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Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON
K2G 5K7

Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Michel Bellemare, Secretary - Treasurer

**Reference: 100 Hamilton Avenue North
Application for Minor Variances
Our File No.: 125008**

Novatech has been retained by the owner of the property municipally known as 100 Hamilton Avenue North (the "Subject Site") to prepare and file an application for minor variances. The application for minor variances has been filed to facilitate development of a new eight-unit, low-rise apartment dwelling on the Subject Site.

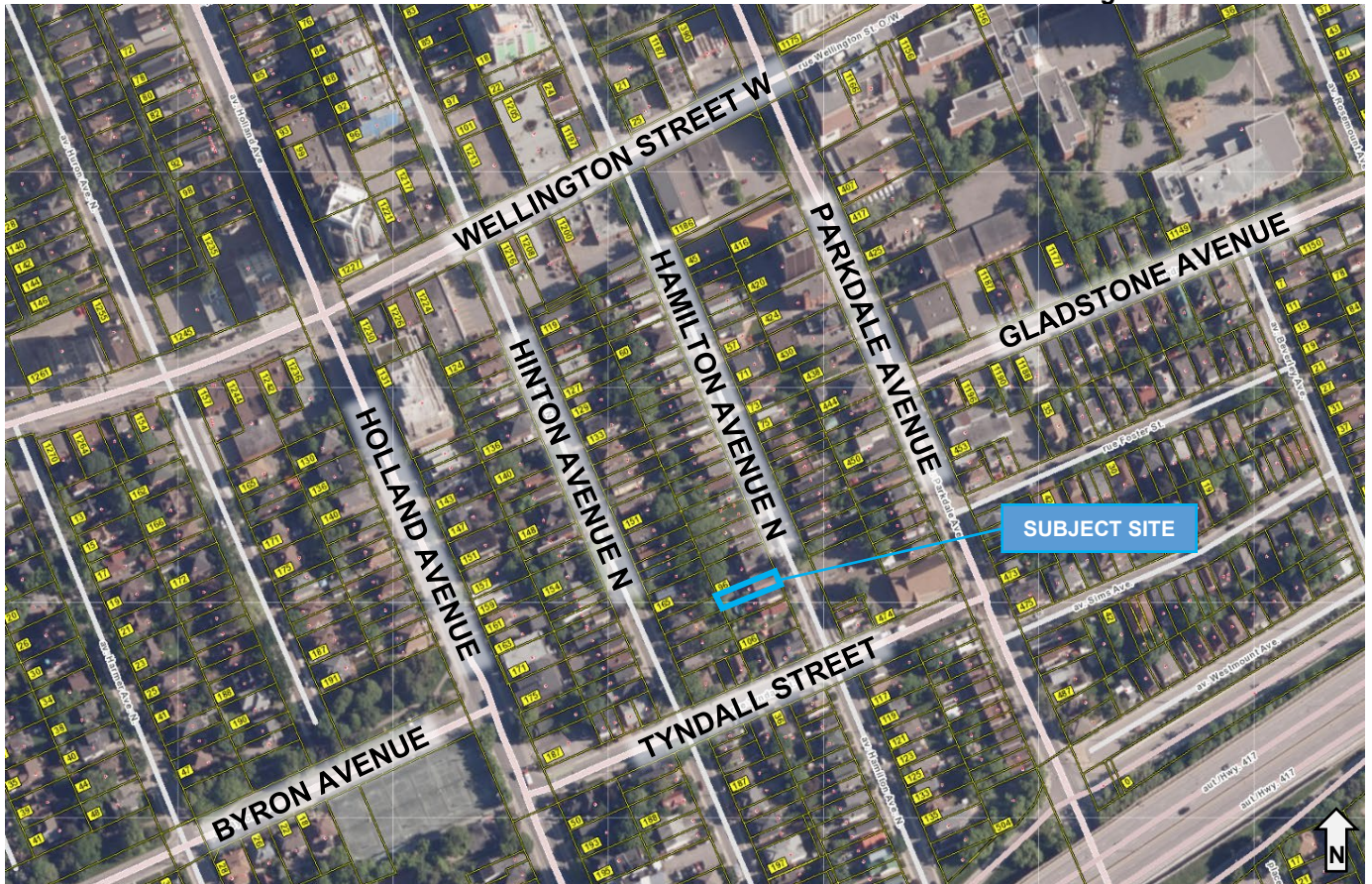
This letter describes the existing conditions of the site, the proposed development, and the rationale in support of the applications.

Existing Conditions

The Subject Site is located in Ward 15 – Kitchissippi within the City of Ottawa. Specifically, the Subject Site is located in the Hintonburg-Mechanicsville neighbourhood, to the north of Tyndall Street, to the south of Wellington Street West, to the east of Holland Avenue, and to the west of Parkdale Avenue (See Figure 1). The Subject Site is an interior lot with an area of 241.8 square metres and a frontage of 7.62 metres along Hamilton Avenue North. The existing detached dwelling will be demolished to accommodate the proposed redevelopment.

The Subject Site is legally described as Part of Lot 52, Registered Plan 15558, in the City of Ottawa. The Subject Site is designated "Neighbourhood" within the "Evolving Overlay" in the Inner Urban Transect on Schedule B2 of the City of Ottawa Official Plan. The Subject Site is zoned Residential Fourth Density, Subzone UB (R4UB) under the City of Ottawa Zoning By-law 2008-250.

Figure 1. Site Location



Proposed Development

It is proposed to demolish the existing detached dwelling to facilitate the development of a new eight-unit, low-rise apartment dwelling on the Subject Site. The proposed low-rise apartment dwelling will have frontage on Hamilton Avenue North (see Figure 2).

Figure 2. Site Plan

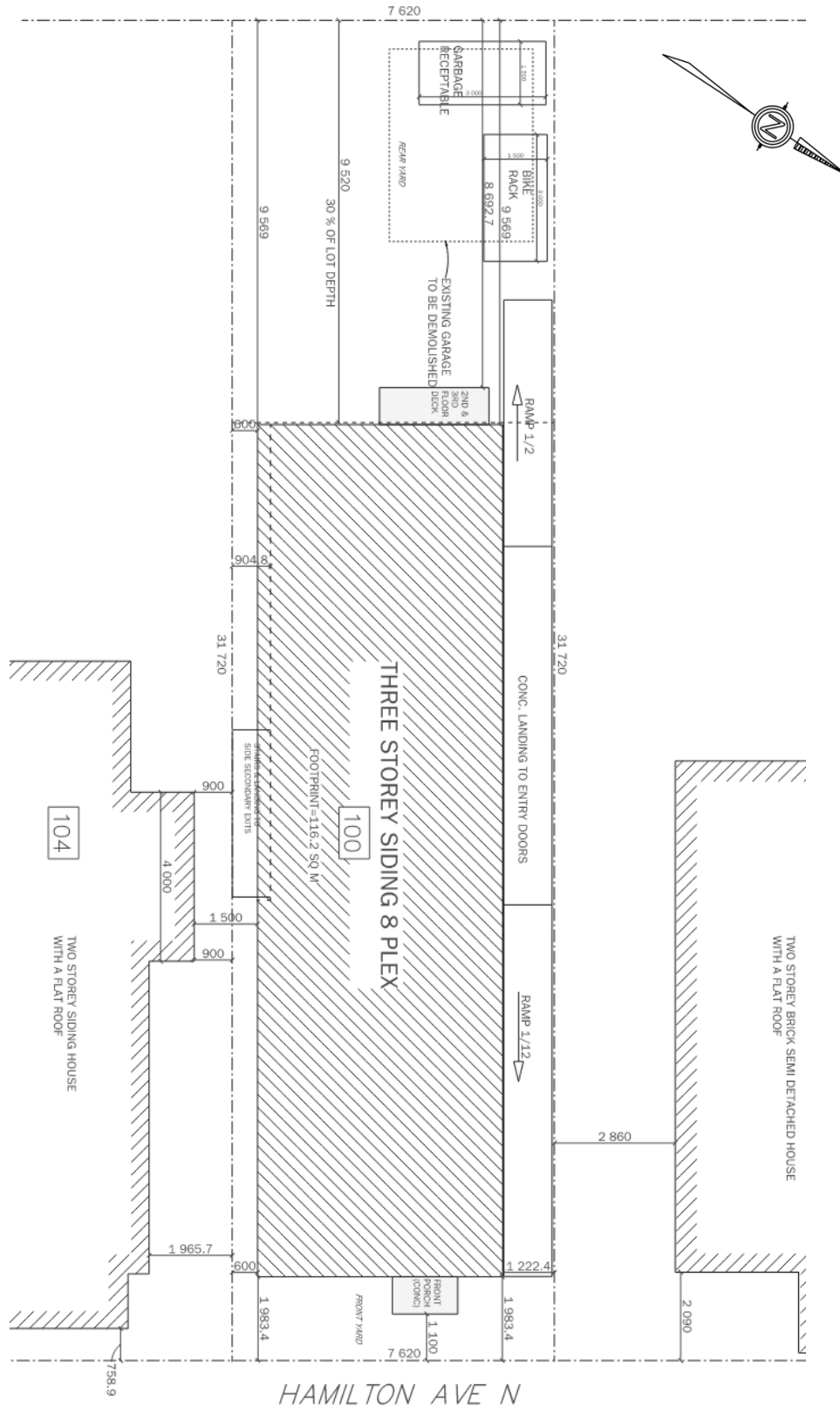


Figure 3. Front Elevation

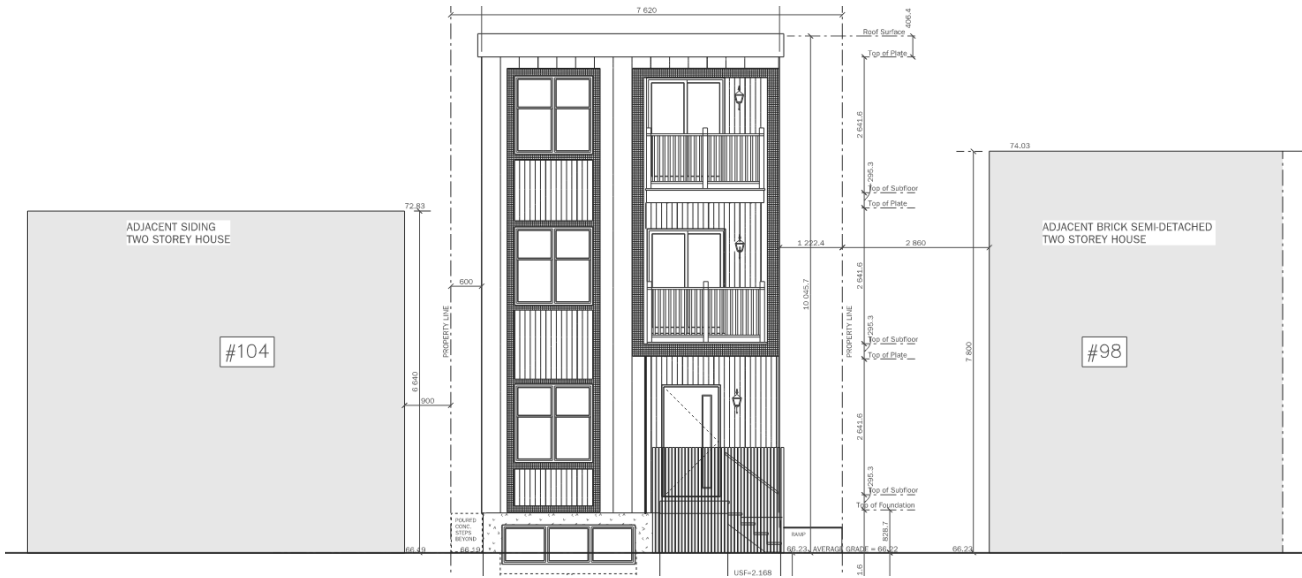
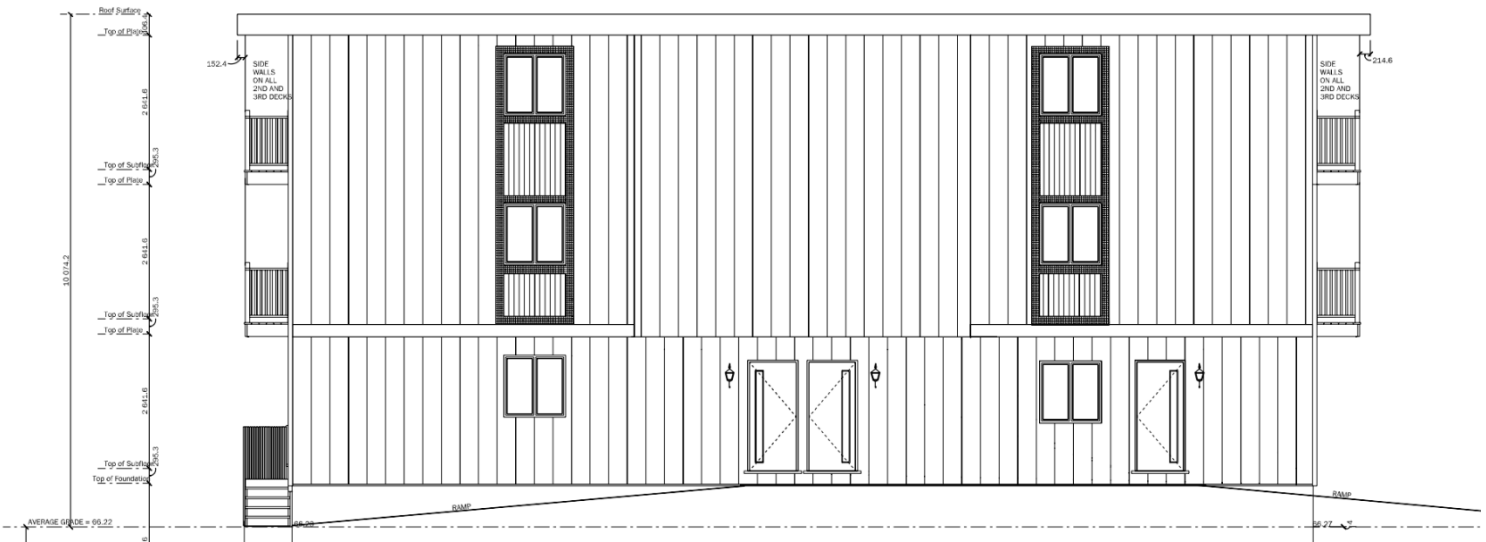


Figure 4. Side Elevation



All areas of the front and rear yards, excluding porches, walkways, bicycle and waste storage will be developed with soft landscaping. A 1.2 metre wide unobstructed path of travel will provide access to bicycle parking and waste storage located in the rear yard off Hamilton Avenue North. No motor vehicle parking is provided on the Subject Site.

Minor Variance Applications

- a) To permit a reduced lot width of 7.62 metres; whereas the By-law requires a minimum lot width of 10.0 metres for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column IV).
- b) To permit a reduced lot area of 241 square metres; whereas the By-law requires a minimum lot area of 300 square metres for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column V).
- c) To permit a reduced interior side yard setback of 0.6 metres on the south side of the Subject Site; whereas the By-law requires a minimum interior side yard setback of 1.5m for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column X).
- d) To permit a reduced interior side yard setback of 1.2 metres on the north side of the Subject Site; whereas the By-law requires a minimum interior side yard setback of 1.5m for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column X)

Rationale (Minor Variance Applications)

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.

Section 2.2.1 of the PPS states 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 area by:

- a) *permitting and facilitating:*

2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

- b) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*

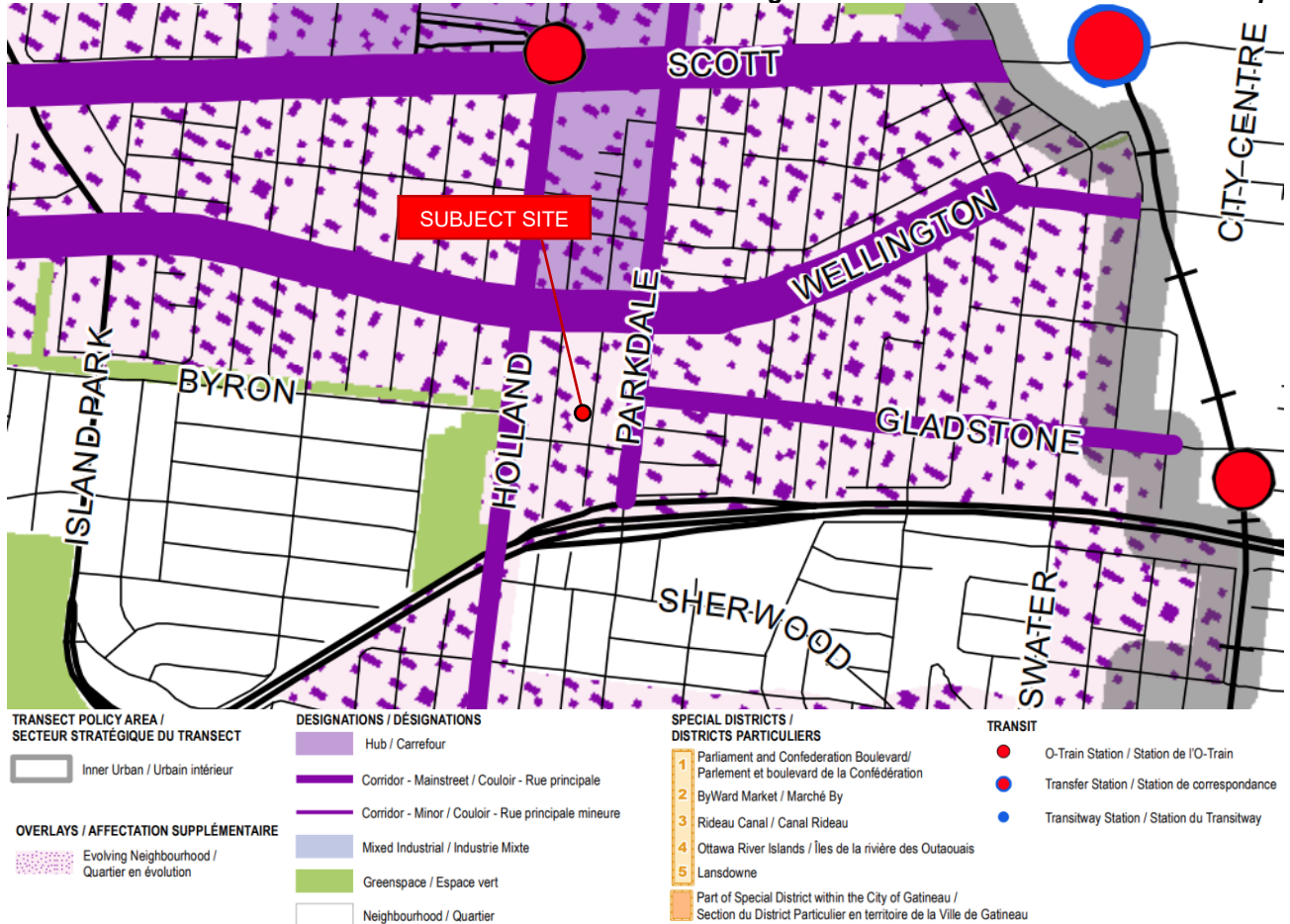
The proposed development of an eight unit, low-rise apartment dwelling on the Subject Site supports an appropriate range and mix of housing options to meet the projected needs of residents in the neighbourhood. The proposal also promotes cost-effective development patterns by intensifying lands within the urban boundary, minimizing land consumption and municipal servicing costs.

The proposed development is consistent with policies of the PPS (2024).

The minor variances listed above meet the four tests for minor variance under Section 45(1) of the Planning Act.

The first test for minor variance is that the general intent and purpose of the Official Plan is maintained.

Figure 5. Official Plan Schedule B2 Excerpt



City of Ottawa Official Plan

The Subject Site is designated “Neighbourhood” within the “Evolving Overlay” in the Inner Urban Transect on Schedule B2 of the City of Ottawa Official Plan (see Figure 5).

Section 3.2 of the Official Plan sets out policies for infill and intensification within the urban area. Section 3.2, Policy 3 of the Official Plan states that: *“The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them”.*

The proposed development on the Subject Site is an example of infill and intensification within the Inner Urban Transect and Neighbourhood designation. The proposed development supports the creation of 15-minute neighbourhoods and will contribute to residential intensification in the Neighbourhood designation in proximity to lands designated as Corridor in the Official Plan. The proposed low-rise apartment dwelling is a permitted form of housing on the Subject Site that

compliments the lot pattern, scale, and desirable characteristics of development along Hamilton Avenue North and contributes to the growth of 15-minute neighbourhoods.

Section 5.2 of the Official Plan sets out policies for the Inner Urban Transect. Section 5.2.4, Policy 1 of the Official Plan states that: “*Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b*”. The proposed development on the Subject Site will contribute to residential growth within the Inner Urban Transect and Neighbourhood designations to meet the targets of the Growth Management Framework.

Section 5.6.1.1 of the Official Plan states that:

“1) The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:

- a) Guidance for a gradual change in character based on proximity to Hubs and Corridors,*
- b) Allowance for new building forms and typologies, such as missing middle housing;*
- c) Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals; and*
- d) Direction to govern the evaluation of development.*

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; and*
- b) The Zoning By-law shall include minimum-density requirements as identified in Table 3a, and permissions to meet or exceed the density targets of Table 3b.*

3) In the Evolving Overlay, the City:

- a) The City will be supportive of applications for low-rise intensification that seek to move beyond the development standards of the underlying zone where the proposal demonstrates that the development achieves objectives of the applicable transect with regards to density, built form and site design in keeping with the intent of Sections 3 and 5 of this Plan;*
- b) May support amendments to the Zoning By-law for intensification that proposes non-residential uses, provided the proposal demonstrates that the development achieves the objective(s) of the applicable overlay with regards to built form and site design and the applicable designation with regards to function and height permissions.”*

The Subject Site is designated Neighbourhood and is located within 200 metres from the boundary of properties designated Mainstreet with frontage on Wellington Street West. Table 3b of the Official Plan provides a minimum density target of 60 to 80 dwelling units per net hectare for Neighbourhoods

in the Inner Urban Transect. The proposed redevelopment of the Subject Site with a low-rise apartment building would provide 332 dwelling units per net hectare. The proposed development exceeds the minimum density requirement of 60 to 80 dwelling units per net hectare. The proposed development achieves objectives of the Inner Urban transect by providing increased density on the Subject Site in a permitted form of housing that has been designed to be compatible with abutting properties and the surrounding context. The proposed development is a suitable location to move beyond the development standards of the underlying R4UB zone. The Subject Site is an appropriate location for intensification and contributes to achieving intensification objectives of the Official Plan.

The requested variances maintain the general intent and purpose of the Official Plan.

The second test for minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Site is zoned Residential Fourth Density, Subzone UB (R4UB) under the City of Ottawa Zoning By-law 2008-250. The purpose of the R4 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.”*

The requested minor variances are to facilitate a reduced lot width, lot area and interior side yard setbacks for a proposed low-rise apartment dwelling. A low-rise apartment dwelling is a permitted use in the R4 zone. The proposed low-rise apartment dwelling meets the performance standards for front yard setback, rear yard setback, and building height. The minimum requirements for 20% aggregated soft landscaping area in the front yard and 35 square metres in the rear yard are also met. The proposed low-rise apartment dwelling will contribute to the mix of residential uses in the area.

The minimum required interior side yard setback for a detached dwelling in the R4UB zone is 0.6 metres on one side and 1.2 metres on the opposite side. The side yard setbacks provided at grade are consistent with the minimum interior side yard requirements under the R4UB zoning for a detached dwelling. The requested variance to reduce the interior side yard on the south side of the property to 0.6 metres is consistent with the minimum interior side yard requirement for a detached dwelling.

A fully conforming 1.2 metre wide unobstructed path of travel is provided for movement of waste bins between the public street and rear yard is provided on the north side of the Subject Site. The interior side yard on the north side of the property is consistent with the minimum interior side yard requirement of 1.2 metres for a detached dwelling (see Figure 3).

The proposed low-rise apartment building has been designed to be compatible with the existing function of side yards on abutting lots to the north and south. To minimize potential impacts on the abutting building, no windows are provided on the south side of the proposed building. Where a greater side yard setback is provided between the proposed building and existing dwelling on the abutting lot to the north, one small window is provided for each unit.

The requested variances maintain the general intent and purpose of the Zoning By-law 2008-250.

The third test for minor variance is that the minor variance is considered desirable for the use of land.

Figure 6. Lot widths on Hamilton Avenue North



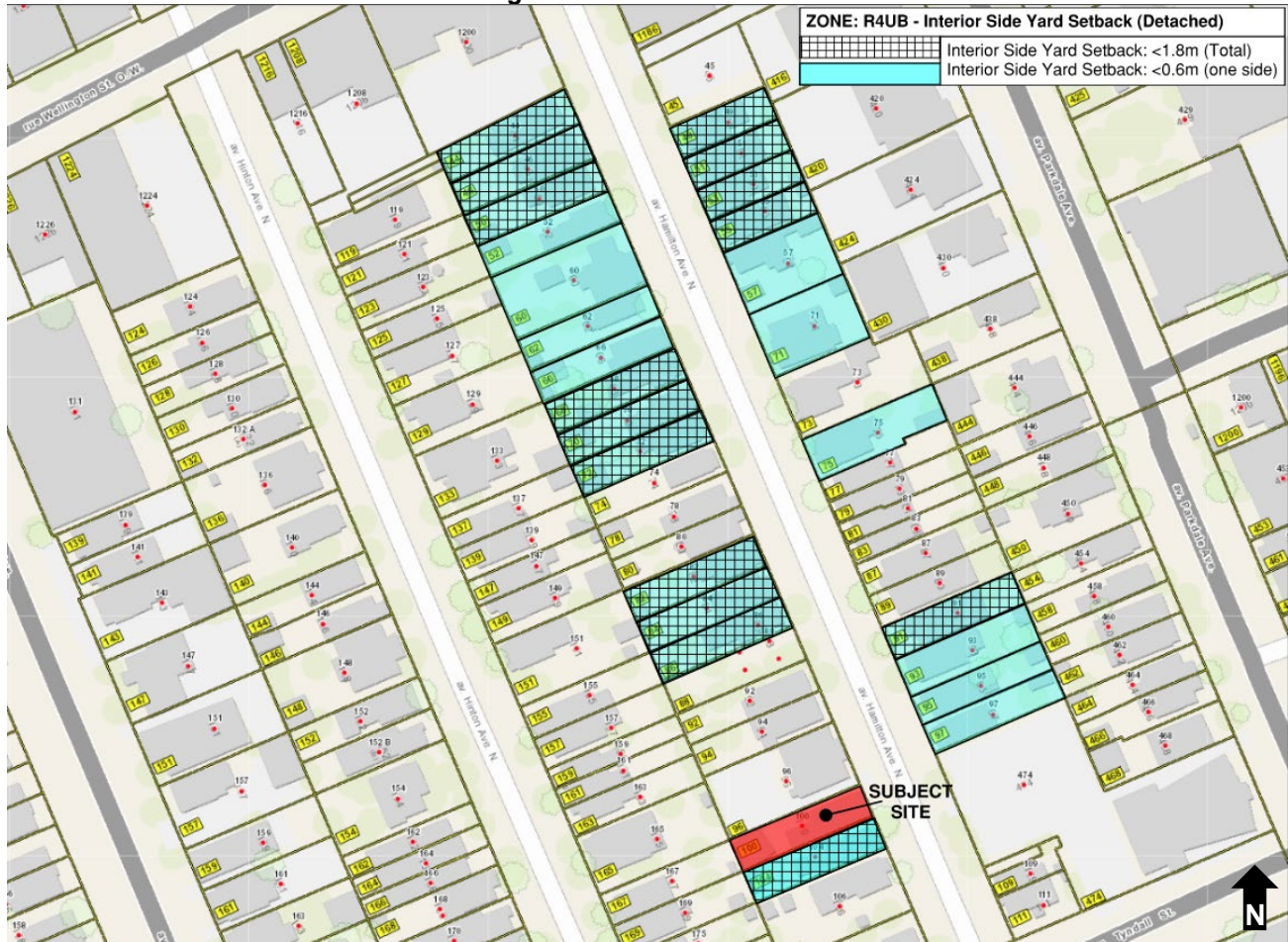
Variance a) requests a reduced lot width of 7.62 metres; whereas the By-law requires a lot width of 10.0 metres for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column IV). The requested variance for reduced lot width is compatible with the lot fabric of the neighbourhood. Specifically, several lots immediately to the north and south of the Subject Site along Hamilton Avenue North have a lot width of 7.62 metres or less (See Figure 10). Variance a) is consistent with the lot fabric along Hamilton Avenue North and maintains the functionality of the site. The requested lot width can accommodate the proposed low-rise apartment dwelling in a form and scale that is appropriate in this location.

Figure 7. Lot areas on Hamilton Avenue North



Variance b) requests a reduced lot area of 241 square metres; whereas the By-law requires a lot area of 300 square metres for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column V). The requested variance for reduced lot area is compatible with the lot fabric of the neighbourhood. Specifically, several lots immediately to the north and south of the Subject Site along Hamilton Avenue North have a lot area of 300 square metres or less (See Figure 11). Variance b) is consistent with the lot fabric along Hamilton Avenue North and maintains the functionality of the site. The requested lot area can accommodate the proposed low-rise apartment dwelling in a form and scale that is appropriate in this location.

Figure 8. Interior Side Yard Setbacks on Hamilton Avenue North



Variance c) requests a reduced interior side yard setback of 0.6 metres on the south side of the Subject Site and variance d) requests a reduced interior side yard setback of 1.2 metres on the north side of the Subject Site; whereas the By-law requires a minimum interior side yard setback of 1.5 metres for an eight-unit, low-rise apartment dwelling (Part 6, Table 162A, Subzone R4UB, Column X). The requested variances for reduced interior side yard setbacks on the Subject Site are compatible with the existing neighbourhood context. Several lots immediately to the north and south of the Subject Site along Hamilton Avenue North have interior side yard setbacks that are less than required by the zoning by-law (See Figure 12). A fully conforming 1.2 metre wide unobstructed path of travel is provided at grade for movement of waste bins between the public street and rear yard on the north side of the Subject Site. The low-rise apartment dwelling has been designed to be compatible with abutting lots to the north and south. Variances c) and d) are consistent with the streetscape along Hamilton Avenue North and maintain the functionality of the site. The requested interior side yard setbacks can accommodate the proposed low-rise apartment dwelling in a form and scale that is appropriate in this location.

The requested minor variances are to facilitate reduced lot width, reduced lot area and reduced interior side yard setbacks for the proposed low-rise apartment dwelling. Reduced lot width, lot area and interior side yard setback for the proposed low-rise apartment development are consistent with the existing lot fabric and streetscape characteristics of the neighbourhood. The requested variances are considered desirable for the use of land.

The fourth test for minor variance is that the variance is considered minor in nature.

Variance a) is required to permit a reduced lot width on the Subject Site having a lot width that is 2.4 metres less than the minimum required in the Zoning By-law. Variance b) is required to permit a reduced lot area on the Subject Site having a lot area that is 59 square metres less than the minimum required in the Zoning By-law. Variance c) is required to permit a reduced interior side yard setback on the south side of the property that is 0.6 metres whereas 1.5 metres is required for a low-rise apartment dwelling. Variance d) is required to permit a reduced interior side yard setback on the north side of the property that is 1.2 metres whereas 1.5 metres is required for a low-rise apartment dwelling. A fully conforming 1.2 metre wide unobstructed path of travel is provided at grade for movement of waste bins between the public street and rear yard on the north side of the Subject Site. The proposed interior side yard setbacks can accommodate the proposed low-rise apartment dwelling at a form and scale that is appropriate in this location. The proposed low-rise apartment dwelling meets the performance standards for front yard setback, rear yard setback, and building height. The minimum required 20% aggregated soft landscaping area in the front yard and 35 square metres in the rear yard are provided.

Proposed reductions to required interior side yard setbacks provided at grade are consistent with the minimum interior side yard requirements under the R4UB zoning for a detached dwelling. The proposed low-rise apartment dwelling has been designed with a size and scale that is similar to a detached dwelling. The request for reduced lot width, lot area and interior side yard setbacks on the Subject Site are consistent with the character of the surrounding context and will have no impact on the streetscape, or on the functionality of the site. The requested variances are considered minor in nature.

Conclusions

The requested variances maintain the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law 2008-250. The requested variances are considered desirable for the use of the land and are minor in nature.

The proposed development represents good land use planning.

A memo confirming that a Tree Information Report is not required has been prepared in support of the applications for minor variances by Dendron Forestry Services, dated February 3, 2025. The memo concludes that there are no city trees or trees greater than 30 centimetres on the Subject Site or on adjacent properties that will be impacted by the proposed development. No impacts to existing trees on abutting properties are anticipated as a result of the proposed development.

In support of the applications for minor variance, please find enclosed:

- One (1) copy of this Covering Letter;
- A Minor Variance Application Form (one original copy);
- A Minor Variance Sketch (one copy of 11x17 and one 8 ½x11);
- Plan of Survey (one copy of 11x17 and one 8 ½x11);
- Site Plan (one copy of 11x17 and one 8 ½x11);
- Elevation Drawings (one copy of 11x17 and one 8 ½x11);
- Tree Information Report memo (one copy).

Should you have any questions regarding these applications, please do not hesitate to contact the undersigned.

Yours truly,

NOVATECH



Jeffrey Kelly, MCIP, RPP
Project Manager | Planning & Development