



Committee of Adjustment  
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City of Ottawa | Ville d'Ottawa  
Comité de dérogation

Minor variance  
**COMMENTS TO THE COMMITTEE OF ADJUSTMENT**  
Panel 1

Site Address: 460 Athlone Avenue

Legal Description: Lot 106, Registered Plan 272

File Nos.: D08-02-23/A-00030

Date: April 12, 2023

Hearing Date: April 19, 2023

Planner: Basma Alkhatib

Official Plan Designation: Inner Urban Transect, Neighbourhood

Zoning: R3R[2687] H(8.5)(Residential third density zone, subzone R, exception 2687, maximum height 8.5 metres)

### DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns** with the above-noted application.

### DISCUSSION AND RATIONALE

The subject site is within the Inner Urban Transect Policy Area on Schedule A and Neighbourhood designated on Schedule B2 in the Official Plan. The aimed pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. This pattern includes a minimum of two functional storeys, attached buildings and small areas of formal landscape and a range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios. Also, Neighbourhoods are anticipated to maintain their low-rise nature unless otherwise stated in the Zoning By-laws or applicable Secondary Plans.

The Mature Neighbourhoods focus is on appearance from the public realm, with specific attention given to the extent that front yards and corner side yards are used for soft landscaping, driveways and on-site parking, and the orientation and visibility of the front door. The Streetscape Character Analysis (SCA) goal is to capture older neighbourhoods' distinctive character and ensure a continuation of the "look along the street" as these properties redevelop and intensify over time.

Although the dominant character for the subject site is ABA, which means no permitted attached parking or carport that faces the street, Staff noted that the subject site has an existing detached garage and an existing driveway leading to it, and the proposed unification of the detached garage to the existing dwelling will not



change the appearance from the public realm.. Furthermore, the proposed attached garage is not reducing the softscaping, which is maintaining more than the required percentage by the Zoning By-law.

A main goal of the Official Plan is prioritizing softscaping over parking, while once the minimum required aggregated soft landscaped yard area is provided, the remaining front yard may be used by a driveway, walkway, porch, steps or landing, for any minor projections such as window wells and bay windows, and remaining lands may be developed with soft or hard landscaping, including the development of a patio. Staff noted that there are site-specific extenuating circumstances, as the parking garage was already existing and the adequate landscaping is supported on the front yard and over all the site, following the intent of the Official Plan.

Staff noted the efforts of the applicant in preserving the softscaping and the existing tree canopy in all the yards. The proposed addition to the subject site will shift the existing garage towards the house, which increases the interior side yard on the south side of the property. This addition will be replacing the exiting balcony with second storey addition that will increase the upper storey gross floor area for living. This increase in the interior side yard will increase the existing aggregated softscape and will supply more soil volume that will give a chance for better growth for the existing hedge.

The Department has no concerns with the applicant's request because staff recognized that the proposed addition is a balanced trade-off for shifting the existing garage to attached garage and supplying extra softscaping while maintaining the street look. Moreover, staff noted that the proposed variance conserves the Official Plan intention for intensification, sustains the urban pattern and supports prioritizing landscaping.

#### **Forestry Services Comments:**

1. There are no protected trees impacted by this application. There are trees well under 30 cm diameter along the property line. The development does not necessitate the removal of these trees as the addition is 1.5m from the property line. Any jointly owned trees under 30 cm in diameter requiring removal would require permission from the neighboring owner as this is considered a civil matter.

#### **Additional Comments:**

1. The Right-of-Way Management Department has **no concerns**, as there are no proposed changes to the private approach.
2. **Planning, Real Estate and Economic Development Department** will do a



- complete review of grading and servicing during the building permit process.
3. At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
  4. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
  5. The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by **Planning, Real Estate and Economic Development Department**.
  6. Existing grading and drainage patterns must not be altered.
  7. The **Planning, Real Estate and Economic Development Department** requires proof that the Rideau Valley Conservative Authorities have granted their approval due to development being located within the regulatory limit.

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