



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 295-297 Dovercourt Avenue
Legal Description: Lot 14 and Part Lot 13, Reg Plan 310
File No.: D08-01-24/B-00002, D08-02-24/A-00002 and D08-02-24/A-00005
Report Date: February 29, 2024
Hearing Date: March 6, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving Overlay
Zoning: R3R[2687] H(8.5)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has concerns with** the applications.

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 and Designated Neighbourhood within the Evolving Overlay on Schedules A and B2 in the Official Plan. The site is within 500 metres of a future O-Train station on Carling Avenue and within 150 metres of Churchill Avenue, which is designated as “Minor Corridor”. Portions of Neighbourhoods within close proximity of Corridors are intended to absorb residential intensification and support the City’s density targets (5.2.4). The Official Plan notes that a characteristic of the 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 zoned R3R[2687] H(8.5) (Residential Third Density, Subzone R, Urban Exception 2687, Maximum Building Height 8.5 Metres), which permits residential building forms ranging from detached to townhouse dwellings.

Staff have concerns with the requested attached front-facing garages. The Streetscape Character Analysis is an objective count of building elements within the vicinity of the

subject site and is intended to encourage development to maintain the character within 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. Front-facing attached garages often push the livable floor area 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 entrance of less importance than the car's storage in neighbourhoods where housing was predominantly built prior to the mass commercialization of the automobile. The direction of the Official Plan is for this area to become more "urban", including prioritizing the built-form relationship with the public realm through emphasizing front entrances and windows.

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent. The proposed severance will create lots that meet the minimum lot width and lot area for the proposed dwelling type, and are consistent with the existing and planned lot fabric on this street.

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. Existing grading and drainage patterns must not be altered.
5. Existing services are to be blanked at the owner's expense.
6. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

Right-of-Way Management

1. Please be aware that a private approach permit is required to remove both redundant private approaches along Dovercourt Ave from the property. The removal shall be completed in accordance with and shall comply with the City's Private Approach By-Law No. 2003-447, as amended, and shall be subject to approval of the Right-of-Way, Heritage, and Urban Design Department.
2. Please be aware that a private approach permit is required for each of the newly constructed driveways along Dovercourt Ave. The private approaches shall be designed, located, and comply with the City's Private Approach By-Law No. 2003-

447, as amended, and shall be subject to approval of the Right-of-Way, Heritage, and Urban Design Department.

Planning Forestry

There are no tree-related concerns with the proposed severance or minor variance. The 10 trees proposed for removal in the TIR are not protected under the Tree Protection By-law, and do not require permits. One boundary tree is noted for removal, and requires permission from the shared owner prior to removal.

The 4 protected trees on and adjacent to the site must be protected in accordance with the TIR and Tree Protection Specifications throughout construction. The planting plan provided, appropriately shows 1 new tree to be planted in the ROW in front of the newly created lot.

CONDITIONS

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

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.
2. That the Owner(s) provide proof to the satisfaction of **the Development Review Manager of the Central 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 existing dwelling/building has been removed.
3. That the Owner(s) provide proof to the satisfaction of **the Development Review Manager of the Central 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 each existing parcel has its own independent storm, sanitary and water services connected to City infrastructure and that these services do not cross the proposed severance line. If they do cross or are not independent, the Owner(s) will be required to relocate the existing services or construct new services from the City sewers/watermain, at his/her own cost.
4. That the Owner(s) provide evidence to the satisfaction of **the Development Review Manager of the Central 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 structure has

been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.

5. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements, 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 Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate, and City Legal Services**. The Committee requires written confirmation that the Agreement is satisfactory to **the Development Review Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate**, and is satisfactory to **City Legal Services**, as well as a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title.

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 **the Development Review Manager the Central Branch within Planning, Real Estate 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 the **Development Review Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate**.



Margot Linker
Planner I, Development Review, Central
Planning, Real Estate and Economic

Erin O'Connell
Planner III, Development Review, Central
Planning, Real Estate and Economic

Development Department

Development Department

110 Laurier Avenue West, Ottawa ON K1P 1J1 Mail code: 01-14
110, av. Laurier Ouest, Ottawa (Ontario) K1P 1J1 Courrier interne : 01-14

Visit us: Ottawa.ca/planning
Visitez-nous : Ottawa.ca/urbanisme