

March 27, 2024

Mr. Michel Bellemare

Secretary-Treasurer
Committee of Adjustment
101 CentrepoinTE Drive, Fourth Floor
Ottawa, ON K2G 5K7

**RE: Application for Consent
266, 268 Carruthers Avenue and 177 Armstrong Street**

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2024-03-28

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by McCormick Park Developments Inc. ("Owner") to prepare a Planning Rationale for the submission of the enclosed Consent application for the lands known as 266 and 268 Carruthers Avenue and 177 Armstrong Street ("subject property") in the Hintonburg neighbourhood of the City of Ottawa.

The subject property is subject to applications for Zoning By-law Amendment and Site Plan Control to develop a 3.5 storey low-rise apartment building on 266 and 268 Carruthers Avenue (herein referred to as 266 Carruthers Avenue). A low-rise apartment building is currently under construction at 177 Armstrong Street. The Zoning By-law Amendment application intends to establish the site as one lot for zoning purposes, apply site-specific zoning provisions and apply the provisions for a planned unit development. The Zoning By-law Amendment application is scheduled to be considered by Planning and Housing Committee on February 28th, 2024, followed by City Council on March 6th, 2024, and a 20-day appeal period to follow a City Council decision.

The intent of the enclosed Consent application is to sever the subject property, which has merged on title, between the proposed 3.5 storey low-rise apartment at 266 and 268 Carruthers Avenue and the development at 177 Armstrong Street to accommodate servicing infrastructure.

Subject to a successful Zoning By-law Amendment and Consent application (proposed herein), the active application for Site Plan Control could proceed to the approval phase.

Please find enclosed the following material in support of the application:

- / This Cover Letter explaining the nature of the application (1 copy);
- / The Consent application form (1 copy);
- / A Tree Conservation Report and Landscape Plan, prepared by James B. Lennox & Associates Inc. Landscape Architects (1 copy);
- / A Parcel Abstract Page (PIN of the subject property (1page));
- / A Draft Reference Plan, prepared by Farley, Smith & Denis Surveying Ltd. (1 full size and 1 reduced); and
- / A cheque in the amount of \$3,639.00.

Sincerely,



Patricia Warren, M.Pl.
Planner



Scott Alain, RPP MCIP
Senior Planner

1.0 Introduction

Fotenn Planning + Design (“Fotenn”), acting as agents on behalf of the property owners, has been retained to prepare this Planning Rationale in support of the enclosed Consent application for the properties municipally known as 266 and 268 Carruthers Avenue and 177 Armstrong Street in the Hintonburg neighbourhood of the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Consent application against the applicable policy and regulatory framework and to demonstrate the appropriateness and compatibility of the proposed lot line adjustment with regard to the subject properties, surrounding land uses, and existing infrastructure.

1.1 Application Overview

The proposed Consent applications seeks to create a new lot line between 266 Carruthers Avenue and 177 Armstrong Street, as the properties have merged on title. The proposed severed parcel will accommodate the proposed 3.5 storey low-rise apartment dwelling at 266 Carruthers Avenue. As part of the Consent application, one parcel will be established for 177 Armstrong Street, and one parcel will be established for 266 Carruthers Avenue.

The proposed development at 266 Carruthers Avenue and ongoing development at 177 Armstrong Street are currently subject to a Zoning By-law Amendment (D02-02-22-0106). The Zoning By-law Amendment seeks to recognize 266 Carruthers Avenue and 177 Armstrong Street as one lot for zoning purposes, establishing the properties and both buildings (1 proposed and 1 under construction) as a planned unit development. To accommodate the proposed development, the severance is required to ensure that the entirety of the proposed development is situated on the properties currently known as 266 and 268 Carruthers.

A total of one (1) application is required:

- / One (1) primary consent application

Site Context and Surrounding Area

2.1 Subject Property

The subject properties, municipally known as 266 and 268 Carruthers Avenue and 177 Armstrong Street, are located on the west side of Carruthers Avenue, between Scott Street to the north and Wellington Street West to the south in Kitchissippi Ward (Ward 15). The subject properties combined have a frontage of approximately 20.12 metres along Carruthers Avenue and 27.77 metres along Armstrong Street, and a total lot area of approximately 1,859 square metres (Figure 1).

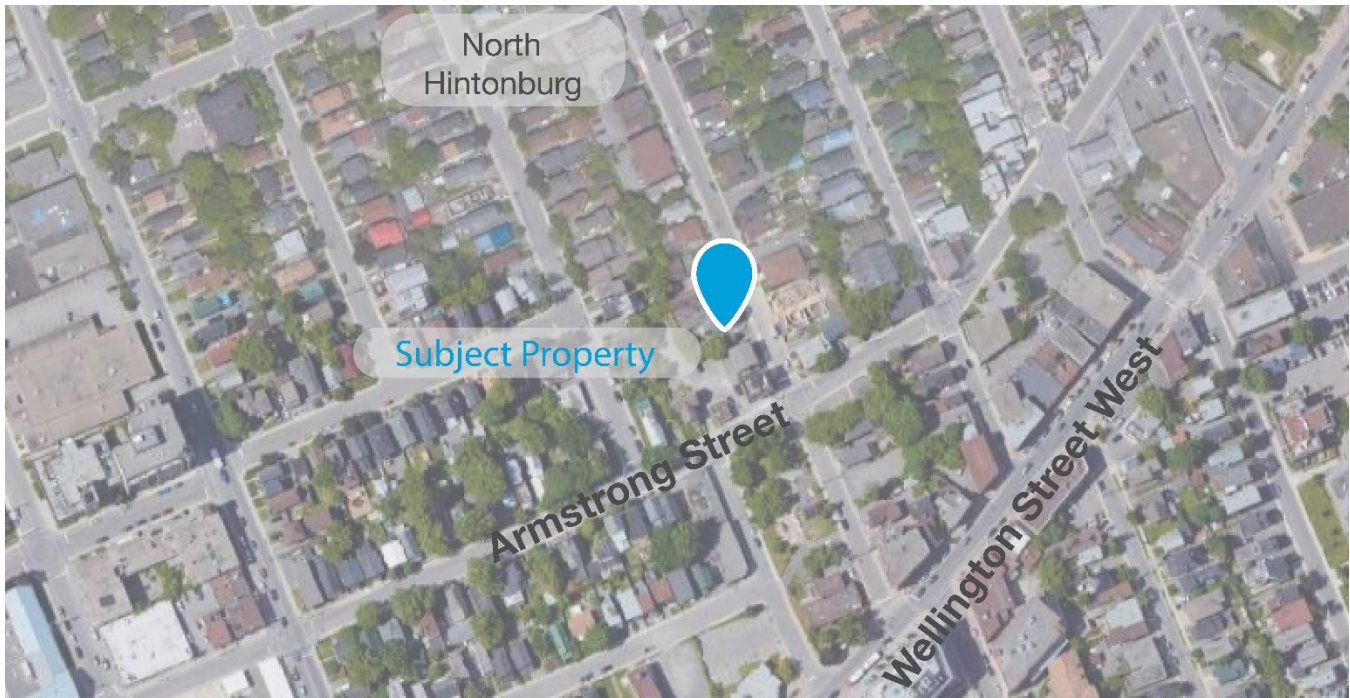


Figure 1. Aerial image showing Subject Properties

The property at 266 Carruthers Avenue is currently developed with a single-detached dwelling. The property at 268 Carruthers Avenue is vacant. Both properties have existing individual driveway accesses. The property at 177 Armstrong Street is currently being developed with a 3.5 storey low-rise apartment, which is in the final stages of construction. This building will have one driveway access. Sidewalks are provided along both sides of Carruthers Avenue and Armstrong Street, with hydro wires located along the west side of Carruthers Avenue and the north side of Armstrong Street. A hydro pole is located directly in front of the existing building at 266 Carruthers Avenue. There is limited existing vegetation on the subject properties.



Figure 2. Aerial image showing subject property and the immediate lot fabric of the neighbourhood

2.2 Surrounding Area

The adjacent land uses can be described as follows:

North: Immediately north of the subject property along Carruthers Avenue is a low-rise residential neighbourhood. Further north, along Scott Street, is a mix of uses including a number of restaurants and bars, a high-rise mixed-use building, and a surface parking lot. North of Scott Street is the Transitway, Laroche Park, and the neighbourhood of Mechanicsville.

East: Immediately east of the subject property, across Carruthers Avenue, is a low-rise residential neighbourhood, consisting of a variety of dwelling types ranging from single detached, to low-rise apartments. Further east of the subject property across Armstrong Street are a variety of commercial, retail and residential uses along Wellington Street West. In addition to these uses are community facilities such as the Hintonburg Community Centre and Hintonburg Park. East of Hintonburg Park is an existing stable low-rise residential neighbourhood, the NCC Trillium Pathways, and Little Italy.

South: Immediately south of the subject property is a mix of residential uses, as well as a retail store and a municipal park. Further south of the subject property is Wellington Street West, which is characterized by a variety of commercial and retail uses. The area is also characterized by institutional uses such as the Queen of the Most Holy Rosary and the Salvation Army Grace Manor. Further south, the area is primarily characterized by low-rise residential neighbourhoods bound by Highway 417; however, a portion of the area between Wellington Street West and Gladstone Avenue is characterized by several surface parking lots.

West: Immediately west of the subject property is a low-rise residential neighbourhood. This neighbourhood is bound by Parkdale Avenue to the west, with a variety of commercial, retail and institutional uses located along Parkdale, including coffee shops, cycling stores, Family Services Ottawa, and Parkdale Park. Along Holland Avenue is a mixed-use development

and townhouse development that consists of at-grade commercial uses. Further west is the Wellington Village neighbourhood, which extends west towards Island Park Drive and is characterized primarily by low-rise residential uses.



Figure 3. Looking northwest at the corner of Armstrong Street and Carruthers Avenue. The building under construction at 177 Armstrong Street can be seen on the left of the image and 266 Carruthers Avenue can be seen on the right side of the image (red building).



Figure 4. Looking west at 266 Carruthers Avenue and the vacant parcel known as 268 Carruthers Avenue. A newly constructed low-rise apartment dwelling abuts 266 Carruthers Avenue to the north, while the building under construction at 177 Armstrong Street can be seen south of 266 Carruthers Avenue on the left side of the image.



Figure 5. Looking northwest at the subject property where the proposed low-rise apartment dwelling is proposed to be constructed.



Figure 6. Looking north at 177 Armstrong Street and the drive aisle that will provide vehicular access to the proposed development at 266 Carruthers Avenue.

3.0 Overview of Application

The Owner is proposing to sever the subject properties between 177 Armstrong Street and 266 Carruthers Avenue as they have merged on title and to accommodate each development within their own property boundaries. As outlined on the Draft R-Plan below, Part 1, 3, and 4 are proposed to be severed, while Part 2 and 5 are proposed to be retained (Figure 7).

The resulting lot for 266 Carruthers Avenue will consist of Parts 1, 3 and 4 on the Draft R-Plan, while the resulting lot for 177 Armstrong Street will consist of Parts 2 and 5 on the Draft R-Plan. The proposed line of severance has been designed to accommodate the proposed 3.5 storey low-rise apartment building entirely within the property at 266 Carruthers Avenue.

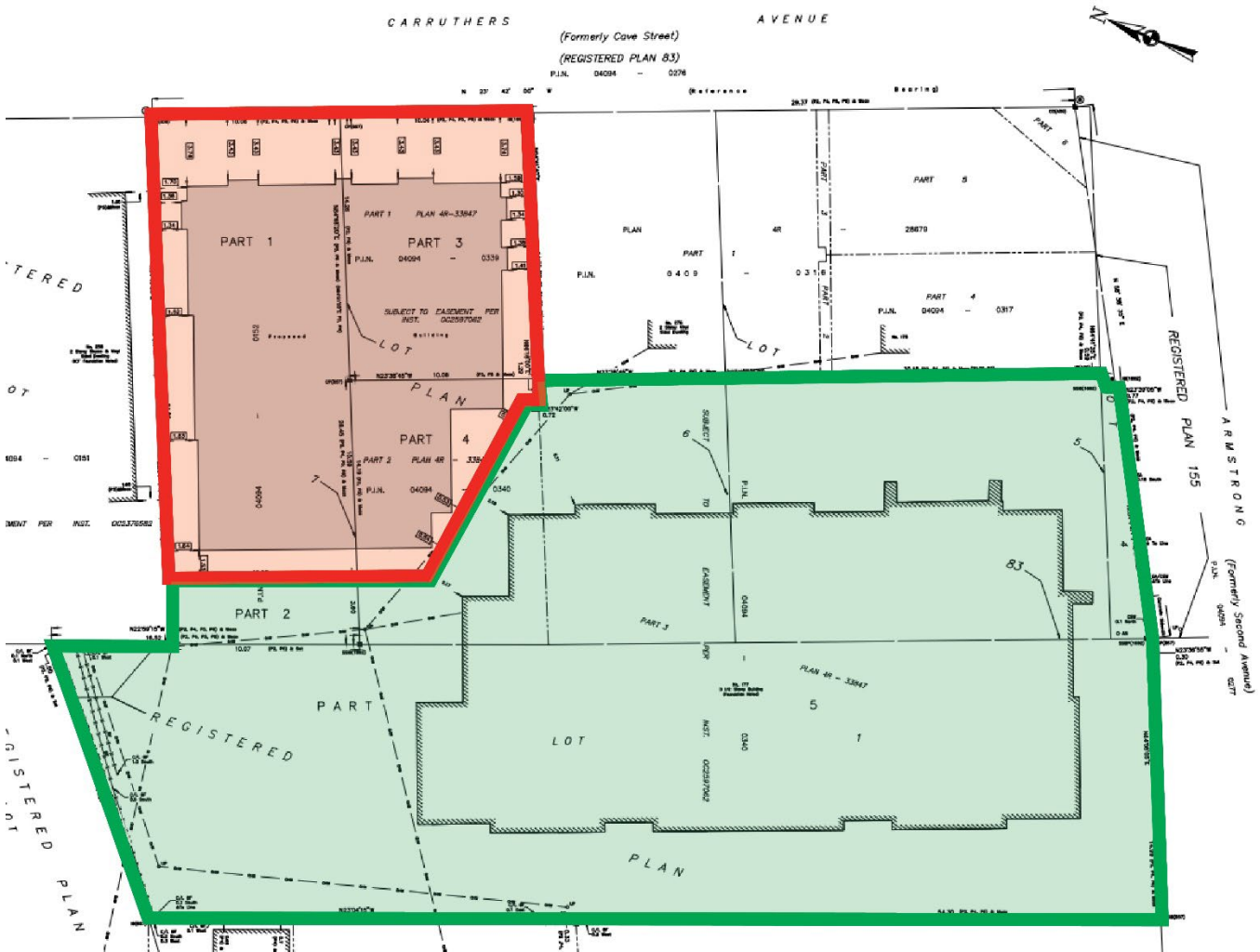


Figure 7. Draft R-Plan showing the proposed severed parcel (red) and retained parcel (green)

The following table summarizes the parcel areas of the parts to be severed and retained and the resulting lot areas of the subject properties. As no change is proposed to the lot frontages, the lot frontages have not been included in the table below; however, they are compliant with the Zoning By-law.

| Property | Parts on R-Plan | Status | Total Lot Area | Resulting Lot Area After Severance | Compliance |
|----------------|-----------------|----------|------------------------|------------------------------------|--|
| 266 Carruthers | Part 1 | Severed | 250.01 m ² | 467.61 m ² | Yes – under one lot for zoning provisions only |
| 266 Carruthers | Part 3 | Severed | 143.9 m ² | - | - |
| 266 Carruthers | Part 4 | Severed | 73.7 m ² | - | - |
| 177 Armstrong | Part 2 | Retained | 35.6 m ² | - | - |
| 177 Armstrong | Part 5 | Retained | 1,356.3 m ² | 1,391.9 m ² | Yes – under one lot for zoning provisions only |

A combined Tree Conservation Report and Landscape Plan was submitted as part of the Zoning By-law Amendment application for the subject property. As shown in Figure 8, there are no trees that have been identified for removal in proximity to the adjusted lot line.

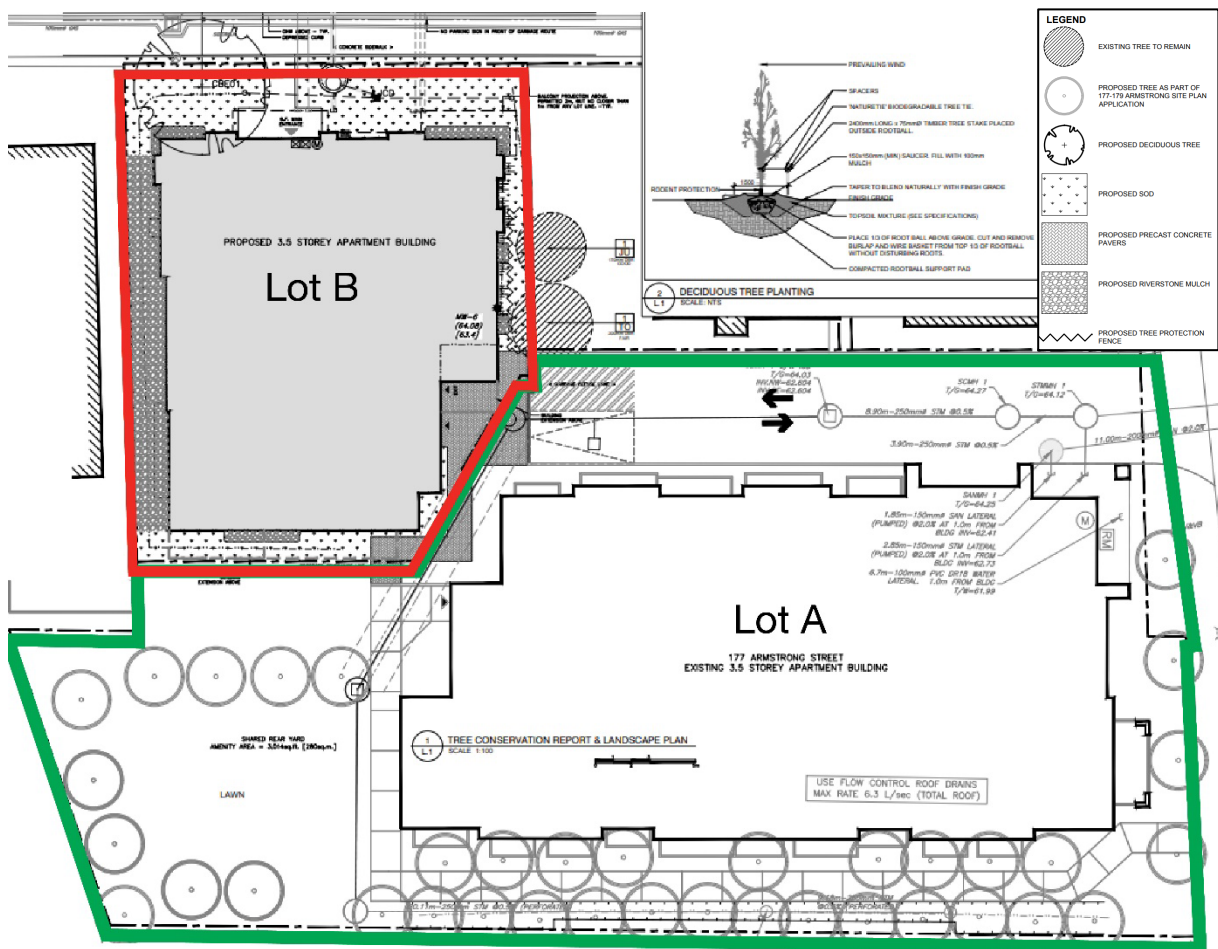


Figure 8. Tree Conservation Report & Landscape Plan, prepared by James B. Lennor & Associates Inc. Landscape Architects, dated December 22, 2023, with proposed lot boundaries identified for 266 Carruthers Avenue in orange and 177 Armstrong Street in blue

4.0 Policy and Regulatory Framework

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) sets out a vision for land use planning in the Province of Ontario that encourages planning and development that is environmentally-sound, economically-strong and that enhances quality of life. The PPS promotes intensification of built-up areas to efficiently use land where existing infrastructure and public service facilities are readily available to avoid unjustified and uneconomic expansions. Planning authorities must identify appropriate locations and promote opportunities for intensification and redevelopment. The relevant policy interests to the subject application are as follows:

- / Policy 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;
 - e) promoting the integration of land use planning, growth management, transit supportive development, intensification and infrastructure planning to achieve cost-effect development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected need
- / Policy 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;
 - e) support active transportation;
 - f) are transit-supportive, where transit is planned, exists or may be developed.
- / Policy 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:
 - 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.

The proposed severance will allow for the development of a new low-rise apartment dwelling that will efficiently make use of existing infrastructure. The new low-rise apartment dwelling will contribute to residential intensification within a settlement area, and will contribute to the range of housing options and tenures within the Hintonburg neighbourhood.

4.2 City of Ottawa Official Plan (2022)

The City of Ottawa Official Plan was approved November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046, when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the City will accommodate this growth over time and sets out the policies to guide the development and growth of the City.

4.2.1 Inner Urban Transect

The subject property is located within the Inner Urban Transect, as identified on Schedule A – Transect Policy Areas. The Inner Urban Transect includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them. Generally, the older neighbourhoods reflect the urban built form characteristics, while the post-war neighbourhoods reflect suburban characteristics.

The following policies are application to the subject property and the proposed lot line adjustment:

- / **Policy 3 of Section 5.2.1** - The Inner Urban Transect is generally planned for mid- to high-density development, subject to:
 - a) Proximity and access to frequent street transit or rapid transit;
 - b) Limits on building heights and massing, as per the underlying functional designation, and the separation of tower elements, established through secondary plans or area-specific policy, the functional designations and urban design policies in Subsection 4.6, or as a result of the application of heritage conservation policies in Subsection 4.5; and
 - c) Resolution of any constraints in water, sewer and stormwater capacity.
- / **Policy 1 of Section 5.2.4** - Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:
 - a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;
 - b) The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;

- c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;
- d) Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and
- e) In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.

The proposed severance will allow for the creation of a low-rise apartment dwelling that will support the planned densities in the Inner Urban Area. The ongoing Zoning By-law Amendment for the subject property seeks to establish the one lot for zoning purposes provision to accommodate the proposed low-rise apartment dwelling, as well as outdoor space for future residents of the subject property, in accordance with the Inner Urban Transect policies.

4.2.2 Neighbourhood Designation

The subject property is designated “Neighbourhood” on Schedule B2 – Inner Urban Transect (Figure 9). Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of the Official Plan that they, along with hubs and corridors, permit a mix of building forms and densities. Neighbourhoods are not all at the same stage of development, maturity and evolution. It is the intent of the Official Plan to reinforce those that have elements of and presently function as 15-minute neighbourhoods; to guide those that have a few missing elements into gaining them; and to seed the conditions for future 15-minute neighbourhoods into those that are currently not.



Figure 9. Extract of Schedule B2 - Inner Urban Transect, City of Ottawa Official Plan (2022)

Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context sensitive development. The following policies are applicable to the subject property and proposed lot line adjustment:

- / **Policy 2 of Section 6.3.1** - Permitted building heights in Neighbourhoods shall be Low-rise, except where existing zoning or secondary plans allow for greater building heights; or in areas already characterized by taller buildings.
- / **Policy 4 of Section 6.3.1** - The Zoning By-law and approvals under the Planning Act shall allow a range of residential and nonresidential built forms within the Neighbourhood designation, including:
 - a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;
 - b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);
 - c) In appropriate locations including near rapid-transit stations, zoning may prohibit lower-density housing forms.
- / **Policy 6 of Section 6.3.2** - To encourage innovative and compatible new forms of housing involving condominium or strata severance or other severance of a building, the Zoning By-law may treat multiple parcels as one lot for zoning purposes where doing so does not impede functional standards and requirements.

The proposed severance will facilitate the orderly development of a low-rise apartment dwelling, consistent with the permitted uses and heights on lots within Neighbourhoods. The proposed consent application is consistent with Policy 6 of Section 6.3.2 and in alignment with the Zoning By-law Amendment for the subject property which seeks to establish the one lot for zoning purposes provisions to allow for the proposed development to comply with the functional standards and requirements of the Zoning By-law and other City standards, such as servicing requirements. Overall, the proposed severance is consistent with the policy direction of the Official Plan.

4.2.3 Evolving Neighbourhood Overlay

The City has established overlays which provide additional policy direction to allow certain types of activities and provide built form guidance in evolving areas that is otherwise not included in the designation section of the Official Plan.

The Evolving Neighbourhood Overlay is applied to areas of the Neighbourhood designation in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land. The following policies are applicable to the subject property and the proposed lot line adjustment:

- / **Policy 2 of Section 5.6.1** - Where and Evolving Neighbourhood Overlay is applied:
 - a) The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies; and
 - b) The Zoning By-law shall include minimum-density requirements as identified in Table 3a, and permissions to meet or exceed the density targets of Table 3b.
- / **Policy 3 of Section 5.6.1** - In the Evolving Neighbourhood Overlay, the City:
 - a) The City will be supportive of applications for low-rise intensification that seek to move beyond 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 and 5 of this Plan;

The proposed severance will facilitate the development of a low-rise apartment dwelling, which represents intensification that is consistent with the planned characteristics of the overlay area. As identified in the earlier sections of this report, the proposed development is subject to an existing Zoning By-law Amendment application which seeks to establish the one lot for zoning provisions on the subject property to allow for the development of the proposed low-rise apartment dwelling to be contained within its own property boundaries and to accommodate servicing on the subject property. The

proposed development on the subject property is consistent with the policy direction of the Inner Urban Transect and is in keeping with the intent of Sections 3 and 5 of the Official Plan.

4.3 Scott Street Secondary Plan (2022)

The objective of the Scott Street Secondary Plan is to guide the development of the Scott Street Area, translating many of the directions of Scott Street Community Design Plan into statutory policy. The purpose of the Secondary Plan is to direct greater intensification to certain areas while maintaining the low-rise character in other areas. In doing so, the Secondary Plan illustrates the relationship between the low-rise areas of the communities and the areas that are appropriate for greater intensification with increased density and taller buildings.

The Scott Street Secondary Plan was originally approved in March 2015. The Secondary Plan was subsequently modernized to align with the policy language and aspirations of the current Official Plan (2022) and was subsequently re-introduced alongside the newly approved Plan.

The portion of Hintonburg, north of Wellington Street West, is predominantly detached houses in a variety of architectural styles, but also contains many semi-detached houses, townhouses, and low-rise apartment buildings. Many houses are built close to the street which provides a human-scale, pedestrian-oriented neighbourhood in a tight-knit fabric. This core area of Hintonburg is a stable, low-rise area with predominantly residential uses.

The subject property has been designated as Low-Rise Neighbourhood on Schedule A – Designation Plan, and has been identified as having a maximum building height of up to three (3) storeys on Schedule B – Maximum Building Heights (Figure 10 and Figure 11).

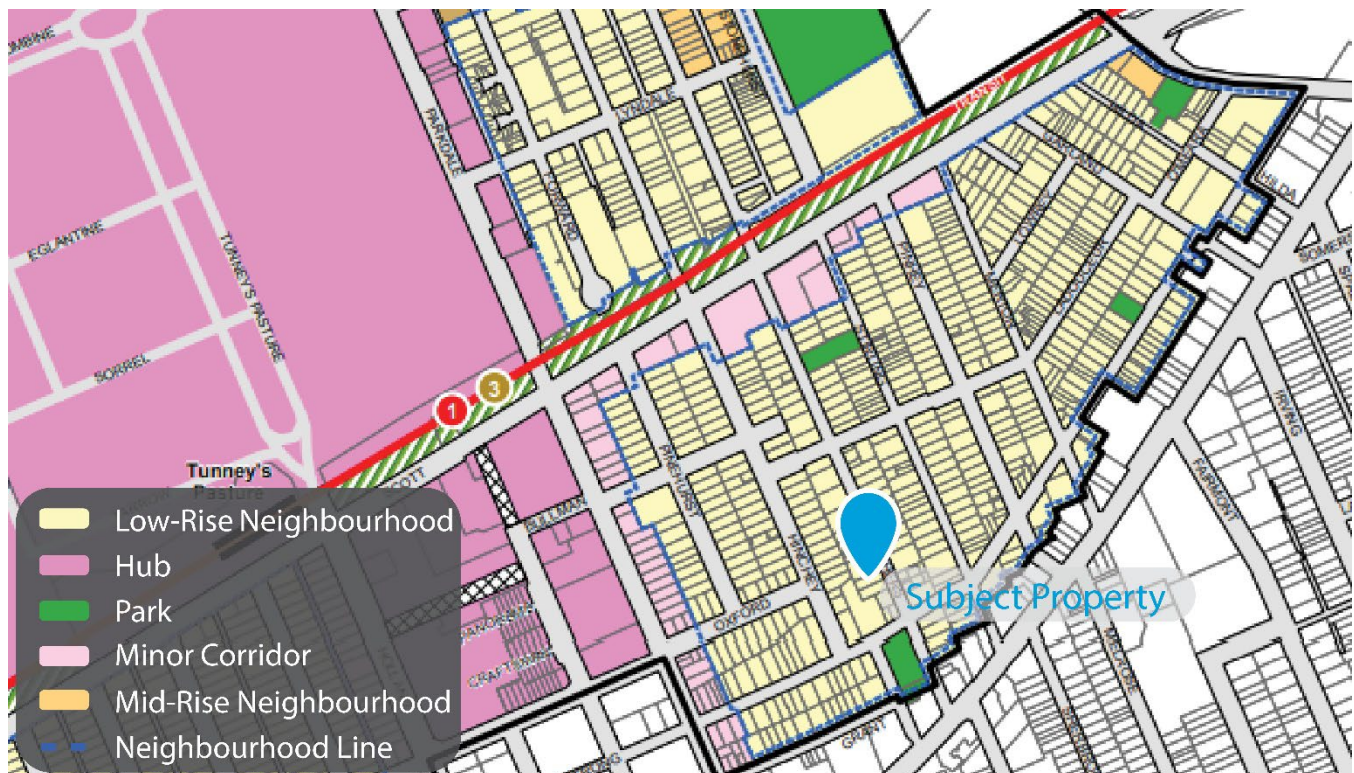


Figure 10. Extract of Schedule A - Designation Plan, Scott Street Secondary Plan (2022)



Figure 11. Extract of Schedule B - Maximum Building Heights, Scott Street Secondary Plan (2022)

As shown in the figures above, the Neighbourhood Line delineates the stable, low-rise areas of the neighbourhoods from the Mixed-Use Centre, Burnside Corridor and Minor Corridor designations. These neighbourhoods contain low-rise residential and other low-rise non-residential uses. The purpose of the Neighbourhood Line is to establish a clear distinction between areas that are anticipated to change over time and ones that are anticipated to undergo very little change outside of small-scale infill and intensification.

The following policies are applicable to the subject property and the proposed lot line adjustment:

- / Policy 32 - The range of uses permitted in the Hubs, Corridors and Neighbourhood designations of the Official Plan are permitted in the Low-Rise Neighbourhood designation, on Schedule A – Designation Plan.
- / Policy 34 - The maximum permitted building height in Mechanicsville is four storeys, in north Hintonburg three storeys, and in Wellington Village three storeys.
- / Policy 35 - The Neighbourhood Lines follow the existing lot fabric. Any future lot consolidation or subdivision of land will not change the location of the Neighbourhood Lines.

The proposed severance will facilitate the development of a 3.5 storey low-rise apartment dwelling. As part of the proposed severance, no changes are proposed to the Neighbourhood Line, as identified in Figure 7 and Figure 8.

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

The subject properties are currently subject to the Residential Fourth Density, Subzone UB (R4UB), Residential Fourth Density, Subzone UB, Urban Exception 2702 (R4UB[2702]), and Residential Fourth Density, Subzone UB, Urban Exception 2701, Residential Neighbourhood Commercial Overlay (Figure 12). The purpose of the R4 zone is to:

- / Allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as General Urban Area in the Official Plan;
- / Allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
- / Permit ancillary uses to the principal residential use to allow residents to work at home;
- / Regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced

The purpose of the Residential Neighbourhood Commercial suffix/overlay is to:

- / Regulate development in a manner that is compatible with existing land use patterns so that the residential character of a neighbourhood is maintained or enhanced;
- / Allow a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses, and are of a size and scale consistent with the needs of nearby residential areas;
- / Provide conveniently located non-residential uses predominantly accessible to pedestrians, cyclists and transit users from the surrounding residential neighbourhood; and
- / Impose development standards that will ensure that the size and scale of development are consistent with that of the surrounding residential area.



Figure 12. Zoning Map

The proposed development is also located within the boundaries of the Mature Neighbourhoods Overlay, which includes zoning provisions intended to ensure that new infill development complements and reinforces the established neighbourhood character as seen along each street.

Permitted uses within the R4UB zone include a range of residential uses from detached dwelling to low-rise apartment dwelling. The zoning provisions for the R4UB zone are outlined in Table 1 below.

Urban Exception 2702 applies to the property at 268 Carruthers Avenue and has been established to permit a minimum lot area of 143.7 m². Urban Exception 2701 applies to the property at 177 Armstrong Street and has been established to provide specific zoning provisions for the existing low-rise apartment. As part of the ongoing Zoning By-law Amendment application, Urban Exception 2701 will be amended to include site-specific amendments required as part of the proposed development at 266 Carruthers Avenue. The amended Urban Exception 2701 will also recognize that 266 Carruthers Avenue and 177 Armstrong Street are recognized as one lot for zoning purposes in accordance with Section 93 of the Zoning By-law. As a result of applying the one lot for zoning purposes provisions, the subject property will be required to comply with the Planned Unit Development provisions in Section 131 of the Zoning By-law.

Table 1, below, demonstrates the proposed resulting parcels' compliance with the lot width and lot area provisions of the Zoning By-law. The broader applicable zoning provisions for the proposal have been drafted in collaboration with City of Ottawa planning staff and are detailed within the Zoning By-law Amendment that is ongoing at the time of writing this report, as per the Details of Recommended Zoning in the February 28, 2024 Staff Report.

The Zoning By-law Amendment has been drafted in a manner that will accommodate the lot-line adjustment and avoid the need for any subsequent zoning relief.

Table 1. Zoning Compliance Table

| Zoning Mechanism | R4UB Provisions (PUD) As per the Recommended Zoning in the February 28, 2024 Staff Report | Provided | Compliance |
|-------------------|--|---|------------|
| Minimum Lot Width | N/A | 266 Carruthers Avenue: 20.12 m 177 Armstrong Street: 29.42 m | ✓ ✓ |
| Minimum Lot Area | 1,400 m ² | 266 Carruthers Avenue: 467.61 m ² 177 Armstrong Street: 1,391.9 m ² Full Site (one lot for zoning purposes): 1,859.51 m ² | ✓ |

The proposed development on the site is currently subject to a Zoning By-law Amendment application which is to be considered by Planning and Housing Committee on February 28, 2024 and by City Council on March 6, 2024. As part of the Zoning By-law Amendment, all provisions identified in Table 1, above, noted as being non-compliant, will be brought into compliance. At the time of this Consent application being considered by the Committee of Adjustment, the Zoning By-law Amendment is anticipated to be within the 20-day appeal period for the application.

The proposed severance does not propose to alter any lot widths, and simply seeks to sever the property into two parcels as the properties have merged on title. The proposed lot areas resulting from the severance application are compliant with the required lot area in the Zoning By-law.

Consent Application

It is our professional opinion that the application meets the criteria for lot division as described in Section 53(1), 53(12) and 51(24) of the *Planning Act*. As the proposal does not include an internal road network, major servicing or other elements of a subdivision, the following criteria are generally those which apply to applications for consent:

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

The proposed Consent application is consistent with the policies of the Provincial Policy Statement (2020) by facilitating the creation of a lot to accommodate a low-rise apartment dwelling that will efficiently use existing infrastructure. An assessment of the Provincial Policy Statement in relation to this application is provided earlier in this report.

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

The proposed Consent application will allow for residential intensification within the urban area where municipal services are available. The application is therefore not premature and is in the public interest.

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

As outlined in the preceding sections of this report, the proposed Consent application conforms with the policies of the City of Ottawa Official Plan and is consistent with the policy direction of the Inner Urban Transect and Neighbourhood designation. The proposed Consent application also conforms with the policies of the Scott Street Secondary Plan.

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

This Consent application proposes to sever the properties as they have merged on title, while also simplifying the lot composition. The severed lot area of 266 Carruthers Avenue and the retained lot area of 177 Armstrong Street will not comply with the Zoning By-law provisions for lot area; however, a forthcoming Zoning By-law Amendment, expected to be implemented prior to this item being heard by the Committee of Adjustment, will apply the one lot for zoning purposes provision to these properties, resulting in compliance with the required minimum lot area. Both the resulting lots will comply with the lot width requirements of the Zoning By-law.

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;

The proposed Consent application will not alter the existing frontage that the subject property has on Carruthers Avenue and Armstrong Street. Both roads are publicly maintained and connect to the larger urban road network of the City of Ottawa.

f) the dimensions and shapes of the proposed lots;

The lot fabric of the surrounding area varies in lot size and shape due to what appears to be a mix of lot consolidation and lot severances, based on the building typology on each lot. The proposed lot sizes and shapes of the resulting lot and the retained lot have been designed with adequate space to accommodate the proposed low-rise apartment dwelling at 266 and 268 Carruthers Avenue and the low-rise apartment dwelling under construction at 177 Armstrong Street. The ongoing Zoning By-law Amendment application, which seeks to establish the one lot for

zoning purposes provisions, will apply to these properties, resulting in ample space on all properties to accommodate all required setbacks and provisions of the Zoning By-law.

g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structured proposed to be erected on it and the restrictions, if any, on adjoining land;

The proposed Consent application at the time of submission is subject to an ongoing Zoning By-law Amendment to bring the proposed development into compliance with the Zoning By-law. It is expected that the proposed zoning will be implemented in advance of the Consent application being heard before the Committee of Adjustment. No other known restrictions apply to the subject property.

h) conservation of natural resources and flood control;

The subject property does not comprise part of a broader natural heritage system. A Tree Conservation Report/Landscape Plan has been submitted as part of the Consent application, outlining the existing trees on the site to remain and proposed trees/landscaping. The plan does not identify any trees for removal or proposed trees on the portion of 177 Armstrong Street to be severed and added to 266 and 268 Carruthers Avenue.

i) the adequacy of utilities and municipal services;

The subject property is currently serviced by municipal services and will continue to be serviced by municipal services. The Consent application will result in two separate parcels – 177 Armstrong Street and 266 Carruthers, both of which will accommodate separate municipal servicing for the existing low-rise apartment dwelling and proposed low-rise apartment dwelling, respectively.

j) the adequacy of school sites;

The proposed Consent application will create one new lot, 266 Carruthers Avenue, facilitating the construction of a low-rise apartment dwelling. The construction of the apartment dwelling can only occur after Site Plan Control approval, and as such, adequacy of school sites will be determined at that time. Despite this, the proposed development is not anticipated to have any undue adverse impacts on the adequacy of school sites.

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

No lands are proposed to be dedicated for public use.

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

The proposed lots are not anticipated to have an impact on energy delivery.

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.

A Site Plan Control application is required for the future development of the proposed low-rise apartment dwelling at 266 and 268 Carruthers Avenue. This application is ongoing and is expected to be resolved following a successful Zoning By-law Amendment and Consent application.

Conclusion

It is our professional opinion that a Consent application is an appropriate mechanism to facilitate the creation of one new parcel of land for properties that have previously merged on title. The proposed severance satisfies the Planning Act criteria for a Consent and conforms with the policies of the Provincial Policy Statement and the City of Ottawa Official Plan. The proposed severance allows for an orderly lot boundary condition that aligns with the planned intent for the lands, which supports applicable municipal and provincial direction to increase the supply and variety of housing stock in areas which benefit from established infrastructure and services.

Sincerely,



Patricia Warren, M.Pl.
Planner



Scott Alain, RPP MCIP
Senior Planner