

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

September 5, 2024

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: 290 Montfort Street (Minor Variance application) - Panel 2
Daniel Ibrahim
Part of Lot 76, Registered Plan 246 - City of Ottawa

Committee of Adjustment
Received | Reçu le

2024-09-09

City of Ottawa | Ville d'Ottawa
Comité de dérogation

On behalf of our clients, we are submitting the enclosed Minor Variance application for the property at 290 Montfort Street in order to permit a townhouse unit on the subject property. At the present time, the subject property contains a pair of semi detached units (2 units) and a detached building that contains a separate residential unit (which is presently vacant). The intent is to **remove** the detached building and **build a new unit on the west side of the semis** so that the overall development consists of 3 townhouse units. **The existing footprint of the dwelling to be demolished is 47.28 m2 and the proposed building footprint is 46.36 m2.** The intent for the new building is to maintain the building footprint as much as possible due to the irregular lot shape. This application was adjourned sine die on June 1 2022 and also on June 6 2023.

Please see the enclosed letters of support from nearby residents for this application. Also note the retraction of the previous comments of concern from the tenant of 290 Montfort (white building) who has now moved out of the building and this unit is vacant.



The subject property consists of the 'semis' on the left and the detached building on the right (located on the existing edge of the Right of Way). The tree on the right to be retained.



Semis on the left and detached building (white) on the right. The tree on the left to be retained, the detached building on the right is to be removed, and a new 'townhouse' unit to be added on the right hand side of the existing semis.

The proposal requires the following variances/permissions:

Property as a whole

- a) To permit a front yard setback of 1.64 m whereas the Zoning By-Law requires the average of the abutting lots (3.30 m) (Zoning By-Law section 144, (1) (a), 2008-250, as amended). **APPLIES TO 290 (proposed) AND 294 (existing condition) MONTFORT**
- b) To permit a stair projection located 0 m from the front lot line whereas the Zoning By-Law required a minimum setback of 0.6 m from a lot line (Zoning By-Law table 65, (5) (b) (i) (2), 2008-250, as amended). **APPLIES TO 290 (proposed = 0.24 m) AND 294 (existing condition = 0 m) MONTFORT**
- c) To permit a reduced front porch setback of 0.03 m from the front lot line whereas the Zoning By-Law requires a minimum setback of 1 m from a lot line (Zoning By-Law table 65, (6) (b) (iv), 2008-250, as amended). **APPLIES TO 290 (proposed = 0.78 m) AND 294 (existing condition = 0.03 m) MONTFORT**
- d) To permit a reduced front porch setback of 0.15 m from the side lot line whereas the Zoning By-Law requires a minimum setback of 1 m from a lot line (Zoning By-Law table 65, (6) (b) (iv), 2008-250, as amended). **APPLIES TO 294 (existing condition) MONTFORT**

- e) To permit a reduced rear yard area of 17.2% of the lot area (48.21 m²) whereas the Zoning By-Law required a minimum rear yard area of 25% of the lot area (69.78 m²) (Zoning By-Law section 144, (3) (a), 2008-250, as amended). **APPLIES TO 292 (existing condition) AND 294 (existing condition) MONTFORT**
- f) To permit a reduced interior side yard setback (east) of 0 m whereas the Zoning By-Law requires an interior side yard setback of 1.2m (Zoning By-Law table 162A, X, 2008-250, as amended). **APPLIES TO 294 (existing condition = 0 m) MONTFORT**
- g) To permit a reduced interior side yard setback (west) of 0.29 m whereas the Zoning By-Law requires an interior side yard setback of 1.2m (Zoning By-Law table 162A, X, 2008-250, as amended). **APPLIES TO 292 (existing condition = 0.29 m as per survey)**

Please note that the minor variance request for 'h', 'i' and 'j' are different for each 'unit' as the minimum lot width, **lot area** and parking requirements for linked-detached dwelling, semi-detached dwelling and **townhouse dwelling** shall apply to each portion of a lot on which each individual dwelling unit is located, **whether or not that parcel is to be severed**. Section 161 (10) of the Zoning By-law. The intent is not to sever but the lot areas for each 'unit' of the townhouse development are different in lot area (and lot width) due to the shape of the property. Each unit is compliant with the minimum lot width requirements.

290 Montfort

- h) To legalise an existing reduced lot area of 96.35 m² whereas the Zoning By-Law required a minimum lot area of 135 m² (Zoning By-Law table 162A, V, 2008-250, as amended).

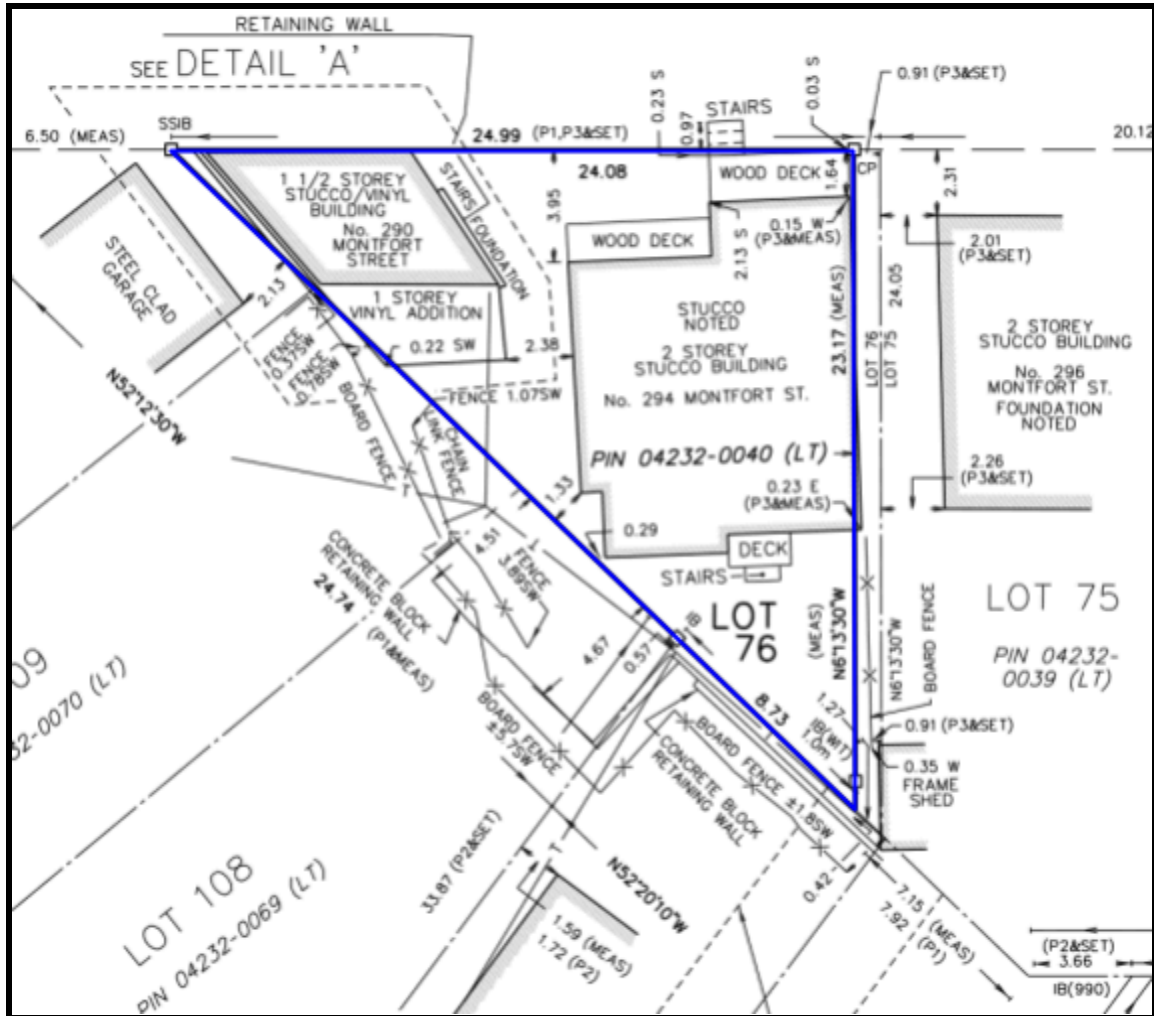
292 Montfort

- i) To legalise an existing reduced lot area of 84.10 m² whereas the Zoning By-Law required a minimum lot area of 135 m² (Zoning By-Law table 162A, V, 2008-250, as amended).

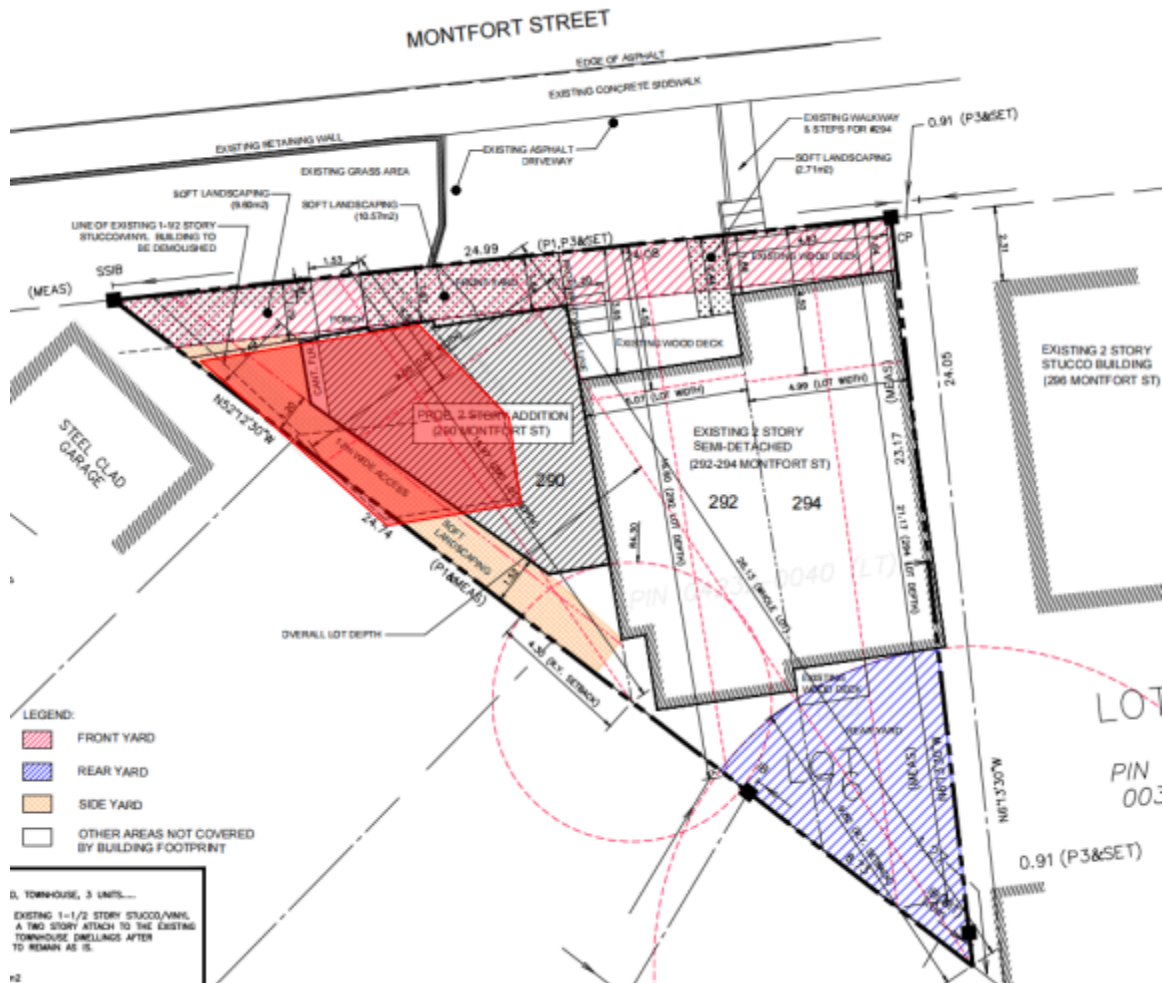
294 Montfort

- j) To legalise an existing reduced lot area of 98.75 m² whereas the Zoning By-Law required a minimum lot area of 135 m² (Zoning By-Law table 162A, V, 2008-250, as amended).

The only variance triggered by the new unit (existing detached unit to be removed) is variance 'h'. The variances triggered by the unchanged existing dwellings are variances 'd', 'e', 'f', 'g', 'i', and 'j'. The variances triggered by a combination of the existing unchanged dwellings and the proposed dwelling are variances 'a', 'b', and 'c'.



Survey plan showing the lot boundary.



Site plan of 290 Montfort showing the **existing dwelling to be removed**. This plan also shows the **calculated rear yard**, the **front yard** and the **interior side yard (west side yard)**

As shown on the photos on pages 1 and 2 of this document, there are two trees along the frontage of the property and they are intended to be retained as per the Tree Information Report prepared by the client's arborist and filed with this application.

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

Official Plan

As per the Official Plan, the designation for this property is 'Neighbourhood' in the Inner Urban transect.

As per Section 6.3.1.2 of the Official Plan,

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.

The maximum provided building height is 7.16 m or 2 storeys which is a 'low rise' building height. The existing semi-detached dwellings are approximately 6.16 m and the maximum permitted building height is 10m.

As per 6.3.1 (4) of the new Official Plan, the Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:

- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);
- c) In appropriate locations including near rapid-transit stations, zoning may prohibit lower-density housing forms.
- d) To provide for a range of local services and promote the emergence or strengthening of 15- minute neighbourhoods, the Zoning By-law may permit compatible and complementary small scale non-residential uses and services (including retail, service, cultural, leisure and entertainment uses) that primarily serve residents within walking distance and that:
 - i) Are compatible with, and do not reasonably pose a risk or nuisance to, nearby residential uses; The removal of one building on the site that was in need of repair and very close to the street edge and replacing it with a new residential unit in line with the retained units will be compatible with nearby residential properties and will not pose a risk or nuisance to those properties.
 - ii) Are contained within building forms and site design compatible with low-rise, predominantly residential neighbours; The proposed resulting building form is compatible with the residential neighbours in the immediate vicinity.
 - iii) Are appropriately integrated with the neighbourhood street network, pedestrian network and public realm; The proposed new unit will result in townhouse units which are at a density that is well-integrated into the neighbourhood.

- iv) May establish building and site design standards specific to such uses, in order to ensure functional requirements and context sensitive building form are met; **The removal of the existing detached building on the site which is located on the front lot line and for it to be replaced with a new unit (please note that the footprint of the new unit is equal to the footprint of the building to be removed) to result in a townhouse development will result in a context sensitive building form on the property.**

This property is located close to the edge of the Neighbourhood designation and the Evolving Neighbourhood Overlay (but within the Neighbourhood designation). The project represents a change from a semi and a detached building to a townhouse development which results in a slight increase in floor area. Due to the relatively small size and the shape of the property, it would be difficult to develop a higher density development both in terms of units count and building type. The proposal represents a gradual change in density and presents a strong street presence with a new unit that is attached to the existing semis.

The surrounding area is a mixture of single family homes, duplex units, semi detached units, triplex units, some low rise and mid rise apartments buildings, and some scale commercial properties. Montfort Street is a street with an OC Transpo route. The transit route on Montfort is =Line 20 which runs between St.Larent and Vanier approximately every 30 minutes. On Marier Ave., Line 19 runs every 15 minutes during peak times and 30 minutes during off-peak times between St. Laurent and Parliament. Lines 12 and 15 run frequently along Montreal Rd between Blair and St. Laurent, and Main and Tunney's Pasture/Westboro (respectively).

Nearby amenities include Nault Park, some other small park areas, schools, churches, commercial buildings, medical centres, a convenience store (approx. 100 m to the west), and community facilities.

On the GeoOttawa extract image on the following page the subject property is shown in **red** along the south side of Montfort Street. Other nearby multi-dwelling unit buildings are shown in **orange** immediately to the east and west of the subject property and further to the west and south east. The commercial uses are shown in **purple** to demonstrate the mixture of densities and uses in the nearby area. The commercial area to the east is an automotive repair facility and the commercial lot to the north east is a ground floor convenience store with residential units above. Exception zoned properties are shown in a thin **red** outline. See the extract from GeoOttawa below.



Subject property and surrounding properties

This lot has an unusual shape being triangular as a result of the angled orientation of the properties to the south that front on to Bradley Avenue. This is why the lot shape of the subject property is triangular rather than square or rectangular. The lot shape is a prime contributor to a number of the variances on this property in terms of how various setbacks are calculated.

The Urban Design Guidelines for Low-Rise Infill Housing are to ensure that any new developments are a good fit for the neighbourhood and respect its character.

Key Urban Design Guidelines that this infill development meets include:

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

The front facade of the building at street level contains the entrance for the units and the front facade of the building contains large windows overlooking the street.

1.2 Reflect the desirable aspects of the established streetscape character.

The new unit (west side of the property) as part of this project is located at the same front yard setback as the easterly unit of this project and is further back from the front lot line than the unit that it is replacing which was located on the front lot line.

3.1.1 Ensure 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.

The ground floor contains the principal entry points for the building and there are large front facade windows which face and animate the street and a porch for the new unit.

3.1.2 Locate and build infill in a manner that reflects the existing or 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 proposed building height is slightly lower than the permitted building height and the primary entrance is in conformity with surrounding properties which are located along the front facade of the building. The rear and side yard setbacks of the new development are equal to or greater than zoning requirements and the front yard setback is the same as the easterly unit on the property.

3.1.8 Determine appropriate side and rear separation distances between existing homes and new infill to ensure appropriate light, view and privacy.

The proposed side yard setbacks for the new unit is between 1.2 and 1.52 m and the property to the west has a detached garage another 2.13 m beyond the mutual lot line. The proposed side yard setbacks of at least 1.2 m meets the zoning requirements and will allow for appropriate light and will provide suitable setbacks for privacy and views. The request for a reduced interior side yard setback applies to a portion of the centre unit but otherwise the proposed is compliant on interior side yard setback.

As a small-scale intensification from a pair of semis and a detached house to a townhouse development, the proposal is in conformity with the Official Plan designation for the lands and maintains the general intent and purposes of the Official Plan which allows for a variety of ground orientated multiple housing forms. Therefore, it is our opinion that minor variances that are proposed maintain the general intent and purpose of the Official Plan and are desirable for the appropriate development of the land.

Zoning

The zoning for the property is R4UA which permits a variety of housing types including townhouse units, triplex units and low rise apartments. Due to the existing lot area, we are required to request variances for the reduced lot area for each of the units. The irregular shape of the lots and lot depths are the reason for the variance requests for each unit on the overall property (as detailed in the bylaw which states each unit is to be reviewed in conjunction with the land area that it is a part of). There is no variance needed for lot width. The existing semis are on portions of the overall lot that do not meet the required lot area requirements.

The property to the west is a five (5) unit building with a slightly larger lot area and the property is shaped similarly to the subject property. In addition, the two properties immediately to the east of the subject lot are both triplex buildings with only slightly larger lot areas.

The proposed townhouse units are zoning compliant for rear yard setback and building height regulations based on the zoning in effect.

Due to the fact that the zone permits this type of use, the intent of the zoning is maintained.

The proposed front yard setback of 290 Montfort ranges from 1.64 m to 1.79 m, the existing front yard setback of 292 Montfort ranges from 2.44 m to about 2.6 m, and the existing front yard setback of 294 Montfort ranges from 1.64 m to 1.86 m. The front yard setback variance applies to the property as a whole and therefore captures the deficient front yard setbacks for all three addresses.

This application will allow for a sensitive modification to the property and will minimise any issues that currently exist with the existing detached building which would need extensive building upgrades.

In conclusion, the variances requested are minor in nature representing a combination of existing non-conformities and minor deviations from the Zoning By-Law requirements. The proposed variances are desirable for the appropriate development of the land as the proposed density of a three-unit townhouse is more appropriate for the subject site compared to a detached dwelling and a pair of semi detached dwellings on a single lot. This proposal meets the general intent of the Official Plan as it strengthens the 15-minute neighbourhood, prioritises alternative methods of transportation, and creates context-sensitive housing options. This proposal meets the general intent of the Zoning By-Law because it is more in-line with the purpose of the R4 zoning as a townhouse compared to a pair of semis and a detached dwelling.

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

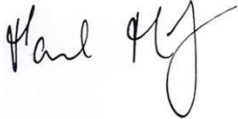
At this time we are submitting the following in support of the application:

- Completed application form
- Owners authorisation for filing the applications
- Application fees (for recirculation of a minor variance application)
- The site plan showing the three townhouse units.
- The architectural elevations of the new unit and a front elevation of all three units
- The survey plan of the entire property.
- Tree information report
- Surveyors area certificate

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