

2023-07-13



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

**PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 320 Cooper Street  
Legal Description: Part of Lots 44 and 45, South Cooper Street,  
Registered Plan 12281  
File No.: D08-02-23/A-00140  
Report Date: July 4, 2023  
Hearing Date: July 19, 2023  
Planner: Basma Alkhatib  
Official Plan Designation: Downtown Core, Hub, Evolving Neighbourhood,  
Heritage Overlay, Centretown and Minto Park Heritage  
Conservation District Plan, Central and East Downtown Core  
Secondary Plan  
Zoning: R4UD [479] (Residential fourth density, subzone UD,  
exception 479)

**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 Downtown Core Transect Policy Area shown in Schedule B1 of the Official Plan and designated as Hub in Schedule A. Section 5 of the Official Plan states that the Downtown Core shall continue to develop as healthy 15-minute neighbourhoods within a highly mixed-use environment, where Hubs and a dense network of Corridors provide a full range of services. The Downtown Core is planned for higher-density, urban development forms where prioritize walking, cycling and transit over motor vehicles. The planned function of Hubs is to concentrate a diversity of functions, a higher density of development, a greater degree of mixed uses and a higher level of public transit connectivity than the areas abutting and surrounding the Hub.

Schedule C1 identifies the Protected Major Transit Station Areas, which are the areas for

future increase of development density around transit. All neighbourhoods in Centretown can accommodate growth to varying degrees. Most of the growth will be directed to the northern area where high-density development already exists and to the Catherine Street corridor.

The reduction of lot area, lot width, rear yard setback, front yard setback and interior side yard setback (minor variances a, b, c, d, and e) are existing situations that can not be enhanced or changed by the Applicant.

The reduction in the softscaping in the rear yard (minor variance f) is a result of the existing reduction in the rear yard setback and rear yard area, but Staff recognise that all of the existing rear yard is softscaped.

Although the elimination of the softscaping in the front yard (minor variance g) is an existing situation, and that the hardscaping is continuous with adjacent properties on both the east and west side, Staff wish to underscore the importance of softscaping in the front yard. We urge the Owner to consider introducing additional plantings in the right-of-way to better align with the Official Plan policies related to increasing the tree canopy and contributing to a better public realm.

The Department has **no concerns** because all the minor variances are legalization of an existing situation and are not results of new construction. Also, the addition of units achieves the intensification objectives of the Official Plan.

## **ADDITIONAL COMMENTS**

### **Building Code Services**

#### **Heritage Planning Branch**

320 Cooper is a property designated under Part V of the Ontario Heritage Act, located in the Centretown Heritage Conservation District (HCD).

To legalize the proposed new basement units, a secondary means of egress is required. To achieve this, one window on the east façade must be removed and replaced with an exit door. Heritage staff had no concerns with the proposed alterations as they conformed with the Centretown HCD Plan and resultingly issued a heritage permit for the work on March 14th, 2023.

#### **Infrastructure Engineering**

1. Existing grading and drainage patterns must not be altered.
2. Existing services are to be blanked at the owner's expense.
3. 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.
4. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

5. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
6. A geotechnical memo addressing the spacing for adequate access for repair and maintenance of the services will be requested.

### Planning Forestry

There are no protected trees on the subject site. Planning Forestry has reached out to the applicant's agent asking whether they will be entering into a maintenance agreement with the City of Ottawa which would allow them to keep the existing pavers in place. **If they choose to reinstate soft landscaping in the ROW, which would be Planning Forestry's preference, they should consider planting a small canopy tree in this area.** Planning Forestry can provide guidance on tree planting and required setbacks if this is option is selected.

### Right of Way Management

The Right-of-Way Management Department has **no concerns** with proposed Minor Variance Application. However, interlock pavers have been installed on the city's right-of-way without the appropriate approvals.

As a result, the **Department request's that the following condition be imposed:**

The Owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for all plant and landscaping material (except municipal trees), **decorative paving** and street furnishings placed in the City's right-of-way along the entire frontage of **320 Cooper Street** in accordance with City Specifications, and the Maintenance and Liability Agreement shall be registered on title, at the Owner's expense, immediately after the registration of this Agreement. The Owner shall assume all maintenance and replacement responsibilities in perpetuity.



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#### Basma Alkhatib

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



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#### John Bernier, RPP, MCIP

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

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