

2023-08-31

City of Ottawa | Ville d'Ottawa
Comité de dérogation



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address:	626 Tweedsmuir Avenue
Legal Description:	Lot 8 Registered Plan 451
File No.:	D08-02-23/A-00193
Report Date:	August 31, 2023
Hearing Date:	September 6, 2023
Planner:	Margot Linker
Official Plan Designation:	Inner Urban Transect, Neighbourhood, Evolving Neighbourhood Overlay
Zoning:	R3R[2687] H(8.5) (Residential Third Density, Subzone R, Urban Exception 2687, Maximum Building Height 8.5 Metres

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 less than 500 metres from a future O-Train Station along Carling Avenue and approximately one kilometre from Transit Priority Corridor along Richmond Road and Merivale Road on Schedule C2. 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 lead 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).

The subject site is within the R3R[2687] H(8.5) (Residential Third Density, Subzone R, Urban Exception 2687 Maximum Building Height 8.5 Metres) zone, which allows a mix of residential building forms ranging from detached to townhouse dwellings and regulates development in a manner that is compatible with existing land use patterns.

Staff have concerns with the requested increased driveway width and attached 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.

A 0.6 metre soft landscaped area between the driveway and walkway is required by the Zoning By-law to ensure that the walkway is not used to be driven or parked on. Staff have concerns with the reduced soft landscaping between the driveway and walkway to 0 metres, as it appears that this will accommodate the autocentric-focused design and be used as an extension of the driveway. Driveways are intended to lead to legal parking spaces, whereas the combination of the driveway and walkway could result in front yard parking which is prohibited in the Zoning By-law.

It appears that the driveway (including the part of the walkway that appears to be used for vehicle purposes) will be 5.17 metres wide and occupy approximately one-third of the width of the front yard. The intent of the provisions limiting driveway width, in conjunction with the provisions requiring a minimum aggregated front yard, is to reduce the visual impact of driveways and cars parked in driveways in mature neighbourhoods within the greenbelt. Infill development within the Westboro Overlay should prioritize soft landscaping first, rather than prioritizing parking.

As noted above, 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 these variances.

ADDITIONAL COMMENTS

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. A private approach permit is required for any access off of the City street.
5. Existing grading and drainage patterns must not be altered.
6. Existing services are to be blanked at the owner's expense.
7. 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.).
8. Existing Catch Basin is not to be located within the driveway.
9. A report addressing the stability of slopes, prepared by a qualified geotechnical engineer licensed in the Province of Ontario, should be provided wherever a site has slopes (existing or proposed) steeper than 5 horizontal to 1 vertical and/or more than 2 metres in height, or where construction or alteration to a retaining wall exceeding 1 meter in height is proposed.
10. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
11. 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 3 trees from the site, due to conflict with the as of right building envelope. It appears that one of these trees may be jointly-owned, and as such requires permission from the neighbours for removal. A planting plan must be provided with the building permit application showing any required compensation trees and one new 50mm tree to be planted in the Right of Way following construction, to improve the streetscape and canopy cover. There are no tree-related concerns with any of the minor variances except the increased driveway width and reduced landscape buffer between the driveway and walkway; this increase in overall paving will reduce the area of soft landscaping in the front yard available for tree planting and water retention.

Right of Way Management

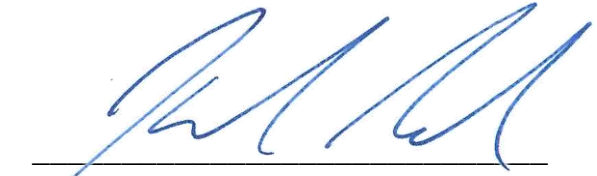
The Owner shall be made aware that a private approach permit is required to construct, alter or widen driveways/approaches.

Transportation Engineering

The draft plan filed with the application does not provide sufficient detail to review the proposed driveway(s) against the Private Approach By-Law.

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