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June 5, 2024

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

**RE: Applications for Consent and Minor Variance
1 CentrepoinTE Drive and 2140 Baseline Road
Ottawa, ON**

Committee of Adjustment
Received | Reçu le

2024-06-07

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by the owners of 1 CentrepoinTE Drive (Appelt Developments) and 2140 Baseline Road (2140 Baseline Ltd.) to act on their behalf to prepare and submit Consent and Minor Variance applications to the Committee of Adjustment. The Consent applications are to facilitate a lot line adjustment between 1 CentrepoinTE Drive and 2140 Baseline Road. The Minor Variance application is to seek relief from Section 110(3) of the Zoning By-law with respect to the setback of the garbage staging area for 2140 Baseline Road. A concurrent application for Site Plan Revision is under review by the City of Ottawa to accommodate the changes to the lot fabric, resulting in the need for the requested Minor Variance.

In addition to this cover letter, the following materials are enclosed in support of this application:

- / Completed consent application forms;
- / Parcel Abstracts;
- / Site Plan;
- / Landscape Plan;
- / Tree Conservation Report;
- / Stormwater Management & Servicing Plan; and
- / A Draft Reference Plan (R-Plan).

Should you have any questions related to the contents of these application, please do not hesitate to contact the undersigned at freeman@fotenn.com or saunders@fotenn.com.

Sincerely,



Thomas Freeman, B.URPL
Planner



Evan Saunders, M.PL
Planner



Scott Alain, RPP MCIP
Senior Planner

1.0 Introduction

Fotenn Planning + Design (“Fotenn”) has been retained by Appelt Development (Appelt) and 2140 Baseline Ltd. (Baseline) to prepare this Planning Rationale in support of two concurrent Consent applications for the properties known municipally as 1 Centrepoint Drive and 2140 Baseline Road in addition to a Minor Variance Application for the the lands municipally known as 2140 Baseline Road.

The intent of this Planning Rationale is to assess the proposed Consent and Minor Variance applications against applicable policies and regulations at the local and provincial levels.

1.1 Overview of Consent Applications

The purpose of the consent applications is to facilitate a Lot Line Adjustment between 2140 Baseline Road and 1 Centrepoint Drive to create a more regular arrangement of lots in the block, as depicted in Figure 1. In the current configuration, the lot line orientation results in areas with limited use and development potential on both properties. The new alignment will normalize the lot shapes, create a more usable frontage onto Gemini Way, and address a building non-compliance that has occurred during recent construction at 2140 Baseline Road, whereby a portion of the foundation for a new fourteen (14) storey building has been constructed on 1 Centrepoint Drive.

The irregular lot line derives from the former configuration of Gemini Way and Constellation Drive (Figure 3). The subsequent realignment of the road network generated the present 2140 Baseline Road parcel; which fell under the ownership of the City of Ottawa, and was ultimately sold to 2140 Baseline Ltd. The irregular lot line is therefore the result of historic changes to City roadways and bears no functional significance beyond this.

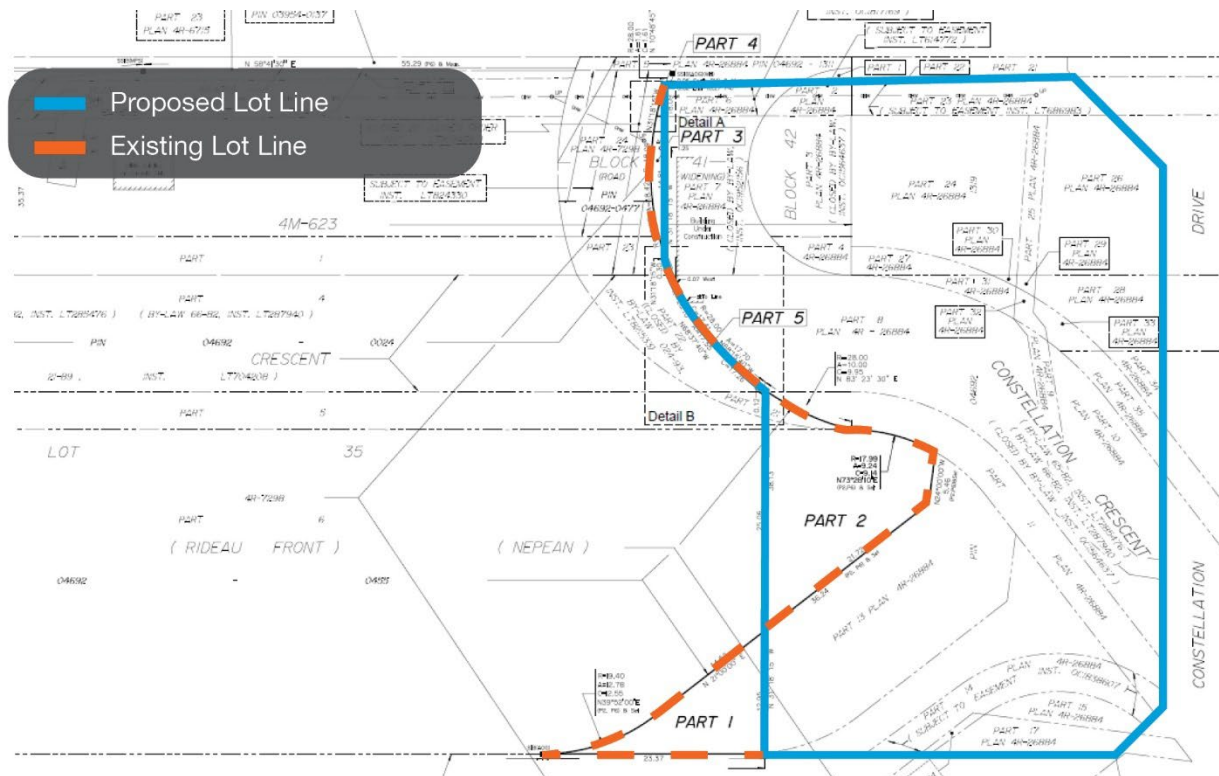


Figure 1: Graphic depicting the existing lot lines (orange) and the lot lines proposed through this application.

To facilitate the requested lot line adjustment, a land exchange is proposed whereby five (5) areas would be swapped between the properties. Lands would be added to and removed from each property. These land exchange areas are shown in Figure 1 and are listed by area measurement in Table 1 below. Table 2 indicates proposed changes to total property sizes. Table 3 indicates the proposed changes to frontage measurements facing onto Gemini Way. These adjustments will not have an impact on the water or sewer servicing for either property, given that servicing is not located in any areas affected by the proposed land swaps.

Table 1 Land swap area measurements

Part on Reference Plan	Area Measurement	Current Property	Receiving Property
Part 1	113.0 m ²	2140 Baseline Road	1 Centrepointe Drive
Part 2	259.7 m ²	1 Centrepointe Drive	2140 Baseline Road
Part 3	16.6 m ²	2140 Baseline Road	1 Centrepointe Drive
Part 4	1.6 m ²	2140 Baseline Road	1 Centrepointe Drive
Part 5	1.7 m ²	1 Centrepointe Drive	2140 Baseline Road

Table 2: Total property area changes.

Property	Current Total Area	Proposed Total Area
1 Centrepointe Drive	14,059.2 m ²	13,929 m²
2140 Baseline Road	3,049.3 m ²	3,179.5 m²

Table 3: Property frontage changes on Gemini Way.

Property	Current Frontage on Gemini Way	Proposed Frontage on Gemini Way
1 Centrepointe Drive	181.87 m	205.24 m
2140 Baseline Road	59.89 m	36.52 m

1.2 Proposed Minor Variance

The proposed Minor Variance seeks relief from Section 110(3)(a) of the Zoning By-law for the lands located at 2140 Baseline Road. The proposed siting of the garbage staging area is setback 3 metres from the Gemini Street frontage of the property, representing a 6-metre deficiency from the Zoning By-law requirement of 9 metres.

It is demonstrated that this Minor Variance satisfies the Four Tests of the *Planning Act* in the following sections of this report. The staging area will be substantially screened by landscaping and masonry signage, and only occupied by refuse bins for a brief period during collection days. It is additionally noted that this does not reflect a new development condition, as the refuse staging area was generally located in the same area on previously approved plans, however the compliance issue was not identified until this review.

2.0

Subject Properties and Surrounding Context

This section provides a brief overview of the subject properties at 1 Centrepointe Drive and 2140 Baseline Road, as well as their surrounding context.

2.1 1 Centrepointe Drive

1 Centrepointe Drive is located on the south-west corner of Centrepointe Drive with Baseline Road and is an irregularly shaped property that is comprised of seven (7) consolidated parcels. The parcel information numbers identified by Service Ontario are 04692-0455 (LT), 04692-0025 (LT), 04692-0018 (LT), 04692-0020 (LT), 04692-0024 (LT), 04692-0477 (LT), and 04692-1250 (LT).

The total property area measures approximately 1.4 hectares (14,059.2 square metres) and has approximately 196 metres of frontage on Baseline Road (north), 70 metres of frontage on Centrepointe Drive (west), and 181 metres of frontage on Gemini Way (south). The property is currently occupied by a four (4) storey medical building and surface parking associated with this use. Access to the property is from Geminin Way. The 'front lot line' for zoning purposes is the property's frontage facing onto Centrepointe Drive.

It is noted that an application for consent to sever (D08-01-24/B-0078) relating to the eastern 1 Centrepointe Drive was heard by the Committee of Adjustment on June 4, 2024, which would result in a new lot for future development in addition to the retained lot. The Committee of Adjustment has reserved this decision, so the outcome is not yet known at the time of this submission. As discussed further in this report, the Zoning By-law does not identify a minimum required lot size or frontage for the 1 Centrepointe Drive parcel, so the outcome of the previous severance application does not have bearing on this proposed severance from a zoning perspective.

Additionally, an application for consent to sever (D08-01-23/B-00293) relating to the western portion of 1 Centrepointe Drive was approved by the Committee of Adjustment on January 26, 2024, which resulted in a severed parcel fronting onto Centrepointe Drive. However, the severed parcel has not yet been registered. For the same reason mentioned above, in addition to the severed parcel not directly abutting 2140 Baseline Road, the previous severance application does not have bearing on this proposed severance from a zoning perspective.

2.2 2140 Baseline Road

2140 Baseline Road consists of an irregularly shaped parcel with frontage on Baseline Road, Constellation Drive, and Gemini Way. The site has a total area of approximately 3,049.3 square metres and consists of lands formerly owned by the City of Ottawa which have been sold to Baseline Constellation Limited Partnership (legally 2140 Baseline Limited), the new owner of the lands. The building is currently under construction based on the approved plans for the previous Site Plan Control application. Prior to 2009, Constellation Drive and Gemini Way crossed over the subject site (Figure 3) until being realigned, thereby creating the rectangular block upon which the site is located.



Figure 2: Aerial Image of Property, 2022.



Figure 3: Former configuration of Constellation Drive, 2008.

2.2.1 Application History

2140 Baseline Road previously received various development approvals as the site has been subject to multiple development applications since 2018, as follows:

- / Zoning By-law Amendment – Approved 2019 (D02-02-18-0057);
- / Site Plan Control – Approved 2020 (D07-12-18-0084);
- / Zoning By-law Amendment – Approved 2023 (D02-02-22-0113);
- / Site Plan Control Revision – Approved 2023 (D07-12-22-0164);

/ Lot Line Adjustment, Minor Variance, & Site Plan Control Revision – Ongoing

Zoning By-law Amendment (D02-02-18-0057) sought relief from several zoning provisions relating to height, density, and vehicular parking, rezoning the property from “Mixed-Use Centre, Maximum FSI of 2.0, Maximum building height of 34 metres – MC F(2.0) H(34)” to “Mixed-Use Centre, Urban Exception 2588, Maximum FSI of 4.4, Maximum building height of 45 metres – MC [2588] F(4.4) H(45)”. The following amendments, among others, were approved and enacted as a part of By-law 2019-362:

- / Increasing maximum Floor Space Index (FSI) from 2.0 to 4.4;
- / Increasing maximum building height from 35 metres to 45 metres;
- / Decreasing minimum parking rates for both residential and ground floor commercial uses; and,
- / Introducing rooming houses as a permitted use within the building.

Site Plan Control Application (D07-12-18-0084) was originally submitted on May 28, 2019, and later revised in a subsequent version on December 16, 2019, which increased the number of residential units and parking spaces and no longer proposed the student residence function. The building shape, massing, and design were not revised. The application received final approval on April 9, 2020.

The overall proposal was to permit the development of a 14-storey mixed-use building consisting of a total of 271 dwelling units, 429.1 m² of ground-floor commercial-retail space fronting onto Baseline Road, and 1,013.2m² of amenity space. The building footprint was proposed to be 1,575.0 m² with a Floor Space Index (FSI) of 4.4. The proposed development included 118 below-grade vehicular parking spaces accessed from Gemini Way, and 7 surface parking spaces.

Zoning By-law Amendment (D02-02-22-0113) was submitted on December 1, 2022, seeking relief from Section 64 of the Zoning By-law as it pertains to projecting above the maximum permitted building height. The application sought to permit the rooftop indoor amenity area to project above the maximum permitted building height of 45 metres, as established by the previous Zoning By-law Amendment. The approved zoning exception limited the area of the indoor amenity space to 640m².

Site Plan Control Revision Application (D07-12-22-0164) sought to revise the previously-approved Site Plan Approval (D07-12-18-0084) so as to address minor changes to building amenity areas, floor layout, and materiality, including the 636m² indoor amenity area above the 14th storey.

The present **Lot Line Adjustment, Minor Variance, & Site Plan Control Revision** applications serve to confirm a revised boundary between the lands, as described in this letter.

2.3 Surrounding Area Context

The following generally describes the context surrounding the subject properties:

North: North of the subject site is Parkway Park, a low-rise neighbourhood consisting of low-rise rental apartments managed by CLV group. Further north is a low-rise residential neighbourhood made up predominantly of detached dwellings. Approximately 750 metres north of the subject site is the future Iris LRT station.

East: The Woodline Building east of Constellation Drive is a government office building standing at 8-storeys with associated parking lots. On the east side of Woodroffe Avenue is Algonquin College and a large commercial plaza known as College Square.

South: Immediately south of the subject site at 19 Centrepointe Drive there is currently under construction a development consisting of a 22-storey high-rise apartment building, a 24-storey high-rise apartment, and a shared five-storey podium.

Adjacent to this site is Sir Guy Carleton Secondary School with associated surface parking and a sports field. Beyond this is the Provincial Courthouse and the Ben Franklin Place Library and Client Service Centre of the City of Ottawa. Further still are commercial and restaurant uses that are located adjacent to the Peter D. Clark Long Term Care Centre and the retirement community surrounding it. West of Centrepointe Drive and south of the subject lands is a large pocket of low-rise residential and commercial dwellings accessible from Centrepointe Drive via Hemmingwood Way. Centrepointe Park and linkages to the greater multi-use pathway network are located just beyond this neighborhood.

West: To the west of the subject site is a low-rise residential neighbourhood consisting of predominantly townhouse dwellings. North of this neighbourhood is the Pinecrest Recreation complex, which includes a community centre and 12-hectare park.

2.4 Transportation Context

2.4.1 Transit Network

The subject lands are well positioned with regard to current and future transit connectivity. The subject site will front onto the forthcoming Centrepointe Road Bus Rapid Transit Station (BRT) that will form part of a Rapid Transit Corridor running east-west along Baseline Road. The subject site currently has access to local transit Route 88 with both eastbound and westbound stops. The subject lands are also within close proximity to the existing transitway station at Algonquin college which is currently under construction to become an LRT station.

2.4.2 Road Network

The subject lands are located on Baseline Road, an arterial road identified on Schedule C4 – Urban Road Network of the City of Ottawa Official Plan. Arterial Roads are those within the City which are intended to carry higher volumes of traffic to local and regional destinations. These roadways function as major public and infrastructure corridors that are intended to accommodate not only vehicular traffic but also pedestrians, public utilities, cyclists and public transit as well. Due to their ability to accommodate increased capacity, Arterial Roads are generally best suited for increased activity stimulated by residential and commercial intensification.

Centrepointe Drive is identified as a major collector and Gemini Way and Constellation Drive are identified as collectors. Major collectors and collectors provide connections between arterials and local roads. They are typically shorter, carry lower volumes of traffic, and have reduced speeds compared to arterials. Generally, vehicular access to collectors is preferred to access onto an arterial road.

3.0

Policy and Regulatory Framework

3.1 Planning Act

The Planning Act is provincial legislation that empowers municipalities to engage in land use planning activities in Ontario.

Sections 53(1), 53(12), and 51(24) of the Planning Act establish the criteria for the severance of land. As the proposal is a lot line adjustment with no public infrastructure, a plan of subdivision is not required. The proposed lot line adjustment meets the applicable criteria established in Section 51(24) of the *Planning Act* as follows:

- a) **The effect of development of the proposed subdivision on matters of provincial interest;**
The proposed consent is consistent with the policies of the Provincial Policy Statement (2020) by creating the conditions for future compatible development on the lands.
- b) **Whether the proposed subdivision is premature or in the public interest;**
The application is not premature and is in the public interest. No specific development is proposed as part of this application, and the proposed lot line will enable compatible development that makes efficient use of land, infrastructure and public service facilities. A concurrent Site Plan Revision application is presently under review by the City of Ottawa, which serves to apply the revised lot line to the approved Site Plan.
- c) **Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;**
The proposal conforms with the policies of the City of Ottawa Official Plan (2022) and is permitted in the Official Plan's Mainstreet Corridor land use designation.
- d) **The suitability of the land for the purpose of which it is to be subdivided;**
The proposal is to regularize the shared lot line which is suitable for existing and future uses.
- 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 abutting roads (Baseline Road, Centrepoint Drive, Gemini Way, and Constellation Drive) are publicly maintained and connected to the larger urban road network of the City of Ottawa.
- f) **The dimensions and shapes of the proposed lots;**
The purpose of the proposal is to create more regularized lot shapes. The proposed lot sizes and shapes are consistent with the lot fabric formed by other properties in the surrounding area. The existing lot line configuration is the result of a previous roadway alignment and was not established to serve a particular end in its current format. The revised lot shapes promote a more logical approach to land development for both properties.
- 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 proposal complies with the City of Ottawa's Zoning By-law performance standards for lot width and lot area. Any future development will need to comply and be reviewed against the applicable requirements under the zoning of each property (MC zone for 1 Centrepoint Drive and MC[2588] for 2140 Baseline Road).
- h) **Conservation of natural resources and flood control;**
The subject lands are not located in a sensitive ecological area or in a floodplain. No adverse impacts are anticipated on natural resources and flood control as a result of the proposed Consent application. A revised grading plan and stormwater management brief are under review with the City of Ottawa as part of the concurrent application for Site Plan Revision associated with the lot line adjustment.

- i) **The adequacy of utilities and municipal services;**
Each lot will be independently serviced by existing Municipal services, including watermain and sanitary services. Any future redevelopment will be evaluated based on the servicing capacity available at the time of development.
- j) **The adequacy of school sites;**
The subject site is within proximity to existing public 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 being conveyed for public purposes.

The proposed Lot Line Adjustment has proper regard to the criteria found in Section 51(24) of the Planning Act.

3.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters be consistent with policy statements issued under the Act.

The PPS promotes the development of strong communities, which relies on the establishment of efficient land use and development patterns and the accommodation of an appropriate range and mix of uses.

The relevant policy interests to the subject application are as follows:

1.1 **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

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

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating an appropriate affordable and market-based range and mix of residential types and other uses to meet long-term needs;
- / 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.

1.1.3.1 Settlement areas shall be the focus of growth and development;

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- / efficiently use land and resources; and
- / are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.4 Housing

- 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:
- / permitting and facilitating:
 - all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and,
 - all types of residential intensification, including additional residential units;
 - / 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.

1.6 Infrastructure and Public Service Facilities

- 1.6.6.1 Planning for sewage and water services shall:
- a. accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 1. municipal sewage services and municipal water services; and
 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
 - d. integrate servicing and land use considerations at all stages of the planning process.
- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The proposed lot line adjustment, serving to make more efficient use of existing lots on full municipal services, promotes the efficient use of the land in accordance with the housing and growth management policy direction of the PPS. The subject site is well suited for intensification, being located close to transit and neighbourhood amenities. Overall, the proposed lot line adjustment is consistent with the policies of the 2020 Provincial Policy Statement; serving to permit orderly, efficient, and sustainable land use and development.

The proposed Minor Variance represents a minor deviation from the previously approved Site Plan on the subject site as it relates to the siting and orientation of the garbage staging area. The proposed siting of the garbage staging area represents an efficient use of the lands resulting from adjustments to the shared lot line, while facilitating the development of housing within proximity to transit. The reduced setback, requested through this application, represents a functional element of the building’s operation, which has been screened to mitigate any potential public health and safety concerns. Overall, the proposed Minor Variance and resultant development aligns with the priorities and policies set out in the Provincial Policy Statement.

3.3 City of Ottawa Official Plan (2022, as amended)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for development in the City until 2046, when it is expected that the City’s population will surpass 1.4 million people. The Official Plan directs how the City will accommodate this growth over time and sets out the policies to guide the development and growth of the City.

The subject site is designated Mainstreet in the City of Ottawa Official Plan, as shown on Schedule B3 of the Official Plan, Figure 6 below. The subject site is also identified as being within the Hub designation. Where Corridors intersect or overlap with Hubs, the building height policies governing Hubs shall prevail.

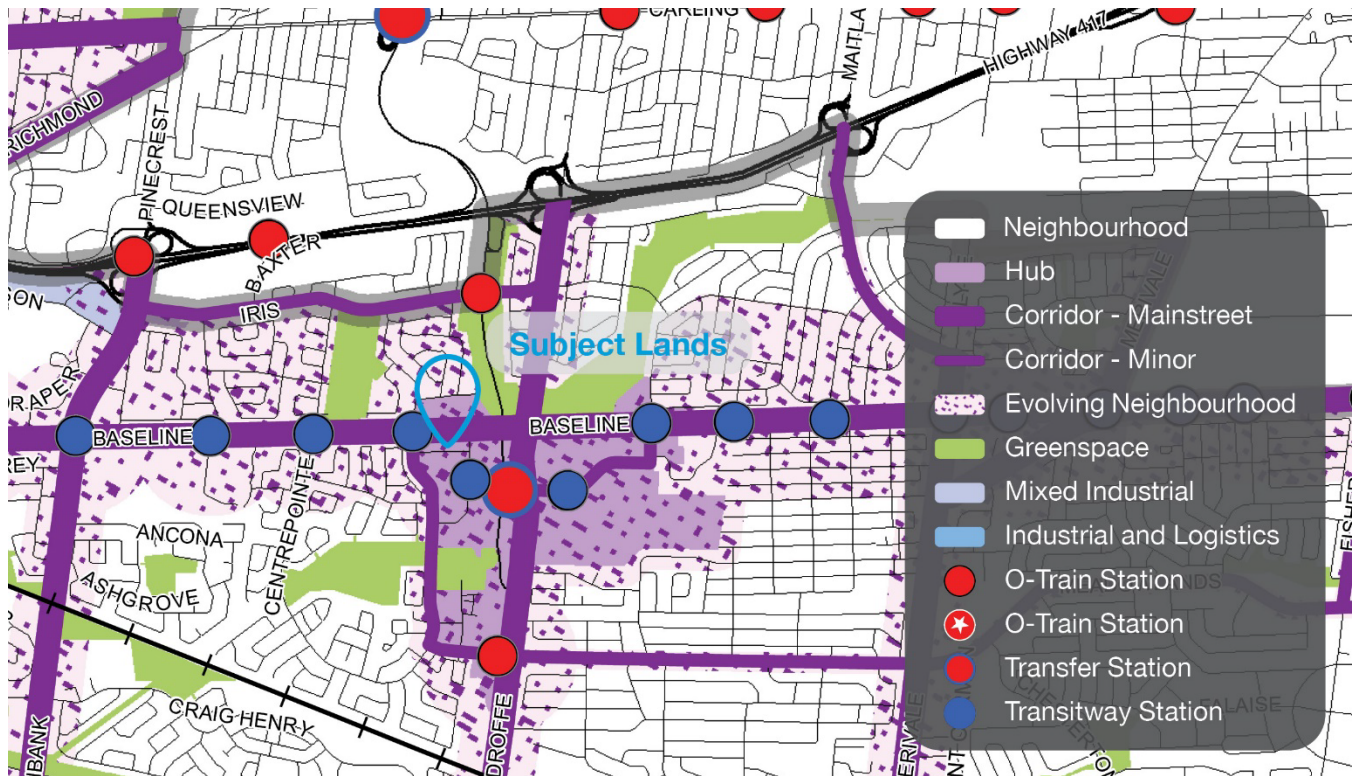


Figure 4 : Schedule B3 – Outer Urban Transect, City of Ottawa Official Plan.

3.3.1 Outer Urban Transect

Schedule A divides the City into six (6) concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from most urban (the Downtown Core) to least urban (Rural).

The subject site is located within the Outer Urban Transect area as defined on Schedule A of the Official Plan. The Outer Urban Transect consists of neighbourhoods within the Greenbelt, built in the latter part of the twentieth century. The

dominant urban form is that of the classic suburban model with the distinct separation of uses and car-oriented infrastructure. The Plan sets out strategies to transform these spaces into versatile areas capable of supporting multi-modal transportation. The policies of the Outer Urban Transect outline growth strategies for existing established neighbourhoods as well as areas with greater potential for intensification, including hubs and corridors.

Per the direction provided by the policies of Section 5.3.3, the parking and the proposed garbage staging area have been sited internal to the block, as much as the partially-developed site allows. Given the three (3) frontages provided to the site, the staging area's location at the south-west corner of the property represents the least intrusive location in relation to the Baseline Mainstreet character, while still providing the necessary and viable access for garbage trucks.

The Consent applications conform to the Outer Urban Transect and Corridor policies which support infill development in the form of a variety of uses and levels of intensification. The proposed Consent applications do not propose any new development but provides for a lot configuration that supports efficient and orderly development in accordance with the City of Ottawa Official Plan.

Mainstreet Corridor & Hub

The subject site is designated as a Mainstreet Corridor within a Hub on Schedule B2 of the Official Plan. The lands along Mainstreets Corridors are designated in the Official Plan as areas capable of supporting additional densities and a greater degree of mixed-uses, helping to support the development of surrounding Neighbourhood areas. The Corridor designation applies to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods. The subject site is also located within a Hub per Schedule B3, and as such, the policies of 6.1.1(6) governing building heights shall prevail.

The proposed Minor Variance does not seek to alter the approved Site Plan as it relates to the building heights and residential densities on the site. The siting of the garbage staging area along the Gemini Way frontage aligns with the Mainstreet Corridor policies which promote the establishment of vehicular access from side streets – with Gemini Way existing as the least impactful and major frontage of the subject site.

3.3.2 Protected Major Transit Station Areas (PMTSAs)

Most Hubs, including the Algonquin Hub, are designated as Protected Major Transit Station Areas (PMTSAs) in the Official Plan. The Plan sets out the minimum density of people and jobs for PMTSAs in an effort to increase the future density of development around transit. Specifically for the Algonquin Hub, the Official Plan identifies a minimum density of 150 dwellings per net hectare.

The proposed Minor Variance and siting of the garbage staging area is not anticipated to impact the connectivity or relationship between the subject site and the anticipated transit infrastructure along Baseline Road.

3.3.3 Evolving Overlay

Section 5.6.1 describes how the Evolving Overlay will help to guide development near “Hubs” and “Corridors”, with regards to their evolving built form, functional use, and character as they undergo intensification. Intended to provide opportunities to reach the City’s growth management framework for intensification through the Zoning by-law by providing:

- / Guidance for a gradual change in character;
- / Allowance for new building forms and typologies, like the missing middle;
- / Provide direction to built form and site design that support more urban built form patterns and applicable transportation mode share goals; and,
- / Provide direction to govern the evaluation of development.

The proposed development is shown to align with the Official Plan through the applicable Transect and Designation policies. The proposed Minor Variance represents a coordinates with the proposed lot line adjustment, revising the existing Site Plan in order to accommodate garbage collection in a context-sensitive and practical manner.

3.4 City of Ottawa Zoning By-law

1 Centrepointe Drive is zoned MC F(2.0) H(34) and 2140 Baseline Road is zoned MC[2588] F(4.4) H(34).

The intent of the MC zone is to implement the Mixed Used Centre Designation under Ottawa's former Official Plan.

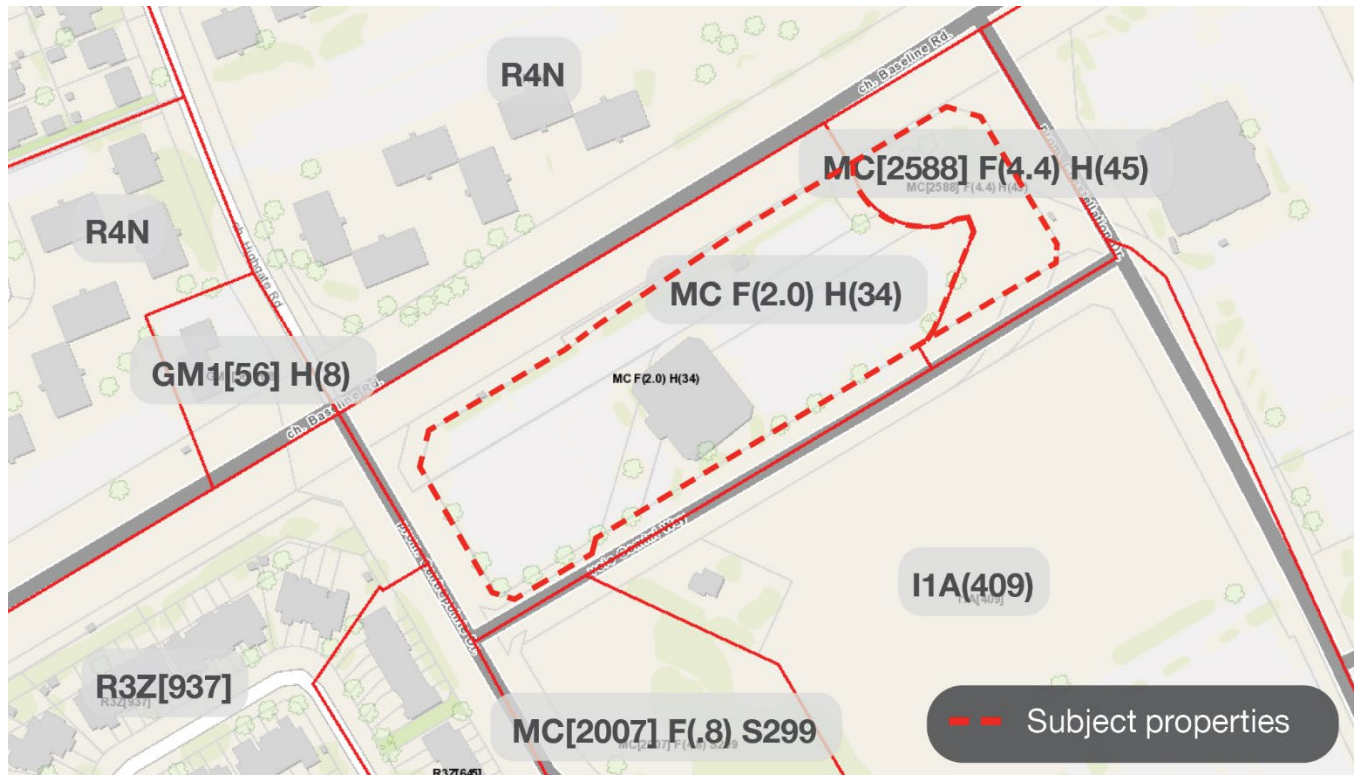


Figure 5: Zoning Map of the Subject Lands (GeoOttawa)

The purpose of the Mixed Use Centre - MC zone is to:

- / accommodate a combination of transit-supportive uses such as offices, secondary and post secondary schools, hotels, hospitals, large institutional buildings, community recreation and leisure centres, day care centres, retail uses, entertainment uses, service uses such as restaurants and personal service businesses, and high- and medium-density residential uses;
- / allow the permitted uses in a compact and pedestrian-oriented built form in mixed-use buildings or side by side in separate buildings; and
- / impose development standards that ensure medium to high profile development while minimizing its impact on surrounding residential areas.

The lot line adjustment is assessed primarily against the lot width and area requirements following the consent as it serves to alter a lot boundary only. As shown in Table 4 below, the MC zoning does not offer requirements for these provisions and therefore both lots will comply following the adjustment. As noted in Section 2.1, the outcome of a proposed severance

application for 1 Centrepointe Drive may impact the total area in the resultant parcel, however this will not impact compliance with the Zoning By-law.

Table 4: Lot Area and Width Requirements in the MC Zone

MC Zone provisions	Requirement	1 Centrepointe	2140 Baseline	Compliance
Minimum Lot Area Table 191 (a)	No minimum	13,929 square metres	3,179.5 square metres	Yes
Minimum Lot Width Table 191 (b)	No minimum	54.46 metres	53.8 metres	Yes

Table 5 below evaluates the existing development at 2140 Baseline Road against the provisions of the MC[2588] F(4.4) H(45) zone, following an approved lot line adjustment:

Table 5: MC[2588] F(4.4) H(45) Zone Provisions

Zoning Mechanism	Requirement	Provided	Compliance
Front and Corner Side Yard Setback (minimum)	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	3.3 metres	Yes
Interior Side Yard Setback (minimum)	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	0 metres	Yes
Rear Yard Setback (minimum)	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	0 metres	Yes
Floor Space Index (maximum)	4.4	4.4	Yes
Building Height (minimum)	Within 400 m of a rapid transit station: 6.7 m Other Cases: No minimum	45 metres	Yes
Building Height (maximum)	45 m (Suffix)	45 metres	Yes
Width of Landscaped Area (minimum)	No minimum, except that where a yard is provided and not used for required driveways, aisles, parking, loading spaces or outdoor commercial patio, the whole yard must be landscaped	Complies	Yes
Setback of refuse collection from a public road – Section 110(3)(a)	9.0 metres	3.0 metres	No
Residential Parking (minimum)	Exception 2588; By-law 2019-362 0.2 spaces / dwelling unit	Residential: 53 required; 137 provided (0.37/du)	Yes
Residential Parking (maximum)	Area C (Schedule 1)		Yes

	1.75 per dwelling unit (combined total of resident and visitor parking)	Visitor: 26 required; 26 provided (0.1/du)	
Visitor Parking (minimum)	Exception 2588; By-law 2019-362 No parking for the first 12 units. 0.1 spaces per dwelling unit	Retail: 0 required; 0 provided	Yes
Commercial / Retail Parking (minimum)	Commercial Unit #1 (0 required for Mixed Use <1,500m ² , Sec. 101(4)(d)) Commercial Unit #2 (0 required for Mixed Use <1,500m ² , Sec. 101(4)(d))	Total: 89 required; 163 provided (7 surface; 156 underground)	Yes
Bicycle Parking	Mid-high rise apartment building: 0.5 per dwelling unit	134 required; 286 provided	Yes
Amenity Area	6 m ² per dwelling unit (50% of total required area must be communal); 1,602 m ² required, at least 801 m ² communal	Amenity area breakdown (communal): L01: 699.0 m ² L15 (Indoor): 636.0 m ² L15 (Outdoor): 310.9 m ² Total: 1,645.9 m²	Yes

The proposed Minor Variance is seeking relief from Section 110(3)(a) of the Zoning By-law. The proposed siting of the garbage staging area is setback 3 metres from the Gemini Street frontage of the property, representing a 6-metre deficiency from the Zoning By-law requirement.

4.0

Four Tests of the Planning Act

Section 45 (1) of the Planning Act (R.S.O. 1990, c. P.13) outlines the “four tests” for determining the suitability of a proposed Minor Variance. If all four tests are met, the Committee of Adjustment is authorized to grant a variance.

The variance being sought relates to Section 110(3) of the Zoning By-law and is outlined in further detail below:

- / (3) All outdoor refuse collection and refuse loading areas contained within or accessed via a parking lot must be:
 - (a) located at least **9.0 metres** from a lot line abutting a public street.

This application seeks to reduce the required setback of a refuse collection area within a parking lot from a lot line abutting a public street to 3 metres where 9 metres is required.

The evaluation criteria are explored below:

1. The variance is minor in nature.

The proposed variance represents a minor deviation from the development condition approved as part of the previous Site Plan Approval in order to address the adjustment of the westerly lot line of the subject site. The location of the refuse collection area has not moved closer to the southern lot line since the previously approved Site Plan, as depicted in Figure 6. Both versions of the plan include a 3-metre buffer from the southerly property line. While previous approvals suggest the development condition was acceptable, this zoning compliance issue was not identified until this review. The lot line adjustment application represents an opportunity to resolve a compliance issue.

As noted previously, the property possesses three (3) frontages. Baseline Road and Constellation Drive are considered to be the primary frontages with consideration to public realm and streetscaping, with Gemini Way allowing for “back-of-house” functionalities such as vehicle access and refuse collection. The refuse collection area is screened from Baseline Road and Constellation Drive by the building elevations, and from Gemini Way by the proposed landscaping and screening – it is therefore minimized to the most feasible extent with regard to the characteristics of the site. The resultant condition proposed through this application presents no greater or significant undue impacts on the public realm and maintains the functionality of the vehicular access onto the property in relation to the adjacent right-of-way.

The proposed Minor Variance is therefore minor in nature.

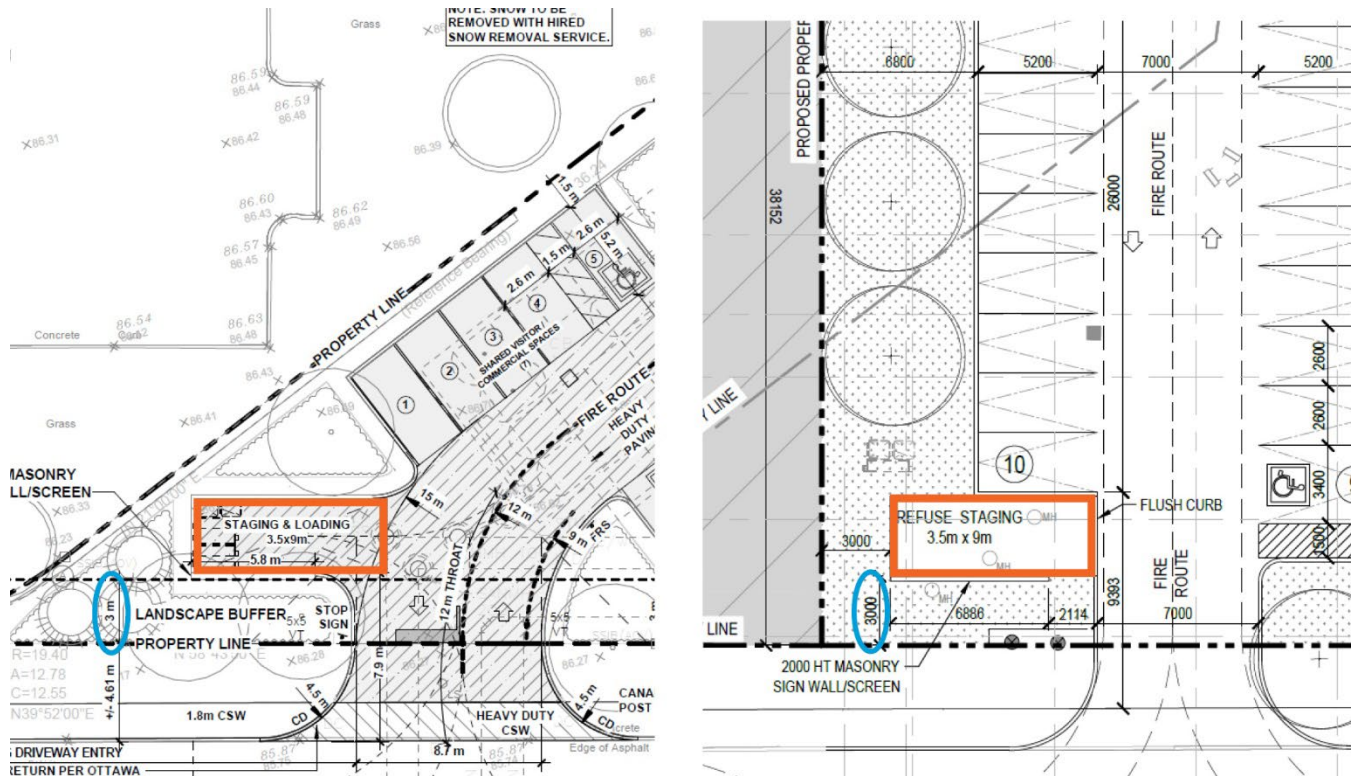


Figure 6: The Approved (left) site plan and the proposed (right) site plan depicting the refuse staging area and the maintained 3-metre buffer from Gemini Way.

2. The variance represents desirable development.

The refuse collection area proposed as part of this application may more appropriately be referred to as a 'staging area'. The garbage containers are to be stored within the underground parking garage and only brought out to the staging area for limited periods of time on days when garbage is to be picked up. The garbage bins are therefore only a temporary condition in the yard, and the area will otherwise resemble a similar condition to that of a parking stall. Additionally, per staff recommendation and in reflecting the condition of the previous Site Plan Approval, screening has been provided so as to present a more aesthetic interface with the public right-of-way along Gemini Way.

It is also worth considering the current state of construction on the site as it relates to available opportunities to adjust the Site Plan, while still allowing for the regularization of the lots. Currently, the subject site is under construction and the portion of the lot, as depicted on the Approved Site Plan, occupied by the proposed building, foundation, and parking garage are constructed upon. The remainder of the lot is under varying levels of construction, limiting the opportunities to relocate the refuse collection area. Relocating the refuse collection area internal to the site would present several significant challenges, including garbage truck access to the staging area, the functionality of the parking lot, and the layout of the parking garage. Given the limitations on the lot presented by the ongoing construction and proposed property lines, the proposed siting of the refuse collection area represents a desirable location in the context of the overall development.

The proposed Minor Variance therefore represents desirable development.

3. The variance meets the intent and purpose of the Zoning By-law.

The proposed Minor Variance represents a minor deviation from the specific provision of the By-law applicable to this application. The Zoning By-law requires a setback of 9 metres from public rights-of-way for refuse collection areas. Given the nature of this area, from a functional standpoint, will only be characterized by the storage of garbage for a limited period of time between when the bins are brought out for pickup, and when they are returned. The garbage bins will otherwise be stored in the underground parking garage, not visible from outside of the building.

The purpose of the relevant Zoning provision is to ensure garbage bins and containers are not stored in a highly-visible location in relation to the public realm – such as a public street. Given that the garbage is only to be stored temporarily in this location, the intent and purpose of the Zoning is maintained, and the proposed screening seeks to minimize the visual impact on the days garbage is to be relocated to this area for pickup.

The proposed Minor Variance therefore meets the intent and purpose of the Zoning By-law.

4. The variance meets the intent and purpose of the Official Plan.

The subject site is located in the Outer Urban Transect and is designated Mainstreet Corridor within a Hub with the Evolving Overlay. The property is also located along the future Baseline Road Bus Rapid Transit corridor. The proposed development aligns with the designation and transect policies as they apply to the overall project.

The subject site benefits from three (3) street frontages, with the vehicular access being provided from Gemini Way – the shortest and least significant frontage in terms of its relationship to rapid transit and the Mainstreet Corridor along Baseline Road. The siting of the refuse collection area along this frontage seeks to limit the exposure of the collection area to the public realm while providing functional access for garbage trucks onto the site. In relation to the proposed Minor Variance, the proposal seeks to maintain the prominence of the Baseline Road and Constellation Drive frontages, as the key public realm interfaces, relying on the Gemini Way frontages as the functional and operational ‘rear’ of the property.

Urban Design policies of the Official Plan (Section 4.6.5) also seek to ensure the internalization of operational aspects of buildings, such as mechanical, servicing, and loading. The proposed refuse collection area, operationally, shall only represent such functional building activities for a limited period of time every week, after which the condition will return to its interim state and the garbage bins returned to the parking garage. The limited time in which this area will be utilized for this function, and the screening to be implemented along Gemini Way, therefore meets the intent and purpose of these applicable policies through creating an attractive interface with the public realm to the south of the property.

The proposed variance therefore meets the intent and purpose of the Official Plan.

5.0 Conclusion


It is our professional planning opinion that a full Plan of Subdivision is not required for the orderly development of the land and that the Minor Variance application represents good planning and meets the applicable evaluation criteria ("The Four Tests") established in Sections 45 of the Planning Act. The application therefore upholds sound land use planning principles and is in the public interest.

The proposal to adjust the lot line between 1 Centrepont Drive and 2140 Baseline Road is appropriate for the subject properties and their surrounding urban context. The proposed lot line adjustment will regularize the lot shapes, create a more usable frontage facing onto Gemini Way and improve future development opportunities on both properties, while addressing a building non-compliance that has occurred during recent construction at 2140 Baseline Road.

Sincerely,



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Planner



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Planner



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