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

## **Minor Variance Application**

**52 Garland Street**

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

February 27th, 2026

P-Squared Concepts  
Minor Variance Cover Letter  
52 Garland St.





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

Attn: Mr. Michel Bellemare  
Secretary Treasurer

Re: 52 Garland St (Minor Variance application) - Ward 15  
11096001 Canada Corporation (c/o Farbod Lashgari)  
Part of lot 40 and 42, Registered Plan 57, City of Ottawa

### **1.0 Site Context**

On behalf of our clients, we are submitting the enclosed Minor Variance application for the property located at 52 Garland St. The subject site is currently under construction and is approved for a four-storey low-rise mixed-use building comprising 12 residential dwelling units and one commercial unit at grade.

The development was previously approved through a Site Plan Control application (File No. D07-12-20-0106), which received final approval on April 6, 2022. The approved building includes ten (10) one-bedroom units, two (2) studio apartments, and one ground-floor commercial unit. No vehicular parking is proposed. Bicycle parking is provided in the form of six (6) covered outdoor spaces and seven (7) indoor spaces. Amenity areas include a rooftop terrace and rear yard outdoor amenity space.

The project was also subject to a Committee of Adjustment application (File No. D08-02-21/A-00163). Through this application, relief was approved for various performance standards, including reduced front and rear yard setbacks, landscaping requirements, and communal amenity space. The development was subsequently redesigned to address a variance request related to the minimum landscaped area abutting a residential zone that was not approved by the Committee.

The current Minor Variance application proposes to **convert the ground-floor commercial unit to a residential dwelling unit (total of 13 dwelling units)**, resulting in a fully residential apartment building. Relief is requested to permit this conversion and recognize the building as entirely residential. The subject property is registered under a single PIN, and under the current tax framework, the presence of even one commercial unit would result in the entire building being subject to commercial tax rates. Given that the unit functions similarly in form and scale to the residential units and that market conditions do not support viable commercial rental returns at this location, maintaining a commercial designation is not financially feasible for the property owner. No changes are proposed to the previously approved Site Plan Control drawings, building footprint, massing, height, or overall built form. The proposed conversion is strictly internal, related to the use of the building and does not alter the exterior appearance or functionality of the development.



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The subject property is zoned LC1[2256] – Local Commercial Density, Subzone 1, Exception 2256, under Zoning By-law 2008-250, as amended. The site-specific exception relates to provisions governing non-residential uses. The property is located within the Inner Urban Transect, is subject to the Mature Neighbourhoods Overlay, and is designated Neighbourhood within the Evolving Overlay under the City of Ottawa Official Plan. The site is also located within the Scott Street Secondary Plan and is designated Low-Rise Neighbourhood.

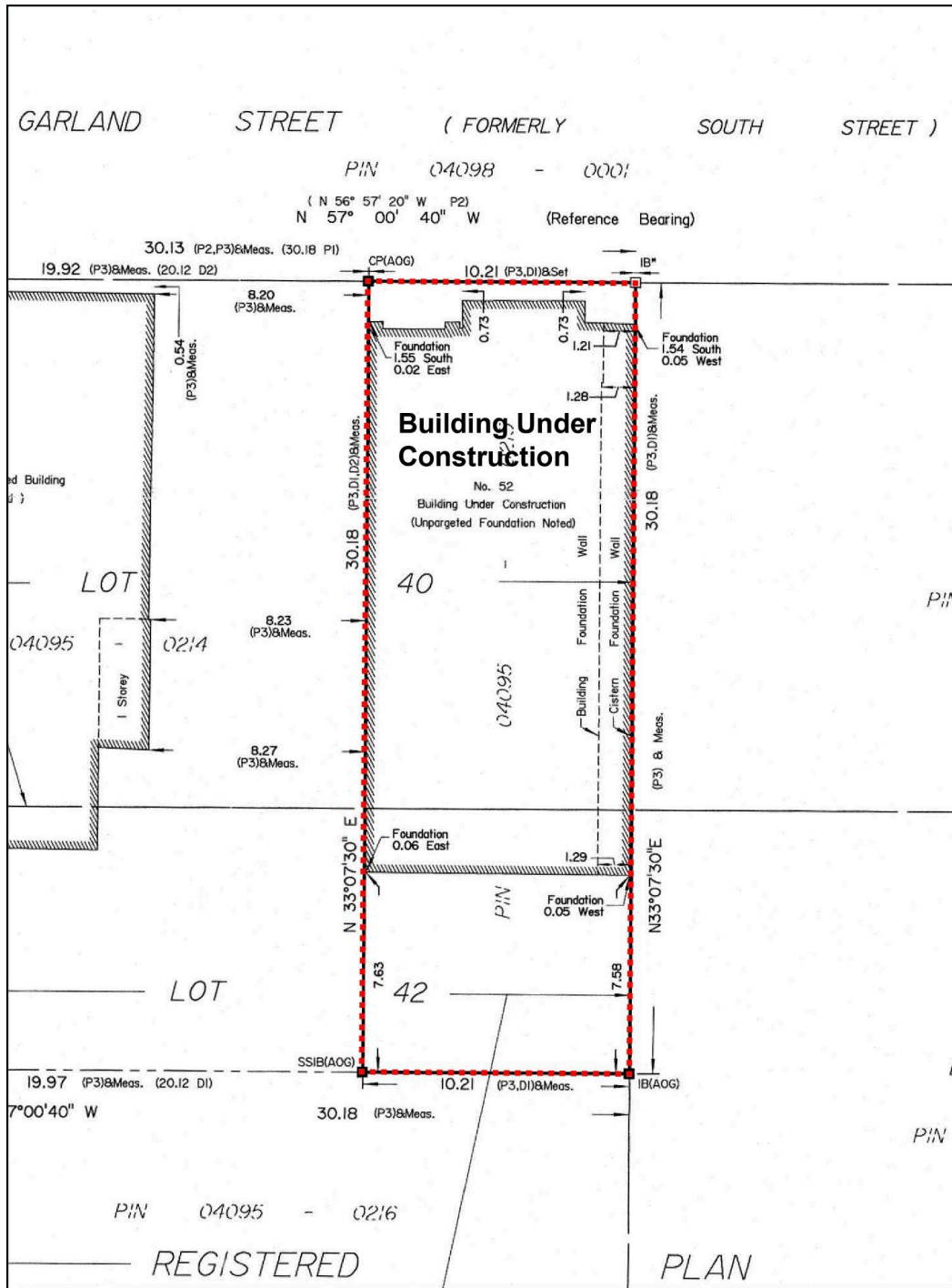
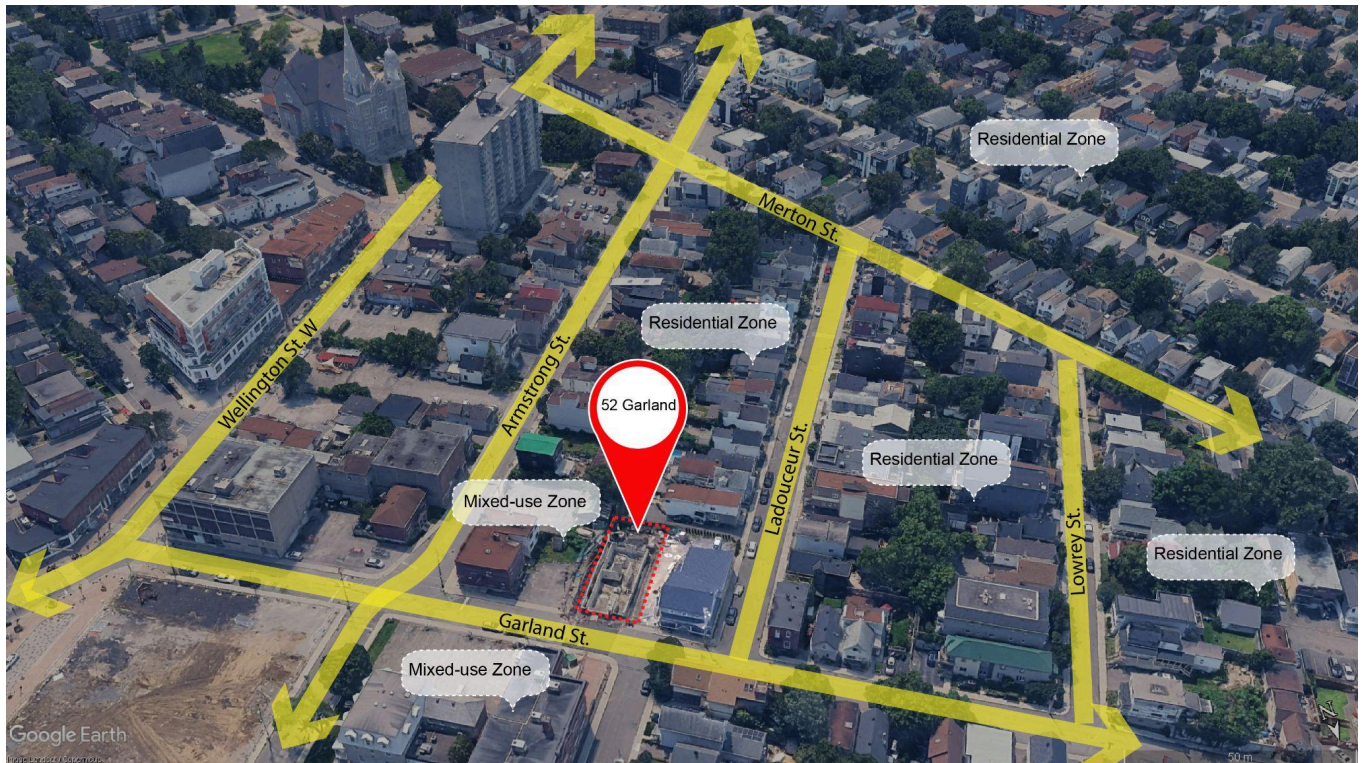


Fig. 1. Survey Plan completed by Annis, O'Sullivan, Vollebakk LTD dated April 15th, 2025 .



*Fig.2. Aerial imagery showing the lot under construction as well as the surrounding context of the subject site, Google Earth.*



Fig.3. Schedule B2- Inner Urban Transect, City of Ottawa Official Plan.

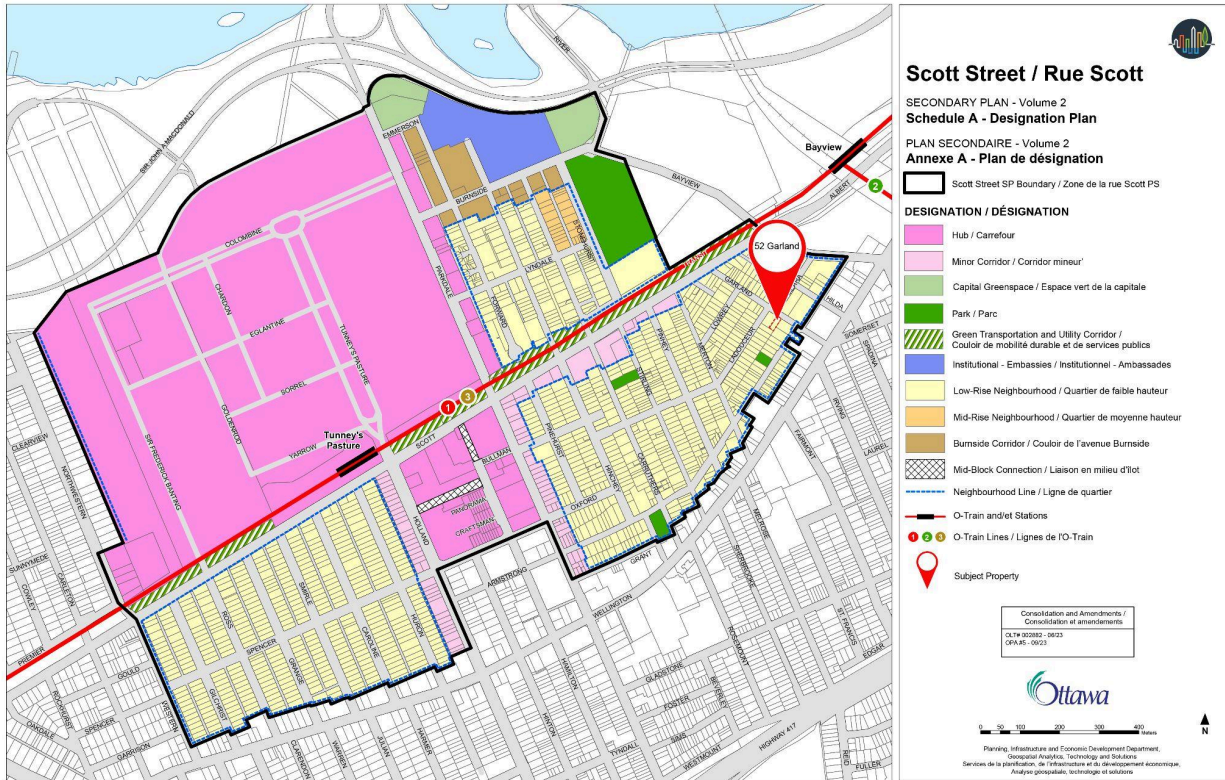


Fig.4. Schedule A- Designation Plan, Scott Street Secondary Plan.



Fig.5. Subject property showing the building under construction.

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## **2.0 Minor Variance Application**

- A) Minimum interior side yard setback (west). The proposed interior side yard setback abutting 46 Garland property 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 (east). The proposed interior side yard setback abutting 45 Armstrong St property is 0 m for the upper levels only, whereas the minimum interior side yard setback for residential use building required by the Zoning By-Law is 1.2 m, which is met at the ground level (Table 189, (d), (ii), Zoning By-Law 2008-250, as amended).
- C) Minimum front yard setback. The proposed front yard setback is 1.5 m, whereas the minimum front yard setback for residential use building required by the Zoning By-Law is 3 m (Table 189, (e), (iii), Zoning By-Law 2008-250, as amended).
- D) Minimum rear yard setback. The proposed rear yard setback is 6.3 m for upper levels (second floor to fourth floor), 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).
- E) Minimum width of landscape area. The proposed width of a landscape area in the front yard, abutting Garland St is 1.5 m, whereas the minimum width of a landscape area abutting a street required by the Zoning By-Law is 3 m. (Table 189, (h), (i), Zoning By-Law 2008-250, as amended).
- F) Minimum parking requirement. The proposed development does not provide any vehicular parking spaces (0 spaces), while the Zoning By-law requires 0.5 parking spaces per dwelling unit for units in excess of 12. With 13 dwelling units proposed, only one (1) unit is subject to this requirement, resulting in a requirement of 0.5 spaces, which rounds up to one (1) parking space. (Section 101, (3), (a), and Table 101, (R11), (II), Zoning By-Law 2008-250, as amended).
- G) Minimum Total Amenity Area and Aggregated Communal Amenity Area, are not met, as the proposed total and aggregated areas are 73.3 m<sup>2</sup> and 45.6 m<sup>2</sup> respectively, whereas total of 78 m<sup>2</sup> is required as amenity area for 13 units (6 m<sup>2</sup> per dwelling unit), and where more than one aggregated area is provided, at



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least one must be a minimum of 54 m<sup>2</sup> of aggregated communal amenity area (Table 137 (3)).

The proposed under construction low rise residential apartment meets all other zoning provisions including lot area, lot width, building height, bike parking spaces, and waste management. The additional variances requested are due to the conversion of the ground-floor commercial unit to a residential dwelling unit. Specifically, relief is required with respect to the interior side yard setback, the total number of required parking spaces, and the total amenity area. These adjustments are impacted only because of the increase in residential unit count and do not result in any changes to the approved building footprint, height, or overall built form.

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.

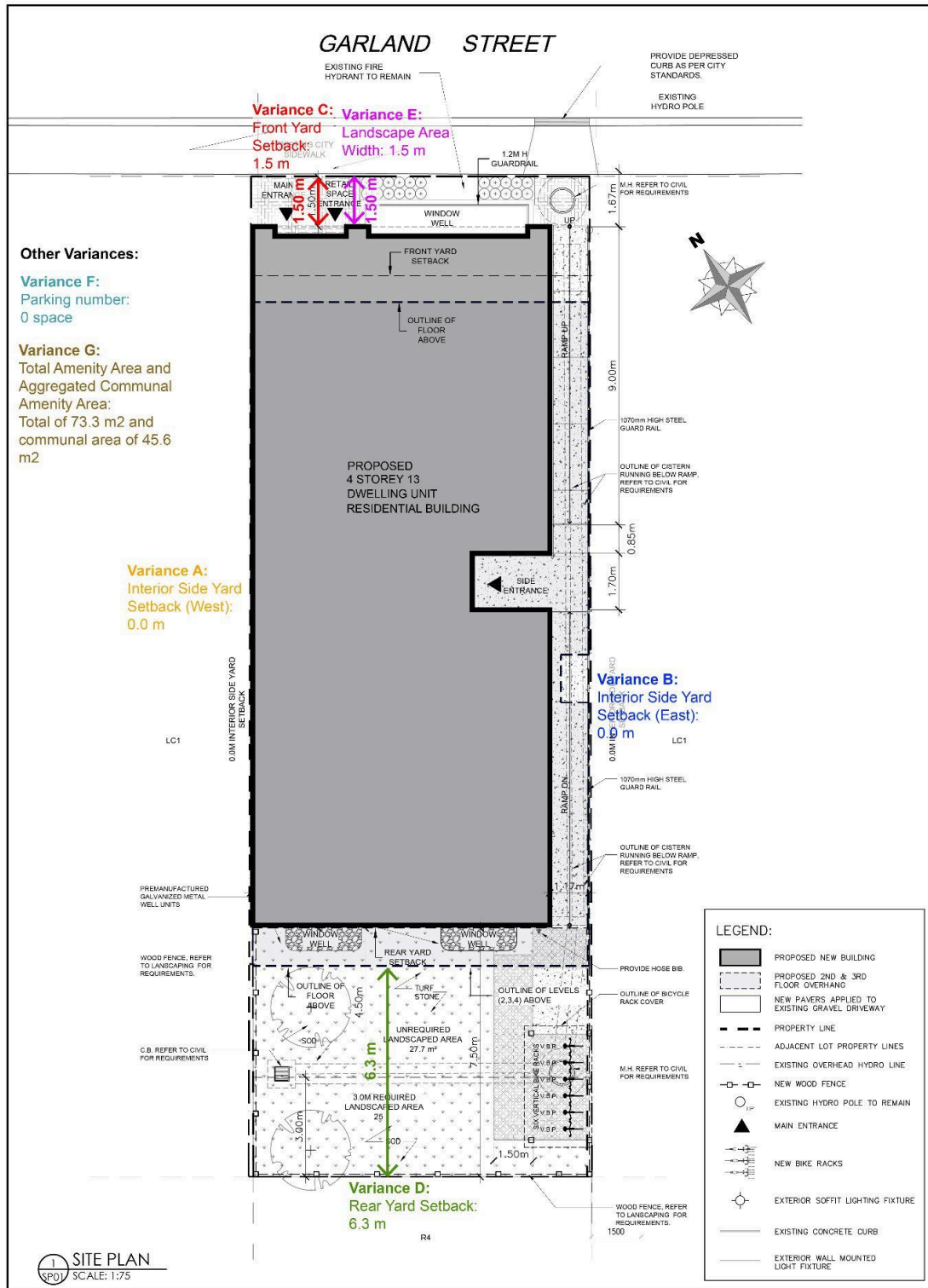


Fig.6. Site Plan completed by P-Squared Concepts Inc showing the location of Minor Variances.

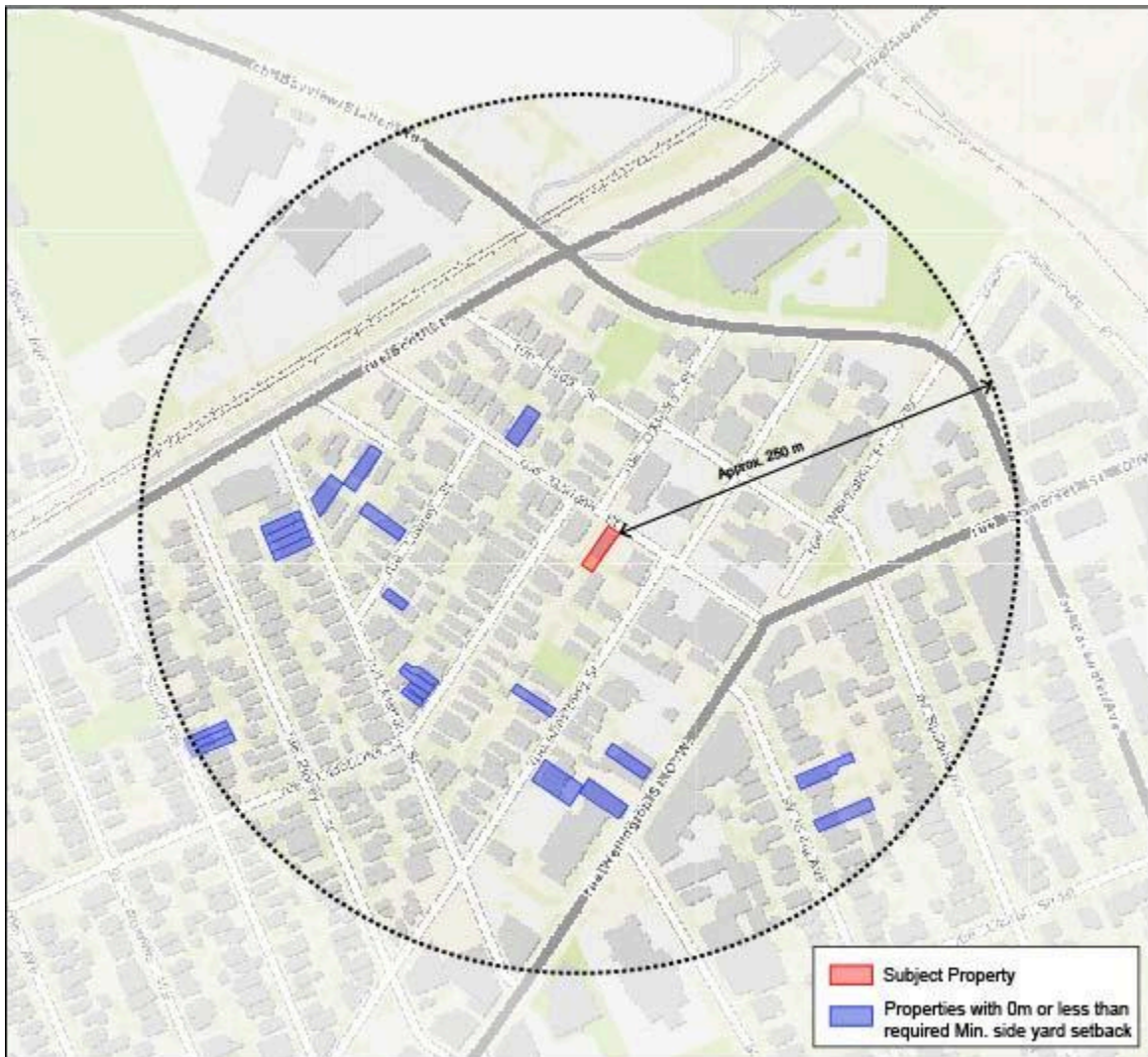
## 1. The variances are minor in nature.

The requested variances are minor in nature, as they do not result in any adverse impacts on abutting properties or the surrounding neighbourhood, nor do they compromise the functionality or intent of the proposed development. The purpose of this Minor Variance application is to permit a slight reduction in the interior side yard setback, front yard setback, rear yard setback, minimum landscaped area width, minimum number of parking spaces, minimum aisle width for access to bicycle parking, and the aggregated communal amenity area. Despite these requested variances, the proposal remains compatible with the established character, scale, and functionality of the surrounding area.

**Variance A** seeks a reduction in the minimum required **interior side yard setback** abutting the property at 46 Garland from 1.2 m to 0 m. This variance is considered minor in nature, as it does not result in any functional or visual impacts on the surrounding neighbourhood or abutting properties. The proposed building maintains a separation distance of approximately 8.20 m from the existing mixed-use building on the adjacent property and is therefore not in close proximity to the shared lot line. As a result, the requested reduction does not adversely affect access to light, air, or privacy for neighbouring residents.

**Variance B** seeks a reduction in the minimum required **interior side yard setback** abutting the property at 60 Garland from 1.2 m to 0 m. This variance is also considered minor in nature, as it does not result in any functional impacts on the surrounding neighbourhood or abutting properties. The required 1.2 m interior side yard setback is provided at grade and transitions to 0 m above the first storey. This configuration maintains adequate access for maintenance and circulation and supports a functional walkway to the rear yard, in compliance with the Ontario Building Code.

The zoning non-compliances associated with both above-mentioned variances arise as a result of the conversion of the proposed development from a mixed-use building to a fully residential use during construction. Similar compact residential building forms with reduced side yard setbacks are common within the surrounding neighbourhood, particularly within nearby R4 zones, which are intended to support urban intensification and compact residential development (refer fig 7.).



*Fig.7. Precedent properties with reduced int. side yard setbacks ( 0m or lower than the required), within approx. 250m of the subject property.*

Despite the requested reductions, the proposed development remains compatible with the established built form and continues to function as intended, ensuring appropriate living conditions for both current and future residents. As such, the proposed variances are minor in nature.

**Variance C** requests a reduction in the minimum required **front yard setback** from 3.0 m to 1.5 m which is minor in nature. Within the front yard of the site is an existing hydro line which runs along Garland Street. In order to establish an appropriate building envelope in both the front and rear yards at the ground level, the building has been designed to be located closer to the street at ground level to respect the required rear yard variance and stepped back at the upper floors (second storey and above),

exceeding the required 3.0 m from the street to accommodate the overhead hydro buffer. A terrace is provided for the front-facing units on the second level. The 1.5 m reduction is minor given the existing site conditions and context. The existing building is setback only 1.37 metres from the street and therefore the proposed 1.5 metre setback will be an improvement to the existing conditions. The neighbouring property to the east features a similar setback at approximately 1.3 metres, and to the west the setback is approximately 0.5 metres. As such, the proposed 1.5 metre setback at ground level will be in line with the built character of the existing surrounding context.

In addition to being an improvement on existing conditions and compatible with the adjacent front yard setbacks, an advantage of locating the building closer to the front lot line is to activate and animate the ground level space and streetscape. The second-storey front facing terraces will also introduce animation and “eyes on the street”. Finally, the front yard will contain permeable pavers to delineate the private space from the public right of way in a visually appealing way, and there is soft landscaping and planting between the sidewalk and window well in order to provide appropriate buffering between the lower-level residential use and the streetscape. Given the compatibility of the setbacks to the surrounding neighbourhood and the necessary setbacks from Hydro lines, the proposed reduction in front yard setback is overall minor.

**Variance D** requests a reduction in the minimum required **rear yard setback** from 7.5 m to 6.3 m only for upper levels (second level and up) and is minor in nature. The required 7.5 m setback is met at the ground level. In order to accommodate the required setback at the front façade, the building has been designed in such a way to cantilever at the second storey and up into the rear yard by 1.2 m. The proposed design allows for adequate rear yard area and setback at ground level for proposed soft landscaping and amenity area for future tenants, as well as an area for required waste storage. The required 3 m landscape buffer will be met, and there are proposed trees in the rear yard to provide additional landscaping and greenery. In order to create additional privacy in the rear yard and separation between the residential uses to the south, a 1.5 m high wood fence is proposed to enclose the rear yard. There will also be sufficient space between the building and the adjacent rear yard. The building on the immediately abutting property to the south fronts onto Ladouceur Street and is oriented towards that frontage. The rear of each of these buildings will therefore not overlook one another and there will be adequate separation between them.

When considering both the front yard and rear yard setback variances collectively, due to the required setback from the existing hydro lines, the full building envelope cannot be constructed from the second storey and above at the proposed rear yard setback, thereby requiring that variance. The setback design at the front with a cantilever at the rear strikes a balance between creating a ground-level interaction at the streetscape, while respecting the at-grade amenity area and soft landscaping in the rear yard. Given these factors, the proposed reduction in rear yard setback at the second storey and above is minor.

**Variance E** requests a reduction in required minimum width of **landscaped area** in the front yard abutting the street from required 3 m to proposed 1.5 m is minor. The intent and purpose of this provision is to ensure that in Local Commercial zones, there is sufficient landscaping between the street and between the abutting residential zone. The proposed reduction from 1.5 metres in the front yard still provides adequate planting and hardscaping, while allowing for interaction between the front of the building and the street. The proposed front yard condition includes a mix of planting along the street and permeable pavers providing access to the building entrances. The proposed conditions are an improvement on the existing situation which is presently a strictly paved area and is a prevailing condition along the street in this neighbourhood.

**Variance F** requests a reduction in the minimum **vehicular parking** requirement from 1 space to 0 spaces and is minor in nature. Under the existing Zoning By-law 2008-250, as amended, no parking is required for the first 12 dwelling units; the conversion of the previously approved ground-floor commercial unit to a residential unit results in a calculated requirement of 0.5 parking spaces, which is rounded to 1 space. The subject site was previously approved for a 12-unit mixed-use building with no vehicular parking provided, and no physical changes to the site or parking configuration are proposed as part of this application. The development is located within a 15-minute neighbourhood and is well served by public transit, including the Bayview O-Train Station approximately 550 m (8 minutes walking distance) from the site, as well as nearby bus routes, sidewalks, and cycling infrastructure. In addition, the proposal provides 13 bicycle parking spaces, supporting active transportation and reducing reliance on private vehicles. The absence of on-site vehicular parking therefore is minor in nature and aligns with the emerging direction of Zoning By-law 2026-50, which proposes the removal of minimum vehicular parking requirements.

**Variance G** requests a reduction in **total amenity area** to 73.3 m<sup>2</sup>, whereas 78 m<sup>2</sup> is required, representing a minor deficiency of 4.7 m<sup>2</sup> (6.0%). Relief is also requested from the requirement that, where more than **one aggregated communal amenity area** is provided, at least one must be a minimum of 54 m<sup>2</sup>. The largest provided amenity area is 45.6 m<sup>2</sup>, resulting in a shortfall of 8.4 m<sup>2</sup> (15%).

The development provides amenity space through a 45.6 m<sup>2</sup> rooftop terrace and a 27.7 m<sup>2</sup> rear yard amenity area, for a combined total of 73.3 m<sup>2</sup>, all of which is communal. While marginally below the total requirement, the proposal exceeds the minimum communal amenity requirement of 39 m<sup>2</sup> (50% of the required total).

Although the largest aggregated space does not meet the 54 m<sup>2</sup> minimum, the deficiency is minor and does not affect usability. The rooftop and rear yard areas are functional, accessible, and appropriately designed for resident use. Additionally, the landscaped rear yard area, though not included in the zoning calculation, will function as additional amenity space and would bring the total to approximately 97.6 m<sup>2</sup> of amenity area if counted. Given the minor nature of the reductions and the continued provision of

meaningful outdoor amenity space, the variance maintains the general intent and purpose of the Zoning By-law.

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

The proposed development represents a desirable and appropriate use of the subject lands and is consistent with the existing built character, lot fabric, and architectural identity of the surrounding neighbourhood. The area is predominantly residential in nature, with some mixed-use buildings, most of which predate 1958. The prevailing built form consists primarily of two-storey dwellings with modest front yard setbacks, front stairway entrances, and limited on-site parking. Roof forms are varied throughout the area, including both pitched and flat-roof structures. Building facades exhibit a mix of materials, including concrete, vinyl siding, brick, and stone, contributing to a visually diverse streetscape.

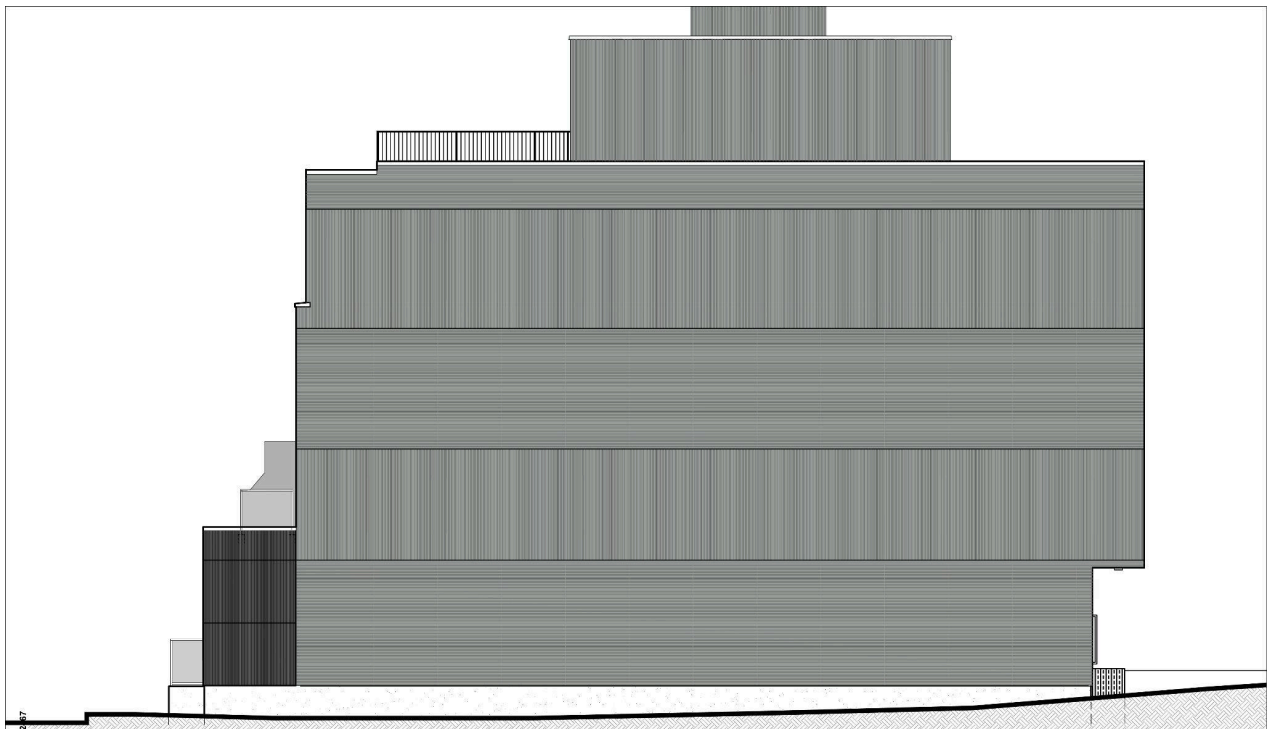
The proposed building is compatible with this context while introducing contemporary architectural expression. The elevations incorporate a thoughtful combination of steel siding, wood-look panels, and metal trim accents, as well as a flat roof, balconies, and terrace projections, along with large window openings. Together, these elements reinforce the building's residential character while contributing positively to the evolving architectural fabric of Garland Street.



*Fig.8. Front(north) and rear(south) elevations completed by P-Squared Concepts Inc.*



*Fig.9. Side (east) elevation completed by P-Squared Concepts Inc.*



*Fig.10. Side (west) elevation completed by P-Squared Concepts Inc.*

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## Urban Design Guidelines for Low-rise Infill Housing (2023)

### 1.1 Ground floor

- Contribute to an inviting, safe, and accessible streetscape by emphasizing 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 development has been designed to create a safe, accessible, and visually engaging interface with the public realm. The primary entrances are oriented toward Garland Street and the front yard, reinforcing a strong relationship between the building and the street. In addition, a barrier-free entrance is provided along the east side of the building to ensure universal accessibility.*

*The building layout and facade design emphasize the ground floor through the placement of doors, windows, and architectural articulation, including recessed and projecting elements, varied materials, and well-defined fenestration at grade. Together, these elements reinforce the building's residential character while contributing positively to the evolving architectural fabric of Garland Street.*

### 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 has been carefully developed to balance access to natural light and ventilation within the building while respecting privacy and minimizing overlook toward adjacent properties.*

*The rear facade incorporates windows that provide direct daylight access to dwelling units, while maintaining appropriate separation from neighbouring buildings. The west side facade, which abuts 46 Garland Street, does not include windows, thereby eliminating potential privacy concerns and preventing overlook toward the adjacent property. The east side elevation incorporates recessed glazing within a cubic setback to introduce natural light into interior bedrooms that do not have access to the front or rear façades. This design approach allows for adequate daylight penetration while maintaining visual separation from neighbouring properties.*

*Additionally, the internal layout of the units ensures that all principal living spaces have access to direct sunlight and ventilation through large windows on the front, east side and rear facades. This configuration meets Building Code requirements for habitable rooms while ensuring that the infill development achieves a sensitive and compatible relationship with its surroundings.*

### 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 maintains a rear yard configuration that is consistent with the established pattern of the surrounding neighbourhood while ensuring adequate amenity space, privacy, and compatibility. The building fully complies with the required 7.5 m rear yard setback at ground level, thereby preserving functional outdoor amenity space and allowing for appropriate landscaping and site buffering. The reduced rear yard setback applies only to the upper levels and is achieved through a modest cantilever above the first floor. This design solution responds to site constraints, including existing hydro lines and front yard setback requirements, while minimizing impacts on the usability of the rear yard. The cantilever does not extend beyond the footprint of the ground floor window wells and therefore does not reduce the functional rear yard area.*

*To further mitigate potential impacts, the rear facade incorporates Juliet-style balconies, which do not create usable outdoor platforms and therefore avoid privacy or overlook concerns. In addition, the property immediately south of the subject site (10 Ladouceur Street) is oriented toward Ladouceur Street rather than Garland Street, resulting in rear façades that face away from one another. This opposing orientation significantly reduces the potential for visual overlook or loss of privacy despite the reduced upper-storey setback. Additional privacy and separation are provided through a proposed 1.5 m high wood fence enclosing the rear yard, as well as sufficient horizontal separation between buildings. Collectively, these measures ensure that the rear yard design remains compatible with the surrounding context and maintains the intent of the Design Guidelines, while responding appropriately to the site's urban conditions within the Evolving Overlay.*

## 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.*

## 2.9 Street facing

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

*Response: The front yard landscaping and at-grade entrance and large windows will animate the streetscape, with an active entrance along Garland St for residential units*

*of the building. The facade features ample windows that will create an “eyes on the street” effect and will help to activate the public realm.*

### Scott Street Community Design Plan

*The Scott Street Community Design Plan provides policy directions and guidelines for land use, mobility and the public realm, and applies the principles of the Scott Street Secondary Plan. As within the Secondary Plan, the subject site is within the low-rise residential land use area with a low-profile height of up to 11 m. The existing zoning permits development up to 12.5 metres and therefore prevails over the CDP. The proposal otherwise conforms to the Community Design Plan.*

### **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 supports residential growth by introducing thirteen (13) dwelling units on a site that previously contained a vacant two-storey former residential building prior to the 2022 Site Plan Control (SPC) approval. The 2022 SPC approval contemplated twelve (12) residential units with one commercial unit; this revised proposal increases the residential unit count to thirteen (13), converting one commercial unit to residential unit further contributing to intensification. The subject property is well-located in an established neighbourhood well-suited for the transition to a 15-minute community, with residents having convenient proximity to basic amenities, services, and transportation. The property is within walking distance of a variety of amenities, such as:*

- Tom Brown Arena – 210 m (3-minute walk)
- Circle K – 270 m (4-minute walk)
- Dollarama – 400 m (6-minute walk)
- St. Francois d'Assise Church – 400 m (6-minute walk)
- Hintonburg Community Centre – 400 m (6-minute walk)

- *Giant Tiger – 450 m (6-minute walk)*
- *Trillium Pathway – 550 m (8-minute walk)*
- *Protection of the Holy Virgin Memorial Church – 650 m (9-minute walk)*
- *Plant Recreation Centre – 800 m (11-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 ( Bayview O-Train Station, Tunney's Pasture O-Train Station, Corso Italia O-Train Station, and OC Transpo Route 11, 12 and 14).*

#### 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.*

#### 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 four-storey apartment 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 intensification through the creation of thirteen(13) 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, landscape buffer at front and parking space, 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 13 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 minimize 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 19-21, 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, detailed below further reinforces its suitability for a parking-free development, promoting active transportation and reducing dependence on private vehicles.*

- *Rapid Transit:*
  - *Bayview O-Train Station on line 1 and line 2: located 500 m away (Approximately a 7-minute walk); provides direct connections to line 1 stations (Tunney's Pasture <-> Blair ) and line 2 stations (Train Bayview <-> Limebank).*
  - *Tunney's Pasture O-Train Station on line 1: located 1 km away (Approximately a 14-minute walk); provides direct connections to line 1 stations (Tunney's Pasture <-> Blair)*
  - *Corso Italia O-Train Station on line 2: located 900 m away (Approximately a 13-minute walk); provides direct connections to line 2 stations (Train Bayview <-> Limebank)*
  - *OC Transpo Route 11; Waller <-> Bayshore: provides direct connections to major transit hubs and is accessible via Wellington / Somerset W, located 130 m away (approximately a 2-minute walk).*
  - *OC Transpo Route 14; St-Laurent <-> Tunney's Pasture: provides direct connections to major transit hubs and is accessible via Parkdale / Armstrong, located 800 m away (approximately an 11-minute walk).*

- *OC Transpo Route 12; Blair <-> Tunney's Pasture: provides direct connections to major transit hubs and is accessible via Scott / Hinchey, located 500 m away (approximately a 7-minute walk).*

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 apartment dwelling responds to the context of the Hintonburg neighbourhood. It also reflects the typical characteristics of the Inner Urban transect. The development integrates 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 features 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 low-rise built form with minimal functional side yard setbacks, shallow front yard setback, and small areas of formal landscape as described in Table 6 of the Official Plan. The requested variances are consistent with the prevailing lot fabric in the neighbourhood, where reduced side setbacks, shallow front yard setbacks, and small formal landscaped areas 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, Tunney's Pasture O-Train Station, Corso Italia*

*O-Train Station, and OC Transpo Route 11, 12 and 14), 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 thirteen (13) new dwelling units in a low-rise, four-storey building. The proposal adheres to the intended height framework, providing a four-storey high density 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 development at 52 Garland is consistent with the character and lot fabric of the Inner Urban Transect and the Hintonburg neighbourhood. The severed lot accommodates a four-storey, thirteen-unit low-rise residential dwelling, which represents an intensification. The 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 site is designated as a Low-rise Residential land use area, which contains low-rise residential and nonresidential uses. Maximum building heights within the designation are limited to three storeys. Despite the three storey height limit, the site is subject to a 12.5 m height limit under the zoning by-law, and low-rise apartment is a permitted use. As such, the policies of the zoning by-law prevail and the proposed four-storey development is permitted under the Scott Street Secondary Plan with no requirement for an Official Plan Amendment. The proposal otherwise meets the intent of the Secondary Plan by establishing a compact, well-designed mixed-use residential and*

*retail infill development that improves the streetscape and offers opportunity for additional small-scale retail within the community. This form of low-rise intensification will create a more vibrant diversification of uses and opportunity for additional density within close proximity (400 metre buffer) to the existing transit station at Bayview Station, and will contribute positively to the overall character of the Neighbourhood. The proposed development conforms to the policies of the Scott Street Secondary Plan.*

#### **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. The requested reductions to the interior side yard setbacks maintain this intent and do not result in any functional or visual impacts. Along the east side, a minimum 1.2 m interior side yard setback is provided at grade, meeting the Zoning By-law requirement, while the setback reduces to 0 m above the first storey. This configuration remains sufficient for access, maintenance, and circulation and supports the provision of a functional walkway to the rear yard in compliance with the Ontario Building Code. Along the west side, although a 0 m setback is proposed, the abutting property does not contain a building in close proximity to the shared lot line, resulting in an overall separation distance of 8.2 m between the proposed building and the existing building at 46 Garland Street. This separation exceeds what would typically be achieved through a standard side yard setback and ensures adequate light, air, and privacy. Reduced or zero side yard setbacks are common within the surrounding neighbourhood, particularly within nearby R4 zones, which support compact urban residential development. As such, the proposed side yard setbacks reflect established local conditions and maintain the intent of the Zoning By-law.

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



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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 average front yard setback of the neighbouring properties, 46 Garland Street (0.43 m) and 45 Armstrong Street (approximately 1.4 m), is 0.96 m). 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.



*Fig. 11. Precedent properties along Garland St. with reduced front yard setbacks and reduced landscape buffers abutting the street.*

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 6.3 m (where 7.5 m is required) applies only to the upper levels of the building, while the ground floor fully complies with the required 7.5 m rear yard setback. As a result, the functional rear yard area, including soft landscaping, amenity space, bicycle parking, and the required 3 m landscape buffer, is maintained. The reduction does not diminish the usability of the rear yard or result in any adverse impacts on adjacent properties. Also, the rear yard reduction of 1.2 m remains in alignment with the existing conditions in the neighbourhood, where many properties have similarly reduced rear yards. Nearby properties, such as 19, 21, 27, 31, 39, 40, 42, and 44 Garland St, feature rear yards as small as 1 m to 6.5 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 bicycle parking and soft landscaping buffers are 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 reduction from the required 3.0 m to 1.5 m continues to maintain this intent. Narrow front yard landscape buffers are a defining characteristic along Garland Street, where many existing buildings are located within close proximity to the property line and provide limited landscaped setbacks. Numerous properties along Garland Street, including 46, 44, 42, 40, 39, 25, 27, 21, 10, 4, and 2 Garland Street, as well as nearby properties at 3 Lowrey Street (fig.11), feature landscaped areas that are less than 3 m in width. The proposed 1.5 m landscape buffer is therefore consistent with the established streetscape pattern and neighbourhood character. While it does not meet the numerical standard of the Zoning By-law, it maintains the intent of the landscape buffer provision by providing an appropriate visual separation that aligns with the prevailing urban form along Garland Street.

The intent of the parking space requirement is to ensure that development provides an appropriate level of parking while supporting the City's broader transportation and land use objectives, particularly in transit-supportive and inner urban locations. The subject site was previously approved as a mixed-use building, for which no vehicular parking spaces were required or provided. The current application proposes only the conversion of one ground-floor commercial unit to a residential unit; no additional dwelling units beyond those already contemplated by the approved built form are being introduced, and no physical changes to the site or parking configuration are proposed.

Under the current Zoning By-law, parking is not required for the first 12 dwelling units,

and the additional unit results in a calculated parking requirement of 0.5 spaces, which effectively translates to one parking space. The absence of vehicular parking on-site is consistent with the previously approved development and reflects the site's highly urban, transit-oriented context. The property is located in close proximity to Bayview O-Train Station, Tunney's Pasture O-Train Station, Corso Italia O-Train Station, and OC Transpo Route 11, 12 and 14, and is well served by public transit, sidewalks, and cycling infrastructure. The development provides a total of 13 bicycle parking spaces, reinforcing the intent to prioritize active transportation and public transit use over private automobile reliance.

Furthermore, under the City's New Zoning By-law 2026-50 (Final Draft), minimum vehicular parking requirements are proposed to be eliminated. As such, the proposal would be fully compliant with the parking provisions of the new Zoning By-law. In this context, the requested variance maintains the intent of the Zoning By-law by supporting sustainable transportation choices and efficient urban land use. *(noting that final draft version of the new Zoning By-law is currently approved by Council but has not come into force, and is referenced here solely to illustrate how the proposal aligns with the emerging zoning framework)*

The intent of the total amenity area and communal amenity area is to ensure residents have access to adequate, functional shared outdoor space that supports livability and quality of life. The proposed development provides a total amenity area of 73.3 m<sup>2</sup>, whereas 6.0 m<sup>2</sup> per dwelling unit is required (78.0 m<sup>2</sup> for 13 units), resulting in a minor shortfall of 4.7 m<sup>2</sup>. The amenity space is provided through a combination of a rooftop terrace (45.6 m<sup>2</sup>) and a rear yard amenity area (27.7 m<sup>2</sup>), which together create usable outdoor areas that are appropriately sized and distributed for resident use. The rear yard communal amenity area is 27.7 m<sup>2</sup> (excluding the landscaped area of 25 m<sup>2</sup>). If the landscaped area were included as part of the amenity space at the rear yard, the total amenity area would meet the required minimum (27.7 m<sup>2</sup> (amenity area at the rear) + 25 m<sup>2</sup> (required landscaped area at the rear) + 45.6 m<sup>2</sup> (rooftop)= 98.3 m<sup>2</sup> total). In addition, where more than one aggregated amenity area is provided, the Zoning By-law requires that at least one area have a minimum size of 54.0 m<sup>2</sup>. The largest aggregated amenity area provided is 45.6 m<sup>2</sup>, representing a shortfall of 8.4 m<sup>2</sup>. Despite these minor reductions, the proposed amenity areas remain functional, accessible, and suitable for the scale of the development. The outdoor spaces are designed to support shared resident use and provide meaningful amenity opportunities, and the minor deficiencies do not undermine the overall objective of the Zoning By-law. Accordingly, the requested variance maintains the general intent and purpose of the Zoning By-law.



### 3.0 Performance Standard Review

Provision	Section	Required	Proposed	Compliance
Permitted uses	S.189, (2), (b)	apartment dwelling, low rise	Residential apartment, low rise (4 storey - 13 units)	Y
Min. lot area	T.189, (a)	No minimum	308 m <sup>2</sup>	Y
Min. lot width	T.189, (b)	No minimum	10.2 m	Y
Max. building height	T.189, (f)	12.5 m	12.5 m	Y
<b>Min. front yard setback</b>	<b>T.189, (c)</b>	<b>3 m</b>	<b>1.5 m</b>	<b>N</b>
<b>Min. rear yard setback</b>	<b>T.189, (e), (iii)</b>	<b>7.5 m (for a residential use building)</b>	<b>7.5 m at Grade 6.3 m for upper levels</b>	<b>N</b>
<b>Min. int. side yard setback</b>	<b>T.189, (d), (ii)</b>	<b>1.2 m (for a residential use building)</b>	<ul style="list-style-type: none"> <li>• <b>0 m on the west side</b></li> <li>• <b>0 m on east side</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>N</b></li> <li>• <b>N</b></li> </ul>
<b>Min. width of landscaped area</b>	<b>T.189, (h), (i and ii)</b>	<ul style="list-style-type: none"> <li>• <b>3m (abutting a street)</b></li> <li>• 3m (abutting a residential or institutional zone)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>1.5 m abutting a street</b></li> <li>• 3 m abutting a residential area</li> </ul>	<ul style="list-style-type: none"> <li>• <b>N</b></li> <li>• Y</li> </ul>
<b>Min. Amenity Area</b>	<b>T.137, (3), II</b>	<ul style="list-style-type: none"> <li>• <b>Total: 6 m<sup>2</sup> / dwelling unit (6 m<sup>2</sup> x 13 units = 78 m<sup>2</sup>)</b></li> <li>• <b>Communal: 50% of</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Total: 73.3 m<sup>2</sup> including; Roof Top Terrace (45.6 m<sup>2</sup>) and; Area at Rear</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>N</b></li> </ul>



		required total (39 m <sup>2</sup> ), <b>with at least one aggregated a minimum of 54 m<sup>2</sup></b>	(27.7m <sup>2</sup> , excluding landscape buffer) <ul style="list-style-type: none"> <li>• <b>Communal: 45.6 m<sup>2</sup> (aggregated if more than 1)</b></li> </ul>	• <b>N</b>
<b>Min. Parking space for low rise apartments</b>	T. 101, R11, II S.101, (3), (a)	0 spaces for the first 12 units= 0 <b>0.5 /dwelling unit after 12 units = 1 space</b>	<b>0 space</b>	<b>N</b>
Min. number of bicycle parking spaces for apartment dwelling, low-rise (R)	T.111A, (b), (i)	0.5 spaces/unit 0.5 x 13 units = 6.5 required spaces	7 spaces inside + 6 spaces outside = Total 13 spaces	Y
Horizontal bicycle parking space dimensions	T.111B, (b)	0.5 m x 1.5 m	0.5 m x 1.5 m	Y

**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 application form for the minor variance application;
- Property owner's authorization for submission of the applications;
- Tree Information Report;
- Site Plan showing the entirety of the proposed site;
- Elevations from all four sides of each proposed building;
- Survey plan of the entire property;
- Application fees.



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When the notification signs are ready for this application please email the undersigned and we will arrange for their installation on the property.

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](mailto:planning@p2concepts.ca).

**P-Squared Concepts Inc.**

A handwritten signature in black ink that reads 'Amrinder Kaur'.

Amrinder Kaur, Planner  
BPlan, MPlan

**P-Squared Concepts Inc.**

A handwritten signature in black ink that reads 'Yasaman Bahadori'.

Yasaman Bahadori, Planner  
B.Arch, M.A, MPlan