

2023-10-27



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 3918 Old Richmond Road
Legal Description: Lot 34, Concession 4 (Rideau Front)
File No.: D08-02-23A-00188
Report Date: October, 26 2013
Hearing Date: October, 31 2013
Planner: Solé Soyak
Official Plan Designation: Outer Urban Transect, Neighbourhood Designation
Zoning: I1B

DEPARTMENT COMMENTS

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

Note that the Notice needs to be revised as follows to reflect the accurate terminology for the proposal:

- "The Owner/Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit a reduced corner side yard setback of 2.2 metres, whereas the By-law requires a minimum corner side yard setback of 7.5 metres."

DISCUSSION AND RATIONALE

The property is designated Neighborhood within the Outer Urban Transect of the Official Plan (OP). Section 4.11(8) of the OP states that public utility facilities and municipal may be permitted in all designations of this Plan, provided that the utility is not built over environmentally sensitive designations. Section 6.3 of the OP states that the intent of the Neighbourhood designation is to "to reinforce those that have all elements of and presently function as 15-minute neighbourhoods; to guide those that have a few missing elements into gaining them; and to seed the conditions for future 15-minute neighbourhoods into those that currently are not." The requested minor variance does not interfere with the general intent of the OP.

The property is zoned Minor Institutional Zone, Subzone B (I1B). The requested minor variances are consistent with the intent of the I1B zone, which are among others, to “permit a range of community uses, institutional accommodation and emergency service uses to locate in areas designated as General Urban Area or Central Area in the Official Plan”. A variance to permit reduced corner side yard setback is indeed minor in nature and would not hinder the functionality of the lot or the neighboring lot. Staff note that per Section 91 of the zoning by-law, the subject utility structure is permitted in all zones.

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 are satisfied that the requested minor variance(s) meet(s) the “four tests”.

Staff do not have concerns with the proposed variance.

ADDITIONAL COMMENTS

Planning Forestry

Through communications with the applicant, it was confirmed there is no space to plant trees on the subject property. City staff have strongly encouraged the applicant to plant trees in the right of way to account for canopy cover lost on the site and to improve the streetscape. For any assistance with planning for tree planting please contact hayley.murray@ottawa.ca or forestry@ottawa.ca.

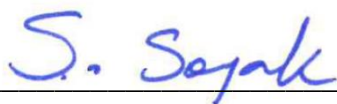
Right of Way Management

The Right-of-Way Management Department has **no concerns** with the Minor Variance Application as there are no requested changes to private approach.

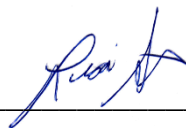
Transportation Engineering

Please note that Old Richmond Rd has a protected right of way of 24m per Schedule C16 of the Official Plan.

Please note that Richmond Rd is a designated cycling spine route.



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