

August 08, 2024

Committee of Adjustment
Centerpointe Drive
City of Ottawa

Re: **Application for Severance**
531 & 533 Broadhead Avenue
Ottawa, Ontario, K1Z5R9

Committee of Adjustment
Received | Reçu le

2024-08-08

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Sir/Madam,

We are applying for a consent to sever the existing semi-detached dwelling along the existing party wall to create two lots so each half of the semi can be conveyed separately. There is no requirements for any Minor Variance. A previous minor variance application was submitted to allow the construction of the semi-detached dwelling with attached garages in August 2023. This application was approved by the Committee of Adjustment. The construction of the semi-detached dwelling is now complete with occupancy granted in April 2024. See photos on the following pages taken May 24th, 2024 of the constructed semi-detached dwellings.

General

The property is in Ward 15, in the Westboro neighborhood. This is a mainly residential neighborhood situated west of Island Park Drive, north of Highway 417, west of Churchill Avenue North, and south of the Ottawa River. Broadhead Avenue is a small street running north/south between Iona to the north and St. Clare St. to the south. It is between Laderoute Ave on the east and Tweedsmur Ave. on the west, which are between the more major Kirkwood to the East and Churchill to the West. The immediate neighborhood is generally characterized by low-rise single- and semi-detached residential dwellings in a range and mix of ages, sizes and styles with soft landscaping or trees along the streetscape.

It is in an ideal location for a family to buy a semi-detached building. At the south end of Broadhead is a recreational path, and linear park below a hydro line, which provide access to Hampton Park Plaza and Hampton Park itself, and the cycling network on Kirkwood Avenue. It is close to Carling Avenue, the Queensway and is a 5-minute walk from Richmond Road, which has many shopping and other commercial facilities. Now that the project is completed, we are requesting a variance so separate families can own each property.

Zoning By law 2008-250

The attached Draft Plan identifies the parcels proposed for severance. Both properties meet all the criteria set out in the zoning by-laws including the min. lot width and area requirements. The attached current survey shows the recently built semidetached dwelling and illustrates the dimensions to the property lines which are all conforming to the requirements of the Zoning By-laws.

Planning Act

Section 53 (1) of the Planning Act indicates that ‘ an owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).

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

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2; The proposed consent does not have any effect on matters of provincial interest. Furthermore, the application aligns with and supports the province's goals for intensification.

(b) whether the proposed subdivision is premature or in the public interest; The proposed consent is in the public interest. It supports the City's policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the dwelling has already been constructed. The site zoning and Official Plan designations permit semi-detached development and the severance of those lands to create two parcels, each which can be conveyed separately.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any; The proposed severance of the existing semi-detached residential development conforms to the applicable City of Ottawa Official Plan policies for development and intensification. The Official Plan supports intensification in the urban area, and the proposed severance adds additional units within the urban area that is appropriate and compatible with the neighborhood and can be conveyed separately and owned separately by different families. The proposed development is in an area that is accessible via personal or public transit and is within 600 m - 1200 m of daily amenities. The amenities include the Rideau Sports Centre, walking and cycling trails, grocery stores, retail stores, gas stations, the Vanier Community Centre, restaurants, and schools

(d) the suitability of the land for the purposes for which it is to be subdivided; The land is suitable for the purpose of the proposal. The surrounding area consists of single- and semi- detached dwellings. The proposed lots meet the requirements set out in the zoning by-law for lot area and lot width. The proposed lot severance will produce two lots that conform to the performance standards for R3R zoning.

(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; No new roadways are proposed as part of the consents. The proposed lots will have adequate frontage to an open public municipal roadway (Broadhead Street) and is in close proximity to north-south Kirkwood Avenue which provides connection to Highway 417 and Richmond Road to the north.

(f) the dimensions and shapes of the proposed lots;

The dimensions and rectangular shape of the proposed lots are functional and compatible with the surrounding neighborhood character and pattern of development and comply with the Zoning By-law requirements for lot area and lot width.

(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; There are no known restrictions on the land or future buildings for either parcel of land.

(h) conservation of natural resources and flood control;

The existing landscaping complies with the provisions of the Zoning By-law. No water courses or flood plains impact the site. There are no environmental impacts to be noted.

(i) the adequacy of utilities and municipal services;

Municipal services (water, sewer) are available and provided for both lots.

(j) the adequacy of school sites;

Within the surrounding area there are several schools: Centre Jules Leger to the north, Churchill Alternative School to the east, Hilson Avenue Public School to the west, to the south is St. Elizabeth School.

The present site zoning permits only low-rise, single-detached, semi-detached, townhouse and rowhouse residential dwelling types and therefore the proposed consent is not subject to site plan control

City of Ottawa Official Plan

The Subject Site is in the Inner Urban Transect Policy Area and Designated as residential Neighbourhood in the City of Ottawa Official Plan (OP). A building permit issued in Sept 2023 validates that the two Storey, semi-detached residential building currently built conforms to the policies of 6.3 of the official plan. Occupancy Permit granted confirms the existing semidetached dwelling has been built according to all plans provided and approved by the city.

Section 2.2.1 - The proposed semi-detached dwellings provide 2 "family-sized" dwelling units, offering more housing choice for larger households within the urban area and smaller young professionals within a 15-minute neighborhood. The dwellings are near public amenities including parks, schools, commercial and retail uses which is an appropriate and desirable location for larger units.

Section 2.2.4 - The proposed severance of existing semi-detached dwellings allows for wider options of housing tenure with two dwelling units that can be conveyed independently. With the proximity to parks, commercial areas, and schools, the existing ground-oriented dwelling units contributes to the healthy communities' policy of the New Official Plan.

Section 3.2 - The severance of the existing semi-detached, ground-oriented dwellings is supported by the intensification policies and residential density targets of the New Official Plan.

Section 4.2.1 - the provision of multi-bedroom and family-sized units in the urban area is supported by the Official Plan policies. The proposed consent will facilitate these existing dwellings to be conveyed individually into lot sizes and shapes that are fully compliant with the City of Ottawa's zoning by-law. The severances represent a compatible form of development in the urban area.

Existing Property

The property is 50.13m at the north property line. The property is slightly irregular, the South side rear property line is 51.21m.

Proposal

The new property line will divide the property into two sides. Part 1 will have a 6.31m frontage and part 2 will have a 6.4m frontage.

The proposal is for one primary consent applications to the Committee (including JUMAs and partial mortgage discharge) which will result in the creation of two generally rectangular-shaped lots with angled front lot lines, each with frontage on Broadhead Ave. Each half of the existing newly constructed semi will be located on one parcel. The Owner's legal representation has confirmed that the Owners do not own any abutting lands to the subject site other than those that can be conveyed without contravening the Act. Separate certificates will be requested for each parcel.

Rationale

The severance is compatible with the surrounding land uses. Both sides of the severance meet the zoning requirements for a property. There are properties in the same zone, that have similar or smaller areas. The proposed severance of an existing semi-detached dwelling allows for the creation of two new residential dwelling units to be conveyed individually, contributing to provision of available housing supply. Each lot will be of size and shape that is appropriate and desirable for the context, while meeting zoning standards for lot width and area. The existing semi-detached dwelling is an appropriate size, massing and materiality for the surrounding context, and the severance of the lot is appropriate for the City's urban area. The dwellings are serviced by municipal water, sewer and storm services. The use of existing municipal roads and services is an appropriate and efficient use of resources. The proposed consents fit and function well within the urban area and comply with the Provincial Policy Statement.

Conclusion

The subject site is a rectangular lot with an angled front lot line in the Westboro neighborhood, municipally known as 531 & 533 Broadhead Ave and presently contains newly constructed semi-detached dwelling. The Owner is proposing to sever the existing dwelling into two parcels of land to be conveyed individually. No minor variances are

required to facilitate the consent, and both lots are fully zoning compliant. The proposed configuration and size of the lots is compatible, appropriate and desirable with the existing neighborhood context. Each lot is municipally serviced. The proposal offers a diversity of housing tenure which is supported within the urban area.

The proposed consent is consistent with the Provincial Policy Statement, 2020 conform to the policies of the City of Ottawa Official Plan and comply with the City of Ottawa's Zoning By-law 2008-250. The consent meets the criteria as set out in Section 51 (24) of the Planning Act, represents good land use planning.

If you wish additional information, do not hesitate to contact me.

Yours truly,

Hazem Abdelnaiem, P.Eng, M.Eng.
Nilestone Group Ltd.

Current Photo – Taken May 2024

