

2026-01-29

City of Ottawa | Ville d'Ottawa
Comité de dérogation



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 1570 River Road
Legal Description: Part of Lot 8, Concession 1, Geographic Township of Osgoode
File No.: D08-01-25/B-00292 & D08-02025/A-00280
Report Date: April 29, 2025
Hearing Date: May 06, 2025
Planner: Shoma Murshid
Official Plan Designation: Rural Transect, Rural Countryside
Zoning: RR2 with Floodplain overlay

DEPARTMENT COMMENTS

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

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(s) meet(s) the “four tests”.

ADDITIONAL COMMENTS

Building Code Services

1. That the Owner(s) satisfy the Chief Building Official, or designate, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed severance the existing building on Part 2 on Draft 4R PLAN shall comply with the Ontario Building Code, O. Reg. 163/24 as amended,

in regards to the limiting distance along the North property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.

2. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review Manager, Planning, Real Estate and Economic Development Department, or designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply with 7.1.5.4(1) of the Ontario Building Code, O. Reg. 163/24 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.

Infrastructure Engineering

No comments

Planning Forestry

Through pre-consultation, it was confirmed that there are no impacts to protected trees associated with the requested severance.

The owners should refer to the Planning around trees page for guidance on working around trees on the subject and adjacent sites. In particular, the Tree Protection Specification should be implemented when working near trees to be retained.

Right of Way Management

Right-of-Way Management Department has no concerns with the proposed Minor Variance Application or Consent Application. The owner shall be made aware however, that a private approach permit is required to construct any new entrance, as well as to modify or close an existing entrance that becomes redundant. If the lots are developed in the future, a Private Approach Permit is required for the newly severed lot. If the new lot requires access to the property before they are developed, we can offer a Temporary Private Approach permit which can be formalized into a permanent Private Approach permit at a later date once their Building Permit has been issued. The owner must contact the ROW Department for further information at

Transportation Engineering

Please note River Road has a right of way (ROW) protection of 30m per Schedule C16 of the Official Plan.

CONDITIONS

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

1. That the Owner(s) provide proof, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, that each existing parcel has its own well, independent private sewage system, and storm/foundation drainage and that they do not cross the proposed severance line. If the systems do cross, 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, at their own cost, to relocate the existing systems or construct new systems.
2. That the Owner(s) provide a Hydrogeological and Terrain Analysis report, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. The report shall be prepared by a licensed Professional Geoscientist (P.Geo.) or Professional Engineer (P.Eng.) and be in accordance with the City of Ottawa's council-approved Hydrogeological and Terrain Analysis Guidelines (March, 2021), as amended. The reporting must provide sufficient information with the application to demonstrate:
 - That sufficient quantity of groundwater exists on the site to service the development,
 - That the quality of the groundwater meets or exceeds the drinking water standards and guidelines referenced in the City's council-approved Hydrogeological and Terrain Analysis Guidelines (March, 2021), as amended, and
 - That the operation of sewage systems on the lots will not adversely impact on wells to be constructed or on the wells of neighboring properties.

Where groundwater water quantity or quality are considered marginal, as many as one test well per lot may be required to demonstrate the adequacy of the aquifer to support the proposed development. Technical Pre-Consultation with the City's Hydrogeological staff is highly recommended for sites where quantity or quality are marginal, where dug wells are contemplated, or where the site is likely to be hydrogeologically sensitive.

If the accepted report recommends specific mitigation measures or design requirements,

the Owner(s) shall enter into a Development Agreement with the City, at the expense of the Owner(s), to include those recommendations and such agreement shall be registered on title. In instances where the subject site is hydrogeologically sensitive, the drilling of a well and/or the conveyance of a 30-centimetre reserve may be required to ensure that the measures are implemented in accordance with the recommendations of the approved hydrogeological reporting. Both the report and any required Development Agreement shall be prepared to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

3. That the Owner(s) enter into an Agreement with the City, at the expense of the Owner(s), which is to be registered on title to deal with the following covenant/notice that shall run with the land and bind future owners 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 property is located next to lands that have an existing source of environmental noise (arterial road) and may therefore be subject to noise and other activities associated with that use.”

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



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