



November 15, 2024

Committee of Adjustment
101 CentrepoinTE Drive
Ottawa, Ontario
K2G 5K7

Committee of Adjustment
Received | Reçu le

2024-11-18

City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: Application for Minor Variance
1975 Banff Avenue
PCL 156-1, SEC 4M-35 ; LT 156, PL 4M-35 ; OTTAWA/GLOUCESTER
City of Ottawa
Owner: 16302424 CANADA INC.

Dear Committee Members:

HPUrban and The Stirling Group have been retained by the Property Owner to assist with a minor variance application for the property located at 1975 Banff Avenue, described as PCL 156-1, SEC 4M-35 ; LT 156, PL 4M-35 ; OTTAWA/GLOUCESTER. The property is rectangular in shape and resides within River Ward, Ward 16. The property owner is proposing to build a single detached dwelling with two additional dwelling units. The existing house on the property would be demolished.

The subject property resides within the Neighbourhood land use designation in the Official Plan, Schedule B3 Outer Urban Transect. The subject property is zoned Residential First Density, subzone S (R1S) in the City of Ottawa Zoning By-Law.

To proceed with the development as proposed, a minor variance application is required to amend the Front Yard setback and Corner Side Yard setback provisions. If approved, the development would allow for three residential dwelling units on a lot that holds one dwelling unit today.

SITE LOCATION

The subject property is a rectangular corner lot located at the intersection of Banff Avenue and Vancouver Avenue. It is located just south of Walkey Road, East of Bank Street and backs on Frank J. Licari Park. The lot is 367.4m² and currently contains a single detached dwelling.

As seen in Figure 1, the other surrounding land uses predominantly consist of residential and Open Space (Frank J. Licari Park).

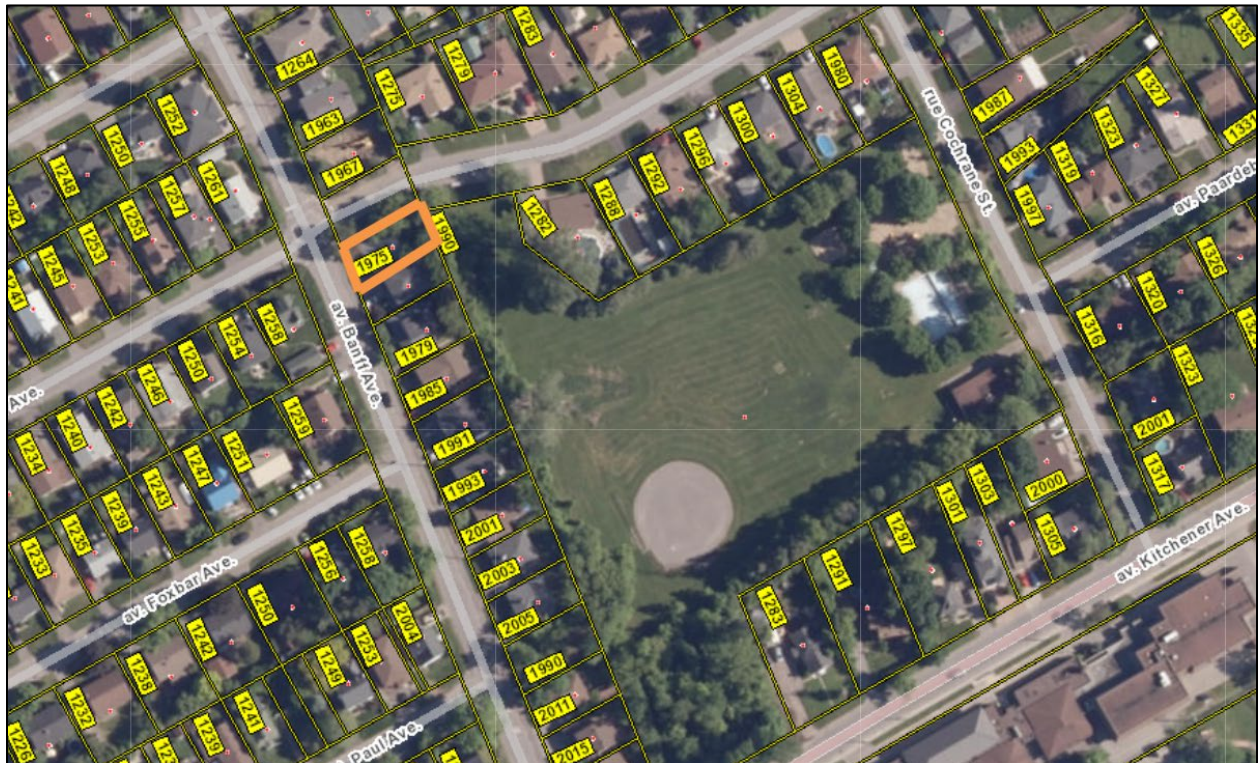


Figure 1 – Aerial View of Subject Property

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 just East of Bank Street (Major Corridor) and just South of Walkey Road (another Major Corridor).*
- 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 3 rental units on a lot where a single residential dwelling is located. The subject property is in close proximity to transit – an O-Train station exists adjacent the intersection of Walkey Road and Bank Street.*

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 Banff 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 B3 – Outer Urban – 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 1975 Banff 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 the proposal seeks to provide for gentle intensification of the site. The subject site is located in close proximity to Walkey Road (Major Corridor) and Bank Street (Major Corridor).*
- **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 Banff Avenue*
- **Policy 8 in Section 3.2** states that intensification should occur in a variety of dwelling unit floorspace sizes to provide housing choices.
 - *The proposed development seeks to develop the subject site with a single detached dwelling that will have two additional dwelling units. Each unit is proposed to have three bedrooms.*



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.”*

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

CITY OF OTTAWA ZONING BY-LAW, 2008-250

The Zoning By-Law sets forth specific policies that will help govern growth and change in Ottawa dependent upon specific land designations. As noted above, the subject site is zoned Residential First Density, subzone S (R1S).

Section 155 outlines the permitted uses within the R1 Zone as follows:

- bed and breakfast
- **detached dwelling**
- diplomatic mission
- group home
- home-based business
- home-based daycare
- park
- retirement home, converted
- additional dwelling unit
- urban agriculture

The below table outlines how this proposed development meets the R1S zoning provisions as provided by Table 156A and illustrated on the attached site plan.

R1S Provisions – Detached Dwelling	Required	Proposed
Minimum Lot Width	12m	13.87m
Minimum Lot Area	360 m ²	367.4m ²
Building Height	8 m	8m
Minimum Front Yard	6m	4.8m
Minimum Rear Yard	7.5m	7.55m
Minimum Corner Side Yard	4.5m	3.05m
Minimum Interior Side Yard	1.2m	1.26m

As shown above, the proposed development complies with the R1S Zoning provisions set out in the City of Ottawa Zoning By-Law except for the Minimum Front Yard and Minimum Corner Side Yard setbacks.

A copy of the proposed site plan has been submitted with the application and is shown below.

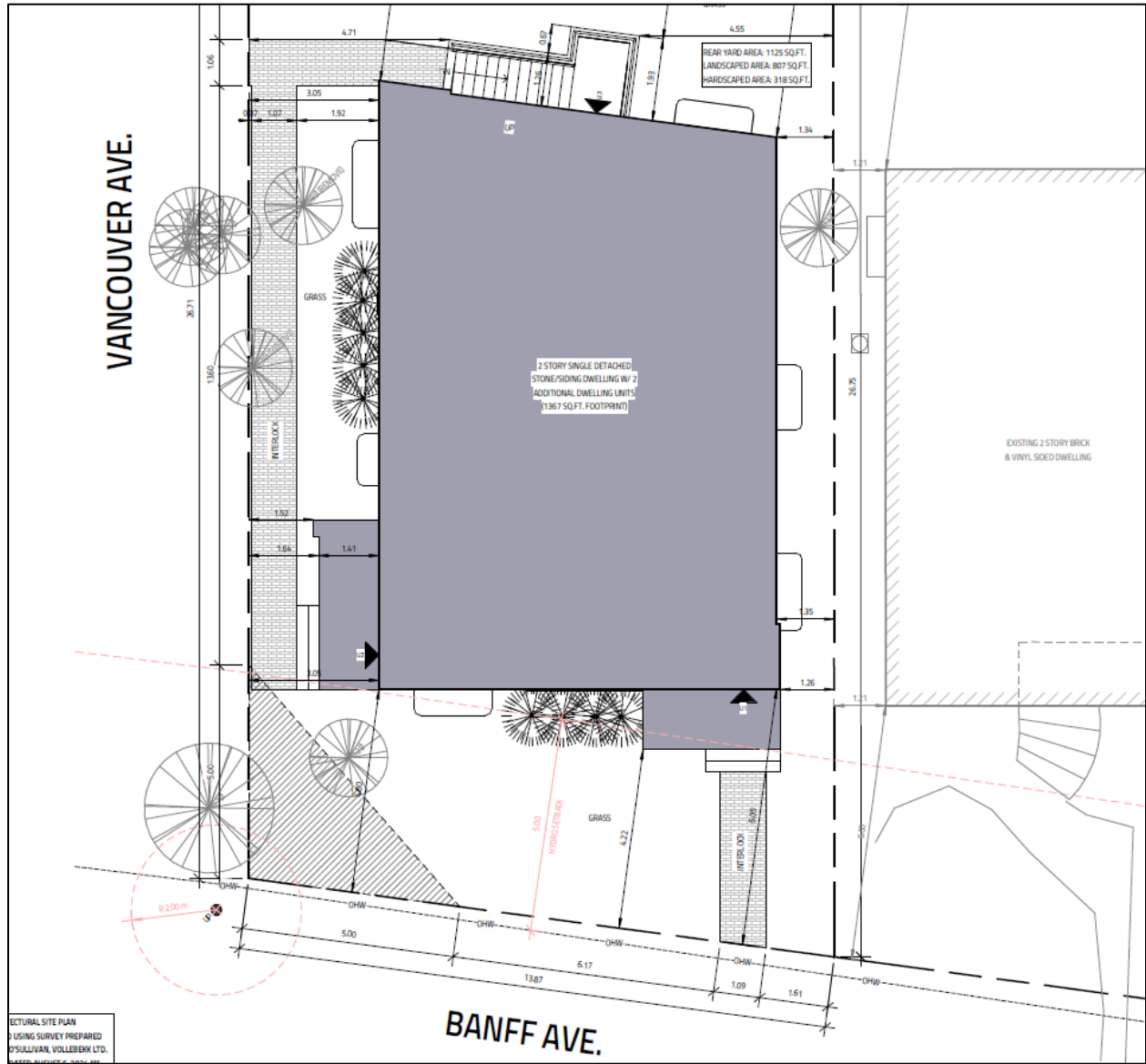


Figure 2 – Proposed Site Plan

COMMUNITY CONTEXT



Figure 3 – View looking at the subject property from Banff Avenue; 1975 Banff Avenue

DISCUSSION

As noted earlier in the Letter, a minor variance is required to amend the Minimum Front Yard and Minimum Corner Side Yard provisions.

When evaluating the proposed development, it is important to look at the existing conditions. A topographic survey of the existing house is included with this application and a snapshot of it is shown below. It is noted in the survey that the existing dwelling has a 3.09m Corner Side Yard setback and a 4.58m Front Yard setback. As noted on Page 6, the proposed dwelling would be set back 3.05m from the Corner Side Yard and 4.8m in the Front Yard. Based on this, the requested variances are to confirm existing conditions. That is, the existing conditions will be maintained under the proposed development.

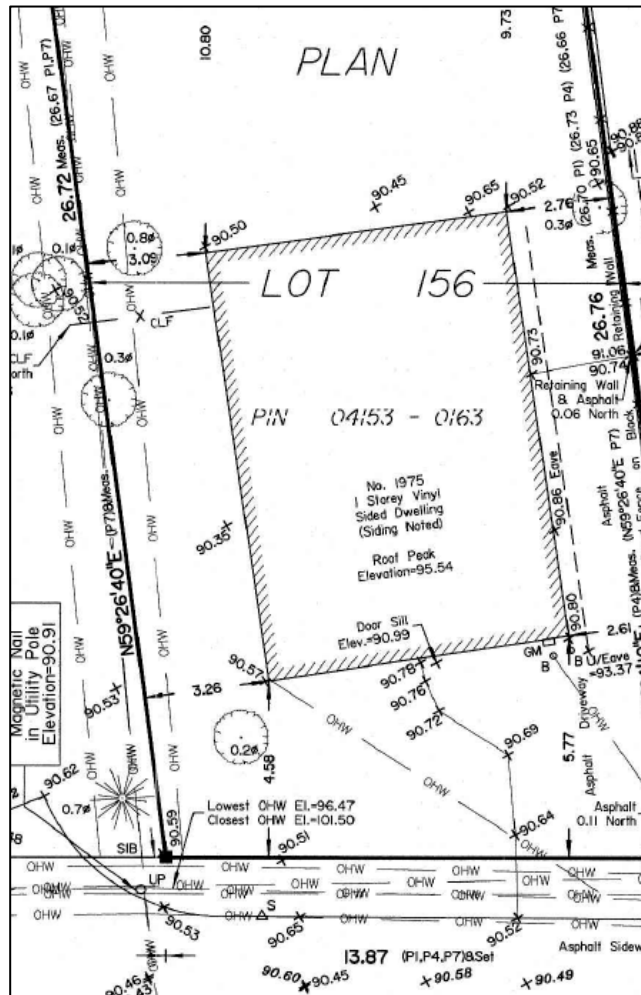


Figure 3 – Topographic survey of existing dwelling at 1975 Banff Avenue

Figure 5 below shows the perspective from the intersection of Banff Avenue and Vancouver Avenue. The existing dwelling is visible which is setback 3.09m from the corner property line. The corner side yard functions well under the existing conditions and will continue to, given the proposed dwelling will sit in a nearly identical position – 3.05m – away from the corner property line.



Figure 5 – perspective from the intersection of Banff Avenue and Vancouver Avenue

Figure 6 below illustrates the large right-of-way that Vancouver Avenue enjoys. The distance from the edge of asphalt to the ROW is shown below to be approximately 5.7m. The proposed corner side yard setback of 3.05m is then added on top of this. Despite requesting a reduced corner side yard setback, the proposed dwelling is still situated well back from the edge of asphalt on Vancouver Avenue.



Figure 6 – Large Right-of-Way along Vancouver Avenue illustrated

The existing dwelling at 1975 Banff Avenue is angled to match the ROW. As shown on the Site Plan provided, the proposed dwelling would be ‘squared up’ to the property line to provide for a more uniform streetscape. Figure 7 below shows the proposed dwelling along with the footprint of the dwelling located at 1977 Banff Avenue. As noted, the dwellings would now be of similar orientation to the street. The Site Plan also illustrates the angled back wall of the proposed dwelling. The front wall *could* have been angled to meet the required 6m front yard setback, but the decision was made to angle the back wall instead and provide a more consistent streetscape along Banff Avenue.

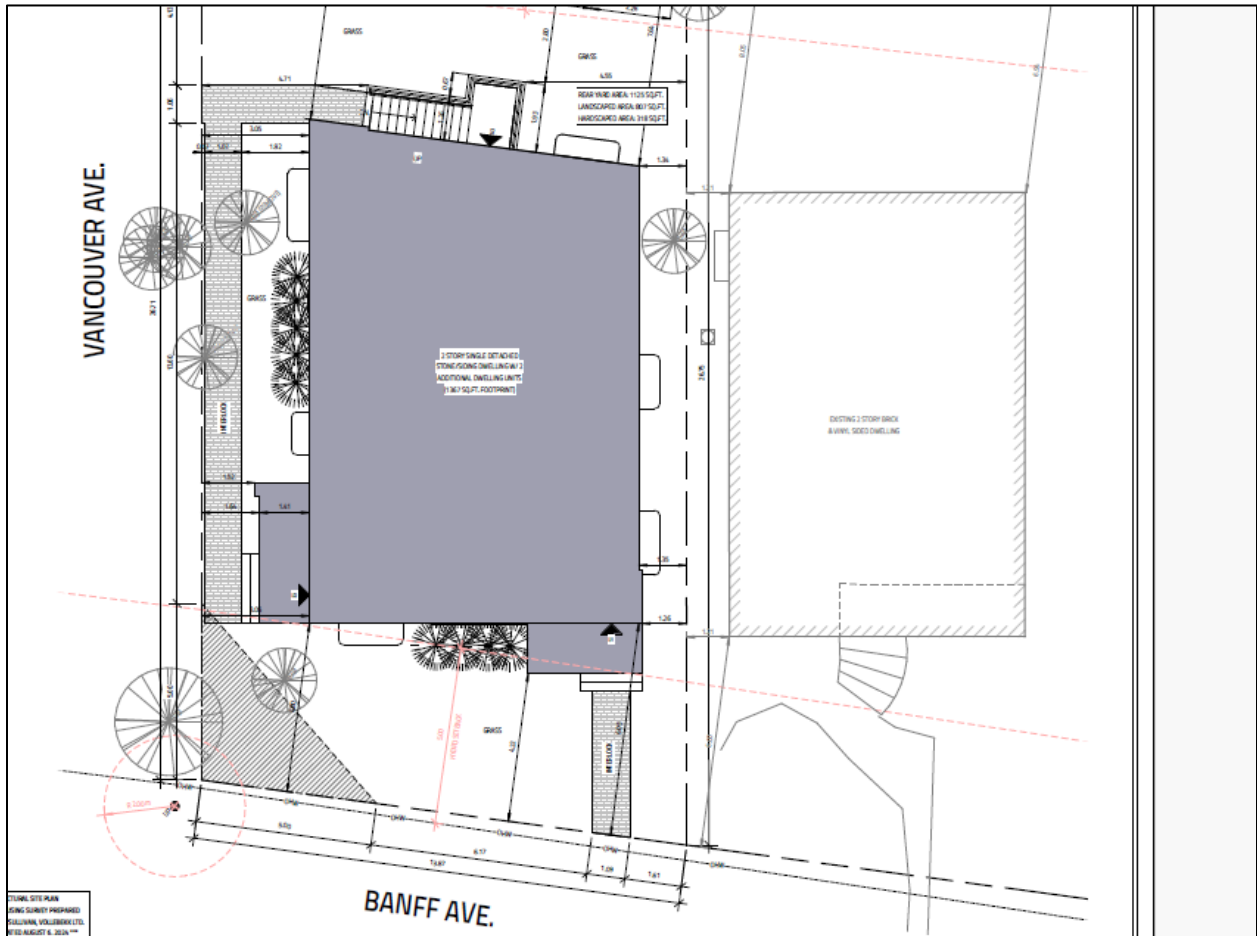


Figure 7 – Proposed dwelling orientation in relation to neighboring dwelling at 1977 Banff Avenue

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 variance is minor in nature and will have no impact on adjacent properties. The variance allows new development to mirror the existing conditions.
2. The variance is desirable for the appropriate development or use of the property.
 - The requested variance is appropriate so that sensitive infill development can be constructed to meet the City of Ottawa’s housing goals and contributing to a density that supports the 15-minute neighbourhood.
3. The general intent and purpose of the Zoning By-law is maintained.
 - The proposed detached dwelling is a permitted use in the R1S zone. The intent of the zoning bylaw provision is to create a relatively uniform and pleasing streetscape. The requested variance is intended to provide a more consistent streetscape and therefore the proposed variance is not out of keeping with the neighbourhood.
4. The general intent and purpose of the Official Plan is maintained.
 - The site is designated Neighbourhood and as such the construction of housing in a low-rise form is consistent with the strategic direction of the Official Plan.

SUMMARY

The applicant is seeking a minor variance for the property known as 1975 Banff Avenue for the purpose of developing a detached dwelling with two additional dwelling units.

The requested variances are consistent with the policies in the 2024 Provincial Policy Statement, the City of Ottawa Official Plan, and comply with most of the Zoning By-Law requirements of the Residential First Density, subzone S (R1S) zone.

Please contact us if you require any additional information.

Peter Hume
HP Urban Inc.

Alison Clarke
The Stirling Group