

2024-05-09



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 267 Ste-Anne Avenue
Legal Description: Lot 56, Reg Plan 246
File No.: D08-02-24/A-00078
Report Date: May 9, 2024
Hearing Date: May 15, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving Overlay
Zoning: R4UA (Residential Fourth Density, Subzone UA)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has concerns with** the application. Staff expect an updated plan from the applicant, demonstrating that the building does not obstruct the existing easement, prior to the hearing. If this is not received, staff request an adjournment.

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 lands are zoned R4UA and are designated Neighbourhood in the Evolving Overlay within the Inner Urban Transect on Schedules A and B2 in the Official Plan. This area is generally planned for mid to higher density development, which will gradually evolving through intensification to a more urban built form. Proposed massing should have regard for local context and character of existing development.

Staff have no concerns regarding the reduced lot width, lot area or front yard setback.

Staff have some concerns regarding the requested reduced rear yard setback. The reduced setback has resulted in the requirement to remove the tree on the abutting property. The Official Plan favours tree retention over replanting. In addition, when comparing the massing of the immediate surrounding properties, staff believe larger setbacks would better align with the existing pattern of the immediate north and south.

Staff have concerns regarding the request to permit no entrances to be located on the front façade. The lack of a main entrance on the front façade can impact the interaction

with the streetscape and orientation to the public realm, as well as the wayfinding to the main entrance of the building. The design proposes main entrances located approximately 12 metres down the sides of the building. Staff are concerned that the intent of this provision might not be met, no matter how large the ground floor windows are or if there is signage.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. The Planning, Development and Building Services 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, Development and Building Services Department.
4. Existing grading and drainage patterns must not be altered.
5. Existing services are to be blanked at the owner's expense.
6. Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
7. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
8. 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 current proposal forces the removal of a boundary tree, shared with 269 Ste-Anne; a tree permit is required, and written consent to the removal is required from the neighbour prior to permit issuance.

While the proposed plan would provide sufficient soft landscaping in the rear yard to accommodate a large-growing tree, the current replanting plan conflicts with the waste storage and bicycle parking area illustrated on the plans. The frontage has sufficient space to accommodate a medium-growing tree and should be updated accordingly. As the existing tree has a diameter greater than 50 cm, three replacement trees would be required; any trees that cannot be planted on site would require monetary compensation for Forestry to plant a tree elsewhere.

While the current proposal provides adequate space for compensation planting, it runs counter to Official Plan S4.8.2 Policy 3 d) When considering impacts on individual trees, planning and development decisions, including Committee of Adjustment decisions, shall give priority to the retention and protection of large, healthy trees over replacement plantings and compensation.

Right of Way Management

110 Laurier Avenue West, Ottawa ON K1P 1J1

Mail code: 01-14

110, av. Laurier Ouest, Ottawa (Ontario) K1P 1J1

Courrier interne : 01-14

Visit us: Ottawa.ca/planning

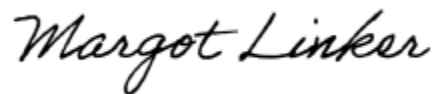
Visitez-nous : Ottawa.ca/urbanisme

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance, however, as the development is not providing parking the existing driveway will need to be closed and reinstated during construction.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.

Transportation Engineering

Remove existing driveway depressed curb and reinstate with full height curb and sidewalk to City standards.



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