

Variance Rational

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Committee of Adjustment

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City of Ottawa | Ville d'Ottawa

Comité de dérogation

1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for variances to permit the construction of a 2 semidetached dwellings with front facing attached garages. The property is located at on Churchill Ave between Scott Street. and Bloomfield Ave.. The variances requested are for lot area, lot width, secondary dwelling unit area, secondary dwelling entrances and areas, and to permit a front facing attached garage whereas the streetscape character analysis does not permit front facing attached garages.

2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a two-storey dwelling constructed in the 50's. The property is in the City of Ottawa. It has a street frontage width of 15.23m (north/south) and a depth of 30.47m (east/west). It has a lot area of 464.09 m². The zoning is R3E.

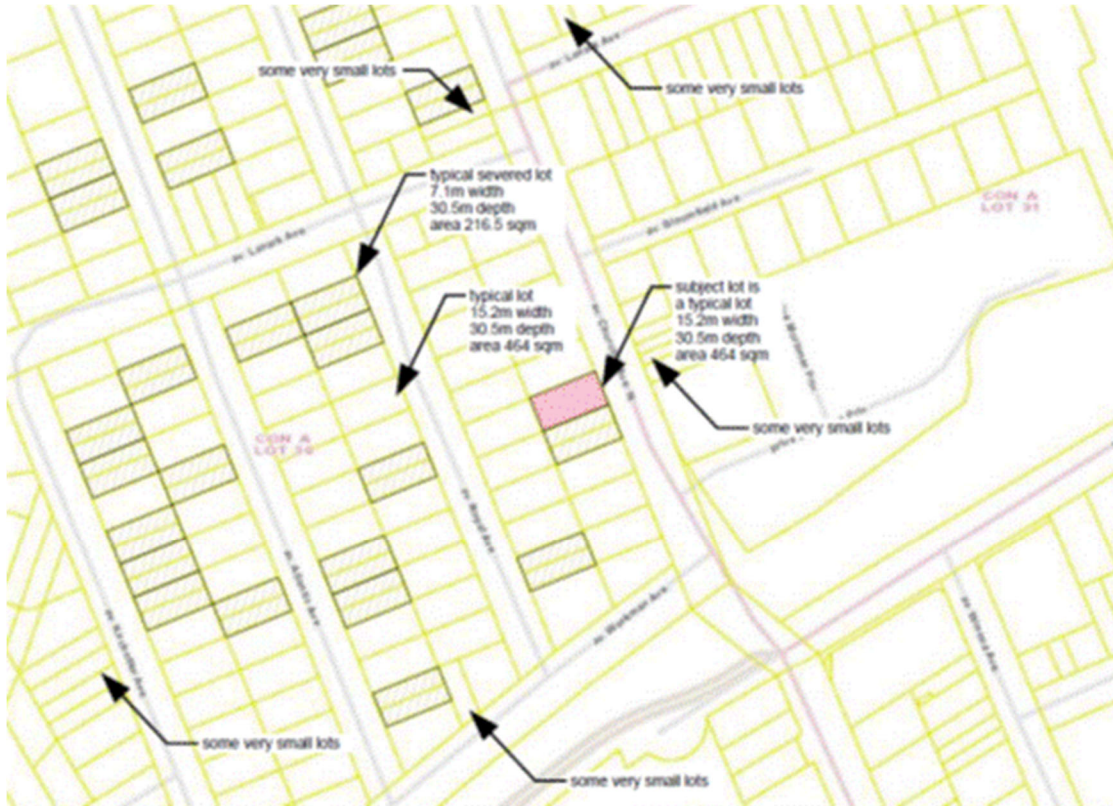
It is located in the Schedule B2 Inner Urban Transect. The site is in a designated evolving neighbourhood.



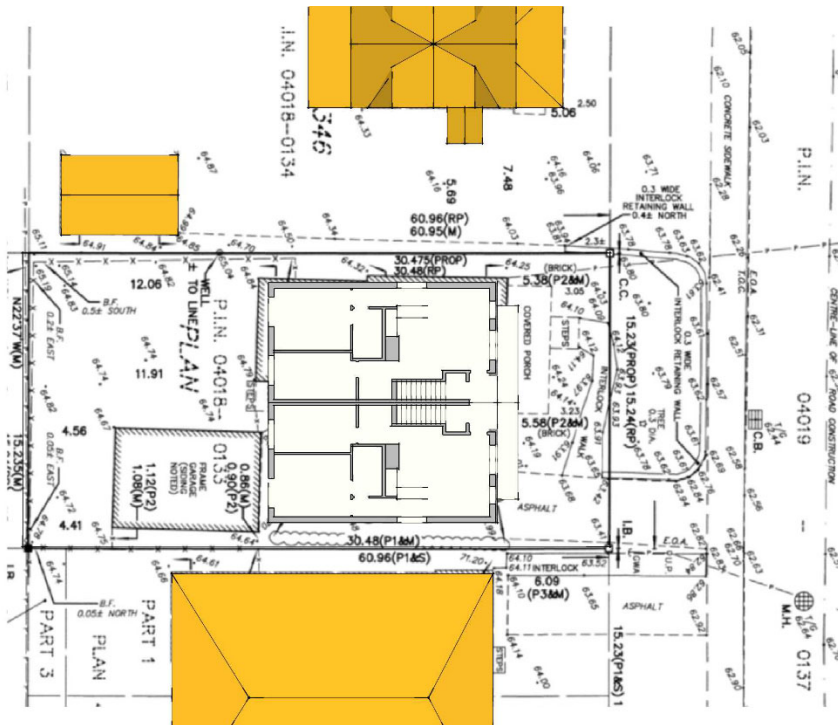
Surrounding Land Uses:

The property is bounded by primarily by single detached, semidetached and townhouse dwellings. Scott Street has the Transit Way and therefor multiple highrise apartment buildings are within ½ block of this site.

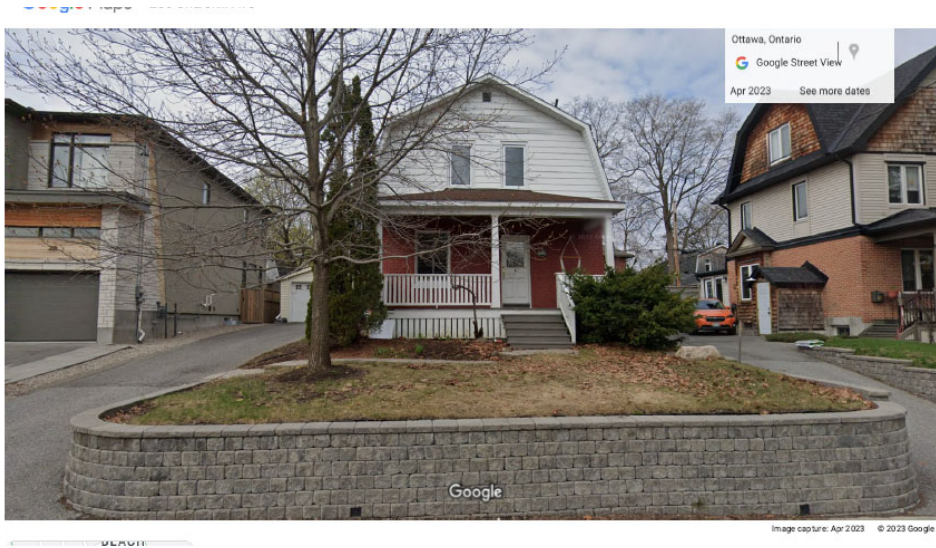
Neighbourhood



Subject Site



Subject Property



1) The Streetscape looking to the South



2) The Streetscape looking to the West



Road Network:

Kenora Ave is classified as a collector road on Schedule C4 - Urban Road Network. It is in close proximity numerous arterials.



Bicycle Network:

The new active transportation mapping Schedule C3 - Active Transportation Network, major pathways identifies several major pathways that the site is close to. The one to the north runs along Byron.

New Active Transportation Plan



Transit Services:

The site is within walking/bike distance (800m) of a transit station on Scot Street



Community Services:

The site is located within walking distance of Richmond Street with access to numerous schools, restaurants etc.. The shops and restaurants of Westboro are close by. This is a quintessential complete 15 min walking neighbourhood.

3.0 DEVELOPMENT PROPOSAL AND VARIANCES

The proposed variances will permit the construction of 2 semidetached dwelling units with attached front facing garages. There are 3 units in each semidetached. The new buildings meet with the form-based planning approach being considered by the City of Ottawa for new zoning bylaw.

The property is a single family detached dwelling built around 1950s. The existing dwelling would be demolished and two attached 2 storey semi-detached dwelling would be built. R3E zoning supports single family detached dwellings, semidetached dwellings, duplexes and three unit dwellings.

The variances requested are as follows: For both the northerly and southerly proposed semidetached dwellings

- a. permit a reduced lot width of 7.61m, whereas the bylaw requires a lot width of 9.0m.
- b. permit a reduced lot area of 231 sqm, whereas the bylaw requires a lot area of 270 sqm
- c. permit a front facing garage, whereas dominant Streetscape Character Analysis (SCA) is driveways only
- d. permit entrances for the secondary to face the street and/or front yard
- e. permit the secondary dwelling units to exceed 40% of the gross floor area of the dwelling.

All other aspects and requirements of the City of Ottawa Bylaws are to be complied with including but not limited to:

- a) Private Approach Bylaw
- b) Tree Protection Bylaw
- c) Lot, Grading, and servicing requirements

Since the previous application hearing and Committee of Adjustment decision to not authorize the requested same previously applied for variances the owner has modified the design of the building to address and clarify the issues identified in the hearing and decision. The Ontario Land Tribunal has indicted that the plans have sufficiently changed and have adjourned the appeal of the current previously denied applications to permit the new application to be heard at the Municipal level.

3) ISSUES ADDRESSED and PUBLIC OUTREACH

We have held two zoom meetings with the neighbours, spoken directly with the southern neighbour, one zoom meeting was held including the Community Association and City of Ottawa Planner since the previous CofA hearing. The first meeting resulted in additional changes to the plans. Plan have also been circulated to the Ward Councillor.

1) RETAINING WALL

- a. number, height and length of retaining walls decreased by 90%
- b. entrance to secondary units have been moved to the front of the building and stairs and balcony added.
- c. No fences will be required, more of the existing grade is retained
- d. existing retaining wall at front to be retained.

2) DRIVEWAYS

- a. current driveways on the adjacent lots exceed the permitted 6% slope required to get an entrance permit. The owner does not want to seek an exception as this will create a hazard for people with accessibility issues.
- b. the proposed basement secondary unit will be y grade accessible.
- c. raised garage floor 1 foot, increases slope to the maximum permitted 6% closer to adjacent slopes, reducing natural slopes and retaining wall heights

Excerpt Bylaw *“the grade on any part of a private approach, excluding the public sidewalk, shall: not be less than 2%; not exceed 6%; and descend in the direction of the roadway.”*

3) FRONT FACING GARAGES

- a. the streetscape character analysis does not represent the true character of this neighbourhood. There is a park and entrance to a multiunit project (all with attached garages).
- b. the broader community and adjacent streets meet the criteria for a front facing attached garage as shown below.
- c. Even removing the COOP housing garages from the calculation leaves the community with a dominant character of front facing garages/carports.
- d. If viewed based on a street by street character only 2 of the 11 streets do not have a dominant pattern of front facing attached garages/carports, this includes the subject property street with the 25 garages facing the private way.

4) SECONDARY UNITS

- a. Entrances reflect the characteristics of the community with a semi hidden entrance to the basement unit under the porch which is a typical of the neighbourhood. The First floor and second floor entrances are placed to create a small 3m x 3m outside lobby area

The owner has consulted with the neighbours and I have provided the this information to Community Association. The neighbours agree that the proposed front facing garage meets wit the intent of Council in that the garage is subservient to the main house and the street. The garage allows for placement of solid waste and bicycles etc inside the garage. The remainder of the building fully complies with the zoning bylaw

4.0 POLICY AND REGULATORY FRAMEWORK:

Provincial Policy Statement (2020)

The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Under the PPS, settlement areas are intended to be the primary focus of growth in the province.

Policy 1.1.1. Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

h) promoting development and land use patterns that conserve biodiversity;

and

i) preparing for the regional and local impacts of a changing climate.

The subject lands are situated within the urban boundary of the City of Ottawa and constitute a settlement area. Accordingly, the lands are a logical and preferred location for new development. Within settlement areas, the PPS encourages land use patterns that make efficient use of land, effective use of infrastructure and public services, support active modes of transportation and are transit-supportive (Policy 1.1.1).

City of Ottawa Official Plan

The Ottawa Official Plan has been reviewed. The site is designated General Urban Area on Schedule B of the City of Ottawa Official Plan. Lands within this designation are meant to provide a full range and choice of housing options in combination with conveniently located employment, retail, service, entertainment and institutional uses. The project site does not fall within any of Schedule C7-A - Design Priority Areas – Urban. It is classified as “Neighbourhood” under Schedule B2 Inner Urban Transect.

The Proposal supports 15 min neighbourhood through the following:

- a) Amenity space is provided in the rear yard.
- b) Lighting will be for safety purposes and will respect the dark skies initiative.
- c) The building will not generate additional noise.
- d) The building height complies with the zoning bylaw
- e) The additional people living in the neighbourhood will increase the number of commercial services that might chose to locate in the area as well as better utilize transit services.

OP Section 3. Growth Management Framework

OP 3.2 Support Intensification

Table 3b

“Housing density

Inner Urban Transect, 60 to 80,”

This project helps move the inner urban transect closer to 60 to 80 units per hectare with a net density of 190 units per hectare.

OP Section 4. City-Wide Policies

4.1.2 Promote healthy 15-minute neighbourhoods

1) In general, this Plan equates a walking time of:

- a) 5 minutes to be equivalent to a radius of 300 metres, or 400 metres on the pedestrian network;
- b) 10 minutes to be equivalent to a radius of 600 metres, or 800 metres on the pedestrian network; and
- c) **15 minutes to be equivalent to a radius of 900 metres or 1,200 metres on the pedestrian network.**



OP Section 5. Transects

“5.2.4 Provide direction to the Neighbourhoods located within the Inner Urban Transect

1) Neighbourhoods located in the Inner Urban 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 following:

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;

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;

OP Section 6. Urban Designations:

The site is designated a Neighbourhood under 6.3 of the OP

“6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan.

2) Permitted building heights in Neighbourhoods shall be Low-rise...”

And

“4) The Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential 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;

b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);”

The proposed building responds to these requirements by proposing a two 3 storey 2-unit semidetached dwellings

Urban Design Guidelines for Low-rise Residential Buildings

The proposal maintains the current lot pattern and keeps the exiting building fronting on the street, some characteristics of the buildings in the neighbourhood with a modern architectural style.

City of Ottawa Comprehensive Zoning By-law 2008-250:

Purpose of the Zone

The property is currently R3E

Purpose of the Zone

The purpose of the R3 - Residential Third Density Zone is to:

1. allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)
2. allow a number of other residential uses to provide additional housing choices within the third density residential areas;
3. allow 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 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.

5.0 CONCLUSION:

The proposed development has been designed to meet the current planning framework. It is consistent with the Provincial Policy Statement and conforms to the City of Ottawa Official Plan.

The proposed variance should be considered minor for the following reasons:

1. They are minor and desirable.
 - a. The front facing attached garages are superior to the permitted at grade parking in placement of driveways, additional soft landscaping when compared to lanes to the rear. While no parking is required, semidetached dwellings are a permitted use and in our society with units designed for families there is a need of a family car. The overall predominant pattern in the neighbourhood other than this street is for front facing attached garages. The proposed solution with a predominant porch and balconies complies with the intent of the bylaw to relegate the car to a subservient role and therefore is minor cause little or no adverse affect.
 - b. The lot area and lot wide variance is in keeping with the pattern of lot development and lot sizes in the neighbourhood
 - c. The proposed variances for secondary dwellings are in keeping with the intent of the Province of Ontario and with the design of 2 of the secondary entrances semi hidden at the front of the semidetached dwellings.
2. The general intent and purpose of the Zoning By-law is maintained
 - a. the intent of the bylaw is to permit semidetached dwellings.
 - b. The intent of the bylaw that the new infill properties respect the existing character of the neighbourhood.
3. The general intent and purpose of the Official Plan is maintained;
 - a. The official plan supports this kind of gentle intensification of land uses compatible with the current urban fabric.
4. The Ontario Planning Act supports intensification in residential urban areas



2023-09-10

Committee of Adjustment
101 CentrepoinTE Drive
Ottawa, ON K2G 5K7

Sir/Madame:

This application is for variance(s) for 284 Churchill Ave, included documentation is:

- 1) Rationale
- 2) Application Form
- 3) Cheque
- 4) Tree Information Report
- 5) Building Plans
- 6) Survey
- 7) etc

Sincerely,

Christoph K Jalkotzy, Leed AP

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