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March 3, 2025

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

Committee of Adjustment
Received | Reçu le
Revised | Modifié le : 2025-03-21
City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: Application for Consent & Minor Variances
2663 Innes Road
PT LT 13, CON 2 O.F., GLOUCESTER, PART 8, 5R1738 CITY OF OTTAWA
City of Ottawa
Owner: 8743169 CANADA LTD.

Dear Committee Members:

HP Urban has been retained by the Property Owner to assist with a consent application for the property located at 2663 Innes Road. The property is rectangular in shape and resides within Orléans West-Innes, Ward 2. The property owner is proposing to build 8 townhouses in 2 buildings. The property is currently vacant.

The subject property resides within the MainStreet Corridor – with an Evolving Neighbourhood overlay - in the Official Plan, Schedule B3 Outer Urban Transect. The subject property is zoned AM – Arterial Mainstreet Zone, subzone 11 (AM11) in the City of Ottawa Zoning By-Law.

To proceed with the development as proposed, a consent and minor variance application is required to sever the property. If approved, the application would allow for a block of 4 townhouses facing Innes Road and an interior block of 4 townhouses; for a total of 8 units.

SITE LOCATION

The subject property is a large rectangular lot located along Innes Road east of the Intersection of Bearbrook Road. The lot is 1588.87 m² and currently vacant.

As seen in Figure 1, the other surrounding land uses predominantly consist of a retirement home to the west of the site and a 20-metre pathway access to Good Shepard Catholic School. Across Innes Road is a shopping mall with a grocery store and to the east of the mall is a 3-storey tall townhouse complex.

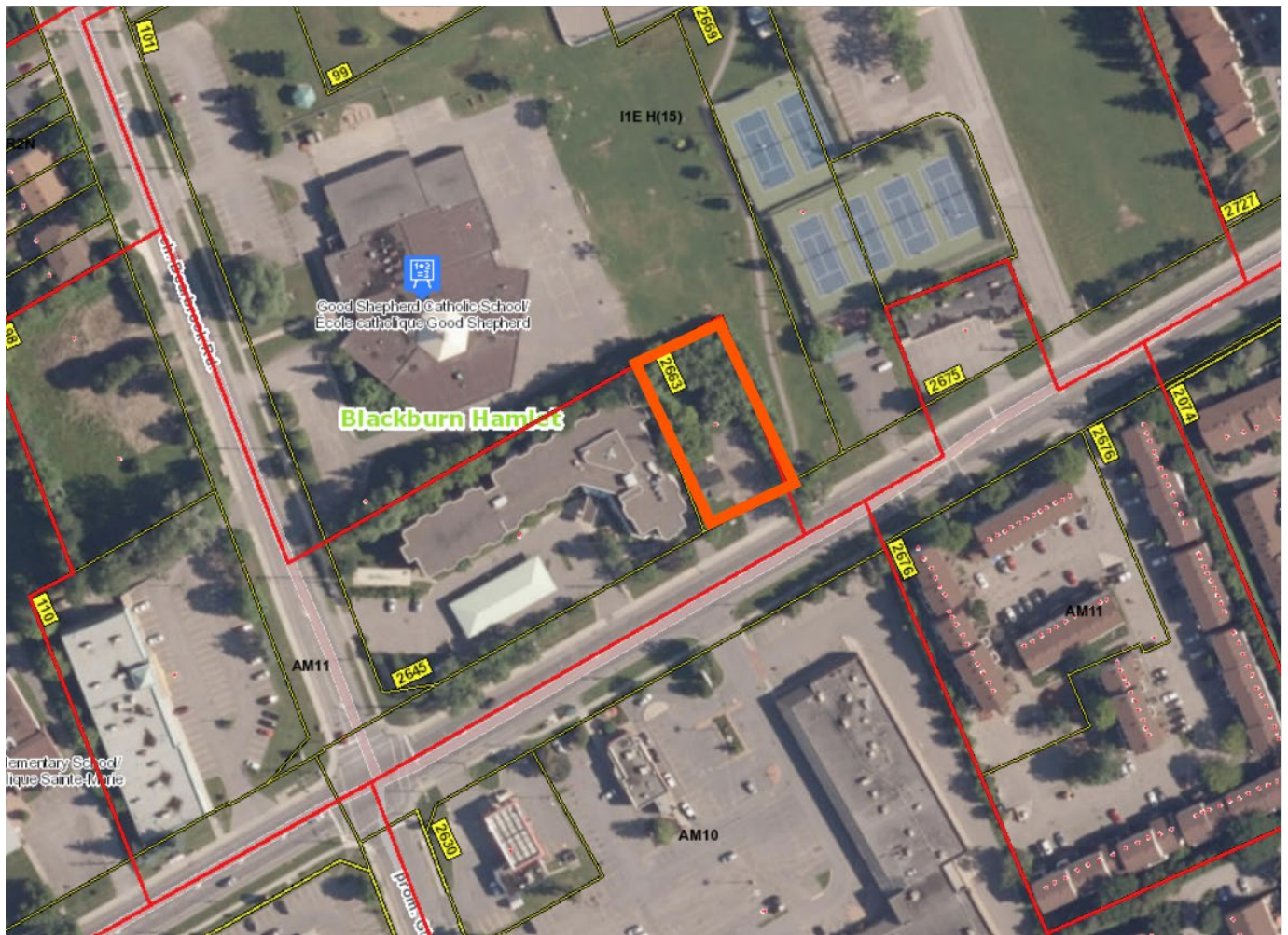


Figure 1 – Aerial View of Subject Property

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 North of both the Blackburn Hamlet Bypass with two Transitway stations and is on Innes Road, a 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 new rental units to a vacant lot. The subject property is in close proximity to alternative transit options.*

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 Innes Road 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 MainStreet Corridor with an evolving neighbourhood overlay.

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 application at 2663 Innes Road 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, with an Evolving Neighbourhood overlay and the proposal seeks to provide for intensification of the site. The subject site is located on Innes Road (major corridor) and in close proximity to the Blackburn Hamlet Bypass.*
- **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 Innes Road.*
- **Policy 8 in Section 3.2** states that intensification should occur in a variety of dwelling unit floor space sizes to provide housing choices.

- *The proposed development seeks to develop the subject site with 8 townhouse units.*

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 consent application and subsequent development 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 AM – Arterial Mainstreet Zone, subzone 11 (AM11).

Section 185 outlines the permitted residential uses within the AM11 Zone as follows:

- apartment dwelling, low rise
- apartment dwelling, mid rise
- bed and breakfast
- dwelling unit
- group home
- home-based business
- home-based day care
- planned unit development
- retirement home
- retirement home, converted
- rooming house
- stacked dwelling
- **townhouse dwelling**

The below tables outline how this proposed development meets the AM11 zoning provisions as provided by Table 185 and illustrated on the attached site plan.

A Draft R-Plan has been provided in Figure 2.

- 4 townhouse units proposed on Lot 1 (Part 7,8)
- 1 townhouse unit proposed on Lot 2 (Part 5,6)
- 1 townhouse unit proposed on Lot 3 (Part 4)
- 1 townhouse unit proposed on Lot 4 (Part 3)
- 1 townhouse unit proposed on Lot 5 (Part 2)

Easements are proposed for the shared driveway and to allow for appropriate pedestrian access and turning movements.

- Easement over Part 8 in favour of Parts 5-6 to allow for vehicle and pedestrian access to allow access to the units, parking spaces and required turning movements.
- Easement over Part 8 & 6 in favour of Part 4 to allow for vehicle and pedestrian access to allow access to the units, parking spaces and required turning movements.
- Easement over Part 8 & 6 in favour of Part 3 to allow for vehicle and pedestrian access to allow access to the units, parking spaces and required turning movements.
- Easement over Part 8 & 6 in favour of Part 2 to allow for vehicle and pedestrian access to allow access to the units, parking spaces and required turning movements.

AM11 Provisions –	Required	Proposed – Lot 1	Proposed – Lot 2, 3, 4, 5
Minimum Lot Width	No Min		
Minimum Lot Area	No Min		
Building Height	30 m	10.34 m	10.34 m
Minimum Front Yard	3 m	27 m	3 m
Minimum Rear Yard	10m 3m	12.41 m	5.72 m
Minimum Interior Side Yard	No Min		

As shown above, the proposed townhouse lots comply with the AM11 Zoning provisions set out in the City of Ottawa Zoning By-Law.

However, in addition to the above zoning standards the AM11 zone contains 2 specific provisions related to building walls and glazing:

Bylaw Section 186 Subsection 11 d ii

(ii) despite clause (d), at least 50% of the frontage along the front lot line and corner side lot line must be occupied by building walls located within 3.0 metres of the lot line.

Bylaw Section 186 Subsection 11 l

(l) a minimum of 50% of the surface area of the ground floor façade, measured from the average grade up to a height of 4.5 metres, facing a public street must be comprised of transparent glazing and customer or resident entrance access doors.

Minor Variances to these provisions are requested related to the following lots:

Lot 1 - Variance #1

Bylaw Section 186 Subsection 11 d ii

(ii) despite clause (d), at least 50% of the frontage along the front lot line and corner side lot line must be occupied by building walls located within 3.0 metres of the lot line

Variance Requested – 0% for the frontage...

Lot 1 - Variance #2**Bylaw Section 186 Subsection 11 l**

(l) a minimum of 50% of the surface area of the ground floor façade, measured from the average grade up to a height of 4.5 metres, facing a public street must be comprised of transparent glazing and customer or resident entrance access doors

Variance Requested – 0% of the surface area of the ground floor façade...

Lots 2 thru 5 – Variance**Bylaw Section 186 Subsection 11 l**

(l) a minimum of 50% of the surface area of the ground floor façade, measured from the average grade up to a height of 4.5 metres, facing a public street must be comprised of transparent glazing and customer or resident entrance access doors

Variance Requested - a minimum of 19.2% of the surface area of the ground floor façade...

A copy of the proposed site plan has been submitted with the applications and is shown below in Figure 2.

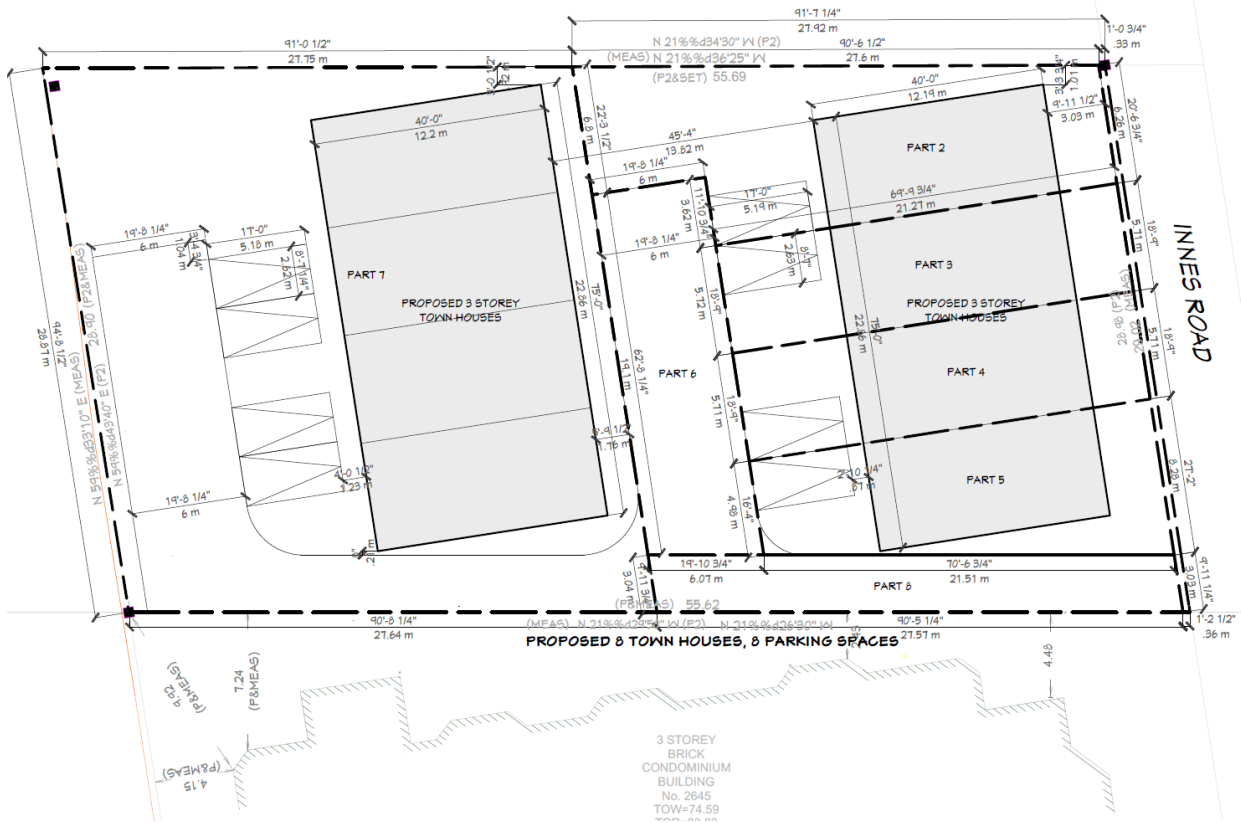


Figure 2 – Site Plan

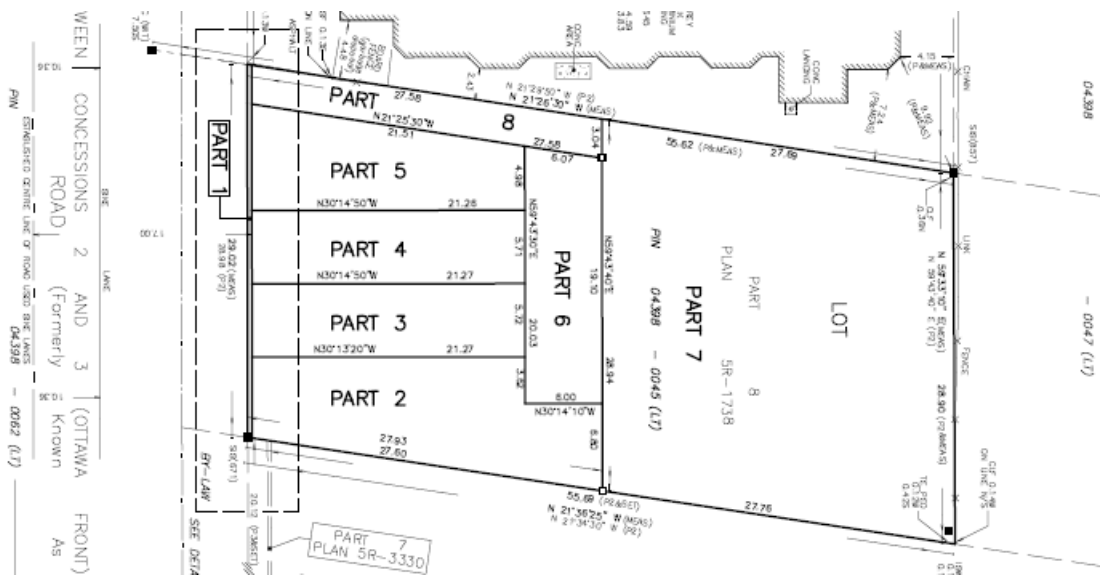


Figure 3 – Draft Reference Plan

COMMUNITY CONTEXT



Figure 4 – View looking directly across Innes Road from the subject property



Figure 5 – Bearbrook Retirement Residence directly to the west of the subject property



Figure 6 – Public Access to school grounds directly to the east of the subject property



Figure 7 – Town house project next to the Shopping Mall abutting the subject property

DISCUSSION

The purpose of the zoning provisions related to street walls and glazing is to allow for the creation of an engaged and active street frontage. The Official Plan speaks strongly to allow key places to evolve to better urban design and streetscapes and the zoning provisions embody this evolution.

In this specific case 88% of the frontage of the lots abutting Innes Road contain building walls within 3m of the front lot line. Therefore, for all intents and purposes to zoning provision that ensures at least 50% of the frontage along the front lot line must be occupied by building walls located within 3.0 metres of the lot line is met.

The entire frontage of the property is 29 metres and with only a small 3 metre driveway leading to the rear units the frontage requirement is still greatly above the zoning requirement of 50%.

The zoning intent looks at frontage and although the development presents 2 lot frontages the intent of the zoning is met as building frontage occupies 79% of both frontages well exceeding the required 50%.

The glazing standard:

a minimum of 50% of the surface area of the ground floor façade, measured from the average grade up to a height of 4.5 metres, facing a public street must be comprised of transparent glazing and customer or resident entrance access doors.

Can be easily applied to low rise apartment buildings and mixed use buildings with commercial on the ground floor but the applicability to low rise residential buildings is difficult. The goal is to have windows, doors, eyes and activities on the street and to prevent blank walls from sterilizing the street edge.

Below is the rendering of the proposed townhouse project.



As is illustrated, doors and front room windows present all across the façade. This represents 19.2 % - while this does not meet the numeric requirements of the zoning bylaw it certainly meets the intent of having doors, windows and eyes on the streets. The design also represents a modern urban townhome at a scale where the second story windows significantly contribute to the intent of creating a modern well-planned streetscape.

The subject property is located within the Outer Urban Transect of the City of Ottawa Official Plan (2022) and thus, the intensification of a lot that is presently vacant is very much in keeping with the policies outlined in the Official Plan and the intent of the zoning bylaw.

Planning Act Section 51 – Part 25 Compliance

Provision	Applicability	Application Compliance
(a) The effect of the development of the proposed subdivision on matters of provincial interest as referred to in section 2.	Yes	The Provincial Policy Statement (PPS) provides direction on matters of provincial interest on land use planning which local planning decisions must be consistent with. The policies of the PPS focus growth within settlement areas with lands uses managed to accommodate a full range of current and future needs taking advantage of existing infrastructure. The proposed consent conforms to the overall objectives and intent of the PPS.
(b) Whether the proposed subdivision is premature or in the public interest;	Yes	The subject lands are zoned for the development. The consent is therefore in the public interest as it allows for the development of much needed rental units.
(c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	Yes	The parcels conform to both the appropriate OP and Secondary Plan policies.

<p>(d) The suitability of the land for the purposes for which it is to be subdivided;</p>	<p>Yes</p>	<p>The consent application is meant to facilitate the creation of 5 new lots that will allow the construction of new rental units. Any development that occurs will adhere to City zoning and building regulations.</p>
<p>(e) If any affordable housing is being proposed the suitability of the proposed units for affordable housing;</p>	<p>No</p>	
<p>(f) The number, width, location and proposed grades and elevations of highways and the adequacy of them, and the highways linking the highways in the proposing subdivision with the established highway system in the vicinity and the adequacy of them;</p>	<p>No</p>	
<p>(g) The dimensions and shapes of the proposed lots;</p>	<p>Yes</p>	<p>The retained parcel is of an appropriate size to continue to function in the same manner as it does today. The severed parcels are of a size and dimension that is an appropriate in the context of the streetscape as demonstrated in this Planning Letter.</p>
<p>(h) 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 the adjoining land;</p>	<p>No</p>	

(i) Conservation of natural resources and flood control;	No
(j) The adequacy of utilities and municipal services;	Yes Full Municipal Services exist on Innes Road and can service the development in accordance with City of Ottawa servicing standards
(k) The adequacy of school sites;	No
(l) The area of land, if any, within the proposed subdivision that, exclusive of highways is to be conveyed or dedicated for public purposes;	No
(m) The extent to which the plan's design optimized the available supply, means of supplying, efficient use and conservation of energy; and	No
(n) 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 designed 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).	No

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 variances are 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 sensitive infill development can be constructed.

3. The general intent and purpose of the Zoning By-law is maintained.

Townhomes are a permitted use in the AM11 zone. The zoning bylaw seeks to create positive streetscapes that assist in creating a 15-minute neighbourhood. The development does meet the intent of the streetscape provisions and is a significant improvement to the abutting streetscapes.

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

The site is designated Mainstreet Corridor and as such the construction of eight Townhomes is consistent with the strategic direction of the Official Plan to assist in creating a 15 min neighbourhood.

SUMMARY

The applicant is seeking a severance for the property known as 2663 Innes Road for the purpose of developing two townhouse buildings.

The requested variances and consents are consistent with the policies in the 2024 Provincial Policy Statement, the City of Ottawa Official Plan, and the intent of the Zoning By-Law requirements of the AM – Arterial Mainstreet Zone, subzone 11 (AM11).

Please contact us if you require any additional information.

Peter Hume
HP Urban Inc.