

2023-12-06



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 40 Frank Nighbor Place
Legal Description: Part of Block 2, Registered Plan 4M-1012
File No.: D08-02-23/A-00275
Report Date: December 7, 2023
Hearing Date: December 12, 2023
Planner: Samantha Gatchene
Official Plan Designation: Suburban Transect, Mixed Industrial
Zoning: IG6 [1414] H(30)-h

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The Official Plan designates the property as Mixed Industrial within the Suburban Transect. Mixed Industrial areas are encouraged to act as transition between neighbourhoods and industrial areas. Lands designated as Mixed Industrial are intended to accommodate a broad range of non-residential uses and industrial uses.

The property is currently zoned Light Industrial Zone, Subzone 6 Urban Exception 1414 Height Limit 30 metres, subject to Holding Zone (IL6[1414] H(30)-h) in the City of Ottawa. The Light Industrial Zone is intended to permit a range of low-impact, light industrial uses. The IL6 Subzone applies to lands south of Highway 417, west of Terry Fox Drive, an area mainly characterized by commercial uses. The IL6 Subzone and Urban Exception 1414 permit hotel as a use.

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.

Staff do not have concerns with the variance to reduce the minimum required visitor parking spaces from 190 spaces to 160 spaces. The proposed development consists of a 115-room hotel and a 751 square metre (8,053 square feet) restaurant. The intent of vehicle parking minimums is to ensure that there are enough spaces for each land use. Staff consider the requested reduction appropriate because of the anticipated overlap in

parking demand between restaurant customers and hotel guests. It is also recognized that 62 of the 160 parking spaces (39%) are designated for small cars, allowing for the number of spaces to be maximized. Staff do not foresee negative impacts as a result of the reduced parking and are of the opinion that the variance is appropriate for the proposed development while meeting the general intent of the Zoning By-law.

Staff do not have concerns with the variance to reduce the minimum front yard setback from 12 metres to 3 metres. Frank Nighbor Place is considered the front lot line, however, due to the building's proposed orientation towards the north facing Highway 417, it will function as interior side yard. Since the site is located at end of Frank Nighbor and faces the interior side yard of the recreational use on the east side of the street, a reduced front yard setback is considered appropriate. For this reason, negative impacts are also not foreseen on the streetscape of this part of Frank Nighbor as a result of the reduced front yard setback.

ADDITIONAL COMMENTS

Planning Forestry

Planning Forestry does not have concerns with the minor variance to reduce the required number of parking spaces.

The reduction in the front yard setback does influence tree planting on the site. The applicant has been asked to explore options for updating their Landscape Plan to show medium sized trees in the right of way along Frank Nighbor instead of the small canopy trees proposed. This will be addressed through the Site Plan Application process.

Right of Way Management

No private approach required under site plan.



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