

2024-09-12



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 249 Shakespeare Street  
Legal Description: Lot 336, Registered Plan 246  
File No.: D08-02-24/A-00212  
Report Date: September 12, 2024  
Hearing Date: September 18, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban, Neighbourhood  
Zoning: R4UA

**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 variance meets the “four tests”.

The intent of the rear yard setback is to maintain adequate privacy and amenity area. Given that the rear yard of the subject property primarily abuts the side yard of the property adjacent to the subject site, a reduced rear yard setback will have minimal impacts on privacy. The proposed low-rise apartment building will also result in an increase of soft landscaping, compared to the existing triplex and garage.

**ADDITIONAL COMMENTS**

**Infrastructure Engineering**

- The **Planning, Development and Building Services 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.

- 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, Development and Building Services Department**.
- Existing grading and drainage patterns must not be altered.
- Existing services are to be blanked at the owner's expense.
- 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.).
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
- Existing street sign to be relocated at the owner's expense, if required.

### Planning Forestry

Through pre-consultation, it was confirmed that no distinctive trees would be impacted on site. As discussed, the adjacent tree must be protected as per the [Tree Protection Specification](#) through any repairs to the retaining wall to the North.

While not protected under the by-law, the existing tree on the Shakespeare frontage should be retained through construction as feasible. If not, the applicant should provide space to plant new trees on site following construction, in keeping with the Official Plan section 4.8.2, policy 3.

### Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application, however, there are requested changes to the existing private approach/driveway. The Owner shall be made aware that a private approach permit is required to construct a newly created entrance, as well as to close any existing entrance. The current proposal requires one private approach permit to close the redundant access off of Tabor Ave. **Please contact the ROW Department for any additional information at [rowadmin@ottawa.ca](mailto:rowadmin@ottawa.ca).**




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Penelope Horn




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Wendy Tse

Planner I, Development Review All Wards

Planning, Development and Building  
Services Department

Planner III (A), Development Review All  
Wards

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