



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 103A Crichton Street
Legal Description: Part of Lot 9, Registered Plan 17
File No.: D08-02-23/A-00192
Report Date: October 23, 2023
Hearing Date: November 1, 2023
Planner: Basma Alkhatib
Official Plan Designation: Inner Urban Transect, Neighbourhood Overlay
Heritage Overlay, Mature neighbourhood
Zoning: R4UD [900] (Residential first density, subzone P)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

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.

The subject site is within the Inner Urban Transect Policy Area on Schedule A and is designated Neighbourhood on Schedule B2 in the Official Plan. The Neighbourhood designation allows low-rise development in an efficient form that is compatible with existing development patterns.

The subject site is a non-contributing property designated under Part V of the Ontario Heritage Act, located in the New Edinburgh Heritage Conservation District (HCD). Therefore, staff-level authority heritage permit will be required, and the proposal must meet the New Edinburgh Heritage Conservation District Plan. Heritage staff have **no concerns** with the requested variances.

Staff noted that the proposed survey is outdated and does not reflect the existing decks. The applicant provided the partial site plan for the proposed addition and so staff review has been limited to the materials submitted.

The proposal to fully enclose the existing deck and to extend it, has converted the deck from being considered a permitted projection in a required yard to an addition to the

existing building. Staff have no concerns with the proposed reduction to the rear yard setback to be 1.06 meters because there is no loss in softscaping. A similar relationship to the rear yard exists with the adjacent neighbour, minimizing privacy impact. The rear neighbours are separated from this property by River Lane. The extension of the structure is aligned with the surrounding context.

Staff have no concern with extending the existing uncovered deck to project zero meters from the lot line because this addition is fronting River Lane and the existing condition did not include softscaping.

The department has no concern with the requested minor variances as it meets the intent of the Official Plan and Zoning Bylaw and will have minimal impact on the surroundings.

ADDITIONAL COMMENTS

Heritage Planning Branch

The proposed addition to the rear deck will **require a staff-level authority heritage permit and must meet the New Edinburgh Heritage Conservation District Plan.**

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. At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
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. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

Through pre-consultation it was determined that no TIR was required with this application as there will be no impacts to the ornamental vegetation outside of the existing fence. There are no tree-related concerns with this application, though the existing vegetation should be protected throughout construction.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application as there are no requested changes to the private approach/driveway.

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