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Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON K2G 5K7

Attention: Michel Bellemare, Secretary-Treasurer

**Reference: 841- 845 Grenon Avenue
Minor Variance Application
Novatech File: 118242**

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2024-10-02

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Please note this is a revised version of the letter dated March 14, 2024. A second minor variance has been added to the application.

Novatech has been retained by Grenon Ave. Inc. (part of Building Investments Limited), the owner of 841- 845 Grenon Avenue (the Subject Site), to prepare this letter in support of minor variances to facilitate the development of a four storey apartment building on the Subject Site.

Two minor variances are required. A minor variance is required to reduce the parking rate for residents of the apartment building. The visitor parking meets the Zoning By-law and does not require relief. A second minor variance is required to vary the requirements of Section 139 (3) relating to Front-facing Garages and Carports.

Site Plan approval was issued on February 4, 2019 (D07-12-19-0018) for a four storey apartment building with 30 apartments. Council approved the associated Zoning By-law Amendment 2020-137 on May 27, 2020 to permit the development. Council approved a second Zoning By-law Amendment 2022-101 on April 27, 2022 to reduce the required resident parking rate to 0.6 spaces per apartment. The building is currently under construction.

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A revision to the internal layout of the building has added two apartments to the ground floor, replacing an interior amenity space and storage locker area. As there is no change to the number of parking spaces, the new parking rate for 32 apartments will be 0.56 spaces per unit. The visitor parking will continue to meet the Zoning By-law and does not require relief.

Accordingly, a minor variance is required to reduce the parking rate for residents of the low-rise apartment building from the current 0.6 spaces per unit to 0.56 spaces per unit.

The second minor variance is required to vary the requirements of S.139 (3) of the Zoning By-law. Section 139 relates to Low-Rise Residential Development in All Neighbourhoods within the Greenbelt and subsection (3) specifically relates to Front-facing Garages and Carports. The location of the garage in relation to the principal entrance has never changed and it was Site Plan approved in 2019. In 2020, Section 139 was approved by Council and now forms part of the Zoning By-law. The

development complies with the majority of S.139 except subsection (3) where a minor variance is required to bring the Site Plan approved building into compliance with the current zoning. Section (3) provides:

Front-facing Garages and Carports

3. Any garage or carport facing the front lot line or side lot line abutting a street is subject to the following:
 - a) the entrance to the garage or carport must be set back at least 0.6m further from the applicable lot line than either
 - (i) the principal entrance; or
 - (ii) The front edge of a landing or porch, giving access to the principal entrance, or the portion of a projecting landing or porch that does not fall within a required yard.
 - b) Despite 139(3)(a)(ii), the garage or carport may not be more than 0.6m closer to the front lot line or side lot line abutting a street than is the principal entrance to the dwelling; or
 - c) Within the Mature Neighbourhoods Overlay, no such garage or carport is permitted except subject to the Streetscape Character Analysis and Table 140A, (By-law 2021-111)

Accordingly, a second minor variance is required to permit the garage entrance to project 2.279m from the principal entrance.

Existing Conditions

The Subject Site is in the Bay ward in the City of Ottawa, on the east side of Grenon Avenue between Carling Avenue and Richmond Road. The site is 1416m², with 29.31 metres of frontage on Grenon Avenue. The Subject Site comprises four lots as described below:

Municipal Address	Legal Description	Area
841 Grenon Avenue	PT LT 14 PLAN 457 AS IN CR321404 OTTAWA SUBJECT TO AN EASEMENT IN GROSS AS IN OC2648453	463 m ²
845 Grenon Avenue	ART OF LOT 14 PLAN 457, OTTAWA, PARTS 1 AND 2 PLAN 4R19561. SUBJECT TO AN EASEMENT IN FAVOUR OF BELL CANADA AS IN LT1198683. SUBJECT TO AN EASEMENT IN FAVOUR OF ROGERS OTTAWA LIMITED/LIMITEE AS IN LT1198895. SUBJECT TO A RIGHT OF WAY OVER PART 2 PLAN 4R19561 IN FAVOUR OF PART 7 PLAN 4R14541 AS IN OC362453. SUBJECT TO A RIGHT OF WAY OVER PART 2 PLAN 4R19561 IN FAVOUR OF PART 8 PLAN 4R14541 AS IN OC362453. SUBJECT TO A RIGHT OF WAY OVER PART 2 PLAN 4R19561 IN FAVOUR OF PART 9 PLAN 4R14541 AS IN OC362453. SUBJECT TO A RIGHT OF WAY OVER PART 2 PLAN 4R19561 IN FAVOUR OF PART 10 PLAN 4R14541 AS IN	631 m ²

	OC362453. SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1 AND 2 PLAN 4R-19561 AS IN OC264845	
Unaddressed parcel (west)	PART OF LOT 14 PLAN 457, OTTAWA, PART 4 PLAN 4R19561. SUBJECT TO AN EASEMENT IN FAVOUR OF BELL CANADA AS IN LT1198683. SUBJECT TO AN EASEMENT IN FAVOUR OF ROGERS OTTAWA LIMITED/LIMITEE AS IN LT1198895. SUBJECT TO AN EASEMENT IN GROSS OVER PART 4 PLAN 4R-19561 AS IN OC2648453	156 m ²
Unaddressed parcel (east)	PART OF LOT 14 PLAN 457, OTTAWA, PART 3 PLAN 4R19561. SUBJECT TO AN EASEMENT IN FAVOUR OF BELL CANADA AS IN LT1198683. SUBJECT TO AN EASEMENT IN FAVOUR OF ROGERS OTTAWA LIMITED/LIMITEE AS IN LT1198895. SUBJECT TO AN EASEMENT IN GROSS OVER PART 3 PLAN 4R-19561 AS IN OC2648453	166 m ²

The Subject Site is subject to easements which are not affected by this application.

The Subject Site is zoned Residential Fourth Density, Subzone M with an exception (R4M [2624]) in the City of Ottawa Zoning By-law 2008-250.



Figure 1: Subject Site and Surrounding Uses

Surrounding uses include:

North: Abutting the Subject Site to the north is a 15m wide access from Grenon Avenue to Judge Park. Further north are freehold townhomes, a high-rise apartment building and commercial uses along Carling Avenue.

East: East of the Subject Site is Judge Park which contains, a public tennis court, play structures and a sledding hill. Further east are three high-rise apartment dwellings.

South: South of the Subject Site exists a free hold townhouse complex. A range of residential uses, from detached dwellings to high-rise apartment buildings, exist further south of the Subject Site.

West: Detached dwellings exist to the west of the Subject Site. Further west is Marlene Catterall Park. This Park provides several amenities, including, parking, the Michele Heights Community Centre, play structures, wading pool, outdoor rink, basketball courts and baseball diamond.

Rationale

The minor variances meet the four tests for minor variances under Section 45(1) of the *Planning Act* which are:

1. The general intent and purpose of the Official Plan must be maintained;
2. The general intent and purpose of the Zoning By-law must be maintained;
3. The variance must be desirable in the opinion of the Committee for the appropriate development of the land, building, or structure; and
4. The variance must be a minor variance from the provisions of the Zoning By-law;

The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.

Pursuant to Schedule B3 – Outer Urban Transect, the Subject Site is designated Neighbourhood and is subject to the Evolving Neighbourhood Overlay. Section 6.3 sets out the intent for neighbourhoods:

Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities.

Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.

The intent of the Evolving Neighbourhood Overlay is set out at Section 5.6.1:

The Evolving Neighbourhood Overlay is applied to areas of the Neighbourhood Designation in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land. The intent is to identify areas that may gradually evolve through intensification to a more urban than suburban built form.

The proposed minor variances facilitate a development that is consistent with the designation and contributes to the neighbourhood it is located in. The proposal locates 32 households approximately 220 m from the transit priority corridor on Richmond Road and 1.2 km from Pinecrest Station (current BRT and Stage 2 LRT). The requested parking reduction encourages the use of transit, cycling and walking. It contributes to intensification by developing a derelict/vacant site within the built up urban area. The second minor variance brings the Site Plan approved building into compliance with current zoning.

The minor variances allow the Subject Site to develop as per the Site Plan approval which conforms with the City of Ottawa Official Plan. The minor variances maintain the general intent and purpose of the Official Plan.

The second test for a minor variance is that the general intent and purpose of the Zoning By-law maintained.

The subject site is currently zoned Residential Fourth Density subzone M with an exception (R4M [2624]). The purpose of the zone is to:

- (1) 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;*
- (2) allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;*
- (3) permit ancillary uses to the principal residential use to allow residents to work at home;*
- (4) 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: and*
- (5) permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.*

The requested minor variances facilitate the development of a low-rise apartment building, which is a permitted use under the R4 zoning. The proposed development meets all other zoning provisions, including the visitor parking requirement and the remainder of S.139. The four storey built form is

appropriate for the current and planned context of the area. The minor variances meet the general intent and purpose of the Zoning By-law 2008-250.

The third test for a minor variance is that the minor variance is considered desirable for the use of the property.

A reduced number of parking spaces is desirable for the use of the property. The primary purpose of the R4 zone is to provide additional housing choices. Providing the parking required by the Zoning By-law parking would make this difficult to achieve on the Subject Site. Providing the additional spaces would either require costly additional underground parking levels or increased surface parking. Additional surface parking would reduce the amount of housing able to be provided within the height limit and/or reduce the various amenities provided to the residents. The approved Site Plan (enclosed) demonstrates how the site can be developed. The requested variance facilitates the development of appropriate and compatible housing in the neighbourhood.

The second minor variance brings the Site Plan approved building into compliance with current zoning. The general intent of S.139 (3) is met as the garage does not project beyond the building entry porch. The prominence of the garage door is reduced as it is below street grade and slightly recessed into the building.

The requested minor variances are considered desirable for the use of the property.



Figure 2: The proposed development

The fourth test for a minor variance is that the variance is considered minor in nature.

Except for the requested minor variances, the proposal complies with all zoning by-law provisions. The proposed reduction from 0.6 spaces per unit to 0.56 space per unit is a 7% reduction, which has a minor impact. The Subject Site is approximately 220 m from the transit priority corridor on Richmond Road and 1.2 km from Pinecrest Station (current BRT and future Stage 2 LRT).

The garage entrance is in line with the entry porch it (i.e., it does not project from it). The garage is only closer to the front lot line than the principal entrance because the principal entrance is recessed into the porch to provide a protected pedestrian entry to the building. The impact on the streetscape is minor.

The requested variances is considered minor in nature.

Conclusion

The proposed development maintains the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law 2008-250. The requested variances are considered desirable for the use of the land and are minor in nature. The proposed development represents good land use planning.

Sincerely,

NOVATECH



James Ireland, MCIP, RPP
Project Manager