

2024-08-01



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 167 Powell Avenue  
Legal Description: Lot 71, Part of Lot 70 and Part of the Rear Passage (Lying between Percy Street and Lyon Street), Registered Plan 4M-19  
File No.: D08-02-24/A-00168  
Report Date: August 1, 2024  
Hearing Date: August 7, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban Transect, Neighbourhood  
Zoning: R2F

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has some 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. Staff are not satisfied that the requested minor variances meet the “four tests”.

Given that the existing dwelling will remain, Staff believe that the introduction of a front-facing garage will have limited impacts on the streetscape. In addition, the proposal will convert the current driveway in the interior side yard into a walkway and permeable surface with plantings. The existing garage, which is located in the rear yard, is proposed to be converted into a coach house, which aligns with policy direction in the Official Plan to encourage gentle intensification within the Neighbourhood designation. The proposed driveway would comply with the minimum driveway width, unlike the current driveway.

However, the intent of the maximum driveway slope provisions in the Zoning By-law is to prevent issues with drainage, safety, and functionality. The proposed design incorporates a drain and sub pump. While the heated driveway mitigates concerns related to snow clearing, a 6.2 percent increase in the permitted grade not be functional.. In particular, the transition from a 14.2 percent slope to a 2.5 percent slope at the private approach is difficult. As a result, Staff have some concerns with the increased driveway

gradient.

## **ADDITIONAL COMMENTS**

### **Infrastructure Engineering**

- The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
- At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist may be required.
- A private approach permit is required for any access off of the City street.
- Depressed driveways to have a catch-basin drain which connects directly to City infrastructure. (See City of Ottawa, Sewer Design Guidelines, Section 5.7.6)
- As the proposed driveway is a reverse grade design, you will need a permit from the Private Approach office. Contact Linda Uhryniuk in the Traffic & Parking Operations Branch (Ext. 16049).
- Please note reverse slope driveways are strongly discouraged by the City as they may be susceptible to flooding of the property. The designer must ensure the building is protected from the 100-year HGL and the roadway drainage will not be directed to the reserved sloped driveway.
- Please provide a note the plan indicating that it is the owner's responsibility to provide adequate maintenance during the winter season and excessive rainfall events to prevent slip hazards caused by the sump pump discharge.
- A slope change from 14% to 2.5% may cause vehicles to bottom out and possibly be stuck or damaged. Please ensure adequate transition of about 7% is provided at both ends of the driveway.
- Please provide a note on the plan indicating the driveway heating method that will be used.

### **Planning Forestry**

- The TIR outlines adequate mitigation and tree protection measures for the existing city trees at the front of the property. The [Tree Protection Specification](#) must be implemented throughout construction, and roots cleanly severed at the limit of excavation.

### **Transportation Engineering**

- Staff recommend implementing a transition slope of 7 percent at both ends of the driveway, reducing the potential for vehicles to bottom out.



---

Penelope Horn  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department



---

Erin O'Connell  
Planner III, Development Review All Wards  
Planning, Development and Building  
Services Department