



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 135 Marlborough Avenue
Legal Description: Lot 36, Registered Plan 183999
File No.: D08-02-25/B-00029
Report Date: March 27, 2025
Hearing Date: April 2, 2025
Planner: Penelope Horn
Official Plan Designation: Downtown Core Transect, Neighbourhood Designation,
Central and East Downtown Core Secondary Plan
Zoning: R1TT

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”.

ADDITIONAL COMMENTS

Building Code Services

Infrastructure Engineering

- At the time of building permit application, a grading plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist may be required.
 - A Grading Plan, prepared by a relevant professional, is required for the construction of additions, garages, decks, or other structures over 55 sq. meters in size.
 - A Grading Plan, prepared by a relevant professional, is required for any proposal that requires a permit if the proposed works, including hard landscaping are less than 1.2 metres from a property line.

- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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**.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Existing services are to be blanked, if required, at the owner's expense.
- 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.

Planning Forestry

The proposed accessory structure is located in the critical root zone of an adjacent tree. While the TIR suggests there may be minimal root growth under the existing garage, this should be ascertained prior to construction of the proposed accessory structure. To minimize impacts to the neighbour's tree, root exploration should be conducted along the edge of the existing garage to determine the extent of impacts. The owner/applicant should consult with the neighbouring property owner about potential tree impacts.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance. From the plans, the existing driveway is not being modified, so no concerns from Private Approach By-law.



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