

May 22, 2025

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Committee of Adjustment

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2025-05-26

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Michel Bellemare, Secretary Treasurer

Reference: 2128 Trim Road – Provence Orléans Subdivision Phase 5A (Block 25)
Minor Variance Application
Approved City File No.: D07-16-18-0021, D02-02-18-0067, D07-16-22-0005, and
D07-16-25-0001
Our File No.: 117155

Novatech has been retained by Provence Orléans Realty Investments Inc. (c/o Regional Group) to prepare this planning cover letter in support of the *Minor Variance* application for the property known as Block 25 as shown on the preliminary 4M-Plan. The property is located at 2128 Trim Road and within the Provence Orléans Subdivision Phase 5A residential subdivision in Ward 19 – Orléans South-Navan, Ottawa, Ontario. The herein will be referred to as the 'Subject Site'.

The *Minor Variance* application ensues approved *Plan of Subdivision* (City File No.: D07-16-18-0021) and *Zoning By-law Amendment* (City File No.: D02-02-18-0067) applications. Subsequent *Plan of Subdivision Extensions* (City File No.: D07-16-22-0005 and D07-16-25-0001) were approved by the City of Ottawa to extend Draft Plan Approval for periods up to three (3) years.

The following letter describes the existing conditions of the Subject Site, the proposed application, and the rationale in support of the application.

Existing Conditions

The Subject Site is situated in the developing community of Orléans South and is surrounded by existing and newly constructed residential development as shown in **Figure 1**. The Subject Site has an area of 0.13 ha (1364.3 m²) and is currently vacant and undeveloped.

The legal description of the Subject Site and residential subdivision is:

PART LOT 2, CONCESSION 9 CUMBERLAND, SAVE & EXCEPT 4M1734 SUBJECT TO AN EASEMENT OVER PART 57 PLAN 4R33773 AS IN OC2364283 SUBJECT TO AN EASEMENT OVER PART 56 PLAN 4R33773 AS IN OC2364285 CITY OF OTTAWA



Figure 1: Subject Site and surrounding uses.

The following describes the land uses adjacent to the Subject Site as shown in **Figure 1**.

North: A future park and planned residential as part of the Provence Orléans Subdivision abut the Subject Site to the north. North of the future residential is Béatrice-Desloges Catholic Secondary School.

East: The future Dick Brown Street abuts the Subject Site to the east. East of the future roadway is existing residential, residential development under construction, and Montjay Road as part of the Provence Orléans Subdivision.

South: Ventoux Avenue abuts the Subject Site to the south. South of Ventoux Avenue are existing residential and residential under construction as well as the future Cumberland Bus Rapid Transitway (BRT) corridor.

West: Existing and planned residential is situated to the west of the Subject Site. Further west of the Subject Site is Provence Avenue. West of Provence Avenue are Rancourt Park and Catholic Elementary School Discovery.

Proposed Development

The Subject Site forms part of the Provence Orléans Subdivision Phase 5A and is identified as Block 25 on the preliminary 4M-Plan as shown in **Figure 2**. Phase 5A is one the remaining phases of the overall residential development. The Subject Site will include six (6) townhouse dwellings at the southwest corner of Ventoux Avenue and the future Dick Brown Street with frontage and driveway access off this right-of-way. The requested minor variances pertain to only two (2) of the townhouse dwellings.

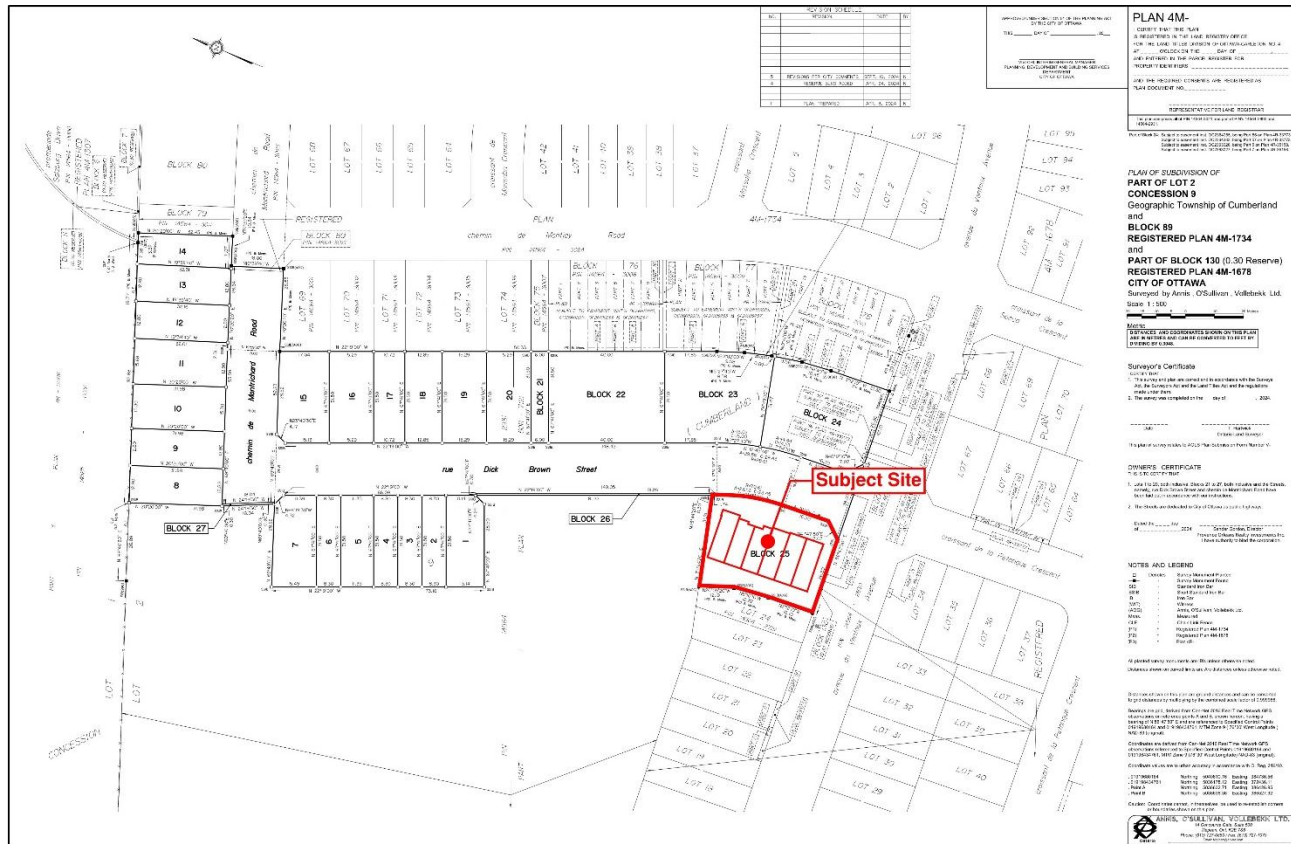


Figure 2: A copy of the preliminary 4M-Plan for the Provence Orléans Subdivision Phase 5A with the Subject Site added by Novatech.

Requested Minor Variances

The *Minor Variance* application is required to permit reduced front yard and corner side yard setbacks for one block of townhouse dwellings as approved by the City of Ottawa through Draft Plan Approval as shown in **Figure 3**. As part of the detailed design for the proposed development, it was identified that variances to *Zoning By-law 2008-250* would be required to facilitate the construction of the townhouse dwellings. No changes are being requested to the site-specific *Urban Exception 2582 of Zoning By-law 2008-250*.

The first requested variance relates to the minimum front yard setback for the townhouse dwelling. As per *Section 159-160, Table 160A, Subzone YY, Row Townhouse, Column VII of Zoning By-law 2008-250*, the minimum front yard setback is 6.0 metres in the *Residential Third Density, Subzone YY – R3YY*.

The second requested variance relates to the minimum corner side yard setback for the townhouse dwelling. As per *Section 159-160, Table 160A, Subzone YY, Row Townhouse, Column VIII of Zoning By-law 2008-250*, the minimum corner side yard setback is 4.5 metres in the *Residential Third Density, Subzone YY – R3YY*.

Therefore, the following variances are required to facilitate the proposed townhouse dwelling units:

- To permit a minimum front yard setback of 5.8 metres, whereas the by-law requires a minimum front yard setback of 6.0 metres.
- To permit a minimum corner side yard setback of 3.9 metres, whereas the by-law requires a minimum corner side yard setback of 4.5 metres.

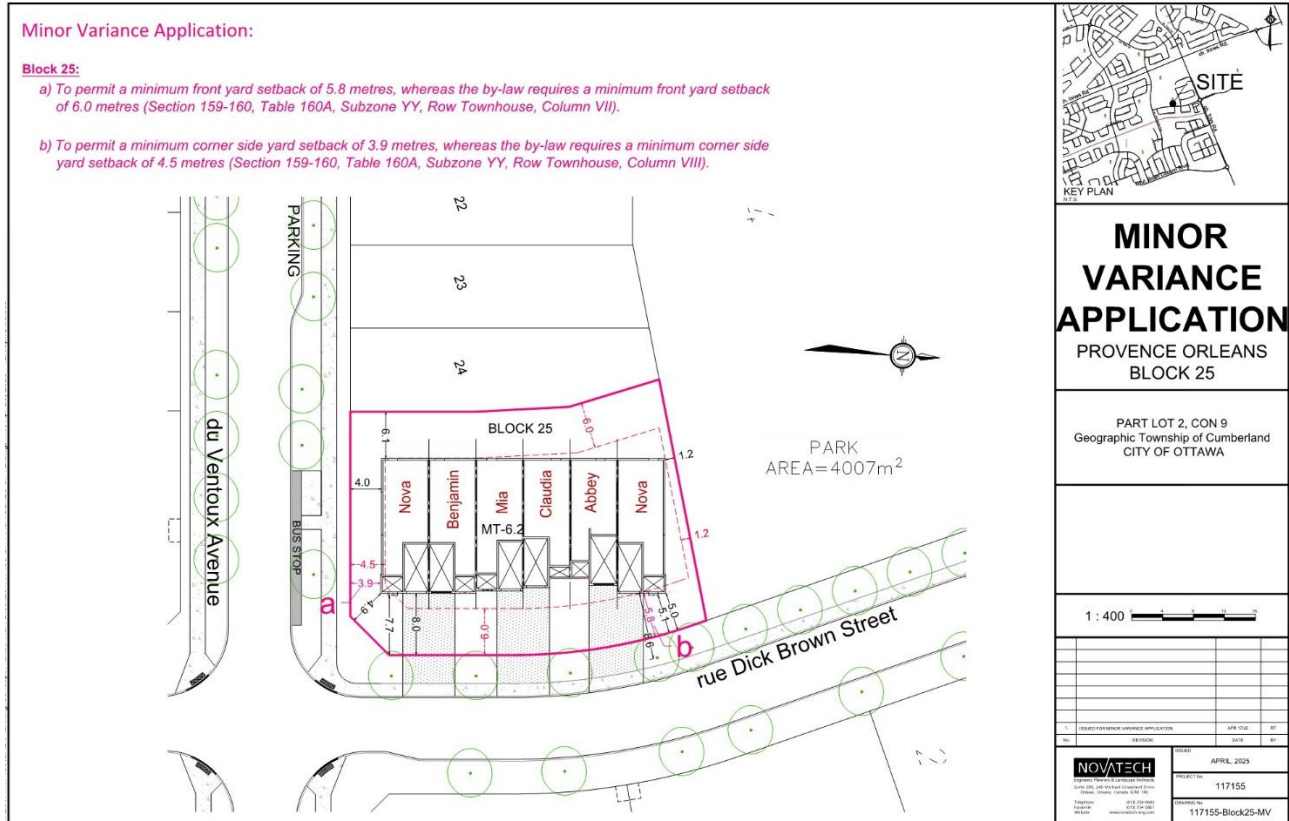


Figure 3: Proposed Minor Variance figure prepared by Novatech dated March 2025.

Rationale – Minor Variances

The requested variances meet the four (4) tests for minor variances under *Section 45(1)* of the *Planning Act*.

The first test for minor variance is that the general intent and purpose of the *Official Plan* is maintained.

The Subject Site is designated as *Neighbourhood* as per *Official Plan (2022) Schedule B8 – Suburban (East) Transect* with an *Evolving Neighbourhood Overlay*. The intent of the *Neighbourhood* designation in the *Suburban Transect* is to permit a mix of building forms and densities.

The reductions to the minimum front yard and corner side yard setbacks are required to facilitate the construction of the townhouse dwellings as approved by the City of Ottawa through Draft Plan Approval. The reductions to the setbacks will maintain building setbacks that are consistent

throughout the overall residential subdivision and will not detract from the streetscape or layout. The requested variances will not impact the opportunity to provide for a mix of building forms and densities for the Orléans South community.

The proposed minor variances will allow for the construction of townhouse dwellings in conformity with the policies of the *Official Plan (2022)* and *Provincial Planning Statement (2024)*.

The minor variances meet the general intent and purpose of the *Official Plan (2022)*.

The second test for minor variance is that the general intent and purpose of the *Zoning By-law* is maintained.

The Subject Site is zoned *Residential Third Density, Subzone YY, Urban Exception 2582 – R3YY[2582]*. The purpose of the *Residential Third Density* zone is to:

- 1) *allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)*
- 2) *allow a number of other residential uses to provide additional housing choices within the third density residential areas;*
- 3) *allow ancillary uses to the principal residential use to allow residents to work at home;*
- 4) *regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced; and*
- 5) *permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.*

The *R3YY* subzone requires a minimum front yard setback of 6.0 metres and minimum corner side yard setback of 4.5 metres. The general intent and purpose of the front yard and corner side yard setback provisions are to ensure that new development is consistent with the built form of the suburban neighbourhood. The *R3YY* subzone was applied to the Provence Orléans Subdivision as part of the rezoning because of the larger setbacks that would ensure minimum tree planting setbacks were adhered to due to the presence of sensitive clay soils. The approved Geotechnical Report by Paterson Group dated July 5, 2018 provided the minimum tree planting setbacks due to sensitive clay soil conditions in accordance with the *City of Ottawa's Tree Planting in Sensitive Marine Clay Soils Guidelines (2017)*.

The minor reductions to the front yard and corner side yard setbacks will not impact any minimum setbacks for tree plantings to building foundations and will allow for trees to be planted as shown in **Figure 3**. As noted previously, there are no changes being requested to the site-specific *Urban Exception 2582 of Zoning By-law 2008-250*.

The minor variance meets the general intent and purpose of the *Zoning By-law 2008-250*.

The third test for minor variance is that the minor variance is considered desirable for the appropriate development or use of land.

The requested minor variances are considered desirable as they will facilitate the construction of the townhouse dwellings and provide for a mix of building forms and densities for the Orléans South community as approved by the City of Ottawa. The minor reductions to the front yard and corner side

yard setbacks will maintain the built form of the suburban neighbourhood and will not detract from the streetscape or layout and that tree plantings are achievable.

The promotion of various housing densities, efficient use of land, resources and infrastructure are fundamental policies of the *Provincial Planning Statement (2024)*. The reductions to the setbacks will enable a more efficient use of the land resources as approved through Draft Plan Approval by the City of Ottawa.

The minor variance is considered desirable for the appropriate development or use of land.

The fourth test for minor variance is that the variance is considered minor in nature.

The reduction to the front yard and corner side yard setbacks of the Subject Site are considered minor as the requested variances will have no impact on the streetscape from either Ventoux Avenue or the future Dick Brown Street. The reduced setbacks will be consistent with the surrounding neighbourhood and overall community once the Provence Orléans Subdivision residential subdivision is built out. No impacts to surrounding existing or future residential dwellings are anticipated as the Subject Site is situated on a corner lot with the reduction to setbacks abutting the Ventoux Avenue and future Dick Brown Street right-of-ways.

The minor variance is considered minor in nature.

Conclusion

The proposed minor variances maintained the general intent and purpose of the *City of Ottawa Official Plan (2022)* and *Zoning By-law 2008-250*. The requested variances are considered desirable for the use of the land and are minor in nature. The proposed minor variances represent good land use planning.

Please find the following documents and plans in support of the *Minor Variance* application:

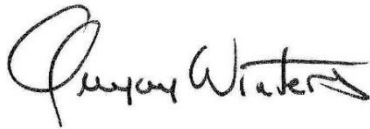
- One (1) copy of this planning cover letter;
- One (1) copy of the completed and signed *Minor Variance* application;
- Cheque for the *Minor Variance* application fee payment;
- Two (2) copies (full-sized and reduced) of the *Minor Variance* application sketch prepared by Novatech dated April 17, 2025;
- Two (2) copies (full-sized and reduced) of the elevation drawings; and
- Two (2) copies (full-sized and reduced) of the preliminary 4M-Plan prepared by Annis O'Sullivan Vollebakk.

Yours truly,

NOVATECH



Robert Tran, M.Pl.
Project Planner, Planning and Development



Greg Winters, MCIP, RPP
Director, Planning and Development