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Committee of Adjustment  
City of Ottawa  
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**Committee of Adjustment**  
Received | Reçu le  
**2024-01-15**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**Attention: Michel Bellemare, Secretary-Treasurer**

**Reference: 4200 Innes Road  
Minor Variance Application  
Novatech File: 122179**

Novatech has been retained by the owner of 4200 Innes Road, 2856089 Ontario Ltd (part of Broadstreet Properties Ltd) to prepare this Planning Rationale letter in support of a minor variance application to facilitate the development of a mixed use development comprising 293 residential units and a 340m<sup>2</sup> medical facility.

A minor variance is required to permit a reduced minimum number of parking spaces required for the development. Visitor parking is provided in compliance with the Zoning By-law, and does not require relief.

A Site Plan application for the building is currently with City's planning department staff (City File: D07-12-23-0068). Second review comments were received in October 2023. The number of outstanding issues is limited. It is possible that the building design will be refined slightly through detail design. For this reason, we request that any minor variance approval include the standard condition that the approval is not tied to these plans and that there is some flexibility to refine the design.

**Existing Conditions**

The Subject Site is in Ward 19 (Orleans South-Navan), approximately 317 metres south of Innes Road and 160 metres east of Mer-Bleue Road, as shown below. The Subject Site is vacant and rectangular in shape with an area of 1.91 hectares. The topography of the site and surrounding area is generally flat. The Subject Site has 156.55 metres of frontage on the future extension of Noëlla Leclair Street, which will extended along the frontage of the Subject Site as part of the approved subdivision that created the Subject Site (Registered Plan of Subdivision 4M-1732).

The Subject Site is legally described as: BLOCK 1, PLAN 4M1732 SUBJECT TO AN EASEMENT IN GROSS OVER PART 1, 4R35771 AS IN OC2650905 SUBJECT TO AN EASEMENT IN GROSS AS IN OC2651780 CITY OF OTTAWA

Easement OC2650905 is a turning circle easement and easement OC2651780 is in favour of Hydro Ottawa. These easements are existing conditions that do not affect the requested variances.



**Figure 1: Subject Site and Surrounding Uses**

Surrounding uses include:

**North:** A vacant parcel (5000 Roger-Pharand Street) abuts the north side of the Subject Site. It was severed (City File No.: D08-01-18/B-00152) from 4200 Innes Road and received Site Plan approval (City File No.: D07-12-18-0179) for the construction of a ten-storey, mixed use retirement home and residential care facility. A commercial and retail plaza is located within the block on the north side of Roger-Pharand Street at the southwest corner of Innes Road and Mer-Bleue Road and contains a mix of uses including restaurants, a bank, coffee shop, pet store, dental office, and a clothing store.

**East:** The future southward extension of Noëlla Leclair Street will abut the east side of the Subject Site. Lands east of this future road extension are currently vacant. They will be developed in accordance with the approved subdivision and zoning and will include a mix of residential, employment, light industrial, and parkland uses.

**South:** A large parcel (2127 Mer-Bleue Road) abuts the Subject Site to the south and contains the Orleans Golf Centre. South of this is a vacant triangular parcel of land followed south by a hydro corridor. A future bus rapid transit (BRT) corridor will run parallel with the hydro corridor.

**West:** Auto dealerships fronting on Mer-Bleue Road abut the west side of the Subject Site. An east-west pedestrian pathway bisects two of the dealerships connecting the sidewalk along Mer-Bleue Road to the western edge of the Subject Site.

## Minor Variance Application

The requested variance relates to the minimum number of required parking spaces to be provided for the proposed development in accordance with *Zoning By-law 2008-250*. As per *Section 101(1)* of the *Zoning By-law 2008-250*, off-street motor vehicle parking must be provided at the rates set out in *Table 101*. The minimum required parking spaces for the proposed uses are to be calculated for *Area C* on *Schedule 1A* of *Zoning By-law 2008-250* as summarized below:

*Table 101*

R12)	1.2 per dwelling unit for mid-high rise apartments
R15)	1.0 per dwelling unit in a mixed-use building
N51)	4 per 100 m <sup>2</sup> of gross floor area

Visitor parking spaces are provided in accordance with *Section 102* of the *Zoning By-law 2008-250*, and are calculated at the rates set out in *Table 102* for *Area C* on *Schedule 1A* of the *Zoning By-law* as summarized below:

*Table 102*

0.2 per dwelling unit for mid-high-rise apartment dwelling
0.2 per dwelling unit in a mixed-use building

Per *Section 104 – Shared Parking Provisions*, 11 visitor parking spaces are eligible to be shared by the medical facility, and the medical facilities minimum required number of spaces have been reduced accordingly.

The Site Plan proposes 299 parking spaces and 59 visitor parking spaces (total 358 spaces), whereas the *Zoning By-law* requires a minimum of 338 parking spaces and 59 visitor parking spaces (total 397 spaces). This translates to an overall parking rate of approximately 1.0 space per residential unit, plus the required number of spaces for the medical facility and visitor parking.

**Therefore, the following variance is required to facilitate the proposed development:**

- a) **To permit a reduced total number of parking spaces (299), whereas the by-law requires a minimum of 338 parking spaces for the proposed uses (Section 101, Subsection 1 of Zoning by-law 2008-250).**

## Rationale

The minor variances listed above meet the four tests for minor variances under *Section 45(1)* of the *Planning Act* which are:

1. The general intent and purpose of the Official Plan must be maintained;
2. The general intent and purpose of the *Zoning By-law* must be maintained;
3. The variance must be desirable in the opinion of the Committee for the appropriate development of the land, building, or structure; and
4. The variance must be a minor variance from the provisions of the *Zoning By-law*;

***The first test for a minor variance is that the general intent and purpose of the Official Plan maintained.***

Pursuant to Schedule B8 - Suburban (East) Transect, the Subject Site is designated Evolving Neighbourhood. Section 6.3 sets out the intent for neighbourhoods:

*Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities.*

*Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.*

Under 'What we want to achieve' further direction is given:

- 1) *Define neighbourhoods and set the stage for their function and change over the life of this Plan*
- 2) *Guide the evolution of neighbourhoods based on their context, location, age, maturity and needs, generally towards the model of 15-minute neighbourhoods*
- 3) *Ensure that neighbourhoods form the cornerstone of liveability in Ottawa*

The proposed minor variance facilitates a development that is consistent with the Evolving Neighbourhood designation and contributes to the 15 minute neighbourhood it is located in. The proposal locates 293 households and a medical facility in the centre of the neighbourhood, between the future Mer Bleue BRT station and the existing retail. The proposed reduced minimum number of parking spaces encourages the use of transit, cycling and walking. The requested variance will contribute to intensification by permitting the development of a vacant site within the urban area. The proposed development is appropriate for the current and planned context of the area.

***The second test for a minor variance is that the general intent and purpose of the Zoning By-law maintained.***

The subject site is currently zoned Arterial Mainstreet (AM). The purpose of the zone is:

1. *accommodate a broad range of uses including retail, service commercial, offices, residential and institutional uses in mixed-use buildings or side by side in separate buildings in areas designated Arterial Mainstreet in the Official Plan; and*
2. *impose development standards that will promote intensification while ensuring that they are compatible with the surrounding uses.*

The requested minor variance does not compromise the ability to accommodate a mix of uses on the Subject Site. The concurrent Site Plan application is for 293 rental apartments and a medical facility. By reducing the number of parking spaces that need to be accommodated on the Subject Site, more buildings can be accommodated and therefore greater intensification is possible.

*Section 101 of the Zoning By-law 2008-250 provides minimum required parking rates for land uses. The general intent and purpose of minimum parking rates is to ensure that sufficient parking is provided for the proposed uses. The property owner develops and manages similar sites throughout Canada and has calculated that proposed parking spaces will adequately address the operational requirements of all uses on the Subject Site.*

Providing the required number of parking spaces in accordance with the provisions of Zoning By-law 2008-250 would result in parking that would be underutilized. The 39 unnecessary parking spaces would consume land that could otherwise be developed to accommodate additional housing units or space within the medical facility. Paving an area for additional parking spaces that will never be occupied will also increase surface water run-off and increase the heat island effect for no benefit.

The zoning that applies to the Subject Site contains provisions for a broad range of uses. The proposed development has been designed to comply with all other applicable zoning provisions related to the building envelope. The proposed variance facilitates the development of permitted uses that comply with the general intent and purpose of the Zoning By-law 2008-250.

The requested variance maintains the general intent and purpose of the Zoning By-law.

***The third test for a minor variance is that the minor variance is considered desirable for the use of the property.***

Reducing the number of parking spaces on the Subject Site is desirable for the use of the property. The purpose of the zone is to promote intensification and providing the required parking reduces the ability to achieve this on the Subject Site. Providing the additional 39 spaces that would be required to meet the Zoning By-law would either require costly additional underground parking levels or increased surface parking. Additional surface parking would reduce the amount of housing able to be provided and/or reduce the various amenities provided to the residents. The full provision of parking for the medical facility and for visitors to the apartments is desirable for the use of the property.

The efficient use of land, compact development, and climate change are fundamental policies of the 2020 Provincial Policy Statement. The proposed reduced parking rate will consume less land for parking that could otherwise be developed. The additional parking required by the Zoning By-law would increase the amount of paved area and thereby increase surface water run-off and the heat island effect for no benefit.

***The fourth test for a minor variance is that the variance is considered minor in nature.***

Besides the requested minor variance, the proposal complies with the zoning by-law provisions.

The proposed parking spaces for the proposed development supports a Site Plan that will adequately address the operational requirements of all uses. The reduction in minimum required parking spaces for the Subject Site is considered minor, as the anticipated operational requirements for the proposed development require fewer parking spaces than what is required in the Zoning By-law.

As noted previously, the proposed parking spaces translate to approximately 1.0 space per dwelling unit. A parking rate of 1 space per dwelling units is an established practical parking rate for areas with access to higher order transit. The Subject Site is approximately 600 m walking distance from the future Mer Bleue BRT station. The reduced number of parking spaces further reflects recent trends towards reduced vehicle ownership within households.

As discussed above, the minimum number of visitor parking spaces for the apartments is maintained.

### **Conclusion**

The minor variance application facilitates a development that maintains the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law 2008-250. The requested variance is considered desirable for the use of the land and is minor in nature. The proposed development represents good land use planning.

Sincerely,

**NOVATECH**



James Ireland, MCIP, RPP  
Project Manager