



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 2847 Riverside Drive
Legal Description: Part of Lot 44, Registered Plan 66
File No.: D08-02-23/A-00241
Report Date: October 26, 2023
Hearing Date: October 31, 2023
Planner: Siobhan Kelly
Official Plan Designation: Outer Urban Transect, Minor Corridor
Zoning: GM1 F(1.0)

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 **has no concerns with** the application. Staff note that the applicant submitted a **revised site plan dated October 3, 2023**, to address deficiencies associated with the outdoor garbage and recycling.

DISCUSSION AND RATIONALE

The Official Plan designates the property Minor Corridor in the Outer Urban Transect, where residential and non-residential uses are permitted. The Official Plan provides policy direction guiding the evolution of the Outer Urban Transect towards an urban, 15-minute model. This includes integrating commercial, civic, and institutional uses in residential areas. As proposed, the minor variances will facilitate the development of a pharmacy and clinic in an area planned for a mix of land uses.

The property is zoned General Mixed-Use Subzone 1 (GM1) and is subject to a maximum floor space index of 1.0. The purpose of this zone is to permit commercial and industrial uses that serve the surrounding community and to establish standards that ensure compatibility with surrounding land uses. Adjacent land uses, include the Canadian Labour Congress and the Canadian Federation of Nurses Union, a retirement home, and athletic facility.

Staff have no concerns with variance a) to permit a reduced interior side yard setback of 3.39 metres, whereas the Zoning By-law requires a 5-metre setback adjacent to a

residential zone. As the proposed development utilizes the existing foundation on-site, the variance will legalize an existing condition. The existing 3.0 metre driveway located in the interior side yard provides separation between the building and adjacent residentially zoned property. Further, staff are satisfied that the reduced side yard setback will not result in negative impacts to the adjacent residential-zoned property (i.e., retirement home) as it features a generous landscape buffer and setback.

Staff have no concerns with variance b) to permit a 0-metre-wide landscape area abutting a residential zone. The Zoning By-law requires a 3-metre-wide landscape area adjacent to a residential zone but allows this to be reduced to 1 metre where a 1.4-metre-high opaque fence is provided. The intent of the landscaping provision is to provide separation from adjacent properties and adequate soft landscaping on site. As shown on the site plan, the applicant is seeking relief from the landscape provision adjacent to the driveway. Adequate soft landscaping will be provided in the front yard and between the parking lot and side and rear property lines. To mitigate impacts associated with the reduced landscape area, the applicant will provide a 1.5 metre opaque fence along the entire length of the side lot line, adjacent to the residential.

Staff are satisfied that the proposed minor variances meet the four tests outlined in Section 45(1) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended.

ADDITIONAL COMMENTS

Planning Forestry

There are six protected trees identified in the Tree Information Report (TIR). Tree 1 is dead, and the owners will remove it for safety reasons. The City does not require a tree removal permit for Tree 1. Tree 2 is growing through a fence and is in poor condition. The TIR indicates that this tree may be jointly owned with the City of Ottawa. The City will require permit prior to the removal of Tree 2. Compensation in the form of replacement planting is preferred. Through the review, the applicant and their consulting arborist indicated that one small tree could be planted on the northern edge of the front yard. The City's Infill Forestry Inspector will discuss compensation at the time of the tree removal permit.

There are four adjacently owned Norway spruce trees, all in good condition, bordering the rear yard of this property. The health of these trees is to be unimpacted by the development, in particular the installation of the retaining wall and parking area. The TIR identifies directions that the applicant must follow, including actions when tree roots are encountered during excavation.

The applicant must install tree protection fencing prior to any work commencing on site. The City of Ottawa's Tree Protection Specification:

https://documents.ottawa.ca/sites/documents/files/tree_protection_specification_en.pdf

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed minor variance. The owner shall be made aware that private approach permits are required to construct, alter, close, or relocate private approaches/driveways.

Transportation Engineering Services

Please remove any existing un-used driveway curb depressions and reinstate the curb and sidewalk to City standards.



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