



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 2620 A River Road
Legal Description: Part of Lot 21, Concession 1, Geographic Township of Osgoode
File No.: D08-01-24/B-00243 and D08-02-24/A-00292
Report Date: January 13, 2025
Hearing Date: January 14, 2025
Planner: Luke Teeft
Official Plan Designation: Rural Transect; Rural Countryside
Zoning: RR2

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent.

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 satisfied that the requested minor variance meets the “four tests”.

The proposed variance for reduced lot size improves the existing condition of the neighbouring lot at 2610 B River Road without any significant negative impact on the retained lot. Because no development is proposed on the retained lands, staff are satisfied that this lot line adjustment and minor variance are in keeping with the intent of the Zoning By-law and Official Plan.

ADDITIONAL COMMENTS

- 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).

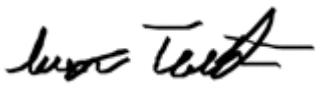
CONDITIONS

If approved, the Planning, Development and Building Services Department requests that the Committee of Adjustment impose the following conditions on the application:

1. That the Owner(s) provide proof to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee, that each existing parcel has its own independent private sewage system, storm/foundation drainage, and well and that they do not cross the proposed severance line. If the systems cross the proposed severance line, are not independent, or do not meet the minimum spacing requirements of the Ontario Building Code and City of Ottawa Hydrogeological and Terrain Analysis Guidelines, the Owner(s) will be required to relocate the existing systems or construct new systems, at their own cost.
2. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**.
3. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

“The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.



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