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April 30, 2024

Committee of Adjustment
City of Ottawa
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Ottawa, ON K2G 5K7

Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: 212 Carruthers Avenue, Ottawa, ON – Minor Variance Application Resubmission

To Committee of Adjustment Staff,

On behalf of CCOC/Cahdco (“Client”), please find enclosed a revised Minor Variance Application for the proposed development at 212 Carruthers Avenue (the “Site”) in the City of Ottawa.

The original application (D08-02-24/A-00040) was submitted on February 29, 2024, but it was adjourned on April 3, 2024 sine die. The reason for the adjournment was to add an additional variance request to address the required front façade recession that was raised by City Planning staff upon review of the original application. The revised proposed plans included with this submission continue to show a three- storey low-rise affordable apartment dwelling, but with the following changes:

- Lowered the overall building height to 12.1 m to meet the Zoning By-law’s definition of basement;
- A longer front walkway ramp to accommodate the lower building height; and
- A reduction in the front walkway width from 3.87 to 3.295 m;

Included with our application package are the following documents:

- 1** Revised Page 3 Minor Variance Application Form;
- 2** Revised Landscape Submission – April 25, 2024 – prepared by NAK design strategies, including:
 - a Tree Information Report (L1.1);
 - b Landscape Plan (L1.2); and
 - c Details (L2.0).
- 3** Revised Site Plan (A010) – April 25, 2024 – prepared by Figurr Architects;
- 4** Revised Elevations – April 24, 2024 – prepared by Figurr Architects, including:



- a A200 - East Elevation;
- b A201 - North Elevation;
- c A202 - South Elevation; and
- d A203 – West Elevation.

The updated minor variance requests and updated plans reflect the edits and comments provided by City Planning staff. We are seeking four (4) minor variances to permit the proposed development. The requested variances are as follows:

1. To permit a reduced bicycle parking space width of 0.315 metres, whereas the By-law Section 111, Table 111B, requires a minimum width of 0.6 metres for bicycle parking spaces; (no change from original application)
2. To permit an increased front yard walkway width of 3.295 metres, whereas the By-law Section 139(4)(c)(i), permits a maximum width of ~~1.2~~ 1.8 metres for a front yard walkway to a low rise apartment dwelling residential use building (as amended by City Planning staff); (modified from original application to comply closer to the By-law)
- ~~3. To permit a reduced rear yard area of 30 square metres, whereas the By-law requires a minimum rear yard area of 115.3 square metres. (as amended by planning staff)~~
4. To permit a reduced front façade area setback of 0% from the front setback line and no recess, whereas the By-law Section 161(15)(h) requires a minimum of at least 20% of the area of the front façade be recessed an additional 0.6 metres from the front setback line; and (new minor variance request)
5. To permit an increase in the building height to 12.1 m, whereas the By-law Section 162, Table 162A (vii), permits a maximum building height of 11 m for a low rise apartment dwelling. (modified from original application to comply closer to the By-law)

Four Tests under Section 45(1) of the Planning Act

In our opinion, the proposed variance satisfies the four tests under Section 45(1) of the Planning Act, which states that the variances are to be minor in nature, desirable for the appropriate development or use of the land and maintain the general intent and purpose of the Zoning By-laws and the Official Plan. The following outlines how the requested variance meets the four tests.

1. Is the variance minor?

The reduction in bicycle parking space dimensions would not impact the ability for residents to efficiently use the parking spaces and would allow for more landscaping in the rear yard. Additionally, these bicycle parking dimensions have been used recently in a development by CCOC and Figurr

Architects as shown in the below image at 159 Forward Avenue in Ottawa and was approved as a minor variance for this site.



The proposed variance to increase the front yard walkway width is to accommodate the accessible ramp at the entrance of the building. Given that the walkway would be provided in the front yard of the proposed development, it would not result in negative or adverse impacts to any of the adjacent residential properties.

The requested variance to reduce the front façade area setback to 0% is required to accommodate the proposed development in the most economically viable and energy efficient manner given this is an affordable housing development. Any recess to the building's front façade would affect the square footage of the development, which impacts the non-profit being able to provide as many large, comfortable units as possible.

The proposed variance to increase the required building height from 11 m to 12.1 m has been modified from the original submission to more closely comply with the By-law. The increase in height is required to accommodate a pitched roof which is the most appropriate and economically viable option for the proposed development. The proposed low-rise affordable apartment will maintain the permitted three-storey as per the R4-UB Zone. Further, the proposed development meets the basement height requirement as defined in the Zoning By-law, of "the level of a building having more than half of its floor to ceiling height below grade." The increase in building height would not result in negative impacts on the overall appearance and function of the site or neighbourhood.

2. Is the variance desirable for the appropriate development of the land in question?

The proposed reduction in bicycle parking dimensions is desirable for the development as it allows for more bicycle parking spaces to be provided for residents, and more landscaping to be provided on site. The reduction of front façade area setback to 0% is desirable for the development as it allows for an energy efficient building to be built. Removing the front façade area setback will not impact the neighbouring properties given the development is already setback 4.05 m from Carruthers Avenue, which exceeds the required front yard setbacks as per the By-law.

The proposed variance is desirable for the development of the property given that it would accommodate an accessible ramp walkway that leads to the proposed development's main entrance. The increased width of the walkway

from 1.8 m to 3.295 m, which is closer at being compliant with the Zoning By-law, is required to accommodate the accessible ramp for wheelchair and mobility-device users. The proposed variance will enable the ramp to be easily used by residents, visitors and staff with all abilities to access the new apartment building.

The proposed variance to increase the building height by 1.1 m will allow for a pitched roof, which is in-line with the character of the residential neighbourhood and is economical to construct, an important aspect for the non-profit developer. The habitable basement level is kept at a minimum depth in order to improve daylight into the units and to keep the ramp length at a minimum and maximize landscaping in the front yard. This also contributes to the variance request and demonstrates the benefit of additional height for the proposed affordable housing development.

3. Does the variance maintain the general intent and purpose of the Zoning By-law?

The proposed variance maintains the general intent and purpose of the Zoning By-law as part of the low-rise apartment building which the R4-UB Zone permits. The general intent of the R4-UB Zone is to allow for a wide mix of residential building forms including low rise apartment dwellings, to provide additional housing choices within the Fourth Residential Density zoned areas, and to 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 proposed development complies with the majority of the applicable provisions of the R4-UB Zone. The proposed development has been designed to reflect a compatible scale, massing and built form that fits in with the street that is comprised of low-rise residential dwellings with similar built forms. The proposed variance to reduce the bicycle parking dimensions would maximize the development potential of the site by minimizing the space requirements for spaces, allowing for more landscaping and building space. The requested variance to increase the walkway width to 3.295 m will allow for the development to provide an accessible entrance to the low-rise apartment building.

The required variance to reduce the front façade area setback to 0% meets the general intent and purpose of the Zoning By-law as it accommodates an energy efficient development that offers affordable and accessible housing options in the neighbourhood. The required setbacks from the abutting properties would be maintained, therefore this reduction would not have any negative or adverse impacts on nearby property owners.

The requested variance to increase the building height from 11 m to 12.1 m meets the general intent and purpose of the Zoning By-law as it is still providing a three-storey low-rise affordable residential development that is permitted as per the By-law. Further, these variances would maintain the existing land use patterns and character of the neighbourhood as intended by the Zoning By-law.

4. Does the variance maintain the general intent and purpose of the Official Plan?

The proposed variances maintain the general intent and purpose of the Official Plan by maintaining the provisions of the Inner Urban Transect, the



Neighbourhood designation, and the Evolving Neighbourhood Overlay, which is intended to permit a mix of building forms and densities and encourage the evolution of 15-minute neighbourhoods through guiding their development based on the context, location, age, maturity and needs of existing neighbourhoods. The development of a new three-storey low-rise apartment dwelling conforms with the OP policies as it constitutes low-rise residential development that is compatible with the existing residential neighbourhood, which consists of a mix of low-rise detached dwellings.

As discussed herein, the proposed minor variances are minor and would not result in negative impacts on the abutting properties. The proposed increased walkway width improves the accessibility of the entrance by all ages and abilities to the low-rise apartment building. Furthermore, the proposed variance to decrease the bicycle parking dimensions would improve the rear landscaped area for the development. Furthermore, Policy 5.2.4.1 states that Neighbourhoods located within the Inner Urban area and within and within a short walking distance of Hubs and Corridors shall accommodate residential growth and support missing middle housing.

The Scott Street Secondary Plan limits this area to a maximum building height of three-storeys as indicated on Schedule B-Maximum Building Heights and as per Policy 4.5(34). The proposed variance to increase the building height maintains the general intent and purpose of the Official Plan as the proposed development is still considered to be a three-storey low-rise apartment, as per the Zoning By-law basement definition provided herein. Therefore, the development meets the requirements of the Official Plan and the Scott Street Secondary Plan of a maximum building height of three-storeys.

Given the above, the proposed variances maintain the general intent and purpose of the Official Plan, and the Minor Variance approval being sought to support the proposed development at 212 Carruthers Avenue represents good land use planning and is in the public interest.

Please feel free to contact me at Nadia.De-Santi@wsp.com or (613) 690-1114 if you have any questions regarding this submission.

Thank you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'N. De Santi'.

Nadia De Santi, MCIP,RPP
Practice Lead

Cc: Adrian Schut, Director of Construction, CCOC/Cahdco
Grace Maxner, Planner, WSP