

2025-05-29



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 15 Clarendon Avenue
Legal Description: Lot 2818, Registered Plan M-47
File No.: D08-02-25/A-00116
Report Date: May 29, 2025
Hearing Date: June 4, 2025
Planner: Dylan Geldart
Official Plan Designation: Inner Urban Transect, Mainstreet Corridor Designation,
Evolving Neighborhood Overlay
Zoning: R3K, Mature Neighborhood Overlay

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has 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. Based on this review, Staff are of the opinion the proposed minor variance application does not meet the general intent of the Zoning By-law or Official Plan.

The subject property is zoned R3K and is located within a Mature Neighborhood Overlay. As part of the application, the proponent was required to submit a Streetscape Character Analysis (SCA) to evaluate the prevailing built-form characteristics of the street based on the 21 nearest properties. The results of the SCA indicate that 14 of the surveyed properties do not have attached garages, while 7 properties do. As a result, the subject property falls within Character Group A, which prohibits front-facing garages.

In addition, the property is designated ‘Neighborhood’ in the Inner Urban Transect, and falls within an Evolving Neighborhood Overlay in the Official Plan. The purpose of the Evolving Neighborhood Overlay is to identify areas that may gradually evolve from a more suburban built form towards an urban form through intensification. The Official Plan prioritizes a strong built-form relationship with the public realm, emphasizing features such as prominent front entrances and windows. It further directs parking to be hidden from view to minimize the visual dominance of automobiles on the streetscape. The

proposed attached garage diminishes the prominence of the principal entrance and may contribute to an automobile related streetscape. As such, Staff are of the opinion the requested variance undermines the policy and zoning direction by permitting a built-form that limits the long-term evolution of the site to a fully urban design.

Finally, through the interdepartmental review period, the Right-of-Way Management Department identified that the existing driveway has been altered to facilitate front yard parking, which is not permitted under the Zoning By-law. Should the application be approved, Staff are recommending the portion of the driveway located in the front yard be reinstated with soft landscaping in conformity with the Zoning By-law. Alternatively, the applicant may choose to seek an additional variance request through the Committee of Adjustment to formalize the existing driveway configuration.

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 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.
- Existing grading and drainage patterns must not be altered.

Planning Forestry

There are no tree-related concerns with the requested variance. Through pre-consultation it was determined there are no existing trees in proximity to the proposed addition. Following construction, the owner may wish to apply to one of the City's tree planting programs to replace the City tree which failed, to improve the canopy cover and streetscape of the site.

Right of Way Management

The Right-of-Way Management Department has concerns with the proposed Minor Variance Application as the private approach/driveway has already been altered to establish front yard parking which is not permitted. In light of this, the owner shall reinstate the portion in front of the dwelling to soft landscaping. In addition, the owner shall apply for a Private Approach permit for any alterations made to the original driveway that are part of the new development of the property. The Owner must contact the ROW Department for further information at rowadmin@ottawa.ca.



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