

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

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Date: March 04, 2025

Att: Mr. Michel Bellemare
Committee of Adjustment, Secretary-Treasurer

Re: Application for Consent & Minor Variance at 123 – 125 Carruthers to sever the existing long semi-detached dwelling into two parcels to be individually conveyed, with a reduced pole width for the flag lot configuration

Arcadis Professional Services (Canada) Inc. has been retained by Citymaker Homes (the 'Owner') to submit an Application for Consent and Minor Variance for the property municipally known as 123 – 125 Carruthers Avenue (the 'site'). The site is an interior lot with frontage on the east side of Carruthers Avenue and presently contains a recently constructed three-storey long semi-detached dwelling with rear yard parking. The proposal is to now sever the exiting dwelling into two separate parcels so each half of the front-back dwelling can be individually conveyed. There are exiting easements for access and maintenance shared with the neighbouring property to the north (121 Carruthers) resulting from a former severance application, and there are proposed new easements for access, maintenance and parking across the flag lot / rear unit (125 Carruthers) for the benefit of the front unit (123 Carruthers).



Figure 1. Existing site conditions, front elevation (Google Streetview, 2024)

To facilitate the severance, authority of the Committee of Adjustment is required for consent with granting of easements/ROWs, and one minor variance to the zoning by-law, as discussed in the Application Summary section below.

APPLICATION SUMMARY

The existing long semi-detached dwelling was constructed in September 2020 and has been occupied since its completion. Prior to its construction, the original lot contained an existing duplex dwelling municipally known as 121 Carruthers Avenue. This lot was severed roughly in half, retaining the existing duplex on the north lot (121) and constructing the new long semi-detached dwelling on the south lot (123-125). Easements for access across Part 2 of the 121 Carruthers parcel were established in favour of the 123-125 Carruthers long semi-detached parcel, and an easement over Part 4 for the benefit of the 121 Carruthers for access was also granted.

The Consent application (D08-01-18/B-00461 and B-00462) was accompanied by combined Minor Variance applications (D08-02-18/A-00445 and A-00446) for the existing duplex and proposed new long semi-detached dwelling. The approved variances specific to both units of the long semi-detached at 123 and 125 Carruthers included a reduced lot width, reduced lot area, reduced front yard setback, reduced interior side yard setbacks, and increased building height. One variance applicable to Lot B (rear unit, 125 Carruthers) was to permit a non-accessory use for the proposed parking space to be located on Part 6 (125 Carruthers) for the benefit of Part 3 (front unit, 123 Carruthers) whereas the by-law requires that an accessory use can only be permitted on the same lot as the principal use.

All initial applications were granted by the Committee of Adjustment on March 15, 2019. A building permit was issued (No. 1908257) and construction was completed in September 2020.

The current application is to now sever the front and back units of the constructed long semi-detached dwelling to permit individual conveyance of the lots. Additional easements will be assigned for access and maintenance along the flagpole portion (Part 4) which is under the proposed ownership of Parce B, 125 Carruthers (rear unit), as well as an easement for parking across Part 6 for the benefit of Parcel A, 123 Carruthers (front unit). One minor variance is required for a reduced flagpole width.

The required variance is as follows:

VARIANCE A: To permit a reduced width of 1.68 metres for the pole portion of a flag lot when a long semi-detached dwelling is severed in a flag lot configuration, whereas the by-law requires 2.2 metres.

COMMENT: The pole portion of the flag lot is measured based on the definition of lot width in the Zoning By-law, and therefore is measured for the width at the required front yard setback. The sought relief is to permit a width of 1.68 metres. Despite the reduced flag lot width, the pole portion provides sufficient width for access, maintenance, and servicing to the rear unit, as exemplified by this being a built condition that has functioned successfully since its construction in 2020.

SITE & SURROUNDING CONTEXT

The site, known municipally as 123 and 125 Carruthers Avenue, is an interior lot situated on the east side of Carruthers Avenue in the block bounded by Scott Street to the south, Lyndale Avenue to the north, and Stonehurst Avenue to the east. The site is located in the Mechanicsville neighborhood in Ward 15 – Kitchissippi.

Mechanicsville is a small area just north of Hintonburg that is characterized by tight urban lot fabrics with a mix of older low-rise residential and newer infill development, as well as pockets of mid-rise apartment dwellings. The site and general neighbourhood are well served by transit, and the site is located within the 600 metre buffer zone of both the Bayview LRT station to the east and the Tunney's Pasture LRT station to the west. The site is just south of the Ottawa River and the Kichi Zibi Mikan, which features an extensive network of greenspace and multi-use pathways. The site is also just north of Wellington Street West which contains a mix of commercial and retail uses including restaurants, shops, and other amenities.

The following building types and land uses about the site, with the property parcels and configurations shown in Figure 2 below.

- **North (side yard)** Two and a half-storey duplex; Three storey long semi-detached dwelling
- **East (rear yard)** City-owned and travelled laneway; One and a half storey single-detached dwelling with rear yard detached garage
- **South (side yard)** Two-storey residential duplex dwelling
- **West (front yard)** Four-storey apartment building

The site is comprised of the following specifications and legal description:

Area	213.60 m ²	PIN	04096 – 0268
Frontage	7.14 m on Carruthers Avenue	Legal	Part 1 Plan of Part of Lot 16 (East Carruthers Avenue) Registered Plan
Depth	30.07 m	Description	35

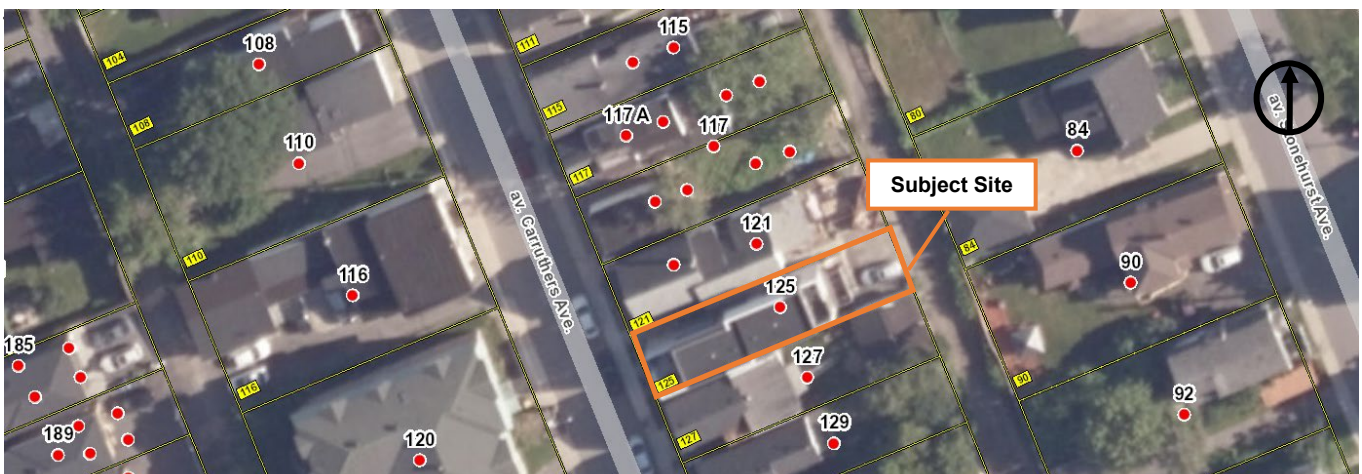


Figure 2. GeoOttawa property boundaries showing subject site and abutting lots (2022 mapping)



Figure 3. View facing the subject site and abutting properties (Source: Google Maps).



Figure 4. View looking south down Carruthers Avenue (Source: Google Maps).



Figure 5. View looking north down Carruthers Avenue (Source: Google Maps).



Figure 6. View looking north from Stonehurst Avenue down the laneway which provides access to the rear of the subject site (Source: Google Maps).

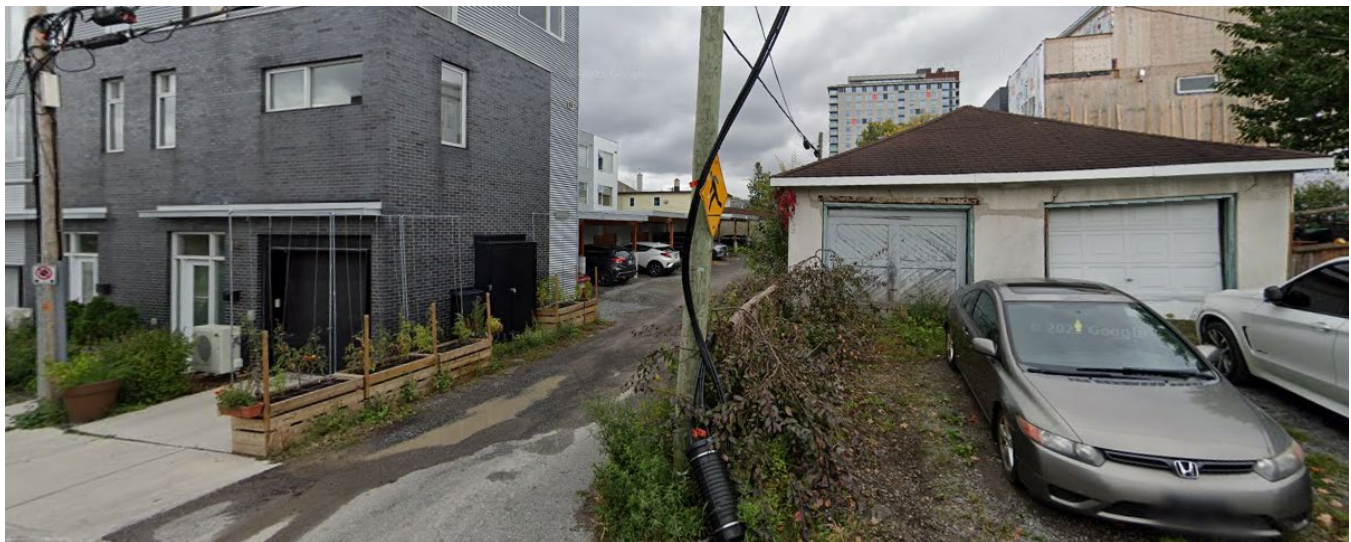


Figure 7. View looking south from Lyndale Avenue down the laneway which provides access to the rear of the subject site (Source: Google Maps).

Several flag lot configurations exist in the surrounding area as demonstrated in Figure 8 below. Directly across the street at 130 Carruthers Avenue, the pole portion of the flag lot is approximately 1.20m. At 41 Stirling Avenue, two abutting flag lots have pole portions of approximately 1.60m. At 208 Manchester Avenue, the pole portion of the flag lot is approximately 1.50m wide. At 41 Pinhey Street, the pole portion of the flag lot is approximately 2.69m wide. At 84 Carruthers Avenue, the pole portion of the flag lot is approximately 2.55m wide. Of these six (6) surrounding cases, four (4) lots have a reduce pole portion width, while two (2) lots have a sufficient pole portion width.



Figure 8. Flag lots located in the vicinity of the subject site (Source: GeoOttawa).

PROPOSED SEVERANCE

The proposal is to sever the existing long semi-detached dwelling in a front-back, flag lot configuration. To facilitate the consents, two applications to the Committee are required:

- 1) Primary Combined Consent & Minor Variance
- 2) Secondary Consent

The entire site consists of four parts on the enclosed reference plan. Part 3 comprises the front unit (123 Carruthers), while Parts 4, 5 and 6 comprise rear unit (125 Carruthers).

Part 4 represents the pole portion of the flag lot which provides street frontage and access for the rear unit, which is Part 5. Part 4 will have an easement for access and maintenance for the benefit of Part 3 (123 Carruthers).

Part 6 located in the rear yard consists of a parking space for the sole use of the front unit, 123 Carruthers. Access to the parking space is via the public travelled laneway, and pedestrian access from the front unit and street are provided via the walkway along Part 4 and the established easement. A minor variance was granted on March 15th, 2019 to permit a parking space on Part 6 for the benefit of Part 3 (File No. D08-02-18/A-00445&/A00446).

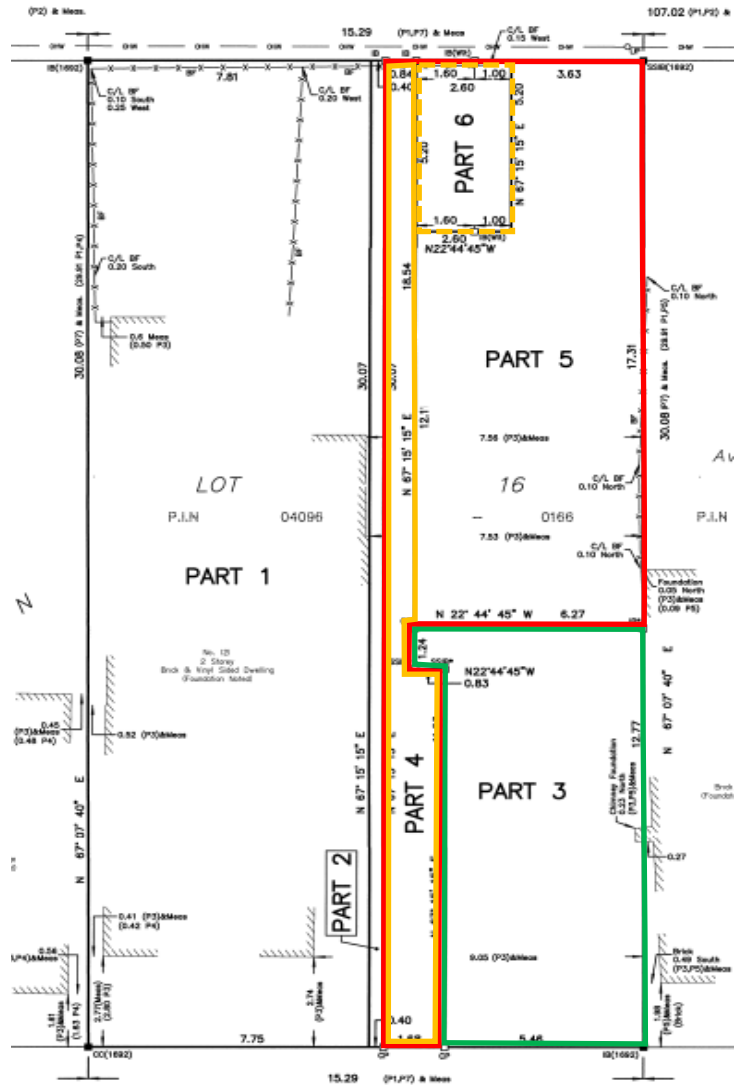


Figure 9. Reference plan prepared by Farley, Smith & Denis Surveying Ltd.

Table 1. Proposed lot fabric for severed lots

	PROPOSED PARCEL A Front Unit – 123 Carruthers	PROPOSED PARCEL B Rear Unit – 125 Carruthers
Parts	3	4, 5 & 6
ROW/Easement	N/A	Easement over Part 4 for access and maintenance for the benefit of Part 3 Easement over Part 6 for access, maintenance and parking for the benefit of Part 3
Description	Part 1 Plan of Part of Lot 16 (East Carruthers Avenue) Registered Plan 35	
PIN	04096 – 0268	
Parcel Lot Area (m²)	70.7 m ²	142.9 m ²
Total Lot Area (m²)	213.6 m ² (one lot for zoning purposes)	
Lot Frontage (m)	5.46 m	1.68 m (flagpole)
Lot Depth (m)	30.07 m	30.07 m
Lot Width (m)	7.14 m (one lot for zoning purposes)	

PROVINCIAL PLANNING STATEMENT 2024

The Provincial Planning Statement 2024 (PPS) provides policy direction on land use planning and development within the Province of Ontario, and decisions affecting all planning matters shall be consistent with the PPS policies. The proposed development is consistent with the applicable policies of the PPS, as demonstrated below.

Chapter 2.1 Planning for People and Homes:

Subsection 4 states that “to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.”

Subsection 6 states that “planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.”

Chapter 2.2 Housing:

Subsection 1 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:
 - 1. 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. 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;

- c) promoting densities for new housing which efficiently use land, 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.”

Chapter 2.3.1 General Policies for Settlement Areas:

1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.
2. 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.
3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

- The proposed development will introduce a flag lot configuration for an existing long semi-detached dwelling. This approach is consistent with the established built form and lot patterns. The proposed lot configuration is appropriate for the context and is compatible with the surrounding community. The development will not change the existing built form and character of the neighbourhood as it is simply a formalization of new lot lines for an existing configuration.
- The proposed severance demonstrates adherence to the Provincial Policy Statement by embodying principles of sustainable urban development. By severing a lot to accommodate independent ownership of each unit, the project contributes to efficient land use within an urban context, supporting long-term financial sustainability for both the Province and local municipalities.
- The use of existing municipal roads and water, sewer and storm services is an appropriate and efficient use of resources. The proposed new lot already features City water and sewer connection from the street. The development fits and functions well within the City's Urban Area.

OFFICIAL PLAN

The subject site is designated as Neighbourhood with an Evolving Neighbourhood Overlay within the Inner Urban Transect Policy Area as outlined in the City of Ottawa's Official Plan (OP), depicted in Figure 10 below. The site is situated north of Scott Street which is designated Mainstreet Corridor, while Parkdale Avenue to the west is designated as Minor Corridor.



Figure 10. Extract of the City of Ottawa Official Plan Schedule B2 - Outer Urban Transect Policy Area

Section 2.2.1 Intensification and Diversifying Housing Options sets out policy intent for directing residential growth within the urban area. Subsection i) states that “[t]his Plan envisions directing residential intensification towards Hubs, Corridor and surrounding Neighbourhoods where daily and weekly needs can be accessed within a short walk.” Subsection ii) states that “[m]uch of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed”.

→ The proposed severance aligns with the City’s intensification goals by creating two separate parcels within the urban area, allowing for more efficient land use while maintaining the ground-oriented housing form supported by Policy 2.2.1. Severing the long semi-detached dwelling supports flexibility of ownership of each unit, increasing housing availability. This form of intensification is appropriate given the site’s proximity to Scott Street and Parkdale Avenue, both designated Corridors that support transit-oriented development and access to daily needs.

Section 2.2.4 Healthy and Inclusive Communities states that “[t]he City’s physical layout and design play an important role in shaping health and well-being by enabling Ottawa’s diverse population to thrive and live their lives to the fullest.” The policy intent to achieve healthy and inclusive communities is to:

1) “Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities ... this includes a range of housing types and affordability, shops, services, access to food, schools and local childcare, employment, greenspaces, parks and pathways. They are complete communities that support active transportation and transit, reduce car dependency and enable people to live car-light or car-free.”

→ The proposed severance expands housing options while promoting community vitality and sustainability. It fosters a more compact urban form that reduces urban sprawl, preserves green spaces, and supports a healthier, more interconnected urban environment where residents can easily access daily needs and activities within a short distance from their homes.

Section 3: Growth Management Framework sets out the following policy intent for the urban area:

- 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 establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt”.

Section 3.2: Support Intensification sets out policies for intensification throughout the urban area, as follows:

2) “Intensification may occur in a variety of built forms and height categories, from Low-rise to Highrise 41+ buildings, provided density requirements are met.”

4) “Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable.”

→ The proposed development aligns with the OP’s intensification policies by facilitating ownership options for an existing development which represents a form of existing yet gentle intensification in an area deemed suitable for this type of development, which is already serviced by municipal water and sewer.

Section 4.2 Housing encourages the provision of greater flexibility and supply of housing options across the city and emphasizes that “[h]ousing that meets needs across ages, incomes and backgrounds and supports accessibility needs is a key requirement for health and well-being...”.

→ The housing policies of the OP encourage a diversity of housing typology that meets the needs of various sectors of the population. The proposed severance will enable a different form of ownership for the existing units on the subject site.

Section 5.2 Inner Urban Transect sets out policies for establishing an urban pattern of built form and site design. The proposed development complies with the policies for the Inner Urban Area in the following ways:

→ The Inner Urban Transect’s established pattern of built form and site design is both urban and suburban. The goal for new development within the Inner Urban Transect is to enhance urban characteristics. Section 5.2.4(1)(a) “[a]llows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan”. The proposed severance is for a long semi-detached dwelling, which is an urban form of development. Overall, the proposed development is supported by the policies of the Official Plan.

ZONING BY-LAW 2008-250

The site is zoned Residential Fourth Density, Subzone UD, in the City of Ottawa Zoning By-law 2008-250. The Residential Fourth Density zone permits low-rise residential development, including long semi-detached dwellings, up to low-rise apartment buildings. The proposed zoning details are presented in Table 2 below with the requested variances highlighted in red.

Table 2. Zoning provisions

R4UD				
Provision (Long Semi-Detached Dwelling)	Required		Provided	
	123 Carruthers (front)	125 Carruthers (rear)	123 Carruthers (front)	125 Carruthers (rear)
Minimum Lot Width (*MV)	7.14 m		7.14 m	
Minimum Lot Area (*MV)	213.6 m ²		213.6 m ²	
Maximum Building Height (*MV)	10.3 m		10.3 m	
Minimum Front Yard Setback (*MV)	1.95 m	n/a	1.95 m	n/a
Minimum Rear Yard Setback (*MV)	n/a	7.82 m	n/a	7.82 m
Minimum Interior Side Yard Setback (*MV)	0.65 m	0.84 m	0.65 m	0.84 m
Minimum lot width of pole portion of a flag lot when severed (Section 145(4)(b))	n/a	2.2 m	n/a	1.68 m

*MV denotes required provisions in accordance with Minor Variance File No. D08-02-18/A-00445&/A00446 approved on March 15th, 2019.

As demonstrated in Table 2, the development was subject to site-specific variances to the zoning by-law which were granted on March 15th, 2019. The site has since been constructed per the approved plans and enjoys legal non-complying rights to any by-law provisions that may have changed since its construction. There is only one new required variance to facilitate the severance of the land in a flag lot configuration, which is to permit a reduced pole width. It is our understanding that pole width is measured from the front yard setback as confirmed by by-law interpretation officers. As such, this minor variance application is for a reduction in the width of the pole portion of the lot from 2.2m to 1.68m, rather than 0.84 m at the pinch point near the party wall as shown on the enclosed site plan. Both units are adequately independently serviced and there is appropriate access between the units from the street which is exemplified by the site already functioning in its as built format.

RATIONALE FOR CONSENT

In Section 51(24) of the Planning Act, 1990, a series of criteria are presented that state in the case of any subdivision of land, regard shall be had to:

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

The proposed consent does not have any effect on matters of provincial interest.

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

The proposed consent is in the public interest as it supports the City's policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the dwelling is already constructed. Further, the site zoning and Official Plan designations permit long

semi-detached development and the severance of those lands to create two parcels to be independently conveyed.

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

The proposed severances for the existing long semi-detached residential development conform to the applicable City of Ottawa Official Plan policies for development, intensification, and compatibility. The Official Plan supports intensification in the urban area, and the proposed severance will contribute to a mix of housing tenure options as each unit will be individually conveyable.

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

The land is suitable for the proposal, with surroundings with comparably sized lots along the immediate streetscape. Despite the requested variances for reduced lot width of the pole portion of the flag lot, the proposed lot sizes can appropriately accommodate the proposed built form, and all zoning provisions are met in terms of setbacks per the previously approved plans by the Committee of Adjustment. The site functions well in its as-built format and will continue to do so once severed. The existing development is a desirable, permitted, and suitable use of these residentially zoned and designated lands.

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

N/A

(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;

No new roadways are proposed as part of the consents. The proposed development and severances will have adequate frontage to an open public municipal roadway (Carruthers Avenue). The site is just to the east of Parkdale Avenue (Arterial Road) which travels north-south, connecting to Kichi Zibi Mikan (Federally Owned Road) to the north and Highway 417 to the south.

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

The dimensions and shape of the proposed lots are functional and compatible with the surrounding neighbourhood character and development pattern. Despite the requested minor variance for a reduced width of the pole portion of the flag lot, there is sufficient space on site for separation between neighbouring properties to the east and west, and the existing building in its current format is functional, appropriate and meets all other zoning provisions, as approved. The proposed severances are typical for a long semi-detached with a flag lot configuration, and the site will remain one lot for zoning purposes.

(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 easement over Part 4 in favour of Part 1 and 2 which is the lot municipally known as 121 Carruthers Avenue. For the property municipally known as 123-125 Carruthers (the subject

site) a Right-of-Way / easement is proposed over Part 4 in favour of Part 3 for access and maintenance, and over Part 6 in favour of Part 3 for access, maintenance, and parking.

(h) conservation of natural resources and flood control;

The severance application does not affect the site conditions. No watercourses, flood plains, trees or other natural resources will be impacted by the consent as this is an already constructed building.

(i) the adequacy of utilities and municipal services;

Municipal water, sewer and storm services are independently provided for both lots.

(j) the adequacy of school sites;

There are several schools servicing the area including: Devonshire Community Public School to the southeast, Connaught Public School and Saint Francis of Assisi Catholic Elementary School to the immediate south of the site, Fisher Park Public School / Summit Alternate School and Hilson Avenue Public School to the southwest, and St. George School to the west.

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

N/A

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

The existing site represents a compatible low-rise infill residential development within the urban area that provides a family-sized, ground-oriented dwelling unit. The proposed severance contributes to the available housing supply in the urban area, allowing a diversification of home ownership opportunity, and optimizes the use of this residentially zoned land. This is an appropriate and encouraged form of density and uses existing municipal water, sewer, and storm services.

The proposed severances optimize the available supply of land and energy resources and are an efficient use of the land.

(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.9(2).

The proposal for severing the existing long semi-detached dwelling is not subject to the Site Plan Control By-law and therefore an application for Site Plan Control is not required.

Overall, the proposed severance applications demonstrate regard for the criteria of Section 51(24) of the Planning Act.

RATIONALE FOR MINOR VARIANCES

To facilitate the development, one minor variance to the Zoning By-law is required:

- a) To permit a reduced width of 1.68 metres for the pole portion of a flag lot when a long semi-detached dwelling is severed in a flag lot configuration, whereas the by-law requires 2.2 metres.

The following section reviews each variance against the four tests as presented in Section 45(1) of the Planning Act.

IS THE VARIANCE MINOR?

The proposed reduction in lot width of 1.68 m from the required 2.2 m for the pole portion of a flag lot is minor. This is a reduction of only 0.52 m and has no impact on the built form, as the building was completed in 2020 and each rental unit has been operating independently since then. This minor variance will enable the severance of the existing long semi-detached dwelling. The minor width reduction will facilitate the sale of each individual unit on a lot that is zoned Residential Fourth Density, Subzone UD, with a Mature Neighbourhoods Overlay, in which the existing use is permitted under the Zoning By-law. The reduced lot width of 1.68 m for the pole portion of the flag lot is able to accommodate the existing use and servicing, is an appropriate and desirable form of development, and is minor. Easements will be established over the flag pole portion for the benefit of the front unit to ensure there is appropriate access and maintenance opportunity across that property's respective side yards. Further, the existing built form within the community will not change, and the lot fabric will remain functional due to the proposed easements. Given appropriate access, servicing, and maintenance already exists along the pole portion, the reduced width is minor.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE OFFICIAL PLAN?

The intent and purpose of the Official Plan, specifically within the Neighbourhood designation in the Inner Urban Area Transect is to accommodate residential growth to meet housing and density targets. In general, the OP supports a variety of housing types, focusing on missing-middle housing and the provision of low-rise built form with more emphasis on built form rather than unit count or lot configuration. The intent of the Evolving Overlay area is to signal a gradual shift of intensification towards a more urban built form, and supports new built forms and typologies, including missing middle housing. The OP also notes that the development standards for built form and building envelope are to be consistent with the planned characteristics of the Evolving overlay area, which may be different from the existing characteristics. Overall, the proposed minor variances facilitate the severance of two dwelling units in a variety of housing choice which is encouraged and supported through the policies of the Official Plan and in particular, the Evolving Overlay.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE ZONING BY-LAW?

The intent and purpose of the minimum lot width for the pole portion of a flag lot is to ensure there is sufficient space for access to the rear unit; sufficient space for services to reach the rear unit; and frontage on a municipal right-of-way. According to Section 145(4)(a), the minimum width of the pole portion of a flag lot is 1.7 m when a flag lot abuts another flag lot at the side lot line, and 2.2 m in all other cases according to Section 145(4)(b). While the later policy is applicable in this case, it should be noted that the proposed lot width of 1.68 m is very close in size to 1.7 m. Additionally, the subject site has the benefit of being adjacent to property that has an easement over it for the benefit of the subject site, which increases access width by another 0.4 m for a total width of 2.08 m.

IS THE VARIANCE DESIRABLE FOR THE APPROPRIATE DEVELOPMENT AND USE OF THE LAND?

The reduced lot width of 1.68 m for the pole portion of the flag lot is an appropriate and desirable form of development and is minor. Currently, the long semi-detached dwelling is owned by a single owner and each unit has been renter-occupied and operating independently since the building was constructed in 2020. The variance will allow the owner to sell each unit individually allowing for an alternative ownership structure. The surrounding neighbourhood contains a mix of housing types, sizes, and forms, primarily in the format of low-rise single-detached, semi-detached, and apartment dwellings. The severance of this lot to facilitate the conveyance of each unit within the long semi-detached dwelling separately supports this policy intent. Save for the sought relief, all other zoning standards are compliant. Further, the exiting lot fabric and built form within the community will remain unchanged as the development is existing. In terms of neighbourhood compatibility, long semi-detached dwellings severed in a flag lot configuration are a housing format that is becoming increasingly common in the urban area and are a permitted land use. As such, the proposed variances are desirable for the existing residential development and use of the land.

CONCLUSION

The subject site is an urban lot fronting onto Carruthers Avenue in Mechanicsville neighbourhood and presently contains a long semi-detached dwelling. The Owner is proposing to sever the lot into two parcels in a flag lot configuration to facilitate the independent ownership of each unit. The lot and dwelling are fully zoning compliant save for one requested variance to reduce the width of the pole portion of the flag lot. The proposed consent and minor variance to facilitate the division of land retains existing good housing stock, while supporting a diversity of tenure opportunities for each lot. The property is currently developed with a long semi-detached dwelling, and post-severance will be in line with the development pattern and lot shapes and sizes that presently exists within the vicinity. The proposed minor variance will not alter or impact the character of the community. The proposed minor variance is consistent with the Provincial Policy Statement, 2024, conforms to the policies of the City of Ottawa Official Plan and comply with the City of Ottawa's Zoning By-law 2008-250 save for the requested minor variance, which meet the four tests under Section 45(1) of the Planning Act. The proposed development represents good land use planning and is recommended for approval.

Respectfully submitted,



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