



Committee of Adjustment
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Ottawa, Ontario
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Committee of Adjustment
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Revised | Modifié le : 2024-12-17
City of Ottawa | Ville d'Ottawa
Comité de dérogation

December 16, 2024

Dear Committee Members,

**RE: Application for Consent and Minor Variance - 251 Columbus Avenue
LT 163, PL 441 ; PT LT 164, PL 441 , AS IN N706215 ; OTTAWA/GLOUCESTER
City of Ottawa
Owner: TRU-VEST MANAGEMENT LTD.**

HP Urban Inc and The Stirling Group have been retained by the Property Owner to assist with a Consent and Minor Variance application for the property located at 251 Columbus Avenue, described as LT 163, PL 441 ; PT LT 164, PL 441 , AS IN N706215 ; OTTAWA/GLOUCESTER. The property is rectangular in shape and resides within the Rideau – Rockcliffe Neighbourhood, Ward 13. The property owner is proposing to sever the property and build two low-rise rental apartment buildings with 8 units in each building.

The subject property is located within the Inner Urban Transect and is identified as Neighbourhood on Schedule B2 of the Official Plan. The subject property is zoned Residential Fourth Density, subzone UC (R4UC) in the City of Ottawa Zoning By-Law.

To proceed with the development as proposed, a Consent application is required to sever the property into two. Minor Variance applications are required on each of the proposed new lots to amend parking provisions and the Rear Yard Setback provision.

Proposed Variances

- Section 144 Subsection 3a subsection i, subsection iii
 - Proposed 25% of lot depth whereas 30% of lot depth is required for the rear yard setback
- Section 161 Subsection 15e
 - Proposed solid permanent fixtures to prevent front yard parking but allow parking in the rear yard whereas solid, permanent fixtures are required sufficient to prevent motor vehicle parking
- Section 161 Subsection 16a

- Proposing to allow parking in the rear yard for one space whereas parking is prohibited.

Attached with this letter are copies of the following documents:

- Committee of Adjustment Application requesting a consent application and minor variance for rear yard setback, parking provisions on Part 1 and 2
- Secondary Committee of Adjustment application for a minor variance for rear yard setback, parking provisions on Part 3 and 4
- Site Plan and Elevations
- Topographic Survey
- Tree Report

SITE LOCATION

The subject property is a large rectangular lot located on Columbus Avenue between Quill Street and Edith Avenue. The lot is approximately 765 m² and currently contains a one and a half story multi-unit residential building. The building has four residential units in it today.

Figure 1 shows an aerial view of the subject property outlined in Orange. As shown in the aerial image, the surrounding land uses are predominantly residential.

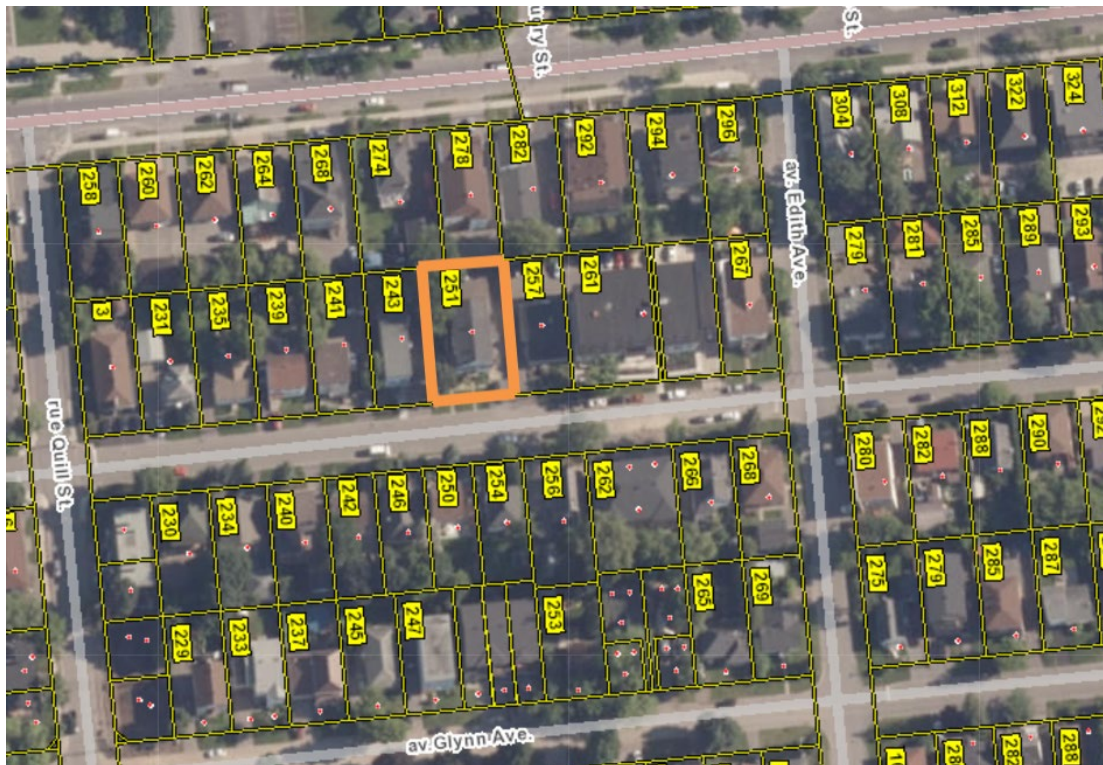


Figure 1 – Aerial view of the subject property, 251 Columbus Avenue

PROVINCIAL POLICY STATEMENT, 2024

The Provincial Planning Statement was issued under section 3 of the Planning Act and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020. The PPS sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Section 2.2 notes that “Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market by:

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - *The proposed development efficiently uses land, existing resources and infrastructure. It is well positioned within the City for residents to use active transportation modes; the property is located within one City block of Both Donald Street and Lota Street – both Minor Corridors. The property is in walking distance to Major Corridors St Laurent Boulevard and McArthur Avenue.*
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.
 - *As noted, the proposed development would see the introduction of 16 rental units on a lot where a single residential dwelling is located. The subject property is in close proximity to transit and both minor / major Corridors.*

Section 3.1 speaks to General Policies for Infrastructure and Public Service Facilities and Policy 2. a) notes “the use of existing infrastructure and public service facilities should be optimized”

- *The proposed development would utilize existing services along Columbus Avenue that have the capacity to serve this development.*

Section 4.1 discussed Natural Heritage and Policy 1. Says “Natural features and areas shall be protected for the long term.

- *The subject property does not have any Natural Features on site.*

As demonstrated above, the proposed development and subsequent minor variance application aligns with the Provincial Policy Statement (2024).

CITY OF OTTAWA OFFICIAL PLAN, 2022

The Official Plan sets forth broad policies that will help govern growth and change in Ottawa, as well as specific policies dependent upon land use designations. Schedule B2 – Inner Urban Transect – of the Official Plan identifies the land designation for the subject property as Neighbourhood.

The City of Ottawa’s Growth Management Framework is set out in Section 3 of the Official Plan. It focuses on the goal of providing sufficient development opportunities to increase sustainable transportation mode shares and use of existing and planned infrastructure, while reducing greenhouse gas emissions.

The intent of the City’s Growth Management Framework is:

- To provide an appropriate range and mix of housing that considered 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;
- To reduce greenhouse gas emissions in the development and building sectors and in the transportation network; and,
- To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt.

The proposed consent and minor variance application at 251 Columbus Avenue, which would allow for intensification on the subject site, meets the following Growth Management Framework policies among others:

- **Policy 3 in Section 3.2** states that the vast majority of residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors, and adjacent Neighbourhoods.
 - *The subject property is designated Neighbourhood and is within walking distance to both Minor and Major Corridors.*
- **Policy 4 in Section 3.2** states that intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services.
 - *The subject property has municipal water and sewer services along Columbus Avenue*
- **Policy 8 in Section 3.2** states that intensification should occur in a variety of dwelling unit floor space sizes to provide housing choices.
 - *The proposed development seeks to develop the subject site with sixteen rental units varying in size*

Section 4.2.1 of the new Plan’s housing policy provides that the City will support mid density low rise multi unit housing by allowing housing forms that are denser, of smaller scale, of 3 or more units in appropriate locations.

- *The proposed Low-rise Apartments – each containing 8 units – conform to the new plans housing direction.*

As defined in the Official Plan... *“Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities.”*

Section 6.3.1 of the Plan speaks to the function of Neighbourhoods and Policy 4) notes that “the Zoning By-law and approvals under the Planning Act shall allow a range of residential and nonresidential built forms within the Neighbourhood designation”, including: b) “Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);”

Section 6.3.2 1) further notes that “The Zoning By-law and approvals under the Planning Act will allow innovative buildings forms, including in the missing middle housing category, in order to strengthen, guide towards or seed conditions for 15- minute neighbourhoods. Innovative building forms include, but are not limited to:... development of a single lot or a consolidation of lots to produce missing middle housing;”

- *As noted on the cover page, if approved, these applications would allow for the creation of missing middle housing units on a single lot where one detached dwelling had previously existed all while meeting most of the provisions of the R4UC zoning.*

As demonstrated above, the proposed development and subsequent consent and minor variance applications comply with and are supported by the policies found within the City of Ottawa Official Plan (2022).

CITY OF OTTAWA ZONING BY-LAW, 2020-290

The Zoning By-Law sets forth specific policies that will help govern growth and change in Ottawa dependent upon specific land designations. As noted on Page 1, the subject site is zoned Residential Fourth Density, subzone UC (R4UC).

The R4UC zoning notes apartment dwelling, low rise as a permitted use. As noted throughout the letter, the lot at 251 Columbus is proposed to be severed. A draft reference plan is shown on Page 9 and identifies the parcels making up Lot 1 as Part 1 and 2 and the parcels making up Lot 2 as Part 3 and 4.

The below table outlines how the proposed development meets the R4UC zoning provisions as provided by Table 162A.

R4UC	Required	Provided – Lot 1 (Part 1/2)	Provided – Lot 2 (Part 3/4)
Minimum Lot Width	10m	10.82m	10.82m
Minimum Lot Area	300m ²	382.5m ²	382.5m ²
Building Height	11m	11m	11m
Minimum Front Yard	4.5m	4.5m	4.5m
Minimum Rear Yard	10.61m (30% of lot depth)	8.91m (25% of lot depth)	8.91m (25% of lot depth)
Minimum Interior Side Yard	1.5m	1.68m	1.68m
Landscape – Front Yard	35% of the front yard area	91.6% of the front yard area	91.6% of the front yard area
Landscape – Rear Yard	50% of the rear yard area	88% of the rear yard area	88% of the rear yard area
Landscape – Total	30% of the lot	45% of the lot	45% of the lot

As shown above, the proposed development complies with the R4UC zoning provisions but requires a variance to the Minimum Rear Yard provision. The proposal also seeks to provide one parking space on each new lot. As such, relief is being sought from the below sections of the bylaw as well.

- Section 161 Subsection 15e
 - Proposed solid permanent fixtures to prevent front yard parking but allow parking in the rear yard whereas solid, permanent fixtures are required sufficient to prevent motor vehicle parking
- Section 161 Subsection 16a
 - Proposing to allow parking in the rear yard for one space whereas parking is prohibited.

To evaluate the requested variances, in context of the four tests of a minor variance as described in Section 45 of the Planning Act, a review of the site plan is required. The evaluation should show how the new buildings differ from the existing in context of the surrounding environment and streetscape and should demonstrate that the new construction will not have any adverse impacts.

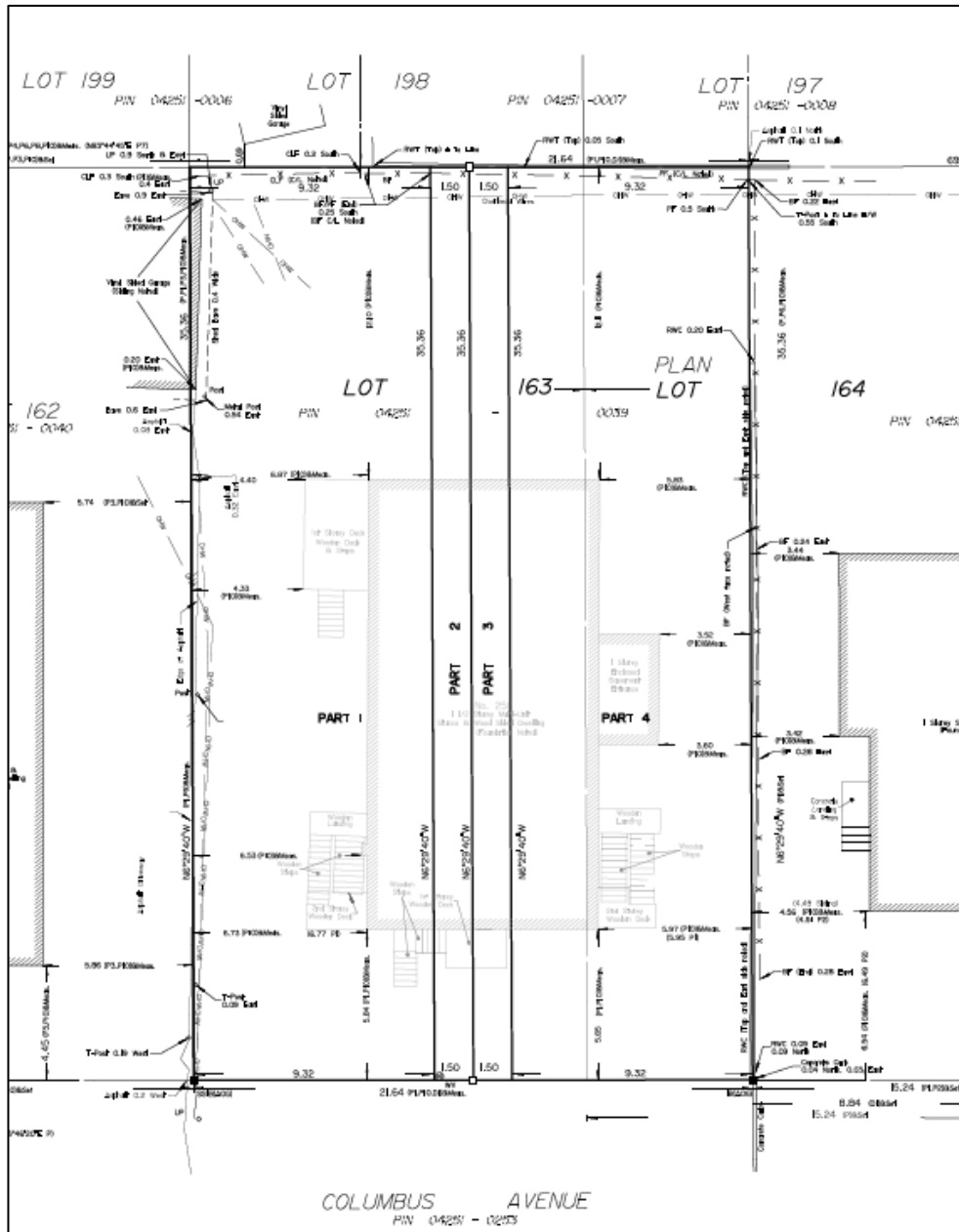


Figure 2 – Draft Reference Plan

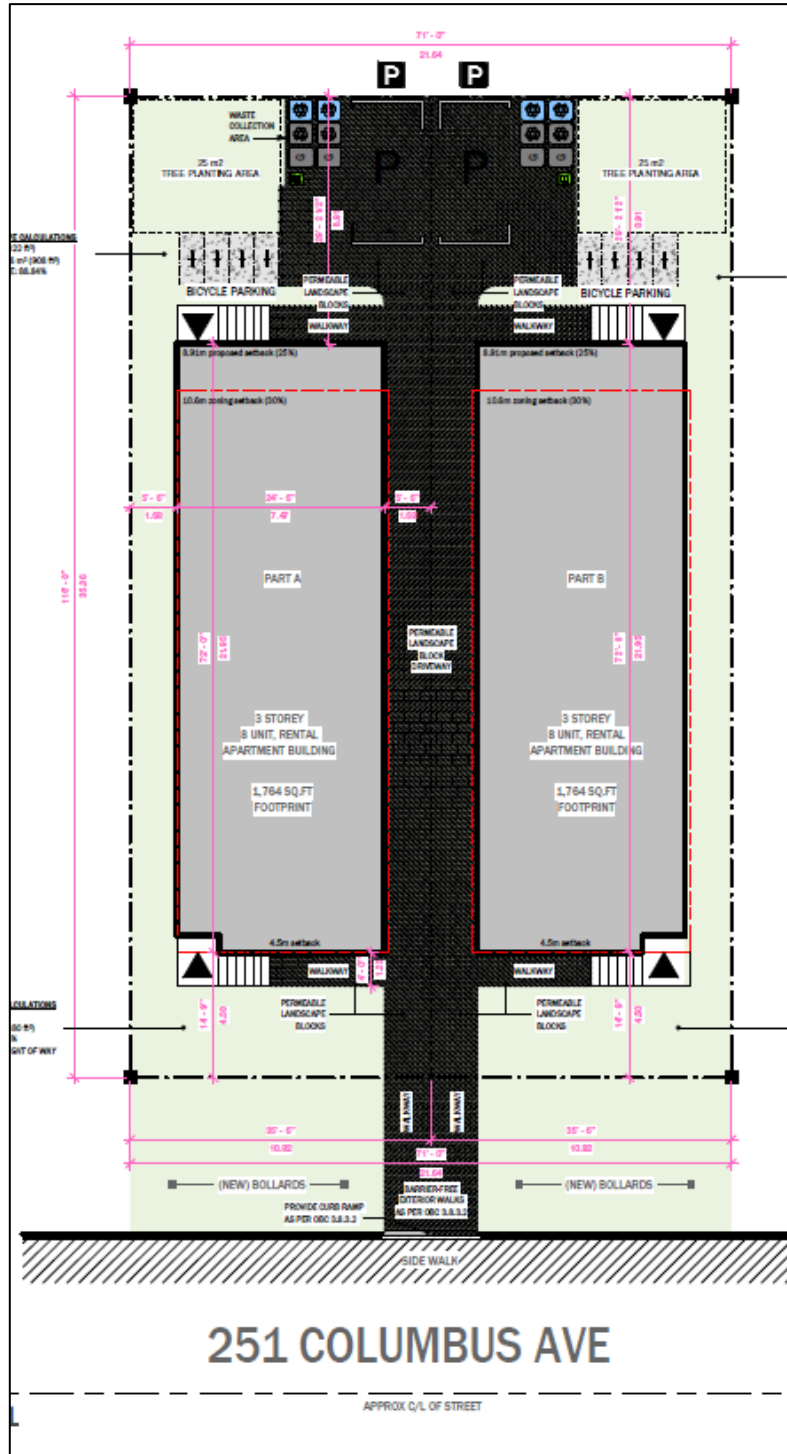


Figure 3 – Site Plan



COMMUNITY CONTEXT

Figure 4 – view of the subject property from Columbus Avenue

Two properties East, at 261 Columbus Avenue, a low-rise apartment dwelling exists.



Figure 5 – low rise apartment at 261 Columbus Avenue

East of the subject property, on the South side of Columbus Avenue, intensification has occurred by way of townhomes.



Figure 6 – 262 A, B, C Columbus Avenue

DISCUSSION

As noted, a minor variance is required for the rear yard setback provision on each of the two proposed lots. When looking at the requested reduction for the rear yard setback, it is important to note what a rear yard is traditionally used for and can those activities still exist with a reduced rear yard setback. When reviewing the rear yard function of the existing properties on these streets, occupants are using the rear yard for parking or amenity space. Several people use this space as additional storage by way of a shed as well. The proposal, to provide an 8.91m rear yard setback where a 10.82m rear yard setback is required, still allows the low-rise apartment buildings and their tenants access to a parking space, bicycle parking, waste management, and green space.

The proposal has ensured to conform with Section 161, Subsection 15, Subsection iv which states “in all cases, must comprise at least one aggregated rectangular area of at least 25 square metres and whose longer dimension is not more than twice its shorter dimension, for the purposes of tree planting”. This area is labelled on the Site Plan as “Tree Planting Area”.

It should be highlighted that despite requesting a variance to the Rear Yard setback, the minimum landscape area within the rear yard as described under the zoning bylaw are still being exceeded. Whereas the bylaw requires 50% of the rear yard area to be landscaped, the proposal is providing 88%. Thus, the provided 8.91m rear yard meets the needs and purpose of a “Rear Yard”.

As noted on the cover page, the proposal seeks to provide one parking space on each of the newly created lots to serve the apartment building. As such, relief is being sought from Section 161, Subsection 15e and 16a to permit parking in the rear yard for one space.

- Section 161 Subsection 15e
 - Proposed solid permanent fixtures to prevent front yard parking but allow parking in the rear yard whereas solid, permanent fixtures are required sufficient to prevent motor vehicle parking
- Section 161 Subsection 16a
 - Proposing to allow parking in the rear yard for one space whereas parking is prohibited.

As more Low-rise Apartment Dwellings in the R4-UA, R4-UB, R4-UC and R4-UD zones have actually been built, especially when they are predominately comprised of larger 2-bedroom units, the lack of a short-term parking space makes it difficult for tenants especially when considering the entrances and exits to the buildings.

On small lots within the R4U zones apartment entrances are typically located at the front and the rear of the buildings. This typical arrangement is proposed for the development at 251 Columbus. Given that the R4U zones are a recent addition to the R4 zone it was not clear how the provisions would actually be implemented by potential tenants when buildings were actually built. The owners, who have developed with in broader Vanier and Overbrooke community have received significant feedback from tenants on operational issues with the low rise R4U typology. One of the key issues was not long term vehicle parking but the ability to have a space to load and unload. This is more acute when the building has predominance of larger 2 bedroom units. This proposal comprises X – 2 bedroom units and X 1 bedroom units.

The provision of a short-term parking space for moving, loading children into car seats/unloading simple things like groceries, and short-term visitor parking is a real operational asset to the tenants of the building. This amenity is really the key to proper functioning of these low-rise buildings. They cannot always be accommodated but where they can it becomes a key building feature. Loading and unloading on the street can be done but if it can be provided in a off street location it is preferred by building tenants.

In this proposal all the hardscapes such as driveway and walkways are proposed to be permeable so that they meet the zoning definition of soft landscaping. Therefore, in this proposal parking is not sacrificing permeable surfaces for impervious surfaces which is a goal of the zoning standards.

The applicant undertook a consultation with City Planning staff regarding the proposed parking spaces. Staff noted that they typically do not have concerns with variances to allow parking if there is adequate soft landscaping, bicycle parking, and waste storage. The proposed development meets the soft landscaping, bicycle parking, and waste storage requirements while being able to provide one loading and unloading space for use of the tenants.

In reviewing the proposed construction, it is clear that the variance requested in the rear yard is minor, has no impact on abutting properties and is desirable as it allows for the development of sensitive intensification with the addition of two Low-rise Apartments.

The requested parking variances would allow for one loading and unloading space to serve each building and would be a significant asset to the future tenants without sacrificing permeable surfaces.

Consent Application

It is proposed to sever the lot into 2 new lots with 4 parts.

Part 1 & 2 will form one lot and Parts 3 & 4 will form the second lot. Both lots will comply with the lot area and lot width provisions of the zoning bylaw.

Part 1 will have an easement for vehicle and pedestrian access over Part 3 and Part 4 will have a reciprocal easement over Part 2.

Part 2 and Part 3 will form a shared driveway providing access to the rear of the property.

Planning Act Section 51 – Part 25 Compliance

Provision	Applicability	Application Compliance
(a) The effect of the development of the proposed subdivision on matters of provincial interest as referred to in section 2.	Yes	The Provincial Policy Statement (PPS) provides direction on matters of provincial interest on land use planning which local planning decisions must be consistent with. The policies of the PPS focus growth within settlement areas with lands uses managed to accommodate a full range of current and future needs taking advantage of existing infrastructure. The proposed consent conforms to the overall objectives and intent of the PPS and supports one of its main tenets, specifically Section 1.1.3.6: 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.
(b) Whether the proposed subdivision is premature or in the public interest;	Yes	The subject lands are zoned for the development. The consent is therefore in the public interest as it allows for the development of much needed rental family style housing.
(c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	Yes	The parcels conform to both the appropriate OP and Secondary Plan policies.
(d) The suitability of the land for the purposes for which it is to be subdivided;	Yes	The consent application is meant to facilitate the creation of 2 new lots that will allow the construction of 2 new buildings. Any development that occurs will adhere to City zoning and building regulations.
(e) If any affordable housing is being proposed the suitability of the proposed units for affordable housing;	No	
(f) The number, width, location and proposed grades and elevations of highways and the adequacy of them, and the highways linking the highways in the proposing subdivision with the established highway system in the vicinity and the adequacy of them;	No	
(g) The dimensions and shapes of the proposed lots;	Yes	The retained parcel is of an appropriate size to continue to function in the same manner as it does today – it is fully zoning compliant from a lot width and

		lot area perspective. The severed parcel are of a size and dimension that is appropriate in the context of the streetscape as demonstrated in this Planning Letter. The severed lot is also fully zoning compliant from a lot width and lot area perspective.
(h) 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 the adjoining land;	No	
(i) Conservation of natural resources and flood control;	No	
(j) The adequacy of utilities and municipal services;	Yes	Full Municipal Services exist on Columbus and can serviced the development in accordance with City of Ottawa servicing standards
(k) The adequacy of school sites;	No	
(l) The area of land, if any, within the proposed subdivision that, exclusive of highways is to be conveyed or dedicated for public purposes;	No	
(m) The extend to which the plan’s design optimized the available supply, means of supplying, efficient use and conservation of energy; and	No	
(n) The interrelationship between the design of the proposed plan of subdivision and site plan	No	

control matters relating to any development on the land, if the land is also located within a site plan control area designed 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).

FOUR TESTS

Based on the rationale provided, the proposed variance meets the four tests of a minor variance as described in Section 45 of the Planning Act.

- 1. The variance is minor.

The requested variances are minor in nature. They do not affect the streetscape and soft landscaping standards continue to be met. The variances have no impact on adjacent properties.

- 2. The variance is desirable for the appropriate development or use of the property.

The requested variance is appropriate so that two new Low-rise rental Apartments buildings can be constructed.

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

A Low-rise Apartment is a permitted use in the R4UC zone. The surrounding properties are all zoned R4UC as well. As shown in the Community Context section above, several of the surrounding properties are developed in a similar manner to what is proposed; multi unit, Low-rise developments.

- 4. The general intent and purpose of the Official Plan is maintained.

The site is designated Neighbourhood and as such the construction of Low-rise Apartments is consistent with the strategic direction of the Official Plan.

CONCLUSION

The lot fabric, scale of the proposed construction and the ability to meet all other performance standards of the R4UC zone demonstrates that the proposed minor variances are desirable and will have little to no effect on adjacent properties. The addition of one parking space to each



Low-Rise Apartment is a significant benefit to the future tenants. The approval of the minor variance will allow the proposed construction to take place in a manner consistent with the Official Plan and community expectations.

As a result, it is our opinion that the requested consent and minor variances represent good planning and urban development.

Sincerely,

P E Hume

A. Clarke

Peter Hume
HP Urban Inc.

Alison Clarke
The Stirling Group