



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 23 Belgrave Road
Legal Description: Lot 80 Registered Plan 4M-45
File No.: D08-02-23/A-00085
Report Date: May 26, 2023
Hearing Date: June 7, 2023
Planner: Basma Alkhatib
Official Plan Designation: Inner Urban Transect, Neighbourhood, Floodplain Overlay
Zoning: R1TT (Residential first density Zone, subzone TT)



DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff are satisfied that the requested minor variances meet 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 within the Inner Urban Transect Policy Area on Schedule A and Neighbourhood designated on Schedule B2 in the Official Plan. Also, the subject site is within the Floodplain Overlay. The proposed project is to add a second story to the existing detached house which will be 48 per cent of the existing house area. Because this project is within the Floodplain Overlay, it must be reviewed and approved by the related Conservation Authorities. The subject site is within Zone R1TT which staff have noted that the proposed project is following all the performance standards for this zone.

The Official Plan section two, policy 2.2.3 Energy and Climate Change states that Flooding is now the costliest type of natural disaster in Canada. Floods damage property and infrastructure, contaminate drinking water and affect people’s safety, finances, and physical and mental health. The Official Plan direction is to strengthen the resilience to floods and the ability to manage increased stormwater runoff by restricting development in flood plains and mitigating risks in areas vulnerable to flooding under future climate conditions.

Section 10.1.1 states that Lands in the flood plain are subject to regulations under Section 28 of the Conservation Authorities Act, the Official Plan policies, and the Zoning By-law. Flood plain boundaries are determined in consultation with the Mississippi Valley, Rideau Valley, and South Nation Conservation Authorities, with adherence to relevant policies and guidelines. The subject site is within the **Rideau Valley Conservation Authority (RVCA)**.

The Official Plan policy 10.1 Natural Hazards, stated in section 10.1.1.3(b) some minor development and site alterations may be permitted. Minor development and site alterations definition includes minor additions and/or renovations to existing structures, which do not affect flood flows, meet appropriate floodproofing requirements and are supported by the appropriate conservation authority.

Staff noted that the applicant was granted conditional approval from the Rideau Valley Conservation Authority (RVCA). The RVCA commented that this proposal is not expected to impact the control of flooding, pollution, erosion or conservation of land, and there are conditions listed in the RVCA report to assure the monitoring of the development process.

The Department has **no concerns** with the applicant's request seeing as the proposal is approved by the appropriate conservation authority which in this case is the RVCA and the required variance respects the zoning performance standards.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. Any proposed works to be located within the road allowance **requires prior written approval from the Infrastructure Services Department.**
2. All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.
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. This property does not have frontage on a storm sewer.
6. Provide a minimum of 1.5m between the proposed driveway and the utility pole.
7. Provide a minimum of 3m between the proposed driveway and the fire hydrant.
8. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

Through pre-consultation it was confirmed that there will be no excavation as part of this

project, and no impact to existing trees on site; as such, no TIR was required. If the front or rear yards are to be used for construction staging or equipment, **tree protection fencing must be installed for the duration of use.**

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application, as there are no requested changes to the private approach/driveway.



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