

2025-05-29



MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 482 Kensington Avenue
Legal Description: Lot 202 and Part of Lot 201, Registered Plan 408
File No.: D08-02-25/A-00123
Report Date: May 29, 2025
Hearing Date: June 04, 2025
Planner: Penelope Horn
Official Plan Designation: Inner Urban Transect, Neighbourhood Designation
Zoning: R1MM [762]

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has some 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 not satisfied that the requested minor variance meets the “four tests”. The subject site is zoned R1MM [762] within the Mature Neighbourhoods Overlay, and is subject to the Streetscape Character Analysis. The analysis identified that the subject lot is part of Character Group A, where front-facing attached garages are not permitted.

Staff have some concerns regarding the requested front-facing attached garage. In this transect, the Official Plan prioritizes the built-form relationship with the public realm through emphasis on front entrances and windows. It directs parking to be hidden from the view of the public realm, so as to reduce the dominance of the automobile on the streetscape.

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.
- 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 at the owner's expense.
- Existing Catch Basin is not to be located within the driveway.
- 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 TIR shows the City tree for retention and 2 private trees outside of the footprint for removal. There are no tree-related concerns with the requested variance. The applicant is responsible to ensure that the existing services are capped and new services are installed outside the Structural Root Zone and as far from the City tree as possible and to install and maintain tree protection fencing around the City tree for the full duration of construction.

Permits and compensation planting will be required for the proposed removal of trees #2 and 3; the design of the rear yard must leave sufficient greenspace for the planting and survival of replacement trees.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Application. The Owner shall be made aware however, that a private approach permit is required to construct any new entrance, as well as to modify or close an existing entrance that becomes redundant. As a result of the newly planned driveway, one Private Approach Permit is required. **The Owner must contact the ROW Department for further information at rowadmin@ottawa.ca.**



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