

2023-09-28



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 96 Jolliet Avenue
Legal Description: Lot 151, Registered Plan M-27
File No.: D08-02-23/A-00173
Report Date: September 28, 2023
Hearing Date: October 4, 2023
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R4UA (Residential Fourth Density, Subzone UA)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has some 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 within the Inner Urban Transect and is designated as Neighbourhood by Schedules A and B2 of the Official Plan. Lands within the Inner Urban Transect are generally intended for mid- to high-density development, as indicated by Policy 5.2.1 (3). Further, the subject site is within close proximity of two Corridors (Beechwood Avenue and Marier Avenue) designated by Schedule B2 of the Official Plan. Section 3.2 (3) of the Official Plan directs that Hubs, Corridors, and designated Neighbourhoods around them shall be absorb the majority of Ottawa’s residential intensification. The Official Plan states in Section 4.2.1 (2) that the City shall support the production of missing middle housing, which refers to low-rise, multiple unit residential developments, typically of three to sixteen units. Additionally, clause (a) of the aforementioned policy allows for housing typologies which are denser and small-scale. Newer development activity in Neighbourhoods is predominantly intended to produce this missing middle built form (6.3.1 (4) (b)).

With respect to zoning, the subject site falls within the R4UA (Residential Fourth Density, subzone UA) zone. This zone permits dwelling types that range from single-detached houses to low-rise apartment dwellings and intends to regulate development in a manner that is compatible with existing land use patterns so that the form and character of the neighbourhood is maintained or enhanced.

The proposed minor variances do not appear to compromise the functionality of the site as adequate space is provided in the rear yard for waste management, bicycle storage, and pedestrian ingress and egress. Staff acknowledge that the proposed rear yard setback does not compromise the required rectangular aggregate soft landscaping (as per 161(15)(b)(iv)). Additionally, staff recognize that the proposal substantially exceeds the required percentage of soft landscaping in the front yard.

However, Staff have some concerns with how the proposal's increased massing would integrate into the current character of the neighbourhood. Policy 6.3.2 (2) (a) of the Official Plan notes that development should have regard for the existing local context and character. The in-force Urban Design Guidelines for Low-Rise Infill Housing discourages rear yard setbacks that are inconsistent within the existing neighbourhood pattern of green rear yards caused by reducing required rear yard setbacks (3.1.9). This directive is echoed by the incoming 2023 Urban Design Guidelines, which note that site design should prioritize the provision of green spaces, although this document is not yet in force (1.8). Further, Policy 4.8.2 (3) of the Official Plan notes that planning decisions shall have regard for cumulative impacts on the urban forest. In light of this, staff have some reservations about the proposed reduction of soft landscaping resulting from the reduced rear yard area.

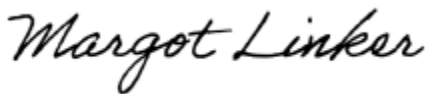
ADDITIONAL COMMENTS

Infrastructure Engineering

1. **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. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
7. 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 identifies 1 adjacently owned protected tree. The proposed development does not request removal of this tree. The existing garage overlays the CRZ of the tree. The garage is being removed. The TIR indicates that any pruning, including root pruning, must be completed by a certified arborist if identified as in conflict when removing the garage. Discussion between the applicant's agent and the Planning Forester led to reconfiguration of the rear yard to reduce the extent of pavers in the rooting zone of the adjacently owned tree. One large canopy tree is shown on the plans provided as to be planted in the right of way. This aligns with the City's Official Plan and the target to reach 40% canopy cover across the City.



Margot Linker
Planner I, Development Review, Central
Planning, Real Estate and Economic
Development Department



Jean-Charles Renaud
Planner III, Development Review, Central
Planning, Real Estate and Economic
Development Department