

Planning and Design Rational  
Friday, June 21, 2024

Variance Application  
633 Edison Ave.

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# Variance Rational

## Chris Jalkotzy

### Modulink, Planning & Design

#### 21 June 2024

**Committee of Adjustment**  
Received | Reçu le  
**2024-06-24**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

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## 1.0 INTRODUCTION and PROJECT OVERVIEW:

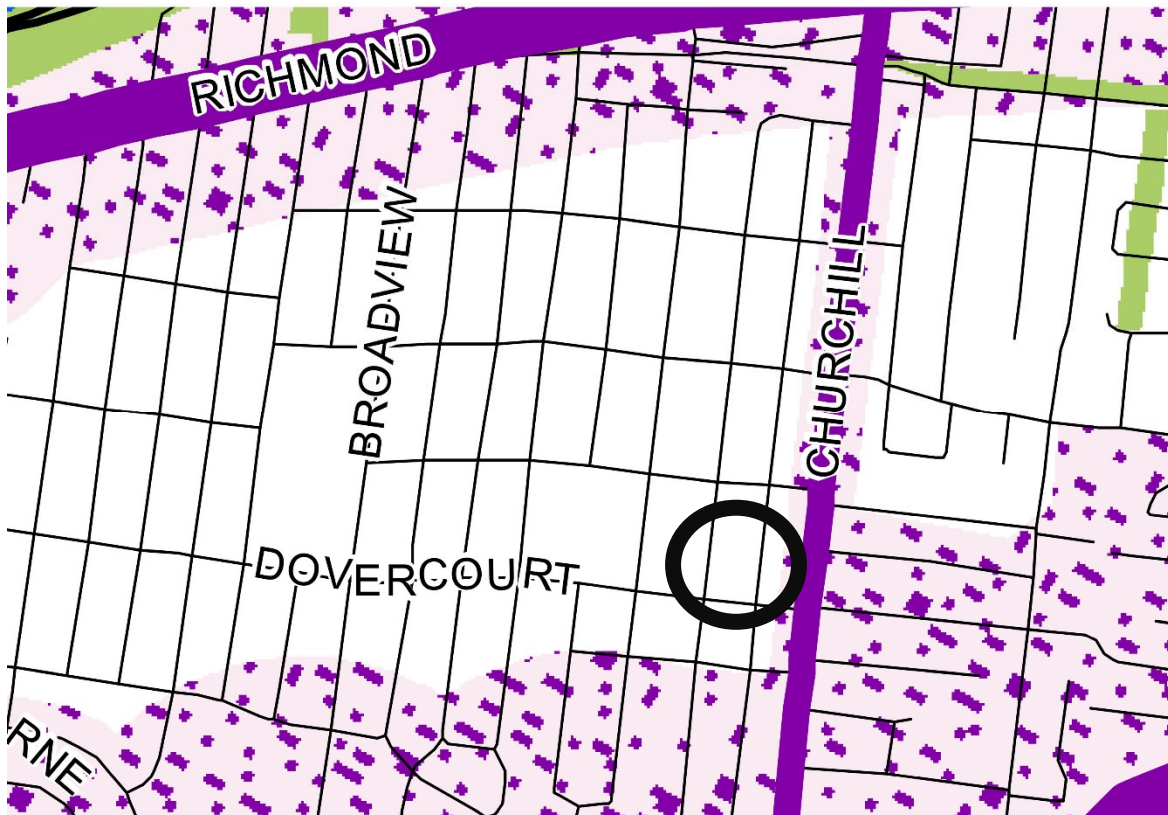
This report has been prepared in support of the application for variances and consent sever a lot to permit the construction of 1 detached dwellings and 2 semidetached dwellings by demolishing 1 existing detached dwelling unit. The variances requested are for lot area and building height. The proposed unit mix is all 2 bedroom units.

## 2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

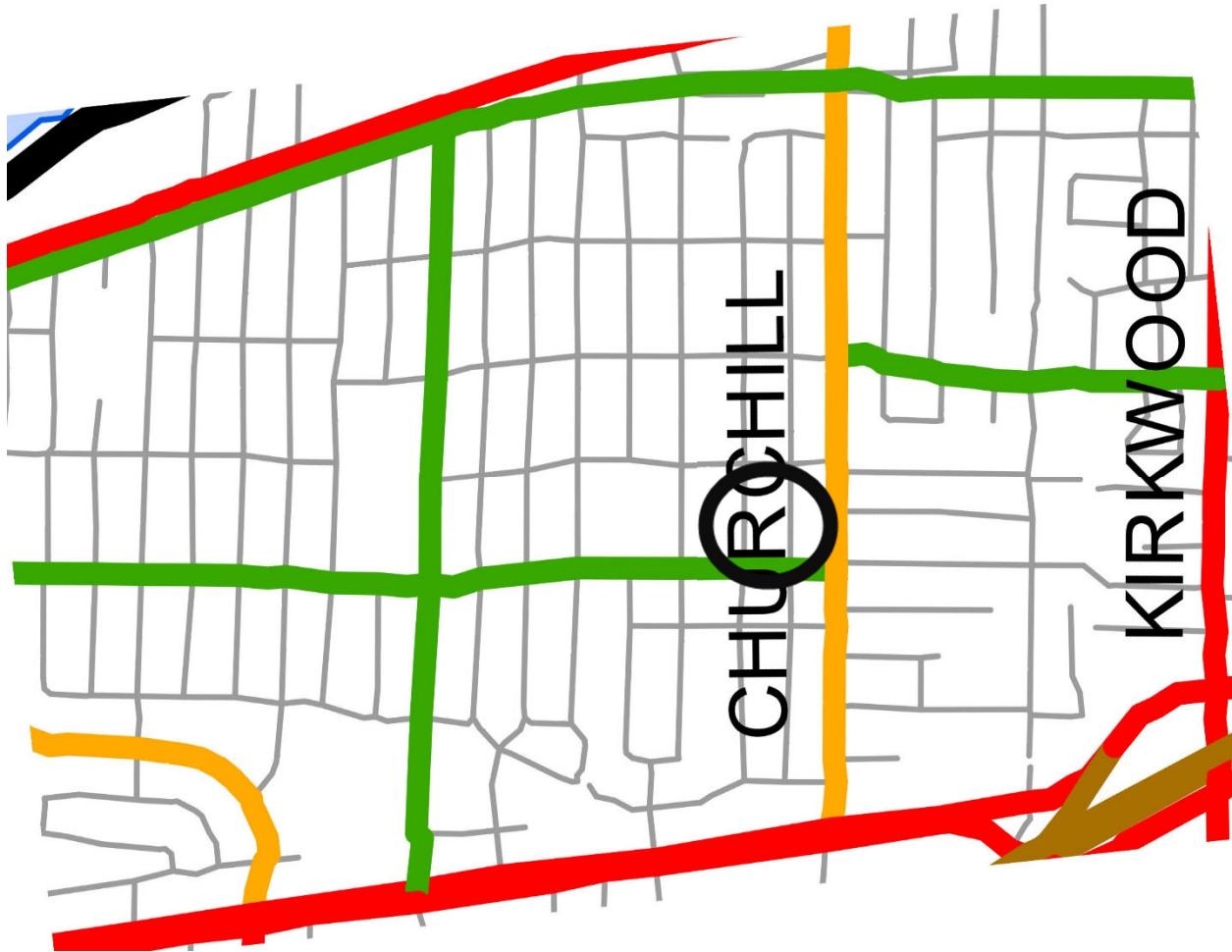
The property is currently occupied by a three-storey dwelling constructed in the 50's and earlier. The property is in the City of Ottawa. It has a street frontage width of 20.12m (north/south) and a depth of 30.48m (east/west). It has a lot area of 613.2sqm. The zoning is R4UA[2686] H(8.5).

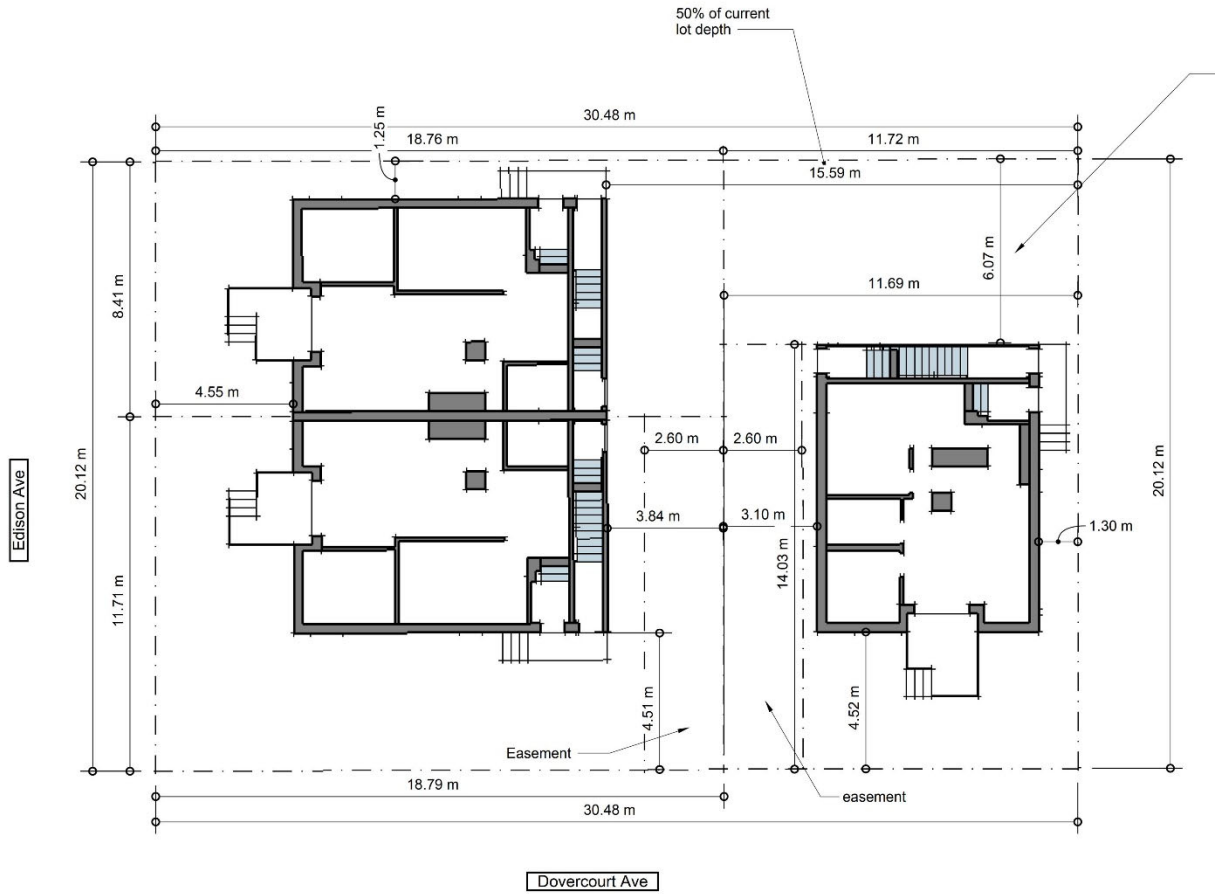
It is located in the Schedule B2 Inner Urban Transect on corner of Edison Ave and Dovercourt Ave. The site is in a designated neighbourhood.

It is also subject to Westboro Development Overlay (Section 146).



On Schedule C4 - Urban Road Network, Edison Ave is classified as a local road and Dovercourt Ave is on Schedule C4 - Urban Road Network. The site is in a designated neighbourhood.





Subject Site

**Surrounding Land Uses:**

The property is bounded by detached dwellings on the South, North, East and West. Churchill Ave. is on east side the immediate block. The property to the east is zoned as R4UD[2684]-c



1) Subject Property



2) Dovercourt looking to the West



3) Dovercourt looking to the East



4) Edison looking North



5) Edison looking South

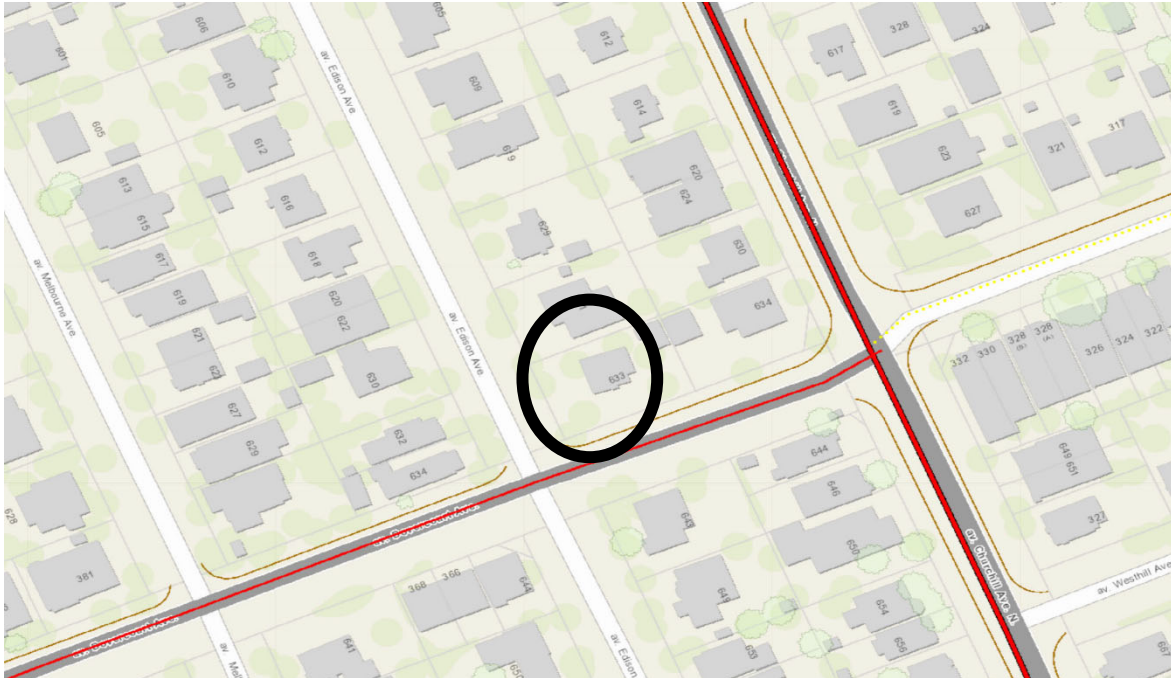




**Bicycle Network:**

The active transportation mapping identifies Churchill and Dovercourt as important parts of active transportation networks in the City.

**New Active Transportation Plan**



**Transit Services:**

The site is within 500m of Carling Avenue an important future transit corridor.



**Community Services:**

The site is located within easy walking distance to numerous schools, many restaurants, shops, parks along Richmond and Caring Ave. and is in a quintessentially 15 min walking neighbourhood.

**3.0 DEVELOPMENT PROPOSAL AND VARIANCES**

The proposal is to subdivide the property into 3 lots. Two Lots will have frontage on Edison Ave. One Lot will have frontage on Dovercourt. The 2 lots on Edison Ave will each have one semidetached dwelling. Consent for an easement for access to one surface parking space for each semidetached dwelling is proposed. The 1 lot on Dovercourt Ave will be a detached dwelling. Consent for an easement to access a single surface parking space at the rear is proposed. These three surface parking spaces are all accessed with one 2.6m shared lane. The design of the building has a 1:2 sloped roof and a building height of 10.7m. The parking spaces and laneway will consist of porous material.

There are 3 aspects of the zoning bylaw that apply to this site R4UA[2686] H(8.5).

- a) Westboro Development Overlay (Section 146)
- b) Exception 2686 (By-law 2021-75) and
- c) all aspects of the zoning bylaw not affected by a) and b)

Section 146(1) Westboro Development Overlay states that: “The provisions of this section apply to all areas located within Schedule 430 and take precedence over any other section to the contrary, except for those contained in Part 15 – Exceptions”

The order in which the bylaw is applied is

- 1) exceptions
- 2) Section 146
- 3) The remainder of the bylaw

Exception 2686 is as follows

2686 (By-law 2021-75)	R4-UA[2686] H(8.5)		<b>-Apartment dwelling, low rise containing more than 6 dwelling units</b>	-Minimum interior side yard setback: 1.5 m -Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 m -Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 m <sup>2</sup> -Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling.
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The requested variances are as follows (R4UA[2686] H(8.5).):

Parts	1 (semidetached dwelling)	2 and 3 (semidetached dwelling)	4 and 5 (detached dwelling)
A)Exception 2686 min sideyard of 1.5m	Permit a sideyard of 1.2		Permit a sideyard of 1.2m
B)Exception 2686 requires a lot area of 300 sqm for a detached dwelling			Permit a lot area of 235.6 sqm
C)Required lot area for a semidetached dwelling is 180 sqm (Table 162A V)	Permit a lot area of 157.8 sqm		
D)Required building height is 10.0m or 10.7m (section 146 (6)(i) and (ii), roof slope 1:2 or greater	Permit a building height of 10.7m, interior lot	Complies with a building height of 10.7m corner lot	Permit a building height of 10.7m interior lot
E)Required rear yard landscaped buffer zone of 4.5m (Table 146A)	Permit a rear yard landscaped buffer zone of 0.0m (may comply 146(5))	Permit a rear yard landscaped buffer zone of 0.0m (may comply 146(5))	
F)Max permitted shared driveway width 3m (Table 139 (3) (iv))	Permit a driveway width of 6m	Permit a driveway width of 6m	Permit a driveway width of 6m
G)Rear yard (front setback 4.5m), lot depth 23.5m or less, 25% of lot depth (Table 144A (i))	Permit a rear yard of 3.84m, lot depth 18.76m, required 4.69m	Permit a rear yard of 3.84m, lot depth 18.76m, required 4.69m	Complies rear yard 6.0m, lot depth 20.12

Variances are all primarily a result of the developing of a large corner lot (613.2 sqm). While exception 2686 prohibits an apartment dwelling with over 6 units, it is may be possible to build 2 apartment dwellings with 6 dwellings each with a variance for lot area, 306.6 sqm lots vs the required 360 sqm. (the required lot width can be provided). However, it was deemed more appropriate to have a building typology of 2 semidetached dwelling and a detached dwelling consistent with the building typology to the north and west of the property and provides some transition to the zoning along Churchill Ave.

The soft landscaping at the rear and the front follow the general requirements of the zoning bylaw and a built form consisting of just 2 large semidetached, 2 detached or 2 6 unit apartment buildings would have as of right the same landscape requirements.

The reduction in landscaped area in the rear reflects the desirability of providing one at grade parking spot in the rear utilizing one shared lane. In this way the development protects the current street parking space, permits additional landscaped space for existing trees at the front and rear of the existing

properties. It is in character of a front facing garage free area. The request to create the access easement make this lane possible.

- A) The side yard setback reduction from 1.5m to 1.2m reflects the building type which is characteristically 1.2m for detached and semidetached dwellings.
- B) The lot area reduction to permit a lot area of 235.6 sqm for a detached dwelling whereas Exception 2686 requires a lot area of 300 sqm for a detached dwelling is minor in that the lot width requirement is met as are all the yard requirement other than the east side yard. This is offset by the increase in the rear yard to 30% of the lot depth, whereas the bylaw requires only 25%.
- C) The lot area reduction to permit a lot area of 157.8 sqm for a semidetached dwelling whereas required lot area for a semidetached dwelling is 180 sqm is minor in that the semidetached dwellings occupy a corner lot and the corner semidetached dwelling has a lot area of 219,8 sqm. When this is combined with the northerly semidetached dwelling lot area the total is 377.6 sqm whereas the bylaw requirement for 2 semidetached dwellings is 360 sqm.
- D) The increased building height to 10.7m for the northly semidetached and the detached dwelling is minor in that the bylaw permits a height of 10.7m for a roof with a slope over 1:2 on a corner lot. Firstly the semidetached dwelling is connected to the southerly semidetached which is permitted to have a 10.7m and secondly the restriction of the bylaw to require a 10m height is a function of creating 2 interior lots through severance. The existing property, if kept as one lot would permit a height of 10,7m.
- E) The proposed zero rear yard landscaping requirement for the 2 semidetached dwellings is minor in that it permits access for 3 parking spots through one lane for 3 properties. This preserves a continuous strip of soft landscaping in front of all 3 new dwellings as well as preserving the existing trees adjacent to the street.
- F) The proposed variance to permit a 6m wide shared laneway whereas the bylaw permits 3m is minor in that the widening of the laneway is required to access the southerly semidetached at grade parking spot.
- G) The proposed variance to permit a reduced rear yard should be considered minor in that is backing on a side yard that is internal to the overall proposed project and will have no impact on neighbouring properties. Amenity space is available in parks close to the site and the decks provided for on the west side of the northerly semidetached and the side yard of the southerly semidetached dwelling.

#### 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) No front facing garages, one lane to provide one at grade parking space for each semidetached and detached dwelling so there will be little traffic impact.
- b) Amenity space is provided in the rear yard for the detached dwelling.
- c) Lighting will be for safety purposes and will respect the dark skies initiative.
- d) The building will not generate additional noise.
- e) The building height generally complies with the zoning bylaw
- f) 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 transact closer to 60 to 80 units per hectare with a net potential density of 146 units per hectare (3 primary units and 6 additional units.)

### **OP Section 4. City-Wide Policies**

#### OP 4.2 Housing

“4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city

2) The City shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minuteneighbourhoods by:

- a) Allowing housing forms which are denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;
- b) Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law;”.

### **OP Section 5. Transects**

#### OP 5.1.5 Provide direction to the Neighbourhoods located within the Inner City Transect

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

1) Neighbourhoods located in the Downtown Core 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;

d) Building on Table 6, provides an emphasis on regulating the maximum built form envelope that frames the public right of way; and

e) In appropriate locations, to support the production of missing middle housing, prohibit lower-density typologies.

**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 three storey stacked residential dwelling.

**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 R4UA[2686] H(8.5)

**Purpose of the Zone**

The purpose of the R4 - Residential Fourth Density Zone is to:

1. allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, 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 the fourth density 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 mixed building form, 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. They reflect the current character of the neighbourhood with semidetached and detached dwellings
2. The general intent and purpose of the Zoning By-law is maintained
  - a. the intent of the bylaw is to permit the low rise dwellings/apartments.
  - 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

The Consent to Sever with a plan of subdivision complies with the Planning Act in that it represents orderly development:

- a. Adequate services, sewer, hydro, water and transportation are available
- b. No new public infrastructure is created or required
- c. No changes in land use are being made