



March 2025

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

**Committee of Adjustment**  
Received | Reçu le  
  
2025-03-18  
  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Committee Members,

**RE: Application for Minor Variance**  
**287 Shakespeare Street**  
**LT 353, PL 246 ; PT LT 354, PL 246 , AS IN N714430 ; VANIER/GLOUCESTER**  
**City of Ottawa**  
**Owner: 10163074 CANADA INC.**

HP Urban Inc and The Stirling Group have been retained by the Property Owner to assist with a Minor Variance application for the property located at 287 Shakespeare Street, described as LT 353, PL 246 ; PT LT 354, PL 246 , AS IN N714430 ; VANIER/GLOUCESTER. The property is rectangular in shape and resides within the Vanier neighbourhood, Ward 12 (Rideau-Vanier). The property owner is proposing to build a low-rise rental apartment building with 10 units. The units would be a mix; studio (2), 1 bed (2), 2 bed (2), 3 bed (4).

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 UA (R4UA) in the City of Ottawa Zoning By-Law.

To proceed with the development as proposed, a Minor Variance is required to vary:

- The front yard setback
- The rear yard setback
- The side yard setback
- The maximum number of units

Attached with this letter are copies of the following documents:

- Committee of Adjustment Application requesting minor variances
- Site Plan and Elevations
- Topographic Survey
- Tree Report

### SITE LOCATION

The subject property is a large rectangular lot located on Shakespeare Street between Bradley Avenue and Ste-Anne Avenue. The lot is approximately 554 m<sup>2</sup> and currently contains a one and a half storey residential dwelling and a detached garage.

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, 287 Shakespeare Street

## 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 adjacent to a Minor Corridor in Marier Avenue and between two Major Corridors in Beechwood Avenue and Montreal Road.*
- 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 10 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 Shakespeare Street 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 minor variance application at 287 Shakespeare 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 Shakespeare Street*
- **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 ten rental units consisting of two studio units, two 1-bedroom units, two 2-bedroom units, and four 3-bedroom units.*
- The Policy further elaborates and states “Dwelling sizes are categorized into two broad categories, with a range of floorspaces occurring within each category... b) Large-household dwellings are units with three or more bedrooms or an equivalent floor area and are typically within ground-oriented built forms.”
  - *As noted, the proposed development seeks to provide four 3-bedroom units within a ground-oriented built form.*

The residential intensification targets by dwelling sizes established in Table 2. Large-household dwellings, defined in Policy 8 of section 3.2 (discussed above), are units with three or more bedrooms or an equivalent floor area and are typically within ground-oriented built forms. Table 2 notes that the residential intensification target for large-household dwelling is 49,000.

**Table 2**

Residential Intensification Targets	
	TOTAL
Ground-oriented / Large-household dwellings	49,000
Apartment / Small-household dwellings	43,000
Total Dwellings	92,000

Table 3b – shown below – specifies that within the Inner Urban Transect, the target residential density range for intensification in a net hectare is 60 to 80 units. Further, within the Neighbourhood designation, existing lots with a frontage of 15 meters or wider (such as the subject lot), a goal of 50% of the units within the intensification target should be large-household dwellings have been set. As discussed throughout this letter, 40% of the units within this building alone are proposed as large-household dwellings and assist in achieving the described intensification target.

**Table 3b**

Neighbourhood and Minor Corridor Residential Density and Large Dwelling Targets		
Applicable Area	Target Residential Density Range for Intensification, Dwellings per Net Hectare <sup>1</sup>	Minimum Proportion of Large-household Dwellings within Intensification
Inner Urban Transect	60 to 80	Within the Neighbourhood designation: Existing lots with a frontage generally 15 metres or wider: - Target of 50 per cent for Low-rise buildings; - Target of 5 per cent for Mid-rise or taller buildings;  Minor Corridors: No minimum

**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 Apartment 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, this application would allow for the creation of missing middle housing units on a single lot where one detached dwelling had previously existed all while meeting the intent of the R4UA zoning.*

As demonstrated above, the proposed development and subsequent minor variances 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 UA (R4UA).

The R4UA zoning notes apartment dwelling, low rise as a permitted use.

The below table outlines how the proposed development meets the R4UA zoning provisions as provided by Table 162A.

<b>R4UA</b>	<b>Required</b>	<b>Provided</b>
Minimum Lot Width	12m	19m
Minimum Lot Area	360 m <sup>2</sup>	552.29 m <sup>2</sup>
Building Height	11m	11m
Minimum Front Yard	4.5m	4m
Minimum Rear Yard	8.68m (30% lot depth)	7.33m (25.35%)
Minimum Rear Yard Lot Area	25% of the area	25.48% (140.74m <sup>2</sup> )
Minimum Interior Side Yard	1.5m	1.33m / 4.33m
Landscape – Front Yard	40% of the front yard	57.51% of the front yard
Landscape – Rear Yard	50% of the rear yard	55.27% of the rear yard
Maximum Number of Units	8	10

As shown above, the proposed development complies with the R4UA zoning provisions but requires a variance to the Minimum Front Yard, Minimum Rear Yard, Interior Side Yard, and Maximum Number of Units.

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 differs from the existing in context of the surrounding environment and streetscape and should demonstrate that the new construction will not have any adverse impacts.

The proposed Site Plan is provided on the subsequent page as Figure 2.



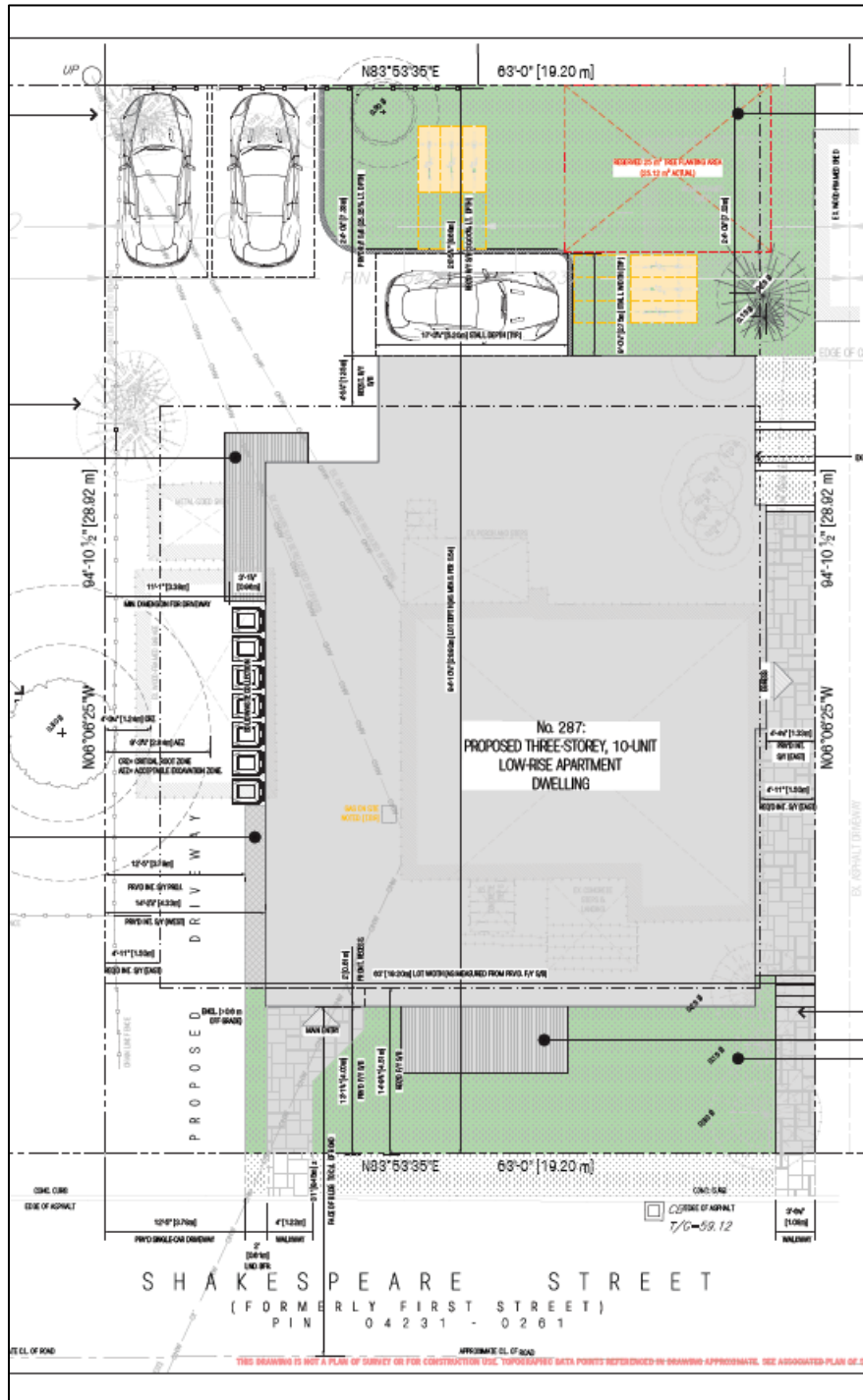


Figure 2 – Proposed site plan, 287 Shakespeare



**COMMUNITY CONTEXT**

The existing dwelling today at 287 Shakespeare Street is shown below.



260 Shakespeare, a low-rise apartment building exists.



211 Bradley Avenue, around the corner from the subject property, another low-rise apartment has been developed.





A row of three-townhomes has been built at 294 Shakespeare Street.



As noted in the Community Context section, a variety of built forms exists throughout the neighbourhood and the development of a 10-unit, low-rise apartment building is in keeping with the fabric of the existing Community.

## DISCUSSION

As noted, a minor variance is required for the front yard setback, rear yard setback, interior side yard setback, and maximum number of unit’s provision. Each requested variance will be looked at further below.

When reviewing the requested front yard setback variance from 4.5m to 4m, it is important to look at existing front yard setbacks along the streetscape to determine if an ‘edge’ has been set. As evident in the below photograph, there is a large variation in the front yard setbacks provided on the Street. Some dwellings are set back 4m+ but in other instances, dwellings are built nearly to the front lot line (288,297,299 Shakespeare). The requested variance in the front yard will not be disruptive to the existing streetscape. Further, the proposed development continues to ensure that soft landscaping requirements in the front yard are exceeded – 40% of the front yard is required as soft landscaping and the proposed development provides 57%+. The variance to the front yard allows the building to have a little bit of a bigger footprint and allows for the creation of the 3 bedroom units.



When looking at the requested reduction for the rear yard setback, it is important to look at the function of the rear yard. As shown in the aerial photo below, existing properties in the neighbourhood are using their rear yard for green space, parking, and storage.



The proposed development at 287 Shakespeare proposes to use the rear yard for much of the same; parking and green space. It should be further highlighted that despite requesting variances for the Rear Yard setback, the proposed development exceeds the minimum Rear Yard Area provision – 25% of the lot area required and 25.48% (140.74m<sup>2</sup>) is provided. This indicates that while the depth of the rear yard needs to be varied, the rear yard lot area can be met because the lot is significantly wider than most in the R4UA zone. Further, the Rear Yard requires 50% of the area to be soft landscaping and the proposal provides 55.27% of the rear yard as soft landscaping. Thus, despite requesting a variance from the required 8.6m to the provided 7.33m, the Rear Yard provided meets the need and intent of a Rear Yard.

The Eastern interior side yard is proposed to be reduced from the required 1.5m to 1.33m. This was done to ensure that the neighbouring tree at 283 Shakespeare Street (shown below) could be retained. By pushing the building East, every effort can be made to save the tree. As noted, the Western Interior Side yard is proposed at 4.33m and thus it is evident that the requested variance is not because of lack of space. It should be further noted that the existing detached garage is located 0.83m away from the Western interior side yard and thus, the proposed development would improve the existing condition.





Finally, a minor variance is required for the maximum number of units permitted. The Zoning By-Law specifies that while an apartment dwelling, low-rise, is permitted within the R4UA zone, it is limited to 8 units. This application seeks to amend that provision to allow for 10 residential units.

The subject property is larger than what is typically found within the R4UA zone. This is made evident by the permitted lot area of a low-rise apartment dwelling in this zone requiring a lot area of 360m<sup>2</sup> whereas the subject property is 552.29 m<sup>2</sup>. As such, the subject property can handle additional units from the 8 permitted. The Owner is looking to optimize the internal configuration of the building to maximize unit count. As noted earlier in the letter, the building proposes a varying unit mix; studio (2), 1 bed (2), 2 bed (2), 3 bed (4). Based on these unit types, it's clear that the size of the units is not being compromised either. A good mix of unit types will be made available.



In reviewing the proposed development, it is clear that the variance requested have no impact on abutting properties and is desirable as it allows for the development of sensitive intensification with the addition of a Low-rise Apartment.

### **New City of Ottawa Draft Zoning By-Law**

The City of Ottawa has started to update the zoning bylaw to conform to the approved Official Plan. Version 1 has been released, and version 2 should be released later in 2025 and while not in force the new bylaw provides context in relation to conformity to the City of Ottawa Official Plan.

The recommended zoning for this property would be Neighbourhood Zone subzone 4B (N4B). This new zoning bylaw does away with traditional lot area calculations and instead moves to a units per hectare calculation to determine the appropriate density on the site. The proposed 10 units would comply with the density provisions of the N4B zone.

Similarly, the proposed development would comply with the new front yard set (3m), rear yard setback (25% of lot depth), and interior side yard setback (2.4m total) provisions.

This compliance to the new zoning bylaw is a strong indicator that this proposed development conforms to the purpose and intent of the provisions of the City of Ottawa Official Plan.

## 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.

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

The requested variance is appropriate so that a new Low-rise Apartment building 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 R4UA zone. The surrounding properties are all zoned R4UA 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. Further, the proposed development would require no variances from the City of Ottawa New Zoning Bylaw.

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

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



## CONCLUSION

The lot fabric, scale of the proposed construction and the ability to meet the intent of the R4UA zone demonstrates that the proposed minor variances are desirable and will have little to no effect on adjacent properties. 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 minor variances represent good planning and urban development.

Sincerely,

Peter Hume  
HP Urban Inc.

Alison Clarke  
The Stirling Group