

February 7, 2024

City of Ottawa Committee of Adjustment
101 CentrepoinTE Drive, 4th Floor
Ottawa, Ontario ON K2G 5K7

Attn: Mr. Michel Bellemare - Secretary Treasurer

Committee of Adjustment

Received | Reçu le

2024-02-16

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: **304 Fairmont (Consent application) - Ward 15**
Estate of Beryl Ruth Herrick
Plan114306 Lot 195 & Part Lot 196 Plan 233925
Lot 3 & Part Lot 4 & RP5R9013 Part 2, City of Ottawa

On behalf of the owners of 304 Fairmont, we are submitting the enclosed primary consent application. We are applying to the City of Ottawa, Committee of Adjustment to divide the existing 18.29 X 46.12m property into two parts.

Summary

304 Fairmont Avenue is located in the Civic Hospital neighbourhood of Ward 15 in the City of Ottawa.

The property is zoned R1QQ and it is within the Mature Neighbourhood Overlay. The existing property is a through-lot, between Fairmont Ave to the east and Gwynne Ave to the west; with 18.29m of frontage on each street.

This application is requesting the existing property be divided into two essentially equal parts the retained part fronting Fairmont Avenue having a Lot Width of 18.26m (R1QQ Minimum Lot Width requirement is 12m) X 23.07m deep; and the severed part fronting Gwynne Avenue having a Lot Width of 18.31m (R1QQ Minimum Lot Width requirement is 12m) X 23.06m deep

The existing lot area is 839m². The severed lots would have Lot Areas of 421.50m² and 421.80m²(R1QQ Minimum Lot Area requirement is 360m²).

There is a 2-storey dwelling and a shed on the existing property. Under the proposed severance, the 2-storey dwelling will remain and the shed will be removed in whole or partially.

No variances currently exist or will be created on either part as a result of this proposed severance.

Site Plan

Ownership History and PINs

The property is owned by the Estate of Beryl Ruth Herrick.

The original 304 Fairmont Avenue property was purchased by the Herrick family in July, 1969.

In February, 1986 as part of the realignment of Gwynne Avenue, additional property abutting 304 Fairmont to the west was transferred to the Herrick family ownership by the City of Ottawa.

As a result, the Reference Plan shows two PIN/Parcel Registrations under the same ownership.

Variance Considerations

This application if approved will not result in any variances on either of the two resulting properties.

The 2-storey dwelling on the retained land exceeds all the minimum setback and maximum height requirements of the Part 6, R1QQ or Part 5, Sect 144 zoning bylaws.

Specifically, on the retained portion:

- a) the front yard setback is 4.33m (Minimum required 3m)
- b) the interior side yard setbacks are 2.39m and 8.56m (Minimum required 1.2m)
- c) the rear yard setback will be 7.03m (Minimum required 5.77m. Calculation: for a 23.06 deep lot is 25% of lot depth. $25\% \times 23.06 = 5.77\text{m}$)
- d) The calculated height of the existing dwelling is 7.32m (Maximum is 8.5m)

The severed part has will have no dwellings or buildings on it. The existing shed will be removed or reduced in size so as not to encroach on the severed part.

Site Photos



Subject property Fairmont frontage. February 2024 photo.



Subject property Gwynne frontage. February 2024 photo.

Consent Application – 304 Fairmont
Email: jim.cocks@sympatico.ca

33 Gould Street, Ottawa, Ontario K1Y 2P3
Phone: 613 850 7967

Plan of Subdivision Consideration

Section 53 (1) of the Planning Act indicates that an owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorised 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).

Section 51 (24) of the Planning Act states that in considering the draft of a subdivision, the following (applicable) factors will be considered:

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

This severance will create two lots with adequate provisions for water, sewage, and waste management systems. Both lots will have frontage on a public road, individual driveways for personal vehicle use, and access to alternative modes of transportation such as walking, cycling, and public transit. The development on the severed land could envision a sustainable design resulting in a building form featuring two dwelling units on a lot where previously only one unit existed. Additionally, there is a sidewalk connection along the west side of both avenues with nearby bike lanes, public transit, and protected pedestrian infrastructure.

The proposed severance will create a similar lotting pattern to that already existing on Gwynne Avenue, and common for the neighbourhood. Therefore, this application represents the orderly development of safe and healthy communities, and is in an appropriate location of growth and development.

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

The subject property is located in the Mature Neighbourhood Overlay of the Official Plan. This area of the City is anticipated to be developed according to Section 5.6 of the Official Plan. This section, in part, is intended to provide opportunities that allow the City to reach the goals of its Growth Management Strategy. Therefore, lots such as these which can accommodate more than one dwelling unit should be developed.

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

Section 2.2.1 Intensification and Diversifying Housing Options

Policy i) Direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods

Policy ii) Provide housing options for larger households

This property is approximately 650m from the Preston Avenue economic hub the located south of Highway 417 and is approximately 300m from Parkdale Ave which is a

north/south minor corridor connecting Carling Ave to the Hwy 417 to the North and Baseline Road to the south. Intensification in this area will support the evolution towards a 15-minute neighbourhood as the Preston Street and the new Ottawa Hospital Campus provides a variety of daily amenities such as pharmacies, clinics, grocery stores, a bank, cafes and restaurants. These key sites are accessible via private vehicle, public transit, as well as cycling lanes and sidewalks. Light Rail mass transit is located within 400m.

Section 4.2 Housing

4.2.1 (1) 1) A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by: b) Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability; c) Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;

The proposed severance will allow for an additional housing development to a future owner of the severed land.

Section 4.6 Urban Design

4.6.5 (3) Development shall minimise conflict between vehicles and pedestrians and improve the attractiveness of the public realm by internalising all servicing, loading areas, mechanical equipment and utilities into the design of the building, and by accommodating space on the site for trees, where possible. Shared service areas, and accesses should be used to limit interruptions along sidewalks. Where underground parking is not viable, surface parking must be visually screened from the public realm.

Not applicable for this application.

Section 5.2 Inner Urban Transect

5.2.2 (2) The transportation network for the Inner Urban Transect shall: a) Prioritise walking cycling and transit; and b) Accommodate motor vehicle access and movement provided doing so does not erode the public realm nor undermine the priority of pedestrians, cyclists and transit users.

The property is 400m from LRT transit and adjacent to cycling lanes.

5.2.4 (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. Table 3b indicates within the Neighbourhood designation: Existing lots with a frontage approximately 15 metres or wider: - Target of 50 per cent for Low-rise buildings shall be large-household dwellings within intensification. A target residential density range is 60 - 80 dwellings per hectare (Inner Urban Transect).

The subject properties features 18.26m and 18.29m of lot width and ample lot area able to accommodate what would be considered large-household dwellings - containing four bedrooms+ each.

Section 5.6 Overlays

5.6.1 .1 (1) 1) The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing: a) Guidance for a gradual change in character based on proximity to Hubs and Corridors, c) Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals;

Due to the subject site's proximity to the Churchill and Kirkwood minor corridors as well as the Carling Ave mainstreet corridor, all blocks south of Avondale are covered with the Evolving Neighbourhood Overlay. This overlay supports the intensification of this otherwise low density neighbourhood. The proposal is still considered a low-rise development but it represents intensification of the current site by replacing one dwelling unit with two. The semi-detached building typology represents a more urban built form as it is able to accommodate more people as the neighbourhood densities.

Section 6.3 Neighbourhoods

6.3.1 (2) Permitted building heights in Neighbourhoods shall be Low-rise

Not applicable for this application.

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

The proposed lots conform to the Zoning By-Law requirements and similarly sized lots can be found within 150 m of the subject property. The proposed severance is permitted in the R1QQ zoning and follows the general characteristics of the neighbourhood.

(i) the adequacy of utilities and municipal services;

No dwellings are currently planned for the severed land. However, GeoOttawa shows that there are exiting City water, sewer and stormwater infrastructure pipes running under Gwynne Avenue .

(j) the adequacy of school sites;

There are a variety of schools from various school boards within approximately 1 km radius from the subject site. To the north there is the Heritage Academy Private School, Devonshire Public School, Connaught Public School. To the west is Fisher Park Public School, Turnbull Learning Centre, W.E. Gowling Public School and St. Nicholas Adult High School.

Based on the above analysis, a Plan of Subdivision is not considered necessary.

At this time, we are submitting the following in support of the application:

- Completed application form (1 original) for the standard consent application,
- Property owner's authorization for submission of the application
- Land Registry Office Transfer documents showing ownership
- [Lawyer's letter requesting a retained land certificate and confirming there are no ownership issues that would contravene section 50 of the Planning Act](#)
- Application fees
- Draft 4R Plan showing the severance line
- Tree Information Report

Due to existing commitments and availability of certain individuals needed for public consultation, I request this application be heard on March 20th (assuming, of course, that the application is complete as per the COA).

When the notification signs are ready for this application could you please email the undersigned and I will arrange for their installation on the property.

Should you have any questions or require anything further, please do not hesitate to contact the undersigned at (613) 850 7967 or via email at Jim.cocks@sympatico.ca .

Best Regards,

A handwritten signature in blue ink, appearing to read 'Jim Cocks', with a stylized flourish at the end.

Jim Cocks, CPA/CA

cc. Sandra Herrick