

2024-11-14



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 28 Gervin Street  
Legal Description: Part of Lot 24, Concession 1 (Rideau Front), former Township of Nepean  
File No.: D08-02-24-A-00274  
Report Date: November 14, 2024  
Hearing Date: November 19, 2024  
Planner: Nivethini Jekku Einkaran  
Official Plan Designation: Outer Urban Transect, Neighbourhood  
Zoning: R1E [1722]

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **requests an adjournment of** the application as an additional variance for the driveway width is required.

**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.

**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.
- 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**.
- Existing grading and drainage patterns must not be altered.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

### **Planning Forestry**

The proposed grading plan and retaining wall have been reviewed by the arborist and they have confirmed that the trees on adjacent property can be adequately retained and protected. It does not appear that the requested variance would have any affect on the ability to retain existing trees, so there are no tree-related concerns with the application. The TIR should be revised prior to the building permit application to overlay the tree and protection fencing locations on the most recent grading plan.

### **Right of Way Management**

The Right-of-Way Management Department has no concerns as there are no proposed changes to the ROW driveway. 6 m wide is the max width allowed.

### **Transportation Engineering**

The site is located within 300 m of the Smith Falls rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.



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Planning, Development and Building  
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