

May 7, 2025

To: **Committee of Adjustment**
City of Ottawa
101 CentrepoinTE Drive
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer and Committee Members

Committee of Adjustment
Received | Reçu le

2025-05-13

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: **Application for Minor Variance for Driveway Slope of 17%**
6720 Notre Dame St., Ottawa
R1W Zone, Panel 2, Ward 2,
Official Plan designation: Neighbourhood

Dear Mr. Bellemare,

An unfortunate situation resulted with the driveway of this property which was compounded by construction overlapping into the pandemic period. The driveway has a slope of 17% which is more than what is outlined in the current zoning by-law. Before proceeding into the minor variance proposal, we offer a short background explanation as to why this deficiency appears to have occurred.

Background

In 2018, the owners, Mr. Christian Naud and Annie Naud, purchased the most westerly lot of four adjacent lots for sale on Notre Dame St. They engaged an architect to design what they believed would be their forever home. With respect to the interior house layout and design, the architect routinely consulted with Mr. and Mrs. Naud. The architect then finalized the construction drawings with engineers, grading plan, all to the satisfaction of the City for which a building permit was issued in the Fall of 2019. The architect delivered the approved plans and building permit to Mr. and Mrs. Naud and the architect no longer made himself available. The approved set of plans were then passed on to well-known and recommended local foundation contractor for construction.

We have tried to decipher what could have caused the deficiency if the approved plans were followed. Enclosed in [Appendix 1](#) is what we have uncovered with respect to the grading plan versions submitted to the City. It would appear that the 'preliminary' version of the grading plan, containing elevation errors, was wrongly stamped by the City as the SITE COPY. This appears to be the beginning of the error that was not identified and relayed to Mr. and Mrs. Naud. As a result, the garage floor is over a meter higher than it should have been resulting in a driveway slope of 17% at 6720 Notre-Dame St. as shown below.



6720 Notre-Dame St. – current as-built paved driveway

2024 Right of Way (ROW), Private Approach Permit Submission –Driveway slope, width, landscaping and snow melting system

It was only in August 2023 that the owners were made aware that their driveway slope and width were nonconforming. This being four(4) years after the foundation was completed and two years since they have moved into the house. They were instructed in late 2023 to produce an updated grading plan (over winter) and were directed to make an application to the Right of Way (ROW) department to resolve the driveway situation. A surveyor and engineer were hired in early Spring 2024 to produce a plan for the ROW submission and for compliance to the Private Approach By-law.

We worked with the ROW staff who informed the owners that the width of the driveway needed to be reduced, and the balance restored with soft landscaping with organic materials. In addition, due to the excessive slope, a snow-melting system would be required. The owners were obviously displeased with reduced width and added major expense of the snow melting system but were committed to resolving the driveway situation with the City. Sketches were prepared and quotes obtained for a concrete driveway with a snow melting system.

Minor Variance Requirement

We were then notified in late August 2024, by the ROW department, that a Minor Variance to the Zoning By-law would also be first required via the Committee of Adjustment. Thus, the following is respectfully submitted to the Committee for consideration for a minor variance.

The Four Tests

1. The Variance is Minor.

This request for a variance is due to an error in construction and nonetheless should be considered minor. This house/lot is a transition point between: (i) older houses, located on a historical mound, having steep driveways, and (ii) newer houses with flattened driveways, having excavated away the naturally existing mound. Therefore, it would have been expected that this transitional lot is impacted by the change in elevation, requiring retaining walls and a resulting driveway. Due to the existing mound, steep driveways have been a typical occurrence and have no adverse impact on adjoining neighbours.

2. The Variance is desirable for the appropriate development or use of the property.

The driveway is essential for family access to what is to be owner's forever home. The added City-required snow melting system will be considered an added feature and benefit for dealing with our winter weather.

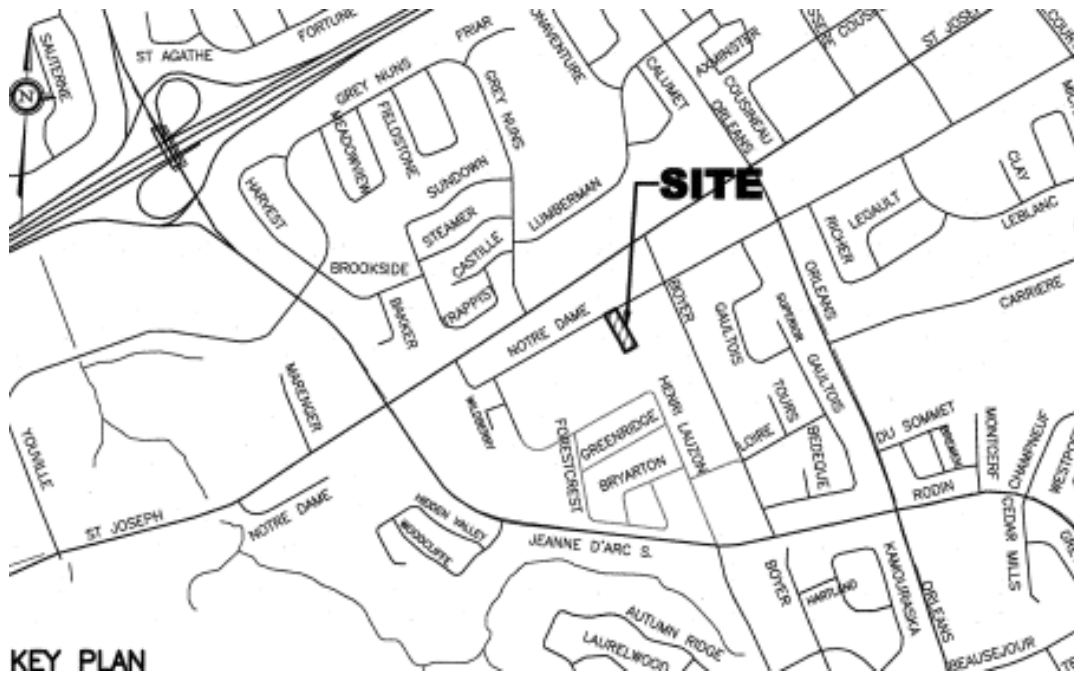
3. The Variance maintains the general intent and purpose of the Zoning By-law.

The intent of the current zoning is for development of detached dwellings which the home is. The regulations for driveway width, walkway width, retaining walls, soft landscaping, along with the grading plan are to ensure proper drainage in order not to negatively impact adjacent properties or roadway. We believe all this has been addressed for this property with the guidance of City staff.

4. The Variance maintains the general intent and purpose of the Official Plan.

The City's Official Plan speaks of a city made up of neighbourhoods and Villages. In fact, the owners chose Orleans for the construction of their new house for exactly that reason. Specifically, due to the village atmosphere and the walkable 15-minutes to shops, services and restaurants on St. Joseph Boulevard, being another Official Plan policy direction. Thus this variance makes the house functional so that the occupants/citizens can live healthy, safely and happily as per the intent of the Official Plan.

Siting Location – 6720 Notre-Dame St.



Character of Immediate Area

The property in question, 6720 Notre-Dame St., is located on the western section of Notre-Dame Street where there is an earth mound some 20-25 feet high. The subject property is in the center between the older wide lots, to the west, meet the newer narrower lots to the east.



Driveways West of Subject Property

The older houses, to the west of the subject property (as shown below), were built **on top of the mound** with wider lots to allow for a meandering steep driveway.



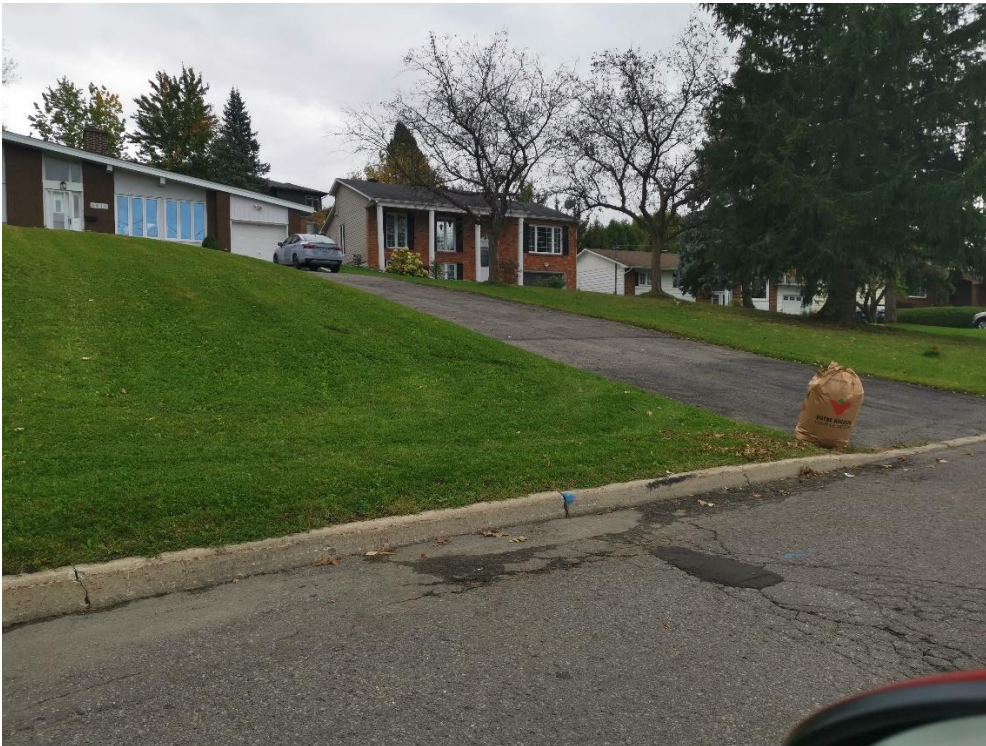
Note that the immediate neighbours to the west have similar and steeper driveways.



Immediate neighbour of subject property to the west - 6718 Notre-Dame St.



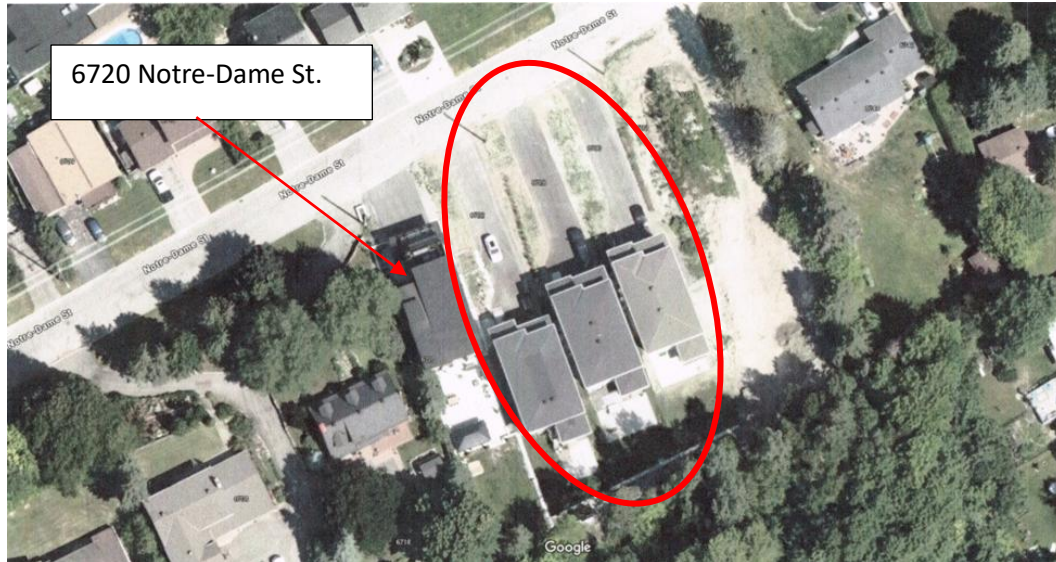
Second neighbour to the west of the subject property - 6708 Notre-Dame St.



Last house on mound to the west - 6674 Notre-Dame St.

Driveways East of Subject Property

The newer four(4) lots, the subject property being the most westerly of the four, were subdivided into narrow 36-38' wide lots. The three newer houses, built soon after the subject property, were required to recessed back. This required the excavation and removal of the historical natural earth mound and results in the creation of 110' long driveways.





Newer adjacent houses have 20' wide driveways which would appear to be an allowance for a 16' wide driveway and 4' walkway.

Zoning By-Law (No. 2008-250) & Minor Variance Request

Zoning By-law Provisions – Compilation

We have reviewed the Zoning By-law provisions and the following appear to be the nonconformities with respect to the Zoning By-Law (No. 2008-250):

i) Steep Driveways (Section 108)

- (1) The gradient of a driveway leading to:
Sentence 1(a)(i) More than one parking space where accessory to a detached dwelling.....must not exceed an average on 8%, when measured from the lot line to the lowest point of the face of the garage door.
- Sentence 1(b): The gradient of a driveway leading to more than one parking space, must not exceed that specified by the City of Ottawa Private Approach By-law⁽¹⁾

(1) Note:.. In consultation with the ROW department, the directive was to first obtain a minor variance to the Zoning By-Law provision of a maximum 8% gradient before resolving compliance with the Private Approach By-law.

ii) Location of Parking (Section 109)

- Sentence (4): despite 109(3), in R1, R2, R3.....where the use on the lot is a Detached Dwelling.....a person may park a motor vehicle permitted under Section 107.
- Sentence (3)(b): A walkway is permitted in any yard, provided that:
 - (i) the walkway does not exceed 1.8m in width; and
 - (ii) the walkway consists of hard landscaping.
- Sentence (3)(c): All portions of the front yard....not occupied by driveways, ..or permitted projections....or walkways must be landscaped with soft landscaping.

iii) Aisle and Driveway Provisions (Section 107)

- Sentence (3): Despite 107(2), in the case of a driveway providing access to a permitted parking space for a Detached Dwelling..... (other dwelling types):
 - (a) the driveway must have a minimum width of 2.6m;
 - (b) where a driveway is providing access to a permitted parking space located outside the front yard...it may be located in the front yard.....provided that:
 - (i) In the R1, R2, R3, R4 and R5 zones, no part of the driveway may be located between the front wall of the residential use building and the street; and
 - (ii) The driveway is not to exceed 50% of the area of the yard in which it is located.

Minor Variance Request - Items

A proposed plan has been prepared and included in the Minor Variance submission package. It shows the proposed driveway, walkway and soft landscaping.

Analysis of provisions is as follows:

1) Steep Driveways (Section 108)

A minor variance is requested to allow for a driveway gradient to exceed 8% for this house at 6720 Notre Dame.

(Note to Committee: The owner plan to install a snow melting system to address the steep slope and compliance with the Private Approach By-Law)

2) Aisle and Driveway Provisions (Section 107)

Driveway Area

Front yard area: W12.1m x D12.8m = 155 m² (1,668 ft²)

The driveway area: $W4.9m \times D12.8m = 62.72 \text{ m}^2$ (675ft²)

Therefore, the area of driveway does not exceed 50% of front yard ($62.72/155 = 40\%$) and thus complies with Section 107

3) Location of Parking (Section 109)

Sentence (3)(b): Walkway is not to exceed 1.8m. The walkway proposed is 1.2m and hard landscaping (i.e. concrete) thus complies.

Sentence (3)(c): Proposed plan is for all portions of the front yard to be soft landscaped⁽²⁾ that are not occupied by driveway, walkway or under deck projection will be soft landscaped. Thus complies with Section 109.

Conclusion of Zoning By-law Review

From our analysis of the Zoning By-Law (No. 2008-250) there is only one item that is outstanding for which that we would be seeking a Minor Variance. Specifically, a Minor Variance to allow the driveway gradient to exceed 8%, to the current gradient of 17%⁽¹⁾, for the existing house constructed at 6720 Notre Dame.

1. Following the advice of City Staff in the fall of 2024, it was advised to engage an engineer and submit the snow-melting system design for the driveway. After initially looking into an electrical system the owners have decided to move forward with a hydronic snow-melting system. The engineering plans were completed in mid-February 2025 and are included in Appendix 2 herein.

Note: In addition, City Staff also raised a question of a possible concern of the sight line when exiting the garage. The owners have been living in the house for over 2 years now and are adamant that they experience no issue with the sight line with any parked cars when exiting the garage. If one would visit the site, it would be observed that the drop-off from the garage is not very severe. A photo has been included in Appendix 3 to help visualize the respective garage and driveway levels.

2. Final Driveway and Soft Landscaping

Below is a landscaping plan and an attempt at a before-and-after artist rendition of the reduction of the driveway width, walkway and soft landscaping.

6720 NOTRE DAME
REQUEST FOR MINOR
VARIANCE FOR DRIVEWAY
SLOPE OF 17%.

LINE OF OVERHEAD DECK

SOFT LANDSCAPING

ACCESS DOOR

GARAGE DOOR

MAILBOX

STEPS

4'

17%

7'-6"

16'-0"
(4.9m)

4'-0"
(1.2m)

MAGNOLIA TREE

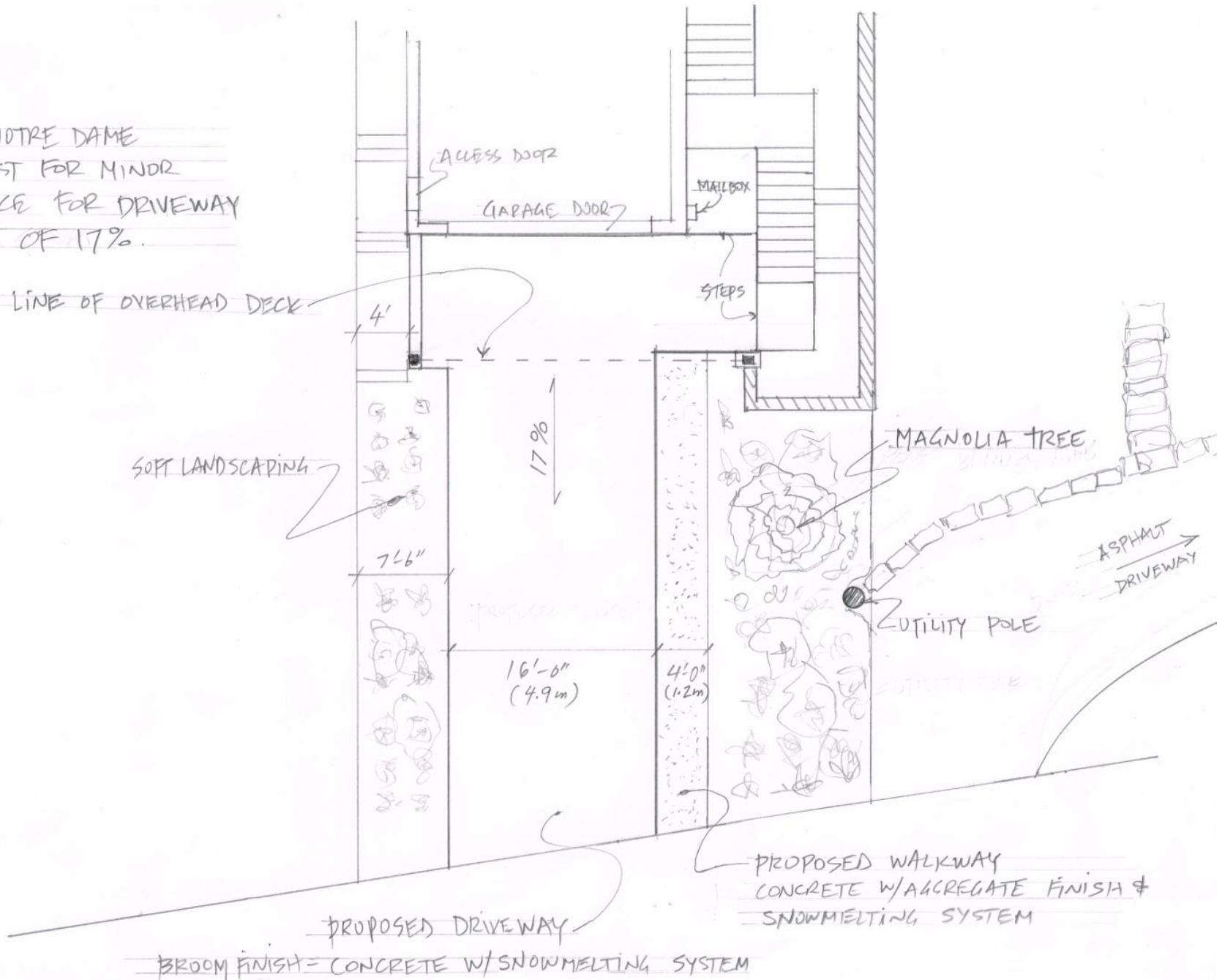
ASPHALT
DRIVEWAY

UTILITY POLE

PROPOSED DRIVEWAY

PROPOSED WALKWAY
CONCRETE W/AGGREGATE FINISH &
SNOWMELTING SYSTEM

BROOM FINISH = CONCRETE W/ SNOWMELTING SYSTEM





Current – Asphalt driveway full width.



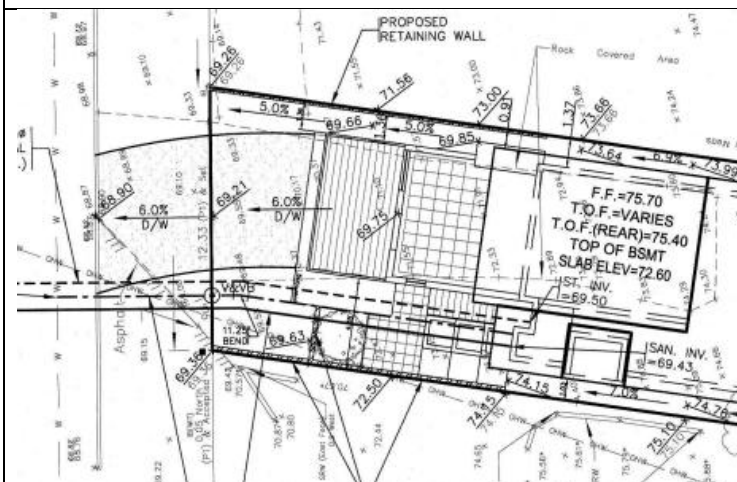
Proposed – Reduced width concrete driveway with saw cuts, separately designed walkway, both with snow melting system.

APPENDIX 1

Grading Plan Versions (Extracts)
Chronological Submissions and Error

Grading Plan(s) – Submissions to City for new house construction

Plan #1(03/08/19) – Plan shows first floor elevation at **75.70m** and garage level at **69.75m**.
(N.B.: A drop of 5.95m (19'-6") from first floor to garage floor did not line up with architectural drawings.)

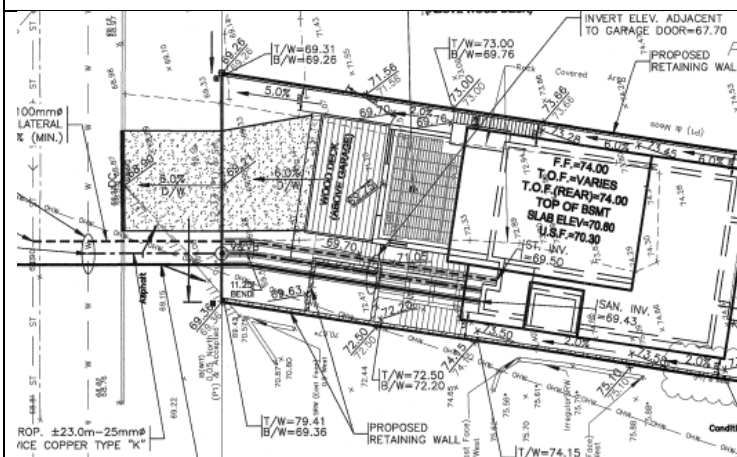


NO.	REVISION	DATE	BY
1	ISSUED FOR CITY PERMIT APPLICATION	03/08/19	TLM

Plan revisions #2 and #3 (07/26/19) – Shows first floor elevation correction to **74.00** elevation (1.7m(5'-9") drop.

(N.B.: This plan also shows (i) a retaining wall along 3 sides of property, (ii) highlighted City drainage note and (iii) notice for Private Approach Permit.)

Note that the owner and contractor were never shown or made aware this plan.)



NO.	REVISION	DATE	BY
3	INSULATIONS ADDED FOR PROPOSED BUILDING SERVICE LATERALS	07/26/19	TLM
2	REVISIONS AS PER CITY'S COMMENTS OF APRIL 18, 2019 AND REVISED SITE PLAN OF MAY 23, 2019	06/20/19	TLM
1	ISSUED FOR CITY PERMIT APPLICATION	03/08/19	TLM

City of Ottawa
Development Review Branch
Grading & Servicing Reviewed
Name: Adam Baker, EIT
Signed: *Adam Baker*
Date: August 8, 2019

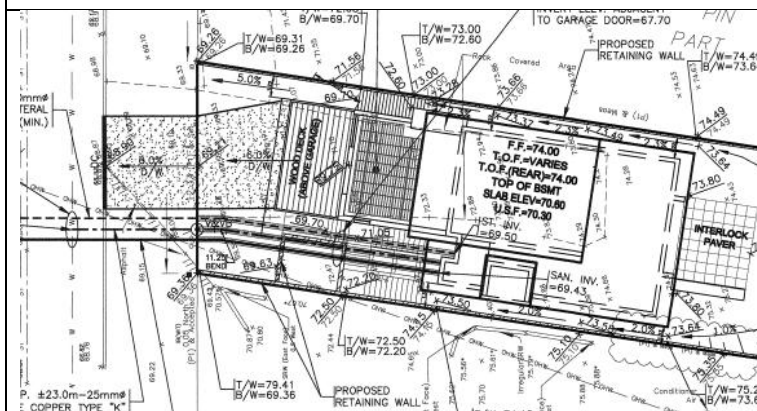
**MATCH EXISTING ELEVATIONS WITH
ABUTTING PRIVATE PROPERTY**
**NO EXCESS DRAINAGE TO BE DIRECTED
TOWARDS ADJACENT PROPERTIES**

**RAINWATER DISCHARGE FROM EAVESTROUGH AND ROOF OVERFLOW (SCUPPERS)
SHALL BE 1.5m FROM ALL PROPERTY LINES AND NOT DIRECTED TOWARDS ADJACENT
PROPERTIES. ALL ROOF RUNOFF TO BE DIRECTED TOWARDS THE STREET.**

Notice to Owner / Contractor

Any proposed entrances or changes to existing entrances require a Private Approach Permit under the Private Approach By-Law No. 2003-447. Contact 580-2424 ext. 16000 for required permits.

Plan #4 (07/21/19)– Further revisions by architect. (Not clear what changes/edits were made.)

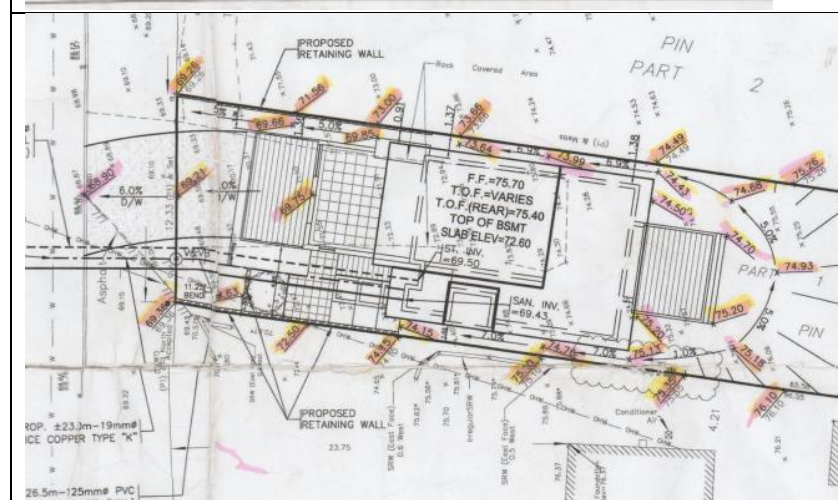


NO.	REVISION	DATE	BY
4	REVISIONS AS PER OWNER'S HOUSE DESIGNER'S COMMENTS OF JULY 30, 2019	07/31/19	TLM
3	INSULATIONS ADDED FOR PROPOSED BUILDING SERVICE LATERALS	07/26/19	TLM
2	REVISIONS AS PER CITY'S COMMENTS OF APRIL 18, 2019 AND REVISED SITE PLAN OF MAY 23, 2019	06/20/19	TLM
1	ISSUED FOR CITY PERMIT APPLICATION	03/08/19	TLM

City-stamped SITE COPY (Mar 27, 2019) – Unfortunately, preliminary Grading Plan #1 was stamped by City as Site Copy to be used on-site by contractor for foundation installation. The excavation/foundation contractor appears to have focused on the first floor elevation which was wrongly shown as 75.70m (Plan #4 shows 74.00m elev.). Thus resulting in garage too high (by ~1.4 m) and increased driveway slope.

N.B.: The owner only recently became aware of this non-compliance (August 2023).

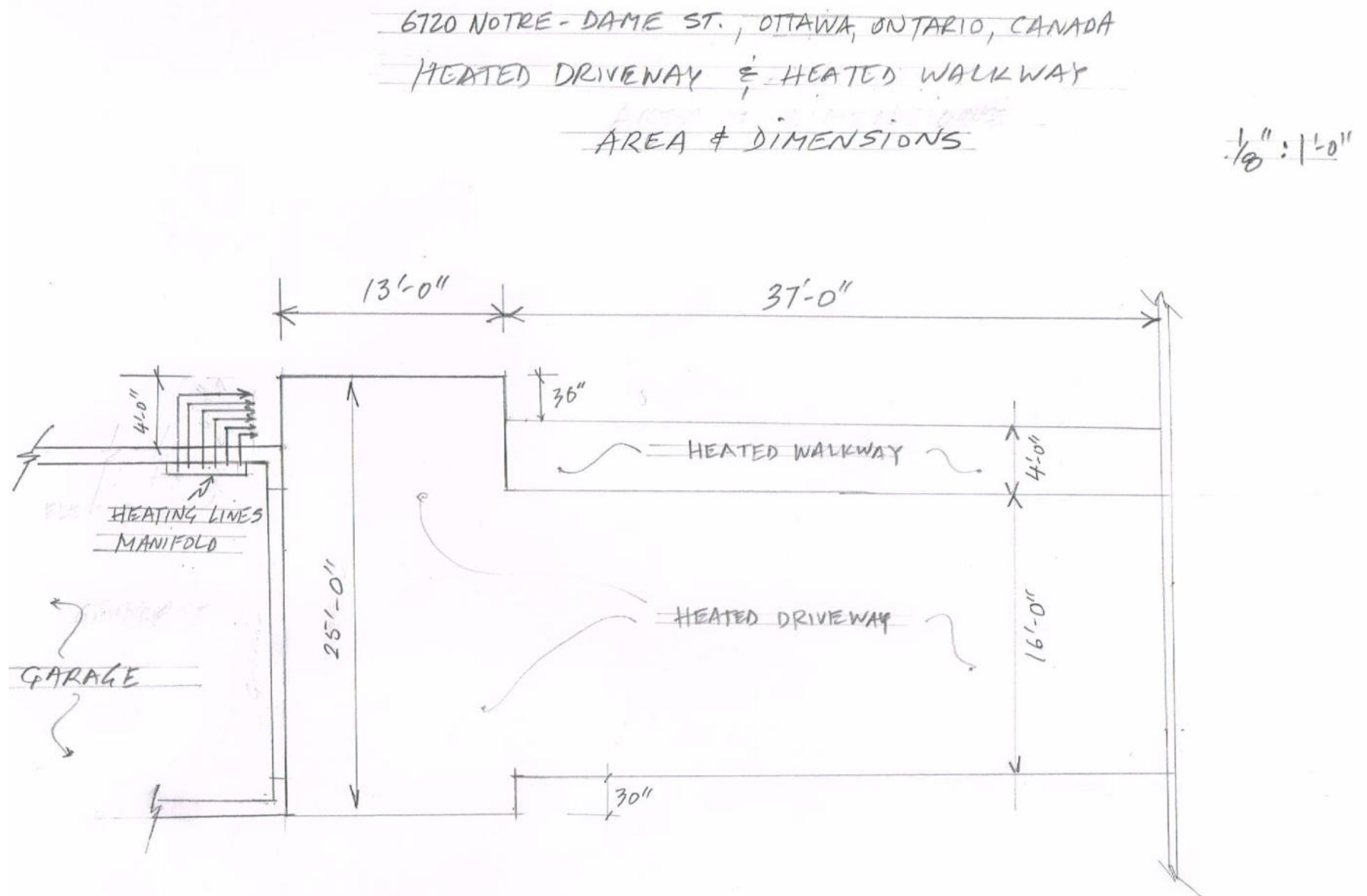
NO.	REVISION	DATE	BY
1	ISSUED FOR CITY PERMIT APPLICATION	03/08/19	TLM

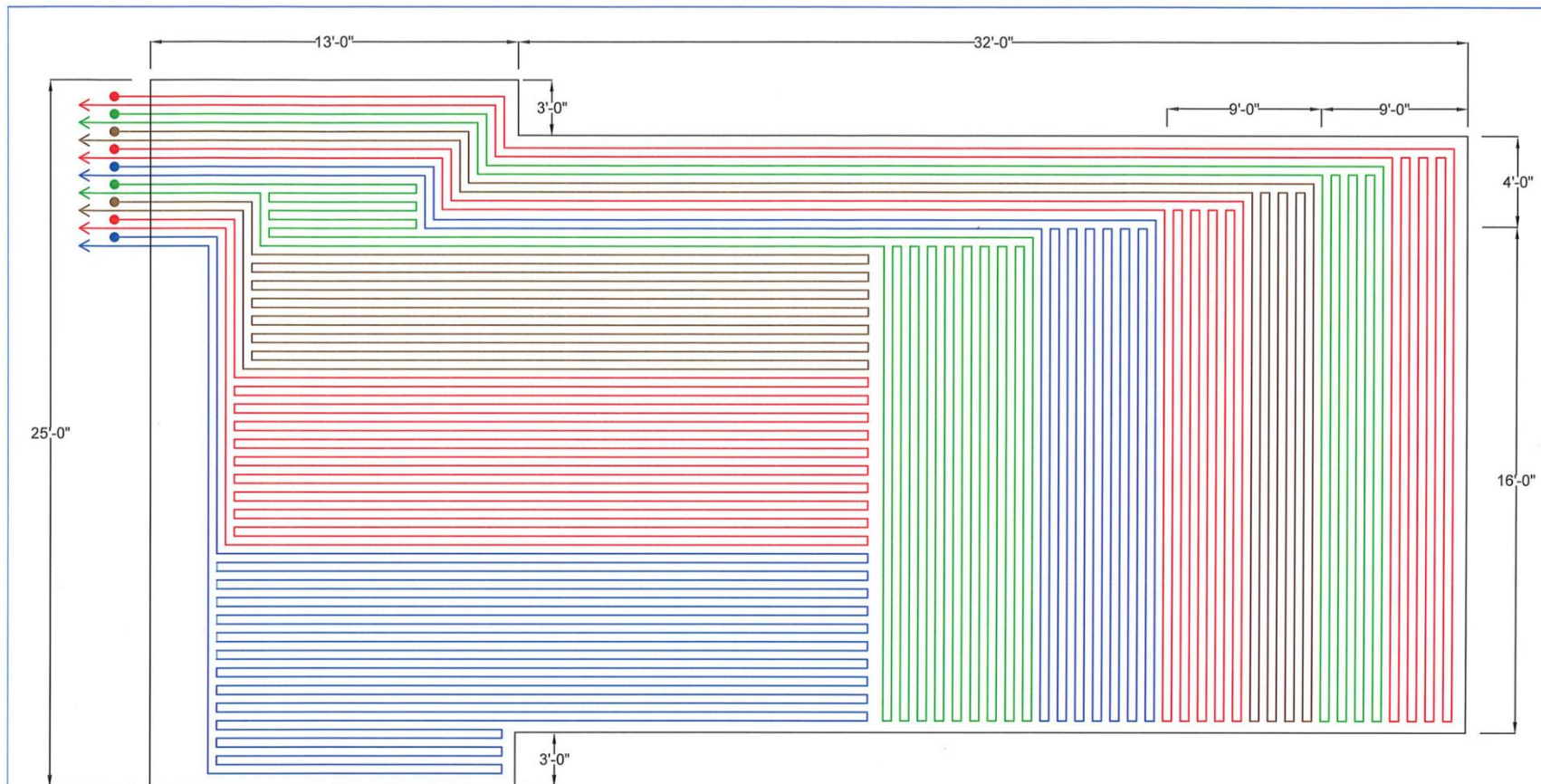


Appendix 2

New Driveway Hydronic Snow Melting System to Be Installed

Drawing of driveway area and dimensions sent to mechanical engineer for design.





- 199000 BTU BOILER COMBI
- 200 WATTS GRUNDFOS 26-99
- $\frac{5}{8}$ " PEX A TUBING AT 6" SPACING
- TOTAL 9 LOOPS, EACH LOOPS SHOULD NOT EXCEED 250 TO 280 FT IN LENGTH.
- SLAB SENSOR (SNOW SENSOR)
 - TEKMAR 654 tN2 SNOW MELT CONTROL
 - 090 SENSOR
 - 091 SENSOR SOCKET
- EXPANSION TANK 60
- 1 BREAKER 15 AMPS
- GLYCOL RESERVOIR FEEDER (15-18 GALLONS / MINUTES)
- PROPYLENE GLYCOL 40%
- STYROFOAM 2" HI-40
- WIREMESH 6" x 6"

Bélanger

BELANGER CONSTRUCTION (1981) INC.
CHELMSFORD, ON
P.ENG OF ONTARIO 11571231

• ALL DIMENSIONS ARE IN MILLIMETERS
UNLESS OTHERWISE NOTED.

GENERAL NOTES:

1. ALL LOCATIONS & DIMENSIONS ARE
APPROXIMATE. FIELD VERIFY PRIOR
TO WORK.

NO.	ISSUE / REVISION	DATE
R0	FOR APPROVAL	11 FEB, 2025

PROJECT: ..

6720 NOTRE DAME,
OTTAWA

DRAWING:


HEATING DRIVEWAY
& SIDEWALK

SCALE	N.T.S
DESIGN	RB
DRAWN	DR
CHECKED	RB
RMB JOB #	CDD10-31
DWG #	01

PROFESSIONAL STAMP



Snow Melting System – Components



[Tankless Water Heaters](#)
[Home Heating](#)
[Electric Water Heating](#)
[New at Rinnai](#)
[Find a Rinnai P](#)

Residential > RX199iN

RX199iN


RX Model Series

Super High Efficiency Plus [View Energy Guide](#)




The SENSEI™ RX199iN condensing tankless water heater from Rinnai is only the size of a small suitcase, uses either Natural Gas or Propane, and can be installed indoors or outdoors using the Versa-Vent™ accessory. Rinnai SENSEI RX Series tankless water heaters last up to twice as long as tanks and have twice the warranty length. Plus, they save energy by heating water only when it is needed.


- Uniform Energy Factor (UEF): 0.98
- 15,000 BTU/H (minimum)
199,000 BTU/H (maximum)
- Warranty
- Indoor or Outdoor







Up to twice the
lifespan of most
tanks



Never run out
of hot water



Compact size
fit every spac



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PERFORMANT

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- Designed in Canada

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Snow Melting Controls



Products : Plumbing & Flow Control Solutions : Hydronic & Steam Heating : Expansion Tanks : ETX

ETX-60



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APPENDIX 3

Driveway Sight Line

Example of sight line from garage with typically parked vehicle on driveway

