

2023-08-11



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1558 Baseline Road
Legal Description: Lot 2589 and Part of Lot 2590, Registered Plan 375
File No.: D08-02-23/A-00182
Report Date: August 11, 2023
Hearing Date: August 15, 2023
Planner: Samantha Gatchene
Official Plan Designation: Outer Urban Transect, Mainstreet Corridor
Zoning: R2F

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment** of the application so that the Applicant can revise the design to address the concerns related to the front yard setback variance, lot area and tree protection.

DISCUSSION AND RATIONALE

The Official Plan designates the property Mainstreet Corridor within the Outer Urban Transect. The Official Plan provides policy direction that directs intensification to Hubs and Corridors. Development along Mainstreet Corridors in the Outer Urban Transect shall permit a mix of heights and uses, including residential, and shall provide suitable transition to abutting low-rise area. The Outer Urban Transect is anticipated to transition to a more urban built form over time which includes a range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios.

The property is zoned Residential Second Density Zone Subzone F (R2F), which permits a range of residential uses, including semi-detached dwellings. The purpose of this zone is to limit development to detached and two principal unit buildings, provide additional housing choices, and regulate development in a manner that is compatible with existing land use patterns. The R2F zone prescribes a minimum lot width of 9 metres and lot area of 270 square metres for each semi-detached dwelling unit.

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.

Reduced Lot Area (Variance A)

Staff do not have concerns with the requested variance is to reduce minimum required lot area from 270 square metres to 151.5 square metres for each semi-detached dwelling. The intent of the minimum lot area provisions of the Zoning By-law are to ensure there is adequate space for the function of development of the site. The proposed lot area would enable the access to the principal and secondary dwelling units. Staff also note that the minimum lot area for semi-detached dwellings varies across R2 subzones, ranging from 165 square metres to 315 square metres. While the proposed lot area is slightly less than the lowest lot area within this range, Staff are still satisfied that the variance meets the intent of the Zoning By-law. However, Staff do have concerns as the widening requirement, as discussed below, will have further implications on lot area. This widening is required as identified in the Official Plan and needed to ensure that the City's transportation goals of providing rapid transit, cycling and pedestrian infrastructure are achieved.

Increased Building Height (Variance B)

Staff do not have concerns with the variance to increase the maximum building height from 8 metres to 10.93 metres. Located at the intersection of Baseline Road and Pender Street, the site is well positioned to accommodate additional height along an Arterial Road while providing adequate transition to the low-rise property to the south.

Reduced Front Yard Setback (Variance C)

Staff have concerns with the variance to reduce the required front yard setback from 6.0 metres to 3.09 metres.

The intent of the minimum front yard setback provisions is to ensure there is adequate space for soft landscaping as well as separation between the building the street. This intent is not met as the almost the entirety of the front yard, excluding the required sight triangle, would be occupied by hardscaping and the covered porch. The reduced front yard setback with the street is a concern because it would be a notable deviation from the established front yard setback pattern of the street. There does not appear to be a precedent for a reduced front yard setback along Baseline. Further, given the size of the reduction, there would be a notable impact of the street as a whole.

The reduced front yard setback has negative implications for the widening of Baseline Road, which is required to accommodate the future Baseline Bus Rapid Transit (BRT). The section of Baseline Road where the site is located has a Right-of-Way (ROW) protection of 40.2 metres. Based on geoOttawa aerial imagery, the current ROW width is approximately 31.0 metres. Thus, an additional ROW taking of 4.6 metres would be required. Since the front yard setback of 3.09 metres is proposed, this would result in the proposed building wall conflicting with the ROW requirement. Therefore, the variance for a reduced front yard setback is not appropriate as the resulting development would be in direct conflict with the future road widening requirement.

In order to ensure that a functional road widening can be provided, the front lot line may need to be adjusted as part of the revised design.

Reduced Interior Side Yard and Corner Side Yard Setbacks (Variances D and E)

Staff does not have concerns with the variances to reduce the interior side yard setback from 1.5 metres to 1.25 metres; and to reduce the corner side yard setback from 4.5 metres to 3.05 metres.

The interior side yard setback would enable separation to be provided between the abutting property and the site. Staff are satisfied that adequate space has been provided for a walkway along the side of the building for the secondary dwelling unit accesses.

The corner side yard setback would similarly provide separation between the proposed dwelling and the street while provide space for soft landscaping within the corner side yard.

ADDITIONAL COMMENTS

Planning Forestry

Through a consent application for this property (Decision May 27,2022) a development agreement was established. Included was a condition to implement tree protection and mitigation measures outlined in a Tree Information Prepared by Dendron Forestry Services, dated March 28, 2022, for the retention and protection of trees #1-6. An updated TIR was provided with the minor variance application. The excavation of the proposed dwelling encroaches further into trees 2-6 critical root zones. The minor variances to reduce the front yard and corner side yard facilitate this encroachment and limit soft landscaping in these areas. The reduced front yard setback and corner side yard setback also reduce space on the site for roots to grow and dramatically restrict tree planting potential in the future.

Planning Forestry has asked the applicant to submit a plan reflecting the TIR referenced in the development agreement. Planning Forestry has also raised concerns with the applicant on the reduced front yard and corner side yard setback (August 08, 2023).

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application. However, there is no planned parking on site as part of the redevelopment of the property. In light of this, the Applicant shall be made aware that a private approach permit is required to remove the redundant approach along Pender Street.

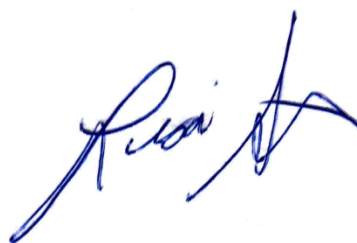
Transportation Engineering

Driveway access (if any) to be off local street (Pender Street).

The development plans must show the required ROW widening/protection of Baseline Road, dimensioned from the centreline of the road. The exact ROW widening is to be consistent with the requirements identified by the latest detailed design of the Baseline Transitway (Baseline Station to Heron Station) project. Contact Jabbar Siddique (jabbar.siddique@ottawa.ca) for the exact ROW requirements. The required ROW widening/protection should be dedicated to the City, and all required building setbacks, retaining walls, etc. must not conflict with the ROW widening requirement.



Samantha Gatchene, MCIP RPP
Planner I, Development Review, West
Planning, Real Estate and Economic
Development Department



Lisa Stern, MCIP RPP
Planner III, Development Review, West
Planning, Real Estate and Economic
Development Department