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**Committee of Adjustment**

City of Ottawa  
101 Centrepointe Drive,  
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**  
Secretary Treasurer  
And Committee Members

**Committee of Adjustment**  
Received | Reçu le

2024-10-09

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Re: **Application for Consents to Sever for lands at 1517 Queensdale Avenue, Ottawa, ON.**  
Lot 260, 261, 262, 263, 264, and 265  
Registered Plan 326  
And Part of The Lane (Closed By Judge's Order GL52533)  
City of Ottawa  
Ward 10, Gloucester-Southgate  
Zoning R1WW, Zoning By-law 2008-250

Dear Mr. Bellemare,

Rocco Petrella has retained Miroca Design Consulting Services to act as agent on his behalf for the preparation of Consents to Sever for his lands known municipally as 1517 Queensdale Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form
2. 1 copy of this cover letter prepared by Miroca Design Consultants Inc.
3. 1 full-sized copy and 1 reduced copy of the Draft Reference Plan, prepared by Farley, Smith & Denis Surveying Ltd., Ontario Land Surveyors
4. 1 full-sized copy and 1 reduced copy of the proposed Site Plan and Elevation Drawings prepared by Bohemio Design Group
5. 1 copy of the Tree Information Report & Tree Replacement Plan prepared by Dendron Forestry Services
6. A cheque payable to the City of Ottawa, and a copy of the Parcel Register showing ownership.

**PURPOSE OF THE APPLICATION**

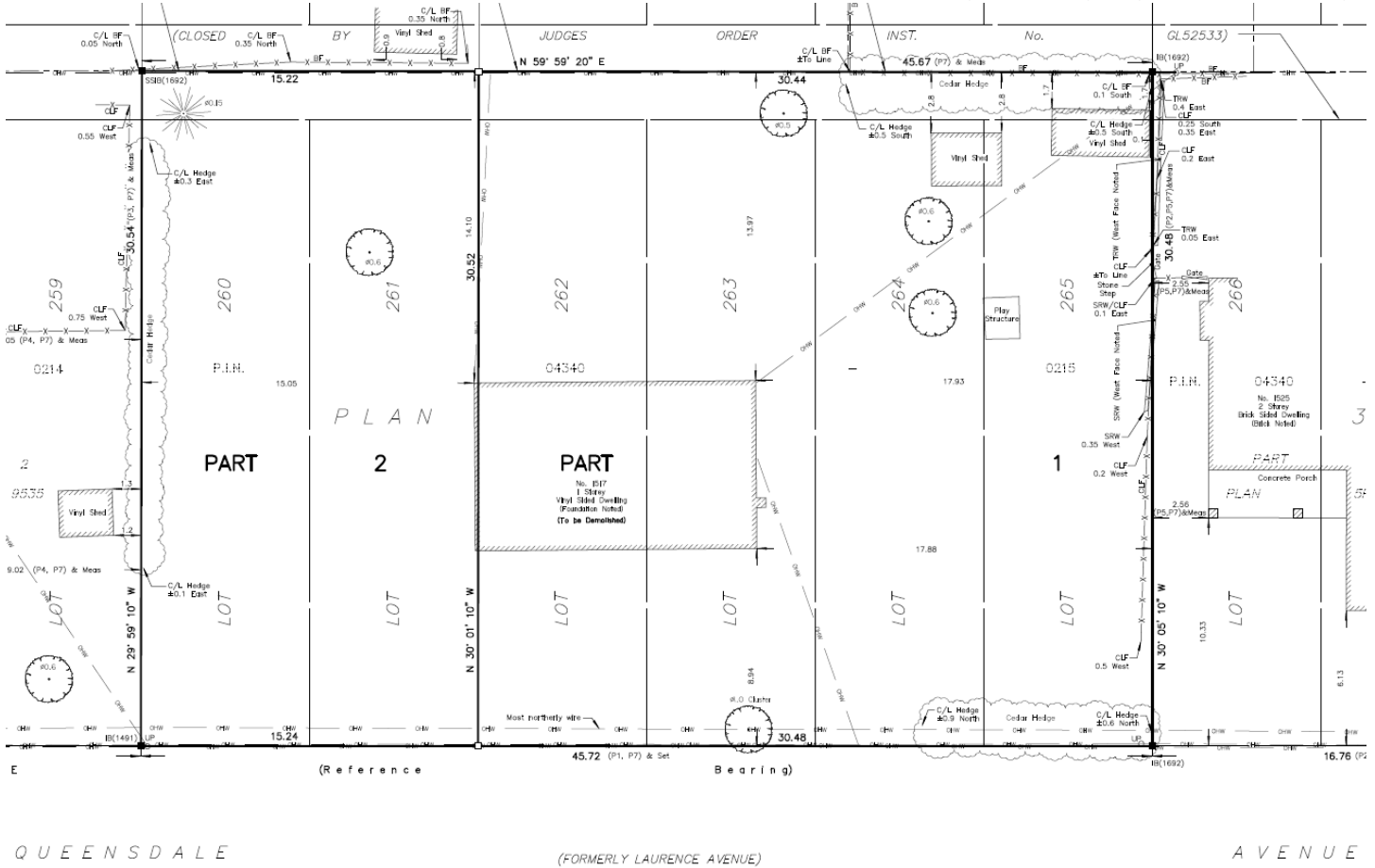
The owner would like to sever their property into 2 separate parcels of land in order to construct a new 1-storey detached home on Part 2, and create a vacant lot for sale on Part 1. The existing dwelling on the property is to be demolished.

# CONSENTS REQUESTED

In order to proceed, the owner requires the Consent of the Committee for Conveyances. The property is shown as Parts 1 and 2, on the Draft Reference Plan filed with the application. The separate parcels will be as follows:

Part No.	Frontage	Depth	Area	Municipal Address
2 <i>Proposed New Vacant Lot</i>	15.24m	30.52m	464.9m <sup>2</sup>	____ Queensdale Avenue
1 <i>Proposed New Dwelling</i>	30.48m	30.48m	929.0m <sup>2</sup>	____ Queensdale Avenue

Figure 1: Draft Reference Plan Excerpt



## ZONING

Zoning Bylaw 2008-250 | R1WW

Section 139 – Low-Rise Residential in All Neighbourhoods Within the Greenbelt

Section 144 – Alternative Yard Setbacks Affecting Low-Rise Residential in the R1 to R4 Zones Within the Greenbelt

See Table on Page 3.

Note: Part 2 will be sold as a vacant lot; therefore no building setbacks are proposed. Part 2 meets the performance standards of the Zoning By-Law in terms of lot width and lot area. Future residential development on this lot shall demonstrate compliance with the performance standards of the applicable Zoning By-law at building permit stage.

Table 1: Zoning Provisions

Zoning Provisions	Required	Provided: Part 2 Vacant Lot for Sale	Provided: Part 1 Proposed New Detached
Min. Lot Width	9m	15.24m	30.48m
Min. Lot Area	450m <sup>2</sup>	464.9m <sup>2</sup>	929.0m <sup>2</sup>
Max. Building Height	8.5m	-	5.4m
Min. Front Yard Setback	5m	-	5.0m
Min. Corner Yard Setback	5m	-	-
Min. Rear Setback	28% of lot depth (8.53m)	-	28% of lot depth (8.53m)
Min Rear Yard Area	25% of lot area	-	27.98% of lot area (259.99m <sup>2</sup> )
Min. Interior Side Yard Setback	1m	-	2.78m
Front Yard Landscaping	40% (Part 1 only)	-	63%
Max. Driveway Width	6m (Part 1 only)	-	5.49m

## EXISTING CONDITIONS AND AREA OVERVIEW

The existing 1-storey detached dwelling on the property is in the process of being demolished, the property owner is presently obtaining demolition clearances, expecting to demolish this fall. The property is accessed from Queensdale Avenue which is a Local Road. Transit service is provided along Queensdale Avenue, and along Albion Road to the West. The area is well served by a range of commercial and community amenities, principally along Hunt Club Road to the North and Bank Street to the East. South Keys Shopping Centre is found to the North, and the Ottawa International Airport is to the South-West.

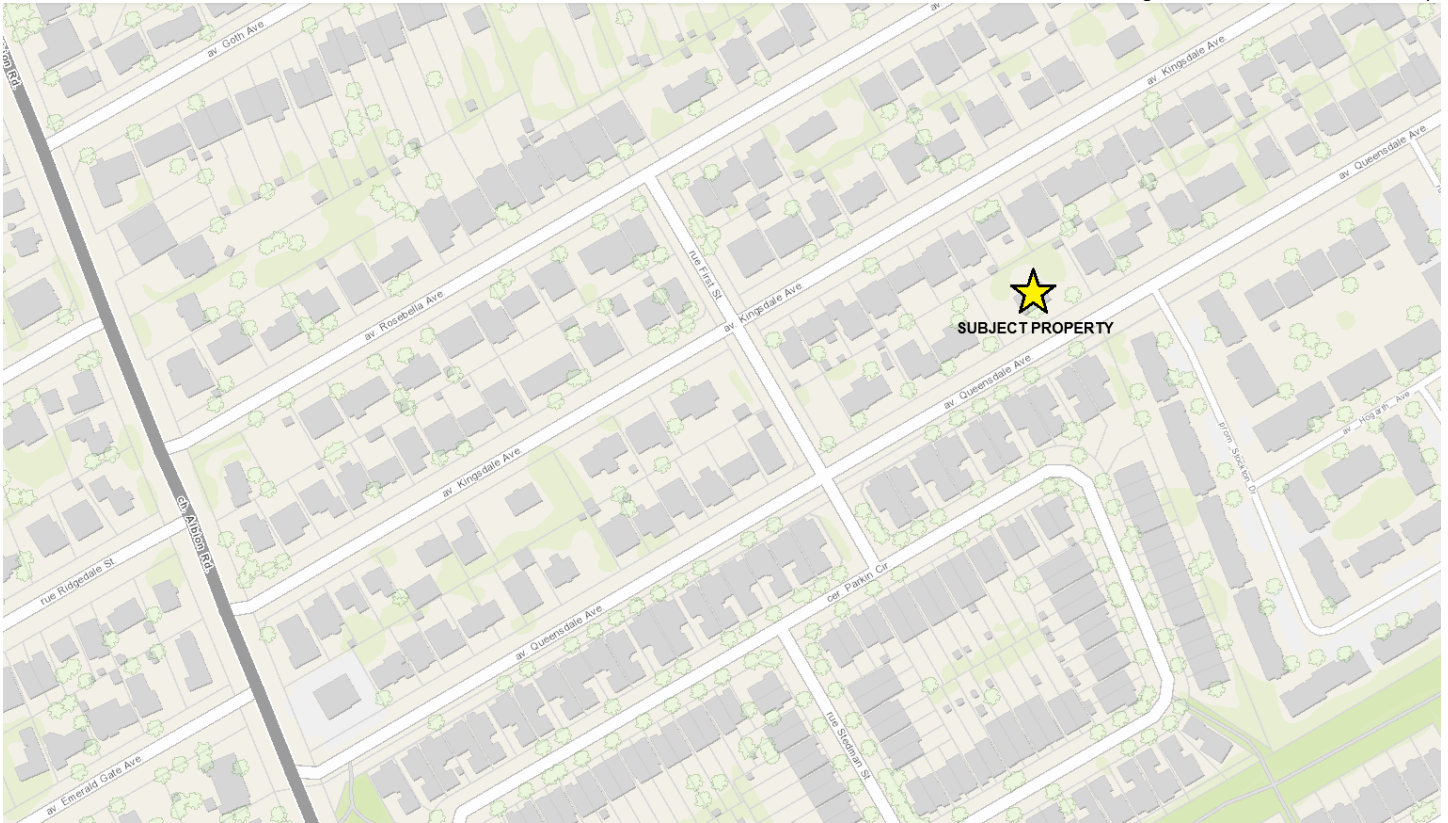
Figure 1: Existing home on Subject Property



## NEIGHBOURHOOD CHARACTER

Hunt Club Upper-Blossom Park-Timbermill is bounded by Hunt Club Road to the north, Lester Road to the south, Conroy Road to the east, and Albion Road to the West. This neighbourhood was originally part of the City of Gloucester until its amalgamation with the City of Ottawa in 2001. Housing along Queensdale Avenue is of mixed character 1 and 2-storey detached homes with a variety of styles and eras ranging from the 1940s/50s to the present day.

Figure 2: Site Location Map



## PLANNING ACT

Subsection 53(1) of the Planning Act states:

*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).*

The proposed severance does not require a Plan of Subdivision, as the proposal is intended to facilitate the creation of two residential lots which will meet the performance standards of the underlying zoning. The proposed severance does not require the construction of new public infrastructure, including roads and services. The subsequent building permit applications will ensure that the proposed construction of the new detached dwellings will conform to the appropriate performance standards, and that appropriate site servicing is in place, ensuring that the parcels are developed in a proper and orderly manner.

Subsection 53(12) of the Planning Act states:

*A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32."*

The proposed severance has adequate regard for the subdivision criteria set out in Section 51(24) of the Planning Act, reviewed as follows.

51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed severance has regard for the relevant matters of provincial interest, including the following:

- *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- *the minimization of waste;*
- *the orderly development of safe and healthy communities;*
- *the adequate provision of a full range of housing, including affordable housing;*
- *the appropriate location of growth and development;*
- *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- *the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*

(b) whether the proposed subdivision is premature or in the public interest;

The subject property is located within the City of Ottawa's urban boundary, and within an established neighbourhood. The proposed severance is not premature and is in the public interest as it creates desirable residential lots to increase the available housing supply, and promotes context-sensitive intensification within an established neighbourhood.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed severance conforms to the relevant policies of the City of Ottawa Official Plan.

The proposed severance supports higher density low-rise development in the Outer Urban Area as outlined in the Growth Management Framework, Subsection 3.2, Table 3b. The proposed severance and future residential site design is in keeping with the criteria laid out in Table 6 for suburban characteristics. The Official Plan promotes diversity in unit sizes, densities and tenure options within neighbourhoods, including diversity in bedroom count availability; and permits a range of housing options across all neighbourhoods to provide the widest possible range of price and occupancy. The proposed severance contributes to this by allocating for family dwellings, with space potential for additional dwelling units.

The proposed severance contributes to a sustainable community by providing residential uses in close proximity to the transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

The proposed severance takes advantage of an underutilized property within an established neighborhood, while also maintaining the single detached residential character that the community is known for. This form of gentle intensification is strongly encouraged in the Official Plan.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The subject site is an underdeveloped lot, strategically situated within an established neighborhood. It is ideally located to utilize existing infrastructure, roads, utilities, and services, thus minimizing the need for new infrastructure and helping to prevent urban sprawl by developing within the established urban area. The site provides the opportunity to increase density on an underdeveloped lot close to employment centers, transportation infrastructure, parks, and amenities.

The proposed severance is a thoughtful design, and facilitates orderly development in a location suitable for residential growth.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No affordable housing units are proposed.

(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;

The proposal does not suggest any new roads and will not affect highways or the transportation system.

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

The proposed severance will create one additional lot on this neighbourhood block. The existing and retained parcels are regular rectangular lots similar in dimensions to the existing lot fabric. The lots meet the requirements of the underlying zoning, and are appropriately sized and functional to accommodate detached dwellings with adequate space for private amenities and soft landscaping.

(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;

With the exception of the provisions of the Zoning Bylaw, there are no other restrictions or proposed restrictions on the existing or proposed lots.

(h) conservation of natural resources and flood control;

The subject property is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

The subject property is located within the urban boundary and has access to existing utilities and municipal services. The proposed development is not anticipated to have an impact on the adequacy of utilities and municipal services. Site-specific servicing details will be provided at time of building permit application.

(j) the adequacy of school sites;

The subject property is located in proximity to Gabrielle-Roy Public Elementary School, Sawmill Creek Elementary School, Blossom Park Public School, St. Bernard School, Sainte-Bernadette Catholic Elementary School, Vimy Ridge Public School, Dunlop Public School, Bayview Public School, Holy Family School, Roberta Bondar Public School, St. Margueritte d'Youville School, Robert Bateman Public School, and many others.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Not applicable.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposed severance, situated on an underdeveloped site within an existing neighborhood, efficiently utilizes the current energy infrastructure, minimizing the need for further extensions that could compromise efficiency.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is not subject to site plan control.

In our opinion, the proposed severance meets the criteria set out in Section 51(24) of the Planning Act, a plan of subdivision is not required, and the proposed severance at 1517 Queensdale Avenue represents good land use planning.

## PROVINCIAL POLICY STATEMENT

Section 3(5) of the Planning Act states:

*A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,*

- a) *shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision;*

A decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

Policy 1.1.1 states:

*Healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity; and*
- i) *preparing for the regional and local impacts of a changing climate."*

The proposed severance promotes efficient development and land use by focusing growth in the urban area rather than developing lands at the periphery of the City. The proposal takes full advantage of existing services and infrastructure in the urban area, with thoughtful infill development of under-utilized land, which is sensitive to the existing neighbourhood character.

The proposed severance will not cause environmental or health and safety concerns. The subject property is within the urban area, and therefore the proposed lots will have adequate access to the necessary infrastructure and public service facilities, while reducing pressure to expand the urban boundary.

Policy 1.1.3.1 states:

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

The proposal is in line with this policy as the proposed development is located within the City of Ottawa's urban area. Queensdale Avenue is considered part of the "Settlement Areas" as defined in Section 1.1.3 of the PPS.

Policy 1.1.3.2 states:

*Land use patterns within settlement areas shall be based on densities 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;*
- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation;*
- f) *are transit-supportive, where transit is planned, exists or may be developed; and*
- g) *are freight-supportive*
- h) *Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

The proposed severance is an appropriate and efficient use of the land as it takes full advantage of established transit service, water and sewer services and the network of roads and designated cycling routes. It contributes to a sustainable community by providing residential uses in close proximity to the rapid transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

Policy 1.1.3.6 states:

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

The proposed severance supports this policy.

**In our opinion, the proposed severances are consistent with the Provincial Policy Statement, and the proposed severance at 1517 Queensdale Avenue constitutes good land use planning.**



## TREES

Existing trees on site were assessed by Dendron Forestry during the preliminary design stage for this file. There are 5 trees on the property which meet the City of Ottawa Tree Protection By-law guidelines for assessment. Please refer to enclosed Tree Information Report and Tree Replacement Report for details.

Table 2: Excerpt from Tree Information Report from Dendron Forestry

Tree <sup>1</sup>	Species	DBH (cm)	Ownership <sup>2</sup>	Tree Condition	Approximate distance to excavation (m)	Action	Forester recommendation
1	Honey Locust ( <i>Gleditsia triacanthos</i> )	60 (estimate)	Adjacent – 1507 Queensdale	Good: approx. 1/3 canopy missing – pruning around wires	22	Retain	Retain during severance. No mitigations required during construction.
2	Red maple ( <i>Acer rubrum</i> )	58	Subject property	Fair: pruning wounds with decay; stem girdling root possible	7	Retain	Retain during severance. No mitigations required during construction.
3	Red maple ( <i>Acer rubrum</i> )	60	Subject property	Fair/Good: small cavity; crossing branches; asymmetrical crown	0	Remove	Remove – within excavation footprint. <b>Tree permit required for removal.</b>
4	Red maple ( <i>Acer rubrum</i> )	62	Subject property	Good	< 1	Remove	Remove due to proximity of excavation. <b>Tree permit required for removal.</b>
5	Red maple ( <i>Acer rubrum</i> )	51	Subject property	Poor: large wounds on trunk; cavities with decay	5	Remove	Remove due to health status. <b>Tree permit required for removal.</b>

It is proposed to plant 4 new deciduous trees on the property at completion of the project, 1 small tree in the front yard, and 3 large trees in the rear yard.

## CONCLUSION

With respect to the Consents, is it our opinion that the proposed severance does not require a plan of subdivision and meets the criteria of Subsection 51(24) of the Planning Act, as it is not premature and is a suitable and efficient use of the land with minimal impact on the public interest. The proposed severance also meets the intentions of the relevant policies and provisions of the Official Plan, and the Zoning By-law. The proposed severance is consistent with the Provincial Policy Statement by creating an additional lot for future development within the urban area.

As the requirements of Subsections 53(1) and 51(24) of the Planning Act are met and the proposal is consistent with the Provincial Policy Statement, we believe that the Consents sought represent good land use planning and are appropriate for the subject property.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,

Michael Segreto  
Miroca Design Consulting Services Inc.