

2023-09-28



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 141 Carruthers Avenue
Legal Description: Part of Lot 19 and Part of Lot G (East Carruthers Avenue),
Registered Plan 35
File No.: D08-02-23/A-00216
Report Date: September 28, 2023
Hearing Date: October 4, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Area, Neighbourhood, Evolving Neighbourhood
Overlay
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

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 policy area on Schedule A and designated Neighbourhood within the Evolving Neighbourhood Overlay on Schedule B2 in the Official Plan. The Inner Urban Transect includes urban characteristics, such as having shallow front yard setbacks with an emphasis on built-form relationship with the public realm (Table 6). Neighbourhoods in this area should regulate the built form through having regard for local context and character of existing development and having appropriate interfaces with the public realm (6.3.2).

The subject site is also located within the Scott Street Secondary Plan and within the Scott Street Community Design Plan, designated Low-Rise Neighbourhood in both Plans. The character of existing neighbourhoods are encouraged to be reinforced and respected by ensuring that the character of local streetscapes, including front yards, is maintained.

Staff have no concerns with the proposed entrance orientation. The intent of regulating this in the Mature Neighbourhoods Overlay is to ensure that it is clear where the principal entrance is and how to access it, which allows for greater interaction with the public realm compared to an entrance that is offset and not facing the street. The Zoning By-law allows for the principal entranceway to be part of a permitted projection, such as a porch, but doesn't face the front lot line, as the above intent is still met. Staff believe that the porch leading to the enclosed entry that is not far offset from the street meets the general intent of this provision.

Staff have no concerns with the requests to allow a reduced front yard setback, side yard setback and covered porch projection. The proposed interior side yard setback is an extension of the existing 0 metre setback of this semi-detached dwelling. While it is not shown on the survey, it is apparent from GeoOttawa and Google Streetview that the street is characterized by covered porches that appear to be located close to the front lot line. Staff believe that the character of the local streetscape as well as the principal entrance relationship with the public realm will be maintained.

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 street sign to be relocated at the owner's expense.

Planning Forestry

Both the existing and proposed front yard setbacks leave very limited soft landscaping space in front of the house, with no room to plant a tree in this space. This is a common condition in the neighbourhood, so while there are no concerns with the requested variance, it is strongly recommended to plant a new 50mm tree in the City ROW adjacent to the house (toward the corner) to improve the streetscape and canopy cover. An application may be made to the City's Trees In Trust program.

Transportation Engineering

The site is located within 300m of the O-Train (Line 1) rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

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