



P-Squared Concepts
Minor Variance & Consent to Sever Cover Letter
46 Garland St.

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

June 25th, 2025

Attn: Mr. Michel Bellemare
Secretary Treasurer

Committee of Adjustment
Received | Reçu le

2025-06-26

Re: 46 Garland St. (Minor Variance and Consent applications) · Ward 15
AB & B Management Inc c/o Botros Botros
Part of lot 40 and 42, Registered Plan 57, City of Ottawa

City of Ottawa | Ville d'Ottawa
Comité de dérogation

On behalf of our clients, we are submitting the enclosed Minor Variance and Consent to Sever applications for the property located at 46 Garland St, Ottawa, in order to permit the severance of one lot into two and construct a three-storey stacked dwelling with a basement on the severed lot (Part 2). The retained lot (Part 1) will continue to be used as a mixed-use commercial and residential building, and the proposed lot will be used as a residential use. The property is zoned LC1 [2256]- Local Commercial subzone 1, with Urban Exception [2256] in the City of Ottawa Zoning By-Law 2008-250, as amended. The urban exception [2256] has specific provisions only related to non-residential uses. The property is located in the Inner Urban transect designated as a Neighbourhood; within the Evolving Overlay as per the City of Ottawa Official Plan. The subject property is located within the Scott St Secondary Plan designated as a Low-Rise Neighbourhood.

The lot currently contains a 2-storey mixed use dwelling. The ground floor is an office accessible from Garland St. Residential units are accessed from the southern and eastern facades. There are 4 residential units and 1 commercial unit total, all of which are proposed to remain. The severance will allow for a new residential structure that will contain 6 residential units. There are no requirements or zoning provisions for lot width and lot area in this zone.

Access to the rear yard of the created lot will be through a 1 m side yard on the eastern side of the property. The proposed building will be cantilever above the walkway and will abut the eastern side lot line at 0 m for the floors above. The 1 m wide walkway complies with the minimum Ontario Building Code requirement of 0.9 m, and the walkway is not required for the movement of waste. The waste storage is located at the front of the building where the walkway is widened to 1.2 m.

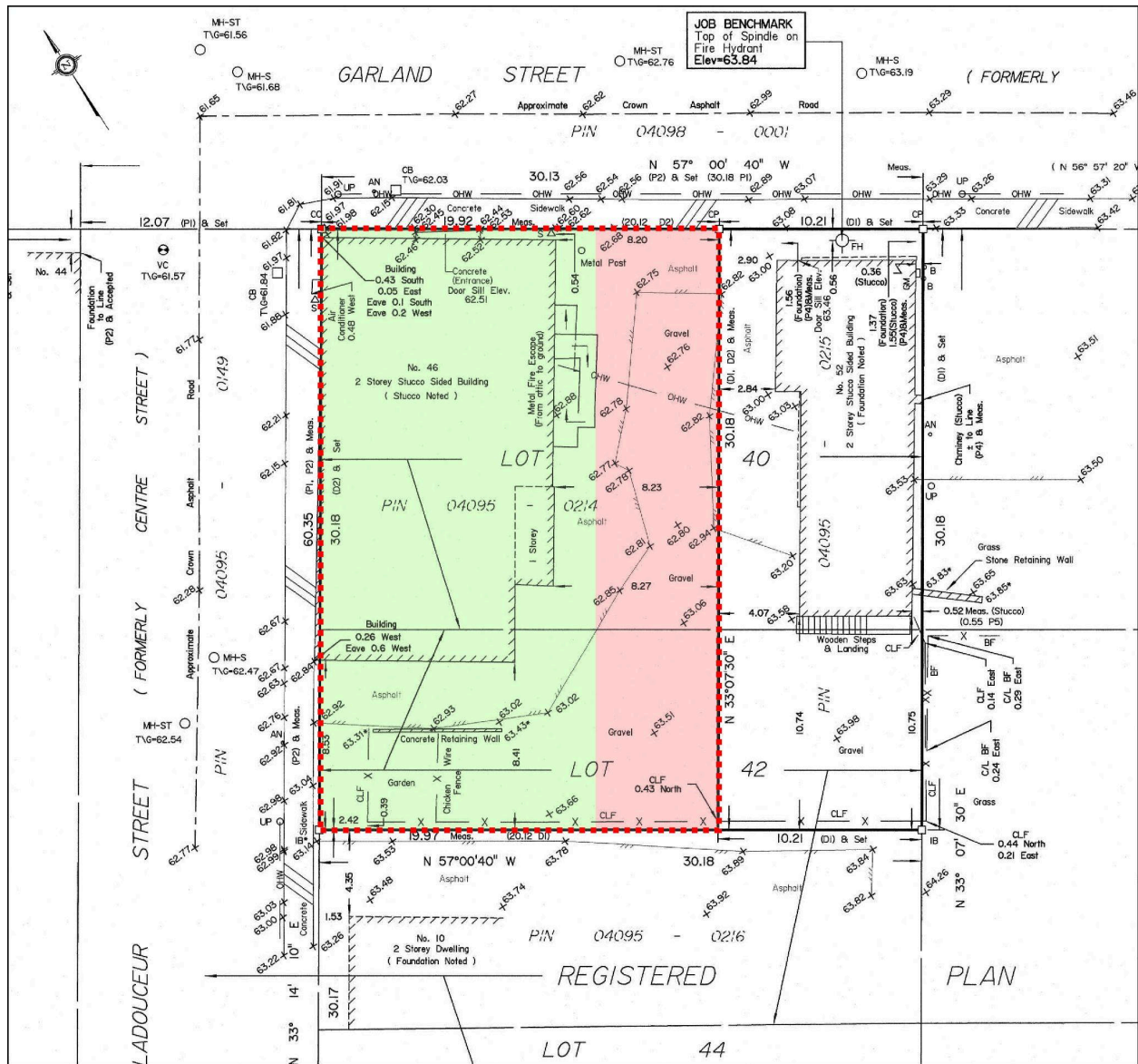


Fig.1. Survey Plan completed by Annis, O'Sullivan, Vollebakk LTD (retained and severed parcels).

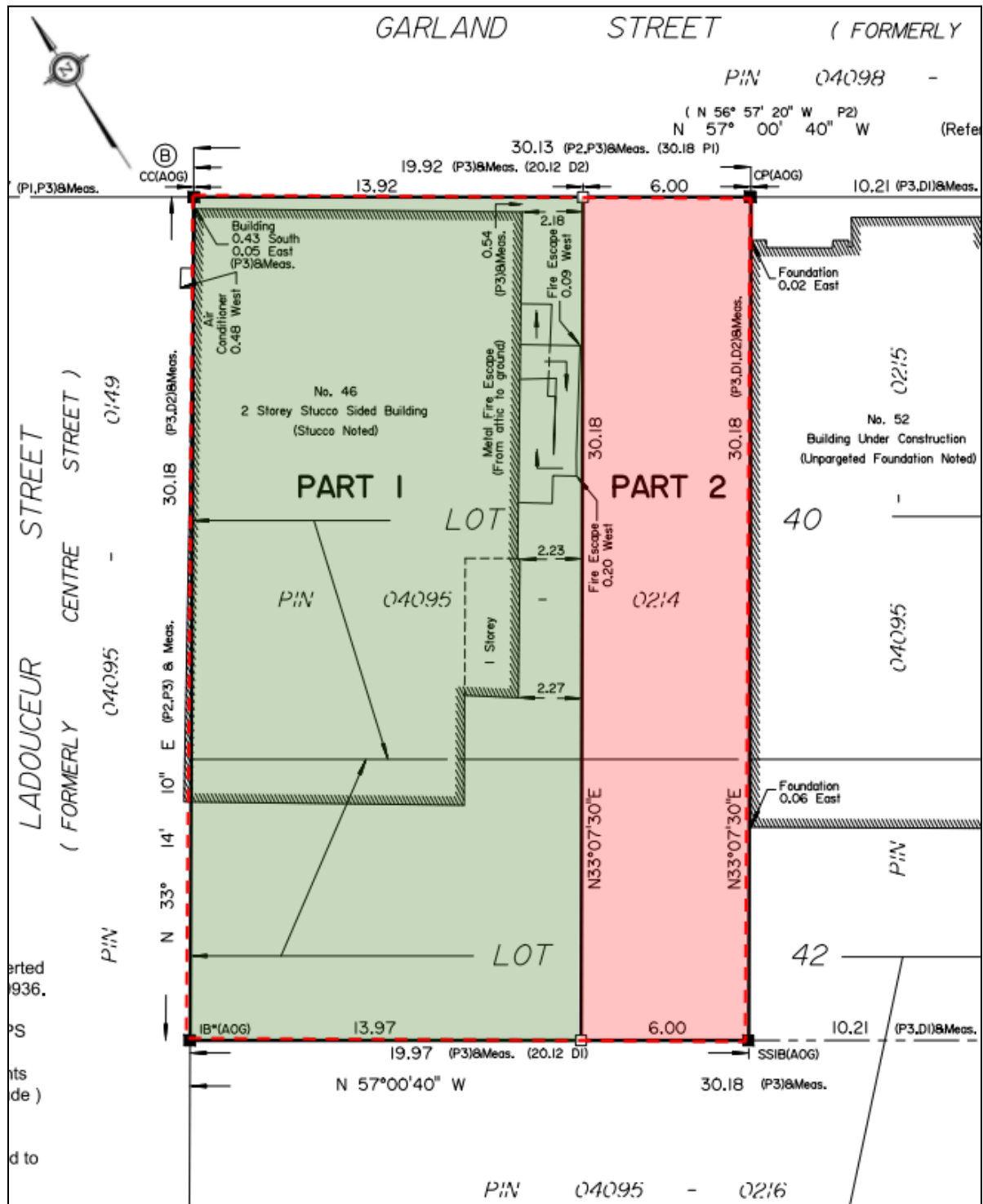
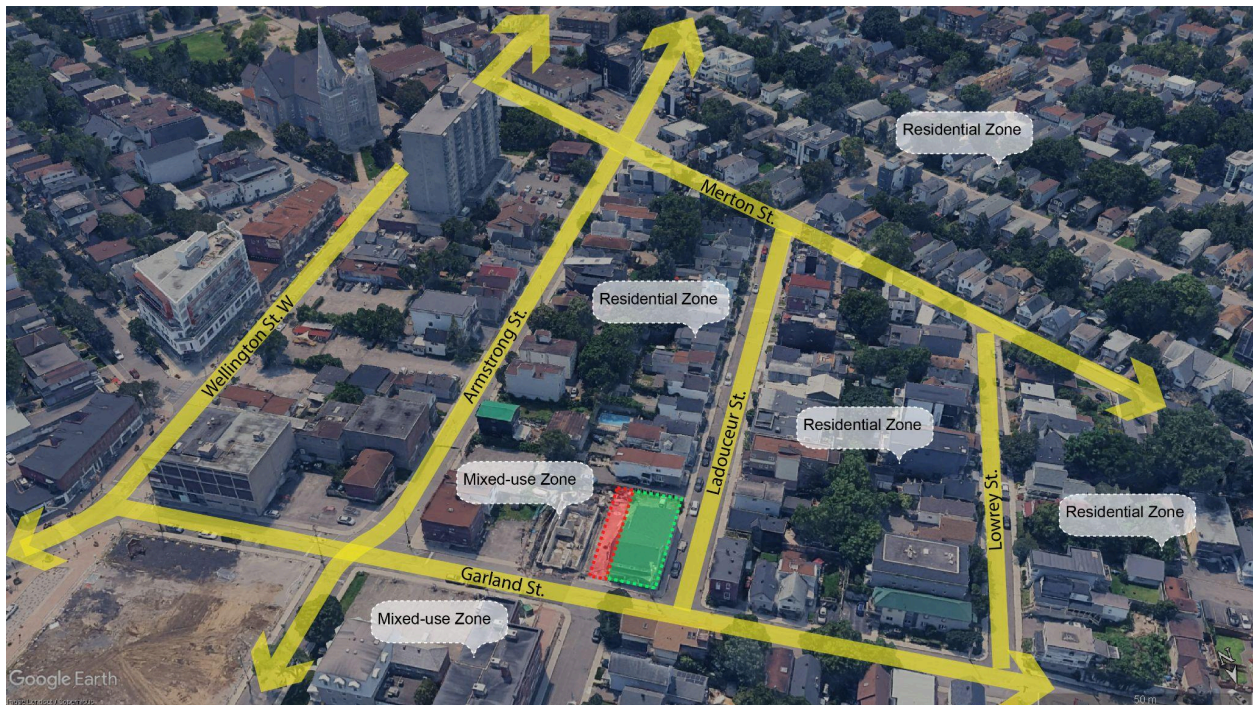


Fig.2. Draft 4R Plan completed by Annis, O'Sullivan, Vollebakk LTD (retained and severed parcels).



*Fig.3. GeoOttawa aerial image showing the **retained** and **severed** parcels.*



*Fig.4. Aerial imagery showing the **severed** and **retained** lot as well as the surrounding context of the subject site, Google Earth.*

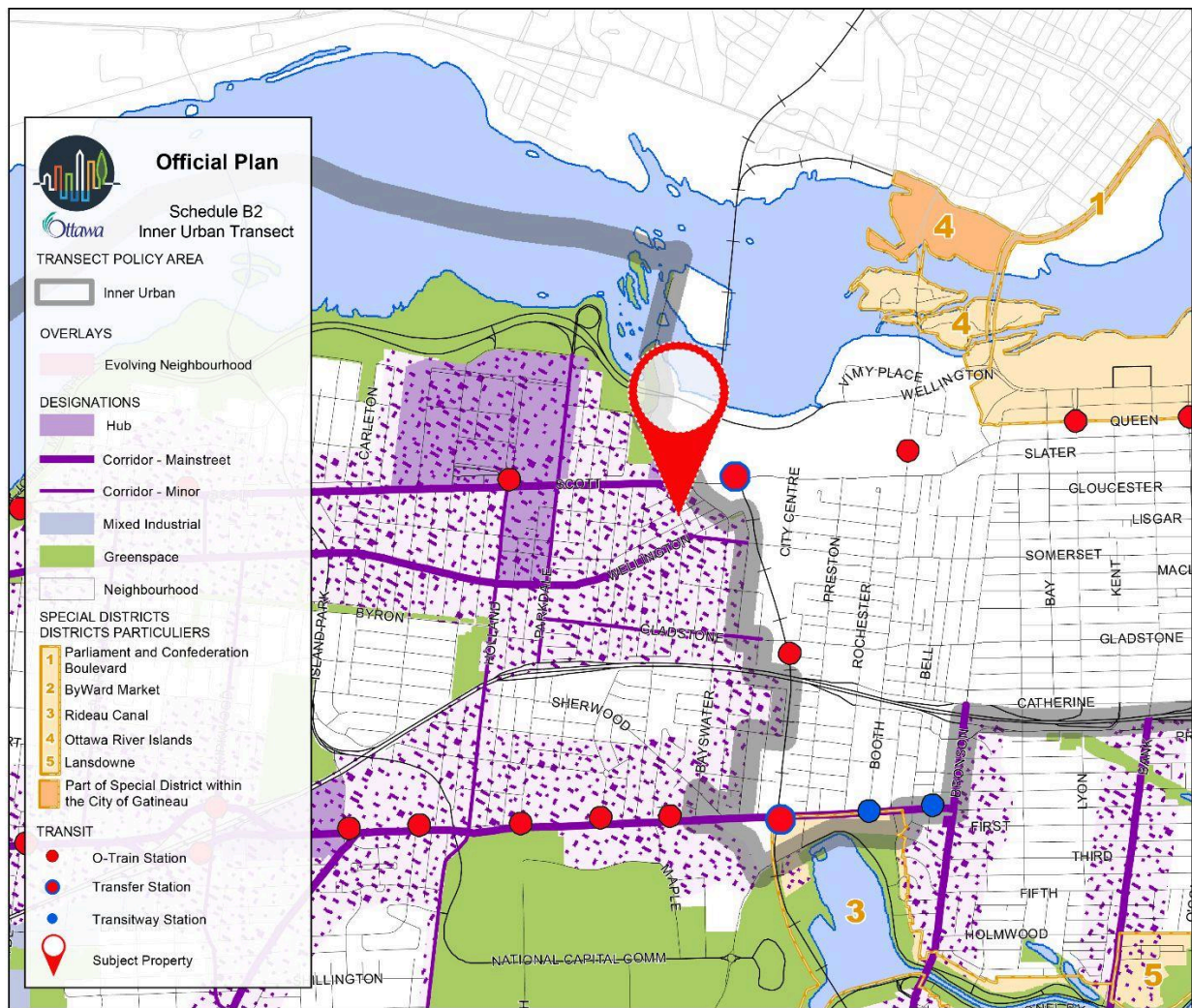
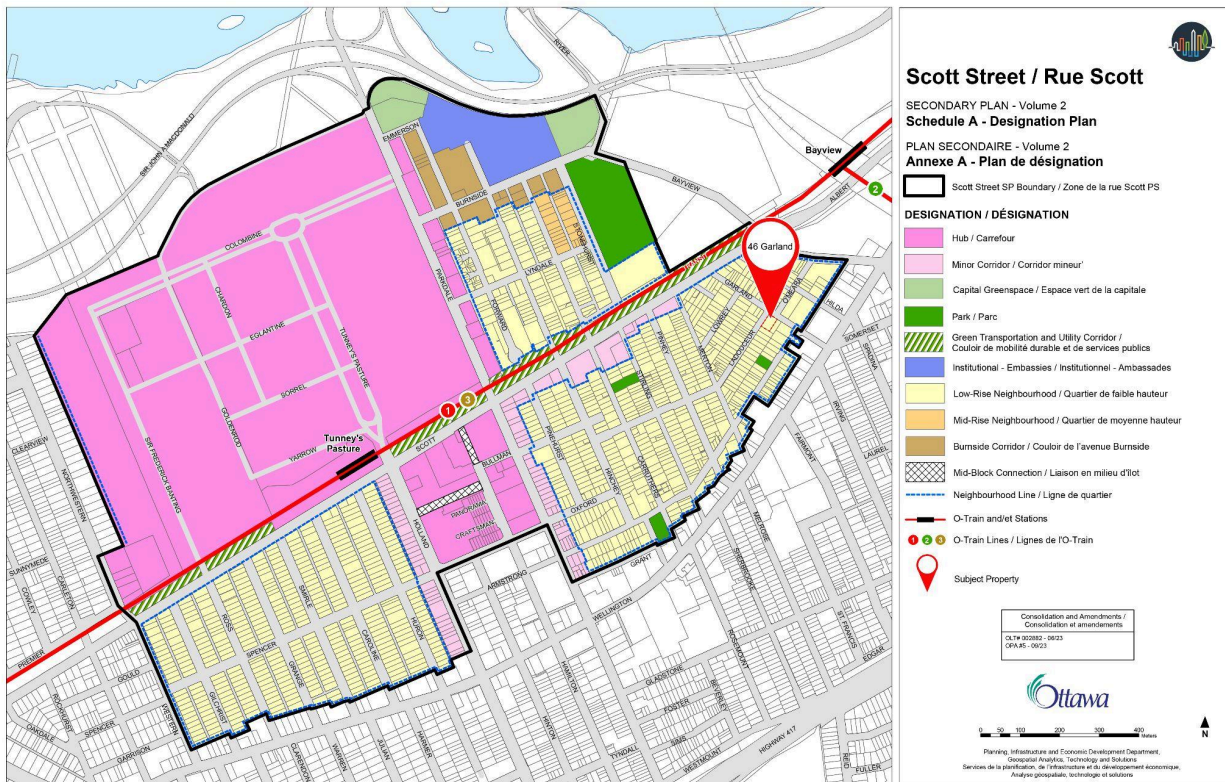
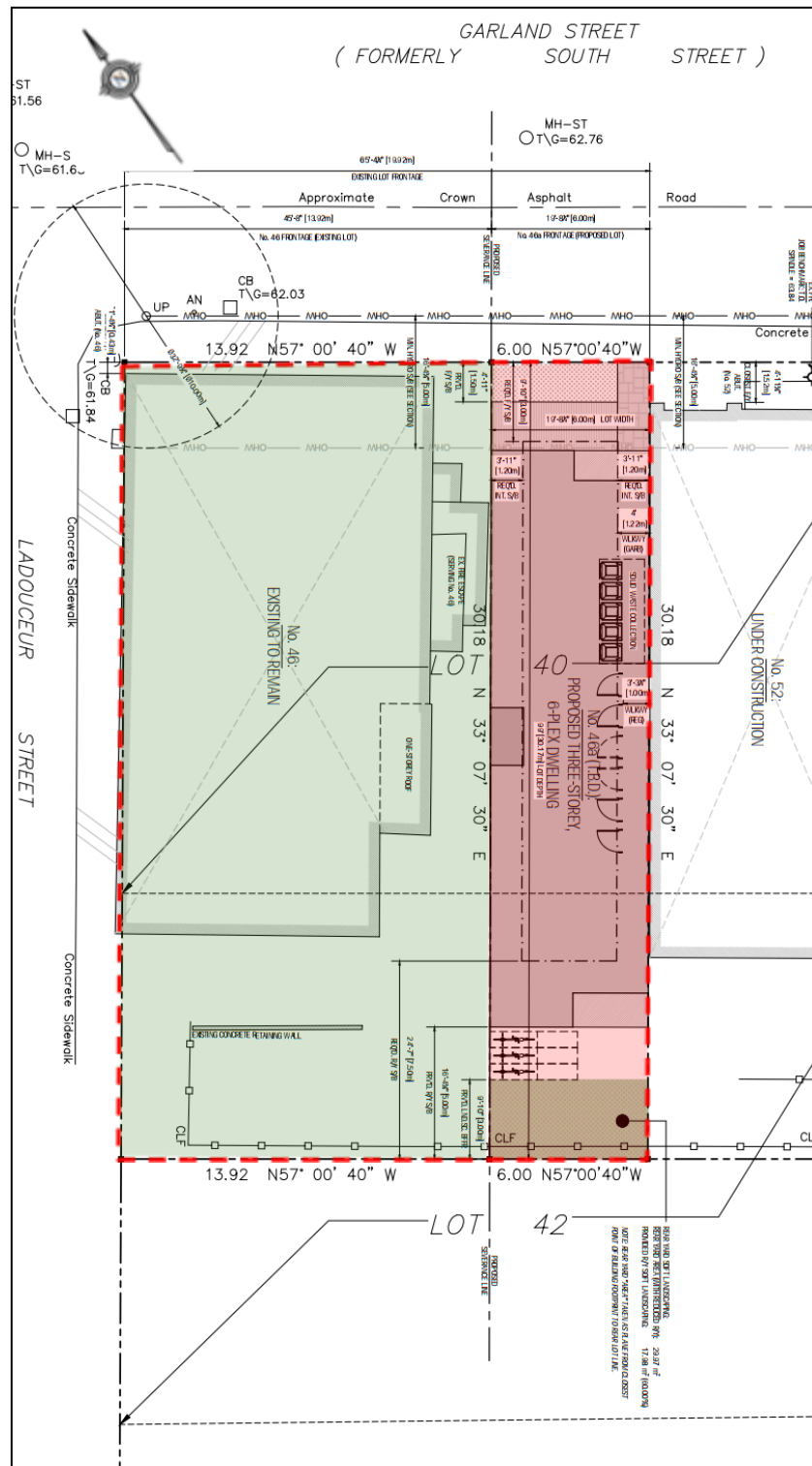


Fig.5. Schedule B2- Inner Urban Transect, City of Ottawa Official Plan.





Minor Variance Application

- A) Minimum interior side yard setback (east). The proposed interior side yard setback abutting lot 52 Garland is 0 m, whereas the minimum interior side yard setback for residential use building required by the Zoning By-Law is 1.2 m (Table 189, (d), (ii), Zoning By-Law 2008-250, as amended).
- B) Minimum interior side yard setback (west). The proposed interior side yard setback abutting the retained lot is 0 m, whereas the minimum interior side yard setback for residential use building required by the Zoning By-Law is 1.2 m (Table 189, (d), (ii), Zoning By-Law 2008-250, as amended).
- C) Minimum rear yard setback. The proposed rear yard setback of the severed lot is 5 m, whereas the minimum rear yard setback for residential use building required by the Zoning By-Law is 7.5 m (Table 189, (e), (iii), Zoning By-Law 2008-250, as amended).
- D) Landscape buffer. The proposed width of a landscape buffer abutting a street is 1.5 m, whereas the minimum width of a landscape buffer required by the Zoning By-Law is 3 m. (Table 189, (h), (i), Zoning By-Law 2008-250, as amended).
- E) Front yard setback. The proposed front yard setback is 1.5 m, whereas the required front yard setback required by the Zoning By-Law is 3 m. (Table 189, (c), Zoning By-Law 2008-250, as amended).

The zoning relief proposed in this application relates only to the lot side yard setbacks, rear yard setback, the landscape buffer zone, and front yard setback of the severed lot. All other zoning provisions are met by this proposal including the building height, lot width, bike parking, and waste management.

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

1. The variances are minor in nature.

The requested variances are minor in nature as they do not create any adverse impacts on the surrounding area, nor do they compromise the functionality of the proposed development.

Variances A and B request a reduction in interior side yard setback from the required 1.2 m to 0 m. Despite the reduction in the side yard setback, the proposed lots are in accordance with the majority of the other zoning performance standards, including lot area, lot width, building height, bike parking provisions, as well as waste management. Furthermore, the proposed lot sizes are in keeping with the existing urban fabric and side yard setback patterns of the area. Several of the properties in the surrounding

Subject property:

- Retained lot
- Severed lot
- Properties with 0m or less than required Min. side yard setback

Variance C requests a reduction in the rear yard setback of the severed lot from the required 7.5 meters to 5 meters. The subject property is located in a neighbourhood with varying lot areas, lot depths, and front yard setbacks, which has resulted in diverse rear yard setbacks throughout the area. Additionally, several nearby properties, such as 40, 42, and 44 Garland, have rear yards measuring approximately 1 m, 3 m, and 4.3 m, respectively— all of which are below the required rear yard setbacks for their respective zoning designations. This establishes a clear precedent, demonstrating that the proposed rear yard setback is consistent with existing conditions in the area. The

reduction would not negatively impact neighbouring properties and remains in harmony with the overall character of the neighbourhood.

Variance D relates to a reduction in the landscape buffer from the required 3 m to 1.5 m. This reduction is applied to the front yard of the building. This variance is considered minor in nature given the compact, urban character of the surrounding area, where buildings have reduced building setbacks with little to no landscape buffering. The subject property is located in a dense, walkable neighborhood where such conditions are common and function well without creating adverse impacts. The required 3 m landscape buffer is met along the rear lot line abutting a residential zone.

Variance E relates to a reduction to the front yard setback from 3 m to 1.5 m. This reduction only applies to the floor level closest to grade. Above this level, the building steps back 1.82 m to create an 8 m² terrace. This building design is intended to create a consistent street wall with the new development at 52 Garland - which is proposed with a 1.52 m front yard setback - and to be closer to the existing front yard setback of the building at 46 Garland - which is approximately 0.54 m. The reduction creates the opportunity to align the proposed building with the abutting developments to the east and west which is more in line with City of Ottawa urban design planning policies compared to developing variable setbacks in the urban area.

2. Desirable and appropriate for the development or use of land and building.

The proposed development represents an appropriate and desirable use of the land, aligning with the established built character, lot fabric, and architectural identity of the area. The neighbourhood primarily consists of residential buildings, with some mixed-use properties, most of which were constructed before 1958. The majority of buildings are two-story dwellings featuring small front yards, stairway entrances, and driveway parking. While pitched roofs are predominant, some structures also have flat roofs. The facades display a variety of materials and colors, including concrete, vinyl siding, brick, and stone, contributing to the area's diverse architectural character. The proposed elevations use a combination of siding materials as well as feature a flat roof, balcony and terrace projections, and large windows.

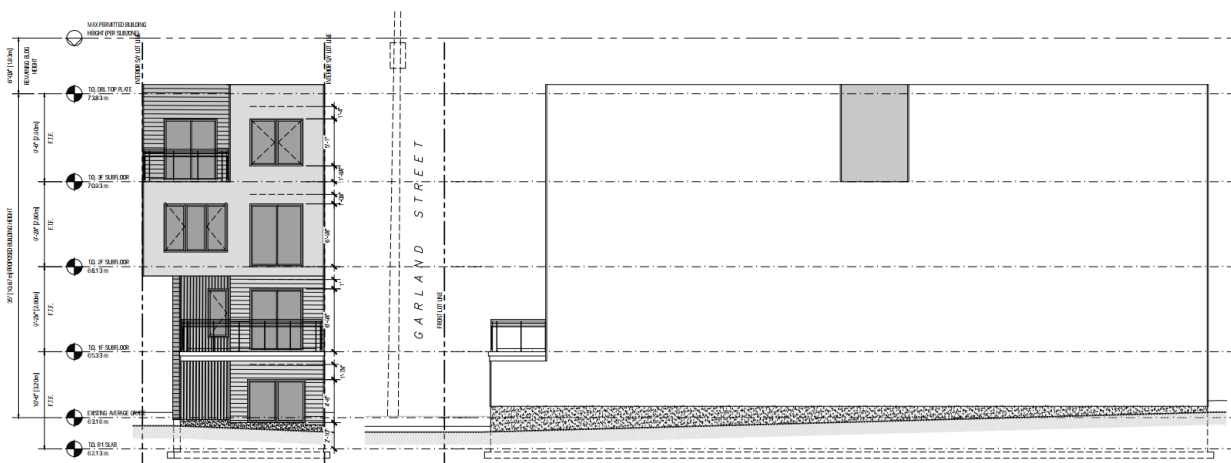


Fig.9. Front and right elevations completed by P-Squared Concepts Inc.

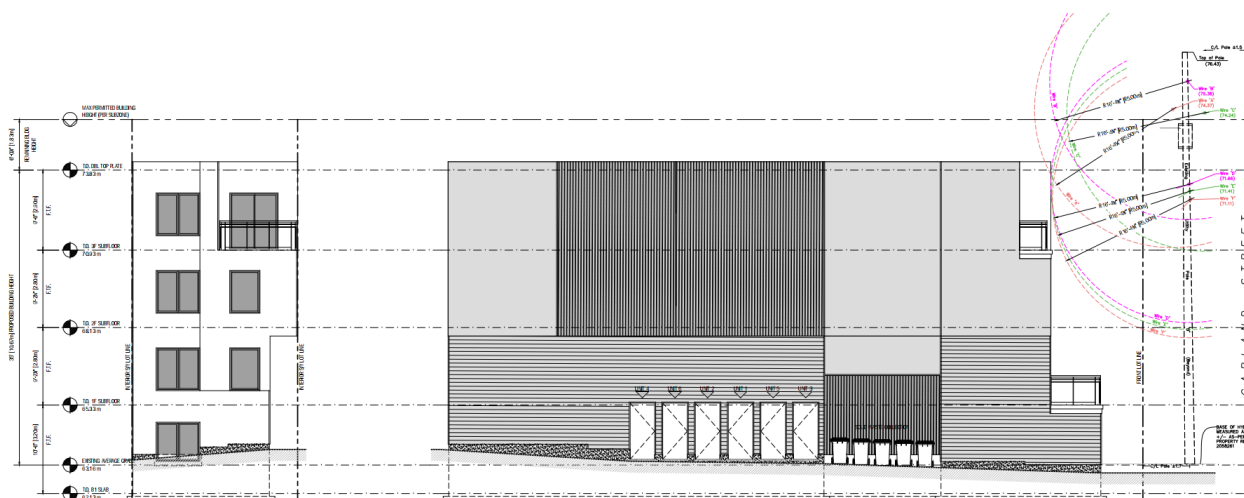


Fig.10. Rear and left elevations completed by P-Squared Concepts Inc.

The subject property is a low-rise, multi-unit residential development located within area A on Schedule 342. As such, this proposal is subject to the design guidelines listed in the Urban Design Guidelines for Low-rise Infill Housing (2023). The following section features excerpts from this guideline document and *response*.

1.1 Ground floor

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

Response: The proposed dwelling units are designed to ensure a safe, accessible, and visually engaging streetscape. While the primary entrances are located along the side yard, the building layout maintains a strong connection to the street through

architectural elements such as recessed, projections, variety of materials, and windows at grade.

1.7 Side yards

- Consider building heights and the location of windows to determine appropriate side and rear separation distances between existing homes and new infill housing to ensure access to natural light, views, and reasonable privacy from over-look.

Response: The proposed design carefully balances access to natural light and privacy for both the new development and adjacent properties. The rear facade features windows that provide direct daylight access, while the side facade incorporates recessed glazing within a cubic setback to provide natural light to interior bedrooms that do not have access to the front or rear facades. This design solution ensures that habitable rooms within the proposed building receive adequate daylight while maintaining compliance with building code requirements. This also ensures that the infill development respects neighbouring properties while optimizing interior lighting conditions.

1.8 Rear yards

- Maintain rear yard amenity space that is generally consistent with the pattern of the neighbouring buildings in the neighbourhood. Avoid breaking an existing neighbourhood pattern of rear yards by reducing required rear yard setbacks. It is important to note that in an Evolving Overlay designation the prescribed rear yard setback may not be consistent with the neighbourhood.

Response: The proposed development respects the existing pattern of rear yard setbacks in the neighbourhood while making efficient use of urban land. While the required rear yard setback is 7.5 m, the proposed 5 m setback aligns with the established rear yard depths of surrounding properties, such as property 40, 42, and 44 Garland St., which have rear yards ranging from 1 m to 4.3 m. This demonstrates a precedent for compact rear yards in the area. Additionally, the proposed development reflects the intent of Evolving Overlay by maintaining functional and usable rear yard space while contributing to the intensification goals of the area. The design ensures that adequate outdoor space remains available for future residents without negatively impacting adjacent properties or disrupting the established rhythm of rear yards in the neighbourhood. The minimum required bike parking and soft landscaping is still met in the rear yard.

2.2 Building massing and scale

- The massing and scale of infill buildings should consider the surrounding neighbourhood in terms of building setbacks, building width and length, and the relationship between buildings and the public realm. New infill housing should utilise architectural treatment and articulation to replicate the predominant scale and built form of the surrounding neighbourhood.

Response: The proposed building massing is typical compared to the neighbourhood context. Several lots on Garland St, Ladouceur St and Armstrong St have similar lot

area, and lot width and depth as the proposed building. The architectural treatment of the facades will integrate various materials, terraces, large windows, and a walkway.

2.27 Rear yards

- Avoid projecting balconies when the provided rear yard setback is proposed to be less than the required minimum. All balconies should provide screening measures to the side yard when closer than 3m to the neighbouring properties.

Response: The proposed balconies are thoughtfully integrated into the building design to ensure privacy and minimize any potential impacts on neighbouring properties. All balconies are located along the front and rear facades but do not project into the rear yard, instead they are recessed into the building area maintaining a compact building footprint and respecting the rear setback.

2.9 Street facing

- Locate at least one primary entrance facing the street. This can be to a shared entrance or a grade related unit.

Response: While the primary entrances to the proposed dwelling units are located along the side yard, the design maintains a strong connection to the street through a visually prominent facade using large windows and various surface treatments.

3. The variances maintain the intent of the Official Plan.

City of Ottawa Official Plan

The subject property is located within the Inner Urban transect designated as a Neighbourhood - Evolving Overlay. It is approximately 170 m from Scott St and 130 m from Wellington St. W, which are designated as Mainstreet Corridors, and about 950 m from Parkdale Ave. which is designated as a minor Corridor.

The following section features excerpts from the City of Ottawa Official Plan and responses.

2.2.1 Intensification and Diversifying Housing options

- Policy 1 - Direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods

Response: The proposed development represents residential growth as it proposes six (6) dwelling units in an area where previously there was no development. The site is located in the urban area, is serviced municipally, and is in close proximity to a variety of daily and weekly amenities including:

- Dollarama – 400 m (6-minute walk)
- Hintonburg Community Centre – 400 m (6-minute walk)
- Tom Brown Arena – 210 m (3-minute walk)
- Protection of the Holy Virgin Memorial Church – 650 m (9-minute walk)
- Additional amenities within walking distance include parks, banks, convenience stores, clinics, gyms, and restaurants.

The site is located within the Inner Urban transect and is accessed via public transportation which is in close proximity to the subject property (O-train Stations: Bayview: 650 m and Tunney's Pasture Station: 1 km, and two main transit corridors: Scott St, Somerset St: less than 200m away).

2.2.4 Healthy and Inclusive Communities

- Policy 1 - Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities.

Response: The site is located within the Hintonburg Community, which is a stable, low-rise area with predominantly residential uses. Community centres, parks, grocery stores, schools, and several other activities are all located within walking distance of the subject property. The expectation for this development is that the property owners will use alternative modes of transportation such as public transit, walking, cycling, and ride-sharing as no vehicular parking is proposed on site.

Table 3b - Minimum Proportion of Large-household Dwellings within Intensification

Neighbourhood and Minor Corridor Residential Density and Large Dwelling Targets		
Applicable Area	Target Residential Density Range for Intensification, Dwellings per Net Hectare ¹	Minimum Proportion of Large-household Dwellings within Intensification
Inner Urban Transect	60 to 80	<p>Within the Neighbourhood designation: Existing lots with a frontage approximately 15 metres or wider: - Target of 50 per cent for Low-rise buildings; - Target of 5 per cent for Mid-rise or taller buildings;</p> <p>Minor Corridors: No minimum</p>

Response: While this development does not feature a lot width of 15 m or larger, it does feature ⅓ of its units as large-household units. Two out of the proposed 6 units feature 3 bedrooms which will help provide more housing options for families and groups in the Inner Urban transect.

4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city

- 1) A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by: a) Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology; b) Promoting

diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;

Response: The proposed three-storey stacked dwelling enhances housing diversity by introducing a context-sensitive, low-rise residential development that integrates seamlessly into the existing neighbourhood fabric. The design respects the surrounding built form while contributing to gentle intensification through the creation of six (6) dwelling units. Importantly, the application does not seek variances related to building height, ensuring that the development maintains the intended low-rise character of the area. The building variances requested relate to side, rear, and front yard setbacks, which remain consistent with established patterns in the neighbourhood and do not disrupt the existing streetscape. By severing the lot, the proposed development makes efficient use of underutilized urban land while enhancing housing supply in a way that is compatible with the surrounding residential context. Additionally, the inclusion of six (6) residential units with varied layouts supports a mix of unit sizes, offering greater flexibility in housing options for a range of residents.

4.6.5 Ensure effective site planning that supports the objectives of Corridors, Hubs, Neighbourhoods and the character of our villages and rural landscapes

- 1) Development throughout the City shall demonstrate that the intent of applicable Council-approved plans and design guidelines are met.
- 3) Development shall minimise conflict between vehicles and pedestrians and improve the attractiveness of the public realm by internalising all servicing, loading areas, mechanical equipment and utilities into the design of the building, and by accommodating space on the site for trees, where possible. Shared service areas, and accesses should be used to limit interruptions along sidewalks. Where underground parking is not viable, surface parking must be visually screened from the public realm.

Response: As per pages 11-14, the council-approved Urban Design Guidelines for Low-Rise Infill Housing have been met by this proposal. This proposal also meets the intent of the Scott St Secondary Plan. As the project does not include any on-site parking, it eliminates potential vehicular interruptions along sidewalks and driveways, thereby prioritizing pedestrian safety and walkability. The site's proximity to public transit, including Bayview O-Train Station (650 m) and Tunney's Pasture Station (1 km), further reinforces its suitability for a parking-free development, promoting active transportation and reducing dependence on private vehicles.

4.6.6 Enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all

- 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.

Response: The proposed low-rise stacked dwelling responds to the context of the Hintonburg neighbourhood. It also reflects the typical characteristics of the Inner Urban

transect. The development integrates seamlessly with the surrounding built form by maintaining a pedestrian-friendly streetscape, incorporating at-grade entrances, and respecting the prevailing low-rise character of the area. Additionally, the design ensures architectural integration with the neighbourhood through appropriate massing, facade articulation, and material selection, complementing the existing urban fabric. The absence of surface parking further enhances the public realm, allowing for soft landscaping opportunities where feasible.

5.2.1 Enhance or establish an urban pattern of built form, site design and mix of uses

- 1) The Inner Urban Transect's built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban.

URBAN	SUBURBAN
Shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationship with the public realm	Moderate front yard setbacks focused on soft landscaping and separation from the right-of-way
Principal entrances at grade with direct relationship to public realm	Principal entrances oriented to the public realm but set back from the street
Range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios	Larger lots, and lower lot coverage and floor area ratios
Minimum of two functional storeys	Variety of building forms including single storey
Buildings attached or with minimal functional side yard setbacks	Generous spacing between buildings
Small areas of formal landscape that should include space for soft landscape, trees and hard surfacing	Informal and natural landscape that often includes grassed areas

General Characteristics of Urban Built Form and Suburban Built Form and Site Design, Table 6, Official Plan

Response: The proposed development aligns with the intended urban pattern of the Inner Urban Transect by incorporating a compact, low-rise built form with minimal functional side yard setbacks, as described in Table 6 of the Official Plan. The requested side yard setback variances are consistent with the prevailing lot fabric in the neighbourhood, where reduced setbacks are common. This ensures that the development integrates seamlessly with adjacent properties, contributing to the continuous urban frontage that defines the character of the Inner Urban Transect.

5.2.2 Prioritize walking, cycling and transit within, and to and from, the Inner Urban Transect

- 3) 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.

Response: As the policy states, motor vehicle parking is not a requirement for small-scale developments like this project by not including on-site parking, thereby encouraging walking, cycling, and transit use. Given the site's proximity to public transit (including Bayview O-Train Station (650 m) and Tunney's Pasture Station (1 km)), future residents will have convenient access to frequent and reliable transit options, reducing dependence on private vehicles.

5.2.4 Provide direction to the Neighbourhoods located within the Inner Urban Transect

- 1) 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. 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.
 - 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.

Response: The proposed development supports residential growth within the Inner Urban Transect by introducing six (6) new dwelling units in a low-rise, three-storey stacked building. The proposal adheres to the intended height framework, providing a three-storey building that fits within the permitted range for low-rise development.

5.6.1.1 Provide built form direction for the urban area where intensification is anticipated to occur

- 1) The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:
 - a) Guidance for a gradual change in character based on proximity to Hubs and Corridors,
 - b) Allowance for new building forms and typologies, such as missing middle housing;

Response: The proposed development aligns with the intent of the Evolving Overlay by contributing to the gradual transition toward a more urban, compact built form. The

introduction of a low-rise, multi-unit residential building supports the area's ongoing evolution while respecting existing neighbourhood patterns.

11.5 Provide direction to Committee of Adjustment processes

- 4) In support of Subsection 5.2.4, Policy 1 b) and c) and Subsection 5.3.4, Policy 1 b) and c), the Committee of Adjustment shall consider for applications for Consent with lot patterns and dimensions that result in intensification in support of ground oriented medium density residential that is consistent with the planned context.

Response: The proposed consent to sever at 46 Garland St supports the creation of a new lot for ground-oriented residential uses, consistent with the character and lot fabric of the Inner Urban Transect and the Hintonburg neighbourhood. The severed lot accommodates a three-storey, six-unit low-rise stacked dwelling, which represents a gentle intensification appropriate to the site's location and planned context. The new lot dimensions are functional, respect surrounding development patterns, and contribute meaningfully to the City's housing supply targets without disrupting the scale or rhythm of the street.

- 9) The Committee of Adjustment shall, in addition to all other policies in this Plan, have regard for the following when evaluating minor variances to permit low-rise infill apartment dwellings:
 - c) Variances to reduce the minimum required side yard:
 - i) May only be considered where alternate measures to ensure adequate access for waste management and bicycle parking are provided; and
 - ii) May reduce side yards to zero to enable attached building designs, where the written consent of the abutting lot owner is secured.

Response: The requested side yard variances (0 m on both sides) are supported by functional site design solutions that ensure adequate access for bicycle parking and waste management. The eastern side yard abuts a mixed-use building at 52 Garland, which is constructed to the property line, allowing for a compatible attached condition. Consent from the owner of 52 Garland has been provided. The design addresses the constraints of the lot while maintaining operational functionality, consistent with the policy direction for infill dwellings.

Scott Street Secondary Plan

4.5 Low-Rise Neighbourhood Designation

- Location and Heights
 - 34) The maximum permitted building height in Mechanicsville is four storeys, in north Hintonburg three storeys and in Wellington Village three storeys.
 - 35) The Neighbourhood Lines follow the existing lot fabric. Any future lot consolidation or subdivision of land will not change the location of the Neighbourhood Lines.

Response: The proposed three-storey development aligns with the maximum permitted building height for north Hintonburg, ensuring compatibility with the area's low-rise character. The project also respects the existing lot fabric, as the severance follows the

established Neighbourhood Lines, maintaining the intended urban structure while supporting gentle intensification.

4. The variances maintain the intent of the Zoning By-Law.

The purpose of the LC – Local Commercial Zone is to:

- (1) allow a variety of small, locally-oriented convenience and service uses as well as **residential uses** in the General Urban Areas and in the Residential Character Areas of the Central Area designations of the Official Plan;
- (2) restrict the non-residential uses to individual occupancies or in groupings as part of a small plaza that would meet the needs of the surrounding residential areas;
- (3) provide an opportunity to accommodate residential or mixed uses development; and
- (4) impose development standards that will ensure that the **size and scale of development are consistent with that of the surrounding residential area.**

The intent of interior side yard setbacks is to provide adequate separation between buildings for access, maintenance, and light penetration, as well as to maintain a reasonable sense of openness between structures. In this case, the requested interior side yard setbacks do not compromise these objectives. The severed lot abuts a mixed-use building to the east, where side yard setbacks are not required. The eastern side of the subject property features a 1 m setback at grade (the interior side yard setback of 1 m at grade, reducing to 0 m for the stories above) which remains functionally sufficient for access and separation while being consistent with similar properties in the area. Additionally, many properties in the immediate vicinity have reduced or 0 m side yard setbacks, particularly within R4UB and R4UD zones, which allow for compact, urban-scale residential developments. The 1 m setback provides sufficient width for a walkway to access the rear yard as per Ontario Building Code requirements. The waste management pathway width of 1.2 m is provided where required. As such, the requested variances support an urban form that is consistent with the surrounding built environment.

The intent of the rear yard setback is to ensure adequate private outdoor space, provide light and air circulation, and maintain privacy for adjacent properties. The proposed rear yard setback of 5 m—where 7.5 m is required—remains in alignment with the existing conditions in the neighbourhood, where many properties have similarly reduced rear yards. Nearby properties, such as 40, 42, and 44 Garland St., feature rear yards as small as 1 m to 4.3 m, demonstrating an established precedent for compact rear yard conditions. Moreover, the proposal ensures that the rear yard remains functional and usable for future residents, without creating adverse impacts on neighbouring properties. All required bike parking and soft landscaping is provided in the rear yard. The surrounding area features a mix of lot depths and setbacks, and the proposed development remains compatible with this pattern while making efficient use of urban land.

The intent of the landscape buffer requirement is to provide a visual and spatial buffer between the building and the street while contributing to overall site aesthetics. In this case, the proposed 1.5 m buffer reflects the tight urban context of the site, where many lots abut directly without landscaped separation. The site design continues to ensure compatibility with the adjacent residential property through appropriate massing and setbacks, and the lack of a physical buffer does not result in adverse visual or functional impacts.

The intent of the front yard setback is to create an adequate buffer between the public realm and the proposed development. The front yard setbacks in the inner urban area are intended to be consistent with abutting properties to create a cohesive urban built fabric. This is supported by the residential front and corner side yard setback averaging provision in Section 144 of the Zoning By-Law. If this development was zoned R1-R4, it would be permitted to use the averaging provision of Zoning By-Law Section 144 which would permit a front yard setback of 1.5 m as of right. The proposed development meets the intent of the front yard setback requirement as it is creating a consistent building wall along an urban streetscape and would be representative of a typical residential front yard setback if the lot was zoned R1-R4.

The proposed variances maintain the intent of the Zoning By-law 2008-250 by ensuring that the development remains in scale with the surrounding neighbourhood, upholds the objectives of the LC1 zone, and contributes to the area's existing urban fabric. The requested relief for interior, rear yard, and front yard setbacks reflects established patterns in the area and does not create any undue impacts on neighbouring properties. As such, the variances support a logical and contextually appropriate development that aligns with the broader planning framework.

Consent to Sever Application

Section 53 (1) of the Planning Act indicates that ' an owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorised 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).

Section 51 (24) of the Planning Act states that in considering the draft of a subdivision, the following factors will be considered:

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2; i.e the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems (f), the orderly development of safe and healthy communities (h), the appropriate location of growth and development (p), the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians (q);

Response: The proposed development will have adequate sewage, water, and waste management services being in the urban area. The existing building at 46 Garland is fully serviced and the site was originally designed to accommodate 31 residential units on the available services. It will have sufficient transportation options as two main transit corridors (Scott St, Somerset St) are less than 200m away that contain multiple bus routes and it is less than 600m walking distance away from the Line 2 Bayview Station. This severance represents the logical next step for development at this property since that portion of the property is under-utilised as an informal parking lot. It is the appropriate location for growth and development as the property to the east is redeveloping to a more compact land use as well. The proposed development will not include provisions for vehicular parking, but will include bicycle parking and proximity to public transit and daily amenities.

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

Response: The subdivision of this land is not premature as there are adequate provisions for transport and servicing. No new road construction or servicing upgrades are needed.

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

Response: The subdivision of this land conforms to the Official Plan. For example, policy 2.2 for intensification and healthy and inclusive communities, 4.2.1 for housing flexibility and diversity, 4.6 for urban design, 5.2 for Inner Urban transect design criteria, 5.6.1.1 for properties within the Evolving Overlay, and 11.5 for the Committee of Adjustment process. Additionally, the proposal complies with the Low-Rise Neighbourhood designation policies in Section 4.5 of the Scott St Secondary Plan.

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

Response: The land is zoned LC1 [2256] which permits residential developments on lots with no minimum width or area.

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

Response: No affordable units are proposed.

(i) the adequacy of utilities and municipal services;

Response: As previously mentioned, the existing building on the current lot is adequately serviced and GeoOttawa indicates water, sanitary, and storm services along both Garland and Ladouceur.

(j) the adequacy of school sites;

Response: Devonshire Community Public School (400m), St. Francis of Assisie Catholic Elementary School (450m), Connaught Public School (650m), Heritage Academy (1km), Adult High School (1km), St. Anthony School (1.25km).

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

Response: There is no land to be conveyed or dedicated.

(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).

Response: The proposal does not trigger Site Plan Control

This application proposes to take one existing lot and divide it into two parcels of land in order to permit the construction of a new stacked dwelling. There is no need for any new road construction, there is no requirement to set aside a portion of the lands for protected lands, and there is no need for a servicing extension or upgrade. A Plan of Subdivision of these lands rather than a Consent application is not an efficient way to develop these lands. A Consent application is an appropriate course of action for a development such as 46 Garland.

We request the Committee of Adjustment authorise the requested variances in accordance with the plans filed as they relate to the variances being requested.

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

- Completed Minor Variance application form;
- Completed Consent to Sever application form;
- Property owner's authorization for submission of the applications;
- Parcel abstract page (PIN);
- Consent from the land owner of 52 Garland;
- A Tree Information Report stating there are no affected trees;
- Application fees;
- Draft reference plan;
- Survey Plan;
- Architectural Site Plan and elevations.

Should you have any questions or require anything further, please do not hesitate to contact the undersigned at (613) 695 0192 or via email at planning@p2concepts.ca.

P-Squared Concepts Inc.



Jasmine Paoloni, Planner
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