



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 290 Montfort Street
Legal Description: Part of Lot 76, Reg. Plan 246
File No.: D08-02-22/A-00125
Report Date: May 31, 2023
Hearing Date: June 6, 2023
Planner: Cass Schlauzero
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving
Neighbourhood Overlay
Zoning: R4UA

Committee of Adjustment
Received | Reçu le

2023-06-01

City of Ottawa | Ville d'Ottawa
Comité de dérogation

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the application so that the applicant may revise their application and request additional variances.

DISCUSSION AND RATIONALE

During review of the documents submitted with the application, staff identified that additional minor variances are required to regularize the existing legal non-complying interior side yard setbacks. Additional information on the site plan is required to determine if variances are required related to rear yard setbacks and/or rear yard area.

Although the existing semi-detached dwelling enjoys legal non-complying rights to reduced interior side yard setbacks, the change of use from a semi-detached dwelling to a townhouse dwelling removes the legal non-conforming status.

ADDITIONAL COMMENTS

Staff informed the applicant that they would not support a minor variance to establish a front yard parking space, given that the majority of the parking space would be located within the City-owned right of way. An additional variance to permit a parking space at approximately 2.3 metres long, whereas the by-law requires a minimum length of 5.2 metres, would also be required to establish the front yard parking space. Staff noted that they would also not support a variance to this effect. The applicant subsequently confirmed that they would be withdrawing the request to establish the front yard parking

space and acknowledged the direction from Right of Way Management to obtain a Private Approach Permit to reinstate the curb, and to subsequently establish soft landscaping in the front yard.

Planning Forestry

There are two City-owned trees planned for retention within the right of way of the subject site. The protection fencing for Tree 1 is in very close proximity to the existing dwelling. The tree protection fencing must be maintained through decommissioning of services and demolition of the dwelling. Removing or moving the fencing is an infraction of the Tree Protection By-law.

Reducing the front yard setback from 3.30 m to 1.64 limits tree planting potential on this property in the future. Planting a tree in the rear yard should be incorporated into the site design to contribute to the Official Plan policy 4.8.2 that sets a tree canopy target of 40% within the urban area.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent Applications or the proposed Minor Variance Applications. However, the Department is requesting that a condition be imposed to ensure the private approach/driveway is removed, the curb is reinstated, and the front yard soft landscaping area conforms to the Zoning By-law and the Private Approach By-law.

Transportation Engineering

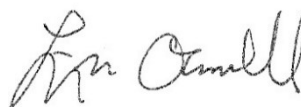
CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following condition on the application:

1. The Owner(s) acknowledges and agrees to obtain a private approach permit to remove the existing driveway, as well as to reinstate the soft landscaping at 290 Monfort. In addition, the removal shall be in accordance with and shall comply with the City's Private Approach By-Law, being By-law No. 2003-447, to the satisfaction of the **Manager, Right-of-Way, Heritage, and Urban Design Department or his/her designate.**



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