



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 190 Archie Street  
Legal Description: Lot 3, Registered Plan 4M-673  
File No.: D08-02-26/A-00025  
Report Date: April 02, 2026  
Hearing Date: April 07, 2025  
Planner: Wendy Yang  
Official Plan Designation: Rural Transect, Greenspace Designation, Village of Constance Bay Secondary Plan – Village Residential Designation, Natural Heritage Overlay  
Zoning By-Law 2008-250: V1H[615r]  
Zoning By-Law 2026-50: V1H[615r]

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services 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 minor variance(s) meet(s) the “four tests”.

**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.

**Planning Forestry**

- There are no tree-related impacts associated with the variances requested as this is to regularize an existing condition.

- A Tree Information Report and tree permit application is required for work that would necessitate removal of any trees within the right-of-way.
- The owners should refer to the Planning around trees page for guidance on working around their trees. In particular, the Tree Protection Specification should be implemented when working around trees to be retained.

### Right of Way Management

- The Right-of-Way (ROW) unit has identified the existing asphalt private approach is 10.4m wide, where by the Private Approach By-law is limited to maximum 9m wide. The ROW unit will allow the existing 10.4m private approach to remain but it is not permitted to be expanded any further. Only the driveway on private property can expand the full width.



---

Wendy Yang  
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