

2023-10-16



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1558 Baseline Road
Legal Description: Lot 2589 and Part of Lot 2590, Registered Plan 375
File No.: D08-02-23/A-00182
Report Date: September 16, 2023
Hearing Date: September 19, 2023
Planner: Samantha Gatchene
Official Plan Designation: Outer Urban Transect, Mainstreet Corridor
Zoning: R2F

SYNOPSIS OF APPLICATION

At its hearing on August 15, 2023, the Committee granted an adjournment of the application so that the agent could revise the design to address Planning staff's concerns related to the front yard setback variance. At its hearing on September 19, 2023, the Committee granted a second adjournment of the application to allow for the Applicant to submit additional variances. A variance to reduce the front yard setback is no longer required because the revised design now complies with the minimum front yard setback requirements.

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

- a) To permit a reduced lot area for Unit 2 of 176.6 square metres, whereas the By-law requires a minimum lot area of 270 square metres.
- b) To permit an increased building height of 10.93 metres, whereas the By-law permits a maximum building height of 8 metres.
- c) To permit a reduced lot area for Unit 1 of 184.7 square metres, whereas the By-law requires a minimum lot area of 270 square metres.
- d) To permit a reduced westerly interior yard setback of 1.25 metres, whereas the By-law requires a minimum interior side yard of 1.5 metres.
- e) To permit a reduced corner side yard setback of 3.05 metres, whereas the By-law requires a minimum corner side yard of 4.5 metres.

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application to allow for the Applicant to apply for an additional variance.

DISCUSSION AND RATIONALE

The Official Plan designates the property Mainstreet Corridor within the Outer Urban Transect. The Official Plan provides policy direction that directs intensification to Hubs and Corridors. Development along Mainstreet Corridors in the Outer Urban Transect shall permit a mix of heights and uses, including residential, and shall provide suitable transition to abutting low-rise area. The Outer Urban Transect is anticipated to transition to a more urban built form over time which includes a range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios.

The property is zoned Residential Second Density Zone Subzone F (R2F), which permits a range of residential uses, including semi-detached dwellings. The purpose of this zone is to limit development to detached and two principal unit buildings, provide additional housing choices, and regulate development in a manner that is compatible with existing land use patterns. The R2F zone prescribes a minimum lot width of 9 metres and lot area of 270 square metres for each semi-detached dwelling unit.

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.

Reduced Lot Area (Variances A & C)

Staff do not have concerns with the requested variances to permit reduced minimum lot areas of 184.7 square metres for Unit 1 and 176.6 square metres for Unit 2 whereas the Zoning By-law requires a minimum lot area of 270 square metres for each semi-detached dwelling. The intent of the minimum lot area provisions of the Zoning By-law are to ensure there is adequate space for the function of development of the site. The proposed lot area would enable the access to the principal and secondary dwelling units. Staff also note that the minimum lot area for semi-detached dwellings varies across R2 subzones, ranging from 165 square metres to 315 square metres. While the proposed lot areas are slightly above than the lowest lot area within this range, Staff are still satisfied that the variance meets the intent of the Zoning By-law.

Increased Building Height (Variance B)

Staff do not have concerns with the variance to increase the maximum building height from 8 metres to 10.93 metres. Located at the intersection of Baseline Road and Pender Street, the site is well positioned to accommodate additional height along an Arterial Road while providing adequate transition to the low-rise property to the south.

Reduced Interior Side Yard and Corner Side Yard Setbacks (Variances D and E)

Staff does not have concerns with the variances to reduce the interior side yard setback from 1.5 metres to 1.21 metres; and to reduce the corner side yard setback from 4.5 metres to 3.09 metres.

The interior side yard setback would enable separation to be provided between the abutting property and the site. Staff are satisfied that adequate space has been provided for a walkway along the side of the building for the secondary dwelling unit accesses.

The corner side yard setback would similarly provide separation between the proposed dwelling and the street while provide space for soft landscaping within the corner side yard.

ADDITIONAL COMMENTS

Planning Forestry

Through a consent application for this property (Decision May 27,2022) a development agreement was established. Included was a condition to implement tree protection and mitigation measures outlined in a Tree Information Prepared by Dendron Forestry Services, dated March 28, 2022, for the retention and protection of trees #1-6. Concerns were raised with the design at the Aug 15 hearing and plans have since been amended. Since that time an agreement has been reached to shift the house further back on the lot, which will allow for better protection of the front yard trees but will necessitate removal of tree #1. A revised TIR was received Sep 13, and accepted as a revision to the original Development Agreement for this site.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application. However, the Owner shall be made aware that a private approach permit is required to construct, alter or widen driveways/approaches.

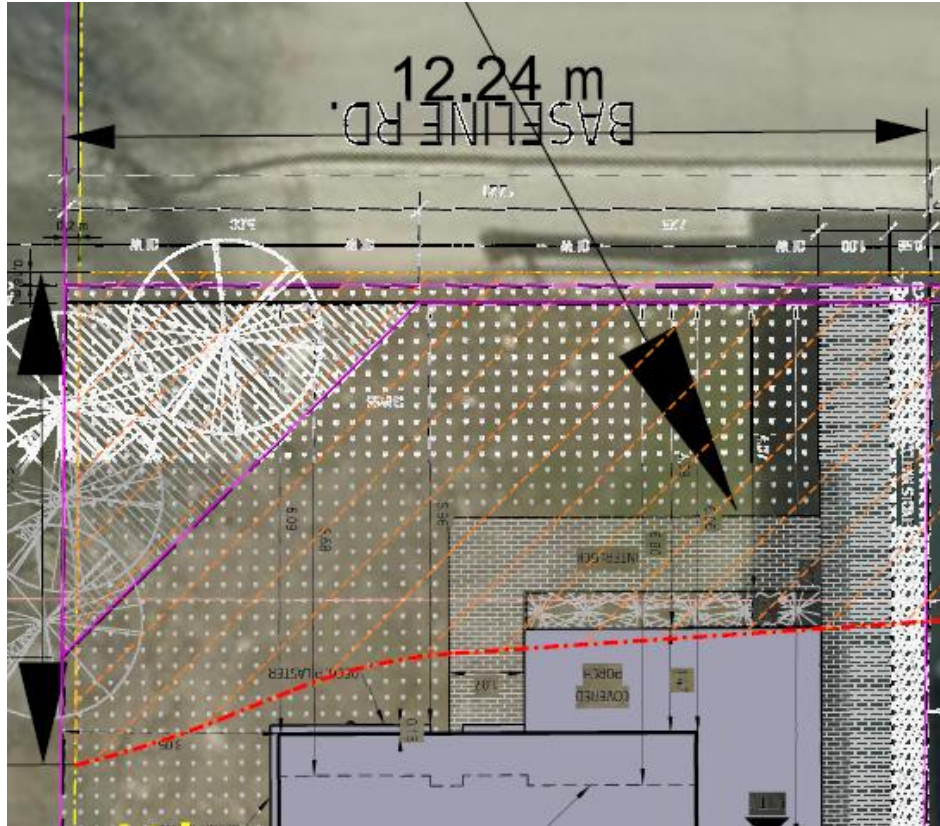
Transportation Engineering

The development plans must show the required ROW widening/protection of Baseline Road as identified by the latest detailed design of the Baseline Transitway (Baseline Station to Heron Station) project. Contact Jabbar Siddique (jabbar.siddique@ottawa.ca) for a CAD file of the exact ROW requirements.

The proposed covered porch conflicts with the ROW requirements and would encroach onto the future sidewalk. Refer to the image below overlaying the proposed development with the Baseline Transitway ROW requirements (red line).

Construction of the development as planned would result in additional cost to the

Baseline Transitway project and disruption to the future owner when the proposed porch would need to be demolished and relocated to acquire the ROW required for the Baseline Transitway improvements. Transportation Planning therefore does not support the plans provided as part of the application, specifically the covered porch projection.



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