



**BING Professional Engineering Inc.**  
2024-09-20

**Committee of Adjustment**  
Received | Reçu le  
2024-09-20  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

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*September 14, 2024*

Committee of Adjustment  
City of Ottawa  
101 Centrepointe Drive, 4<sup>th</sup> Floor  
Ottawa, ON K2G 5K7

**RE: Minor Variance Application**  
**112 Marier Ave, Vanier, ON K1L 5S1**

Dear Committee Members,

Bing Professional Engineering Inc. (BPEI) has been retained by the property owner of 112 Marier Avenue, to prepare and submit Minor Variance Application to the Committee of Adjustment. The intent of the application is to seek two (2) minor variances to enable a proposed 3-storey low-rise apartment development with 8 residential units as follows:

- Reduction of required minimum (min.) lot width from 12m to 10.06m;
- Reduction of required min. lot area from 360m<sup>2</sup> to 276.5m<sup>2</sup>

The following documents are provided in support of this application:

- Cover Letter / Planning Rationale;
- One (1) Minor Variance Application form;
- Tree Information Report (TIR);
- Survey Plan - 1 full-size copy and 1 reduced copy;
- Site Plan
- Elevation Drawings

A cheque representing applicable application fees will be delivered to the Committee of Adjustment at 101 Centrepointe Drive.

We trust that the enclosed documents are satisfactory for our application. Please do not hesitate to contact our office should you have any questions. Thank you for your consideration.

Yours sincerely,

**Changhong (Chang) Sun, OAA, LEED AP ® BD+C**  
Architect



**1.0 SITE DESCRIPTION**

The subject property is located at 112 Marier Avenue., the north of Vanier Parkway and Montreal Road between Ste Monique St. and Peres-Blancs Ave. It is in the neighborhood of Vanier North and Ward 12, the City of Ottawa. The surrounding area is a mix of residential development consisting of detached, semi-detached, and low-rise apartment dwellings. It is approximately 670m walking distance to Montreal Rd., 730m to Vanier Parkway, and 280m to Trille des Bois Public Elementary School.

The site has a lot area of approximately 276.5 m<sup>2</sup> (0.07 acre), a depth of 27.49 m (90.2 ft), and a frontage of 10.06 m (33 ft) along Marier Ave. Currently, a single detached house is situated on site, flanked by existing low-rise apartments at left, right and rear. The subject land is fully serviced by municipal water, sanitary sewer and stormwater sewer.

Under Ottawa Zoning By-law 2008-250, the lot is zoned under R4UA-c (Residential Fourth Density Zone, Subzone UA), Infill Development, and Low-rise Residential Development within the Greenbelt. It is within the Inner Urban Transect in the City of Ottawa Official Plan (Schedule A), and within Evolving Neighbourhood Overlay (Schedule B2).

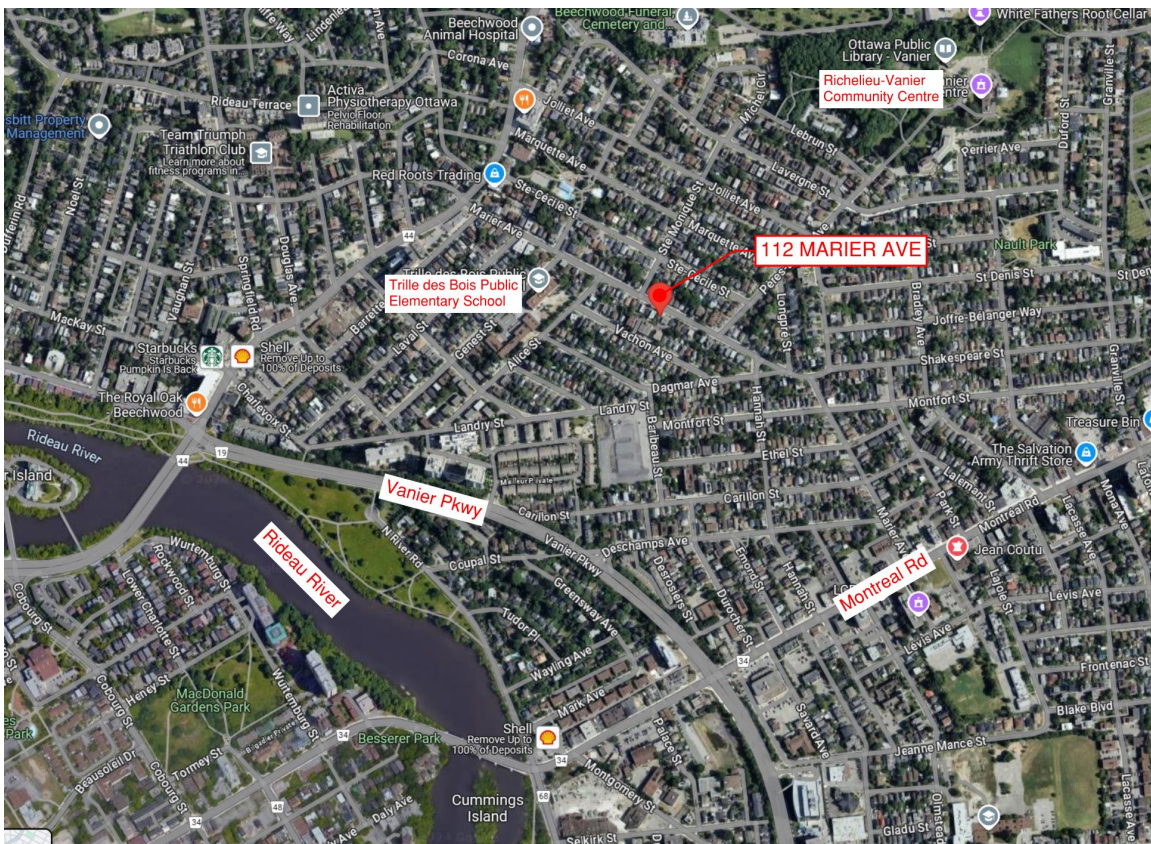


Figure 1: subject land on vicinity map



Figure 2: subject land in Official Plan / Schedule A - Transect Policy Areas

| TRANSECT POLICY AREAS /<br>SECTEURS STRATÉGIQUES DU TRANSECT | TRANSIT                                                  |
|--------------------------------------------------------------|----------------------------------------------------------|
| Downtown Core / Centre-ville                                 | O-Train and Station / O-Train et station                 |
| Inner Urban / Urbain intérieur                               | Future O-Train / O-Train et station (futur)              |
| Outer Urban / Urbain extérieur                               | Transitway – grade separated / Transitway en site propre |
| Greenbelt / Ceinture de verdure                              | Transitway – at grade / Transitway – Voie à niveau       |
| Suburban / Suburbain                                         | Transfer Station / Station de correspondance             |
| Rural / Rural                                                | Terminus Station / Station terminus                      |



Figure 3: subject land in Official Plan / Schedule B2 - Inner Urban Transect

**TRANSECT POLICY AREA /  
 SECTEUR STRATÉGIQUE DU TRANSECT**

Inner Urban / Urbain intérieur

**OVERLAYS / AFFECTATION SUPPLÉMENTAIRE**

Evolving Neighbourhood /  
 Quartier en évolution

**DESIGNATIONS / DÉSIGNATIONS**

- Hub / Carrefour
- Corridor - Mainstreet / Couloir - Rue principale
- Corridor - Minor / Couloir - Rue principale mineure
- Mixed Industrial / Industrie Mixte
- Greenspace / Espace vert
- Neighbourhood / Quartier

**SPECIAL DISTRICTS /  
 DISTRICTS PARTICULIERS**

- 1 Parliament and Confederation Boulevard/  
 Parlement et boulevard de la Confédération
  - 2 ByWard Market / Marché By
  - 3 Rideau Canal / Canal Rideau
  - 4 Ottawa River Islands / Îles de la rivière des Outaouais
  - 5 Lansdowne
- Part of Special District within the City of Gatineau /  
 Section du District Particulier en territoire de la Ville de Gatineau

**TRANSIT**

- O-Train Station / Station de l'O-Train
- Transfer Station / Station de correspondance
- Transitway Station / Station du Transitway

## **2.0 PROPOSAL**

### **2.1 Minor Variances**

The proposed low-rise apartment building is to be 3-storey high, have 8 units comprised of two (2) 2-bedroom units, three (3) 1-bedroom units with one (1) barrier-free unit, and 3 studio units, waste management and sufficient soft landscaping.

Two (2) Minor Variances are applied for approval to facilitate the proposed residential development as follows:

1. To permit a reduced minimum lot width of 10.06 m, whereas the By-law requires minimum 12 m;
2. To permit a reduced minimum lot area of 276.5 m<sup>2</sup>, whereas the By-law requires minimum 360 m<sup>2</sup>.

## **3.0 PLANNING POLICY and REGULATORY FRAMEWORK**

### **3.1 Provincial Policy Statement**

The **2020 Provincial Policy Statement (PPS)** provides policy direction on land use planning for provincial interest. The proposed Minor Variances is consistent with PPS policies that aim to promote efficient development patterns and ensure effective use of infrastructure and public service facilities.

In accordance with PPS definition and given that the subject land is inside the City of Ottawa's Urban Boundary as illustrated in Fig. 2, the subject land is considered a Settlement Area. The proposed minor variances and low-rise apartment dwelling promote transit-supportive development, and increase a supply and range of housing options through intensification, redevelopment and compact form.

The following policies from PPS are in support of this proposal:

*Policy 1.1.3 Settlement Areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets.*

*Policy 1.1.3.1 Settlement areas shall be the focus of growth and development.*

*Policy 1.1.3.2 Land use patterns within settlement areas shall be based on density and a mix of land uses which:*

- a) efficiently use land and resources;*



*b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

*f) are transit-supportive, where transit is planned, exists or may be developed;*

*Policy 1.1.3.3. Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where it can be accommodated taking into account existing building stock or areas, including brownfield sites, and availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

*Policy 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

*Policy 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mixes of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

The following policies from PPS Section 1.4 are specifically in support of residential intensification:

*Policy 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

*b). permitting and facilitating:*

*2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3.*

*d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*



- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilities compact form, while maintaining appropriate levels of public health and safety.*

The following policies from PPS Section 1.6 support intensification to optimize the use of municipal services, provided system capacity exists:

*Policy 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

### **3.2 City of Ottawa Official Plan**

The **Official Plan (OP)**, approved in November, 2022, identifies land use priorities in the City's Strategic Plan in compliance with the City's goals, objectives and policies to guide growth and manage physical change to 2046.

The City of Ottawa is projected to grow by 402,000 people from 2018 to 2046, requiring 194,800 new private households. Section 2. Strategic Directions of the OP sets up the Big Policy Move #1 to direct residential intensification and diversifying housing options within existing built-up urban area, especially towards Hubs, Corridors and surrounding Neighbourhoods, to support an evolution towards 15-minute neighbourhoods.

Section 3 of the OP outlines Growth Management Frame. The following excerpts from Section 3. are in support of this proposal:

*It identifies that '... most growth will occur within the urban area of the city, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon...'*

*Policy Intent:*

- *To provide an appropriate range and mix of housing that considers the geographic distribution of new dwelling types and/or sizes to 2046;*



- *To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;*

### 3.2 *Support Intensification*

*This Plan allocates 47 per cent of city-wide dwelling growth to the built-up portion of the urban area and 46 per cent of city-wide dwelling growth to the greenfield portion of the urban area. Growth within the built-up portion of the urban area represents 51 per cent of urban area growth from 2018 to 2046. Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors.*

Section 4. City-Wide Policies of the OP provide supportive policies on the residential intensification and diversification as follows:

### 4.2 *Housing*

*... As the city grows and changes with a larger population, more different types of housing will be needed. This includes housing units of different sizes and forms, some of which might not be common in Ottawa today...*

*... The Official Plan strives to facilitate a diversity of housing options for both private ownership and rental...*

#### 4.2.1. *Enable greater flexibility and adequate supply and diversity of housing options throughout the city*

- 1) *A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law by:*
  - b) *Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;*
  - c) *Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;*
- 2) *The city shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:*





- a) *Allowing housing forms which denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;*
- b) *Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law; and*
- c) *In appropriate locations allowing missing middle housing forms while prohibiting lower-density typologies near rapid-transit stations within the zoning By-law.*

Definition

*Missing Middle Housing:*

*In Ottawa's context and for the purposes of this Plan, missing middle housing generally refers to low-rise, multiple unit residential development of between three and sixteen units, or more in the case of unusually large lots and for the lower-density types is typically ground oriented.*

4.2.4.1) *The City recognizes that many individuals may not constitute nor form part of a household and any may rely on long-term housing other than the traditional dwelling unit. The city shall enable the provision of housing options for such individuals through the implementing Zoning By-law, as follows:*

- a) *Permitting, in any zone where residential uses are permitted, alternative, cooperative or shared accommodation housing forms serving individuals for whom an entire dwelling unit is unnecessary, unaffordable or inappropriate including:*
  - i) *Rooming houses;*
  - ii) *Retirement homes;*
  - iii) *Residential care facilities;*
  - iv) *Purpose-built student housing;*
  - v) *Group homes; and*
  - vi) *Other long-term housing forms that serve the needs of individuals not forming part of a household*

The subject land is located within Inner Urban Transect in Schedule A (figure 2) and an Evolving Neighbourhood Overlay in Schedule B2 (figure 3). The following excerpts from Section 5 Transects of the OP further support the proposed Minor Variances and low-rise apartment dwelling in the Inner Urban Transect and Evolving Neighbourhood Overlay:

5.2 *Inner Urban Transect*



- 5.2.1.3) *The inner Urban Transect is generally planning for mid-to-high density development, subject to:*
- a) *Proximity and access to frequent street transit or rapid transit;*
- 5.2.1.4) *The inner Urban Transect shall continue to develop as a mixed-use environment, where:*
- a) *Hubs and a network of Mainstreets and Minor Corridors provide residents with a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods;*
  - e) *Increases in existing residential densities are supported to sustain the full range of services noted in Policy a).*
- 5.2.2) *Prioritize walking, cycling and transit within, and to and from, the Inner Urban Transect.*
- 5.2.4) *Provide direction to the Neighbourhoods located within the Inner Urban Transect*
- 1).a) *Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;*
  - c) *Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;*
  - e) *In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.*

## 5.6 Overlays

*The Evolving overlay is applied to areas 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.*

- 5.6.1.1 *Provide built form direction for the urban area where intensification is anticipated to occur*
- 1) *The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use,*



*density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:*

- b) Allowance for new building forms and typologies, such as missing middle housing;*

### **3.3 City of Ottawa Zoning By-law (2008-250) Consolidation**

The subject land is zoned R4UA-c (Residential Fourth Density Zone, Subzone UA, Commercial Suffix). The purpose of the Residential Fourth Density 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 4 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.

Under R4UA, low-rise apartment dwelling is permitted. Table 1 provides a Zoning By-law analysis for the proposed development in compliance with applicable By-law Provisions.



**Table 1 – Zoning Compliance for Low-rise Apartment under R4UA**

| Zoning Provision                           | R4UA Subzone Requirement for Low-rise Apartment | Provided             |  | Compliance     |
|--------------------------------------------|-------------------------------------------------|----------------------|--|----------------|
| Minimum Lot Width                          | 12 m                                            | 10.06 m              |  | Minor Variance |
| Minimum Lot Area                           | 360 m <sup>2</sup>                              | 276.5 m <sup>2</sup> |  | Minor Variance |
| Maximum Building Height                    | 11 m                                            | 9.57 m               |  | Yes            |
| Minimum Front Yard Setback                 | 3.79 m                                          | 3.8 m                |  | Yes            |
| Minimum Interior Yard Setback              | 1.5 m                                           | 1.5m                 |  | Yes            |
| Minimum Rear Yard Setback                  | 8.25 m                                          | 8.25 m               |  | Yes            |
| Minimum Soft Landscaped Area at Front Yard | 35 %                                            | 75.8 %               |  | Yes            |
| Minimum Soft Landscaped Area at Rear Yard  | 15 %                                            | 55 %                 |  | Yes            |
| Minimum Parking Space                      | Not Permitted                                   | Not Provided         |  | Yes            |
| Waste Management                           | Not Req'd                                       | Provided             |  | Yes            |
| Minimum Bicycle Parking Spaces             | 4                                               | 4                    |  | Yes            |

**4.0 SUMMARY OF OPINION**

**4.1 Minor Variance Application**

It is the professional opinion of BPEI that the proposed low-rise apartment dwelling development at 112 Marier Ave. represents good land use planning and is appropriate for the site for the following reasons:

- The proposed development is permitted in the applicable land use designation and conforms to the strategic directions and policies of the Official Plan;
- The proposed development is compatible with adjacent existing development which includes low-rise residential uses; and
- The proposed development complies with the general intent and purpose of the City of Ottawa Zoning By-law (2008-250). Two (2) minor variances are applied to enable the proposed low-rise apartment dwelling development as follows:
  1. To permit a reduced minimum lot width of 10.06 m, whereas the By-law requires minimum 12 m;
  2. To permit a reduced minimum lot area of 276.5 m<sup>2</sup>, whereas the By-law requires minimum 360 m<sup>2</sup>.

The proposed development meets the four (4) tests under Subsection 45(1) of the Ontario Planning Acts as follows:

**1. *The variance is minor***

The use of low-rise apartment dwelling is permitted under the current Zoning Bylaw. With a reduced minimum lot width, the proposed development satisfies the minimum interior side yard setback of 1.5 m at both sides. With a reduced minimum lot area, the proposed low-rise apartment building provides eight (8) residential units including two (2) 2-bedroom units, three (3) 1-bedroom units with one (1) barrier-free and three (3) studios. The requirements of minimum front yard and rear yard setbacks, minimum soft landscape areas at front and rear yards, minimum bicycle parking spaces and maximum building height are all met. Furthermore, waste management is provided at rear yard.

Therefore, the proposed variances are minor.

**2. *The variance is desirable for the appropriated development or use of the property***

The proposed variances enable a residential development of low-rise apartment dwelling which is permitted under the current Zoning By-law. As outlined in Table 1, with the two minor variances, all minimum yard setbacks, minimum soft landscape areas, and minimum bicycle parking spaces are fulfilled. With the reduced minimum lot width and reduced minimum lot area, waste management area, a barrier-free apartment unit and associated ramp are to be provided on site.

Therefore, the proposed variances are desirable for the appropriated development or use of the property.

**3. The general intent and purpose of the zoning By-law is maintained**

The subject land is zoned under R4UA, that “allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;” and “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 type of low-rise apartment dwelling is already in existence in this neighborhood. Abutting to the subject land, there are existing low-rise apartments at left, right and rear. The proposed low-rise apartment dwelling at 112 Marier Ave. well fits in the existing neighborhood and is compatible with the existing land use pattern at the same use and similar formats of building form, scale and materials.

The supply of 2-bedroom, 1-bedroom and studio units including one barrier-free at 112 Marier Ave. provides more residential units and additional choices for different households and rental market.

Therefore, the proposed variances maintain the general intent and purpose of the Zoning By-law.

**4. The general intent and purpose of the official plan is maintained**

The general intent and purpose of the Official Plan on residential development in Inner Urban Transect within an evolving neighbourhood overlay is to promote intensification and diversity of housing supply in existing neighbourhoods to accommodate the needs of different groups including minorities. New dwelling types and unit sizes in variety of ranges are encouraged. The efficient utilization of existing city infrastructure is advocated for new development.

The proposed variances enable the proposed low-rise apartment dwelling, as infill redevelopment within Inner Urban Transect in close proximity to public transits, to utilize existing municipal infrastructure and services, provide more residential units (8), compared to the existing detached dwelling to be demolished, in a variety of different sizes and types including a barrier-free 1-bedroom unit, increase housing supply and blend with the existing neighbourhood of low-rise.

Therefore, the proposed variances maintain the general intent and purpose of the Official Plan.

In conclusion, it is the professional opinion of BPEI that this Minor Variance Application to support the proposed low-rise apartment dwelling development at 112 Marier Avenue represents good planning and are in the public interest.



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Yours truly,

2024-09-14

**Changhong (Chang) Sun**  
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