

Date: August 4, 2023

File: 060723 - 626 Tweedsmuir Avenue

To: Michel Bellemare, Secretary Treasurer
Committee of Adjustment
City of Ottawa, 101 Centrepointe

Committee of Adjustment
Received | Reçu le

2023-08-08

City of Ottawa | Ville d'Ottawa
Comité de dérogation

**RE: PROPOSED MINOR VARIANCE APPLICATION FOR 626
TWEEDSMUIR AVENUE**

Dear Mr. Bellemare,

Q9 Planning + Design have been retained by Heather and Allan Godding to prepare a Planning Rationale regarding the minor variance application in order to construct a new detached dwelling on the subject site at 626 Tweedsmuir Avenue.

The following represents the Planning Rationale cover letter required as part of the submission requirements for an application to the Committee of Adjustment.



Figure 1: Location Plan (Source: Google Maps)

OVERVIEW

The subject site is a rectangular, interior lot located on the west side of Tweedsmuir Avenue in Westboro, within Ward 15 - Kitchissippi in the City of Ottawa. The neighbourhood is characterized by a mix of uses and many different residential dwelling types, with ground-oriented forms such as detached dwellings and semi-detached dwellings located within the neighbourhood interior and higher density residential, mixed use, and arterial commercial uses located along major arterial roads. Within the immediate area, Tweedsmuir Avenue is characterized by detached and semi-detached dwellings on rectangular shaped lots.

The proposed development is to demolish the existing dwelling in order to construct a two-and-a-half storey detached dwelling with a front facing attached garage and a single driveway with an attached walkway. In order to facilitate this development, minor variances are required.

Minor Variances Requested

The requested variances for these applications are identified below:

Single-Detached Dwelling (626 Tweedsmuir Avenue)

- (a) To permit a front facing attached garage where no front facing attached garage is permitted according to the Streetscape Character Analysis for the street. (Section 140, Table 140A).
- (b) To permit a driveway with a width of 3.972 metres, whereas the maximum permitted driveway is 3.0 metres. (Section 139, Table 139(3)(iii)).
- (c) To permit a 0 m landscaped buffer between a driveway and a walkway, whereas the minimum buffer between a driveway and a walkway is 0.6 metres. (Section 139(4)(c)(ii)).

Documents Required and Submitted

The following lists all required and submitted documents in support of the identified Committee of Adjustment applications.

- [Site Plan
- [Elevations
- [Tree Information Report
- [Survey
- [Planning Rationale (this document)
- [Fee
- [Application Form

SITE & CONTEXT

Site

The subject site is a rectangular interior lot located along the west side of Tweedsmuir Avenue in Westboro. The property is currently developed with a single-storey detached dwelling constructed from stucco. It is a similarly sized lot to the abutting property to the south at 630 Tweedsmuir and is slightly deeper than the abutting lot to the north at 622 Tweedsmuir. The site has 15.545 metres of frontage along Tweedsmuir Avenue and is approximately 516.5 square metres in area. The abutting property to the north is a two-storey single-detached dwelling with a front facing attached garage, while the abutting property to the south is a three-storey semi-detached dwelling that is currently under construction and contains a front-facing attached garage for each half of the semi. The subject site and the two abutting lots have rear lot lines along the interior lot lines of properties facing Duncairn Avenue and Dovercourt Avenue. The following list provides the lot dimensions for 626 Tweedsmuir Avenue:

- [Lot frontage: 15.545 m
- [Lot depth: 32.698 metres
- [Lot area: ~ 516.51 square metres



Figure 2: Site Map (Source: GeoOttawa)

Context

The subject property is located in an established residential neighbourhood consisting of a variety of ground-oriented residential dwelling types. The immediate context is characterized by single-detached and semi-detached dwelling types, with a variety of architectural styles and features, indicating gradual and continuous redevelopment of the area over time. The property forms part of the short side of a block that is bounded by Duncairn Avenue to the north, Dovercourt Avenue to the south, Churchill Avenue North to the west, and Tweedsmuir Avenue to the east. There are four lots located along the eastern end of the block including the subject property.

Most of the lots in the immediate area along Tweedsmuir Avenue consist of detached and semi-detached homes situated inline on somewhat varied, rectangular lots. Various hipped, gabled, and flat roof types are present along the street, with most homes having front facing main entrances and being one-to-three storeys in height. Many houses in the area also feature front-facing attached garages.

Tweedsmuir Avenue itself is a north-south street that runs from Scott Street in the north to a dead end to the south near Carling Avenue and Highway 417. It features one lane of travel in each direction which wide shoulders used for pedestrians and cyclists. Though there are no sidewalks along Tweedsmuir Avenue itself, there are sidewalks close by along Dovercourt Avenue and Clare Street, which intersect with Tweedsmuir and Churchill Avenue North, which runs parallel to Tweedsmuir. There are some bus routes located within close proximity to the site, with frequent service via OC Transpo Routes 51 and 85 running along Clare Street and Carling Avenue and local service via Routes 50 and 81 along Churchill Avenue and Kirkwood Avenue. No bike lanes are provided along Tweedsmuir Avenue, though there are separated bike lanes along Churchill Avenue.

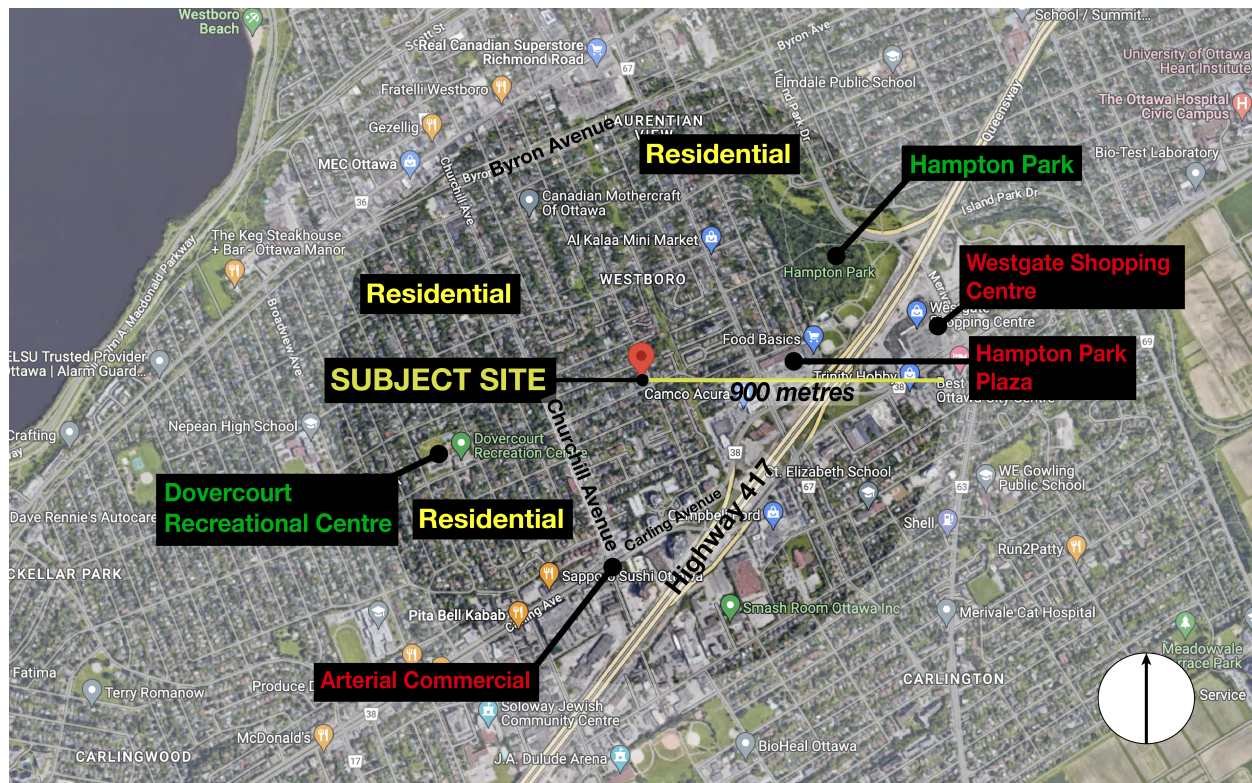


Figure 3: Context Map (Source: Google Maps)

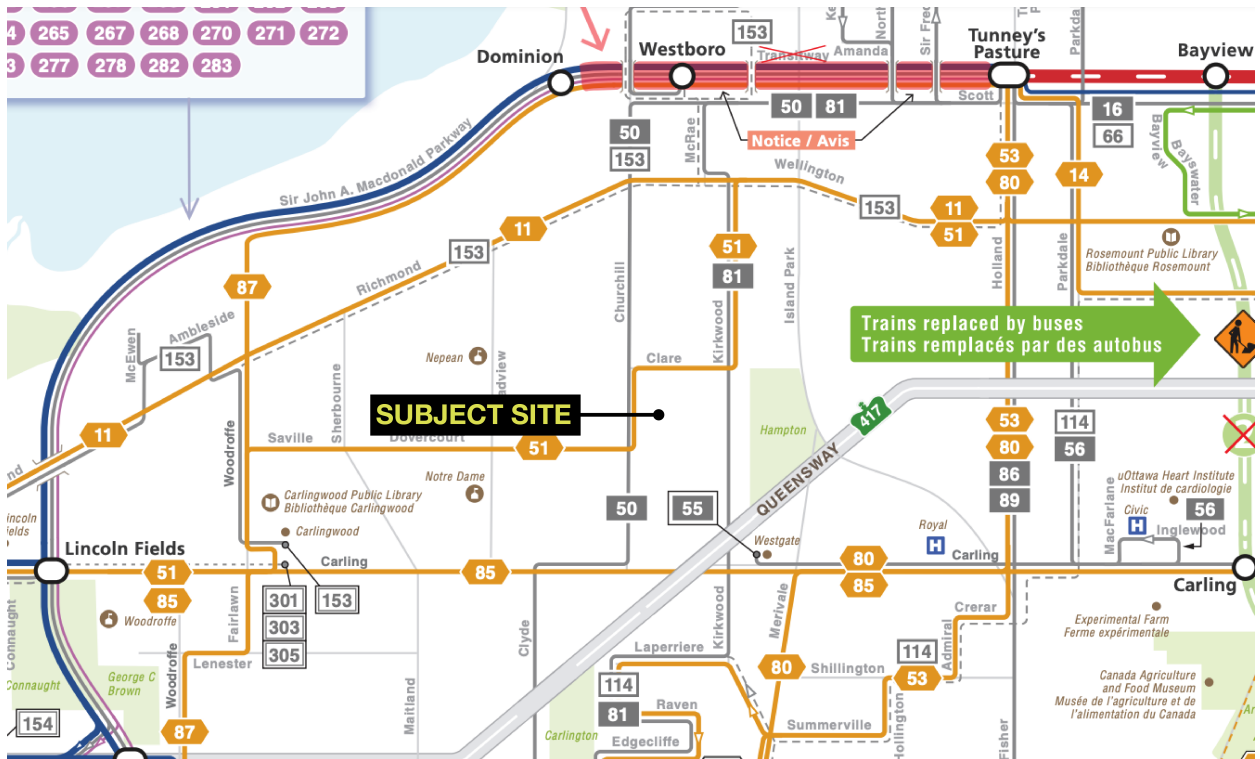


Figure 4: Public Transit Network (Source: OC Transpo)

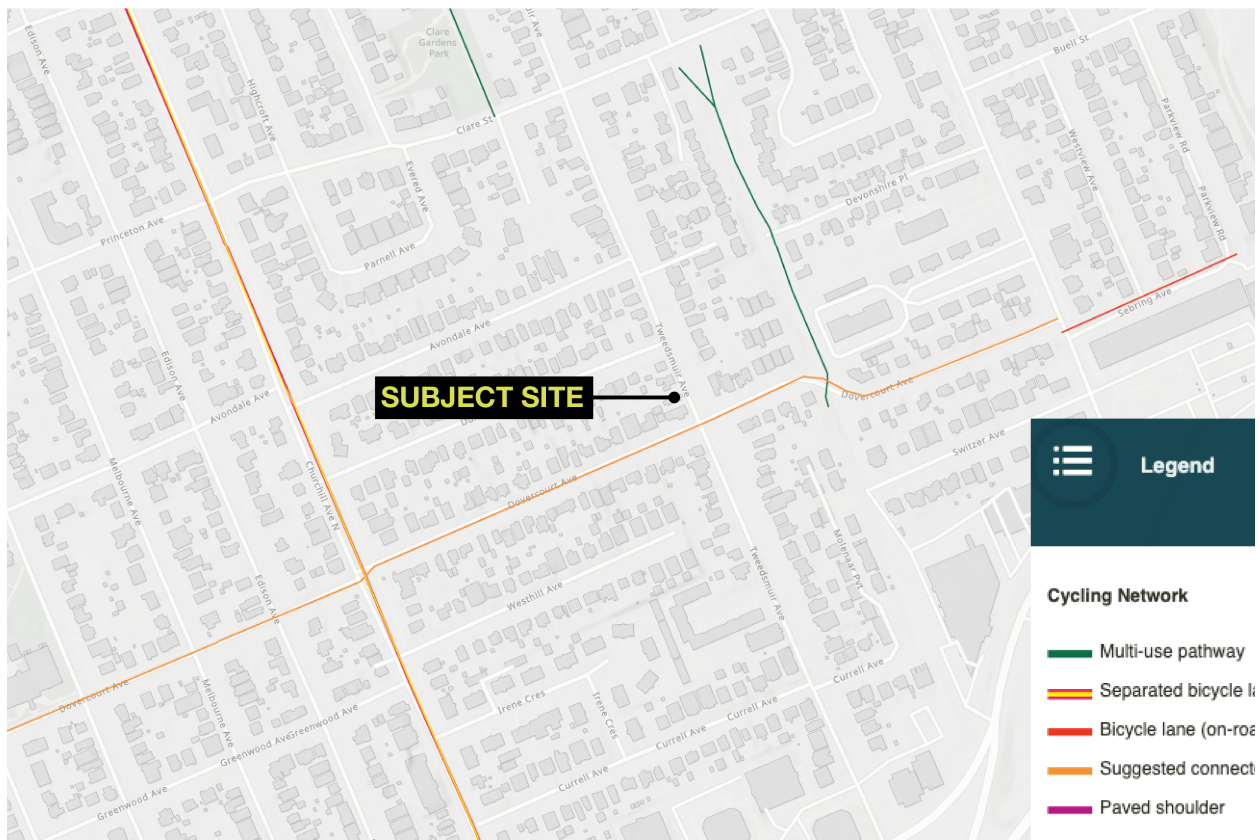


Figure 5: Cycling Map (Source: National Capital Commission)

PROPOSED DEVELOPMENT

The proposed development is to demolish the existing 1.5-storey detached dwelling on the property and construct a new, 2.5-storey detached dwelling. The new dwelling will feature a single driveway leading to a front-facing attached garage. It will be constructed with a mix of light grey brick material along with black and wood-coloured panelling. The development will provide increased living space for the current homeowners and accommodate their family's needs within their lot, allowing them to remain in the neighbourhood.

The dwelling is designed to be compatible with neighbouring dwellings, with an appropriate 2.5-storey scale that compliments the abutting two-storey dwelling to the north and the planned three-storey semi-detached dwelling to the south. The selected materials will further ensure that the home will be compatible with the neighbourhood character while integrating the design of the front-facing attached garage into the home's facade.

The development will feature a front yard setback of 6.13 metres, interior yard setbacks of 1.54 metres and 1.53 metres, and a rear yard setback of 9.75 metres.

The proposed variances to permit a front-facing garage, wider driveway and connected walkway are collectively to provide a garage space for vehicle and bicycle parking and storage of items such as garbage, recycling, snowblower, lawnmower and other lot maintenance items. The proposed driveway and connected walkway are planned to be heated which cannot be easily accomplished if the two hardscape are separated. It further allows easier management of snow clearing in the winter.

The proposed front yard exceeds the aggregate landscaping requirements and includes the provision of

The following pages contain the Site Plan and Elevations.



Figure 7: Front Elevation, prepared by Ardington + Associates Design, Rev 1, June 1 2023

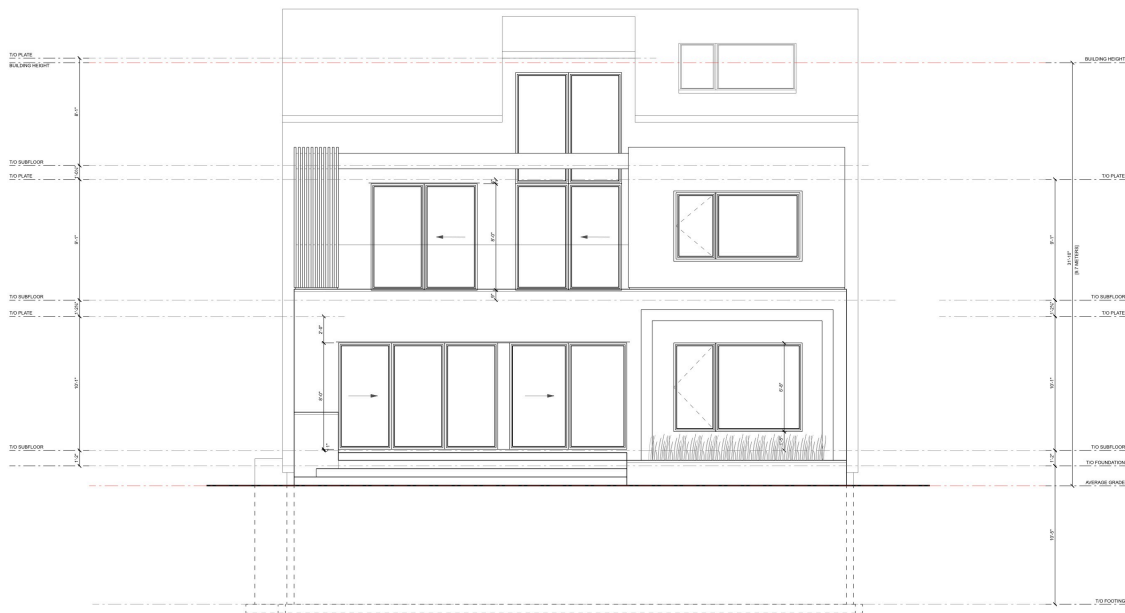


Figure 8: Rear Elevation, prepared by Ardington + Associates Design, Rev 1, June 1 2023

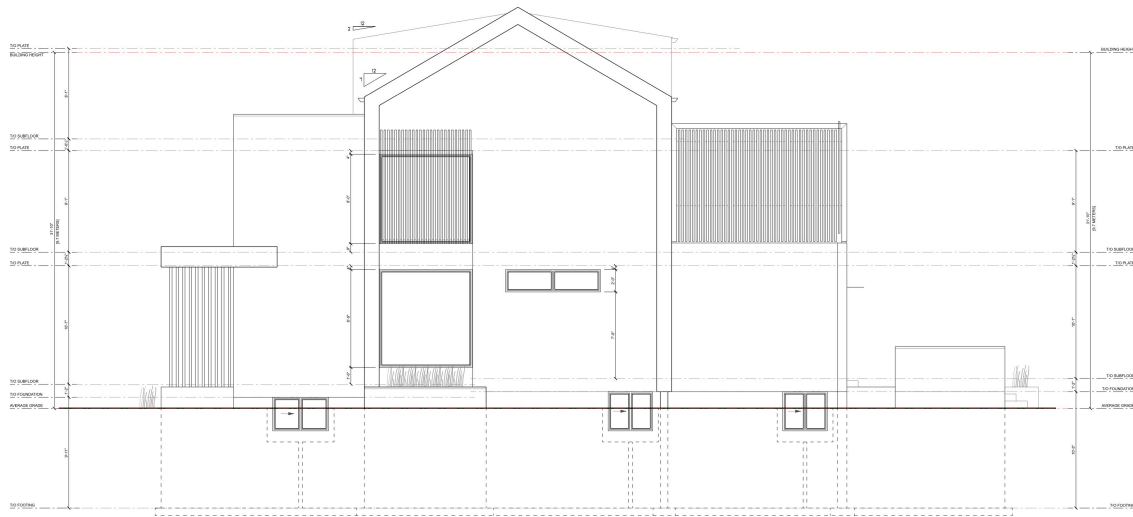


Figure 9: North Elevation, prepared by Ardington + Associates Design, Rev 1, June 1 2023

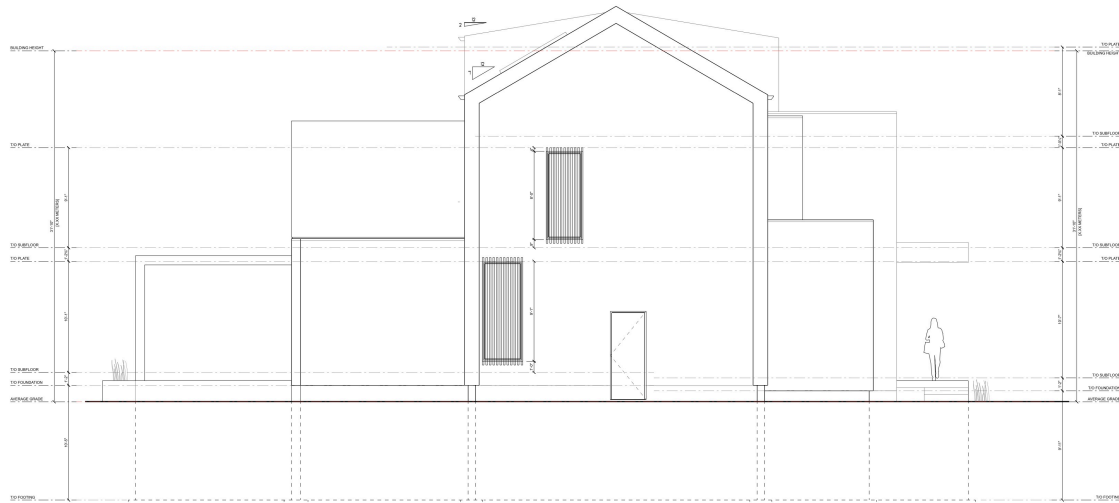


Figure 10: South Elevation, prepared by Ardington + Associates Design, Rev 1, June 1 2023



Figure 11: Front Render, prepared by Ardington + Associates Design, Rev 1, June 1 2023



Figure 12: Front Render 2, prepared by Ardington + Associates Design, Rev 1, June 1 2023



Figure 13: Side Render, prepared by Ardington + Associates Design, Rev 1, June 1 2023



Figure 14: Rear Render, prepared by Ardington + Associates Design, Rev 1, June 1 2023

SUPPORTING STUDIES

Streetscape Character Analysis

A Streetscape Character Analysis (SCA) was submitted in December of 2022. A total of 21 properties were reviewed along Tweedsmuir Avenue. The results of the SCA are provided below:

TABLE 1 ATTACHED GARAGES AND CARPORTS		HOW MANY LOTS?
Character Group	see Table 140(A) Zoning By-law 2008-250	Total
A. No front-facing attached garage or carport		15
B. Front-facing attached garage or carport		6

TABLE 2 ACCESS AND PARKING CHARACTER		HOW MANY LOTS?
Character Group	Refer to Table 140(B) of Zoning By-law 2008-250	Total
A. No driveways along lot lines abutting a street		1
B. Individual single-wide driveways and Shared driveway		19
C. Individual double-wide driveways		1
<i>Note: If Group A is the most common, but the number of Group B and C lots combined outnumber Group A, then Group B is deemed to be dominant.</i>		
D. A. Legally-established front yard parking		0
<i>Note: Front yard parking is prohibited. The number of legally-created spaces needs to be determined only if a new front yard parking space (s) is proposed.</i>		

Table 3 MAIN DOOR CHARACTER		HOW MANY LOTS?
Character Group	Refer to Table 140(C) of Zoning By-law 2008-250	Total
A. Main door faces the front lot line and the street, or is accessed by a structure located along the front wall of the dwelling but does not face the front lot line and street		21
B. Main door does not face the front lot line and doesn't face the street		0
<i>Note: If you have a corner lot, A and B also apply when documenting doors along the corner side lot line</i>		0

The map below identifies the sites that were evaluated for the SCA:

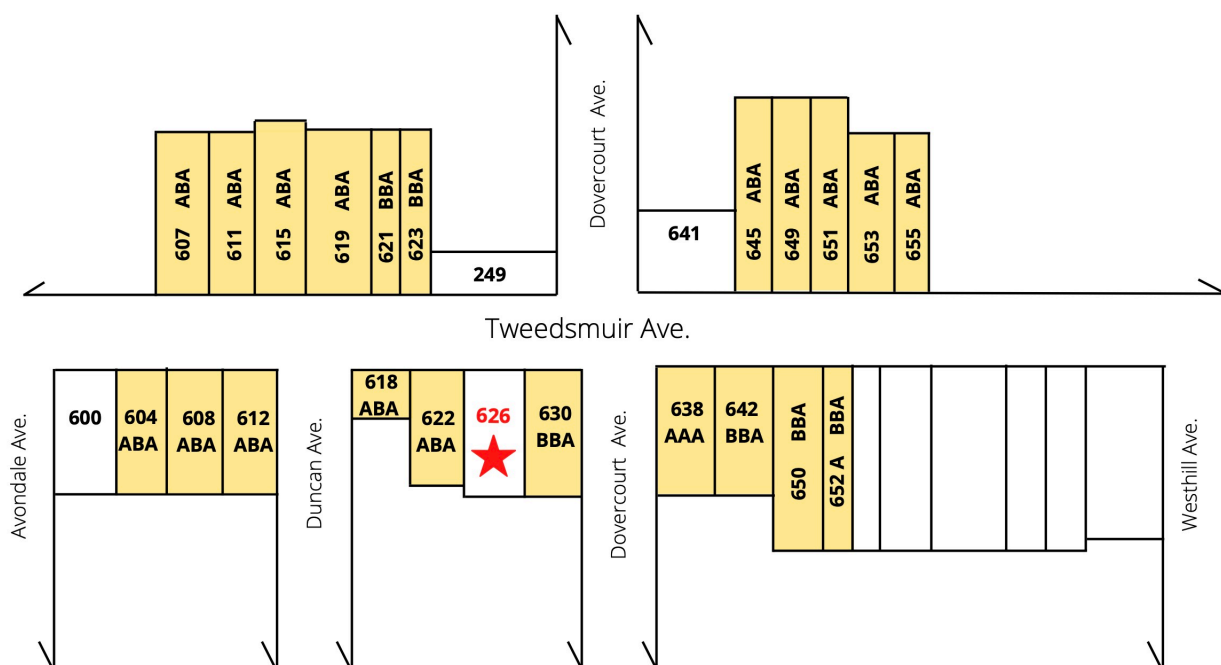


Figure 15: SCA Lots Assessed Map, prepared by Ardington + Associates Design

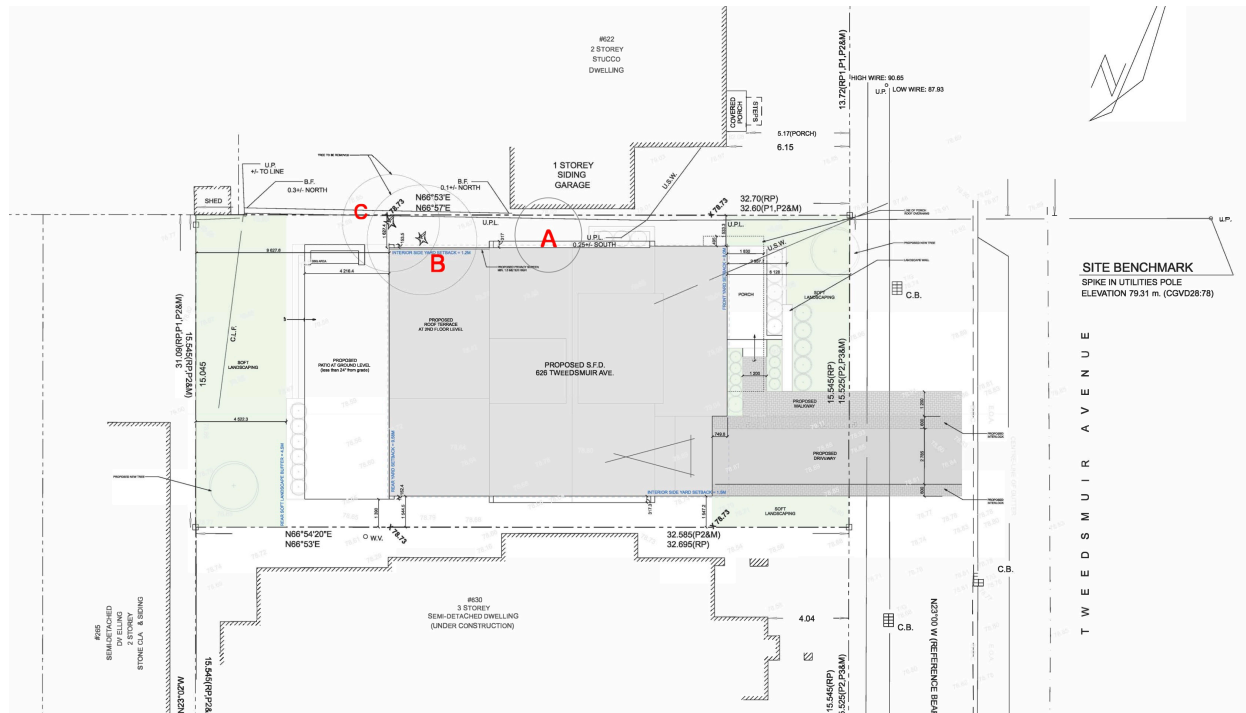


Figure 16: Tree Information Report Map

The letter of confirmation from City of Ottawa dated January 30 2023, identifies that the character group for the subject is ABA. Permissions for an ABA character group are detailed below:

- [Front-facing Attached Garages and Carports: A – Front-facing garage not permitted.
- [Access/Driveway/Parking: B – A single driveway or shared driveway is permitted
- [Location of Front Door: A – Front door must face the street.

Tree	Species	DBH (cm)	Location	Ownership	CRZ (m)	DE (m)	Tree Condition	Reason for Removal	Arborist's opinion if removal
A	Norway Maple	20	Back right	Client	2	1	Good	Construction	Recommend remove tree, inferior species
B	Buckthorn	33, 30, 15	Back right	Client	3	1	Poor	Construction	Recommend remove tree, poor health
C	Buckthorn	20, 20, 20, 20, 20	Back right	Client	2	1.5	Poor	Construction	Recommend remove tree, poor health

As such, the breakdown for Table 1 on the SCA form would be revised from 15 A's and 6 B's to 13 A's and 8 B's.

Adjustments to SCA

It is noted that since the original SCA report was undertaken, #612 Tweedsmuir obtained Committee of Adjustment Approval for front-facing garages for a proposed semi-detached dwelling.

As such, the SCA would then be adjusted to remove two ABA categorizations as the existing #612 Tweedsmuir would no longer be one ABA, it would be two BBAs, which would then result in #604 Tweedsmuir not being included in the total of assessed lots.

Tree Information Report

A Tree Information Report by Manotick Tree Movers Inc. dated July 7 2023 which identifies that 3 trees on the subject lot — A, B, and C — located along the north property line are required to be removed for the construction of the new dwelling. Two new trees are proposed, one in the front yard and one in the rear yard.

Trees B and C are in poor condition. Tree A is 20 cm diameter at breast height (DBH) and is not considered a distinctive tree. Tree A and Tree C are less than 30 cm DBH and as such no permit is required. Tree B will require a permit but is noted to be in poor condition.

POLICY REVIEW

In order to obtain approval of the proposed minor variances required to construct a new single-detached dwelling on the property, a review of the relevant and applicable policies and provisions is required. These are reviewed and discussed below. Relevant policies will be indicated in *italics*.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020 and provides broad policy direction on matters of provincial interest related to land use planning and development. The Plan is intended to provide for appropriate development while protecting Provincial resources of interest, public health and safety, and the quality of the natural and built environment. The PPS is complemented by other Provincial plans as well as municipal plans such as Official Plans and Secondary Plans. All plans and decisions affecting planning matters “shall be consistent with” the PPS.

Section 1.0 intends to wisely manage change and plan for efficient land use and development patterns, which in turn help support sustainability through strong, liveable, healthy, and resilient communities.

1.1.1 *Healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity;*
and
- i) *preparing for the regional and local impacts of a changing climate.*

Comment: The proposed development results in the construction of a new detached dwelling on an existing lot within the urban boundary. It contributes to the overall housing supply in the area and accommodates the needs of the current homeowners with a new

home through infill development, which allows them to remain in their neighbourhood. The modifications permitted through the minor variances allow them to combine their driveway and walkway so the two hardscape components can be heated and more easily managed in winter conditions. This supports a more accessible lot condition and it groups the landscaped areas instead of having a 0.6 m sliver of landscaping which is a maintenance hassle.

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

Comment: The subject site is located inside the urban boundary. The proposed developments results in the creation of a new home on an existing lot within an established residential area, avoiding the creation of an additional lot in a Greenfield area. The proposal makes use of existing municipal services, infrastructure, and public transportation and does not require their uneconomical expansion.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) permitting and facilitating:*
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of*

housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Comment: The proposed development results in the creation of one new detached dwelling on the subject property through a contextually-appropriate redevelopment of the existing site. The new house will be created on an existing serviced lot and does not necessitate the expansion of municipal infrastructure or services. Furthermore, the home will retain the low-rise, ground-oriented context of the area and achieves an appropriate design response that is compatible in scale, height, and massing with the surrounding neighbourhood. The proposal more optimally utilizes the available space on the lot while preserving the existing tree canopy and providing sufficient landscaping.

Section 2.0 of the PPS aims to ensure Ontario's long-term prosperity, environmental health, and social well-being through the wise management and conservation of natural resources. This includes policy direction on conserving biodiversity, protecting the Great Lakes, and protecting natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources.

Section 3.0 of the PPS intends to provide for Ontario's long-term prosperity, environmental health, and social wellbeing by reducing potential natural and human-made hazards and threats to public safety. Development is to be directed away from natural or human-made hazards.

Based on our review, it is our professional planning opinion that the proposed development conforms with the Provincial Policy Statement (PPS), 2020.

City of Ottawa Official Plan

Designation: *Neighbourhood, Evolving Overlay, within the Inner Urban Transect*

The new City of Ottawa Official Plan was passed by City Council on November 24th, 2021 and was approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4th, 2022. The Official Plan builds on the Five Big Policy Moves identified in the City's Strategic Plan and provides renewed goals, objectives, and policies intended to guide future growth and land use decision-making into the year 2046.

Section 2 contains the overarching strategic directions of the new Official Plan, centred around the Five Big Moves. These five broad strategic directions call for increased growth through intensification, sustainable transportation, context-based urban and community design, environmental, climate, and health resiliency embedded into planning policy, and planning policies based on economic development. Six cross-cutting issues have also been identified as essential to the achievement of liveable cities, which are related to intensification, economic development, energy and climate change, healthy and inclusive communities, gender equity, and culture.

Comment: The proposed development results in the construction of a new home on an existing property within the urban area. It achieves a context-based and compatible design that is appropriately scaled to the neighbourhood and fits within the existing streetscape. The development also accommodates the expanded needs of the current homeowners through redevelopment of an existing property, helping to manage growth through infill development and intensification. The proposal is appropriate based on the surrounding

neighbourhood context and its location within a Neighbourhood in the Inner Urban Transect, contributing to the achievement of the Five Big Policy Moves.

Section 3 of the Official Plan provides a renewed growth management framework that directs various types and intensities of growth to appropriate areas, ensuring that adequate land is provided to accommodate new growth. Most of the future growth in population and jobs is expected to occur within the urban settlement area, with the balance being accommodated in rural areas. Six transect policy areas underpin this growth management framework, with each transect policy area planning for new growth accommodation in accordance with the existing development context. Tailored direction is provided to gradually transition lands within these transects towards 15-minute communities.

Comment: The subject site is located in the urban settlement area within an established residential neighbourhood in the Inner Urban Area. It is currently developed with a 1.5-storey detached dwelling. The proposed development provides the same residential use within the same single-detached typology. It helps retain a contextual form and dwelling type on the site while supporting growth accommodation and accommodating the owner's needs on an existing lot. This aligns with the planned direction for growth management in urban areas. A larger dwelling supports diversity and life cycle adjustments for growing families and multi-generational families.

Section 4 of the Official Plan provide policies applicable to development throughout the City, including those for more sustainable modes of transportation and the design and creation of healthy, 15-minute neighbourhoods. It also promotes housing choice to accommodate a variety of needs.

Comment: The proposed development provides a new single-detached dwelling within the urban area, contributing to the housing choice and meeting the needs of the current homeowners and their family. It supports the mix of dwelling types in the neighbourhood and along Tweedsmuir Avenue, which includes single-detached and semi-detached dwelling types.

Section 4.6 provides policies aimed at regulating the design of built form and the public realm in a manner that supports 15-minute neighbourhoods. It emphasizes design excellence throughout the City, especially in Design Priority Areas. The subject site is not located within a Design Priority Area.

Comment: The proposed development contributes a well-designed single-detached home to the area which provides more living space for the current homeowners to better accommodate their needs. It results in a more functional site design that efficiently uses the available space on the lot while providing adequate zoning compliant setbacks and sufficient landscaping. The 2.5-storey height and the overall scale and massing of the home is compatible with the abutting homes and fits into the streetscape context of semi-detached and detached dwellings with varied architectural styles. No shadowing, overlook, or other adverse impacts onto neighbours will result from the home. The attached garage as proposed integrates seamlessly into the front facade of the building, de-emphasizing the garage's visual appearance and resulting in a functionally and aesthetically superior design to the permitted cantilever design. As designed, the home meets the required front yard aggregate soft landscaping and supports a new tree, ensuring that the provision of landscaping is sufficient and that the urban tree canopy can be supported. Overall, the

proposed development contributes an attractive, aesthetically pleasing, and more functional dwelling to the area that maintains the consistency of front yards, while preserving landscaping and the urban tree canopy, which aligns with the urban design policies of the Official Plan.

Section 5 provides detailed policies for each of the six transect policy areas within the City. Each of the transect policy areas recognize the existing development patterns and provide tailored approaches to transition towards healthier, more sustainable 15-minute communities. The subject site is located within the **Inner Urban Transect** and is designated **Neighbourhood**. It is also part of the Evolving Overlay.

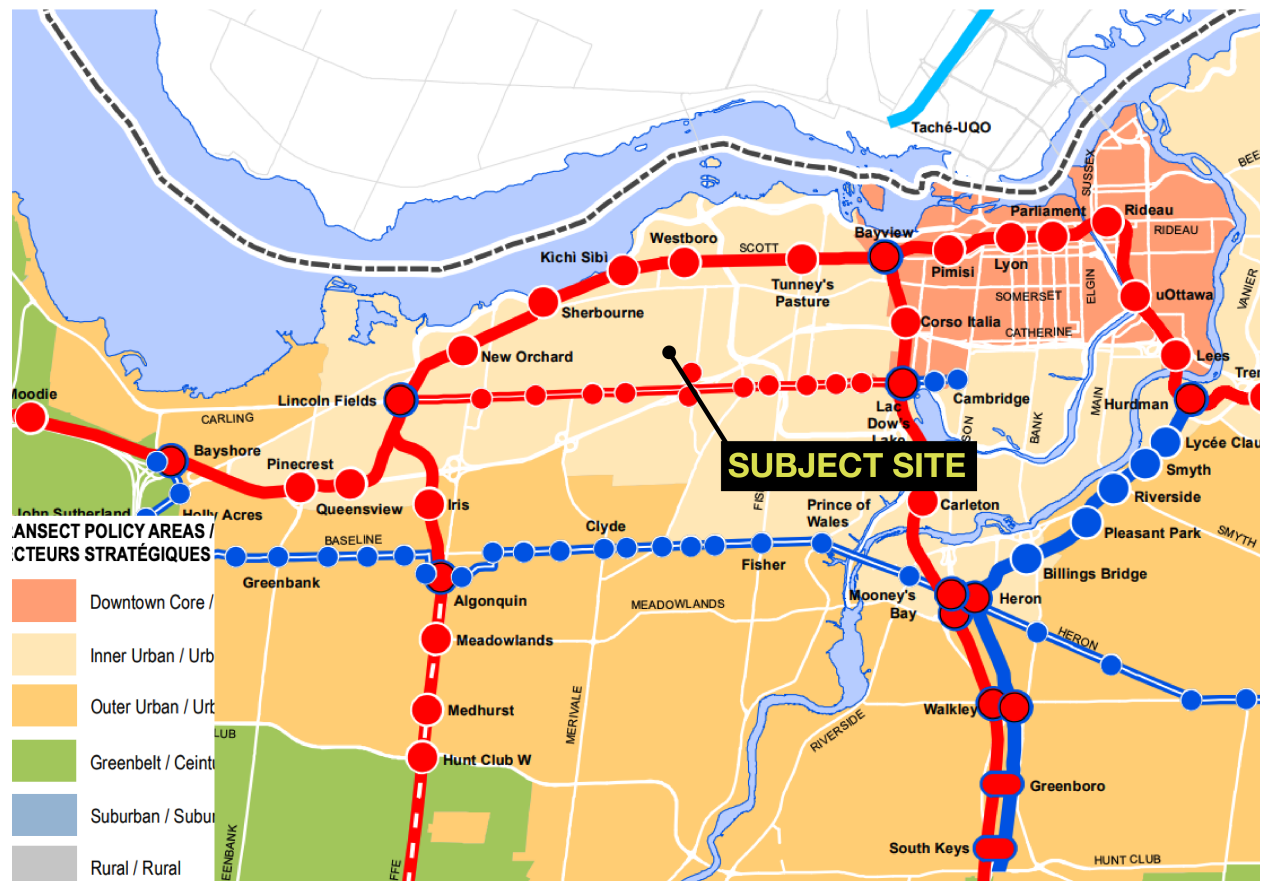


Figure 17: New City of Ottawa Official Plan, Schedule A. (Source: City of Ottawa).

Section 5.2 provides policies for the Inner Urban Transect, which represents pre-war neighbourhoods surrounding the Downtown Core and the adjacent post-war neighbourhoods. The intent of Section 5.2 is to enhance the existing urban built form pattern, site design, and mix of uses. It is generally planned for mid-to-high density development, subject to transit proximity and secondary plans or area-specific policies. Within Neighbourhoods, between two and four storeys is permitted.

Comment: The proposed 2.5-storey detached dwelling represents a contextually-appropriate building height that aligns with the height direction for Neighbourhoods in the

Inner Urban Transect. The development contributes to enhancing the existing built form in the neighbourhood, improving the residential use of the property through a newer home that better meets the owner’s needs while being compatible in scale with abutting properties.

Section 5.6.1 provides policies for built form overlays, including the Evolving Overlay. The Evolving Overlay applies to areas in close proximity to Hubs and Corridors which will gradually evolve to support intensification, transitioning from a suburban to an urban character.

Comment: The proposed development aligns with the planned 2-4 storey height context for Neighbourhoods within the Inner Urban Transect, while also retaining a built form pattern and lot-to-structure ratio that is typical of urban neighbourhoods within the Inner Urban area. It retains the character of the neighbourhood and results in a contextually-appropriate home that better accommodates the owner’s current needs without precluding higher-density development in the future.

Section 6.0 contains policies specific to designations within the urban settlement area.

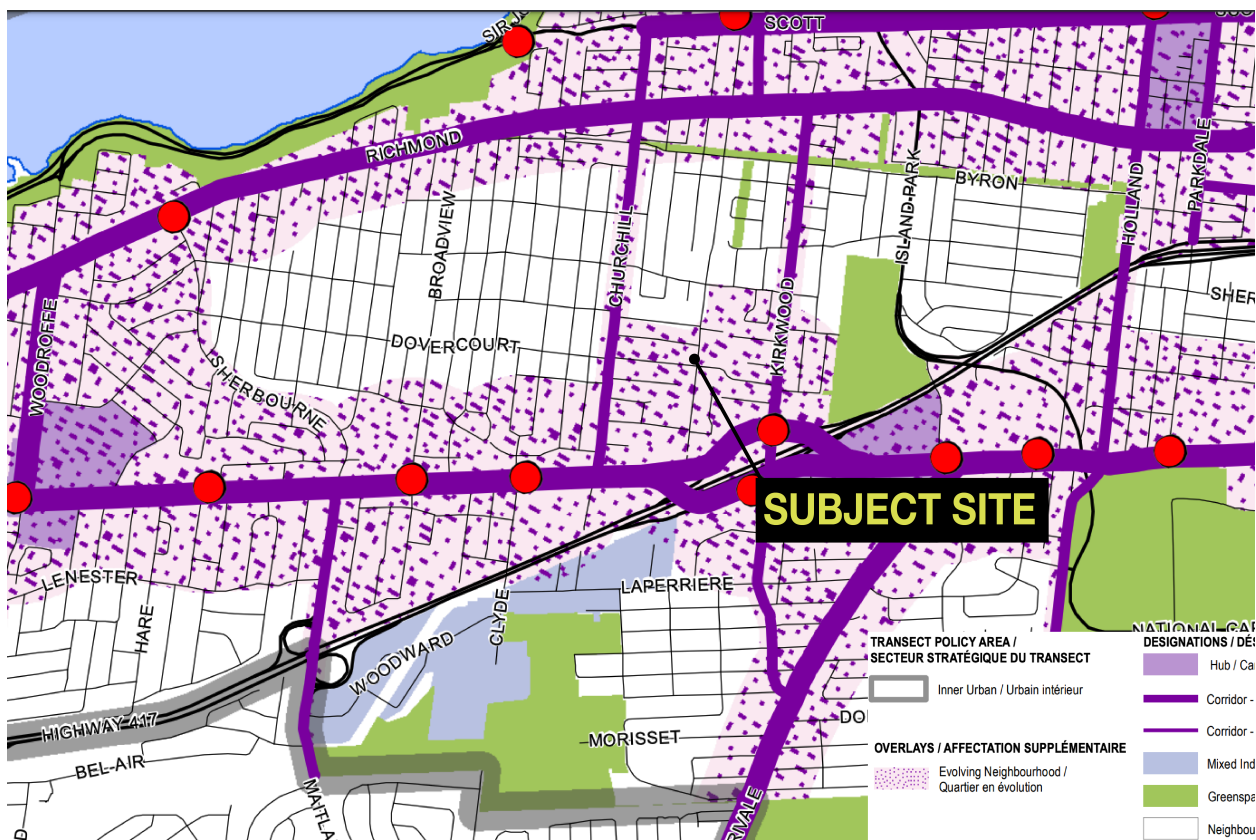


Figure 18: New City of Ottawa Official Plan, Schedule B2. (Source: City of Ottawa).

Section 6.3 contains policies that pertain to Neighbourhoods. These are contiguous urban areas that form the heart of communities and consist of a mix of densities and built forms. Neighbourhoods are noted as being at different types and stages of development, maturity,

and evolution. A variety of dwelling types and densities are permitted in Neighbourhoods, with the intent of creating and reinforcing 15-minute communities through gradual, context-sensitive development. Permitted building heights are generally 2-4 storeys, which transition in height and density from the neighbourhood interior towards Corridors and Hubs.

Comment: The proposed development provides results in one new 2.5-storey detached dwelling within a stable neighbourhood that is characterized by low-rise, ground-oriented dwelling types such as single-detached and semi-detached dwelling types. The proposed use aligns with the permitted uses in the Neighbourhoods designation and the dwelling provides a compatible scale and height that falls within the planned height context for the designation. The development results in an appropriate built form type, density, and scale in a well-designed dwelling that aligns with the neighbourhood context and contributes to an enhanced streetscape.

Based on our review, it is our professional planning opinion that the proposed development conforms with the City of Ottawa Official Plan.

City of Ottawa Zoning By-law

The City of Ottawa zones this site as R3R[2687] H(8.5) - Residential Third Density, Subzone R, urban exception 2687, with a height exception of 8.5 metres. The intent of the R3 Zone is to provide for a mix of ground-oriented residential dwelling types ranging from detached dwellings to townhouses. The property is part of the Mature Neighbourhoods Overlay, but is not located within the Heritage Overlay or the Floodplain Overlay. It is also a part of the Westboro Development Overlay (Section 146). As the property is located within the Greenbelt, it is subject to the alternative provisions of Section 139 and 144. The table below provides an overview of the required provisions for this zone and the proposed development's compliance.

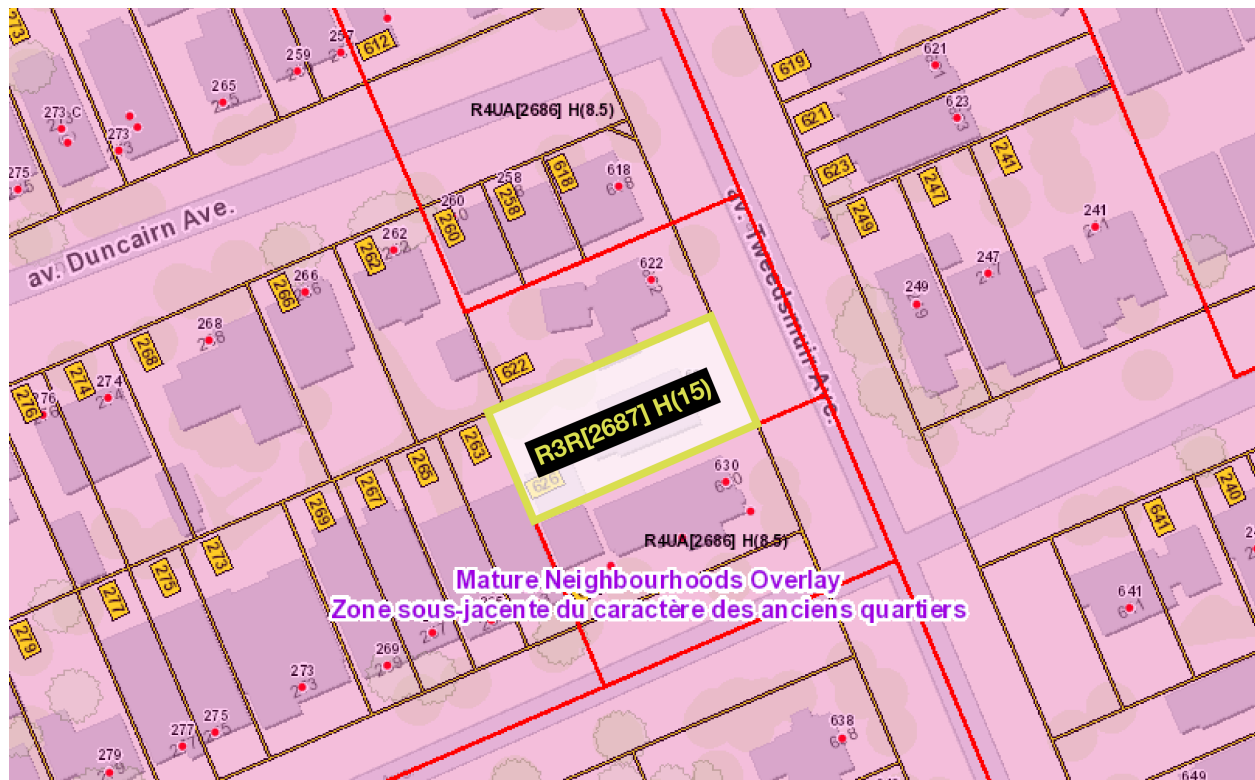


Figure 19: Zoning Map (Source: GeoOttawa)

EXISTING ZONING BY-LAW R3R[2687] H(8.5)	Requirement	Provided	Section
Minimum Lot Width	10 m	15.545 m	Exception 2687
Minimum Lot Area	300 m ²	516.51 m ²	Exception 2687
Max Building Height	8.5 m (may be increased to 10 m with a 1:2 pitched roof)	9.7 m with two roof pitches. See elevations	H(8.5), Section 146(6)(a)(i)

EXISTING ZONING BY-LAW R3R[2687] H(8.5)	Requirement	Provided	Section
Minimum Front Yard Setback	6 m or average of abutting front yard setbacks	6.128 m	Section 160, Table 160A; Section 144(1)(a)
Minimum Rear Yard Setback	Where lot depth = > 32 m <=/= 33 m: Lot depth minus 23 m (9.7 m)	9.75 m	Section 144, Table 144A
Maximum Distance from Front Lot Line	24 m	22.95 m	Section 146(4)(a)
Minimum Rear Yard Area	25% of lot area (129.128 m ²)	151.56 m ²	Section 144(3)(a)
Minimum Interior Yard Setback	1.5 m	1.54 m (southerly) and 1.53 m (northerly)	Exception 2687
Minimum Rear Yard Landscaped Buffer Depth	4.5 m	4.522 m	Section 146(3)(a)
Minimum Aggregate Front Yard Soft Landscaped Area	For lot width >= 12 m where FYS is > 3m: 40% Front Yard Area: 93 m ² Aggregate Landscaping Required: 37.2 m ² (40%)	Provided 52 m ² (56%)	Section 144, Table 144A
Minimum Front Facade Additional Recess	At least 20% of front facade minimum of 0.6 m from front wall	0.749 m ²	Section 146(2)
Minimum Landscaped Strip	0.15 m	1.54 m	Section 139(2)(c)
Maximum Driveway Width	3 m	3.972 m (3.0m asphalt + 0.486m pavers on each side)	Section 139, Table 139(3)(iii)
Minimum Garage Setback	0.6 m	0.749.8 m	Section 139(3)(a)
Maximum Walkway	1.2 m, separated by 0.6 m of soft landscaping	1.2 m (0 m soft landscaping separation)	Section 139(4)(c)(ii)
Maximum Front Porch	2 m, not closer than 1 m to any lot line (depending on height of front porch above adjacent grade)	1.83 m and 3.17 m from front lot line	Section 65(6)(c)
Maximum Rear Patio	Where walking surface is at or below 0.6 m above adjacent grade: no limit	4.216 m, walking surface below 0.6 m	Section 65(6)(a)

EXISTING ZONING BY-LAW R3R[2687] H(8.5)	Requirement	Provided	Section
Maximum Balcony Projection	2 m, not closer than 1 m to any lot line	N/A (does not project into rear yard)	S65, Table 65(6)(b)

PLANNING ACT REVIEW

Review of Section 45(1) Minor Variances

The Planning Act requires that minor variances are only to be permitted so long as they meet the four tests as set in Section 45(1). These tests are: whether the variance is minor; whether the variance meets the intent and purpose of the Official Plan; whether the variance meets the intent and purpose of the Zoning By-law; and lastly whether variance is suitable and desirable for the use of the land.

Are the variances minor?

Variance A : Front Facing Garage

Variance (a) is to permit a front-facing attached garage, where no front-facing attached garage is permitted according to the dominant character group for the street, as identified in the Streetscape Character Analysis.

The test for a variance to be considered minor is based on whether the variance constitutes a minor change or whether it is too large or too important to be considered minor. The proposed variance to permit a front-facing attached garage is considered a minor change. The intent of the Streetscape Character Analysis is to ensure that new development demonstrates good urban design and does not detract from or adversely impact the existing streetscape. It is intended to control against designs that overly emphasize an attached garage (such as ‘snout garages’), to the detriment of the overall design of the house and the streetscape. The intent is not to prohibit garages. Though the proposed detached dwelling with the front-facing attached garage does not meet the technical requirement of the dominant character group, it contributes a well-designed building to the street that does not adversely impact the streetscape and maintains its overall character. Further there are a number of examples on within the defined SCA area and in addition to the front-facing garage adjacent to the subject property at #630 Tweedsmuir, there are 8 other existing and proposed front-facing garages in the immediate context identifying that garages are part of the existing character and therefore no negative impact is anticipated.

The massing of the home is designed to reduce visual emphasis on the attached garage, which is offset 0.749 metres from the front wall of the building, exceeding the by-law requirement of 0.6 m. By utilizing a prominent front porch in the front yard, the built form is concentrated towards the rest of the house and away from the attached garage, which is pushed back approximately 2.58 metres from the rest of the house (including the porch). This reduces the appearance and prominence of the garage from the street and increases visual emphasis on the rest of the house and the front landscaping. Furthermore, planter boxes in the front yard will provide space for various types of flora in addition to the zoning compliant aggregate front yard soft landscaped area and the streetscape tree. Other plantings including small shrubs in front of the address wall and plantings on the second-storey inset balcony above the garage will also be provided. Taken together, the plantings proposed further reduces the visual prominence of the garage and better emphasizes the rest of the house and landscaping.

Design elements such as the large windows help to reduce the visual weight of the building and break up the facade’s appearance, while providing a sense of transparency. Material

choice also contributes to a more visually interesting facade, with a mix of metal panels, wood panels, and light grey brick resulting in a contextual and aesthetically pleasing facade. Additionally, by utilizing the same material and colour on the garage door as the rest of the house on the western facade, the garage door is hidden and seamlessly integrated into the overall facade of the building, which further reduces the garage's impact.

The impact of the garage is also minor as the front-facing attached garage will not change the future dominant streetscape character group of Tweedsmuir Avenue, even as there are other such garages in the area, which are indicated in the map below. As demonstrated by the map, there are numerous properties within the area (including the abutting semi-detached dwelling currently under construction and the abutting property to the north) that contain front-facing attached garages, indicating that there is precedent for the garage in the area despite the SCA result.

The proposed attached garage also constitutes an improved design over the permitted development option, which allows for a 1.8-metre cantilever of the building over a parking space, effectively resulting in a unenclosed carport that has a comparable purpose to the proposed garage. The permitted cantilever option would be an inferior design choice that more adversely impacts the existing streetscape by guaranteeing that a parked vehicle and any refuse containers or household items will be clearly visible from the street. It is also an asymmetrical design with unfavourable geometry that adds visual weight to the upper storeys, which does not fit within the surrounding context, where homes are similarly proportioned to the proposed dwelling. It would also be less functional than the proposed attached garage, which allows for the full enclosure of a parked vehicle and/or the storage of household items, garbage and recycling containers, bicycles, and winter items.

Given that the intent of the Section 140 is to ensure that new development does not adversely impact the streetscape and contributes to good urban design, the proposed dwelling with the front-facing attached garage is far less impactful than the permitted cantilever option.

Variance B and C: Maximum Driveway Width and Abutting Walkway

Together, these variances are to permit a 3.972 m driveway width where only 3.0 m is permitted for a single driveway and to have the proposed walkway about the driveway does not result in any significant impacts to landscaping or stormwater management. Pavers are permeable to support stormwater management. The proposed design supports the ability to heat both the walkway and the driveway and the aggregate landscaping requirement is exceeded.

Further, separating the walkway from the driveway results in a small 0.6 m strip of landscaping that is difficult to maintain in good condition as it is subject to wear and tear during the winter months and would result in the inability to heat the walkway as the cost would no longer be supportable. Further, this would shift the walkway further into the aggregate area for soft landscaping reducing the aggregate amount provided.

The resulting width of the walkway and the paver strip flanking the driveway is only 1.6 m and not sufficient to support the parking of a vehicle. As such, there is no expected impact from these variances and given that it supports ease of property maintenance without

impacting the provision of landscaping and without resulting in an intended parking space, these variances are considered minor.

There are two dwellings in the immediate context of the 21 lots where this same condition has been applied: 642 and 652A Tweedsmuir Ave.



Figure 20: Examples of similar driveway and walkway conditions

Do the variances meet the intent and purpose of the Official Plan?

The intent and purpose of the Official Plan as it applies to this property is to accommodate a wide range of ground-oriented, low-rise residential dwelling types within Neighbourhoods in order to promote the creation of 15-minute communities. The proposal achieves this intent by providing a contextual, detached dwelling with a compatible 2.5-storey height that is similar in overall massing and scale to other homes in the area. It also results in an attractively designed home that contributes positively to the streetscape, offering full vehicle enclosure and an overall more functional design for the current homeowners.

The proposed developments meets the intent and purposes of the new Official Plan by supporting the following policies:

Section 2: Strategic Directions

Section 2.2.1: Policy intent (2): Provide housing options for larger households.

Section 2.2.3: Policy intent (5): Reduce the urban heat island effect through the provision of new trees with adequate soil volume and space to reach maturity. The front yard tree will shade the dwelling plus the roadway in support of this policy.

Section 2.4.4: Policy intent (2): Build accessible, inclusive communities, and design for all ages, including children and older adults. This policy intent is supported by designing a heated driveway and walkway to support easier winter maintenance for persons with physical limitations and older adults. Further, the connected spaces allow for easier maneuverability when transporting kids and strollers, including double-wide strollers. These designs support aging-in-place by reducing barriers between the point of exiting a vehicle and accessing the walkway.

In this particular example, where the provided landscaping exceeds the requirement in the by-law, the remaining space should be able to be designed in a manner that not only best suits the intended residents but in consideration of future residents at various stages of the life cycle.

Section 3: Growth Management Framework

Section 3 of the Official Plan provides a renewed growth management framework that directs various types and intensities of growth to appropriate areas, ensuring that adequate land is provided to accommodate new growth. The proposed development aligns with the planned direction for growth management in urban areas as a larger dwelling supports large family households, life cycle adjustments for growing families, and multi-generational families.

Section 4.6 provides policies aimed at regulating the design of built form and the public realm in a manner that supports 15-minute neighbourhoods. It emphasizes design excellence throughout the City. The proposed development contributes a well-designed single-detached home to the area which provides more living space for the current homeowners to better accommodate their needs, supports aging-in-place, and growing families. It results in a more functional site design that efficiently uses the available space on the lot while providing adequate zoning compliant setbacks and exceeds required landscaping. The attached garage as proposed integrates seamlessly into the front facade of the building, de-emphasizing the garage's visual appearance and resulting in a functionally and aesthetically superior design to the permitted cantilever design. As designed, the home meets the required front yard aggregate soft landscaping and supports a new tree, ensuring that the provision of landscaping is sufficient and that the urban tree canopy can be supported. The heated driveway and walkway supports easier winter maintenance in support of aging-in-place, functional use for growing families, and does not result in the unintended creation of a double driveway.

Section 5 of the Official Plan provides direction for transect areas and identifies that the Inner Urban Context supports enhancement of the urban built form and supports heights of 2 to 4 storeys. The proposed residence offers a larger dwelling on the same lot to support large families and multi-generational family living in the inner urban transect. At 2.5 storeys, the proposed design and use meets the intent of the OP for the transect area.

Section 6 of the Official Plan sets out the policies for the urban designations, including Neighbourhood. The intent of this designation is to support a range of densities and built form and acknowledges that neighbourhoods are in various stages of transition. The proposed development conforms to the policies of the applicable Neighbourhood designation.

Overall, the proposed development contributes an attractive, aesthetically pleasing, and more functional dwelling to the area that maintains the consistency of all built form setbacks, while preserving landscaping and the urban tree canopy, which aligns with the urban design policies of the Official Plan.

Given the directions in the new Official Plan to support accessibility, active transportation, gender equity and families, an enclosed garage together with the driveway and walkway as designed, allow a number of functional benefits without creating any undue or adverse impacts and as such the intent and purpose of the Official Plan is met.

Do the variances meet the intent and purpose of the Zoning By-law

Variance A : Front Facing Garage

The intent and purpose of Section 140 and the Streetscape Character Analysis is to ensure that new development demonstrates good urban design and does not adversely impact the streetscape. The intent is not to expressly prohibit the provision of garages. Rather, the intent of the provision is to ensure that garages are designed in a manner that does not detract from the streetscape character.

This intent is met by the proposed development, which is designed to integrate the garage into the overall facade of the building, through the use of a uniform material on the garage door as the rest of the lower left portion of the home. The design also utilizes a prominent front porch, additional setback of the garage door, and landscape planters to further reduce emphasis on the garage and increase the visual presence of the rest of the house. By utilizing large, well-placed windows and a variety of materials, the home design adds visual articulation and interest to the facade that aligns with the streetscape character.

Furthermore, the proposed front-facing attached garage is a preferable design to the permitted cantilever option, which ensures that a parked vehicle and any stored items are visible from the street and negatively impact the streetscape character. The cantilever is also a poorly-proportioned design that has less precedent in the neighbourhood than the proposed attached garage. The proposed design with the front-facing attached garage maintains similar proportions and symmetry to most of the homes along Tweedsmuir Avenue, while the cantilever option would not.

Variance B and C: Maximum Driveway Width and Abutting Walkway

The intent and purpose of the applicable provisions related to maximum driveway width and securing landscaped space between the walkway and the driveway is 1) to ensure hardscape is not detracting from the provision of landscaping, and 2) to ensure that a permitted single driveway does not inadvertently result in a double driveway.

With regards to the first intent, the provided aggregate landscaping exceeds the by-law requirement by 16% and includes the provision of a new front yard tree. Further, pushing the walkway next to the driveway consolidates the aggregate area of landscaping more than the by-law compliant option ensuring a larger degree of soil volume to support tree maturity.

As the provision of landscaped exceeds the by-law requirement, the first intent is met.

With regards to the second intent, the width of the paver strip and the walkway is only 1.6 m wide and not sufficient to support the parking of a vehicle. Further, the total length of the driveway supports two tandem vehicles comfortably should it be needed.

Since the additional space is not sufficiently wide to accommodate a second vehicle being parked, the intent is met.

In order to support the directions in the Official Plan regarding accessibility, life cycle changes, and large and growing families, the proposed design of the driveway and walkway supports the ability to heat both surfaces allowing for easier winter maintenance. Further, the additional room adds manoeuvrability for accessibility considerations for older adults and also for growing families that may have multiple bikes and strollers.

It is further noted that the current by-law in areas where the character permits a double driveway would have permitted a 5.5 m double driveway on this lot. As such, the proposed design presents a single driveway with the collective hardscape being less width than what is permitted as-of-right on a lot of the same width where double driveways are permitted. It is further noted that on lots of the same size where a 5.5 m double driveway is permitted in accordance with the character group, a separate walkway would still be permitted which would add to the total permitted hardscape on a same-sized lot.

The conclusion is that the only difference between the legal permission of a 5.5 m wide double driveway plus a separate 1.2 m walkway is that the character in this group of 21 lots identifies 1 double driveway

Are the variances suitable for the use of the land?

The development with the requested variances constitute a suitable and desirable use of land to support the residents. The proposal results in a new detached dwelling being constructed on an existing lot in a manner that suits their needs now and in the future.

The requested variances do not negatively impact the streetscape, maintain and exceed landscaping requirements, and provide good design that support the existing character of the area where both front-facing garages exist and where similar driveway and walkway configurations are present. The variances result in a desirable and suitable use for the subject lot.

CONCLUSION

As noted, the proposed development with the requested variances results in the construction of a new detached dwelling that provides an improved living space for the homeowners while still being compatible in height, scale, and massing with the surrounding properties. The home will align with the low-rise, ground-oriented context along Tweedsmuir Avenue and contributes an aesthetically-pleasing and well-designed dwelling to the area. It will provide a proportionate and symmetrical form that is more contextually-appropriate than the permitted cantilever while using materials and massing to reduce emphasis on the garage and increase emphasis on the home and landscaping.

The proposed development requires variances to permit the front-facing garage, widened driveway and a connected walkway.

As demonstrated in this cover letter, the proposed variances are minor in nature, with the development meeting the intent of the Streetscape Character Analysis provisions to ensure that new development demonstrates good urban design and does not adversely impact the streetscape. The proposal also meets the intent of the Official Plan by contributing a large family dwelling through contextual urban development and meets the intent of the Zoning By-law. Lastly, the proposed development is demonstrated to be a suitable and desirable use of land.

Collectively considered, the development with the requested variances meets the four tests required under Section 45(1) of the Planning Act.

It is the opinion of Q9 Planning + Design that the proposed minor variance constitutes good land use planning and meets the required tests and criteria set out in the Planning Act.

Yours truly,



Christine McCuaig, RPP MCIP M.PI
Principal Senior Planner + Project Manager



CC: Allan Godding
Heather Godding

APPENDIX A: STREETScape CHARACTER ANALYSIS CONCURRENCE