



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address:	1303, 1303A, 1305, 1307, 1309, 1311, 1313 and 1313A Coldrey Avenue
Legal Description:	Part of Block 2, Registered Plan 221, City of Ottawa
File No.:	D08-01-23/B-00332 to B-00338 & D08-01-24/B-00001 D08-02-23/A-00309 to A-00314
Report Date:	February 15, 2024
Hearing Date:	February 20, 2024
Planner:	Siobhan Kelly
Official Plan Designation:	Inner Urban Transect, Neighbourhood
Zoning:	R3A

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The applicant proposes to sever the subject property to establish separate ownership for each unit in the existing 8-unit townhouse dwelling (See Image 1 below). As proposed, each lot will include one dwelling unit and a parking space in the rear yard.

The applicant is seeking consent to create an access easement over the entirety of the shared driveway for the benefit of the proposed lots (shown in blue below and as Parts 1, 3, 5, 6, 8, 9, 13, 14, 18, 19, 23, 24, 28, 29, 33, 34, 37, 38 on the Draft 4R Plan). Additional easements are also proposed for the three visitor parking spaces (grey box below) and a snow storage area (yellow box) shown as Parts 10, 15, 20, 25, 30, 35 on the Draft 4R Plan.

There is an existing hydro easement registered as Instrument No. 440174 and shown as Parts 3, 6, 9, 14, 19, 24, 29, 34, 38.

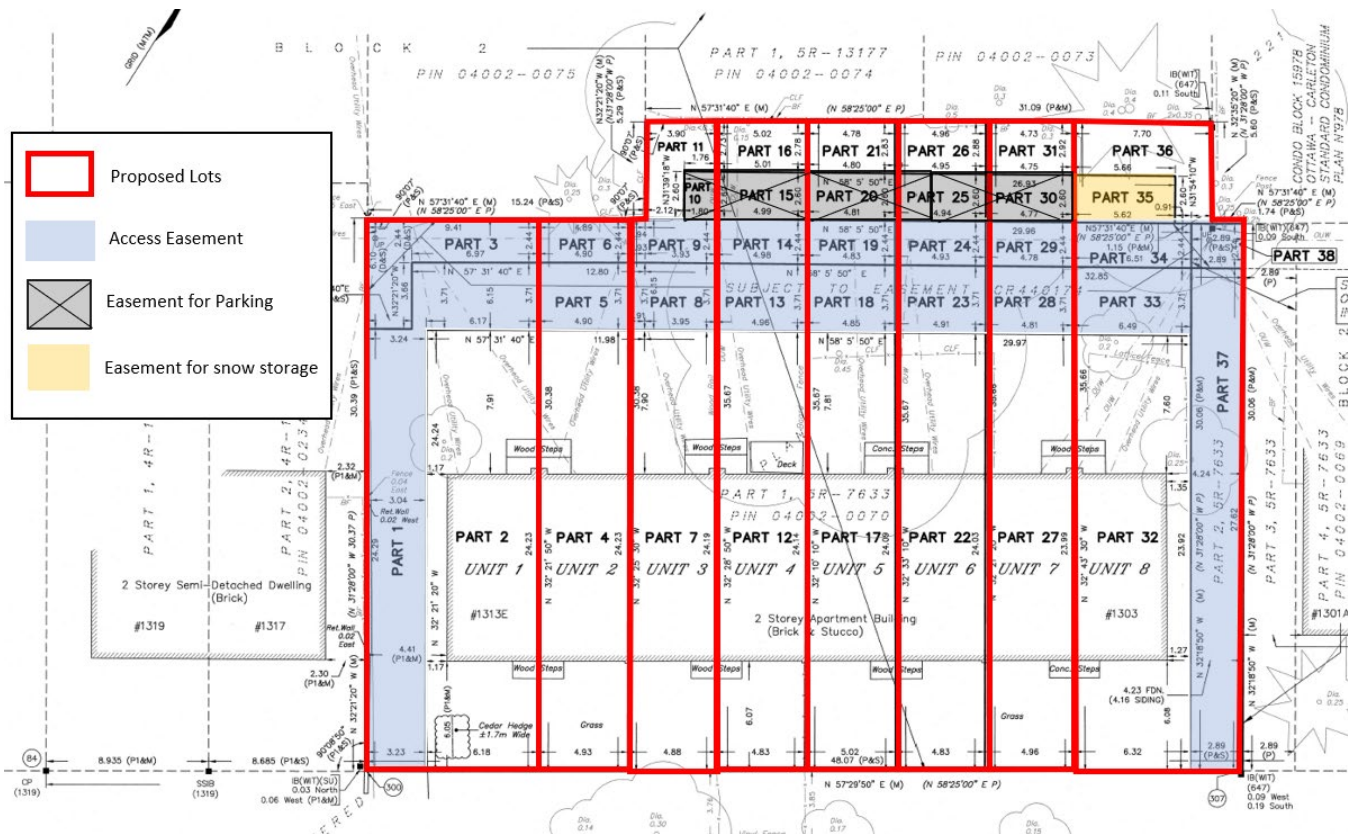


Figure 1. Diagram showing proposed lots and easement areas.

The Official Plan designates the property Neighborhood in the Inner Urban Transect. The Inner Urban Transect is planned for mid to high-density, urban development with a range of lot sizes that include smaller lots and higher lot coverage and floor area ratios. The proposed consent applications establish separate ownership for an existing townhouse dwelling. As per Policy 11.5.4, the size and shape of the proposed lots are reflective of the existing varied lot pattern in the area, which features a range of lot sizes supporting single and semi-detached dwellings, townhouses, low-rise apartment dwellings and commercial developments.

The property is zoned Residential Third Density Zone A (R3A) which prescribes a minimum lot area of 180 m² and a minimum lot width of 6 metres for townhouse dwelling units. As proposed, the 6 interior lots require relief from these provisions (See Table 1 below). The intent of the minimum lot size provisions is to ensure that lots can accommodate the use/development and regulate lot pattern. The proposed lots follow the party wall of the existing units and provide space for one parking space, and soft landscaping in the front and rear yards as shown on the site plan submitted with the application. Given the varied lot pattern on Coldrey Avenue and the Official Plan's policy direction for smaller lots in the Inner Urban Transect, staff is satisfied that the requested variances maintain the intent of the Zoning By-law and Official Plan.

The variances are desirable as they will facilitate separate ownership for the individual units in a townhouse constructed in 1961. The applicant also proposes to reconfigure the existing rear yard

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to establish individual parking spaces for each lot and increase the soft landscaping. Based on the foregoing, staff is satisfied that the proposed minor variances for reduced lot width and areas meets the four tests outlined in Section 45(1) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended.

Table 1. Summary Table

Property	Unit No.	Part No.	Lot Area	Lot Width
1313A Coldrey Ave	1	1, 2, 3	287 m ²	9.41 m
1313 Coldrey Ave	2	4, 5, 6	149 m ²	4.92 m
1311 Coldrey Ave	3	7, 8, 9, 10, 11	169 m ²	4.88 m
1309 Coldrey Ave	4	12, 13, 14, 15, 16	175 m ²	4.86 m
1307 Coldrey Ave	5	17, 18, 19, 20, 21	174 m ²	4.89 m
1305 Coldrey Ave	6	22, 23, 24, 25, 26	174 m ²	4.85 m
1303A Coldrey Ave	7	27, 28, 29, 30, 31	173 m ²	4.92 m
1303 Coldrey Ave	8	32, 33, 34,35, 36, 38	323 m ²	9.25 m

With respect to the criteria listed in Section 51 (24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, staff have no concerns with the proposed consent applications. The lots will front onto a public street with municipal services; the size and shape of the lots are suitable for the existing development; and the severance conforms with the general intent of the Official Plan. Staff also has no concerns with the proposed easements, which will provide formal access to the shared driveway, visitor parking and snow storage areas. As a condition of approval, staff request that the applicant prepare a Joint, Use and Maintenance Agreement outlining the obligations between owners and future owners for the shared elements.

ADDITIONAL COMMENTS

Planning Forestry

As a result of the severances, the reconfigured parking area will result in the removal of one tree in the rear yard. Two new replacement trees will be required as compensation for the removal and Planning Forestry staff's preference is for the trees to be planted in the City Right of Way. Staff also recommend that the applicant plant one additional tree on each lot, including in the rear yards, to provide shade and reduce the urban heat island of the parking lot.

CONDITIONS OF APPROVAL

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

1. That the Owner(s) enter a Joint Use, Maintenance and Operating Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners. The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not

limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways, and common landscaping.

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of

The Development Review Manager of the South Brach within Planning, Real Estate and Economic Development and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to Planning, Real Estate and Economic Development and City Legal Services, a copy of the Agreement, and written confirmation from City Legal Services that it has been registered on title.

2. That the Owner (s) prepare and submit a tree planting plan showing the location(s), species, and ultimate size of two new 50 mm tree to be planted following construction, prepared to the satisfaction of the Development Review Manager of the South Branch within the Planning, Real Estate and Economic Development Department, or their designate(s),



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