



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: 243 Carruthers Avenue

Legal Description: Part of Lot 33, Registered Plan No.83

File Nos.: D08-02-23/A-00056

Date: April 18, 2023

Hearing Date: April 19, 2023

Planner: Basma Alkhatib

Official Plan Designation: Inner Urban Transect, Evolving Neighbourhood

Zoning: R4UB (Residential forth density Zone, subzone UB)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject site is within the Inner Urban Transect Policy Area on Schedule A and Evolving Neighbourhood designated on Schedule B2 in the Official Plan. Section 6.3.2 outlines that new development should respect the character of existing areas and development. The intended pattern of development in the Inner Urban Transect is urban including a minimum of two functional storeys, buildings attached or with minimal functional side yard setbacks and small areas of formal landscape. Policy 5.2.1 states that this development shall encourage moving towards an urban built form pattern, encouraging these areas to develop with a focus on multi-modal transportation methods, particularly walking and cycling. It also should include space for soft landscape, trees, and hard surfacing.

The proposed development respects the goals of the Official plan by maintaining a consistent street edge, aligning with existing neighbouring buildings, and keeping the urban pattern. But it did not originally support the prioritizing of softscaping and tree canopy over parking space described in the Official Plan.

One of the main goals of the Official plan is to give landscaping a higher priority than on-site parking to prevent the loss of “green space” and tree canopy in new infill and intensification projects. The applicant has revised their site plan on April 18, 2023, to remove a parking space and increase the reduced minimum aggregated rectangular soft landscaped area in the rear yard whereas the By-law requires a



minimum aggregated rectangular soft landscaped area in the rear yard of 25 square metres. The proposed aggregated softscape now exceeds the requirement in the By-law.

Staff have no concern about the proposed updated project as the soil volume in the rear yard will allow the planting of more trees. As in the Official Plan, greenspaces are described as “necessary elements” to facilitate achieving a 60 per cent intensification target. Moreover, the Official Plan targets improving public amenities and services to provide equitable access to greenspace that provides shade and opportunities to promote mental and physical health and wellbeing.

After reviewing the revised plans submitted on April 18, 2023, the minor variance b and c are no longer required as the removal of the parking resolved both of them.

The Department has **no concern** with the applicant’s request to reduce lot area, because Staff recognized the effort of the applicant to fulfill the requirement of the Zoning By-law and supporting the Official Plan directions in providing appropriate amenity space and facilitating tree planting, by increasing the rear yard softscaping and proposing an aggregated softscape that allows the growth of bigger tree.

Forestry Services Comments:

1. The original plans reduced the aggregated soft landscape area to 16.98m² for rear yard parking. **In response to comments from the community to increase tree canopy and by the Planning Forester asking the applicant to provide adequate soft landscaping to support a tree, the applicant provided a revised site plan on April 18, 2023.** The updated plan meets the zoning by-laws requirement for minimum aggregated rectangle rear yard landscape area. The applicant provided a planting plan showing the location of two new trees, one in the front and one in the rear. Consideration should be made to shifting the planting location of tree #2, to reduce conflicts with the overhead wires and provide direct light for tree establishment as there is overhead adjacent tree canopy.

Additional Comments:

1. **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. 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.
3. Any proposed works to be located within the road allowance requires prior



- written approval from the Infrastructure Services Department.
4. In accordance with the Tree Protection By-law all City owned trees are to be protected and compensation will be required if any tree is damaged or lost.
 5. The Tree Protection By-law is in effect and a permit is required to remove any protected trees (30 cm or greater in the urban area and 50 cm or greater in the suburban area) located on private property.
 6. 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**.
 7. A private approach permit is required for any access off of the City street.
 8. Existing grading and drainage patterns must not be altered.
 9. Existing services are to be blanked at the owner's expense.
 10. Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
 11. 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.
 12. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
 13. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
 14. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).
 15. The Right-of-Way Management Department has **no concerns** with the Minor Variance Application. However, the Owner/Applicant shall be made aware that a Private Approach Application is required for any modification to the private approach/driveway.
 16. **Please contact the ROW Department for any additional information at rowadmin@ottawa.ca**

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