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

March 24th, 2025

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: **1097 Richard Avenue (Minor Variance application) - Ward 17**
Zoning: R3A
Rajab Development
Part of Lot 42, Registered Plan 527 - City of Ottawa

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2025-04-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation

On behalf of our clients, we are submitting the enclosed Minor Variance applications (1 primary and 2 secondary applications) for the property at 1097 Richard Avenue in order to permit a three townhouse unit development on the subject property. At the present time, the subject property contains a single family home on the property (facing Richard Avenue) and the foundations for an extension to the north which was obtained through a building permit approved in March 2021 (application no. A19-008725). The application was to allow for an addition to the existing two storey dwelling to create a three unit townhouse. The intent is to **remove** the existing single family home and the building foundations and **build a new building with three townhouse units. The existing footprint to be demolished is 76.5 m2, the approved total building footprint was approximately 185 m2 including the single detached dwelling, and the proposed building footprint is 244 m2.**

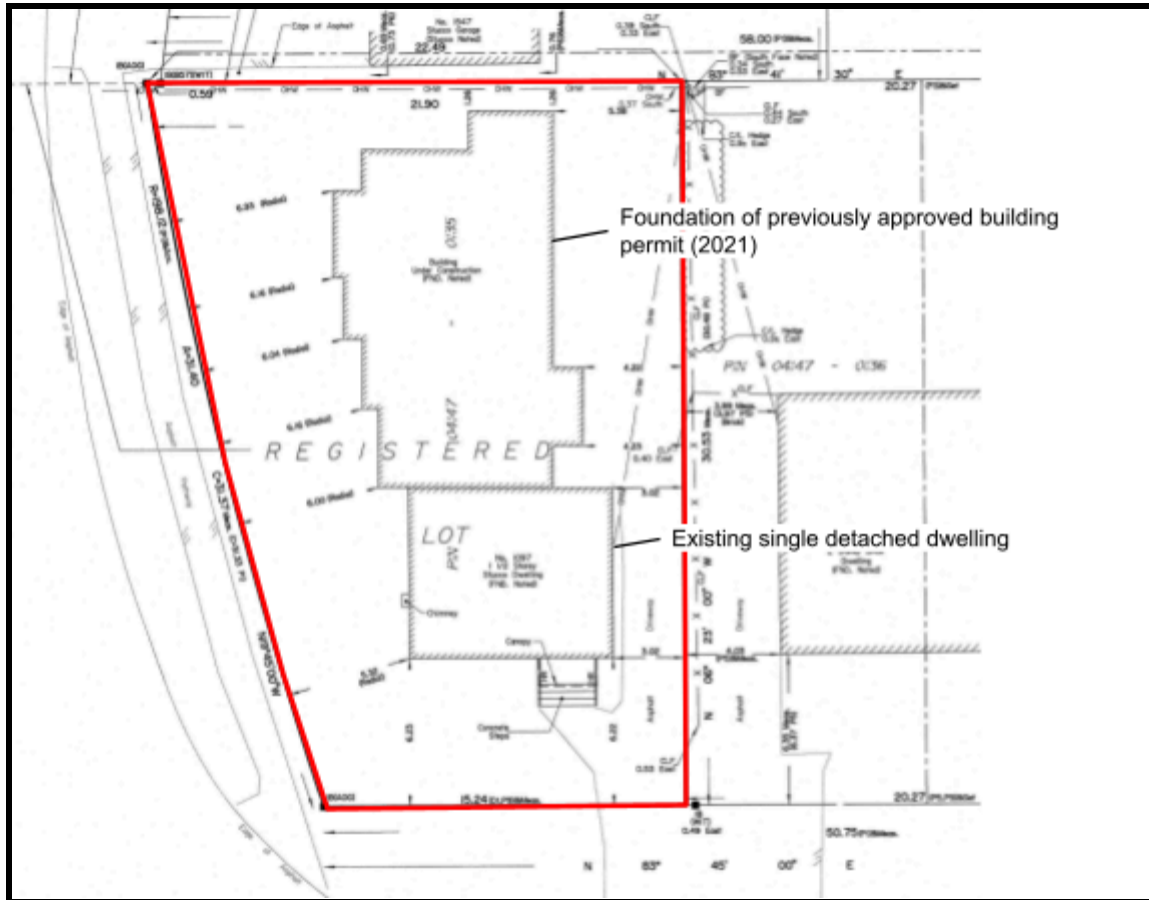


Photo of existing building on the property and building expansions approved with the approximate **property boundary.**

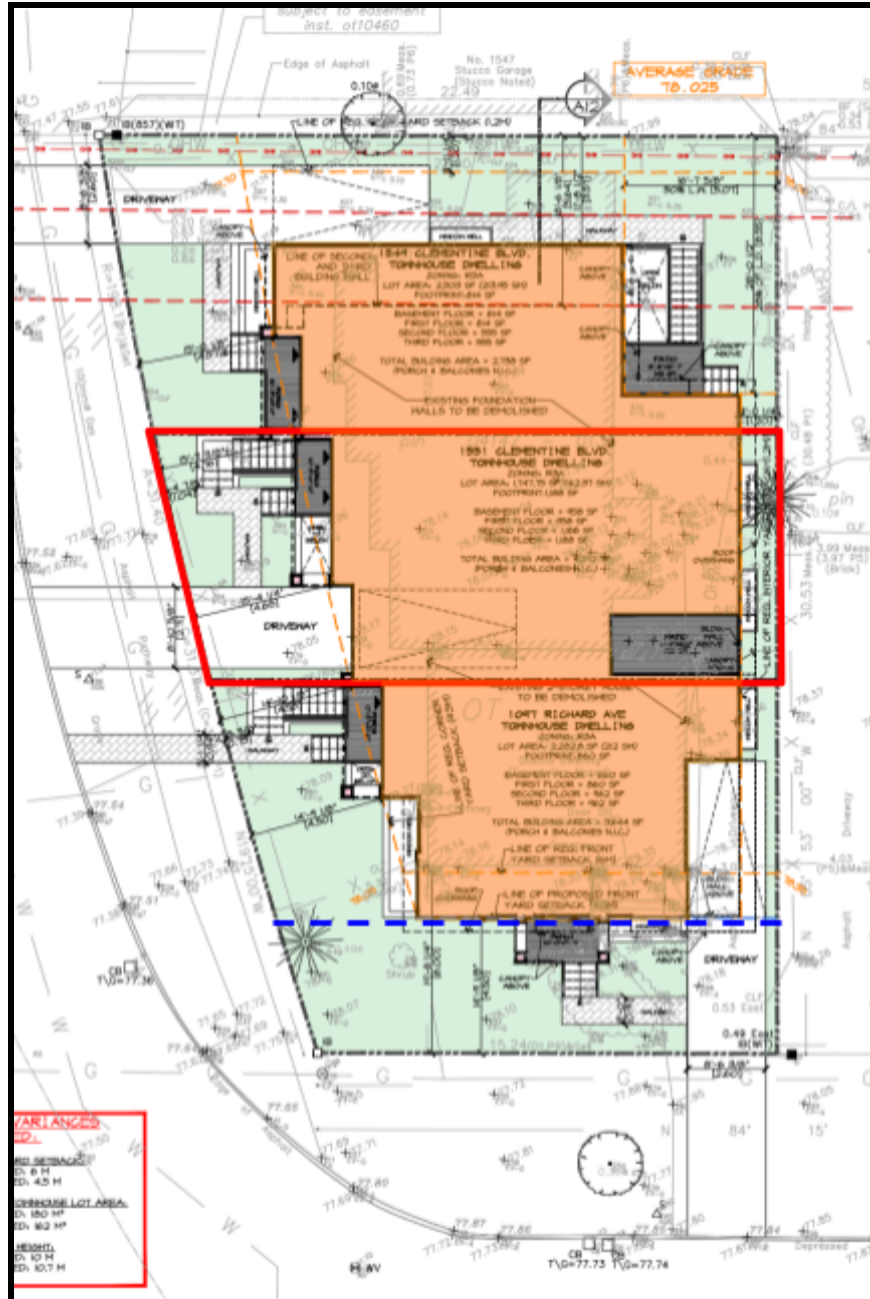
The proposal requires the following variances:

- a) To permit a reduced front yard setback of 4.5 m whereas the Zoning By-Law requires a front yard setback of 6 m. (Table 160 A VII , Zoning By-law 2008-250, as amended). (south unit only)
- b) To permit a reduced lot area of 162.37 m² (1551 Clementine. Middle townhouse unit) whereas the Zoning By-Law requires a minimum lot area of 180 m² (Table 160 A V, Zoning By-law 2008-250, as amended). (middle unit only)
- c) To permit an increased building height of 10.7 m whereas the Zoning By-law permits a maximum building height of 10 m (Table 160 A VI, Zoning By-law 2008-250, as amended) (all units)

It is our understanding that on files like this a primary and secondary Minor Variance application needs to be filed to document the Minor Variances required for each 'unit' even if the property isn't being severed at this point in time (not proposed at this time) and as a result we have three applications (one primary and two secondary applications) and they are tailored to the required variances for each 'unit'.



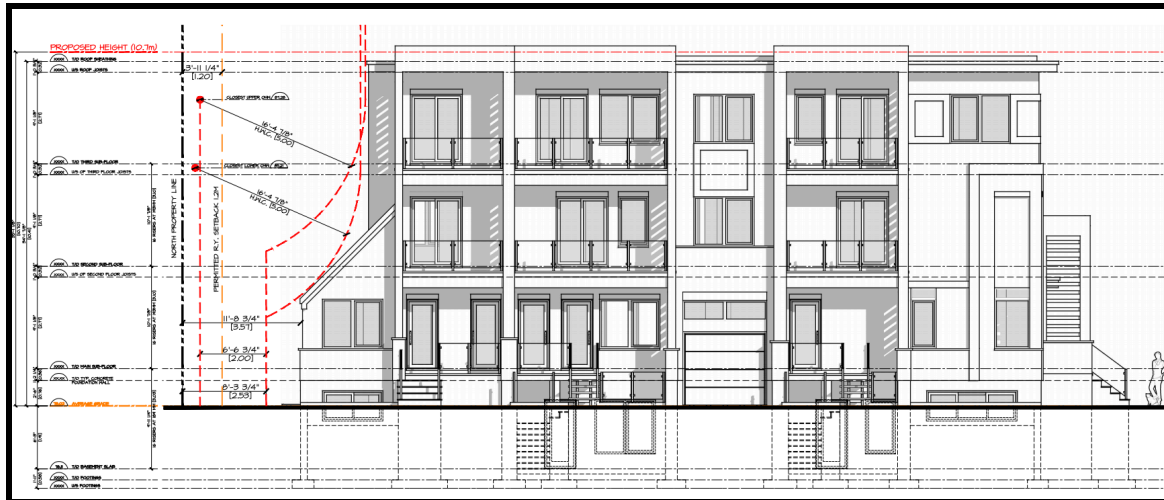
Survey plan showing the **lot boundary**.



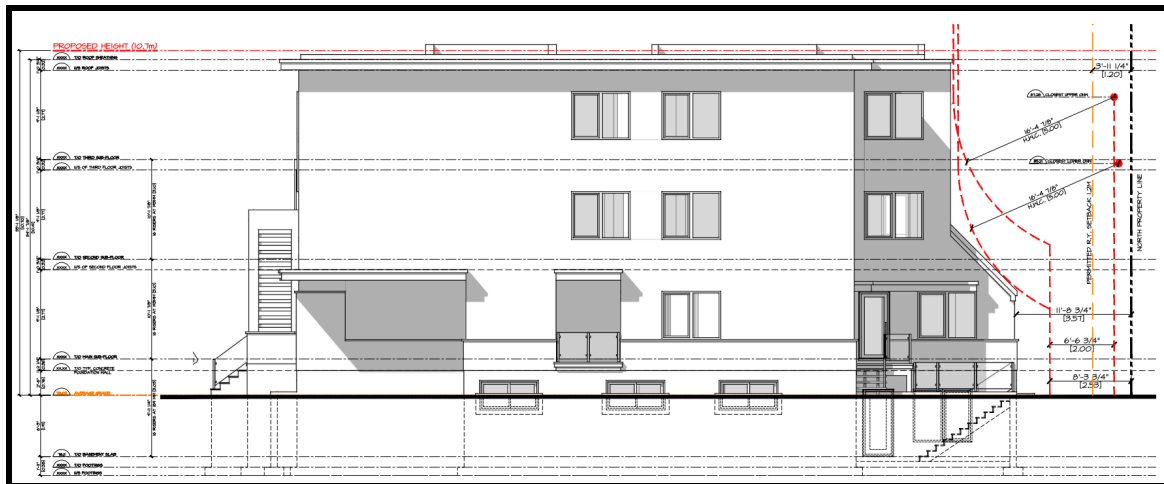
Site plan of 1097 Richard & 1549 - 1551 Clementine showing the location of the front yard setback variance, the lot area variance, and the building height variance.

Architectural elevation drawing of the proposed height of the building. The drawing shows a side profile of the building with various levels and setbacks. The vertical scale on the left indicates the height in feet and inches, with a total proposed height of 10.7m. The horizontal scale at the bottom shows the building's footprint and setbacks. The drawing is labeled "PROPOSED HEIGHT (10.7m)" at the top.

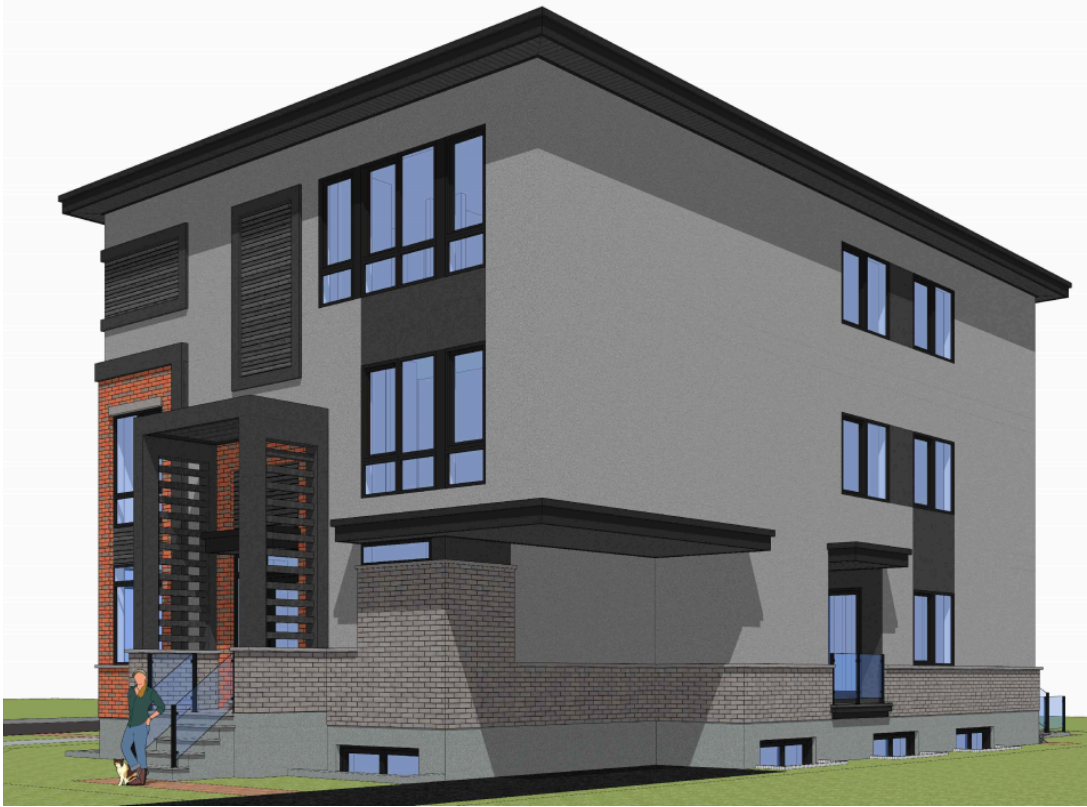
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Phone: 613 599 9216
Email: probinson@probinsonconsulting.com



West elevation.



East elevation.



South-east perspective render.



North-west perspective render.

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There are two trees along the frontage of the property and they are intended to be retained as per the Tree Information Report prepared by the client's arborist and filed with this application.

The four tests of a Minor Variance application from Section 45 (1) of the Planning Act are that the variances are to maintain the general intent and purpose of the Official Plan and the Zoning By-law, are desirable for the appropriate development or use of the land and building and are minor in nature.

1. The variances are to maintain the general intent and purpose of the Official Plan

As per the Official Plan, the designation for this property is 'Neighbourhood' in the Inner Urban transect.

As per Section 6.3.1.2 of the Official Plan,

Permitted building heights in Neighbourhoods shall be Low-rise, except:

- a) Where existing zoning or secondary plans allow for greater building heights; or
- b) In areas already characterised by taller buildings.

The maximum provided building height is 10.7 m or 3 storeys which is a 'low rise' building height. The existing single detached dwelling is approximately 6 m and the maximum permitted building height is 10m.

As per 6.3.1 (4) of the new Official Plan, the Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:

- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);
- c) In appropriate locations including near rapid-transit stations, zoning may prohibit lower-density housing forms.
- d) To provide for a range of local services and promote the emergence or strengthening of 15- minute neighbourhoods, the Zoning By-law may permit compatible and complementary small scale non-residential uses and services (including retail, service, cultural, leisure and entertainment uses) that primarily serve residents within walking distance and that:
 - i) Are compatible with, and do not reasonably pose a risk or nuisance to, nearby residential uses; The removal of one building on the site that was

in need of repair with a new multi-unit residential development will be compatible with nearby residential properties and will not pose a risk or nuisance to those properties.

- ii) Are contained within building forms and site design compatible with low-rise, predominantly residential neighbours; The proposed resulting building form is compatible with the residential neighbours in the immediate vicinity.
- iii) Are appropriately integrated with the neighbourhood street network, pedestrian network and public realm; The proposed new units will result in townhouse units which are at a density that is well-integrated into the neighbourhood.
- iv) May establish building and site design standards specific to such uses, in order to ensure functional requirements and context sensitive building form are met; The removal of the existing detached building on the site and for it to be replaced with a three-unit townhouse will result in a context sensitive building form on the property.

This property is located close to the edge of the Neighbourhood designation and the Evolving Neighbourhood Overlay (but within the Neighbourhood designation). The project represents a change from a single detached dwelling to a townhouse development which results in a slight increase in floor area. The proposal represents a gradual change in density and presents a strong street presence along Richard and Clementine.

The surrounding area is a mixture of single detached dwellings, duplex units, semi-detached dwellings, triplex units, and some low rise apartments buildings. Clementine Blvd is a street with OC Transpo routes.

The transit routes on Clementine include Line 46 which runs between Billings Bridge and Hurdman on weekdays every 30 minutes, Line 140 which runs between Billings Bridge and Herongate weekdays every 40 minutes, and Line 141 which runs between Billings Bridge and Heron Park weekdays every hour starting at 12pm.

The intersection of Bank and Heron is a 600 m walking distance from the subject property and is identified as a transitway station on Schedule B2 - Inner Urban transect. This station includes OC Transpo Line 6 which runs between Rockcliffe and Greenboro.

Nearby amenities within a 600 m radius distance include Heron Park, Jackson's Trail, Bruce Timmermans Park, Blue Heron Mall, schools, churches, commercial and retail buildings, medical centres, and community facilities.

2. The variances are to maintain the general intent and purpose of the Zoning By-Law

The zoning for the property is R3A which permits a variety of housing types including townhouse units and triplex units. The front yard setback variance is applied to the Richard frontage only and is proposed to be reduced from 6 m to 4.5 m to match the minimum required corner side yard setback on Clementine. The soft landscaping and walkway requirements are still met by this proposal. The variance for lot area is only required for the middle unit at 1551 Clementine even though the property is not proposed to be severed. The building height variance applies to the entire structure across all three units and only represents an increase of 0.7 m. There is no variance needed for lot width.

The property to the south is a duplex building with a slightly larger lot area and the property is shaped similarly to the subject property. In addition, the properties at 1113 Richard is a 4 unit low-rise apartment with a slightly smaller lot area compared to the subject property.

The proposed townhouse units are zoning compliant for interior side yard setbacks, corner side yard setback, soft landscaping, parking and driveway, and interior yard area regulations based on the zoning in effect. The design also conforms to hydro setback requirements.

Due to the fact that the zone permits this type of use, the intent of the zoning is maintained. This application will allow for a sensitive modification to the property.

The March 2025 Draft 2 of the Zoning By-Law indicates this property will be zoned N3C - Neighbourhood Third Density subzone 'C'. the N3C zone requires a minimum front yard setback of 4.5 m which aligns with the proposed front yard setback; therefore, no variance for front yard setback would be required for this development under the new Draft Zoning By-Law. The N3C zone permits a maximum of 2.2 units per 100 m² of lot area (13 units). This development would not require a variance for lot area. The N3C zone permits building heights of 11 m; therefore, this proposed development would not need a variance for building height.

3. The variances are desirable for the appropriate development or use of the land and building

On the GeoOttawa extract image on the following page the subject property is shown in **red**. Other nearby multi-dwelling unit buildings with three or more units are shown in **orange**. The multi-unit dwellings with two units are shown in **yellow** to demonstrate the mixture of densities and uses in the nearby area. See the extract from GeoOttawa below.



Subject property and surrounding properties.

This lot has an unusual shape being angled and as a result, the design features a staggered side wall. This will provide visual interest along Clementine Blvd

The Urban Design Guidelines for Low-Rise Infill Housing are intended to ensure that any new developments are a good fit for the neighbourhood and respect its character.

Key Urban Design Guidelines that this infill development meets include:

1.1 Contribute to an inviting, safe and accessible streetscape by emphasising the ground floor and street facade of infill buildings. Locate principal entries, windows, porches and key internal uses at street level.

The front facade of the building at street level contains the entrance for the units and the front facade of the building with front-facing porches and balconies.

1.2 Reflect the desirable aspects of the established streetscape character.

The new townhouses as part of this project is located at the same front yard setback as the easterly unit of this project and is further back from the front lot line than the unit that it is replacing which was located on the front lot line.

3.1.1 Ensure new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street.

The ground floor contains the principal entry points for the building and there are large front facade windows which face and animate the street and a porch for the new unit.

3.1.2 Locate and build infill in a manner that reflects the existing or desirable planned neighbourhood pattern of development in terms of building height, elevation and the location of primary entrances, the elevation of the first floor, yard encroachments such as porches and stair projections as well as front, rear and side yard setbacks.

The proposed building height is slightly lower than the permitted building height and the primary entrance is in conformity with surrounding properties which are located along the front facade of the building. The rear and side yard setbacks of the new development are equal to or greater than zoning requirements and the front yard setback is the same as the easterly unit on the property.

3.1.8 Determine appropriate side and rear separation distances between existing homes and new infill to ensure appropriate light, view and privacy.

The proposed side yard setbacks for the new unit is between 1.2 and 1.52 m and the property to the west has a detached garage another 2.13 m beyond the mutual lot line. The proposed side yard setbacks of at least 1.2 m meets the zoning requirements and will allow for appropriate light and will provide suitable setbacks for privacy and views. The request for a reduced interior side yard setback applies to a portion of the centre unit but otherwise the proposed is compliant on interior side yard setback.

As a small-scale intensification from a pair of semis and a detached house to a townhouse development, the proposal is in conformity with the Official Plan designation for the lands and maintains the general intent and purposes of the Official Plan which allows for a variety of ground orientated multiple housing forms. Therefore, it is our opinion that minor variances that are proposed maintain the general intent and purpose of the Official Plan and are desirable for the appropriate development of the land.

4. The variances are minor in nature

The variances requested in this application are minor in nature. The requested front yard setback variance represents a deficiency of 1.5 m from 6 m to 4.5 m. A 4.5 m front yard setback approximately aligns with the current dwelling's front edge of the front steps. A 4.5m setback is required and provided along the corner side yard frontage where two out of the three unit entrances are located. The 1.5 m reduction provides a consistent setback on Richard Ave following the setback on Clementine Blvd.

The lot area variance is a reduction of 17.63 m² from 180 m² to 162.37 m². A lot of this size still allows for a context sensitive townhouse development. If the lot was zoned R3VV or denser, a 162.37 m² lot area would be compliant with Zoning By-Law requirements.

The building height variance represents a 0.7 m increase in height from 10 m to 10.7 m. This building height takes into account the 0.3 m projection of a parapet over the allowable height limit. The proposed development features a flat roof which requires a parapet for proper roof design. Therefore the increase of 0.7 m to the allowable building height is minimal and required for the proper function of the structure. Additionally, it should be noted that under the current Zoning By-Law, the maximum building height for a triplex is 10.7 m.

In conclusion, the variances requested are minor in nature representing minor deviations from the Zoning By-Law requirements. The proposed variances are desirable for the appropriate development of the land as the proposed density of a three-unit townhouse is an appropriate development for the subject site. This proposal meets the general intent of the Official Plan as it strengthens the 15-minute neighbourhood, and creates context-sensitive housing options. This proposal meets the general intent of the Zoning By-Law because it is more in-line with the purpose of the R3 zoning as a townhouse compared to a single detached dwelling. As stated under test 2, the proposed development would be compliant with the March edition of the Draft Zoning By-Law which is still subject to public comments, further modifications, and Council deliberations.

At this time we are submitting the following in support of the application:

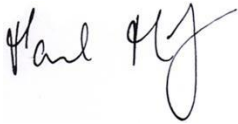
- Completed application form
- Owners authorisation for filing the applications
- Application fees
- The site plan showing the proposed three townhouse units.
- The architectural elevations of the units
- The survey plan of the entire property

- Tree information report

When the notification signs are ready for this application could you please email the undersigned and we will make arrangements for their installation on the property.

Should you have any questions or require anything further, please do not hesitate to contact the undersigned at (613) 599 9216 or via email at probinson@probinsonconsulting.com

P H Robinson Consulting

A handwritten signature in black ink, appearing to read 'Paul Robinson', with a stylized flourish at the end.

Paul Robinson RPP