

**Committee of Adjustment**  
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City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

April 23, 2025

Committee of Adjustment  
City of Ottawa  
101 Centrepointe Drive  
Ottawa, ON  
K2G 5K7

**Attention: Michel Bellemare, Secretary - Treasurer**

**Reference: 10 Arthur Street**  
**Applications for Consent and Minor Variance**  
**Our File No.: 119103**

Novatech has been retained by the owner of the property municipally known as 10 Arthur Street (the "Subject Site") to prepare and file applications for Consent and Minor Variance in order to facilitate the development of two, long-semi detached dwellings on the Subject Site.

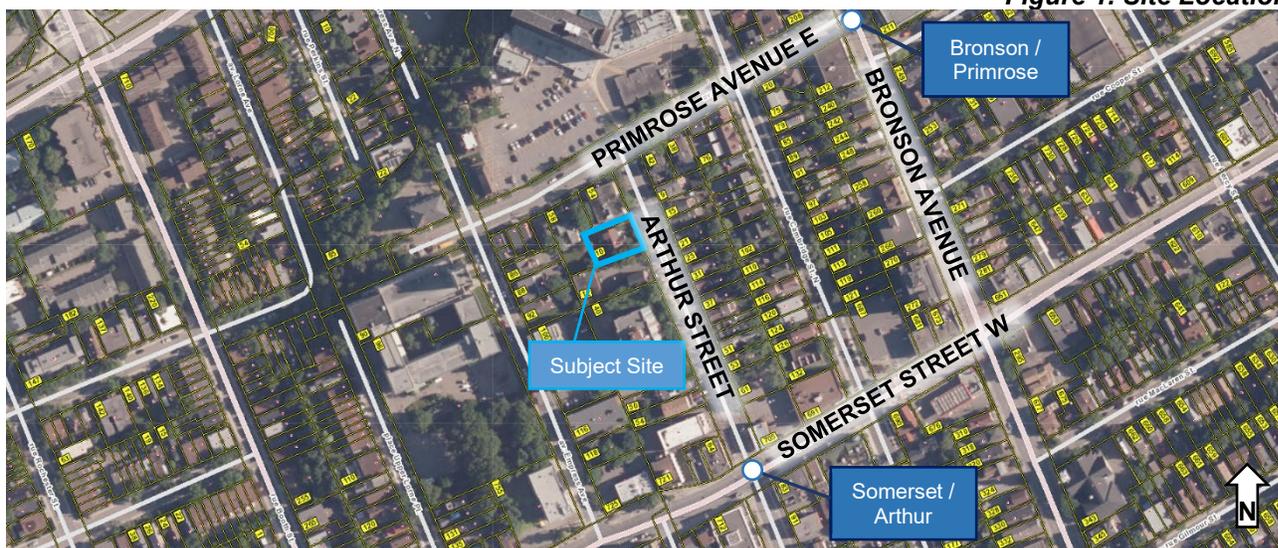
This covering letter describes the existing conditions of the site and its surrounding context, the proposed development, and the rationale in support of the applications.

### Existing Conditions

The Subject Site is located in Ward 14 – Somerset within the City of Ottawa. Specifically, the Subject Site is located in the West Centretown neighbourhood, to the north of Somerset Street West, to the south of Primrose Avenue East, to the west of Cambridge Street North, and to the east of Empress Avenue. 10 Arthur Street is an interior lot with an area of 614 square metres and a frontage of 20.3 metres along Arthur Street (See Figure 1).

The Subject Site is legally known as Part of Lots 76 and 77, Registered Plan 3459 in the City of Ottawa. The Subject Site is zoned Residential Fourth Density, Subzone UD (R4UD) under the City of Ottawa Zoning By-law 2008-250. 10 Arthur Street is also subject to provisions of the Mature Neighbourhoods Overlay.

**Figure 1. Site Location**



**Proposed Development**

It is proposed to sever the existing parcel located at 10 Arthur Street into two lots to facilitate the development of two, long semi-detached dwellings on the Subject Site. Each proposed semi-detached dwelling will front onto Arthur Street. The proposed lots fully comply with the R4UD provisions for lot width and lot area for a long semi-detached dwelling. The newly severed lots will facilitate separate ownership for each long semi-detached dwelling (one long semi-detached dwelling on each newly created lot). Applications for minor variances are required to permit an increased building height on each newly created lot (see Figure 2).

**Figure 2. Site Plan**



**Figure 3. Front Elevation (3 storey)**



**Figure 4. Side Elevation (3-Storey)**



Two, three-storey long semi-detached dwellings are proposed on the Subject Site (see Figures 3 and 4). The proposed dwellings will each have frontage on Arthur Street. All areas of the front yards, excluding porches, walkways and shared driveways, will be developed with soft landscaping. Although the Zoning By-law does not require the provision of parking spaces, two parking spaces are provided for each proposed building. A shared driveway between the newly created lots, will provide access to parking spaces located in the rear yard from Arthur Street.

**Severance Applications**

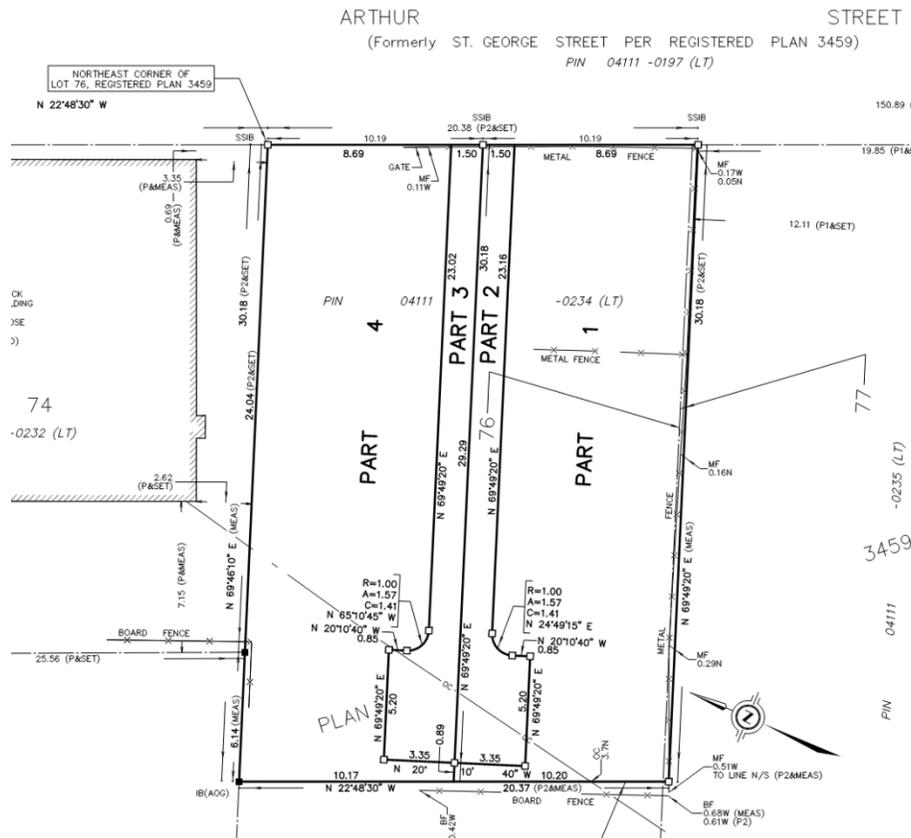
*Severance Application 1:*

This application will create the lot labelled as Part 1 and Part 2 on the Draft Reference Plan (Figure 5). Part 1 and Part 2 will have a total area of 307.3 square metres, a depth of 30.2 metres, and a frontage of 10.19 metres on Arthur Street. This lot will be occupied by one long semi-detached dwelling. To provide access to rear yard parking, an easement in favour of Parts 3 and 4 is required over Part 2.

*Severance Application 2:*

This application will create the lot labelled as Part 3 and Part 4 on the Draft Reference Plan (Figure 5). Part 3 and Part 4 will have a total area of 306.9 square metres, a depth of 30.2 metres, and a frontage of 10.19 metres on Arthur Street. This lot will be occupied by one long semi-detached dwelling. To provide access to rear yard parking, an easement in favour of Parts 1 and 2 is required over Part 3.

**Figure 5. Draft Reference Plan**



## **Rationale (Consent Applications)**

*Provincial Planning Statement (2024)*

*The Provincial Planning Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on October 20, 2024.*

*Section 2.2.1 of the PPS states that:*

*“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:*

*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;*

The proposed development of two, long semi-detached dwellings on the Subject Site supports an appropriate range and mix of housing options to meet the long-term needs of residents in the neighbourhood. The proposal also promotes cost-effective development patterns by intensifying lands within the urban boundary, minimizing land consumption and municipal servicing costs.

## **The proposed development is consistent with policies of the PPS (2024).**

*Planning Act*

Subsection 53(1) of the Planning Act states:

*“An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, 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 section, 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. 2021, c. 25, Sched. 24, s. 4 (1).”*

The proposal does not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

*“A council or the Minister in determining whether a provisional consent is to be given 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. 1994, c. 23, s. 32.”*

This rationale will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

*51. (24) 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;*

10 Arthur Street is located within the urban area of the City of Ottawa. The proposed severances have regard for the following matters of provincial interest:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing; and
- the appropriate location of growth and development.

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

The Subject Site is located within a fully developed neighbourhood where hard and soft services are available. The proposed severances are not premature and are in the public's interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any:

Figure 6. Official Plan Schedule B1 Excerpt



*City of Ottawa Official Plan (2022)*

The Subject Site is designated “Neighbourhood” and “Evolving Neighbourhood Overlay” in the Downtown Core Transect on Schedule B1 of the City of Ottawa Official Plan. Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: “The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them”. The consent to sever applications will support intensification in a Neighbourhood designation that is in proximity to Pimisi Station, Bronson Avenue, designated as a Mainstreet Corridor and Somerset Street West, designated as a Minor Corridor with a permitted form of housing that compliments the lot pattern, scale, and desirable characteristics of development along Arthur Street and contributes to the growth of 15-minute neighbourhoods (see Figure 6).

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

The proposed severances will result in lots that fully comply with provisions of the R4UD zone for lot width and lot area for long semi-detached dwellings.

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

Not applicable.

*(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;*

Not applicable.

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

The proposed severances will result in lots that fully comply with provisions of the R4UD zone for lot width and lot area for long semi-detached dwellings. The proposed lot widths and lot areas are compatible with existing land use patterns and the lot fabric of the neighbourhood.

*(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

Not applicable.

*(h) conservation of natural resources and flood control;*

The Subject Site is not within or adjacent to a flood plain or any areas of natural interest.

*(i) the adequacy of utilities and municipal services;*

The proposed lots have connections to existing utilities and municipal services.

*(j) the adequacy of school sites;*

Cambridge Street Community Public School and Centennial Public School are located within walking distance from the Subject Site.

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

It is anticipated that cash-in-lieu of parkland dedication will be a condition of approval.

*(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

Infill and intensification within the urban area efficiently utilizes energy (infrastructure, services, transit, etc.) and land.

*(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).*

Not applicable.

The proposed severances are within an urban area and have regard for matters of provincial interest. The proposed severances are not premature and are in line with public interest. The severances conform to policies of the City of Ottawa Official Plan with regards to infill and intensification. The proposed severances will result in lots that fully comply with the R4UD zone provisions for lot width and lot area for long semi-detached dwellings.

**The proposed severances at 10 Arthur Street represent good land use planning.**

### **Minor Variance Applications**

#### Minor Variance Application 1:

- a) To permit an increase to the maximum permitted building height of 11.0 metres; whereas the By-law permits a maximum building height of 10 metres (Section 162, Table 1612A, Subzone R4UD, Column VI).

#### Minor Variance Application 2:

- b) To permit an increase to the maximum permitted building height of 11.0 metres; whereas the By-law permits a maximum building height of 10 metres (Section 162, Table 1612A, Subzone R4UD, Column VI).

### **Rationale (Minor Variance Applications)**

**The minor variances listed above meet the four tests for minor variance 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.**

#### *City of Ottawa Official Plan*

The Subject Site is designated "Neighbourhood" within the "Evolving Overlay" in the Downtown Core Transect on Schedule B1 of the City of Ottawa Official Plan (see Figure 6 above).

Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: *"The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them."*

The proposed development on the Subject Site is an example of infill and intensification within the Downtown Core Transect and Neighbourhood designation. The proposed development supports the creation of 15-minute neighbourhoods and will contribute to residential intensification in a Neighbourhood designation that is adjacent to lands designated as Corridors in the Official Plan.

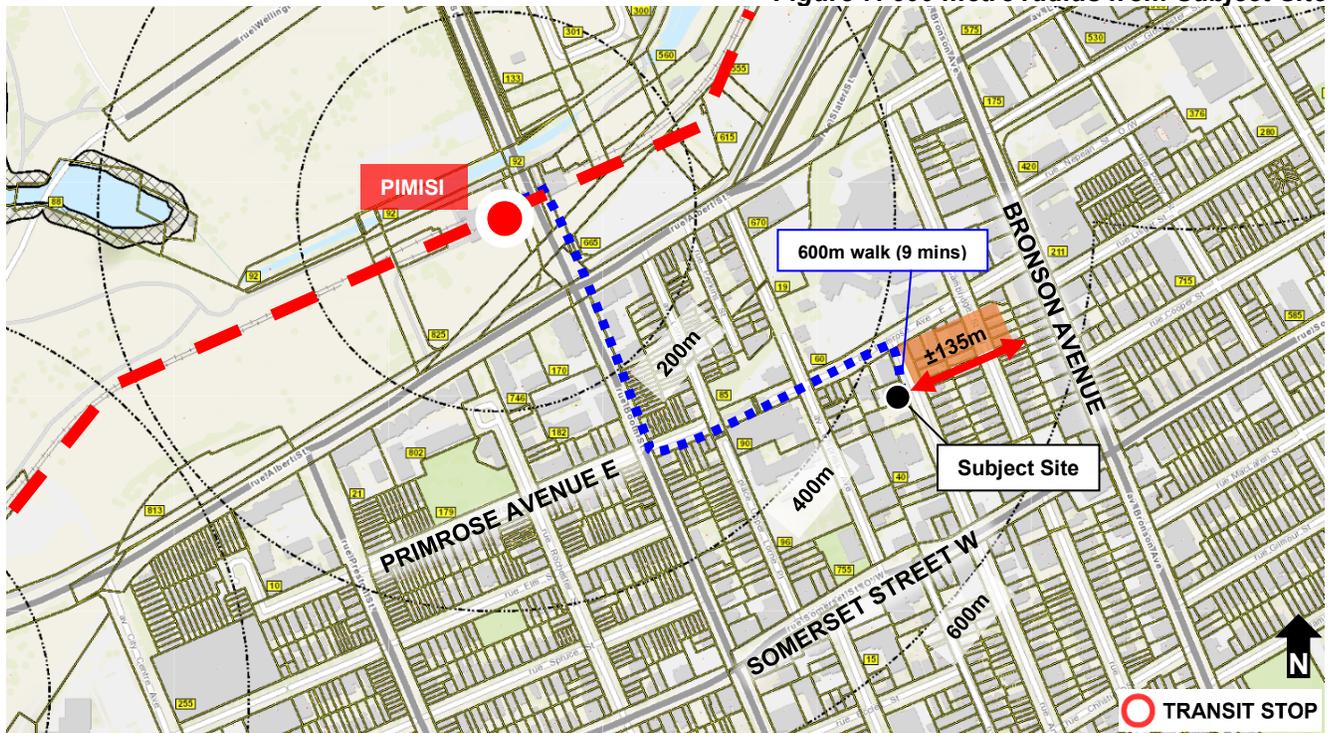
Policy 1c) of Section 5.1.5 of the Official Plan states:

*“Neighbourhoods located in the Downtown Core 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 following:*

- 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”.

The proposed long semi-detached dwellings are three-storeys in building height. The proposed development represents a permitted building form that will contribute to residential growth within the Downtown Core Transect and Neighbourhood designations to meet the targets of the Growth Management Framework.

**Figure 7. 600 metre radius from Subject Site**



Policy 1 of Section 5.6.1 of the Official Plan states that: *“The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station.”* The Subject Site is suitable for intensification being located within 600-metres radius of the Pimisi Hub and within 150 metres from the boundary of lots designated Mainstreet with frontage on Bronson Avenue as shown on Figure 7 above.

Policy 3a) of Section 5.6.1 of the Official Plan states that: *“the City will generally be supportive of applications for low-rise intensification that seek to amend the development standards of the underlying zone”.* The Subject Site is in a suitable location to amend the development standards of the underlying R4UD zone and will contribute to achieving intensification objectives by providing increased building heights required to facilitate the proposed development.

**The minor variances maintain the general intent and purpose of the Official Plan**

**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 Fourth Density, Subzone UD (R4UD) under the City of Ottawa Zoning By-law 2008-250. The purpose of the R4 Zone is to:

- (1) “allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as General Urban Area in the Official Plan;
- (2) *allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;*
- (3) *permit ancillary uses to the principal residential use to allow residents to work at home;*
- (4) regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, 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 requested minor variances are to facilitate an increased building height for two proposed long semi-detached dwellings. Semi-detached dwellings are a permitted use in the R4 zone. The proposed long semi-detached dwellings meet the performance standards for front yard setback, interior side yard setback, and rear yard setback. The proposed long semi-detached dwellings will contribute to the mix of residential uses in the area.

A Streetscape Character Analysis determined that the Subject Site is within character group “B” and individual or shared driveways form the dominant character for the Subject Site. Provisions of Table 140B of the Zoning By-law permit a single or shared driveway providing access to each proposed building in character group “B”.

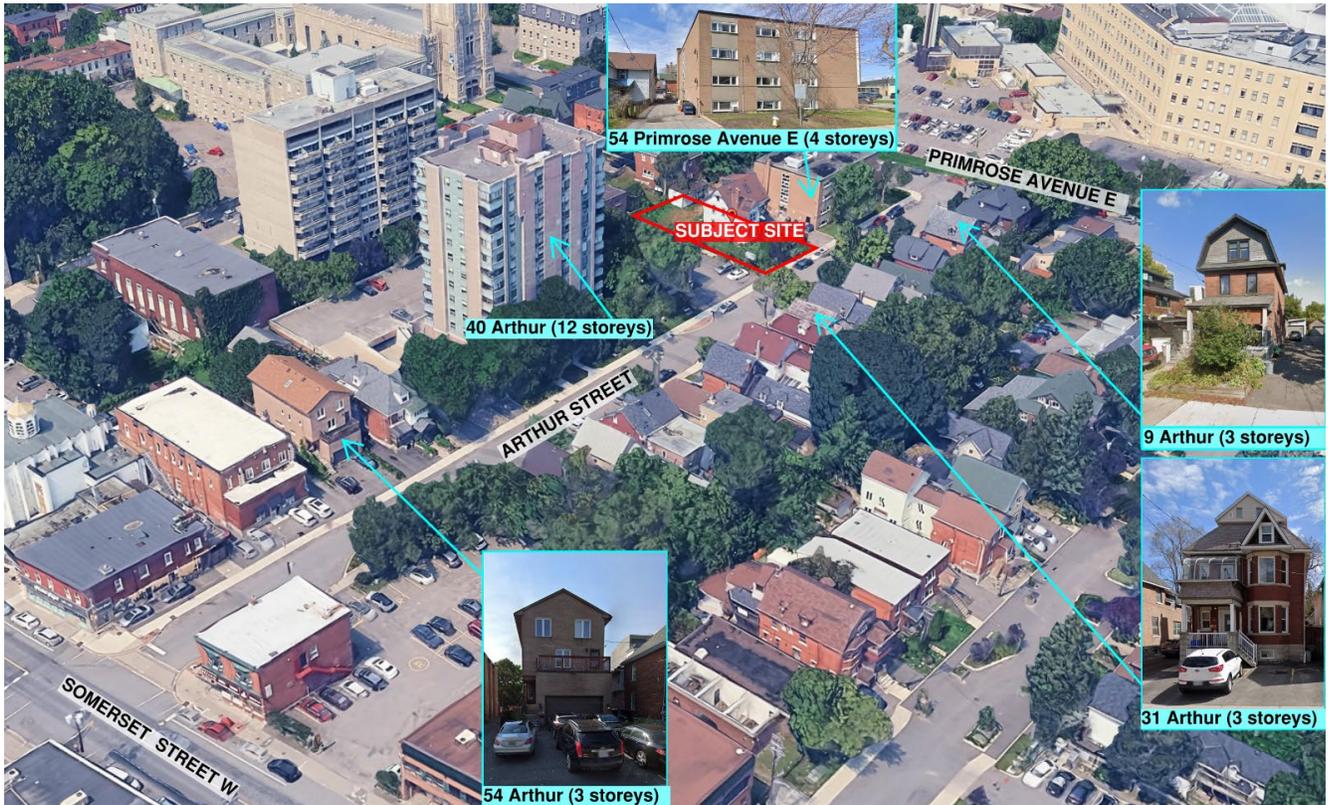
The requested minor variances are to facilitate an increased maximum building height for Lot 1 and Lot 2. Low-rise residential uses including long semi-detached dwellings up to four-storeys in building height are generally permitted in the R4UD zone. The requested variances meet the intent and purpose of the R4 zoning. The proposed long semi-detached dwellings are compatible with existing low to high-rise residential development along Arthur Street and will contribute to maintaining the residential character of the neighbourhood.

**The requested variances maintain 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 use of land.**

Variances a) and b) request an increased maximum building height of 11.0 metres for Lot 1 and an increased maximum building height of 11.0 metres for Lot 2; whereas the By-law permits a maximum building height of 10 metres for long semi-detached dwellings (Section 162, Table 1612A, Subzone R4UD, Column VI). This infill development supports intensification while having regard for existing uses, and built form of the neighbourhood. The proposed three-storey building at a height of 11 metres is designed to fit in with the surrounding built form. The proposed increase to permitted building height promotes intensification and is compatible with the overall character of the neighbourhood.

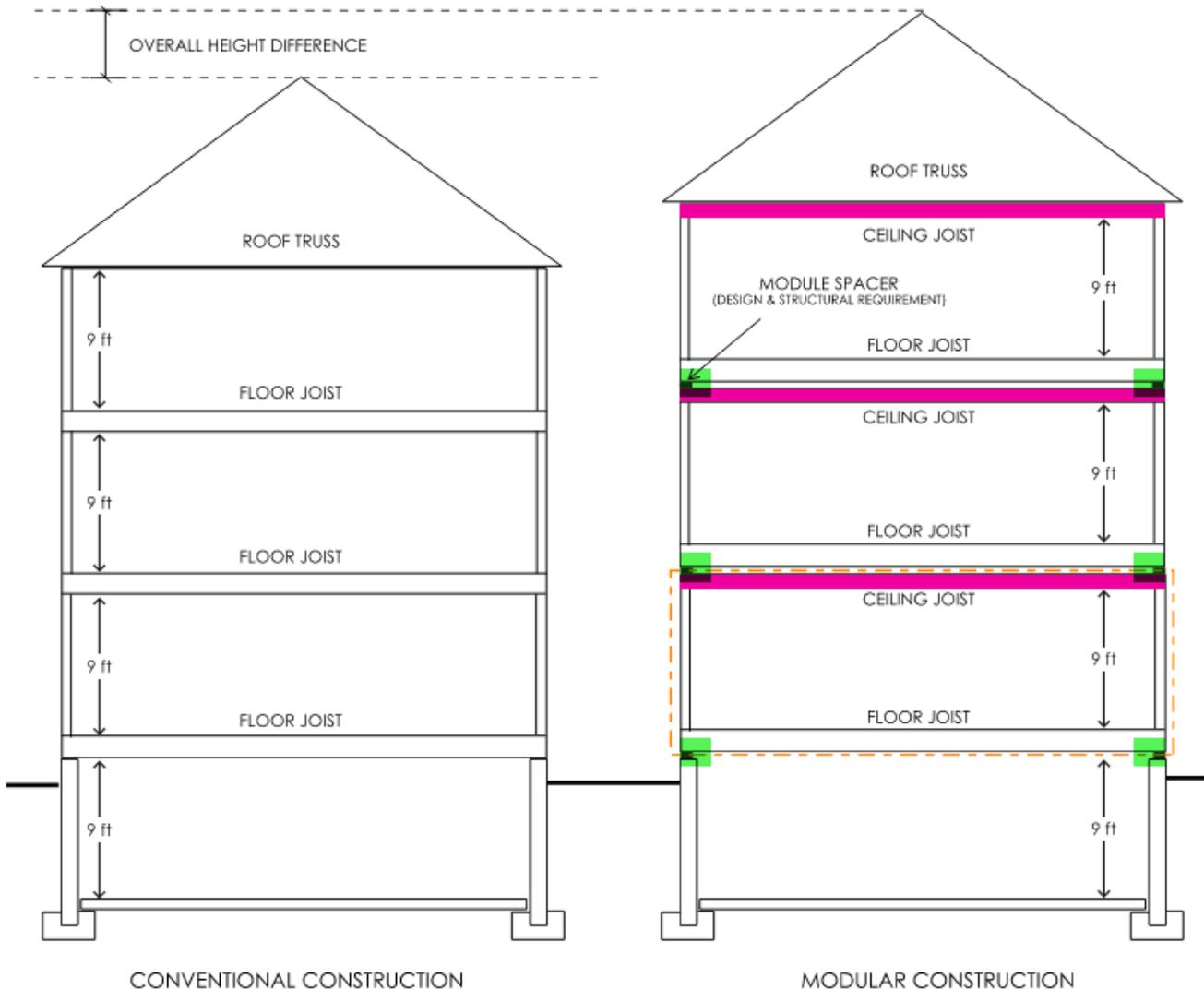
**Figure 8. Built Form Context – Building Heights (Arthur Street)**



There are several buildings with frontage along Arthur Street which have building heights greater than permitted by provisions of the zoning by-law. As shown on Figure 8 above, building heights along Arthur Street range from three storeys on 9 Arthur, 31 Arthur and 54 Arthur, four storeys at 54 Primrose and twelve storeys at 40 Arthur.

An increased building height on the Subject Site is consistent with the built form context of the neighbourhood and will facilitate infill and intensification. The requested minor variances are compatible with the existing patterns of residential development along Arthur Street and in the surrounding neighbourhood.

**Figure 9. Comparison of required building height (Conventional vs Modular)**



The buildings are proposed to be developed using a modular design to increase construction quality and efficiency. As highlighted in pink on Figure 9 above, a modular construction requires the use of additional structural elements for the purposes of on-site assembly. Using a standard 9-foot ceiling height, modular construction results in a minor increase to the maximum height requirements for a three-storey building when compared to conventional construction.

This infill development supports intensification while having regard for existing uses, built form, and lot fabric of the neighbourhood. Based on the challenges presented by increased building height requirements to facilitate modular construction on the Subject Site, an increase to the maximum permitted building height of one metre is compatible with the overall form, scale and streetscape characteristics of the neighbourhood.

The Subject Site is a 9-minute walk (600 metres) from the Pimisi O-Train station (see Figure 7). The Subject Site is located within an appropriate area for increased building heights where maintaining a low-rise scale that supports the use of active transportation and public transit. The Subject Site is near

many neighbourhood amenities, such as shops and restaurants along Somerset Street West. It is also near schools and several parks. The minor variances requested facilitate an appropriate form and scale of development near established neighbourhood amenities and transit services.

The requested minor variances are to facilitate an increase to the maximum permitted building height for Lot 1 and Lot 2. The requested minor variances are consistent with the existing built form characteristics of the neighbourhood. The minor variances are considered desirable for the use of land.

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

Variances a) and b) are requested to permit an increased maximum building height for Lot 1 by 1.0 metre, and Lot 2 by 1.0 metres. A 1.0 metre increase to the maximum permitted building height is a minor increase from the zoning provision. The requested variance to permit an increased building height for Lot 1 and Lot 2 will not affect the functionality of the site and will have no impact on the streetscape.

**The requested variances are considered minor in nature.**

A Streetscape Character Analysis determined that the Subject Site is within character group “B” and individual or shared driveways form the dominant character for the Subject Site. Provisions of Table 140B of the Zoning By-law permit a single or shared driveway providing access to each proposed building in character group “B”.

A shared driveway providing access to each proposed lot is consistent with the dominant character of the surrounding context and will have no impact on the streetscape, or on the functionality of the site.

The requested variances maintain the general intent and purpose of the City of Ottawa Official Plan 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 development represents good land use planning.**

A Tree Information Report was prepared in support of the applications for consent by Dendron Forestry Services, dated March 21, 2024. The Tree Information Report provides recommendations on proposed removal and replacement for Tree 2 and Tree 3 in the front yard based on planned construction activity and status of each surveyed tree as being in poor condition. Tree 1 is recommended for monitoring during construction based on planned demolition of the existing garage and grading activity for the proposed parking area. No impacts to existing trees on abutting properties are anticipated as a result of the proposed development.

In support of the applications for consent and minor variance, please find enclosed:

- One (1) copy of this Cover Letter;
- A Severance Application Form for Part 1 (one original copy)
- A Severance Application Form for Part 2 (one original copy)
- A Severance Sketch for Part 1 (one copy of 11x17 and one 8 ½x11)
- A Severance Sketch for Part 2 (one copy of 11x17 and one 8 ½x11)
- A Minor Variance Application Form for Part 1 (one original copy)
- A Minor Variance Sketch for Part 1 (one copy of 11x17 and one 8 ½x11)
- A Minor Variance Application Form for Part 2 (one original copy)

- A Minor Variance Sketch for Part 2 (one copy of 11x17 and one 8 ½x11)
- Plan of Survey (one copy of 11x17 and one 8 ½x11)
- Parcel Abstract for the Subject Site (one copy)
- Draft Reference Plan (one copy of 11x17 and one 8 ½x11)
- Site Plan (one copy of 11x17 and one 8 ½x11)
- Elevation Plans (one copy of 11x17 and one 8 ½x11)
- Tree Information Report (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact the undersigned.

Yours truly,

**NOVATECH**



Jeffrey Kelly, MCIP RPP  
Project Manager | Planning & Development