

2023-10-26



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 250 Ferland Street
Legal Description: Lot 269, Registered Plan 4M-25
File No.: D08-02-23/A-00243
Report Date: October 26, 2023
Hearing Date: November 1, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhoods, Evolving Neighbourhoods Overlay
Zoning: R4UA (Residential Fourth Density, UA Subzone)

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 site is zoned R4UA (Residential fourth density, subzone UA), which permits a variety of residential building types ranging from detached dwellings to low-rise apartments. The purpose of this zone is to allow for a wide mix of residential uses and building forms, while regulating development to ensure compatibility with the existing context. Within the R4UA zone, a minimum lot area of 360 square metres and a minimum lot width of 12 metres are required.

The subject site falls within the Inner Urban Transect Policy Area and is designated Neighbourhood, per Schedules A and B2 of the Official Plan. Areas within the Neighbourhood designation in this Policy Area are meant to support a wide variety of housing types with a focus on missing-middle housing to help meet residential intensification targets. Missing middle housing generally refers to low-rise, multiple unit residential development of between three and sixteen units. Furthermore, the subject site is located approximately 175 metres from the Beechwood Mainstreet Corridor, and Section 3.2 (3) of the Official Plan directs that Hubs, Corridors, and designated Neighbourhoods around them shall absorb the majority of Ottawa’s residential

intensification. Additionally, the Evolving Neighbourhoods Overlay applies to the site. This overlay applies to lands near Hubs and Corridors which are intended to develop a more urban character and support intensification.

Staff have no concerns with the requested variances regarding lot size, rear yard setback, and rear yard area. The proposal does not appear to be out of character for the existing context, and staff do not anticipate negative impacts on adjacent properties as a result of the requested minor variances. With respect to lot size, the proposal still provides adequate space for all necessary building elements, so this variance does not appear to compromise the functionality of the site. Further, Policy 4.2.1(2)(a) of the Official Plan supports lot configurations that depart from the traditional lot division in order to support missing middle housing. With respect to the relief sought from rear yard requirements, staff recognize that the proposal significantly exceeds the minimum required area of soft landscaping for both the front and rear yards. Additionally, the proposal provides the required 25 square metres of aggregated soft landscaping to facilitate tree planting and support the urban tree canopy. Staff recognize that the proposal will not jeopardize the existing trees on and surrounding the subject site. Staff encourage the applicant to ensure that windows facing the interior side yards are concentrated towards the centre of the building to mitigate overlooking issues that could be exacerbated through the reduced rear yard setback.

While staff have no concerns about the requested variances, it would be preferable to see a bicycle parking design that aligns with Section 4.1.2(9)(a) of the Official Plan. This policy directs long-term bicycle parking facilities to be secure and sheltered. Currently, the proposal contemplates unenclosed bicycle parking in the front yard; although this is zoning compliant, staff encourage the applicant to locate the bicycle parking internal to the main building or in the rear yard to better align with 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. Existing Catch Basin is not to be located within the driveway.
7. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
8. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

Planning Forestry

The TIR confirms that there will be no tree removals required through this application. The proposed garbage enclosure is within the Critical Root Zone of a protected shared tree. The location and construction of this enclosure must minimize the impacts to tree roots in this area. These trees must be protected in accordance with the City's Tree Protection Specifications through the full construction process.

The Official Plan provides specific direction in section 11.5 for low rise infill apartments such that applications for reduced lot size will only be considered where intensive landscaping (and other elements) can be provided. A planting sketch has been provided showing that 3 new medium and large trees can be planted in the soft landscaping space provided, which would meet this objective of the Official Plan, as well as contribute to the 40% canopy cover target, once construction and planting are complete.



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