



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1070 Bakervale Drive
Legal Description: Lot 23, Plan 311897
File No.: D08-02-23/A-00111
Report Date: June 15, 2023
Hearing Date: June 20, 2023
Planner: Siobhan Kelly
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R2F

Committee of Adjustment
Received | Reçu le

2023-06-15

City of Ottawa | Ville d'Ottawa
Comité de dérogation

DEPARTMENT COMMENTS

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

Staff note that the Committee should amend variance b) on the public notice as follows:

- b) To permit the **covered porches** at the rear of the property to project 2.45 metres into the required yards, whereas the By-law ~~requires that a porch may permits a porch to project~~ a maximum of 2.0 metres into the required yard, **but no closer than 1 metre from any lot line.**

DISCUSSION AND RATIONALE

The Official Plan designates the subject property Neighbourhood in the Inner Urban Transect. The Official Plan provides policy direction that development in this area will feature a mix of urban and suburban built form characteristics, including shallow or moderate setbacks, principal entrances oriented to the public realm, and areas for formal soft landscaping. Staff is satisfied that the minor variances for a reduced rear yard setback and increased porch projections maintain the general intent and purpose of the Official Plans as they recognize a suburban built form compatible with existing low-rise residential development in the area.

The property is zoned Residential Second Density Subzone F (R2F). This zone restricts building form to two principal unit dwellings and regulates development in a way that is compatible with existing land use pattern and built form. As proposed, the owner is

seeking relief to permit a reduced rear yard setback of 7.6 metres, whereas the Zoning By-law prescribes a minimum rear yard setback of 8.1 metres. The intent of the rear yard setback requirement is to provide adequate amenity space and separation from adjacent properties. Despite the reduced rear yard setback of 7.6 metres, the development provides adequate amenity space - the proposed rear yard area measures 7.6 metres x 16.46 metres, which equates to 26% of the total lot area. Staff note that the by-law requires that a rear yard area must comprise at least 25% of the total lot area. As shown on the plans submitted with the application, there are four trees located along the rear property line providing separation and screening from adjacent properties.

Staff also has no concerns with variance b) to permit the porches to project 2.45 metres into the front and rear yards. The Zoning By-law limits the extent a covered porch or deck can project to 2.0 metres, but no closer than 1 metre to any lot line. As proposed, the walking surface of the porches project 2.0 metres and the eaves encroach 0.45 metres further into the front and rear yards. The increased projection of 0.45 metres is minor and a technical requirement as the allowable projection is measured from the principal building to the eaves. The variance maintains the intent of the Zoning By-law as the porches do not encroach into the public right-of-way, are separated from adjacent properties, and adequate space remains available in the front and rear yards for soft landscaping and tree planting.

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.

ADDITIONAL COMMENTS

Planning Forestry

The proposed minor variances do not appear to impact the Critical Root Zones of the existing, protected trees. Planning Forestry staff note that as part of the building permit application, the owners will need to update the Tree Information Report (TIR) plan to include the front and rear porches.

Please note that the owners must install and maintain tree protection fencing prior to demolition and during construction. Although the proposed development will not remove any protected trees, Planning Forestry staff strongly recommend that the owners plant one new 50 mm tree in the right-of-way following construction to improve the streetscape and canopy cover.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed minor variance applications. As the owners will widen the existing single driveway to a double-wide driveway, they must apply for a private approach permit to undertake this modification.



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