

Committee of Adjustment

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City of Ottawa | Ville d'Ottawa

Comité de dérogation



Minor variance

**COMMENTS TO THE COMMITTEE OF ADJUSTMENT**

Panel 1

Site Address: 318 Patricia Avenue

Legal Description: Part of Lot 32, Concession 1 (Ottawa Front), Geographic Township of Nepean

File Nos.: D08-02-23/A-00041

Date: April 11, 2023

Hearing Date: April 19, 2023

Planner: Basma Alkhatib

Official Plan Designation: Inner Urban Transect, Evolving Neighbourhood

Zoning: R3N [499] (Residential third density zone, subzone N, exception 499)

**DEPARTMENT COMMENTS**

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

**DISCUSSION AND RATIONALE**

The subject site is within the Inner Urban Transect Policy Area on Schedule A and Neighbourhood designated on Schedule B2 in the Official Plan. The aimed pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. This pattern includes a minimum of two functional storeys, attached buildings and small areas of formal landscape. Also, Neighbourhoods are anticipated to maintain their low-rise nature unless otherwise stated in the Zoning By-laws or applicable Secondary Plans.

Staff have received an old survey that is unreadable, and the provided site plan was hand crafted. Consequently, staff communicated with the applicant, who confirmed the accuracy of the measurements. Staff was able to review the application as the required minor variance is required due to the conversion of a permitted projection to a part of the building structure, so the existing setback will not change.

Staff noted that the subject site rear yard is fully softscaped, the existing deck is not extended to align with the house's wall, which allowed the creation of a rectangular softscape space area of more than 100 meters square. Also, the subject yard is fully fenced with a tree hedge of 1.8 metres height which provides privacy between properties.

Also, staff noted that the existing rear yard area is 56.6 metres square, where the required by the Zoning By-law is 122.42 metres square. This reduction in the rear yard area is minor and does not have any impact.

The Department has **no concerns** with the applicant's request as the proposed addition will



not impact the softscaping and the tree hedge in the rear yard, emphasized in the Official Plan. Also, the proposed walls are intended to provide screens only for occasional use. Moreover, the addition will not change the existing situation, will not impact on the surrounding context, and the house will remain aligned with the abutting houses.

**Forestry Services Comments:**

1. There are no tree related concerns associated with this application since there are no protected trees on or adjacent to the rear yard of the property. If the cedar hedge has anticipated impacts and is jointly owned, the construction should be discussed with the adjacent neighbor. The hedge would not be protected under the Tree Protection By-law as it is under the minimum size requirement. Any issues with the hedge would be civil. No material storage or equipment should enter the critical root zone of the maple tree in the front yard as this can impact the trees health and long-term survival. To understand what should not occur within the critical root zone of a tree, here is the city's tree protection specification for reference: [https://documents.ottawa.ca/sites/documents/files/tree\\_protection\\_specification\\_en.pdf](https://documents.ottawa.ca/sites/documents/files/tree_protection_specification_en.pdf)

**Additional Comments:**

1. The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application.
2. **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
3. At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
4. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
5. 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**.
6. Existing grading and drainage patterns must not be altered.
7. The **Planning, Real Estate and Economic Development Department** requires proof that the Rideau Valley Conservative Authorities have granted their approval due to development being located within the regulatory limit.

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Basma Alkhatib  
Planner I  
Development Review, Central Branch

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Erin O'Connell, RPP, MCIP  
Planner III  
Development Review, Central Branch



Planning, Real Estate and Economic  
Development Department

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