

Committee of Adjustment
101 Centrepointhe Drive
Ottawa, ON K2G 5K7

January 18, 2023

Attention: Mr. Michel Bellemare
Committee of Adjustment, Secretary-Treasurer

Dear Mr. Bellemare,

Re: Combined Applications for Minor Variances (Primary & Secondary)
2272 Lawn Avenue, Ottawa ON

Committee of Adjustment
Received | Reçu le

2024-01-24

City of Ottawa | Ville d'Ottawa
Comité de dérogation

JD Planning has been retained by Cailey Dunlap (the 'Owner') to submit Combined Applications for Minor Variance (primary and secondary) and Consent for the property municipally known 2272 Lawn Avenue (the 'site'). The site presently contains a two-storey single-detached dwelling with attached carport which is to be demolished. The proposal is to construct a new semi-detached dwelling on the property and sever the lot in two parcels, with one primary dwelling unit located on each new lot.



Figure 1. Exterior rendering of proposed new development prepared by Justin Seguin Architecture + Interiors

To facilitate the proposed development, three minor variances are required for each half of the semi-detached dwelling, as follows:

Lot A / Part 1 (Severed):

- a) To permit a reduced lot area of 268.7 square metres whereas the By-law requires 270.0 square metres (Table 158A);
- b) To permit reduced front yard setback of 5.0 metres, whereas the By-law requires 6.0 metres (Section 144(1)(d));

- c) To permit a reduced rear yard setback of 1.2 metres, whereas the By-law requires 4.0 metres (Section 144(5)(a));

Lot B / Part 2 (Retained):

- d) To permit a reduced lot area of 268.9 square metres whereas the By-law requires 270.0 square metres (Table 158A);
- e) To permit reduced front yard setback of 5.0 metres, whereas the By-law requires 6.0 metres (Section 144(1)(d));
- f) To permit a reduced rear yard setback of 1.2 metres, whereas the By-law requires 4.0 metres (Section 144(5)(a));

SITE & SURROUNDING CONTEXT

The site is a corner lot located on the south side of Lawn Avenue and east side of Woodland Avenue, in Carlingwood West, which is part of the Carlingwood West – Glabar Park – McKellar Heights neighbourhood in War 7 – Bay. The neighbourhood is generally situated south of Richmond Road, west of Woodroffe Avenue, east of Edgeworth Avenue, and north of Carling Avenue, and extends to the southeast, south of Carling Avenue, north of Highway 417 and east of Woodroffe Avenue. The neighbourhood is predominantly comprised of low-rise residential uses with a mix of single-detached and semi-detached dwellings in a variety of sizes, styles, and ages. There are commercial uses situated along Carling Avenue which intersects the neighbourhood from east to west. The neighbourhood is located just south of the Ottawa River, east of Lincoln Fields, and west of Carlingwood Shopping Centre.

The immediate site context along Lawn Avenue is comprised of a mix of low-rise single-detached and semi-detached dwellings, characterized by either driveways and/or attached front-facing garages. East of the site is predominantly single-detached dwellings fronting onto Lawn Avenue, with planned unit development-type dwellings oriented towards the interior of the block along the north side of Lawn. To the east of Woodland Avenue are many examples of semi-detached dwellings in a variety of ages and sizes.

The following building types and land uses are directly adjacent to the site:

- **North (front yard)** Two-storey single-detached dwelling with front-facing attached garage;
- **East (side yard)** Two-storey single-detached dwelling with attached front-facing garage;
- **South (rear yard)** One-and-a-half storey single-detached dwelling with front-facing garage attached;
- **West (side yard)** Woodland Avenue; One-storey semi-detached dwelling with attached front-facing garage

Figure 2 below demonstrates aerial mapping of the immediately surrounding context.



Figure 2. Aerial mapping showing residential area surrounded by light industrial uses (GeoOttawa, 2019)

EXISTING SITE CONDITIONS

The site is a large corner lot with frontage on the south side of Lawn Avenue and east side of Woodland Avenue, and presently contains a two-storey single-detached dwelling oriented towards the center and south side of the lot. The technical front lot line is along Woodland Avenue as it is the shortest frontage; however, the dwelling currently fronts onto and is accessed from the corner side lot line along Lawn Avenue, featuring an attached carport on the east side of the dwelling and driveway access from Lawn Avenue along the easterly property line (technical rear lot line). There are two small sheds located along the east lot line. The site is otherwise vegetated with grass, shrubbery and a mix of smaller trees and bushes along the north and west property lines. There are no privately or City-owned distinctive trees on the site, and one adjacent privately owned distinctive Colorado Spruce which is owned by 2266 Lawn Avenue to the east which is to be protected throughout future construction.

The site consists of the following specifications and legal description, with the topographic survey shown in Figure 3 below. The existing site conditions (Google Streetview, 2023) are shown in Images 1 through 4 below, with surrounding conditions presented in Images 5 through 13.

Area	537.6 m ²
Frontage	30.83 m (Lawn Avenue); 17.44 m (Woodland Avenue)
Depth	~ 30.81 m
Legal Description	Part of Lot 14, Registered Plan 461, City of Ottawa
PIN	03967-0058

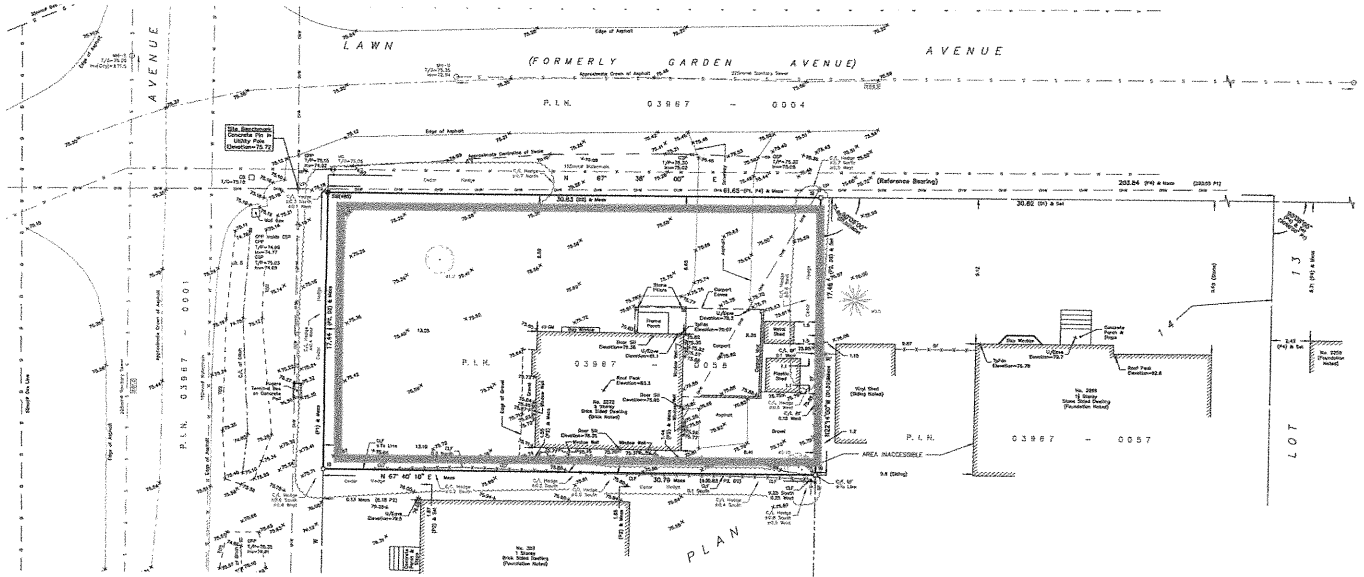


Figure 3. Plan of survey prepared by Annis, O'Sullivan Vollebek Ltd.



Image 1. Subject site looking south from Lawn Avenue (Google Streetview, 2023)

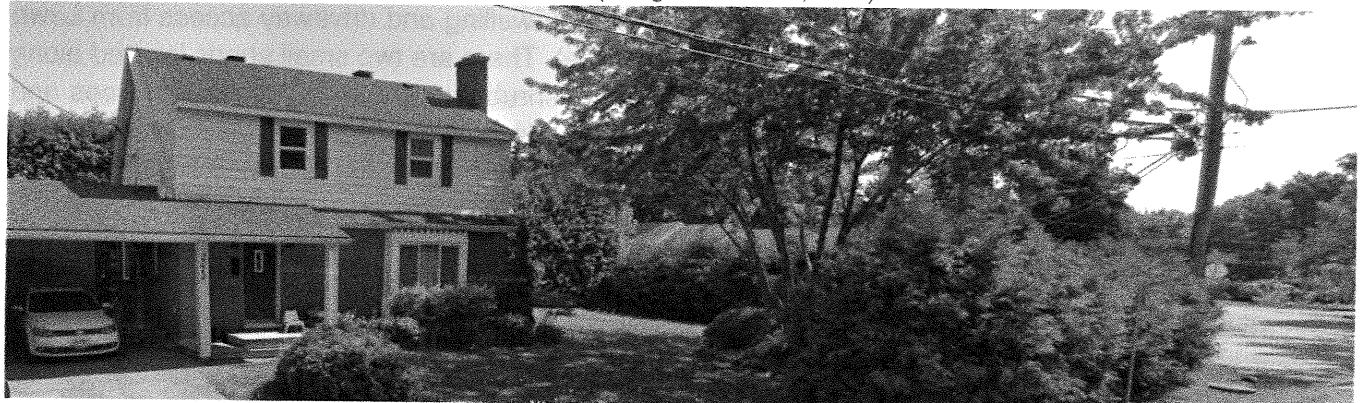


Image 2. Subject site looking southwest from Lawn Avenue (Google Streetview, 2023)



Image 3. Subject site looking east from Woodland Avenue (Google Streetview, 2023)

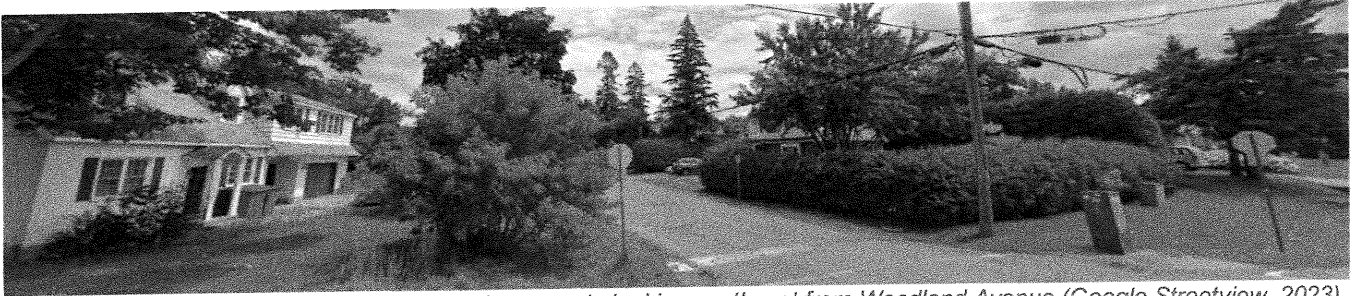


Image 4. Subject site and immediately opposite property looking southeast from Woodland Avenue (Google Streetview, 2023)



Image 5. Immediately adjacent property to the east looking southwest from Lawn Avenue (Google Streetview, 2023)

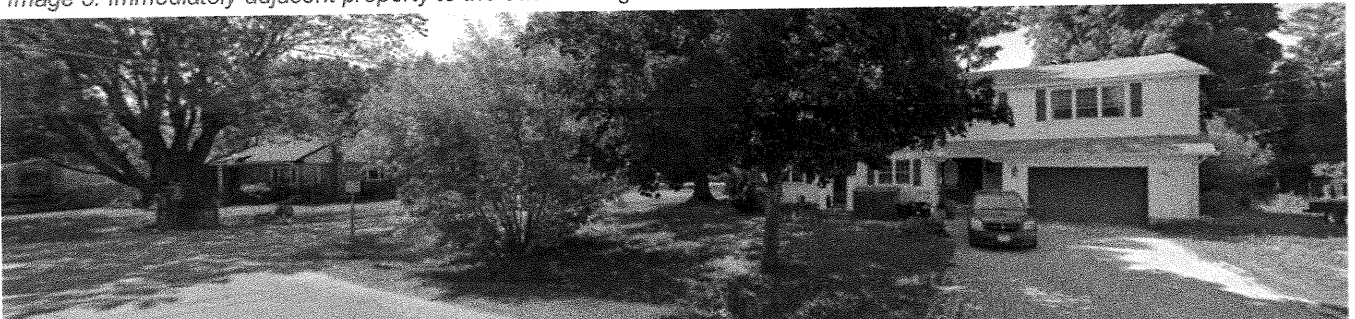


Image 6. Dwelling opposite subject site looking northwest from Lawn Avenue (Google Streetview, 2023)

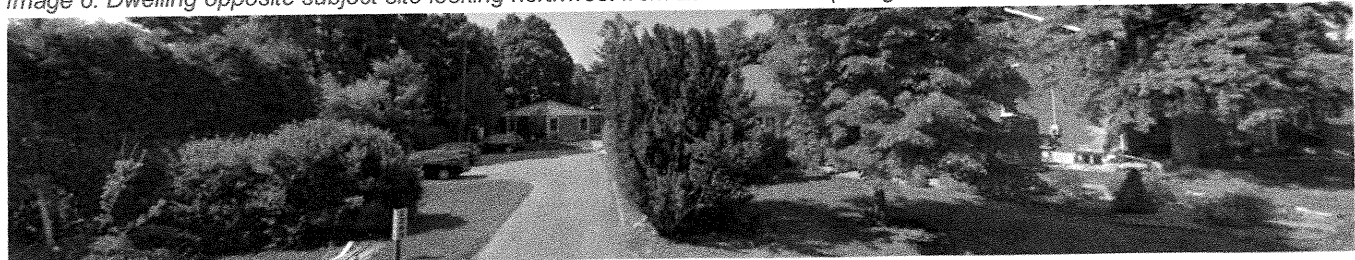


Image 7. Nearby planned unit development looking north from Lawn Avenue (Google Streetview, 2023)



Image 8. Semi-detached dwellings west of the site looking south from Lawn Avenue (Google Streetview, 2023)

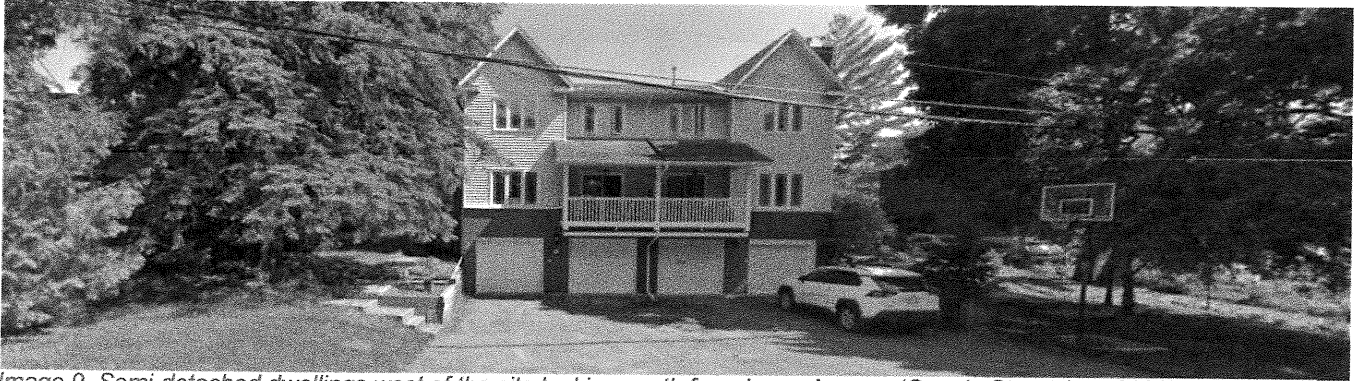


Image 9. Semi-detached dwellings west of the site looking south from Lawn Avenue (Google Streetview, 2023)



Image 10. Single-detached dwellings west of the site fronting onto Woodland Avenue, looking east (Google Streetview, 2023)



Image 11. Semi-detached dwellings west of the site fronting onto Woodland Avenue, looking west (Google Streetview, 2023)

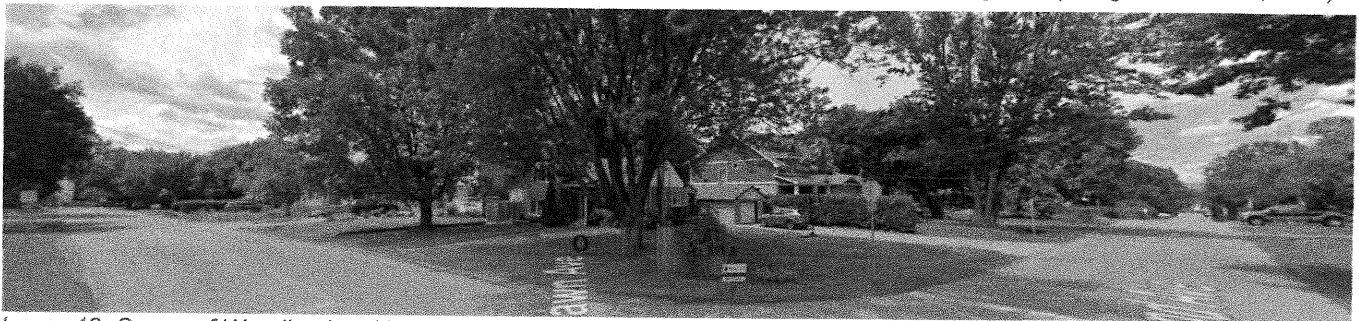


Image 12. Corner of Woodland and Lawn looking northwest (Google Streetview, 2023)

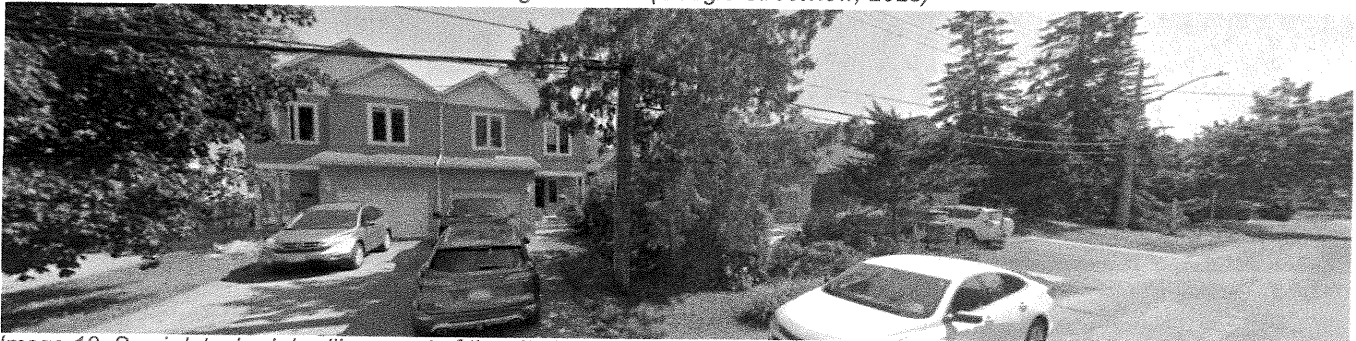


Image 13. Semi-detached dwellings east of the site looking southwest from Lawn Avenue (Google Streetview, 2023)

PROPOSED DEVELOPMENT & MINOR VARIANCES

The proposal is to demolish the existing single-detached dwelling and attached carport and construct a new two-storey semi-detached dwelling with two primary dwelling units, one per lot. The property currently fronts onto Lawn Avenue, which is the shortest street frontage. The proposal is to front each half of the new semi onto Lawn Avenue, with the technical road frontage now being Lawn Avenue. Per Section 144(5)(a) of the Zoning By-law, in cases where all principal units of a semi-detached dwelling fronts onto the longer street frontage, the longer street lot line is deemed the front lot line. The properties will be severed in half, each fronting onto Lawn Avenue. As the dwellings will now front onto Lawn Avenue, the respective rear yard will be along the southern property line, which is the original interior side lot line, and the corner side yard (west dwelling) and interior side yard (east dwelling) will serve as the properties' respective outdoor amenity spaces. The dwellings will feature a pitched roof, attached single-car garage and driveway on either side of the proposed severance line. The garages will be setback from the front wall of the dwelling and accessed from Lawn Avenue. Each unit will have a covered porch and entry, with a patio walkway leading from the driveway in the front. Both lots will feature soft landscaping and private amenity space in the respective side yards, and a new tree will be planted in the front yard of Unit A. Unit B will feature cedar hedging along the corner side and rear lot lines.

The development details are presented in Table 1.

Table 1. Development details

	Unit A (East)	Unit B (West)
Lot Area	271.5 m ²	271.5 m ²
Lot Width	15.4	15.4
Rear Yard Setback	1.2 m	1.2 m
Interior Yard Area (Amenity Space)	56.2 m ²	56.3 m ²
Front Yard Setback	5.0 m	5.0 m
Front Yard Area	77.0 m ²	77.0 m ²
Front Yard Soft Landscaping	46.6 m ²	46.6 m ²
Building Height	8.0 m	8.0 m
Building Area	113.0 m ²	113.0 m ²

The proposed dwellings have been sensitively designed to fit with the context which is comprised of single- and semi-detached dwellings, while also responding to the setback requirements for a corner lot and providing sufficient and usable amenity space. The dwellings feature a pitched roof, garage setback from the front façade, and a covered porch and entrance that places visual prominence on the front façade and to contribute to “eyes on the street”. Private amenity space is provided in both respective properties' side yards, which allows both dwellings to front onto Lawn Avenue, creating a consistent and compatible street frontage.

Figures 4 through 8 represent the proposed building renderings prepared by Justin Seguin Architecture + Interiors.



Figure 4. Exterior rendering of proposed new development prepared by Justin Seguin Architecture + Interiors



Figure 5. Exterior rendering of proposed new development prepared by Justin Seguin Architecture + Interiors



Figure 6. Exterior rendering of proposed new development prepared by Justin Seguin Architecture + Interiors



Figure 7. Exterior rendering of proposed new development prepared by Justin Seguin Architecture + Interiors

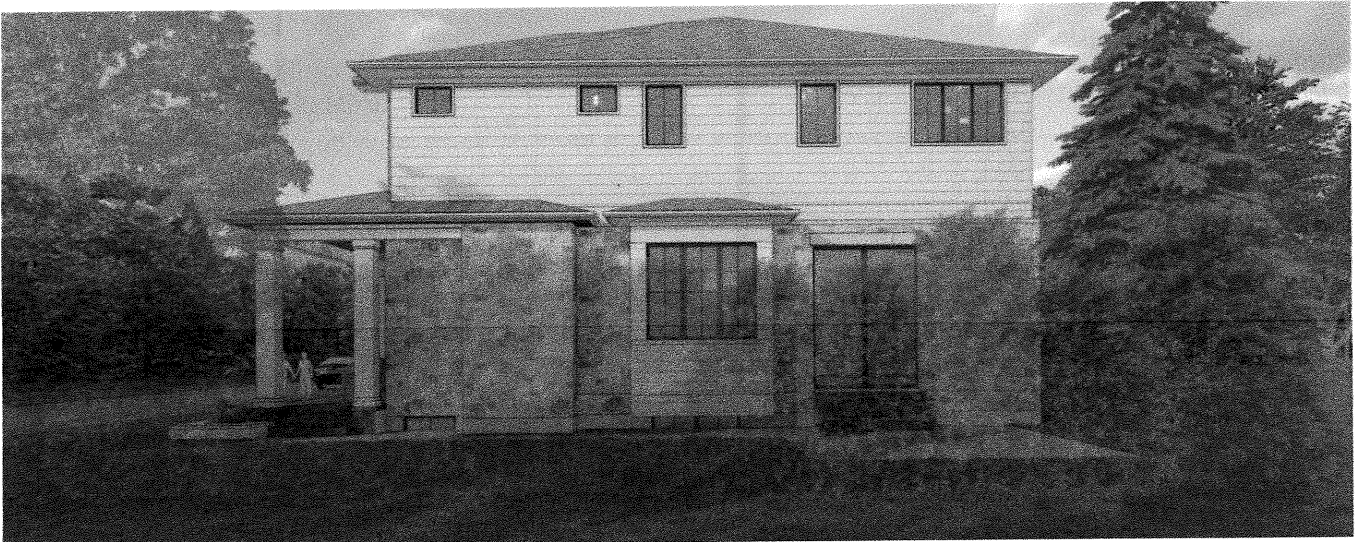


Figure 8. Exterior rendering of corner side façade prepared by Justin Seguin Architecture + Interiors

PROPOSED SEVERANCES

As previously noted, because this site is a corner lot with both semi-detached dwellings fronting onto the longer frontage, the front lot line will now be Lawn Avenue and the corner side lot line now along Woodland Avenue, per the policies set out in Section 144(5)(a). The proposal is to sever the lot in half, creating two parcels. Parcel A (East) / Part 1 will have frontage on Lawn Avenue only, and Parcel B (West) / Part 2 will remain a corner lot with frontage on Lawn Avenue and Woodland Avenue. As the shortest frontage for Lot B, Lawn Avenue will remain the technical road frontage and Woodland will be the corner side lot line. The proposed lot fabric details are presented in Table 2 below, and the proposed Draft Reference Plan with severed and retained lands indicated is presented in Figure 9.

Table 2. Proposed lot fabric for severed lots

Parts	PROPOSED PARCEL A		PROPOSED PARCEL B
	EAST		WEST
Description	Part of Lot 14, Registered Plan 461, City of Ottawa		
PIN	All of 03967 – 0058		
Lot Area (m ²)	268.7 m ²		268.9 m ²
Lot Frontage (m)	15.415 m		15.415 m
Lot Depth (m)	17.45 m		17.45 m
Lot Width (m)	15.40 m		15.42 m

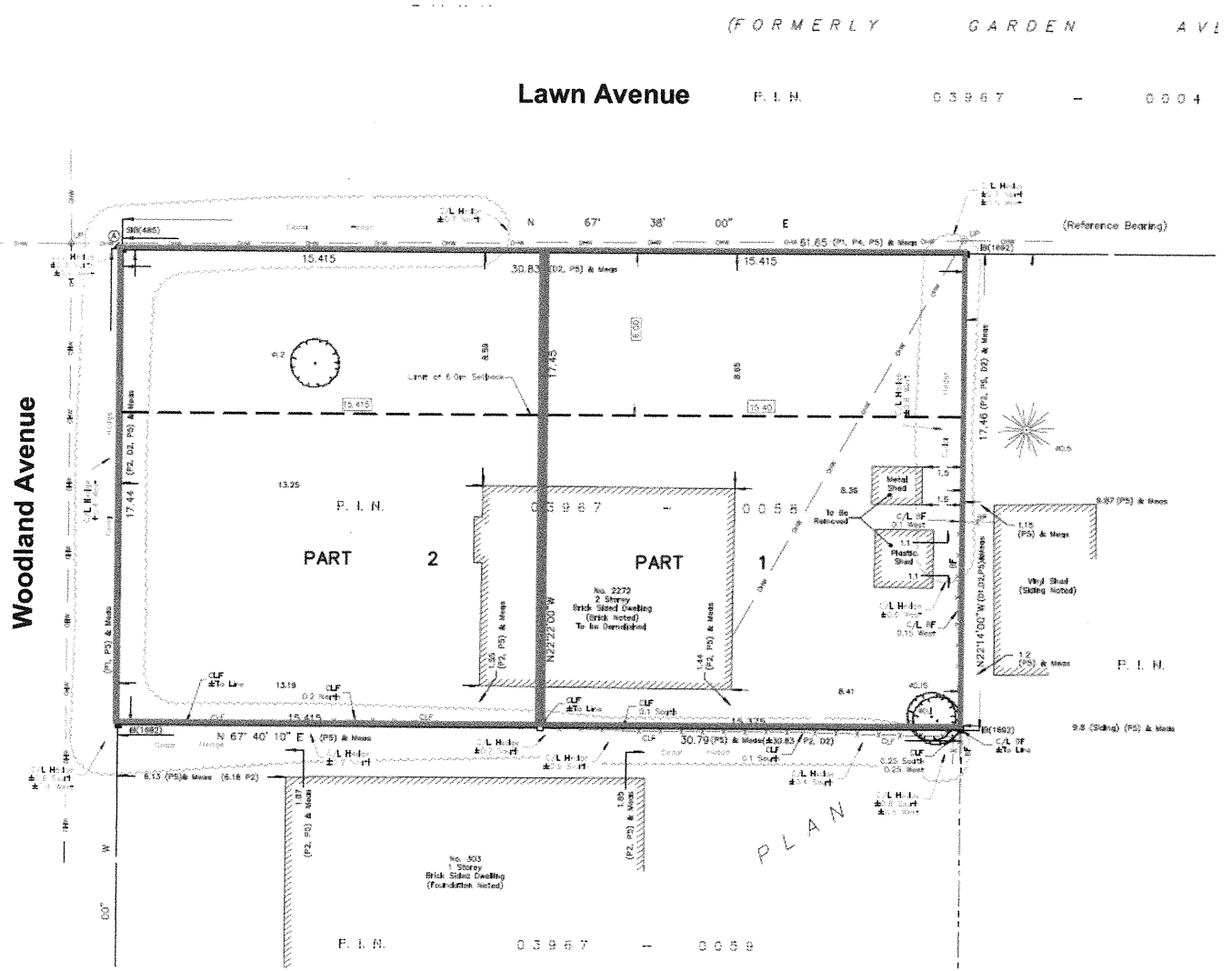


Figure 9. Draft R-Plan for proposed consents prepared by Farley, Smith & Denis Surveying Ltd. with added mark-up

SURROUNDING LOT FABRIC & BUILT FORM

As demonstrated in the street view imagery in this report, the surrounding neighbourhood is generally comprised of single-detached and semi-detached dwellings, with varying lot sizes and shapes. There are several examples of planned unit developments with parking in the front and multiple units in the rear, as well as both older and newer semi-detached dwellings, including a corner lot to the east with one unit fronting onto Lawn and one unit fronting onto Ancaster.

The proposed lot configuration is varies slightly from the typical lot fabric from the surrounding side-by-side semis, however is appropriate for a corner lot and supports the development of low-rise infill intensification in this existing community. The proposed two new semi-detached dwellings are compatible with and appropriate for the built form of the immediate neighbourhood context. The existing semis in the community are shown in red in Figure 9 below with the subject site shown in black.



Figure 9. Neighbourhood lot fabric showing examples of nearby semi-detached dwellings in gold, irregularly shaped properties in blue, with the subject site in black (GeoOttawa, 2019)

PROVINCIAL POLICY STATEMENT 2020

The Provincial Policy Statement 2020 (PPS) provides policy direction on planning matters for the Province of Ontario. Decisions affecting all planning matters shall be consistent with the Provincial Planning Policies. The proposed residential development is consistent with the applicable policies of the PPS, as demonstrated below.

Section 1.1.1 of the PPS states that healthy, livable, 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) [...] to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- 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;”...

Section 1.4.1 of the PPS states that “to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans”.

→ In the above PPS policies, there is a significant emphasis on efficient development that is safe, respects the natural environment, uses available infrastructure, and provides for the needs of the community in both the short- and long-term. The proposed development of a semi-detached dwelling and associated variances will allow for the creation of two new residential dwelling units where there is currently only one dwelling unit. Each lot will be of size and shape that is appropriate and desirable for the context, while exceeding zoning standards for lot width. The severance will allow for intensification of an urban lot through a desirable and permitted form of infill development, which will create added and needed housing in the City’s urban area. The semi-detached dwelling is an appropriate size, massing and materiality for the surrounding context, and the proposed minor variances are minor and appropriate given the site functionality that is proposed with the design. There will be sufficient greenspace and landscaping on site, and sufficient separation in the rear yard between the neighbouring properties to the south. The reduced technical rear yard along the south will function more similarly to an interior side yard setback, and by orienting the units along Lawn Avenue rather than Woodland Avenue, the dwellings are continuing to contribute to the existing built form and streetscape conditions along Lawn Avenue.

→ The severed lots will be independently serviced by municipal water, sewer, and storm services. The use of existing municipal roads and services is also an appropriate and efficient use of resources. The proposed development and associated severances and minor variances

represent a form of development that is permitted under existing policy, save and except the minor variances required for each parcel, and the development fits and functions well within the City's Urban Area.

OFFICIAL PLAN

The subject site is designated Neighbourhood with Evolving Overlay in the Inner Urban Transect Policy Area in the New Official Plan, as shown in Figure 10 below.

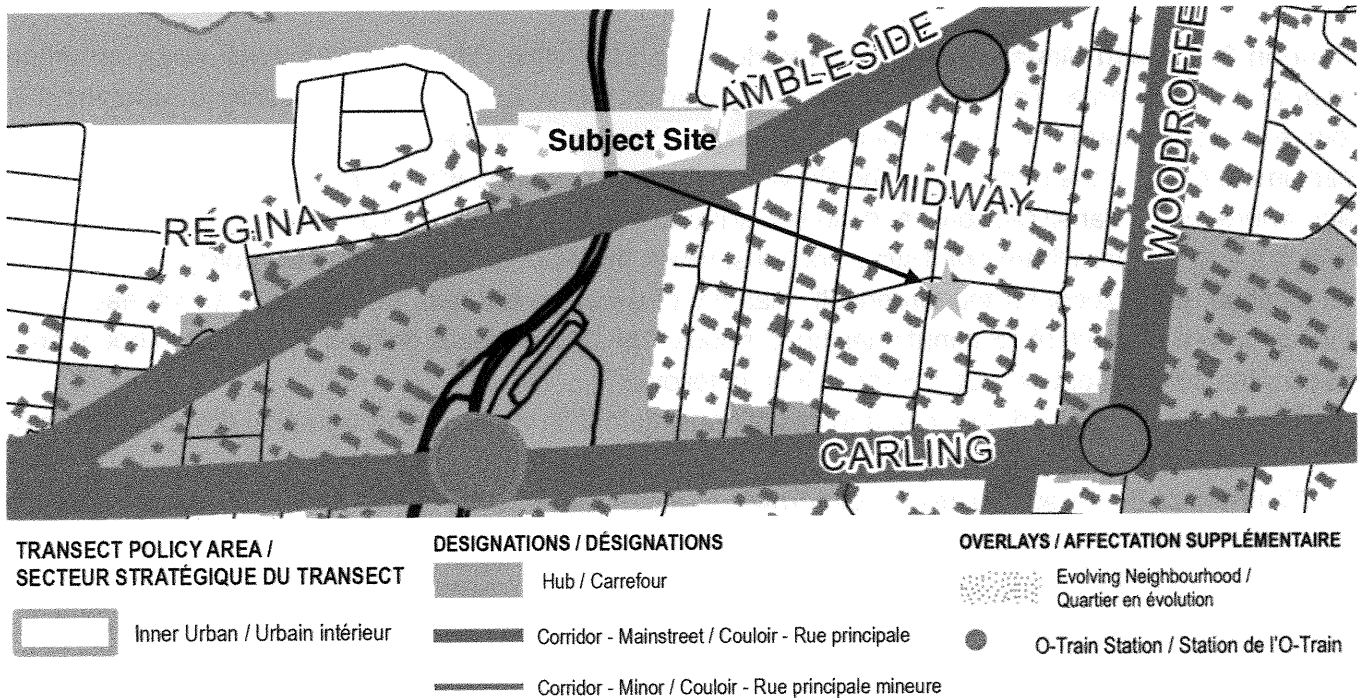


Figure 11. Extract of New Official Plan - Inner Urban Transect Policy Area

Section 2.2.1 Intensification and Diversifying Housing Options sets out policy intent for provision of housing options. Subsection ii) states that “[m]uch of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed. However, opportunities to provide for these dwelling types are limited within areas that are already developed. There needs to be opportunities in residential Neighbourhoods within a short walking distance to Hubs and Corridors to build dwelling units with enough floor space to accommodate larger households within buildings typologies that increase densities on existing lots. This will provide more choices for housing with three or more bedrooms within the developed built-up portions of the urban area.” Subsection (iii) provides for policies related to improvement of public amenities and services, and to achieve 60% intensification target by 2046, the City will:

- *Direct residential intensification to Hubs, Corridors and residential Neighbourhoods within a short walking distance of those Hubs and Corridors;*
- *Require an appropriate proportion of housing with three or more bedrooms that will provide more housing choices for larger households*
- *Protect and enhance the urban tree canopy and provide equitable access to greenspace that will provide shade and opportunities to promote mental and physical health and wellbeing;*

- *Provide guidance on the appropriate integration of new and different types of housing with the*
 - *Encourage a variety of housing typologies, including some that do not exist today, to meet the needs of diverse households and provide a sufficient supply of housing that is affordable.”*
- The proposed new semi-detached dwellings provide opportunity for ground-oriented, “family-sized” dwelling units with three or more bedrooms in each, which offers more housing choice in the urban area for larger households. The dwellings are within just over 600 metres of a transit station and within close proximity to the Carling Mainstreet Corridor, which is an appropriate location for infill intensification.

Section 3: Growth Management Framework states that: “[t]he City has two distinct areas, an urban area and a rural area. The urban area is comprised of a built-up area where existing development is located, and a greenfield area of vacant lands at the periphery of the urban area. The urban area is a settlement area for the purposes of the Provincial Policy Statement, where growth is to be concentrated and where roads, transit networks and municipal piped services are the appropriate form of infrastructure. Within the urban area there are distinct contexts, which this Plan defines as transect policy areas, based on location, and except for the Greenbelt, maturity of development and the degree to which each area functions as a network of 15-minute neighbourhoods. The urban area is defined by the urban boundary.” Applicable policy intent set out in Section 3 is as follows:

- To provide an appropriate range and mix of housing that considers the geographic distribution of new dwelling types and/or sizes to 2046;
- 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 service...

Section 3.2: Support Intensification sets out policies for intensification throughout the urban area, as follows:

- 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.*
- 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 are units with up to two bedrooms and are typically within apartment-built forms; and*
 - b) *Large-household dwellings are units with three or more bedrooms or an equivalent floor area and are typically within ground-oriented built forms.*
- 10) *The residential density and proportion of large household dwelling targets as shown on Schedules B1 through B8 are established in Table 3a for Hubs and Mainstreet Corridors and Table 3b for Neighbourhoods and Minor Corridors. Within Neighbourhoods, provide for a diversity of housing opportunities such that generally, higher densities will be directed closer to Mainstreets, Minor Corridors, rapid transit stations, Hubs and major neighbourhood amenities with lower densities further away from such features such that the overall density in Neighbourhoods meets or exceeds those in Table 3.”*

→ The proposed family-sized semi-detached, ground-oriented dwellings are supported by the intensification policies and residential density targets of the New Official Plan.

Section 4: City-Wide Policies sets out policy intent that is to be applied throughout the City. **Section 4.2.1: Enable greater flexibility and an adequate supply and diversity of housing options throughout the city**, per the following policies:

- 1) “A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by:
 - a) Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology;
 - b) Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;
 - c) Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;
 - d) Establishing development standards for residential uses, appropriately balancing the value to the public interest of new policies or development application requirements against the impacts to housing affordability...”
- As noted, the provision of larger dwelling units in the urban area is supported by the Official Plan policies. The proposed minor variances to permit a slightly reduced lot area and front and rear yard setbacks facilitate the development of two appropriately sized ground-oriented dwelling units that maintain frontage along Lawn Avenue.

Section 5: Transects sets out policies for the City’s six transects areas which represent the evolution of built form and planned function of the areas. The Urban Transects feature various built form characteristics that are typical for the urban area, including “shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationships with the public realm, ranges of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios, 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, and limited parking that is concealed from the street.”

→ The overall character of the urban area is widespread across the City and is dominated by a variety of lot sizes, built form patterns, and building typologies. The proposed semi-detached dwellings and associated minor variances and severances are an appropriate use of the land within the urban area. The development provides modest and gentle intensification that contributes to the City’s housing and density targets while remaining compatible with the general neighbourhood and community, by orienting the new development along the existing street frontage. The proposed front yard setbacks contribute to a more urbanized building typology and still provide appropriate greenspace and landscaping. Overall, the proposed single-detached dwellings meet the policy intent as set out in the Official Plan.

Section 5.6.1.1 provides direction for development within the Evolving Overlay in cases where the Zoning By-law for an area has not been updated to reflect the policy direction of the new Official Plan. Per **Policy 3**, “the City will generally be supportive of applications for low-rise intensification that seek to amend 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 the intent of Sections 3 (Growth Management Framework) and 5 (Transects) of the new Official Plan.”

- The proposed semis support the City’s intensification policies of the New Official Plan and are a form of development that fit and function well in the Evolving Overlay of the OP.

ZONING BY-LAW 2008-250

The site is zoned Residential Second Density, Subzone F in the City of Ottawa’s Zoning By-law 2008-250, as demonstrated in Figure 12 below. The Residential Second Density zone permits low-rise residential development with two principle dwelling units in the format of detached, semi-detached, and duplex dwellings. The purpose of the R2 – Residential Second Density zone is to restrict building form to detached and two principal unit buildings, with a number of other residential and ancillary uses to provide additional housing choices, and to regulate development that is compatible with existing land use patterns to maintain or enhance the residential character of a neighbourhood.



Figure 12. R2F zoning with subject site shown blue (GeoOttawa 2022)

Section 144 Alternative Rear Setbacks Affecting Low Rise Development in the R1 to R4 Zones

within the Greenbelt sets out provisions for rear yard setback and area requirements for corner lots.

Section 144(5)(a) states that dwellings other than detached dwellings in the R2 through R4 zones which are located on a corner lot and all principal dwelling units front on and face the longer street lot line, the longer street lot line is deemed to be the front lot line and the minimum required rear yard is 4 metres.

Section 144(5)(b) states that if the principal dwelling units have entrances that face opposite streets, the minimum required rear yard setback is 1.2 metres and an interior yard area is also required, abutting the rear yard and interior side yard area, for a distance equal to 30% of the lot’s width, demonstrated by the zoning extract in Figure 13 below.

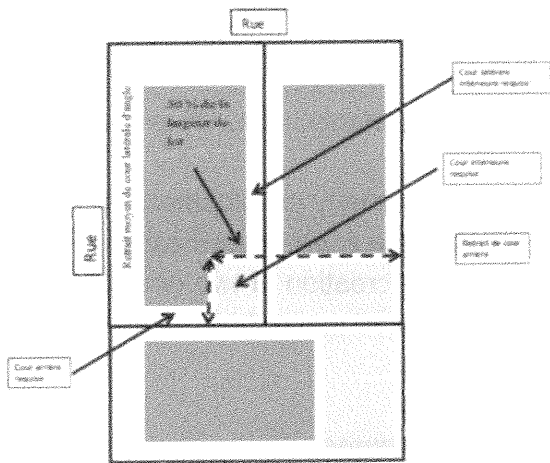


Figure 13. Zoning extract showing interior yard requirements for corner lots (Zoning By-law 2008-250)

In this case, both units face the longer street frontage and therefore the required rear yard setback is 4.0 metres with no required interior yard area. To maintain a continuous street frontage along Lawn Avenue as is presently the case, and to create usable private amenity space for both dwelling units, both dwellings are proposed to front onto Lawn Avenue. The proposed design draws on elements of each of the zoning provisions, providing a 1.2 metre rear yard setback which would be required if the units faced different frontages; but also providing larger than required interior and corner side yard setbacks in lieu of an interior yard, so both units have access to private usable amenity space while meeting the policy intent of Section 144(6). A more detailed rationale for the proposed

variances follows in this report. The other applicable performance standards of the Zoning By-law are set out in Table 3 below.

Table 3. Zoning provisions

R2F				
Semi-Detached Dwelling	Required		Provided	
	Unit A / Part 1 (East)	Unit B / Part 2 (West)	Unit A / Part 1 (East)	Unit B / Part 2 (West)
Minimum Lot Width (Table 158A)	9.0 m		15.40 m	15.42 m
Minimum Lot Area (Table 158A)	270.0 m ²		268.7 m ²	268.9 m ²
Maximum Building Height (Table 158A)	8.0 m		8.0 m	8.0 m
Minimum Front Yard Setback (Table 158A; s.144(1)(d))	6.0 m		5.0 m	5.0 m
Minimum Corner Side Yard Setback (Table 158A; (s.144(1)(d))	4.5 m		N/A	5.0 m
Minimum Rear Yard Setback (s.144(5)(a))	4.0 m		1.2 m	1.2 m
Minimum Interior Side Yard Setback (Table 158A)	1.5 m		5.0 m / 0.0 m	0.0 m / N/A
Minimum Front Yard Aggregated Soft Landscaping (s.139(1))	40% front yard area m ²	40% front yard area m ²	61% front yard area m ²	61% front yard area m ²
Minimum Driveway Separation (s.139(2)(c)(iii))	0.15 m	0.15 m	0.6 m	0.6 m
Minimum Garage Setback (s.139(3)(a))	0.6 m from principal entrance / landing		0.6 m	0.6 m

RATIONALE FOR CONSENT

In Section 51(24) of the Planning Act, 1990, a series of criteria are presented that state in the case of any subdivision of land, regard shall be had to:

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The consent supports the following matters of provincial interest: “the orderly development of safe and healthy communities, the adequate provision of a full range of housing, the appropriate location of growth and development”. The proposed consent and variances allow for the creation of two new lots for the purpose of constructing a new semi-detached dwelling which is a permitted use in the zoning by-law and encouraged by the Official Plan policies.

- (b) whether the proposed subdivision is premature or in the public interest;

The proposed consent is in the public interest as it supports the City’s policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the site zoning and Official Plan designations permit semi-detached development and the severance of those lands. The development is in the public interest as it supports the introduction of new infill development and housing choice in the urban serviced area.

- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed severances to permit semi-detached residential development conform to the applicable City of Ottawa Official Plan policies for development, intensification, and compatibility as discussed through the Official Plan section of this report. The Official Plan supports intensification in the urban area, in particular within the areas considered “Evolving Neighbourhood Overlay” as well as the introduction of family-sized units with three or more bedrooms.

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

The land is suitable for the proposal with surroundings that consist of single-detached and semi-detached dwellings on a range of lot sizes. The proposed lot sizes can appropriately accommodate the proposed built form and are just over 1 square metre less than required under the zoning, which is a negligible difference. Given the proximity to parks, schools, greenspace and urban amenities, the site is well-suited for modest infill intensification in this format.

- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

N/A

- (e) 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 roadways are proposed as part of the consents. The proposed development and severances will have adequate frontage to an open public municipal roadway (Lawn Avenue), with Part 2 / Lot B also

having access via Woodland Avenue. Woodland Avenue has direct access to east-west Carling Avenue to the south, and is easily accessible to Richmond Road to the North, and Woodroffe Avenue to the east.

(f) the dimensions and shapes of the proposed lots;

The dimensions and rectangular shape of the proposed lots are functional and appropriate for the proposed development footprints. There is sufficient space on site for separation between neighbouring properties to the south and east, and to fit a functional and livable development footprint on each lot with usable private amenity space for each unit. The lots exceed the lot width requirements of the zoning by-law and are only 1.3 and 1.1 square meters less than the required lot area.

(g) 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 known existing restrictions on the land and no new restrictions proposed.

(h) conservation of natural resources and flood control;

The proposed soft landscaping in the front yard exceeds the requirements under the zoning by-law. The respective side yards (amenity space) will be softly landscaped and the rear lot line will be bordered by shrubbery for privacy and landscape buffering. No watercourses or flood plains impact the site. There are no City-owned distinctive trees impacted, and no trees on site. One neighbouring tree will be protected and retained throughout construction.

(i) the adequacy of utilities and municipal services;

Municipal water, sewer and storm services are available and will be independently provided for both lots.

(j) the adequacy of school sites;

There are several schools within proximity of the site: Woodroffe Avenue Public School to the northeast, Regina Street Alternative School to the west, D. Roy Kennedy Public School to the southeast, Edouard-Bond Individualized Instruction Catholic Elementary School to the south, and Woodroffe Highschool to the southwest.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

N/A

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

The proposal introduces compatible low-rise, gentle intensification within the urban area that provides new family-sized, ground-oriented dwelling units. The proposed severances will facilitate the infill intensification of a semi-detached dwelling with two primary dwelling units on two parcels of land. This is an appropriate and encouraged form of density increase and will make use of existing available municipal water, sewer, and storm services.

- (m) 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); 2016, c. 25 Sched. 4, s.9(2).

The proposal for development of a new semi-detached dwellings is not subject to the Site Plan Control By-law and therefore an application for Site Plan Control is not required.

Overall, the proposed severance applications demonstrate regard for the criteria of Section 51(24) of the Planning Act.

RATIONALE FOR MINOR VARIANCES

To facilitate the development, three minor variances to the Zoning By-law are required for each half of the proposed new semi-detached dwelling, as follows:

VARIANCES A & D: To permit a reduced lot area of 268.7 (Part 1) and 268.9 (Part 2) square metres whereas 270.0 square metres is required, respectively

VARIANCES B & E: To permit a reduced front yard setback of 5.0 metres whereas 6.0 metres is required (Parts 1 & 2)

VARIANCES C & F: To permit a reduced rear yard setback of 1.2 metres whereas 4.0 metres is required (Parts 1 & 2)

The following reviews the variance against the four tests as presented in Section 45(1) of the Planning Act. Note that the rationale for variances for each of the units have been reviewed together.

IS THE VARIANCE MINOR?

Variance A & D: Reduced lot area

The proposed reduction in lot area of 268.7 and 268.9 m² from the required 270 m² to permit a semi-detached dwelling on the site is minor. This is a reduction of only 1.3 and 1.1 square metres, respectively, which will be negligible from a development perspective and has no impacts on the proposed built form. The extremely minor area reduction facilitates the development of a permitted semi-detached dwelling on this existing infill lot, which is zoned Residential Second Density and is a permitted use under the zoning. The required lot width is met on this site, and there is sufficient opportunity for amenity space, light and air filtration, and buffering between neighbouring properties. The dwelling is appropriately scaled for the size of the lot. The reduced lot area of just over 1 square metre for each lot to accommodate a permitted semi-detached dwelling is an appropriate and desirable form of development, and is minor.

Variance B & E: Reduced front yard setback

The reduction in front yard setback from required 6.0 metres to proposed 5.0 metres is minor in this case as it allows for an appropriate development footprint that is positioned closer to the street to in turn allow

wider corner and interior side yard setbacks. The proposed interior and corner side yard setbacks are both greater than required under the zoning to ensure there is appropriate usable amenity space for each unit. With the reduced front yard setback, the building design can accommodate an appropriate building footprint while providing quality private amenity space in those yards, as well as ample front yard soft landscaping. The design of the building appropriately sets the garages back and prioritizes soft landscaping on the site, with 61% aggregated front yard soft landscaping for both units. The proposed setback allows for new tree planting in the front yard of Unit A, as well as space for a corner site triangle if requested by the City, and retention of cedar hedging for privacy and tree canopy for Unit B. As such, the reduction is minor.

Variance C & F: Reduced rear yard setback

The proposed reduction in rear yard setback from the required 4.0 metres to the proposed 1.2 metres is minor. As an unsevered corner lot with the shortest frontage being Woodland Avenue to the west, the technical front lot line from a zoning perspective would currently be along Woodland. That said, the existing home fronts onto Lawn Avenue and is accessed by that street frontage, and it is desirable to continue the activated street frontage as-is, while retaining the existing hedging along the Woodland frontage. By fronting both units onto Lous Lane, this allows for the dwellings to continue to contribute to the residential character of the area, which is focused along Lawn Avenue, as is also the case for the existing dwelling immediately opposite the site on the north side of Lawn. Further, orienting both units onto Louis Lane allows for usable amenity space in the units' respective corner and interior side yards, which exceeds the required corner side yard and interior side yard setbacks for each. The proposal provides a 56 m² side yard area for both units, which results in a larger, more private outdoor at-grade amenity space for both units, which could not otherwise be provided if the units faced separate streets, for example. Finally, the proposed rear lot line (currently interior side yard), will continue to function more similarly to a side yard condition. The existing interior side yard setback of the home is 1.44 metres, and the proposed setback increases only slightly to 1.2 metres from that lot line. The proposed new rear yard condition will therefore not differ substantially from the existing conditions, especially considering hedging will remain for continued privacy and buffering. There will be minimal windows introduced to mitigate overlook and privacy concerns for the property to the south. As such, any potential impacts from the reduced rear yard setback have been mitigated through the provision of more generous side yard conditions and general building design. Considering the available amenity space, setbacks, landscaping, and tree protection proposed for the site, the proposed reduction in rear yard setback is minor.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE OFFICIAL PLAN?

The intent and purpose of the Official Plan is to support infill intensification and densification through the provision of a wide variety of housing typology and built form. The OP specifically sets out the need for ground-oriented, larger, family-sized units with three or more bedrooms, and emphasizes the importance of building livable, 15-minute, and healthy communities. The proposed development contributes to the housing targets of the Official Plan and the site is in a location which supports larger, ground-oriented dwelling units. The proposed design provides usable and desirable amenity space to create housing that supports livability, health, and amenity space. Further, the development introduces a new tree to contribute to the urban tree canopy. The development is also just outside of the 600-metre buffer area

for Lincoln Fields Station to the southwest, and the future New Orchard Station to the northeast. The Evolving Overlay also signifies gradual change toward a more urban environment that may not reflect the existing character of a neighbourhood, and a shift towards a more urban rather than suburban built form. Overall, the proposed development and minor variances facilitate the construction and severance of two family-sized dwelling units in a variety of housing choice which is encouraged and supported through the policies of the Official Plan and in particular, the Evolving Overlay.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE ZONING BY-LAW?

Variance A: Reduced lot area

The intent and purpose of the lot area provision of the zoning by-law is to ensure that appropriate separation between buildings is maintained and to ensure that there is sufficient area on the lot to accommodate the dwelling and open space without overdeveloping the site. As noted, the applicable lot area provision applies a required 270 m² lot area for semi-detached dwellings to ensure there is adequate area for required amenity space, landscaping, and parking, while being of appropriate massing and scale for the context. The proposed semi-detached dwelling is of appropriate size and massing for the reduced lot size but only 1.3 and 1.1 square metres and was designed to ensure conformity with the corner side yard and interior side yard provisions to create a compatible scale for the neighbourhood while introducing a new modest increase in density. There will be sufficient space between the building and adjacent properties for access, and sufficient soft landscaping in all yards. This is an existing lot within the urban area that is in a neighbourhood and location where the zoning by-law and Official Plan supports and encourages modest intensification through permitted forms of low-rise infill development. The proposed semi-detached is an appropriate and permitted increase in density. Given the extremely minor reduction in lot area, the proposed variance will be negligible and has no impacts on the development of the property. As such, the variance meets the intent and purpose of the zoning by-law.

Variance B & E: Reduced front yard setback

The intent and purpose of the front yard setback provision of the by-law is to ensure there is a consistent built form and streetscape pattern for dwellings along the lot frontage, as well as to ensure there is appropriate area for soft landscaping, trees, and greenspace. The proposed reduction in front yard setback and garage setback meet the intent and purpose of the zoning by-law for this development. To orient the dwellings along Lawn and maintain the existing streetscape pattern, the resulting lot fabrics are roughly square-shaped and shallower than if oriented in a side-by-side configuration along Woodland, or with one unit facing each street frontage. As such, the reduced front yard allows for a functional floorplate while maintaining the activation of Lawn Avenue as is the case. The focal point of the proposed semi-detached dwellings is on the front entrance and large porch, front façade windows, and soft landscaping, and the reduced front yard setback still allows for retention of greenery and new street trees. Fronting these units onto Lawn rather than Woodland allows the existing streetscape character to remain, which is appropriate and desirable for the context.

Variance C & F: Reduced rear yard setback

The intent and purpose of the rear yard setback provision of the zoning by-law is to ensure that there is adequate amenity space, open area, soft landscaping, and building separation on the property. The intent

is also to ensure there is consistent open space and green scaping for blocks of residential development. The proposed reduction in rear yard setback of 1.2 metres whereas 4.0 metres is required meets the intent and purpose of the zoning by-law as the provision of usable, private amenity and open space on the corner lot is instead provided in the respective corner and interior side yards, which are each larger than required by zoning. Any potential impacts from the reduced rear yard setback in this case have been mitigated through the provision of these functional yard areas and separation between the properties to the south. Further, if one of the semi-detached dwellings were to front onto Parisien Street, the required rear yard setback would be 1.2 metres along the southern property line with an interior yard provided. This configuration would allow for only one of the dwelling units (Unit A) to have functional private amenity space, which is less appropriate and desirable for the future owners. The provision of amenity spaces for both units meets the intent of the by-law, and still offers appropriate building separation, soft landscaping, and greenery on the site, for each of the proposed units. Further, the technical rear yard setback will function more similarly to an interior side yard setback and is only 0.2 metres less than the existing setback condition. The building was designed with minimal windows on that façade to mitigate overlook concerns towards the adjacent property to the south, and there will be adequate separation for access, maintenance, as well as light and air filtration considering this is a typical side yard setback seen in various zones throughout the City.

IS THE VARIANCE DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OR USE OF THE LAND?

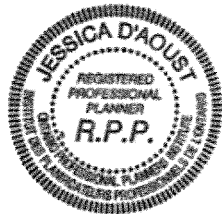
The proposed variances for reduced lot area of only 1.1 and 1.3 square metres, and reduced front and rear yard setbacks for each half of the proposed semi-detached dwelling desirable for the appropriate development and use of the land. The variances will facilitate the redevelopment of an urban site to contain a thoughtfully designed and context-appropriate semi-detached dwelling which is a permitted use under the zoning and Official Plan. The surrounding neighbourhood contains a mix of housing types, sizes, and forms, primarily in the format of low-rise single-detached and semi-detached dwellings. This corner lot can support intensification in the neighbourhood, which is also encouraged by the Official Plan. The Official Plan encourages added density in the format of low-rise, ground-oriented dwellings with three or more bedrooms for a diversity of housing type and choice. The severance of this lot to facilitate the development of two new semis that can be conveyed separately supports this policy intent. The design of the proposed semi-detached dwellings is compatible with the area and provides usable amenity area for the future owners' enjoyment. Save for the sought relief, all other zoning standards are compliant including soft landscaping, side yard setbacks, projections, and building height. The pitched roof design, building massing and materiality is compatible with the character of this area, and the reduced front yard setback contributes to eyes on the street and the gradual transition toward a more urban and less suburban built form in this community. Finally, it is desirable and appropriate to introduce a wider choice of housing types through modest infill intensification, including family-sized semi-detached dwellings, within an urban area that has municipal servicing and proximity to transit. As such, the proposed variances are desirable for the appropriate residential development and use of the land.

CONCLUSION

The development of a new semi-detached dwellings with two primary dwelling units and associated severances at the property municipally known as 2272 Lawn Avenue is a permitted use under the current zoning and compatible with the neighbourhood fabric of the surrounding area. The proposed configuration and size of the lots is appropriate and desirable with the existing neighbourhood context. Each lot will be municipally serviced, and the site and neighbourhood have the capacity to support this type and form of modest residential intensification. The proposal offers a diversity of housing typology and choice, which is needed and supported within the urban area. The proposed design thoughtfully considers the existing streetscape character with the current house fronting onto Lawn Avenue and maintains this condition, while providing sufficient yard setbacks, building articulation and garage setbacks, as well as usable private amenity space for each lot.

The proposed minor variances are consistent with the Provincial Policy Statement, 2020 conform to the policies of the City of Ottawa Official Plan and comply with the City of Ottawa's Zoning By-law 2008-250 save for three minor variances for each new dwelling and parcel. The consents meet the criteria as set out in Section 51(24) of the Planning Act and the proposed minor variances meet the four tests under Section 45(1) of the Act. The proposed development represents good land use planning and is recommended for approval.

Respectfully submitted,



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