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PLANNING RATIONALE

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Date: June 19 2024

File: 040924 - 162 Anwatin

To: Michel Bellemare, Secretary Treasurer
Committee of Adjustment
City of Ottawa, 101 Centrepointe

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2024-06-19

City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: PROPOSED CONSENT APPLICATION FOR 162 ANWATIN STREET

Dear Mr. Bellemare,

Q9 Planning + Design have been retained by Glenn Webster to prepare a Planning Rationale regarding the requested consent to sever the subject lot into two lots; one new interior lot to contain a single detached dwelling and a retained lot with a single detached dwelling which will both provide frontage onto a public street. The following represents the Planning Rationale cover letter required as part of the submission requirements for an application to the Committee of Adjustment.



Figure 1: Location Plan (Source: Google Maps)

OVERVIEW

The subject site is located on a rectangular slanted lot, located on the east side of Moodie Drive and the south side of Anwatin Street in the Bells Corners East neighbourhood within Ward 8-College in the City of Ottawa. The lot is located within an established residential neighbourhood and is characterized by a fairly consistent uniform lot fabric. The surrounding lots are developed with single-family detached dwellings. The subject site is currently an unoccupied dwelling.

The proposed development is to sever the subject lot into two lots. The retained lot (Part 1) will be a corner lot with a single detached dwelling and the severed parcel (Part 2) will have a new single detached dwelling on an interior lot. In order to permit this development, a consent application will be required to establish the additional lot.

Proposed Consent Applications

The breakdown of the proposed Consent to sever application is provided below;

Part Number	Use	Lot Width	Lot Depth	Lot Area
Part 1 Retained	Single Detached Dwelling	28.65 m	23 m	702.2 m ²
Part 2 Severed	Single Detached Dwelling	21.02 m	32 m	684.1 m ²

Documents Required and Submitted

The following lists all required and submitted documents in support of the identified Committee of Adjustment applications:

- [Survey
- [Draft Reference Plan
- [Site Plan
- [Tree Information Report
- [Planning Rationale (this document)
- [Fee
- [Application Forms

SITE & CONTEXT

Site

The subject site is located on a rectangular slanted lot, located on the east side of Moodie Drive and the south side of Anwatin Street in the residential sector of the Bells Corners East neighbourhood. Currently, the subject site is a corner lot with a detached dwelling, a parking garage and a shed in the rear yard and the proposed development would sever the backyard of the corner lot to place the new development. The area immediately around the site is residential, characterized by single detached dwellings built in the latter part of the 1900s. Nearby commercial uses are located to the north of the site along Robertson Road. The proposed development would align well with the existing built form and represents a suitable and appropriate infill.

The following list provides the existing lot dimensions for 162 Anwatin Street prior to severance:

[Lot frontage: 28.65 metres

[Lot depth: 44.53 metres

[Lot area: 1397.8 m²



Figure 2: Site Map (Source: GeoOttawa)

Context

The subject site is located within a low-density residential neighbourhood (Bells Corners East) in Ward 8- College. The area is characterized by a fairly consistent character of detached dwellings. Many homes in the area are fairly consistent in scale, with most of them being one-storey bungalows. Architectural styles in the area have a mixture of different coloured brick patterns, vinyl panels and some garages at grade. Anwatin Street is a local residential road that runs from the east of Moodie Drive until the west of Sycamore Drive. The street network could be characterized as suburban surrounded by a large amount of greenery. The subject site is located within the heart of Arbeatha Park which is in turn a sub-neighbourhood of Bells Corners. Separated pedestrian sidewalks are located on the east side of Moodie Drive, however, there are no sidewalks on Anwatin Street. Using the sidewalks on Moodie Drive, the property is located within an approximate 15-minute walk from Robertson Road. This is a commercial street that has a mix of restaurants, large department stores and an assortment of other businesses like dentists and auto repair shops. Various parks, NCC trails, schools, libraries and community centers are also within a 15-minute walking distance from the site.

The property is also located within a three-minute walking distance of rapid bus routes (Bus #57) and connexion routes (Bus #256, #252). These routes are essential as they connect the site to Ottawa's larger transit network and the rest of the city. However, as seen in Figure X below, there is a lack of cycling infrastructure in the area surrounding the site.

Overall, the site is somewhat walkable, the separated pedestrian sidewalk on Moodie Drive offers a connection with the public transit services and provides crucial access to nearby commercial properties, schools and parks. This context supports the creation of the proposed lot.

The following pages provide an overview of the context and images of the subject property and the street:

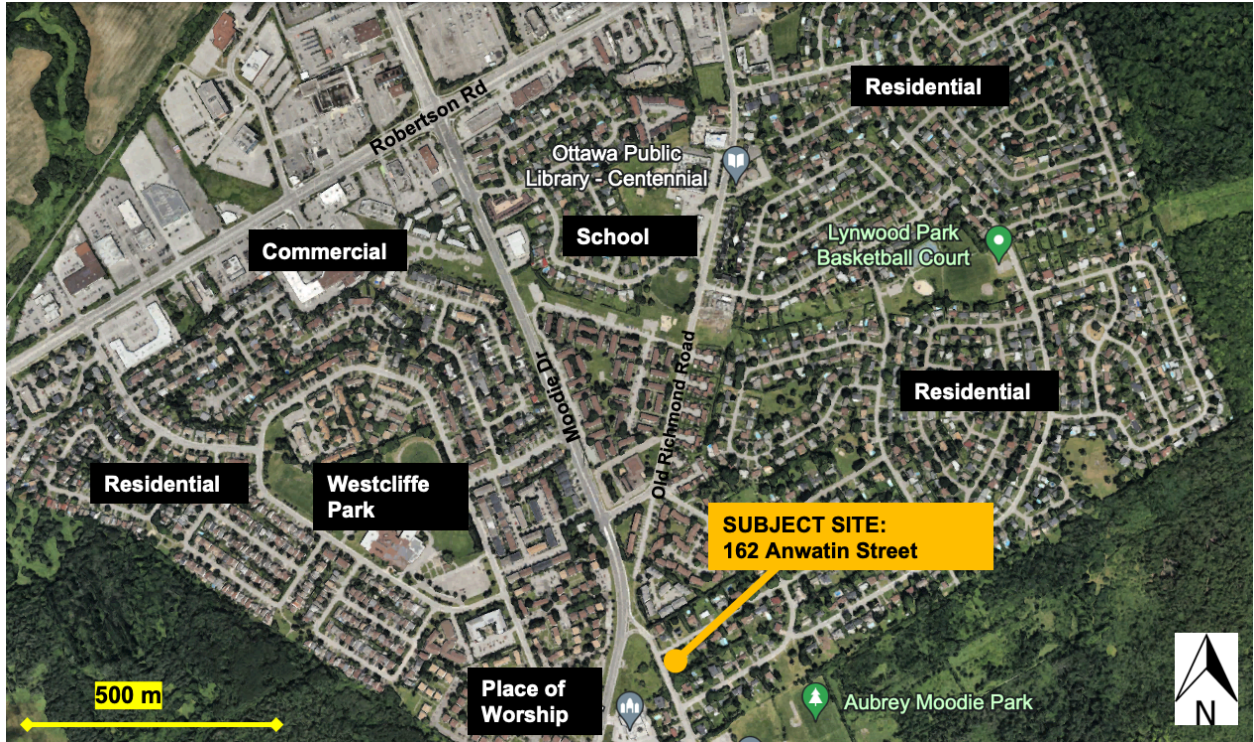


Figure 3: Context Map (Source: Google Earth)

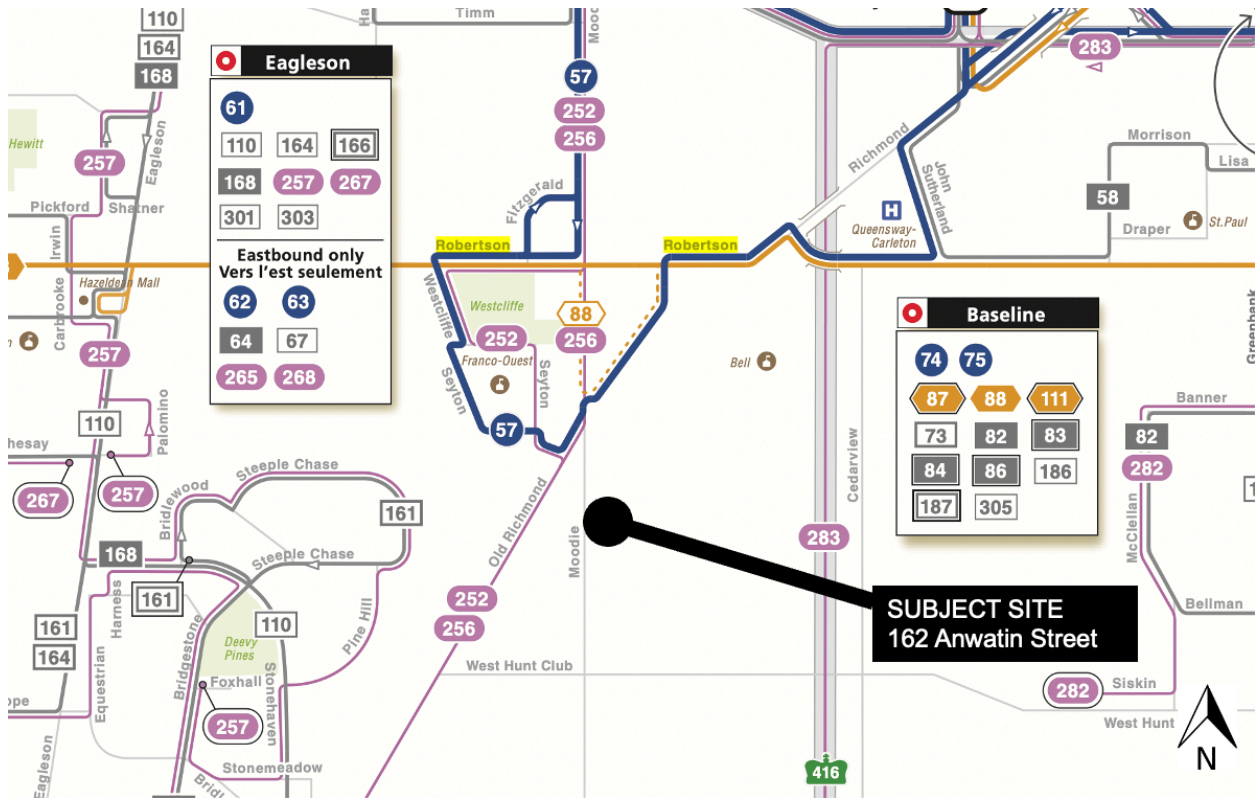


Figure 4: Public Transit Network (Source: OC Transpo)

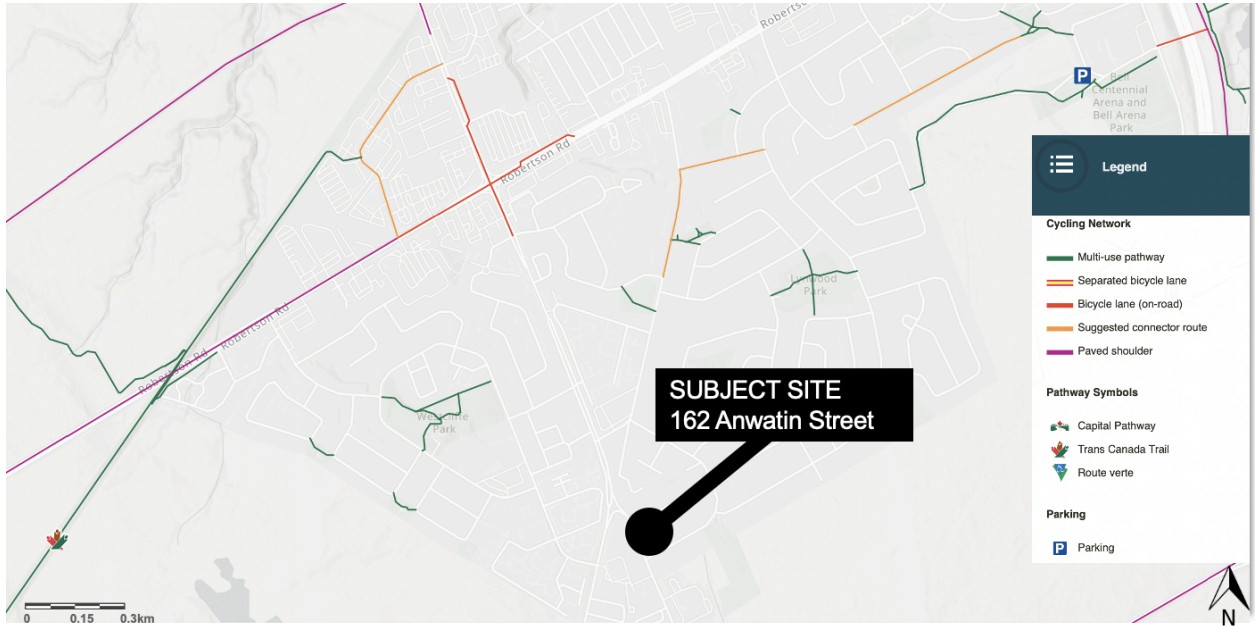


Figure 5: Cycling Network (Source: NCC Maps)



Figure 6, Subject site looking from the intersection of Anwatin Street and Moodie Drive



Figure 7, Retained dwelling, on the west side of Anwatin Street.



Figure 8, Retained dwelling, on the west side of Anwatin Street.



Figure 9, Close-up of retained dwelling along Anwatin Street.



Figure 10, Retained dwelling at the corner of Moodie Drive and Anwatin Street



Figure 11, Retained dwelling at the corner of Moodie Drive and Anwatin Street



Figure 12, Retained dwelling at the corner of Moodie Drive and Anwatin Street



Figure 13, Photo of retained dwelling and proposed subject site.



Figure 14, View of the subject site along the east side of Moodie Drive



Figure 15, View from the east side of Moodie Drive, looking west



Figure 16, View of the subject site along the west side of Moodie Drive, looking east



Figure 17, View of intersection and pedestrian sidewalk on Moodie Drive and Anwatin Street, looking north



Figure 18, View of the property facing the subject site on Anwatin Street, looking northwest



Figure 19, View of the surrounding character of the site, looking northeast

PROPOSED DEVELOPMENT

The proposed development is to sever the subject lot into two lots; one corner lot containing a detached dwelling will be retained, and a new interior lot will contain a single detached dwelling. Each unit will provide frontage onto a public street.

The parcel shown in Part 1 is the retained dwelling and frontage on both Anwatin Street and Moodie Drive, driveway access would be through Anwatin Street. The parcel shown in Part 2 is the proposed severed lot which will have frontage and driveway access through Moodie Drive. A consent application will be required to sever the lot.

The following pages contain the Site Plans and Draft Reference Plan.



Figure 20, Aerial view (Source: GeoOttawa)

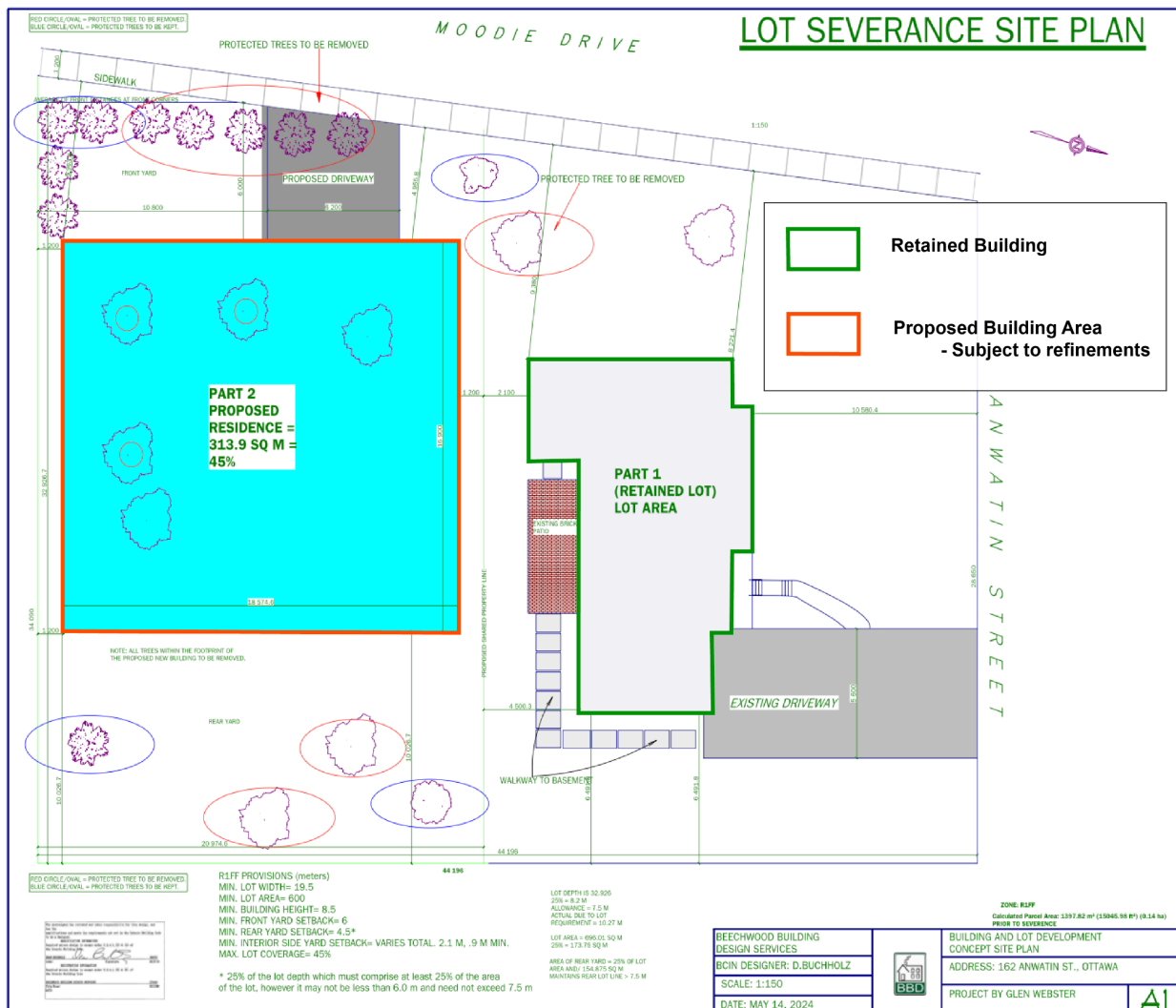


Figure 21: Coloured Site Plan (Source: Beechwood Building Design Services. & marked up by Q9)

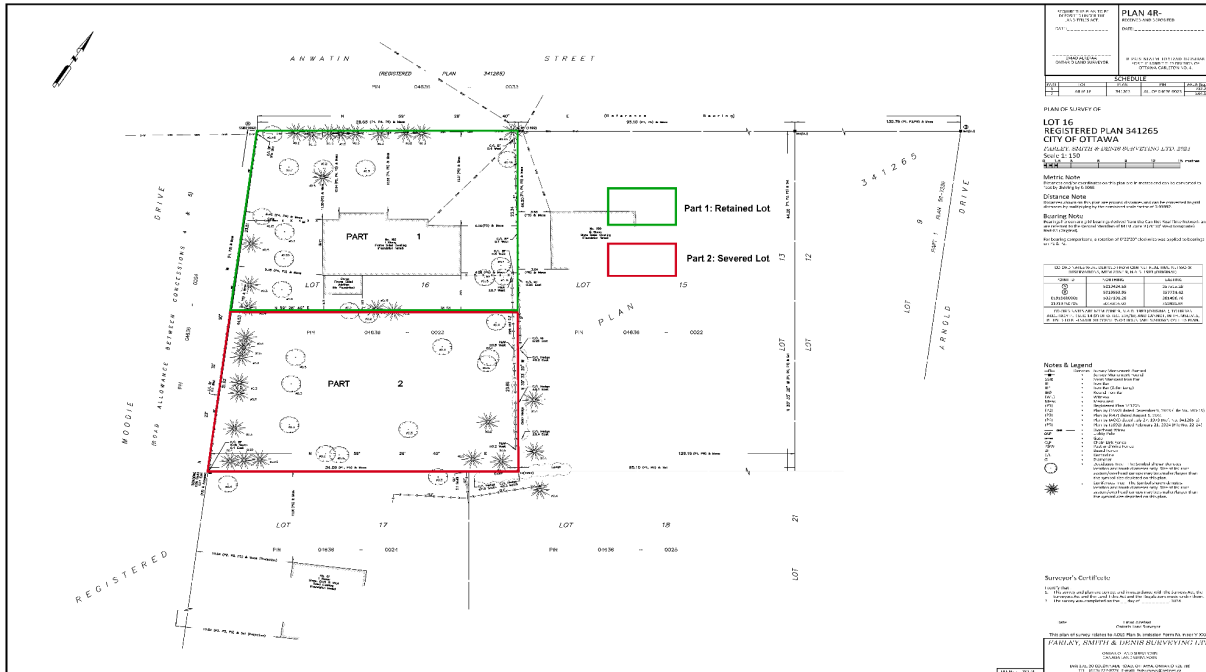


Figure 22: Coloured Draft Reference Plan (Source: Farley, Smith & Denis Surveying LTD. & marked up by Q9)

POLICY REVIEW

In order to obtain approval for the proposed consent to sever the lot, a review of the relevant and applicable policies and provisions is required. These are reviewed and examined in further detail below. Relevant policies will be indicated in *italics*.

Provincial Policy Statement, 2020

Section 1.0 guides changes to land use and development and ensures that they are efficient and effective. Moreover, it provides policies that sustain healthy, liveable and safe communities.

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;*
- d) *Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) *Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *Promoting development and land use patterns that conserve biodiversity; and*
- i) *Preparing for the regional and local impacts of a changing climate.*

Comment: The proposed severance of the existing property to permit two detached dwellings, each on their lot, will allow for more housing to be created which is aligned with the PPS' policies on intensification.

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 on air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*

Comment: The proposal makes efficient use of existing land and resources and is located near public transportation which helps transition towards a more integrated urban form.

Section 2.0 of the PPS provides policies aimed at protecting Ontario's natural heritage, water, agricultural, mineral, cultural heritage, and archeological resources to preserve the province's long-term prosperity, environmental health, and social well-being.

Section 3.0 of the PPS contains policies to protect the health and safety of Ontarians, reducing risk from natural and human-made hazards by directing development away from hazard areas.

Based on our review, it is our professional planning opinion that the proposed development conforms with the Provincial Policy Statement (PPS), 2020.

The City of Ottawa Official Plan

Designation: Neighbourhood within the Outer Urban Transect

The City of Ottawa's Official Plan was amended on November 4, 2022, and was approved by the Ministry of Municipal Affairs and Housing. The new Official Plan outlines goals, objectives

and comprehensive policies to guide growth and development within the City of Ottawa until the year 2046.

Section 2 provides strategic directions for the new Official Plan to help Ottawa become the most liveable mid-sized City in North America over the next century. The Plan is guided by five broad policy directions which call for increased growth through intensification, more sustainable transportation, context-based community design, more environmental and health considerations and integrated economic development into planning policies.

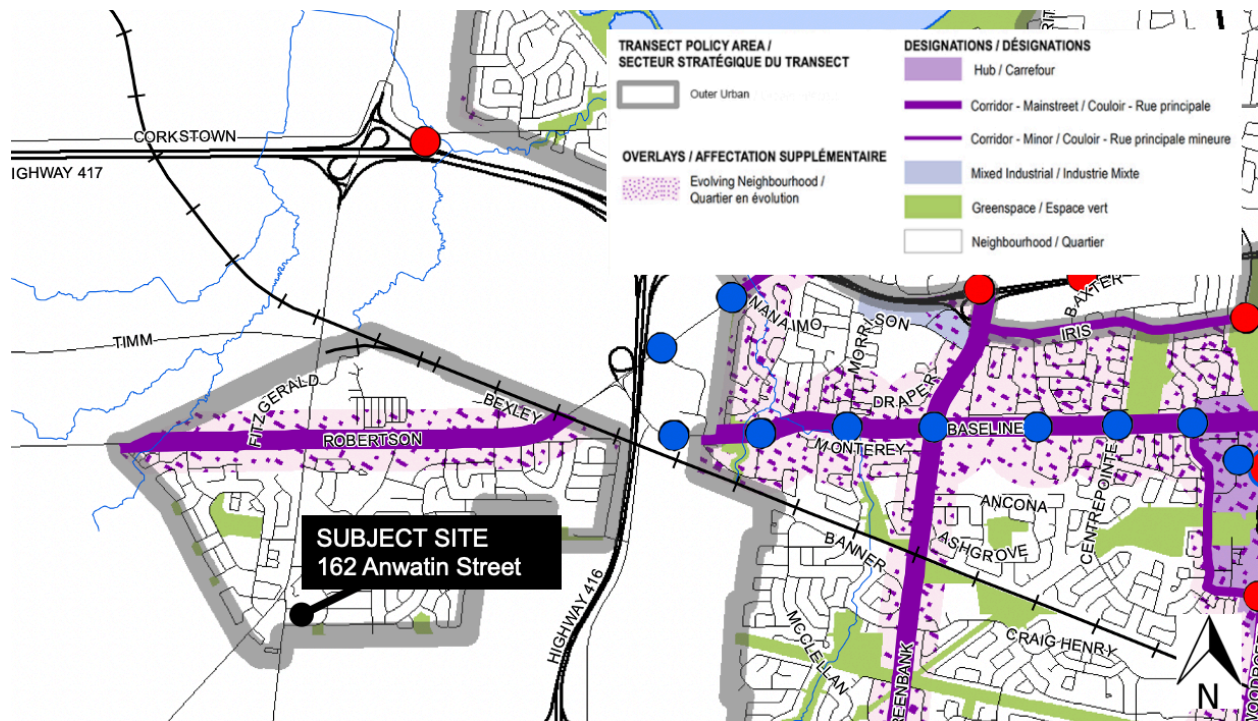


Figure 23, City of Ottawa Official Plan, Schedule B3 (Source: City of Ottawa)

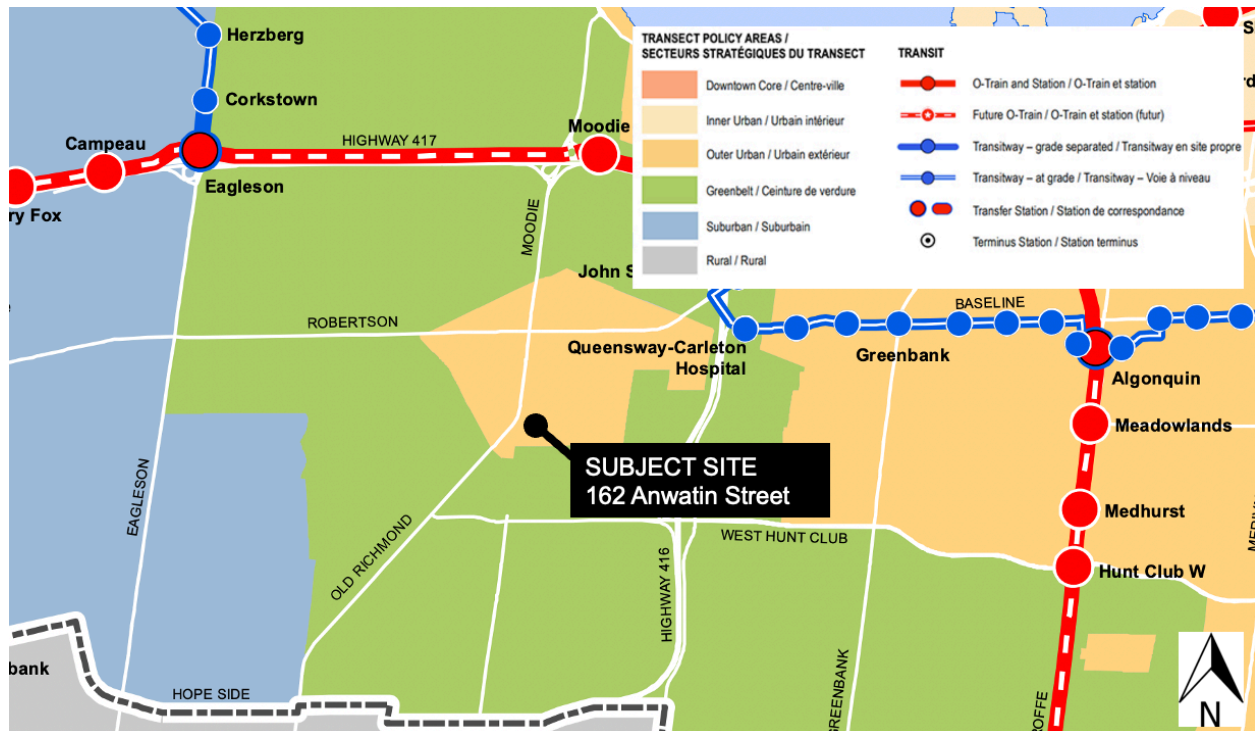


Figure 24, City of Ottawa Official Plan, Schedule A (Source: City of Ottawa)

Comment: The proposed severance of the subject property into two lots supports two of the five broad policy directions outlined by the City. While the proposed development meets the City's goal to provide more growth through intensification, it also supports more context-based design as the proposed development aligns with the character of the surrounding residential area, which are detached dwellings that are low-rise.

Section 3 of the Official Plan provides a growth management framework that is vital for guiding future growth patterns in the City. Its premise is to allocate sufficient land to allow for varying types and intensities of growth. It divides the City into urban and rural, with more concentrated growth allocated to the former.

Comment: The subject site is located within the suburban settlement area in a residential area. The proposed severance will result in two lots (1 net new lot) being created from the existing property. By severing the lot, the proposed application accounts for more concentrated growth in the urban area which aligns with the Official Plan.

Section 5 provides more detailed policies for each of the six transect policy areas within the city. Each transect, which ranges from most urban to least urban, has a different type of land use and built form and the Plan provides policies catered to each transect. The subject site is part of the Outer Urban Transect Policy Area. Within this policy area, the site is designated as Neighbourhoods.

Section 5.3.1.2 explores the Outer Urban Transect in more detail. It states that it is characterized by low-to-mid-density development. The development shall be: *a) Low-rise within Neighbourhoods and along Minor Corridors; b) Generally Mid- or High-rise along Mainstreets, except where the lot is too small to provide a suitable transition to abutting low-rise areas, in which case only low-rise development shall be permitted; and c) Mid- or High-rise in Hubs.*

Comment: The proposed severance meets the requirements in the policy as it is a low-rise unit located within the Neighbourhoods sector along a Minor Corridor. This built form and site design also align with the character of the Outer Urban Transect. The addition of a unit also allows for increased density, which thereby meets the intent of the Outer Urban Transect policy area and facilitates the transition towards more urban development.

Section 6.0 explores the policies that are specific to the designations within urban settlement areas.

Section 6.3 contains policies that pertain to the Neighbourhoods designation. The plan recognizes that each Neighbourhood is diverse due to the evolution of the development of housing types. This designation intends to reinforce the elements of a 15-minute neighbourhood, which include encouraging ongoing gradual, sustainable and context-sensitive development for a well-planned urban area.

Comment: The proposed development, which results in the creation of two total lots through a severance, demonstrates a gradual and context-sensitive development approach to urban development. The addition of a new lot and building supports a more dense urban lot fabric, with a built form that is contextually compatible with the surrounding low-rise uses.

Based on our review, it is our professional opinion that the proposed development conforms with the City of Ottawa Official Plan.

The City of Ottawa Zoning By-law

The City of Ottawa zoned this site as R1FF-Residential First Density Zone, Subzone FF, in the City of Ottawa Zoning By-law R1FF-Residential First Density Zone, Subzone FF. The R1 Zone intends to provide diverse housing choices within detached dwelling residential areas that are characterized as Urban or Suburban. Development in this area should conform with the existing established character of the community and adapt to the needs of the residents. The table below provides an overview of the required provisions for this zone and the existing dwelling's compliance.



Figure 25: Zoning Schedule (Source: GeoOttawa)

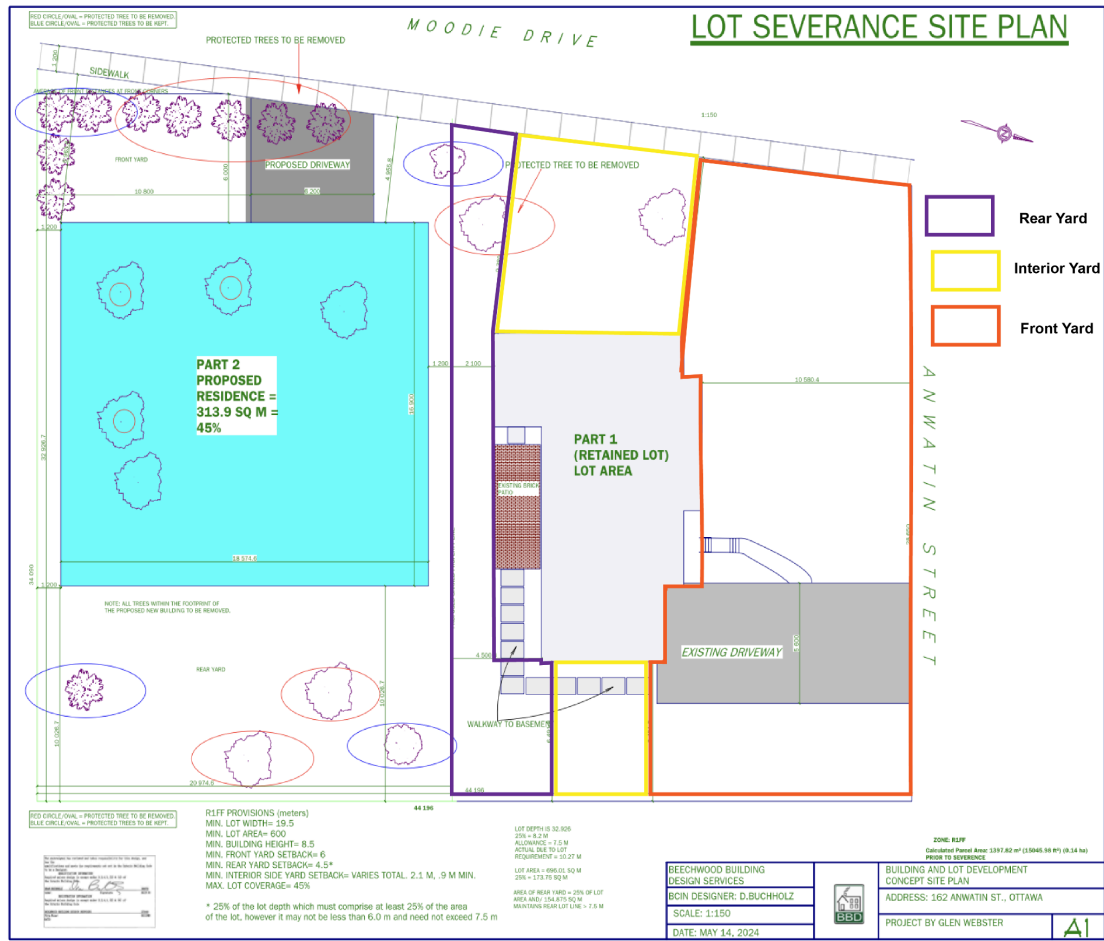


Figure 26: Figure showing delineation of front, exterior and side yards of the retained parcel.

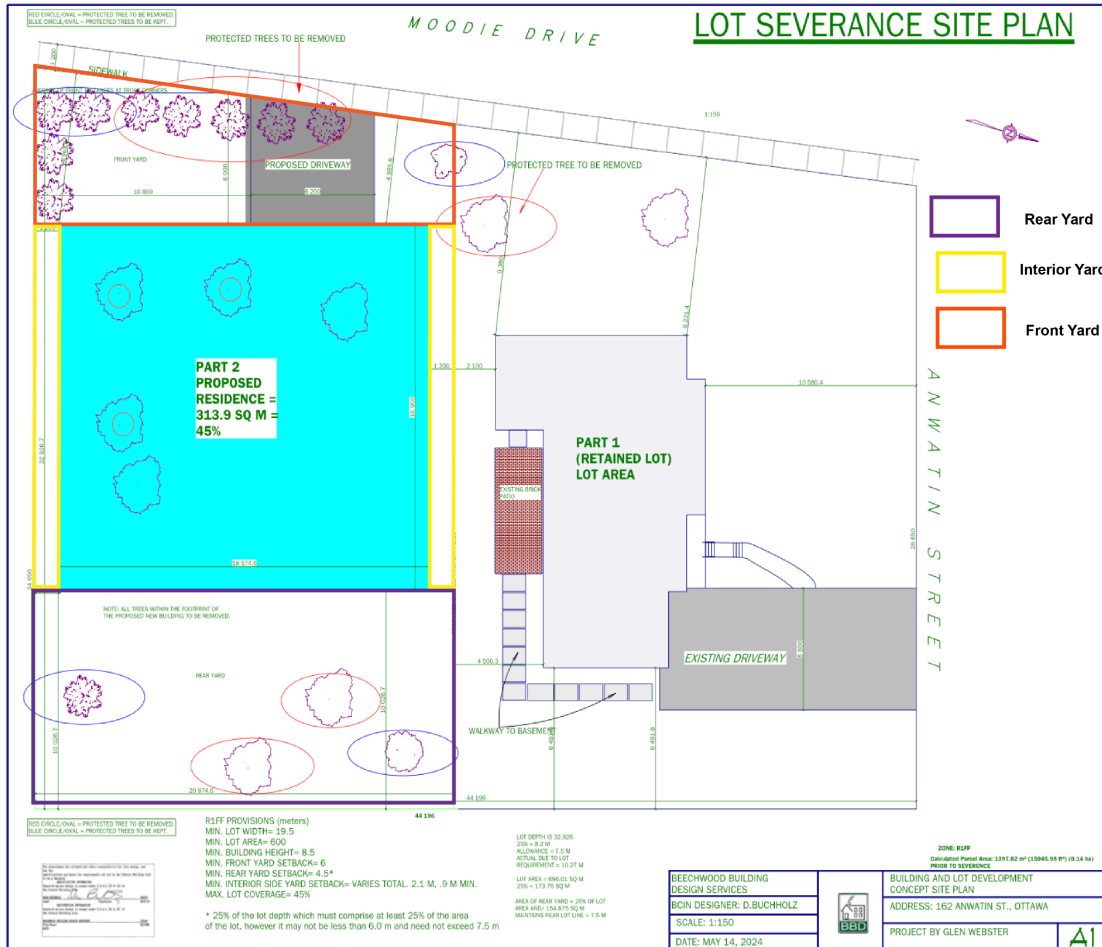


Figure 27: Figure showing delineation of front, exterior and side yards of the proposed parcel.

Provisions R1FF	Required	Retained (Part 1) Depth: 23.4 m	Severed (Part 2) Depth: 32.75 m	By-Law Section Reference
Min. Lot Width	19.5 m	28.65 m	21.02 m	S. 156, Table 156A
Min. Lot Area	600 m ²	702.2 m ²	684.1 m ²	S. 156, Table 156A
Max. Building Height	8.5 m	n/a (1.5 storeys)	= / < 8.5 m	S. 156, Table 156A
Min. Front Yard Setback	Retained Lot: 6 m Severed lot: 4.5 m	10.5 m	4.9 m	S. 144 (4) (c) (iii)
Min. Corner Yard Setback	4.5 m	8.46 m	n/a	S. 156, Table 156A
Min. Rear Yard Setback	Severed Lot: Lot depth > 25 m = 30% of Lot depth (9.8 m) Retained Lot: 2.1 m for Corner Lot + ≥ 5% of min lot area (subzone) = 30 m ²	Setback: 2.1 m Area: 59 m ²	10 m	S. 144 (4) (c) (iv) S. 144 (3) Table 144A
Min. Rear Yard Area	Retained: 5% of lot area required (30 m ²) Severed: 25% of lot area Required (171.0 m ²)	Provided: 62 m ²	Provided: 200 m ²	S. 144 (4) (c) (v) S. 144 (3) (a)
Min. Interior Yard Setback	Total = 2.1 m Min one yard = ≥ 0.9 m Corner lot must be 2.1m	6.4 m	1.2 m each 2.4 m total	S. 156, Table 156A / S. 144 (2)
Max. Lot Coverage	45%	< 45%	< 45%	S. 156, Table 156A
Min. Required Aggregated Soft Landscaping	Front Yard > 3m, lot width > 12m → 40% landscaping required. Retained: n/a (remains as is) Severed: 40% of 102.9 m ² = 41.19 m ²	No change. Unaffected by severance.	60n m ² (aggregated area on south)	S.139, Table 139(1)
Max. Driveway Width	Individual: 3m. Double where permitted: 6m	5m Double	6m Double	S.139, Table 139(1)
Max. Walkway Width	1.2m	n/a	n/a	S.S139(4)(c)(ii)

***Section 144 (4) states that (c) where a corner lot is severed into two lots in accordance with (b), the following provisions also apply:

- i. where the side lot line abutting a street becomes the front lot line,
- ii. the minimum front yard setback is the same as the corner side yard setback of the subzone,
- iii. the minimum front yard setback for the interior lot is the same as the corner side yard setback of the subzone,
- iv. the minimum rear yard setback for the corner lot is the same as the required interior side yard setback of the subzone,
- v. the corner lot must provide an at-grade amenity area equivalent to at least 5% of the minimum lot area required in the subzone, in addition to all required setbacks, that must be abutting the minimum required rear yard required under (iii).

Planning Act Review

Review of Section 53

In order to sever the lot, a review of section 53 of the Planning Act is necessary. This section sets out the procedures for the consideration and approval of consents.

Review of Section 53(1)

Upon review of the proposed Consent to Sever 162 Anwatin, the proposal is to create only one additional new lot and no new roads are being created. For this reason, a Plan of Subdivision for these lands is not necessary for the proper and orderly development of the municipality.

Review of Section 53(2)(3)

According to the S. 53 (2), (3), the applicant must provide the council or the Minister with any prescribed information or any additional relevant material necessary to make a decision on the application. When considering the application for consent, S. 53 (12) states that the Approval Authority must regard the criteria specified in S. 51 (24) of the Planning Act. This will be examined in further detail below.

Review of Section 51 (24)

The following is a review of Section 51(24) of the Planning Act to assess the suitability of the proposed severance to sever the single lot at 162 Anwatin into two lots to build an additional detached dwelling. In the Planning Act, a series of conditions are presented that state in the case of any subdivision of land, including consent to sever, regard shall be had to:

1. *The effect of the development of the proposed subdivision on matters of provincial interest as referred to in Section 2;*

The proposed consent allows for the creation of two lots. One will contain a new single detached dwelling and the other will contain an existing single detached dwelling. The severance is consistent with all the applicable provincial policies including the Provincial Policy Statement. The proposed consent has regard to matters of Provincial interest as identified in Section 2 of the Planning Act.

2. *Whether the proposed subdivision is premature or in the public interest;*

The proposed consent to sever is not premature and is in the public interest. It facilitates the creation of a new lot and provides additional housing within an existing community, using existing services, and resources. The proposed development is also consistent with the lot fabric within the local neighbourhood.

3. Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed consent conforms to the City of Ottawa's Official Plan as it supports the residential use of the property and creates smaller lots which facilitate the transition towards a 15-minute neighbourhood. The severance also aligns with the existing lot fabric and complies with the City's lot requirements.

4. *The suitability of the land for the purposes for which it is to be subdivided;*

The severance proposes the creation of two total lots from the existing parcel. The resulting lots would be somewhat rectangular and slightly smaller than the surrounding neighbours. Each parcel will be used for a single detached dwelling that is appropriately sized, compliant with the zoning regulations, and suitable to accommodate the use.

5. *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;*

No new roads are proposed as part of this land severance. Thus, the proposed development does not impact transportation infrastructure.

6. *The dimensions and shapes of the proposed lots;*

The two lots will have buildings with frontage on public streets that will be similar in width and area to the other lots along Moodie Drive and Anwatin Street. The severance line considers the building dimensions in each lot and conforms to the zoning regulations outlined by the City.

7. *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 adjoining land;*

No additional limitations or proposed restrictions affect either the retained or proposed lot and their respective uses, aside from those outlined in the Zoning By-law.

8. *Conservation of natural resources and flood control;*

As a necessary condition for any severance application, the proposed consent necessitates a grading and drainage plan to demonstrate how runoff will be managed. The property does not fall within a floodplain.

9. *The adequacy of utilities and municipal services;*

The site has adequate access to utilities and municipal services to serve both parcels and will use the existing utilities present at the site.

10. *The adequacy of school sites;*

The consent will result in an additional single unit, which will have a minor impact, if any, on the surrounding schools. There are two schools located nearby: one elementary school and one high school.

11. *The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

No part of the proposed lands will be conveyed or allocated for public purposes.

12. *The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

The proposed severance would make use of existing services, and resources. This added density results in a more efficient use of the nearby services and allows for a seamless transition to a more urban lot fabric.

13. *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 designated 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).*

The proposed development does not require Site Plan Approval and is considered to be a minor development proposal.

Based on our review, the proposed severance satisfies the criteria for land division under Section 51 (24) of the Planning Act. This confirms the proposal's efficiency and suitability within the regulatory framework.

SUPPORTING STUDIES

Tree Information Report

A Tree Information Report was prepared by Ottawa Tree Reports, dated April 2024. The assessment inventoried a total of 52 trees on the property, where 25 of them are designated as protected. The proposed development may require the removal of 10 trees, either due to poor health or being within the proposed building envelope.

As required, an application for an infill tree removal will be made for each tree. Moreover, a total of 9 trees will be planted for the compensation of the trees lost. As seen in the figure below, Trees 25, 51, 49, 48, 47, 46, 42, 36, 35 and 30 will be protected.

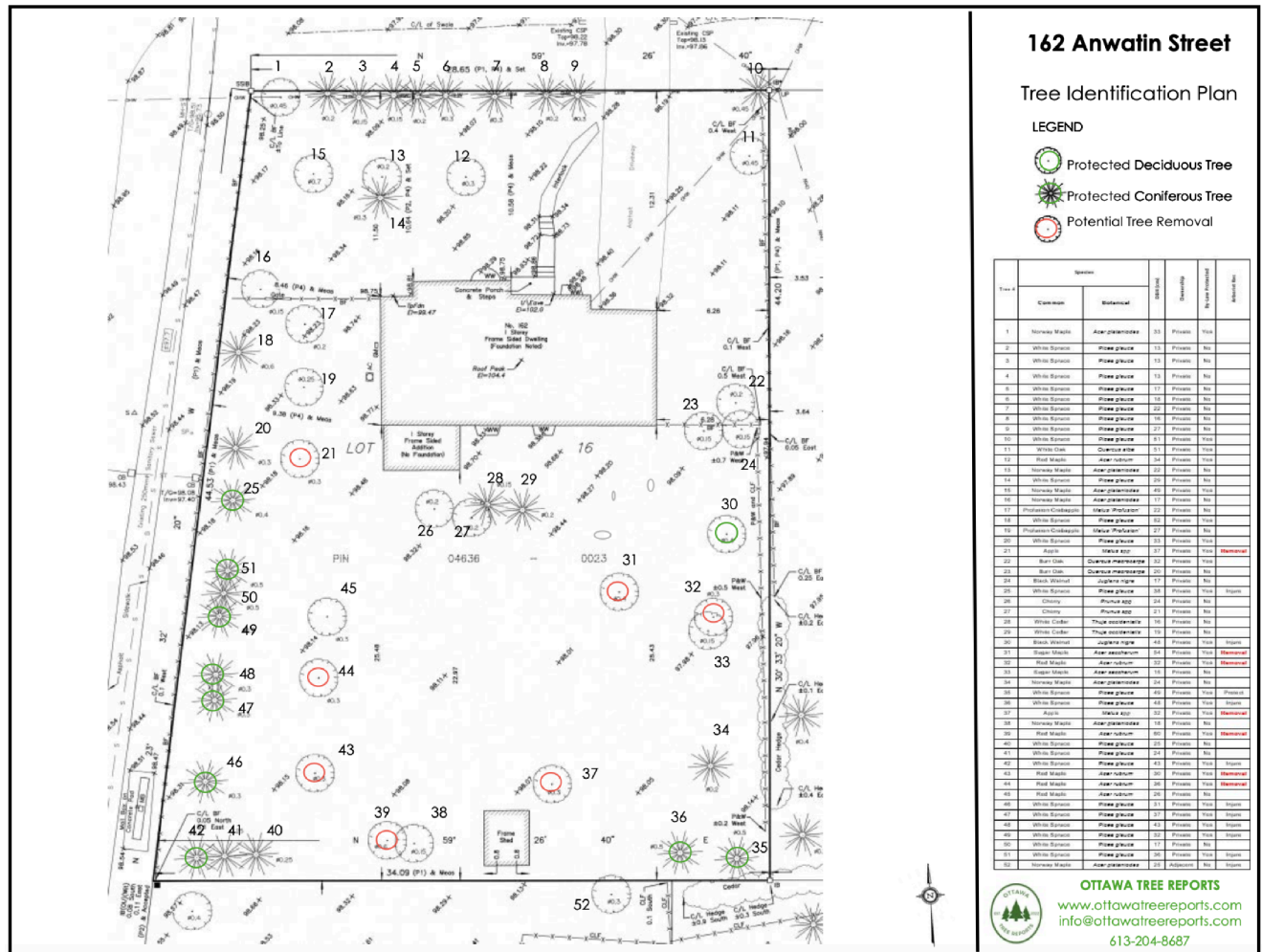


Figure 28: Excerpt from Tree Information Report showing tree locations

CONCLUSION

As noted, the proposed severance to create two lots from the existing property would allow for new residential infill within an existing neighbourhood. The severance would result in an appropriate, street fronting lot condition for detached dwellings and allow for a single detached dwelling on the corner. It also embodies the vision and intent of the City of Ottawa, as it facilitates a seamless transition towards a more integrated urban fabric by creating two, contextually-sized lots. The policy review demonstrates how the proposed development aligns with the relevant and applicable policies outlined in the City of Ottawa's Official Plan and Zoning By-Laws. Collectively considered, the proposal meets the criteria outlined in *Section 53 (1)* and *Section 51 (24)* of the Planning Act, demonstrating that the proposed development is a suitable and desirable use of land.

It is the opinion of Q9 Planning + Design that the proposed severance constitutes good land use planning and meets the criteria set out in the Planning Act.

Prepared by:



Emily Charby, M.PI Candidate, Queen's University
Student Planner

Reviewed by:



Christine McCuaig, RPP MCIP M.PI
Principal Senior Planner + Project Manager