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Variance Rational
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Committee of Adjustment

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1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for consent to sever one lot to create 2 lots for a long semidetached dwelling with 2 easements by demolishing one detached dwelling unit. In addition a lot area variance required to permit a long semidetached. The property is located at on Lowrey between Merton and Garland in Mechanicsville. The consent to sever and proposed easements will permit a fully zoning bylaw compliant long semidetached dwelling other than lot area, each with a primary and addition unit to be individually sold.

2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a two-storey dwelling constructed in the 50's and earlier. The property is in the City of Ottawa. It has a street frontage width of 10.06m (north/south) and a depth of 30.18m (north/south). It has a lot area of 296.8 m². The zoning is R4UB.

It is located in the Schedule B2 Inner Urban Transect on Lowrey that is classified as a local road. The site is in a designated evolving neighbourhood.



Surrounding Land Uses:

The property is bounded by detached dwellings on the South, North, East and West.

Subject Site



1) Subject Property



2) The Streetscape looking to the West

3) The Streetscape looking to the East



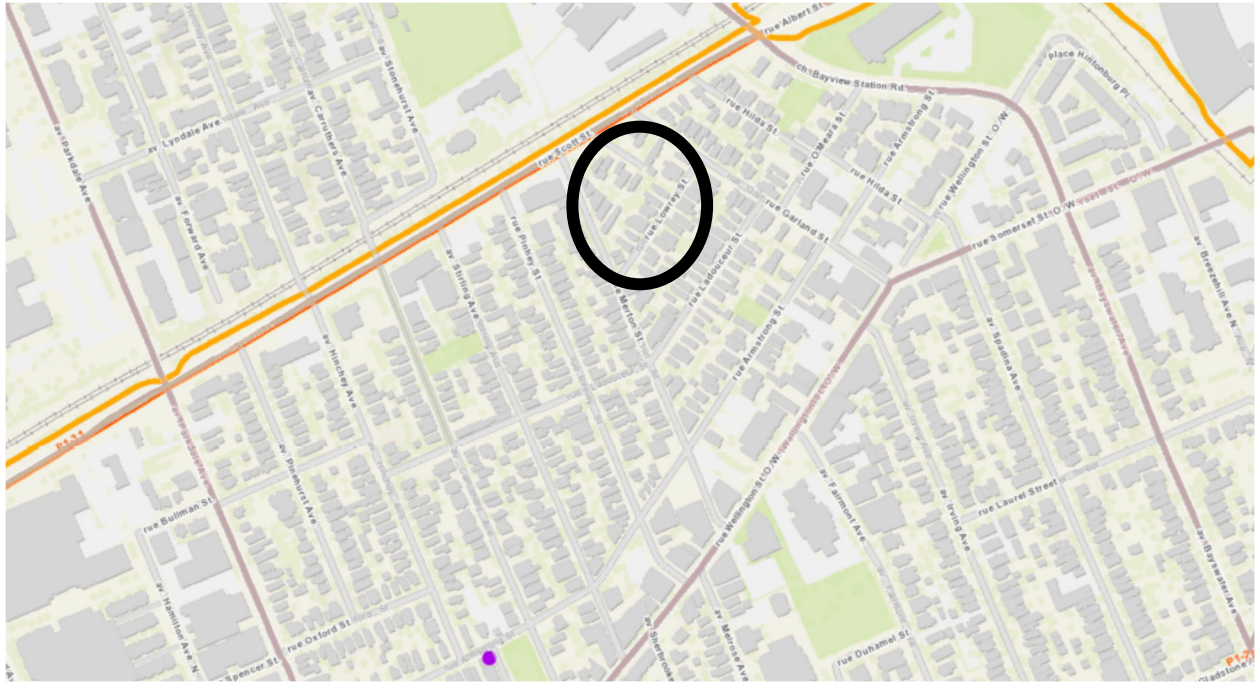
Road Network:

Lowrey is a local two way road leading to between Merton Street and Garland Street all local roads.

Bicycle Network:

The new active transportation mapping identifies Scott Street as an important connection to active transportation networks in the City.

New Active Transportation Plan



Transit Services:

The site is within walking distance (600m) of Bayview Transit Station

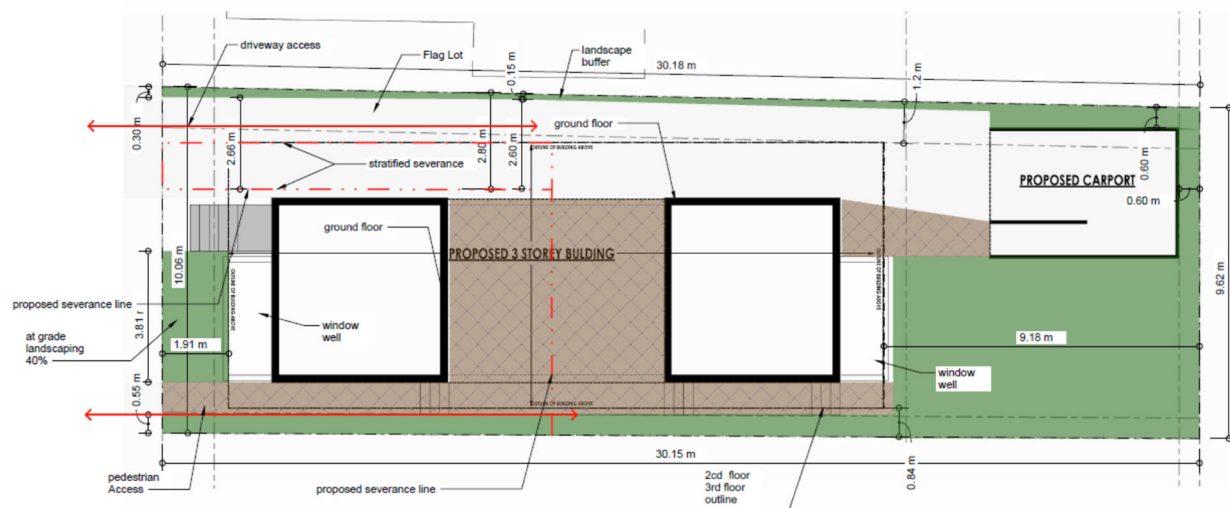


Community Services:

The site is located within easy walking distance to numerous schools, many restaurants, shops, parks and is in a quintessentially 15 min walking neighbourhood.

3.0 DEVELOPMENT PROPOSAL CONSENT and EASEMENTS

The proposed building is a long semidetached dwelling unit, each semidetached dwelling will have a primary and additional unit. The proposed consent is stratified as discussed with City of Ottawa in April 2024.



On the 1st of April 2024 we inquired whether a stratified severance would comply with the requirements of the zoning bylaw and variances would not be required.

“Hi, My client intends to make application to build and sever the proposed the long semi-detached in the attached files. Our understanding is that no variances are required. The proposal includes a stratified severance to permit access to the rear garage. Does the City of Ottawa have any concerns with the proposed severance? Thx”

After some clarification we received the following:

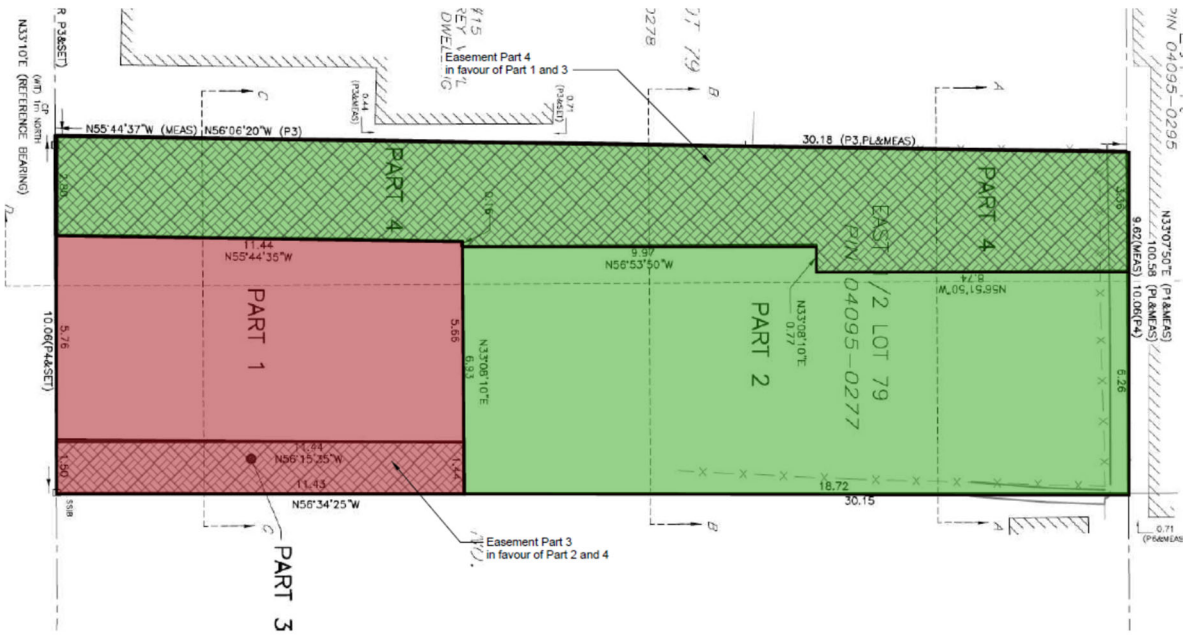
2024 04 11 Email, above stratified severance plan proposed

*“Hi Christoph,
Thanks for clarifying.*

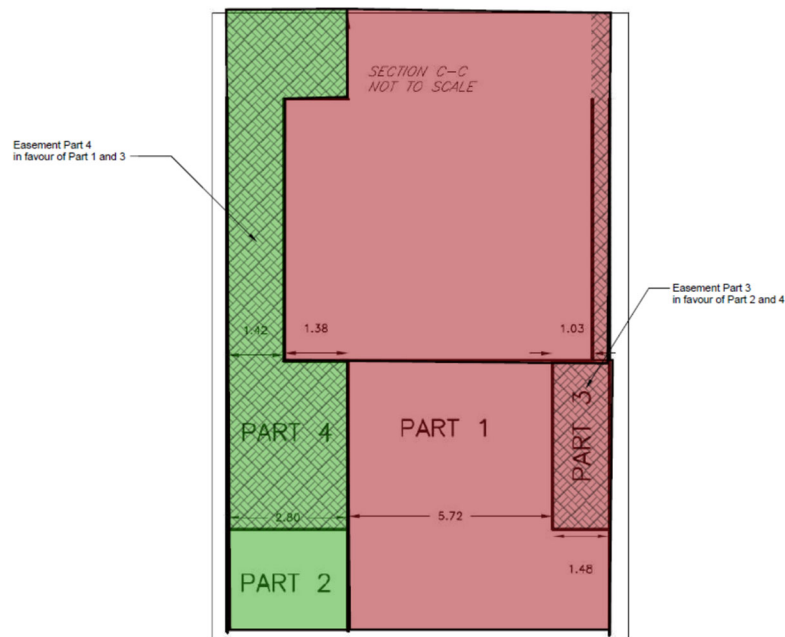
I think the strata severance and regular severance make sense. When you get the draft R Plans I can also take a look at those.

*Kind regards,
Margot”*

The current submitted draft RPlan follow the concept proposed to staff. Parts 1 and 3 are severed from 3 Parts 2 and 4. Parts 2 and 4 are severed from parts 1 and 3. The proposed severance is consistent with orderly development as it will permit the severance of one lot into 2 lots for residential purposes.

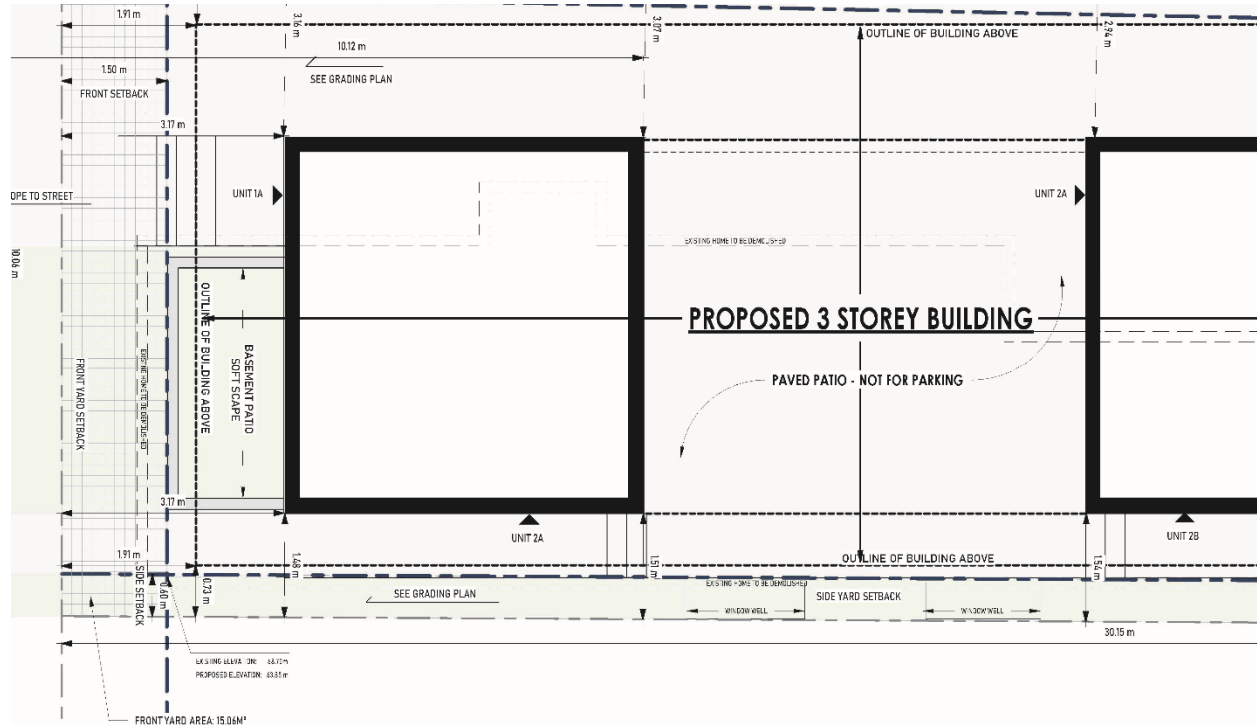


The stratification of the severance permits the 2^{cd} and 3rd floors of the front semidetached dwelling to extend out over the required key lot for the rear semidetached dwelling.



Two easements are proposed:

- 1) Easement Part 4 is for the purpose of access to the rear in favor of Parts 1 and 3
- 2) Easement Part 3 is for the purpose of access to the additional unit in the rear semidetached



Both the consent to sever and easement constitute orderly development of the property as the long semidetached dwelling is

- a) Fully compliant with all aspects of the Zoning Bylaw and is currently being considered for a building permit.
- b) Creates interesting architecture fully utilizing the site in an innovative way
- c) Provides access for vehicles and persons in an orderly fashion

The requested variance is minor as the required lot area is 300 sqm for a long semidetached and the proposed lot area is 296.8 m², only 3.2 sqm less than required, approximately 1%. All other aspects of the zoning bylaw are complied with

4.0 POLICY AND REGULATORY FRAMEWORK:

Provincial Policy Statement (2020)

The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In respect of the exercise of any authority that affects a planning matter,

section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Under the PPS, settlement areas are intended to be the primary focus of growth in the province.

Policy 1.1.1. 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 subject lands are situated within the urban boundary of the City of Ottawa and constitute a settlement area. Accordingly, the lands are a logical and preferred location for new development. Within settlement areas, the PPS encourages land use patterns that make efficient use of land, effective use of infrastructure and public services, support active modes of transportation and are transit-supportive (Policy 1.1.1).

City of Ottawa Official Plan

The Ottawa Official Plan has been reviewed. The site is designated General Urban Area on Schedule B of the City of Ottawa Official Plan. Lands within this designation are meant to provide a full range and choice of housing options in combination with conveniently located employment, retail, service, entertainment and institutional uses. The project site does not fall within any of Schedule C7-A - Design

Priority Areas – Urban. It is classified as “Evolving Neighbourhood” under Schedule B1 - Downtown Core Transe

The Proposal supports 15 min neighbourhood through the following:

- a) one car parking space have been retained so there will be little traffic impact.
- b) Amenity space is provided in the rear yard and roof top.
- c) Lighting will be for safety purposes and will respect the dark skies initiative.
- d) The building will not generate additional noise.
- e) The building height complies with the zoning bylaw
- f) The additional people living in the neighbourhood will increase the number of commercial services that might chose to locate in the area as well as better utilize transit services.

OP Section 3. Growth Management Framework

OP 3.2 Support Intensification

Table 3b

“Housing density

Inner Urban Transect, 60 to 80,”

This project helps move the inner urban transact closer to 60 to 80 units per hectare with a net density of 190 units per hectare.

OP Section 4. City-Wide Policies

OP 4.2 Housing

“4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city

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-minuteneighbourhoods by:

- a) Allowing housing forms which are 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;”.

OP Section 5. Transects

OP 5.1.5 Provide direction to the Neighbourhoods located within the Inner City Transect

“5.2.4 Provide direction to the Neighbourhoods located within the Inner Urban Transect

1) Neighbourhoods located in the Downtown Core shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the following:

- 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;
- d) Building on Table 6, provides an emphasis on regulating the maximum built form envelope that frames the public right of way; and
- e) In appropriate locations, to support the production of missing middle housing, prohibit lower-density typologies.

OP 5.6 Overlays

5.6.1.1 Provide built form direction for the urban area where intensification is anticipated to occur

2) Where an Evolving overlay is applied:

- a) The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies;

While low rise apartment buildings are not characteristic to this neighbourhood, as an “Evolving Neighbourhood” the OP encourages their development.

OP Section 6. Urban Designations:

The site is designated a Neighbourhood under 6.3 of the OP

“6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan.

2) Permitted building heights in Neighbourhoods shall be Low-rise...”

And

“4) 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);”

The proposed building responds to these requirements by proposing a three storey long semidetached residential dwelling.

Urban Design Guidelines for Low-rise Residential Buildings

The proposal maintains the current lot pattern and keeps the exiting building fronting on the street, some characteristics of the buildings in the neighbourhood with a modern architectural style.

City of Ottawa Comprehensive Zoning By-law 2008-250:

Purpose of the Zone

The property is currently R4UB:

Purpose of the Zone

The purpose of the R4 - 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 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.

5.0 CONCLUSION:

The proposed development has been designed to meet the current planning framework. It is consistent with the Provincial Policy Statement and conforms to the City of Ottawa Official Plan.

The proposed severance and easements should be considered orderly development:

- a) They conform with the official plan and are compatible with adjacent uses of land;
- b) The proposal conforms to the zoning bylaws;
- c) The land is suitable for the proposed purpose, including the size and shape of the lot(s) being created
- d) There is adequate water supply and sewage disposal;

The Variance should be considered minor

1. They are minor and desirable.
 - a. They reflect the current lot pattern of the neighbourhood
2. The general intent and purpose of the Zoning By-law is maintained
 - a. the intent of the bylaw is to permit the long semidetached dwellings.
 - b. The intent of the bylaw that the new infill properties respect the existing character of the neighbourhood.
3. The general intent and purpose of the Official Plan is maintained;
 - a. The official plan supports this kind of gentle intensification of land uses compatible with the current urban fabric.
4. The Ontario Planning Act supports intensification in residential urban areas