

2023-07-14



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address:	318 Patricia Avenue
Legal Description:	Part of Lot 32, Concession 1 (Ottawa Front), Geographic Township of Nepean
File No.:	D08-02-23/A-00041
Report Date:	July 10, 2023
Hearing Date:	July 19, 2023
Planner:	Basma Alkhatib
Official Plan Designation:	Inner Urban Transect, Neighbourhood Designation, Evolving Neighbourhood Overlay, Westboro Secondary Plan
Zoning:	R3N [499] (Residential third density zone, subzone N, exception 499)

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 site is within the Inner Urban Transect Policy Area on Schedule A and is designated Neighbourhood with an Evolving Neighbourhood Overlay on Schedule B2 in the Official Plan. The intended pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. The Neighbourhood designation allows low-rise development in an efficient form that is compatible with existing development patterns and provides site design elements such as soft landscaped areas. The proposal represents an appropriate built form and site design and is also consistent with the policies of the Westboro Secondary Plan.

The application was adjourned on April 19, 2023, due to the original survey being outdated. The applicant has provided the updated survey. Staff were able to confirm the required minor variances for a reduced rear yard area and a reduced rear yard setback, which are a result of the proposal to convert a permitted projection (existing deck structure) into a

part of the existing building. With the proposed addition, the principal building will have the same rear yard setback as the existing deck structure.

The rear yard area will mostly consist of soft landscaping areas, which exceed the minimum zoning requirements, and the existing deck will not be extended into the rear yard or the interior yard. The existing fence and tree hedge, with a height of 1.8 metres, provide screening and ensures privacy between the subject site and the adjacent properties. Also, the proposed walls of the addition are intended to provide a fully enclosed, screened-in porch area intended only for occasional use. The reductions in the rear yard area and rear yard setback are also considered minor.

Overall, Staff do not anticipate any adverse impacts resulting from the applicant's request, as the addition is within the same footprint of the existing deck structure and will not change an existing situation. Given this and the information provided above, the Department has **no concerns** with the applicant's request.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
2. 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.
3. Existing grading and drainage patterns must not be altered.
4. 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.

Transportation Engineering

The site is located within 300 m of the OLRT rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

Planning Forestry

There are no tree related concerns associated with this application since there are no protected trees on or adjacent to the rear yard of the property. If the cedar hedge has anticipated impacts and is jointly owned, the construction should be discussed with the adjacent neighbor. The hedge would not be protected under the Tree Protection By-law as it is under the minimum size requirement (<30 cm in diameter). Any issues with the hedge would be civil. No material storage or equipment should enter the critical root zone of the maple tree in the front yard as this can impact the trees health and long-term survival. To understand what should not occur within the critical root zone of a tree, here

is the city's tree protection specification for reference:
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 Application.



Basma Alkhatib

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