



Ottawa General Contractors

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Committee of Adjustment
101 Centrepointe Drive
Ottawa, Ontario, K2G 0B5

RE: 598 Kirkwood - Minor Variance Application

Dear Committee Members,

Please find attached the following material for recirculation for the minor variance file D08-02-23/A-00164.

Upon review, you will find the following revised material:

- Revised drawings
- Revised cover letter
- Dialogue letter discussed with the Community
- Revised Minor Variance application

September 13, 2023

Committee of Adjustment
Received | Reçu le

2023-09-14

City of Ottawa | Ville d'Ottawa
Comité de dérogation



1.0 – Introduction

This application has been prepared and submitted for a minor variance application for the address known as 598 Kirkwood Avenue, Ottawa, Ontario.

The application is seeking relief to permit a reduced rear yard setback to permit the addition of a low-rise apartment to an existing stacked dwelling. The proposed development will add an additional 4 units to the existing 6 unit building.

2.0 – Site Context

The subject site is located in the Westboro Community on a corner lot fronting Devonshire and Kirkwood Avenue. The existing building currently resides a 2 story, 6 unit stacked dwelling. The main building further West on the lot was renovated as a duplex in 1970. Since then, the further East portion of the building was constructed as an addition in 1988 to add an additional 4 units on a slab-on-grade type structure.

The lot is zoned Fourth Density under the current zoning by-law 2008-250, with a zone designation R4UC which offers a wide range of residential uses, which a low-rise apartment of 9 units or more is listed as a permitted use.

Figure 1 – Site Location





598 Kirkwood fronts Devonshire with a lot frontage of 42.93m and lot depth of 16.12m for a total lot area of 704m².

All surrounding properties are of the same zoning designation of R4UC and are within the mature neighborhood overlay and consist of a mixture of low-rise, townhome and detached dwelling properties ranging in 2 to 3 stories.

South of Devonshire, the zoning designation changes to R5C H(66) and resides a high-rise apartment dwelling building.

Figure 2 – Zoning Context





Under the zoning by-law 2008-250, Part 5, Section 144, article (5) (a) states all dwellings other than detached dwellings in the R4 zones, where all principal dwelling units front and face the longer street lot line, the longer street lot line is deemed to be the front lot line, and a minimum required rear yard is 4m.

The proposed design is also incorporating an open exit staircase meeting Ontario Building Code egress requirements over the proposed rear yard setback reduction in compliance with zoning by-law clause 2008-250, Part 6, Residential Fourth Density, Section 161, article (15) (m), where a required exit may project to a maximum of 2.2m into a required rear yard.

3.0 – Policies

The City of Ottawa Official Plan lists the property as General Urban. The General Urban area designation permits a full range of housing types, which includes low-rise apartments as a listed permitted use under the R4UC zoning designation.

Under the new City of Ottawa Official plan, the subject site is classified as Inner Urban Transect along a minor corridor and is listed as an evolving neighborhood. The evolving Neighborhood overlay is applied to properties in close proximity to hubs and corridors that can support intensification through land diversity.

The City of Ottawa Urban Design Guidelines for low-rise infill housing offers strategies for layout, massing and function for infill projects for the impact on the community and neighboring properties. The proposed development is found to meet the purpose and intent of these guidelines, specifically, the requirement to have the façade setback an additional 600mm for 20% of the façade area, landscape requirements and massing when compared to existing comparable developments within the neighborhood.

4.0 – Zoning Requirements

The subject properties are designated Residential Fourth Density (R4UC) in the City of Ottawa zoning by-law (2008-250). The following table summarizes the zoning requirements and outlines the area of non-compliance.

	Required	Provided	Compliance
Minimum Lot Area	450m ²	704m ²	Yes
Minimum Lot Width	15m	42.93m	Yes
Minimum Front Yard Setback	4.5m	4.69m	Yes
Minimum Interior Yard	1.5m	1.56m	Yes
Minimum Rear Yard	4m	2.94m	No
Maximum Building Height	11m	10.41m	Yes
Permitted projections Canopies and Stairs at grade	Stairs <0m Canopies <0.6m	Stairs: 0.3m Canopies: 0.6m	Yes
Minimum Landscape	30%	43.75%	Yes
Minimum Parking Spaces	0 spaces for first twelve units	0 Provided	Yes
Minimum Bicycle Parking	0.5 per unit, 5 required	5 Provided	Yes

The proposed development meets the majority of the zoning provisions under R4UC with the (1) exception. We seek relief for the reduction of a rear yard setback to be 2.94m where the by-laws require 4m.



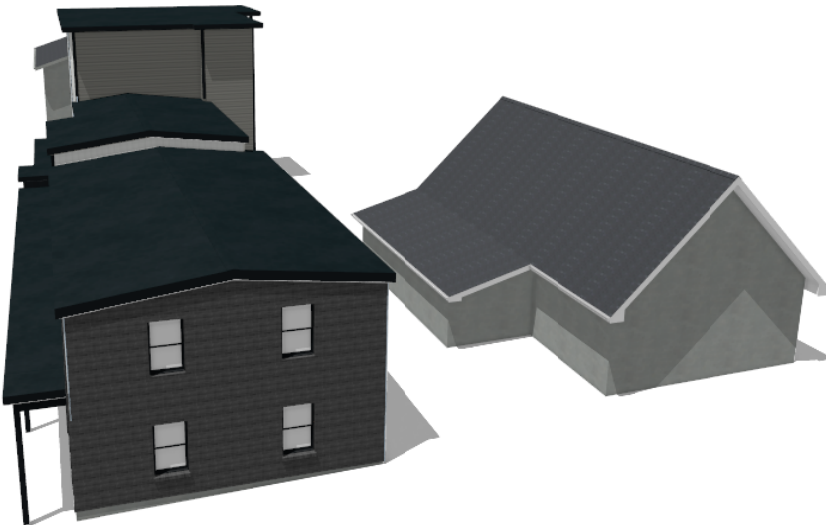
5.0 – Site Massing

Under the R4UC zoning design for low-rise apartments of 9 units or more, the building is permitted to be constructed up 11m in height. The following figures have been created to evaluate the impact of the proposed development to adjacent neighboring properties.

Figure 3 – Site Context along Devonshire



Figure 4 – Site Context along Kirkwood

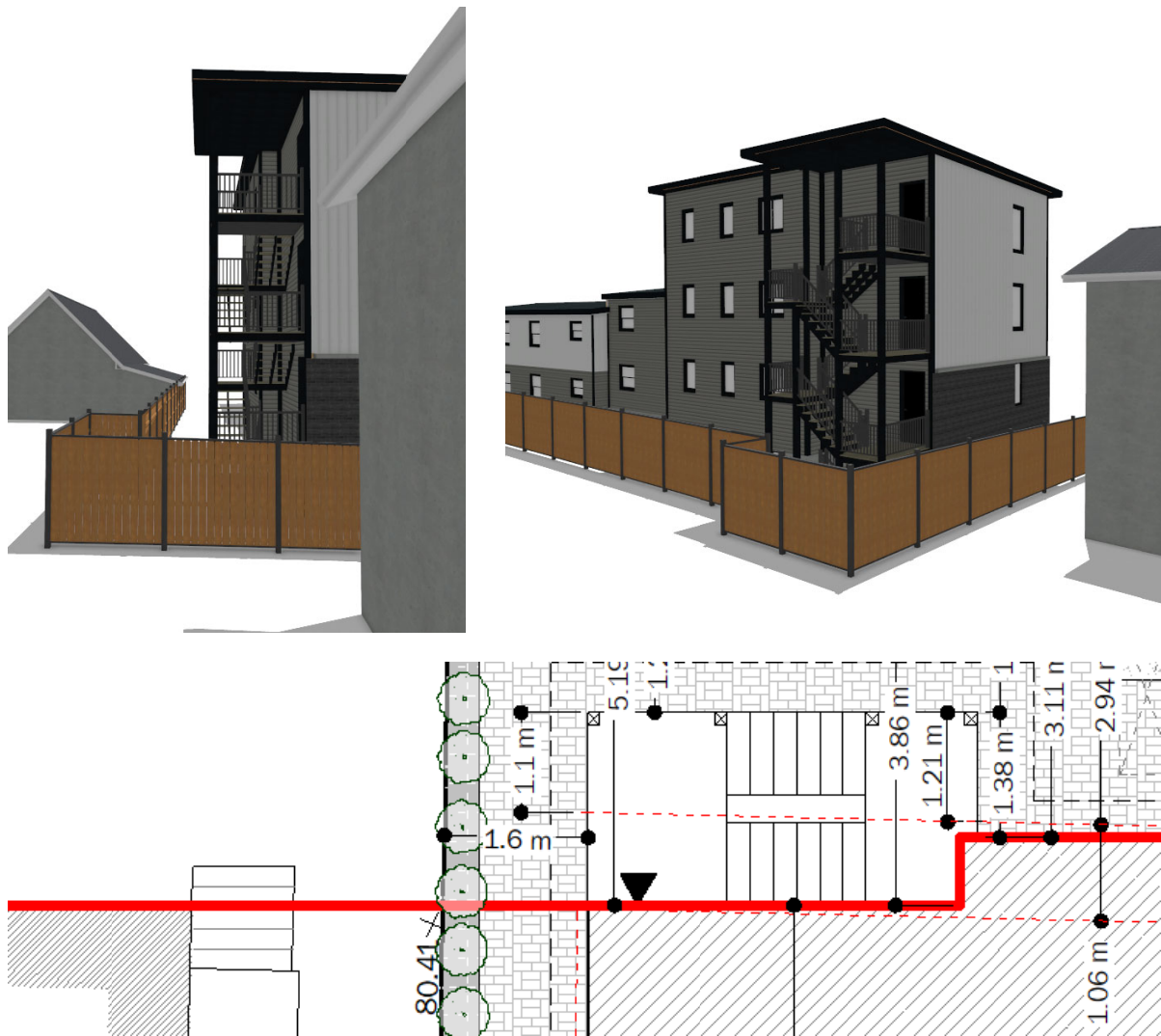


The streetscape appearance along Kirkwood remains the same when considering the depth of lot and location of the proposed addition in relation to the existing dwellings.



Figure 5 – Rear Yard Context of 185 Devonshire

The following figures demonstrate the transition of the addition with the adjacent property at the North/West corner of the site. With the open stair case design, the exterior of the addition transitions with the existing adjacent building to help ease the impact on the neighboring property.





6.0 – Landscaping

The adjacent and subject site, have existing distinctive trees with critical root zones in close proximity to the proposed development. Please refer to report prepared by IFS Associates.

Concerns have been brought to our attention in regards to an existing Manitoba Maple that was not part of the arborist report submitted during the initial application. This tree has not been included in the arborist scope as it does not meet the distinctive tree requirements of being 30cm or more in diameter at breast height within the urban area. A general landscaping plan has been prepared demonstrating what non-distinctive trees will be retained or removed and what areas will be provided with hard and soft landscaping.

In addition, under the R4U zones, landscaping requirements are required to be met as per by-law 2008-250, Part 6, Section 161, Article (15) where a lot of 450m² or more, and a frontage greater than 12m and setback of >3m, yards are required to provide 50% of landscaping in the rear and 40% of landscaping in the front yard. The provided landscape plan offers over 70% of soft landscaping in each respective yard.

7.0 – Hydro Ottawa

Main hydro corridors and easements occur on both lot frontages along Devonshire and Kirkwood Avenue. Clearances will be adhered to for permanent structures to overhead distribution lines as per Hydro Ottawa's OLS0002 standard.

8.0 – Waste and Snow Management

Section 143 of Part 5 of the zoning by-law requires waste storage areas for lots larger than 400m² or more than 5 units. The proposed addition will provide access to the existing utility room where waste sorting will be provided for the additional units and a direct path to the street for waste bin collection.

As part of the renovation of the existing 6 units, additional storage locations will be provided for the sorting and storage of waste to help simplify the task and increase the cleanliness and standards of the existing building and site.

Finally, due to the removal of parking and eliminating the need of snow removal services, the proposed walkways will be the only snow clearing required and will be done in a manner that all snow will be stored on-site.



9.0 Rationale

In summary, it is in our opinion that the requested reduced rear yard meets the four tests for the following reasons:

1. Is the variance minor

- a. We find the requested relief to be minor as the proposed addition follows the Northern façade of the existing building which has a yard reduction of 3.49m as an existing condition.

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

- a. We find the requested relief to be desirable and appropriate for the use of the property when considering the conversion of a surface type parking lot is being converted into housing stock.
- b. We find the proposed development appropriate for the site as it will offer the chance to increase property standards from its current state and benefit the community and its residence.

3. Is the variance maintaining the general intent and purpose of the zoning by-law

- a. Yes, as under the R4UC zoning designation, intensification is outlined for increase dwelling options through-out the City and the proposed development offers a wide range of housing options in the Westboro community.

4. Does the variance maintain the general intent and purpose of the Official Plan

- a. Yes, we do find that the requested relief does follow the intent of the official plan as the proposed development is creating an increase in soft landscaping on the site with the conversion of the a parking lot to a building.
- b. We also find with the requested relief, follows the general intent of the official plan by the reduction of parking which will promote the use of transit while the proposed site is situated in an evolving neighborhood and is along a minor corridor.

In summary, we are of the opinion that the requested relief for the proposed development meets the four tests as established in the planning act.