

2023-09-14



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1100 Orléans Boulevard
Legal Description: Part of Block A, Registered Plan 4M-185
File No.: D08-02-23/A-00094
Report Date: September 14, 2023
Hearing Date: September 19, 2023
Planner: Cass Schlauzero
Official Plan Designation: Suburban (East) Transect, Neighbourhood, Evolving
Neighbourhood Overlay
Zoning: R4Z

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the application.

DISCUSSION AND RATIONALE

During review of the application, staff determined that the requested variance from Section 110 (3)(a) of the Zoning By-law did not accurately reflect the proposed setback between the outdoor refuse collection area and the front lot line abutting Orléans Boulevard. A revised site plan provided by the applicant indicates that the proposed setback is 3.1 metres from the lot line, whereas the applicant requested a 3.3 metre setback.

Based on the need to seek greater relief from Section 110, and because review of the application determined that additional variances and information are required, staff recommend that the application be adjourned sine die.

ADDITIONAL COMMENTS

In addition to determining that the requested variance did not reflect an accurate measurement of the setback between Garbage Enclosure 1 and the front lot line, staff identified several other instances of possible non-compliance with the Zoning By-law, which cannot be determined until the applicant provides an updated site plan.

The section drawings S102 and S104 submitted with the application indicate that both proposed garbage enclosures will be constructed on raised concrete pads. The section

drawings and site plan suggest that the concrete pads may extend into and obstruct portions of the adjacent drive aisles.

Section 107 (1)(c)(i) of the Zoning By-Law requires that any aisle accessing 90-degree parking spaces in a residential parking lot must be a minimum of 6 metres wide. Based on the site plan, the location of the concrete pads and garbage enclosures appear to significantly reduce the aisle widths for two of the parking areas, such that vehicles may not be able to enter and exit the parking areas or the parking spaces directly across from the garbage enclosures. Staff note concerns that the proposed locations of the garbage enclosures may require a significant reduction in the aisle widths such that the aisles are no longer safe or functional.

Staff have requested that the site plan be revised to include measurements of the widths of the drive aisles as measured from the concrete pads to the nearest parking space.

Staff have also requested that the applicant provide information about the type of waste collection vehicles that access the site, and that the site plan be updated to show turning radii of these vehicles as they relate to the proposed garbage enclosures.

Staff have also requested that the applicant calculate the minimum required resident and visitor parking spaces per sections 101 and 102 of the Zoning By-law, and confirm that the provided number of spaces, excluding those that will be removed to accommodate the proposed garbage enclosures, complies with the minimum requirements.

Based on the above, staff are not satisfied that they have sufficient information necessary to review 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.

Planning Forestry

While there are no concerns with the requested minor variance, both proposed garbage enclosure locations are directly adjacent to existing trees. Fencing must be installed in accordance with the City's Tree Protection Specifications and maintained during the installation of these enclosures.



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