



20 March 2024
Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON K2G 5K7

RE: Application for Minor Variance for 72 Armstrong Str., Ottawa

Committee of Adjustment
Received | Reçu le
2024-03-20
City of Ottawa | Ville d'Ottawa
Comité de dérogation

To whom it may concern:

On March 3, 2023, Ignite Architecture held a Pre-Application Consultation Meeting with the City of Ottawa. Feedback from the city suggested seeking Minor Variances instead of a Zoning By-law Amendment, considering the building's existing construction and its eligibility for legal nonconforming rights relief. This application responds to the city's feedback, providing the necessary motivation for the Minor Variances required.

Previously, low-rise developments exceeding three units necessitated a Site Plan Control Application, but recent by-law changes have removed this requirement. However, low-rise development requirements still exceed those for smaller residential developments and minor variance applications.

Aligned with the Provincial Policy Statement, the proposal supports intensification through the expansion or conversion of existing buildings. Recognizing the building's current underutilization, the proposed design offers an opportunity for small-scale intensification with minimal alterations to the existing structure. Section 4.2 of the Official Plan encourages a greater number of units within the permitted built form envelope, promoting housing diversity.

We are seeking five minor variances as per below to convert the existing 3-unit apartment building into a 5-unit apartment building.

Minor Variance Applications:

A. To permit a reduced rear yard setback of 7.592m whereas the by-law requires a setback of 8.31m.

1. Is the Application Minor in Nature?

The requested variance is minor, representing a 250mm reduction from the required setback on the East side of the Lot and a 150mm reduction from the required setback on the West side of the Lot. It specifically pertains to the interior side yard and does not entail significant changes to the overall structure or land use. The proposed setback does not interfere with other functional requirements such as garbage movement pathways, or egress routes and therefore does not prohibit general use of the building or site and can be assessed as minor in nature.

2. Is it desirable for the appropriate development or use of the land?

The proposed setback is desirable for the for the appropriate development as it maintains the functionality of building code requirements, such as egress, spatial separations, fire-ratings, etc, without incurring substantial structural modifications. As such, this allows for a soft conversion from a tri-plex to a 5-unit low-rise apartment building without making significant modifications to building modifications. Small-scale intensification with minimal change is further supported in the Scott Street Secondary Plan. Therefore, maintaining the existing building structure is the most appropriate development of an under used building that houses room for expansion, promoting growth of the missing middle housing option. Allowing a setback of 1.25m on the East side of the Lot and 1.35m on the West side of the Lot is desirable, enabling efficient land use while maintaining a reasonable distance from neighboring properties.

3. Is it in keeping with the general intent and purpose of the Zoning By-law?

The general intent and purpose of the R4-UD bylaw is to permit a densification of dwelling units, to allow for neighbourhood expansion, the proposed setback provides maintains a functional building which facilitates this type of development. The building placement provides for side yard widths that comply with spatial separations, ensuring a reasonable separation between both the property line and neighbouring structures.

4. Is it in keeping with the general intent and purpose of the Official Plan?

The variance supports the objectives of the Official Plan, promoting efficient land use, fostering neighborhood harmony, and accommodating reasonable development within the urban fabric. Additionally, it contributes to a diverse supply of residential units, meeting the community's varied needs. The proposal aligns with the Official Plan's Growth Management Plan by supporting soft intensification through the conversion of an under-used residential occupancy, thereby increasing the net total of residential units.

B. To permit a reduced interior side yard setback of 1.25m (East) and 1.35m (West), whereas the by-law requires a setback of 1.5m.

1. Is the Application Minor in Nature?

The requested variance is minor, representing a 250mm reduction from the required setback on the East side of the Lot and a 150mm reduction from the required setback on the West side of the Lot. It specifically pertains to the interior side yard and does not entail significant changes to the overall structure or land use. The proposed setback does not interfere with other functional requirements such as garbage movement pathways, or egress routes and therefore does not prohibit general use of the building or site and can be assessed as minor in nature.

2. Is it desirable for the appropriate development or use of the land?

The proposed setback is desirable for the for the appropriate development as it maintains the functionality of building code requirements, such as egress, spatial separations, fire-ratings, etc, without incurring substantial structural modifications. As such, this allows for a soft conversion from a tri-plex to a 5-unit low-rise apartment building without making significant modifications to building modifications. Small-scale intensification with minimal change is further supported in the Scott Street Secondary Plan. Therefore, maintaining the existing building structure is the most appropriate development of an under used building that houses room for expansion, promoting growth of the missing middle housing option. Allowing a setback of 1.25m on the

East side of the Lot and 1.35m on the West side of the Lot is desirable, enabling efficient land use while maintaining a reasonable distance from neighboring properties.

3. Is it in keeping with the general intent and purpose of the Zoning By-law?

The general intent and purpose of the R4-UD bylaw is to permit a densification of dwelling units, to allow for neighbourhood expansion, the proposed setback provides maintains a functional building which facilitates this type of development. The building placement provides for side yard widths that comply with spatial separations, ensuring a reasonable separation between both the property line and neighbouring structures.

4. Is it in keeping with the general intent and purpose of the Official Plan?

The variance supports the objectives of the Official Plan, promoting efficient land use, fostering neighborhood harmony, and accommodating reasonable development within the urban fabric. Additionally, it contributes to a diverse supply of residential units, meeting the community's varied needs. The proposal aligns with the Official Plan's Growth Management Plan by supporting soft intensification through the conversion of an under-used residential occupancy, thereby increasing the net total of residential units.

C. To permit a building height of 10.89m whereas the by-law requires a building height of 10.0m

1. Is the Application Minor in Nature?

This application can be considered minor in nature as there is no proposed change to the height of the building. The existing height fits in with the general context of the neighbourhood and is not considered extraordinary or out of character of the planning context. Within the Scott Street Secondary Plan, building heights are indicated to be up to 3 stories. The proposed development is compliant with this policy. The additional height represents 1/3 of a storey which is allocated in ceiling heights, evenly distributed throughout the building. This was a maximum height generated on a previous allowance of 11m for three-unit buildings.

2. Is it desirable for the appropriate development or use of the land?

The proposed building height is desirable and appropriate for the development as it represents small-scale intensification. The building as-built can accommodate the proposed intensification without modification of the overall structural makeup. To achieve a building height of under 10m, intense structural modifications would be required and would affect the entire building. This would be undesirable for the development as it deviates from soft intensification. This would represent a missed opportunity to provide adequate housing within an existing building context. Also, an unnecessary waste of existing adequate building materials and assemblies.

3. Is it in keeping with the general intent and purpose of the Zoning By-law?

The R4-UD permits an arrangement of building residential building types with heights ranging from 10m to 14.5m, therefore a building with a height of 10.89m keeps with the general intent and purpose of the By-law. The building height is consistent with similar building types within the prescribed zone.

4. Is it in keeping with the general intent and purpose of the Official Plan?

There is a focus within the Official Plan's Growth Management Plan supporting soft intensification. This is further amplified within the Scott Street Secondary Plan. Given that the height condition is an existing condition, it would be more appropriate to prioritize soft

intensification when proposing a conversion which proposed no exterior changes. The proposed development aligns with housing targets outlined within the official plan by contributing to the supply of middle housing. Particularly where an opportunity exists to utilize existing housing stocks to accommodate such growth.

D. To permit a front façade with 18.8% windows whereas the by-law requires 25% windows.

1. Is the Application Minor in Nature?

The requested variance is minor, as the existing building composition provides for a fair percentage of openings, and a small adjustment from 25% to 18.8%. The existing windows do not compromise the functionality or aesthetics of the building.

2. Is it desirable for the appropriate development or use of the land?

It is desirable for the appropriate development to maintain the existing front façade composition as it is impractical to achieve the required 25% without large structural changes or without taking design constraints into account. The existing building contributes to neighbourhood evolution by providing a modern façade which considers the existing windows. Making significant changes to the façade to accommodate an addition 6.2% of openings does not represent small scale intensification and therefore is not an appropriate method of development for the conversion of this newly constructed building.

3. Is it in keeping with the general intent and purpose of the Zoning By-law?

While a variance is required from the specific window percentage, the overall design and use of the building comply with other essential aspects of the Zoning By-law by taking advantage of the existing building form. It supports the strategy is to develop more intensively while providing minimal construction impact to the neighborhood. Furthermore, the front façade complies with the requirements of a Mature Neighborhood.

4. Is it in keeping with the general intent and purpose of the Official Plan?

The Official Plan supports housing forms with eight or more units in suitable locations. This proposal aims to demonstrate its contribution to a diverse supply of residential units, meeting the varied needs of the community. Through the conversion of an under-used residential occupancy, the proposal aligns with the Official Plan's Growth Management Plan, supporting soft intensification by increasing the net total of residential units.

E. To permit motor vehicle parking on a lot area of 411.44m² whereas the by-law requires a lot area of 450m².

1. Is the Application Minor in Nature?

The requested variance is minor in nature as it is to accommodate an existing parking space that was approved along with previous construction. The parking space provides for proper usage of the shared driveway while maintaining other site requirements, such as garbage, bicycle parking, and landscaping provisions. There will be minimal site modification required to accommodate the parking.

2. Is it desirable for the appropriate development or use of the land?

The relief is desirable as it allows for the continued use of the existing parking space, contributing to the practical and functional aspects of the Low-rise Apartment Dwelling residents

that currently use it. Given that parking is provided in the rear yard of the subject property, it is desirable for the development as it does not interfere with the requirements of a Mature Neighbourhood.

3. Is it in keeping with the general intent and purpose of the Zoning By-law?

Where vehicular parking is concerned, it is important to note that the general intent and purpose of the zoning by-law prohibits parking in the front yard, therefore permitting parking in the rear yard is keeping with this directive. Given that other rear yard provisions and the site can support property management, the inclusion of parking maintains the general intent and purpose of the zoning by-law.

4. Is it in keeping with the general intent and purpose of the Official Plan?

The variance supports the objectives of the Official Plan, promoting efficient land use, fostering neighborhood harmony, and accommodating reasonable development within the urban fabric. Within the Growth Management Framework, the policy intent is to provide a transportation network that prioritizes sustainable modes over private vehicles. This is particularly true within the urban hub of Hintonburg. Given the proximity to rapid transit, the apartment building continues to provide adequate access to transit, prioritizing a more sustainable method within a 15-minute neighbourhood. The low-rise apartment building is contributing to a diverse supply of residential dwelling units, and thus the proposed parking at the rear of the building contributes to the diverse needs of residential occupancy while keeping with the general intent and purpose of the official plan. The proposed modifications to the rear yard represent soft intensification which prioritizes greenspace, supported within the Official Plan.

Conclusion:

The proposed development for the Subject Site has met the four tests for a minor variance, and maintains the intent and purpose of the City of Ottawa's Official Plan and 2008-250 Zoning By-law. Furthermore, the requested minor variances continue to respect the lot fabric and streetscape of the neighbourhood while moving towards the City of Ottawa's mandate to intensify existing buildings rather than sprawl new development.

Should you have any questions with regards to the applications please do not hesitate to contact me.

Sincerely,

Nicole Chilton-Jones

Director / Architect, B.Arch., OAA

Tel. 613.912.1832
www.ignitearchitecture.ca
533 Landswood Way
Ottawa ON K2S 0A6