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MIROCA DESIGN INCORPORATED
EST. SINCE 1986

January 16, 2026

Michel Bellemare

Secretary-Treasurer
Committee of Adjustment
101 CentrepoinTE Drive, Fourth Floor
Ottawa, ON. K2G 5K7

Re: **Application for Minor Variances for lands at 35 Irving Avenue, Ottawa, ON.**
Part of Lot 10 (*East Irving Avenue in Block Q*), Registered Plan 73, City of Ottawa
Ward 15, Kitchissippi

Mr. Bellemare,

Miroca Design Consulting Services Inc. has been retained to act as agent on behalf of the property owner of 35 Irving Avenue (subject property), for the submission of the enclosed Minor Variance application to the Committee of Adjustment.

This application seeks approval for the development of a new 3-storey low rise apartment building on the subject property. The existing house is to be demolished. Relief is requested to legalise the existing lot width.

In addition to the Planning Rationale attached to this cover letter, the following materials have been enclosed as part of this submission:

- Completed application form
- Parcel Abstract (Parcel Register)
- Topographic Survey Plan
- Proposed Site Plan and Architectural Elevations
- Confirmation from Forestry – No TIR Required
- Cheque in the amount of \$3,754.00 made payable to the City of Ottawa.

Please do not hesitate to contact us if you have any additional questions regarding this application.

Regards,

Mary Beth DiSabato
Senior Project Designer

Sarah Segreto
Business Manager

Michael Segreto
President

1.0 INTRODUCTION

Miroca Design Consulting Services Inc. has been retained to prepare this Planning Rationale in support of the enclosed Minor Variance application for the property known municipally as 35 Irving Avenue in the City of Ottawa. The purpose of this Planning Rationale is to assess the proposed application for Minor Variances alongside the applicable policy and regulatory framework, and to demonstrate how the proposal represents good planning that is consistent with the relevant tests under the Planning Act.

1.1 PURPOSE OF THE APPLICATION

This application seeks approval for the development of a new 3-storey low rise apartment building on the subject property. The existing house is to be demolished.

During building permit review for the proposed low-rise apartment building, it was confirmed that a minor variance is required to legalise the existing lot width to permit the proposed low-rise apartment building.

Enclosed Deficiencies letter from the zoning review for reference. Please note that all other items noted have already been resolved.

No parking is proposed, therefore no Streetscape Character Analysis was necessary for this application.

1.2 PRE-CONSULTATIONS

We requested preliminary comments from Planning and Forestry staff on the proposed Minor Variance to legalise the existing lot width.

Planning staff indicated that they did not anticipate raising concerns with the reduced lot width, and asked for confirmation that the requirements for the front façade fenestration has been met. Calculations for the front façade fenestration were provided on the elevation drawings, and it was confirmed that the requirements were met.

Forestry staff initially requested clarification regarding tree ownership and sizes to determine whether a Tree Information Report would be required and encouraged consideration of tree planting within the right-of-way to enhance streetscape canopy. Upon review of the survey and confirmation that only three small trees (approximately 0.15 m diameter) fully located on the subject property would be removed, and that no trees meeting the 30 cm diameter threshold were impacted, Forestry staff confirmed that a TIR is not required for the application. Forestry further advised that new servicing should be aligned with or beneath walkways to maintain appropriate setbacks from the fire hydrant and to preserve space for potential tree planting.

The proposed plans were also submitted to the Hintonburg Community Association for feedback.

2.0 MINOR VARIANCE APPLICATION

2.1 RELIEF REQUESTED

In order to proceed, the owner requires the Authority of the Committee for Minor Variances as follows:

- a) To permit an existing lot width of 9.17 metres, whereas the By-law requires a minimum lot width of 10 metres for low-rise apartments (maximum of eight units). [Table 162A]

All other performance standards of the Zoning By-law are met.

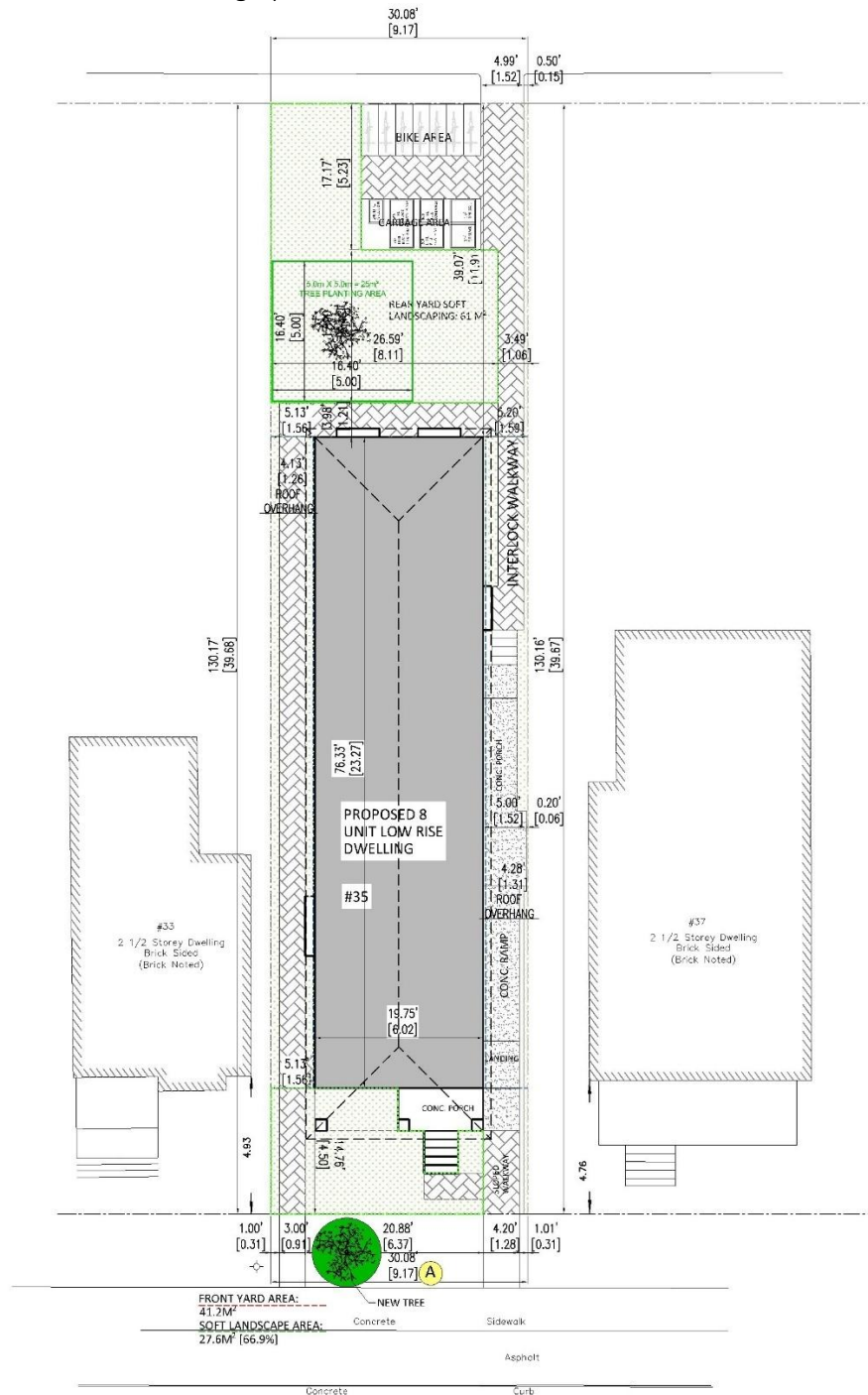


FIGURE 1: PROPOSED SITE PLAN

3.0 SITE CONTEXT AND SURROUNDING AREA

3.1 SUBJECT PROPERTY

The subject property at 35 Irving Avenue is located in the neighbourhood of Hintonburg, on a local street south of Wellington Street and north of Laurel Street. The existing site has a frontage width of 9.17 metres, and a depth of 39.67 metres, for a total lot area of 363.8 square metres, and is currently developed with a 2.5 storey detached dwelling and a detached garage, which are proposed to be demolished.

There are no distinctive trees on or adjacent to the subject property. On site parking is presently provided by a detached garage accessed from Irving Avenue and via the traveled rear lane.

OC Transpo service is provided along Wellington Street to the northwest, Somerset St W to the north, and Gladstone Avenue to the south. The property is well served by shopping, commercial and employment amenities, primarily located along Wellington Street to the northwest. Hintonburg Park is found nearby to the south, and the Trillium Rail Corridor and Pathway are found nearby to the east,



FIGURE 2: EXISTING SUBJECT PROPERTY

3.2 SURROUNDING CONTEXT

The surrounding neighbourhood is characterized by low-rise residential uses featuring predominantly 2.5 detached dwellings, with some low rise apartments and semi-detached dwellings.

North: Immediately abutting the north side of the subject property are 2.5 detached dwellings fronting on Irving Avenue.

South: Immediately abutting the south side of the subject property are 2.5 detached dwellings fronting on Irving Avenue.

East: At the rear, the subject property abuts a traveled lane. Across the lane there are 2.5 storey detached dwellings fronting on Spadina Avenue.

West: At the front, across from the subject property, there are 2.5 storey multi-unit dwellings fronting on Irving Avenue.

4.0 TREES

There are no distinctive or protected trees existing on site.

There are 3 small trees along the north side (0.15m diameter) that are fully owned by the subject property and will be removed. There is one 0.2m diameter tree fully on the neighbouring property, which will remain.

Following completion of construction it is proposed to plant one new tree in the rear yard, and one new tree in the front yard or ROW.

5.0 FOUR TESTS

In support of the proposed application, the four tests for minor variances as provided for in Section 45(1) of the Planning Act, have been reviewed as follows:

5.1 GENERAL INTENT AND PURPOSE OF THE OFFICIAL PLAN IS MAINTAINED

This property falls within the Inner Urban Transect under the Evolving Neighbourhood Overlay on Schedule B2 of the City of Ottawa's Official Plan. The corresponding direction for evolving neighbourhoods aims to accommodate residential growth with development standards that transition away from a suburban model and move towards more urban built forms. The proposed low-rise apartment dwelling aligns with the characteristics of urban built form identified on Table 6 of the Official Plan, including: shallow front yard setbacks with an emphasis on built-form relationship with the public realm, principal entrances at grade with direct relationship to public realm, smaller lots with higher lot coverage and floor area ratios, a minimum of two functional storeys, minimal functional side yard setbacks, small areas of formal landscape with space for soft landscape, trees and hard surfacing, and no automobile parking.

This proposal increases the housing stock, by replacing a detached dwelling with an 8-unit low rise apartment dwelling, for a net increase of 7 units. This development represents gentle intensification within the mixed low-rise character of the neighbourhood, aligning with the Growth Management Framework in Section 3 of the Official Plan. It effectively supports residential growth while maintaining a compatible built form and site design. By gently increasing density, the development supports the concept of 15-minute neighbourhoods, providing access to public transit, amenities, schools, and parks within walking distance.

This development adheres to the Official Plan's objectives by utilizing existing transit service, water and sewer infrastructure, as well as the network of roads, pathways, and designated cycling routes. It supports redevelopment within the Inner Urban area rather than expansion into peripheral lands. By situating residential use in close proximity to the rapid transit system and various community amenities, including employment and retail facilities, this proposal aims to minimize travel distances and enhance accessibility, thereby contributing to a sustainable community.

Given these considerations, we are confident that the requested minor variance aligns with the intent and purpose of the Official Plan.

5.2 GENERAL INTENT AND PURPOSE OF THE ZONING BY-LAW IS MAINTAINED

The property is zoned R4UB, a Residential Fourth Density subzone that permits a wide range of low-rise residential forms, from detached dwellings to low-rise apartments. The zone intends to support housing diversity while ensuring compatibility with existing land use patterns.

The proposed low-rise apartment building aligns with this intent. It is compatible with the surrounding built form and supports a mixed residential character.

Minimum lot width requirements are intended to ensure that each property has enough frontage and space to accommodate buildings, meet setbacks, and provide servicing and access, while also maintaining neighbourhood character, controlling density, and supporting orderly lot fabric.

The minor variance for lot width legalizes an existing condition. The lot provides adequate space for the building, landscaping, servicing, and amenities, with no adverse effect on livability or function. The proposed development remains aligned with the overall objectives of the zone.

Given these considerations, we believe that the proposed minor variance aligns with the intent and purpose of the Zoning By-law.

5.3 DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OR USE OF THE PROPERTY

The proposed development represents an appropriate and desirable use of the property. It supports long-term residential needs by offering diverse housing types in a location well-served by existing infrastructure and community amenities. The requested variance enables an efficient and functional site design while maintaining compatibility with the surrounding built form. The proposal represents a modest reinvestment in the property and supports gentle intensification in line with Official Plan policy.

Replacing a single detached dwelling with an 8-unit low rise apartment building adds much-needed housing in a manner that is sensitive to neighbourhood scale and character. The site design balances built-form and open space, enhancing both the public realm and private rear yard conditions.

Environmental considerations will be addressed through planting of two new trees to contribute to the urban tree canopy. Detailed engineering and site planning will enhance lot grading, drainage and storm water management.

Given these considerations, we feel that the proposed minor variance is desirable for the appropriate development of the property.

5.4 THE VARIANCE IS MINOR

Relief is requested to permit the existing lot width of 9.17 metres, whereas the By-law requires a minimum lot width of 10 metres for low rise apartments.

This minor variance for lot width legalizes an existing condition, and is technical in nature. Legalisation of the existing lot width is a minor deviation that has no adverse effect on adjacent properties and does not compromise the functionality or compatibility of the site. The scale and use of the proposed development is in keeping with the surrounding context.

Given these considerations, we feel that the proposed variance is minor.

6.0 POLICY AND REGULATORY CONTEXT

6.1 ZONING

Zoning Bylaw 2008-250 | R4UB

Section 139 – Low-Rise Residential in All Neighbourhoods Within the Greenbelt

Section 140 – Low-Rise Infill Development in the Mature Neighbourhoods Overlay

Section 144 – Alternative Yard Setbacks Affecting Low-Rise Residential in the R1 to R4 Zones Within the Greenbelt

Zoning Provisions	Required	Proposed
Min. Lot Width	10m	9.17m
Min. Lot Area	300m ²	363.8m ²
Max. Building Height	11m	10.77m
Min. Front Yard Setback	4.5m	4.5m
Min. Corner Yard Setback	4.5m	N/A
Min. Rear Yard Setback	30% of lot depth (11.9m)	25% (11.9m)
Min. Rear Yard Area	25% of lot area (75.95m ²)	25% (109.2m ²)
Min. Interior Side Yard Setback	1.5m	1.5m
Front Yard Soft Landscaping	35%	66.9%
Rear Yard Soft Landscaping	50m ²	61m ²

TABLE 2: ZONING PROVISIONS

6.2 URBAN DESIGN GUIDELINES FOR LOW-RISE INFILL HOUSING

The proposed low-rise apartment building at 35 Irving Avenue has been designed in accordance with the Urban Design Guidelines for Low-rise Infill Housing. The design incorporates setbacks that are consistent with the character of the neighbourhood, while embracing a more urban built form. It balances increased lot coverage with adequate greenery and rear yard amenity space that harmonizes with the surrounding homes. The design features a clear primary entrance from the street, and a clean articulated front façade.



FIGURE 5: PROPOSED ELEVATIONS

6.3 PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement was issued under Section 3 of the Planning Act and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020.

As per Section 3(5) of the Planning Act, a decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Planning Statement (PPS). The Provincial Planning Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

The proposed development at 35 Irving Avenue aligns with the policies and direction of the PPS. The low-rise building is an example of efficient land use within the settlement area, supporting sustainable growth by concentrating development where existing infrastructure and services are already in place. By avoiding urban sprawl, this project reduces environmental and financial costs and advances key provincial goals such as housing diversity, affordability, and environmental sustainability. The proposed low-rise building contributes to creating complete, connected communities that balance present needs of residents while accommodating future growth.

Section 2.1: Planning for People and Homes

Policy 2.1.6 encourages planning authorities to support the achievement of complete communities through a balanced mix of land uses, housing options, transportation, and public facilities. The proposed low-rise building aligns with this policy by concentrating growth in a well-served residential area, promoting a range of housing options close to community amenities like schools, shopping centers, and recreational spaces.

Section 2.2: Housing

Policy 2.2.1 emphasizes the need for diverse housing options to meet the needs of current and future residents, with a focus on affordability and residential intensification. The proposed development directly supports these objectives by introducing efficient low-rise apartments to diversify the housing mix in the region. By utilizing underdeveloped land within the inner urban area, the development adds new housing options that meet demographic needs. The future dwelling's proximity to greenspace, parks, and active living options aligns with the PPS goal of improving residents' health and well-being.

Section 2.3.1: Settlement Areas

According to Policy 2.3.1, settlement areas should be the focus of growth and development. The proposed development is located within the City of Ottawa's established settlement area, inner urban transect, which is in keeping with the PPS's emphasis on directing growth to areas with existing infrastructure and public services. By developing within a settlement area, the proposed low-rise building ensures efficient land use and minimizes the need for costly infrastructure expansion. The site's integration into the city's transit network enhances accessibility and supports sustainable urban growth, consistent with the PPS goals of reducing sprawl and promoting livable, connected communities.

Section 2.4.1: Strategic Growth Areas

Policy 2.4.1 encourages development in strategic growth areas, such as major transit station areas, existing and emerging downtowns, grayfield and brownfield sites, lands along major roads, arterials, or other areas with existing or planned transit service. The proposed development is situated within the inner urban area with convenient access to public transit, aligning with this policy's goal of focusing growth where it can be supported by existing services and infrastructure.

In our opinion, the proposed development at 35 Irving Avenue aligns with the Provincial Planning Statement by promoting efficient land use, optimizing urban infrastructure, enhancing housing diversity, and supporting the development of complete communities. This constitutes sound and sustainable land use planning.

7.0 CONCLUSION

It is our opinion that the proposed development constitutes good planning and meets the Four Tests outlined in Section 45(1) of the Planning Act. The variance is desirable for the appropriate development or use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variance sought is minor.