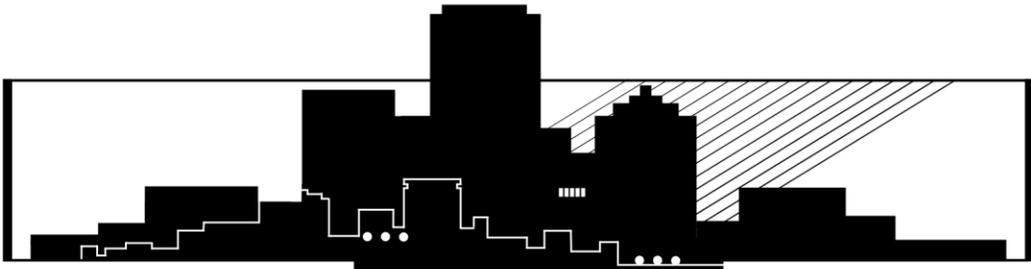


**Addendum No. 2
Hearing No. 5 at 2423 Raymore Dr.
File No. A-049/2021**

**Committee of Adjustment
Virtual Meeting
August 11, 2021
1:00 pm**

AGENDA



Site Planning Comments

The subject property is located on the south side of Raymore Drive, west of Wesley Street and south of Barclay Road. Staff notes that the site is located at the dead end of Raymore Drive and abuts the dead end of Dean Street to the east. There is a small section of land along the property's east lot line that has been conveyed to the City and is within the City's Road allowance (shown as Part 10 on the subject site plan). The portion of the subject property that fronts onto Part 10 is considered the front yard for zoning purposes. As such, the west lot line that abuts 2421 Raymore Drive is considered the rear lot line and the north lot line that abuts 760 Dean Street is considered a side lot line.

The site is currently vacant. The applicant is proposing the construction of a one-storey dwelling with an attached garage. In order to facilitate the proposed development, the applicant is requesting variances related to front and rear yard setback, lot coverage, lot area, and driveway length.

Staff notes that the subject property was created under a land severance previously approved by the Committee of Adjustment. The Committee also approved a minor variance to permit a lot area of 672m² instead of the minimum required 680m² to facilitate this land severance. The survey submitted for the subject application shows a lot area of 671.80m² instead of the minimum required 672m². As such, a further variance is required to permit a reduced lot area of 671m².

1) Official Plan Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Official Plan?

No – Variances #1, 2, 3, and 4 (Front Yard, Rear Yard, and Lot Coverage)

Yes – Variances #5 (Driveway and Lot Area)

The subject property is designated as "Residential – Low Density" in the City's Official Plan (OP). This designation permits single-detached dwellings with a density of up to 25 units per net hectare. The Official Plan also requires new development to be compatible with the surrounding area. Part II, Section 6.5 a) of the Official Plan states that "*The density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.*"

In addition to the Official Plan 1997, the City's new Official Plan is to be consulted for information and direction only, as it is not yet in full force and effect. Development applications continue to be subject to the policies outlined in the Official Plan 1997, with policies from the Official Plan 2020 providing guidance and more current expectations from Council on development throughout the City. Under the new Official Plan 2020, the subject property is also designated as Low-Density Residential. Staff notes that policies outlined in the new Official Plan 2020 related to this designation and new development is predominately consistent with those outlined in the current Official Plan 1997.

Staff have reviewed the materials submitted in support of the subject application and does not anticipate variances #3 and 5 to pose adverse effects to the surrounding area. The proposed development supports a two-car garage and Raymore Dr does not have sidewalks at the driveway frontage. Any occasional encroachment of a vehicle onto the City road allowance would not therefore obstruct a defined walkway (sidewalk). In this instance, staff opines that adequate parking is provided on site and negative impacts are not anticipated. Furthermore, the City's Transportation Department has reviewed the requested variance for a reduced driveway length and has not raised any concerns. With respect to the proposed lot area, staff considers the reduction to be very minor by measurement and that appropriate development can still be accommodated without substantial impact to open space.

As noted in a separate section of the subject report, the City's Site Engineering section has raised concerns regarding the proposed impervious lot coverage and concludes that it will pose negative impacts related to drainage in the area. Forestry staff have also raised concerns regarding the amount of trees proposed to be removed to facilitate the proposed house. An objective throughout the City's Official Plan is to encourage the preservation of existing trees where possible. The proposed development plan has not properly considered tree preservation and site grading and drainage as part of the site design. Modifications to the proposal are required. Until such time, staff regards that variances #1, 2, and 4 will pose negative impacts to the subject property and surrounding area. Environmental impacts must be considered at the design stage in order to propose overall compatible development.

Given the above, staff is of the opinion that the requested variances #3 and 5 maintain the general intent and purpose of the City's Official Plan, but variances #1, 2, and 4 do not.

2) Zoning By-law Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Zoning By-law?

The subject property is zoned as R2.3, Low-Density Residential, and is within the designated lot coverage area under the City's Zoning By-Law 2020, as amended.

No – Variances #1, 2, and 4 (Front Yard, Rear Yard, and Lot Coverage)

Yes – Variances #5 (Driveway and Lot Area)

The subject property is located in an established neighbourhood and within an area designated for a reduced lot coverage area. The enhanced coverage requirement is meant to manage new built forms within mature neighbourhoods, and as a result to recognize their character. The regulation aims to prevent the overbuilding of lots and the inappropriate relationship between spacing and mass that can often result. It also lessens the impact of development on the overall site function including with trees and site drainage. The intent of setback requirements is to promote compatibility and to mitigate for adverse effects of massing on the surrounding streetscape and to adjacent

properties. Rear yard setbacks help ensure that structures do not encroach substantially into rear yards where that space is normally reserved as a spatial separation between houses and as an outdoor amenity area. Setbacks help to create a consistent layout of houses on adjacent lots.

As previously noted, the subject property has a unique lot configuration where the technical front lot line abuts Part 10 and the rear lot line abuts 2421 Raymore Dr. Staff notes that the proposed design utilizes the east yard (abutting Part 10) as the rear yard/outdoor amenity space, and the west yard (abutting 2421 Raymore Dr) as the side yard. The minimum required side yard setback for a one-storey dwelling in a R3.2 zone is 1.2m. Staff notes that the proposed development supports a setback of 1.5m to the east and 2.2m to the north, both of which will be used functionally as side yards. The requested front yard setback reduction accommodates a proposed covered porch in the east yard. Staff notes that while the site technically fronts onto Part 10, it functionally and architecturally fronts onto the south lot line/Raymore Dr.

While staff do not have specific concerns with the proposed dwelling's siting or setbacks from a house layout perspective, staff does have concerns regarding the overall impervious lot coverage impacts and removal of trees. Trees and site drainage work together to manage storm water and to prevent flooding and erosion. Trees also provide a canopy that minimizes the heat island effect in built up areas of the city. As noted within this report, Site Engineering and Forestry staff have raised concerns and objections to the proposed development. Site Engineering's calculation of impervious lot coverage includes all hard surfaces, including the dwelling, any structures, paved surfaces, porches, etc. The requested increase to lot coverage for the proposed dwelling negatively impacts the overall impervious coverage and drainage of the subject property. Forestry staff have raised concerns with respect to the amount of trees being removed. It is important for City staff to ensure new development does not negatively or unnecessarily remove healthy trees. Staff recommends the applicant work with Site Engineering and Forestry staff to propose a development that better aligns with their objectives and ensures there will be no adverse effects to the surrounding area.

Given that the proposed development's siting and setbacks require the removal of trees and contributes to an increase overall impervious coverage, staff has concerns that the requested variances #1, 2, and 4 pose negative impacts to the subject property as well as to the surrounding area.

The applicant is also requesting a variance to permit a driveway length of 4.9m instead of the minimum required 6m. The intent of this regulation is to ensure that adequately sized parking spaces can be provided completely on the property. It also ensures that the property can provide the minimum number of parking spaces required by zoning. Staff notes that the proposed development includes a two-car garage and the surrounding area does not support sidewalks so adverse effects are not specifically anticipated. Given this, staff do not anticipate concerns related to compatibility or functionality.

The applicant is also requesting a variance to permit a lot area of 671m² instead of the minimum required 672m². The intent of lot area requirements is to promote consistency in the surrounding area. Similar sized lots yield similar siting of houses on lots that make

up the streetscape. Staff does not anticipate the lot to be out of character or incompatible with development in the surrounding area. The lot area reduction maintains a compatible size and shape as properties in the immediate vicinity, is considered substantially minor, and not impacting the permitted development of the property in a visible manner.

Given the above staff is of the opinion that the requested variances #3 and 5 maintain the general intent and purpose of the City's Zoning By-Law, but variances #1, 2, and 4 do not.

3) Desirability:

Is the proposed minor variance from the Zoning By-law desirable for the appropriate development or use of the land, building or structure?

No – Variances #1, 2, and 4 (Front Yard, Rear Yard, and Lot Coverage)

Yes – Variances #3 and 5 (Driveway and Lot Area)

Staff is of the opinion that variances #3 and 5 are considered desirable. Staff does not anticipate the lot to be out of character or incompatible with development in the surrounding area. The lot area reduction maintains a compatible size and shape as properties in the immediate vicinity, is considered substantially minor, and not impacting the permitted development of the property in a visible manner. With respect to the proposed driveway length, staff notes that the proposed development includes a two-car garage and sidewalks are not supported in the surrounding area. Staff opines that the proposed driveway design is compatible with the surrounding area and will not pose negative impacts regarding functionality.

Staff have concerns that variances #1, 2, and 4 facilitate a development that is not deemed compatible with the surrounding area given impacts to drainage and removal of trees. As such, staff opines that the requested variance #3 and 5 are desirable but variances #1, 2, and 4 are not.

4) Minor in Nature:

Is the proposed minor variance from the Zoning By-law considered minor in nature?

No – Variances #1, 2, and 4 (Front Yard, Rear Yard, and Lot Coverage)

Yes – Variances #3 and 5 (Driveway and Lot Area)

Staff is of the opinion that variances #3 and 5 represent a minor deviation from the zoning provision and is satisfied that relief of such will not negatively impact the functionality or compatibility with the surrounding properties. However, staff have concerns that variances #1, 2, and 4 facilitate a development that poses negative impacts to the subject property and surrounding area. Staff notes that Site Engineering and Forestry staff have raised concerns and objections regarding the overall impervious

coverage and removal of trees. As such, staff is of the opinion that the requested variances #3 and 5 are considered minor in nature, but variances #1, 2, and 4 are not.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative impact of the requested variances, particularly variances #1, 2, and 4, would pose negative impacts from the overall proposed development.

Recommendation:

Staff has reviewed the requested variances in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to variances #3 and 5, but objects to variances #1, 2, and 4.

Date: August 6, 2021

Prepared By: Taylor MacDonald-Plummer