

2023-08-11



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 185 Hinton Ave North
Legal Description: Part of Lot 1383 & 1385 Registered Plan 157 City of Ottawa
File No.: D08-02-23/A-00170
Report Date: August 4, 2023
Hearing Date: August 19, 2023
Planner: Basma Alkhatib
Official Plan Designation: Inner Urban Transect, Evolving Neighbourhood Overlay
Zoning: R4UB (Residential fourth density, subzone UB)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff are satisfied that the requested minor variances meet the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

The subject site is within the Inner Urban Transect Policy Area on Schedule A and is designated Neighbourhood with an Evolving Neighbourhood Overlay on Schedule B2 in the Official Plan. The intended pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. The Neighbourhood designation allows low-rise development in an efficient form that is compatible with existing development patterns and provides site design elements such as soft landscaped areas.

The Official Plan in section 4.2.1 enables greater flexibility and an adequate supply and diversity of housing options throughout the city. Policy 4.2.1.3 states that Accessory Dwelling units as provided by the Planning Act, including coach houses and secondary dwelling units in the main building, are recognized as key components of the affordable housing stock and shall be protected for long-term residential purposes. The Zoning By-law shall permit these uses on residential lots with one principal dwelling unit in all areas of the City and shall establish criteria to govern appropriate integration of these units with the main dwelling and surrounding context. Some criteria and limitation may apply on a proposed Coach house as follow: coach house shall be smaller than the primary home; the size, floor area, function and occupancy of a dwelling unit in a coach house in the

urban area is not intended to exceed that of a typical two-bedroom apartment; A coach house may not be severed; Applications for Minor Variance / Permissions with respect to coach houses shall have regard for all applicable policies of this Plan, as well as the following considerations: i) The proponent can demonstrate that the privacy of the adjoining properties is maintained; ii) The siting and scale of the coach house does not negatively impact abutting properties; and iii) Distinctive trees and plantings are preserved on the subject property. An application to allow a height of up to two storeys through a minor variance may be considered where the above criteria is met.

The proposed coach house is meeting the criteria set by the Official Plan to allow an increase in height, as the privacy of the neighbouring properties is maintained by not creating any windows or doors on the walls facing the interior and rear lot line; the scale of the proposed coach house is not negatively affecting the abutting property; and there is no impact on the tree canopy because the coach house is proposed to be built on the asphalted parking space.

Coach houses are not considered accessory buildings for the purpose of zoning and are regulated under their own section of the Zoning Bylaw, Section 142. A coach house may be an accessory use to detached, semi-detached, linked-detached and duplex dwellings, as well as in the end units of a townhouse row where the property is located on a corner lot. The zoning by-law contains criteria to ensure that Coach Houses remain compatible with existing development and take into consideration the characteristics of different communities. The proposed coach house does not comply with the height provisions, hence the request for minor variances.

The subject property has a lot area of 223 square metres. The footprint of the existing two-storey building is 62.8 square metres; therefore, the maximum allowable footprint of the coach house is 25.12 square metres (40 per cent). The proposed coach house is still subordinate to the principal dwelling; it is less than 40 per cent (21.12 meters square) of the size of the principal dwelling.

Staff are of the opinion that the proposed variance will not result in adverse impacts to the streetscape or neighboring properties from the introduction of the garage and dwelling addition. Staff are of the opinion that the development aligns with the intent of the Official Plans and Zoning By-law.

ADDITIONAL COMMENTS

Building Code Services

Heritage Planning Branch

Infrastructure Engineering

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. 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. 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.
7. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
8. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0 meters is required between service laterals and the foundation face.
9. A geotechnical memo addressing the spacing for adequate access for repair and maintenance of the services may be requested.
10. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application, as there are no requested changes to the private approach.



Basma Alkhatib

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