

2024-03-27



**PERMISSION APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 507 Bay Street
Legal Description: PLAN 30, PT LOT 1
File No.: D08-02-24/A-00033
Report Date: March 27, 2024
Hearing Date: April 3, 2024
Planner: Margot Linker
Official Plan Designation: Downtown Core Transect, Corridor
Zoning: TM14 H(17) (Traditional Mainstreet Zone, Subzone 14,
Height limit of 17m), Mature Neighbourhoods Overlay

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject site is located in the Traditional Mainstreet Zone. Section 197(5) of the Zoning By-law states that for the purpose of determining the front yard setback, a lot that abuts a street designated "Traditional Mainstreet" (Mainstreet Corridor) in the Official Plan, is to be treated as though it fronts that street. As the site abuts Gladstone Avenue, a Traditional Mainstreet, the setbacks of the existing property are to be treated as the following:

- The front yard setback becomes a corner side yard setback (facing Bay Street)
- The interior side yard setback becomes a rear yard setback
- The corner side yard setback becomes a front yard setback (facing Gladstone Avenue)
- The rear yard setback becomes an interior side yard setback

When considering applications for permission to expand legal non-complying rights, planning staff consider issues such as desirability for development of the property and impact on the surrounding area.

With Gladstone being the front lot line, the lot depth of the subject site is 10.09m. The Zoning By-law requires that the minimum rear yard setback be 7.5m. The Zoning By-law does not contemplate a scenario with this lot depth. To meet this rear yard setback, only 2.5m would be left to develop a property on.

Staff have no concerns with the proposed expansion. The proposed development has windows that overlook into a small part of the abutting property's rear yard; however, Staff do not anticipate privacy impacts as the driveway provides a sufficient buffer. There is space in the interior side yard for waste storage, bicycle parking, and amenity area. In addition, the proposed development addresses Gladstone Avenue by providing an active street frontage through introducing more massing and windows as well as a more formal principal entrance facing Gladstone, which is aligned with the Zoning By-law and Official Plan policies.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. The 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. A private approach permit is required for any access off of the City street.
5. Existing grading and drainage patterns must not be altered.
6. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

Planning Forestry

There are no tree-related concerns with the proposed permission. To improve the streetscape, canopy cover, and amenity space of the site it is strongly recommended to plant several 50mm trees within the Bay and Gladstone frontages, where space is available, following construction.

Transportation Engineering Services

- There is an existing bus stop on Gladstone Avenue adjacent to the property. The owner is to contact OC Transpo (octdevelopmentreview@ottawa.ca) to confirm whether there are any issues or conditions regarding the bus stop.
- Remove existing driveway depressed curb on Gladstone Avenue and reinstate with full height curb and sidewalk to City standards. Alternatively, reduce the depressed curb width to 1.8m to accommodate bicycle access only.

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