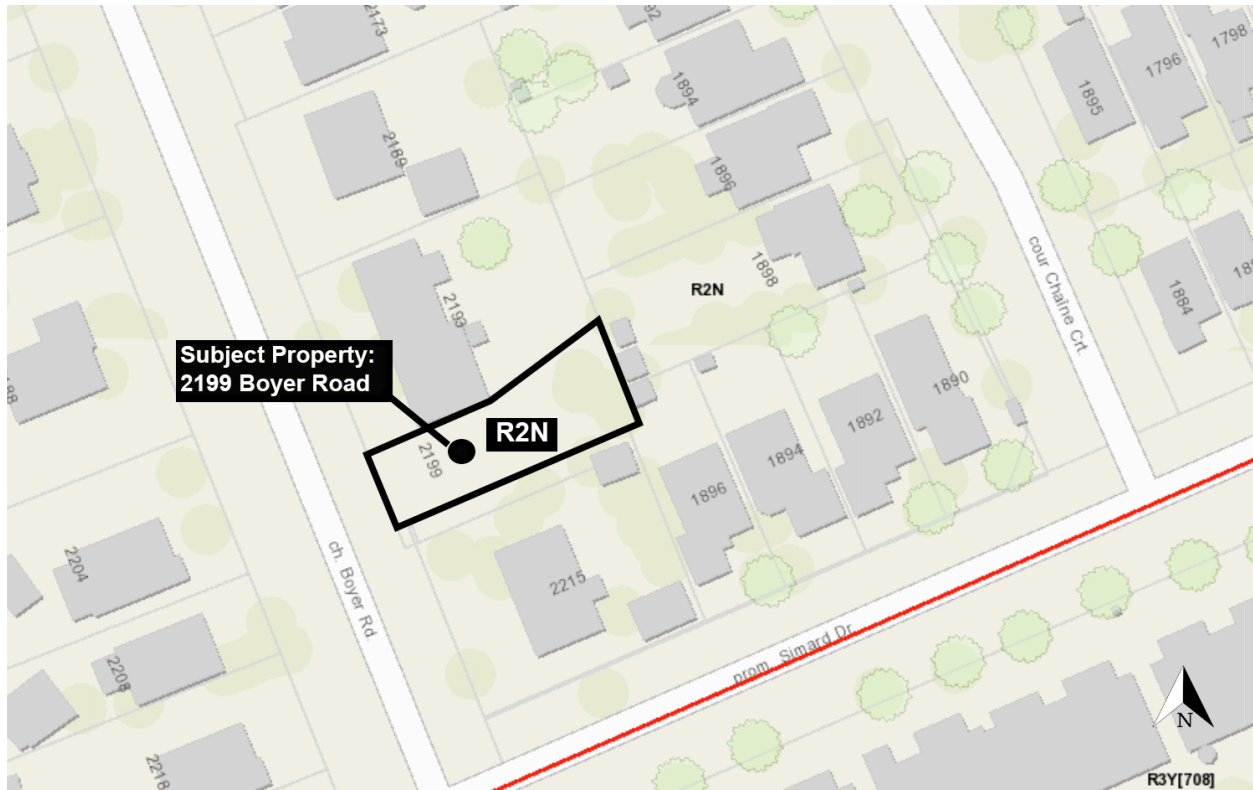


Figure 16: Zoning Schedule (Source: GeoOttawa)



Where a long semi-detached dwelling is severed, the lands on which a long semi-detached dwelling is located are considered one lot for zoning purposes.

Long Semi-Detached Dwelling	Part X (front)		Section / By-law
	Required	Provided	
<b>R2N</b>			
<b>Minimum Lot Width</b>	10 m	11.24 m	S158, Table 158A
<b>Minimum Lot Area</b>	300 m <sup>2</sup>	437 m <sup>2</sup>	S158, Table 158A
<b>Minimum lot width of pole portion</b>	2.2 m	2.6 m	S145(4)(b)
<b>Max Building Height</b>	11 m	8.33 m	S158, Table 158A
<b>Minimum Front Yard Setback</b>	5 m	5.15 m	S158, Table 158A
<b>Minimum Rear Yard Setback</b>	7 m	7.68 m	S158, Table 158A
<b>Minimum Interior Yard Setback</b>	1 m	1.5 m and 2.6 m	S158, Table 158A
<b>Minimum Driveway Width</b>	2.6 m	2.6 m	S107(3)(a)
<b>Maximum Walkway Width</b>	1.8 m	1.5 m	S109(3)(b)
<b>Minimum Parking Spaces (Area C)</b>	1 space per dwelling unit (2 spaces)	2 spaces	S101, Table 101(R7)

## PLANNING ACT REVIEW

### Review of Section 51(24)

The following is a review of Section 51(24) of the Planning Act to assess the suitability of the proposed severances to sever the single lot at 2199 Boyer Road into two lots in order to facilitate separate potential conveyance of each half of the existing long semi-detached dwelling. In the Planning Act, a series of conditions are presented that state in the case of any subdivision of land, including consent to sever, regard shall be had to:

1. *The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposed consent allows for the creation of two lots for the existing long semi-detached dwelling. The proposed are appropriately scaled to the surrounding neighbourhood, with all required setbacks and landscaped areas met. Furthermore, the consistency of lot widths along the area will be maintained, as the proposed lots are uniform and still results significant green spaces on the property. The severance is consistent with the all applicable provincial policies including the Provincial Policy Statement.

2. *Whether the proposed subdivision is premature or in the public interest;*

The proposed consent to sever is not premature and is in the public interest. It facilitates the creation of separate lots for each new dwelling type and provides housing within an existing community, utilizing existing services, resources and infrastructure. The proposed new lots are consistent with lot fabric within the local community.

3. *Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed consent conforms to the City of Ottawa Official Plan as it supports the residential use of the property and creates narrower lots that are more characteristic of the urban lot fabric. The severance results in three uniform lots that align with the existing lot fabric in the area.

4. *The suitability of the land for the purposes for which it is to be subdivided;*

The proposed severance results in two lots being created from the existing parcel. The lots are uniformly-shaped and similar in size to surrounding parcels along Boyer Road. Furthermore, since the the lots will be appropriately-sized and suitable to accommodate the use.

5. *The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

No new roads are proposed as part of this land severance. The proposed development will not impact transportation infrastructure.

6. *The dimensions and shapes of the proposed lots;*

The two created lots will be rectangular parcels both with frontage on the street that will be similar in width and area to other lots along Boyer Road. The severance line will be based on the existing function of the long-semi-detached building on the site, which already operates as if the lots were severed. The new lots will be sufficiently sized to accommodate the existing development, since the building is already there and no exterior construction or expansion is proposed.

7. *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;*

There are no restrictions or proposed restrictions that apply to the existing or proposed lot and its uses, beyond the Zoning By-law.

8. *Conservation of natural resources and flood control;*

The proposed consent will require a grading and drainage plan to indicate how runoff will be controlled as a required condition for any severance application. The property is not within a flood plain.

9. *The adequacy of utilities and municipal services;*

The site has adequate access to utilities and municipal services to serve the severed parcels and the resulting development.

10. *The adequacy of school sites;*

The proposed consent will result in 4 new dwelling units, which will have a marginal impact on surrounding school. The proposal is considered to be a minor development proposal.

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

No part of the proposed lands are to be conveyed or dedicated for public purposes.

12. *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 allows for the construction and separate conveyance of each half of the a long-semi-detached dwelling. The consent results in a more efficient lot structure that aligns better with an urban lot fabric.

13. *The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31*

*(2); 2006, c. 23, s. 22 (3, 4).*

The proposed development does not require Site Plan Approval and is considered to be a minor development proposal.

## CONCLUSION

As noted, the proposed severance to create two lots from the existing property currently vacant which would allow for the potential conveyance of each half of the semi-detached dwelling. The severance would result in a more appropriate lot condition for long semi-detached dwellings and potentially allow for secondary dwellings in each half of the semi. It also results in a more urban lot fabric by creating two, contextually-sized and uniform lots within the urban area. Collectively considered, the proposal meets the criteria for subdivision of land as set out in Section 51(24) of the Planning Act.

It is the opinion of Q9 Planning + Design that the proposed severance constitutes good land use planning and meets the required tests and criteria set out in the Planning Act.

Yours truly,



Christine McCuaig, RPP MCIP M.PI  
Principal Senior Planner + Project Manager

CC: Luke Shannon

## APPENDIX

### Email from Committee of Adjustment Staff (Forestry) with respect to tree conservation on the subject site:

**From:** Young, Nancy <[Nancy.Young@ottawa.ca](mailto:Nancy.Young@ottawa.ca)>  
**Sent:** May 1, 2023 10:30 AM  
**To:** Shannon, Luke <[luke.shannon@ottawa.ca](mailto:luke.shannon@ottawa.ca)>  
**Cc:** Committee of Adjustment / Comité de dérogation <[cofa@ottawa.ca](mailto:cofa@ottawa.ca)>  
**Subject:** RE: Forestry Study for lot severance

Hi Luke,

Thank you for confirming the measurements. As the tree is <50cm it is not protected under the by-law, and no Tree Information Report is required.

It is still always encouraged to plan and work around existing trees to allow for their retention and maintain the value they provide to the site. More information can be found on the 'Planning Around Trees' link in the email below, but the main priority is to protect the area within 4.3m of the tree by designing your project outside of this area and installing fencing as per the attached specifications.

Nothing further is required at this time. I have copied the Committee of Adjustment on this email to confirm that no TIR is required with this application.

Thanks,  
Nancy



**Nancy Young, RPF**  
Planning Forester  
Natural Systems and Rural Affairs, PRED  
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