

2024-02-01



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 243 Bradford Street
Legal Description: Lot 4 Registered Plan 284
File No.: D08-02-23/A-00190
Report Date: February 01, 2024
Hearing Date: February 06, 2024
Planner: Sole Soyak
Official Plan Designation: Inner Urban Transect, Neighbourhood Designation
Zoning: LC [772]

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

At its hearing on October 31, 2023, the Committee adjourned the application to enable the Applicant to complete a parking impact assessment and address tree-related comments from the NCC. The application was adjourned again by the Committee on December 12, 2023. The purpose of the second adjournment was to enable staff time to review the updated proposal, which had changed significantly in terms of built form and relief requested.

Since then, the applicant has further revised their proposal and is now proposing 6 townhouses with additional dwelling units within four of the townhouses for a total of 10 units.

The Official Plan designates the site as Neighbourhood within the Inner Urban Transect. Built form in the Inner Urban Transect includes both urban and suburban characteristics and its intended pattern is urban. Furthermore, the neighbourhood designation intends to permit a mix of building forms and densities and to encourage more diverse housing forms that will be compatible with the existing built form context of the neighbourhood.

The site is zone LC (Local Commercial) allow a variety of small, locally-oriented convenience and service uses as well as residential uses provide an opportunity to accommodate residential or mixed uses development; and (4) impose development

standards that will ensure that the size and scale of development are consistent with that of the surrounding residential area.

Staff has evaluated the variance requested and are of the opinion that the reduction of the side yard setback is minor given it is the result of the unusual lot shape and the impact on the functionality of the yard. The lot is atypical in shape because it narrows as the distance from the street increases. The result is that only the southwest corner of the building is not compliant with the minimum interior side yard setback. Further, given that most of the side yard is preserved, staff is of the opinion that the reduction of the side yard would still maintain its function.

ADDITIONAL COMMENTS

Should the applicant decide, at a later date, to make internal changes to the building to accommodate additional dwelling units, the changes would trigger Site Plan Control. The merits of the new application, including zoning compliance, would be assessed at that time.

Planning Forestry

The applicant is seeking a minor variance to reduce the side yard setback from 1.2 m from 0.92m. The proximity of the development to tree #6 will force its removal. Tree #6 is federally owned by the National Capital Commission (NCC), meaning the City of Ottawa's Tree Protection By-law does not apply to this tree. Planning Forestry is aware that the applicant has been in contact with the NCC about removal of their tree.

The updated plans (dated Jan. 21st, 2024) provided as part of this application force the removal of a healthy City tree (# 1) in front of the property. The excavation required to achieve the design are incompatible with the tree's retention and stability. As a condition of their tree permit application for tree #1, the owner will be required to provide monetary compensation for tree #1, as well as implementation of the replanting plan (Tree Planting Plan v2.0 – prepared by Dendron Forestry services & dated Feb. 1, 2024) for one new large-growing tree in the Right of Way (as per schedule B of the Tree Protection By-law).

Seven trees are planned for retention through this development. Tree protection fencing must be in place as shown on the approved TIR (v4.0, prepared by dendron Forestry Services and dated Jan. 30th, 2024).

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent & Minor Variance Applications. However, the Owner shall be made aware that private approach permits are required to construct each of the newly created driveways/approaches.



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