



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 5 Lotus Court
Legal Description: Part Lot 114, Registered Plan 854
File No.: D08-02-23/A-00237
Report Date: October 25, 2023
Hearing Date: October 31, 2031
Planner: Cass Schlauzero
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: R2N[1900]

Committee of Adjustment
Received | Reçu le
2023-10-26
City of Ottawa | Ville d'Ottawa
Comité de dérogation

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the application.

DISCUSSION AND RATIONALE

During review of the application, staff identified an error on the public notice with respect to requested variance (b), “To permit a reduced area of 23.3% of the lot area or 79.63 square metres, whereas the By-law requires a minimum rear yard area of 25% of the lot area, or 79.63 square metres.”

Staff determined that, per email correspondence between the applicant and Committee of Adjustment staff, the actual variance being requested in respect of the rear yard area was 23.3% or **74.20** square metres. The error on the public notice was confirmed to be a typographical error.

Notwithstanding the typographical error on the notice, staff requested that the applicant provide confirmation of the proposed rear yard area given that no calculation of the area was provided on the site plan or any accompanying application documents. Staff provided the applicant with a diagram illustrating the approximate location of the rear yard, based on the definition of **rear yard** per Section 54 of the Zoning By-law.

The applicant subsequently confirmed via email that the provided rear yard was 68.6 square metres, which staff determined to be 21.6% of the lot area. Based on the revised calculation, the applicant requires greater relief from the rear yard area provision under Section 144 (3)(a) of the by-law. Therefore, staff request an adjournment so that the

application can be revised to reflect the increase in relief being sought, and so that the public notice can be recirculated.

ADDITIONAL COMMENTS

The legal description as published on the public notice form should specify that the subject property is **Part of** Lot 114, Registered Plan 854. The correction has been noted in this staff report.

Planning Forestry

There are no protected tree impacts associated with this application. A Tree Information Report was not required as a result. The applicant is strongly encouraged to plant a tree in the Right of Way to contribute to urban forest canopy cover and the streetscape. The homeowner can apply to the City's free tree planting program, Trees in Trust, to have a tree planted in the Right of Way. The applicant is asked to water the tree for the first three years to help it establish on the site.

The application for this free program can be found at <https://ottawa.ca/en/living-ottawa/environment-conservation-and-climate/public-spaces-and-environmental-programs/tree-planting/trees-trust>



Cass Scлаuzero
Planner I, Development Review, East
Planning, Real Estate and Economic
Development Department



Michael J. Boughton, RPP, MCIP
Planner III, Development Review, East
Planning, Real Estate and Economic
Development Department