

2023-07-14



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 258-260 St Denis Street
Legal Description: Lot 530 and Part of Lot 529 and 531, Registered Plan 246
File No.: D08-02-23/A-00138 and D08-02-23/A-00138
Report Date: July 11, 2023
Hearing Date: July 19, 2023
Planner: Basma Alkhatib
Official Plan Designation: Inner Urban Transect, Neighbourhood Designation
Zoning: R4UA (Residential fourth density, subzone UA)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff are satisfied that the requested minor variances meet 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 within the Inner Urban Transect Policy Area on Schedule A and are designated Neighbourhood on Schedule B2 in the Official Plan. Section 6.3.2 outlines that new development should respect the character of existing areas and development. The intended pattern of development in the Inner Urban Transect is urban including a minimum of two functional storeys, minimal and functional side yard setbacks and landscaped areas. Policy 5.2.1 also encourages an urban built form pattern, with a focus on multi-modal transportation methods, particularly walking and cycling. Site development should also include space for soft landscaped areas, trees, and hard surfacing. Policy 4.6.3 encourage new projects to enhance the public realm where proper by using methods such as: curb extensions, curbside boulevards that accommodate wider pedestrian walkways, trees, landscaping, and street furniture. These enhancements will make streets safer and more enjoyable by dedicating more space to pedestrians, creating opportunities for relaxation and social interaction, and where necessary, buffering pedestrians from traffic.

The Department has **no concerns** with the proposed reduced lot area because an apartment dwelling, low-rise, up to a maximum of eight units, is permitted in the R4UA

Zone. The reduction in lot area is also considered minor. The proposal is consistent with the intensification objectives and policies of the Official Plan by adding more units to the local housing stock and maintaining a consistent street edge which aligns with the existing neighbouring buildings and provides an urban pattern of development. Moreover, the proposed development focuses on multi-modal transportation methods, particularly walking and cycling, which is encouraged based on policy and context.

Staff communicated with the agent to discuss some zoning compliance issues and the agent updated the site plan on July 12, bringing the proposed low-rise developments into conformity with 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. **A private approach permit** is required for any access off of the City street.
7. Existing grading and drainage patterns must not be altered.
8. Existing services are to be blanked at the owner's expense.
9. 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.
10. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
11. 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

There are two protected trees on 260 St-Denis. A tree removal permit application must be submitted for each of these trees as they are both in conflict with the proposed dwelling. A condition of each permit will be to plant two trees (4 total) as compensation. One tree should be planted in the front yard and the other in the rear yard of each property. Providing each tree with as much growing space as possible will increase the

likelihood of successful establishment and long-term growth. There are no overhead wire restrictions on the property so at least one large canopy species should be selected per property.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Applications. However, the Applicant shall be made aware that a private approach permit is required to remove the redundant driveway/private approach from 258 St. Denis Street, as well as from 260 St. Denis Street.

Transportation Engineering



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