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August 8, 2024

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON, K2G 5K7

Attention: Michel Bellemare, Secretary - Treasurer

**Reference: 314 Queen Elizabeth Driveway
Applications for Consent
Our File No 123139**

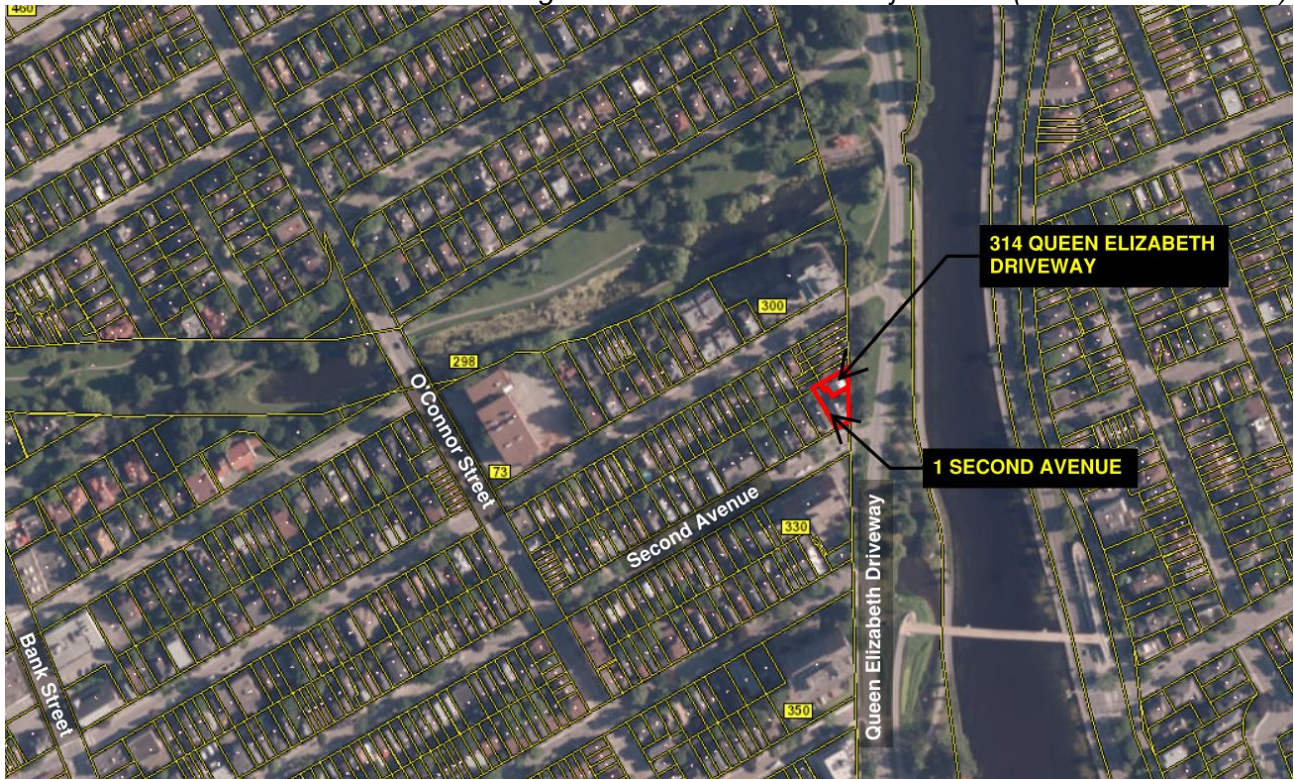
Committee of Adjustment
Received | Reçu le
2024-08-14
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare:

Novatech has been retained by the owner of the property municipally known as 314 Queen Elizabeth Driveway to prepare and file applications for Consent. This Consent application is for a Lot Line Adjustment to convey 0.04 square metres from 314 Queen Elizabeth Driveway to 1 Second Avenue.

This letter describes the existing conditions of the site and its surrounding context, outlines the proposed lot line adjustment application, and provides a rationale in support of the application.

Figure 1: Location of the Subject Site. (Source: GeoOttawa).



Site and Context

Site

314 Queen Elizabeth Driveway is located in the Glebe-Dows Lake neighbourhood within Ward 17 – Capital in the City of Ottawa. 314 Queen Elizabeth Driveway is an interior lot located on the west side of Queen Elizabeth Driveway (see Figure 2). 314 Queen Elizabeth Driveway has 13.1 metres of frontage along Queen Elizabeth Driveway and a lot area of 195 square metres. 314 Queen Elizabeth Driveway is legally known as Part of Lot E West Side of Driveway Registered Plan 35085 City of Ottawa.

Figure 2: Subject Site. (Source: GeoOttawa).



Figure 3: 314 Queen Elizabeth Driveway and 1 Second Avenue. (Source: Google Maps).



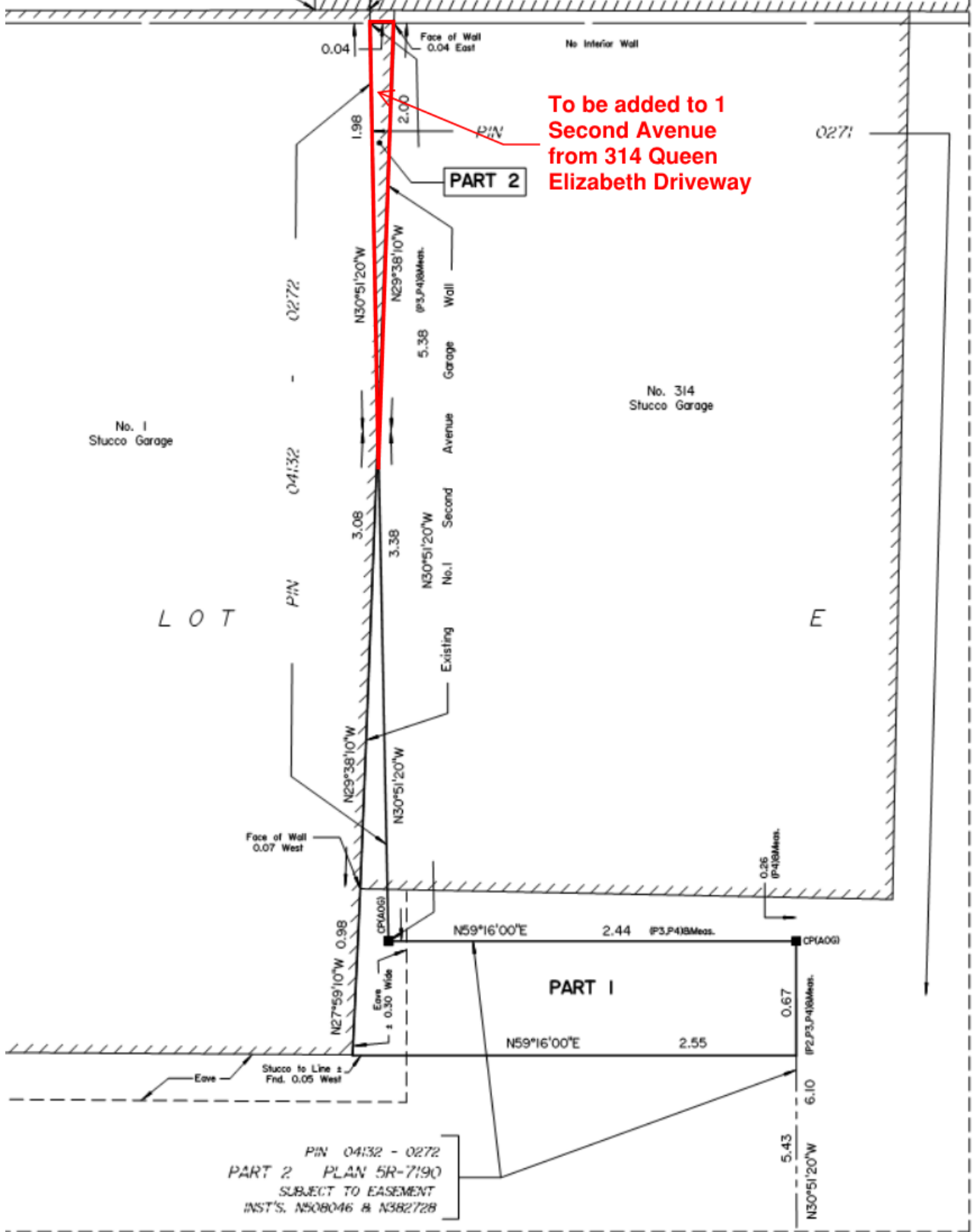
Surrounding Context

The abutting property to the north of 314 Queen Elizabeth Driveway is developed with a three-storey townhouse dwelling (312 Queen Elizabeth Driveway) which is designated under Part IV of the Ontario Heritage Act. The abutting property to the west is 1 Second Avenue, which is developed with a 2.5-storey detached dwelling. A driveway access from Second Avenue provides access to parking in the rear for both 314 Queen Elizabeth Driveway and 1 Second Avenue. A detached single garage is located in the rear yard of 314 Queen Elizabeth Driveway. The detached single garage shares a wall with the detached garage in the rear yard of 1 Second Avenue. The detached single garage on 314 Queen Elizabeth Driveway encroaches approximately 0.07 metres onto 1 Second Avenue.

Proposed Development

The proposed Consent application is for a Lot Line Adjustment to convey a 0.04 square metre portion of 314 Queen Elizabeth Driveway shown as Part 2 on the Draft Reference Plan in Figure 4, to 1 Second Avenue. The Lot Line Adjustment application amends the shared property line between the detached garages to match the shared building wall, resulting in a portion of 314 Queen Elizabeth Driveway being added to 1 Second Avenue so that the 1 Second Avenue garage does not encroach onto the Subject Site.

Figure 4: Draft Reference Plan Excerpt. (Source: Annis, O'Sullivan, Vollebakk).



Consent Applications

Consent Application 1:

This application will create a new part from 314 Queen Elizabeth Driveway to be conveyed to 1 Second Avenue.

Consent Rationale

Planning Act

Subsection 53(1) of the Planning Act states:

“53(1) An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).”

The proposed lot line adjustment does not necessitate the construction of new public infrastructure, including roads and services. The proposed lot line adjustment application results in the conveyance of a 0.04 square metre portion of 314 Queen Elizabeth Driveway to 1 Second Avenue. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

“53(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.”

This rationale will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

“51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed lot line adjustment has regard for the following matter(s) of provincial interest:

- the efficient use of land and resources

(b) whether the proposed subdivision is premature or in the public interest;

314 Queen Elizabeth Driveway is located within the City of Ottawa’s urban boundary and is in a fully developed neighbourhood. The proposed lot line adjustment will adjust an existing lot line. The lot line adjustment is therefore not premature and is in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

314 Queen Elizabeth Driveway is designated as part of the Rideau Canal Special District in the City of Ottawa Official Plan. The Rideau Canal Special District is defined as a City-defining Special District.

Policy 4 of Section 6.6.2.2 states:

- 4) The following policies will apply in the first row of properties along the Rideau Canal:
- a) Where properties are within or on the edge of established Low-rise residential areas, development will be subject to all of the following:
 - i) Development will respect the existing patterns of building footprints, height, massing, scale, setback and landscape character within the associated streetscape. The associated streetscape will be determined by the existing low-rise properties on one, or if applicable, both sides of the same street, on the same block as the subject property;
 - ii) In order to be consistent with nearby low-rise residential development, anticipated Secondary Plan process for the area as references in Subsection 6.6.3, Policy 1) will consider if Site Plan Control By-Law may extend within the Rideau Canal Special District; and
 - iii) Carefully consider the visual relationship between the site and the Canal, including the adjacent or nearby federal parkways and the preservation of mature trees by ensuring the continuity of the existing landscape patterns, orientation of buildings and preserving views to and from the Canal; and

The proposed lot line adjustment cleans up the existing shared lot line between the detached garages of the Subject Site and 1 Second Avenue so that it follows the shared building wall. The proposed lot line adjustment will not impact the building massing and scale along the streetscape. The proposed lot line adjustment does not affect the preservation of mature trees and landscaping patterns.

Policy 8 of Section 11.5 states:

- 11) *The City shall permit lot adjustments in any land-use designated for legal or technical reasons. For the purposes of this section, legal or technical reasons include severances for purposes such as easements, corrections of deeds, quit claims and minor boundary adjustments, which do not result in the creation of a new lot or render an existing lot as non-complying.*

The proposed lot line adjustment cleans up the lot line separating the existing detached garages on both properties so that the lot line follows the shared building wall and each detached garage is within the associated lot. The proposed lot line adjustment does not result in the creation of a new lot or render an existing lot as non-complying. Both lots comply with the minimum lot area and minimum lot width requirements after adjusting the lot lines.

The proposed lot line adjustment conforms to the policies of the City of Ottawa's Official Plan.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The proposed lot line adjustment will adjust the rear lot line of the Subject Site, which is a shared lot line with 1 Second Avenue. The rear lot line will be moved east 0.04 metres so that a portion of 314 Queen Elizabeth Driveway is conveyed to 1 Second Avenue. This adjusts the lot line between the garages so that it follows the building wall.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No affordable housing units are proposed.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The consent applications do not propose any new highways.

(f) the dimensions and shapes of the proposed lots;

The proposed lot line adjustment supports the conveyance of a 0.04 square metre portion of 314 Queen Elizabeth Driveway to 1 Second Avenue. The proposed lot line adjustment does not result in the creation of a new lot. The proposed lot line adjustment will adjust the shared lot line separating the detached garages on both lots by 0.04 metres. The adjusted lot line ensures that a portion of the 1 Second Avenue garage does not encroach onto 314 Queen Elizabeth Driveway.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no restrictions or proposed restrictions on the lots, beyond the provisions of the Zoning By-law.

(h) conservation of natural resources and flood control;

314 Queen Elizabeth Driveway is not located in a floodplain or area of natural interest.

(i) the adequacy of utilities and municipal services;

314 Queen Elizabeth Driveway is within the urban boundary and has access to municipal sanitary, stormwater, and water servicing. The lot line adjustment will not have any negative impacts on the adequacy of utilities and municipal services.

(j) the adequacy of school sites;

314 Queen Elizabeth Driveway is within 300 metres of First Avenue Public School (JK-6). The proposed lot line adjustment does not result in any new dwelling units and does not generate any new demand for school sites. Approval of the consent application is not anticipated to have an impact on the adequacy of school sites.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

No area of land is proposed to be conveyed or dedicated for public purposes as a result of the proposed lot line adjustment application.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

Approval of the proposed lot line adjustment results in a more efficient lot configuration that benefits the owners of 1 Second Avenue and the owners of 314 Queen Elizabeth Driveway. The lot line adjustment cleans up the shared property line separating the detached garages on both lots, ensuring that the lot line divides the garages along the line of the building wall and so that no portion of the garage on one property is encroaching onto the other property.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is not subject to site plan control.

The proposed lot line adjustment meets the criteria set out in Section 51(24) of the Planning Act.

Conclusion

The proposed lot line adjustment application at 314 Queen Elizabeth Driveway meets the criteria of Section 51(24) of the Planning Act. The consent application is consistent with the policies of the PPS. The consent application meets the intent of the Official Plan. The proposed lot line adjustment cleans up the existing lot line separating the detached garages on both lots so that no part of the 1 Second Avenue garage encroaches onto the Subject Site. The consent application represents good land use planning.

In support of the applications for consent and minor variance, please find enclosed:

- Cover Letter (one copy)
- Complete Consent Application Form (one original copy)
- Signed Consent Authorization Form (one original copy)
- Application fee
- Draft Reference Plan (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 314 Queen Elizabeth Driveway (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

NOVATECH



Arjan Soor, M.PL
Planner