

This document is presented in the language it was provided.
Ce document est présenté dans la langue dans laquelle il a été fourni.

June 12, 2024 (Revised July 11th, 2024)

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON, K2G 5K7

Attention: Michel Bellemare, Secretary - Treasurer

Dear Mr. Bellemare:

**Reference: 130 Kenilworth Street and 372A Holland Avenue
Applications for Consent and Minor Variance
Our File No 124063**

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2024-07-11

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Novatech has been retained by the owner of the property municipally known as 130 Kenilworth Street and 372A Holland Avenue (the "Subject Site") to prepare and file applications for Consent and Minor Variance to sever the existing corner lot, which is developed with a semi-detached dwelling. The severance will allow each half of the existing semi-detached dwelling to be conveyed separately. Easements are proposed to support continued access to the shared driveway and to provide access to a shed for each lot.

This letter describes the existing conditions of the site and its surrounding context, the proposed development, and provides a rationale in support of the applications.

Figure 1: Location of the Subject Site. (Source: GeoOttawa).

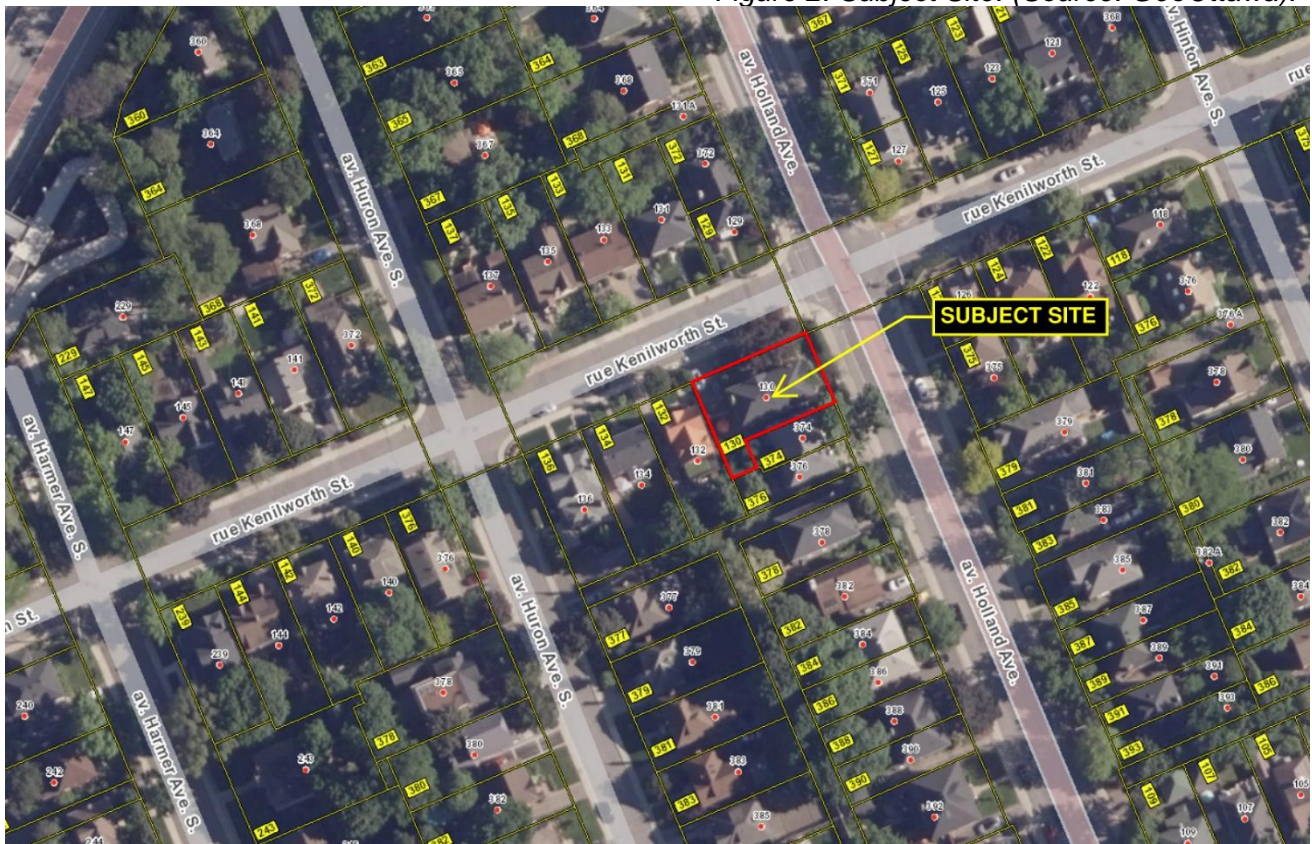


Site and Context

Site

The Subject Site is located in the Civic Hospital neighbourhood within Ward 15 – Kitchissippi in the City of Ottawa (see Figure 1). The Subject Site is a corner lot located on the south side of Kenilworth Street and the west side of Holland Avenue (see Figure 2). The Subject Site is in a block that is bounded by Kenilworth Street to the north, Ruskin Street to the south, Huron Avenue South to the west, and Holland Avenue to the east. The Subject Site has 25.6 metres of frontage along Kenilworth Street and 15.37 metres of frontage along Holland Avenue. The Subject Site has a lot area of 427 square metres. The Subject Site is identified as Part of Lots 250 & 251, Registered Plan 207509, City of Ottawa.

Figure 2: Subject Site. (Source: GeoOttawa).



The Subject Site is designated Minor Corridor within the Inner Urban Transect in the City of Ottawa Official Plan. The Subject Site is zoned R3I – Residential Third Density, Subzone I in the City of Ottawa Zoning By-law 2008-250. The site is subject to the Mature Neighbourhoods Overlay. The site is not subject to the Heritage Overlay or the Floodplain Overlay. The site is currently developed with a two-storey semi-detached dwelling (see Figure 3 and Figure 4).

Figure 3: Existing Building on the Subject Site (Holland Avenue). (Source: Google Maps).



Figure 4: Existing Building on the Subject Site (Kenilworth Street). (Source: Google Maps).



M:\2024\124063\DATA\APPLICATIONS\06_CONSENT AND MINOR VARIANCE\COVER LETTER\124063_130KENILWORTHSTREET&372AHOLLANDAvenue_COVERLETTER_FINAL_REVISD_JULY11.DOCX

Surrounding Context

The abutting property to the west and the property across the street to the north of the Subject Site are developed with two-storey detached dwellings. The abutting property to the south and the property across the street to the east of the Subject Site are developed with two-storey semi-detached dwellings. The Subject Site is located within a residential neighbourhood comprised mostly of detached dwellings and semi-detached dwellings. The site is close to Highway 417 and is within 400 metres of The Ottawa Hospital Civic Campus.

Kenilworth Street is a two-lane road with one lane of travel in each direction that runs in a west-east direction between Fairfax Avenue and Fairmont Avenue. Sidewalks are provided on both sides of the street. Both sides of the street have on-street parking. Holland Avenue is a two-lane road with one lane of travel in each direction that runs in a north-south direction between Scott Street and Carling Avenue. Sidewalks are provided on both sides of the street and both sides of the street have on-street parking. Bus routes 53, 80, 86, and 89 run along Holland Avenue and connect to Tunney's Pasture.

Proposed Development

The proposed Consent and Minor Variance applications seek to sever the existing lot at 130 Kenilworth Street and 372A Holland Avenue, which is developed with a semi-detached dwelling. The severance will create separate ownerships for each half of the semi-detached dwelling and allow them to be conveyed separately.

The existing semi-detached dwelling has a separate civic address for each half. The civic addresses for each unit are 130 Kenilworth Street and 372A Holland Avenue. 130 Kenilworth Street faces Kenilworth Street and 372A Holland Avenue faces Holland Avenue. The units are separated by a party wall in a north-south direction. A double driveway on Kenilworth Street provides access to one parking space for each unit.

The proposed severance line follows the existing party wall which separates the units. The existing semi-detached dwelling is proposed to remain. Easements are proposed to maintain the existing shared parking arrangement between the two units.

Lot 1 (Part 1 and Part 2) has a lot width of 11.44 metres and a lot area of 176.6 square metres. Lot 2 (Parts 3-6) has a lot width of 14.2 metres and a lot area of 250.7 square metres.

An easement over Part 5 in favour of Parts 1 and 2 will provide for continued access to existing parking. An easement over Part 6 in favour of Parts 1 and 2 will provide access to one of the two sheds at the end of the existing driveway for the future owners of Parts 1 and 2.

There is an existing easement (Instruments N578875 and N715551) over Parts 2 and 4 which provides a right-of-way for "persons, animals and vehicles". The easements are also shown on the abutting property to the south (374 Holland Avenue).

Figure 5: Draft Reference Plan Excerpt. (Source: Annis, O'Sullivan, Vollebakk Ltd.).

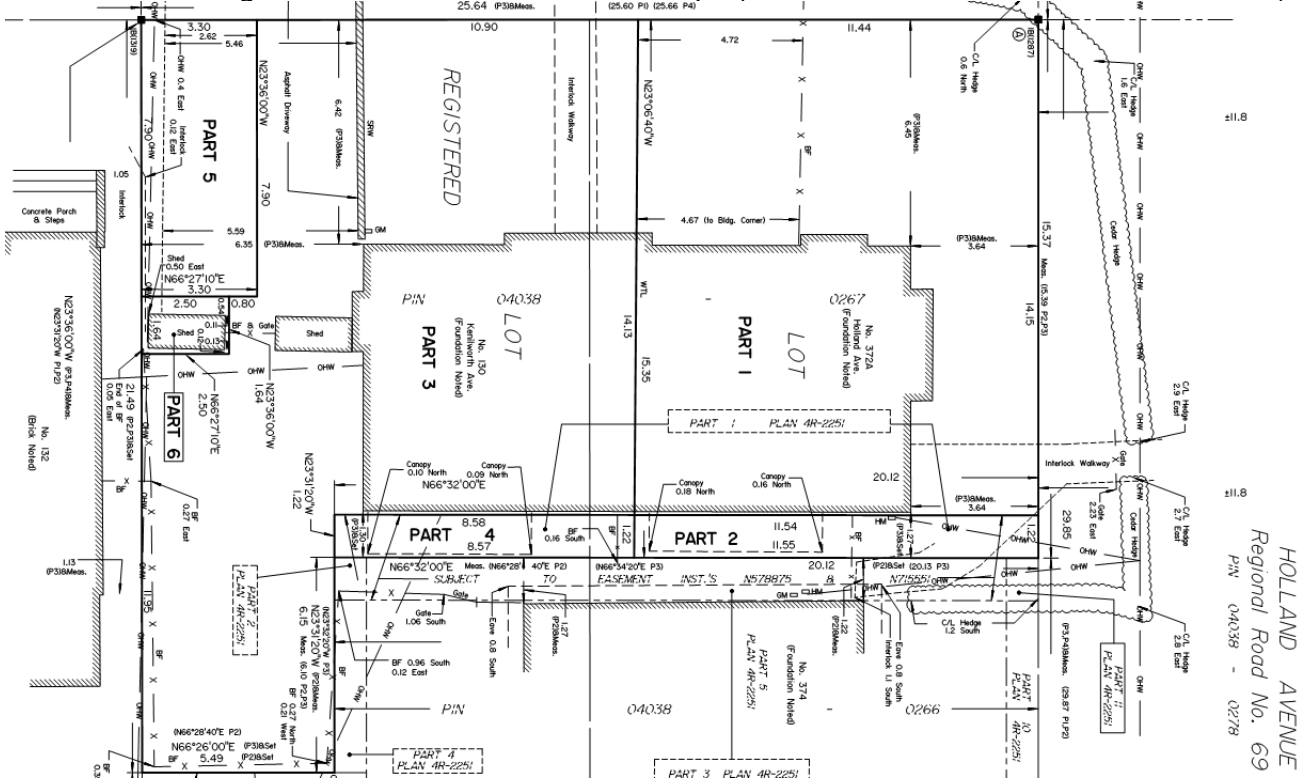
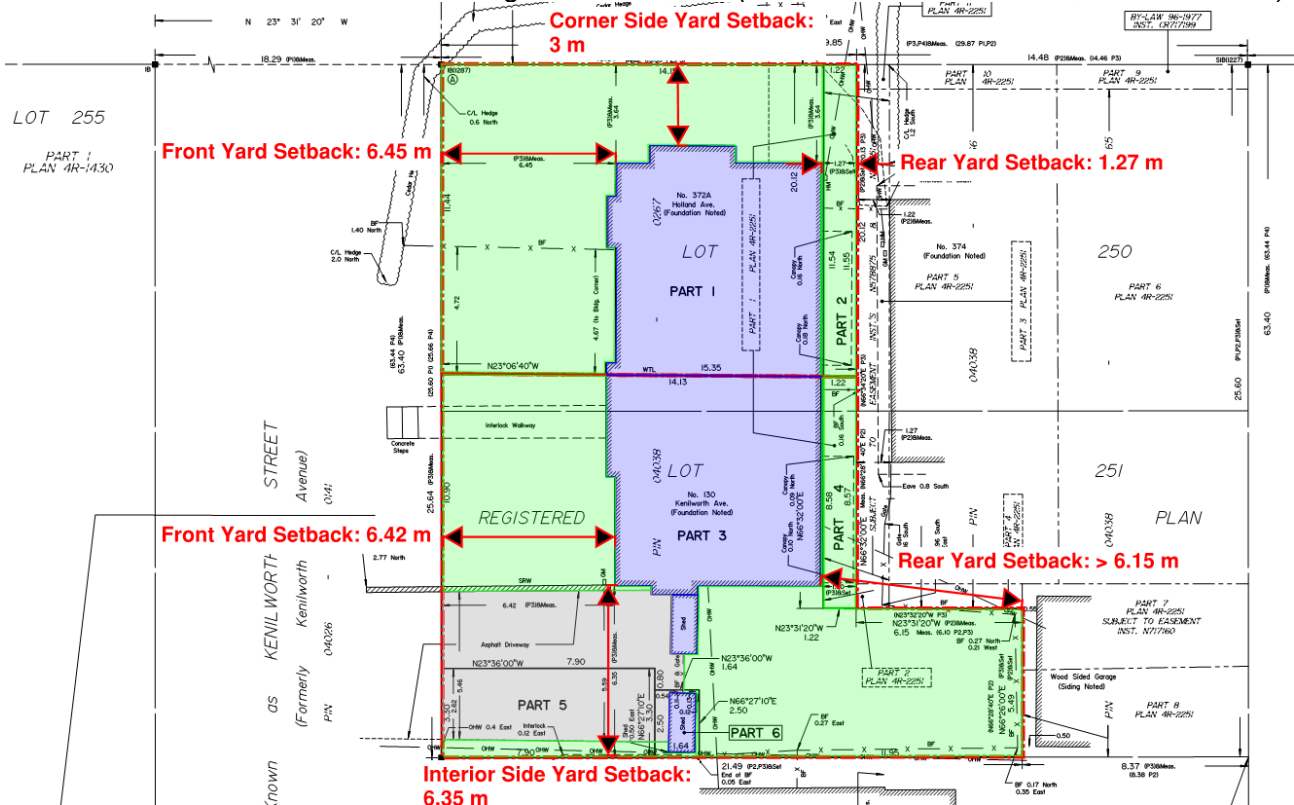


Figure 6: Site Plan. (Source: Annis, O'Sullivan, Vollebakk Ltd.).



M:\2024\124063\DATA\APPLICATIONS\06_CONSENT AND MINOR VARIANCE\COVER LETTER\124063_130KENILWORTHSTREET&372AHOLLANDAVENUE_COVERLETTER_FINAL_REVISD_JULY11.DOCX

Consent Applications

Consent Application 1:

This application will create the easterly corner lot, identified as Part 1 and Part 2 on the Draft Reference Plan (Figure 5). The proposed lot width is 11.44 metres. The proposed lot depth is approximately 15.37 metres. The proposed lot area is 176.6 square metres.

Consent Application 2:

This application will create the westerly interior lot, identified as Parts 3-6 on the Draft Reference Plan (Figure 5). The proposed lot width is 14.2 meters. The proposed lot depth is approximately 21.8 metres (irregular). The proposed lot area is 250.7 square metres.

This application requests easements over Part 5 and Part 6 in favour of Parts 1 and 2 for an existing driveway access and parking and for an access to an existing shed.

Consent Rationale

Planning Act

Subsection 53(1) of the Planning Act states:

“53(1) An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).”

The proposed severances and easements do not necessitate the construction of new public infrastructure, including roads and services. The proposed severances result in the creation of one new lot to create separate ownerships for an existing semi-detached dwelling. The lots will have a shared driveway. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

“53(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.”

This rationale will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

“51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed severances and easements have regard for the following matters of provincial interest:

- the development of healthy, safe, and liveable communities
- the efficient use of land and resources
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management system

(b) whether the proposed subdivision is premature or in the public interest;

The Subject Site is located within the City of Ottawa's urban boundary and is in a fully developed neighbourhood. The proposed severances create separate ownerships for an existing semi-detached dwelling which is currently on one lot. The proposed easements will maintain access to the existing driveway and parking spaces and allow access to one of the sheds on Parts 5 and 6 for Parts 1 and 2. The proposed severances and easements are not premature and are in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The Inner Urban Transect provides direction for enhancing an urban pattern of built form, site design, and mix of uses.

Policies 3 & 4 of Section 5.2.3 state that:

3) Along Minor Corridors, permitted building heights are as follows, subject to appropriate height transitions and stepbacks:

a) Generally, not less than 2 storeys and up to 4 storeys, except where a secondary plan or area-specific policy specifies different heights;

4) All buildings along Mainstreets or Minor Corridors shall have active entrances facing the Mainstreet or Minor Corridor, regardless of use.

Policy 2 of Section 6.2.2 states that:

2) In the Minor Corridor designation, this Plan shall permit a mix of uses which support residential uses and the evolution of a neighbourhood towards 15-minute neighbourhoods. Development may:

a) Include residential-only and commercial-only buildings;

The proposed severances and easements result in the creation of one new lot to establish separate ownership for each half of an existing semi-detached dwelling. The existing building on the site will be retained, maintaining the existing residential use and built form. The proposed severances and easements conform to the policies of the Official Plan.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The proposed severances result in the creation of two lots to provide separate ownership for each half of an existing semi-detached dwelling. The proposed easements allow the unit at 372A Holland Avenue to maintain access to the current driveway and parking space and to have access to a shed.

Minor variance applications have been filed in support of the consent applications to permit front yard parking spaces and a 5.6-metre-wide shared driveway for 130 Kenilworth Street and to permit a parking space to be located on a different property from the use for which it is provided for 372A Holland Avenue. The front yard parking and the driveway represent existing conditions. The subdivision of land will not affect the built form or site design. The land is suitable for the proposed severances and easements.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No new housing units are proposed. No affordable housing units are proposed.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The consent applications do not propose any new highways.

(f) the dimensions and shapes of the proposed lots;

The proposed severances will result in the creation of one new lot. The severance line is based on the existing party wall that currently separates the semi-detached dwelling. The proposed easements maintain the existing driveway and parking arrangement. The lots are appropriately sized and shaped to accommodate the existing building.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no restrictions or proposed restrictions on the existing or proposed lots, beyond the provisions of the Zoning By-law.

(h) conservation of natural resources and flood control;

The Subject Site is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

The Subject Site is within the urban boundary and has access to municipal sanitary, stormwater, and water servicing. The severance will not have any impacts on the adequacy of utilities and municipal services.

(j) the adequacy of school sites;

The proposed severances and easements will not result in any additional units. Approval of the proposed severances and easements will not affect the adequacy of school sites.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

A road widening may be required along Holland Avenue as a condition of consent approval.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

Approval of the proposed severances and easements will not affect the available supply and efficient use of energy.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is not subject to site plan control.

The proposed severances meet the criteria set out in Section 51(24) of the Planning Act.

Provincial Policy Statement

Section 3(5) of the Planning Act states:

"A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,

(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision,"

A decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

Policy 1.1.1 states:

"Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;"*

The proposed consents result in one new lot to create separate ownership for each unit of an existing semi-detached dwelling and provide continued access to driveway and parking for the unit at 372A Holland Avenue. The consents do not result in development or land use patterns that cause

environmental, public health, and safety concerns and do not affect the expansion of settlement areas.

The proposed severances and easements are consistent with the policies of the Provincial Policy Statement.

Minor Variance Application

The proposed minor variances are listed below:

130 Kenilworth Street:

- a) To permit parking spaces to be located in a required and provided front yard, whereas the Zoning By-law prohibits a parking space to be established in a required and provided front yard. (Section 109(3)(a)(i)).
- b) To permit a shared driveway with a width of 5.6 metres, whereas the Zoning By-law permits a maximum width of 3 metres for a shared driveway. (Section 139, Table 139(3)).

372A Holland Avenue:

- c) To permit a parking space to be located on a different lot than the use for which it is provided, whereas the Zoning By-law requires a parking space to be provided on the same lot as the use. (Section 100(1)(c)).

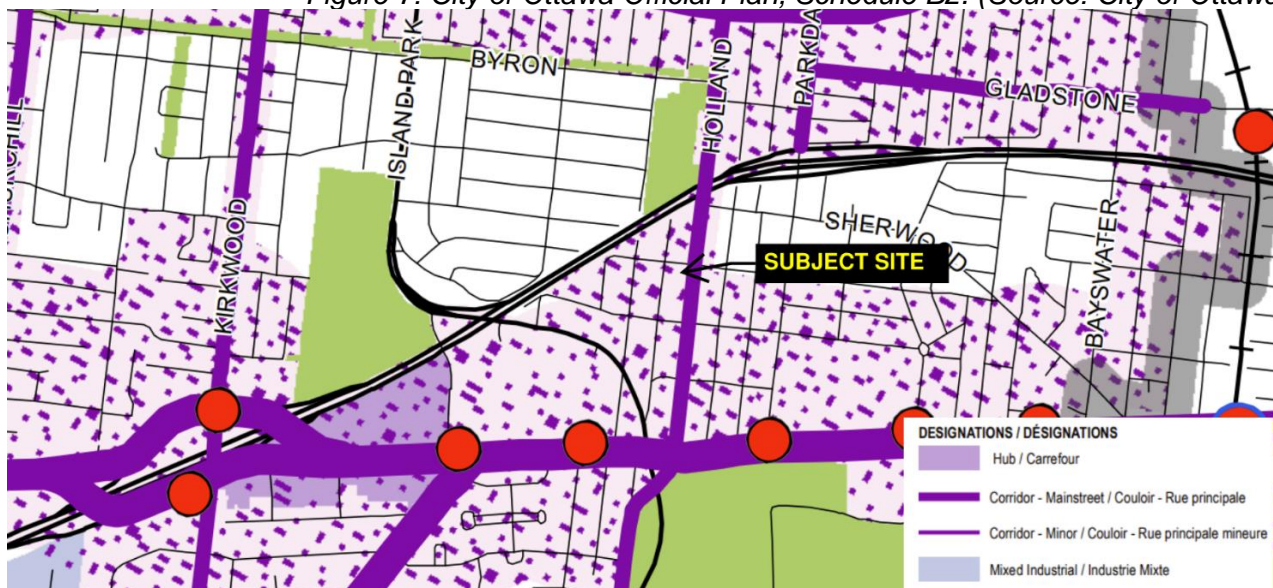
Minor Variance Rationale

Section 45(1) of the Planning Act sets out the four tests for minor variances.

The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.

The Subject Site is designated Minor Corridor within the Inner Urban Transect in the City of Ottawa Official Plan.

Figure 7: City of Ottawa Official Plan, Schedule B2. (Source: City of Ottawa).



M:\2024\124063\DATA\APPLICATIONS\06_CONSENT AND MINOR VARIANCE\COVER LETTER\124063_130KENILWORTHSTREET&372AHOLLANDAvenue_COVERLETTER_FINAL_REVISÉD_JULY11.DOCX

Inner Urban Transect:

Section 5.2 of the Official Plan sets out policies for the Inner Urban Transect. The Inner Urban Transect is comprised of pre-World War II neighbourhoods that immediately surround the Downtown Core and the earliest post-World War II areas directly adjacent to them. The older neighbourhoods reflect the urban built form, while post-war neighbourhoods reflect suburban characteristics.

Section 5.2.1 recognizes the urban and suburban characteristics of the Inner Urban Transect. The intended characteristic for the Inner Urban Transect is urban.

The requested minor variances recognize existing conditions. The existing semi-detached dwelling on the Subject Site provides parking spaces in the corner side yard. The parking spaces are accessed by a shared driveway that is 5.6 metres wide. One parking space is provided for each half of the existing semi-detached dwelling. By severing the Subject Site, this existing parking condition is now in the front yard of Parts 3-6. The proposed development does not increase or decrease the number of private approaches on the site and does not increase or decrease the number of driveways or parking spaces provided. The proposed development does not increase the size of the driveways. The proposed development does not relocate any of the parking spaces or alter the existing shared parking arrangement.

Corridors:

Section 6.2 sets out policies for Corridors, which are defined as bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses, and higher-level street transit than abutting Neighbourhoods, but lower than Hubs. The Corridors designation includes two sub-designations. The Subject Site is a Minor Corridor.

The requested variances recognize the existing parking in the corner yard, which will become the front yard of Parts 3-6 once the lot is severed and the existing driveway width. Parts 3-6 will thus be providing front yard parking. The existing dwelling is to remain and no new private approaches or driveways are proposed. The proposed development does not increase the size of the driveway. The proposed development does not alter the existing shared parking arrangement, where one parking space is provided for each half of the existing semi-detached dwelling. The existing driveway to the parking spaces in the front yard is located on Kenilworth Street, which is not a Minor Corridor. The requested variances do not impact the function of the area and is appropriate for the Minor Corridor designation.

The requested variances maintain the intent and purpose of the City of Ottawa's Official Plan.

The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Site is zoned R3I – Residential Third Density, Subzone I in the City of Ottawa Zoning By-law 2008-250.

The purpose of the R3 zone is to:

- (1) allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)
- (2) allow a number of other residential uses to provide additional housing choices within the third density residential areas;
- (3) allow ancillary uses to the principal residential use to allow residents to work at home;

- (4) regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced; and
- (5) permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

The following uses are permitted in the R3 zone, as per Section 159 of the Zoning By-law:

- (1) The following uses are permitted uses subject to:
- (a) the provisions of subsection 159 (3) to (13);
 - (b) a maximum of three guest bedrooms in a bed and breakfast;
 - (c) a maximum of ten residents is permitted in a group home; and
 - (d) a maximum of ten residents is permitted in a retirement home, converted.
- bed and breakfast**, see Part 5, Section 121
- detached dwelling**
- diplomatic mission**, see Part 3, Section 88
- duplex dwelling**, see Part 5, Section 138 (By-law 2010-307)
- group home**, see Part 5, Section 125
- home-based business**, see Part 5, Section 127
- home-based daycare, see Part 5, Section 129
- linked-detached dwelling**, see Part 5, Section 138 (By-law 2010-307)
- park**
- planned unit development**, see Part 5, Section 131
- retirement home, converted** see Part 5, Section 122
- additional dwelling unit**, see Part 5, Section 133
- semi-detached dwelling**, see Part 5, Section 138 (By-law 2010-307)
- three-unit dwelling**
- townhouse dwelling**, see Part 5, Section 138 (By-law 2012-334) (By-law 2010-307) (By-law 2014-189)
- urban agriculture**, see Part 3, Section 82 (By-law 2017-148) (By-law 2018-206)

The zoning provisions that apply to the Subject Site are summarized in Table 1 below.

Table 1: Zoning Provisions

Provision	Required	Provided – Part 3-6	Provided – Part 1 & 2	Section
Minimum Lot Width (m)	7.5 m	14.2 m	11.44 m	S.160, Table 160A
Minimum Lot Area (m ²)	225 m ²	250.6 m ²	176.6 m ² *	S.160, Table 160A
Minimum Front Yard Setback (m)	3 m	6.42 m	6.45 m	S.160, Table 160A
Minimum Rear Yard Setback (m)	Part 3 & 4: 25% of the lot depth (5.5 m) Part 1 & 2: 1.2 m	6.15 m	1.27 m	S.144(3); S.144(5)(b)
Minimum Corner Side Yard Setback (m)	3 m	N/A	3 m	S.160, Table 160A

Minimum Interior Side Yard Setback (m)	1.2 m	6.35 m/0 m (attached)	0 m (attached)	S.160, Table 160A
Minimum Interior Yard Area	Parallel line from minimum required RYS of abutting lot for distance equal to 30% of lot width	N/A	Not provided	S.144(6)
Minimum Aggregate Front Yard Soft Landscaping	40%	53%	> 40%	S.139, Table 139(1)
Maximum Driveway Width	3 m	5.6 m (shared)	5.6 m (shared)	S.139, Table 139(3)

*existing legally non-complying

Semi-detached dwellings are permitted in the R3 Zone. The existing semi-detached building will be kept, with the proposed consent application establishing separate ownerships for each half of the dwelling.

A Streetscape Character Analysis is not required as per Section 140(3)(d) of the Zoning By-law, which states that:

- 3) A Streetscape Character Analysis (SCA) must be confirmed prior to any application under the Planning Act, building permit application, or approval under the Private Approach By-law, whose approval would permit:
- d) the addition or expansion of a driveway or parking space in the front yard or corner side yard.

The requested minor variances do not result in the addition or expansion of a driveway or parking space in the front or corner side yard. The requested variances recognize the existing driveway and parking spaces which will be located in the front yard as a result of the severance.

Variance a) requests that parking spaces be permitted in the front yard of Parts 3-6, whereas the Zoning By-law does not permit parking to be located in a required or provided front yard or corner side yard. Variance b) requests the shared driveway to be 5.6 metres in width, whereas the Zoning By-law permits a maximum width of 3 metres for a shared driveway. Variance c) requests that the parking space for 372A Holland Avenue be provided on a different lot than the use for which it is provided, whereas the Zoning By-law requires a parking space to be provided on the same lot as the use for which it is provided.

The current parking arrangement on the site has two parking spaces located in the corner side yard of the semi-detached dwelling, which is not severed. The parking spaces are accessed by a 5.6-metre wide shared driveway. The parking spaces are shared between the owners, who live at 130 Kenilworth Street, and their tenant, who lives at 372A Holland Avenue. The proposed severance results in the corner side yard becoming the front yard of Parts 3-6 and Parts 1 and 2. The existing parking spaces are proposed to be maintained, with the owners of 130 Kenilworth Street having access to one parking space and one shed and the owners of 372A Holland Avenue having access to the other parking space and the other shed. The existing driveway width is proposed to be maintained, providing continued access to the existing parking spaces. The existing shared parking

arrangement is proposed to be maintained, with 372A Holland Avenue having access to one of the parking spaces and 130 Kenilworth Street having access to the other parking space.

The requested variances recognize existing conditions. No adverse impacts are generated by the requested variances. From the street, there is no difference between the existing condition and the proposed front yard parking and driveway width resulting from the variances. The location of one parking space for 372A Holland Avenue on a shared driveway is a continuation of the existing parking arrangement. The requested variances do not result in more hardscaping or less soft landscaping than the existing condition. The variances meet the intent of the R3 Zone by maintaining the residential character of the neighbourhood.

The requested variances maintain the general intent and purpose of the Zoning By-law 2008-250.

The third test for a minor variance is that the variance is considered desirable for the use of land.

Variance a) legalizes two existing parking spaces currently located in the corner side yard, which will become the front yard by virtue of the consent application. Variance b) legalizes the existing driveway width. Variance c) permits the parking space for 372A Holland Avenue to be located on the lot for 130 Kenilworth Street, which supports the continuation of the existing parking arrangement. The requested variances are suitable and desirable as they allow the residents of the semi-detached dwelling to maintain their current shared parking arrangement. By retaining the existing parking arrangement and driveway width, less hardscaping is provided on the lot overall than if the driveway were to be extended and parking were to be provided in the rear yard. The requested variances to legalize the existing parking spaces and legalize the existing driveway width ensure that the existing soft landscaped area in the interior side yard and rear yard of 130 Kenilworth Street is maintained.

The requested variances are considered desirable for the use of land.

The fourth test for a minor variance is that the variance is considered minor in nature.

Variance a) is to permit two parking spaces in the front yard, whereas the Zoning By-law does not permit parking spaces to be located in the required or provided front yard or corner side yard. Variance b) is to permit a shared driveway to be 5.6 metres wide, whereas the Zoning By-law permits a maximum width of 3 metres for a shared driveway. Variance c) is to permit the parking spaces for 372A Holland Avenue to be located on a different lot than the use for which it is provided, whereas the Zoning By-law requires a parking space to be located on the same lot as the use for which it is provided.

The existing parking spaces are located in the provided corner side yard of the unsevered semi-detached dwelling on the Subject Site. The existing driveway provides access to these parking spaces from Kenilworth Street. The requested variance to permit front yard parking results from the corner side yard becoming the front yard of the proposed lot at 130 Kenilworth Street. There are no impacts resulting from the requested variances since they recognize an existing parking condition on the property. From the street, there is no change between the existing driveway and parking in the corner side yard and the requested driveway and parking in the front yard.

Furthermore, the impact of the front yard parking spaces and the requested driveway width on the amount of soft landscaped area is minor. Adequate soft landscaped area is provided in the front yard of the unit at 130 Kenilworth Street, with an aggregate front yard soft landscaped area of 53% of the

front yard, exceeding the Zoning By-law requirement of 40%. The width of the existing driveway and parking spaces is 5.6 metres, which is less than half the width of the newly created lot (Parts 3-6), which is 14.2 metres wide and less than 25% of the entire 25.6-metre frontage of both lots along Kenilworth Street. The requested variances will not reduce the size of landscaped areas.

Finally, there is no impact from the location of the parking space for 372A Holland Avenue on 130 Kenilworth Street. The existing shared parking arrangement has one parking space for each unit. The creation of a separate lot for each unit results in the existing parking space for 372A Holland Avenue being located on a different lot. Easements over the parking space and the shed in front of the parking space are proposed as part of the Consent application to ensure that the existing parking arrangement is maintained and that the owner of 372A Holland Avenue will have access to the parking space.

The requested variances are considered minor in nature.

Conclusion

The proposed consents at 130 Kenilworth Avenue and 372A Holland Avenue meet the criteria of Section 51(24) of the Planning Act. The consent applications are consistent with the policies of the PPS. The requested variances meet the general intent and purpose of the City of Ottawa Official Plan and the City of Ottawa Zoning By-law 2008-250 by legalizing an existing driveway width and parking condition, ensuring that no soft landscaping is removed and maintaining the residential character of the neighbourhood. The proposed minor variances meet all four tests under Section 45(1) of the Planning Act. The consent applications and minor variance application represent good land use planning.

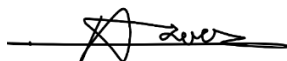
In support of the applications for consent and minor variance, please find enclosed:

- *Cover Letter (revised)* (one copy)
- *Complete Consent Application Form 1 (revised)* (one original copy)
- *Complete Consent Application Form 2 (revised)* (one original copy)
- *Complete Minor Variance Application Form 1 (revised)* (one original copy)
- *Complete Minor Variance Application Form 2 (one original copy)*
- *Draft Reference Plan (revised)* (one 8.5x11 copy and one 11x17 copy)
- *Site Plan (one 8.5x11 copy and one 11x17 copy)*
- *Existing Building Elevations (one 8.5x11 copy and one 11x17 copy)*
- Parcel Abstract (one copy)
- Email confirmation that Tree Information Report is not required (one copy).

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

NOVATECH



Arjan Soor, M.PL
Planner