

March 27, 2024

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

RE: Application for Minor Variance
113 Northwestern Avenue, Ottawa

Committee of Adjustment
Received | Reçu le

2024-04-16

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Linebox Studio to prepare a Planning Rationale in support of a Minor Variance application to permit the proposed development at the property municipally known as 113 Northwestern Avenue.

The purpose of the Minor Variance application is to permit a double-garage and driveway that flares to a double-wide driveway on the subject property. Additionally, out of an abundance of caution, relief from balcony screening requirements is being requested.

In addition to this cover letter, please find enclosed the following for your consideration:

- / The Minor Variance application form;
- / Streetscape Character Analysis;
- / Site Plan prepared by Linebox Studio;
- / Architectural Design Package prepared by Linebox Studio;
- / Tree Information Report.

Sincerely,



Bria Aird, MCIP RPP
Senior Planner



Thomas Freeman, B.URPL
Planner

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Application Overview and Surrounding Context

Fotenn Consultants Inc. (“Fotenn”) has prepared this Planning Rationale in support of a Minor Variance application for 113 Northwestern Avenue (the “subject property”) in the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Minor Variance against the applicable policy and regulatory framework and to determine whether the requested Minor Variances are appropriate for the subject property.

The proposed development includes the construction of a detached dwelling on the subject property, generally in accordance with the approved building permit for this property. The variances sought through this application seek to permit a double-wide garage and a driveway that flares to a double-wide width at the garage entrance. Additionally, out of an abundance of caution, a variance to permit no visual screen on a second storey facing the north interior side lot line.

1.1 Subject Property

The subject property has a frontage of approximately 15.7 metres along the east side of Northwestern Avenue and has a total area of approximately 627 square metres. A single storey detached dwelling currently occupies the subject property. The property currently features a single wide driveway running between the existing dwelling and the southern property line.

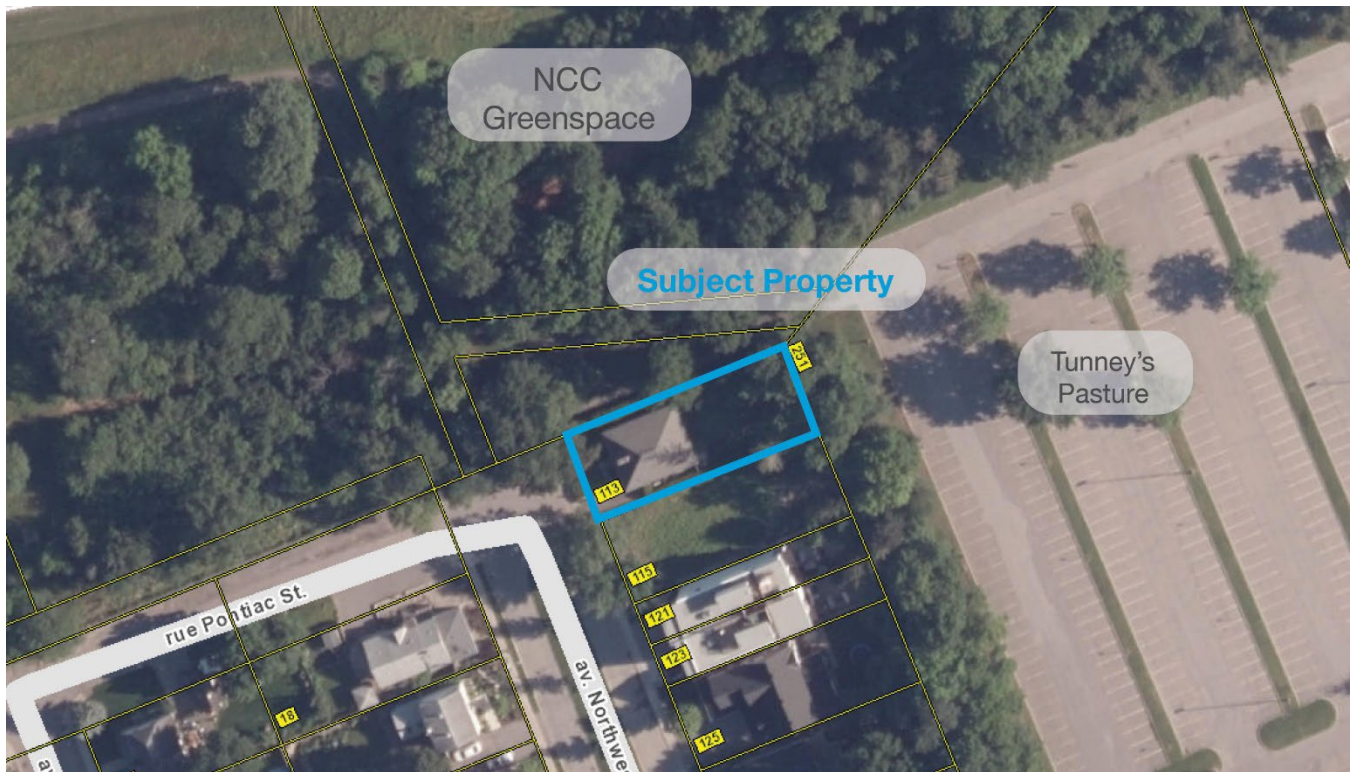


Figure 1: Subject Property and Surrounding Context

1.2 Surrounding Context

The subject property is located in the Chaplain Park neighbourhood in the City of Ottawa. The subject property is the most northerly property on Northwestern Avenue. The immediate area is characterized by a low-rise neighbourhood

predominately characterized by detached and semi-detached dwellings. The subject property immediately abuts the NCC greenspace to the north and the Tunney’s Pasture Federal complex to the east.

The subject property is within a “mature neighbourhood”, as identified by Schedule 342 of the Zoning By-law. The immediate context is predominantly residential and low-rise, with a mix of detached and semi-detached dwellings. The lot frontage on the street is generally consistent, with the majority of lots along Northwestern Avenue and the surrounding streets, with the majority of the lots having a frontage of approximately 15 metres. A significant minority of lots have been severed to permit semi-detached dwellings.

As reflected in the Streetscape Character Analysis , most of the lots contain a single wide driveway leading to a front facing garage or carport. The dominant streetscape character is front facing attached garages, some of which are double wide garages (125 & 203 Northwestern Avenue) in addition to semi-detached garages that act like double wide garages with double-wide driveways that straddle the property line (121 & 123 Northwest Avenue, 138 & 140 Northwestern Avenue, 128 & 130 Northwestern Avenue, and 200 & 202 Northwestern Avenue).

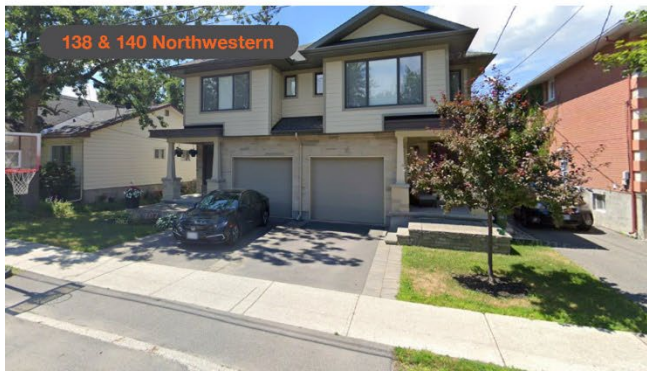
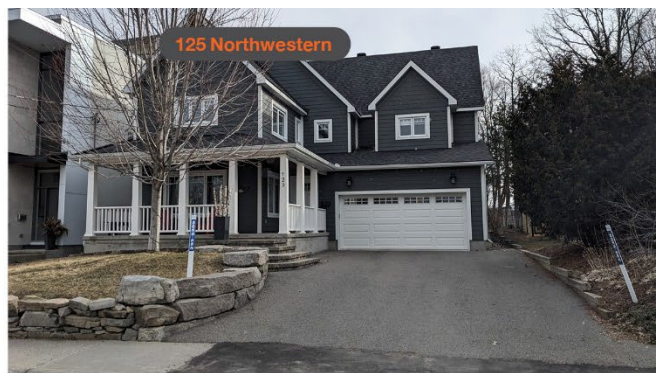
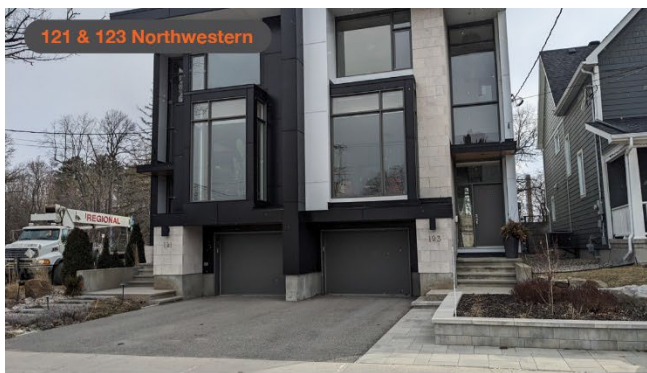


Figure 2: Front Facing attached garages along Northwestern Avenue

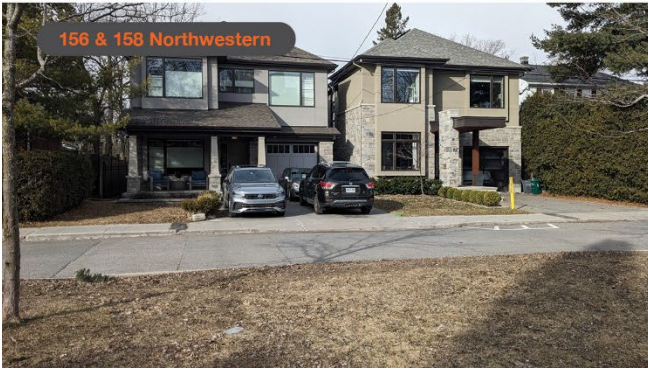
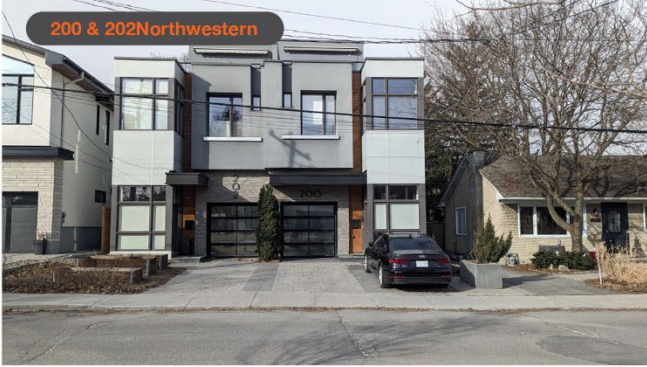
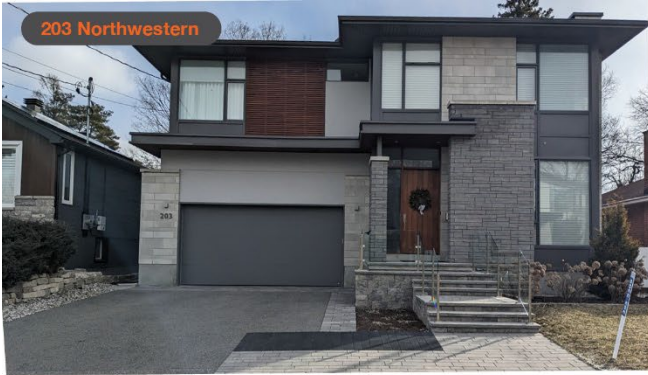


Figure 3: Front Facing attached garages along Northwestern Avenue



Figure 4: Front Facing attached garages make up the dominant streetscape character along this block of Northwestern Avenue

The description of the surrounding context is as follows.

North: Immediately north of the subject property is NCC greenspace which runs along the Ottawa River. Within this greenspace runs the Kichi Zibi Mikan parkway and the Ottawa River Multi-Use Pathway. The subject property is heavily screened by vegetation from the parkway and connective pathways.

East: East of the subject property is the Tunney's Pasture Federal complex. A surface parking lot, servicing the federal office buildings is immediately east of the subject property.

South: The area to the south is characterized by the low-density, low-rise built form of the Champlain Park neighbourhood. The housing mix consists of detached and semi-detached dwellings. The lot to the immediate south of the subject property is currently vacant.

As shown in Figure 4 above, the majority (16 out of 21) lots on the same block as the subject property are served by front-facing garages and driveways. An additional 4 lots are served by driveways providing access to an interior side yard or rear yard parking space.

West: The area to the south is characterizes by low-density, low-rise built form. On the opposite side of Northwestern Avenue, there is a detached dwelling with front facing garage fronting onto Pontiac Street. Further west along Pontiac Street is Champlain Park.

Proposed Development

The proposed development is to replace the existing detached dwelling on the subject property with a new 2-storey detached dwelling. A building permit has already been issued which permits the lot to be developed with a very similar building and layout. The proposed minor variance is to permit a revised version of the development with a flared driveway and a wider garage entrance, to facilitate access to the garage and circulation onsite. If granted, a building permit revision application will be submitted.

The requested variance will not alter the interior area of the garage, the relationship of the garage to the front door, or the width of the driveway at the front property line.

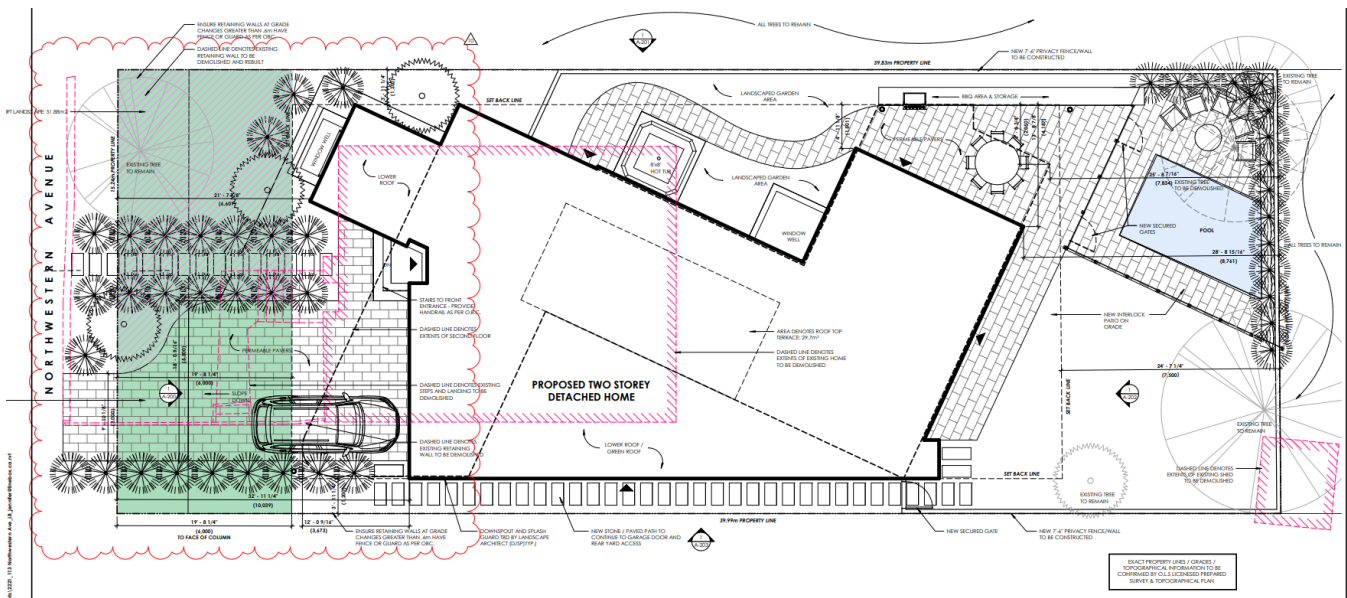


Figure 5: Proposed Site Plan

The development will feature a front yard setback of 6.6 metres, interior side yard setbacks of 1.2 metres and a rear yard setback of 8.76 metres. The height of the building will be 7.52 metres

The proposed variance to permit a double-wide driveway is intended to improve the function of the site while maintaining amenity area in the rear yard. The proposed garage provides for secure bicycle parking, garbage storage, recycling, snowblower, lawnmower, and other items. The proposed garage represents a minor change from the neighbourhood character without impacting the dominant streetscape character, which includes front facing garages.

The following design features minimize the visual impact of the garage as well as impacts on soft landscaping and stormwater management:

- ✓ The garage door will replace an area of blank wall in the building permit-approved building – the original design is illustrated in Figure 3;
- ✓ An angled second storey projects beyond the front façade of the garage to a maximum of 3.6 metres, minimizing its visual impact from the street;

- / The façade containing the garage is set approximately 3.5 metres back from the forward-most point of the building, which contains a living space; The driveway will be constructed of permeable pavers, to assist with infiltration of stormwater;
- / Almost 60 percent of the front yard will be provided as a contiguous landscaped area – exceeding the minimum zoning requirement – which will support a retained mature canopy tree, two new tree plantings and additional landscape plantings;
- / The driveway is single-width at the front lot line, and flares to provide access to the garage;
- / The wider portion of the driveway will be screened from the street by plantings on the subject property and within the right of way.

The proposed front yard exceeds the aggregate landscaping requirements, maintains a single driveway character at the street edge and includes the retention of trees and soft landscaping.



Figure 6: Current (approved) West (Front) Elevation



Figure 7: 3D view of the front facade

3.0 Policy and Regulatory Framework

3.1 City of Ottawa Official Plan (2022, as amended)

The Official Plan for the City of Ottawa 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 set out the policies to guide the development and growth of the City.

The subject property is designated as Neighbourhood and has an Evolving Neighbourhood Overlay applied, as shown on Schedule B2 – Inner Urban Transect, Figure 5 below.



Figure 8: Schedule B2 - Inner Urban Transect

3.1.1 Inner Urban Transect

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 and is therefore characterized by both urban and suburban elements. The New Official Plan provides guidance for how the existing character of these neighbourhoods should be complemented while allowing for the development of walkable, service-rich, 15-minute neighbourhoods.

The Inner Urban Transect promotes greater densities than the Outer Urban and Suburban Transects; the intended pattern of built form is urban. The transect is generally planned for medium- to high-density development, subject to their proximity to transit, their underlying land use designation, and municipal servicing capacity constraints. Section 5.2 sets policies guiding development under this transect designation. The policies focus on enhancing the pattern of development to reflect the desired urban character, creating walkable and transit-supportive communities, as well as encouraging appropriate ‘missing-middle’ intensification within established neighbourhoods.

Policy 5.2.1.1 states that the Inner Urban Transect's built form and site design includes both urban and suburban characteristics and that its intended pattern is urban.

Policy 5.2.4.1 states that 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 compiled in the Official Plan;
- b) [...]
- 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;

Policy 5.2.1 (5) addresses parking management and private approaches in the Inner Urban Transect. Generally, these policies discourage additional or expanded private approaches. Policy 5.2.1 (5) (c) states that development applications may be required to re-use existing private approaches.

3.1.2 Neighbourhood Designation

Neighborhoods are contiguous urban areas that constitute the heart of communities. They are planned for ongoing gradual, integrated, sustainable, and internally compatible development. Neighbourhood policies will allow for the development of a full range and choice of housing, with complementary small-scale non-residential land uses to support the creation of 15-minute neighbourhoods.

Policy 6.3.1.2 states that Permitted building heights in Neighborhoods shall be Low-rise.

Policy 6.3.1.4 states that the Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential 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 3b;
- b) Housing options with the predominant new building from being missing middle housing, which meet the intent of Policy 6.3.2.1.

Policy 6.3.2 (2) states that the City will establish form-based regulation through planning tools. Although this policy is not directly applicable to the proposed development or requested variances, it indicates the intent of the Official Plan with respect to site design for small sites. The regulations shall have regard for:

- a) "Local context and character of existing development;
- b) Appropriate interfaces with the public realm, including features that occupy both public and private land such as trees; [and]
- c) Appropriate interfaces between residential building, including provision of reasonable and appropriate soft landscaping and screening to support liveability[.]

Policy 6.3.3 (8) (c) states that "c) The City will regulate private approaches as provided under the applicable Transect policies in order to maintain or enhance unbroken curb space for short-term, visitor and permit-zone street parking, as well as for other common purposes."

3.1.3 Urban Design (Section 4.6)

Section 4.6 of the Official Plan outlines the specific policies guiding the design and relationship between developments across the City, specifically emphasizing adequate transitions, complementary built forms, and existing neighbourhood design characteristics.

Policy 4.6.6.6 states that low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

Urban design policies for larger-scale developments emphasize the importance of retaining mature trees, minimizing impervious surfaces and using Low Impact Development techniques for stormwater management, and using plantings to screen parking and driveways from the public realm. While these policies do not apply directly to the proposed development, they are helpful in interpreting the intent of the Official Plan.

The proposed development conforms with the transect and designation policies of the Official Plan as it provides for appropriate context sensitive development on a conforming lot with a compact urban built form.

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

The subject property is zoned Residential Second Density, Subzone D, Urban Exception 2159 – R2D[2159] in the City of Ottawa Comprehensive Zoning By-law. The intent of the R2 zone is to restrict the built form to detached and semi-detached dwellings and to regulate development in a manner that is compatible with existing land use patterns.



This zone permits detached dwellings, subject to certain performance standards as follows:

Zoning Mechanism	Requirement	Provided	Compliance
Minimum Lot Area TABLE 158A	450 square metres	628 square metres	Yes
Minimum Lot Width TABLE 158A	15 metres	15.69 metres	Yes
Minimum Front Yard Setback Urban Exception 2159	6 metres	6.6 metres	Yes
Minimum Corner Side Yard Setback Urban Exception 2159	4.5 metres	N/A	Yes
Minimum Rear Yard Setback TABLE 158A	7.5 metres	8.76 metres	Yes
Minimum Interior Side Yard Setback TABLE 158A	1.2 metres	1.2 metres	Yes
Maximum Building Height TABLE 158A	8.5 metres	7.52 metres	Yes
Minimum Habitable Floor Area on First Floor of Dwelling Section 140	40 square metres	208 square metres	Yes
Required Balcony Screening TABLE 65 (6) (b) (iv)	Where balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line.	A balcony is located within 1.5 metres of an interior side lot line	No
Walkway Width	Maximum 1.2 metres	>1.2 metres	Yes
Minimum Soft Landscaped Area in the Front Yard S. 139	40% of the front yard area / Must be contiguous / Must abut the front lot line abutting the street All parts of the front yard not occupied by driveways, walkways and permitted projections must be soft landscaped	57% contiguous	Yes
Front-facing garage per dominant character Section 140(8)(a)	Character Group B Front facing garages are permitted.	A front facing garage is proposed.	Yes

Driveway type driveway permitted per dominant streetscape character Table 140B	Character Group B Single driveway permitted Double driveway not permitted unless it is the dominant character	A double-wide driveway is proposed	No
Maximum Width of a Double-wide driveway Table 139(3)(v)	For a lot of 15-18 metres: 5.5 metres <i>May not be more than 50% of yard</i>	5.5 metres	Yes
Driveway Location Section 139	Must not be located in front of the dwelling (except where in front of permitted garage) Must be separated from interior side lot line by minimum 0.15 metres Must be separated from walkways connecting to the street by 0.6 m	Located only in front of proposed garage. TBC setback between garage and walkway <1.2 m setback between driveway and interior side lot line	Yes
Relationship between garage and front door Section 140	Garage face set back maximum 0.6 m from leading edge of front steps Principal entrance set back maximum 0.6 m from garage face	The garage is set back 0.6 metres from the edge of the front porch.	Yes
Maximum Building Cantilever over a parking space Section 140(7)(c)	1.8 metres	Cantilevered portion of building projects over driveway only	Yes

3.2.1 Required Zoning Relief

Required Balcony Screening

Section 65 requires that where a deck or balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line. The intent of this provision is to provide privacy for the abutting lot. In this case there is no abutting residential lot as the subject site abuts NCC greenspace to the north, therefore there is no concern regarding privacy.

Driveway type driveway permitted per dominant streetscape character

As per the Streetscape character Analysis, Double-wide driveways are not part of the streetscape character. Therefore, a minor variance is required to permit a double-wise driveway on the subject property. Section 140 does not specify whether single- or double-garage width is permitted, however, the width of the driveway dictates the permitted width of the garage, so a variance to permit a 5.5 m wide driveway would permit a double-garage.

Minor Variance Application – The Four Tests

It is our professional opinion that the proposed development constitutes good planning and meets the four (4) tests outlined in the Planning Act as discussed below.

4.1 Does the Variance Maintain the General Intent and Purpose of the Official Plan?

The Official Plan designates the subject property as Neighbourhood in the Inner Urban Transect, which seeks to respect the existing character of its context, while supporting residential development of an urban built form. As outlined in Policy (1) of Section 5.2.4 of the Official Plan, Neighbourhoods within walking distance to corridors are poised to accommodate residential growth, per the Growth Management Framework of the Plan. Subsection (d) goes on to detail that built form requirements for development within the Neighbourhood designation emphasize the importance of framing the street rather than focusing on lot configuration. The policies highlight the desire for growth and a shifting of importance towards a more urban built form rather than limiting design styles through prescriptive zoning performance standard metrics.

The proposed developments and required Minor Variance application maintains the intent of the applicable Official Plan policies, specifically relating to the compatibility of the design and built form in compliance with the objectives of the Plan. Section 4.6.6(6) directs low-rise buildings to respond to the context of transect and designation policies, specifically through the inclusion of soft landscaping and front porches – both of which are emphasized in the proposed front-yard conditions. Additionally, the policies speak to complementing the existing context through architecturally-integrated design. The proposed development and Minor Variances sought as a result, provide for a complementary design to that of the Champlain Park neighbourhood. The design and character established by the proposed Minor Variances does not result in any adverse impacts on the existing context of the neighbourhood.

Policies for the Inner Urban Transect and Neighbourhood Designation direct that development should not increase the number or width of private approaches.

The urban design policies speak to the importance of soft landscaping for low-rise buildings, and the importance of maintaining and enhancing an urban tree canopy. These features support an attractive streetscape, and are also important for managing stormwater, mitigating the urban heat island, and enhancing health.

The requested Minor Variances do not alter the permitted built form reflecting the new surrounding development, minimizing adverse impacts on old-character homes on the street. The proposal provides for an appropriate interface with the public realm, including features such as soft landscaping and primary entrances at grade. The intent and purpose of the Official Plan is maintained as a result of the proposed variances on the subject property.

4.2 Does the Variance Maintain the General Intent and Purpose of the Zoning By-law?

The intent of the R2 zone is to restrict the built form to detached and semi-detached dwellings and to regulate development in a manner that is compatible with existing land use patterns. The requested variances will permit a detached dwelling that is consistent with existing pattern of development of the neighbourhood.

The Zoning By-law contains detailed regulations relating to the design of front yards and front facades, particularly in relation to driveways, garages and parking. In particular, Section 140 and the Streetscape Character Analysis is intended to ensure that new development demonstrates good urban design and does not increase the dominance of the automobile relative to existing character of the area. Front-facing garages and associated driveways are permitted.

While the proposed development seeks relief from one provision of the Streetscape Character Analysis, the proposed design meets the intent and purpose of the Zoning By-law by:

- / **Maximizing the total area of soft landscaping in the front yard. 57 percent of the front yard area is provided as contiguous soft landscaped area, including grass, gardens, trees and shrubs.**
- / **Narrowing the driveway to 3 metres at the street to maximize the area of soft landscaping. The proposed driveway narrows from 5.5 metres to 3 metres at the road ROW to minimize the effect of the driveway on the streetscape character, which is characterized by single-wide driveways.**
- / **The livable floor area on the ground floor will not be altered by the proposed variance. The proposed design maintains livable floor area positioned towards the street. The driveway width does not affect the area of livable floor area adjacent to the street, if the driveway was single width, the internal floor plans would not be altered.**

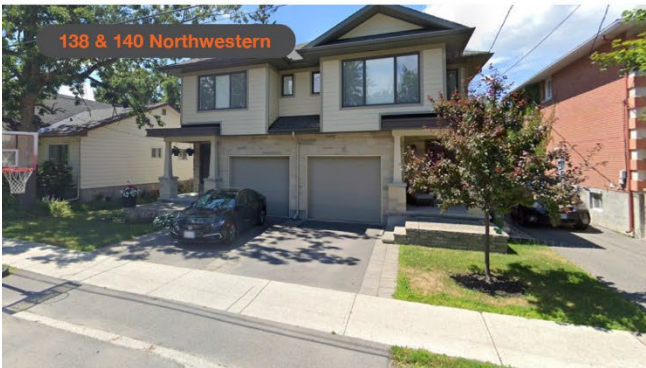
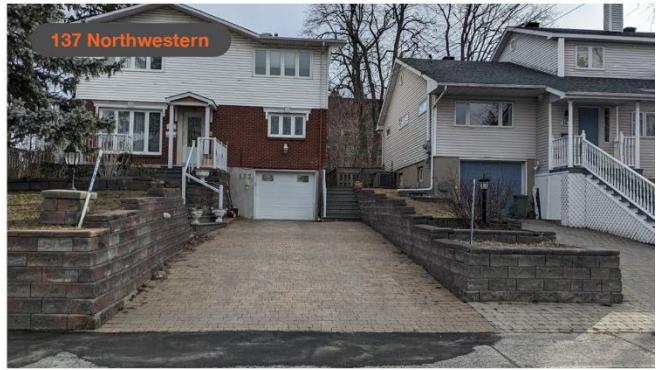
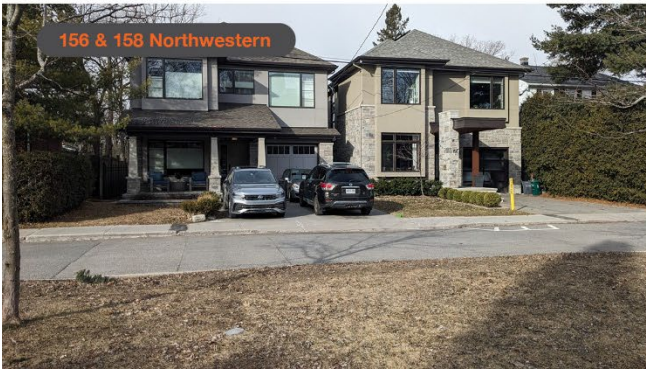
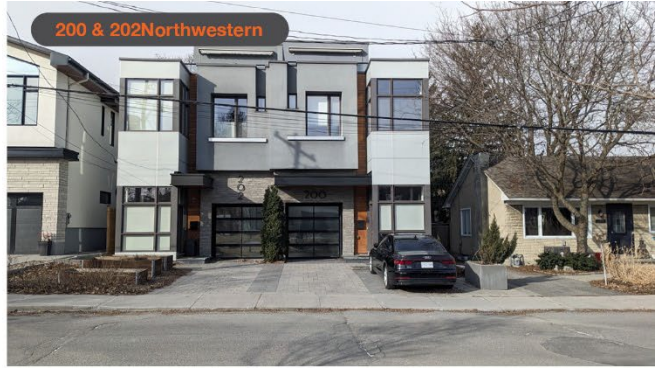
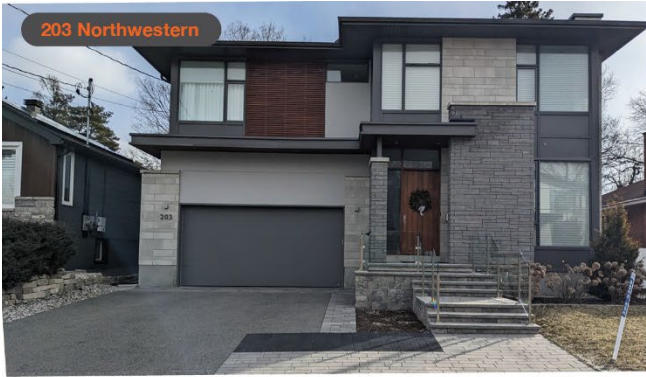
The requested variance removing the requirement for a 1.5 metre screen on the balcony facing the north interior side lot line meets the intent of the zoning By-law. The intent of this provision is to provide a level of privacy to abutting residential dwellings. In this case the balcony abuts the adjacent NCC Greenspace so there are no concerns regarding privacy for adjacent residential properties.

4.3 Are the Variances Minor in Nature?

The intent of the Streetscape Character Analysis is to ensure that new development respects the existing streetscape pattern and character of the neighbourhood and ensure that that new development demonstrates good urban design that maintains the existing character of the neighbourhood.

It is intended to ensure that development does not overly emphasises an attached garage such as a “snout garage” to the detriment of the overall design of the house and the streetscape. The intent is not to prohibit front-facing garages but to ensure that they are compatible with the existing streetscape pattern present along the immediate streetscape. The dominant character of the street is front facing garage, single-wide driveway and main entrances that front the street. As the street is already characterized by front facing garages and includes several double-wide driveways, the proposed double wide driveway is appropriate and fits into the character of the street.

While, the proposed double-wide driveway does not meet the technical requirements of the dominant character, it is similar to the existing semi-detached driveways along Northwestern Avenue that while technically aren’t double-wide driveways, appear and function like double-wide driveways. To further reduce the visual impact of the driveway from the street, the double-wide driveway will narrow to a single-wide profile at the street edge, so as to enhance the existing pattern of driveways along Northwestern Avenue.



The proposed design also seeks to maximize the soft landscaping and permeability of the site. The driveway will also not be constructed with asphalt or concrete and will be instead made of permeable pavers to improve the rainwater permeability of the site. Over 50% of the front yard will be soft landscaped.

The proposed variances sought through this application facilitate the efficient use of the subject property and permit a compatible built form, without resulting in any significant impacts on the existing and planned character of the neighbourhood. The design of the front façade and landscaped front yard emphasise the importance of the at-grade living space and the principal entrance at grade. The garage does not protrude in front of the living space and is set back from both the at grade living space and the second storey. Therefore, the proposed variance is minor in nature.

The requested variance related to the balcony screening will have no negative impact, as it is not adjacent to any private amenity area and the existing vegetation in the adjacent environmental protection zone completely obscures views from or of the balcony from publicly-accessible parks/amenity area.

4.4 Are the Variances Desirable for the Appropriate Development or Use of the Land?

The requested variances facilitate the functionality of a new detached dwelling on an existing lot in a manner that is desirable for the use of the lands. The proposed development does not detract from the neighbourhood character or the experience of the street from the public realm. The proposed design allows for a positive relationship between the public realm and the front façade of the building with a front facing door and windows. The design also permits a large portion of the front yard to be softly landscaped. The design choices subject to the Minor Variances present a desirable built form that are appropriate for the use of the land.

The proposed Variances do not negatively impact the streetscape, maintain, and exceed landscaping requirements, and provide good urban design that supports the existing character of the area where both single and double-wide driveways are present. Therefore, the proposed variances are appropriate for the development and use of the lands.