



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 531-533 Broadhead Avenue
Legal Description: Lot 55, Registered Plan 364
File No.: D08-02-23/A-00183
Report Date: August 31, 2023
Hearing Date: September 6, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R3R (Residential Third Density, Subzone R)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against 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 located within the Inner Urban Transect Policy Area and designated Neighbourhood in Schedules A and B2 in the Official Plan, and is located approximately one kilometre from the future Westboro and Kichi Sibi O-Train Stations as well as future O-Train stations along Carling Avenue. Within the Inner Urban Transect, maintaining or enhancing unbroken curb space for short-term, visitor and permit-zone street parking and other common purposes, and front yard space for trees and intensive landscaping, is given priority over private approaches. Driveways for new development that led to parking should be designed to minimize the impact on the public realm. Neighbourhoods are planned to maintain a low-rise character with form-based regulation having regard for local context and character of existing development as well as appropriate interfaces with the public realm. The Official Plan notes that a characteristic of urban built form is that there is either no automobile parking, or limited parking that is concealed from the street and not forming an integral part of a building, such as a front facing garage (Table 6).

Staff have concerns with the minor variance to permit an attached front facing garage. The Streetscape Character Analysis is an objective count of building elements (garages, driveways, and main entrances) within the vicinity of the subject site and is intended to encourage development to maintain the character with the existing homes on the street. The dominant character of the street is no attached front-facing garage, single-wide driveway, and main entrance facing the street. The primary consideration in whether or not a development is compatible with the streetscape character is the immediate surrounding context, as defined by the lots that are analyzed within the Streetscape Character Analysis.

The Official Plan notes that a characteristic of urban built form is limited parking that is concealed from the street and not forming an integral part of a building, such as a front facing garage (Table 6). Front-facing attached garages often push the livable floor area of the dwelling upwards and/or towards the rear yard, resulting in a break of character for the street. These infill developments enhance the dominance of the automobile on the streetscape and render the principal entranceway less importance than the car's storage in neighbourhoods where housing was predominantly built prior to the mass commercialization of the automobile. Since the dominant character of the street is no front facing attached garages, staff have concerns regarding the compatibility with the existing built form. In addition, since the direction of the Official Plan for this area is to become more urban, including prioritizing the built-form relationship with the public realm through emphasizing front entrances and windows, staff have concerns with this variances.

Staff suggest a redesign that better aligns with the Streetscape Character Analysis, such as interior side yard parking or a cantilever design, which also might place less impact on the rear yard tree.

ADDITIONAL COMMENTS

Staff have been in conversations with the applicant to discuss the proposed tree removal and possible solutions to retain the existing rear yard tree. The applicant has confirmed that possible solutions will not influence the subject minor variance application and no additional minor variances are anticipated.

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. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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**.
4. Existing grading and drainage patterns must not be altered.
5. Existing services are to be blanked at the owner's expense.

6. 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.).
7. Provide a minimum of 1.5m between the proposed driveway and the utility pole.
8. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
9. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

Planning Forestry

The TIR recommends removal of the existing tree in the rear yard, which is outside of the building footprint. The Official Plan strongly supports retaining such trees through development design, while supporting intensification. While the requested minor variance does not directly impact the tree in the rear yard, using the proposed garage area for living space could allow for alternative solutions, such as cantilevering, to increase the separation distance between foundation excavation at the rear from the tree. If the minor variance is refused, revised site and grading plans would be required at the Building Permit stage to show any alterations to the plan and their affect on this tree.

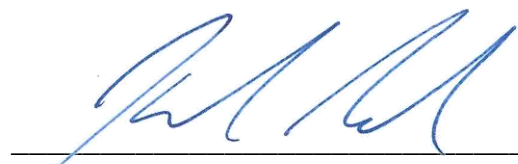
It also appears that there are several trees on adjacent properties with Critical Root Zones extending onto the subject site; it is the applicant's responsibility to consult with the neighbours about any impacts to their trees or property related to development, and to resolve any concerns. The proposed design with 2 driveways would encumber a large amount of the frontage of these lots, reducing the area of soft landscaping available for planting trees to improve the streetscape and canopy cover. If driveways are necessary, their alignment and associated services must be located to maximize the space available for planting 1 new tree per lot in the ROW.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Applications. However, the Owner shall be made aware that a private approach permit is required to construct each of the newly created driveways/approaches.



Margot Linker
Planner I, Development Review, Central
Planning, Real Estate and Economic
Development Department



Jean-Charles Renaud
Planner III, Development Review, Central
Planning, Real Estate and Economic
Development Department