

2024-02-16



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

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

Site Address: 538 MacLaren Street  
Legal Description: Part of Lot 22 (South MacLaren Street), Reg Plan 27293  
File No.: D08-02-21/A-00204  
Report Date: February 15, 2024  
Hearing Date: February 21, 2024  
Planner: Margot Linker  
Official Plan Designation: Downtown Core, Neighbourhood, Evolving Overlay  
Central and East Downtown Core Secondary Plan  
Centretown Community Design Plan  
Zoning: R4UD[733]  
Heritage Overlay

**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.

The subject site is located within the Downtown Core Transect policy area and designated Neighbourhood in the Evolving Overlay on Schedules A and B1 in the Official Plan. Form-based regulation should have regard for local context and character of existing development and appropriate interfaces between residential buildings. It is also located within the Central and East Downtown Core Secondary Plan and Centretown Community Design Plan. The intent of this area is to ensure the retention and conservation of the existing heritage character by ensuring new development is compatible as viewed from the public realm.

The site is zoned R4UD[733] (Residential Fourth Density, Subzone UD, Urban Exception 733), which permits a wide variety of dwelling types, ranging from detached to low-rise apartment dwellings.

The subject property is listed on the City of Ottawa’s Municipal Heritage Register as a

non-designated property. Heritage staff are satisfied that the applicant has opted to retain the site's existing house. Heritage staff have no concerns with the proposed rear addition as it is subordinate to and distinguishable from the existing house.

Planning Staff have no concerns with the proposed addition. It appears that the lot is already subject to an easement, allowing sufficient access to the rear yard even with the reduced interior side yard. Staff do not anticipate privacy concerns as the addition does not have any windows facing the interior side yard, and the windows facing the rear yard will face the existing accessory structure. Staff also do not anticipate negative impacts on the pattern of massing on this section of MacLaren as there are a range of rear yard setbacks within this block and that the site is next to a corner lot condition.

## **ADDITIONAL COMMENTS**

### **Infrastructure Engineering**

1. **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the **Infrastructure Services Department**.
3. 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**.
4. Existing grading and drainage patterns must not be altered.

### **Planning Forestry**

There are no tree-related impacts associated with the requested minor variances.

As discussed with the owner, tree protection measures will be required to ensure the adjacent tree, located at 542 MacLaren, is not injured during proposed excavation and construction. The Specifications can be found online at

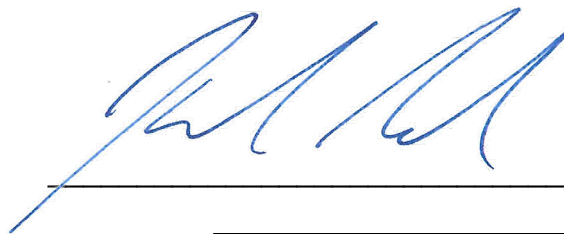
[https://documents.ottawa.ca/sites/documents/files/tree\\_protection\\_specification\\_en.pdf](https://documents.ottawa.ca/sites/documents/files/tree_protection_specification_en.pdf)

### **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. It was discovered in MAP that 538 MacLaren has an associated non-conforming right to Front Yard Parking – Parking 2 Vehicles in Front Yard. Parking in Laneway(front yard HR Zone).

*Margot Linker*

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