

2023-06-16



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 125 Clarendon Avenue
Legal Description: Part of Lot 2380, Registered Plan 4M-48
File No.: D08-02-21/A-00369
Report Date: June 14, 2023
Hearing Date: June 21, 2023
Planner: Basma Alkhatib
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R3I (Residential third density zone, subzone I)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with the minor variance A, but has some concerns with minor variances B, C, and D.**

DISCUSSION AND RATIONALE

The subject site is within the Inner Urban Transect Policy Area on Schedule A and Neighbourhood designated on Schedule B2 in the Official Plan. The aimed pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. This pattern includes a minimum of two functional storeys, attached buildings and small areas of formal landscape and a range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios. Also, Neighbourhoods are anticipated to maintain their low-rise nature unless otherwise stated in the Zoning By-laws or applicable Secondary Plans.

The required reduction to the rear yard setback is a vertical extension of the existing condition, the addition of a second storey will not change the existing building footprint. Also, Staff recognized that the rear yard is fully softscaped and that the reduction in the rear yard setback will not affect the rear yard aggregated softscape area. Therefore, Staff have no concern with the minor variance "A", as it is similar to the existing situation, minor in nature and has little impact on the surrounding context.

The Mature Neighbourhoods focus is on the appearance from the public realm, with specific attention given to the extent that front yards and corner side yards are used for

soft landscaping, driveways and on-site parking, and the orientation and visibility of the front door. The Streetscape Character Analysis (SCA) goal is to capture older neighbourhoods' distinctive character and ensure a continuation of the "look along the street" as these properties redevelop and intensify over time.

The dominant character for the subject site is ABA, which means no permitted attached parking or carport that faces the street. Staff noted that the subject site had a permitted parking space that is totally contained in the interior side yard. The proposed garage is prominent to main entrance which does not meet the intent of the zoning By-law. The Zoning By-law's intent is to keep the main entrance prominent and the garage as secondary entrance. Staff noted that the proposed garage minor variance is resulting in minor variance (c) and (d), of which staff also have concerns.

The Department has **no concerns** about the applicant's request for minor variance (a), but staff are concerned that other variances do not meet the intent of the Zoning By-law.

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. At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
3. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
4. All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.
5. 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**.
6. Existing grading and drainage patterns must not be altered.
7. The **Planning, Real Estate and Economic Development Department** requires proof that the Rideau Valley Conservative Authorities have granted their approval due to development being located within the regulatory limit.

Planning Forestry

There are two trees that are protected under the Tree Protection By-law that will be retained on the subject property. The minor variances being sought to construct a new garage are not anticipated to have impacts on the protected trees. Tree protection fencing must be established for tree 1 following the City of Ottawa's Protection Specification. Equipment access and material or equipment storage are not permitted in the critical root zone of a protected tree.

The survey provided shows the tree in the front yard (tree 1) as City owned. This must be corrected

in the TIR which labels it as private. The location of tree protection fencing for tree 1 must also be added to the TIR. Please update the TIR before submitting the application for a building permit.

Right of Way Management

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



Basma Alkhatib

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

Erin O'Connell, RPP, MCIP

Planner III, Development Review, Central Planning, Real Estate and Economic Development Department