

2023-08-31



CONSENT & MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 2175 Alta Vista Drive  
Legal Description: Part of Lot 18, Concession JG, Geographic Township of Gloucester  
File No.: D08-01/B-00182 to 00184 & D08-02/A-00177 to 00178  
Report Date: August 31, 2023  
Hearing Date: September 5, 2023  
Planner: Justin Grift  
Official Plan Designation: Outer Urban Transect, Neighbourhood Designation and falls within the area of the Alta Vista / Faircrest Heights / Riverview Park Secondary Plan  
Zoning: R1GG

**DEPARTMENT COMMENTS**

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

**DISCUSSION AND RATIONALE**

The Official Plan designates the property as Neighbourhood in the Outer Urban Transect. The policies pertaining to this designation support a wide variety of housing types with a focus on lower density missing-middle housing that reflects the built form context of the neighbourhood. The property also falls within the Alta Vista / Faircrest Heights / Riverview Park Secondary Plan. The Secondary Plan identifies Alta Vista Drive is designated as a “Road for Low-Rise Neighbourhood development” and provides direction to ensure new development gently accommodates additional density in building types and site designs that maintain the character of the neighbourhood.

The property is zoned *Residential First Density, Subzone GG (R1GG)*. The purpose of this zone is to allow a number of residential uses to provide additional housing choices as well as regulate development in a manner that is compatible with existing land use patterns and so the residential character of a neighbourhood is maintained or enhanced.

## Severance

The Alta Vista / Faircrest Heights / Riverview Park Secondary Plan provides direction that lot sizes in the immediate surrounding blocks will be considered representative of the typical lot size of the area. Although existing lots in the immediate surrounding blocks vary in shape, the lots sizes are generally consistent. Existing lots range between 11.55 metres and 31.24 metres in lot width and 521.39 square metres and 956.32 square metres in lot area. As proposed, the severed lot falls short in lot area (436.6 square metres) in comparison to the immediate surrounding blocks but is consistent in terms of lot width.

To address varying lot sizes due to redevelopment, the Secondary Plan states that street trees at the same interval as the established street alignment must be provided to maintain streetscape continuity. According to the Tree Information Report (TIR) submitted, the applicant is proposing to maintain all trees on site except for one, which will later be replaced with another post-construction. With the TIR and Planting Plan submitted, Staff is satisfied that there will be street trees to maintain streetscape continuity.

To ensure that new development gently accommodates additional density building types while maintaining the character of the existing neighbourhood, the Secondary Plan generally discourages new private approaches and an increase in driveway area to prioritize front yard space for trees and landscaping. Although the proposed development includes the creation of two driveways, Staff has determined the total area proposed for the driveways is less than the existing driveway. Therefore, Staff is satisfied the intent of the policies in the Secondary Plan are being met.

With respect to the criteria for the subdivision of land listed in Section 51(24) of the Planning Act, R.S.O. 1990, Staff has no concerns with the proposed severance and its conformity to the Official Plan. The severance would facilitate the development of two detached dwellings and result in two lots that front onto Alta Vista Drive that are connected to municipal services.

### **Lots Fronting on the Same Street (Variance a)**

Staff has no concerns with variance a, to allow both proposed dwellings to have their front walls and driveways face onto the same street. When severing a corner lot that is within the Greenbelt, the Zoning By-law permits smaller lot areas if only detached dwellings are built on each respective lot and if their frontages are on separate streets. The intent of the latter is to ensure an active street frontage on both streets.

As seen in the plans submitted, the applicant is seeking relief to have both dwellings and their respective driveways face onto Cunningham Avenue. Staff is of the opinion that having the lots front onto Cunningham is preferred, as Alta Vista is a Major Collector Road with greater traffic and there is an existing bus stop and bus shelter along Alta Vista, near the Cunningham intersection. A new driveway along Alta Vista Drive would conflict with the bus stop. Further, the elevations submitted with the application

demonstrate significant glazing on the west side of the dwelling which can serve to mimic an activated street front along Alta Vista Drive, as opposed to a blank wall.



Figure 1: West Elevation facing Alta Vista Drive

### **Reduced Rear Yard Setback and Area (Variance b and c)**

Staff has no concerns with variances b and c, to reduce the rear yard setback and rear yard area for the lot severed (Part 2). The Zoning By-law prescribes a minimum rear setback of 7.33 metres and a minimum rear area of 115.9 square metres. The intent of these provisions is to ensure an adequate buffer between adjacent lots and to have consistent backyards in the surrounding area.

As seen in the plans submitted, the proposed rear yard setback is 2.18 metres and a rear area of 43.96 square metres. Staff is of the opinion that the odd triangular shape of the severed lot creates an unintended zoning deficiency. The placement of the dwelling still provides sufficient rear yard that is setback as far as 10.5 metres from the further rear corner of the lot.

### **ADDITIONAL COMMENTS**

#### **Forestry**

There are no Planning Forestry concerns with the proposed severance and minor variances proposed.

The Tree Information Report (TIR) identifies 11 protected trees on the property. The tree protection and mitigation measures outlined in the TIR must be adhered to. Tree protection fencing must follow the City of Ottawa standard. One tree is proposed for removal (#3) in the City ROW because of its small size and it being a less desirable species at maturity. This tree can be removed and replaced with a large canopy species, as shown on the planting plan.

The applicant's agent was asked to verify the extent of excavation in proximity to trees 2 and 7. An updated TIR (V3) and excavation plan were provided to clearly identify how far the excavation must be from these trees. The excavation details provided in the TIR must be followed. The TIR also notes what actions must be taken if roots are encountered during driveway installation.

### **Right-of-Way**

The Right-of-Way Management Department has **no concerns** with the proposed Consent Applications or with the proposed Minor Variance Application. However, the Applicant shall be made aware that a private approach is required to establish a driveway/private approach for the severed parcel of land.

### **Transportation Engineering Services**

TES is fully supportive of both driveways being located on Cunningham Avenue.

### **CONDITIONS**

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following condition(s) on the application(s):

#### **Cash in Lieu of Parkland**

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.

#### **Existing Structures**

2. That the Owner(s) provide proof to the satisfaction of the Development Review Manager of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the existing dwelling has been removed, that the existing sewer services are capped at the sewer and that the existing water service is blanked at the watermain.
3. That the Owner(s) provide evidence to the satisfaction of the Development Review Manager of the South Branch within Planning, Real Estate, and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the accessory structures on Parts 1 and 2 of the Draft 4R Plan have been removed and/or demolished in accordance with the demolition permit.

## Noise

4. The Owner(s) shall prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

## Servicing

5. That the Owner(s) provide evidence (servicing plan), to the satisfaction of Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that both the severed and retained parcels have their own independent water, sanitary and sewer connection, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner(s) will be required to relocate or construct new services from the city sewers and/or watermain at his/her own costs.

In the case of a vacant parcel being created, the Owner(s) shall provide evidence (servicing plan), to the satisfaction of the Development Review Manager of the Select Branch within Planning, Infrastructure and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the parcel has access to sufficient services with adequate capacity.

## Grading and Drainage

6. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate.

## Corner Sight Triangle

7. That the Owner convey a 5 m x 5 m corner sight triangle located at the intersection of Alta Vista Drive and Cunningham Avenue to the City, with all costs to be borne by the Owner(s), to the satisfaction of the Surveys and Mapping Branch of the City. This area will be free of all structures, plantings, etc. and will allow a proper sighting distance for motorists when performing turning movements within the intersection. The Committee must receive written confirmation from City Legal Services that the transfer of the lands to the City has been registered.

### Asphalt Overlay

8. That the Owner(s) enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate, to require that an asphalt overlay will be installed, at the Owner(s) expense, on Alta Vista and Cunningham Street, fronting the subject lands, over the entire public driving surface area within the limits of the overlay, if the approved Site Servicing Plan shows three or more cuts within the pavement surface. The overlay must be carried out to the satisfaction of Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

If Lily Xu of the South Branch within Planning, Infrastructure and Economic Development Department, or his/her designate determines that a Development Agreement requiring an asphalt overlay is no longer necessary, this condition shall be deemed as fulfilled.



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