

2024-11-14



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 28 Kilmory Crescent
Legal Description: Registered Plan 427936, Lot 604
File No.: D08-02-24-A-00268
Report Date: November 14, 2024
Hearing Date: November 19, 2024
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: R1FF

REQUESTED VARIANCES:

The Applicants require the Committee's authorization for a minor variance from the Zoning By-law as follows:

- a) To permit an entrance to a carport to be located 1.88 metres closer to the front lot line than the principal entrance of the dwelling, whereas the By-law requires an entrance to a garage or carport to be set back at least 0.6 metres further from the front lot line than the principal entrance to the dwelling.
- b) **To permit an entrance to a carport to be located 1.88 metres closer to the front lot line than the principal entrance of the dwelling, whereas the By-law requires the entrance to the garage to be a maximum of 0.6 metres closer to the front lot line than the entrance to the principal dwelling.**
- c) To permit a reduced front yard setback of 4.12 metres, whereas the By-law requires a minimum front yard setback of 6 metres.

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

Staff have added an additional variance as relief for the entrance of the garage or carport to be a maximum of 0.6 metres closer to the front lot line than the entrance to the principal dwelling as per Section 139(b) of the Zoning. Staff have no concerns with the

added variance as it has been added from a technical standpoint and does not require any changes to the plans.

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(s) meet(s) the “four tests”.

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.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.
- 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.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

The applicant has clarified that there will be no expansion of the driveway within the CRZ of the existing tree, and that it will be protected in accordance with the TIR. There are differences in the setbacks shown on the grading plan and TIR vs the site plan, and the applicant has confirmed that the grading plan is correct and that a revised site plan will be provided. There are no tree-related concerns with the requested variance.

Right of Way Management

No proposed changes to the ROW. However, the Owner shall be made aware that private approach permits are required to construct or modify any newly created driveway/approaches in the Right-of-way.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca and visit the City webpage [Driveways | City of Ottawa](https://www.ottawa.ca/urbanisme) to submit a Private Approach application.

J. E. Nivethini

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Planning, Development and Building
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