

2023-10-26



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 82 Genest Street
Legal Description: Part of Lots 130 & 131, Registered Plan 4M-42
File No.: D08-02-23/A-00189
Report Date: October 26, 2023
Hearing Date: November 1, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R4UA (Residential Fourth Density, Subzone UA)

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 and have no concerns with the requested minor variances.

The subject site is located within the Inner Urban Transect policy area on Schedule A and is designated Neighbourhood on Schedule B2 in the Official Plan. This policy area is planned for mid- to high-density, urban development with a strong focus on allowing and supporting missing-middle housing, including low-rise apartment buildings with more urban characteristics such as higher lot coverage, shallow front yards, and prioritizing the built form relationship with the public realm. Form-based regulation in Neighbourhoods should also have regard for the local context and character of existing development. When considering minor variances for reduces setbacks and soft landscaping, Section 11.5(9) requires ensuring that adequate access for waste and bicycles is still provided and that more intensive plantings can compensate for the reduced horizontal area.

The Residential Fourth Density, Subzone UA (R4UA) zone allows for a wide mix of residential building forms ranging from detached to low-rise apartment dwellings.

Staff have no concerns with the requested reduced interior side yard setbacks. The 1.2 metre wide walkways in the interior side yard is sufficient for moving wheeled waste containers to the street as well as for bicycle access.

Staff also have no concerns with the reduced rear yard setback in light of the policy context. Staff recognize that only a portion of the building has a 4.46 metre setback, and the bulk is setback 6.64 metres. The proposed rear yard setback will align similarly with the abutting property to the north and not deviate from an established contiguous rear yard setback in this block. On the lots to the south, there is rear yard parking and detached garages which buffer the residential buildings facing Alice Street. With respect to the side elevations, the windows have been strategically placed to minimize overlook.

The reduced rear yard area has resulted in reduced soft landscaping. Staff have discussed this with the applicant, as the high lot coverage might result in reduced tree planting opportunities and reduced on site infiltration. The applicant has agreed to include more intensive plantings such as trees and shrubs, so that the volume of vegetation compensates for the reduced horizontal area which aligns with the direction of the Official Plan.

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. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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**.
4. Existing grading and drainage patterns must not be altered.
5. Existing services are to be blanked at the owner's expense.
6. Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
7. A report addressing the stability of slopes, prepared by a qualified geotechnical engineer licensed in the Province of Ontario, should be provided wherever a site has slopes (existing or proposed) steeper than 5 horizontal to 1 vertical and/or more than 2 metres in height.
8. This property does not have frontage on a storm sewer.
9. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

Planning Forestry

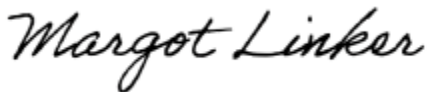
There are no existing trees on site, but the requested Minor Variances limit the available space to plant new trees to contribute to the Official Plan target of 40% canopy cover. The Official Plan provides specific direction in section 11.5 for low rise infill apartments such that reduced landscaping area will only be considered where intensive planting is provided to account for the loss of horizontal space. The original plan provided proposed only one new tree, which did not meet this objective of the Official Plan. Through discussions with the applicant, it is understood that a planting plan will be provided prior to the hearing, showing additional trees and landscaping to improve the streetscape and overall canopy cover of the 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 remove the redundant approach and reinstate to soft landscaping.

Transportation Engineering

Remove existing driveway depressed curb and reinstate with full height curb and sidewalk to City standards.



Margot Linker
Planner I, Development Review, Central
Planning, Real Estate and Economic
Development Department

Erin O'Connell
Planner III, Development Review, Central
Planning, Real Estate and Economic
Development Department