

May 5, 2025

Mr. Michel Bellemare

Secretary-Treasurer
Committee of Adjustment
101 CentrepoinTE Drive, Fourth Floor
Ottawa, ON K2G 5K7

**RE: Application for Consent and Minor Variance
7 Norice Street**

Committee of Adjustment
Received | Reçu le

2025-05-12

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Anthony Bucciarelli and Erin McClurg (the "Owners") to submit concurrent Minor Variance and Consent applications on their behalf for the property municipally known as 7 Norice Street in the City of Ottawa ("the subject property").

The purpose of the Consent application is to facilitate the severance of the subject property in order to create two (2) lots for the purpose of retaining the existing building and developing a new single detached dwelling on the severed lot. The Minor Variance application is seeking specific relief from the Zoning By-law on the severed lot related to the minimum lot area and lot width, as well as an additional variance for maximum driveway width that is guided by an interest in decreasing the overall impervious surface area.

Please find enclosed the following materials in support of the application:

- / A cover letter explaining the nature of the applications;
- / Consent application form;
- / Minor Variance application form;
- / Draft Reference Plan (R-Plan);
- / Site Plan;
- / Elevations;
- / Tree Information Report; and,
- / Parcel Abstract & related letter from the owners' lawyer confirming the closing date of sale.

Please contact the undersigned at henderson@fotenn.com or bolduc@fotenn.com with any questions or requests for additional materials.

Sincerely,



Gillian Henderson, M.USP
Planner



Jacob Bolduc, RPP MCIP
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FOTENN

1.0

Introduction

Fotenn Planning + Design (“Fotenn”) has been retained by the owner to prepare this cover letter and Planning Rationale in support of concurrent Consent and Minor Variance applications for the property known municipally as 7 Norice Street. The purpose of the Consent application is to sever the subject property to facilitate the retention of the existing building and development of a single detached dwelling on the severed lot. The concurrent Minor Variance application seeks to address minor zoning deficiencies related to minimum lot area, lot width, and driveway width.

1.1 Application Overview

The proposed Consent application seeks to facilitate the creation of one (1) new lot through a severance of the lands.

The concurrent Minor Variance application seeks to address three (3) zoning deficiencies related to the severed lot and ultimate development condition proposed. The relief requested through this application is as follows:

1. Section 156 of the Zoning By-law for a minimum lot area of 459.3m² for the severed lot whereas the Zoning By-law requires a minimum lot area of 600m².
2. Section 156 of the Zoning By-law for a minimum lot width of 12.69m for the severed lot whereas the Zoning By-law requires a minimum of 19.5m.
3. Section 139 of the Zoning By-law for driveway a width of 4.89m, affecting only the portion of the driveway closest to the garage door.

The existing driveway on the retained lot and within the right-of-way will be partially relocated and narrowed, and additional soft landscaping will replace the demolished portion of the driveway. On the severed lot, the proposed driveway will have a tapered design, narrowest at the front lot line and within the right-of-way, and gradually widening as it approaches the garage door. The portion of the driveway closest to the front lot line will comply with the Zoning By-law, while the section nearest to the garage door will exceed the permitted width. As a result, a Minor Variance is being requested for only the widened portion of the driveway nearest to the garage. This design approach strikes a practical balance, allowing two (2) vehicles to comfortably access and park within the double-wide garage, while also reducing the overall impervious surface area. This design meets the functional needs of future residents without significantly impacting the site’s permeability or streetscape.

Site Context and Surrounding Area

2.1 Subject Property

The subject property, which is legally described as Lot 58 of Registered Plan 522, City of Ottawa, has a frontage of 38.19 metres along Norice Street and a lot depth of 36.29 metres, resulting in a total area of 1,376.5 metres². The lot lines are both angled slightly, resulting in a soft parallelogram shape, and the property is currently occupied by a single-story detached dwelling with three small sheds to be demolished. The existing asphalt driveway will be relocated to respect the new lot lines proposed as part of the Consent application.



Figure 1: Subject property and surrounding neighbourhood

The subject property contains two white spruce trees, each with a diameter of 42 cm and in good to fair condition. Both trees are recommended for retention and protection as part of this proposal. One of the trees is not expected to be impacted by the proposed driveway relocation. For the other tree, any root or branch pruning required due to driveway work will be performed by hand by a certified arborist. The details pertaining to the proposed severed and retained portions of the subject lands are described in the table below and illustrated in Figure 2:

Table 1: Proposed retained and severed parcel descriptions.

	Retained	Severed
Parcel Description	Part 2 on Draft Reference Plan	Part 1 on Draft Reference Plan
Parcel Frontage	25.51m	12.76m
Parcel Depth	36.28m	36.29
Parcel Area	917.2m ²	459.3m ²

2.2 Surrounding Context

North: The area to the north of the subject property is characterized by low-rise residential dwellings, generally taking the form of single detached dwellings. The City View neighbourhood is located north of Meadowlands Drive and is bound to the north by Baseline Road which provides east-west vehicular and public transit mobility.

South: The area to the south is a continuation of the low-density residential fabric of the Crestwood-Tanglewood neighbourhood. Approximately 1 kilometer south are freight train tracks owned and operated by CN Rail.

7 Norice Street
Application for Consent and Minor Variance

north-west of the subject property offering post-secondary education in a range of disciplines and specialties. Woodroffe Avenue is approximately 1.8 kilometres west of the subject property, providing north-south mobility.

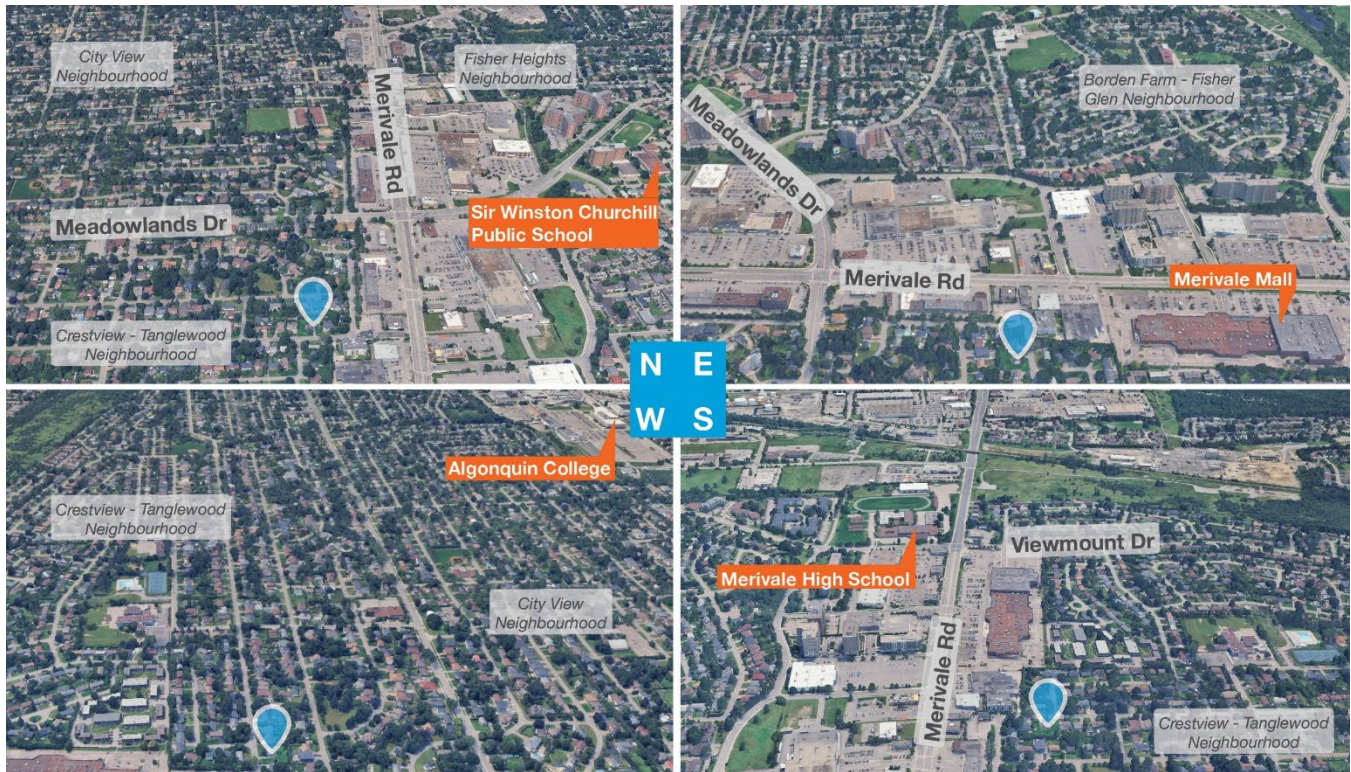


Figure 3: Graphic depicting the context surrounding the subject property

2.2.1 Complete Community Features

The Merivale Road area is very well served by amenities and services critical to the development of a complete community. The City of Ottawa conducted 15-minute neighbourhood mapping across the urban area of the City of Ottawa, and the subject property scored 9 out of 10, reflecting the site's proximity following amenities:

- / Forty-two (42) bus stops
- / Five (5) grocery stores
- / Twenty-two (22) retail stores
- / Six (6) parks
- / One (1) childcare facility
- / Twenty-six (26) health services
- / Four (4) elementary and/or secondary schools
- / One (1) indoor community centre, recreational facility, and/or library

This range of amenities would support and be supported by increased residential densities.

2.3 Road Network

The subject property is located on Norice Street, which is classified as a local road in the City of Ottawa's Official Plan, and runs parallel to Meadowlands Drive, which is classified as a Major Collector Road. Major Collector Roads' primary function is for access and flow of traffic. Meadowlands runs east-west and intersects with Merivale Road to the east and Woodroffe Avenue to the west, which are both classified as Arterial roads. Arterial Roads are major roads that carry large volumes of traffic over long distances and function as major public and infrastructure corridors in urban communities.

Merivale Road and Woodroffe Avenue offer convenient north-south connectivity, and both provide access to Highway 417, supporting regional east-west mobility within Ottawa and the broader area. Woodroffe Avenue leads directly to Highway 417, while Merivale Avenue has connections via Maitland Avenue and Kirkwood Avenue.

This location supports efficient vehicular circulation and strong regional and local accessibility.

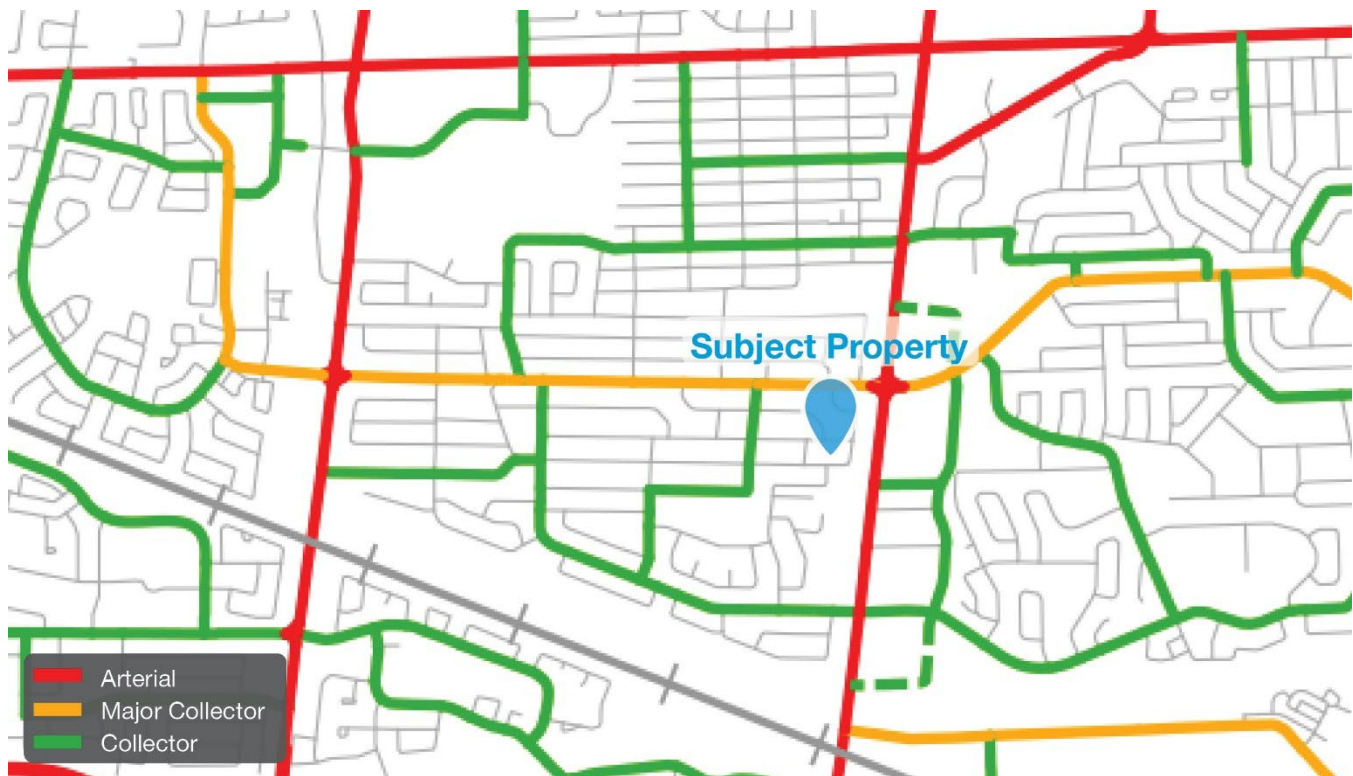


Figure 4: Schedule C4 - urban Road network (subject property identified)

2.4 Transit Network

The subject property is located approximately 130 meters west of Merivale Road and 250 metres south of Meadowlands Drive, both of which are classified as Transit Priority Corridors in Schedule C2 of the Official Plan (Figure 5 below). Transit Priority Corridors are key routes identified to provide efficient and high-capacity public transit service. The goal is to reduce traffic, improve accessibility and encourage more people to use public transportation, particularly in areas with higher population densities.

The typical transit trip to the Central Business District during the morning peak is approximately 45–50 minutes, compared to a 30-minute drive.

Bus routes 86 (Tunney's Pasture ⇌ Baseline) and 80 (Barrhaven Centre ⇌ Tunney's Pasture) both pass within a short walking distance of the subject property, providing service approximately every 15 minutes.

Bus route 89 (Tunney's Pasture ⇌ Colonnade) also runs along Viewmount Drive, with service every 15–20 minutes. Bus route 111 (Carleton ⇌ Baseline) operates along Viewmount Drive as well, though with less frequent service.

Additionally, bus route 186 (Lincoln Fields ⇌ Merivale / Slack) runs along Meadowlands Drive and Merivale Road. Although its service is less frequent, it contributes to a broader range of public transit options in the area.

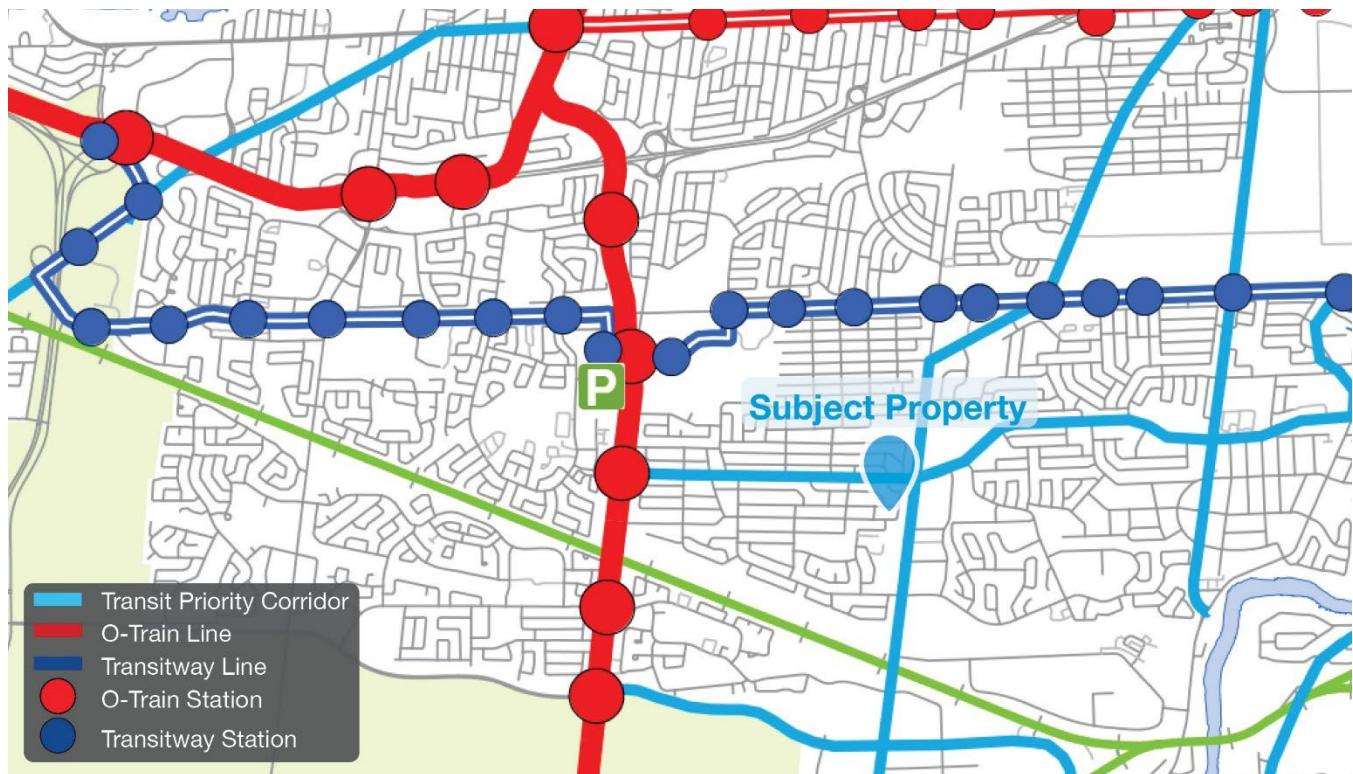


Figure 5: Schedule C2 - Transit Network

2.5 Active Transportation

The subject property is not currently well-served by the City's active transportation network. However, the Transportation Master Plan (TMP) intends to improve cycling infrastructure by introducing the Cross-Town Bikeway Network (Figure 6 below). This route will provide connections to the broader active transportation network. Additionally, as a designated Arterial Road, future reconstructions of Merivale Road would be required to implement protected cycling infrastructure.

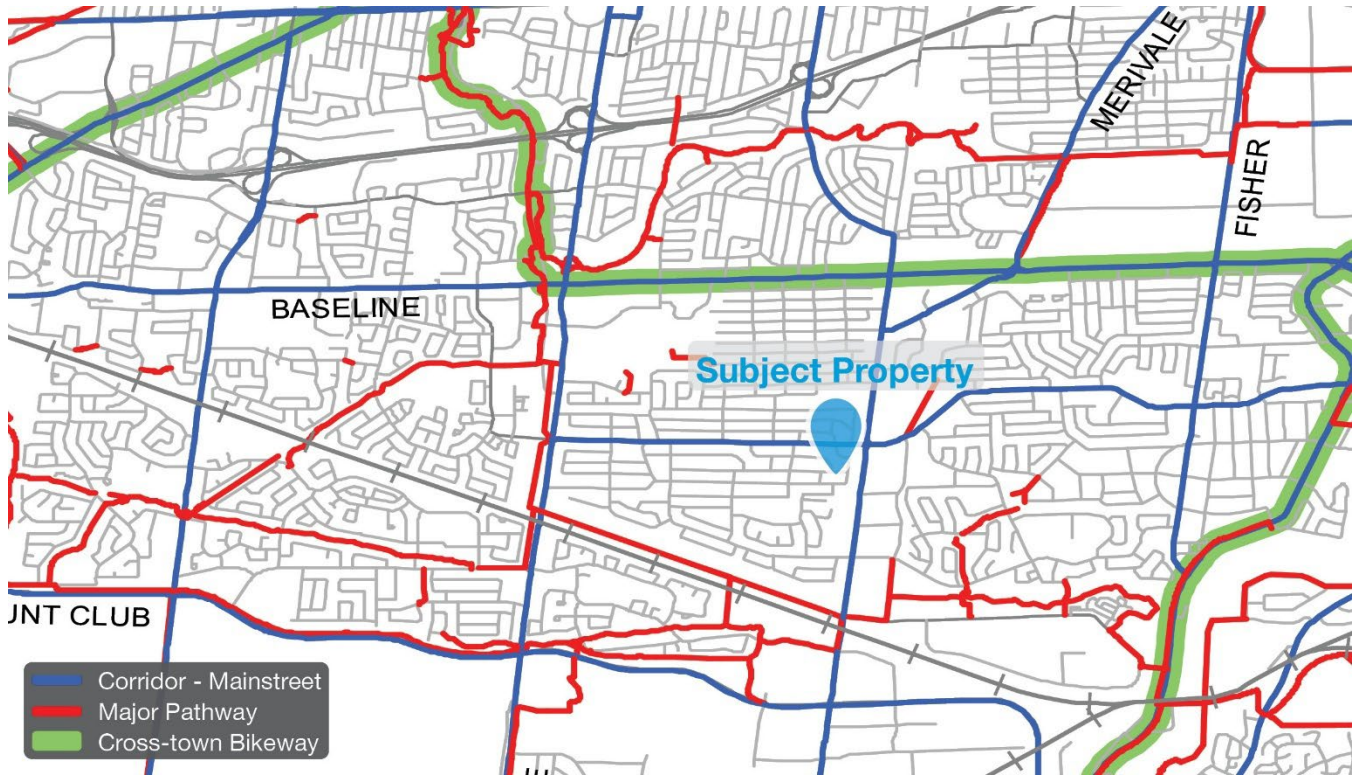


Figure 6: Active transportation network surrounding the subject property

3.0 Policy and Regulatory Context

3.1 Provincial Planning Statement (2024)

The Province of Ontario enacted a new Provincial Planning Statement (PPS) on October 20th, 2024, which represents the consolidation of the previous PPS (2020) and the *Growth Plan* (2019) into a single comprehensive policy document. Included as part of the consolidation are several updates to the previous sets of policies, with a specific emphasis on growth targets and urban boundary expansion related to the provision of greater opportunities for housing across the province. All municipal development policies, documents and decisions must be consistent with the PPS, read in full, as of the date of enactment.

Policies that support the development and intensification of the subject property include:

2.1.4: 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 childcare facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs.

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) 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;
- b) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and,
- c) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

2.3.1.1: 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.

2.3.1.2: 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; and,
- d) are transit-supportive, as appropriate.

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.

2.4.3.1: Planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.

The Consent and Minor Variance applications, and the resulting proposed development on the subject property are consistent with the Provincial Planning Statement (2024) in that it achieves its vision in addressing efficient development and land use patterns on existing municipal services and in proximity to public transit. The Consent application seeks to create one (1) new residential lot with adequate site area to support compatible development within the context of the surrounding community. The Minor Variance application seeks to recognize the proposed lot fabric, taking into consideration the existing building on the retained lot and is supported by the relevant policies of the PPS. The proposed development is aligned with the policies of the PPS in that the applications provide the opportunity for increased densities within the serviced, urban area, contributing to the ongoing evolution and creation a complete community.

3.2 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046 when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the city will accommodate this growth over time and set out the policies to guide the development and growth of the City.

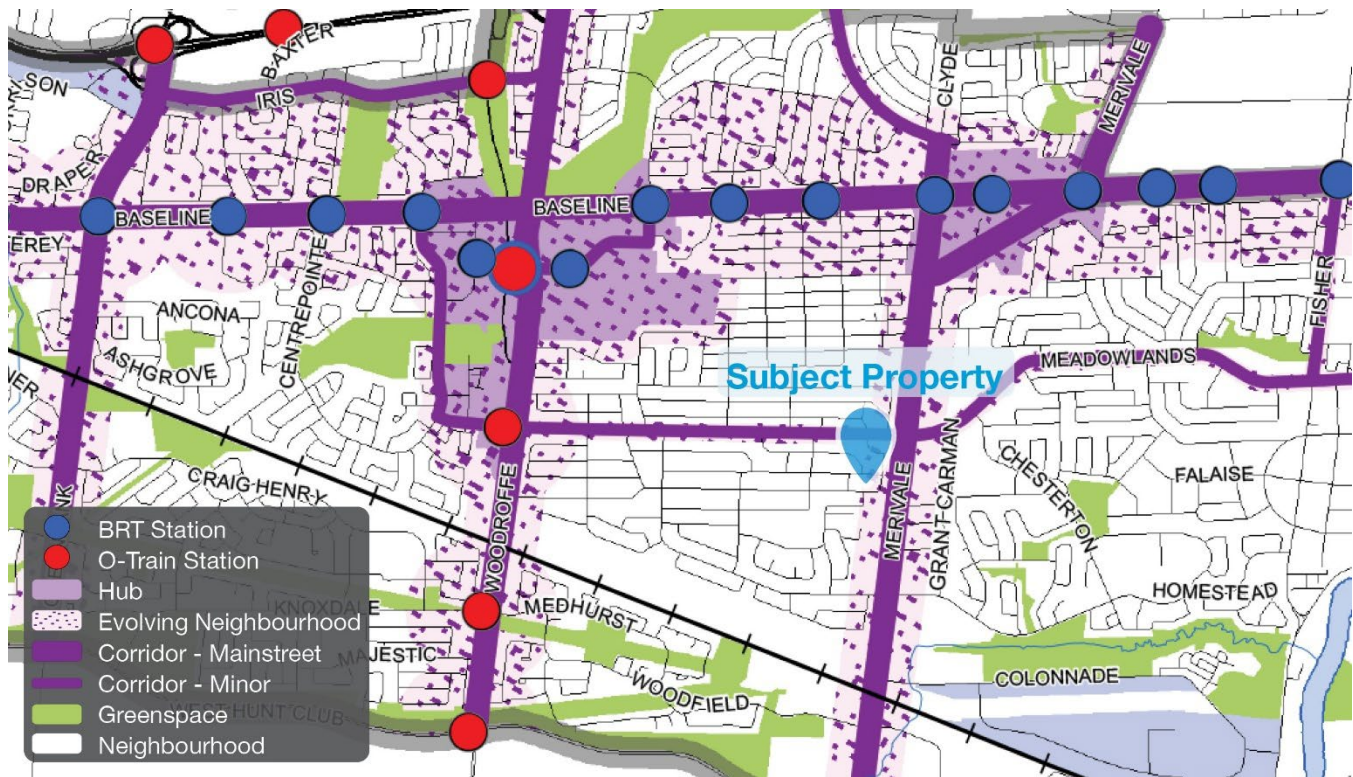


Figure 7: Schedule B3 – Outer Urban transect

3.2.1 Outer Urban Transect

Schedule A of the Official Plan divides the City into six (6) concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from most urban (the Downtown Core) to least urban (Rural).

The subject lands are located in the “Outer Urban Transect” of the Official Plan. The Outer Urban Transect comprises neighbourhoods inside the Greenbelt built in the last third of the twentieth century and is characterized by a classic suburban building forms, setbacks, and separation of land uses. The Official Plan aims to enhance mobility options, particularly active transportation, and street connectivity, while also providing direction to Hubs and Corridors and encouraging more diverse housing forms.

The transect will evolve toward an urban 15-minute neighbourhood model and will experience a gradual replacement of detached housing with higher-density ground-oriented housing. Some mid- and high-rise buildings are also planned within transit hubs. The transect will also develop towards highly integrated areas with commercial, civic, institutional, and residential uses. This will include introduction of mixed-use urban developments close to rapid transit stations and targeted efforts towards Hubs and Mainstreets for mid-density and mixed-use development.

Specific policies that apply to this proposal include:

5.3.4(1) Neighbourhoods located in the Outer Urban area shall accommodate residential growth to meet the Growth Management Strategy as outlined in Section 3. The Zoning By-law shall implement development standards that transition away from a suburban model and move towards urban built forms as described in Table 6 as applicable and that:

- a) Allows and supports a wide variety of housing types with a focus on lower density missing-middle housing which generally reflects the existing built form context of the neighbourhood, which may include new housing types that are currently not contemplated in this Plan;
- c) Generally provides for up to 3 storeys height permission, and where appropriate 4 storeys height permission to allow for ground oriented higher-density Low-rise residential development;

3.2.2 Neighbourhood Designation

The subject property is designated “Neighbourhood” with the Evolving neighbourhood Overlay in Schedule B3 of the Official Plan. The Neighbourhood designation represents the core of the communities found in the urban and suburban areas of the City. The stage of evolution varies across neighbourhoods around the city, and the policies of the Official Plan recognize this, and help to guide development towards the desired 15-minute neighbourhood pattern of development. Section 3.2 outlines the role of Neighbourhoods in supporting a large portion of the intensification projected by the Plan as they develop in proximity to designations of greater density and mix of uses, such as Corridors and Hubs. The designation policies ensure intensification and development while remaining sensitive to the existing character of the neighbourhood.

Specific policies that apply to this proposal include:

6.3.1(2) Permitted building heights in Neighbourhoods shall be Low-Rise;

6.3.1(4) 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) Predominantly missing middle housing;

6.3.1(5) The Zoning By-law will distribute permitted densities in the Neighbourhood by allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities;

6.3.2(3c) Further to Policy 2), form-based regulation will provide for built form and site development characteristics that may provide for a mix of urban and suburban characteristics as described in Table 6, provided that such development does not unreasonably preclude evolution to more urban character over the life of this Plan.

The Evolving Neighbourhood Overlay identifies areas where substantial increases in density are planned and where building form and massing are anticipated to change significantly from existing conditions and context.

3.2.3 Urban Design Policies

Section 4.6 of the Official Plan outlines the specific policies guiding the design and relationship between developments across the City, specifically emphasizing adequate transitions, complementary built forms, and existing neighbourhood design characteristics.

4.6.6(6) Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

The City of Ottawa's Official Plan outlines the general strategies for growth and development across the region, detailing specific policies for both urban and rural areas. The Plan highlights key features related to residential development within the Outer Urban Transect and the role of the Neighbourhood designation in accommodating the bulk of intensification proposed through this Plan. This review examined the policies as they apply to the proposed Consent and Minor Variance applications on the subject property. The policies of the Official Plan were shown to be supportive of the proposed severance and Minor Variance as the proposed development provides for compatible development on compact and functional lots within the existing built-up area of the City.

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

The subject property is zoned R1FF – Residential First Density, Subzone FF (see Figure 8 below).



Figure 8: Zoning map with the subject property identified (GeoOttawa)

The purpose of the R1- Residential First Density Zone is to:

- / restrict the building form to detached dwellings in areas designated as General Urban Area in the Official Plan;
- / allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;
- / permit ancillary uses to the principal residential use to allow residents to work at home;
- / regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced; and

The table below lists the permitted uses in the R1 zone:

Permitted Uses
bed and breakfast, see Part 5, Section 121 detached dwelling diplomatic mission, see Part 3, Section 88 group home, see Part 5, Section 125 home-based business, see Part 5, Section 127 home-based daycare, see Part 5, Section 129 park retirement home, converted see Part 5, Section 122 additional dwelling unit, see Part 5, Section 133 urban agriculture, see Part 3, Section 82 (By-law 2017-148)

Table 2: City of Ottawa Zoning By-law -- R1FF Zone and other applicable provisions

Provision	Requirement	Provided (Retained)	Provided (Severed)	Compliant?
Minimum Lot Width <i>Section 156, Tables 156A</i>	19.5m Measured at the required minimum front yard setback.	25.51m	12.67m	No
Minimum Lot Area <i>Section 156, Tables 156A</i>	600m ²	917.2 m ²	459.3m ²	No
Maximum Building Height <i>Section 156, Tables 156A</i>	8.5m	5m Existing	8.02m	Yes
Minimum Front Yard Setback <i>Section 156, Tables 156A, Section 144</i>	Must align with the average of the abutting lots' corresponding yard setback, but need not exceed the minimum required in the Residential subzone (6m in the R1FF subzone), and in no case may be less than 1.5 m.	6.7m Existing	6m	Yes
Minimum Rear Yard Setback <i>Section 156, Tables 156B, Section 144</i>	Rear yard must comprise at least 25% of the lot area.	21.98m Existing	10.92m	Yes

Provision	Requirement	Provided (Retained)	Provided (Severed)	Compliant?
	For lots with a lot depth greater than 33 metres, the minimum rear yard is 30% of the lot depth. (Severed lot: 30% = 10.91m)			
Minimum Interior Side Yard Setback <i>Section 156, Tables 156A</i>	total is 2.1m with one yard, no less than 0.9m	15.56m	2.1m	Yes
Minimum Front Yard Landscaping <i>Section 139(1), Section 109(3c)</i>	In the case of any lot with a width of 12 m or more, 40% All portions of the front yard not occupied by parking spaces, driveways, aisles, permitted projections, accessory buildings or structures or walkways must be landscaped with soft landscaping.	83% 135m ²	53% 40m ²	Yes
Landscaping <i>Section 109(3d)</i>	All portions of any yard (besides the front yard) not covered by parking spaces, driveways, aisles, permitted projections, walkways, buildings or structures must be landscaped.	Yes Front yard landscaping: 83% 135m ² Rear yard landscaping: 100% 278m ²	Yes Front yard landscaping: 53% 40m ² Rear yard landscaping: 89% 125m ²	Yes
Maximum Lot Coverage <i>Section 156, Tables 156A</i>	45% (Retained lot: 45% = 412.74m ² Severed lot: 45% = 206.5m ²)	7.4% 67.87m ²	41% 188.3m ²	Yes
Maximum Driveway Width <i>Section 139(3)(i)</i>	Lot width between 8.25m to less than 15m: 3m for shared and individual driveways and double-wide driveway is <i>not</i> permitted. Lot width between 15m to less than 18 m: 3m for shared and individual driveways and a double-wide driveway of 5.5m is permitted.	2.6m	2.99m at front lot line and 4.89m at garage door	No
Driveway Setback from Interior Side Lot Line <i>Section 139(2c)</i>	A private driveway must be separated from any interior side lot line by a landscaped strip not less than 0.15m in width	0.15m and 22.59m	7m and 2.7m	Yes

Provision	Requirement	Provided (Retained)	Provided (Severed)	Compliant?
Driveway Location <i>Section 107 (3b)</i>	No part of the driveway may be located between the front wall of the residential use building and the street.	Driveway does not pass in front of the dwelling	N/A	Yes
Front-facing Garages and Carports <i>Section 139(3)</i>	Any garage facing the front lot line: the entrance to the garage or carport must be set back at least 0.6m further than the principal entrance or front edge of a landing or porch, giving access to the principal entrance. The garage may not be more than 0.6m closer to the front lot line than is the principal entrance to the dwelling.	N/A	0.6m	Yes
Minimum Driveway Width <i>Section 107</i>	2.6m to parking spaces other than a parking garage or parking lot.	2.6m	2.99m at front lot line and 4.89m at garage door	Yes
Walkways <i>Section 139(4)</i>	Separated from any driveway by at least 0.6m of soft landscaping. May not exceed a width of 1.2m.	N/A	0.92m	Yes
Minimum Parking Requirement <i>Section 101, Table 101</i>	Area C on Schedule 1A: 1 per dwelling unit	1	2	Yes
Parking Space Dimensions <i>Section 106</i>	Between 2.6m – 3.1m wide X at least 5.2m long	2.6 x 5.2	2.6 x 5.2	Yes

The proposed severance and development complies with the vast majority of the zoning performance standards for the R1FF zone but, as illustrated in the development plan below, does not comply with respect to minimum lot area, minimum lot width, and maximum driveway width (only for the portion of the driveway closest to the garage door). It is important to note that the proposed development is permitted to occur without the consent and minor variances that are sought if it were designed as a secondary dwelling unit with a minor connection to the existing building.

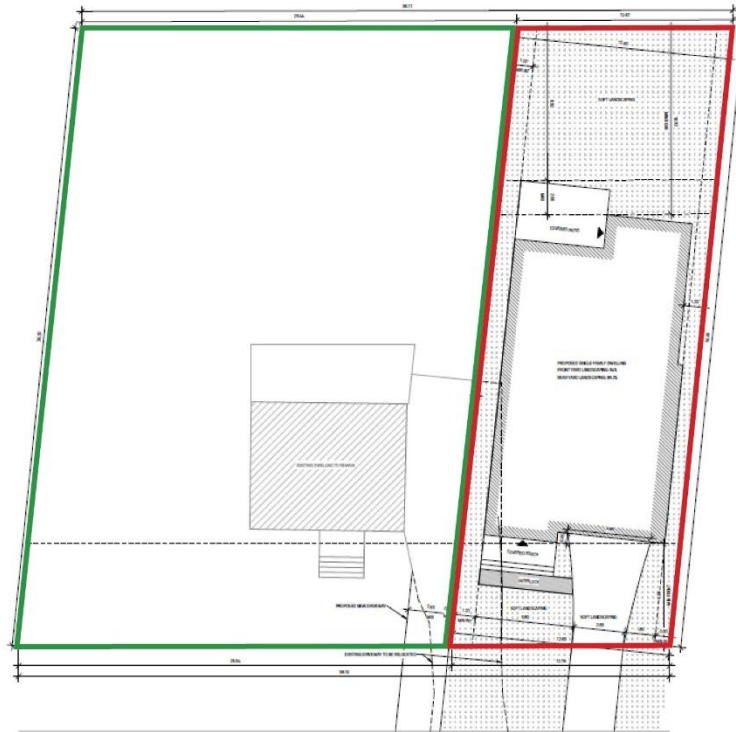


Figure 9: Site Plan sketch illustrating the modified condition to the existing driveway and the concept sketch proposed for the severed lot

The proposal therefore requires relief from these provisions of the City of Ottawa Zoning By-law (2008-250) and Minor Variances are requested to facilitate the proposed development. A summary of the Minor Variances requested for the subject site are listed in the table below:

Table 3: Non-compliant zoning performance standards for the proposed lot

Zoning Provision	Required	Proposed - Severed
Minimum Lot Area (m ²)	600m ²	459.3m ²
Minimum Lot Width (m)	19.5 metres	12.67m
Maximum Driveway Width (m)	3m	2.99m at the front lot line and 4.89m at garage door

The existing driveway on the retained lot and within the right-of-way, measures 4.07 metres in width and approximately 19.10 metres in length, for a total area of approximately 104m². It will be partially relocated and significantly narrowed, with additional soft landscaping added. The new driveway will be reduced to a width of 2.6 metres, considerably decreasing the overall driveway area to approximately 65m².

On the severed lot, the proposed driveway will have a tapered design, narrowing at the front lot line and within the right-of-way, and gradually widening as it approaches the garage door. The portion of the driveway closest to the front lot line will comply with the Zoning By-law, while the section nearest to the garage door will exceed the permitted width. As a result, a Minor Variance is being requested for only the widened portion of the driveway adjacent to the garage. This design approach strikes a practical balance, allowing two vehicles to comfortably access and park within the double-wide garage, while also reducing the overall impervious surface area. It is considered an appropriate compromise that meets the functional needs of future residents without significantly impacting the site's permeability or streetscape. The area of the proposed driveway on the severed lot is

approximately 40m². The portion of the driveway that surpasses the as-of-right driveway envelope accounts for only about 5m². While this area would otherwise be soft landscaped, the proposed design utilizes it to provide practical access and maneuverability for vehicles entering the garage.

Collectively, the total paved surface area between the two new driveways will remain approximately the same, taking into account the reduced driveway on the retained lot and the tapered design on the severed lot. As a result, there will be a negligible net increase (~1m²) in paved surface, supporting efforts to limit impervious surface on the site.

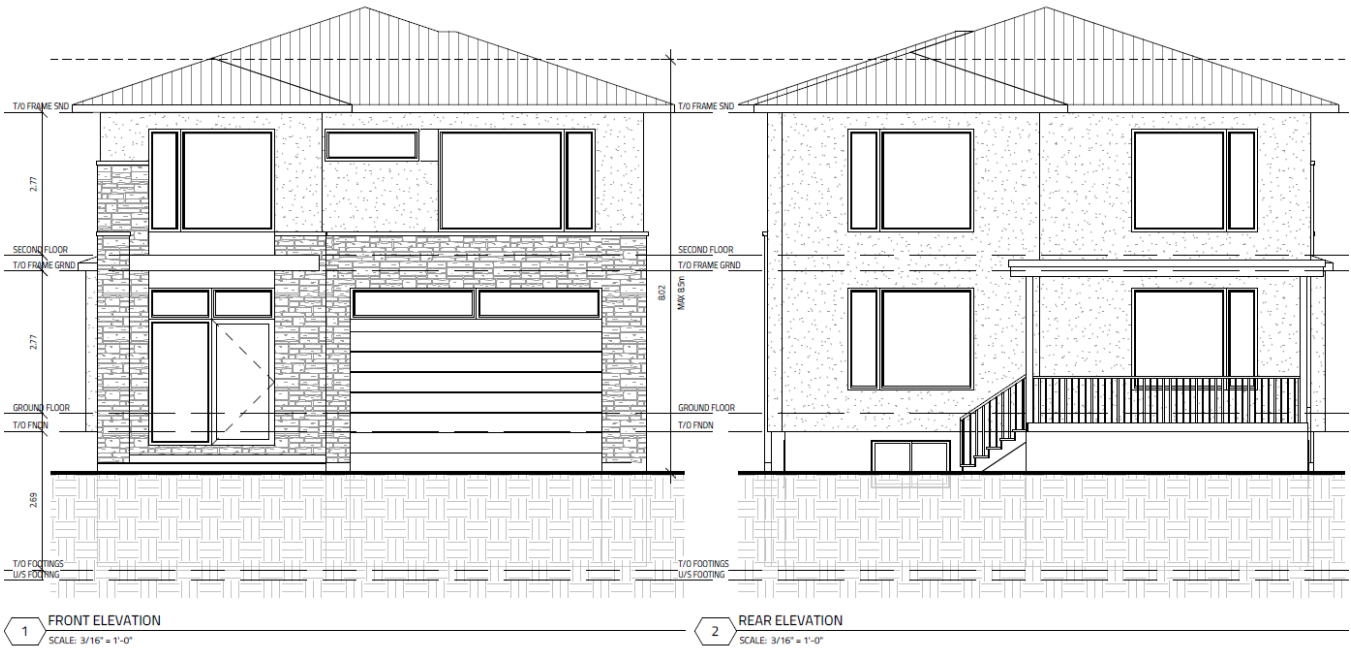


Figure 11: Front (north) and rear (south) elevations of the proposed development

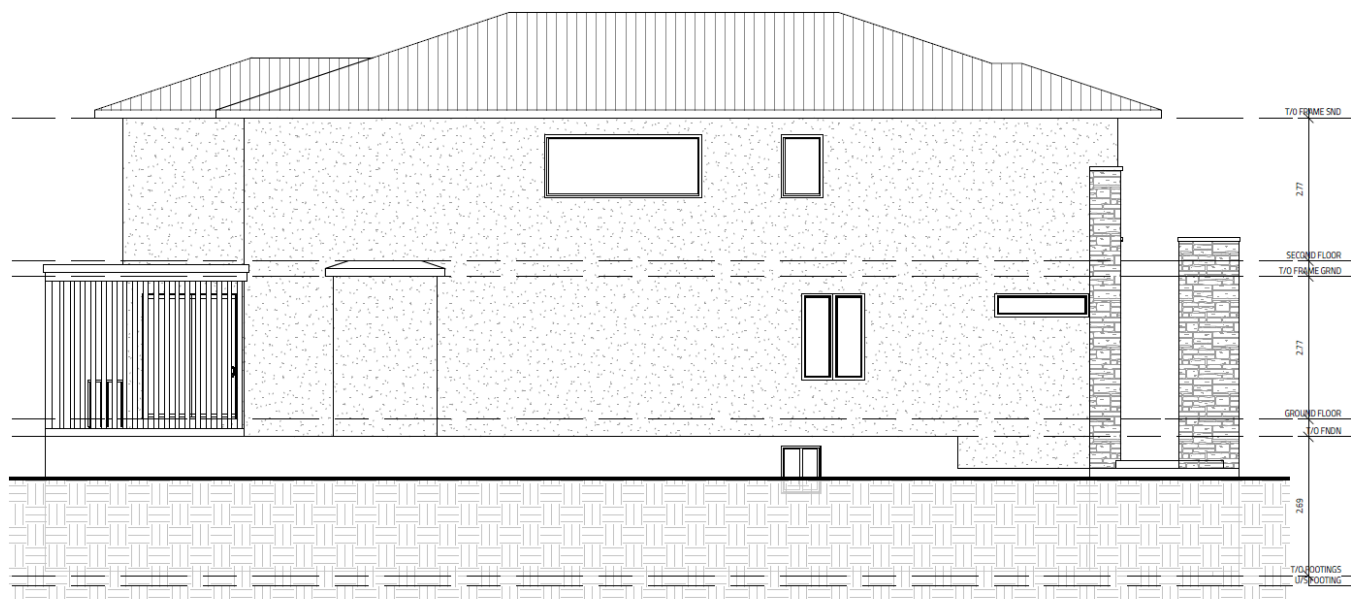


Figure 10: Left (west) elevation of the proposed development

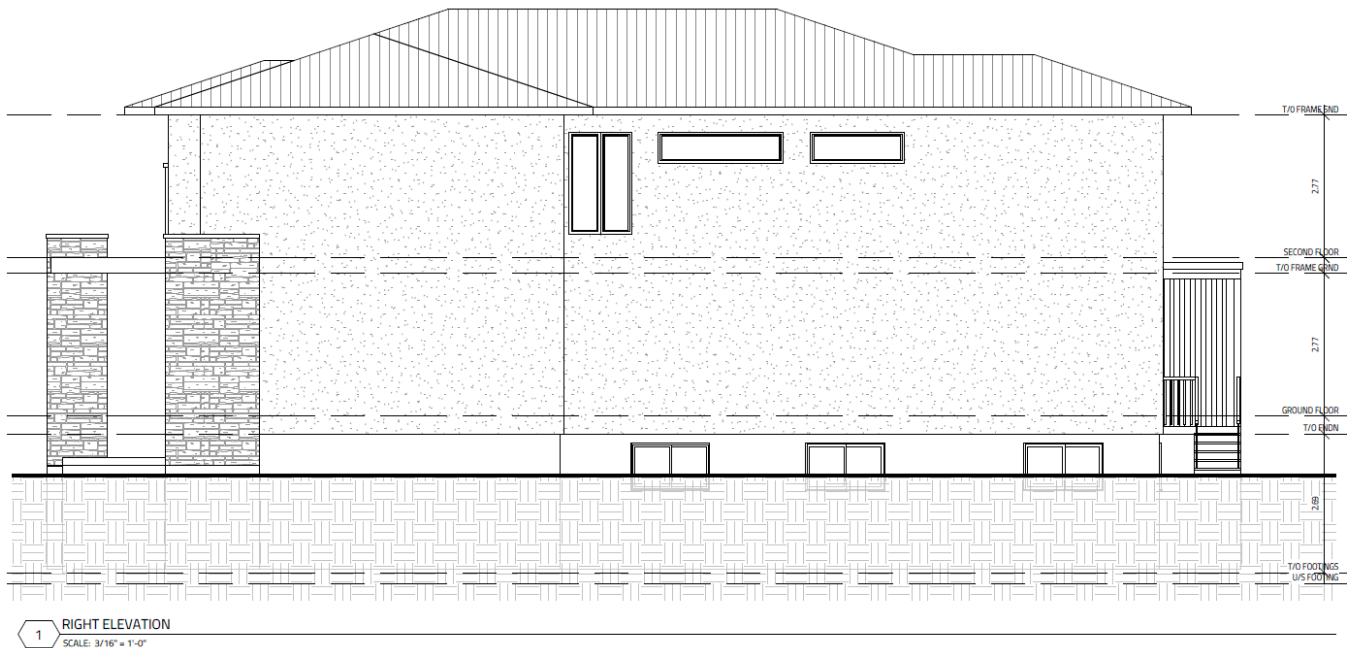


Figure 13: Right (east) elevation of the proposed development



Figure 12: Rendered perspectives of the proposed development

4.0 Ontario Planning Act – Consent

4.1 Legislative Authority

Section 53(1) of the Ontario Planning Act pertains to Consents and Plans of Subdivision. It states that an owner:

“may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this subsection, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.”

Section 53(12) of the Planning Act notes that when determining if a consent is to be given, a council or the Minister:

“shall have regard to the matters under subsection 51(24) and has the same powers as the approval authority has under subsection 51(25) with respect to the approval of a plan of subdivision and subsections 51(26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent”.

4.2 Consent Criteria

Section 51(24) of the Planning Act sets forth the criteria for considering Plans of Subdivision with regards to the “health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality.” A response to each of the criteria from Section 51(24) is provided below.

“In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”

- a) The effect of development of the proposed subdivision on matters of provincial interest (as referred to in section 2)
The proposed Consent conforms to the goals and policies of provincial interest and complies with the necessary policies of the Official Plan.
- b) Whether the proposed subdivision is premature or in the public interest
The proposed Consent would facilitate the creation of one (1) new residential lot, retaining the existing dwelling as well creating one (1) new detached dwelling on the severed lot. The increased density through intensification takes advantage of the existing lot fabric, servicing capacities, and transit infrastructure in the area to meet the goals of the Official Plan.
- c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any
The proposed Consent conforms to the policies of the City of Ottawa Official Plan as it maintains the low-rise built form of the neighbourhood while providing for increased density through infill intensification, as encouraged by the Neighbourhood designation policies. The proposal does not contravene any existing plan of subdivision.
- d) The suitability of the land for the purposes for which it is to be subdivided
The proposed Consent would result in two (2) lots which are generally compliant with all applicable Zoning By-law provisions, notwithstanding the variances proposed through the concurrent Minor Variance application. The proposed lots provide adequate street access and developable area on the lot to ensure the intended development scenario can be successfully pursued.

- d.1) If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing
This application is not considering any affordable housing on the subject property.
- 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
The subject property is accessed via Norice Street, which is identified as a Local Road in Schedule C4 – Urban Network in the City of Ottawa’s Official Plan (2022). The proposed Consent provides adequate road access to both the retained and severed lands.
- f) The dimensions and shapes of the proposed lots
The proposed Consent creates two (2) parallelogram lots of similar shape and form. The lot area and lot width of the severed lot is subject to a concurrent Minor Variance application which seeks relief for minimum lot area and width deficiencies. The image below (Figure 10) illustrates how the proposed lots will be reasonably consistent with the dimensions and shapes of the lots in the immediate context.
- g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structure proposed to be erected on it and the restrictions, if any, on adjoining land
The subject property is subject to a concurrent Minor Variance application, which is proposing to apply new zoning standards to reflect the opportunity to facilitate two (2) functional lots in the Outer Urban Transect capable of supporting two (2) detached dwellings.
- h) Conservation of natural resources and flood control
Two (2) white spruce trees in good/fair health have been identified on the site, both of which are to be retained and protected through these applications. Tree 1 is not expected to have any immediate impact during the driveway relocation while Tree 2 may require some roots and/or branches to be cut as part of driveway relocation, which will be done by hand by a certified arborist.
- i) The adequacy of utilities and municipal services
The subject property is municipally serviced and is not anticipated to place undue strain on the existing servicing capacity for the area.
- j) The adequacy of school sites
The subject property is located within one-and-a-half (1.5) kilometres of eight (8) public schools, capable of serving elementary through high school students.
- 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 are proposed to be dedicated for public uses.
- l) The extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy
The buildings proposed on the subject property as a result of this proposed Consent will be subject to the energy usage directives outlined in Provincial legislation and the Ontario Building Code in order to receive a building permit.

- 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)

The scale of development proposed on the subject property does not meet the threshold to require Site Plan Control approval.



Figure 14: Lot fabric nearby the subject property, illustrating the proposed lot width of the severed lot and reduced lot widths nearby that are below the Zoning By-law's minimum requirement

5.0

Minor Variance – Four Tests of the Planning Act

Section 45 (1) of the Planning Act (R.S.O. 1990, c. P.13) outlines the “four tests” for determining the suitability of a proposed Minor Variance. If all four tests are met, the Committee of Adjustment is authorized to grant a variance. There are a total of three (3) variances related to the retained lot being sought through this application. The variances and are outlined in further detail below:

1. **Section 156 of the Zoning By-law for a minimum lot area of 459.3m² for the severed lot whereas the Zoning By-law requires a minimum lot area of 600m².**
2. **Section 156 of the Zoning By-law for a minimum lot width of 12.69m for the severed lot whereas the Zoning By-law requires a minimum of 19.5m.**
3. **Section 139 of the Zoning By-law for driveway a width of 4.89m, affecting only the portion of the driveway closest to the garage door.**

As outlined above, the variances being sought for the severed lot will be evaluated using the four tests required by the Planning Act.

The evaluation criteria are explored below:

5.1 Do the Minor Variances Maintain the General Intent and Purpose of the Official Plan?

The City of Ottawa Official Plan designates the subject property as Neighbourhood within the Outer Urban Transect. The applicable policies of the Official Plan intend to facilitate the intensification of Neighbourhoods within the Outer Urban Transect in a manner which respects the existing context while allowing for the evolution of established neighbourhoods through creative built forms and lot formations. The Minor Variance application is consistent with the policies related to the transect, designation, and overlay, as well as growth management framework, and urban design.

The proposed development contributes to the vision of the Outer Urban Transect and is consistent with the low-rise character of the neighbourhood. The proposal builds upon the existing neighbourhood context and contributes to the provision of ground oriented low-rise housing to the neighbourhood.

Within the Neighbourhood designation, a full range of low-rise housing options are permitted. The proposed development is consistent with the designation policies, as it introduces residential intensification to a well-served existing neighbourhood within close proximity to retail, commercial, and employment uses, thereby contributing to the development of a 15-minute neighbourhood.

The Neighbourhood designation is intended to support housing in a compact, mixed-use environment. The intent of this designation is to ensure new infill is functionally and aesthetically compatible and contributes towards the reduction of reliance on private vehicles while furthering the establishment of 15-minute neighbourhoods.

The proposed Minor Variance application maintains the general intent and purpose of the Official Plan. The proposed variances will permit the construction of a new detached dwelling that provides for low-rise, context sensitive infill housing in a serviced, existing neighbourhood proximate to amenities and transportation options.

5.2 Do the Minor Variances Maintain the General Intent and Purpose of the Zoning By-law?

The subject property is designated Residential First Density, Subzone FF, in the City of Ottawa Comprehensive Zoning By-law. The intent of the R1 zone is to restrict the building form to detached dwellings and regulate development in a manner

that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced.

A zoning compliance table has been provided in Section 3.3 of this rationale and summarizes the provisions of the R1FF subzone. The proposed Minor Variances seek to permit the development of a detached dwelling that is compatible with the existing land use pattern and maintains the residential character of the neighbourhood.

The variances maintain the Zoning By-law's intent by meeting the vast majority of the performance standards while ensuring that the proposed development fits appropriately on the severed lot and within its context. The proposal respects the zoning framework's goals of managing density, building mass, and neighbourhood characteristics, allowing for an appropriate fit within the surrounding properties. The variances support a consistent streetscape and contribute to neighbourhood stability by allowing retention of an existing home.

The proposed reduction in lot area and width seeks to reflect a parcel fabric capable of supporting a dwelling type anticipated for the lands (detached). The reduced lot area permits for the anticipated land use and built form to function effectively, while allowing for additional opportunities for development on the severed lot. The resultant lot formation is reflective of the desired approach to providing housing within the urban area in a context-sensitive and functional manner.

The proposed variances therefore maintain the general intent and purpose of the Zoning By-law.

5.3 Are the Variances Minor in Nature?

The requested variances are minor, involving modest adjustments that align with the intent of the Zoning By-law and the Official Plan. They support modest densification while preserving neighbourhood character, privacy, sunlight access, and streetscape cohesion. The deviations are marginal and are not expected to create undue adverse impacts on neighbouring properties.

The lot area is only 140.7 m² smaller than the requirement set by the Zoning By-law, while the lot width falls short by just 6.83 metres. Both variances were driven by the desirable goal of retaining the existing dwelling on the subject property. These minor adjustments align with the Official Plan's objectives for compatible infill development, maintaining the neighbourhood's established character and scale without causing undue adverse impacts on adjacent properties. The retained lot will remain wider and larger than typical properties in the surrounding area, while the severed lot, though the first of its exact size and width, will not appear out of character given the presence of other similarly narrow lots nearby. Overall, the severed lot will be generally consistent with the area's lot fabric, and its reduced width and area will be difficult to discern among the surrounding context.

Furthermore, the variance related to maximum driveway width is only 1.89 metres more than permitted by the Zoning By-law and applies to only the portion of the driveway that is closest to the garage. The portion of the driveway that surpasses the as-of-right driveway envelope accounts for only about 5m². While this area would otherwise be soft landscaped, the proposed design utilizes it to provide practical access and maneuverability for vehicles entering the garage. Ultimately, the driveway is designed to allow for two (2) vehicles to park in the proposed two-car garage, but two cars could not be parked side-by-side in the driveway. This maintains the desired functionality without significant impacts on the streetscape or front yard greenspace.

Collectively, the total paved surface area between the two new driveways will remain approximately the same, taking into account the reduced driveway on the retained lot and the tapered design on the severed lot. As a result, there will be negligible net increase (~1m²) in paved surface.

The proposed variances are therefore minor in nature, respecting the scale, form, and function of the property, avoiding negative impacts on adjacent lands, and deviating only marginally from the minimum requirement under the By-law.

5.4 Are the Variances Desirable and Appropriate for the Appropriate Use of the Land?

The variances are desirable as they allow for a design that better utilizes the property while maintaining neighbourhood compatibility. The requested variances do not preclude the ability of proposal to meet other requirements in the Zoning By-law and will continue to allow the subject property and neighbouring properties to develop in a manner consistent with the built form of the surrounding area. The variances are required to support the development of a detached dwelling in a residential area zoned R1FF, which is intended to accommodate detached dwellings that are compatible with existing land use patterns. Importantly, the variance related to driveway width meets the functional needs of future residents without significantly impacting the site's permeability or streetscape. The variances are not expected to generate any undue adverse impacts on neighbouring properties and support the planned growth of a fully serviced community in proximity to transit and an abundance of community amenities, consistent with the 15-minute neighbourhood policies of the Official Plan.

The proposed variances are desirable and appropriate for the use of the land.

6.0 Conclusion

It is our professional planning opinion that a full Plan of Subdivision is not required for the orderly development of the land and a Consent is appropriate for the proposed development. The proposal to create one (1) new lot from an existing parcel satisfies the Planning Act criteria for a Consent and is consistent with the Provincial Planning Statement and Conforms with the City of Ottawa Official Plan.

Further, it is our professional planning opinion that the proposed Minor Variances permit development that represents good planning as:

- / The proposal is consistent with the Provincial Planning Statement (2024);
- / The proposal conforms with the policies and objectives of the Neighbourhood designation and overall policies of the Official Plan (2022);
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law (2008-250); and
- / The proposed Minor Variances meet the four (4) tests as set out in the Planning Act.

Please contact the undersigned at henderson@fotenn.com and bolduc@fotenn.com with any questions or requests for additional material.

Sincerely,



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