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April 7, 2025

Committee of Adjustment
City of Ottawa
101 Centrepoinette Drive, 4th Floor
Ottawa, ON K2G 5K7

Committee of Adjustment

Received | Reçu le

2025-04-09

City of Ottawa | Ville d'Ottawa
Comité de dérogation

**RE: Consent / Severance Application and Minor Variance Applications
196 Clare St, Ottawa, ON K1Z 7C7**

Dear Committee Members,

Bing Professional Engineering Inc. (BPEI) has been retained by the property Owner of 196 Clare St., to prepare and submit Consent / Severance Application and Minor Variance Applications to the Committee of Adjustment. The intent of the applications is to sever the subject land to two (2) parcels to build a new semi-detached dwelling on each new parcel with one (1) additional dwelling unit at basement on each.

Our COA hearing on March 19, 2025 was adjourned sine-die. This resubmission for recirculation added one (1) new minor variance for each proposed semi-detached dwelling, i.e. to permit a front-facing attached garage. As such, three (3) minor variances for the new corner parcel and two (2) minor variances for the new interior parcel are included in the revised minor variance applications as listed below.

New Corner Parcel:

- to increase maximum building height from 8 m to 10 m;
- to reduce required minimum corner side yard setback from 4.29 m to 2.68 m;
- to permit front-facing attached garage, whereas the front garage is not a street dominant character.

New Interior Parcel:

- to increase maximum building height from 8 m to 10m;
- to permit front-facing attached garage, whereas the front garage is not a street dominant character.

The following documents are provided in this resubmission:

- Revised Cover Letter / Planning Rationale;
- Revised Two (2) Minor Variance Application forms;
- Revised Site Plan - 1 full-size copy
- Revised Elevation Drawings - 1 full-size copy

The documents below remain same and were provided in the original submission:

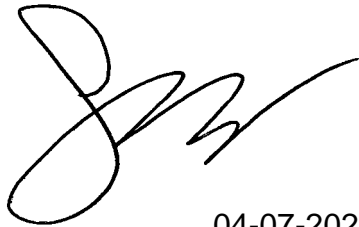
- One (1) Consent / Severance Application form;
- Parcel Abstract;
- Tree Information Report (TIR) – 2 copies;
- Draft Reference Plan – 1 full-size copy and 1 reduced copy;
- Survey Plan - 1 full-size copy and 1 reduced copy;

A cheque representing applicable recirculation fee will be delivered to the Committee of Adjustment at 101 CentrepoinTE Drive.

We trust that the enclosed documents are satisfactory for our applications. Please do not hesitate to contact our office should you have any questions.

Thank you for your consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Changhong Sun", written over a large, stylized loop.

04-07-2025

Changhong (Chang) Sun, OAA, LEED AP ® BD+C
Architect

1.0 SITE DESCRIPTION

The subject property is located at 196 Clare St., the intermediate north of Highway 417, west of Kirkwood Ave. and in the Westboro neighbourhood and Ward 15, the city of Ottawa. Its surrounding area is a mix of residential development consisting of detached, semi-detached, low-rise apartment and high-rise apartment, and served by a plenty of retails, grocery stores, auto dealers, professional offices and Hampton Park. It is approximately 600m walking distance to Carling Ave., 700m to Highway 417 and close to Civic Hospital. Private School and public schools are in close proximity to the subject property. Fig. 1.

The site has a lot area of approximately 381 m² (0.09 acre), a depth of 20.14 m (66 ft), and a frontage of 18.89 m (62 ft) along Westhaven Crescent. Currently, a single detached house with a secondary unit is situated on site, fully serviced by municipal water, sanitary sewer and stormwater sewer.

Under Ottawa Zoning By-law 2008-250, the lot is zoned under R3R-c (Residential Third Density Zone, Subzone R) with residential neighbourhood commercial provision, Infill Development, and Low-rise Residential Development within the Greenbelt. It is within the Inner Urban Transect in the City of Ottawa Official Plan (Schedule A), and within Evolving Neighbourhood Overlay (Schedule B3).



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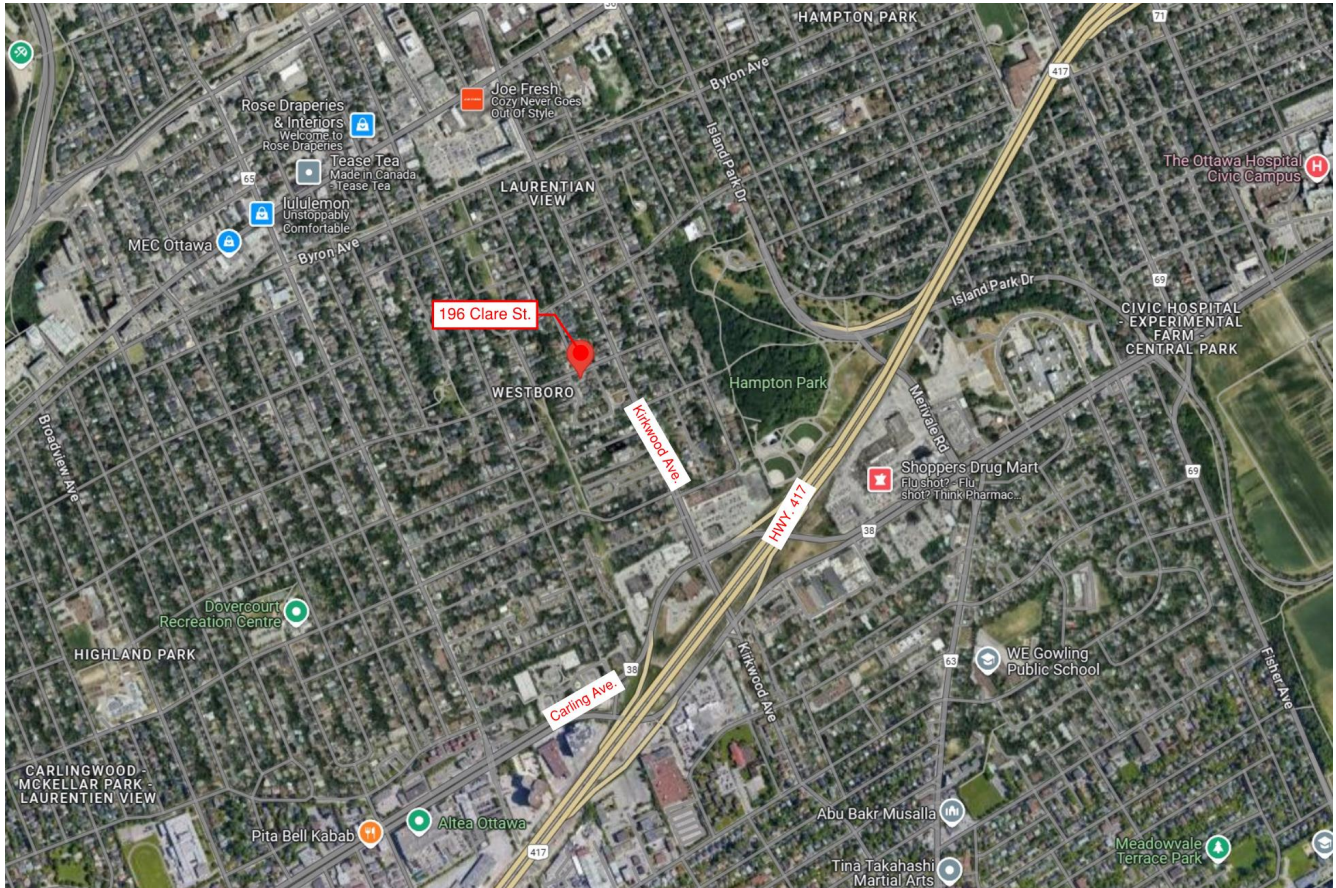


Figure 1: subject land on vicinity map



Figure 2: subject land in Official Plan / Schedule A - Transect Policy Areas

**TRANSECT POLICY AREAS /
SECTEURS STRATÉGIQUES DU TRANSECT**

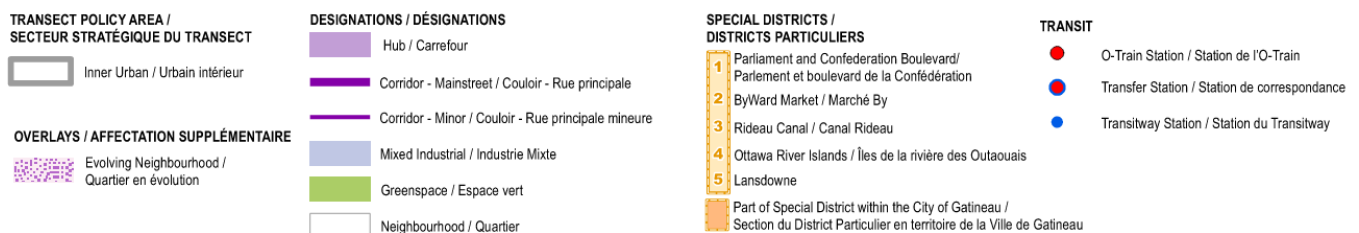
	Downtown Core / Centre-ville
	Inner Urban / Urbain intérieur
	Outer Urban / Urbain extérieur
	Greenbelt / Ceinture de verdure
	Suburban / Suburbain
	Rural / Rural

TRANSIT

	O-Train and Station / O-Train et station
	Future O-Train / O-Train et station (futur)
	Transitway – grade separated / Transitway en site propre
	Transitway – at grade / Transitway – Voie à niveau
	Transfer Station / Station de correspondance
	Terminus Station / Station terminus



Figure 3: subject land in Official Plan / Schedule B3 - Inner Urban Transect



2.0 PROPOSAL

2.1 Consent to Sever

The proposed redevelopment of this urban land is to demolish the existing detached house to build a new semi-detached residential building with an additional dwelling unit. The proposed severance is to separate this semi-detached building to two different properties.

There is no existing easement registered on the existing property and no new Right of Way is to be established on the new parcels.

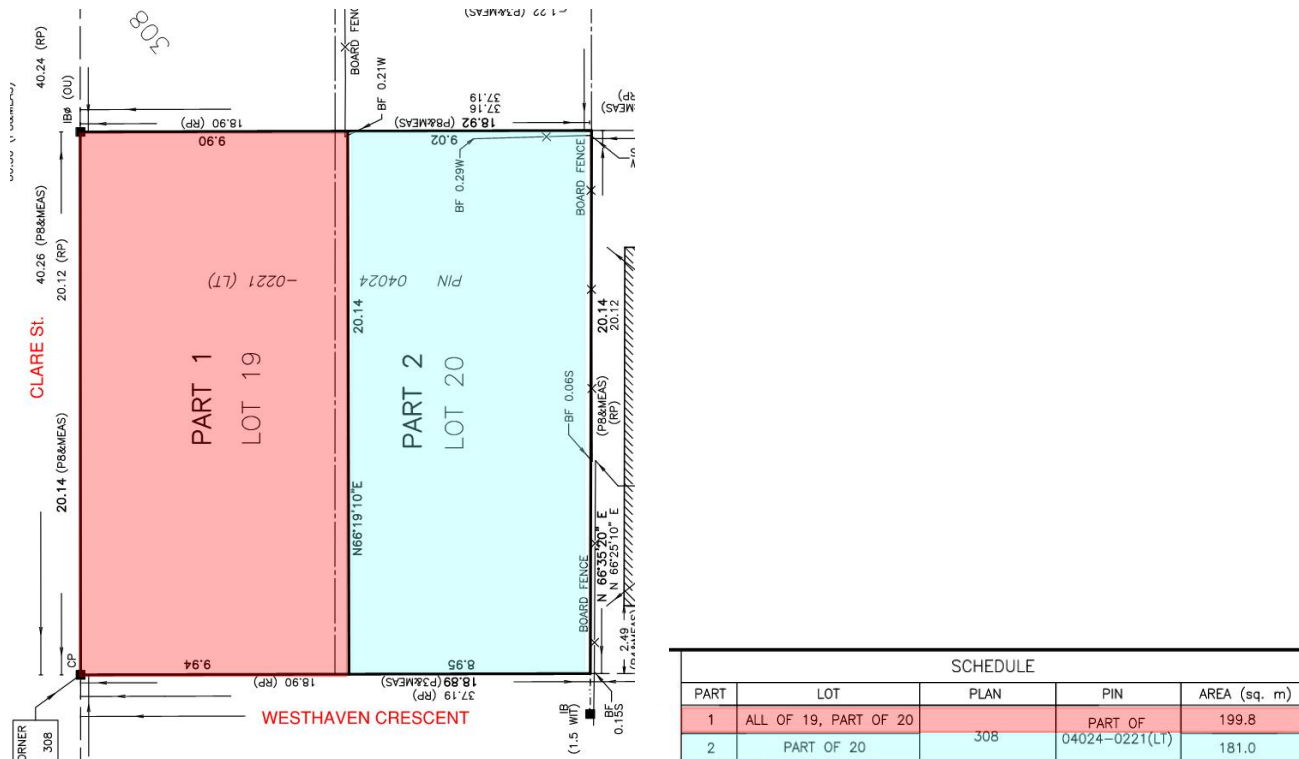


Figure 4: highlighted severed & retained parcels on Draft Reference Plan

One (1) existing city tree is identified in the ROW but in a very poor condition. It is planned for removal and to be replaced with three (3) new small-sized deciduous trees, as noted in Tree Information Report (TIR).

Municipal services and utilities are available under Clare St. and Westhaven Crescent, including but not limited to, watermain, sanitary sewer, stormwater sewer and etc. The proposed semi-detached dwelling is planned to fully utilize the existing infrastructure.

2.2 Minor Variances

Three (3) Minor Variances are applied for approval for the new corner parcel. Two (2) Minor Variance is proposed for the new interior parcel. The minor variances are listed as follows:

Three (3) Minor Variances for the new corner parcel in Part 1 in Fig. 4:

1. To permit an increased building height of 10m, whereas the Zoning By-law permits maximum 8m;
2. To permit a reduced minimum corner side yard setback of 2.68 m, whereas the Zoning By-law requires minimum 4.29m;
3. To permit front-facing attached garage, whereas front-facing garage is a street dominant character.

Two (2) Minor Variance for the new interior parcel in Part 2 in Fig. 4:

1. To permit an increased building height of 10m, whereas the By-law permits maximum 8m;
2. To permit front-facing attached garage, whereas front-facing garage is not a street dominant character.

3.0 PLANNING POLICY and REGULATORY FRAMEWORK

3.1 Provincial Policy Statement

The **2024 Provincial Policy Statement (PPS)** provides policy direction on land use planning for provincial interest. The proposed severance is consistent with PPS policies that aim to promote efficient development patterns and ensure effective use of infrastructure and public service facilities.

In accordance with PPS definition and given that the subject land is inside the City of Ottawa's Urban Boundary as illustrated in Fig. 2, the subject land is considered a Settlement Area. The proposed severance, minor variances and semi-detached dwelling with additional dwelling units promote transit-supportive development, and increase a supply and range of housing options through intensification, redevelopment and compact form.

The following policies from PPS are in support of this proposal:

Definition: **Settlement Areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets.)

Policy 2.3.1.1. Settlement areas shall be the focus of growth and development.



- Policy 2.3.1.2. Land use patterns within settlement areas shall be based on density 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;*
- Policy 2.3.1.3. 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.*
- Policy 2.3.1.4. Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*

The following policies from PPS Section 2.2 are specifically in support of residential intensification:

- Policy 2.2.1. 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 well-being 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.*

The following policies from PPS Section 3.6 support intensification to optimize the use of municipal services, provided system capacity exists:

- Policy 3.6.1. Planning for sewage and water services shall:*
- a) *accommodate forecasted growth in a timely manner that promotes the efficient use and optimized of existing municipal sewage services and municipal water services...*
 - e) *consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply;*
- Policy 3.6.2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety...*
- Policy 3.6.7. Planning authorities may allow lot creation where there is confirmation sufficient reserve sewage system capacity and reserve water system capacity.*

3.2 City of Ottawa Official Plan

The **Official Plan (OP)**, approved in November, 2022, identifies land use priorities in the City's Strategic Plan in compliance with the City's goals, objectives and policies to guide growth and manage physical change to 2046.

The City of Ottawa is projected to grow by 402,000 people from 2018 to 2046, requiring 194,800 new private households. Section 2. Strategic Directions of the OP sets up the Big Policy Move #1 to direct residential intensification and diversifying housing options within existing built-up urban area, especially towards Hubs, Corridors and surrounding Neighbourhoods, to support an evolution towards 15-minute neighbourhoods.

Section 3 of the OP outlines Growth Management Frame. The following excerpts from Section 3. are in support of this proposal:



It identifies that ‘... *most growth will occur within the urban area of the city, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon...*’

Policy Intent:

- *To provide an appropriate range and mix of housing that considers 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;*

3.2 *Support Intensification*

The 2022 OP allocates 47 per cent of city-wide dwelling growth to the built-up portion of the urban area and 46 per cent of city-wide dwelling growth to the greenfield portion of the urban area. Growth within the built-up portion of the urban area represents 51 per cent of urban area growth from 2018 to 2046. 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.

Section 4. City-Wide Policies of the OP provide supportive policies on the residential intensification and diversification as follows:

4.2 *Housing*

... As the city grows and changes with a larger population, more different types of housing will be needed. This includes housing units of different sizes and forms, some of which might not be common in Ottawa today...

... The Official Plan strives to facilitate a diversity of housing options for both private ownership and rental...

4.2.1. *Enable greater flexibility and adequate supply and diversity of housing options throughout the city*

- 1) *A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law by:*



- b) *Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;*
- c) *Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;*
- 2) *The city shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:*
 - a) *Allowing housing forms which denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;*
 - b) *Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law; and*
 - c) *In appropriate locations allowing missing middle housing forms while prohibiting lower-density typologies near rapid-transit stations within the zoning By-law.*

Definition

Missing Middle Housing:

In Ottawa's context and for the purposes of this Plan, missing middle housing generally refers to low-rise, multiple unit residential development of between three and sixteen units, or more in the case of unusually large lots and for the lower-density types is typically ground oriented.

- 4.2.4.1) *The City recognizes that many individuals may not constitute nor form part of a household and any may rely on long-term housing other than the traditional dwelling unit. The city shall enable the provision of housing options for such individuals through the implementing Zoning By-law, as follows:*
 - a) *Permitting, in any zone where residential uses are permitted, alternative, cooperative or shared accommodation housing forms serving individuals for whom an entire dwelling unit is unnecessary, unaffordable or inappropriate including:*
 - i) *Rooming houses;*
 - ii) *Retirement homes;*
 - iii) *Residential care facilities;*
 - iv) *Purpose-built student housing;*
 - v) *Group homes; and*



- vi) *Other long-term housing forms that serve the needs of individuals not forming part of a household*

The subject land is located within Inner Urban Transect in Schedule A (figure 2) and an Evolving Neighbourhood Overlay in Schedule B3 (figure 3). The following excerpts from Section 5 Transects of the OP further support the proposed severance, minor variances and semi-detached dwellings in the Inner Urban Transect and Evolving Neighbourhood Overlay:

5.2 *Inner Urban Transect*

- 5.2.1.3) *The inner Urban Transect is generally planning for mid-to-high density development, subject to:*

a) *Proximity and access to frequent street transit or rapid transit;*

- 5.2.1.4) *The inner Urban Transect shall continue to develop as a mixed-use environment, where:*

- a) *Hubs and a network of Mainstreets and Minor Corridors provide residents with a full range of services within a walking distance from home, in order to support the growth of 15-minute neighbourhoods;*
e) *Increases in existing residential densities are supported to sustain the full range of services noted in Policy a).*

- 5.2.2 *Prioritize walking, cycling and transit within, and to and from, the Inner Urban Transect.*

- 5.2.4 *Provide direction to the Neighbourhoods located within the Inner Urban Transect*

- 1).a) *Allows 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;*

c) *Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;*

e) *In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.*



5.6 Overlays

The Evolving overlay is applied to areas in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

5.6.1.1 Provide built form direction for the urban area where intensification is anticipated to occur

1) The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:

b) Allowance for new building forms and typologies, such as missing middle housing;

3.3 City of Ottawa Zoning By-law (2008-250) Consolidation

The subject land is zoned R3R (Residential Third Density Zone, Subzone R). The purpose of the R3-Residential Third Density Zone is to:

- (1) Allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan;
- (2) allow a number of other residential uses to provide additional housing choices within the third density residential areas;
- (3) permit ancillary uses to the principal residential use to allow residents to work at home;
- (4) regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced; and
- (5) permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.



Under R3R, semi-detached dwelling with additional dwelling unit is permitted with compliance with applicable Zoning By-law provisions. Table 1 provides a Zoning By-law analysis for the proposed semi-detached dwelling development in compliance with applicable Bylaw Provisions.

Table 1 – Zoning Compliance for Semi Detached Dwelling under R3R

Zoning Provision	R3RSubzone Requirement for Semi-detached	Severed Lot Provided (259A on Site Plan)	Retained Lot Provided (259B on Site Plan)	Compliance
Minimum Lot Width	6 m	9.94 m	8.95 m	Yes
Minimum Lot Area	180 m ²	199.8 m ²	181 m ²	Yes
Maximum Building Height	8 m	10m	10 m	Minor Variance
Minimum Front Yard Setback (Sec. 144)	2.49 m	2.5 m	2.5 m	Yes
Minimum Corner Side Yard Setback (Sec. 144)	4.29 m	2.686 m		Minor Variance
Minimum Interior Yard Setback	1.2 m		1.71 m	Yes
Minimum Rear Yard Setback (25%)	5.035 m	5.035 m	5.035 m	Yes
Minimum Soft Landscaped Area at Front Yard: 20%	4.97 m ²	13.54 m ² (54.5%)		Yes
	4.48 m ²		6.3 m ² (28.2%)	Yes
Minimum Soft Landscaped Area at Corner Side Yard: 20%	6.75 m ²	23.87m ² (71%)		Yes
Minimum Soft Landscaped Area @ Rear Yard: 15%	7.49 m ²	96% (47.9 m ²)		Yes
	6.81 m ²		95.6% (43.4 m ²)	
Minimum Rear Yard Area	25%	25% (49.9 m ²)	25% (45.4 m ²)	Yes
Minimum Parking Space	Not required	1	1	Yes
Front Attached Garage	Not Dominant	Provided	Provided	Minor Variance



4.0 SUMMARY OF OPINION

4.1 Consent / Severance Application

It is the professional opinion of BPEI that the proposed Consent / Severance Application at 196 Clare St. represents good land use planning and is appropriate for the site for the following reasons:

- The proposed Consent / Severance Application supports and is consistent with the 2024 Provincial Policy Statement;
- The proposed Consent / Severance application conforms to the land use designations and the policies in the City of Ottawa Official Plan (2022); and
- The proposed Consent / Severance application complies with the general intent and purpose of the City of Ottawa Zoning By-law (2008-250).

The proposed severance meets the criteria established under Subsection 51(24) of the Ontario **Planning Acts** as follows:

a) *The effect of development of the proposed subdivision on matters of provincial interest;*

The proposed Consent / Severance Application is consistent with the policies of the Provincial Policy Statement 2024 by redevelopment of existing Settlement Area with new residential development in close proximity to existing Mainstreet, public transit, municipal infrastructure and facilities. It will provide new and more residential types and forms that would contribute to the housing options in the neighbourhood, and allow for intensification of lands within urban area.

b) *Whether the proposed subdivision is premature or in the public interest;*

The proposed Consent / Severance Application is in the public interest in that it would create an additional lot for more residential development in an evolving neighborhood to accommodate the population growth. It is not premature as in the neighbourhood, there are existing semi-detached dwelling buildings at presence such as 254 & 256 Westhaven Crescent at the opposite of the street.

In addition, Survey and R-plan show the subject property was subdivided as Lot 19 and Lot 20. The proposed Consent / Severance is to re-subdivide the property in compliance with the current Zoning By-law.

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

The proposed Consent / Severance Application conforms to Strategic Directions of the City of Ottawa Official Plan and its policies for Inner Urban Transect and evolving neighbourhood by providing more residential units in an existing built-up area within capacities of existing municipal infrastructure and public transits. The proposed semi-



detached dwelling development with additional dwelling units will increase a diversity of housing options and a supply of missing middle housing in the neighbourhood.

The neighboring properties in close proximity to the two new parcels proposed for approval have identical land geometries in terms of lot widths, lot sizes and lot depths.

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

The subject property to be severed is in Westboro neighbourhood and near Kirkwood Ave.. Close to the subject land, a diversity of low-rise housing types is of presence, comprised of detached dwellings, semi-detached dwellings, long semi-detached dwellings, and low-rise apartments. Therefore, the proposed severance and semi-detached dwelling development are suitable for the existing neighborhood.

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

The proposed semi-detached dwelling development is planned to have an additional dwelling unit with each principal dwelling unit. The additional dwelling unit is in a compact form and for rental. It will provide a new house option in the existing evolving neighbourhood for individuals and a young family. It will help to increase and sustain an affordable rental supply.

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 highways are proposed in the Consent to Sever Application.

f) *The dimensions and shapes of the proposed lots;*

The severed and retained lots have a regular rectangle shape as other lots in the neighborhood. The lot area and lot width of the new parcels are more than the minimum requirements for semi-detached dwelling under R3R subzone.

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;*

No existing easement is identified in the subject land to be severed. No new Right of Ways are to be established in the two new parcels.

h) *Conservation of natural resources and flood control;*

The subject lot is not within a flood plain.



- i) *The adequacy of utilities and municipal services;***
All new parcels will be fully serviced by existing utilities and municipal services.
- j) *The adequacy of school sites;***
Several schools are in close proximity to the subject site, including both private school and public schools, such as Westboro Montessori Preschool, St. Elizabeth School, W.E. Gowling Public School, Churchill Alternative School, etc.
- k) *The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;***
No lands in the proposed severance are proposed to be dedicated for public purposes.
- l) *The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and***
Existing power infrastructure is to be utilized and extended to all new parcels as energy supply.
- 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).***
Site Plan Control approval is not required.

4.2 Minor Variance Applications

It is the professional opinion of BPEI that the proposed semi-detached dwelling development at 196 Clare St. represents good land use planning and is appropriate for the site for the following reasons:

- The proposed development is permitted in the applicable land use designation and conforms to the strategic directions and policies of the Official Plan;
- The proposed development is compatible with adjacent existing development which includes low-rise residential uses; and
- The proposed development complies with the general intent and purpose of the City of Ottawa Zoning By-law (2008-250). Three (3) minor variances are applied to the corner parcel and two (2) minor variances to the new interior lot, in order to enable the proposed Consent / Severance Application:

Three (3) Minor Variances for the new corner parcel in Part 1 in Fig. 4:

1. To permit an increased building height of 10m, whereas the By-law permits maximum 8m;
2. To permit a reduced minimum corner side yard setback of 2.68 m, whereas the By-law requires minimum 4.29m;
3. To permit front-facing attached garage, whereas front-facing garage is not a street dominant character.

Two (2) Minor Variances for the new interior parcel in Part 2 in Fig. 4:

1. To permit an increased building height of 10m, whereas the By-law permits maximum 8m;
2. To permit front-facing attached garage, whereas front-facing garage is not a street dominant character.

The proposed development meets the four (4) tests under Subsection 45(1) of the Ontario Planning Acts as follows:

1. *The variance is minor*

The use of semi-detached dwelling is permitted under the current Zoning Bylaw. With the proposed Minor Variances, the new corner parcel and the new interior parcel still satisfy minimum lot area, minimum lot width, minimum front, rear and interior yard setbacks, minimum soft landscape areas at front, rear and corner side yards. 96% and 95.6% of the rear yard areas are to be soft landscaped respectively, whereas minimum 15% is required by Zoning By-law. 54.5% and 28.2% of the front yard areas are to be soft landscaped respectively, whereas minimum 20% is required.

The proposed minor variance to reduce the minimum corner side yard setback for the new corner parcel from 4.29m to 2.686m, will still increase the corner yard side setback from existing 0.72m to 2.686m, and increase the soft landscaping at the corner yard from existing 0% (0 m²) to 71% (23.87 m²). Furthermore, the proposed reduced 2.686m corner side yard setback is still greater than some existing corner side yard setbacks at the properties close to subject land, such as 558 Kirkwood Ave. with 0.6m corner side yard setback.

The proposed increase of maximum building height from 8m and 10m for both two new parcels will provide additional family rooms and roof terraces at an upper floor for the principal dwelling units. The upper roof will slope away from Clare St, the rear yard and interior yard, and setback from Westhaven Crescent. Visual and building form impacts on the public are minimized, and neighbour privacy is respected. Moreover, the proposed increase of maximum building height is not outstanding in the neighbourhood. There are existing low-rise residential buildings are 3-

storey high and close to the subject property, such as 210 & 212 Clare St, and 246 Westhaven Crescent.

Many existing residential development along both Clare St. and Westhaven Crescent. close to the subject property provide front-facing attached garages, even though not a dominant character concluded from Streetscape Character Analysis. There are also some neighbouring properties having front yard parking as well.

Therefore, the proposed variances are minor.

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

The proposed Minor Variances enable a residential development of a semi-detached dwelling not only to maintain reasonable yard setbacks, landscape areas, building footage and interior layout for principal dwelling units, but also to provide additional dwelling units in a compact form.

The proposed minor variances provide more rooms/spaces for the principal dwelling units and add soft landscape back to the property and neighbourhood. The subject property and development are permitted to have parking. The proposed front garage will provide parking and eliminate front yard parking and street parking from this property. The proposed 10m building height will be lower than the maximum 11m building height for the property permitted in the new Zoning By-law expected to be in force in early 2026.

Therefore, the proposed variances are desirable for the appropriated development or use of the property.

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

The subject land is zoned under R3R, that “allow a number of other residential uses to provide additional housing choices within the third density residential areas;” and “regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced;”. The Subzone R3R permits long semi-detached dwelling and Zoning By-law Section 133 further permits additional dwelling units per lot fully serviced by municipal water and sewers.

With the proposed Minor Variances, the proposed semi-detached dwelling maintains the compatibility and character of the existing residential neighbourhood at similar formats of building form, scale and materials, provides a new dwelling option and complies with all other zoning requirements including minimum lot area, minimum lot width, minimum interior side yard, front and rear yard setbacks, minimum soft landscaped areas at front, rear and corner side yards, and etc.

Therefore, the proposed variances maintain the general intent and purpose of the Zoning By-law.

4. The general intent and purpose of the official plan is maintained

The general intent and purpose of the Official Plan on residential development in Inner Urban Transect within an evolving neighbourhood overlay is to promote intensification and diversity of housing supply in existing neighbourhoods to accommodate the needs of different groups including minorities. New dwelling types and unit sizes in variety of ranges are encouraged.

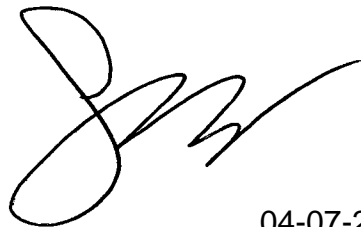
The proposed Minor Variances enable the proposed semi-detached dwelling, as infill redevelopment close to major and minor corridor roads and in close proximity to public transits, to utilize existing municipal infrastructure and civic services, provide a compact housing form, increase housing supply and blend with the existing neighbourhood of low-rise.

Furthermore, in the 2022 Official Plan, a low-rise built form in Inner Urban Transect is required "a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development."

Therefore, the proposed Minor Variances maintain the general intent and purpose of the Official Plan.

In conclusion, it is the professional opinion of BPEI that the Consent / Severance Applications and Minor Variance Applications to support the proposed semi-detached dwelling development at 196 Clare St. represent good planning and are in the public interest.

Yours truly,

A handwritten signature in black ink, appearing to be "Changhong Sun", written over a large, stylized loop.

04-07-2025

Changhong (Chang) Sun
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