

May 12, 2023

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

Attention: Michel Bellemare, Secretary - Treasurer

Dear Mr. Bellemare:

**Reference: 672 Denbury Avenue
Applications for Consent and Minor Variance
Our File No 123047**

Committee of Adjustment
Received | Reçu le

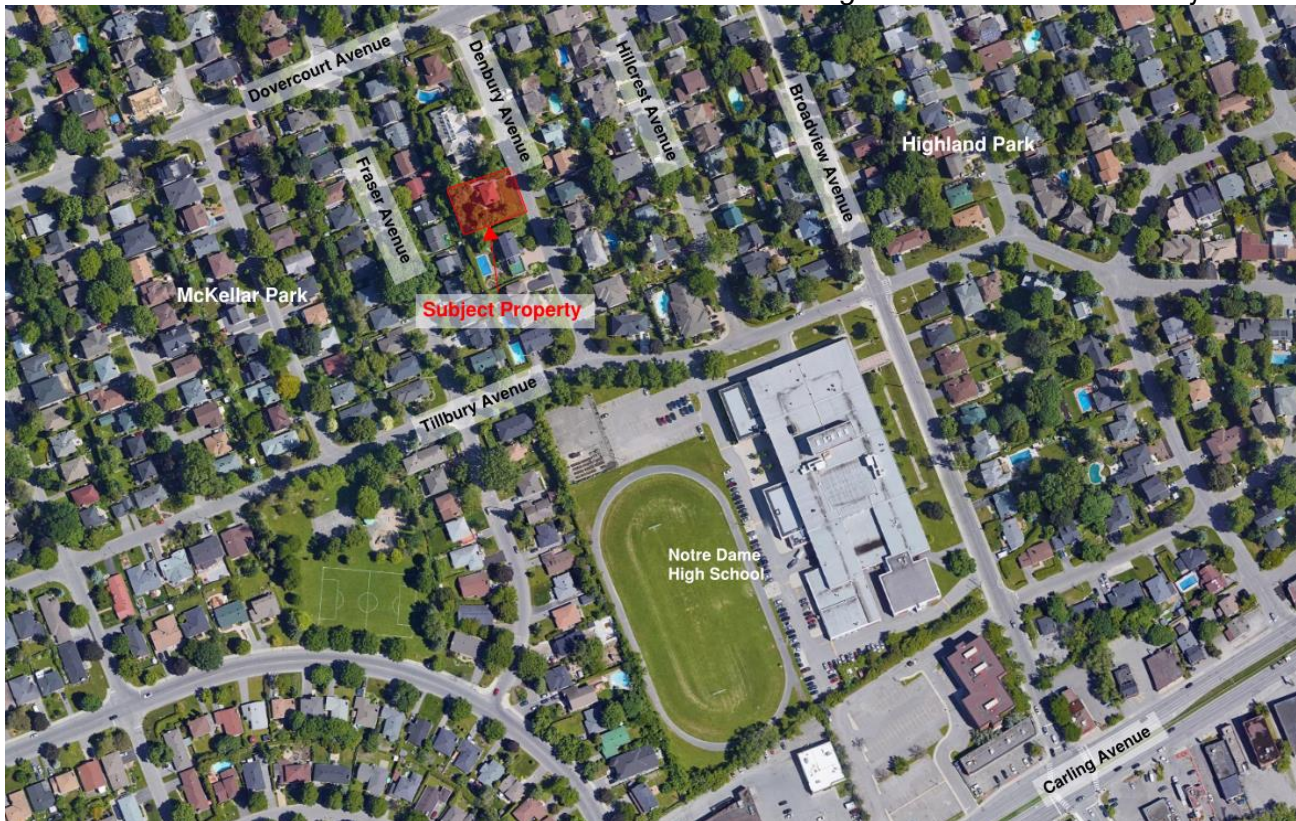
2023-05-26

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Novatech has been retained by the owner of the property municipally known as 672 Denbury Avenue (the "Subject Property") to prepare and file applications for Consent and Minor Variance to sever the existing lot. The existing single detached dwelling will be retained.

This 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



**This document is presented in the language it was provided.
Ce document est présenté dans la langue dans laquelle il a été fourni.**

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Site and Context

Site

The Subject Property is located in the Highland Park/McKellar Park neighbourhood and is within the City of Ottawa's Bay Ward (Ward 7). The property is an interior lot located on the west side of Denbury Avenue. The Subject Property is in an area bounded by Dovercourt Avenue to the north, Hillcrest Avenue to the east, Tillbury Avenue to the south, and Fraser Avenue to the west. The Subject Property has a frontage of 30.48 meters along Denbury Avenue and a lot area of 987 square meters. The Subject Property is legally known as LT 24, PL 484; Ottawa/Nepean.

Figure 2: Subject Site



The Subject Property is zoned R10 in the City of Ottawa Zoning By-law 2008-250. The property is subject to the Mature Neighbourhoods Overlay of the Zoning By-law. The Subject Property is designated Neighbourhood within the Inner Urban Transect in the City of Ottawa Official Plan (2022).

The Subject Property is currently developed with a detached dwelling. The existing detached dwelling will be retained. The neighbouring area is similarly developed with detached dwellings. Most of the lots in the neighbourhood are smaller than the Subject Property, with lot widths around 15.24 meters.

Figure 3: Existing Building on the Subject Property (to be retained)



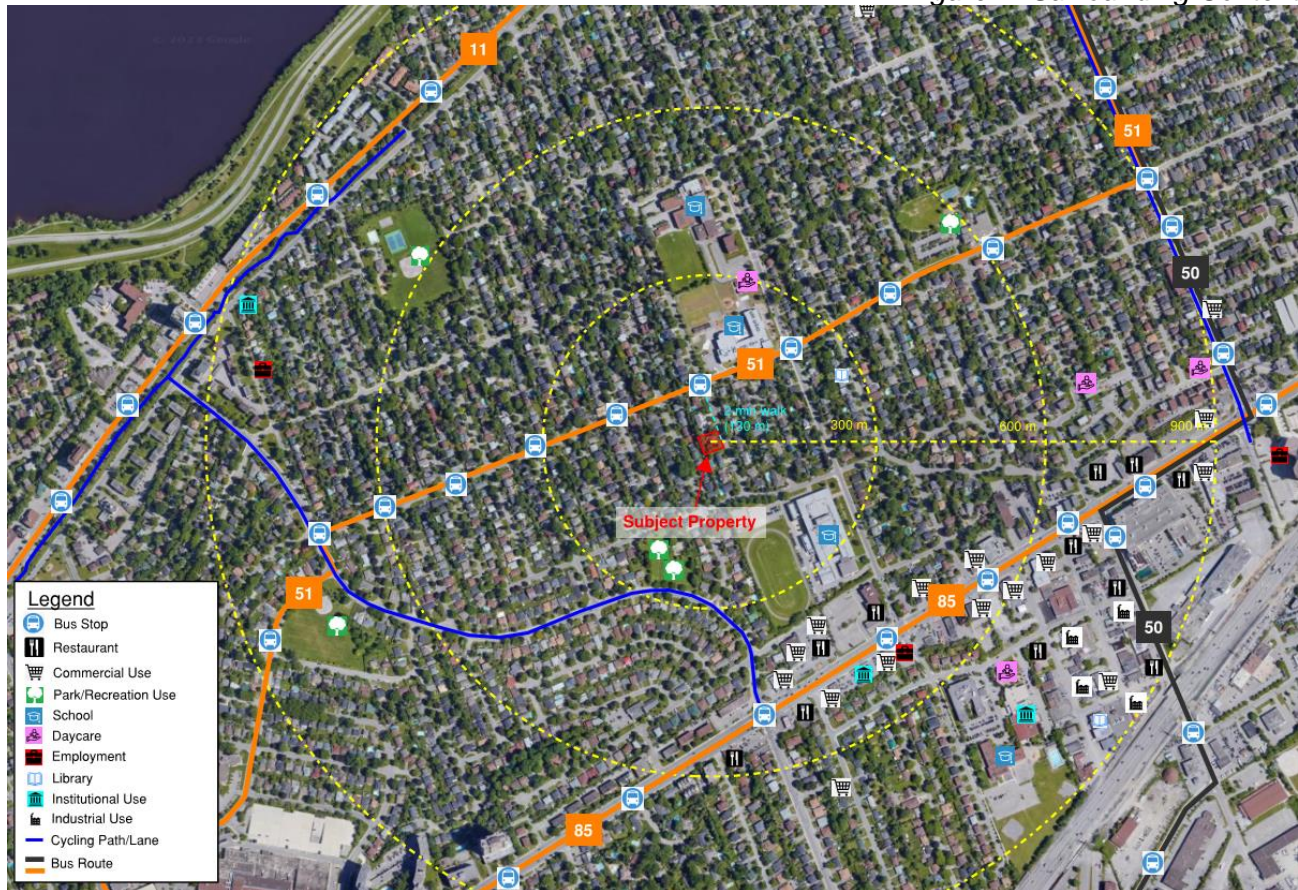
Surrounding Context

The Subject Property is primarily surrounded by detached dwellings. The neighbouring lots, particularly those to the west of the Subject Property, have generally consistent lot sizes with lot widths of approximately 15.24 meters and lot areas of around 464 square meters. The Subject Property is also located within walking distance of two schools and a park.

The Subject Property's proximity to Dovercourt Avenue and Broadview Avenue, which are both identified as Collector roads in the Official Plan, means that there is good transportation connectivity to the Subject Property. The Subject Property is also within walking distance of Carling Avenue, which is identified as a Mainstreet Corridor in the Official Plan (see Figure 1). Future O-Train connections are also planned along Carling Avenue, which will provide rapid transit access to the Subject Property. The Subject Property is a two minute walk (130 m) from the nearest bus stop on Dovercourt Avenue, where the 51 frequent bus route provides connections to Tunney's Pasture LRT station through Westboro (see Figure 4).

The neighbourhood around the Subject Property is generally developed with detached dwellings. Notre Dame High School, Tillbury Park, and Broadview Public School are all within 300 meters of the Subject Property. Within 600 meters of the Subject Property, there are a number of commercial uses along Carling Avenue, as well as several schools, parks, and community services, including Nepean High School, McKellar Park, and Dovercourt Recreation Centre. Within 900 meters, there is a greater variety of residential and commercial uses, including low, mid, and high-rise apartment buildings, restaurants, big-box stores such as Canadian Tire, and automobile repair shops. The Ottawa Jewish Community School and Westwood Park are also located within 900 meters of the Subject Property. Just outside of the 900 meter radius, there are a number of office buildings along Carling Avenue.

Figure 4: Surrounding Context

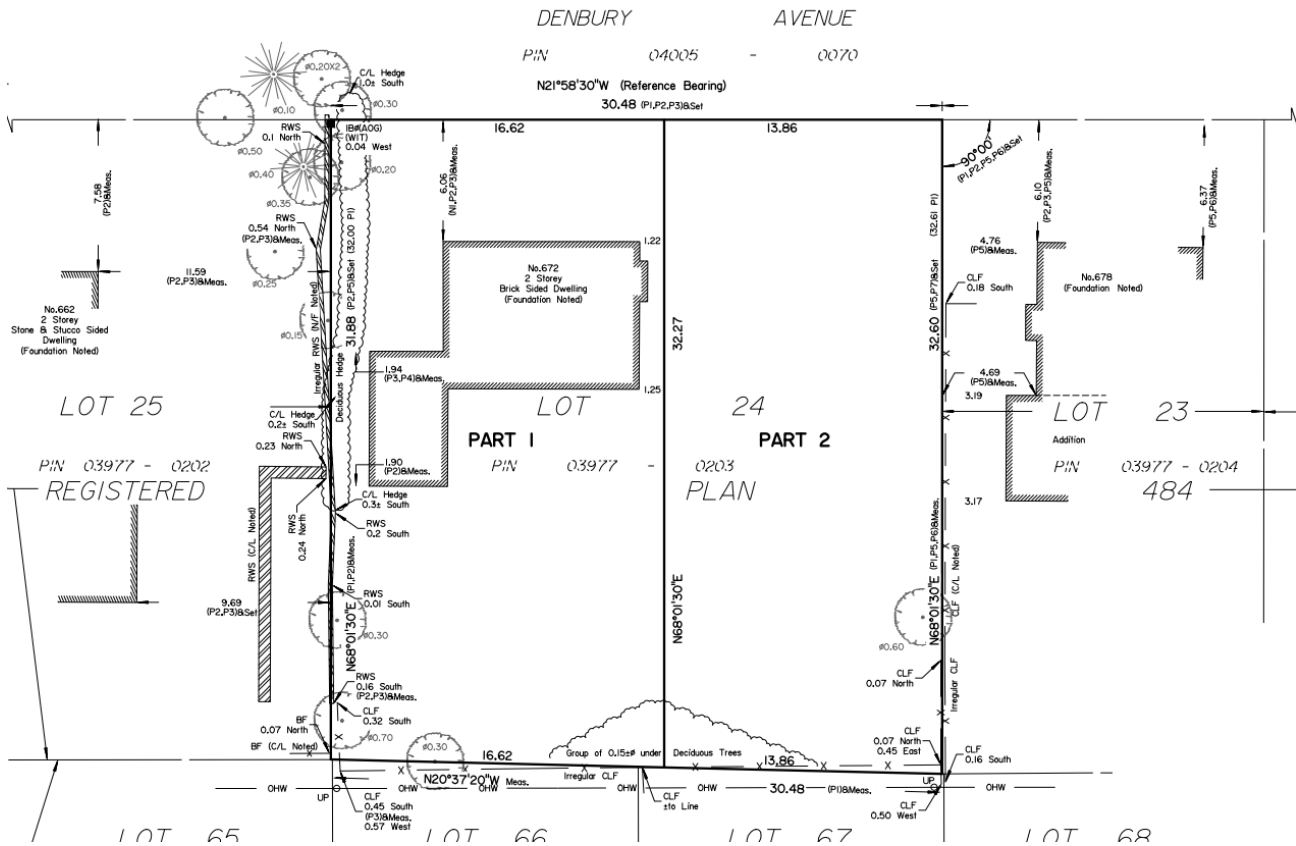


Proposed Development

The proposed Consent and Minor Variance applications seek to sever the existing lot. The existing detached dwelling will be retained. No development is proposed for the vacant lot (Part 2) at this time. In order to retain the existing dwelling, the proposed severance will create two lots with unequal lot widths. This will require minor variances for the vacant lot (Part 2 on the Draft Reference Plan) to permit a reduced lot width and lot area.

The proposed development will advance the City’s intensification goals by providing an additional lot for future residential development. This intensification is well located and meets the City’s 15-minute neighbourhood objectives, as the Subject Property is within walking distance of transit, commercial and employment services, schools, and park spaces. The proposal will have a minimum impact on the character of the area and will fit into the lot fabric of the neighbourhood.

Figure 5: Draft Reference Plan Excerpt



Severance Applications

Severance Application 1:

This application will create the lot to the north, labelled as Part 1 on the Draft Reference Plan (Figure 5). This lot will have a lot width of 16.62 meters, a lot depth of 32.1 meters, and a lot area of 532.9 square meters.

Severance Application 2:

This application will create the lot to the south, labelled as Part 2 on the Draft Reference Plan (Figure 5). This lot will have a lot width of 13.86 meters, a lot depth of 32.4 meters, and a lot area of 449.4 square meters.

Figure 6: Severance Application 1 Sketch

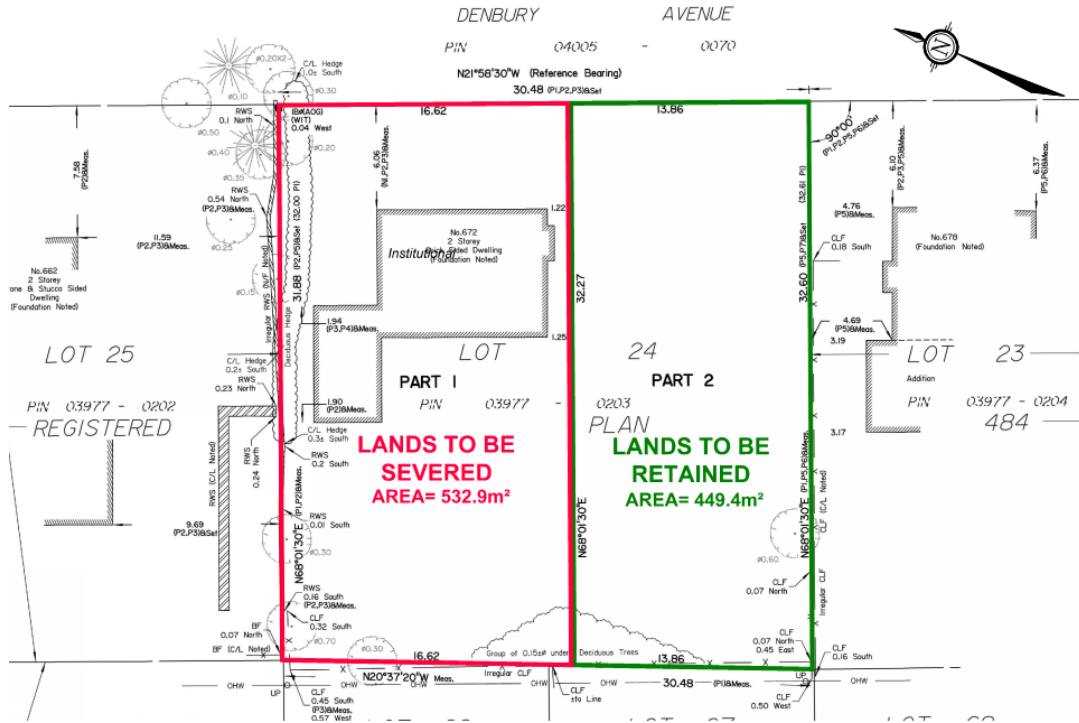
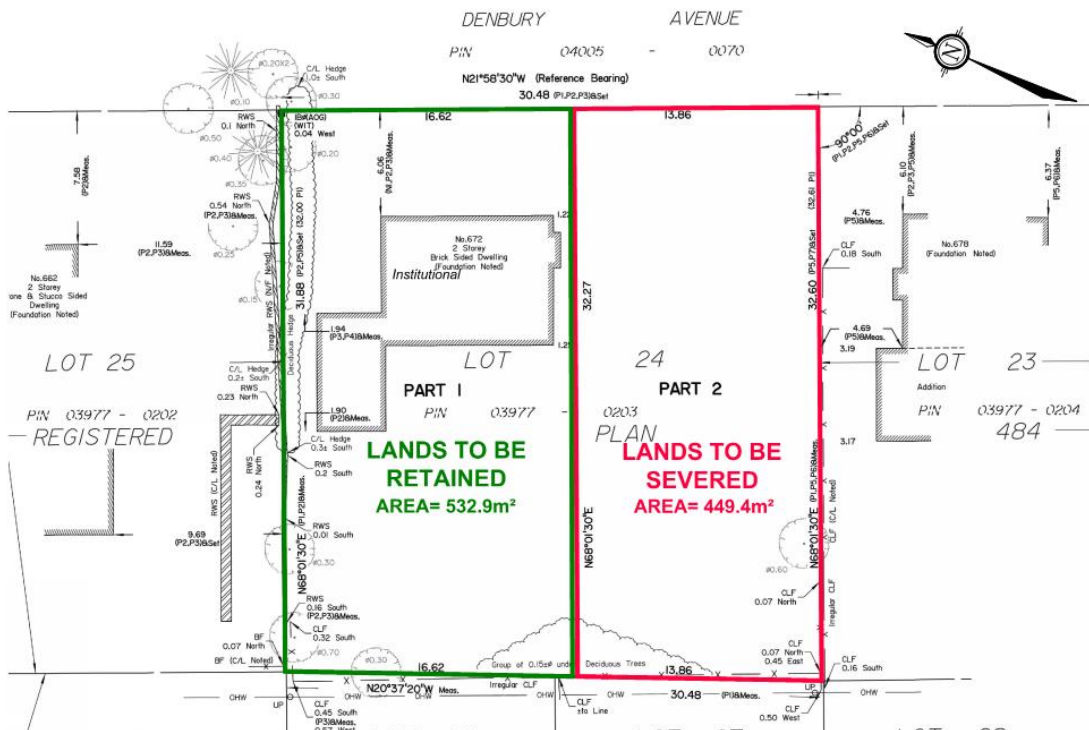


Figure 7: Severance Application 2 Sketch



Severance Rationale

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 severance does 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;

The proposed severances have regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management system
- the minimization of waste
- 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 Property is located within the City of Ottawa’s urban boundary and is in a fully developed neighbourhood. Therefore, the proposed severances are not premature.

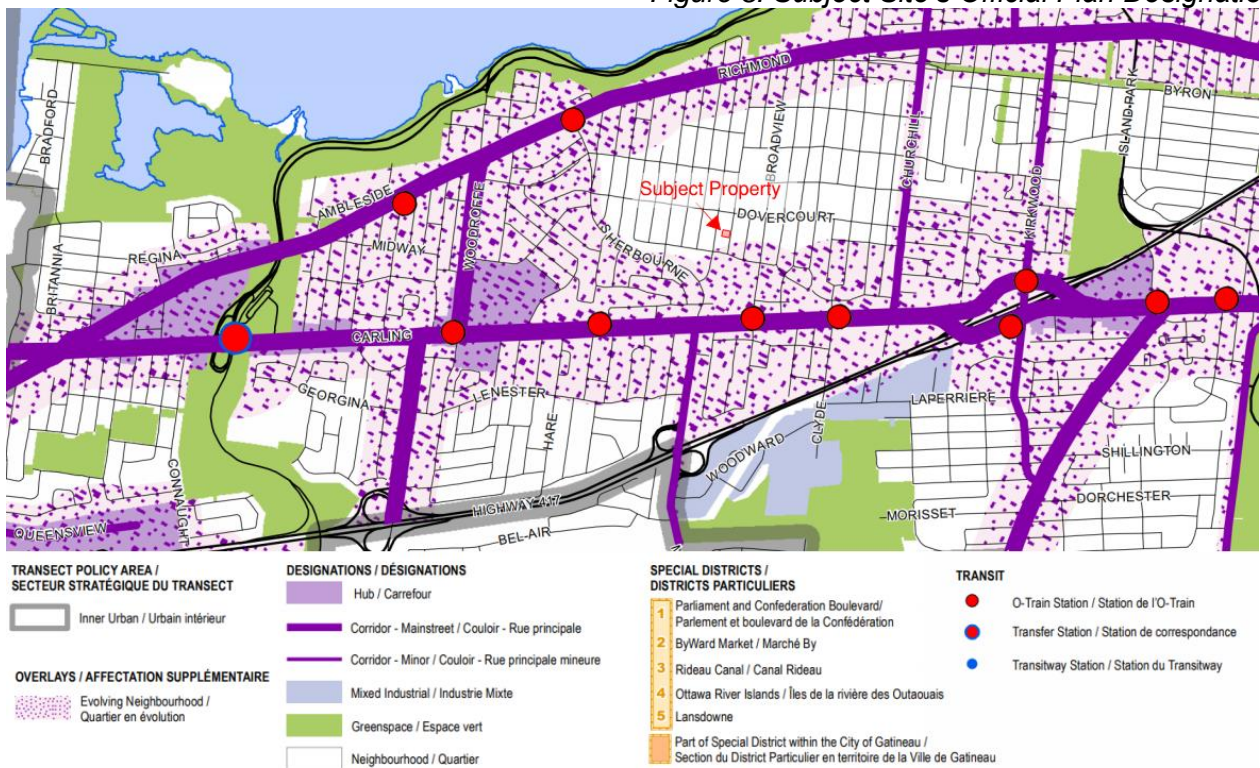
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

In order to accommodate the expected growth of the city, the City of Ottawa Official Plan supports infill development and intensification throughout the built-up area (Section 3.2). Policy 3 of Section 3.2 states:

“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 as shown on Schedules B1 through B8. Hub and Corridor designations are intended to be diverse concentrations of employment, commercial, community and transportation services (in addition to accommodating significant residential opportunities) that are accessible to adjacent Neighbourhood designations on a daily and weekly basis.”

The Subject Property is designated Neighbourhood within the Inner Urban Transect of the Official Plan (see Figure 8). The Subject Property is located just outside of the Evolving Neighbourhoods Overlay as it is in proximity to the Carling Avenue Mainstreet Corridor, where a number of commercial, employment, and transit amenities are available. This proximity to a number of amenities as well as existing and future transit makes the Subject Property a prime location for intensification. The proposed severances will allow for future infill development that will help meet the City’s 15-minute neighbourhood objectives.

Figure 8: Subject Site’s Official Plan Designation



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

The proposed severances will result in two unequally sized lots that will require variances for lot width and lot area for the vacant lot (Part 2). Despite requiring relief from the Zoning By-law, the proposed severances will be suitable for the use of the land. The unequal lot sizes are required in order to retain the existing detached dwelling. If the existing detached dwelling were not retained, the Subject Property would be severed in half and would create two equally sized, fully conforming lots with the same lot widths and lot areas as the neighbouring properties to the rear. Despite the reduced lot size, the new vacant lot will be able to accommodate a detached dwelling that fully conforms with the required setbacks.

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

No affordable housing units are being proposed.

(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 severance does 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 unequally sized lots. Despite the unequal lot sizes, the proposed lots will both be able to accommodate a detached dwelling. Additionally, the proposed severances will create lots with a uniform shape that will fit into the surrounding lot fabric. The proposed severances will result in lots with a difference in lot width of 2.76 meters. This difference will not be noticeable from the street but will allow for the retention of the existing detached dwelling.

(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 Property is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

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

(j) the adequacy of school sites;

The Subject Property is located near Broadview Public School, Notre Dame High School, Nepean High School, and the Ottawa Jewish Community School (see Figure 4). The proposed severances will have no major impact on the adequacy of school sites 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;

No part of the Subject Property will be dedicated for public purposes. It is expected that cash-in-lieu of parkland will be requested by the City as 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 severances more efficiently uses the Subject Property by providing an additional lot for residential development. The proposed severances also constitute infill development, facilitating growth in the urban area. This is more efficient from a transportation and transit perspective and more efficiently uses 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 672 Denbury 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 development by more effectively using the existing lot and providing an additional lot for residential development within the urban area. The Subject Property’s location near Carling Avenue means that there is strong transit access in this area, which makes the Subject Property a prime candidate for gradual intensification. Since the Subject Property is within the urban area, the proposed lots will have adequate access to the necessary infrastructure and public service facilities, while reducing pressure to expand the urban boundary.

672 Denbury Avenue is considered part of the “Settlement Areas” as defined in Section 1.1.3 of the PPS.

Policy 1.1.3.1 states:

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

The proposed severance is in line with this policy as it will add an additional lot for residential development within the City of Ottawa’s urban area.

Policy 1.1.3.2 states:

“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 severances 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 and a future O-Train station along Carling Avenue. The Subject Property’s proximity to commercial, employment, and transit amenities makes the site an excellent location for gradual intensification.

The proposed severances are consistent with the direction of the Provincial Policy Statement. The proposed severances at 672 Denbury Avenue constitute good land use planning.

Minor Variance Application

The proposed minor variances are listed below:

- a) To permit a reduced lot width of 13.8 meters; whereas the By-law requires a minimum lot width of 15 meters (Section 156(9), Table 156A(O)).
- b) To permit a reduced lot area of 449.4 square meters; whereas the By-law requires a minimum lot area of 450 square meters (Section 156(9), Table 156A(O)).

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

Minor Variance Rationale

Section 45(1) of the Planning Act sets the four tests that a minor variance is required to meet in order to be permitted.

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

672 Denbury Avenue is designated Neighbourhood in the Inner Urban Transect of the City of Ottawa Official Plan (2022). The Subject Property is located just outside of the Evolving Neighbourhood Overlay.

Growth Management Framework:

Section 3 of the Official Plan provides a Growth Management Framework for the City of Ottawa. Section 3 states:

“Most growth will occur within the urban area of the City, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon.”

Section 3.2 of the 2022 Official Plan supports intensification and states the following:

“Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors.”

The Subject Property is located within walking distance of the Carling Avenue Mainstreet Corridor, where there is access to a number of commercial and employment amenities, as well as a future LRT connection. The Subject Property’s proximity to these amenities will allow the proposed development to support the City’s 15-minute neighbourhood objectives. This makes the Subject Property a prime location for the gradual intensification outlined in the Official Plan.

Policy 4 of Section 3.2 states:

“Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable. When reviewing planning applications for intensification, the City shall ensure that surface water and groundwater resources are protected, particularly where the groundwater resource is used for drinking water.”

The Subject Property has municipal water and sewer services as it is within the City’s urban area. Therefore, intensification is permitted on the Subject Property. The proposed development is consistent with this policy, as it adds an additional lot for residential development to the area. The proposed lot will be an appropriate size to support a residential dwelling that is consistent with the property’s surrounding context as well as its transect policies.

Inner Urban Transect

The Inner Urban Transect is characterized by a mix of pre-World War II and post-World War II neighbourhoods with a mix of urban and suburban built forms and character. Policy 1 of Section 5.2.1 states:

“The Inner Urban Transect’s built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban.”

The proposed lot sizes fit in well with the neighbourhood context and will maintain an urban pattern of smaller lot sizes.

Policy 4 of Section 5.2.1 states:

“The Inner Urban Transect shall continue to develop as a mixed-use environment, where:

- a) *Hubs and a network of Mainstreets and Minor Corridors provide residents with a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods;*

- b) *Small, locally oriented services may be appropriately located within Neighbourhoods;*
- c) *Existing and new cultural assets are supported, including those that support music and nightlife;*
- d) *Larger employment uses are directed to Hubs and Corridors; and*
- e) *Increases in existing residential densities are supported to sustain the full range of services noted in Policy a).*

The proposed severances will create a new lot for residential development. This will contribute to increasing residential densities in the area, which will help support the range of commercial and employment services along Carling Avenue. The increased density will also support existing and future transit service in the area.

Policy 1 of Section 5.2.4 states:

“Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:

- a) *Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;*
- b) *The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;*
- c) *Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;*
- d) *Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and*
- e) *In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.”*

The Subject Property is located within walking distance of the Carling Avenue Mainstreet Corridor and is appropriately located for residential growth and gentle intensification. The proposed severances will create an additional lot that will support low-rise residential development in the area.

Neighbourhood Designation:

The Subject Property is designated Neighbourhood on Schedule B2 of the Official Plan. Section 6.3 provides policy direction for development in Neighbourhoods and describes the intent of the designation as *“permit[ing] a mix of building forms and densities.”* The Plan stresses that *“Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.”*

The proposed severances will meet this intent by providing an additional lot for residential development. The proposed lot is an appropriate size to support development and fits into the lot fabric of the neighbourhood.

Policy 4 of Section 6.3.1 states:

“The Zoning By-law and approvals under the Planning Act shall allow a range of residential and nonresidential built forms within the Neighbourhood designation, including:

- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;”*

Policy 5 of Section 6.3.1 states:

“The Zoning By-law will distribute permitted densities in the Neighbourhood by:

- a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;*
- b) Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and*
- c) Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).”*

The proposed severances will help provide a full range of low-rise housing options to meet the goals of the Growth Management Framework by providing an additional lot that can accommodate an additional dwelling unit. The proposed severance is located in proximity to the Carling Mainstreet Corridor. The smaller lot size will contribute to the urban character of the neighbourhood and will provide an appropriate transition between Carling Avenue and the neighbourhood.

The minor variances maintain the 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 Property is zoned Residential First Density, Subzone O (R1O) in the City of Ottawa Zoning By-law 2008-250.

The purpose of the R1 zone is to:

1. *restrict the building form to detached dwellings 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 detached dwelling 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 detached dwelling, 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 following uses are permitted in the R1 zone, as per Section 155 of the Zoning By-law:

- (1) The following uses are permitted uses subject to:

- (a) the provisions of subsection 155 (3) to (6);
- (b) a maximum of three guest bedrooms in a bed and breakfast;
- (c) a maximum of ten residents is permitted in a group home; and
- (d) a maximum of ten residents is permitted in a retirement home, converted.
 - bed and breakfast**, see Part 5, Section 121
 - detached **dwelling**
 - diplomatic mission**, see Part 3, Section 88
 - group home**, see Part 5, Section 125
 - home-based business**, see Part 5, Section 127
 - home-based daycare, see Part 5, Section 129
 - park**
 - retirement home, converted** see Part 5, Section 122
 - secondary dwelling unit**, see Part 5, Section 133
 - urban agriculture**, see Part 3, Section 82 (By-law 2017-148)

The zoning provisions that apply to the Subject Property can be found in the table below.

Table 1: Zoning Provisions

Provision	Required	Provided – Part 1	Provided – Part 2
Minimum Lot Width (m)	15 m	16.6 m	13.8 m
Minimum Lot Area (m ²)	450 m ²	532.9 m ²	449.4 m ²
Maximum Building Height (m)	8 m	2 storeys	N/A
Minimum Front Yard Setback (m)	6 m	6.06 m	N/A
Minimum Corner Side Yard Setback (m)	4.5 m	N/A	N/A
Minimum Rear Yard Setback (m)	9.1 m (Part 1) 9.5 m (Part 2) (Lot depth minus 23 meters)	13.6 m	N/A
Minimum Interior Side Yard Setback (m)	3 m with one yard no less than 1.2 m	1.9 m / 1.22 m	N/A
Maximum Lot Coverage	N/A	N/A	N/A
Minimum Aggregate Front Yard Soft Landscaping	40%	66%	N/A

The existing detached dwelling on Part 1 is a permitted use in the R1 zone. Variances for a reduced lot width and lot area are required to facilitate the severance of the property.

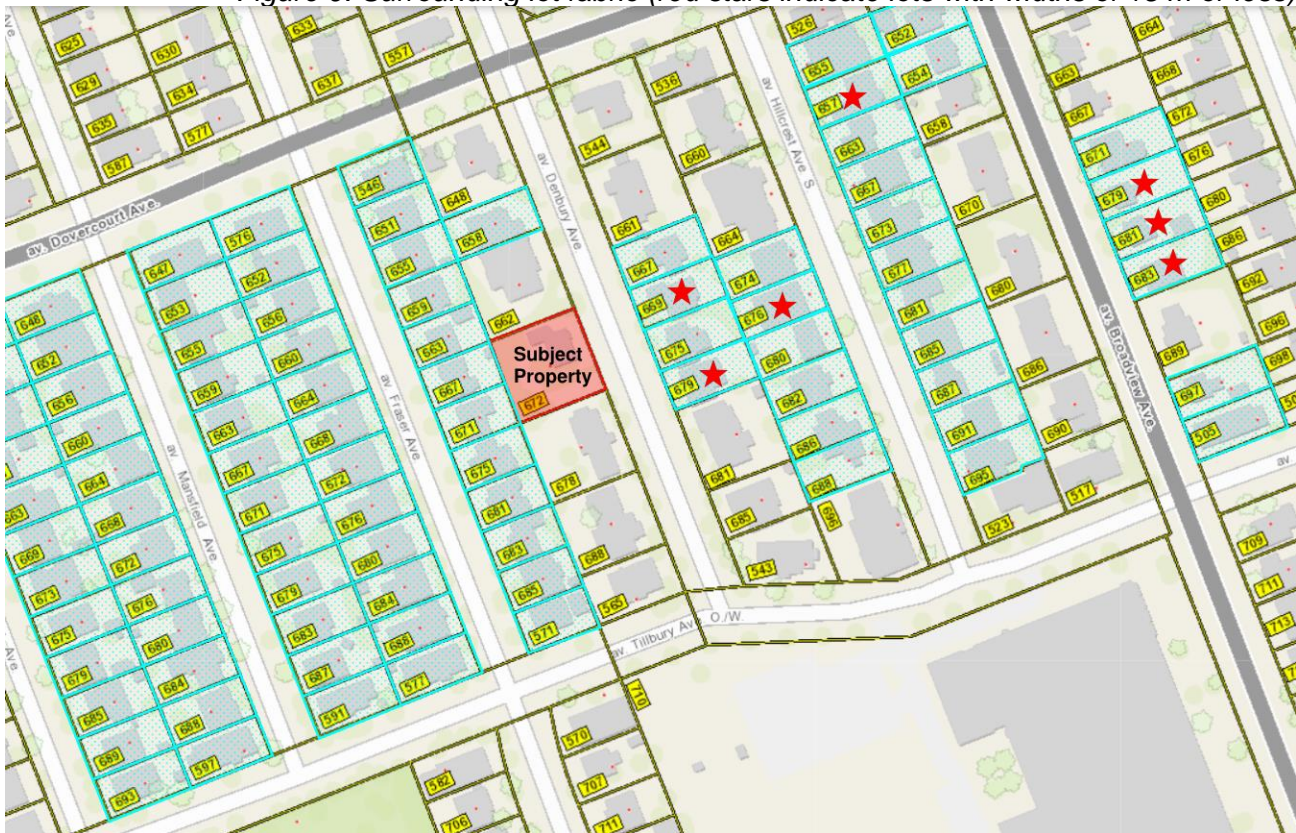
Variance a) requests a reduction in the minimum lot width from 15 meters to 13.8 meters. The intent of the lot width provisions is to ensure that a consistent streetscape is maintained. The proposed severances meet this intent as the proposed lots will remain consistent with the lot fabric of the neighbourhood, where there are a number of small lots with widths between 14 meters and 16 meters, including the properties to the rear and directly across the street from the Subject Property (see Figure 9). Figure 9 shows the surrounding lot fabric, highlighting the properties with lot widths between 14 meters and 16 meters in a blue outline and lots below the 15 meter minimum lot width

indicated with a red star. This figure shows that the neighbourhood is dominated by lots that are a similar size to what is proposed.

Additionally, the reduced lot width on Part 2 will allow the existing detached dwelling on Part 1 to be retained and all required setbacks to be met. If the existing detached dwelling were to be demolished, two equal sized, fully compliant lots with lot widths of 15.24 meters could be created. Despite the reduced lot width, Part 2 will be able to accommodate a new residential development while meeting all required setbacks.

Variance b) requests a reduction in the minimum lot area from 450 square meters to 449.4 square meters. The intent of the lot area provisions is to ensure a consistent lot fabric is maintained and that lots are an adequate size to support residential development. Despite the reduced lot area, the proposed lot will be able to support residential development while meeting all of the required setbacks. The reduced lot area is less than one square meter smaller than the required lot area and is only requested in order to maintain the existing detached dwelling on Part 1. If the existing detached dwelling were to be demolished and the Subject Property were severed in half, both lots would meet the minimum required lot area.

Figure 9: Surrounding lot fabric (red stars indicate lots with widths of 15 m or less)



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.

The proposed variances are considered desirable for the use of the land as they will facilitate the creation of an additional lot for residential development. The proposed lots are consistent with the lot fabric of the neighbouring area and will better utilize the site by providing an additional housing unit in the area. This will allow for gentle intensification in the neighbourhood while maintaining compatibility with the surrounding lot fabric.

Intensification is further supported by the availability of services and amenities in the surrounding area. The lot is located within a two minute walk of a bus stop, which is serviced by the 51 frequent bus route. The Subject Property is also located within walking distance of a number of stores, restaurants, and offices located along Carling Avenue. The Subject Property is also within walking distance of a number of schools, parks, and community amenities. In addition, the Subject Property is within walking distance of a future LRT line along Carling Avenue. This context makes the Subject Property a prime candidate for intensification.

The 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.

The proposed severances require variances for reduced lot width and lot area on Part 2.

Variance a) requests a reduced lot width of 13.8 meters where the Bylaw requires a minimum lot width of 15 meters. The requested variance would constitute a reduction in the lot width of 1.2 meters. This difference is minimal and would be barely noticeable from the street. The reduced lot width on Part 2 will allow the detached dwelling on Part 1 to be retained. If the existing detached dwelling were to be demolished and the lot severed in half, both Part 1 and Part 2 would meet the minimum required lot width.

Despite the slightly smaller lot width, the vacant lot will fit in well with the lot fabric of the surrounding area. There are a number of lots with lot widths of approximately 15.24 meters to the rear of the Subject Property and directly across the street. There are also a couple lots across the street from the Subject Property that have lot widths below the required minimum (see red stars on Figure 9).

Variance b) requests a reduced lot area of 449.4 square meters where the Bylaw requires a minimum lot area of 450 square meters. The requested variance constitutes a reduction of 0.6 square meters in the lot area. This is a difference of less than one square meter that will not be noticeable from the street and will have no impact on the developability of the lot. The slightly reduced lot area will also allow for the detached dwelling on Part 1 to be retained. The proposal will create a lot that fits into the lot fabric of the surrounding area and will be able to accommodate a dwelling while respecting all applicable setbacks.

The variances are considered minor in nature.

Conclusion

The proposed development at 672 Denbury Avenue maintains the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law 2008-250 by providing gentle intensification through the creation of an additional lot for residential development. The proposed severance is an appropriate use of the Subject Property as it better uses the Subject Property and will provide an

additional dwelling unit close to existing and future transit infrastructure, commercial amenities, schools, and employment uses. Despite the reduced lot width and lot area, the proposed severances will fit into the lot fabric of the neighbourhood and have a minimal impact on the streetscape. Therefore, the variances are minor in nature. As all four tests under Section 45(1) of the Planning Act have been met and a plan of subdivision is not required, 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 1 (one original copy)
- Complete Consent Application Form 2 (one original copy)
- Complete Minor Variance Application Form (one original copy)
- Consent Sketch 1 (one 8.5x11 copy and one 11x17 copy)
- Consent Sketch 2 (one 8.5x11 copy and one 11x17 copy)
- Minor Variance Sketch (one 8.5x11 copy and one 11x17 copy)
- Draft Reference Plan / Survey Plan (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 672 Denbury Avenue (one copy)
- Tree Information Report (one copy)

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

Yours truly,

NOVATECH



Simran Soor, M.PL
Planner