

City of Ottawa Committee of Adjustment
101 Centrepointhe Drive, 4th Floor
Ottawa, ON, K2G 5K7

July 5, 2024

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: 2458 Cleroux Cres (Minor Variance application)
11784005 Canada Inc. c/o Melmar Group
Part of Lot 10, Concession 3 (Ottawa Front), City of Ottawa

Committee of Adjustment
Received | Reçu le

2024-07-12

City of Ottawa | Ville d'Ottawa
Comité de dérogation

On behalf of our clients, we are submitting the enclosed Minor Variance for the property at 2458 Cleroux Cres in order to permit a 3-storey, 17 unit stacked dwelling. The property is located in R4Z[1335] with frontage on Cleroux Cres and a grade change to its rear. The property backs onto lands owned by the NCC zoned O1 - Openspace 1. The property is within the Outer Urban transect designated as a Neighbourhood.

For the purposes of this application, Cleroux Cres is considered to be north and the NCC lands are considered to be south in relation to the subject property orientation. For reference, Variance B is abutting the property at 2444 Cleroux, and Variance C is abutting the property at 2464 Cleroux.

The proposal requires the following variances:

- A) Lot width. The minimum lot with zoning requirement is 18 m and the proposed lot width is 17.72 m. (Table 162A, IV, Zoning By-Law, 2008-250, as amended).
- B) Interior side yard setback. The minimum interior side yard setback zoning requirement is 5 m. The proposed setback is 4 m (west). (Exception [1335], Zoning By-Law, 2008-250, as amended).
- C) Interior side yard setback. The minimum interior side yard setback zoning requirement is 5 m. The proposed setback is 1.59 m (east). (Exception [1335], Zoning By-Law, 2008-250, as amended).

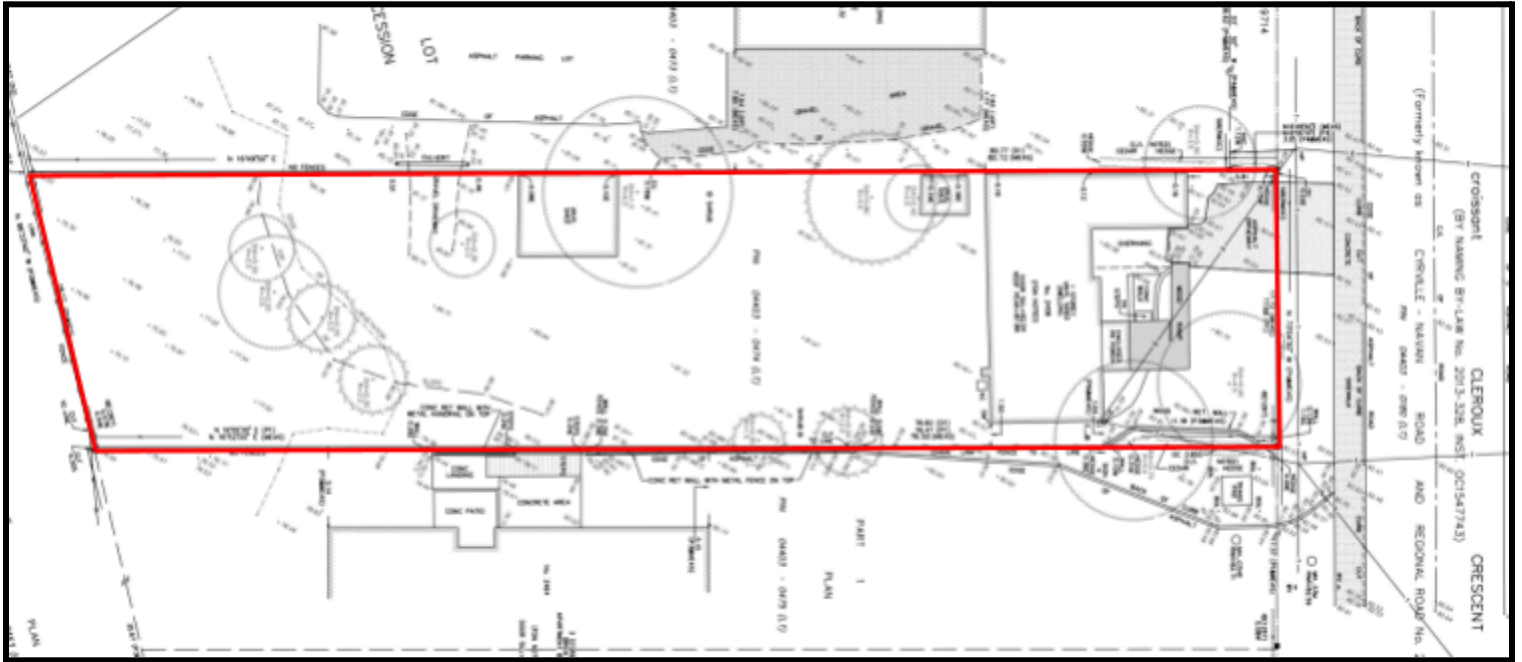
All other zoning requirements are met by this proposal included lot area, front and rear yard setbacks, building height, balcony projections, bike and vehicular parking, and amenity space.

The proposed development is considered a stacked dwelling because each unit has a unique and independent access from the exterior. This is made possible by the two sets of open stairways that provide access to each level including the basement. Each floor of the proposed development features an exterior walkway connecting all the units to both sets of open stairs. The stairs, while considered open to the exterior, are considered part of the building footprint and therefore impact the requested eastern interior side yard setback variance (Variance C - abutting 2464 Cleroux). This interpretation regarding the stairways was received from a Zoning Plans Examiner with Building Code Services and a Committee of Adjustment Planner.

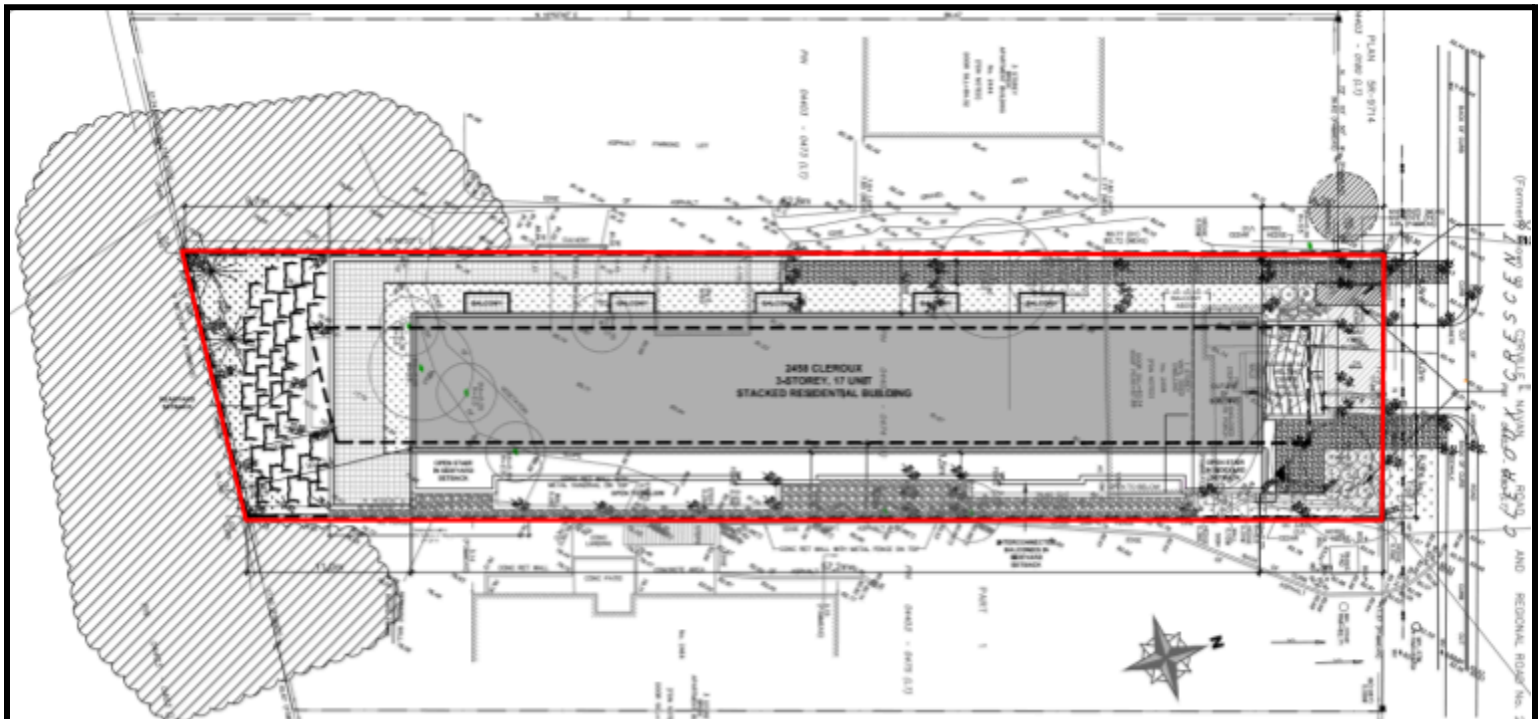
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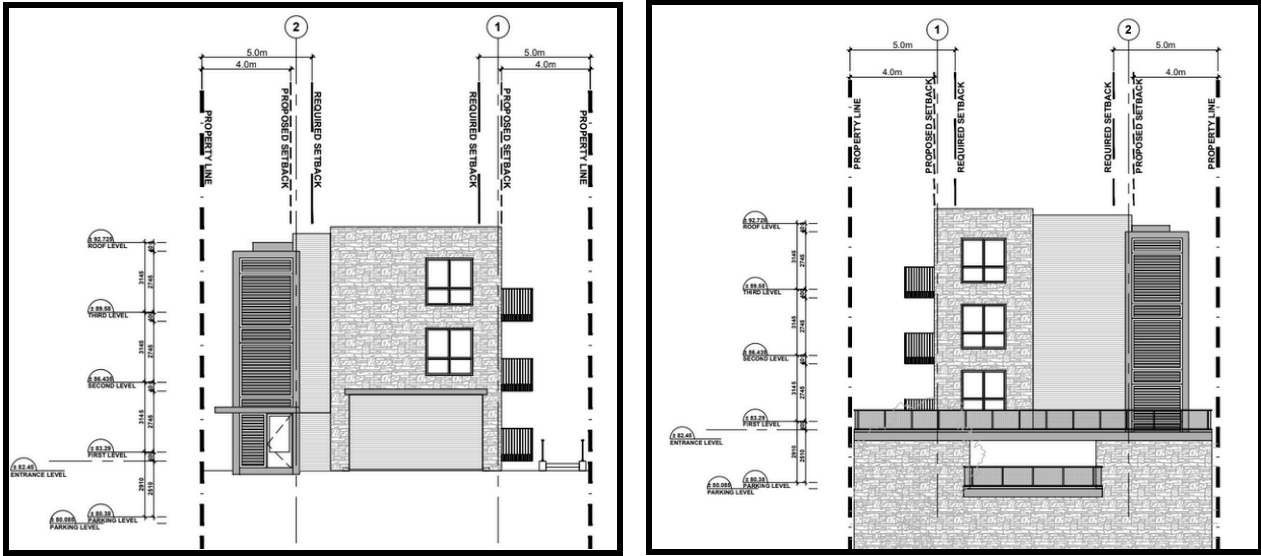
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Survey plan for 2458 Cleroux Cres.



Site plan for 2458 Cleroux Cres.



North (left) and south (right) elevations of 2458 Cleroux.



East elevation of 2458 Cleroux from 2464 Cleroux.



West elevation of 2458 Cleroux from 2444 Cleroux.

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2458 Cleroux from Cleroux Cres showing the approximate location of the lot lines.

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 application is minor in nature.

It is our opinion that the variances involved in this application are minor as the minimum **lot width** discrepancy between the zoning requirement and the proposal is 0.28 m which means the proposed lot width represents 98% of the Zoning By-Law requirement.

The **interior side yard setback** variances are from the Zoning exception clause [1335] which indicates a minimum side yard setback of 5m. This setback applies only to this zoning which requires a minimum lot width of 18m. If a lot of 18m is proposed for development in this zone, the buildable width would be 8m. For comparison, the lots located north of the subject property subject to the same zoning feature side yard setbacks of approximately 0.7m and 4.7m (2459 Cleroux), 2.8m and 0 m (2441 Cleroux), and approximately 0m (2477 Cleroux).

The minimum **interior yard setback** discrepancy is 1 m on the western facade and 3.41 m on the eastern side. The side yard setback discrepancy on the eastern side is exaggerated by the location and size of the stairways. While technically they are not

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part of the building interior, they are considered part of the footprint and therefore are subject to the 5 m setback requirement. The stairways are designed to the OBC minimum requirements and project 2.7m out from the main building wall. As a result, the 1.59m reduced setback only applies to 11.6 m, or approximately 20%, of the building wall or 15% of the lot's depth at the side lot line. The remaining 45.75 m, or approximately 80%, of the building wall is setback 4.3m from the lot line which represents a 0.7m discrepancy.

The existing conditions at 2458 Cleroux feature a 1.5 m setback on the eastern side and a 0.12 m setback on the western side. The proposed setbacks represent an improvement on these conditions as the 0.12 m setback will become the 4 m setback, and the 1.5 m setback will become the 1.59 m setback.

These variances do not negatively impact the building's accessibility, design excellence, or resident experience. Adequate access is proposed from the front yard to the rear yard via a walkway along the west lot line, and from the basement level to the upper levels via the open stairways. The reduced lot width and side yard setbacks do not impede the site's ability to provide adequate soft landscaping and amenity area. It should be noted that the walkway connecting the two stairways is considered a permitted projection and is not subject to the 5m interior side yard setback. Therefore, these variances represent minor relief from the Zoning By-Law.

2. The application is desirable for the appropriate development of the lands in question.

This application proposed a 17-unit, 3 storey stacked dwelling which represents intensification of the streetscape. The proposed development follows many key guidelines from the City of Ottawa's Urban Design Guidelines for Low-rise Infill Housing (2022). This design guideline document will be applied to all infill development in the Downtown Core-, Inner Urban-, Outer Urban- and Suburban Transects, as identified on Schedule B of the Official Plan. This infill may include the following residential types: single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments (four units and more) and other forms of ground-oriented housing typologies that may emerge. Those key guidelines and the proposal's responses are as follows:

Streetscapes

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. *The entrance to the stairs is east of the underground parking ramp and is located at grade.*

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. *Due to the location of the hydro wires along Cleroux Cres, we are unable to propose trees in the Right-of-Way.*

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. *We are proposing one tree and a variety of bushes on the eastern side of the driveway between the front lot line and the building wall. Due to the presence of hydro wires above, the tree proposed is a 60mm cal. Serviceberry.*

Building Design

3.1.4 Orient buildings so that their amenity spaces do not require sound attenuation walls and that noise impacts are minimised. Design amenity areas such as second floor balconies and rooftop decks to respect the privacy of the surrounding homes. *The proposed amenity areas include private balconies and rear yard patio space. The balconies are only located on the western side of the building. Only two of the balconies are in-line with the existing apartment dwelling at 2444 Cleroux which is setback 7.8m from the shared property line.*

3.1.8 Determine appropriate side and rear separation distances between existing homes and new infill homes/housing blocks to ensure appropriate space for landscaped area and privacy. Consider how building height, site orientation and the location of windows affect views, sunlight and privacy. *The proposed development features appropriate setbacks to the abutting lots because we are proposing adequate access and soft landscaping. The building is well situated between 2444 Cleroux and 2464 Cleroux with regards to building height as both buildings are also 3-storey apartment dwellings.*

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. *The proposed building is located about 11m closer to the street compared to its neighbour. The proposed massing and materials are similar to the neighbourhood context which feature a mix of 2 and 3 storey multi-unit dwellings with masonry and siding facades.*

Parking and Garages

4.3 In order to minimise paved surface area and pedestrian/vehicular conflicts at the sidewalk, and to maximise room for soft landscaping and on-street parking, build shared underground parking that is contained within the site when multiple units are proposed, if parking is required. *The proposed development features underground parking for both residents and visitors.*

Infill on Narrow Lots

7.3 Limit the width of driveways, parking spaces and walkways in the front yard in order to maximise the amount of soft surface area remaining in the front yard. *The driveway has been designed to the minimum width for a double-lane ramp. This design still allows adequate frontage for tree planting, walkway access, and the main stairway entrance.*

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7.10 Store garbage, recycling and green bins in a rear shed, or in a small storage space that is within the building, but with outdoor access at the side or rear, or outdoors at the side of the building. Do not create a storage unit that occupies the front façade of the home. *The waste storage for this development is proposed in the underground parking garage and will be brought up to the garbage pick up location by the property management company. The Site Plan Control application being reviewed concurrently with this variance application has reviewed the waste management plan and confirmed that this development is eligible for multi-residential collection.*

It is our opinion that the application is desirable and appropriate for the lands in question.

3. It conforms to the general intent of the Official Plan.

The Official Plan categorises this development as a Neighbourhood in the Outer Urban. Most specifically, it is within a classic suburban neighbourhood built within the greenbelt in the 1960's. The following sections are Official Plan policies and the proposal's responses:

3.2 (2) Intensification may occur in a variety of built forms and height categories, from Low-rise to High- Rise 41+ buildings provided density requirements are met. Unless more specific policies provide alternate direction, minimum densities are intended to establish a minimum starting point for the intensity of development, and maximum building heights are intended to establish a limit to building height. The definitions section of this Plan establishes the building height thresholds as expressed in storeys to describe height categories throughout this Plan.

(3) The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them as shown on Schedules B1 through B8. Hub and Corridor designations are intended to be diverse concentrations of employment, commercial, community and transportation services (in addition to accommodating significant residential opportunities) that are accessible to adjacent Neighbourhood designations on a daily and weekly basis.

This project allows for 17 residential units on an infill site located in close proximity to similar building types. The site is located approximately 15 minutes from Innes road which has a variety of amenities such as retail, personal services, schools, food services, and transit.

4.6.5 (2) The development should generally be located to frame the adjacent street, park or greenspace, and should provide an appropriate setback within the street context, with clearly visible main entrances from public sidewalks. Visual impacts associated with above grade utilities should be mitigated.

The setback of the proposed structure within the street context is similar to the existing structure on the site and entrances to the units are clearly articulated on the side facades with enough tree coverage to provide privacy for residents.

4.6.6 (6) Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

The proposal clearly responds to the evolving built conditions of the street and is designed in accordance with 'outer urban' and 'neighbourhood' designations. Soft landscaping and ground-oriented units have been integrated into the project along with balconies for upper-level units.

5.3.1 (1) The Outer Urban Transects established pattern of built form and site design is suburban as described in Table 8, above and is predominantly reflective of the classic suburban model, and in some areas the conventional suburban model. Over the medium- to long-term, this area will evolve toward an urban (15-minute) model as outlined in Table 8. This Plan allows for this evolution to happen gradually.

(4) In the Outer Urban Transect, the Zoning By-law shall provide for a range of dwelling unit sizes in: b) Predominantly ground-oriented forms in Neighbourhoods located away from frequent street transit and Corridors, with Low-rise multi-unit dwellings permitted near rapid transit and frequent street transit routes

This low-rise multi-unit dwelling proposal meshes with the existing built fabric of the street while adhering to the goals of the Official Plan. There are multiple unit sizes included in the building with 5 ground-oriented units.

6.3.1 (2) Permitted building heights in Neighbourhoods shall be Low-rise, except: a) Where existing zoning or secondary plans allow for greater building heights; or b) In areas already characterised by taller buildings.

(5) The Zoning By-law will distribute permitted densities in the Neighbourhood by: a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities; b) Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and c) Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).

The proposal does not exceed 3 storeys, before the change in grade in the lot rear, keeping with the existing character of the street. The proposal also includes 5 ground-oriented units.

The request to reduce the lot width to 17.72 m from 18 m is an existing condition and does not impede the proposal's ability to provide adequate waste storage, bike parking, and soft landscaping. Additionally, the request to reduce the side yard setbacks from 5 m to 4 m (west) and 1.59 m (east) does not impede the proposal's ability to provide adequate waste storage, bike parking, and soft landscaping.

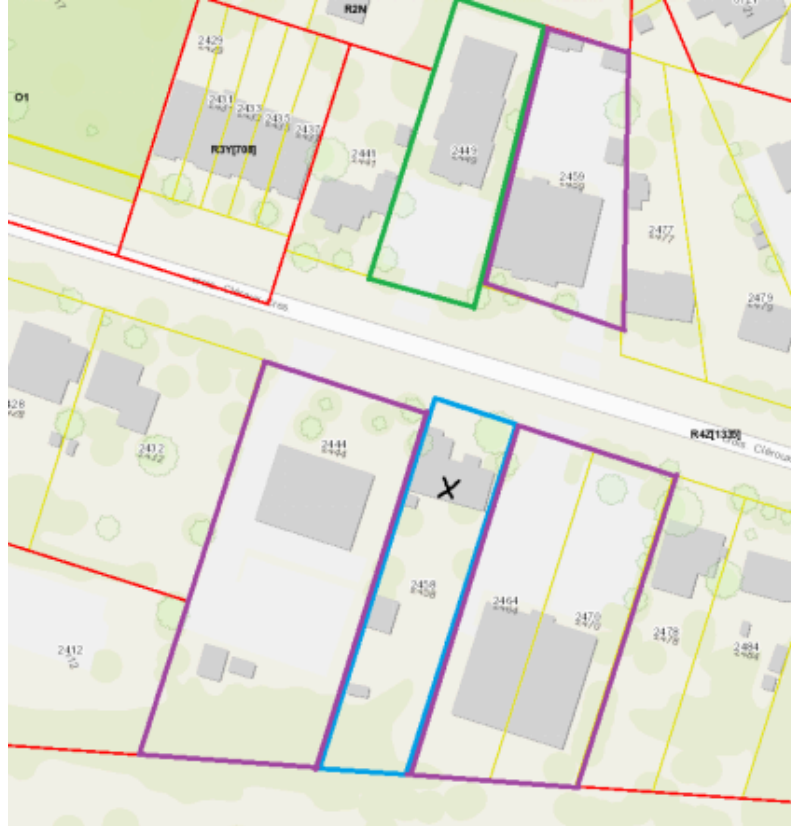
It is our opinion that the proposal conforms to the general intent of the New Official Plan in regards to intensification, evolving 15-minute neighbourhood, and Neighbourhood designation goals.

4. It conforms to the general intent of the Zoning By-law.

The purpose of the R4 zone is to allow a mix of residential building forms in no case more than 4 storeys. This allows for additional housing choices within the fourth density residential areas. R4 also aims to regulate development that is compatible with existing land use so that the residential character of a neighbourhood is maintained or enhanced. Lastly, developments within R4 are expected to promote efficient land use and compact form while showcasing newer design approaches.

2458 Cleroux is a compact design that complements the existing built context and offers a variety of unit types and sizes. It provides the additional housing options mentioned in the R4 zoning goals while maintaining the residential character of the streetscape. The proposed multi-unit dwelling is zoning compliant for front, and rear yard setbacks, building height, bicycle parking, and amenity area.

The majority of the western side of Cleroux Crescent is zoned as R4Z, which allows for a variety of building types. This low-rise development is within the density goals outlined in R4 zoning.



Subject property shown with neighbouring apartment complexes and a **multi-unit residential building**.

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

- Completed application form (1 original)
- Application fees
- Site plan
- Location of variances diagram
- Architectural elevation plans of the proposed building from all four sides
- Survey plan of the entire property
- Owners authorisation
- Tree Conservation Report (and addendum)

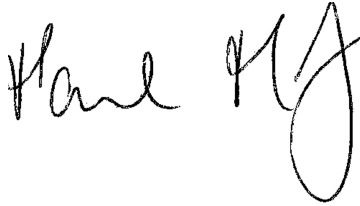
This property is subject to a Site Plan Control application (D07-12-22-0144). The SPC application was originally submitted in October of 2022 prior to the new phased pre-consult process being implemented. The application has received 3rd round review comments.

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.

P. H Robinson Consulting
Urban Planning, Consulting and Project Management

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

A handwritten signature in black ink, appearing to read "Paul Robinson". The signature is written in a cursive style with a large, looped final letter.

Paul Robinson RPP