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November 17, 2025

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

Committee of Adjustment

Received | Reçu le

2025-11-24

City of Ottawa | Ville d'Ottawa

Comité de dérogation

**RE: Recirculation of Consent / Severance Application and Minor Variance Applications
1301 Heron Rd, Ottawa, ON K1V 6A7**

Dear Committee Members,

Bing Professional Engineering Inc. (BPEI) has been retained by the property Owner of 1301 Heron Road, to prepare and submit Consent / Severance Application and Minor Variance Applications to the Committee of Adjustment. The intent of the applications is to sever the subject land to two (2) parcels to build a new detached dwelling house on each new parcel with two (2) additional dwelling units with each principal dwelling unit.

Our COA hearing on June 3, 2025 was adjourned sine-die, as a new condition of 44.5m ROW protection zone for future was discovered at the final city review. To respect this new condition, a strip land parts at the front property ranging from about 8.7m to 8.1m deep is to be conveyed to City. Therefore, site plan and other application documents have been revised. Two additional minor variances are added in our application as bold highlighted below, as a result of the relocation of the proposed buildings toward the rear lot line to clear off the ROW protection zone.

The minor variances to apply are listed as follows:

Parcel 1301A:

- to reduce minimum (min.) lot area from 450 m² to 429.1 m²;
- to reduce min. lot width from 15 m to 11.38 m;
- to reduce min. setback of rooftop access to building's rear exterior wall to be 0 m from a distance equal to the height of the rooftop access;
- **to reduce min. rear yard setback from 11.327m to 9.6m.**

Parcel 1301B:

- to reduce minimum (min.) lot area from 450 m² to 365.9 m²;
- to reduce min. lot width from 15 m to 11.40 m;
- to reduce min. setback of rooftop access to building's rear exterior wall to be 0 m from a distance equal to the height of the rooftop access;
- **to reduce min. rear yard area from 25% of lot area to 24.3%;**
- **to reduce min. rear yard setback from 8.923m to 5.914m.**



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The following documents are revised if applicable and provided in support of the recirculation of these applications:

- Cover Letter / Planning Rationale;
- One (1) Consent / Severance Application form (Primary);
- One (1) Consent / Severance Application form (Secondary);
- Two (2) Minor Variance Application forms;
- Parcel Abstract;
- Tree Information Report (TIR) – 1 copy;
- Draft Reference Plan – 1 full-size copy and 1 reduced copy;
- Survey Plan - 1 full-size copy and 1 reduced copy;
- Site Plan - 1 full-size copy and 1 reduced copy;
- Elevation Drawings - 1 full-size copy.

It was confirmed by the Planner Nivethini Jekku Einkaran on June 12, 2025 that a recirculation fee is waived for our applications.

We trust that the enclosed documents are satisfactory for our applications. Please do not hesitate to contact our office should you have any questions.

Thank you for your consideration.

Yours sincerely,

11-17-2025

Changhong (Chang) Sun, OAA, LEED AP ® BD+C
Architect



1.0 SITE DESCRIPTION

The subject property is located at 1301 Heron Rd, east of Bank St, fronting Heron Rd. and in Alta Vista neighbourhood and Ward 18, the city of Ottawa. Along Heron Rd. close to the subject property, there is a mix of residential properties consisting of detached dwellings, duplexes and high-rise apartments, and well served by a plenty of retails, grocery stores, auto dealers, restaurants, personal professional services, and Parkland. It is approximately 400m walking distance to Bank St., close to General Hospital, Train Station and public transits. Private Schools and public schools are in close proximity to the subject property. Fig. 1.

The site has a lot area of approximately 795 m² (0.20 acre), a depth of 34.823 m (114.3 ft), and a frontage of 22.86 m (75 ft) along Heron Rd. Currently, a single-storey detached house is situated on site, fully serviced by municipal water, sanitary sewer and stormwater sewer.

Under Ottawa Zoning By-law 2008-250, the lot is zoned under R1O (Residential First Density Zone, Subzone R), Infill Development, and Low-rise Residential Development within the Greenbelt. It is within the Outer Urban Transect (Schedule A), Fig. 2 and within Evolving Neighbourhood Overlay (Schedule B3), Fig. 3, in the City of Ottawa Official Plan. It is at the immediate east of Bank St. Mainstreet Corridor and along Heron Rd Minor Corridor.

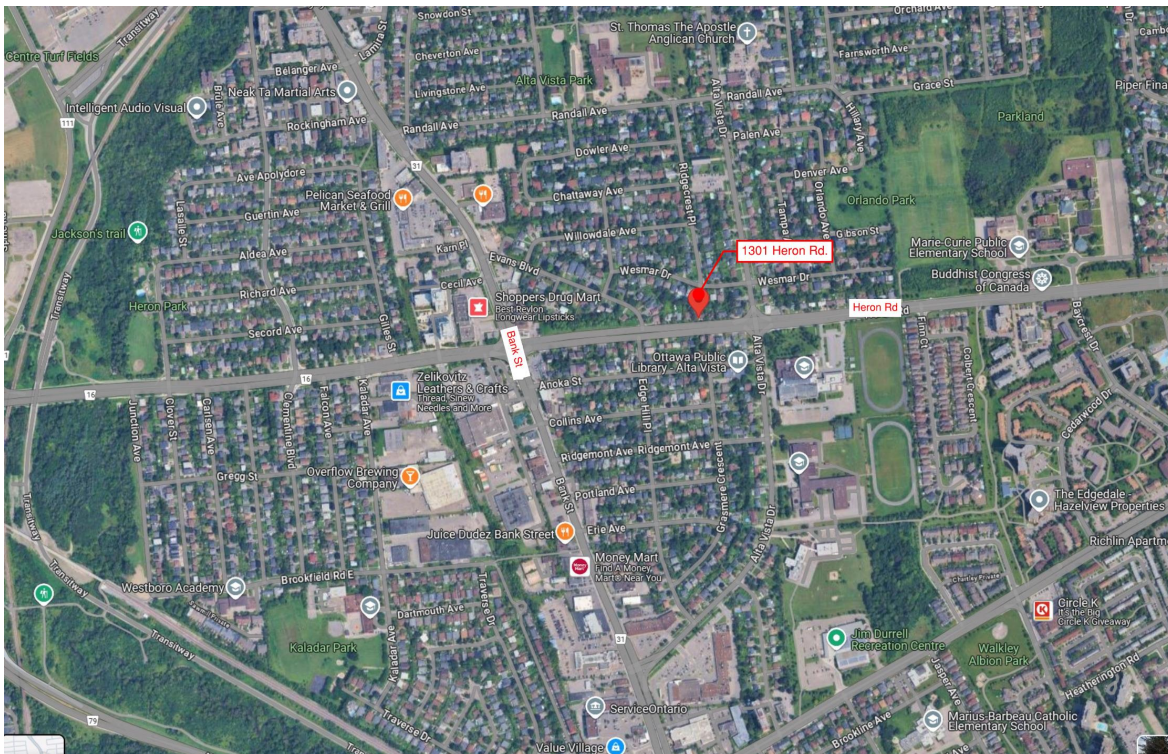


Figure 1: subject land on vicinity map

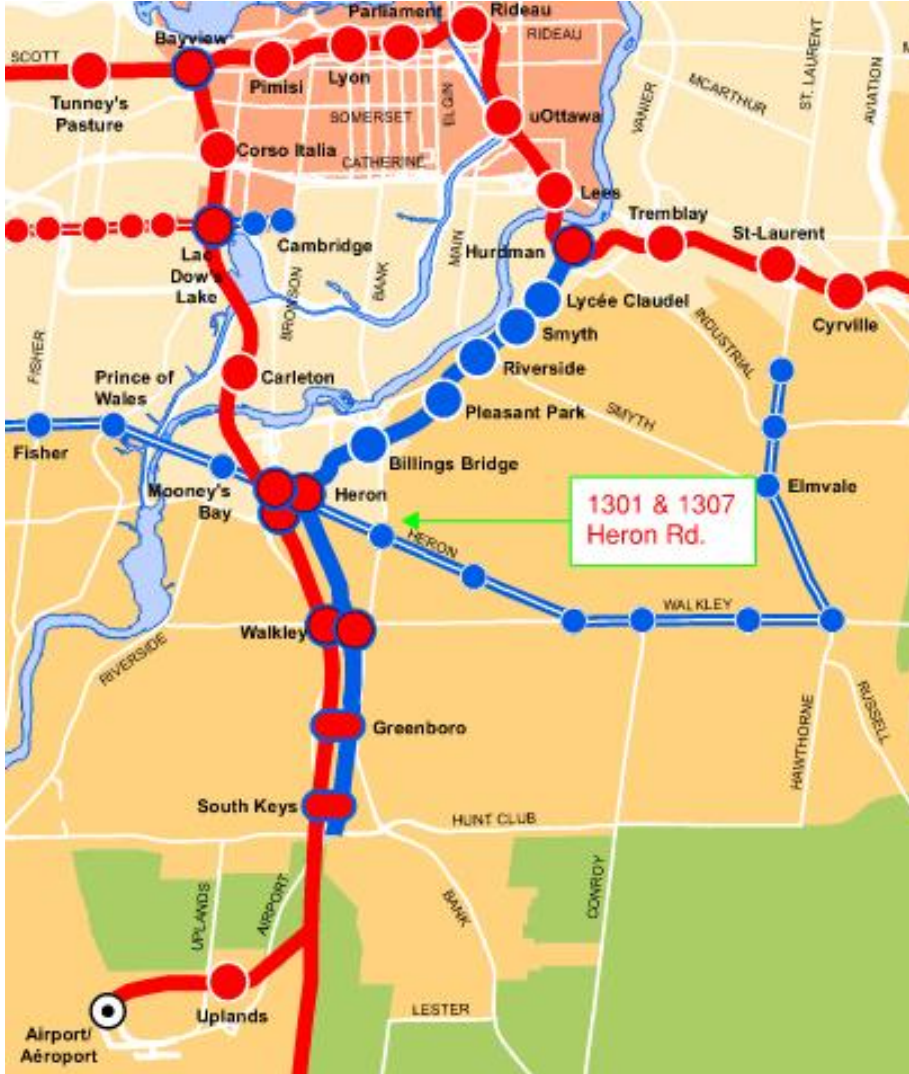


Figure 2: subject land in Official Plan / Schedule A - Transect Policy Areas

**TRANSECT POLICY AREAS /
 SECTEURS STRATÉGIQUES DU TRANSECT**

- Downtown Core / Centre-ville
- Inner Urban / Urbain intérieur
- Outer Urban / Urbain extérieur
- Greenbelt / Ceinture de verdure
- Suburban / Suburbain
- Rural / Rural

TRANSIT

- O-Train and Station / O-Train et station
- Future O-Train / O-Train et station (futur)
- Transitway – grade separated / Transitway en site propre
- Transitway – at grade / Transitway – Voie à niveau
- Transfer Station / Station de correspondance
- Terminus Station / Station terminus

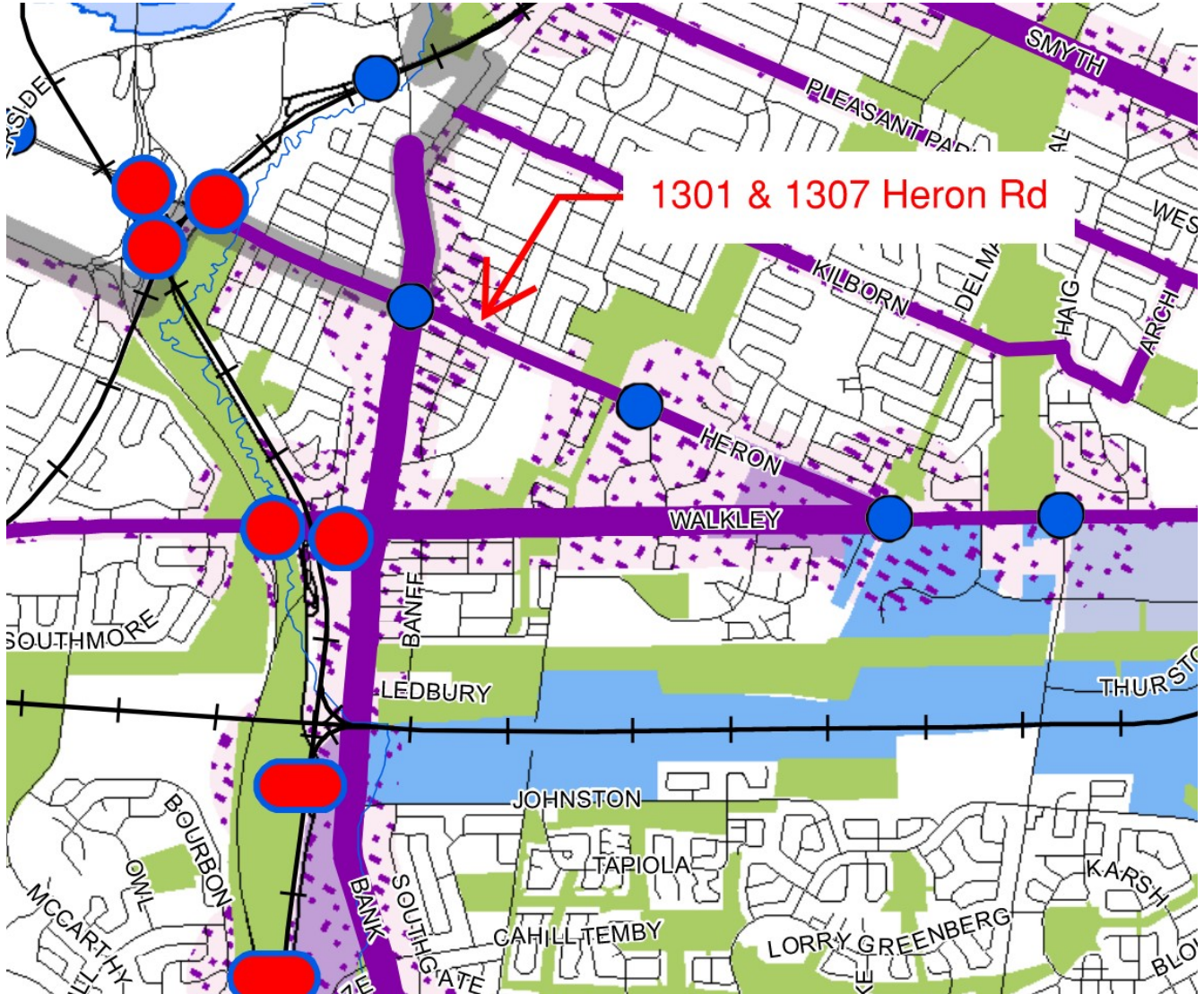


Figure 3: subject land in Official Plan / Schedule B3 - Outer Urban Transect

TRANSECT POLICY AREA / SECTEUR STRATÉGIQUE DU TRANSECT

Inner Urban / Urbain intérieur

OVERLAYS / AFFECTATION SUPPLÉMENTAIRE

Evolving Neighbourhood / Quartier en évolution

DESIGNATIONS / DÉSIGNATIONS

- Hub / Carrefour
- Corridor - Mainstreet / Couloir - Rue principale
- Corridor - Minor / Couloir - Rue principale mineure
- Mixed Industrial / Industrie Mixte
- Greenspace / Espace vert
- Neighbourhood / Quartier

SPECIAL DISTRICTS / DISTRICTS PARTICULIERS

- 1 Parliament and Confederation Boulevard / Parlement et boulevard de la Confédération
- 2 ByWard Market / Marché By
- 3 Rideau Canal / Canal Rideau
- 4 Ottawa River Islands / Îles de la rivière des Outaouais
- 5 Lansdowne
- Part of Special District within the City of Gatineau / Section du District Particulier en territoire de la Ville de Gatineau

TRANSIT

- O-Train Station / Station de l'O-Train
- Transfer Station / Station de correspondance
- Transitway Station / Station du Transitway

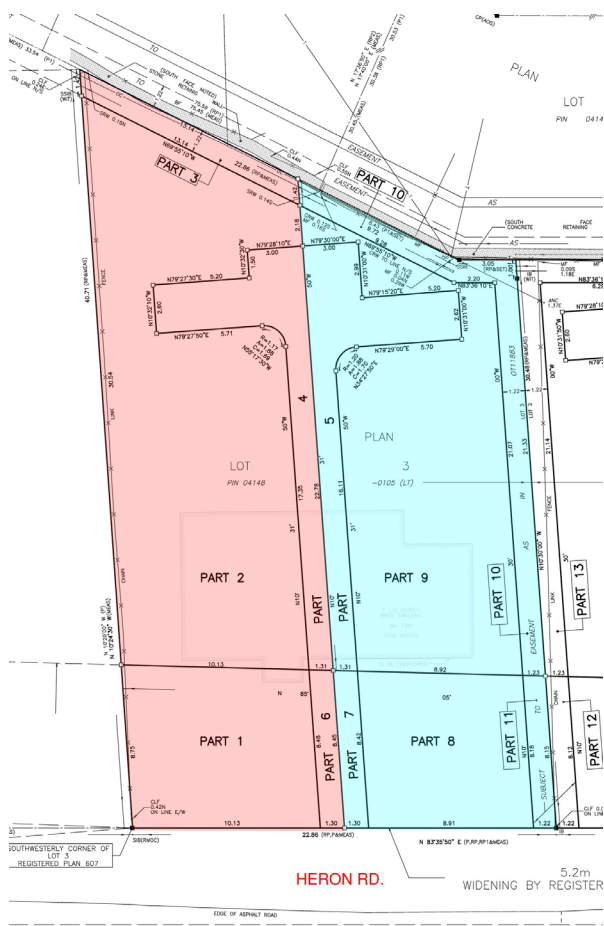
2.0 PROPOSAL

2.1 Consent to Sever

The proposed redevelopment of this urban land is to demolish the existing detached house, sever the subject property to 2 parcels, and build a new detached residential building with two additional dwelling units on each parcel. Fig. 4.

There is an existing easement registered on the existing property. Two (2) new easements are to be established with one (1) on each of the two new parcels as follows:

1. New easement over Part 4 & 6, in favor of Part 5, 7 to 11 for access and maintenance;
2. New easement over Part 5 & 7, in favor of Part 1 to 4 & 6 for access and maintenance.



SCHEDULE				
PART	LOT	PLAN	PIN	AREA [sq m.]
1				87.0
2				264.6
3				16.1
4				50.4
5				53.1
6	ALL OF 3		ALL OF 04148-0105 (LT)	11.0
7				11.0
8				73.7
9				176.7
10				41.4
11		REGISTERED PLAN 607		10.0
12				9.9
13				39.8
14				71.1
15				165.1
16	ALL OF 2		ALL OF 04148-0104 (LT)	51.3
17				52.2
18				10.2
19				10.2
20				13.9
21				193.8
22				77.7

PARTS 3, 10 TO 13 (INCLUSIVE) AND 20 ARE SUBJECT TO EASEMENT AS IN OT11883

Figure 4: highlighted severed & retained parcels on Draft Reference Plan



A site meeting was conducted among the property owner, city forestry Nancy, project arborist and architect on Feb. 24th, 2025 to discuss existing trees preservation. Agreement was reached so that site plan, basement floor plan and building elevations were revised to preserve/protect existing neighbouring trees close to left property line. Tree Information Report (TIR) is further amended as the proposed new buildings are relocated more toward rear lot line due to the ROW protection zone. Five (5) New replacement trees are to be provided as noted in Tree Information Report (TIR).

Municipal services and utilities are available under Heron Rd., including but not limited to, watermain, sanitary sewer, stormwater sewer and etc. The proposed detached dwellings are planned to fully utilize the existing infrastructure.

2.2 Minor Variances

Four (4) Minor Variances are applied for the new parcel of Part 1, 2, 3, 4 & 6 in Fig. 4:

1. To permit a reduced minimum lot area of 429.1 m², whereas the By-law requires min. 450 m²;
2. To permit a reduced min. lot width of 11.38 m, whereas the By-law requires min. 15 m;
3. To permit a reduced min. setback of rooftop access to building's rear exterior wall to be 0 m, whereas the By-law requires min. distance equal to the height of the rooftop access;
4. To permit a reduced min. rear yard setback of 9.6m, whereas the By-law requires min.11.327m.

Five (5) Minor Variances for the new parcel of Part 5 & 7 to 11 in Fig. 4:

1. To permit a reduced minimum lot area of 365.9 m², whereas the By-law requires min. 450 m²;
2. To permit a reduced min. lot width of 11.40 m, whereas the By-law requires min. 15 m;
3. To permit a reduced min. setback of rooftop access to building's rear exterior wall to be 0 m, whereas the By-law requires min. distance equal to the height of the rooftop access;
4. To permit a reduced min. rear yard area of 24.3%, whereas the By-law requires min. 25%;
5. To permit a reduced min. rear yard setback of 5.914m, whereas the By-law requires min.8.923m.



3.0 PLANNING POLICY and REGULATORY FRAMEWORK

3.1 Provincial Policy Statement

The **2024 Provincial Policy Statement (PPS)** provides policy direction on land use planning for provincial interest. The proposed severance is consistent with PPS policies that aim to promote efficient development patterns and ensure effective use of infrastructure and public service facilities.

In accordance with PPS definition and given that the subject land is inside the City of Ottawa's Urban Boundary as illustrated in Fig. 2, the subject land is considered a Settlement Area. The proposed severance, minor variances and detached dwellings with additional dwelling units promote transit-supportive development, and increase a supply and range of housing options through intensification, redevelopment and compact form.

The following policies from PPS are in support of this proposal:

Definition: **Settlement Areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets.)

Policy 2.3.1.1. *Settlement areas shall be the focus of growth and development.*

Policy 2.3.1.2. *Land use patterns within settlement areas shall be based on density and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- 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 2.3.1.4. *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*

The following policies from PPS Section 2.2 are specifically in support of residential intensification:



- 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:*
- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
 - b) permitting and facilitating:*
 - 1. all housing options required to meet the social, health, economic and well-being 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.*

The following policies from PPS Section 3.6 support intensification to optimize the use of municipal services, provided system capacity exists:

- Policy 3.6.1. Planning for sewage and water services shall:*
- a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimized of existing municipal sewage services and municipal water services...*
 - e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply;*

Policy 3.6.2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety...



Policy 3.6.7. Planning authorities may allow lot creation where there is confirmation sufficient reserve sewage system capacity and reserve water system capacity.

3.2 City of Ottawa Official Plan

The **Official Plan (OP)**, approved in November, 2022, identifies land use priorities in the City's Strategic Plan in compliance with the City's goals, objectives and policies to guide growth and manage physical change to 2046.

The City of Ottawa is projected to grow by 402,000 people from 2018 to 2046, requiring 194,800 new private households. Section 2. Strategic Directions of the OP sets up the Big Policy Move #1 to direct residential intensification and diversifying housing options within existing built-up urban area, especially towards Hubs, Corridors and surrounding Neighbourhoods, to support an evolution towards 15-minute neighbourhoods.

Section 3 of the OP outlines Growth Management Frame. The following excerpts from Section 3. are in support of this proposal:

It identifies that '... most growth will occur within the urban area of the city, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon...'

Policy Intent:

- *To provide an appropriate range and mix of housing that considers the geographic distribution of new dwelling types and/or sizes to 2046;*
- *To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;*

3.2 Support Intensification

The 2022 OP allocates 47 per cent of city-wide dwelling growth to the built-up portion of the urban area and 46 per cent of city-wide dwelling growth to the greenfield portion of the urban area. Growth within the built-up portion of the urban area represents 51 per cent of urban area growth from 2018 to 2046. Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors.



Section 4. City-Wide Policies of the OP provide supportive policies on the residential intensification and diversification as follows:

4.2 *Housing*

... As the city grows and changes with a larger population, more different types of housing will be needed. This includes housing units of different sizes and forms, some of which might not be common in Ottawa today...

... The Official Plan strives to facilitate a diversity of housing options for both private ownership and rental...

4.2.1. *Enable greater flexibility and 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:*
 - b) *Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;*
 - c) *Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;*
- 2) *The city shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:*
 - a) *Allowing housing forms which denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;*
 - b) *Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law; and*
 - c) *In appropriate locations allowing missing middle housing forms while prohibiting lower-density typologies near rapid-transit stations within the zoning By-law.*



Definition

Missing Middle Housing:

In Ottawa's context and for the purposes of this Plan, missing middle housing generally refers to low-rise, multiple unit residential development of between three and sixteen units, or more in the case of unusually large lots and for the lower-density types is typically ground oriented.

4.2.4.1) *The City recognizes that many individuals may not constitute nor form part of a household and any may rely on long-term housing other than the traditional dwelling unit. The city shall enable the provision of housing options for such individuals through the implementing Zoning By-law, as follows:*

- a) *Permitting, in any zone where residential uses are permitted, alternative, cooperative or shared accommodation housing forms serving individuals for whom an entire dwelling unit is unnecessary, unaffordable or inappropriate including:
 - i) *Rooming houses;*
 - ii) *Retirement homes;*
 - iii) *Residential care facilities;*
 - iv) *Purpose-built student housing;*
 - v) *Group homes; and*
 - vi) *Other long-term housing forms that serve the needs of individuals not forming part of a household**

The subject land is located within Outer Urban Transect in Schedule A (figure 2) and an Evolving Neighbourhood Overlay in Schedule B3 (figure 3). The following excerpts from Section 5 Transects of the OP further support the proposed severance, minor variances and detached dwellings in the Outer Urban Transect and Evolving Neighbourhood Overlay:

5.3 *Outer Urban Transect*

*Table 8: Suburban Built Form and Land-use Characteristics:
15-Minute (Beyond 2020)*

Smaller proportion of detached housing. Replaced with higher-density ground-oriented housing, with some mid- and high-rise buildings within transit hubs.

5.3.1.2) *The Outer Urban Transect is generally characterized by low-to-mid density development. Development shall be:*

- a) *Generally Mid- or High-rise along Mainstreets, except where the lot is too small to provide a suitable transition to abutting low-rise areas, in which case only low-rise development shall be permitted;*



- 5.3.1.4) *In the Outer Urban Transect, the Zoning By-law shall provide for a range of dwelling unit sizes in:
 - a) *Multi-unit dwellings in Hubs and on Corridors;**

- 5.3.2.1) *The transportation network for the Outer Urban Transect shall:
 - a) *Acknowledge the existing reality of automobile-dependent built form that characterizes the Outer Urban Transect while taking opportunities as they arise to improve the convenience and level of service for walking, cycling and public transit modes;**

- 5.3.3.3) *Along Mainstreets, permitted building heights are as follows, subject to appropriate height transitions, setbacks and angular planes:
 - b) *On sites that front on segments of streets whose right of way is narrower than 30 metres as identified in Schedule C16 for the planned street context, generally, up to 9 storeys except where a secondary plan or area-specific policy specifies different heights.**

- 5.3.4.1) *Neighbourhoods located in the Outer Urban area shall accommodate residential growth to meet the Growth Management Strategy as outlined in Section 3...:
 - a) *Allows and supports a wide variety of housing types with a focus on lower density missing-middle housing which generally reflects the existing built form context of the neighbourhood, which may include new housing types that are currently not contemplated in this plan;*
 - b) *The application, as appropriate, of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;*
 - c) *Generally provides for up to 3 storeys height permission and where appropriate 4 storeys height permission to allow for ground oriented higher-density Low-rise residential development;**

5.6 Overlays

The Evolving overlay is applied to areas in close proximity to Hubs and Corridors to signal a 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.

- 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. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. 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 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:

- b) Allowance for new building forms and typologies, such as missing middle housing;*

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

The subject land is zoned R1O (Residential First Density Zone, Subzone O). The purpose of the R1-Residential First Density Zone is to:

- (1) Restrict the building form to detached dwellings 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 detached dwelling 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 detached 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.

Under R1O, detached dwelling with additional dwelling units is permitted with compliance with applicable Zoning By-law provisions. Table 1 provides a Zoning By-law analysis for the proposed detached dwelling development in compliance with applicable Bylaw Provisions.

Table 1 – Zoning Compliance for Detached Dwelling under R1O

Zoning Provision	R1O Subzone Requirement for detached	Severed Lot Provided (1301A on Site Plan)	Retained Lot Provided (1301B on Site Plan)	Compliance
Minimum Lot Width	15 m	11.38 m	11.40 m	Minor Variance

Minimum Lot Area	450 m ²	429.1 m ²	365.9 m ²	Minor Variance
Maximum Building Height	8 m	7.59 m	7.59 m	Yes
Minimum Front Yard Setback (Sec. 144)	6 m	9.769 m	9.373 m	Yes
Minimum Corner Side Yard Setback (Sec. 144)				n/a
Minimum Interior Yard Setback	Total 3m with one yard no less than 1.2 m	1.5 m + 1.5 m	1.5 m + 1.556 m	Yes
Minimum Rear Yard Setback (30%)	11.327 m	9.6 m (25.4%)		Minor Variance
Minimum Rear Yard Setback (28%)	8.923 m		5.914 m (18.5%)	Minor Variance
Minimum Soft Landscaped Area at Front Yard	35%	86 %		Yes
			87 %	Yes
Minimum Soft Landscaped Area at Corner Side Yard				n/a
Minimum Soft Landscaped Area at Rear Yard	15%	79%		Yes
			61%	Yes
Maximum Parking Area at Rear Yard	70%	19.6%		Yes
			37 %	Yes
Minimum Rear Yard Area	25%	33.8 %		Yes
			24.3 %	Minor Variance
Minimum Parking Space	1	1	1	Yes
Maximum Driveway Width	3 m	2.6 m, shared		Yes
Minimum Setback of Rooftop Access to Exterior Wall	Height of Rooftop Access	0 m		Minor Variance

4.0 SUMMARY OF OPINION

4.1 Consent / Severance Application

It is the professional opinion of BPEI that the proposed Consent / Severance Application at 1301 Heron Rd. represents good land use planning and is appropriate for the site for the following reasons:

- The proposed Consent / Severance Application supports and is consistent with the 2024

- Provincial Policy Statement;
- The proposed Consent / Severance application conforms to the land use designations and the policies in the City of Ottawa Official Plan (2022); and
 - The proposed Consent / Severance application complies with the general intent and purpose of the City of Ottawa Zoning By-law (2008-250).

The proposed severance meets the criteria established under Subsection 51(24) of the Ontario **Planning Acts** as follows:

- a) ***The effect of development of the proposed subdivision on matters of provincial interest;***
The proposed Consent / Severance Application is consistent with the policies of the Provincial Policy Statement 2024 by redevelopment of existing Settlement Area with new residential development in close proximity to existing Mainstreet, public transit, municipal infrastructure and facilities. It will provide new and more residential types and forms that would contribute to the housing options in the neighbourhood, and allow for intensification of lands within urban area.
- b) ***Whether the proposed subdivision is premature or in the public interest;***
The proposed Consent / Severance Application is in the public interest in that it would create an additional lot for more residential development in an evolving neighborhood to accommodate the population growth. It is not premature because a new detached dwelling is proposed on each of the two new parcels, in the same format as the existing now and compatible with the existing neighbourhood..
- c) ***Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;***
The proposed Consent / Severance Application conforms to Strategic Directions of the City of Ottawa Official Plan and its policies for Outer Urban Transect and evolving neighbourhood by providing more residential units in an existing built-up area within capacities of existing municipal infrastructure and public transits. The proposed detached dwelling development with additional dwelling units will increase a diversity of housing options in the neighbourhood.
- d) ***The suitability of the land for the purposes for which it is to be subdivided;***
The current lot size of the subject property is 795 m², which is 76.6% more than the minimum lot area of 450 m² required by the current Zoning By-law. Upon the severance, the two new parcels are smaller than the 450 m², but the submitted site plan demonstrates that the new parcels can still accommodate a detach dwelling with a reasonable building footprint, and provide off-site parking and soft landscape away more than the zoning's minimum requirements.

The new detached dwellings are to be a new form, but keep the same residential topology as the existing and as in the neighbourhood. Therefore, the proposed



severance and detached dwelling development are suitable for the existing neighborhood.

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

The proposed detached dwelling development is planned to have two additional dwelling units with each principal dwelling unit. The additional dwelling units are for rental. It will provide a new house option in the existing evolving neighbourhood. It will help to increase and sustain an affordable rental supply.

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;*

No highways are proposed in the Consent to Sever Application.

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

The existing lot lines are angled which creates two irregular non-rectangle lots. As illustrated on the proposed site plan, each of the two new parcels is deep enough to situate the proposed detached dwelling at the rectangular portion of the lot. The dimensions of the new lots are sufficient for the proposed detach dwelling redevelopment.

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;*

An existing easement Inst. OT11883 is identified in the subject land to along the right and rear property lines, and will remain intact. Two new easements are to be established for a purpose of access and maintenance to in favor of each new lot reciprocally.

h) *Conservation of natural resources and flood control;*

The subject lot is not within a flood plain.

i) *The adequacy of utilities and municipal services;*

All new parcels will be fully serviced by existing utilities and municipal services.

j) *The adequacy of school sites;*

Several schools are in close proximity to the subject site, including both private school and public schools, such as St. Patrick's High School, Ridgemont High School, Charles H. Hulse Public School, Marie-Curie Public Elementary School, etc.

k) *The area of land, if any, within the proposed subdivision that, exclusive of*



highways, is to be conveyed or dedicated for public purposes;

No lands in the proposed severance are proposed to be dedicated for public purposes.

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

Existing power infrastructure is to be utilized and extended to the new parcels as energy supply.

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).

Site Plan Control approval is not required.

4.2 Minor Variance Applications

It is the professional opinion of BPEI that the proposed detached dwelling redevelopment at 1301 Heron Rd. represents good land use planning and is appropriate for the site for the following reasons:

- The proposed development is permitted in the applicable land use designation and conforms to the strategic directions and policies of the Official Plan;
- The proposed development is compatible with adjacent existing development which includes low-rise residential uses; and
- The proposed development complies with the general intent and purpose of the City of Ottawa Zoning By-law (2008-250). Three (3) minor variances are applied to each of the two new parcels, in order to facilitate the proposed detached dwelling redevelopment:

Four (4) Minor Variances are applied for the new parcel of Part 1, 2, 3, 4 & 6 in Fig. 4:

1. To permit a reduced minimum lot area of 429.1 m², whereas the By-law requires min. 450 m²;
2. To permit a reduced min. lot width of 11.38 m, whereas the By-law requires min. 15 m;
3. To permit a reduced min. setback of rooftop access to building's rear exterior wall to be 0 m, whereas the By-law requires min. distance equal to the height of the rooftop access;
4. To permit a reduced min. rear yard setback of 9.6m, whereas the By-law requires min. 11.327m.



Five (5) Minor Variances for the new parcel of Part 5 & 7 to 11 in Fig. 4:

1. To permit a reduced minimum lot area of 365.9 m², whereas the By-law requires min. 450 m²;
2. To permit a reduced min. lot width of 11.40 m, whereas the By-law requires min. 15 m;
3. To permit a reduced min. setback of rooftop access to building's rear exterior wall to be 0 m, whereas the By-law requires min. distance equal to the height of the rooftop access;
4. To permit a reduced min. rear yard area of 24.3%, whereas the By-law requires min. 25%;
5. To permit a reduced min. rear yard setback of 5.914m, whereas the By-law requires min. 8.923m.

The proposed development meets the four (4) tests under Subsection 45(1) of the Ontario Planning Acts as follows:

1. The variance is minor

Both existing lot width and lot area of 1301 Heron Rd. substantially exceed the requirements of minimum lot width and lot area under the current Zoning Bylaw. Currently, the subject property provides a 795 m² lot area, whereas the Zoning By-law requires minimum 450 m², and a 22.86 m lot width, whereas the Zoning By-law requires minimum 15m. Upon the severance, the two new parcels are smaller and narrower. However, each of the two new lots is still big and wide enough to accommodate 3 dwelling units with each unit to have 4 bedrooms and 3 full bathrooms. Please refer to Appendix #1 for a typical floor plan of the proposed detached dwelling.

With the proposed reduction of minimum lot area and lot width, a shared driveway, rear yard parking and waste management are provided. The provision of soft landscape at both front and rear yards of the two new parcels outnumbers the minimum requirements under the current Zoning By-law. As shown in Table 1 in this document, the two new parcels are to provide 86% and 87% front yard soft landscaping, whereas the By-law requires minimum 35%, and to provide 79% and 61% rear yard soft landscaping, whereas the By-law requires minimum 15%.

Under the new Zoning By-law Final Draft, 1301 Heron Rd is zoned CM2 H(20). There would be no minimum requirements for lot area and lot width for this property under the new Zoning By-law which is expected to be in force in early 2026.

A third minor variance is applied to reduce minimum setback of a rooftop access to be 0m from rear exterior wall, whereas the currently Zoning By-law requires the minimum setback to be the height of the rooftop access. Under the new Zoning By-law Final Draft, a fourth dwelling unit is permitted at 1301 Heron Rd. and a maximum building height will increase from the current 8m to 20m. As such, the proposed rooftop access in a form of stair penthouse will

become an interior staircase access to the fourth dwelling unit to add on the roof in the future. Therefore, this minor variance in the new Zoning By-law will not be a minor variance, but a compliance.

To incorporate the condition of the ROW protection zone, a strip of land parts at front of the subject property ranging from 8.7m to 8.1m deep is to be conveyed to City, and the proposed new buildings are relocated toward the rear lot line. As a result, two new minor variances are added for approval to enable the proposed residential development, which are the reduction of min. rear yard setback and min. rear yard area. In the original submission without the condition of the ROW protection zone, the proposed detached dwelling redevelopment would satisfy all minimum yard setbacks without applying for these two additional minor variances for the reduction of min. rear yard area and min. rear yard setback.

Therefore, the proposed minor variances are minor.

2. The variance is desirable for the appropriated development or use of the property

The proposed Minor Variances enable a new detached dwelling redevelopment on each new parcel and create two additional dwelling units with a principal dwelling unit. It demonstrates a great opportunity to increase housing supply from the existing one dwelling unit to the total six dwelling units at 1301 Heron Rd, a property along the city's 'Minor Corridor' Heron Rd. and close to the 'Mainstreet' Bank St.

The proposed location of the staircase against the rear exterior wall, from ground floor to the rooftop, gives more flexibility and a better solution to arrange rooms and interior spaces at each floor. As a result, four bedrooms and three full bathrooms are provided in each unit.

Therefore, the proposed variances are desirable for the appropriated development or use of the property.

3. The general intent and purpose of the Zoning By-law is maintained

The purpose of the R1 – Residential First Density Zone is to restrict the building form to detached dwellings, provide additional housing choices and regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced. Our application well serves these objectives by the provision of two new detached dwelling building with two additional dwelling units in each.

The general intent of minimum lot area and lot width for a detached dwelling under the subzone R1O is to ensure a house with reasonable building footprint, room sizes and ample green spaces for amenity and trees. The proposed site plan and typical floor plan in the submission have demonstrated this general intent has been met, i.e. each unit is provided a

decent floor area; 4 bedrooms and 3 full bathrooms are in each unit; all rooms and spaces meet minimum floor area required by Ontario Building Code. With the reductions of minimum lot area and lot width, the proposed soft landscaping areas at the front and rear yards outnumber than the minimum area requirements set by the current Zoning By-law, i.e. 86% and 87% vs. 35% for front yard landscaping; 79% and 61% vs. 15% for rear yard landscape. With the conveyance of front parts to City and the relocation of the new building due to the ROW protection zone, the new parcel shown as 1301A on the site plan provides a 33.8% rear yard area, whereas min. 25% of lot depth is required. The new parcel 1301B provides a 24.3% rear yard area with a minor 0.7% less than the 25%. Please refer to Table 1 in this document for details.

The general intent of the minimum setback of rooftop access from front and rear exterior walls is to protect neighbours' privacy and minimize visual impact and psychological pressure on front street and rear yard neighbour. The proposed rooftop access has no windows facing rear yard and side yards. Only an access door is provided toward the front. The rooftop access is recessed about 12m from the front exterior wall of the building. Screens or guard will be installed on the roof terrace to provide a 1.5m wide restriction zone along the perimeter of the exterior walls. Thus, the privacy is achieved.

Therefore, the proposed variances maintain the general intent and purpose of the Zoning By-law.

4. The general intent and purpose of the official plan is maintained

The general intent and purpose of the Official Plan on residential development in Outer Urban Transect within an evolving neighbourhood overlay is to promote intensification and diversity of housing supply in existing neighbourhoods to accommodate the needs of different groups including minorities. New dwelling types and unit sizes in variety of ranges are encouraged.

The proposed Minor Variances enable the proposed detached dwelling, as infill redevelopment close to major and minor corridor roads and in close proximity to public transits, to utilize existing municipal infrastructure and civic services, increase housing supply and well blend with the existing neighbourhood of low-rise.

Therefore, the proposed Minor Variances maintain the general intent and purpose of the Official Plan.

In conclusion, it is the professional opinion of BPEI that the Consent / Severance Applications and Minor Variance Applications to support the proposed detached dwelling redevelopment at 1301 Heron Rd. represent good planning and are in the public interest.



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Yours truly,

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