

Committee of Adjustment
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2023-04-28

City of Ottawa | Ville d'Ottawa
Comité de dérogation



Minor Variance
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
Panel 1

Site Address: 314 Queen Elizabeth Driveway

Legal Description: Part of Lot E, West of Driveway, Registered Plan 35085

File No.: D08-02-23/A-00076

Date: April 28, 2023

Hearing Date: May 3, 2023

Planner: Margot Linker

New Official Plan Designation: Inner Urban Transect, Rideau Canal Special District

Zoning: R3Q[1474] (Residential Fourth Density, Subzone UD)

Mature Neighbourhood Bylaw: N/A

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department has **some concerns** with the above-noted application.

DISCUSSION AND RATIONALE

The subject property is located within the Inner Urban Transect Policy Area on Schedule A and is designated Rideau Canal Special District on Schedule B2 in the Official Plan. The intent of the policies for the Rideau Canal Special District is to conserve its cultural heritage landscape and ensure that new development will respect and reinforce the existing physical character. More specifically, development will respect existing patterns of building footprints, height, massing, scale, setback, and landscape character within the associated streetscape.

Staff note that the R3Q[1474] (Residential Third Density, Subzone Q, Urban Exception 1474) zone allows a mix of residential building forms ranging from detached to townhouse dwellings. This zone regulates development in a manner that is compatible with existing land use patterns so that the low-rise, residential character of the neighbourhood is maintained or enhanced.

Staff have no concerns with the variances to permit the reduced lot area, front yard setback, rear yard setback, rear yard area, front yard step projection, and front yard porch projection. Staff recognize that the subject site currently enjoys legal non-complying rights, and the proposed renovation and addition will maintain most of the existing building envelope. However, staff encourage the applicant to consider reducing the size of the proposed deck and increase the amount of soft landscaping in the front yard (facing Queen Elizabeth Driveway to the east).



Staff have some concerns with the requested variance to permit a 0-metre interior side yard setback, where the garage is expanded. If an easement exists over the abutting property, concerns regarding maintenance and access would be alleviated. However, staff have additional concerns related to controlling water on the property where development is built to the lot line as a new condition. If this minor variance is granted, a grading plan will be required at building permit to demonstrate how the proposed development will capture runoff and control it on the property.

Given the site context, staff have no concerns with the variance to permit a rooftop terrace access setback of 0-metres along the rear exterior building wall.

Staff have some concerns with the variance requested reduced setback of the rooftop terrace from the exterior wall. Staff do not anticipate adverse impacts where the terrace has a reduced setback from the north, east and west exterior walls based on the existing context. However, Staff have some concerns with the reduced setback from the south exterior wall as this may cause privacy and overlooking issues onto the abutting property's outdoor amenity area (1 Second Avenue), which is limited to the corner side yard due to the right-of-way in the interior side and rear yards.

Forestry Comments:

The Tree Information Report submitted confirms that there are no anticipated impacts from the proposed renovations on site. Tree protection fencing must be installed and maintained around the 3 protected NCC-owned trees for the entire duration of construction.

Additional Comments:

1. The **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. 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**.
5. Existing grading and drainage patterns must not be altered.



6. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

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