

641 SLADEN AVENUE PLANNING BRIEF (MINOR VARIANCE APPLICATION)



Project No.: OCP-19-0187

Prepared for:

ACADEMIE ST-LAURENT ACADEMY INC.
641 Sladen Avenue
Ottawa, ON
K1K 2S8

Prepared by:

McIntosh Perry Consulting Engineers Ltd.
115 Walgreen Road
Carp, ON
K0A 1L0

April 28, 2020

McINTOSH PERRY

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Appendix A: Plan 4R-25610, prepared by Annis, O’Sullivan, Vollebekk Ltd.

Appendix B: Site Plan, prepared by Deimling Architecture and Interior Design

1.0 INTRODUCTION

This Planning Brief is submitted in support of a Minor Variance application for the subject lands on behalf of ACADEMIE ST-LAURENT ACADEMY INC. Approval of the Minor Variance application is required as part of a concurrent Site Plan Control application (File No. D07-12-19-0171), deemed adequate February 2, 2020. The focus of both applications is two additions at the rear of the existing school. During the first round of Staff comments provided as part of the Site Plan Control process, Staff have expressed support for proceeding with the Minor Variance application.

As described more specifically in Table 1 in Section 3 of this report, the application seeks relief from the following provisions of the City of Ottawa Zoning By-law No. 2008-250:

1. To permit required parking to be located off-site, at 640 Sladen Avenue [Section 100 – Clause (1)(c)];
2. Reduction of the minimum required rear yard setback from 4.5 m to 4.2 m [Section 170 (Table 170A) Zoning Mechanism (d)];
3. Reduction of the minimum required interior side yard setback from 7.5 m to 2.9 m [Section 170 (Table 170A) Zoning Mechanism (e)];
4. Reduction of the minimum required motor vehicle parking space length from 5.2 m to 3.5 m for existing spaces located along Sladen Avenue [Section 106, Clause (1)(b)]; and
5. To permit existing parking spaces along Sladen Avenue without a driveway or private way, an aisle leading to a driveway, or a public lane [Section 100, Clause (5)(a), (b), and (c)].

The sections below identify the subject lands, summarize the proposed development, and provide a discussion on the suitability of the proposal in the context of applicable planning policy and zoning environments.

2.0 SUBJECT LANDS & SITE CONTEXT

The subject lands are known municipally as 641 Sladen Avenue, legally as “PART OF LOT 1 PLAN 34 PART 1 PLAN 4R25610 TOGETHER WITH AN EASEMENT OVER PART LOTS 1 & 2 PLAN 34 PART 2 PLAN 4R25610 AS IN OC1405769 CITY OF OTTAWA,” and are owned by “ACADAMIE ST-LAURENT ACADEMY INC.”

The subject lands are identified in Figures 1 and 2 and Plan 4R-25610 is attached as Appendix A. Figure 1 also identifies 640 Sladen Avenue, which is used by the school for parking.

Historically, the subject lands and school were home to a French catholic elementary school, École Montfort, and the property included the lands to the east, now known municipally as 638 Center Street, represented by Part 2 on Plan 4R-25610. The lands were severed in 2011 (File No. D08-01-11/B-00254).

The subject lands have an area of approximately 3,593 square metres (0.36 hectares) and a frontage of 86.1 metres on the east side of Sladen Avenue.

The principal use of the subject lands is minor institutional. The site features an existing three-storey school building with a gross floor area of 2,263.5 square metres, together with associated landscaping, a play area, bicycle racks, and parking.

There are 64 parking spaces off-site at 640 Sladen Avenue, in addition to six spaces on-site. Waste management dumpsters serving the school are also located at the southeast corner of 640 Sladen Avenue.



Figure 1: Subject and Surrounding Lands (Source: GeoOttawa; 2017 aerial background)



Figure 2: Subject Lands (Source: GeoOttawa; 2017 aerial background)

The subject lands are bound by a mixed use/commercial plaza on lands to the north (546-580 St. Laurent Boulevard); a residential site to the east at 638 Center Street upon which a four-storey apartment building is

under construction; low density residential lands to the west, opposite Sladen Avenue; and a municipal park – Forbes Park – to the south.

Vehicular access to the school is provided by way of a one-way U-shaped driveway from Sladen Avenue.

3.0 SUMMARY OF PROPOSAL

Approval of the Minor Variance application is required in order to enable the construction of two additions to the existing school, subject to concurrent Site Plan Control application File No. D07-12-19-0171. The Minor Variance application requests relief from City of Ottawa Zoning By-law 2008-240 provisions to permit required parking to be located off-site, to reduce the minimum required rear yard setback, and to reduce the minimum required interior side yard setback.

As shown on the Site Plan at Appendix B, two additions are proposed:

- a 583.9 square metre (GFA), three-story addition at the rear (east) of the existing school; and
- a 69.3 square metre (GFA), one-story addition at the rear (southeast) of the existing school.

The additions total 653.2 square metres (GFA) and will accommodate new classrooms, pre-school space, washrooms, and an indoor swimming pool with associated facilities on the ground floor.

The additions will introduce non-compliant interior side yard and rear yard setbacks.

As well, variances are required to address the existing non-compliant parking configuration, which depends on required parking located off-site at 640 Sladen Avenue, and includes six spaces within the front yard along Sladen Avenue.

The six existing spaces located along Sladen Avenue measure approximately 3.5 metres in length and require an Encroachment Agreement, per initial comments received from Staff by way of the concurrent Site Plan Control application (File No. D07-12-19-0171). As identified within Table 1, minor and appropriate relief from the following requirements within the By-law is being sought: minimum length of 5.2 metres for motor vehicle parking spaces, and unobstructed access to parking spaces by way of a driveway or private way, an aisle leading to a driveway, or a public lane. Approval of these two variances will allow for continued use of the six parking spaces.

Table 1 identifies all provisions of the By-law requiring relief, corresponding requirements, elements/dimensions proposed, and the relief requested from the By-law.

The ensuing section discusses the appropriateness of the relief requested, pursuant to the Subsection 45(1) of the *Planning Act*.

Table 1: Relief requested from Zoning By-law 2008-250.

PROVISION	REQUIREMENT	PROPOSED	RELIEF REQUESTED
Section 100, Clause (1)(c) (On-Site Parking)	Parking must be located on the same lot as the use or building for which it is provided.	Existing off-site parking.	To permit required parking to be located off-site, at 640 Sladen Avenue.
Section 170 (Table 170A) Zoning Mechanism (d) (Minimum Rear Yard Setback)	Minimum rear yard setback of 4.5 metres	4.2 metres	0.3 metres
Section 170 (Table 170A) Zoning Mechanism (e) (Minimum Interior Side Yard Setback)	Minimum interior side yard setback of 7.5 metres	2.924 metres	4.6 metres
Section 106, Clause (1)(b) (Minimum Motor Vehicle Parking Space Length)	Minimum length of 5.2 metres	3.5 metres	1.7 metres
Section 100, Clause (5)(a),(b), and (c) (Unobstructed access to parking spaces)	All motor vehicle parking spaces ... must have unobstructed access directly to a public street by a driveway or private way, an aisle leading to a driveway, or a public lane.	None	To permit existing parking spaces along Sladen Avenue without a driveway or private way, an aisle leading to a driveway, or a public lane.

4.0 “FOUR TESTS” PURSUANT TO SUBSECTION 45(1) OF THE *PLANNING ACT*

4.1 General Intent and Purpose of the Official Plan

The subject lands are designated General Urban Area on Schedule B (Urban Policy Plan) of the City of Ottawa Official Plan. The current and proposed institutional use is permitted in accordance with Policy 3.7.5.2.

The proposed additions represent redevelopment and will give way to a more intensive use of subject lands. The proposal can therefore be considered intensification in accordance with the Provincial Policy Statement and the City of Ottawa Official Plan.

The preamble to Section 2.2 addresses intensification in the General Urban Area, reading:

“Lands designated General Urban Area will continue to mature and evolve through intensification and infill but at a scale contingent on proximity to major roads and transit, and the area’s planned function. Consideration of the character in the surrounding community is a factor in determining compatibility within a community.”

Section 2.5.1 offers somewhat of a definition of compatibility:

“...compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, [nonetheless] enhances an established community through good design and innovation and coexists with existing development without causing undue adverse impact on surrounding properties. Generally speaking, the more a new development can incorporate the common characteristics of its setting in the design, the more compatible it will be.”

Further, Section 4.11 acknowledges that a zoning by-law should normally be relied upon to achieve compatibility among proximate uses and built forms, but provides policies that address the protection of important views, good building design, massing and scale, and outdoor amenity areas, among others.

Policy 4.11.5 lists a number of design variables (e.g. setbacks, height, colours and materials, architectural elements) that should be considered in order to achieve compatibility between a new building and its surroundings.

As explored in greater detail within Section 4.2, there is no evidence to suggest that the proposal will detract from the existing character of the surrounding area.

Policy 4.11.19 is relevant in that it requires applicants to demonstrate that developments do not negatively impact existing private amenity spaces of adjacent residential properties. As explored in greater detail in the ensuing sections, and especially when considering as-of-right permissions, the scale and location of the proposed addition will not cause undue adverse impact on adjacent properties.

Establishing zoning compliance for the existing off-site parking at 640 Sladen Avenue and for the existing six front yard parking spaces does not contravene any policies within the Official Plan.

The relief requested is in keeping with the relevant policies of the Official Plan, including Sections 2.5.1, 3.7.5, and 4.11. The proposal meets the general intent and purpose of the Official Plan.

4.2 General Intent and Purpose of the By-law

The subject lands are zoned Minor Institutional Subzone A – I1A within the City of Ottawa Zoning By-law No. 2008-250. The proposed development complies with applicable provisions of the By-law, except in relation to the relief requested.

The Zoning By-law establishes zoning standards based on land use. The preamble to Sections 163 and 170 of the By-law reads:

“The purpose of the I1-Minor Institutional Zone is to:

(1) permit a range of community uses, institutional accommodation and emergency service uses to locate in areas designated as General Urban Area or Central Area in the Official Plan; and

(2) minimize the impact of these minor institutional uses located in close proximity to residential uses by ensuring that the such uses are of a scale and intensity that is compatible with neighbourhood character.”

4.2.1 Rear and Interior Side Yard Setbacks

The intent of rear and interior side yard setbacks is to minimize the impact of development on adjacent uses and to ensure that the scale of the development is compatible with the character of the neighbourhood.

The 4-storey retirement home being developed east of the school represents somewhat of a departure from the established character of the neighbourhood and, as such, it is difficult or impossible to establish how the relationship between the rear façades of the two buildings compares with the character of the neighbourhood.

With respect to the relief requested from the minimum required rear yard setback, the proposal to construct the 3-storey rear addition 0.30 metres closer to the rear property line will not compromise the general intent and purpose of the By-law. Most critical in this regard is whether or not the granting of relief would cause undue adverse impact on the adjacent development to the rear. Section 4.3 establishes that the proposal does not cause undue adverse impact.

With respect to the relief requested from the minimum required interior side yard setback, the lands that have the greatest potential to be impacted by this variance are the lands to the south, being Forbes Park. Approval of this aspect of the minor variance will not introduce impact on adjacent uses. An interior side yard setback of 2.9 metres is being maintained, which is sufficient to allow proper grading and drainage and proper site access. Most importantly, the addition proposed within the interior side yard is one storey (approximately 3.66 metres), which is well below the permitted maximum of 15 metres on lands zoned Minor Institutional Subzone A (I1A). There is no evidence to suggest that constructing the proposed one storey addition 4.6 metres closer to the south property line will negatively impact the use and enjoyment of the lands to the south.

4.2.2 Off-Site Parking

In the absence of Official Plan policy that might explain the purpose of Section 100 – Clause 1(c), it can be assumed that the general intent and purpose of the Zoning By-law requirement to provide parking for a given use on the same property is to promote pedestrian safety and the orderly development of our communities.

The Zoning By-law includes certain as-of-right exceptions that enable off-site parking for uses in certain zones and in certain areas of the City. These exceptions reveal an acknowledgement that, in some cases, it is reasonable to permit parking to be located in close proximity to developments even if the parking is not provided on the property.

640 Sladen Avenue is approximately 14 metres from the school property, and the lands separating the two properties, on the south side of Sladen Avenue is parkland. The existing configuration is such that it is likely most students, staff, and visitors who rely on the parking area at 640 Sladen are not aware that the two properties are separate from one another.

Granting an exception, by way of the proposed variance, to allow off-site parking to continue at 640 Sladen Avenue will in no way compromise the general intent and purpose of the Zoning By-law.

4.3 Minor in Nature

The determination of whether the relief being requested is minor should be based primarily on the impact of the proposed variances (i.e. is the proposed impact minor in nature?). It has also been established in at least one Ontario Municipal Board proceeding¹ that adverse impact, in some cases, is inevitable and that the more critical consideration is whether or not the impact is *unreasonable* or *unacceptable*.

With respect to the relief requested from the minimum required rear yard setback, the relief being requested amounts to only 0.30 metres. The additional 0.30 metre building depth will not negatively impact the adjacent lands in any noticeable way. Considering that the height of the proposed three storey rear addition is approximately 11.58 metres, which is 3.42 metres lower than the as-of-right permitted height of 15.0 metres on lands zoned Minor Institutional Subzone A (I1A), and that the additional 0.30 metres will contribute to the functionality of the proposed addition, the variance proposed is reasonable and there is no undue adverse impact.

With respect to the relief requested from the minimum required interior side yard setback, the discussion within Section 4.2 of this report establishes that the one-storey addition proposed to be located 4.6 metres closer than the minimum required setback of 7.5 metres is considerably lower than the as-of-right permitted maximum height, and that it will not cause undue adverse impact on the lands to the south.

The relief requested to enable required parking to be located off-site at 640 Sladen Avenue and within the front yard will effectively permit the continuation of a non-compliant parking arrangement. Approval of this aspect of the variance will not negatively impact surrounding properties.

The proposed relief from the Zoning By-law is minor in nature.

4.4 Desirable for the Appropriate Development of Use of the Land, Building, or Structure

Approval of the relief requested will facilitate the development of more functional and desirable classrooms, pre-school space, washrooms, and an indoor swimming pool within the school addition.

Approval will also ensure the existing parking configuration, which relies on lands in close proximity at 640 Sladen Avenue, can continue in compliance with the By-law.

The proposal is desirable for the appropriate development and use of the land.

¹ Ronaghi v. Toronto (City) (OMB Case No. PL151268)

5.0 CONCLUSION

The minor variances requested have been considered based on the “four tests” within Subsection 45(1) of the *Planning Act*; they maintain the general intent and purpose of the Official Plan and Zoning By-law, they are minor in nature, and they are desirable for the appropriate development and use of the land.

Approval of the minor variances noted above represents good planning.

Respectfully submitted,

Prepared by:



Sarah Butt, M.PL
Junior Planner

Reviewed by:

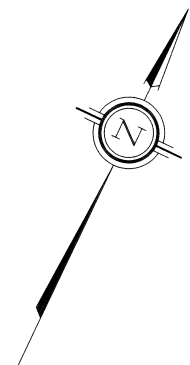


Benjamin Clare, MCIP RPP
Senior Land Use Planner

Encl.

Appendix A

Plan 4R-25610, prepared by Annis, O’Sullivan, Vollebekk Ltd.



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. DATE: <u>Sept 22/11</u>		PLAN 4R-25610 RECEIVED AND DEPOSITED DATE: <u>Sept 22/11</u>	
 V. ANDREW SHEPLEY ONTARIO LAND SURVEYOR		 V. ANDREW SHEPLEY LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OTTAWA-CARLETON NO. 4.	
SCHEDULE			
PART	PART OF LOTS	REGISTERED PLAN	ALL OF PIN
2	1 and 2	34	PIN 04268-0167

PLAN OF SURVEY OF
**PART OF LOTS 1 AND 2
REGISTERED PLAN 34
CITY OF OTTAWA**

Surveyed by Annis, O'Sullivan, Vollebakk Ltd.

Scale 1:300
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Surveyor's Certificate
I CERTIFY THAT:
1. This survey and plan are correct and in accordance with the
Surveys Act, the Surveyors Act, the Land Titles Act and the
regulations made under them.
2. The survey was completed on the 14 day of September, 2011.

Notes & Legend		
	Denotes	Survey Monument Planted
	Denotes	Survey Monument Found
IP	•	Iron Pipe
SIB	•	Standard Iron Bar
SSIB	•	Short Standard Iron Bar
IB	•	Iron Bar
RP	•	Rock Post
(WIT)	•	Witness
(AOG)	•	Annis, O'Sullivan, Vollebakk Ltd.
Meas.	•	Measured
(P)	•	Registered Plan 520
(P1)	•	Plan 4R-19199
(P2)	•	Plan by (AOV) May 26, 1973
(P3)	•	Plan by (JGP) dated April 15, 1971
(P4)	•	Plan by (1319) July 30, 1991
(P5)	•	Plan by (647) October 13, 1993
(P6)	•	Registered Plan 34
(OU)	•	Origin Unknown
(CLF)	•	Chain Link Fence

Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.99994873.

Bearings are MTM grid, derived from simultaneous GPS observations from monument A to B, shown hereon, having a bearing of N 22° 27' 30" W and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) MTM NAD-83 (original).

For bearing comparisons, a rotation of 0-24-30 counter clockwise was applied to bearings on Reg'd Plan 34.

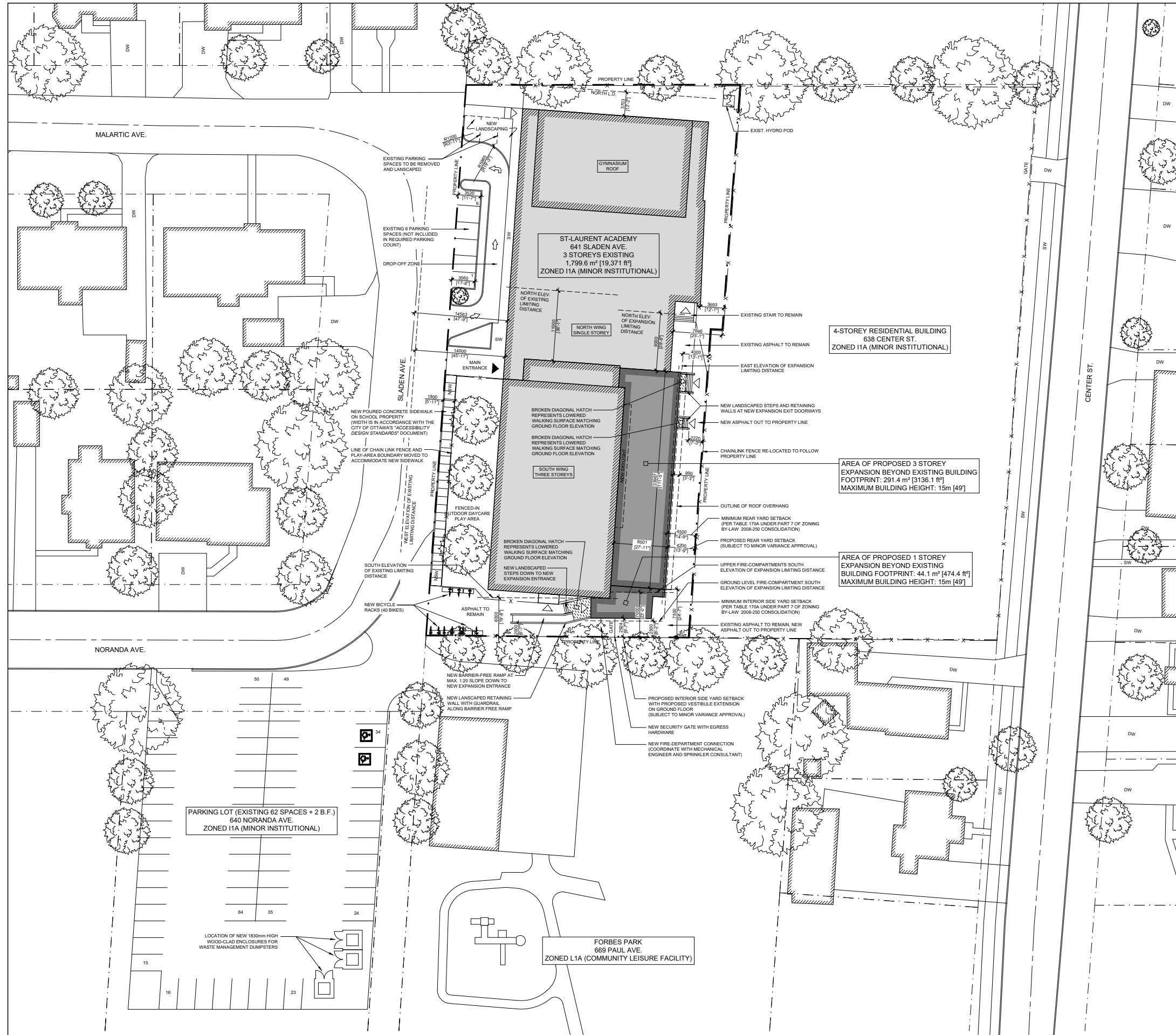
Coordinate values are to urban accuracy in accordance with O. Reg. 218/10.

Point A Northing 5 033 631.507 Easting 371 938.750
Point B Northing 5 033 930.617 Easting 371 815.109

Caution: Coordinates cannot, in themselves, be used to re-establish corners or boundaries shown on this plan.

Appendix B

Site Plan, prepared by Deimling Architecture and Interior Design



THIS SITE PLAN HAS BEEN BASED ON THE SURVEYOR'S REAL PROPERTY REPORT PREPARED BY ANNIS, O'SULLIVAN, VOLLEBEK LTD., DATED AUGUST 26TH, 2019.

LEGEND

- PROPERTY LINE
- NEIGHBOURING PROPERTY LINE
- LINE OF CHAIN-LINK FENCE
- EXISTING BUILDINGS/STRUCTURES
- EXTENTS OF EXISTING SCHOOL BUILDING
- EXTENTS OF PROPOSED SCHOOL EXPANSION
- STREETNAME AND CENTRELINE
- ASPHALT DRIVEWAY
- ASPHALT OR CONCRETE SIDEWALK
- NEW CONCRETE SIDEWALK
- APPROXIMATE LOCATION AND CROWN OF EXISTING TREES
- MAIN BUILDING ENTRANCE
- SECONDARY BUILDING ENTRANCES AND/OR EMERGENCY EXITS
- EXTENTS OF NEW LOWERED WALK AREA AT GROUND FLOOR ELEVATION
- BICYCLE RACK (5 PER RACK)
- NEW FIRE-DEPARTMENT CONNECTION

ZONING INFORMATION
PER THE CITY OF OTTAWA ZONING BY-LAW 2008-250 CONSOLIDATION

LEGAL DESCRIPTION:
PLAN 34 PT LOT 1 RP 4R256610, PART 1

ZONING:
(11A) MINOR INSTITUTIONAL

ZONING PROVISIONS (PER TABLE 170A):

- LOT AREA (MIN.) = 600 m²
- ACTUAL LOT AREA = 3,592.8 m²
- LOT FRONTAGE (MIN.) = 15 m
- ACTUAL FRONTAGE = 88.15 m
- SETBACKS (MIN.):
 - FRONT = 3 m
 - REAR = 4.5 m
 - SIDES = 7.5 m

PROPOSAL:
334.8 m² (3,604 ft²) TOTAL EXPANSION TO THE EXISTING SCHOOL. PRIMARILY COMPRISED OF A THREE(3) STOREY COMPONENT WITH A SMALL ONE(1) STOREY COMPONENT. THE EXPANSION WILL INCORPORATE NEW CLASSROOMS, WASHROOMS, AND AN INDOOR IN-GROUND SWIMMING POOL, W/ ASSOCIATED FACILITIES ON THE GROUND FLOOR.

PARKING:
ON-SITE PARKING IS LOCATED DIRECTLY IN FRONT OF AND SLIGHTLY NORTH OF THE MAIN ENTRANCE. OFF-SITE PARKING IS LOCATED APPROXIMATELY 60m TO THE SOUTH (REFER TO SITE PLAN).

EXISTING PARKING:
ON-SITE: 9 SPACES
OFF-SITE: 84 SPACES
TOTAL EXISTING: 93 SPACES

PROPOSED PARKING MODIFICATION:
PROPOSED MODIFICATIONS TO THE PARKING COUNT ARE PRIMARILY AFFECTED BY THE PROPOSED RELOCATION OF THE EXISTING DUMPSTERS (PRESENTLY LOCATED AT THE SOUTH-EAST CORNER OF THE OFF-SITE PARKING LOT). BY RELOCATING THE DUMPSTERS INTO ENCLOSURES AS SHOWN ON PLAN, THREE (3) EXISTING PARKING SPACES WILL BE REMOVED AT THAT LOCATION, WHILE UP TO FIVE (5) SPACES WILL BE ADDED TO THE SOUTH-EAST CORNER OF THE OFF-SITE PARKING LOT.

MODIFIED PARKING:
ON-SITE: 6 SPACES
OFF-SITE: 69 SPACES
TOTAL MODIFIED: 75 SPACES

CITY OF OTTAWA MINIMUM PARKING SPACE RATES
THE REQUIRED NUMBER OF PARKING SPACES BASED ON THE CITY OF OTTAWA'S MINIMUM PARKING SPACE RATES PER BY-LAW 2016-249 & 2019-250 - TABLE 101-MINIMUM PARKING SPACE RATES:
ROW N81 - SCHOOL, OTHER = 0.75 PARKING SPACES PER CLASSROOM (INCLUDES PORTABLES):

EXISTING SCHOOL BUILDING:	30 CLASSROOMS	=	23 SPACES
PROPOSED ADDITION:	8 CLASSROOMS	=	6 SPACES
TOTAL PARKING REQUIRED:	38 CLASSROOMS	=	29 SPACES

BICYCLE PARKING:
ON-SITE BICYCLE PARKING WILL BE PROVIDED WHERE SHOWN AND NOTED ON THE SITE PLAN. THE REQUIRED NUMBER OF BICYCLE PARKING SPACES BASED ON THE CITY OF OTTAWA'S MINIMUM PARKING RATES PER SECTION 111 OF PART 4 OF THE ZONING BY-LAW 2008-250 CONSOLIDATION - TABLE 111A-BICYCLE PARKING SPACE RATES:

LAND USE ITEM:
(D) - SCHOOL = 1 SPACE PER 100m² OF GROSS FLOOR AREA
(E) - DAY CARE = 1 SPACE PER 250m² OF GROSS FLOOR AREA
(I) - OTHER (POOL) = 1 SPACE PER 1500m² OF GROSS FLOOR AREA

AREA OF (D):	3,407.2 m ²	=	34 SPACES
AREA OF (E):	337.7 m ²	=	2 SPACES
AREA OF (I):	307.6 m ²	=	1 SPACES
TOTAL PARKING REQUIRED:			37 SPACES

TOTAL BICYCLE PARKING TO BE PROVIDED: 40 SPACES

North

No.	By	Description	Date
08	JF	ISSUED FOR SITE PLAN CONTROL	16 APR 2020
07	JF	ISSUED FOR PRELIMINARY PRICING REVIEW	14 APR 2020
06	JF	ISSUED FOR PRELIMINARY PRICING REVIEW	06 MAR 2020
05	JF	ISSUED FOR SITE PLAN CONTROL	17 JAN 2020
04	JF	ISSUED FOR SITE PLAN CONTROL	26 SEPT 2019
03	JF	ISSUED FOR COORDINATION	12 SEPT 2019
02	JF	ISSUED FOR COORDINATION	12 JULY 2019
01	JF	ISSUED FOR PRELIMINARY REVIEW	19 SEPT 2018

Project

ST-LAURENT ACADEMY ADDITION

641 SLADEN AVE., OTTAWA, ON

Drawn
SITE PLAN:
PROPOSED BUILDING ADDITION

Scale	AS NOTED	Stamp	
Drawn	J.F.		
Checked	C.D.		

Project No. 19-157

Drawing No. **SP-A01**