



Committee of Adjustment
Received | Reçu le
2024-02-29
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Minor Variance
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
Panel 2

Site Address: 533 Rowanwood Avenue	
Legal Description: Part of Lot 3 and all of Lot 4, Registered Plan 317	
File No.: D08-02-24/A-00022	
Date: February 29 th , 2024	Hearing Date: March 5 th , 2024
Planner: Shahira Jalal	
Official Plan Designation: Inner Urban Transect, Neighborhood Designation, Evolving Overlay	
Zoning: R1O	

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment** with the application.

DISCUSSION AND RATIONALE

The property is designated Neighbourhood within the Inner Urban Transect of the Official Plan, with an Evolving Overlay. This application is in line with Section 6.3 which generally encourage innovative and compatible forms of housing which contribute to the 15 minute neighbourhood model.

The property is zoned Residential First Density, subzone O. The requested minor variances are consistent with the intent of R1O zone, which are, amongst others, to regulate development for compatibility with existing land use patterns. Staff note that nearby properties such as 530 Rowanwood Avenue, and 540 Rowanwood Avenue (which is also zoned R1O) have front facing garages as well. The requested variance to permit a front-facing attached garage is compatible with the surrounding context.

Staff also note that the new build proposes remove trees that will require tree permits under the Tree By-law. Planning staff have no concern with the request for adjournment to provide time for the applicant and Forester to discuss the matter.

ADDITIONAL COMMENTS

Forestry

While the requested variance does not directly impact existing trees, the location of the proposed garage and driveway does. The TIR notes that the proposed single dwelling would require removal of all but 2 of the 6 protected trees on and adjacent to the site, most of which are outside of the zoned building footprint.

Section 4.8.2 of the Official Plan provides strong direction to maintain the urban forest canopy and its ecosystem services during intensification noting when considering the impacts on individual trees, planning and development decisions, including Committee of Adjustment decisions, shall give priority to the retention and protection of large, healthy trees over replacement plantings and compensation. Applications must address the cumulative impacts on the urban forest, over time and space, with the goal of 40% urban forest canopy cover in mind. Further, that the City and the Committee of Adjustment may refuse a development application where it deems the loss of a tree(s) avoidable or where an application fails to provide adequate soil volume for existing and/or new trees. The loss of several of the protected trees on and adjacent to the site is considered to be avoidable, and plans must be modified to allow for the retention of a many of these trees as possible. Permits cannot be issued for the removal of trees on adjacent properties without permission from the owner(s). If permission is not provided, the plans must be revised to allow for their adequate protection.

A planting plan must also be provided showing the compensation planting for protected trees impacted directly by the building envelope. It is a priority to plant large-growing native species where space allows, to replace and enhance the canopy cover and streetscape.

Adjournment is recommended to provide time to revise the site plans to better account for retention of existing trees, to contact adjacent property owners for necessary permission for any impacts to shared or adjacent trees, and to revise the TIR to include the location of tree protection on the plans.

Right-of-Way

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application. However, should the front facing garage be approved, the Owner shall be made aware that a private approach permit is required to remove



and reinstate the existing entrance and construct the newly located entrance.

The private approaches shall be designed and located in accordance with and shall comply with the City's Private Approach By-Law, being By-law No. 2003-447, as amended, and shall be subject to approval of the **Right-of-Way, Heritage, and Urban Design Department**. Furthermore, any works required to be done by the Owner(s) on the City Road allowances shall be according to the specifications and by-laws of the City. The Owner, or its contractor, shall be required to obtain all the necessary permits for road cuts prior to the disruption of the City Road allowance and it is further understood and agreed that the aforementioned cuts shall be reinstated to the satisfaction of the **Director, Infrastructure Services**.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca.

Shahira Jalal
Planner I, Development Review, West

Kimberley Baldwin, MCIP RPP
Planner III, Development Review, West