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

Attention: Michel Bellemare, Secretary - Treasurer

Dear Mr. Bellemare:

Reference: 1145 Carp Road

Applications for Consent Our File No. 124036

Committee of Adjustment Received | Reçu le

2025-03-18

City of Ottawa | Ville d'Ottawa Comité de dérogation

Novatech has been retained by the owner of the property municipally known as 1145 Carp Road (the "Subject Site") to prepare and file applications for Consent to sever the existing lot and establish easements for access and servicing for both lots.

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



Site and Context

Site

1145 Carp Road is located in the Stittsville North neighbourhood and is within the City of Ottawa's Stittsville Ward (Ward 6). The property is a corner lot located at the northeast corner of Carp Road and Hazeldean Road. The Subject Site is in an area bounded by Kittiwake Drive to the north, Stittsville Main Street to the east, Hazeldean Road to the south, and Carp Road to the west. The



Subject Site has a frontage of 44.9 metres along Carp Road, a frontage of approximately 82 metres along Hazeldean Road, and a lot area of approximately 7,122 square metres. The Subject Site is legally known as Part of Lot 23, Concession 12, Geographic Township of Goulbourn, City of Ottawa.

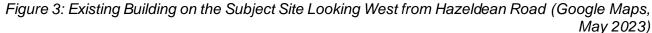
Figure 2: Subject Site

The Subject Site is designated Mainstreet Corridor in the Suburban (West) Transect in the City of Ottawa Official Plan (2022). The Subject Site is zoned AM9 in the City of Ottawa Zoning By-law 2008-250.

The Subject Site is currently developed with two buildings. The building located on the east side of the Subject Site is an existing dental office which will be retained on the property. The Subject Site has received Site Plan Approval (D07-12-18-0130) for the development of a low-rise apartment building on the southwestern portion of the Subject Site. As part of this future development, the existing building on the southwest side of the Subject Site will be removed.

The neighbouring area is characterized by a mix of residential and commercial uses. There are several commercial uses located along Hazeldean Road and Carp Road while ground-oriented residential uses are located to the north of the Subject Site.







Surrounding Context

1145 Carp Road is in an area characterized by a mix of residential and commercial uses on lots of varying sizes. There are a number of commercial uses to the south of the Subject Site along Carp Road and along Hazeldean Road to the west and east of the Subject Site. This includes a commercial plaza directly to the west of the Subject Site and a gas station to the south of the Subject Site. To the north of the Subject Site is a residential neighbourhood with primarily detached dwellings.

The Subject Site is located at the intersection of Hazeldean Road and Carp Road, both of which are identified as Arterial Roads on *Schedule C4 – Urban Road Network* of the Official Plan. There is good transportation connectivity to and from the Subject Site.

A bus stop is located along Hazeldean Road in front of the Subject Site. This bus stop is served by the 61 "Rapid" bus route which connects to the City's Bus Rapid Transit system and provides direct access to the Terry Fox Park & Ride, Eagleson Park & Ride, and Tunney's Pasture O-Train station (see Figure 4). The 162 local bus route also services this bus stop.

Within 300 metres of the Subject Site, there are primarily commercial uses, including a number of shops, services, restaurants, and fast-food/takeout restaurants. A small preschool is located to the north of the Subject Site and Kittiwake Park is located to the west of the Subject Site behind the Stittsville Corners retail plaza. Within 600 metres of the Subject Site, there are primarily residential uses as well as some restaurants along Hazeldean Road. There are also a number of parks located within 600 metres of the Subject Site, including Eaglehead Crescent Park, Echo Woods Park, Timbermere Park, Banyon Park, and Laumann Park. Within 900 metres of the Subject Site, there is a mix of residential and commercial uses, including the Jackson Trails Shopping Centre located along Hazeldean Road and the Crossing Bridge Square Shopping Centre located along Stittsville Main Street. These shopping centres provide a variety of commercial uses and restaurants for residents of the surrounding neighbourhoods. The A. Lorne Cassidy Elementary School and St. Stephen



School are also located within 900 metres of the Subject Site, as well as Ladybird Park, Alfred McCoy Park, Crantham Park, and Crossingbridge Park.



Proposed Development

The Consent applications will sever the Subject Site into two separate lots with easements for access and servicing that is shared between the two proposed lots. This will allow the existing dental business on the eastern portion of the Subject Site to be separated from the southwest portion of the Subject Site, where Site Plan Approval for a low-rise apartment building has been previously obtained. This lot can then be developed by the existing owner at a later time or conveyed to a new owner.

The proposed easements are required to legalize existing shared site accesses and servicing between the approved low-rise apartment and the existing dental office. This will allow the dental office to continue to function as it does today and will not impact the future functionality of the approved low-rise apartment building.

The proposed consent applications will advance the City's intensification and housing goals by facilitating the future development of the Subject Site with a low-rise apartment building. The proposed consent applications will provide the property owner with flexibility on how to move forward with the approved development.



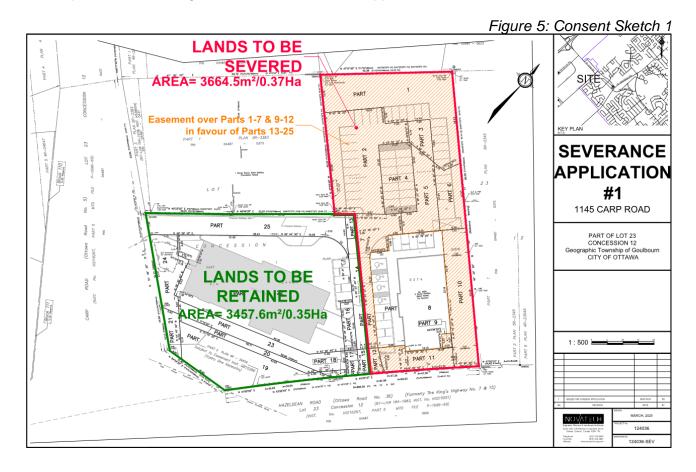
Consent Applications

Consent Application 1:

This application will establish the northern lot, labelled as Parts 1 to 12 on the Draft Reference Plan. Parts 1 to 7 and Parts 9 to 12 will be subject to an easement in favour of Parts 13 to 25 to provide access, parking, servicing, and utilities such as Hydro service and site lighting. This lot will have a frontage of 47.39 metres along Hazeldean Road and a lot area of approximately 3,664.5 square metres. The existing dental office on this lot will be retained. Figure 5 illustrates Consent Application 1

Consent Application 2:

This application will establish the southern lot, labelled as Parts 13 to 25 on the Draft Reference Plan. Parts 13 to 21 and Parts 23 to 25 will be subject to an easement in favour of Parts 1 to 12 to provide access, parking, servicing, and utilities access for Hydro and lighting on the site. This lot will have a frontage of 34.64 metres along Hazeldean Road, a frontage of 44.9 metres along Carp Road, and a lot area of approximately 3,457.6 square metres. The approved low-rise apartment building will be developed on this lot. Figure 6 illustrates Consent Application 2.







Severance Rationale

Planning Act

Subsection 53(1) of the Planning Act states:

"53(1) 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 severances and easements do not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

"53(12) A council or the Minister in determining whether a provisional consent is to be given <u>shall have regard to the matters under subsection 51 (24)</u> 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."

This rationale for the consent applications will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

"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;

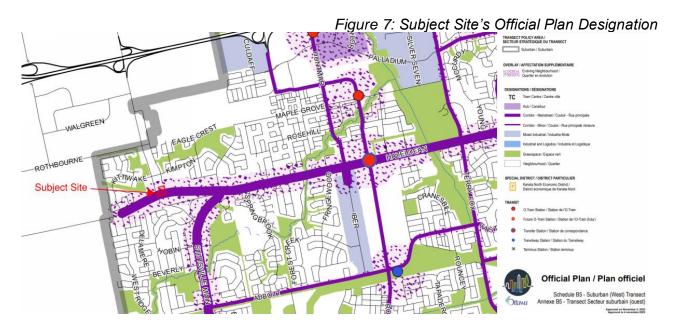
The proposed severances and easements have regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management system
- the orderly development of safe and healthy communities
- the appropriate location of growth and development
 - (b) whether the proposed subdivision is premature or in the public interest;

1145 Carp Road is located within the City of Ottawa's urban boundary and is in a developed neighbourhood. The proposed severances and easements are not premature and are in the public interest.

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

1145 Carp Road is designated Mainstreet Corridor in the Suburban Transect of the City of Ottawa Official Plan (2022).



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Growth Management Framework:

Section 3 of the Official Plan provides a Growth Management Framework for the City of Ottawa.

Section 3.2 of the Official Plan supports intensification and states the following:

"Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors."

The Subject Site is designated as a Mainstreet Corridor in the Official Plan, which makes this an ideal location for residential intensification. The proposed consent applications will create a new lot for the development of an approved low-rise apartment building at the corner of Hazeldean Road and Carp Road. The future development of this proposed lot will provide for an increase in the number of dwelling units provided in the built-up area of the City.

Policy 4 of Section 3.2 states:

"Intensification is permitted in all designations where development is permitted taking into account whether the <u>site has municipal water and sewer services</u>. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable. When reviewing planning applications for intensification, the City shall ensure that surface water and groundwater resources are protected, particularly where the groundwater resource is used for drinking water."

The proposed consent applications support intensification by facilitating the future development of a low-rise apartment building on the Subject Site. The proposed easements will ensure that both the existing dental office and the proposed low-rise apartment building have adequate servicing.

Suburban Transect

The Suburban Transect is characterized by neighbourhoods within the urban boundary that are located outside of the Greenbelt. These neighbourhoods generally have suburban built forms and character.

Policy 2 of Section 5.4.1 states:

"The Suburban Transect is generally characterized by Low- to Mid-density development. Development shall be:

- a) Low-rise within Neighbourhoods; [Bill 162, Schedule 3, Item 8, Modification 12, May 16, 2024]
- b) Low-rise along Minor Corridors, however the following policy direction applies:
 - i) Mid-rise buildings, between 5 to 7 storeys, may be considered through a rezoning without an amendment to the Plan;
 - ii) Mid-rise buildings above 7 storeys may be permitted through an areaspecific policy or secondary plan; and
 - iii) High-rise buildings may be permitted through a secondary plan. [Bill 162, Schedule 3, Item 8, Modification 12, May 16, 2024]
- c) <u>Mid-rise along Mainstreet Corridors</u>, however the following policy additional direction applies;



- i) Generally not less than 2 storeys;
- ii) Where the lot fabric can provide a suitable transition to abutting Lowrise areas, High-rise development may be permitted; [OPA 5, By-law 2023-403, Omnibus 1 item 16]
- iii) The building stepback should be no taller than the corresponding width of the abutting right of way, and consistent with the objectives in the urban design section on Mid-rise and High-rise built form in Subsection 4.6.6, Policies 7), 8) and 9); and [Amendment 5, By-law 2023-403, Omnibus 1 item 16, September 13, 2024] [Amendment 34, By-law 2024-506, Omnibus 2 item 17, November 13, 2024]
- iv) The Zoning By-law may restrict buildings to a Low-rise category on lots which are too small to accommodate an appropriate height transition.
- d) In Hubs, the following heights will apply:
 - i) High-rise in the central area of a Town Centre, and for areas designated as Hub and without the Town Centre notation, generally within 400 metres of a rapid transit station;
 - ii) Mid-rise in the periphery of a Town Centre, and for areas designated as Hub and without the Town Centre notation, generally within 800 metres of a rapid transit station; and
 - iii) Low-rise buildings may be required in the Zoning By-law for a Hub, including Town Centre, on lots which are too small to accommodate an appropriate height transition towards a Low-rise area."

The Subject Site is designated Mainstreet Corridor which would permit development with a mid-rise building height. The approved low-rise apartment building is permitted on the Subject Site. The proposed severances and easements will facilitate the future development of the Subject Site with a low-rise apartment.

Policy 3 of Section 5.4.1 states:

"In the Suburban Transect, this Plan shall support:

- a) A range of dwelling unit sizes in:
 - i) Multi-unit dwellings in Hubs and on Corridors; and
 - ii) Predominantly ground-oriented housing forms in Neighbourhoods located away from rapid transit stations and Corridors, with Low-rise multi-unit dwellings permitted near street transit routes; and
- b) In Hubs and on Corridors, a range of housing types to accommodate individuals not forming part of a household."

The proposed consent applications will facilitate the development of multi-unit dwellings on a Mainstreet Corridor. The proposed consent applications are consistent with Policy 3 of Section 5.4.1.

Policy 3 of Section 5.4.3 states:

- "Along Mainstreet Corridors, permitted building heights, except where a secondary plan or area-specific policy specifies different heights and subject to appropriate height transitions, stepbacks and angular planes, maximum building heights as follows:
 - a) <u>Generally, not less than 2 storeys and up to 9 storeys</u> except where a secondary plan or area-specific policy specifies greater heights; however



- b) The wall heights directly adjacent to a street of such buildings, or the podiums of high-rise buildings shall be of a height proportionate to the width of the abutting right of way, and consistent with the objectives in the urban design section on mid-rise and high-rise built form in Subsection 4.6.6, Policies 7), 8) and 9); and
- c) Such buildings may be limited to 4 storeys on lots too small to accommodate an appropriate height transition. Along Minor Corridors, subject to appropriate height transitions and stepbacks, permitted building heights are up to 4 storeys, however:
 - i) Mid-rise buildings, between 5 to 7 storeys, may be considered through a rezoning without amendment to this Plan;
 - ii) Mid-rise buildings above 7 storeys may be permitted through an Area-Specific Policy or Secondary Plan; and
 - iii) Mid-rise or high-rise buildings may be permitted through a Secondary Plan. [Amendment 5, By-law 2023-403, Omnibus 1 item 18, September 13, 2023]"

A low-rise apartment building has been approved for development on the Subject Site. This is consistent with the permitted building heights on Mainstreet Corridors in the Suburban Transect. The proposed consent applications will facilitate the future development of this low-rise apartment building.

Mainstreet Corridor Designation:

The Subject Site is designated Mainstreet Corridor on Schedule B5 of the Official Plan. Section 6.2 provides policy direction for development within Corridors and describes the planned function as "combin[ing] a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs."

Policy 3 of Section 6.2.1 states:

"Corridors will generally permit residential uses and such non-residential uses that integrate with a dense, mixed-use urban environment. The City may require through the Zoning By-law and/or development applications to amend the Zoning By-law:

- a) Commercial and service uses on the ground floor of otherwise residential, office and institutional buildings with a strong emphasis on uses needed to contribute to 15-minute neighbourhoods;
- b) Residential and/or office uses on the upper floors of otherwise commercial buildings; and/or
- c) Minimum building heights in terms of number of storeys to ensure multi-storey structures where uses can be mixed vertically within the building."

The approved development of the Subject Site supports both commercial/service and residential uses. The approved low-rise apartment building will provide increased density to support the commercial uses nearby and will integrate with the existing and planned neighbourhood context.

Policy 4 of Section 6.2.1 states:

"Unless otherwise indicated in an approved secondary plan, the following applies to development of lands with frontage on both a Corridor and a parallel street or side street:



- a) Development shall address the Corridor as directed by the general policies governing Mainstreet Corridors Minor Corridors, particularly where large parcels or consolidations of multiple smaller parcels are to be redeveloped; and
- b) Vehicular access shall generally be provided from the parallel street or side street."

The approved low-rise apartment building and existing dental office both face Hazeldean Road and address the Corridor, as required by Section 6.2.1, Policy 4. The proposed easements will allow access to the low-rise apartment building and the dental office from Carp Road in addition to Hazeldean Road, which meets the intent of Policy 4b).

Policy 1 of Section 6.2.2 states:

"In the Mainstreet Corridor designation, this Plan <u>shall permit a mix of uses including offices</u>. These uses are permitted throughout the building, however the Zoning By-law may require active commercial or service uses on the ground floor, which include those that support cultural development in order to maintain, extend, or create a continuous stretch of active frontages along a Mainstreet."

The proposed consent applications will support the mix of uses on the Subject Site, including the existing dental office. The proposed consents are in line with this policy.

The proposed severances and easements conform to the policies of the City of Ottawa Official Plan.

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

The proposed severances and easements will conform with the provisions of the City of Ottawa Zoning By-law 2008-250, including the provisions for lot width and lot area (see Table 1).

Table 1: Zoning Provisions for the Proposed Lots

Zoning Provision	Required	Lot 1	Lot 2
Minimum Lot Width (m)	No minimum	47.4 m	34.6 m
Minimum Lot Area (m²)	No minimum	3,664.5 m ²	3,457.6 m ²
Maximum Building Height (m)	11 m (20 m from residential zone) 15 m (in all other cases)	2 storeys (approximately 6 m)	4 storeys (approximately 12 m)
Minimum Front Yard Setback (m)	3 m (residential) No minimum (non- residential)	6.08 m	11.4 m
Minimum Corner Side Yard Setback (m)	3 m (residential) No minimum (non- residential)	N/A	7.5 m
Minimum Rear Yard Setback (m)	7.5 m	58.7 m	8.6 m



	10.5 m (non- residential)		
Minimum Interior Side Yard Setback (m)	No minimum	10.8 m / 7.9 m	10.5 m

The proposed severances and easements will facilitate the future development of the Subject Site with an approved low-rise apartment building. The proposed severance will create a separate lot for the development of the low-rise apartment building. The proposed easements are suitable as they ensure that both lots have appropriate access and servicing to support the function of the existing and proposed uses.

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

Not applicable.

(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 proposed severances and easements do not propose any new roads and will not affect highways or the transportation system.

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

The proposed severances will result in the creation of two lots that are an appropriate size to support the existing and proposed uses. The shapes of the lots are based on the required easements which were designed to capture the existing services on the site as well as the existing and proposed drive aisles and parking spaces. Despite its irregular shape, the proposed lots will fit in well with the lot fabric of the neighbourhood, where there are many irregularly shaped lots along Hazeldean Road.

(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;

There is an existing Hydro easement over a portion of the Subject Site, which is shown as Parts 19, 20, and 21 on the Draft Reference Plan. This will be included as part of the proposed easements and will not impact the proposed consent applications.

(h) conservation of natural resources and flood control:

The Subject Site is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

The Subject Site is located within the urban boundary and is connected to existing utilities and municipal services. No concerns were raised during the Site Plan Control application regarding the adequacy of the City's municipal services or utilities to support the approved low-rise apartment



building. The proposed consent applications are not anticipated to have any impact on the adequacy of the City's municipal services or utilities.

(j) the adequacy of school sites;

The Subject Site is located near Imagination Station Preschool, A. Lorne Cassidy Elementary School, and St. Stephen School (see Figure 4). The proposed severances and easements will have no major impact on the adequacy of school sites in the area.

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

A road widening may be required as a condition of approval of the consent application. The road widening requirement will be discussed with the City Surveyor and Planning staff.

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

The proposed consent applications more efficiently use the Subject Site by facilitating the development of an approved low-rise apartment building on the Subject Site. This allows growth to remain within the urban area which more efficiently uses existing infrastructure, services, and land. The proposed easements will also allow for the infrastructure on the site to be used by both the existing dental office and the approved low-rise apartment building. This is a more efficient use of the existing infrastructure than reconstructing new infrastructure for these buildings.

(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 has received Site Plan Approval. The requested easements align with the servicing that was constructed as part of this approved development.

The proposed severances and easements meet the criteria set out in Section 51(24) of the Planning Act. The proposed severances and easements at 1145 Carp Road represent good land use planning.

Provincial Planning Statement

Section 3(5) of the Planning Act states:

"A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter.

(a) subject to a regulation made under subsection (6.1), shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision:"



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.

Policy 1 of Section 2.2 states:

- "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) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
 - b) permitting and facilitating:
 - all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
 - 2. <u>all types of residential intensification</u>, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, <u>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;</u>
 - c) <u>promoting densities for new housing which efficiently use land</u>, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations."

The proposed consent applications will facilitate the future development of an approved low-rise apartment building on the Subject Site. The proposed severances and easements will promote the efficient use of existing infrastructure in the City and on the Subject Site.

Policy 2 of Section 2.3.1 states:

"Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight-supportive"

The proposed severances and easements will facilitate a more efficient use of the Subject Site. The proposed easements will allow the existing infrastructure on the Subject Site to be used by both the existing dental office and the future low-rise apartment building. This is a more optimal and efficient use of the existing services on the Subject Site.



The proposed severances and easements are consistent with the Provincial Planning Statement. The proposed severances and easements at 1145 Carp Road constitute good land use planning.

Conclusion

The proposed severances and easements at 1145 Carp Road do not necessitate the construction of new public infrastructure and a plan of subdivision would not be required for the orderly development of the municipality. The consent applications meet the criteria of Section 51(24) of the Planning Act as they will facilitate the future development of the site and the efficient use of existing infrastructure. The proposed lots are an appropriate size and shape to support the existing and future uses. The proposed easements have been designed to allow the existing servicing, drive aisles, and parking areas on the Subject Site to be utilized by both lots. The proposed severances fully conform with both the City of Ottawa Official Plan (2022) and the City of Ottawa Zoning By-law. The proposed consent applications are also consistent with the Provincial Planning Statement and will allow for efficient use of existing infrastructure. As the requirements of Subsection 53(1) and 51(24) of the Planning Act are met and the proposal is consistent with the Provincial Planning Statement, the proposed severances and easements represent good land use planning.

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

- Cover Letter (one copy)
- Complete Consent Application Form 1 (one original copy)
- Complete Consent Application Form 2 (one original copy)
- Consent Sketch 1 (one 8.5x11 copy and one 11x17 copy)
- Consent Sketch 2 (one 8.5x11 copy and one 11x17 copy)
- Draft Reference Plan (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 1145 Carp Road (one copy)
- Tree Information Report Waiver email

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

Yours truly,

NOVATECH

Simran Soor, M.PL Planner