



Memo

To: Committee of Adjustment – Panel 2 (Suburban)
From: Michael Hanifi, RPP, MCIP, Dillon Consulting Limited.
cc: Michal Kubasiewicz, RPP, MCIP, MBA, Ironclad Developments Inc.
Riley Court, Ironclad Developments Inc.
Date: February 7, 2024
Subject: Detailed Cover Letter for Minor Variance Application at 1001 Noella LeClair Street

Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Ironclad Developments Inc. (hereinafter referred to as Ironclad or ICD) have retained Dillon Consulting Limited to prepare a detailed cover letter in support of a minor variance application for the development of a residential development on a 2.3-acre (0.92 ha) site (“the proposed development”) in a newly subdivided parcel in Orléans, at the southeast corner of Noella LeClair Street and Lady Pellatt Street in the City of Ottawa (“Subject Site”).

The Subject Site is within Ward 19 (Orléans South-Navan). Given the location of the Subject Site, the minor variance application is for the consideration of Panel 2 of the City of Ottawa’s Committee of Adjustment. The application to Committee of Adjustment is to seek the following variance:

- **Reduce the minimum residential parking space requirement for “dwelling, mid-rise apartment” from 1.2 units per dwelling to 1.04 units per dwelling (as per Section 101, Table 101, R12) to reduce the minimum required parking spaces from 188 spaces to 164 spaces, for a reduction of 24 spaces.**

The parking reduction is being sought to facilitate a concept plan that yields additional units. A minimum of one parking space would be provided for each unit.

1.0

Site Location, Context and Application History

The Subject Site is located on a vacant parcel at the southeast corner of Noella LeClair Street and Lady Pellatt Street, which is also known as 1001 Noella LeClair Street. The proposed development will be developed as part of a master-planned subdivision at 4200 Innes Road, consisting of seven Blocks, which are proposed to be developed for a mix of residential and commercial uses. The Subject Site was created as an approx. 0.92-hectare Block (Block 3) in the Plan 4M-1732, approved by the City of Ottawa on October 17, 2023 and registered in the Land Registry Office on October 26, 2023 (City File #D07-16-18-006).

The full parent parcel of subdivision was owned by Innes Shopping Centres Limited, an affiliate of Smart Centres Real Estate Investment Trust. Ironclad has purchased Block 3 (Subject Site). The Subject Site is subject to an ongoing Site Plan Control Application (D07-12-23-0095) for Ironclad’s proposed development.

The Subject Site is legally described as Part of PIN 14563-3365(LT): Part Lot 1, Concession 11, Cumberland, Parts 1, 2 and 3, Plan 4R-31228, Save and Except Part 1, Plan 4R-31858. Subject to an Easement over Part 3, Plan 4R-31228 in favour of Part Lot 1, Concession 11, Cumberland, Part 3, Plan 4R-26139 as in OC1410495; Subject to an Easement over Part 3, Plan 4R-31228 in favour of Part Lot 1, Concession 11, Cumberland, Part 4, Plan 4R-26139 as in OC 1410495; Subject to an Easement in Gross over Part 3, Plan 4R-31228 as in OC2088215; City of Ottawa.

As noted, the Subject Site is located on undeveloped vacant land within a proposed plan of subdivision between a stretch of existing retail uses with access from Innes Road, as shown in **Figure 1**. A future road network to connect the Subject Site to Innes Road is also proposed. The following uses are located adjacent to the Subject Site:

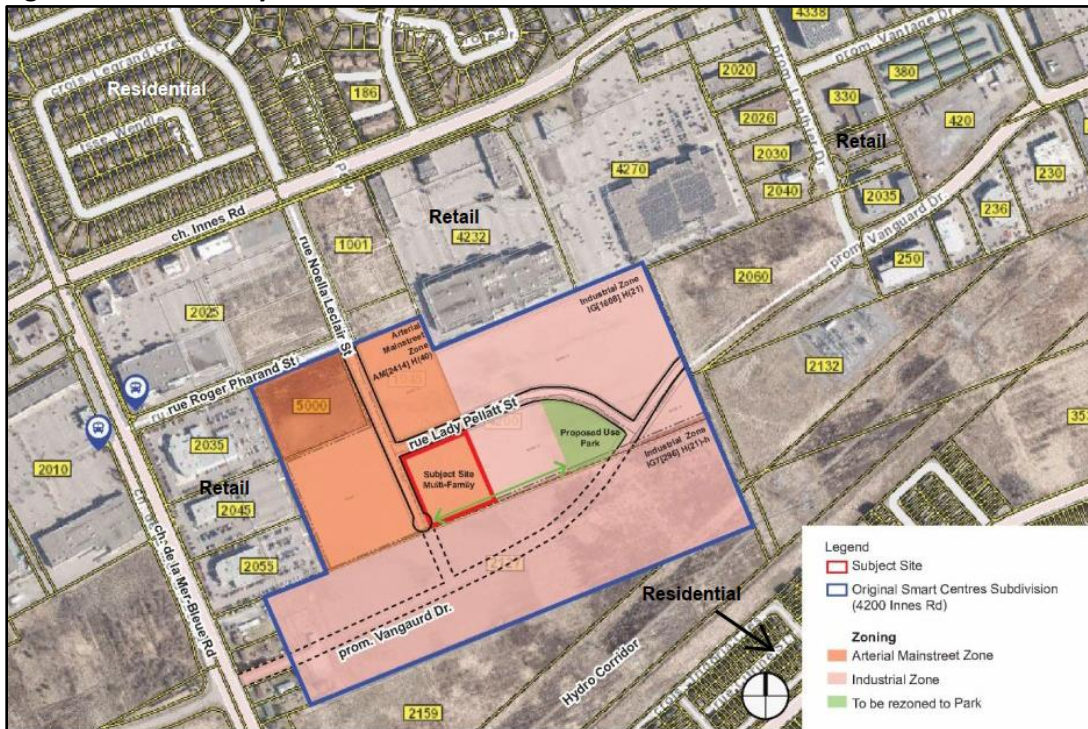
North - Retail uses ranging from big-box retail to multi-tenant buildings to restaurants (Trinity Crossing Mall) fronting Innes Road currently exist. North of Innes Road is predominantly single-family residential uses. The future extension of Lady Pellatt Street will abut the Subject Site to the north. North of the property is a vacant parcel that received Site Plan approval (D07-12-18-0179) for the construction of a ten-storey, mixed use retirement home and residential care facility. Northeast of the property is intended for future mixed-use development.

East - Undeveloped vacant land, light industrial, and office uses currently exist east of the Subject Site. Abutting the Subject Site to the east is a proposed future mixed-use development. The parcel further east along the future extension of Lady Pellatt Street is proposed to be rezoned for a public park.

South - Directly south of the Subject Site is currently a driving range and mini golf course. The future extension of Vanguard Drive will be south of the Subject Site. A hydro corridor is located further south, followed by residential uses (predominantly townhouse units).

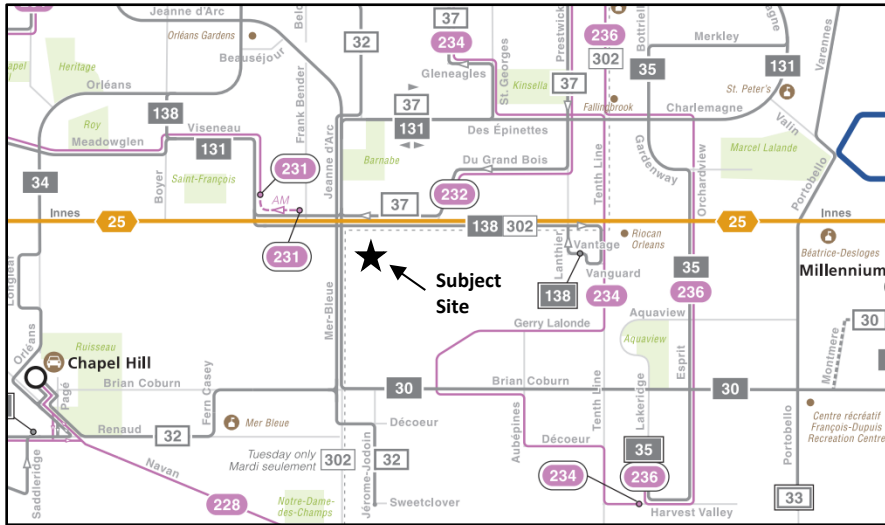
West - Retail and commercial uses, including car dealerships, Best Buy, Wal-Mart, Shoppers Drug Mart, among others, are located along Mer Bleue Road. The future extension of Noella LeClair Street will abut the property to the west. A Site Plan Control application (D07-12-23-0068) for the development of 293 low-rise apartment units and four mid-rise apartment buildings with a ground floor medical facility use was submitted to the City directly to the west of the Subject Site.

Figure 1 – Community Context



The Subject Site is well serviced with existing public transportation. As per **Figure 2**, it is serviced by the local Routes 138 (Innes and Place d’Orléans) and 302 (St. Laurent/Place d’Orléans and Cumberland) along Innes Road, as well as the frequent Route 25 (La Cité/Aviation and Millennium), which connects includes a stop at the Blair Light Rail Transit Station. Route 25 provides service every 15 minutes or less on weekdays and operates 7 days/week in all time periods.

Figure 2 – OC Transpo Network Map



2.0 The Proposed Development

The proposed development consists of two six-storey mid-rise residential buildings with a combined total of 157 dwelling units, offering a selection of suite types and sizes, as summarized below:

Table 1 – Unit Configuration

Unit Type	Range of Unit Floor Area		Number of Units			% of Units
	Sq. Ft.	m ²	Bldg A	Bldg B	Total	
1-Bedroom	652 to 780	61 to 72	19	29	48	30%
2-Bedroom	855 to 1,080	79 to 100	27	48	75	48%
3-Bedroom	1,119	104	22	0	22	14%
Bachelor	426 to 521	40 to 48	6	6	12	8%
Total			74	83	157	100%

The two buildings are oriented north and south, with the front property line off Lady Pellatt Street, as per the Site Plan submitted. The proposed development will connect to existing municipal services.

A total of 127 parking spaces are proposed at-grade, with one level of parking below-grade for each building to provide an additional 68 spaces. A total of 195 vehicle parking spaces are proposed, with 31 of those being for visitors. A total of 82 bicycle parking spaces are also provided.

3.0

Policy and Regulatory Framework

The following section provides a high-level review of the policy and regulatory framework that guide this development, as it related to the minor variance being sought. For additional information on the proposed development and a fulsome review of applicable land use framework, please see the active Site Plan Control application that has been submitted to the City of Ottawa (D07-12-23-0095).

3.1

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020, was issued under the authority of Section 3 of the *Planning Act* and came into effect on May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development and sets the foundation for regulating the development and use of land.

The proposed development and variance are consistent with the policies of the PPS in that it accommodates an appropriate range and mix of residential types, as per Section 1.1.1. Growth is also directed to the settlement area on lands that are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, as per Policy 1.1.1.3. The proposed development and variance being sought is also transit supportive and supports active transportation, as per Policy 1.1.3.2, in the reduction of excess parking.

3.2

City of Ottawa Official Plan, November 2021

The City of Ottawa Official Plan (OP) was adopted by City Council on November 24, 2021 and approved by the Minister of Municipal Affairs and Housing on November 4, 2022. The Official Plan is the guiding document that contains the goals, objectives and policies to manage and direct growth and development in the City to the year 2046.

The Subject Site is designated as “**Neighbourhood**” and is subject to the “**Evolving Neighbourhood**” overlay on Schedule B8 – Suburban East Transect of the OP. Within the Suburban Transect, the City will recognize a suburban pattern of built form and site design while supporting an evolution towards 15-minute neighbourhoods (Policy 5.4.1) and will enhance mobility options and street connectivity (Policy 5.4.2).

A network of pathways creating a continuous link between Mer Bleue Road and the overall subdivision is proposed. This will create greater connectivity throughout the Subject Site for pedestrians and cyclists. The reduction in residential parking also further encourages active transportation uses and supports taking advantage of the mixed uses in proximity to the proposed development. To encourage transit use, the developer will offer tenants who purchase monthly transit passes a credit against their rent for 50 percent of the cost of the transit pass for the first six months of their tenancy (an incentive of nearly \$400 for the recipient).

3.2.1

Neighbourhood Designation

As per Section 6.3, neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development. It is the intention of the OP to reinforce those elements of 15-minute neighbourhoods, guide those that have a few missing elements into gaining them, and seed the conditions for future 15-minute neighbourhoods into those that currently are not.

The proposed development conforms to the applicable Neighbourhood policies of Section 6.3 of the OP. Further, as per Policy 6.3.1(2), the existing zoning and secondary plan policies permit a height of up to 40 metres and the proposed development is 6 storeys (18.6 m). The proposed use is also within the range of residential built forms contemplated in the Neighbourhood designation (Policy 6.3.1(4)).

Policy 6.3.1(5)(a) notes that, “The Zoning By-law will redistribute permitted densities in the Neighbourhood by allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities”.

The proposed development will increase residential density in proximity to a future transit station on Mer Bleue Road, which would be within approximately a 600 metre-radius southwest of the Subject Site. The proposed development will also be within walking distance to the existing commercial, retail and employment uses along Innes Road, which is a Major Corridor Road. It will also be a Block within a mixed-use subdivision with additional neighbourhood amenities.

Policy 6.3.2(1) also states that the Zoning By-law and approvals under the *Planning Act* will allow innovative building forms in order to strengthen, guide towards or seed conditions for 15-minute neighbourhoods.

The minor variance seeks to support an innovative residential building form that strengthens the vision for the neighbourhood by increasing density through the reduction in parking requirements. It will also support a built form that appropriately interfaces with the public realm through soft landscaping, screening and connectivity through the Subject Site.

3.2.2 Evolving Neighbourhood Overlay

The proposed development is within the Evolving Neighbourhood Overlay. The Evolving overlay plans for the gradual, well-planned transformation of the neighbourhood (Section 6.3). As per Policy 5.6.1.1(1)(b) and (c), the Evolving Overlay is intended to provide “allowance for new building forms and typologies”, and “direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals”.

The proposed development provides a mid-rise residential typology that supports the evolution towards more urban built form patterns and the minor variance supports various mode share goals by providing a parking ratio more akin to the urban environment the City is hoping to achieve.

3.3 East Urban Community Phase 3 Secondary Plan

The Subject Site is also subject to the East Urban Community (EUC) Phase 3 Secondary Plan, which provides a policy framework to guide growth and development within the EUC Phase 3 Area lands, based on the EUC Phase 3 Area Community Design Plan. The Secondary Plan’s vision for this area is for it to be “a new complete neighbourhood for Orléans and the rest of the city. Its mix of housing, employment, institutional and commercial services, combined with leisure and recreational opportunities will make it an attractive place to live, work, and play”. Further, the design of the community is based on a “walkable, transit-supportive street and block network with connectivity to the future Cumberland Transitway line and its stations”.

In anticipation of the future Cumberland Transitway line, the Secondary Plan promotes a transit-oriented development pattern which incorporates complete streets that provide safe, convenient and comfortable conditions for walking, cycling and public transit for all ages and abilities.

The Subject Site is designated as “Mixed-Use”. The Secondary Plan (Section 5.2.3) indicates that the designated Mixed-Use area at 4200 Innes Road is intended to accommodate a mix of land uses including low-, mid-, and high-rise apartments, with building heights between three and twelve storeys.

The proposed development meets the site-specific policies by proposing two 6-storey mid-rise apartment buildings, creating a compact form on one lot. Moreover, given the site-specific context of the EUC Phase 3 Area, the minor variance being sought promotes the area’s vision for a walkable, transit-supportive street and block network by facilitating a parking configuration that is less than the standard suburban rate in the Zoning By-law. The 1-to-1 ratio of parking spaces to units also focuses on creating additional units as opposed to parking spaces, which aligns with the Secondary Plan’s goal to capture additional transit ridership.

3.4

City of Ottawa Comprehensive Zoning By-law (2008-250)

The Subject Site is zoned **Arterial Mainstreet** and is subject to the **Urban Exception 2414, and a height limit of 40 metres (AM[2414]H(40))**, as per the City of Ottawa Zoning By-law (2008-250).

The purpose of the Arterial Mainstreet zone is to:

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 proposed development fulfills the purpose of the Arterial Mainstreet zoning by proposing residential intensification compatible with surrounding uses. Permitted residential uses in the Arterial Mainstreet zoning under Section 185(2) include a mid-rise apartment dwelling, which is proposed.

The proposed development complies with the provisions of the AM zone and other applicable sections of the Zoning By-law, as illustrated below. The variance being sought is outlined further in the parking requirements section.

Table 2 – Zoning Provisions

Zoning Mechanism	Requirement	Proposed
Section 185 – AM Zone		
(3) Table 185		
a) Minimum lot area	No minimum	Yes - 9,255.5 m ²
b) Minimum lot width	No minimum	Yes
c) Front yard and corner side yard for (ii) residential use building	3 m (min.)	Yes - 3 m and 4.4 m
d) Minimum interior side yard for (ii) all other cases	No minimum	Yes – 20.8 m
e) Minimum rear yard for (iii) a residential use building	7.5 m	Yes -7.5 m
f) Maximum building height (per height suffix noted in zone)	40 m	Yes - 18.6 m
g) Maximum floor space index	2	15,009 m ² /9,255.5m ² = 1.63

		Yes - 1.62
h) Minimum width of landscaped area around a parking lot	3 m	Yes - 3 m
(4) Outdoor storage	a) in interior side yard or rear yard; b) completely enclosed and screened	Yes
Section 137 – Amenity Area		
Total Amenity Area for Apartment Building, mid-rise	6m ² /unit = 942 m ²	Yes - 2,727.5 m ²
Communal Amenity Area for Apartment Building, mid-rise	Min. 50% of total = 471 m ²	Yes - 1,295.3 m ²

Further, the urban exception 2414 pertains to the entirety of the subdivision and does not have any applicable policies to the proposed development, as the Draft Plan of Subdivision application for the entire site has met the holding provisions of the zone.

The proposed development is also under the 40-metre height restriction, as noted in the table above.

3.4.1 Parking Requirements

The Subject Site is in Area C of Schedule 1A (Areas for Minimum Parking Requirements) in the Zoning By-law. The applicable parking requirements are noted below:

Table 3 – Parking Provisions

Zoning Mechanism	Required	Proposed
Section 101 – Minimum Parking Space Rates		
Min. parking space rates – dwelling, mid-high rise apartment (Table 101, R12)	1.2 per dwelling unit 157 units * 1.2 = 188.4 (188 spaces)	No - 164 parking spaces
Section 102 – Minimum Visitor Parking Space Rates		
Min. visitor parking space rates – apartment dwelling, low-rise or mid-rise (Table 102)	0.2 per dwelling unit 157 * 0.2 = 31.4 (31 spaces)	Yes - 31 spaces
Section 106 – Parking Space Dimensions		
Parking space dimensions (106(1))	(a) At least 2.6 m wide; (b) not more than 3.1 metres wide (c) At least 5.2 m long	Yes
Reduced parking space dimensions (106(3)): 50% of parking spaces in parking lot or parking garage may be reduced to a min. 4.6 m long and 2.4 m wide, provided the space is: a) Visibly identified as being a compact car b) Not a visitor parking space required under Sec. 102 c) Not abutting or near a wall, column or similar surface that obstructs the opening of doors	164 parking spaces * 0.50 = 82 spaces maximum	Yes - 73 spaces visibly identified for small cars. The remaining spaces meet the standard parking space dimensions.
Accessible parking space rates as per Traffic and Parking By-law (Part C), as per Sec. 106(2)(b)	100-199 = 2 spaces	Yes - 4
Sec. 107 – Aisle and Driveway Provisions		
Min. width of aisle providing access to parking spaces in a parking lot or parking garage (107(1)(c)(ii))	Min. 6 m	Yes

Max. width of driveway for a double traffic lane for apartment, mid-rise (107(1)(aa)(ii))	(ii) that leads to 20 or more spaces: 6.7 m	Yes
Section 110 – Landscaping Provisions for Parking Lots		
Min. landscaped buffer of a parking lot abutting a street (Table 110, a))	For a parking lot containing 100 or more spaces: 3 m	Yes - 3 m
Section 111 – Bicycle Parking Space Rates and Provisions		
Min. bicycle space rates for (b)(i): mid rise, apartment dwelling	0.5 per dwelling unit $157 * 0.5 = 78.5$ (79 spaces)	Yes – 82 total spaces (42 surface parking and 40 below grade)
Bicycle parking space dimensions (Table 111B)	a) Horizontal: Min. 0.6 metres width Min. 1.8 metres length	Yes

As per the table above, the proposed development is seeking relief from the minimum parking space requirements for dwelling, mid-high rise apartment.

4.0 Planning Act – Tests for Minor Variance

As per Section 45(1) of the *Planning Act*, the Committee of Adjustment may authorize minor variance from the provisions of the Zoning By-law in respect of the land, building or structure or use thereof, if in its opinion, the variance meets the four tests/criteria established under the *Planning Act*. The proposed variance meets these four tests, as described below:

1. The variance is minor in nature.

The proposed variance is minor in nature in that it is a logical reduction in parking from 1.2 parking spaces per residential unit to 1.04 parking spaces per residential unit. The variance is minor considering that every unit will still have a parking space. It is only space in excess of a 1-to-1 ratio that will be removed to facilitate the proposed development. Further, there will be sufficient visitor parking, as per the zoning provisions, to accommodate the proposed development. The Transportation Impact Assessment completed as part of the Site Plan Control Application also notes that it is anticipated that the Subject Site will still be able to accommodate all of its parking demand on site with the reduced parking requirement.

2. The variance is desirable for the appropriate development or use of the land, building or structure.

The proposed variance is desirable for the appropriate development or use of the property. The reduction in parking spaces will assist the City in achieving transit mode share goals. Moreover, its location in a compact and walkable area supports the City’s vision for 15-minute neighbourhoods. Further, the proposed development can reasonably accommodate a reduction in residential parking spaces from 1.2 spaces per unit to 1.04 spaces per unit based on existing public transportation service in proximity to the Subject Site. There are two local routes and a frequent route that connects to the Blair LRT Station and the wider OC Transpo network, making it easy and convenient for residents to use public transportation. Future public transit plans will also bolster the Subject Site’s proximity to public transportation options.

3. The general intent and purpose of the Zoning By-law is maintained.

The general intent and purpose of the Zoning By-law is maintained as the Subject Site's zoning and location as an Arterial Mainstreet facilitates more compact development and promotes intensification. Further, the Subject Site is within a 600-metre radius of the future Mer Bleue Transit Station. Therefore, it is reasonable to assume that, in the future, when the transit station is constructed, a reduction in required parking spaces would apply near the LRT Station. Accordingly, a reduction in parking space requirements to a 1-to-1 ratio is appropriate. Further, the Zoning By-law is a tool to implement the policies and vision of the Neighbourhood designation, which the proposed development supports.

4. The general intent and purpose of the Official Plan is maintained.

The general intent and purpose of the Official Plan is maintained as the parking reduction is being sought to facilitate a proposed development that yields additional units in a compact development, meeting the intent and purpose the Official Plan policies for Neighborhoods and the Evolving Overlay. Moreover, given the Subject Site is part of the East Urban Community Phase 3 Secondary Plan, it should not be considered as a standard suburban development for the purposes of development and parking. The EUC Phase 3 Area lands have a distinct vision as an intensified neighbourhood that supports various modes of transportation. The Subject Site will also be linked to the larger subdivision and existing uses through thoughtful pedestrian connections. Accordingly, the minor variance being sought also contributes to the goals of the Secondary Plan in that it promotes a walkable transit-supportive vision by reducing the required parking below the traditional suburban standard in the Zoning By-law.

It is my professional opinion that the minor variance being sought to reduce the minimum residential parking space requirement for "dwelling, mid-rise apartment" from 1.2 units per dwelling to 1.04 units per dwelling (as per Section 101, Table 101, R12) in order to reduce the minimum required parking spaces from 188 spaces to 164 spaces, for a reduction of 24 spaces, represents good land use planning and is appropriate for the reasons noted in the four tests above.

Should you have any questions regarding the above, please feel free to let me know.

Sincerely,



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