



Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 122 Brae Crescent
Legal Description: Part of Lot 23, Concession 10, Geographic Township of Goulbourn
File No.: D08-02-24/A-00004
Report Date: February 12, 2024
Hearing Date: February 20, 2024
Planner: Stephan Kukkonen
Official Plan Designation: Suburban (West) Transect, Neighbourhood, Evolving Neighbourhood Overlay
Zoning: R1D

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

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 are satisfied that the requested minor variances meet the “four tests”.

The application requests authorization from the Committee for a minor variance from the Zoning By-law to permit a reduced front yard setback of 4 metres, whereas the By-law requires a minimum front yard setback of 6 metres.

The subject property is located within the Suburban West Transect policy area on Schedule B5 of the Official Plan and is subject to the evolving neighbourhood overlay. The subject application requests a reduced front yard setback to construct an addition on the front of the house. The applicant suggests that the proposed addition will raise the front door height to help alleviate some of the improper drainage affecting the dwelling. It should be noted that although the By-law requires 6 metre front yard setback in the R1D zone, the existing setback is closer to 4.5 metres. As such, the effect of the proposed addition will move the nearest portion of the structure 0.5 metres closer to the front lot line. Further, the subject lot has an irregular curve in the front lot line as a result of the abutting right-of-way. The curve in the right-of-way appears to be slightly exaggerated in

comparison to the alignment of the actual road, therefore the small reduction in front yard setback should not have any noticeable effect on the existing sightlines along the street and the overall feel of the streetscape. As such, Planning Staff are satisfied that the proposed addition is minor and meets the requirements of the four tests.

ADDITIONAL COMMENTS

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 private approaches. However, the Owner shall be made aware that a private approach permit is required to construct any newly created driveway/approach, or, to remove an existing private approach.

Planning Forestry

Trees greater than 30cm in diameter on private property are protected under the Tree Protection By-law. Tree Protection fencing must be installed and maintained around all protected trees for the duration of construction, in accordance with the City's Tree Protection Specifications (https://documents.ottawa.ca/sites/documents/files/tree_protection_specification_en.pdf).

Infrastructure Engineering

It is recommended that the Owner(s) ensure positive drainage away from the foundation.



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