

2025-05-29

City of Ottawa | Ville d'Ottawa
Comité de dérogation



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 324 Tucana Way
Legal Description: Lot 45, Plan 4M-1389
File No.: D08-02-25/A-00073
Report Date: May 29, 2025
Hearing Date: June 03, 2025
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Suburban Transect, Neighbourhood,
Barrhaven South Area-Specific policy
Zoning: R3Z

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has concerns with** the application(s).

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 not satisfied that the requested minor variance(s) meet(s) the “four tests”.

The application proposes to convert the garage to living space. This means that the legal parking space within the attached garage is lost and a variance to allow front yard parking is required as the converted garage wall forms part of the front wall of the property. Staff have concerns with the creation of front yard parking and parking along the front wall of the property as it is prohibited by the Zoning By-law.

The space between the converted garage wall and the property line must meet the minimum parking space length of 5.2 m as per Section 106 of the Zoning By-law to ensure that the cars can be parked entirely within the property lines. In this case, the driveway length within the private property measures 4.47 m as per the survey plan and thus a variance to allow a reduced parking space length is required. Staff have concerns with a variance to reduce the parking space length as the resulting parking space would not be sufficient to park a car entirely within the private property. Staff have concerns as the parking space would encroach onto the City Right-of-Way as shown in the drawings.

The application refers to a parking space length of 4.6 m for compact cars. It must be noted that this provision under Section 106(3) of the Zoning By-law only applies to parking spaces in parking lots or garages and not to parking spaces for detached dwellings.

ADDITIONAL COMMENTS

Infrastructure Engineering

The Department has the following additional information to convey to the Applicant:

1. The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
2. 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.
3. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
4. A private approach permit is required for any access off of the City street.
5. Existing grading and drainage patterns must not be altered.

Planning Forestry

There are no tree-related concerns with this application as there will be no change to the existing driveway. The applicant is responsible to install and maintain tree protection fencing around the City tree throughout construction.

Right of Way Management

a) *Driveway Location (Variance Requested)* Requested: To permit a driveway located between the front wall of the residential building and the street. By-law Requirement: No part of a driveway may be located between the front wall of a residential building and the street.

Staff Comment: Right of Way (ROW) Management will support this variance only if the MV is approved to allow parking in front of the existing double garage, which is proposed to be converted into livable space. If approved, the existing driveway may remain unchanged, and no Private Approach Permit would be required.

b) *Front Yard Parking (Variance Requested)* Requested: To permit a parking space in the front yard of the dwelling.

Staff Comment: If the MV is not approved and the garage is still converted to livable space, the applicant must apply for a new PA permit to close the entire double driveway. Right of Way management would require the owner to restore the depressed curb to full curb height along the Right of Way and installing soft landscaping where the existing asphalt driveway is located. No front-yard parking

would be permitted in this scenario. Contact rowadmin@ottawa.ca for further questions.

- c) *Reduced Parking Space Dimensions (Variance Requested)* Requested: To permit a reduced parking space length of 4.47 m.

By-law Requirement: Minimum parking space dimensions per Zoning bylaw is Length -5.2 m and Width - 2.6 m.

Staff Comment: ROW Management has no issues because there is no sidewalk within the existing asphalt driveway & there is room for this reduced parking proposal – this also does not affect the existing private approach.



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Services Department



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