

2025-05-14



MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2
PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 121 James Cummings
Legal Description: Part of Lot 11 Concession 1 (Ottawa Front) Geographic Township of Nepean, Part of the Bed of Ottawa River
File No.: D08-02-25/A-00091
Report Date: May 14, 2025
Hearing Date: May 20, 2025
Planner: Elizabeth King
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: R1E

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **requests an adjournment of** 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 have noted that an additional variance is required for an increased driveway width where the Zoning By-law permits a maximum driveway width of 6 metres, or revised plans demonstrating zoning compliance.

Staff are satisfied that the requested minor variance for the front yard setback meets the “four tests” and Staff have no concerns with this variance.

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.

- 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.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.

Planning Forestry

This site had a previously approved building permit in 2023, including tree permits for the removal of 2 trees on the condition that 6 replacement trees would be planted. The applicant is responsible for implementing the planting plan by Dendron Forestry, dated March 12, 2025, following construction. There are no tree-related concerns with the requested front yard variance.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Applications. From the plans, there is a new driveway leading to a garage. The property is located in Schedule 342/342 and is limited to a maximum driveway width of 6m in the Zoning By-law. To keep the 7m wide driveway, they will need another minor variance. Once the approved driveway width is finalized, a Private Approach permit will be required. A Private approach permit is required to construct any newly created or modified driveway/approaches or close redundant approaches. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](https://www.ottawa.ca/en/transportation-and-infrastructure/driveways) to submit a Private Approach application.



Elizabeth King
Planner I, Development Review All Wards
Planning, Development and Building
Services Department



Erin O'Connell
Planner III, Development Review All Wards
Planning, Development and Building
Services Department