

2023-09-28



PERMISSION APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 107 Pretoria Avenue
Legal Description: Lot 47, Registered Plan 35403
File No.: D08-02-23/A-00208
Report Date: September 28, 2023
Hearing Date: October 4, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R4UD (Residential Fourth Density, Subzone UD)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject site is located within the Inner Urban Transect policy area on Schedule A and is designated Neighbourhood on Schedule B2 in the Official Plan. The Official Plan does provide direction to allow compatible and complementary small-scale non-residential uses and services in order to promote the emergence or strengthening of 15-minute neighbourhoods.

The subject site is zoned R4UD (Residential Fourth Density, Subzone UD) which permits a wide mix of residential building forms ranging from detached to low-rise apartment dwellings. The “office” use has been permitted on the site as a legal non-conforming use since 1990 when the Ontario Municipal Board granted the permission to change one legal non-conforming use to another legal non-conforming use (office).

When considering applications for permission to expand the legal non-complying rights, case law has considered issues such as desirability for development of the property and impact on the surrounding area.

Staff have no concerns regarding the third storey addition as shown on the plans submitted to the Committee of Adjustment. The R4UD zone does contemplate building heights of up to 11 metres for this size of lot for three unit dwellings, stacked dwellings, and low-rise apartments. The increased height is stepped back over 12 metres behind

the front wall of the building above a rear addition that was added in 2009 via a permission application to the Committee of Adjustment. It does not appear that this addition will impact the streetscape. The proposed rooftop terrace is located near the centre of the building, facing the interior side lot lines of the immediate abutting properties to the east and west.

While a third storey will add to the massing impacts from the existing two-storey addition, Staff appreciate that the west elevation will have no windows in the addition, posing no additional privacy impacts to the yard to the west (109 Pretoria). Similarly, there are no windows proposed on the north elevation facing the General Mixed Use-zoned site to the north. It is recognized that the proposed east elevation will have windows that overlook a parking lot in the abutting rear yard to the east (103 Pretoria).

It is staff's understanding that there is no additional parking proposed along with the addition. The site is located in close proximity to two Transit Priority Corridors (along Isabella Street and Bank Street) which can contribute to accommodating an increased number of employees. Through discussions in pre-consultation, the applicant has proceeded with reinstating the front yard with soft landscaping to remove the illegal front yard parking space. Softly landscaped front yards is a requirement for permitted uses in this zone, and allows this proposal to become more compatible with the surrounding uses and improving the public realm and streetscape.

ADDITIONAL COMMENTS

Heritage Planning Branch

107 Pretoria is a non-designated property listed on the City of Ottawa Heritage Register under Section 27 of the Ontario Heritage Act. The proposal is compliant with the Ontario Heritage Act.

Planning Forestry

There are no tree-related concerns with the proposed 3rd storey addition as there are no existing trees on site. It is strongly recommended to remove the paving at the front of the property to allow for planting 1 new tree, to meet the OP objectives of providing soft landscaping and working toward 40% canopy cover.



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



Jean-Charles Renaud
Planner III, Development Review, Central
Planning, Real Estate and Economic
Development Department