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January 8, 2025

Committee of Adjustment  
City of Ottawa  
101 Centerpointe Dr.  
Ottawa, Ontario  
K2G 5K7

**Committee of Adjustment**  
Received | Reçu le  
**Revised | Modifié le : 2025-01-22**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**Attn. Committee of Adjustment**

**Re: Proposed Minor Variances at 124, 122, & 120 Queen Mary  
(Formerly 120 Queen Mary Street.)**

Dear Committee of Adjustment,

On behalf of 1001091948 Ontario Inc., we are proposing to demolish and existing detached dwelling at 120 Queen Mary Street. The attached Plans and Elevations illustrate the proposed works. To construct the proposed works, one primary minor variance and two secondary minor variance applications for three townhomes to By-Law 2008-250 and Consent to sever the lots into three separate lots.

**Location:**





The subject property is located in the community of Overbrook and is situated between King George Street to the north, Prince Albert Street to the south, Vera Street to the west, and Quill street to the East.

### Zoning Context: R3M

The subject property is zoned R3M. As shown on the Zoning Context Map Below (1.0), the site location proper is in an R3M pocket sub-zone with an abutting variety of zones to the South, an R4UC pocket zone to the East, R4UC Zone to the North, and O1 Zone to the West.



Image 1.0 (see purple square)





### **Neighbourhood Context:**

This neighbourhood is a well established/mature residential area comprised of a mixture of detached dwellings, semi-detached dwellings, townhomes, and low rise apartment buildings. The neighbourhood residential lots support a range of dwelling heights, varying from 1 to 3 storey modest wartime dwellings and generous contemporary infill homes. Streets are generally of an average width, intimately scaled and lined with concrete sidewalks and trees.

As can be seen on the Location Map 2.0 below, the existing lot width and lot area is larger in size than nearly all lots in the vicinity. The proposed lot width and lot size when severed into 3 are more aligned with the lot sizes in the neighbourhood including the neighbours directly adjacent. The result, as observed from the street, is a varied rhythm of buildings. Permitted projections into the front yards vary significantly in type, extent and design expression. Overall, housing form, age and expression vary significantly, resulting in a rich and diverse residential character for the neighbourhood.





Image 2.0 (see red X)





### **Site Context:**

The streetscape slopes from East to West. The abutting lots are an existing 2 ½ storey detached house at 116 Queen Mary to the West, a 2 storey detached dwelling currently under construction at 126 Queen Mary, 123 Queen Mary across the street is a 3.5 storey low rise apartment building, and to the south is an untravelled pathway separating a detached bungalow at 121 Prince Albert.

### **Site:**

The site property is approximately 19.05m' x 25.86m' (see site survey). There are four existing trees as per TIR (Tree information Report) attached. The building and servicing have been designed such that new construction will be setback significantly from the tree to be retained and all necessary measures will be taken to protect the tree from damage during construction.

### **The Proposal:**

The proposal is to demolition the existing 1 ½ storey detached dwelling and construct three new townhome dwellings.

The perspective views and streetscapes on A11 demonstrate how the proposed dwelling is consistent in scale, although taller than some of the neighboring predominantly 1 ½ & 2 storey homes, it is shorter than the 3.5 storey elevation across the street.





## **MINOR VARIANCES:**

Minor variances to By-Law 2008-250 are as follows

### **1. Lot Width Reduction for Middle Unit (from 6m to 5.51m)**

1. The proposed development has a total lot width of approximately 19.05m, which could accommodate three townhome units, each with a width of 6.35m ( $19.05\text{m} \div 3$ ), without requiring any minor variances. However, the two end units require a 1.2m interior side yard setback, which reduces the building footprint of these units to 5.15m, limiting the number of above-grade bedrooms. With the as-of-right lot width, the end units would only accommodate 2 bedrooms above grade instead of 3, making them less desirable from an official plan perspective and desirable for the use of the property perspective.
2. To ensure that two small bedrooms fit at the front of each townhome (with a master bedroom in the back), the minimum lot width must be at least 5.48m, which provides 8-foot wide bedrooms—already quite small for 2 of the 3 bedrooms but is a minimum appropriate size and manageable. The current plan features 5.48m wide footprints for each townhome, plus two interior side yard setbacks.
3. From a visual design perspective, designing a townhome with a 6m footprint for the middle unit and 5.15m footprints for the end units would result in an unbalanced streetscape. Our proposal ensures uniformity by keeping the footprint dimensions the same for all three row units, which creates a more cohesive and harmonious streetscape.
4. The City of Ottawa's Official Plan encourages maximizing the number of bedrooms to accommodate more residents in each





dwelling. By requesting this minor variance for the middle unit's lot width to match the end units, we are directly supporting the Official Plan's goal of providing sufficient housing for the city.

## 2. **Driveway for Middle Unit (2.6m)**

1. According to our interpretation of the existing zoning by-law, a driveway is not permitted on a lot narrower than 6m. We are requesting a minor variance to allow the middle unit, with a 5.51m lot width, to have the same 2.6m driveway as the two end units.
2. The lot width adjustment for the middle unit makes the driveway non-compliant under the current zoning. Without this minor variance, it would be unfeasible to build a townhome without parking, which is not marketable or appropriate in this area. Providing parking aligns with the Official Plan's emphasis on sufficiently accommodating adequate housing density.
3. This adjustment supports the project's form and function, ensuring that the townhomes meet the needs of residents while remaining compliant with overall zoning goals.

## 3. **Rear Yard Setback Reduction (from 7.24m to 5.5m)**

1. If the entire depth of the untraveled laneway behind the property is considered as part of the usable rear yard, the setback to the neighboring property (120 Queen Mary) would be 8.55m, eliminating the need for a minor variance. The laneway is currently unused, and there is substantial separation between the townhomes and the neighboring properties, offering natural distance and privacy.
2. Without the minor variance for the rear yard setback, the size of each townhome would be too small to accommodate the intended living space, particularly the 3 bedrooms above grade.





The current 85-foot lot depth would not be sufficient to meet these requirements, making the rear yard setback variance essential for the development.

3. As seen in image 2.0 above, several new and old neighbouring lots exhibit much shorter rear yard setbacks than what we are proposing.

**4. Reduction in Rear Yard Coverage (from 25% to 21.3%)**

1. By considering the untraveled laneway behind the property, the rear yard area would account for 33% of the lot area, or 27% if only half of the laneway is considered. Both of these figures do not require a minor variance and suggest that the current proposal is well within acceptable limits for rear yard coverage.
2. Nevertheless, As seen in image 2.0 above, Several new and old neighbouring lots exhibit much smaller rear lot area % of lot.

**5. Lot Area Reduction for End Units (from 180m<sup>2</sup> to 175m<sup>2</sup> and 142.5m<sup>2</sup> for Middle Unit)**

1. The difference in lot size for the end units (a 2.8% reduction) is a negligible perceptible difference from the street. While the middle unit has more lot area variance, this adjustment is necessary. Increasing the lot size for the middle unit would negatively affect the end units by reducing the number of bedrooms possible.
2. If the untraveled laneway is included in the calculation, the middle unit's lot area would be near compliance, and the two end units would be fully compliant. Nevertheless, this minor variance is minor in nature and desirable for the overall project. It aligns with the intent of the zoning by-law and the broader goals of the Official Plan.







In summary, the requested variances are minor, appropriate, and necessary to ensure the proposed development aligns with the City's Official Plan and zoning objectives while providing a well-functioning, desirable housing solution.

**IMPACT:**

First and foremost, the principal building and accessory structure will be demolished. There will be a creation of an easement over par 4t in favour of Part 2 for pedestrian access to the backyard of part 2.

The requested minor variances for the construction of the three townhome dwellings are technical and minimal in nature. We believe the proposed development will not have a significant impact on neighboring properties beyond what is already anticipated under the By-Law. The majority of these variances apply to the middle unit, which will have the least effect on the existing neighbors, as the two end units will provide a buffer between the middle unit and adjacent properties. These variances are logical and reasonable given the design and layout of the three townhouse units. It is appropriate to treat the middle unit differently from the end units due to its function and the absence of interior side yards upon completion. Overall, the general intent of the zoning by-law is upheld, and the proposal aligns with the Official Plan's goal of ensuring an adequate and diverse housing supply for the City of Ottawa.

**PROCESS:**





We have contacted and or met with the following stakeholders and association prior to making our application. In all cases, the proponents have 'no significant concern' or actively support the application (those contacted are:

- Municipal Planner: Penelope Horn November and December, 2024 with multiple email correspondences and a phone call.
- Committee of adjustments email inquiries November / December 2024 multiple emails and phone calls.
- Abutting neighbor owner: (Meetings by owner – various dates),
- Zachary Corr at Hydro Ottawa Email correspondences
- Councillor Rawlson King Email

### **SUBDIVISION CRITERIA – Section 51(24) of the Planning Act**

#### **1. Compliance with the Official Plan and Zoning By-law:**

- a. The proposed development aligns with the intent of the Official Plan and existing zoning, with minor adjustments that support compatible infill in a maturing neighborhood.

#### **2. Suitability of Land for Subdivision:**

- a. The site is well-suited for a small-scale development, with existing infrastructure and amenities, and minimal environmental constraints.

#### **3. Adequacy of Water and Sewer Services:**

- a. The land is already serviced by municipal water and sewer systems, which can accommodate the additional demand of three townhomes without significant impact.





**4. Traffic and Transportation Considerations:**

- a. The subdivision will not create excessive traffic, as the area is already well-connected to public transit and major roads, and the addition of three units will have a minimal impact on traffic flow.

**5. Protection of Natural Heritage and Resources:**

- a. The site does not contain significant natural features, and the development will respect the surrounding green spaces, ensuring no detrimental environmental impact.

**6. Availability of Parks and Open Spaces:**

- a. The development is in proximity to public parks and open spaces, ensuring residents have access to recreational areas within walking distance.

**7. Impact on Community Services:**

- a. The area already supports the necessary community services (e.g., schools, transit), and the addition of three homes will not create an undue strain on these services.

**8. Public Health and Safety:**

- a. The development will meet all health and safety standards, including adequate setbacks, flood prevention measures, and safe access to emergency services.

**9. Mitigation of Adverse Effects:**

- a. Thoughtful site design, including appropriate landscaping and building placement, ensures minimal disruption to neighbors' privacy, sunlight, and overall quality of life.

**10. Environmental Impact:**

- a. The development will utilize sustainable building practices and minimize impervious surfaces, ensuring low environmental impact while integrating into the existing urban fabric.





**11. Conformity with Provincial Plans:**

- a. The project aligns with provincial policies promoting urban intensification and the efficient use of land within an established community.

**12. Development of a Transportation or Transit Plan:**

- a. The site is located near public transit routes, and the small scale of the development ensures that it will not negatively impact local transportation systems, encouraging walkability.

**THE FOUR TESTS:**

1. That the intent of the New Official Plan regarding the benefits and manner of intensification has been achieved with the proposed intensified use of an existing underutilized lot.
2. That the intent of the Bylaw has been met through the construction of a townhome dwelling in the R3 zone, whose purpose is to *"allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)"* furthermore that the development enhances the residential character of the neighbourhood.
3. That the Variances requested are minor and are consistent with lots in the surrounding neighbourhood as evidenced. They are also well within the purview of the Committee of Adjustment to approve.
4. That the proposal is desirable: Firstly, the proposal seeks to more fully utilize/intensify the property; intimately scaled to the neighbourhood in terms of size, expression, materials and quality. Secondly, the impact of the variance is minor, and the Dwelling has





been designed to mitigate impact on the abutting neighbours, streetscape and pedestrian realm.

The four tests for minor variance have been addressed, and that due process has been carried out in good faith.

If you have any questions, require clarification or any additional information please do not hesitate to call.

Sincerely,

Christian Campanale

