



Committee of Adjustment

Received | Reçu le

2024-03-08

City of Ottawa | Ville d'Ottawa

Comité de dérogation

March 7, 2024

Mr. Michel Bellemare
Secretary Treasurer
Committee of Adjustment
101 Centrepointe Drive
Ottawa, Ontario
K2G 5K7

**RE: Applications for Consent and Minor Variance
1598 Prince of Wales Drive
PT LT 17, PL 455, PART 1 & 2 , 5R13964 ; S/T CR569104,CR584624 OTTAWA/NEPEAN
City of Ottawa
Owner: 1332710 ONTARIO INC.**

Dear Committee Members:

HP Urban and The Stirling Group have been retained by the Property Owner at 1598 Prince of Wales Drive in Ottawa to assist with the development of 4, two-storey detached homes. The property is rectangular in shape and resides within the River Ward (16) in Ottawa. Figure 1, below, shows the approximate boundaries of the 1413 m² property.

The subject property resides within the Neighbourhood land use designation in the Official Plan, Schedule B3 Outer Urban Transect. The property is zoned Residential First Density, subzone GG (R1GG) in the City of Ottawa Zoning By-law. Detached dwellings are a permitted use under the current zoning. To proceed, the proposed development would require minor variances to the lot area, lot width, and rear yard. Consent applications have also been submitted.



Figure 1 – 1598 Prince of Wales Drive; subject property outlined in Red.



Figure 2 – View looking West at the subject site from Prince of Wales Drive.

SITE LOCATION

The subject property is located on Prince of Wales Drive, South of Normandy Crescent, and North of Falaise Road. It is bound by residential properties to the east and the Rideau River. The civic address is 1598 Prince of Wales Drive and the legal description is PT LT 17, PL 455, PART 1 & 2 , 5R13964 ; S/T CR569104,CR584624 OTTAWA/NEPEAN.

As seen in Figure 1, the other surrounding land uses predominantly consist of residential.

APPLICATION OVERVIEW

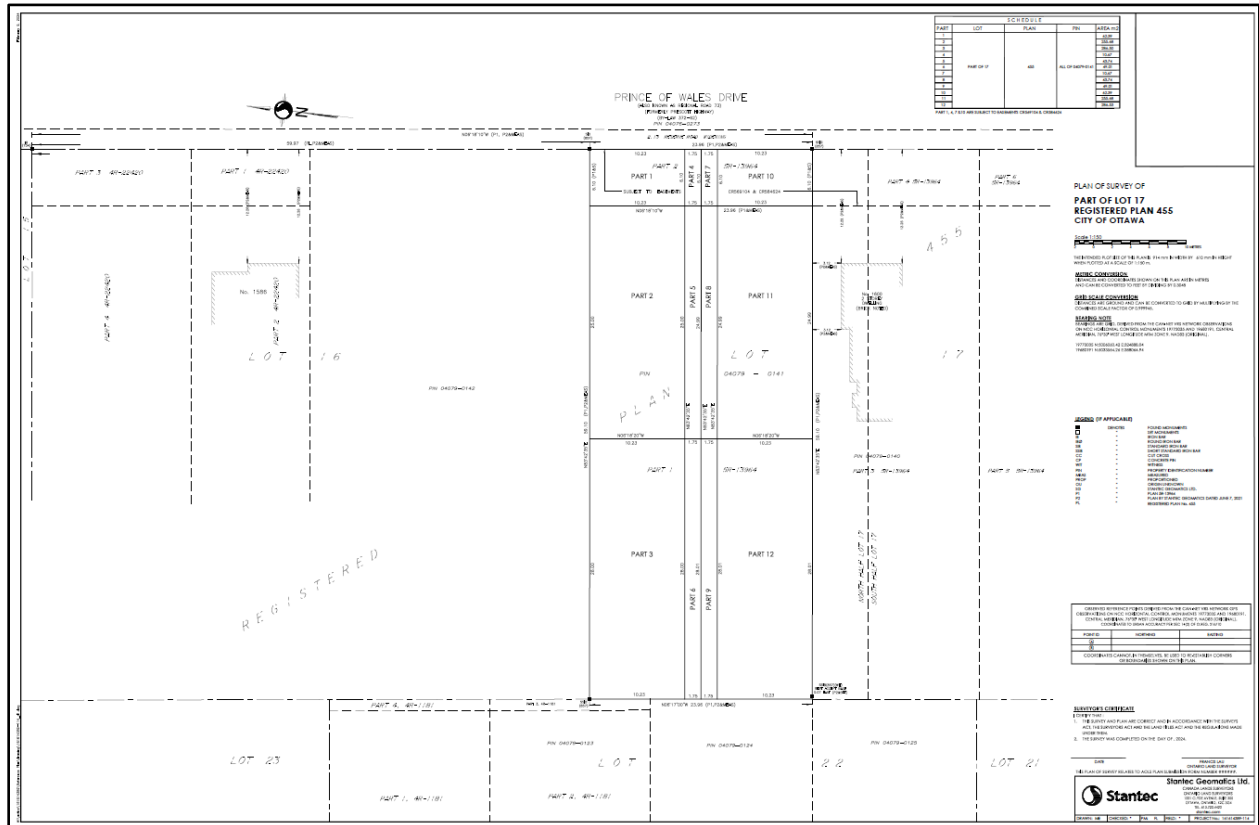


Figure 3 – Draft Reference Plan

As shown in Figure 3 above, the property known as 1598 Prince of Wales is proposed to be severed to create the individual lots for the proposed detached dwellings. The two rear lots will be a in a flag-pole configuration.

- Lot 1 comprised of Part 10,11
- Lot 2 comprised of Part 1,2
- Lot 3 comprised of Part 7,8,9,12
- Lot 4 comprised of Part 3,4,5,6

As discussed further in this letter, minor variances are requested to proceed with the proposed development.

PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS) 2020 was issued under Section 3 of the *Planning Act* and came into effect May 1, 2020, replacing the Provincial Policy Statement issued April 30, 2014. The PPS provides policy direction on matters of Provincial interest relating to land use planning while providing for appropriate development that protects resources of provincial interest, public health and safety and the quality of the natural and built environment.

Section 1.0 speaks to efficient land use and development patterns to support sustainability through the promotion of strong, liveable, healthy, and resilient communities.

- *The proposed severances and minor variance adhere to this policy as it will add four new lots creating an increase in value to the land and to the community while maintaining compatibility with its surrounding area.*

Section 1.1 speaks about managing and directing land use to achieve efficient and resilient development.

- *The subject site is located within a built-up community with the proposed severances offering opportunities for four additional lots for the purpose of housing. This promotes the sustainability of these communities without affecting settlement area boundaries or the surrounding environment.*

Section 1.6 speaks about infrastructure and public service facilities.

- *The proposed units will require services through the existing City infrastructure already in place. This makes good use of existing services that have the capacity to support these new lots.*

Section 2.2 speaks to Water, *with no water resources identified on the subject property.*

Section 2.3 speaks to Agriculture, *with no identified agricultural resources or prime agricultural areas identified the subject property.*

Section 2.4 speaks to Minerals and Petroleum, *with no identified resources found on the subject property* while **Section 2.5** speaks to Mineral Aggregate Resources, *with no identified resources found on the subject property.*

Section 3.0 of the PPS speaks to Protecting Public Health and Safety

- *The subject site does not contain any identified natural hazards or known man-made hazards and there have been no documented sources of contamination on the property.*

As shown above, the proposed consent applications align with the Provincial Policy Statement (2020).

CITY OF OTTAWA OFFICIAL PLAN, 2022

The Official Plan sets forth broad policies that will help govern growth and change in Ottawa, as well as specific policies dependent upon land use designations. Schedule B3– Outer Urban Transect – of the Official Plan identifies the land designation for the subject property as Neighbourhood.

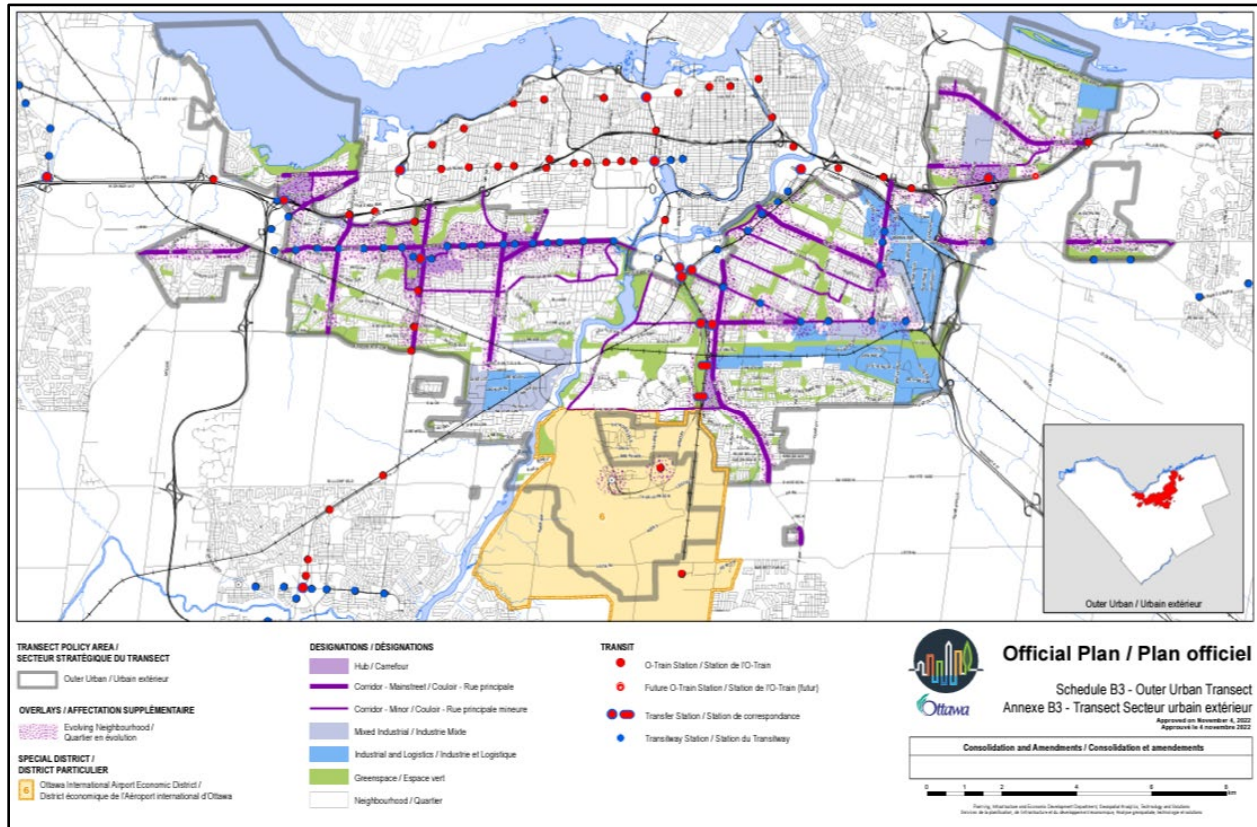


Figure 4 – City of Ottawa Official Plan (2022), Schedule B3, Outer Urban Transect

The City of Ottawa’s Growth Management Framework is set out in Section 3 of the Official Plan. It focuses on the goal of providing sufficient development opportunities to increase sustainable transportation mode shares and use of existing and planned infrastructure, while reducing greenhouse gas emissions.

The intent of the City’s Growth Management Framework is:

- To provide an appropriate range and mix of housing that considered the geographic distribution of new dwelling types and/or sizes to 2046;
- To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;

- To reduce greenhouse gas emissions in the development and building sectors and in the transportation network; and,
- To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt.

The proposed consent and minor variance applications at 1598 Prince of Wales which would allow for intensification on the subject site meets the following Growth Management Framework policies among others:

- **Policy 3 in Section 3.1** states that the urban area and villages shall be the focus of growth and development. It further states that household growth targets are 93% within the urban area with 47% of that falling within the built-up or developed urban area.
- **Policy 1 in Section 3.2** sets the target amount of dwelling growth in the urban area that is to occur through intensification at 51%, representing the proportion of new residential dwelling units
 - *The subject property falls within the Outer Urban Area of the City’s Official Plan. The proposed development utilizes a single lot to introduce four detached dwellings in the Outer Urban Area which contributes towards the City’s intensification target and helps to meet the growth targets set forth in the Official Plan.*
- **Policy 3 in Section 3.2** states that the vast majority of residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors, and adjacent Neighbourhoods.
 - *The subject property is designated Neighbourhood and the proposal seeks to provide for gentle intensification of the site.*
 - *As shown in Figure 4, above, the subject site is within close proximity to the Fisher Avenue and Meadowlands Drive Corridors.*
- **Policy 4 in Section 3.2** states that intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services.
 - *The subject site is within proximity to existing municipal infrastructure. Extensions will be required to access the site, but capacity is not a concern.*
- **Policy 8 in Section 3.2** states that intensification should occur in a variety of dwelling unit floorspace sizes to provide housing choices.
 - *The proposed development seeks to develop the subject site with four detached dwellings within a non-traditional lot fabric therefore providing more variety of housing choices for an end user.*

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

Section 6.3.1 of the Plan speaks to the function of Neighbourhoods and Policy 4) notes that “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: b) “Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);”

Section 6.3.2 1) further notes that “The Zoning By-law and approvals under the Planning Act will allow innovative buildings forms, including in the missing middle housing category, in order to strengthen, guide towards or seed conditions for 15- minute neighbourhoods. Innovative building forms include, but are not limited to... development of a single lot or a consolidation of lots to produce missing middle housing;”

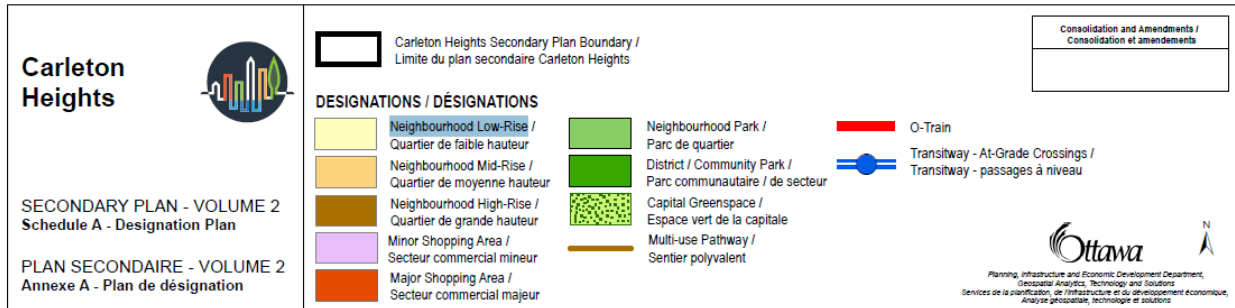
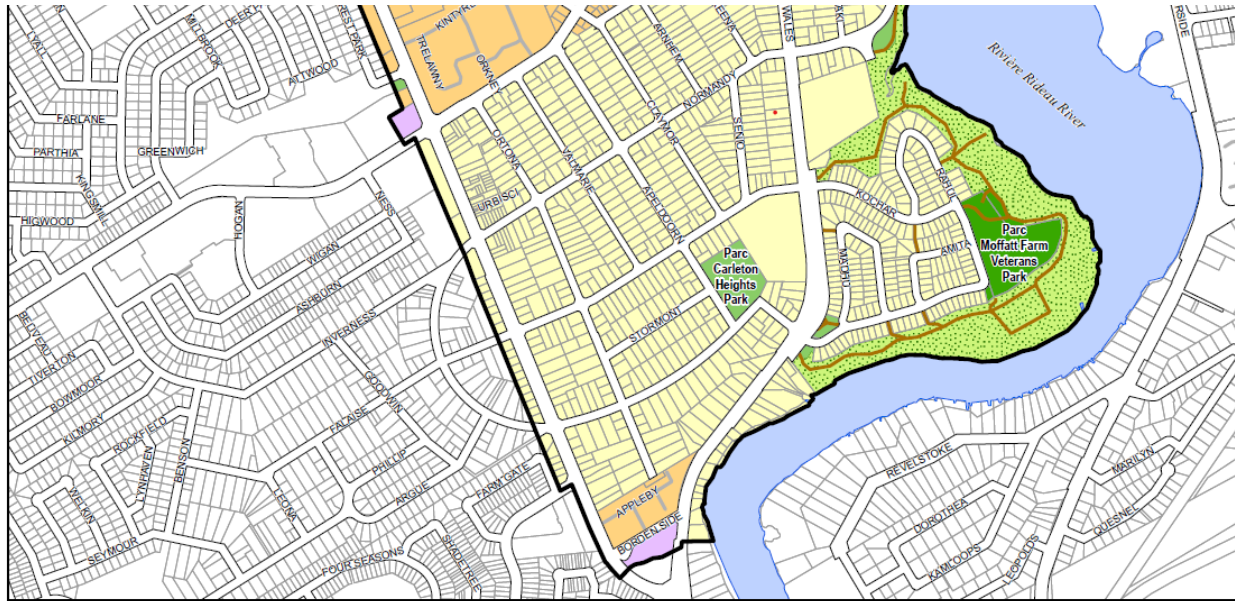
- *As noted on the cover page, if approved, these applications would allow for the creation of missing middle housing units with innovative building forms through the development of a single lot in to four lots.*

Section 11.5 (Title: Provide direction to Committee of Adjustment processes) gives guidance on lot size and fabric when it indicates that in support of the Outer Urban Transect Policies that encourage development applications that provide for a low-rise built form, generally permitting 3 storeys, the Committee of Adjustment shall consider for applications for Consent with lot patterns and dimensions that result in intensification in support of ground oriented medium density residential that is consistent with the planned context.

The proposed development is low rise ground-oriented intensification and is appropriate in the planned context. The proposal lot area variances do not compromise key zoning standards such as front or rear yard setback and the lot fabric while different has long standing examples of a similar lot pattern in the surrounding neighbourhood.

CARLETON HEIGHTS SECONDARY PLAN, 2022

Schedule A - Designation Plan of the Carleton Heights Secondary Plan designates 1598 Prince of Wales as Neighbourhood Low-Rise.



The Neighbourhood Low-Rise designation generally permits a built form of four storeys and will predominately feature single-detached and semi-detached dwellings. The secondary plan also imposes development standard to prevent creating further demands on existing stormwater management facilities.

The Secondary Plan indicates that no new driveways are permitted regardless of the number of units proposed, no existing driveways or private approaches may be widened and that all new development or redevelopment that reinstates an existing driveway, and any new surface parking spaces created on-site, are required to observe the maximum driveway width and parking space dimensions prescribed in the Zoning By-law.

The proposed development meets the policy framework provided in the Secondary Plan. The proposed development is single detached consistent with the Policy and the reinstated driveway and associated parking space dimensions meet the requirements of the zoning bylaw.

Policy Conclusion

In the Outer Urban Transect section of the Official Plan Section 5.3.1 states that the established pattern of built form and site design is suburban as described in Table 8. It is expected that over time these lots will evolve towards an urban (15-minute) model as outlined in Table 8. The table expects that this evolution will replace the existing detached housing with higher-density ground-oriented housing.

Section 11.5 allows the Committee to consider alternative lot fabrics that allow for intensification while maintaining the essential community context. Which in this case is low rise detached typology.

Taken in totality the proposed severances and minor variances comply with and are strongly supported by the policies found within the City of Ottawa Official Plan (2022) and the direction provided to the Committee in the Plan in Section 11.5.

CITY OF OTTAWA ZONING BY-LAW, 2008-250

The Zoning By-Law sets forth specific policies that will help govern growth and change in Ottawa dependent upon specific land designations. As noted above, the subject site is zoned Residential First Density, subzone GG (R1GG).

Section 155 outlines the permitted uses within the R1 Zone as follows:

- bed and breakfast
- *detached dwelling*
- diplomatic mission
- group home
- home-based business
- home-based daycare
- park
- retirement home, converted
- additional dwelling
- urban agriculture

The below tables outline how this proposed development meets the R1GG zoning provisions as provided in Table 156A and illustrated on the attached site plan. It further denotes which Lots require minor variances and for which provision – shown in **RED**.

R1GG Provisions – Detached Dwelling	Required	Lot 1	Lot 2	Lot 3	Lot 4
Minimum Lot Width	18m	10.23	10.23	1.75	1.75
Minimum Lot Area	665 m ²	318.07	318.07	389.92	389.95

Building Height	8m	7.281	7.281	7.281	7.281
Minimum Front Yard	6m	6.7	6.7	N/A	N/A
Minimum Rear Yard	30% of lot depth	Require 9.33 Provided 9.7	Require 9.33 Provided 9.7	Require 17.73 Provided 8.8	Require 17.73 Provided 8.8
Minimum Interior Side Yard	1.2m	1.25	1.25	1.25	1.25
Minimum Corner Side Yard	4.5m	N/A	N/A	N/A	N/A

As shown above, the proposed development complies with most of the R1GG Zoning provisions, but a minor variance is required for the minimum lot area, minimum lot width and minimum rear yard provisions on two of the newly proposed lots. The current zoning bylaw was implemented in 2008 and is 16 years old. A new zoning bylaw is currently under construction but in the interim the Committee of Adjustment is the most cost-effective route to modify the existing zoning to conform to the policy direction of the Official Plan.

These proposed variances are functions of the unique characteristics of the proposed lot fabric. The principles of the streetscape are not compromised with the lot widths as the view to the street will present 2 single family homes with a shared driveway. Lot areas are smaller but consistent with infill principles of the official plan and still provide generous outdoor amenity spaces.

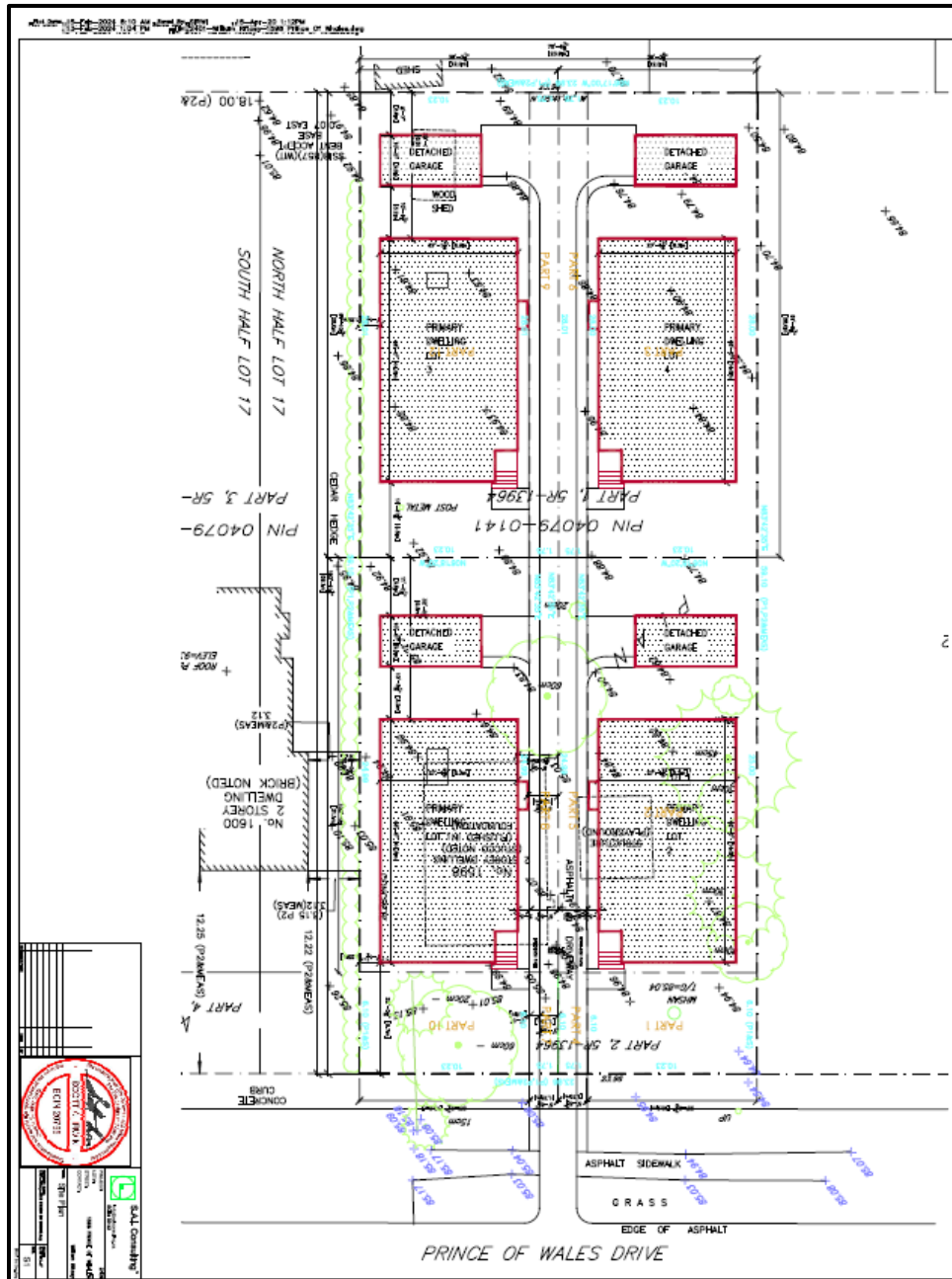


Figure 5

Proposed Site Plan, 1598 Prince of Wales

COMMUNITY CONTEXT



Figure 6 – View looking East on Prince of Wales Drive, directly across the street from the Subject Property. Carillon Co-op Housing consists of 54 units.





Figure 7,8 – detached dwellings flank either side of the Subject property. 1590 Prince of Wales and 1600 Prince of Wales shown, respectively.

Throughout the Community, there are many examples of non-traditional lot fabrics such as what is proposed at 1598 Prince of Wales Drive. Just northwest of the subject property, at 1509 Skeena Avenue and 1509B Skeena Avenue, the property has been severed into a flag lot configuration with two detached dwellings on the property. Figure 9, below, shows an overhead view of these properties.



Figure 9 – 1509, 1509B Skeena Avenue shown severed in a flag-lot configuration.

North of the subject property, the properties previously known as 890 / 892 Greenbriar Avenue have been developed with 18 two-storey townhomes. An overhead view is shown below in Figure 10. This continues to illustrate that nontraditional or atypical lot patterns can be found in this Community.

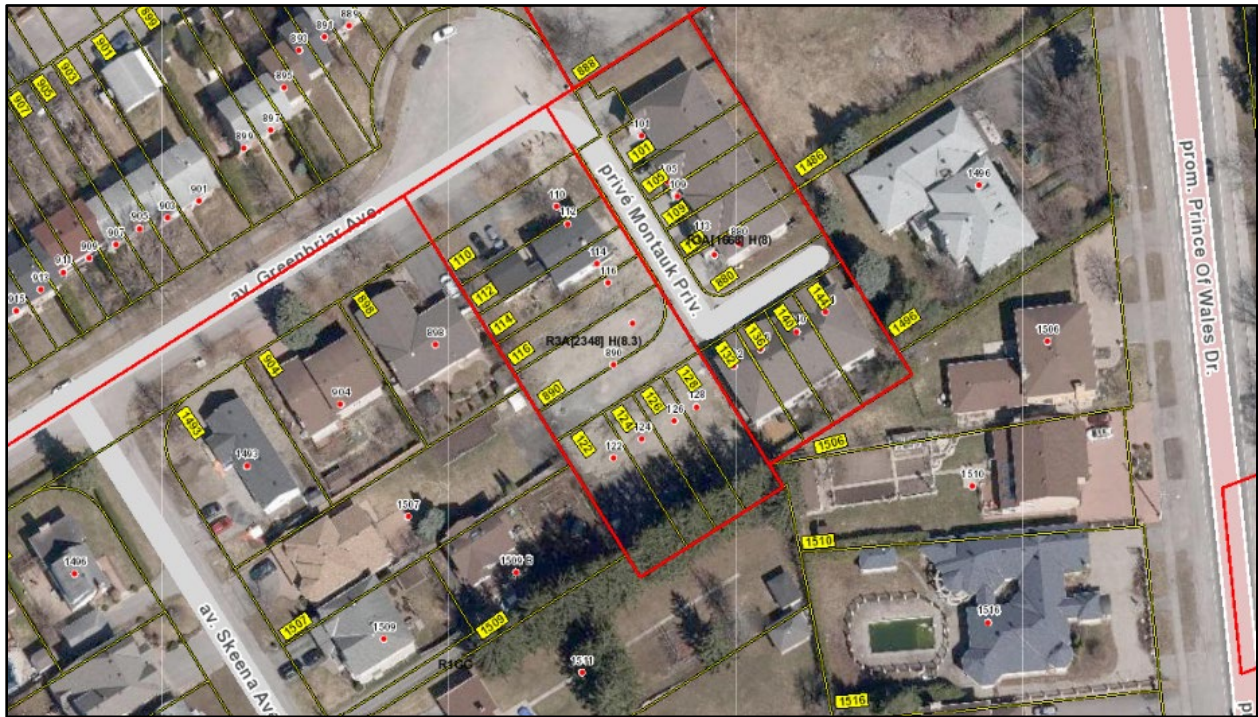


Figure 10 – 890, 892 Greenbriar developed as 18 two-storey townhomes.

Finally, Northeast of the subject site, 821 and 823 Nesbitt Place have been severed into a flag-lot configuration. Figure 11, below, shows an overhead image of this property.

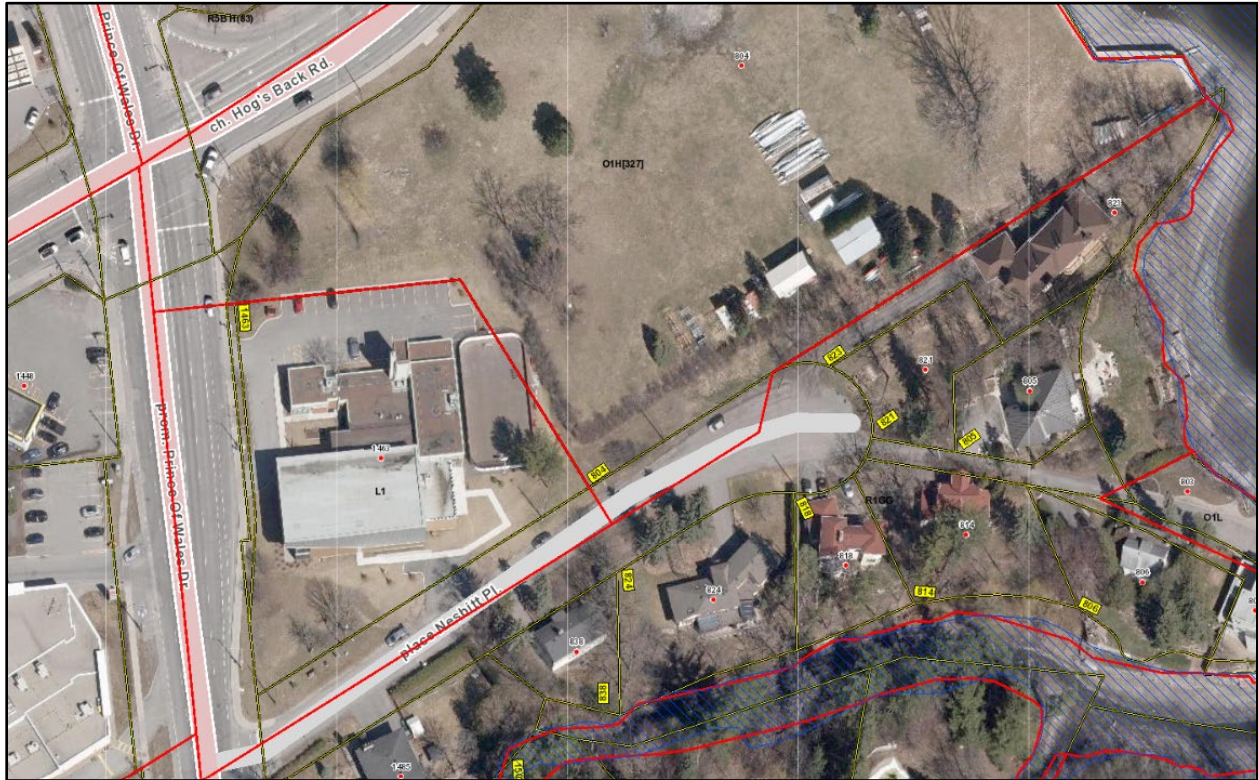


Figure 11 – 821,823 Nesbitt Place has been severed into a flag-lot configuration.

DISCUSSION

As outlined in the policy section the Outer Urban Transect Neighbourhood designation according to Table 8 - Suburban Built Form and Land-use Characteristics is expected, over time, to transition away from large lot detached housing with that housing to be replaced with higher-density ground-oriented housing.

The challenge is how to achieve the intensification policy goals of the Official Plan and still maintain the streetscape and the low-rise nature of the community which have nonstandard deep lots such as 1598 Prince of Wales.

Rezoning to permit expanded building typologies such as low-rise apartment buildings or townhouses is an expensive and time-consuming exercise, that, in the case 1598 Prince of Wales, would result in the need for density beyond low rise to maintain the development economics.

The fastest way to move this property to cost effective construction is maintain the low-rise nature of the community while taking advantage the lot depth to add gentle density to the neighbourhood.

In the case of 1598 Prince of Wales, the current zoning, after taking into account the required setbacks for the R1GG zone would allow a building to achieve a 50% lot coverage. The proposed lot fabric and proposed development represents a 45.5% lot coverage with generous spaces between buildings which reduces massing impacts. This proposal increases density while reducing lot coverage demonstrating that the gentle density can be accommodated without over developing the site.

While it is true that the lot fabric proposed is different it is not unique in the community and the Official Plan Implementation Section 11 gives the Committee of Adjustment clear direction to consider applications for Consent with lot patterns and dimensions that result in intensification in support of ground-oriented housing that is consistent with the planned context.

Earlier in this letter 1509 Skeena Avenue and 1509B Skeena Avenue were shown examples of a long-standing lot fabric (established in 2002) that are almost the same as what is proposed for 1598 Prince of Wales. 1509 Skeena is less than 400m from 1598 Prince of Wales and in the R1GG zone. Other examples similar lot fabric exists on Nesbitt Place, 450m from 1598 Prince of Wales.

While not widespread the proposal lot fabric for 1598 Prince of Wales is not unique in the community and more importantly the lot fabric allows for the low rise, ground orient gentle density that the Official Plan calls for in the Outer Urban Transect.

The proposed lot fabric share a single driveway access thus allowing more of the lot to be allocated to setbacks and amenity space. This shared access allows for smaller lots without compromising functioning green and amenity spaces. The front lots maintain the 6-metre setback from Prince of Wales and the rear buildings are 4.5m from the rear property line of the front lots and 14.2m from the back of the front unit.

These distances ensure that for the front lots the front yard setback is as required by the R1GG zone and the rear buildings have large separation distances from the front buildings and the rear property line giving ample amenity space for the planting of new trees that will be large trees at maturity as shown on the tree planting plan provided with this application.

Other examples in the community also show that smaller lot sizes, such as the ones proposed, that can function and do not impact the streetscape or the planning context.



845 Melfa Crescent and 1561 Minaki Avenue have lots similar to the proposed lot fabric at 1598 Prince of Wales. 845 Melfa is 346.25m² and 1561 Minaki Crescent is 339.47 m² in size. These compare favourably with the 318m² and 389m² proposed for 1598 Prince of Wales.

It is important to note that although size does matter it is the lot size relative to the building context that provides the planning context. The proposed buildings are 2 storey low

rise ground oriented and only 7.28 metres in height presenting to the street as a standard normal single family redevelopment.

SUMMARY

The Official Plan directs the Committee to consider alternative lotting patterns that will meet the Plan’s intensification goals. Both the Official Plan and the Secondary Plan require intensification and strongly encourage higher density ground-oriented housing.

The proposed lot fabric and housing is low rise and ground oriented and continues the low-rise streetscape along Prince of Wales Drive. The proposal is not unique to the community – lot fabric and lot size examples exists in the surrounding community and are well accepted into the community fabric.

As shown in the Community Context portion of this Letter, the proposed development of detached dwellings by way of flag-lot configurations continues with the existing streetscape of the Neighbourhood.

While different the requested variances and lot fabric are consistent with the policy intent of the official plan and are similar to other lots and lot fabric in the surrounding neighbourhood as the examples have demonstrated.

Planning Act Section 51 – Part 25 Compliance

Provision	Applicability	Application Compliance
(a) The effect of the development of the proposed subdivision on matters of provincial interest as referred to in section 2.	Yes	The Provincial Policy Statement (PPS) provides direction on matters of provincial interest on land use planning which local planning decisions must be consistent with. The policies of the PPS focus growth within settlement areas with lands uses managed to accommodate a full range of current and future needs taking advantage of existing infrastructure. The proposed consent conforms to the overall objectives and intent of the PPS and supports one of its main tenets, specifically Section 1.1.3.6: New development taking place in designated growth areas should occur adjacent to the built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

(b) Whether the proposed subdivision is premature or in the public interest;	Yes	The subject lands are zoned for the development. The consent is therefore in the public interest as it allows for the development of much needed large family style housing.
(c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	Yes	The parcels conform to both the appropriate OP and Secondary Plan policies.
(d) The suitability of the land for the purposes for which it is to be subdivided;	Yes	The consent application is meant to facilitate the creation of 3 new lots that will allow the construction of 4 new buildings. Any development that occurs will adhere to City zoning and building regulations.
(e) If any affordable housing is being proposed the suitability of the proposed units for affordable housing;	No	
(f) The number, width, location and proposed grades and elevations of highways and the adequacy of them, and the highways linking the highways in the proposing subdivision with the established highway system in the vicinity and the adequacy of them;	No	
(g) The dimensions and shapes of the proposed lots;	Yes	The retained parcel is of an appropriate size to continue to function in the same manner as it does today. The severed parcel is of a size and dimension that is an appropriate in the context of the streetscape as

demonstrated in this Planning Letter.	
(h) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on the adjoining land;	No
(i) Conservation of natural resources and flood control;	No
(j) The adequacy of utilities and municipal services;	No
(k) The adequacy of school sites;	No
(l) The area of land, if any, within the proposed subdivision that, exclusive of highways is to be conveyed or dedicated for public purposes;	No
(m) The extent to which the plan's design optimized the available supply, means of supplying, efficient use and conservation of energy; and	No
(n) 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 designed under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31(2); 2006, c. 23, s. 22 (3,4); 2016, c. 25, Sched. 4, s. 8 (2).	No

FOUR TESTS

Based on the rationale provided, the proposed variance meets the four tests of a minor variance as described in Section 45 of the Planning Act.

1. The variance is minor.

The requested variances adjust the zoning bylaw to conform to the official plan and as such those adjustments are minor and replicate other similar situations in the surrounding neighbourhood.

2. The variance is desirable for the appropriate development or use of the property.

The requested variances are appropriate so that sensitive infill development can be constructed.

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

Singles are a permitted use in the R1GG zone. As shown in the Community Context section above, several other examples of similar lot fabrics and lot sizes within the local R1GG zone and as such it is clear, by way of existing example that the general intent and the regulatory purpose of the zoning bylaw is maintained.

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

The site is designated Neighbourhood and as such the proposed intensification and new construction is consistent with the strategic direction of the Official Plan.

SUMMARY

The applicant is seeking a consent to create 3 new lots and appropriate minor variances to implement the proposed lot fabric and rental housing construction.

The proposed severances are consistent with the policies in the 2020 Provincial Policy Statement, the City of Ottawa Official Plan and the Secondary Plan.

Please contact us if you require any additional information.

Peter Hume
HP Urban Inc.

Alison Clarke
The Stirling Group