



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 504 Westminster Avenue
Legal Description: Lot 505, Registered Plan M-29
File No.: D08-02-23/A-00096
Report Date: May 31, 2023
Hearing Date: June 6, 2023
Planner: Samantha Gatchene
Official Plan Designation: Inner Urban Transect, Neighbour,
Evolving Neighbourhood Overlay
Zoning: R1O

Committee of Adjustment
Received | Reçu le

2023-05-31

City of Ottawa | Ville d'Ottawa
Comité de dérogation

SYNOPSIS OF APPLICATION

The Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced (southerly) interior side yard setback of **0.8 metres** ~~0.6 metres~~, whereas the By-law requires a minimum interior side yard setback of 1.2 m on one side.
- b) To permit a reduced total interior side yard setback of **2.3 metres** ~~2.1 metres~~, whereas the By-law requires a total interior side yard setback of 3.0 metres.

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The Official Plan designates the property Neighbourhood within the Inner Urban Transect. The property is also within the Evolving Neighbourhoods Overlay. The Official Plan provides policy direction that Neighbourhoods located in the Inner Urban Transect shall accommodate residential growth to meet the City's Growth Management Framework and that new development should include urban built form and site design attributes, including shallow front yard setbacks, range of lot sizes including smaller lots and higher lot coverage, small formal landscaped areas, and limited automobile parking.

The property is zoned Residential First Density Subzone O (R1O), which permits detached dwellings. The purpose of this zone is to limit development to detached dwellings and regulate the massing, height, and design of new developments in a manner that is compatible with the existing land use pattern and built form.

Staff has no concerns with the requested variances to permit a reduced (southerly) interior side yard setback of 0.8 metres and a total interior side yard setback of 2.3 metres, whereas the Zoning By-laws requires a minimum interior side yard setback of 1.2 metres and total interior side yard setback of 3.0 metres. The proposed works involve constructing



an attached carport on the south side of the existing detached dwelling.

Front-facing attached carports are the dominant character group based on the Streetscape Character Analysis performed by staff. The reduction in the southern interior side yard is only for the carport and would not result in the construction of a second storey addition. The existing dwelling walls containing windows and doors would remain setback 4.2 metres from the interior side yard setback. Therefore, no negative impacts on privacy are expected as of the reduced interior side yard setback.

The requested variances would not impede access to the rear yard because northerly interior side yard of 1.5 metres provides sufficient space for access in addition to the proposed carport which provides direct access to the rear yard. Staff also recognize that the reduced total interior side yard is requested in part because the existing dwelling is being retained and the 1.5 metre northerly side yard setback would continue. Therefore, the reduction of the southerly interior side yard for the attached carport is appropriate.

The variances maintain the intent of the Zoning By-law as it provides appropriate separation between the abutting properties and contributes to a consistent built form along the street. Staff is satisfied that the variance is minor as it will not result in adverse impacts to the streetscape or adjacent properties.

ADDITIONAL COMMENTS

Planning Forestry:

- There is a City owned tree in the Right of Way. This tree will be protected throughout construction. The TIR will be updated before applying to building permit, showing the location of the tree protection fencing. The tree protection fencing must be installed prior to and maintained throughout construction. Failure to maintain the fencing is a Tree Protection By-law Infraction.

The Tree Protection Specification can also be found by following this [link](#).

Right-of-Way Management

- The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application, as the applicant has note on the plans that the existing driveway will simply be resurfaced with no alterations to the size or length of it.

Infrastructure Engineering

- 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.



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