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March 12, 2024

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

RE: Application for Consent + Minor Variance
255 Mackay Street, City of Ottawa

Committee of Adjustment
Received | Reçu le

2024-03-12

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by the owner of the above-noted lands to prepare a Planning Rationale for a Consent Application to permit the severance of a 257m² parcel to create a new lot fronting onto Avon Lane in the New Edinburgh community of the City of Ottawa. A combined Minor Variance application is also being submitted to address a reduced rear yard setback and rear yard area applying to the existing building on the retained lot.

At this time, no construction is being contemplated. The intent is to sever the proposed lot to sell to a qualified builder to develop in the future as a compact laneway housing format development fronting onto Avon Lane. The only site works currently contemplated are the removal of a "mud room" addition to the rear of the existing building and an accessory building in the rear yard. The accompanying Minor Variance application therefore only serves to recognize deficient setbacks relative to the existing building.

Please find enclosed the following material in support of the application:

- / This cover letter explaining the nature of the application (1 copy);
- / Minor Variance application form (1 copy);
- / Consent application form (1 copy);
- / Parcel Abstract confirming property ownership (1 copy);
- / Draft Reference Plan, prepared by Fairhall, Moffatt, and Woodland, (1 full-sized and 1 reduced copy);
- / Heritage Impact Assessment, dated February 13th, 2024, prepared by Juxta Architects Inc. (1 copy);
- and,
- / Correspondence from the Planning Forrester confirming no TIR is required (1 copy).

Please contact the undersigned with any questions or requests for additional material.

Sincerely,



Scott Alain RPP, MCIP
Senior Planner

FOTENN

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1.0 Background and Context

Fotenn Planning + Design (“Fotenn”) has been engaged by the owner of 255 MacKay Street to prepare this Planning Rationale in support of Consent and Minor Variance applications to create a new lot fronting onto Avon Lane.

The subject site is currently occupied by a two-and-a-half storey residential building, substantially set back from the street edge. The existing residential building is of a pre-war form, referred to by the New Edinburgh community as “The Manse”, and exhibits heritage attributes from 19th century Ottawa. This coincides with its inclusion within the New Edinburgh Heritage Conservation District (HCD), which offers heritage protections under Part V of the *Ontario Heritage Act*. A large, mature tree occupies the front lawn.

The subject site has a frontage of 21.5m on MacKay Street and an overall area of 860 m². The subject site is considered a through lot and also has a frontage of 13.9m on Avon Lane. The rear lane condition includes a small single-car garage and a chain-link fence.

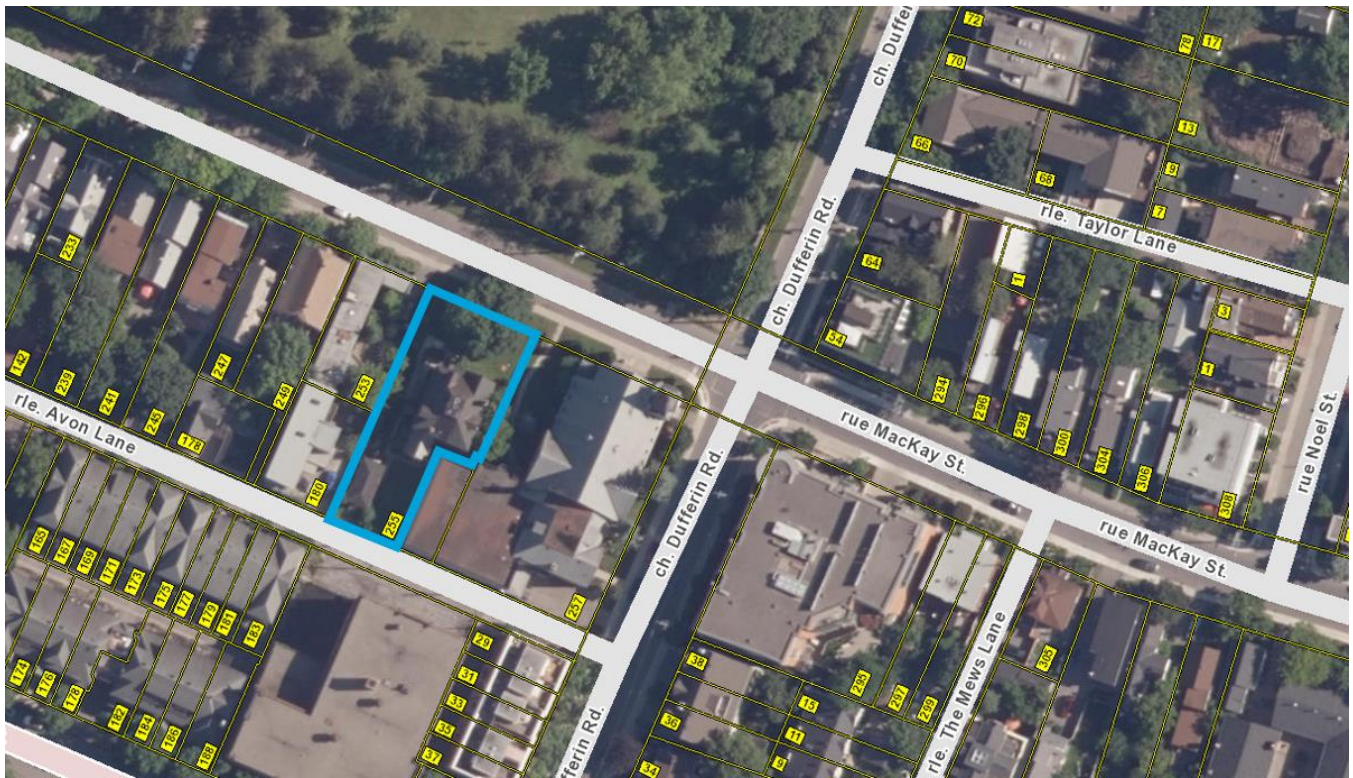


Figure 1: Subject Site and surrounding context

1.1 Surrounding Area

North: North of the subject site is Rideau Hall, official residence of the Governor General and a National Historic Site of Canada. The interface directly adjacent to MacKay Street is comprised of the open space grounds with walking paths and a treed perimeter. MacKay Street itself has a sidewalk on the south side and power lines along the north side. It is a single-loaded local road.

East: East of the subject site is the MacKay United Church. This is an individually-designated heritage structure under Part IV of the Ontario Heritage Act. Further east is an array of low-rise residential development forms ranging from detached dwellings to low-rise apartment buildings.

South: Immediately south of the subject site is Avon Lane, a municipal laneway. While formerly offering servicing access to MacKay Street and Chrichton Street, the laneway has evolved to incorporate some compact forms of residential development as the neighbourhood continues to accommodate density. On the south side of Avon Lane is the New Edinburgh Campus to the School of Dance, located in a designated heritage building under Part IV of the Ontario Heritage Act.

West: West of the site is an array of low-rise residential development forms ranging from detached dwellings to low-rise apartment buildings. Of note, the two properties immediately to the west have development which is massed to both Avon Lane and MacKay Street.



Figure 2: Subject Site viewed from MacKay Street



Figure 3: Subject Site viewed from Avon Lane

2.0 Overview of Application

2.1 Proposed Development

The applicant is proposing to sever the southerly portion of 255 MacKay Street which fronts onto Avon Lane from the portion fronting onto MacKay Street (Figure 4 below). In doing so, a 1-storey “mud room” addition to the rear of the existing building would be demolished. This addition was introduced long after the original building was constructed and does not reflect the character or architecture of the primary building. The severance would also coincide with the removal of a 1-storey accessory building in the rear yard, currently in poor condition (Figure 3).

The proposed consent would result in an area of 603 m² for Parcel A (retained) and an area of 257 m² for Parcel B (severed). Aside from the demolition of the 1-storey addition to the primary building, no site works are proposed at this time. The intent is for the owner to sell Parcel B to a builder with the intent of establishing a compact form of laneway housing, as reflected in the character of Avon Lane.

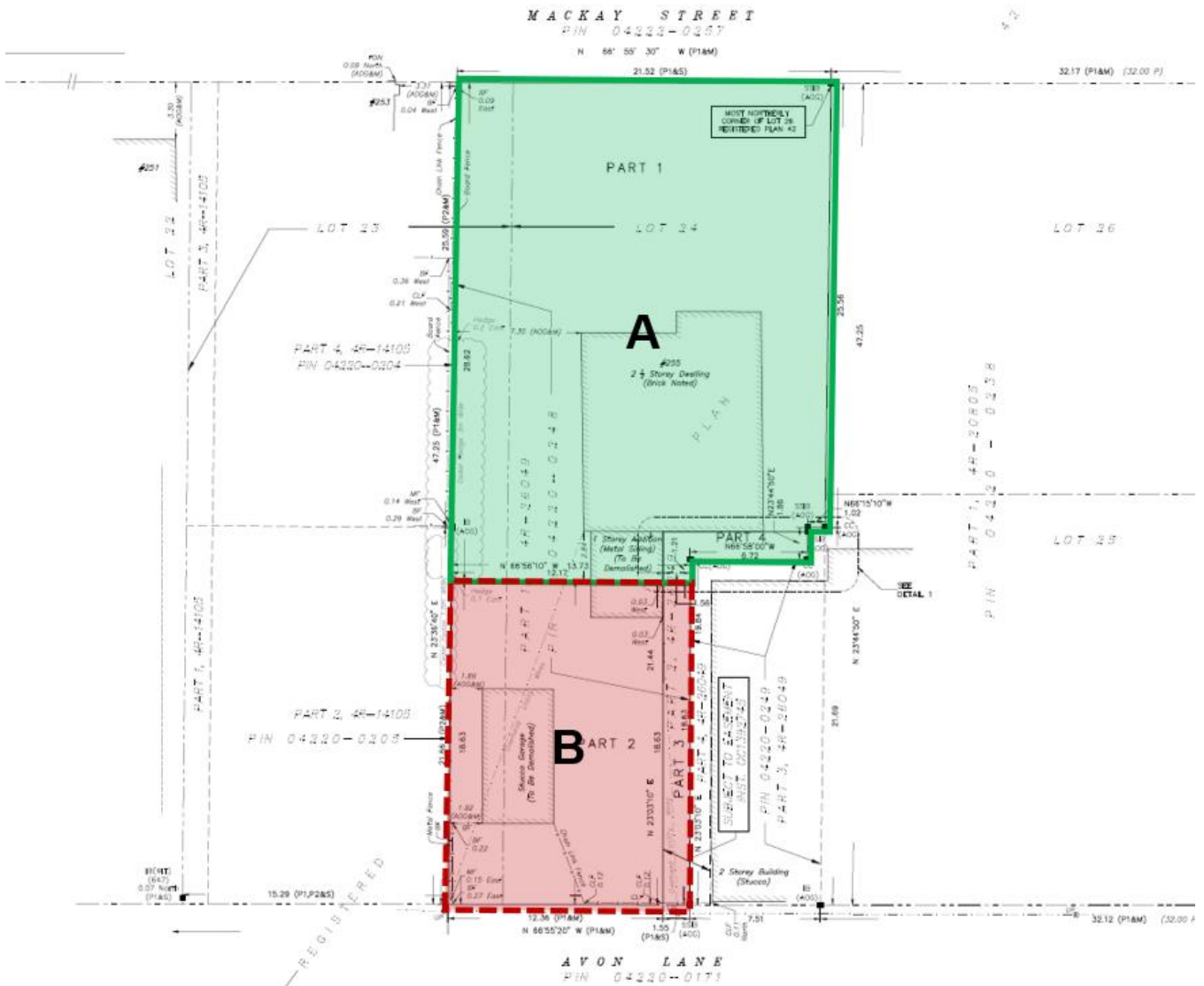


Figure 4: Diagram of proposed consent

2.2 Proposed Minor Variances

The property is located within the Residential Fourth Density, Subzone UD (R4-UD) zone, Urban Exception 2502. While broadly complying with the applicable zoning provisions, in order to proceed with the development, the following minor variances are required:

- / To permit a reduced minimum rear yard setback of 2.84 metres, whereas the By-law requires a minimum rear yard setback of 8.59 metres (Section 144(3)(a)(i)(iii) of City of Ottawa's Comprehensive Zoning By-law (2008-250)); and
- / To permit a reduced minimum rear yard area of 49.5 square metres, whereas the By-law requires a minimum rear yard area of 150.75 square metres (Section 144(3)(a)).

An assessment of these variances in relation to the Four Tests of the Planning Act is provided below, following the policy and regulatory overview.

3.0 Policy and Regulatory Review

3.1 Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) establishes the high-level planning policies for land use planning in Ontario. The PPS is issued under Section 3 of the Planning Act and requires that all planning matters are consistent with the PPS, including decisions made by municipalities. Applicable policies for the proposed Consent and Minor Variance application include:

- / 1.1.1: Healthy, liveable and safe communities are sustained by:
 - a) Promoting efficient development and land use patterns;
 - 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);
 - 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.

- / 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) Efficiently use land and resources;
 - b) Are appropriate for, and efficiently use, the infrastructure which are available;
 - f) Are transit-supportive, where transit is planned, exists or may be developed.

- / 1.4.3: Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - b) permitting and facilitating:
 - 1. All types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
 - c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
 - e) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
 - f) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The proposed consent would allow for a presently oversized lot to provide additional land supply for housing in an area well-suited for intensification with consideration to the available infrastructure and services. Future development along Avon Lane could provide additional animation and definition to the street edge. The proposed development is therefore consistent with the Provincial Policy Statement, 2020.

3.2 City of Ottawa Official Plan (2022)

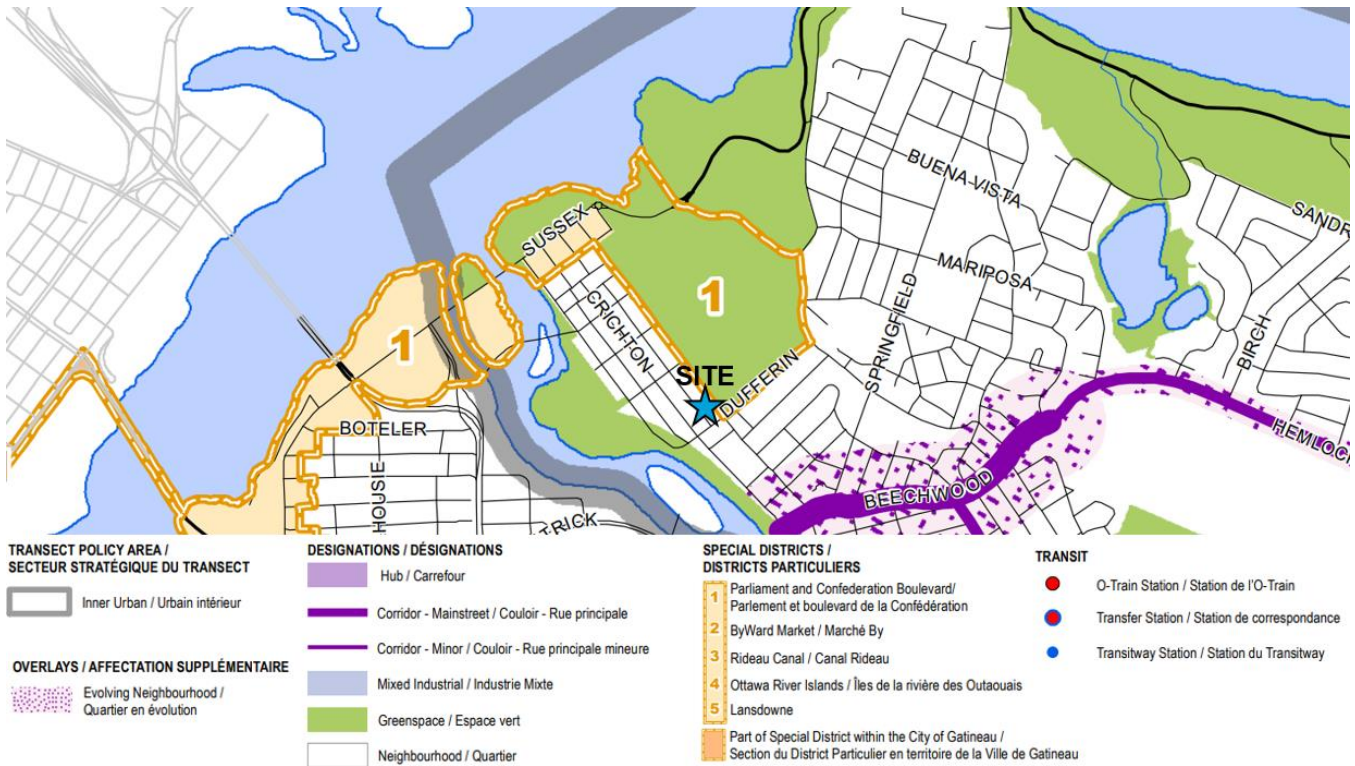


Figure 5: Schedule B2– Inner Urban Transect, City of Ottawa Official Plan, Subject Site indicated

The Official Plan for the City of Ottawa was approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046 when it is expected that the City’s population will surpass 1.4 million people. The Official Plan directs the manner that the City will accommodate this growth over time and set out the policies to guide the development and growth of the City.

The Official Plan provides guidance for development across the Ottawa region, highlighting specific desired features, such as 15-minute neighbourhoods, and other intensification targets aimed at improving the walkability and sustainability of existing built-up areas. The Official Plan encourages infill and intensification through the development of various housing types, such as missing middle housing, within existing neighbourhoods in the City’s urban areas.

3.2.1 Inner Urban Transect

The subject site is located within the “Inner Urban Transect” of the Official Plan (Figure 5). The Inner Urban Transect includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them. Generally, the older neighbourhoods reflect the urban built form characteristics, including shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationship with the public realm. The focus in these areas will be to enhance or establish an urban pattern of built form, site design and mix of uses, while simultaneously prioritizing walking, cycling and transit within, and to and from the Inner Urban Transect.

Section 5.2.4 provides direction to the Neighbourhoods located within the Inner Urban Transect. The applicable policies are noted below:

- 1) 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;

The proposed severance will support future residential growth by way of a low-rise residential format in a manner that frames Avon Lane.

3.2.2 Neighbourhood Designation

The subject property is designated as “Neighbourhood” in the Official Plan. Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, permitting a mix of building forms and densities.

Section 6.3.1.4 of the Official Plan states that “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...”

The proposed consent establishes a lot which would be suitable for a low-rise, residential housing option.

Section 6.3.3.9 of the Official Plan states that “Where lots within residential neighbourhoods have through-lot access fronting onto two public rights of way, the Zoning By-law and approvals under the Planning Act shall allow development that establishes separate residential use buildings so as, on separate lots to allow for independent services, to front on both public rights of way while leaving a portion of the internal lot without buildings or structures. The intent of this policy is to frame the public right of way with buildings and structures and to prohibit development that turns its back to a public right of way.”

The proposed severance would facilitate a development outcome which aligns with the description provided above, as both MacKay Street and Avon Lane are considered as public rights of way.

The proposed consent and minor variance maintain the general intent and purpose of the Official Plan. Future development of the parcel would be able to meet the policies of the Neighbourhood designation and the intent of the Inner Urban Transect.

3.3 New Edinburgh Heritage Conservation District (HCD)

The New Edinburgh HCD was designated by the City of Ottawa in 2001 under the *Ontario Heritage Act*. The New Edinburgh Heritage Conservation District Plan is intended to be used by property owners, City staff, architects, planners and contractors to guide projects in the New Edinburgh HCD.

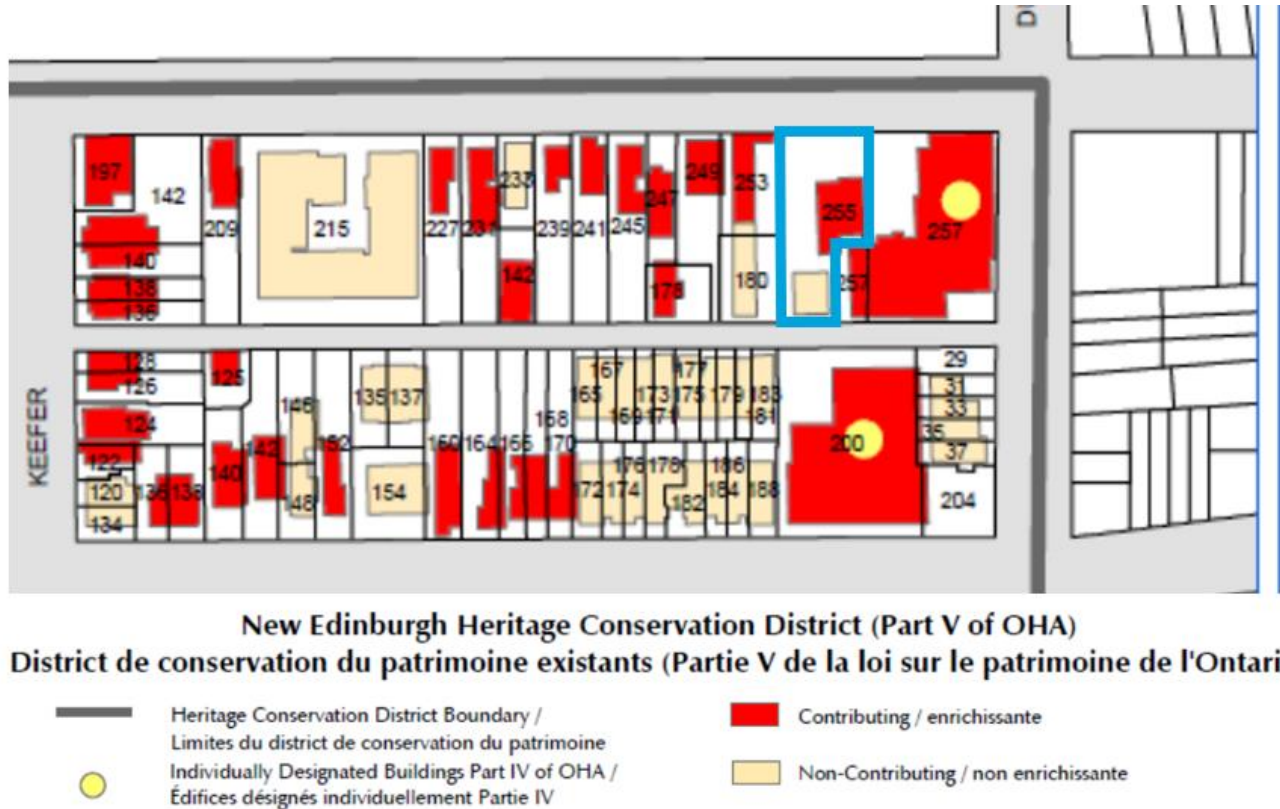


Figure 6: New Edinburgh HCD District Plan

Juxta Architects Inc. prepared a Heritage Impact Assessment in relation to this severance, included with this submission. Their report contains a detailed assessment of the HCD Plan and applicable policy framework in relation to this proposal. The report concludes that **“the proposed lot severance is an acceptable change to the New Edinburgh HCD, but that future development must be assessed on its own merits with regards to compatibility of the design with within the heritage context”**.

The report addresses the primary compliance matter with regard to the proposal. In Section 8.5.6, the HCD Plan provides guidelines for laneways. It states:

The following guidelines are intended to protect the character of the lanes.

1. The simple green character of the lanes shall be retained. Additions to buildings that back onto the lane shall have regard for the green character of the lanes.
2. New residential development on the lanes may be appropriate where an existing building has been demolished. Replacement buildings shall protect and enhance the green character of lanes and the modest scale of the houses and accessory buildings on the lane.
3. New accessory buildings on the lanes shall reflect the simple, modest character of the historic garages and outbuildings found in the HCD.
4. While new lots are created either by the subdivision or severance process under the Planning Act, the policy framework for decisions on lot severance on New Edinburgh’s lanes is provided by the Official Plan, the Zoning By-law, and the guideline below:
5. **The remaining through lots from MacKay, Stanley and Crichton Streets are an important heritage attribute in the HCD. The severance of these lots to create new lots on the lanes will not be permitted.**

The report provided by Juxta Architects provides the following response:

The rationale for this clause is clear: if the throughlots were to be permitted to be subdivided, the historic patterns of development, the population density and the aesthetic characteristics of the lanes would be dramatically altered. There remains a high percentage of residential through-lots, and if these were to be permitted to be sub-divided, even incrementally, the negative impacts would threaten the integrity of the HCD.

However, it is the authors opinion that this specific lot can be considered as a special case for the following reasons:

1. *The “green” nature of the laneways that is referenced in the HCD plan is not a defining characteristic of this segment of Avon Lane. Whereas the intimate, naturalistic, and residential laneway environment should be preserved, this location does not present those attributes. This is due to the service entrance of the dance school and the stucco addition to the rear of the church.*
2. *The current “empty lot” status of the chain-link fenced yard is an anomaly among the typical laneway lot frontage and could benefit from improvement.*
3. *The institutional lot (church and manse), from which the lot is proposed to be severed is of a different size and shape compared to the standard through-lots, and a case can be made for its uniqueness. That is to say, it is likely not on of the standard through-lots that were the intended subjects of the HCD “no-severance” clause.*
4. *The resulting lot would be wider than most of the existing residential through-lots, which could be a mitigating factor for issues of parking and front-yard greenspace.*
5. *The typical through-lots occur mid-block along the laneways, whereas the lots at the corners are more varied in their size and shape. The proposed subdivision would generally be in keeping with the varied lot size and configuration of the existing blocks of corner lots.*

With consideration to Clause 8.5.6.5, and the rationale provided above, which also reflects the opinion of Fotenn, the project team consulted with members of Heritage Staff at the City of Ottawa, and members of the New Edinburgh Heritage and Development Committee. The intent of these discussions was to assess possible opportunities and identify any constraints with an application for severance. Several productive discussions took place reviewing how the proposed severance could serve to allow forthcoming improvements to the existing 255 MacKay Street property.

As comments from both City of Ottawa Heritage Staff and the New Edinburgh Heritage and Development Committee are anticipated as part of this review, it is expected these parties will provide clarity on their respective positions with regard to the application. It is recommended to readers of this report to consult the Heritage Impact Assessment prepared by Juxta Architects for a fulsome overview of the heritage elements of this proposal in relation to applicable policy and legislation.

3.4 City of Ottawa Zoning By-Law (2008-250)

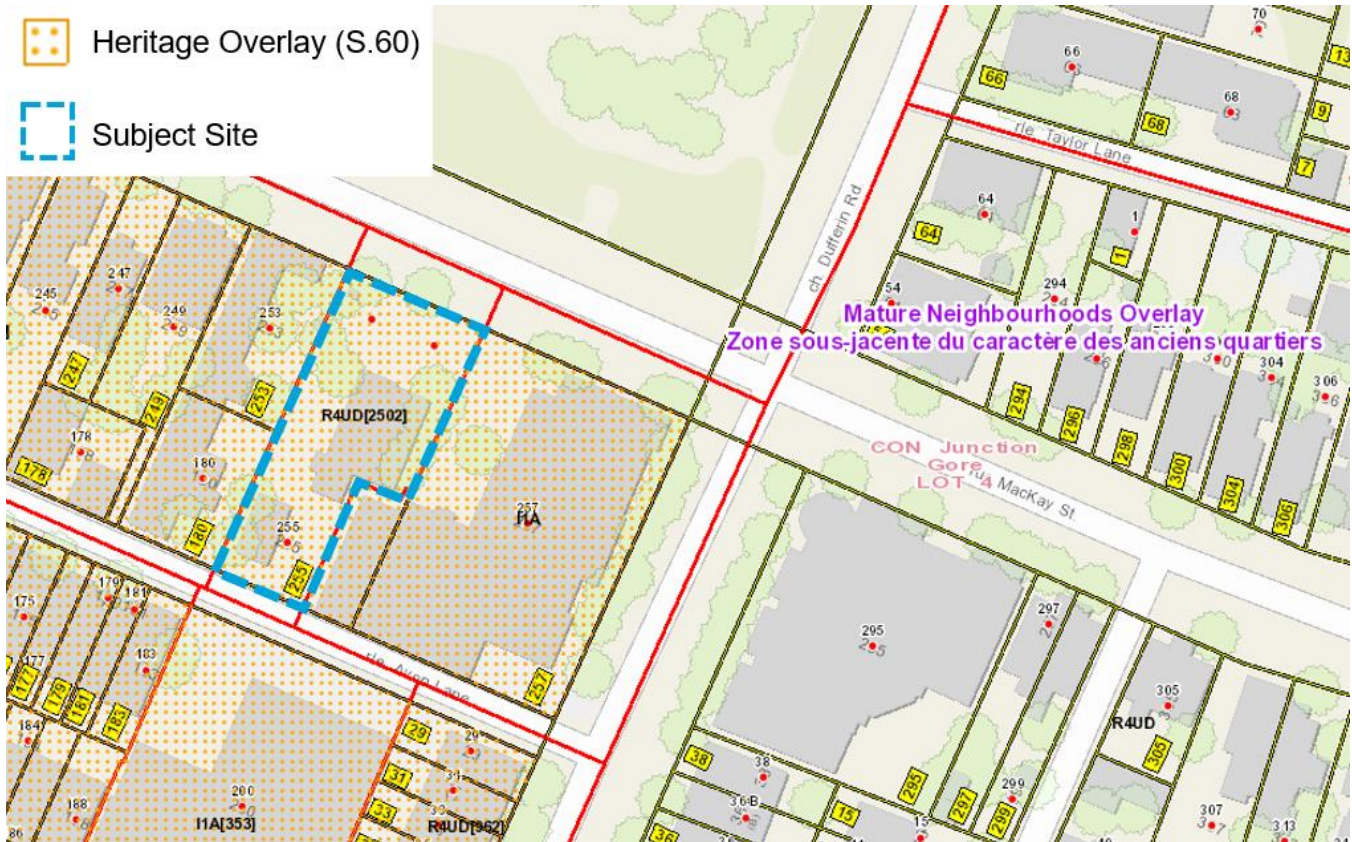


Figure 7: Zoning map of the Subject Site and surrounding context

The subject property is zoned Residential Fourth Density, Subzone “UD” with a site specific exception 2502 – R4UD[2502].

The purpose of the R4UD Zone is to allow a range of low-rise residential buildings of a maximum height of four storeys, including detached homes that is compatible with its existing land use patterns to maintain and enhance the residential neighbourhood character.

Urban Exception 2502 is applicable to this property. This exception permits reduced interior yard and rear yard setbacks for accessory buildings, and states that Section 60 – Heritage Overlay does not apply to the establishment of a semi-detached dwelling or accessory buildings or structures. Urban Exception 2502 does not have bearing on the proposed severance and minor variance applications, but is discussed here to provide context.

Table 1. Zoning Assessment	Performance Standard	Existing Detached	Proposed Severed Lot	Compliance
Min. Lot Area Table 161A	225 m ²	603.5 m ²	257 m ²	✓
Min. Lot Width Table 161A	7.5 m	21.52 m	13.91 m	✓
Lot Depth	-	28.62 m	18.63 m	-

Min. Setbacks Table 161A + Section 144	Front Yard	4.5 m (S. 144 – average of abutting, min. 1.5m)	13.16 m (existing conforming)	N/A	✓	
	Interior Side Yard	Detached Dwelling	1.2 / 0.6 m	7.3m, >0.6m (existing conforming)	Can comply	✓
		Accessory Building	0.3m	N/A	To be demolished	-
	Rear Yard Minimum	30% of lot depth to max 7.5m: 8.59m		2.84 m	Can comply	✗
	Rear Yard Setback for Accessory Use Building	2.6 m		N/A	To be demolished	-
	Rear Yard Area	25% of lot area = 150.75 m ²		49.6 m²	Can comply	✗
Max. Building Height Table 156A		11 m	12.56 m (existing non-conforming)	Can comply	✓	
Landscaping	Front yard	40% of the front yard must be softly landscaped	(existing conforming)	Can comply		
Driveway Width Section 139 (2)(a)(i)		Only permitted if confirmed by the Streetscape Character Analysis Min. 2.6 m	Not provided	Can comply	-	
Walkways	Location	Front yard, may be included in softly landscaped area calculation	existing non-conforming	Can comply	✓	
	Separation from Driveway	0.6m (when extending from ROW)		Can comply		
	Width	1.2 m		Can comply		

Heritage Section 60		
Additions	Height	Must be subordinate in height to heritage building
	Side Yard	Must be 60cm greater than the most narrow existing SYSB, except for buildings where 0m is permitted

	Location	Entirely in the rear or interior yard abutting the rear yard, and complies with rear yard setbacks of the underlying zone, but no less than 3.0m	No new construction proposed; existing addition recommended for removal.
	Permitted Projections	Not permitted in front, or side yard except for ramps needed for barrier-free path.	-

Consent Application

It is our professional opinion that the application meets the criteria for lot division as described in Section 53(1), 53(12) and 51(24) of the *Planning Act*. As the proposal does not include an internal road network, major servicing or other elements of a subdivision, the following criteria are generally those which apply to applications for consent:

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

The proposed Consent application is consistent with the policies of the Provincial Policy Statement (2020) by facilitating the creation of a lot to accommodate future low-rise residential development that will efficiently use existing infrastructure. An assessment of the Provincial Policy Statement in relation to this application is provided earlier in this report.

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

The proposed Consent application will allow for residential intensification within the urban area where municipal services are available. The application is therefore not premature and is in the public interest.

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

As outlined in the preceding sections of this report, the proposed Consent application conforms with the policies of the City of Ottawa Official Plan and is consistent with the policy direction of the Inner Urban Transect and Neighbourhood designation.

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

This Consent application proposes to create a new lot from an underutilized parcel within the urban area. The new lot will be of sufficient area to allow residential development in the R4-UD zone and has frontage onto a public right-of-way. The proposed severance will support intensification in an established neighbourhood while respecting the heritage assets on-site and adjacent.

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 Consent application will not alter the existing frontages on MacKay Street and Avon Lane. Both roads are publicly maintained and connect to the larger urban road network of the City of Ottawa.

f) the dimensions and shapes of the proposed lots;

The lot fabric of the surrounding area varies in lot size and shape due to what appears to be a mix of lot consolidation and lot severances, based on the building typology on each lot. The proposed lot sizes and shapes of the resulting lot and the retained lot have been designed with adequate space to accommodate future residential development and the existing principal dwelling respectively. The proposed lots are comparable and in some instances more generous than similarly developed laneways severances in the immediate area.

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;

The application does not propose to introduce any new restrictions to the lands or remove any existing restrictions on the lands.

h) conservation of natural resources and flood control;

The subject property does not comprise part of a broader natural heritage system. Confirmation from a City of Ottawa Planning Forester is provided which indicates that a Tree Information Report will not be required for this proposed severance.

i) the adequacy of utilities and municipal services;

The subject property is currently serviced by municipal services and will continue to be serviced by municipal services. A future development application for the severed lot would confirm a servicing approach to the satisfaction of Building Code Services.

j) the adequacy of school sites;

The introduction of a new residential building can only occur after following approval of a severance, and as such, adequacy of school sites will be determined at that time. Despite this, the proposed development is not anticipated to have any undue adverse impacts on the adequacy of school sites.

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 lands are proposed to be dedicated for public use.

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 lots are not anticipated to have an impact on energy delivery.

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.

It is not expected that Site Plan Control would be required/triggered for residential development of the proposed severed lot.

5.0 The Four Tests of the Planning Act

Section 45 of the *Planning Act, R.S.O. 1990* provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness on the basis of Four Tests. It is required to be demonstrated that a proposed variance satisfy the following tests:

- / Is it in keeping with the general intent and purpose of the Official Plan?
- / Is it in keeping with the general intent and purpose of the Zoning By-law?
- / Is it desirable for the appropriate development or use of the land, building or structure?
- / Is the application minor in nature?

It is our professional planning opinion that the application meets the “Four Tests” as follows:

5.1 Does the Proposal Maintain the General Intent and Purpose of the Official Plan?

The subject site is designated “Neighbourhood” on Schedule B3 (Inner Urban Transect) of the Official Plan. The Neighbourhood designation is intended to support housing in a compact, mixed-use environment. The minimum building height is 2 storeys and up to 4 storeys to permit higher-density low-rise residential development. The intent of this designation is to ensure new infill is functionally and aesthetically compatible and contributes to the towards the reduction of reliance on private vehicles while furthering the establishment of 15-minute neighbourhoods.

The proposal creates a lot that, once developed, can maintain the form and context of the Neighbourhood designation, conforming to the intent of the Official Plan. The proposed variances to rear lot area and setback support the compact and urban form of development proposed for the site.

5.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject site is zoned **Residential Fourth Density Zone, Subzone UD (R4UD)** in the City of Ottawa’s Comprehensive Zoning By-Law. The purpose of the R4UD zone is to allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings.

The intent of the Rear Yard Setback requirement and the Rear Yard Area requirement are to allocate adequate lot area for landscaping, amenity, and to transition to adjacent properties. The existing principal building, which is to remain on-site, is substantially set back from the front lot line (~13m), where a large mature tree is located. This substantial front yard serves the purpose of allowing significant landscaping and amenity area while also offering shade and interest to the public realm.

With regard to building transition, the existing building currently interfaces with an addition to the MacKay United Church to the southeast, which is protected under Part IV of the Ontario Heritage Act as an Individually Designated Building. This is an existing condition and is not anticipated to change in the future. Building transition to the northwest at 180 Avon Lane would be improved following the removal of the addition on 255 MacKay Street, as proposed.

A future application for development on the severed parcel would have to demonstrate suitability for building transition on its own merits. It is noted that the established character for laneway housing along Avon Lane makes use of shallow rear yards, facilitating a more compact, attainable building form.

5.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The proposed consent would allow for an adequately sized lot to permit new residential development within the R4UD zone. The proposal contributes to intensification goals of the R4UD zone by providing an opportunity for an increased supply of housing. The policies of the Inner Urban Transect of the Official Plan promote intensification,

encouraging low-rise residential typologies where they can be accommodated and fit within the local context. Further, policies within the PPS support the proposed development by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / 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; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The proposed severance makes efficient use of the land, accommodates land uses that are compatible with the existing context of the surrounding community, makes use of underutilized land in proximity to services, and positively contributes to provincial and municipal intensification goals. Overall, the proposal is desirable for the development and use of the lands.

5.4 Is the Proposal Minor in Nature?

The establishment of the proposed development on the basis of the proposed minor variances is not anticipated to generate any undue or adverse impacts on adjacent properties. The proposed development is generally consistent with the provisions under the R4UD zone and capable of accommodating new development that is consistent with the existing mix of dwelling types in the area.

The variances being sought are minor in nature relative to the intent of the Zoning By-law. The reduction of the rear yard area and setback by the proposed variances does not affect the overall character of the neighborhood, as the existing character of split lots featuring laneway housing have varying rear yard areas and setbacks. The proposed rear yard setback does not change any physical conditions on-site and therefore does not generate any additional overlook into other properties. Lastly, these variances do not produce adverse impact on the public realm of MacKay Street, nor to adjacent properties. These variances accommodate for the unique nature of the site, including the already established dwelling, which predates the Zoning By-law. Future development along Avon Lane arising from an approved consent would be required to adhere to the Zoning By-law or else be assessed by this Committee separately. The proposed variances are therefore considered minor in nature.

6.0 Conclusion

It is our professional opinion that the Minor Variances described herein meet the Four Tests of the Planning Act and result in a development proposal which represents good planning principles and is in the public interest. The variances allow for the establishment of a compatible, low-rise apartment form that contributes positively to the housing supply, the public realm, transit, and active transportation objectives. This report recognizes the following:

- / The proposal conforms to the direction of the Provincial Policy Statement (2020);
- / The proposal conforms to the policies and objectives of the "Neighbourhood" Official Plan designation;
- / The proposal is considered appropriate with regard to the New Edinburgh Heritage Conservation District Plan (HCD);
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law;
- / The proposed severance meets the applicable criteria of the Planning Act and
- / The proposed minor variances meet the four tests, as set out in the Planning Act.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,



Scott Alain, MCIP RPP
Senior Planner