

2024-03-26



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 469 Wilbrod Street
Legal Description: Part of Lot 44 (North Wilbrod Street) and Part of Lot 44 (South Stewart Street) Registered Plan 6
File No.: D08-02-21/A-00345
Report Date: March 28, 2024
Hearing Date: April 3, 2024
Planner: Justin Grift
Official Plan Designation: Downtown Core Transect, Neighbourhood Designation
Zoning: R4UD [481]

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The Official Plan designates the property Neighbourhood in the Downtown Core Transect. The policies pertaining to this designation support a wide variety of housing types with a focus on missing-middle housing and a minimum built height of 2 storeys and up to 4 storeys where appropriate. The property also falls within the Central and East Downtown Core Secondary Plan where it has a Local Neighbourhood Designation within the Sandy Hill Character Area. Schedule C in the Secondary Plan points to a maximum building height of 4 storeys for the property. Staff note, 469 Wilbrod is also designated under Part V of the Ontario Heritage Act and falls within the Wilbrod/Laurier Heritage Conservation District.

The property is zoned Residential Fourth Density, Subzone UD with Urban Exception 481 (R4UD [481]). The exception pertains to an office use being permitted if it occupies the existing dwelling on the property. The purpose of this zone is to allow a mix of residential building forms ranging from detached to low-rise apartment dwellings while regulating development in a manner that is compatible with existing land use patterns so that the residential character of the neighbourhood is maintained or enhanced.

As seen in the submitted materials, the applicant is proposing to convert the existing 3-unit into a 4-unit dwelling without making changes to the exterior of the building. However, due to the change of number of units, relief is required for a reduced front yard and rear yard setback in the existing building. Considering that the dwelling is existing, and majority of the changes will be done in the interior, Staff are satisfied that variances **a)** and **b)** are minor in nature and will not create adverse impacts on the surrounding area.

Staff also have no concerns with proposed **variance c)**, to permit two parking spaces in the rear yard of the property. The intent of the provision is to ensure low-rise apartments on lots with less than 450 square metres have sufficient space to accommodate amenity and landscape areas. After consulting with the applicant and requesting additional information, Staff have determined the requirements in the Zoning By-law regarding soft landscape areas, proposed waste storage and bicycle parking are being met. Staff note, the driveway and parking are existing conditions on the property. With respect to Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended, Staff are satisfied that the requested minor variances meet the “four tests”.

ADDITIONAL COMMENTS

Heritage Planning Branch

469 Wilbrod is designated under Part V of the *Ontario Heritage Act* and is a non-contributing property in the Wilbrod/Laurier Heritage Conservation District. Heritage Planning staff reviewed the proposal and do not have any concerns with the additional variances for two rear yard parking spaces and proposed shed for the waste management purposes.

Planning Forestry

Through pre-consultation it was confirmed that there will be no changes to the exterior of the building, and therefore no tree impacts associated with the requested variances. The existing trees on site in the front yard must be protected through construction by implementing the Tree Protection Specifications, to ensure no encroachment into the Critical Root Zone. The Specifications can be found online at 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 as there are no requested changes to the private approach/driveway.



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