

2024-04-25

City of Ottawa | Ville d'Ottawa  
Comité de dérogation



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 6410 Deer Valley Crescent  
Legal Description: Lot 27 Registered Plan 4M-1314  
Geographic Township of Osgoode  
File No.: D08-01-2024/A-00051  
Report Date: April 25, 2024  
Hearing Date: April 30, 2024  
Planner: Samantha Gatchene  
Official Plan Designation: Rural Transect, Rural Countryside  
Zoning: RR2 [18r]

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has no concerns with** the application.

**DISCUSSION AND RATIONALE**

The site is zoned RR2 and is designated Rural Countryside. The requested variance would reduce the minimum setback from the top of bank from 15 metres to 1.58 metres; and the minimum setback from the high-water mark from 30 metres to 4.25 metres.

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 do not have concerns with the requested variances. The context for the watercourse is unique. When the subdivision was built, channelized features were created to provide drainage and stormwater management, including roadside ditches, lot line swales and other water features. At the same time, a conceptual building footprint for the site showed a larger setback from the feature that indicates it was considered as more than a swale and therefore should be subject to the Official Plan’s surface water feature protection policies.

While staff consider the feature a watercourse and not a swale, it functions in a similar manner to a swale and therefore reduced setbacks are appropriate.

Plantings are also proposed within the watercourse setback to provide revegetation which conform with the standards per the Official Plan.

## **ADDITIONAL COMMENTS**

### **Planning Forestry**

There are no tree-related impacts associated with the minor variances requested.

A TIR and tree permit application would be required for any work that would cause injury or require removal of any trees within the right-of-way along Deer Valley Crescent.

Otherwise, the Tree Protection Specifications should be implemented when working around trees. The Specification can be found at

[https://documents.ottawa.ca/sites/documents/files/tree\\_protection\\_specification\\_en.pdf](https://documents.ottawa.ca/sites/documents/files/tree_protection_specification_en.pdf)

### **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.
- All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.
- 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.
- A report addressing the stability of slopes, prepared by a qualified geotechnical engineer licensed in the Province of Ontario, should be provided wherever a site has slopes (existing or proposed) steeper than 5 horizontal to 1 vertical and/or more than 2 metres in height.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- Provide a minimum of 3m between the proposed driveway and the fire hydrant.
- The Planning, Development and Building Services Department may require proof that the Rideau Valley Conservative Authorities have granted their approval due to development being located within the regulatory limit.
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- Existing street sign to be relocated at the owner's expense.

*Samantha Gatchene*

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