

2024-03-27



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 338 Peninsula Road
Legal Description: Lot 134, Plan 4M-1736
File No.: D08-02-24/A-00034
Report Date: March 27, 2024
Hearing Date: April 2, 2024
Planner: Penelope Horn
Official Plan Designation: Suburban Transect, Neighbourhood Designation, Evolving Neighbourhood Overlay
Zoning: R3YY[2766]

DEPARTMENT COMMENTS

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

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. Staff are satisfied that the requested minor variance meets the “four tests”.

The Subject Property is within the Suburban Transect and Evolving Neighbourhoods Overlay. The Official Plan provides policy direction that development within the Suburban Transect shall permit residential uses, with a focus on low-rise building forms. The proposed development is a detached dwelling, which aligns with the low-rise building forms supported in the Suburban Transect.

The property is zoned Residential Third Density, subzone YY, exception 2766. The requested minor variances are consistent with the intent of the R3YY zone, which are amongst others, to ensure that adequate amenity area is provided and to minimize the potential for overlook. The reduced rear yard setback still provides a rear yard which exceeds the 54 square metre requirement. The requested variance to permit a reduced rear yard setback is compatible with the surrounding subdivision.

ADDITIONAL COMMENTS

Infrastructure Engineering

- The Planning, Real Estate and Economic Development Department will do a complete review of grading and servicing during the building permit process.
- 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.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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.
- 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.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- Provide a minimum of 3m between the proposed driveway and the fire hydrant.
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

- There are no existing trees and no tree-related concerns with this application. The minor variance requested maintains sufficient space in the rear yard to support the planting of a large-growing tree.



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