

May 27, 2025

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointhe Drive, Fourth Floor
Ottawa, ON K2G 5K7

Committee of Adjustment
Received | Reçu le

2025-05-30

City of Ottawa | Ville d'Ottawa
Comité de dérogation

1

RE: Application for Minor Variance
200 (210) Clearview Avenue, Ottawa

Dear Mr. Bellemare,

The owner of 200 (210) Clearview Avenue has retained Fotenn Planning + Design ("Fotenn") to act as the agent on their behalf to submit a Minor Variance application to the Committee of Adjustment. Previous Official Plan Amendment and Zoning By-law Amendment applications (D01-01-22-0012 and D02-02-22-0099) were approved by City of Ottawa Council on October 11, 2023. A subsequent Pre-Consultation meeting was held with City of Ottawa Planning Staff, at which point it was identified that several Planned Unit Development (PUD) provisions and one (1) parking provision were erroneously excluded from the Zoning By-law Amendment and required variances to bring the site plan into compliance with the Zoning By-law.

The intent of the application is to seek relief from the planned unit development provisions of the Zoning By-law, including the minimum required width of a private way, and the separation distance between residential building and a private way, as well as the minimum width of a driveway accessing less than 20 parking spaces.

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

- / This Cover Letter explaining the nature of the application;
- / Completed Minor Variance application form;
- / Site Plan;
- / Tree Conservation Report;
- / Survey Plan;
- / Elevation Drawings; and
- / Cheque in the amount of \$3,446.00, made payable to the City of Ottawa.

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

Sincerely,



Mark Ouseley, MES
Planner



Patricia Warren, MCIP RPP
Planner



Paul Black, MCIP RPP
Principal, Planning

1.0 Background and Context

Fotenn Planning + Design (“Fotenn”), acting as agents on behalf of Homestead Land Holdings Ltd. (the “Owner”), has been retained to prepare this Planning Rationale in support of the enclosed Minor Variance application for the property municipally known as 200 (210) Clearview Avenue (the “subject property”) in the Westboro neighbourhood of the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Minor Variances against the applicable policy and regulatory framework and to demonstrate how the proposed minor variances are appropriate for the subject property and compatible with surrounding land uses and existing infrastructure.

1.1 Purpose of Application

The proposed Minor Variance application seeks to vary the planned unit development (PUD) provisions and driveway width provisions of the Zoning By-law. Four (4) variances are requested to facilitate the proposed development on the site:

- / A reduced width of 3.6 metres for a private way (driveway leading to the garbage and move-in room);
- / A reduced setback of 0 metres for the wall of a residential use building to a private way (driveway leading to the garbage and move-in room);
- / A reduced setback of 0 metres for the wall of a residential use building to a private way (driveway leading to the underground garage); and
- / An increased width of 6.7 metres for a driveway accessing less than 20 parking spaces.

1.2 Application History

Previous Official Plan Amendment and Zoning By-law Amendment applications (D01-01-22-0012 and D02-02-22-0099) were approved by City of Ottawa Council on October 11, 2023. A subsequent Pre-Consultation meeting was held with City of Ottawa Planning Staff for a Site Plan Control application to proceed with the redevelopment of the lands, at which point it was identified that several Planned Unit Development (PUD) provisions and one (1) parking provision were erroneously excluded from the Zoning By-law Amendment and required variances to bring the site plan into compliance with the Zoning By-law.

The proposed variances are not the result of changes to the proposed development, but rather provisions that were overlooked in the initial Zoning By-law Amendment application review. The Concept Plan has not changed to result in the required variances.

Site Context and Surrounding Area

2.1 Subject Property

The subject property, municipally known as 200 (210) Clearview Avenue, is located on the south side of Clearview Avenue, north of Lanark Avenue, between Ellendale Crescent to the east and Beechgrove Avenue to the west in Kitchissippi Ward (Ward 15) in the City of Ottawa. The lands for development make up a portion of the subject property, approximately 5,031.7 square metres in area. The subject property as a whole has frontage of approximately 124.87 metres along Clearview Avenue to the north, 123.13 metres along Lanark Avenue to the south, and 82.95 metres along Ellendale Crescent to the east, and a total lot area of approximately 117,886 square metres (1.10 hectares) (Figure 1).



Figure 1: Subject Property

The subject property is currently developed with one high-rise residential development that is 26 storeys in height. The existing 26-storey tower is located along the southeast corner of the property. The property is currently accessed from all three street frontages, with one (1) existing surface parking lot being accessed from Clearview Avenue and Lanark Avenue. Existing underground parking access is provided from Clearview Avenue.

Primary vehicular access to the property is from Ellendale Crescent, where an east-west internal road provides direct access to the surface parking lot on the west side of the property. This internal road connects with a pedestrian walkway that lines the west side of the existing high-rise building, which further connects to the sidewalks on the north side of Lanark Avenue. Sidewalks are provided along the street frontage of Lanark Avenue and Ellendale Crescent, while no sidewalks are provided on either side of Clearview Avenue. Street parking is provided along the south side of Clearview Avenue, directly abutting the subject property.

The property is currently landscaped, with pockets of soft landscaping located in the northeast and southeast corners, as well as in the middle of the property between the existing high-rise building and surface parking lot. Between the proposed development and existing building is a hydro corridor that extends from Clearview Avenue to the south, past the Transitway, with hydro lines present on the subject property.

2.2 Surrounding Area

The surrounding uses vary and can be described as follows:

North: Immediately north of the subject property, across Clearview Avenue, is a residential development consisting of townhouses located on a private road. Two (2) high-rise residential buildings are also located north of Clearview Avenue. Further north is a large, wooded area located south of Kichi Zibi Mikan, with National Capital Commission (NCC) greenspace located north of Kichi Zibi Mikan, along the Ottawa River. NCC multi-use pathways also line the Ottawa River, with a surface parking lot located east of Island Park Drive at Remic Rapids.



Figure 2: Surrounding Area

East: Immediately east of the subject property, across Ellendale Crescent, is a residential development consisting of townhouses located on a private road. Two (2) bus stops are located on Ellendale Crescent, one on each side of the street, servicing bus route 16 (Main to Tunney's Pasture/Westboro). Further east is the low-rise residential neighbourhood of Champlain Park, primarily consisting of single-detached dwellings, and Tunney's Pasture which consists of federal government buildings and the current LRT terminus station.

South: Immediately south of the subject property, across Lanark Avenue, are two (2) residential developments consisting of townhouses located on private roads, as well as the high-rise Metropole building which stands at 32 storeys in height. To the east of these townhouses, along Lanark Avenue, is Mahoney Park, which is a municipal park. To the west of these townhouses, south of Lanark Avenue, is the Graham Spry Building, which is a federal government office building. Further south is the Transitway, as well as Scott Street, which is classified as an Arterial Road. South of Scott Street is a mix of residential and non-residential uses, including a Farm Boy grocery store, coffee shops, car dealerships and other retail stores.

West: Immediately west of the subject property is the Centre Jules-Léger, a Francophone special education school for students at the preschool, elementary and secondary levels. Further west is a low-rise residential neighbourhood, primarily consisting of single detached and semi-detached dwellings. At the western edge of this neighbourhood is the NCC's Kichi Zibi Mikan and Ottawa River Pathway, Westboro Beach, and the Ottawa River.

2.3 Neighbourhood Amenities

As a property located in proximity to several established neighbourhoods, the subject property enjoys proximity to some neighbourhood amenities include a variety of locally oriented commercial uses such as restaurants, retail shops, and coffee shops, as well as larger commercial uses such as car dealerships and repair shops. The surrounding neighbourhood also benefits from access to two (2) grocery stores within a 5-minute drive – Farm Boy at 317 McRae Avenue and Real Canadian Superstore at 190 Richmond Road. The site is well-served with respect to parks. The property is within walking distance of Mahoney Park to the east, Roy Duncan Park to the west, and Atilla Altikat Memorial Park, Riverside Terrace Park, and NCC greenspace and pathways to the north.

A detailed list of neighbourhood amenities including a wide range of uses are listed below:

- / Commercial centres, including the shopping plaza that the Real Canadian Superstore is located in;
- / Recreational facilities including private gyms, Ottawa Gymnastics Club, Champlain Park Fieldhouse and the Van Lang Fieldhouse;
- / Parks including Riverside Terrace Park, Mahoney Park, Roy Duncan Park and Atilla Altikat Memorial Park;
- / Institutional uses such as the Centre Jules-Léger, and Westboro Montessori School; and
- / Public schools including St. George School and Hilson Avenue Public School.

3.0 Overview of Application

3.1 Proposed Development

Homestead Land Holdings Ltd. is proposing to construct a 25 storey residential tower along the west side of the property on the existing surface parking lot. The proposed development was subject to previous Official Plan Amendment and Zoning By-law Amendment applications that were approved in October 2023. The proposed development is now subject to an ongoing Site Plan Control application, which has recently been resubmitted to the City for review on May 27, 2025.

A total of 187 units are proposed with 240 new underground parking spaces. The new underground garage will be accessible via a new underground parking entrance and garage at the northwest corner of the property, from Clearview Avenue. A move-in/garbage room will be accessible by a driveway at the southwest corner of the property, from Lanark Avenue. The proposal provides for new pedestrian pathways in a north-south direction that create a midblock connection between Clearview Avenue and Lanark Avenue, strengthening the pedestrian routes throughout the property.

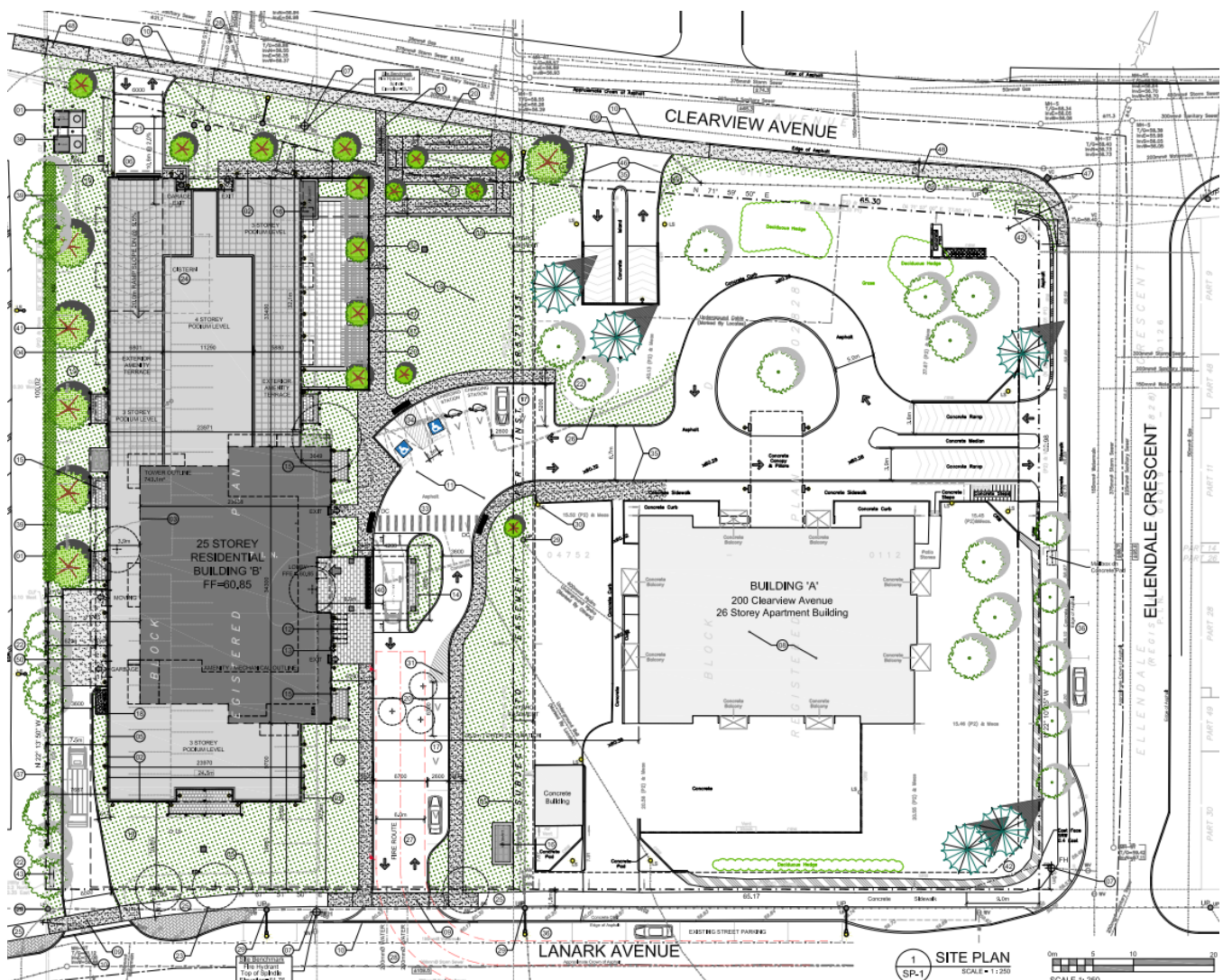


Figure 3. Site Plan of Proposed Development, prepared by RLA Architects

The proposed development is a Planned Unit Development (PUD) due to two (2) residential buildings being located on the subject property. As such, the PUD provisions within Section 131 of the Zoning By-law apply to the site. Table 131(1) requires that a private way have a minimum width of 6 metres and Table 131(2) requires that the wall of any residential use building is setback 1.8 metres from a private way. In addition to these PUD provisions, Section 107(1)(aa)(i) is applicable to the subject property and permits a maximum driveway width of 3.6 metres for a double traffic lane providing access to less than 20 parking spaces. The proposed minor variance application seeks to amend these applicable provisions as follows and as illustrated in Figure 4:

1. Permit a reduced width of 3.6 metres for a private way leading to the move-in and garbage room on the southwest side of the property, whereas 6 metres is required;
2. Permit a reduced setback of 0 metres from the wall of the proposed residential building to the private way accessing the move-in and garbage room on the southwest side of the property, whereas 1.8 metres is required;
3. Permit a reduced setback of 0 metres from the wall of the proposed residential building to the private way accessing the underground parking garage on the northwest side of the property, whereas 1.8 metres is required; and
4. Permit an increased width of 6.7 metres for a double traffic lane driveway providing access to less than 20 parking spaces, whereas as 3.6 metres is permitted.

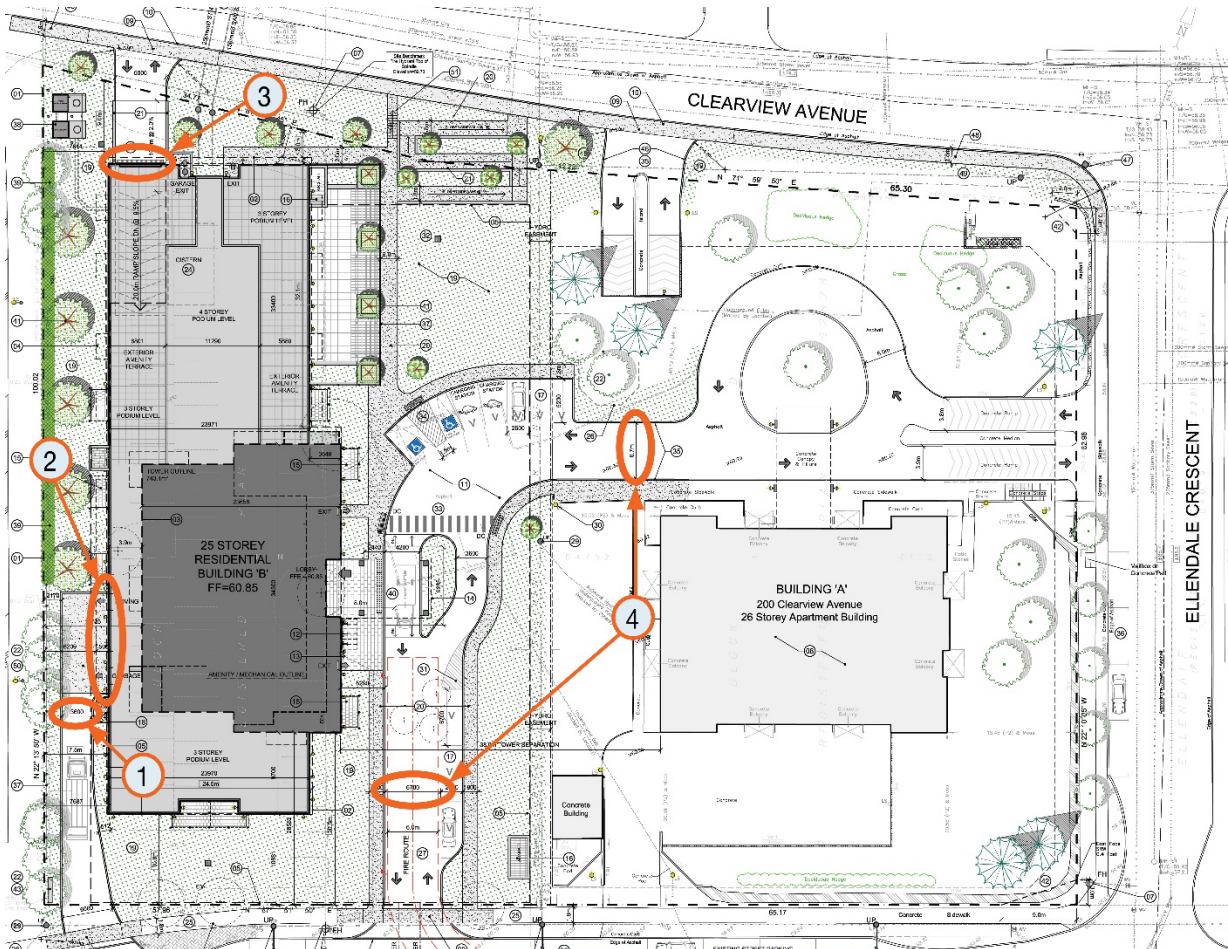


Figure 4. Diagram illustrating the proposed variances

In support of the ongoing Site Plan Control application, a Tree Conservation Report has been prepared. As outlined in Figure 5, the proposed development will require some trees to be removed, most of which are currently in fair or poor health. Some of these trees identified for removal are located on the shared property line on the west side of the property. The abutting property owner has provided written permission allowing the removal of these trees.

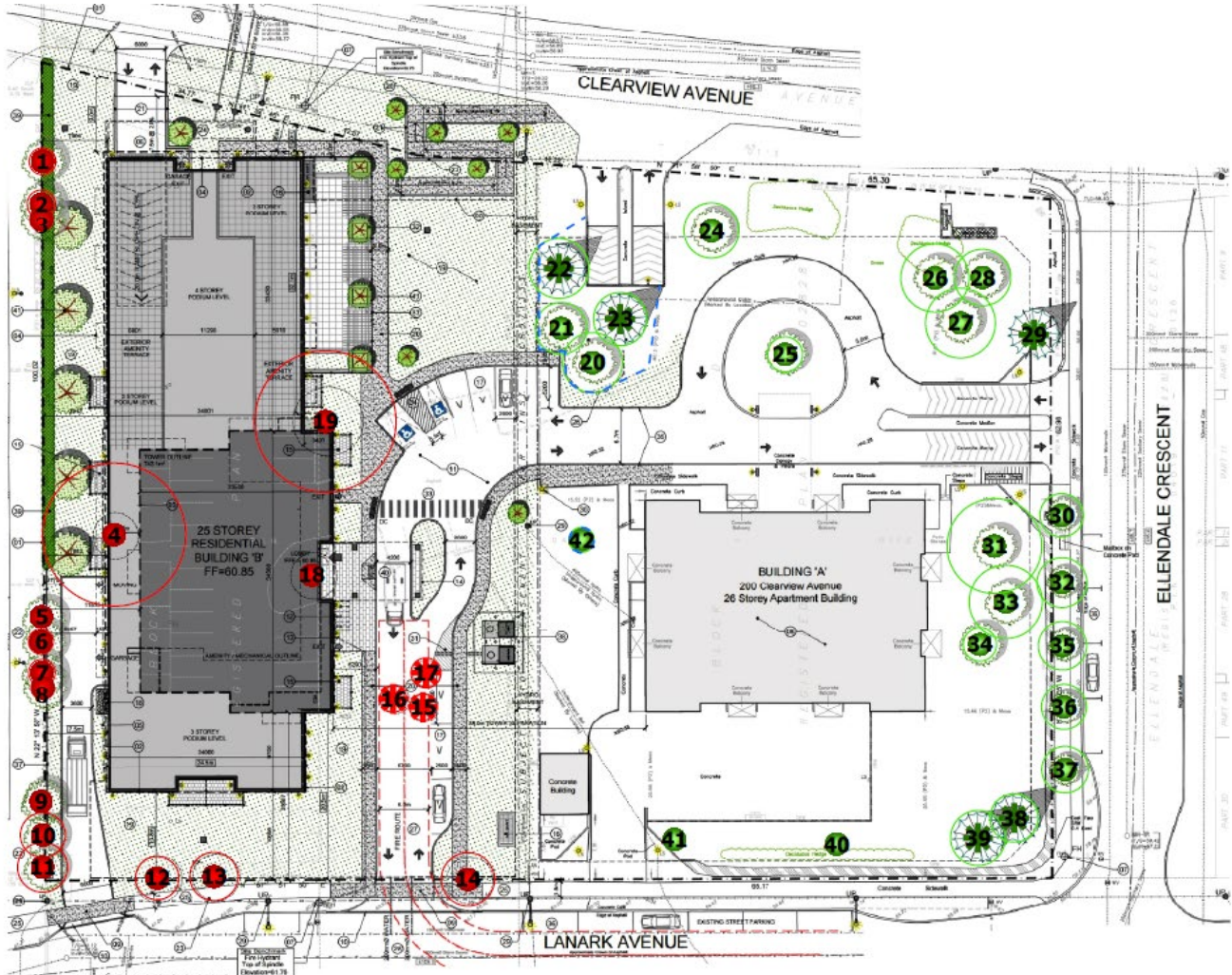


Figure 5. Tree Information Plan, prepared by IFS Associates.

4.0

Policy and Regulatory Framework

4.1 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act, which includes the PPS.

The PPS came into effect October 20, 2024, and consolidates the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) into a more streamlined land-use planning policy for the Province of Ontario. The PPS provides policy direction for housing supply in the province, supporting development and alignment with infrastructure. It also provides policy direction on opportunities for job creation and economic development, increasing the supply of developable land, protections for the environment and natural resources, and protections for communities, resources, and properties from natural and man-made hazards.

The following PPS policies are applicable to the subject property, among others:

- / Policy 2.1.6 - Planning authorities should support the achievement of complete communities by:
 - a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.
- / 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:
 - b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
 - c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.
- / Policy 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 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 2.4.1.3 – Planning authorities should:
 - c) Permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;

The proposed development and variances are consistent with the Provincial Planning Statement (PPS) 2024. The proposed development makes use of an underutilized lot within an established settlement area in proximity to rapid transit. The proposed development contributes to creating a complete community by providing a mix of housing options within the immediate neighbourhood that complement non-residential uses in the nearby area. The proposed development efficiently uses land and resources by redeveloping an existing surface parking lot where infrastructure and public service facilities already exist. The proposed variances support the functionality of the proposed building and are therefore consistent with the PPS.

4.2 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.

4.2.1 Inner Urban Transect Neighbourhood Designation

The subject property is located within the Inner Urban Transect and designated a "Neighbourhood", with the "Evolving Neighbourhood Overlay" applied as shown in Schedule B2 – Inner Urban Transect (Figure 6).



Figure 6: Schedule B2 - Inner Urban Transect, City of Ottawa Official Plan

The Inner Urban Transect includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them. Generally, the older neighbourhoods reflect the urban built form characteristics, while the post-war neighbourhoods reflect suburban characteristics.

The applicable Inner Urban Transect policies of Section 5.2 include the following:

- / Policy 1 of Section 5.2.1 – The Inner Urban Transect is generally planned for mid- to high-density development, subject to the following:
 - a) Proximity and access to frequent street transit or rapid transit;
 - b) Limits on building heights and massing, as per the underlying functional designation, and the separation of tower elements, established through secondary plans or area-specific policy, the functional designations and urban design policies in Section 4.6; and
 - c) Resolution of any constraints in water, sewer and stormwater capacity.
- / Policy 5 of Section 5.2.1 – The Inner Urban area is planned for mid- to high-density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. The following policies apply to private approaches:
 - a) The privatization of curb space through increasing private approaches, whereby an on-site private parking space for one or two landowners precludes the use of curb space for street parking and other purposes for all users
 - i. Is generally discouraged; and
 - ii. May be prohibited on small or narrow lots, or where such private approaches are proposed to serve a small number of parking spaces.
 - b) Maintaining or enhancing unbroken curb space for short-term, visitor and permit-zone street parking and other common purposes, and front yard space for trees and intensive landscaping, is given priority over private approaches; and
 - c) Further to the above, development applications may be required to Reduce the number and/or width of private approaches on a site;
 - i. Reduce the number and / or width of private approaches on a site;
 - ii. Re-use existing private approaches; or
 - iii. Relocate and/or combine existing private approaches with no net increase in number or width.
 - d) In the case of completely new areas or neighbourhoods developed by Plan of Subdivision, each city block shall be planned to minimize the number of vehicular private approaches and combine or share accesses to the greatest extent possible.
- / Policy 2 of Section 5.2.2 – The transportation network for the Inner Urban Transect shall:
 - a) Prioritize walking cycling and transit; and
 - b) Accommodate motor vehicle access and movement provided doing so does not erode the public realm nor undermine the priority of pedestrians, cyclists and transit users.
- / Policy 3 of Section 5.2.2 – Motor vehicle parking in the Inner Urban Transect shall be managed as follows:
 - a) Motor vehicle parking may only be required for large-scale developments, and only to the extent needed to offset sudden large increases in parking demand;
 - b) No parking shall be required as a condition of development within Hubs;
 - c) Surface parking within 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned rapid transit station, shall be limited to a very small amount of spaces only for short-term drop-off

and pick-up, or delivery vehicles; shall not be located between the building and the sidewalk; and shall be accessed and egressed by the narrowest possible driveway; and

- d) Where new development is proposed to include parking as an accessory use, such parking:
 - i. Shall be hidden from view of the public realm by being located behind or within the principal building, or underground;
 - ii. Shall be accessed by driveways that minimize the impact on the public realm and on both City-owned trees and privately-owned distinctive trees, and result in no net increase in vehicular private approaches; and
 - iii. May be prohibited on small lots or where parking cannot reasonably be accommodated in a manner consistent with the intent of this Plan.

/ Policy 1 of Section 5.2.4 – Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:

- 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;
- b) The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;
- 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;
- d) Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and
- e) In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.

The proposed development represents high density development within walking distance of existing and planned rapid transit. Additionally, the proposed development makes use of underutilized land in the form of a surface parking lot, consistent with the policies of the Official Plan. The proposed development will retain the existing curb cuts and access/egress to/from the subject property along Clearview Avenue and Lanark Avenue, and an additional vehicular access/egress along Lanark Avenue has been proposed to ensure connectivity and circulation throughout the property. Limited surface parking will be located on the property and will be buffered by landscaping. The proposed variances as they relate to private ways and driveway width will facilitate a development that conforms to the policies of the Inner Urban Transect.

Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities. Neighbourhoods are not all at the same stage of development, maturity and evolution. It is the intent of the Official Plan to reinforce those that have elements of and presently function as 15-minute neighbourhoods; to guide those that have a few missing elements into gaining them; and to seed the conditions for future 15-minute neighbourhoods into those that currently are not. Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation. The applicable Neighbourhood policies of Section 6.3 include the following:

- / Policy 2 of Section 6.3.1 – 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 characterized by taller buildings.

- / Policy 3 of Section 6.3.1 – Development in the Neighbourhood designation which seeks additional heights beyond 4 storeys may be evaluated through a Zoning By-law Amendment, without the need to amend the Official Plan, in cases that fall under the provisions of Section 6.3.1, Policy 2, but where the Zoning does not provide corresponding permissions; and in all other cases, required an area-specific policy through an amendment to this Plan.
- / Policy 4 of Section 6.3.1 – 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.
 - f) Parks, open spaces and linkage areas meant to serve as public space.
- / Policy 5 of Section 6.3.1 – The Zoning By-law will distribute permitted densities in the Neighbourhood by:
 - a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;
 - b) Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and
 - c) Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).
- / Policy 9 of Section 6.3.3 – Where lots within residential neighbourhoods have through-lot access fronting onto two public rights of way, the Zoning By-law and approvals under the Planning Act shall allow for development that establishes separate residential use buildings so as, on separate lots to allow for independent buildings or structures. The intent of this policy is to frame the public right of way with buildings and structures and to prohibit development that turns its back to a public right of way.

The proposed development conforms to the intent and direction of the Inner Urban Transect and Neighbourhood policies of the Official Plan. The proposed development provides a high-density built form in an area already characterized by high-rise buildings, within close proximity (walking distance) to existing and planned rapid transit, infrastructures and existing services, while also contributing to an underutilized portion of the property. The proposed development will replace surface parking with rental housing opportunities in a mix of one- and two-bedroom units. The proposed development also ensures that height transition occurs between the existing low-rise residential uses to the north and to the south, while maintaining high quality urban design and public realm. The 25-storey building height of the proposed development is appropriate considering the size of the subject property, the existing high-rise buildings in the area, and proximity to rapid transit. The proposed Minor Variance application will facilitate some of the functional elements of the proposed development, including vehicular movements. The proposed Minor Variance application conforms to the policies of the Official Plan.

4.2.2 Evolving Neighbourhood Overlay

The Evolving Neighbourhood Overlay is applied to areas in close proximity to Hubs and Corridors to signal 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. The applicable Evolving overlay policies of Section 5.6.1.1 include the following.

- / Policy 2 of Section 5.6.1.1– Where an Evolving overlay is applied:

- a) The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies; and
 - b) The Zoning By-law shall include minimum-density requirements as identified in Table 3a, and permissions to meet or exceed the density targets of Table 3b.
- / Policy 6 of Section 5.6.1.1 – Zoning By-law development standards and development on lands with an Evolving Overlay should generally include built form and site design attributes that meet most of the urban characteristics described in Table 6 in Section 5, and where suburban attributes are retained, that these do not structurally impede the achievement of a fully urban site design over time.

The proposed development was previously subject to a Zoning By-law Amendment that established development standards for the lands on a site-specific basis and in accordance with the Evolving Overlay policies of the Official Plan. The proposed Minor Variance application seeks to implement the previously approved development.

4.3 Richmond Road/Westboro Secondary Plan

Within the Richmond Road / Westboro Secondary Plan, the subject property has been located within Sector 6 – Westboro Beach (Figure 7). Lanark Avenue, to the south of the subject property, has been identified as a Green Street on Schedule B – Greenspace Network (Figure 8). Schedule C of the Secondary Plan provides maximum building heights throughout the secondary plan area, however the subject property has not been identified as having a maximum building height (Figure 9).

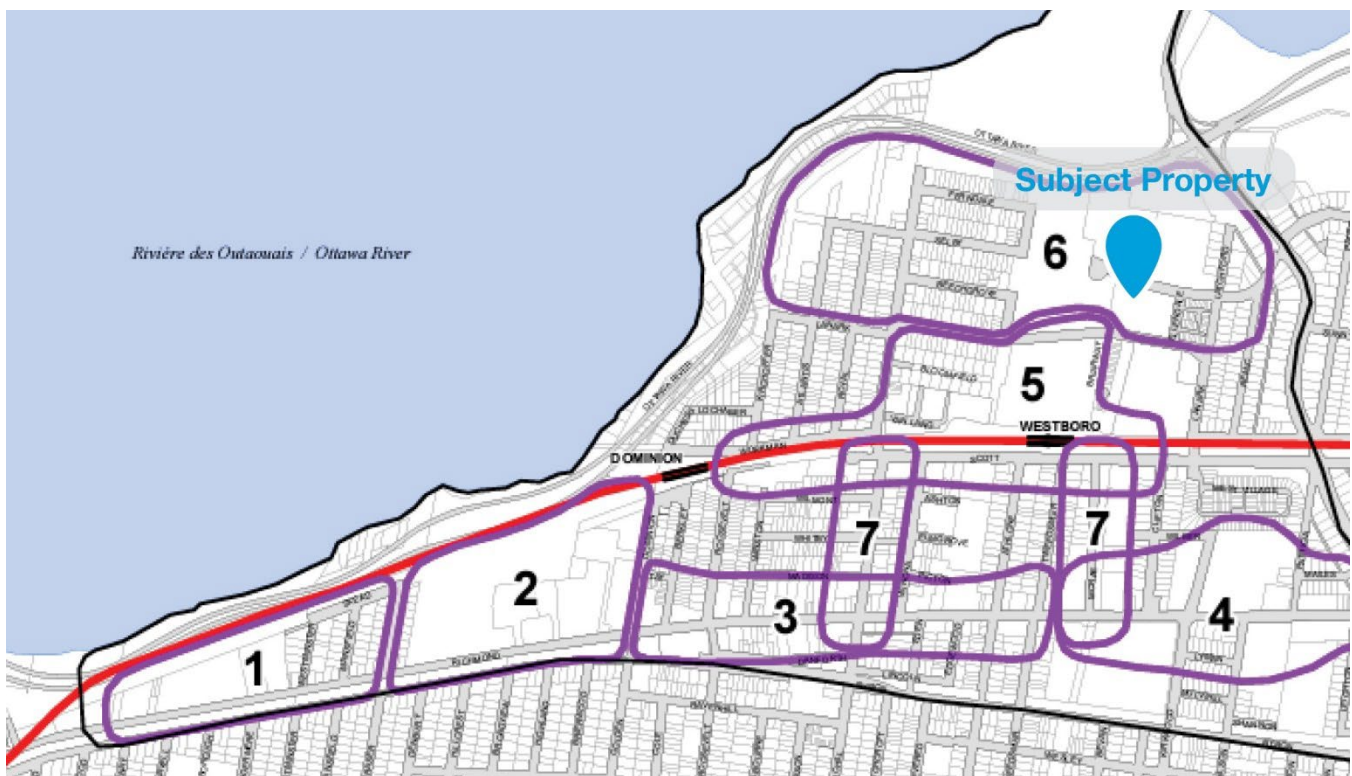


Figure 7: Schedule A - Planning Area Sectors, Richmond Road / Westboro Secondary Plan



Figure 8: Schedule B - Greenspace Network, Richmond Road / Westboro Secondary Plan

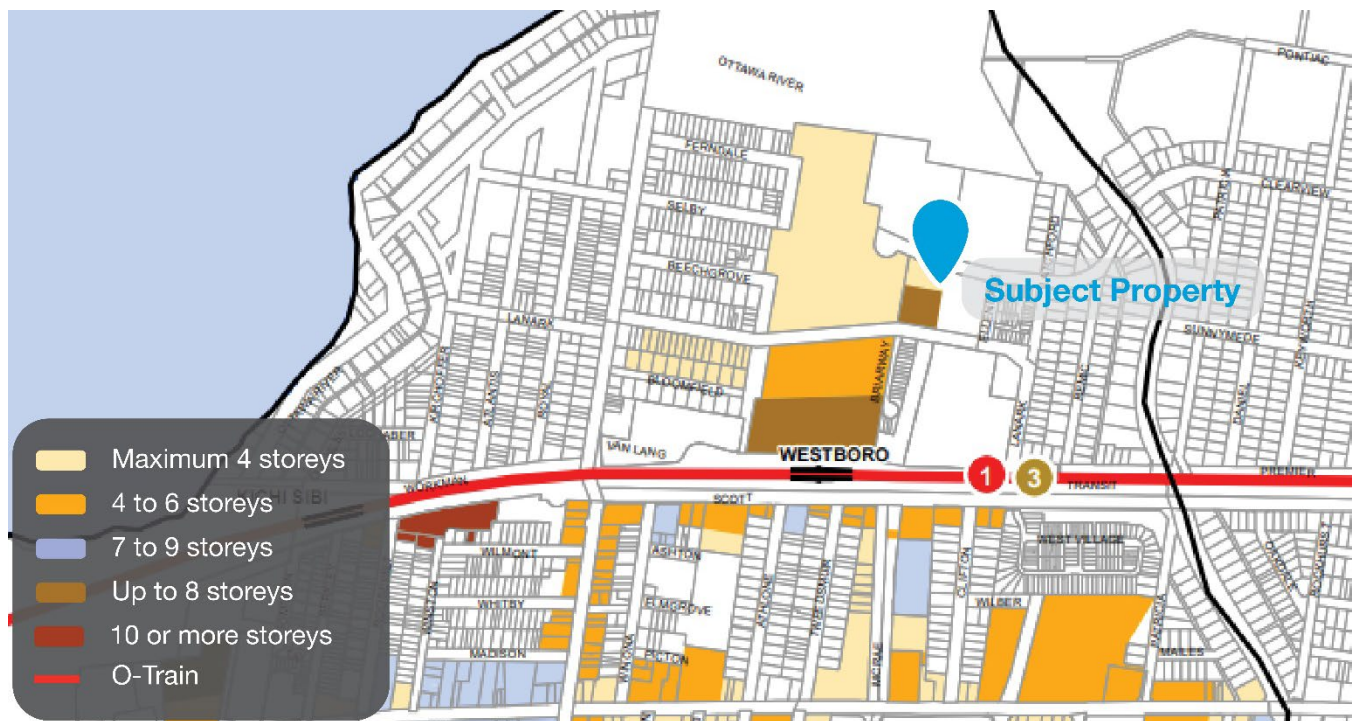


Figure 9: Schedule C – Maximum Building Height, Richmond Road / Westboro Secondary Plan

Section 5.7 of the Secondary Plan provides policy direction for the lands located within Section 6 – Westboro Beach. Specifically, Policy 17 directs that the area be maintained as a low-rise neighbourhood.

Section 5.7 of the Secondary Plan was amended as part of the previous Official Plan Amendment application to add a new policy that states “for the property municipally known as 200 Clearview Avenue, despite Schedule C – Maximum Building Height, for the portion of the property identified as 10 or more storeys, the maximum permitted height is 80 metres (25 storeys)”. Although this amendment was approved and all appeals were resolved, the Richmond Road/Westboro Secondary Plan that is available online does not reflect this amendment. The proposed development and the proposed Minor Variance application conforms to the Richmond Road/Westboro Secondary Plan.

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

The subject property is currently split-zoned and subject to the “Residential Fifth Density, Subzone C, with a site-specific exception 2909 and site-specific schedule 216 (R5C[2909] S216)” on the western portion of the property, and “Residential Fifth Density, Subzone C, maximum building height of 78 metres (R5C H(78))” on the eastern portion of the property.

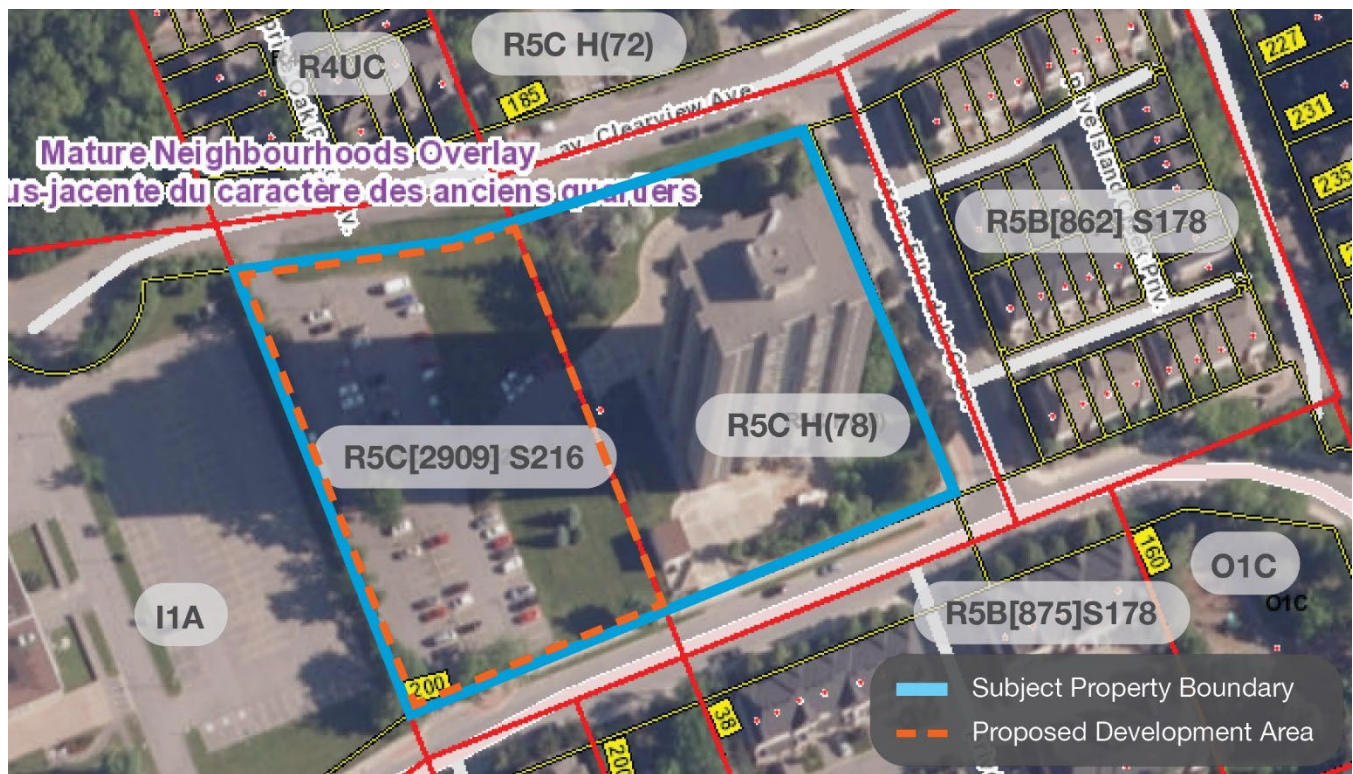


Figure 10: Zoning Map

The purpose of the R5 zone is to:

- / Allow a wide mix of residential building forms ranging from detached to mid-high rise apartment dwellings in areas designated as General Urban Area, Mixed Use Centre or Central Area in the Official Plan;
- / Allow a number of other residential uses to provide additional housing choices within the fifth density residential areas;
- / Permit ancillary uses to the principal residential use to allow residents to work at home and to accommodate convenience retail and service uses of limited size;

- / Ensure that residential uses predominate in selected areas of the Central Area, while allowing limited commercial uses;
- / Regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced.

The R5C Subzone permits high-rise apartment dwellings.

The proposal is also located within a Planned Unit Development. Provisions within Section 131 (Planned Unit Development) of the Zoning By-law have been further reviewed and incorporated in the provided zoning table below.

4.4.1 Zone Provisions and Analysis

Table 1 provides a summary of the Residential Fifth Density, Subzone C as well as Section 131 (Planned Unit Development) as detailed in Comprehensive Zoning By-law 2008-250. The table demonstrates how the development meets the provisions and the proposal's compliance with the current zoning. Areas of non-compliance are noted with an '**N**'.

Table 1: Provisions for the R5C[2909] S216 Zone.

Zoning Provisions	By-law Requirement R5C[2909] S216	Proposal	Compliant (Y/N)
Minimum Lot Width Table 164 Ellendale Crescent	n/a	Approx. 82 m	Y
Minimum Lot Area Table 164	1,400 m ²	10,956 m ²	Y
Minimum Front Yard Setback Ellendale Crescent	3 m	>3 m	Y
Minimum Corner Side Yard Setback Clearview Avenue Lanark Avenue Schedule 216	Clearview Ave: 3 m Lanark Ave: 10.8 m	Clearview Ave: 3.6 m Lanark Ave: 10.8 m	Y Y
Minimum Rear Yard Setback Schedule 216	7.5 m	7.9 m	Y
Maximum Building Height Schedule 216	Area A: 12 m Area B: 15 m Area C: 80 m Area D: 0 m	Area A: 10.2 m Area B: 13.8 m Area C: 78.8 m Area D: 0 m	Y Y Y Y
Total Landscaped Area Section 163(9)	30% of the lot	52.4%	Y
Minimum Width of a Private Way Table 131	6 m	Driveway between Lanark Ave and Ellendale Cres: 6.7 m Driveway leading to garbage and move-in room: 3.6 m Driveway leading to the underground garage: 6 m	Y N Y

Zoning Provisions	By-law Requirement R5C[2909] S216	Proposal	Compliant (Y/N)
Minimum Setback for any Wall of a Residential Use Building to a Private Way Table 131	1.8 m	To the driveway between Lanark Ave and Ellendale Cres: 5.9 m To the driveway leading to garbage and move-in room: 0 m To the driveway leading to the underground garage: 0 m	Y N N
Minimum Setback for any Garage or Carport entrance from a Private Way Table 131	5.2 m	n/a	n/a
Minimum Separation Area between Buildings within a Planned Unit Development Table 131	3 m	38 m	Y
Parking in a Planned Unit Development Table 131	Required visitor parking may be provided as parallel parking on a private way, provided the private way has a minimum width of 8.5 m	Portion of the private way where visitor parking is proposed has a width of 9.3 m	Y
Rooftop landscaped areas, gardens and terraces Table 55(8) Exception 2909	Does not apply per Exception 2909	Does not apply per Exception 2909	Y
Minimum Amenity Area Section 137 Apartment building, mid-high rise 187 units	Total: 6 m ² / dwelling unit (1,122 m ²) Communal: 50% of the required total (561 m ²) Communal areas are to be aggregated into areas up to 54 m ² , and where more than one aggregated area is provided, at least one must be 54 m ²	Total: 2,500 m ² Communal: 1,600 m ²	Y Y
High-Rise Zoning Provisions			
Minimum Required Lot Area for a Corner Lot Section 77(3)(b)	1,150 m ²	10,956 m ²	Y
Minimum Rear Yard Setback for a Tower Section 77(3)(c)	10 m	11.8 m	Y

Zoning Provisions	By-law Requirement R5C[2909] S216	Proposal	Compliant (Y/N)
Minimum Separation Distance between Towers on the Same Lot Section 77(3)(d)	20 m	38 m	Y
Parking Provisions			
Minimum Parking Space Rates Area X on Schedule 1A Dwelling, mid-high rise apartment 187 units	0.5 spaces / unit (after the first 12 units) Total: 88 spaces	232 spaces	Y
Minimum Visitor Parking Space Rates Area X on Schedule 1A Apartment dwelling, mid-high rise	0.1 spaces / unit (after the first 12 units), up to a maximum of 30 spaces Total: 18 spaces	18 spaces	Y
Maximum Limit on Number of Parking Spaces Near Rapid Transit Within 600 m of Westboro Station Apartment dwelling, High Rise	1.75 spaces / unit (combined resident and visitor parking) Total: 322 spaces	250 spaces (visitor and resident)	Y
Parking Space Provisions Section 106	Minimum: 2.6 m x 5.2 m (standard space); 2.6 m x 6.7 m (parallel space)	2.6 m x 5.2 m 2.6 m x 6.7 m	Y
	50% of spaces may be reduced to 4.6 m x 2.4 m, provided the space: Is identified for a compact car; Is not a visitor space; Is not abutting or near a wall, column or similar surface that obstructs the opening of doors, in which case the minimum width is 2.6 m	50 spaces have been reduced to small car parking spaces	Y
Aisle and Driveway Provisions Section 107	Minimum width of a driveway providing access to a parking garage (double-lane): 6 m	6 m	Y
	Maximum width of a driveway accessing 20 or more spaces (double-lane): 6.7 m	6 m	Y
	Maximum width of a driveway accessing less than 20 parking spaces: 3.6 m	6.7 m	N
	Minimum aisle width: 6 m	6 m	Y

Zoning Provisions	By-law Requirement R5C[2909] S216	Proposal	Compliant (Y/N)
Landscaping Provisions for Parking Lots Section 110	Minimum landscaped area of a parking lot: 15% as perimeter or interior area	Area surrounding the surface parking is fully landscaped with soft landscaping and pedestrian pathways	Y
	Minimum width of landscaped buffer (not abutting a street): none	Pedestrian pathway is provided around the perimeter of the surface parking	Y
Minimum Bicycle Parking Space Rates Exception 2909 Apartment dwelling, high rise	1 space / unit Total: 187 spaces	217 spaces	Y
Bicycle Parking Space Provisions Section 111	Maximum of 50% of the required bicycle parking spaces or 15 spaces, whichever is greater, may be located in a landscaped area (46 spaces)	10 spaces proposed at grade	Y
	Minimum parking space dimensions: 0.6 m x 1.8 m (horizontal); 0.5 m x 1.5 m (vertical); 0.37 m width (stacked)	All spaces proposed are horizontal (0.6 m x 1.8 m)	Y
	Minimum aisle: 1.5 m	1.5 m or greater	Y
	A minimum of 25% of spaces must be located within: A building or structure; A secure area such as a supervised parking lot or enclosure with secure entrance Bicycle lockers	Spaces are proposed in the underground garage which is secure, and in bike rooms.	Y

The proposed development generally complies with the applicable provisions of the Zoning By-law; however, the proposed Minor Variance application seeks to address non-compliance with the some of the planned unit development provisions of Section 131 and the driveway width provisions of Section 107. The required variances were identified through the pre-consultation meeting with City Staff for a Site Plan Control application. The proposed variances are technical in nature and assist in the functionality of the proposed development. While the variances relate to the planned unit development provisions, the driveway leading to the move-in/garbage room and the new underground garage are functionally only related to the proposed development. The variance related to the maximum driveway width of a driveway is a result of less than 20 surface parking spaces being proposed, despite the Inner Urban Transect policies that direct for the limited number of surface parking spaces within proximity of transit. The proposed variances are considered to be appropriate for the site and are not anticipated to create any undue adverse impacts.

5.0

Minor Variance Applications: The Four Tests

Section 45 of the *Planning Act*, R.S.O. 1990 provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness based on the “Four Tests”. It is required to be demonstrated that a proposed variance satisfies the following tests.

5.1 Does the proposal maintain the general intent and purpose of the Official Plan?

The proposed Minor Variance application conforms to the general intent and purpose of the Official Plan.

The subject property is designated Neighbourhood with the Evolving Neighbourhood Overlay within the Inner Urban Transect. The Minor Variance application is consistent with the policies related to the transect and designation.

The proposed development introduces additional residential units on an existing surface parking lot within proximity to rapid transit. The proposed development will integrate with the existing building on site and in the surrounding area, providing an appropriate transition to the surrounding low-rise dwellings and adding variation to the existing high-rise buildings in the immediate vicinity of the subject property.

The proposed Minor Variance application maintains the general intent and purpose of the Official Plan.

5.2 Does the proposal maintain the general intent and purpose of the Zoning By-law?

The development area of the subject property is zoned Residential Fifth Density, Subzone C, with a site-specific exception 2909 and site-specific schedule 216 (R5C[2909] S216) in the City of Ottawa Comprehensive Zoning By-law (2008-250). The intent of the R5C zone is to permit a range of uses within a mix of building forms from detached to high-rise apartment dwellings across the City. In this case, the proposed uses are permitted, and the built form is generally in accordance with the By-law.

A zoning compliance table has been provided in Section 4.4 of this report which summarizes the provisions of the R5C[2909] S216 zone, along with the provisions for high-rise buildings, the provisions for parking and the provisions for a Planned Unit Developments. Four (4) variances are requested for the site which relate to the minimum width of private way for a planned unit development, the minimum building setback of a residential building to a private way in two (2) locations, and the maximum permitted width of a driveway accessing less than 20 surface parking spaces. The proposed variances relate to functional elements of the site, particularly accommodating vehicles into and on the site. The requested variances from the Zoning By-law are not anticipated to create any undue adverse impacts to the existing residents on the subject property or in the surrounding area.

The minor variances being requested maintain the general intent and purpose of the Zoning By-law, as the proposed variances are technical in nature and will allow for a better functioning site that caters to future residents of the proposed development.

5.3 Is the proposal desirable for the appropriate development and use of the land?

The requested variances are facilitating the development of a surface parking lot within the Inner urban Transect, resulting in additional density on a site in proximity to rapid transit. The project is consistent with the intended function of the R5C zone. The proposal contributes to the intensification goals of the R5C zone by increasing housing supply. The requested variances are not anticipated to have any undue adverse impacts to the surrounding neighbourhood. The proposed development is consistent with the direction of the Provincial Planning Statement, the City of Ottawa Official Plan and complies with all other provisions of the Zoning By-law.

As outlined above, the proposed variances are desirable and appropriate for the development of the property.

5.4 Is the proposal minor in nature?

This Planning Act test is generally understood to involve the consideration of negative impacts from the proposed variances. The variances which are seeking a reduction in the minimum width of a private way, the minimum setback from a residential building to a private way in two (2) locations, and increase the maximum width of a driveway accessing less than 20 surface parking spaces will facilitate the intensification of a surface parking lot within the Inner Urban Transect of the City. If the proposed development were to incorporate a non-residential use into the proposed new apartment building, the variances as they relate to private ways in a planned unit development would be eliminated. It is important to note that the variances required for the private way do not impact the existing residential building on site and relate directly to the function of the proposed new building.

The current Zoning By-law requires that private ways within a planned unit development have a minimum width of 6 metres, however, the parking provisions of the Zoning By-law limit the maximum width of a driveway accessing less than 20 spaces is 3.6 metres. These provisions appear to contradict each other, and as such, are proposed to be amended for this site. The proposed variance for driveway width would be not required if more than 20 surface parking spaces were proposed; however, in accordance with Official Plan policies, surface parking has been limited on this site due its proximity to rapid transit. The variances are not expected to generate any undue adverse impacts on neighbouring properties.

The proposed variances are minor in nature and will not result in any undue adverse impacts on the neighbouring properties or the broader community.

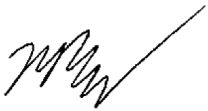
Conclusion

It is our professional opinion that the proposed Minor Variances constitute good planning as:

- / The proposal is consistent with the Provincial Planning Statement (2024);
- / The proposal conforms to the policies and objectives of the Neighbourhood designation, Inner Urban Transect, and the policy direction of the Official Plan (2022) as a whole;
- / The proposal generally complies with the provisions of the R5C zone and 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.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,



Mark Ouseley, MES
Planner



Patricia Warren, MCIP RPP
Planner



Paul Black, MCIP RPP
Principal, Planning