

2025-01-09



**PERMISSION APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 2560 Mer Bleue Road  
Legal Description: Part of Lot, 1 Concession 4 (Ottawa Front), Geographic Township of Gloucester  
File No.: D08-02-24/A-00307  
Report Date: January 09, 2025  
Hearing Date: January 14, 2025  
Planner: Nivethini Jekku Einkaran  
Official Plan Designation: Suburban Transect, Neighbourhood, Evolving Neighbourhood Overlay  
Zoning: DR

**DEPARTMENT COMMENTS**

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

**DISCUSSION AND RATIONALE**

Staff have reviewed the subject permission application as outlined in Section 45 (2) of the Planning Act, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested permission meets the tests for a legal non-conforming use.

The Development Reserve Zone (DR) allows a detached dwelling only when it is accessory to a permitted use. The detached dwelling on the property was constructed in the 1960s and has continued to exist as a dwelling until it was destroyed by a fire in 2023. Staff believe that burning down of the detached dwelling does not negate the property's Legal Non-Complying Rights.

The Permission application proposes to replace a detached dwelling that existed on the property that was destroyed by fire with a detached dwelling with a bigger footprint and an ADU within the dwelling. The previously existed dwelling had an interior side yard setback of 3.5 m, and the proposed dwelling would have an interior side yard setback of 2.5 m, which is consistent with dwellings in the areas designated as Neighbourhood. The Zoning By-law requires properties in the DR zone to have a required interior side yard setback of 7.5 m. The intent behind this setback requirement is that DR zoned properties

generally have a huge lot area, and the zone allows uses like emergency services. Though the proposed interior side yard setback is significantly lesser than the required setback, it is consistent with an interior side yard setback of a detached dwelling in an area designated as Neighbourhood in the Official Plan.

Staff have no concerns with expanding the Legal Non-Confirming Use as it replaces a previously existed dwelling and does not alter the character of the neighbourhood.

## **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.

### **Planning Forestry**

The existing trees on site must be protected through construction by implementing the [Tree Protection Specifications](#) in accordance with the TIR, prepared by Dendron Forestry Services, dated Nov. 19, 2024.

### **Right of Way Management**

The Right-of-Way Management Department has **no concerns** with the proposed Permission Application to reconstruct the legally non-complying detached dwelling, which was destroyed by fire, and wants to expand the footprint of the dwelling. A Private approach permit is required to construct any newly created or modified driveway/approaches.

Please contact the ROW Department for any additional information at [rowadmin@ottawa.ca](mailto:rowadmin@ottawa.ca) or visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.

*J. E. Nivethini*

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Planning, Development and Building  
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*Erin O'Connell*

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