



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 3458 March Road  
Legal Description: Part 2 on Plan 5R-1582, former Township of West Carleton  
File No.: D08-01-26/B-00008-00009  
D08-01-26/A-00006-00008  
Report Date: February 11, 2025  
Hearing Date: February 17, 2025  
Planner: Elizabeth King  
Official Plan Designation: Rural Transect, Rural Countryside and Greenspace, Natural Heritage Systems Overlay  
Zoning: RU and EP3



**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has some concerns with** the applications.

**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 and are not satisfied with variance (c) for reduced lot width.

Staff have concerns with variance (c) for a reduced lot width of 21 metres on the retained lands (Part 3) because the lot width will functionally be reduced to 6 metres to access the development area. The intent of the lot width requirement of 50 metres to create uniform lots and provide functional access within the Rural Transect. Staff note that this is not consistent with other rural properties and would create an irregular lot configuration.

The subject property is in an identified Natural Heritage Overlay and Provincial Significant Wetland identified in Schedule C11 of the Official Plan. No development or lot

creation is permitted in a significant wetland, and any development must be located outside the required 30 metre setback. Staff also note that while Part 3 has 94 metres of frontage along March Road, no access can be provided due to the significant wetlands.

Staff have no concerns with variance (a) for the reduced setback for the accessory structure provided that the Applicant provides proof the addition is demolished, or relocated in conformity, as a condition of approval.

## **ADDITIONAL COMMENTS**

### **Infrastructure Engineering**

- 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**

City-owned trees are protected within the rural area. It appears from imagery that there may be City trees in the vicinity of the access points to the proposed severances. A survey is needed to determine the ownership of trees in the vicinity of the Right of Way; if any are City-owned, a TIR is required to determine any impacts associated with the severance.

### **Right of Way Management**

The Right-of-Way Management Department has no concerns with the proposed Minor Variance Applications to permit reduced interior yard setback and reduced lot widths.

The Right-of-Way Management Department has no concerns with the proposed Consent Applications to sever the property into three separate parcels of land. The parcel PART1 which will be known as 3458 March Road will retain the existing dwelling with detached garage and keep the existing private approach. The two other parcels; PART2 and PART 3 will be vacant. When the time comes, any new entrance to the vacant lots will require a private approach permit. Please note, a vacant lot prior to development can only be issued as a Private Approach Temporary Access permit.

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.

### **Transportation Engineering**

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

### **Environmental Planning**

Staff have reviewed the Environmental Impact Study (EIS) and accept the report's conclusion that no negative impacts to protected natural features will occur because of the proposed development.

Staff note that the loss of interior forest space is regrettable. However, the Natural Heritage Reference Manual has specific size requirements for interior forest space to be considered significant. The EIS demonstrates that the loss of interior forest space due to development does not constitute such an impact as to remove the significance and therefore does not result in a 'negative impact' per City policies.

The proposed dwellings are in as least a harmful a location as possible, given the constraints on the land. Overall, this severance isn't great for the environment, but it is still a reasonable request.

Staff note that the approval is conditional based on the houses are located in as least a harmful a location as possible, given the constraints on the land. Overall, this severance isn't great for the environment, but it is still a reasonable request and therefore should be approved. A condition as been recommended to reflect this.

## CONDITIONS

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following conditions on the applications:

1. That the Owner(s) enter into an Agreement with the City, to the satisfaction of the Manager of the Development Review All Wards Branch, or their designate, to be registered on the title of the property that includes the development envelope(s) and mitigation measures identified in the "Environmental Impact Study (EIS) & Tree Information Report" provided by BCH Environmental Consulting Inc. and dated December 23, 2025.
2. 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 the addition to the accessory structure has been demolished in accordance with the demolition permit if required or relocated in conformity with the Zoning By-law.
3. That the Owner/Applicant(s) provide a survey to determine ownership of trees in proximity to the March Road Right of Way to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. This may require confirmation from the arborist in addition to the survey. If the identified trees are determined to be City-owned, the owner/applicant(s) shall provide a Tree Information Report detailing any impacts to City-owned trees related to the proposed severances.
4. 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.

5. 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.

6. That the Owner(s) enter into an Agreement(s) 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 City of Ottawa has identified that there are potential thin soils and karst topography within the area that may require site specific detailed geotechnical engineering solutions to allow for development, 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 (March 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.

7. That the Owner provide a Geotechnical Study, prepared by a Professional Civil Engineer, licensed in the Province of Ontario, demonstrating the following:
  - a. That all parcels to be created by this application are or can be made suitable for residential purposes (slope stability, erosion protection, and building limits adjacent to slopes),
  - b. That there are no adverse environmental impacts, and
  - c. The Geotechnical Study shall, as a minimum, determine the limit of organic soils/karst topography/sensitive marine clays present on the severed parcel and provide recommendations for construction methods based on the soil types encountered.

The study shall be to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

8. Pursuant to clause 51 (25) (c) of the *Planning Act* and Schedule C16 of the City’s Official Plan, the Owner conveys to the City, at no cost to the City, an

unencumbered road widening across the complete March Road frontage of the lands, measuring 15 meters from the existing centerline of pavement. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee shall be provided written confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.

9. 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, Future part 1, on plan 5R-1582 shall comply with the Ontario Building Code, O. Reg. 163/24 as amended, in regards to the limiting distance along the new proposed south west property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.



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