

2026-02-11

City of Ottawa | Ville d'Ottawa
Comité de dérogation



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 246 Westhaven Crescent
Legal Description: Part of Lots H and I, Registered Plan 253 and Lot 30
Registered Plan 308
File No.: D08-02-25/A-00281
Report Date: February 12, 2026
Hearing Date: February 18, 2026
Planner: Dylan Geldart
Official Plan Designation: Inner Urban Transect, Neighborhood Designation, Evolving
Neighborhood Overlay
Zoning: R4UC [2980]

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. Staff are of the opinion the proposed minor variance application does not meet the general intent of the Zoning By-law or Official Plan.

In July 2024, a Zoning By-law Amendment (File No. D02-02-24-0018) was approved to convert an existing three-unit dwelling at 246 Westhaven Crescent into a six-unit apartment building. The approved site plan included 25m² of soft landscaping in the front yard, one vehicular parking space, and screened waste and bicycle storage.

Despite the approved site plan, additional parking has been introduced in the front yard without the benefit of a private approach permit. This work was undertaken contrary to the approved plans and resulted in a Notice of Violation being issued.

The proposal to legalize the front yard parking space through a minor variance contradicts with the Official Plan policies intended to prioritize a high-quality pedestrian environment that were relied on in support of the Zoning By-law Amendment. In addition, the site is an undersized lot where parking is not required under the Zoning By-law. The

originally approved one vehicular parking space and six bicycle spaces were considered sufficient at the time of approval and remain appropriate as the principal use of the site has not changed.

ADDITIONAL COMMENTS

Planning Forestry

The TIR confirms that the proposed addition of a parking space in the front yard would require the removal of the existing large-growing tree and provide only sufficient space for a small or columnar tree. This street has very limited canopy cover or greenspace.

The Official Plan section 4.8.2 provides a target of 40% canopy cover (City-wide) and for development authorities (including the Committee of Adjustment) to consider the cumulative impacts on the urban forest and to prioritize the retention of existing trees and plantable space over replacement. This application would greatly reduce the plantable space and potential canopy cover of the site, and as such, the requested variance is not supported by Forestry staff.

Right of Way Management

The Right-of-Way Management Department have concerns with the proposed Minor Variance Application. The City of Ottawa Private Approach By-law allows for driveway widths of no more than 50% of the property frontage. 246 Westhaven Crescent has a frontage of 9.09m, which leaves 4.54m of permitted driveway width under the by-law.

In addition, the Owner shall be made aware 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. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](http://ottawa.ca/driveways).



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