



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 556 Riverdale Avenue
Legal Description: Part of Lot M, Concession C (Rideau Front) Geographic Township of Nepean
File No.: D08-02-23/A-00035
Report Date: June 29, 2023
Hearing Date: July 5, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving Neighbourhood Overlay
Zoning: R4UD (Residential Fourth Density, Subzone UD)

Committee of Adjustment
Received | Reçu le
2023-06-29
City of Ottawa | Ville d'Ottawa
Comité de dérogation

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

The subject property is located within the Inner Urban Transect Policy Area on Schedule A and is designated Neighbourhood in the Evolving Neighbourhood Overlay on Schedule B2 in the Official Plan. The Inner Urban Transect is generally planned for mid-to high-density development and allows and supports a wide variety of housing types with a focus on missing-middle housing. Section 11.5 states that the Committee of Adjustment shall have regard for Policy 9 when evaluating minor variances to permit low-rise infill apartment dwellings. This includes considering access for waste management, bicycle parking and soft landscaping.

Staff note that the R4UD (Residential Fourth Density, Subzone UD) zone allows a mix of residential building forms ranging from detached to low-rise apartment dwellings. This zone regulates development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of the neighbourhood is maintained or enhanced.

A side yard setback of 1.5 metres is required for larger multi-unit buildings such as apartment buildings to allow for appropriate space for access to rear yards, in particular for bicycles and waste management bins. Staff do not have concerns with the request for reducing the northerly interior side yard setback from the required 1.5 metres to 1.2 metres and recognize that the conversion will not exacerbate the existing situation.. Staff is of the opinion that 1.2 metres provides sufficient space for maintenance of the façade and access. The southernly side yard exceeds the minimum requirement by providing a 3.05 metre setback.

Staff note that the R4UD zone and Official Plan do prioritize soft landscaping, and the provision of parking is considered secondary (and not permitted for low-rise apartment dwellings on lots less than 450 square metres). Although staff recognize the removal of the parking spaces would allow for compliance with the relevant zoning, these are existing conditions that won't be worsened and which will contribute to providing missing middle housing within the Inner Urban Transect, consistent with broad Official Plan objectives.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. The **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. 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**.
3. Existing grading and drainage patterns must not be altered.

Planning Forestry

1. There are no tree related concerns associated with the conversion of the two amenity areas to 1-bedroom apartments. Please acknowledge material storage and equipment access should stay out of the critical root zone of retained trees. 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

Right of Way Management

1. The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application, as there are no requested changes to the driveway/private approach. However, if the Committee is not inclined to approve the requested variance to maintain the onsite parking. The owner shall be made aware that private approach permit is required to remove the driveway/approach from the property.

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