

2025-01-09



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 49 Rothwell Drive
Legal Description: Part of Lots 15 and 16, Registered Plan 462, and Part of Block D, Registered Plan 652
File No.: D08-02-24/A-00294
Report Date: January 9, 2025
Hearing Date: January 14, 2025
Planner: Elizabeth King
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: R1AA

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no 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 satisfied that the requested minor variance meets the “four tests”.

Section 139 Table 139 (3)(iv) required a maximum driveway width of 6 metres for lot with a width greater than 18 metres. 49 Rothwell Drive is a very wide lot, and the proposal meets the minimum landscaping requirements in the front yard. Staff have no concerns with the proposed driveway width 11.58 metres because it still maintains the intent of the Zoning By-law by proposing 6 metres at the private approach.

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 may be required.
- 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 remaining bitternut hickory (listed under Tree No. 3 in the TIR) must be retained and protected as per the [Tree Protection Specifications](#), to minimize encroachment into the Critical Root Zone. Following construction, all gravel and fill must be removed from the critical root zone & it should be reinstated with good quality soil.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance to regularize the width of their existing driveway. From the plans, the private approach is at its maximum width of 6m and it is not widening further until it is on private property, so as the existing private approach is not being modified (maximum width of 6m), there are no concerns from the Private Approach By-law. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.



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