

2024-04-11



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

PANEL 2

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 512 Moodie Drive
Legal Description: Part of Lot 33 Concession 5 (Rideau Front) Geographic Township of Nepean
File No.: D08-02-24/A-00032
Report Date: April 11, 2024
Hearing Date: April 16, 2024
Planner: Samantha Gatchene
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: R1FF

At its hearing on April 2, 2024, the Committee of Adjustment adjourned the application to allow the Applicant time to address the concerns of adjacent property owners.

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The site is zoned R1FF and designated Neighbourhood under the Official Plan. 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 do not have concerns with the requested variances.

- Variance A: Increasing the number of rooming units from 7 to 12 meets the general intent and purpose of the Zoning By-law. The Zoning By-law effectively permits 12 bedrooms in detached dwellings by allowing three units with 4 bedrooms each for a total of 12-bedrooms.
- Variance B: The small portion of the driveway located between the building wall and the driveway is unlikely to result in the front yard parking condition. The variance is appropriate for the development because it will enable the existing driveway to be utilized.

- Variance C: The reduced driveway width will still enable the parking lot to function, similar to shared driveway configurations with 3.0 metre driveway widths elsewhere in the city. The reduced driveway enables the parallel parking spaces along the southern façade of the dwelling while providing access to the parking lot.
- Variance D: Reducing the length of the parallel parking space is appropriate for this development it enables parking to be provided along the full southern façade of the dwelling without creating a front yard parking condition. Compact parking spaces are already permitted for non-parallel spaces. The purpose of the minimum parking space length for parallel parking spaces is to enable vehicle movement. In this case, maneuvering space is provided in front by the driveway and behind by the parking lot.

ADDITIONAL COMMENTS

- The proposed development is considered a rooming house because of shared facilities that require access to other parts of the house. At the site this includes the kitchen, living room and laundry facilities. An apartment consists of wholly self-contained dwelling units that do not have shared facilities of this kind.

Planning Forestry

- There are no tree-related concerns with the minor variances being sought. The variance for the portion of the driveway location in front of the front wall of the house is supported by Forestry as it retains the existing driveway alignment allowing for retention of tree #1, a significant City-owned oak. Tree protection fencing must be installed and maintained for the entire construction period in accordance with the TIR.

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

- Existing grading and drainage patterns must not be altered.
- Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Right of Way Management

- The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application, however, the Owner shall be made aware that a private approach permit is required to modify or remove the existing private approach.

Transportation Engineering Services

- Please note that Moodie Drive is designated as a route in the Crosstown Bikeway Network.




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