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May 15, 2024

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

**Attention: Michel Bellemare, Secretary - Treasurer**

Dear Mr. Bellemare:

**Reference: 370 Princeton Avenue  
Applications for Consent and Minor Variance  
Our File No: 123048**

**Committee of Adjustment  
Received | Reçu le**

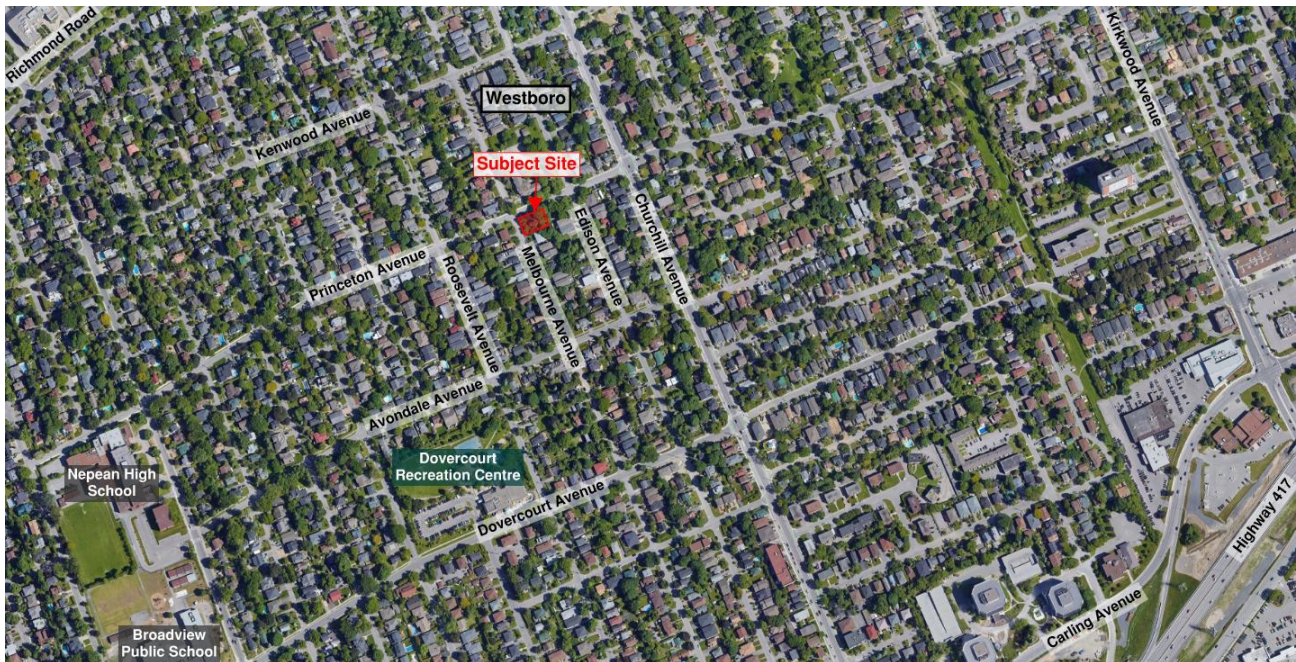
**2024-06-04**

**City of Ottawa | Ville d'Ottawa  
Comité de dérogation**

Novatech has been retained by the owner of the property municipally known as 370 Princeton Avenue (the "Subject Site") to prepare and file applications for Consent and Minor Variance in order to facilitate the development of two eight-unit low-rise apartment dwellings.

This covering letter describes the existing conditions of the site and its surrounding context, the proposed development, and the rationale in support of the applications.

*Figure 1: Location of the Subject Site. (Source: Google Maps).*



## Existing Conditions

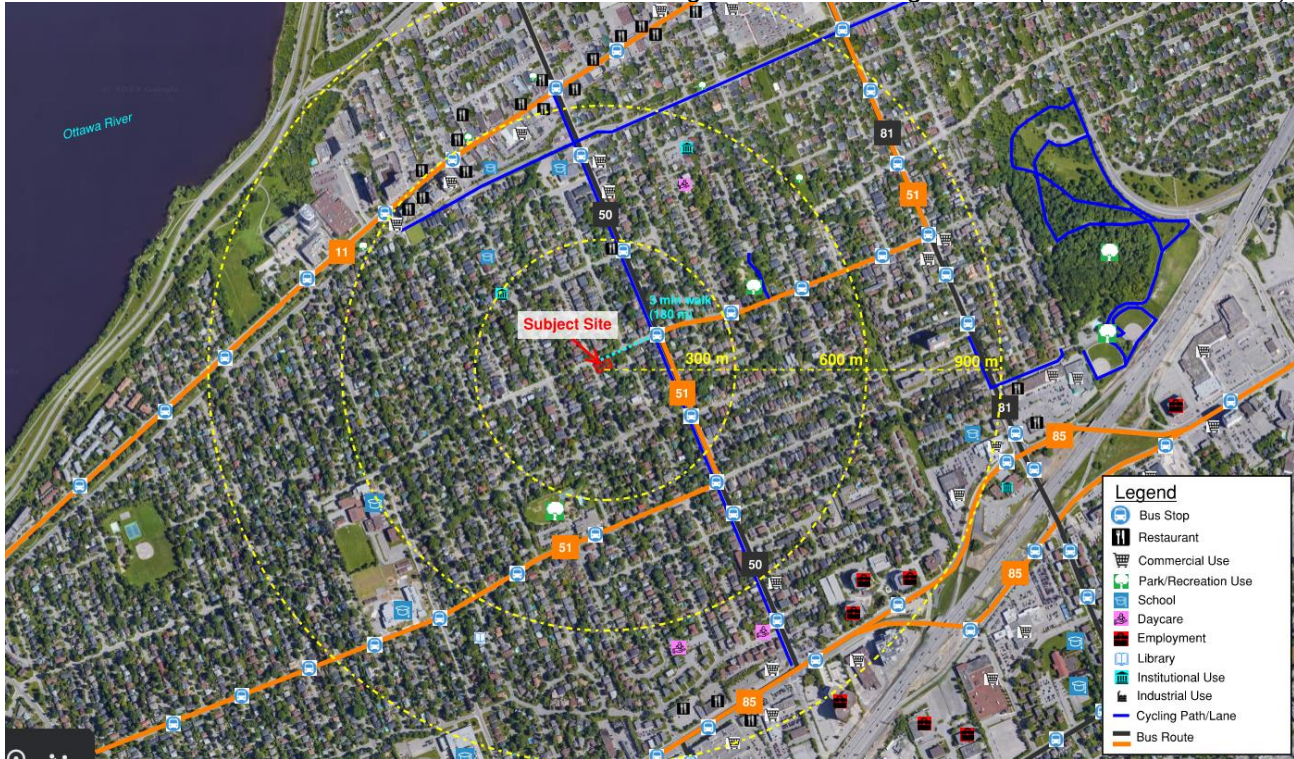
The Subject Site is located in the Westboro neighbourhood and is within the City of Ottawa's Kitchissippi Ward (Ward 15). The Subject Site is in an area bounded by Kenwood Avenue to the north, Roosevelt Avenue to the west, Avondale Avenue to the south, and Churchill Avenue to the east (see Figure 1).

Figure 2: Subject Site. (Source: GeoOttawa).



The Subject Site is currently developed with a detached dwelling (See Figure 3). There is an existing detached garage in the rear yard facing Princeton Avenue. The existing detached dwelling and garage will be demolished.

Figure 4: Surrounding Context. (Source: GeoOttawa).



## Surrounding Context

The Subject Site is located in an area characterized by detached and semi-detached dwellings on smaller lots. Many of the properties in the surrounding area, particularly newer semi-detached dwellings, include single driveways and have front-facing attached garages that are set back from the front wall of the building.

The Subject Site is within walking distance of Churchill Avenue, which is designated as a Minor Corridor and Major Collector and Richmond Road, which is designated as a Mainstreet Corridor and Arterial Road in the Official Plan. The Subject Site is well connected with existing and planned transportation routes. The Subject Site is a three-minute walk (180 m) from the nearest bus stop on Churchill Avenue, where the 51 frequent bus route provides connections to Tunney's Pasture LRT station. Frequent bus transit can also be accessed within walking distance along Churchill Avenue, Dovercourt Avenue, and Richmond Road (see Figure 4).

Within 300 metres of the Subject Site, there are primarily detached and semi-detached dwellings, Westboro Kiwanis Park, and Dovercourt Community Centre. Within 600 metres of the Subject Site, there are more high-density residential uses including low- and mid-rise apartment buildings, Clare Gardens Park, and a number of commercial uses and office buildings along Richmond Road.

## Proposed Development

It is proposed to sever the existing parcel located at 370 Princeton Avenue into two lots to facilitate the development of two, three-storey, eight-unit low-rise apartment dwellings on the Subject Site. Each proposed low-rise apartment dwelling will front onto Melbourne Avenue (see Figure 5).

The proposed development will advance the City's intensification goals by providing a total of 16 dwelling units in a missing-middle housing form. This form of intensification is well located and meets the City's objective to establish 15-minute neighbourhoods, as the Subject Site is within walking distance of transit, office spaces, and commercial services. The proposed three-storey development will fit in well with the existing neighbourhood, which is characterized by a mix of low-rise residential dwellings.

Figure 5: Site Plan Excerpt. (Source: Evolution Design & Drafting).

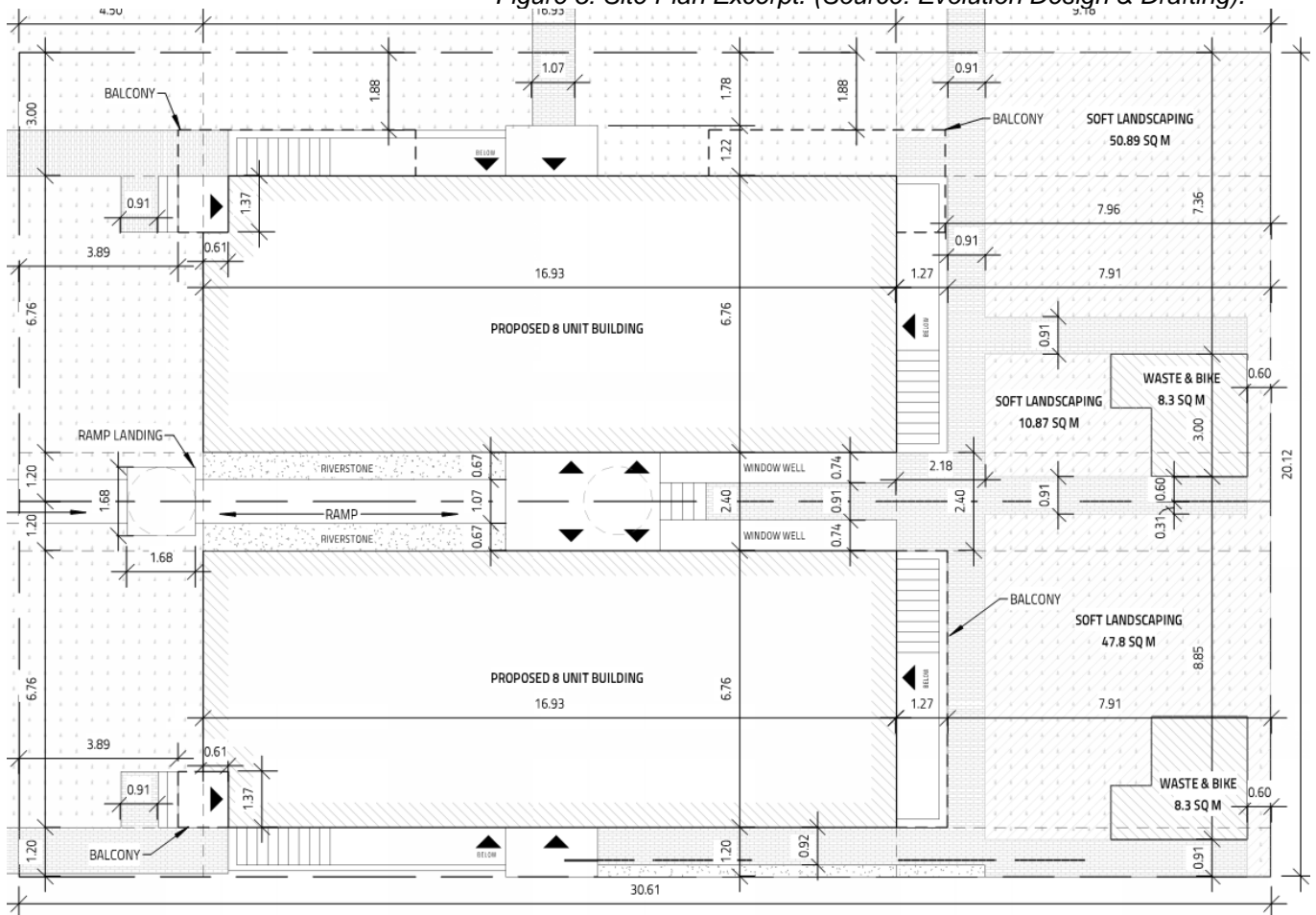


Figure 6: Elevations Excerpts. (Source: Evolution Design).



**Front Elevation (Melbourne Avenue)**



**Rear Elevation**



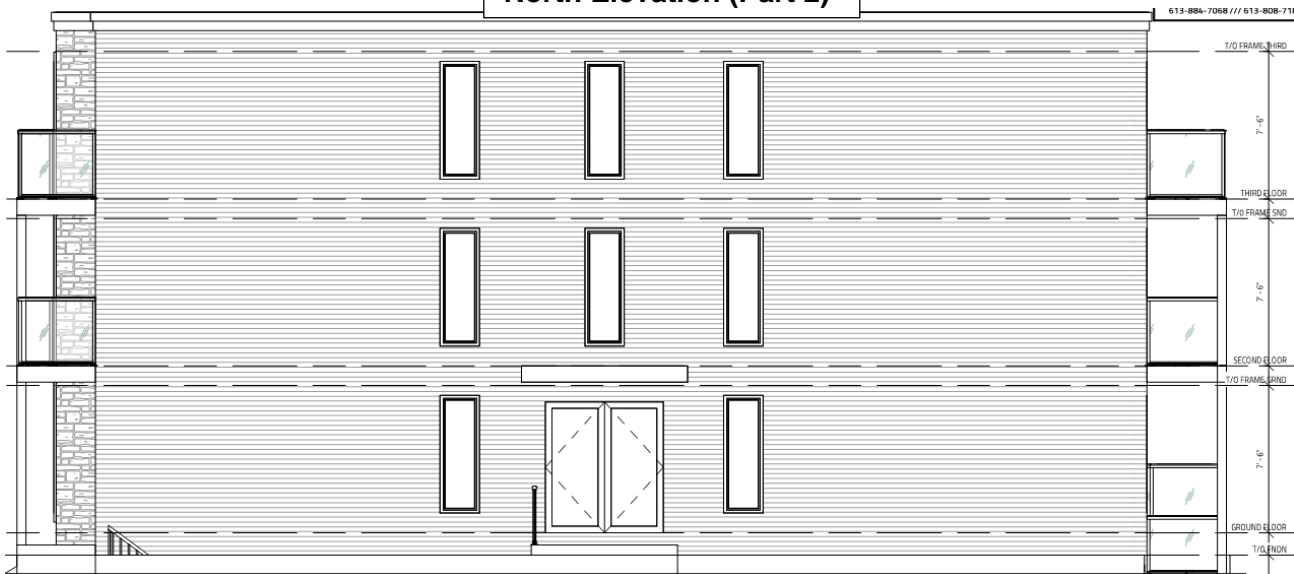
**North Elevation (Part 1) (Melbourne Avenue)**



**South Elevation (Part 1)**



**North Elevation (Part 2)**



**South Elevation (Part 2)**

## Consent Applications

### Consent Application 1:

This application will create the corner lot to the north, labelled as Parts 1-4 on the Draft Reference Plan (Figure 7). This lot will be a corner lot with a frontage of 10.96 metres along Melbourne Avenue, 30.61 metres along Princeton Avenue, and a lot area of 335.5 square metres.

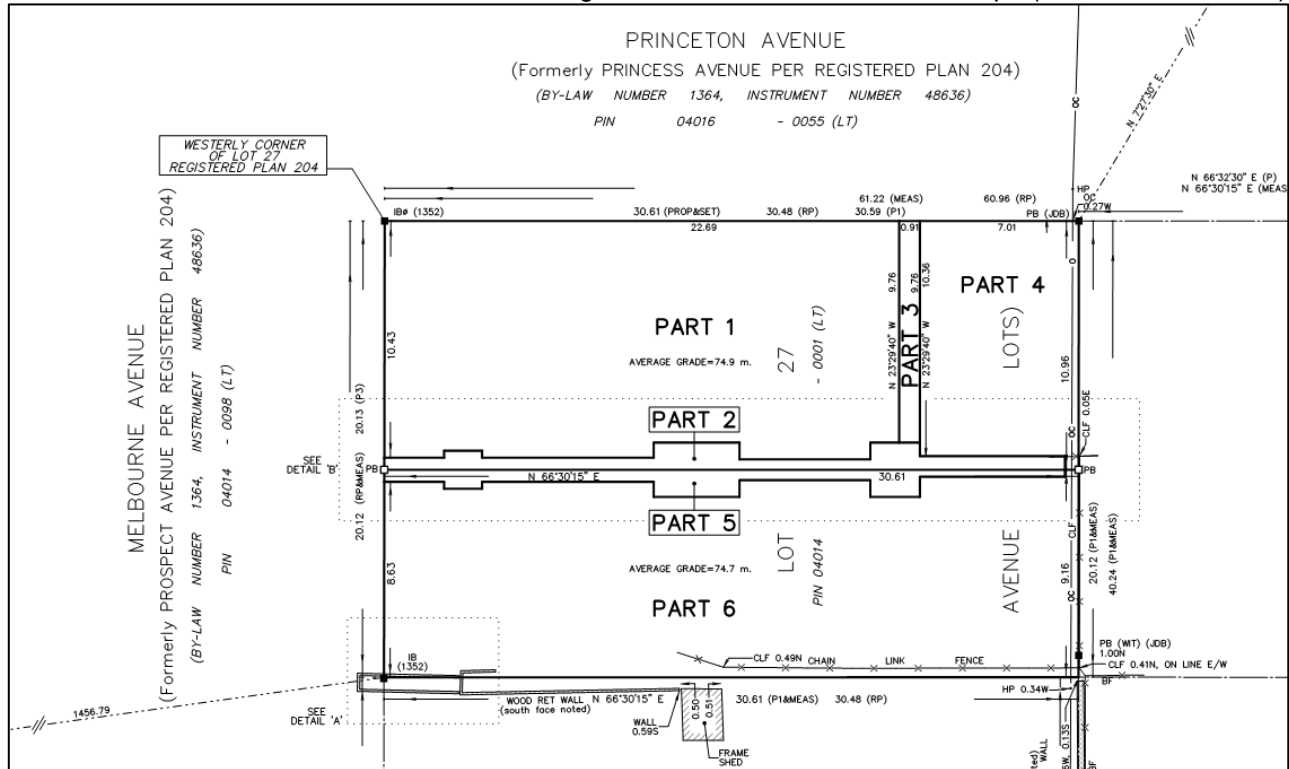
This application will include easements over Parts 2 and 3 in favour of Parts 5 and 6 to provide shared walkways.

Consent Application 2:

This application will create the interior lot to the south, labelled as Parts 5 and 6 on the Draft Reference Plan (Figure 7). This lot will be an interior lot with a frontage of 9.16 metres along Melbourne Avenue, and a lot area of 280.4 square metres.

This application will include an easement over Part 5 in favour of Parts 1, 2, 3, and 4 to provide shared walkways.

Figure 7: Draft Reference Plan Excerpt. (Source: J.D. Barnes).



**Rationale (Consent Applications)**

**Provincial Policy Statement (2020)**

The Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 2020.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by:

- 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;*



*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;*

The proposed development of two, eight-unit low-rise apartment dwellings on the Subject Site supports an appropriate range and mix of residential uses to meet the long-term needs of residents in the neighbourhood. The proposal also promotes a cost-effective development pattern by intensifying lands within the urban boundary, minimizing land consumption and municipal servicing costs.

### **Planning Act**

Subsection 53(1) of the Planning Act states:

*“53(1) An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).”*

The proposed severances and easements do not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

*“53(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.”*

This rationale for the consent applications will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

*“51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”*

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

370 Princeton Avenue is within the urban area of the City of Ottawa. The proposed severances and easements have regard for the following matters of provincial interest:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management system

- the orderly development of safe and healthy communities
- the adequate provision of a full range of housing, including affordable housing
- the appropriate location of growth and development
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians

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

The Subject Site is located within the City of Ottawa’s urban boundary and is in a fully developed neighbourhood where hard and soft services are available. The proposed consents are not premature and are in the public’s interest.

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

Figure 8: Official Plan Schedule B2 Excerpt. (Source: City of Ottawa).



### City of Ottawa Official Plan

The Subject Site is designated “Neighbourhood” in the Inner Urban Transect on Schedule B2 of the City of Ottawa Official Plan. Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: *“The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them”.*

The Subject Site is located in proximity to the Richmond Road Mainstreet Corridor, where a number of commercial, employment, and transit amenities are available. The Subject Site is also in proximity to the Churchill Avenue Minor Corridor where there are higher density residential buildings and frequent transit access. The proximity to a number of amenities as well as existing and planned transit options makes the Subject Site a suitable location for intensification. The proposed development will

increase the number of dwelling units on the Subject Site from 1 to 16 and contribute to the City's objective to establish 15-minute neighbourhoods (see Figure 8).

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

The proposed consents will facilitate development of two, eight-unit low-rise apartment dwellings on the Subject Site. Low-rise apartment dwellings are compatible with existing land use patterns and the lot fabric of the neighbourhood.

*(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Not applicable.

*(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

The proposed severances and easements do not propose any new roads and will not affect highways or the transportation system.

*(f) the dimensions and shapes of the proposed lots;*

The proposed severances will result in the creation of two rectangular shaped lots. Each lot will have frontage on Melbourne Avenue and one lot will have frontage on Princeton Avenue. Each newly created lot will have lot widths and lot areas that are of a suitable size and shape to support a low-rise apartment dwelling while remaining in context with the streetscape. The proposed easements will allow for a shared walkway providing shared access between the two buildings and from Princeton Avenue.

*(g) 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;*

There are no restrictions or proposed restrictions on the existing or proposed lots, beyond the provisions of the Zoning By-law.

*(h) conservation of natural resources and flood control;*

The Subject Site is not located in any floodplains or areas of natural interest.

*(i) the adequacy of utilities and municipal services;*

The Subject Site is located within the urban boundary and is connected to existing utilities and municipal services. The additional lot will not have any major impacts on the adequacy of the City's municipal services or utilities.

*(j) the adequacy of school sites;*

The Subject Site is located near Nepean High School, Broadview Public School, Churchill Alternative School, and Notre Dame High School (see Figure 4). The proposed development will be adequately serviced by schools in the area.

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

It is anticipated that cash-in-lieu of parkland will be a condition of consent.

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

The proposed consents use the area of the Subject Site more efficiently by providing additional housing units on the lot. The proposed consents constitute infill development and facilitate growth within the urban area. The proposed consents improve the efficiency of transportation and transit and more efficiently use existing infrastructure, services, and land.

*(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area 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); 2016, c. 25, Sched. 4, s. 8 (2).*

The proposed development is not subject to site plan control.

**The proposed severances meet the criteria set out in Section 51(24) of the Planning Act. The proposed severances at 370 Princeton Avenue represent good land use planning.**

#### *Provincial Policy Statement*

Section 3(5) of the Planning Act states:

*"A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,*

*a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision;"*

A decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

Policy 1.1.1 states:

*"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.”*

The proposed development promotes efficient use of existing land by more effectively using the existing lot and providing additional housing within the urban area. The proposed low-rise apartment buildings will fit in well within the neighbourhood and provide more affordable rental options in the neighbourhood. The Subject Site is ideally located for intensification in proximity to frequent transit routes along Churchill Avenue and commercial uses along Richmond Road. The proposed lots are located within the urban boundary, will have adequate access to the necessary infrastructure and public service facilities and will reduce pressure to expand the urban boundary.

Policy 1.1.3.1 of the PPS states that:

*“Settlement areas shall be the focus of growth and development.”*

370 Princeton Avenue is considered part of the “Settlement Areas” as defined in Section 1.1.3 of the Provincial Policy Statement, 2020 (the “PPS”).

The proposed consents will support the addition of 16 dwelling units within the City of Ottawa’s urban area and are consistent with policies of the PPS.

Policy 1.1.3.2 of the PPS states that:

*“Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- 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;  
and

g) are freight-supportive

*Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”*

The proposed consents are an appropriate and efficient use of the land. By providing intensification within the urban area, the proposed development reduces pressure for expansion of the urban area. The proposed development is transit-supportive as it is within walking distance of frequent bus service along Churchill Avenue. Based on proximity to commercial, employment, and transit amenities the Subject Site is an appropriate location to accommodate intensification.

**The proposed severances and easements are consistent with the Provincial Policy Statement (2020). The proposed severances and easements at 370 Princeton Avenue constitute good land use planning.**

### **Minor Variance Applications**

The proposed minor variances are listed below:

#### Lot 1 (Parts 1-4):

- a) To permit a reduced corner side yard setback of 3.0m; whereas the By-law requires a minimum corner side yard setback of 4.5m (Section 144(1)(a))
- b) To permit a reduced interior side yard setback of 1.2m; whereas the By-law requires a minimum interior side yard setback of 1.5m (Part 15, Urban Exception 2686, Column V)
- c) To permit an increase to the maximum number of dwelling units to 8 units; whereas the By-law permits a maximum of 6 units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV)
- d) To permit a building height of 8.8 metres; whereas the By-law permits a maximum building height of 8.5 metres. (H (8.5)).

#### Lot 2 (Parts 5 & 6):

- e) To permit a reduced lot width of 9.1m; whereas the By-law requires a minimum lot width of 10.0m (Part 15, Urban Exception 2686, Column V)
- f) To permit a reduced lot area of 280 m<sup>2</sup>; whereas the By-law requires a minimum lot area of 300m<sup>2</sup> (Part 15, Urban Exception 2686, Column V)
- g) To permit a reduced interior side yard setback of 1.2m on each side; whereas the By-law requires a minimum interior side yard setback of 1.5m on each side (Part 15, Urban Exception 2686, Column V)

- h) To increase the permitted number of dwelling units to 8 units; whereas the By-law permits a maximum of 6 units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV)
- i) To permit a building height of 8.8 metres; whereas the By-law permits a maximum building height of 8.5 metres. (H (8.5)).

*Note: All requested minor variances have been rounded to the nearest tenths decimal place, as instructed by the Committee of Adjustment.*

### **Minor Variance Rationale**

**The minor variances listed above meet the four tests for minor variance under Section 45(1) of the Planning Act.**

**The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.**

#### *City of Ottawa Official Plan*

Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: *“The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them.”*

The proposed development on the Subject Site is an example of infill and intensification within the Inner Urban Transect and Neighbourhood designation. The proposed development supports the creation of 15-minute neighbourhoods and will contribute to residential intensification in a Neighbourhood designation that is within proximity of lands designated as Corridors in the Official Plan.

The Subject Site is designated “Neighbourhood” in the Inner Urban Transect on Schedule B2 of the Official Plan. Policy 1 of Section 5.2.4 of the Official Plan 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”.*

The proposed development on the Subject Site is within walking distance of Richmond Road, designated “Mainstreet Corridor” in the Official Plan and Churchill Avenue designated “Minor Corridor” in the Official Plan. The proposed development will contribute to residential growth within the Inner Urban Transect and Neighbourhood designations to meet the targets of the Growth Management Framework.

The Subject Site is ideally located to accommodate intensification, with proximity to commercial uses, offices, and public transit service along Richmond Road, which is a 10-minute walk from the Subject Site. The Subject Site is located close to higher density low-rise development, commercial uses, and public transit service along Churchill Avenue, which is a 2-minute walk from the Subject Site. The proposed development with the requested variances supports intensification of the Subject Site, which is an ideal location for additional density, and contributes to 15-minute communities.

The minor variances maintain the general intent and purpose of the City of Ottawa Official Plan.

The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Site is zoned Residential Fourth Density, Subzone UA, Exception 2686, with a Height limit of 8.5 metres (R4UA[2686] H(8.5)) in the City of Ottawa Zoning By-law 2008-250. The Subject Site is located within the boundary of the Mature Neighbourhoods Overlay and the Westboro Development Overlay.

The purpose of the R4 zone is to:

1. allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as **General Urban Area** in the Official Plan;
2. allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
3. permit ancillary uses to the principal residential use to allow residents to work at home;
4. regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced: and
5. permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.

The proposed low-rise apartment dwellings are permitted in the R4UA subzone. The applicable zoning provisions for the Subject Site are provided in the table below.

Table 1: Zoning Provisions

Provision	Required	Provided – Part 1	Provided – Part 2	Section
Minimum Lot Width (m)	10 m	10.96 m	9.16 m	Exception 2686
Max Lot Width (m)	38 m	10.96 m	9.16 m	S.162, Table 162B
Minimum Lot Area (m <sup>2</sup> )	300 m <sup>2</sup>	335.5 m <sup>2</sup>	280.4 m <sup>2</sup>	Exception 2686
Max Lot Area (m <sup>2</sup> )	1,070 m <sup>2</sup>	335.5 m <sup>2</sup>	280.4 m <sup>2</sup>	S.162, Table 162B
Maximum Building Height (m)	8.5 m	8.8 m	8.8 m	H(8.5)
Minimum Front Yard Setback (m)	4.5 m	4.5 m	4.5 m	S.162, Table 162A
Minimum Rear Yard Setback (m)	30% of the lot depth: 9.18 m	9.18 m	9.18 m	S.144, Table 144A
Minimum Interior Side Yard Setback (m)	1.5 m	N/A ; 1.2 m	1.2 m ; 1.2 m	Exception 2686
Minimum Corner Side Yard Setback (m)	4.5 m	3.0 m	N/A	S.162, Table 162A



Minimum Aggregate Front Yard Soft Landscaping	Part 1: 35% FY:(17.3 m <sup>2</sup> ) CY:(32.14 m <sup>2</sup> )  Part 2: 35% (14.43 m <sup>2</sup> )	±90%	±90%	S.139, Table 139(1)
Maximum Walkway Width	1.8 m	No more than 1.8 m	No more than 1.8 m	S.139(4)(c)(i)
Maximum Area of Parking, Driveways, Aisles in the Rear Yard	70%	0%	0%	S.139(6)
Minimum Soft Landscaping in Rear Yard	Part 1: 15% (15.1 m <sup>2</sup> )  Part 2: 15% (12.61 m <sup>2</sup> )	61.76 m <sup>2</sup> (61.4%)	47.8 m <sup>2</sup> (56.8%)	S.139(7)
Minimum Area of Soft Landscaping	Lot area < 360 m <sup>2</sup> : 35 m <sup>2</sup> ; aggregated into area of 25 m <sup>2</sup>	61.75 m <sup>2</sup>	47.8 m <sup>2</sup>	S.161(15)(b)(i); (iv)
Minimum Front Façade Fenestration	25% windows (15.02 m <sup>2</sup> ) (front)  15% windows (23 m <sup>2</sup> ) (corner)	16.5 m <sup>2</sup> (27.5%)  35.14 m <sup>2</sup> (23%)	16.5 m <sup>2</sup> (27.5%)  N/A	S.161(15)(g)
Minimum Front Façade Setback	20% of front façade additional 0.6 m from front setback line	20%	20%	S.146(2)
Minimum Rear Yard Soft Landscape Buffer	4.5 m or an area equal to required buffer area for 50% of rear lot line  Part 1: 49.32 m <sup>2</sup> Part 2: 41.22 m <sup>2</sup>	50.89 m <sup>2</sup>	47.8 m <sup>2</sup>	S.146(3)(a); Table 146A
Minimum Setback from Rear and Interior Side Lot Line not Abutting Street (Accessory building)	In a rear yard: 0.6 m	0.6 m	0.6 m	S.55, Table 55
Maximum Size (Accessory building)	Not to exceed 50% of the yard, maximum cumulative floor area: 55 m <sup>2</sup>	8.3 m <sup>2</sup>	8.3 m <sup>2</sup>	S.55, Table 55

### Reduced Lot Width and Reduced Lot Area

The proposed development provides lot widths of 10.96 metres for Part 1 and 9.16 metres for Part 2, whereas the Zoning By-law requires a minimum lot width of 10 metres. The proposed development

provides lot areas of 335.5 square metres for Part 1 and 280.4 square metres for Part 2, whereas the Zoning By-law requires a minimum lot area of 300 square metres. The intent of the minimum lot width requirement is to provide lots that have adequate width to accommodate development and to create a consistency of lot widths along the street. The intent of the minimum lot area requirement is to provide adequately sized lots to accommodate development.

The proposed lot widths and lot areas are a result of the Subject Site being a corner lot. Part 1 (corner lot) exceeds the zoning requirement for lot width by 0.96 metres to accommodate a larger corner side yard setback. Part 1 exceeds the zoning requirement for lot area by 35.5 square metres. Part 2 (interior lot) provides a lot width that is 0.84 metres less than the zoning requirement to accommodate a wider lot for Part 1. Part 2 provides a lot area that is 19.6 square metres less than the zoning requirement for lot area.

The reduced lot width and reduced lot area for Part 2 meet the intent of the zoning requirements by severing the lots in a way that can suitably accommodate the proposed low-rise apartment buildings on both lots, while providing adequate interior side yards and corner side yards. The proposed lots exceed the zoning requirements for front yard aggregate soft landscaped area and rear yard soft landscaping despite the reduced lot width and lot area for Part 2.

### **Increased Building Height**

The proposed development has building heights of 8.8 metres, whereas the Zoning By-law permits a maximum height of 8.5 metres. The intent of maximum building heights is to limit the height of new development to ensure that new buildings are compatible with the existing context. The proposed building height constitutes an increase of 0.3 metres over the maximum permitted building height. The proposed building height facilitates the development of a three-storey low rise apartment building, with appropriate floor-to-ceiling heights for each storey. The Subject Site is a corner lot on local streets, which represents an area where additional density can be accommodated. These areas are planned for buildings up to three storeys. The proposed building height aligns with this direction by providing a three-storey building height that is compatible with the adjacent buildings.

The Subject Site abuts a one-storey detached dwelling to the east and a two-storey semi-detached dwelling to the south. A two-storey detached dwelling is located across Melbourne Avenue to the west of the Subject Site and a two-storey building owned by Cornerstone Housing for Women is located across Princeton Avenue to the north of the Subject Site (see Figure 9).

The proposed building height is compatible with the abutting properties. The abutting building to the east is set back approximately 9 metres from the shared lot line. The abutting building to the south is set back approximately 3.6 metres from the shared lot line. Adequate separation is provided between the proposed dwellings and the neighbouring buildings, ensuring that the zoning intent of compatible building heights is met.

Figure 9: Adjacent building heights. (Source: GeoOttawa).



### Reduced Interior Side Yard Setback

The proposed development provides interior side yard setbacks of 1.2 metres for the southerly interior side yard of Lot 1 and for both interior side yards of Lot 2. The Zoning By-law requires a minimum interior side yard setbacks of 1.5 metres. The proposed interior side yards constitute a reduction of 0.3 metres from the zoning requirement. The intent of minimum interior side yard setbacks is to ensure that adequate spacing between buildings is provided to enable access between the front and rear yards. Specifically, the intent of 1.5-metre interior side yards in the Westboro Development Overlay is to provide appropriate space for access to rear yards for waste management bins and similar equipment.

The proposed interior side yard setbacks meet this intent. The proposed 1.2-metre interior side yard setbacks are sufficiently wide to permit access between the yards. The proposed low-rise apartment buildings are separated by a total of 2.4 metres. Reciprocal easements are proposed to permit a shared walkway between the two buildings. Walkways in the rear yard connect the waste management bins to the street (Princeton Avenue), ensuring that bins can be brought to the street. The proposed low-rise apartment building on Part 2 and the abutting building to the south are separated by approximately 4.8 metres. This provides adequate space between the buildings.

The proposed interior side yard setbacks support the construction of buildings that are 6.76 metres wide. If zoning compliant interior side yard setbacks were provided, the building envelope for Lot 1 would be reduced by 1.8 metres (5.9 feet) and the building envelope for Lot 2 would be reduced by 0.6 metres (2 feet). The proposed interior side yards support appropriately wide buildings and sufficient unit sizes while ensuring that the intent of maintaining space between buildings and

providing access to the rear yard is maintained. The intent of the interior side yard setback requirement is met.

### **Reduced Corner Side Yard Setback**

The proposed development provides a corner side yard setback of 3.0 metres, whereas the Zoning By-law requires a minimum corner side yard setback of 4.5 metres. The proposed corner side yard setback constitutes a reduction of 1.5 metres. The intent of the corner side yard setback provision is to provide a consistency of yards along the street and to ensure that adequate space is provided for landscaping and tree planting. The intent is also to ensure that buildings are adequately separated from the street.

The proposed corner side yard is almost entirely soft landscaped, exceeding the 35% aggregate corner side yard soft landscaped area required by the Zoning By-law. The reduced setback does not adversely impact the soil volumes and space to accommodate tree growth. The proposed low-rise apartment building is 9.21 metres from the edge of the road, ensuring that the reduced setback does not compromise separation of the building from the street.

### **Increased Number of Units**

The proposed development provides eight units in each low-rise apartment building, for a total of 16 units, whereas the Zoning By-law permits low-rise apartment buildings with a maximum of six units. The zoning provisions of the R4UA Zone permit low-rise apartment dwellings with up to eight units. Exception 2686 prohibits low-rise apartment dwellings with more than six dwelling units. The proposed number of units constitutes an increase of two dwelling units in each building. The proposed buildings meet the intent of the R4UA Zone to provide low-rise apartment buildings that are more than four units and up to eight units.

The intent of limiting the number of dwelling units within a low-rise apartment is to limit overdevelopment of the site with a larger apartment building. Within the Westboro Development Overlay, the intent is to ensure that the building mass of new infill developments provide sufficient space to retain landscaping and areas for trees.

As indicated in the staff report to council on February 24<sup>th</sup>, 2021 recommending approval of the Westboro Development Overlay, *“a major guiding principle for infill development is that the exterior built form and site design of a building, not the number of units contained within the building, should be the primary determining factor in whether or not a development proposal is appropriate.”* The staff report states further that *“corner lots on local streets represent areas where additional density can be accommodated, as they contain more than one street frontage and fewer direct neighbours.”*

The proposed development provides eight units within the building form of a six-unit apartment building. The proposed apartment buildings meet the required front yard setback and the required rear yard setback. The development exceeds the required aggregate front yard and corner side yard landscaped area and the required rear yard soft landscaped area. By providing no parking spaces, the proposed development provides adequate space for landscaping and areas for trees despite the increased number of units. The proposed eight-unit apartment buildings do not overdevelop the site and meet the intent of the Zoning By-law.

**The minor variances maintain the general intent and purpose of the Zoning By-law 2008-250.**

**The third test for a minor variance is that the minor variance is considered desirable for the use of land.**

Variance a) requests a reduced corner side yard setback of 3.0 metres; whereas the By-law requires a corner side yard setback of 4.5 metres for the proposed development (Part 5, Section 144(1)(a)). The requested variance for reduced corner side yard setback is compatible with the built form of the neighbourhood. Specifically, several lots immediately to the east and west along Princeton Avenue have a front or corner side yard setback that is less than 4.5 metres (See Figure 10). Variance a) is consistent with the building setbacks along Princeton Avenue. The requested corner side yard can accommodate the proposed low-rise apartment dwelling in a form and scale that is appropriate in this location.

Variances c) and h) request an increase to the maximum number of dwelling units for a low-rise apartment dwelling to eight units; whereas the By-law permits a maximum of six units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV). The requested increase in dwelling units is consistent with provisions of the R4UA zone for eight-unit, low-rise apartment dwellings and will allow for infill development that supports intensification within the urban area, while having regard for the existing uses, lot fabric, and built form of the neighbourhood. The proposed development will better utilize the Subject Site by providing a total of 16 dwelling units on a lot that is currently developed with one dwelling unit. Each proposed low-rise apartment dwelling will provide adequate space for soft landscaping and tree plantings.

Intensification on the Subject Site is further supported by the availability of local services and amenities in the surrounding area. The lot is located within walking distance of a bus stop on Churchill Avenue, as well as a number of stores, restaurants, and offices along Richmond Road. The Subject Site is also within proximity of a number of schools, parks, and community amenities. In addition, the Subject Site is within walking distance of a planned LRT line along Carling Avenue. The existing and planned neighbourhood context makes the Subject Site a suitable location for intensification (see Figure 4).

Variance e) requests a reduced lot width of 9.1 metres; whereas the By-law requires a minimum lot width of 10 metres (Part 15, Urban Exception 2686, Column V). The requested variance for reduced lot width is compatible with the lot fabric of the neighbourhood. Specifically, several lots to the north and south along Melbourne Avenue and in proximity to the Subject Site have a lot width that is 10 metres or less (See Figure 11). The reduced lot width is consistent with the lot fabric along Melbourne Avenue and the surrounding context. The requested lot width can accommodate the proposed low-rise apartment dwellings in a form and scale that is appropriate in this location.

Variance f) requests a reduced lot area of 280 square metres; whereas the By-law requires a minimum lot area of 300 square metres (Part 15, Urban Exception 2686, Column V). The requested variance for reduced lot area is compatible with the lot fabric of the neighbourhood. Specifically, several lots in the vicinity of the Subject Site have a lot area of 300 square metres or less (See Figure 12). The reduced lot area is consistent with the lot fabric along Melbourne Avenue, Princeton Avenue and the surrounding context. The requested lot area can accommodate the proposed low-rise apartment dwellings in a form and scale that is appropriate in this location.

Variance b) and variance g) request a reduced interior side yard setback of 1.2 metres; whereas the By-law requires a minimum interior side yard setback of 1.5 metres (Part 15, Urban Exception 2686, Column V). The requested variances for reduced interior side yard setbacks on the Subject Site are compatible with the existing neighbourhood context. Several lots to the north and south of the Subject Site along Melbourne Avenue have interior side yard setbacks that are less than required by the zoning by-law (See Figure 13). A fully conforming unobstructed path of travel is provided at grade for

movement of waste bins between the public street and rear yards on each newly created lot. Each low-rise apartment dwelling has been designed to be compatible with abutting lots to the north and south. Variances b) and g) are consistent with the streetscape along Melbourne Avenue. The requested interior side yard setbacks can accommodate the proposed low-rise apartment dwellings in a form and scale that is appropriate in this location.

Variance d) and variance i) request an increased building height of 8.8 metres; whereas the By-law permits a maximum height of 8.5 metres (H (8.5)). The proposed building height facilitates the development of two three-storey low-rise apartment buildings. The proposed building height is compatible with the neighbouring properties and aligns with the low-rise built form context in the neighbourhood. The proposed building height constitutes a slight increase over the permitted building height in order to support three full storeys with appropriate floor-to-ceiling heights. The buildings will be set back almost 11 metres from the edge of Melbourne Avenue and approximately 9.2 metres from the edge of Princeton Avenue, ensuring that the proposed building height does not overwhelm the street and is balanced by large, landscaped areas in the front and corner side yards. The adjacent building to the east is set back approximately 9 metres from the shared property line and the adjacent building to the south is set back approximately 3.6 metres from the shared property line. The proposed buildings will be adequately separated from the existing buildings, ensuring that the increased building height is suitable for the Subject Site.

Figure 10: Front and Corner Side Yard Setbacks along Princeton Avenue. (Source: GeoOttawa).

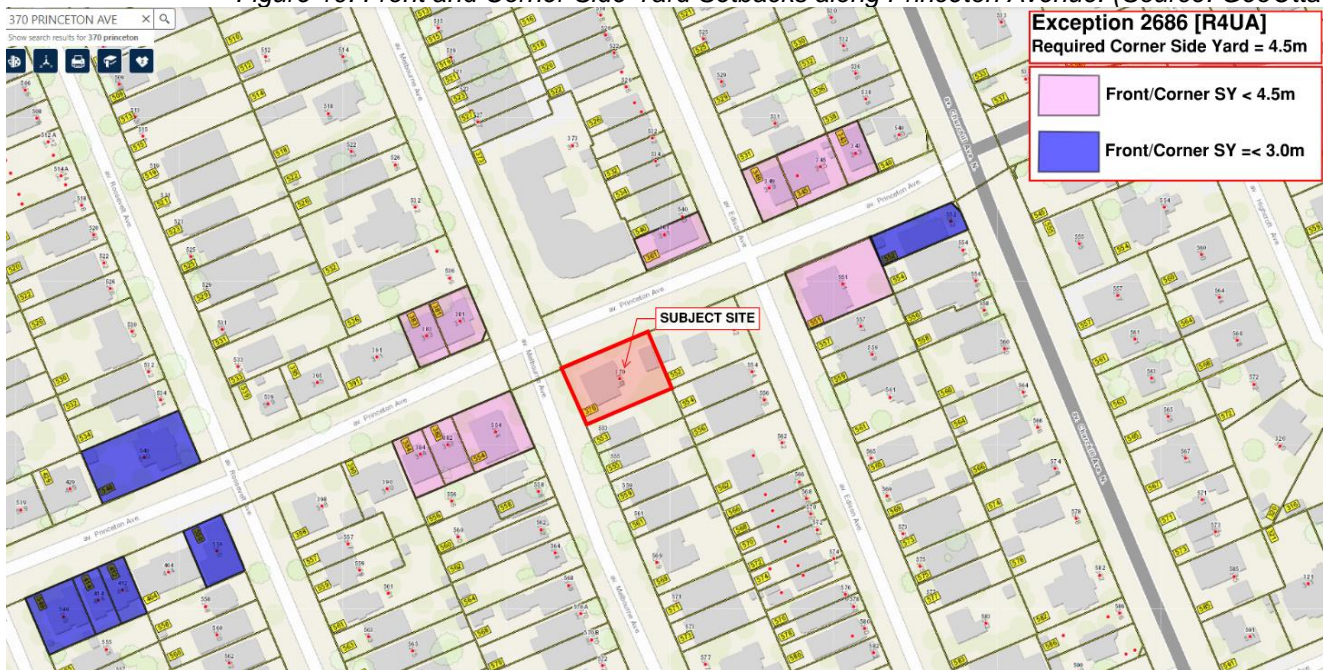


Figure 11: Lot Widths in Surrounding Area. (Source: GeoOttawa).



Figure 12: Lot Areas in Surrounding Area. (Source: GeoOttawa).



Figure 13: Interior Side Yard Setbacks in Surrounding Area. (Source: GeoOttawa).



The requested minor variances are to facilitate reduced lot width, reduced lot area, reduced interior side yard setbacks, and increased building heights for the proposed low-rise apartment dwelling. Reduced lot width, lot area, interior side yard setback, and increased building height for the proposed low-rise apartment development are consistent with the neighbourhood context and with the existing lot fabric. The requested variances are considered desirable for the use of land.

**The requested minor variances are considered desirable for the use of land.**

**The fourth test for a minor variance is that the variance is considered minor in nature.**

Variance a) is required to permit a reduced corner side yard setback on the Subject Site that is 1.5m less than the minimum required in the Zoning By-law. Variances b) and g) are required to permit reduced interior side yard setbacks for each low-rise apartment building that are 0.3 metres less than the minimum required for a low-rise apartment building. Variances c) and h) are required to permit an increase to the maximum number of dwelling units for each low-rise apartment building by two units. Variance e) is required to permit a reduced lot width on the Subject Site having a lot width that is 0.9 metres less than the minimum required in the Zoning By-law. Variance f) is required to permit a reduced lot area on the Subject Site having a lot area that is 20 square metres less than the minimum required in the Zoning By-law. Variances d) and i) are required to permit a building height that is 0.23 metres greater than the maximum permitted building height.

The proposed low-rise apartment dwellings meet the performance standards for front yard setback and rear yard setback. The minimum required aggregated soft landscaping area in the front yards and corner side yard is exceeded. The minimum required rear yard soft landscaped area is exceeded



on each newly created lot. A fully conforming unobstructed path of travel is provided at grade for movement of waste bins between the public street and rear yard on the east side of the Subject Site. The proposed lot widths, lot areas and building setbacks on each newly created lot can accommodate the proposed low-rise apartment dwelling at a form and scale that is appropriate in this location.

The request for reduced corner side yard setback, lot width, lot area, interior side yard setbacks, and increased building heights on the Subject Site are consistent with the character of the surrounding context and will have no impact on the streetscape or on the functionality of the site. The requested increase in maximum permitted number of dwelling units is consistent with provisions of the R4UA zone for eight unit, low-rise apartment dwellings and will allow for infill development that supports intensification within the urban area, while having regard for the existing uses, lot fabric, and built form of the neighbourhood.

**The requested variances are considered minor in nature.**

### **Conclusion**

A plan of subdivision is not required for the proposed development at 370 Princeton Avenue. The proposed severances are an example of appropriate intensification of the Subject Site that will provide 16 dwelling units in proximity to existing and planned transit infrastructure, commercial amenities, and employment uses.

The requested variances maintain the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law by providing intensification that is well located and fits in well with the existing neighbourhood context. The proposed minor variances are desirable for the use of the land, will fit in with the existing and planned streetscape and are minor in nature.

The proposed development represents good land use planning.

In support of the applications for consent and minor variance, please find enclosed:

- Cover Letter (one copy)
- Complete Consent Application Form for Part 1 (one original copy)
- Complete Consent Application Form for Part 2 (one original copy)
- Complete Minor Variance Application Form for Part 1 (one original copy)
- Complete Minor Variance Application Form for Part 2 (one original copy)
- Consent Sketch for Part 1 (one 8.5x11 copy and one 11x17 copy)
- Consent Sketch for Part 2 (one 8.5x11 copy and one 11x17 copy)
- Minor Variance Sketch (one 8.5x11 copy and one 11x17 copy)
- Draft Reference Plan (one 8.5x11 copy and one 11x17 copy)
- Site Plan (one 8.5x11 copy and one 11x17 copy)
- Elevation Drawings (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 370 Princeton Avenue (one copy)
- Survey Plan (one 8.5x11 copy and one 11x17 copy)
- Tree Information Report (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

**NOVATECH**

A handwritten signature in black ink, appearing to read 'Arjan Soor', is written over a horizontal line.

Arjan Soor, M.PL  
Planner