

This document is presented in the language it was provided.
Ce document est présenté dans la langue dans laquelle il a été fourni.

MD

30 CONCOURSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085
CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

MIROCA DESIGN INCORPORATED
EST. SINCE 1986

February 27, 2025

COMMITTEE OF ADJUSTMENT

City of Ottawa
101 Centrepointe Drive,
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer
And Committee Members

Committee of Adjustment
Received | Reçu le

2025-02-27

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: **APPLICATION FOR CONSENTS TO SEVER FOR LANDS AT 317 WESTHILL AVENUE, OTTAWA, ON.**
Lot 4
Registered Plan 460
City of Ottawa
Ward 15, Kitchissippi
Zoning R3S, Zoning By-law 2008-250

Dear Mr. Bellemare,

LCA Construction Inc. have retained Miroca Design Consulting Services to act as agent on their behalf for the preparation of Consents to Sever Application for their lands known municipally as 317 Westhill Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form.
2. 1 copy of this cover letter prepared by Miroca Design Consulting Services Inc.
3. 1 full-sized copy and 1 reduced copy of the Draft 4R Plan showing each of the severed and retained lots, prepared by Annis, O'Sullivan, Vollebakk Ltd., Ontario Land Surveyors.
4. 1 full-sized copy and 1 reduced copy of the Site Plan and architectural Elevations prepared by Miroca Design Consulting Services Inc.
5. 1 copy of the Tree Information Report and Tree Planting Plan prepared by Dendron Forestry Services.
6. A cheque payable to the City of Ottawa, and a copy of the Parcel Register showing ownership.

PURPOSE OF THE APPLICATION

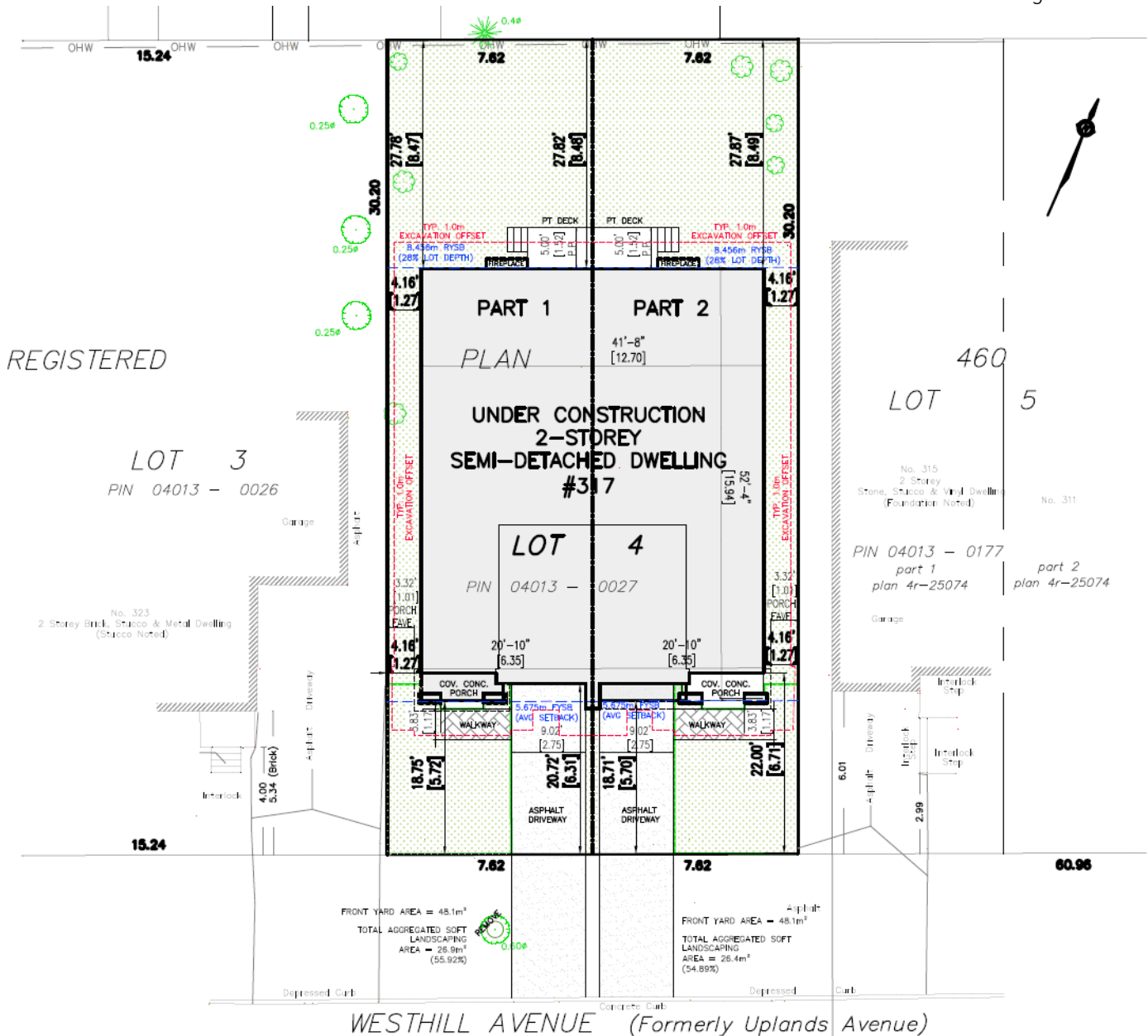
To sever the existing property into 2 separate parcels of land for separate ownership for each side of the semi-detached dwelling presently under construction.

CONSENTS REQUESTED

In order to proceed, the owner requires the Consent of the Committee for Conveyances. The property is shown as Parts 1-2 on the Draft Reference Plan filed with the application. The separate parcels will be as follows:

Part No.	Frontage	Depth	Area	Municipal Address
1	7.62m	30.20m	230.1m ²	___ Westhill Avenue
2	7.62m	30.20m	230.1m ²	___ Westhill Avenue

Figure 1: Site Plan



EXISTING CONDITIONS AND AREA OVERVIEW

The new 2-storey semi-detached dwelling is presently under construction, completion expected this spring/early summer.

The property fronts onto Westhill Avenue, which is a Local Road. Transit service is provided Churchill Road to the west. Many commercial and community amenities are nearby along Richmond Road to the north, and Dovercourt Recreation Centre is nearby to the west.

This property falls within the Inner Urban Transect, under the Evolving Neighbourhood designation on Schedule A and Schedule B2 of the City of Ottawa's Official Plan.

NEIGHBOURHOOD CHARACTER

Westboro is a thriving and desirable community, with a lively street scene. Most of the homes in Westboro are detached and were built between 1900 and 1960. The neighbourhood has been experiencing significant infill over the last decade, replacing the exiting homes with larger detached, semi-detached, and multi-unit dwellings, maximising residential development in the area. Housing along Westhill Avenue is a blend of original 1 and 2-storey detached homes as well as newer 2-storey semi detached infill projects.

Figure 2: Site Location Map



PLANNING ACT

Subsection 53(1) of the Planning Act states:

An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).

The proposed severance does not require a Plan of Subdivision, as the proposal is intended to facilitate the creation of one additional residential lot which will meet all of the performance standards of the underlying zoning. The proposed severance does not require the construction of new public infrastructure, including roads and services. The subsequent building permit application will ensure that future construction of new dwellings will conform to the appropriate performance standards, and that appropriate site servicing is in place, ensuring that this parcel is developed in a proper and orderly manner.

Subsection 53(12) of the Planning Act states:

A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32."

The proposed severance has adequate regard for the subdivision criteria set out in Section 51(24) of the Planning Act, reviewed as follows.

51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed severance has regard for the relevant matters of provincial interest, including the following:

- *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- *the minimization of waste;*
- *the orderly development of safe and healthy communities;*
- *the adequate provision of a full range of housing, including affordable housing;*
- *the appropriate location of growth and development;*
- *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- *the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*

(b) whether the proposed subdivision is premature or in the public interest;

The subject property is located within the City of Ottawa's urban boundary, and within an established neighbourhood. The proposed severance is not premature and is in the public interest as it creates desirable residential lots to increase the available housing supply, and promote context-sensitive intensification within an established neighbourhood.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed severance conforms to the relevant policies of the City of Ottawa Official Plan.

The proposed severance supports higher density low-rise development in the Inner Urban Area as outlined in the Growth Management Framework, Subsection 3.2, Table 3b. The Official Plan promotes diversity in unit sizes, densities and tenure options within neighbourhoods, including diversity in bedroom count availability; and permits a range of housing options across all neighbourhoods to provide the widest possible range of price and occupancy. The proposed severance contributes to this by allocating for quality semi-detached family homes.

The severance supports the direction of the Evolving Neighbourhood overlay, providing growth in the neighbourhood that is respectful of the established suburban context, while gradually moving towards a more urban model.

The proposed severance contributes to a sustainable community by providing residential uses in close proximity to the transit system, and a range of community amenities including employment and retail uses, thereby reducing travel and improving accessibility.

The proposed severance takes advantage of an underutilized property within an established neighborhood, replacing one home with two new homes in a way that respects the residential character that the community is known for. This form of gentle intensification is strongly encouraged in the Official Plan.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The subject site is an under-utilized residential lot, strategically situated within an established neighborhood. It is ideally located to utilize existing infrastructure, roads, utilities, and services, thus minimizing the need for new infrastructure and helping to prevent urban sprawl by developing within the established urban area. This lot provides the opportunity to increase density close to employment centers, transportation infrastructure, parks, and amenities. The proposed severance is a thoughtful design, and facilitates orderly development in a location suitable for residential growth.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No affordable housing units are proposed.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposal does not suggest any new roads and will not affect highways or the transportation system.

(f) the dimensions and shapes of the proposed lots;

The existing lot fabric of the neighbourhood is predominantly standard 50ft wide regular rectangular lots, and severed 25ft wide semi-detached lots. The proposed lots follow this pattern as regular 25ft wide rectangular semi-detached lots. The lots meet all performance standards of the Zoning By-law, and will comfortably accommodate the proposed new semi-detached dwellings, with ample space for private amenities and soft landscaping.

(g) 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 adjoining land;

With the exception of the provisions of the Zoning Bylaw, there are no other restrictions or proposed restrictions on the existing or proposed lot.

(h) conservation of natural resources and flood control;

The subject property is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

The subject property is located within the urban boundary and has access to existing utilities and municipal services. The proposed development is not anticipated to have an impact on the adequacy of utilities and municipal services. Site-specific servicing details will be provided at time of building permit application.

(j) the adequacy of school sites;

The subject property is located in proximity to Nepean High School, Broadview Avenue Public School, Churchill Alternative School, Westboro Montessori School Campus, and Westboro Jewish Montessori Preschool.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Not applicable.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposed severance, situated on an underdeveloped site within an existing neighborhood, efficiently utilizes the current energy infrastructure, minimizing the need for further extensions that could compromise efficiency.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated 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).

The proposed development is not subject to site plan control.

In our opinion, the proposed severance meets the criteria set out in Section 51(24) of the Planning Act, a plan of subdivision is not required, and the proposed severance at 317 Westhill Avenue represents good land use planning.

PROVINCIAL PLANNING STATEMENT

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.

As per Section 3(5) of the Planning Act, a decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Planning Statement (PPS). The Provincial Planning Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

The proposed severance at 317 Westhill Avenue aligns with the policies and direction of the PPS. The development is an example of efficient land use within the settlement area, supporting sustainable growth by concentrating development where existing infrastructure and services are already in place. By avoiding urban sprawl, this project reduces environmental and financial costs and advances key provincial goals such as housing diversity, affordability, and

environmental sustainability. The proposed severance contributes to creating complete, connected communities that balance present needs of residents while accommodating future growth.

Section 2.1: Planning for People and Homes

Policy 2.1.6 encourages planning authorities to support the achievement of complete communities through a balanced mix of land uses, housing options, transportation, and public facilities. The proposed development aligns with this policy by concentrating growth in a well-served residential area, promoting a range of housing options close to community amenities like schools, shopping centers, and recreational spaces.

Section 2.2: Housing

Policy 2.2.1 emphasizes the need for diverse housing options to meet the needs of current and future residents, with a focus on affordability and residential intensification. The proposed severance directly supports these objectives by introducing efficient semi-detached family homes to diversify the housing mix in the region.

By utilizing underdeveloped land within the inner urban area, the development adds new housing options that meet demographic needs. The future homes' proximity to greenspace, parks, and active living options aligns with the PPS goal of improving residents' health and well-being.

Section 2.3.1: Settlement Areas

According to Policy 2.3.1, settlement areas should be the focus of growth and development. The proposed severance is located within the City of Ottawa's established settlement area, inner urban transect, which is in keeping with the PPS's emphasis on directing growth to areas with existing infrastructure and public services. By developing within a settlement area, the proposed severance ensures efficient land use and minimizes the need for costly infrastructure expansion. The site's integration into the city's transit network enhances accessibility and supports sustainable urban growth, consistent with the PPS goals of reducing sprawl and promoting livable, connected communities.

Section 2.4.1: Strategic Growth Areas

Policy 2.4.1 encourages development in strategic growth areas, such as major transit station areas, existing and emerging downtowns, grayfield and brownfield sites, lands along major roads, arterials, or other areas with existing or planned transit service. The proposed severance is situated within the inner urban area with convenient access to public transit, aligning with this policy's goal of focusing growth where it can be supported by existing services and infrastructure.

In our opinion, the proposed severance at 317 Westhill Avenue aligns with the Provincial Planning Statement by promoting efficient land use, optimizing urban infrastructure, enhancing housing diversity, and supporting the development of complete communities. This constitutes sound and sustainable land use planning.

PRE-CONSULTATIONS

The proposed plans were sent to the Panel 2 Planners and Forestry department for comments ahead of this submission. The proposed plans were also sent to the Westboro Community Association for comments ahead of this submission.

TREES

The existing trees on site were assessed by Dendron Forestry Services early in the planning process. A Honey Locust tree in the front yard was removed with a Distinctive Tree Permit in coordination with the Building Permit for the new semi-detached dwellings. At least one new tree will be planted in the front yard at completion of construction. Please refer to the enclosed Tree Information Report and Tree Planting Plan for more details.

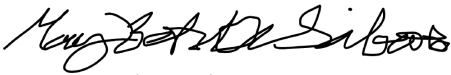
CONCLUSION

It is our opinion that the proposed severance does not require a plan of subdivision and meets the criteria of Subsection 51(24) of the Planning Act; it is not premature and is a suitable and efficient use of the land with minimal impact on the public interest. The proposed severance also meets the intentions of the relevant policies and provisions of the Official Plan, and the Zoning By-law. The proposed severance is consistent with the Provincial Planning Statement, creating additional lots for residential development within the settlement area.

As the requirements of Subsections 53(1) and 51(24) of the Planning Act are met and the proposal is consistent with the Provincial Planning Statement, we believe that the Consents sought represent good land use planning and are appropriate for the subject property.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,



Mary Beth DiSabato
Miroca Design Consulting Services Inc.

Michael Segreto
Miroca Design Consulting Services Inc.