

2026-01-08



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 100 Argyle Avenue
Legal Description: Lot 3 and Part of Lot 4, registered Plan 30
File No.: D08-02-25/A-00253
Report Date: January 8, 2026
Hearing Date: January 14, 2026
Planner: Penelope Horn
Official Plan Designation: Downtown Core Transect, Evolving Neighbourhood Overlay, Neighbourhood Designation, Central and East Downtown Core Secondary Plan
Zoning: GM5 [2694] H (38)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development 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 variances a) and b), listed below meet the “four tests”. Staff recommend that the list of variances be modified in accordance with the list below, for clarity.

- a) To permit an increased building height of 38.3 metres, whereas the By-law requires a maximum building height of 38 metres.
- b) To permit an enclosed rooftop space as a permitted projection, whereas the By-law does not permit an enclosed rooftop space as a permitted projection.
- c) ~~To permit an enclosed rooftop space despite the definition of a storey, whereas the By-law does not permit an enclosed rooftop space under the definition of a storey.~~

ADDITIONAL COMMENTS

Planning Forestry

There are no tree-related concerns with the requested height variance. A tree permit was issued with the Site Plan and the applicant must plant 2 trees following construction in accordance with the approved Landscape Plan.

Right of Way Management

The Right of Way Management Department has **no concerns** with Minor Variance Application. However, the Owner shall be made aware that a private approach permit is required for any modifications or alterations to the current size of the approach. For further information, contact the Right-of-Way Management Department at rowadmin@ottawa.ca or visit the City of Ottawa's Driveways webpage [Driveways | City of Ottawa](#) to submit the Private Approach application.

Transportation Engineering

Comments were provided through review of this development's associated Transportation Impact Assessment, which was circulated through the Transportation Project Manager.



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