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

May 1st, 2024

Committee of Adjustment

Received | Reçu le

2024-05-01

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: 6 Oak St. Minor Variance application
Shu Hua Situ & Jin Wei Situ
Part of lots 1, 2, and 3, Registered Plan 82974, City of Ottawa

On behalf of our clients, we are submitting the enclosed Minor Variance application for the property at 6 Oak St. in order to permit the construction of a 5-unit, 3 storey stacked dwelling. The property is zoned R4UB in the Zoning By-Law. The property is located in the Downtown Core Transect designated as a Hub and is located in the Evolving Overlay. The intention of this project is to create a 5-unit residential building where a family member of the property owners will reside in the ground floor unit, while the two basement units and two upper level units are to be rented.

This application was adjourned on March 20th, 2024 to allow for the applicant to discuss the application with neighbours who have provided comments. On March 27th, the owners distributed a written description of the project which outlined the variances and where they apply (see document included in this submission titled "6 Oak Neighbour Letter 27 03 24"). The written description included the contact details for myself should they have further questions. To date, we have received no feedback or comments from the neighbours. In addition, once the new notification signs are installed, the owners will reach out again to the nearby neighbours.

The variances required to permit this development are:

- a) Lot area. To permit a reduced lot area of 215.3m². Whereas the Zoning By-Law requires a minimum lot area of 420m² (Table 162, (v), Zoning By-Law 2008-250, as amended)
- b) Lot width. To permit a reduced lot width of 11.08m. Whereas the Zoning By-Law required a minimum lot width of 14m (Table 162, (IV), Zoning By-Law 2008-250, as amended).
- c) Front yard setback. To permit a reduced front yard setback of less than the average of abutting lots (3.84m). Whereas the Zoning By-Law requires a minimum front yard setback equal to the average of abutting lots (4.12m) (Section 144, (1) (a), Zoning By-Law 2008-250, as amended).
- d) Rear yard area. To permit a reduced rear yard area of 14.7% of the lot area (31.59m²). Whereas the Zoning By-Law requires a minimum rear yard area of

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25% of the lot area (53.83m²) (Table 162B, (4), Zoning By-Law 2008-250, as amended).

- e) Rear yard soft landscaping. To permit a reduced rear yard soft landscaping area of 30m². Whereas the Zoning By-Law requires a minimum rear yard soft landscaping area of 35m² (Section 161, (15) (b) (i), Zoning By-Law 2008-250, as amended).
- f) Rear yard setback. To permit a reduced rear yard setback of 16.4% of the lot's depth (3.59m). Whereas the Zoning By-Law requires a minimum rear yard setback of 25% of the lot's depth (5.47m) (Table 162B, (4), Zoning By-Law 2008-250, as amended).
- g) Interior side yard setback (west). To permit a reduced interior side yard setback of 0.25m. Whereas the Zoning By-Law required a minimum interior side yard setback of 1.5m (Table 162, (X), Zoning By-Law 2008-250, as amended).
- h) Interior side yard setback (east). To permit a reduced interior side yard setback of 1.23m. Whereas the Zoning By-Law required a minimum interior side yard setback of 1.5m (Table 162, (X), Zoning By-Law 2008-250, as amended).
- i) Permitted projection for a balcony. To permit a greater permitted projection for a covered or uncovered balcony, porch, deck, platform and verandah, with a maximum of two enclosed sides above the first floor on a lot with a depth of less than 23.5m of 1.22m into a required yard. Whereas the Zoning By-Law required a balcony above the first floor on a lot with a depth of less than 23.5m be projected a maximum of 0m (Table 65, (6) (b) (iii), Zoning By-Law 2008-250, as amended).

Other zoning requirements for a stacked dwelling in the R4UB zone such as building height, bike parking, and the tree planting rectangular area are met by this proposal. This proposal allows for tree planting opportunities in the rear yard and does not require the removal of any trees. Currently, the existing duplex uses a garage that is mostly located on the City-owned laneway west of the subject property. This garage is proposed to be removed and no parking is proposed for these units. Also, the current rear yard setback of the existing duplex is 3.46m and the current side yard setback on the west side of the lot is 0.2m. Therefore, the proposed rear and side yard setbacks will be slightly improved by the proposed development.

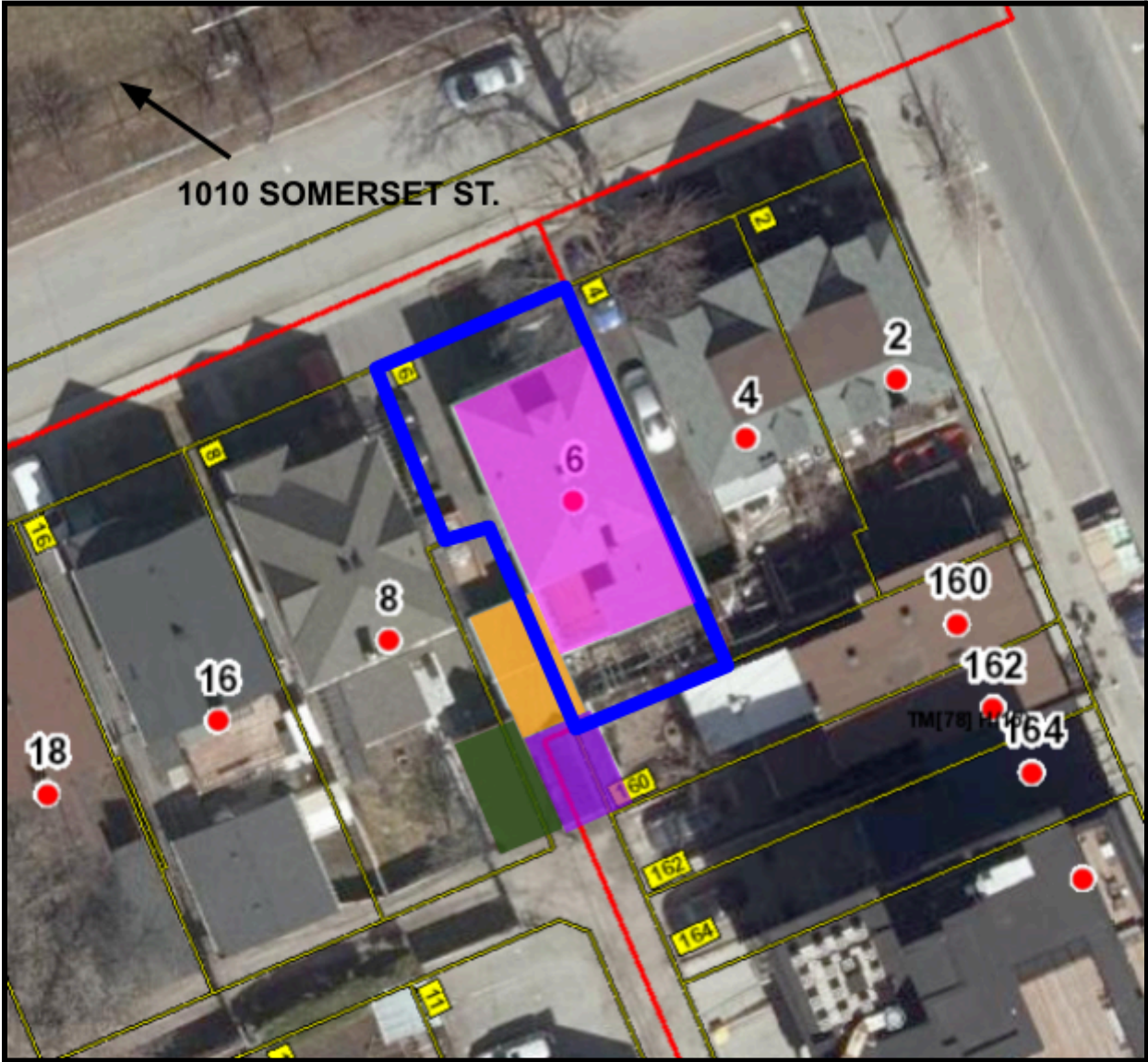
It is important to note that the properties along Preston St located east of the subject property are zoned various TM zoning. This includes the properties at 2 and 4 Oak St directly east of 6 Oak St. The TM zoning requirements would allow a 5-unit residential building on any sized lot with no minimum front yard setback and no rear yard soft landscaping requirement. This would eliminate the requested variances for lot width and lot area, front yard setback, and rear yard soft landscaping. The only remaining variances would be for rear yard area, rear yard setback, interior side yard setback, and balcony projections.

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The proposed development will remove a garage from the City-owned laneway and the proposed building will be located 0.3m further from the west lot lines compared to the existing duplex. This duplex was constructed pre. 1958 and requires significant interior and exterior renovations in order to make it suitable for long-term occupancy. Therefore removing the existing duplex and replacing it with a multi-unit residential building would improve the functionality of the site and will result in a form of streetscape renewal. The existing building's footprint is approximately 105m² whereas the proposed footprint is approximately 102m² which is a reduction of 3m². The total floor area of the existing duplex is about 315m² and the proposed building has a total floor area of about 350m² which is an increase of about 35m².

The difference between the proposed building and a low-rise apartment dwelling is that each proposed unit has a separate entrance. If the building was technically classified as a low-rise apartment the lot width variance would be eliminated, and the lot area variance would decrease from 450m² required to 300m² required, thereby reducing the difference between required and proposed from 204.7m² to 84.7m².

North of the subject property at 1010 Somerset St. is a City-directed development of 2.55 hectares (6.3 acres) consisting of new and updated recreational facilities, affordable housing towners, and a new park space. The property is expected to create a community hub located in close proximity to the new Corso Italia rail and City recreational facilities. This development will be located directly across Oak St from the subject property indicating that the City recognizes this area as an area that warrants significant intensification. Plouffe Park, currently located directly across the street from the property is about 6,000m² (64,500 ft²) and is expected to be retained in the City's proposal for 1010 Somerset due to significant community interest in retaining the park.



Aerial image showing the boundary of the property, the existing duplex, existing garage, garage at 160 Preston, and the garage at 8 Oak.



Image from Oak St looking south towards the subject property showing the property's boundary.



Image from **City-owned laneway** looking west.

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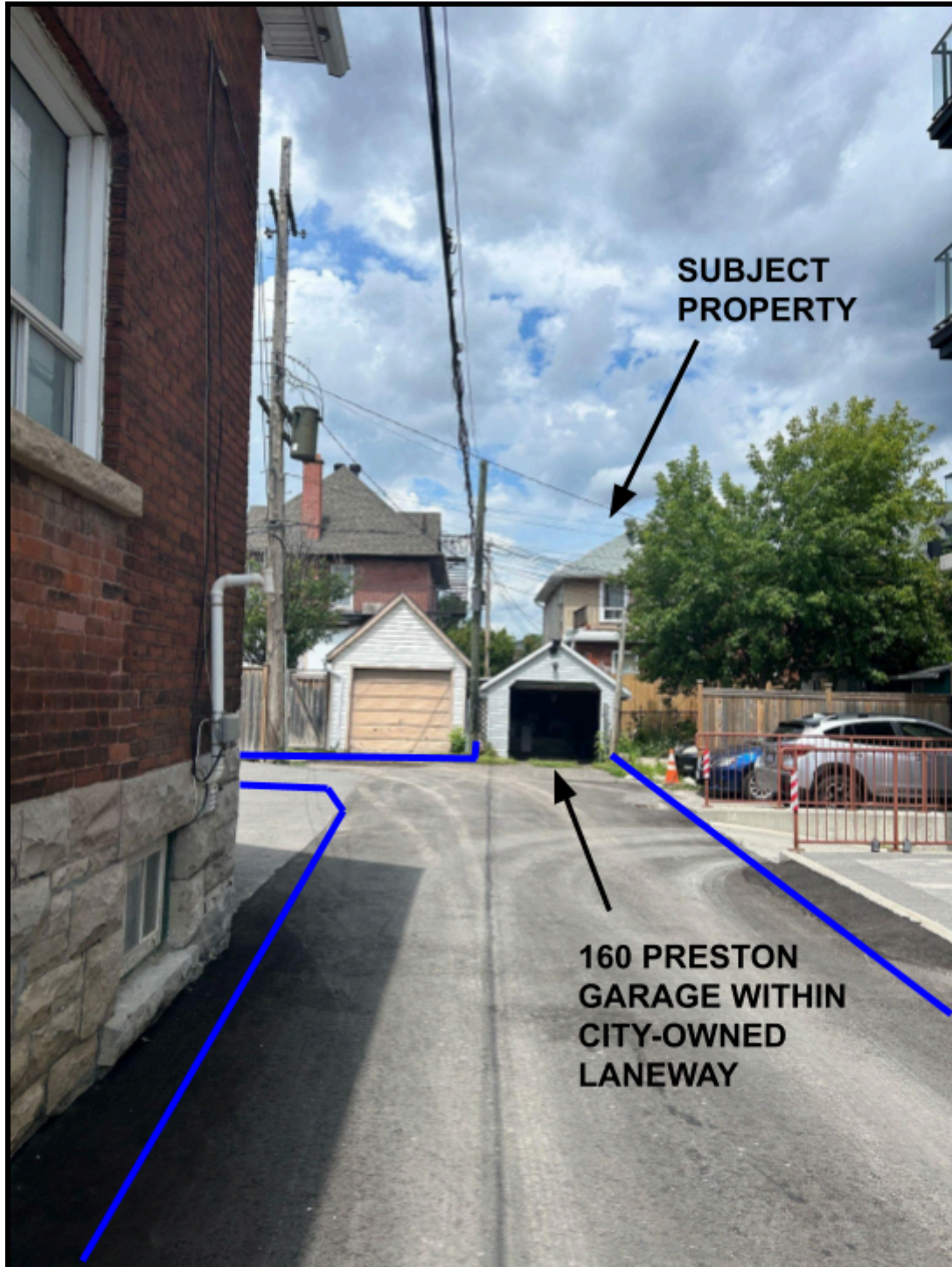
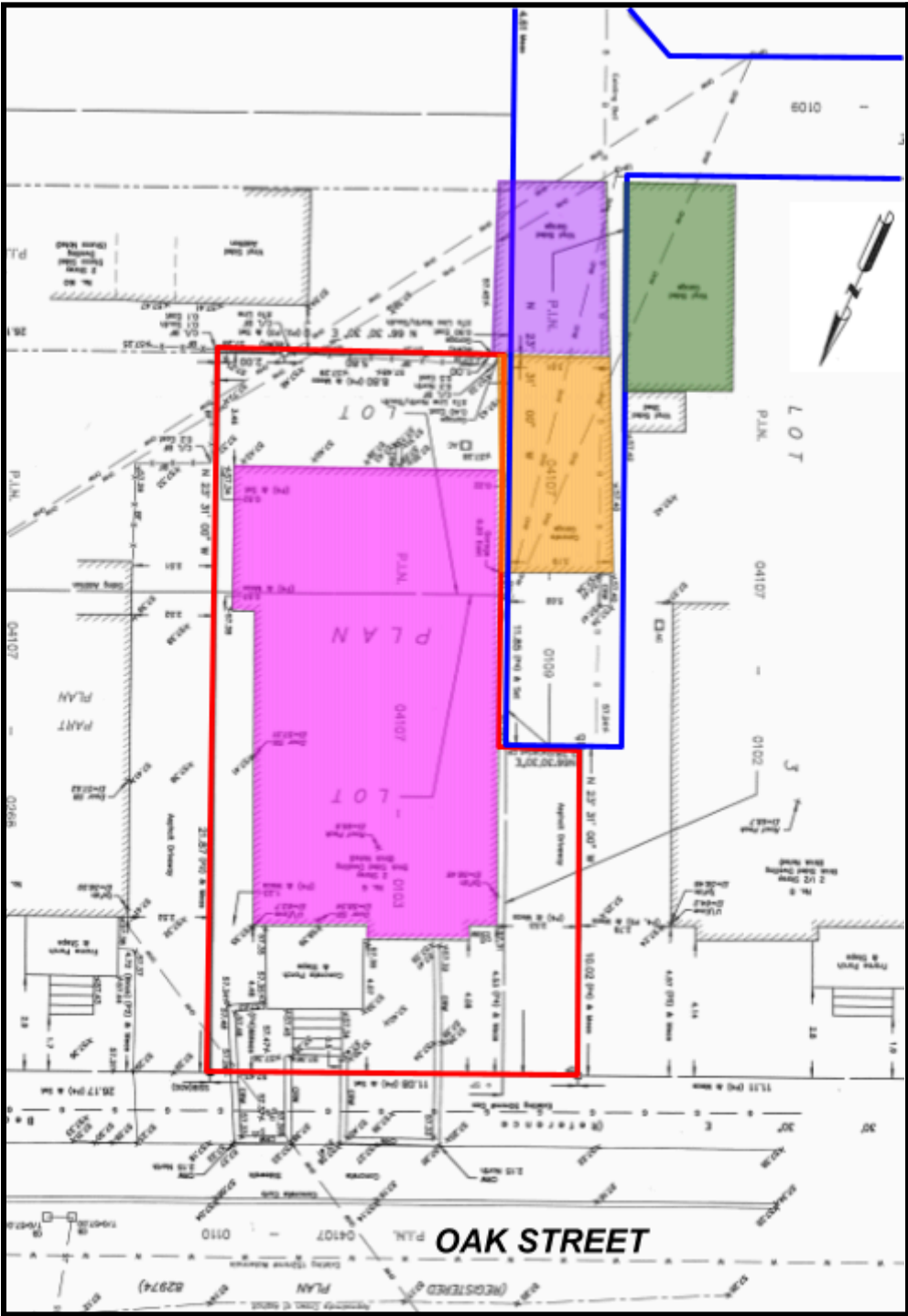


Image from [City-owned laneway](#) looking north towards the subject property. Note: the subject property's garage is located behind the garage belonging to 160 Preston.

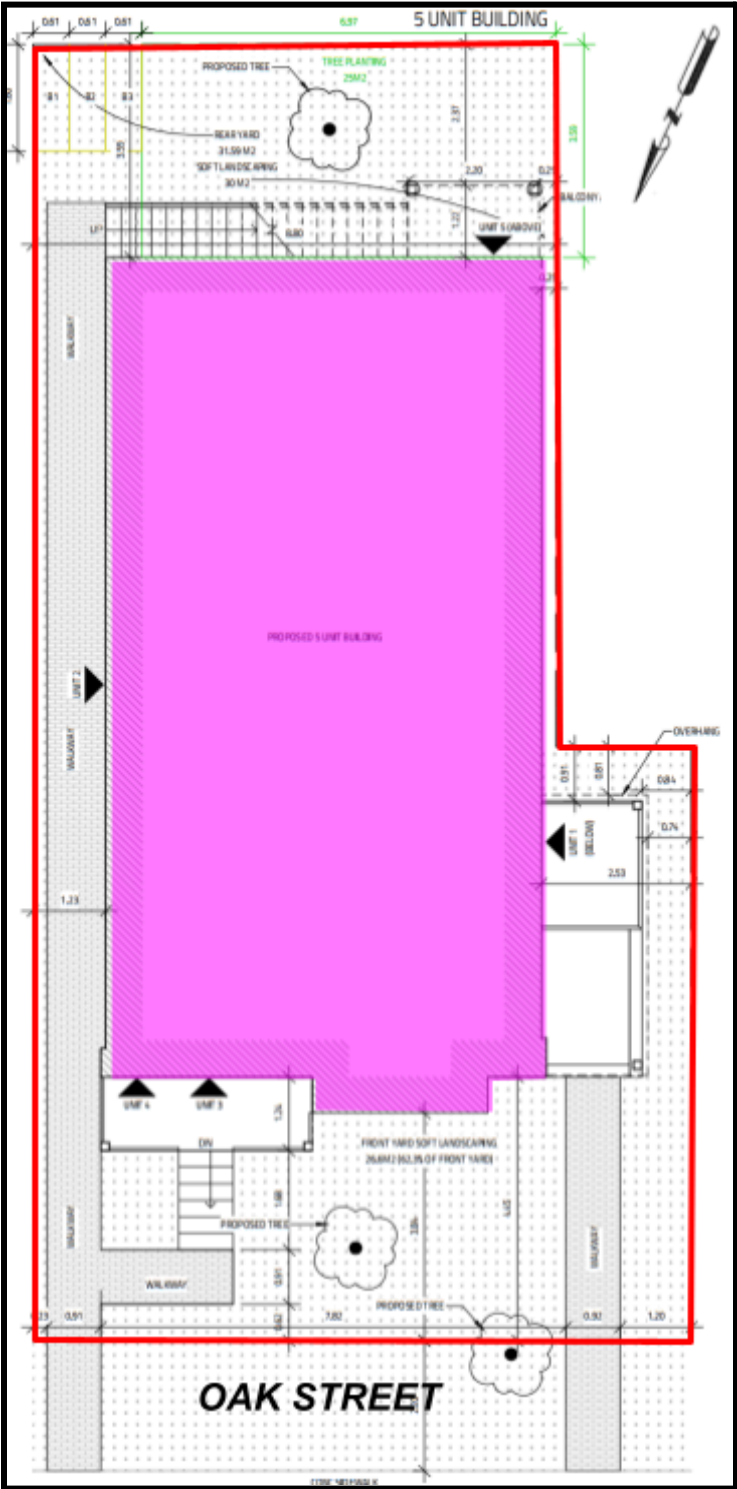
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Survey showing the **property boundary**, **City-owned laneway**, **existing garage** and **existing duplex**. Note: the garage at 160 Preston and 8 Oak are also shown.

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Site Plan showing the **property boundary** and proposed **5-unit stacked dwelling footprint**.

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The four tests of a Minor Variance application from Section 45 (1) of the Planning Act are that the variances are minor in nature, are desirable for the appropriate development or use of the land and building, and are to maintain the general intent and purpose of the Official Plan and the Zoning By-law.

1. The variances are minor in nature

It is our opinion that the variances requested are minor in nature. The Zoning By-Law defines a stacked dwelling as a residential use building of four or fewer stories containing four or more principal units divided horizontally or vertically in while each dwelling unit has an independent entrance to the interior. The difference between the required and provided lot area is 204.7m² but if the development was considered a low-rise apartment dwelling with a maximum of 8 units, the difference would only be 84.7m². **The property's lot width is 2.92m short of the required 14m for a stacked dwelling but if the development was considered a low-rise apartment dwelling max. 8 units, the variance would be eliminated.**

The difference between the required and provided front yard setbacks are 0.28m. The proposal is providing 93.2% of the minimum required front yard setback and is still in line with the streetscape average front yard setback. The properties on Oak St measure front yard setbacks between 3.5m and 4.2m according to GeoOttawa (see image below).

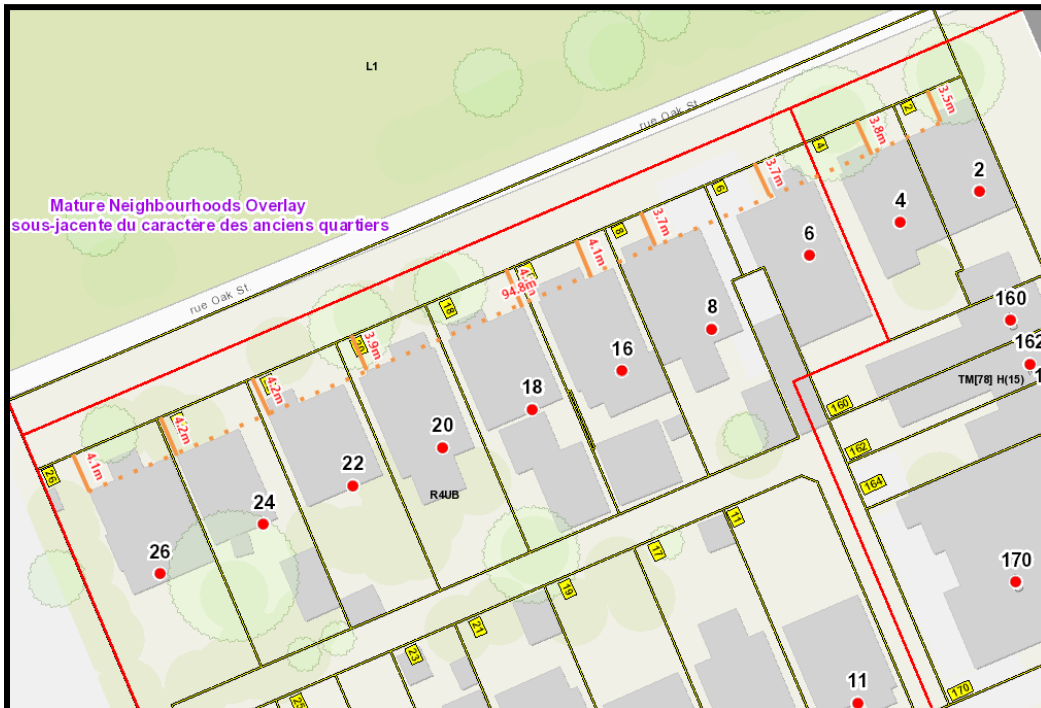


Image demonstrating the consistent front yard setback plane of Oak St measuring between 3.5m and 4.2m.

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In order to provide a functional building footprint with a front yard setback that aligns with the streetscape average, we require relief from the rear yard requirements. The difference between the required and provided rear yard area is 22.24m² or 10.3% of the lot area. The proposed rear yard setback is only 1.88m short of the Zoning By-Law requirement. However, both of these values are improvements on the existing conditions as the existing duplex is only 3.46m from the rear property line with an area measuring 30.63m². The proposed rear yard setback is 3.59m with an area of 31.59m². The proposed rear yard is able to accommodate the three required bike parking spaces as well as the 25m² tree planting area required by Section 161, (15) (b) (iv). The only other deficiency of the rear yard is its total soft landscaping. The difference between the required and provided soft landscaping in the rear yard is 5m². The proposal is providing 85.7% of the required soft landscaping and the area provided is sufficient for tree planting as mentioned above. It should be noted that abutting lots to the west being 8 - 26 Oak St have lots with a depth of 27m allowing them a similar building footprint as we are proposing but with a larger rear yard.

The variances for the interior side yard apply to both sides of the property but the narrowest portion is 0.25m wide located along the west lot line. This represents a 1.25m decrease from the required to the provided, however it is an improvement on current site conditions by 0.03m as the existing duplex is 0.2m from the west side lot line. The provided setback along the east lot line is 1.23m which is only 0.24m short of the required 1.5m setback. This is also an improvement on current conditions as the existing duplex is 0.52m from the east lot line at its narrowest point.

The variance for the permitted projection as it relates to the balcony is required due to the depth of the lot being less than 23.5m deep. The lot has a depth of 21.67m which means the permitted projection for a balcony above the first storey is 0m. However, if the lot was 23.5m or greater in depth, the permitted projection for a balcony above the first floor is 2m. The balcony is proposed to have privacy screens to obscure the view from neighbours.

2. The development is appropriate for the lands in question

This application proposes a 5-unit, 3 storey stacked dwelling which represents intensification of the streetscape and the inclusion of missing middle housing. The proposed development follows many key guidelines from the City of Ottawa's Urban Design Guidelines for Low-rise Infill Housing document. Those key guidelines and the *proposal's responses* are as follows:

1. Streetscape

- 1.1 Contribute to an inviting, safe, and accessible streetscape by emphasising the ground floor and street façade of infill buildings. Locate principal entries, windows, porches and key internal uses at street level.

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The street-facing facade of the proposed development features two unit entrances on a porch with a balcony above. It also features an extrusion at the ground level similar to a bay window. These articulations not only create a dynamic streetscape, they also correspond architecturally to existing buildings on Oak St.

2. Landscape

- 2.1 Landscape the front yard and right-of-way to emphasise aggregated soft landscaping as much as possible and provide adequate soil volume for the planting of large sized trees.

The removal of the existing driveway will allow the soft landscaped area to increase. The front yard of the proposed development provides sufficient soft landscaping to meet Zoning By-Law requirements and will provide sufficient soil volumes for a medium sized tree.

- 2.5 Plant trees, shrubs, and ground cover adjacent to the public street and sidewalk for an attractive sidewalk edge. Select hardy, salt-tolerant native plant material that can thrive in challenging urban conditions. *The proposed design includes a front yard coniferous tree and a tree planted in the City ROW.*

3. Building Design

- 3.1.1 Ensure that new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street contribute to the animation, safety and security of the street.

The proposed development provides a visually interesting streetscape by incorporating facade extrusions and recesses, varying roof lines, and varying window sizes and locations. The clear indication of pathways to unit entrances ensures resident safety and security.

- 3.1.2 Locate and build infill in a manner that reflects the desirable planned neighbourhood pattern of development in terms of building height, elevation and the location of primary entrances, the elevation of the first floor, yard encroachments such as porches and stair projections, as well as front, rear, and side yard setbacks.

The variance related to the front yard setback is a reduction of 0.28m from the required setback but as shown in the image on page 9, the provided 3.84m setback is within the streetscape front yard setback range. In addition to matching the front yard setback pattern of the street, this development also proposes to incorporate facade elements found on Oak St such as projecting front-facing porches and balconies, pitched roofs, and a bay window style extrusion. The proposed development is also matching the general height and massing of adjacent properties by increasing the height to three storeys and removing the attached garage.

- 3.1.5 In cases where there is a uniform setback along a street, match this setback in order to fit into the neighbourhood pattern and create a continuous, legible edge to the public street. In cases where there is no uniform setback, locate the infill building at roughly the same distance from the property line as the buildings along the abutting lots.
The proposed development aligns with the streetscape average front yard setback by providing a 3.84m setback despite being a reduction from the zoning requirement of the average of abutting lots, or 4.12m.
- 3.1.11 Respect the grades and characteristic first-floor heights of the neighbourhood by not artificially raising or lowering grades.
The average number of stairs from grade to the principal entryway for the dwellings on Oak street is 5 steps with dwellings ranging from 4 to 9 steps. The proposed development features 6 steps from the grade to the front porch. This indicates that the proposed building respects the grades and characteristic first floor heights of Oak St.
- 3.3.1 Design all sides of a building that face public streets and open spaces to a similar level of quality and detail. Avoid large blank walls that are visible from the street, other public spaces, or adjacent properties.
This development faces Oak St and a City-owned laneway to the west and rear. The Oak St. frontage features the majority of the architectural articulation, is clad in brick, and features a variety of windows. The west and rear facades also feature architectural articulation through projecting balconies. These facades are clad in high quality aluminium siding and also feature a variety of window sizes, however the west facade only features one window to maintain privacy for the residents from the neighbouring building.
- 3.3.3 Provide primary building entrances that are inviting and visible from the street. Where the front door does not face the street, use architectural detailing, lighting and landscape design to clearly indicate the location and route to the front door.
This proposal includes two primary entrances that are visible from the street and are located on a covered porch. The proposal also includes two other entrances on the east and rear facades that are clearly indicated using hard landscaping from the street.

3. The proposal meets the general intent of the Official Plan

The subject property is designated as a Hub in the Downtown Core transect. The Official Plan identifies this also covered by the Evolving Overlay. The property is approximately 20m from Preston St which is identified as a Mainstreet Corridor. It is also approximately 170m from Somerset St. and 270m from Gladstone Ave. which are identified as a Minor Corridors. The property is approximately 700m from the existing rapid-transit station at Bayview and is approximately 300m from the proposed rapid-transit station at Corso Italia. The following section features policies from the City

of Ottawa's Official Plan and the West Downtown Core Secondary Plan that relate to the proposed development and the *proposal's responses*:

Official Plan

2.2.1 Intensification and Diversifying Housing Options

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

The subject site is located within the urban boundary with full municipal services and proximity to major transit, retail, and employment sites. The 15-minute neighbourhood already exists in this location and this proposal will be increasing the number of units on the property to take advantage of the various amenities within the neighbourhood. 15-minute neighbourhoods take strides to reduce greenhouse gas emissions through enabling the use of sustainable transportation modes and decreasing reliance on personal vehicles. Our proposal does not provide any vehicular parking and instead assumes residents will be walking, cycling, taking public transit, or ride sharing services to reach their destinations.

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

- 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;

The Official Plan strives to facilitate a diversity of housing options for both private ownership and rental. The tenure of the proposed building is intended to be a mix of ownership and rental. The current owner of 6 Oak intends on residing in the ground-level unit of the proposed building and plans to rent the remaining units. The units range from one to three bedroom units with two of the units featuring a bedroom/loft space.

- 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-minute neighbourhoods 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;
 - c) In appropriate locations allowing missing middle housing forms while prohibiting lower-density typologies near rapid-transit stations within the Zoning By-law.

This development meets the definition of 'missing middle housing' because the proposed building is a low-rise, multi-unit residential dwelling of more than three but less than 16 units, and two of the units are also ground oriented. The

proposed building typology being a stacked dwelling is a compact building form that takes advantage of the site to provide independent accesses for each unit. Creative design solutions such as a third level loft space allows the building to take a denser form.

The subject property is approximately 900m (walking distance) from the existing rapid-transit station at Bayview, and it will be approximately 550m from the proposed rapid-transit station at Corso Italia. Additionally, the property is approximately 170m from Somerset St. and approximately 270m from Gladstone Ave which are Minor Corridors and approximately 20 m from Preston which is a Main Street Corridor. These streets provide crucial connectivity from the subject site to various daily and weekly amenities. These streets feature sidewalks, bike lanes, and public transit stops to facilitate alternative modes of transportation. The proposal's proximity to these key sites and streets indicates that it is a prime location for intensification and dense building forms.

5.1.1 Maintain and enhance an urban pattern of built form, site design and mix of uses

- 2) The Downtown Core shall continue to develop as healthy 15-minute neighbourhoods within a highly mixed-use environment, where
 - a) Hubs and a dense network of Corridors provide a full range of services;
 - b) A high concentration of employment is maintained and increased;
 - c) Existing and new cultural assets are supported, including those that support music and nightlife; and
 - d) Residential densities are sufficient to support the full range of services noted in Policy a).

The proposed development is a residential only building in very close proximity to a range of other land uses. Preston St features a variety of amenities but it also acts as a connector street to the main east-west streets being Gladstone, Highway 417, Somerset St, and Albert St. This site is well-connected to its surrounding environment and therefore is an appropriate location for the proposed 5-unit stacked dwelling.

- 4) The public realm in the Downtown Core should be of a consistently high quality that compensates for the smaller public, private and semi-private spaces available in the core

The design of the proposed development has been completed by a professional designer in conjunction with the owner in order to propose a suitable residential design that provides rentable units. While the rear yard amenity space for this project is limited, the proposal includes private amenity space in the form of balconies and well-designed units. Additionally, this site is directly across the street from Plouffe Park, approximately 500m from the Trillium Pathway, approximately 450m from Chaudiere Park, and approximately 525m from Primrose Park.

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- 5) To offset its inherently dense built environment and the high proportion of built-up and hardscaped land, particular measures to ensure climate resilience in the Downtown Core Transect should consider the following attributes in the review of a development application:
 - a) Reducing the urban heat island effect through cool or green roofs, light coloured reflective materials, retention of mature trees, tree planting and other urban greening; *The proposal includes a medium sized deciduous tree in the rear yard whereas the current rear yard of the existing duplex contains no trees.*
 - b) Shaded sidewalks, streets, transit stops, bike lanes and paths to support active mobility and transit during extreme heat through using trees or structures for transit stops; *The front yard of the proposed development contains approximately 20m³ of planting area but also features overhead hydro wires. Therefore, only a small tree could be planted here.*
- 6) The Downtown Core is planned for higher-density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. *The proposed development recognizes the constrained lot size and lack of a parking requirement as per the Zoning By-Law, therefore the design does not incorporate any vehicular parking. This involved removing the existing parking area and the encroaching garage from the site. This allows more of the site to be used as landscaping and towards creating a functional building footprint.*

5.1.2 Prioritise walking, cycling and transit within, and to and from, the Downtown Core

- 3) Motor vehicle parking in the Downtown Core shall be managed as follows:
 - a) Motor vehicle parking shall not be required in new development, other than visitor parking for large-scale residential development; *Motor vehicle parking is not included for this new development.*

5.1.4 Provide direction to the Hubs and Corridors located within the Downtown Core Transect

- 1) Maximum and minimum building heights in the Downtown Core where a Hub designation applies, except where a secondary plan permits or restricts otherwise, are as follows:
 - a) Up to 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned O-Train station, between 4 storeys and High-rise inclusive
 - c) Outside the area described by a) and b), not less than 3 storeys and not more than 6 storeys;*The proposed development is approximately 550m walking distance from the planned O-Train station Corso Italia. Therefore the Official Plan requires a minimum of three storeys for this development which aligns with the proposed building height of 8.71m or three storeys.*

5.6.1.1 Provide built form direction for the urban area where intensification is anticipated to occur

- 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.

The Evolving Overlay is applied to this property because of its location within a Hub but also due to its proximity to Preston St (Mainstreet Corridor). Being situated within the Evolving Overlay indicates that this property is intended to be developed at a higher density.

- 6) Zoning By-law development standards and development on lands with an Evolving Overlay should generally include built form and site design attributes that meet most of the urban characteristics described in Table 6 in Section 5, and where suburban attributes are retained, that these do not structurally impede the achievement of a fully urban site design over time.

The urban characteristics described in Section 5, Table 6 are as follows: allow for shallower front yard setbacks, situate principal entrances at grade, accommodate smaller lots with higher lot coverage and floor area ratios, buildings with minimum functional side yard setbacks, small areas for formal landscaping, and no vehicle parking.

The proposal includes a smaller than required front yard setback that still maintains the streetscape standard. It features principal entrances for two of the units at grade visible from the street. The lot is considered smaller than the typical lot on this street and so it features a higher lot coverage ratio. The building is situated in a way that proposes smaller than required side yard setbacks that are still functional as demonstrated by the site plan provided which is in conformity with the Ontario Building Code. The proposal includes less than the required rear yard soft landscaping due to the limited lot size but the inclusion of private amenity areas and the site's proximity to public spaces allows residents access to adequate amenity space. Lastly, this proposal does not include vehicular parking. Therefore, this proposal incorporates all of the elements detailed in Section 5, Table 6, indicating that it maintains the intent of the Evolving Overlay.

6.1.1 Define the Hubs and set the stage for their function and change over the life of this Plan

- 2) The strategic purpose of Hubs is to:
 - c) Establish higher densities than surrounding areas conditional on an environment that prioritises transit users, cyclists and pedestrians, as well as excellent urban design

The proposed development establishes a higher unit density per lot area compared to the other properties on Oak St due to including 5 residential units in one building and to the irregular lot size. This is made possible because of the site's connection to pedestrian and cycling routes, and public transit availability.

West Downtown Core Secondary Plan - Corso Italia Station District

Mainstreet Corridor

- A broad range of uses are permitted along the three corridors, including retail and service commercial uses, offices, residential and institutional uses. Main Street Corridors, as designated on Schedule L: Corso Italia Station District Character areas, will be characterised by an eclectic collection of low to mid-rise buildings.

As per Schedule L - Character Areas of the Secondary Plan, the subject property is located within the Mainstreet Corridor. This corridor includes the subject property, 2 and 4 Oak St to the east, as well as multiple lots fronting on Preston and Gladstone. The proposed development may not include commercial, office, or institutional uses, but it is a low-rise compact development that aligns with goals of intensification associated with mainstreet corridors and arterial roads.

Animated Building Edge

- 3) Ground floor setbacks should be generally consistent with the existing pattern on the street and should range from 0 metres to 3.0 metres. Setbacks should only provide space for landscaping and tree plantings, patios, urban plazas or other spaces consistent with a downtown, urban built environment and supportive of public realm.
- 6) Ground floor residential dwelling units must include at least one active entrance facing a public street.
- 8) All development blocks shall strengthen building continuity with continuous built edges. Gaps between buildings should be minimised and only be used to create variation of interest in the street wall. Any deviation must be minor in proportion and demonstrate consistency with the quality of the broader public realm.

The proposed front yard setback is 3.84 m which is larger than the Secondary plan policy but is in line with the street pattern. The proposed setback permits a tree to be planted in the front yard as well as in the City ROW. The residential units proposed all have unique and independent unit access from the exterior, two of which are located at the ground floor facing the street. Gaps between buildings have been minimised to allow for a functional building footprint without compromising the functionality of the lot. Adequate drainage, access, and privacy are all maintained despite the reduced side yard setbacks.

4. The proposal meets the general intent of the Zoning By-Law

The purpose of the R4 zone is to:

- 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;
- allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
- 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.

The purpose of the R4UA-R4UD subzones are to permit a denser residential development within the R4 zoning while imposing a number of additional requirements related to soft landscaping, tree planting, facade design, parking, and number of multi-bedroom units.

The development proposed closely resembles a **low-rise apartment** of less than 9 units whose lot area and lot width requirements are **300m² and 10m**, respectively. Based on a technical interpretation of building typology regarding unit entrances, the proposed building is considered a **stacked dwelling** as per the Zoning By-Law definition. Therefore, because the proposed units all have unique entrances, the building is considered a stacked dwelling with lot area and lot width requirements of **420m² and 14m**, respectively.

This proposal adequately addresses the majority of the R4UB subsection requirements such as the tree planting area, front yard soft landscaping, principal entrance to a ground level unit, front facade window area, recessed facade, and no parking. The majority of the variances requested and the scope of said variances are dictated by technical interpretations of building typology and irregular lot configurations.

The appropriate mechanism to approve this development is a Minor Variance application. The variances sought should be evaluated individually by the criteria outlined in the Planning Act: the four tests. The collective number of minor variances does not determine if the application represents a minor deviation from the Zoning By-Law requirements. It is for these reasons that we believe this application should be considered through the Minor Variance process and not through a minor rezoning application.

After the initial submission to the Committee of Adjustment, a number of concerns arose from neighbours. Additional information was provided in April to the neighbours to address their various concerns including the contact information for the owner's planning consultant. No further comments have been received at this time. The

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following section features the responses provided to the neighbours to address community concerns. It is our understanding that at the present time, the subject property along its east property line is being used as a partial parking space for the property to the east. This parking arrangement will not be possible as a result of the development at 6 Oak.

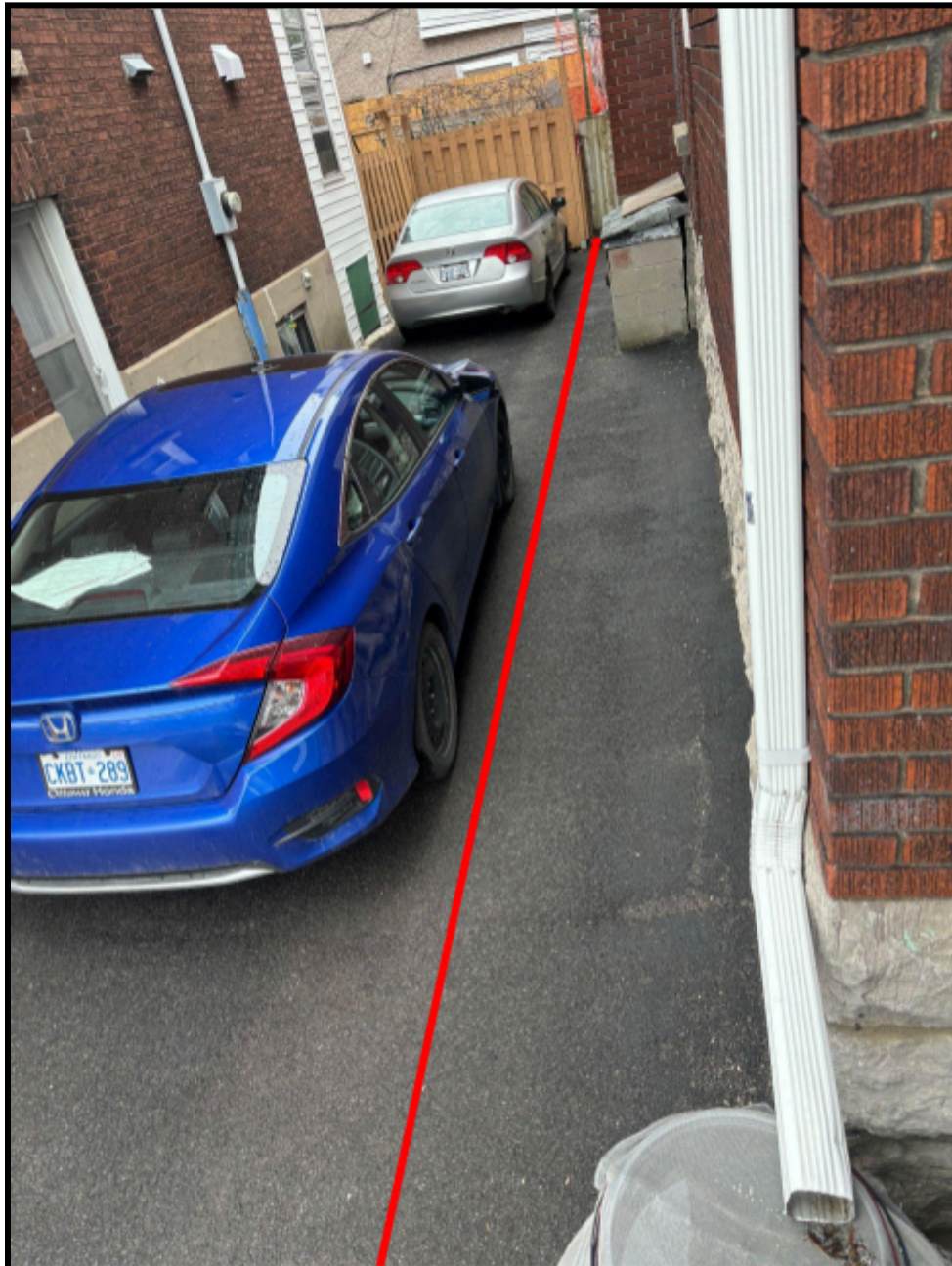


Image of the space between the subject property and the property to the east showing the **property boundary**.

100 Palomino Drive, Ottawa, Ontario K2M 1N3
Phone: 613 599 9216
Email: probinson@probinsonconsulting.com



Image of the space between the subject property and the property to the east showing the **property boundary**.

In regards to parking, no parking is proposed as it is prohibited on a lot this size. Instead, residents are expected to rely on alternative methods of transportation and the permit parking available on Oak St.

In regards to the reduced front yard setback, the proposed front yard setback is only 0.24 m less than the existing setback and is within the range of front yard setbacks on the street.

In relation to the rear yard setback, the proposed setback is actually 0.13 m greater than the existing rear yard setback meaning the available sunlight to neighbouring lots will be virtually unchanged. We are not requesting a building height variance for this application.

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In regards to the rear yard soft landscaping, we are providing adequate soft landscaping for a tree to be planted which increases the stability and drainage capacity compared to the existing rear yard conditions. At the present time, there are no trees in the rear yard.

In regards to the reduced side yard setbacks, the proposed 0.25 m setback only applies to the portion of the lot where the building abuts the City-owned laneway which is permitted to be used for drainage and maintenance purposes. The side yard setback on the easterly side of the building is 1.23 m which represents only a 0.27 m reduction from the required. This width allows for adequate access to the rear of the property. As well, the existing setback on the easterly side is 0.52 m for a portion near the rear and 1.23 m at its widest point which aligns with our requested side yard setback.

In regards to the rear yard balcony, we have revised the permitted projection request to be only 1.22 m (4'). This balcony will be used as a unit entrance, is quite small, and would not be a location for overlook on other properties.

In regards to snow removal, this proposal does not include a driveway or parking and so the only snow removal that will take place is for the front yard porch and steps, and for the walkway to the rear yard. There is sufficient space for the snow to be stored onsite without negatively impacting the neighbouring properties.

In relation to the desirable character of the streetscape, this proposal was designed to keep with the desirable streetscape characteristics such as a front window projection, porches with front stairs, pitched roofs, and brick and siding materials.

In relation to safety, this proposal has been designed to conform with all requirements as per the Ontario Building Code. This project will be reviewed by the City of Ottawa's Building Code Services prior to receiving a building permit.

In relation to property value, intensification of residential lots has only been seen to increase overall property value in the neighbourhoods where development occurs. Please note that there are large mixed-use developments proposed directly northwest and southwest of Oak St which will have much larger impacts on Oak St and the neighbourhood compared to the proposed development at 6 Oak St.

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We request the Committee of Adjustment authorise the requested variances in accordance with the plans filed as they relate to the variances being requested.


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

- Completed application form (1 original);
- Application fees;
- Site plan showing the proposed new building;
- Architectural elevation plans of the proposed building from all four sides;
- Survey plan of the entire property;
- Owners authorisation;
- 6 Oak Neighbour Letter (information distributed to neighbours after the adjournment request);
- Tree Information Report.

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) 599 9216 or via email at probinson@probinsonconsulting.com

P H Robinson Consulting



Paul Robinson, RPP