



## Committee of Adjustment

### Panel 1

Wednesday, May 15, 2024

1:00 PM

Ben Franklin Place, The Chamber, Main Floor, 101 Centrepointhe Drive, and by electronic participation

The hearing can be viewed on the Committee of Adjustment [YouTube](#) page. For more information, visit [Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by calling the Committee information number at least 72 hours in advance of the hearing.*

Coordinator: [Sarah Shuel](#)

#### Panel Members:

Chair: Ann M. Tremblay

Members: John Blatherwick, Simon Coakeley, Arto Keklikian, Sharon Lécuyer

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CALL TO ORDER

OPENING REMARKS

DECLARATIONS OF INTEREST

CONFIRMATION OF MINUTES

ADJOURNMENT REQUESTS

HEARING OF APPLICATIONS

1. **282 Loretta (Ward 15 - Kitchissippi)**
  - 1.1 **D08-01-24/B-00062 - 00064**
  - 1.2 **D08-02-24/A-00083 - 00085**

**Consent & Minor Variance Applications**

(1942037 Ontario Inc.)

To subdivide the property into three parcels for the construction of three detached dwellings all with reduced lot widths, lot areas, increased building height, attached garages and driveways facing the street.

(Agent: A. Bruni)

2. **80 Fourth (Ward 17 - Capital)**  
**D08-02-24/A-00088**

**Minor Variance Application**

(Evan Potter)

To permit a coach house with increased building height.

(Agent: A. Bisson)

3. **155, 157 Geoffrey (Ward 15 - Kitchissippi)**  
**D08-01-24/B- 00059**

**Consent Application**

(Andrew Davey and Dawn Millions)

To subdivide the property into two separate parcels to create separate ownership for each half of the semi-detached dwelling currently under construction.

(Agent: D. Bekkers)

4. **267 Ste-Anne (Ward 12 - Rideau-Vanier)**  
**D08-02-24/A-00078**

**Minor Variance Application**

(Benyamin Javanmardi)

To permit a three-storey, 8-unit apartment building with reduced lot width, lot area, front and rear yard setbacks and entrances located on the side of the building.

(Agent: K. El-Sarji)



5. **648, 648A O'Connor (Ward 17 - Capital)**  
**D08-02-24/A-00086 - 00087**

**Minor Variance Applications**

(Asif Ahmed and Jennifer Hannaberry)

To permit a reduced rear yard setback and rear yard area for the construction of an addition at the rear of the existing semi-detached dwellings.

6. **275 MacLaren (Ward 14 - Somerset)**  
**D08-02-23/A-00315**

**Permission Application**

(National Association of Friendship Centres)

To permit a one-storey addition at the rear of the existing building.

(Agent: A. Teramura)

7. **113 Northwestern (Ward 15 - Kitchissippi)**  
**D08-02-24/A-00094**

**Minor Variance Application**

(Ibukunoluwa Ajila)

To construct a two-storey detached dwelling with a double width garage and driveway and a balcony with no opaque screening.

(Agent: M. Pranger)

**OTHER BUSINESS**

**ADJOURNMENT**



## Comité de dérogation

### Groupe 1

le mercredi 15 mai 2024

13 h 00

Place-Ben-Franklin, salle du Conseil, premier étage, 101, promenade CentrepoinTE, et participation par voie électronique

L'audience pourra être visionnée sur la chaîne YouTube du Comité de dérogation. Pour en savoir plus, allez au [Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande par téléphone auprès du service d'information du Comité au moins 72 heures à l'avance.*

Coordonnatrice : Sarah Shuel

#### Membres du Groupe:

Présidente: Ann M. Tremblay

Membres: John Blatherwick, Simon Coakeley, Arto Keklikian, Sharon Lécuyer

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APPEL NOMINAL

MOT D'OUVERTURE

DÉCLARATIONS D'INTÉRÊT

RATIFICATION DU PROCÈS-VERBAL

DEMANDES D'AJOURNEMENT

AUDIENCE DES DEMANDES

1. **282 Loretta (Quartier 15 - Kitchissippi)**
  - 1.1 **D08-01-24/B-00062 - 00064**
  - 1.2 **D08-02-24/A-00083 - 00085**

**Demandes d'autorisation et de dérogations mineures**

(1942037 Ontario Inc.)

Lotir la propriété en trois parcelles pour la construction de trois maisons isolées, toutes ayant une largeur et une superficie de lot réduites, une hauteur accrue, un garage attenant et une entrée de cour donnant sur la rue.

(Agent: A. Bruni)

2. **80 Fourth (Quartier 17 - Capitale)**  
**D08-02-24/A-00088**

**Demande de dérogation mineure**

(Evan Potter)

Permettre la construction d'une annexe résidentielle d'une hauteur de bâtiment accrue.

(Agent: A. Bisson)

3. **155, 157 Geoffrey (Quartier 15 - Kitchissippi)**  
**D08-01-24/B- 00059**

**Demande d'autorisation**

(Andrew Davey et Dawn Millions)

Lotir la propriété en deux parcelles distinctes afin d'établir un titre de propriété distinct pour chaque moitié de la maison jumelée en cours de construction.

(Agent: D. Bekkers)

4. **267 Ste-Anne (Quartier 12 - Rideau-Vanier)**  
**D08-02-24/A-00078**

**Demande de dérogation mineure**

(Benyamin Javanmardi)

Permettre un immeuble de huit logements sur trois étages, sur un lot de largeur et de superficie réduites, avec des marges de recul avant et arrière réduites et des entrées situées sur les côtés de l'immeuble d'habitation.

(Agent: K. El-Sarji)

5. **648, 648A O'Connor (Quartier 17 - Capitale)**  
**D08-02-24/A-00086 - 00087**

**Demandes de dérogation mineure**

(Asif Ahmed et Jennifer Hannaberry)

Permettre la réduction de la marge de recul et de la superficie des cour arrière pour la construction d'un rajout à l'arrière des habitations jumelées existantes.

6. **275 MacLaren (Quartier 14 - Somerset)**  
**D08-02-23/A-00315**

**Demande de permission**

(National Association of Friendship Centres)

Permettre un rajout de plain-pied à l'arrière du bâtiment existant.

(Agent: A. Teramura)

7. **113 Northwestern (Quartier 15 - Kitchissippi)**  
**D08-02-24/A-00094**

**Demande de dérogation mineure**

(Ibukunoluwa Ajila)

Construire une maison isolée de deux étages avec un garage et une entrée de cour de double largeur, ainsi qu'un balcon sans écran opaque.

(Agent: M. Pranger)

**AUTRES QUESTIONS**

**AJOURNEMENT**

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Consent and Minor Variance Applications

#### Panel 1

**Wednesday, May 15, 2024**  
**1 p.m.**

**Ben Franklin Place, Main Floor Chamber, 101 CentrepoinTE Drive  
and by videoconference**

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File Nos.:** D08-01-24/B-00062 to D08-01-24/B-00064  
D08-02-24/A-00083 to D08-02-24/A-00085

**Application(s):** Consent under section 53 of the *Planning Act*  
Minor Variance under section 45 of the *Planning Act*

**Owner(s)/Applicant(s):** 1942037 Ontario Inc.

**Property Address:** 282 Loretta Avenue

**Ward:** 15 - Kitchissippi

**Legal Description:** Lot 11 (West Loretta Avenue), Registered Plan 146

**Zoning:** R2R

**Zoning By-law:** 2008-250

#### **APPLICANT(S)'S PROPOSAL / PURPOSE OF THE APPLICATIONS:**

The Owner wants to subdivide their property into three separate parcels of land for the construction of three detached dwellings. The existing dwelling will be demolished.

## CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owner requires the Committee's consent to sever land, grants of easements/rights of way and a joint use maintenance agreement. The property is shown as Parts 1 to 6 on a Draft 4R-Plan filed with the applications and the separate parcels will be as follows:

*Table 1 Proposed Parcels*

File No.	Frontage	Depth	Area	Part No.	Municipal Address
B-00062	6.10 m	42.68m	259.9 sq. m	1	280 Loretta Avenue
B-00063	6.10 m	42.68 m	260.5 sq. m	2, 3 & 4	282 Loretta Avenue
B-00064	6.09 m	42.68 m	260.8 sq m	5 & 6	284 Loretta Avenue

It is proposed to establish easements/rights-of way as follows:

- Easement over Part 2 in favour of Part 1 for access and maintenance.
- Easement over Part 4 in favour of Parts 5 and 6 for access and maintenance.
- Easement over Part 5 in favour of Parts 2, 3 & 4 for access and maintenance.

Approval of these applications will have the effect of creating separate parcels of land which along with the proposed development will not be in conformity with the requirements of the Zoning By-law and therefore, minor variance applications (File Nos.D08-02-24/A-00083 to –D08-02-24/A-0085) have been filed and will be heard concurrently with these applications.

## REQUESTED VARIANCES:

The Owner/Applicant requires the Committee's authorization for minor variances from the Zoning By-law as follows:

### **A-00083: 280 Loretta Avenue, Part 1 on 4R-Draft:**

- a) To permit a reduced lot width of 6.10 metres, whereas the By-law requires minimum lot width of 9.0 metres.
- b) To permit a reduced lot area of 259.9 square metres, whereas the By-law requires a minimum lot area of 270 square metres.

- c) To permit a maximum height of 10.2 metres, whereas the By-law requires a maximum height of 8.5 metres.
- d) To permit a front-facing attached garage, whereas the By-law does not permit a front-facing attached garage based on the conclusions of a Streetscape Character Analysis.
- e) To permit the garage door to be 8.9 metres closer to the front lot line than the principal entrance, whereas the By-law requires the garage door to be 0.6 metres further from the front lot line than the principal entrance.
- f) To permit a 2.6 metre single driveway, whereas the By-law does not permit a driveway from the street based on the conclusions of a Streetscape Character Analysis.

**A-00084: 282 Loretta Avenue, Parts 2, 3 & 4 on 4R-Draft:**

- g) To permit a reduced lot width of 6.10 metres, whereas the By-law requires a minimum lot width of 9.0 metres.
- h) To permit a reduced lot area of 260.5 square metres, whereas the By-law requires a minimum lot area of 270 square metres.
- i) To permit a maximum height of 10.2 metres, whereas the By-law requires a maximum height of 8.5 metres.
- j) To permit a front-facing attached garage, whereas the By-law does not permit a front-facing attached garage based on the conclusions of a Streetscape Character Analysis.
- k) To permit the garage door be 8.9 metres closer to the front lot line than the principal entrance, whereas the By-law requires the garage door to be 0.6 metres further from the lot line than the principal entrance.
- l) To permit a 2.6 metre single driveway, whereas the By-law does not permit a driveway from the street based on the conclusions of a Streetscape Character Analysis.

**A-00085: 284 Loretta Avenue, Parts 5 & 6 on 4R-Draft:**

- m) To permit a reduced lot width of 6.09 metres, whereas the By-law requires a minimum lot width of 9.0 metres.
- n) To permit a reduced lot area of 260.8 square metres, whereas the By-law requires a minimum lot area of 270 square metres.
- o) To permit a maximum height of 10.2 metres, whereas the By-law requires a maximum height of 8.5 metres.
- p) To permit a front-facing attached garage, whereas the By-law does not permit a front-facing attached garage based on the conclusions of a Streetscape Character Analysis.

- q) To permit the garage door to be 8.9 metres closer to the front lot line than the principal entrance, whereas the By-law requires the garage door to be 0.6 metres further from the front lot line than the principal entrance.
- r) To permit a 2.6 metre single driveway, whereas the By-law does not permit a driveway from the street based on the conclusions of a Streetscape Character Analysis.

**THE APPLICATIONS** indicate the property is not subject to any other current applications under the *Planning Act*.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.



## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
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## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demandes d'autorisation et de dérogations mineures

**Groupe 1**  
**Mercredi 15 mai 2024**  
**13 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossiers :</b>	D08-01-24/B-00062 à D08-01-24/B-00064 D08-02-24/A-00083 à D08-02-24/A-00085
<b>Demandes :</b>	Autorisation en vertu de l'article 53 de la <i>Loi sur l'aménagement du territoire</i> Dérogations mineures en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaire/requérante :</b>	1942037 Ontario Inc.
<b>Adresse municipale :</b>	282, avenue Loretta
<b>Quartier :</b>	15 - Kitchissippi
<b>Description officielle :</b>	Lot 11 (à l'ouest de l'avenue Loretta), plan enregistré 146
<b>Zonage :</b>	R2R
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DE LA REQUÉRANTE ET OBJET DES DEMANDES :

La propriétaire souhaite lotir le bien-fonds en trois parcelles distinctes afin de lotir le bien-fonds en trois parcelles distinctes pour la construction de trois maisons isolées. La maison existante sera démolie.

## AUTORISATION REQUISE :

La propriétaire nécessite l'autorisation du Comité en vue de morceler le bien-fonds, d'accorder des servitudes/emprises et de conclure une entente portant sur l'utilisation et l'entretien communs. La propriété est représentée par les parties 1 à 6 sur le plan 4R préliminaire déposé avec les demandes. Les parcelles distinctes sont décrites ci-après :

*Tableau 1 Parcelles proposées*

Dossier	Façade	Profondeur	Superficie	Parties	Adresse municipale
B-00062	6,10 m	42,68m	259,9 m <sup>2</sup>	1	280, avenue Loretta
B-00063	6,10 m	42,68 m	260,5 m <sup>2</sup>	2, 3 et 4	282, avenue Loretta
B-00064	6,09 m	42,68 m	260,8 m <sup>2</sup>	5 et 6	284, avenue Loretta

Il est proposé d'établir des servitudes/emprises comme suit :

- Servitude sur la partie 2 au bénéfice de la partie 1 aux fins d'accès et d'entretien.
- Servitude sur la partie 4 au bénéfice des parties 5 et 6 aux fins d'accès et d'entretien.
- Servitude sur la partie 5 au bénéfice des parties 2, 3 et 4 aux fins d'accès et d'entretien.

L'approbation des demandes aura comme effet de créer des parcelles distinctes ainsi que l'aménagement proposé qui ne seront pas conformes aux exigences du Règlement de zonage. Par conséquent, des demandes de dérogations mineures (D08-02-24/A-00083 à D08-02-24/A-00085) ont été présentées et seront étudiées en même temps que les présentes.

## DÉROGATIONS DEMANDÉES :

La propriétaire/requérante demande au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

### **A-00083 : 280, avenue Loretta, partie 1 sur le plan 4R préliminaire :**

- a) Permettre la réduction de la largeur du lot à 6,01 mètres, alors que le règlement exige une largeur de lot minimale de 9,0 mètres.
- b) Permettre la réduction de la superficie du lot à 259,9 mètres carrés, alors que le règlement exige une superficie de lot minimale de 270 mètres carrés.
- c) Permettre une hauteur maximale de 10,2 mètres, alors que le règlement exige une hauteur maximale de 8,5 mètres.

- d) Permettre un garage attenant faisant face à l'avant, alors que le règlement ne permet pas un garage attenant faisant face à l'avant, selon les conclusions d'une analyse du caractère du paysage de rue.
- e) Permettre que la porte de garage soit à 8,9 mètres plus près de la ligne de lot avant que l'entrée principale, alors que le règlement exige que la porte de garage soit à 0,6 mètre plus éloignée de la ligne de lot avant que l'entrée principale.
- f) Permettre une entrée unique de 2,6 mètres, alors que le règlement ne permet pas d'entrée de cour depuis la rue, selon les conclusions d'une analyse du paysage de rue.

**A-00084 : 282, avenue Loretta, parties 2, 3 et 4 sur le plan 4R préliminaire :**

- g) Permettre la réduction de la largeur du lot à 6,10 mètres, alors que le règlement exige une largeur de lot minimale de 9,0 mètres.
- h) Permettre la réduction de la superficie du lot à 260,5 mètres carrés, alors que le règlement exige une superficie de lot minimale de 270 mètres carrés.
- i) Permettre une hauteur maximale de 10,2 mètres, alors que le règlement exige une hauteur maximale de 8,5 mètres.
- j) Permettre un garage attenant faisant face à l'avant, alors que le règlement ne permet pas un garage attenant faisant face à l'avant, selon les conclusions d'une analyse du caractère du paysage de rue.
- k) Permettre que la porte de garage soit à 8,9 mètres plus près de la ligne de lot avant que l'entrée principale, alors que le règlement exige que la porte de garage soit à 0,6 mètre plus éloignée de la ligne de lot avant que l'entrée principale.
- l) Permettre une entrée unique de 2,6 mètres, alors que le règlement ne permet pas d'entrée de cour depuis la rue, selon les conclusions d'une analyse du paysage de rue.

**A-00085 : 284, avenue Loretta, parties 5 et 6 sur le plan 4R préliminaire :**

- m) Permettre la réduction de la largeur du lot à 6,01 mètres, alors que le règlement exige une largeur de lot minimale de 9,0 mètres.
- n) Permettre la réduction de la superficie du lot à 260,8 mètres carrés, alors que le règlement exige une superficie de lot minimale de 270 mètres carrés.
- o) Permettre une hauteur maximale de 10,2 mètres, alors que le règlement exige une hauteur maximale de 8,5 mètres.
- p) Permettre un garage attenant faisant face à l'avant, alors que le règlement ne permet pas un garage attenant faisant face à l'avant, selon les conclusions d'une analyse du caractère du paysage de rue.
- q) Permettre que la porte de garage soit à 8,9 mètres plus près de la ligne de lot avant que l'entrée principale, alors que le règlement exige que la porte de garage soit à 0,6 mètre plus éloignée de la ligne de lot avant que l'entrée principale.
- r) Permettre une entrée unique de 2,6 mètres, alors que le règlement ne permet pas d'entrée de cour depuis la rue, selon les conclusions d'une analyse du paysage de rue.

**LES DEMANDES** indiquent que la propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**SI VOUS NE PARTICIPEZ PAS** à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

**SI VOUS SOUHAITEZ RECEVOIR UN AVIS DE LA DÉCISION** prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

**POUR OBTENIR PLUS DE RENSEIGNEMENTS** à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

### **TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

### **COMMENT PARTICIPER**

**Présentez vos observations écrites ou orales avant l'audience** : Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

### **COMITÉ DE DÉROGATION**

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024



*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
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**Committee of Adjustment**  
**Comité de dérogation**

# CIRCULATION MAP / PLAN DE CIRCULATION

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**SUBJECT LAND / TERRAIN EN QUESTION**

**282 av Loretta Ave.**



**NOT TO SCALE**  
**NON À L'ÉCHELLE**



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This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.



# 282 PLANNING RATIONALE FOR 3 DETACHED DWELLINGS LORETTA AVENUE

COLIZZA BRUNI

architecture

## 1. APPLICATION OVERVIEW

- The application deals with the removal of the existing single family dwelling and the division of the property at 282 Loretta into 3 lots to accommodate the construction of 3 new single family dwellings.
- The OP designation for the property is Inner Urban Transect/Evolving Neighbourhood.
- The property is zoned R2R.
- The proposed development requires
  - Authority of the Committee for variances from the Zoning By-law
  - The Consent of the Committee for severance, joint-use and maintenance agreements, and grants of easements and rights of way



286+288 Loretta



282 Loretta  
Proposed Lot



278 Loretta



276 Loretta

Streetscape of Loretta Avenue



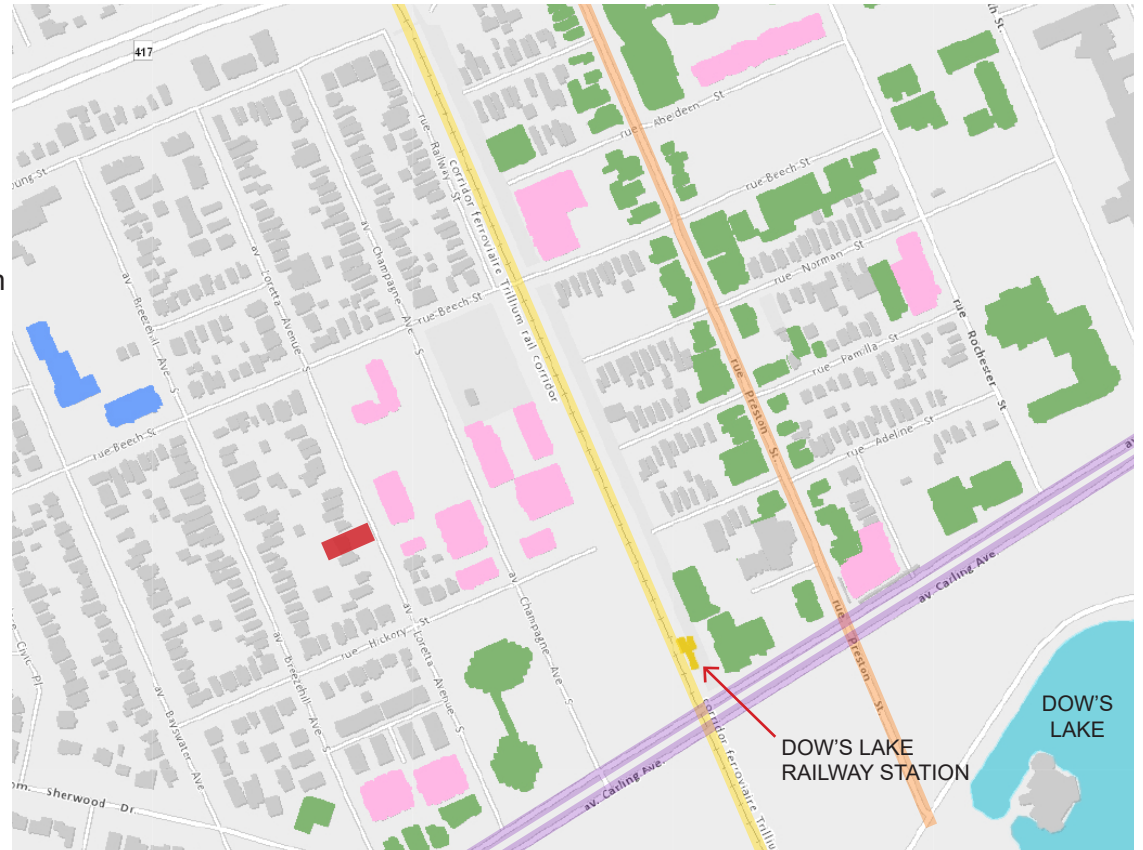
## 2. LOCATION AND PHYSICAL CONTEXT

### A. Location

- The site is located on the west side of Loretta Avenue between Hickory Street and Beech Street.
- The site is 250m from Carling Avenue, 200m from Preston Street, 550m from Dow's Lake and 175m from Dow's Lake Station (Trillium line)
- The site is well served by public transportation, shopping centres, schools, main streets, grocery stores, community centres, and public amenities/parks.

### B. Physical Context

- The west side of Loretta Avenue is characterized by:
  - A steep slope that rises approximately 5.3m (17'-4") from the sidewalk to the rear of the property.
  - Deep lots: 42.68m (140')
  - Retaining walls up to 9ft high in the front yard to accommodate front yard parking.
  - Houses set back from the front lot line 9-14m with an abundance of gardens and soft landscaping.
  - Porches and "front doors" are +/- 5.8m (19') above the sidewalk with exterior stairs and retaining walls leading to the porches.
- The east side of Loretta Avenue is characterized by
  - Multi-unit apartment buildings (high-rise)
  - Parking lots
  - A handful of remnant low-rise residential buildings
- Loretta Avenue is at the transition between the low-rise (mostly single family) residential forms of the Civic Hospital neighbourhood to the west and the multiple high-rise residential buildings to the east.



Context / Location Map

#### LEGEND

<span style="color: red;">■</span> 282 Loretta Avenue	<span style="color: green;">■</span> Commercial, Shopping Services, Office etc.	<span style="color: purple;">■</span> Carling Avenue
<span style="color: pink;">■</span> High/Mid Rise Residential	<span style="color: yellow;">■</span> Trillium Line LRT	
<span style="color: blue;">■</span> Schools	<span style="color: orange;">■</span> Preston Street	



East Side of Loretta Avenue



Street View of Site from Loretta Avenue

### 3. SITE PLAN

**LOT A** consists of Part 1

- Part 1 - Severed lot to accommodate a new single family dwelling

**LOT B** consists of Parts 2, 3, and 4

- Part 2 - Easement for the benefit of Part 1 (LOT A)
- Part 4 - Easement for the benefit of Parts 5, 6 (LOT C)

**LOT C** consists of Parts 5 and 6

- Part 5 - Easement for the benefit of Part 2, 3, 4 (LOT B)

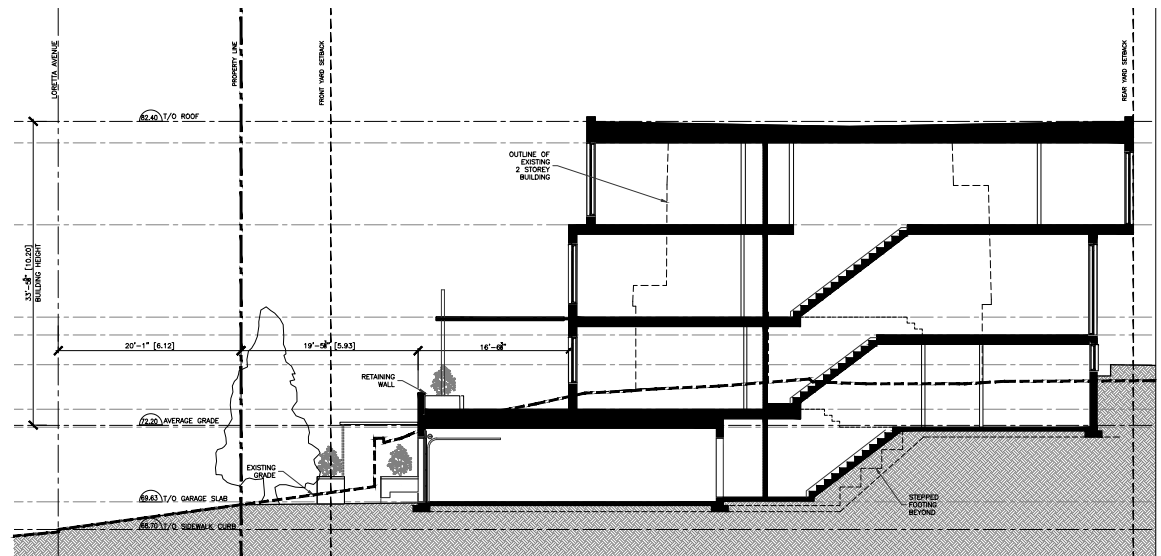
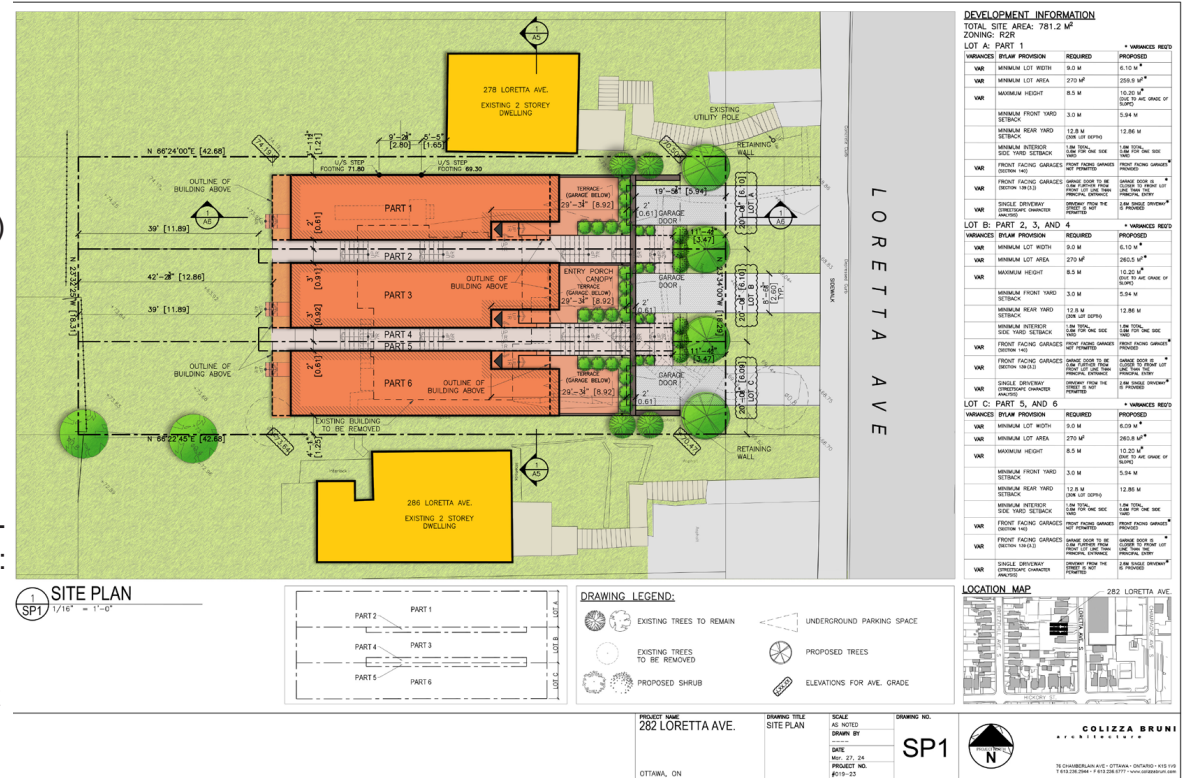
### SITE ORGANIZING INFLUENCES:

The configuration and location of the proposed single-family homes were influenced by the following factors:

- The site's steep slope of 5.3m from the street to the rear of the property
- The need to safely access the new homes without having to climb extensive exterior stairs
- The desire to develop compact homes geared to families
- The city's desire to eliminate the need for front yard parking



### Aerial View



Site Section / Slope



### 3. SITE PLAN (Continued)

#### FUNCTIONAL ASPECTS:

- The proposed garages at street level replace the need for large retaining walls at street level and front yard parking
- The new homes can be safely accessed through the garage and interior stairs without the need to climb exterior stairs with children, strollers, groceries etc., especially in winter months when exterior stairs can pose a safety hazard
- The proposed development includes large front porches over the garages

#### TREES, SOFT LANDSCAPING, AND OUTDOOR AMENITY SPACE:

- The proposed homes exceed the rear yard setbacks
- The extent of hard landscaping in the front yard is reduced with 3 narrow driveways in lieu of one large parking pad (existing parking condition)
- Each new home has a large rear yard amenity space and large front yard “raised porch”
- The proposed development includes large front porches over the garages
- The proposed dwellings exceed the minimum 30% soft landscaping requirements in the front yard
- 2 City owned trees will be removed. One tree is noted to be in poor condition and the second City tree is growing on the edge of an old stone retaining wall and once the retaining wall is removed, the tree’s rooting space will be greatly affected. The conclusion of the TIR is that the official plan’s direction to increase the tree canopy will be better served by removing and replacing these trees. The proposed development will allow for 4 new street trees to be planted. (see TIR)



Entry to Garage and Interior Stairs



Aerial View

## 4. VARIANCES REQUESTED

The proposed development of 3 Single Family Dwellings requires the following variances:

### LOT A: Part 1

- A. To permit a reduced lot width of 6.10 M whereas the By-law requires a lot width of 9.0 M (By-law Section 156, Table 156A)
- B. To permit a reduced lot area of 259.9 M<sup>2</sup>, whereas the bylaw requires a lot area of 270 M<sup>2</sup> (By-law Section 157, Table 158A)
- C. To permit a maximum height of 10.2 M, whereas the by-law requires a maximum height of 8.5 M. (By-law section 157, Table158A)
- D. To permit an attached garage facing the front lot line, whereas the By-law (Streetscape Character Analysis) does not permit an attached garage facing the street. (By-law Section 140. (7)(a))
- E. To permit the garage door to be 8.9m closer to the front lot line than the principal entrance, whereas the By-law requires the garage door to be 0.6m further from the front lot line than the principal entrance (By-law Section 139. (3))
- F. To permit a 2.6m single driveway, whereas the the By-law (Streetscape Character Analysis) does not permit a driveway from the street.

### LOT B: Parts 2,3, and 4

- G. To permit a reduced lot width of 6.10 M whereas the By-law requires a lot width of 9.0 M (By-law Section 156, Table 156A)
- H. To permit a reduced lot area of 260.5 M<sup>2</sup>, whereas the bylaw requires a lot area of 270 M<sup>2</sup> (By-law Section 157, Table 158A)
- I. To permit a maximum height of 10.2 M, whereas the by-law requires a maximum height of 8.5 M. (By-law section 157, Table158A)
- J. To permit an attached garage facing the front lot line, whereas the By-law (Streetscape Character Analysis) does not permit an attached garage facing the street. (By-law Section 140. (7)(a))
- K. To permit the garage door to be 8.9m closer to the front lot line than the principal entrance, whereas the By-law requires the garage door to be 0.6m further from the front lot line than the principal entrance (By-law Section 139. (3))
- L. To permit a 2.6m single driveway, whereas the By-law (Streetscape Character Analysis) does not permit a driveway from the street.

### LOT C: Parts 5 and 6

- M. To permit a reduced lot width of 6.09 M whereas the By-law requires a lot width of 9.0 M (By-law Section 156, Table 156A)
- N. To permit a reduced lot area of 260.8 M<sup>2</sup>, whereas the bylaw requires a lot area of 270 M<sup>2</sup> (By-law Section 157, Table 158A)
- O. To permit a maximum height of 10.2 M, whereas the by-law requires a maximum height of 8.5 M. (By-law section 157, Table158A)
- P. To permit an attached garage facing the front lot line, whereas the By-law (Streetscape Character Analysis) does not permit an attached garage facing the street. (By-law Section 140. (7)(a))
- Q. To permit the garage door to be 8.9m closer to the front lot line than the principal entrance, whereas the By-law requires the garage door to be 0.6m further from the front lot line than the principal entrance (By-law Section 139. (3))
- R. To permit a 2.6m single driveway, whereas the By-law (Streetscape Character Analysis) does not permit a driveway from the street.

## 5. URBAN DESIGN CONSIDERATIONS

- The proposed development achieves a “streetscape fit” by:
  - Creating a transition in built form from the detached and semi-detached dwellings in the R2R neighbourhood to the west and the high-rise apartment buildings and commercial uses to the east.
  - Setting the new homes back from the front property line and into the slope to align with the average front yard setback of the abutting lots.
  - Developing the homes to be the same height as the neighbouring homes. The resulting height integrates well into the existing context.
  - Developing a 1 storey entry/garage podium that is connected by a “landscape wall” inspired by the existing landscape walls that are a dominant feature on Loretta. (see image below)
  - Punctuating the landscape wall with canopies, stairs, and planters to accentuate the entry.
  - Animating the new homes with raised terraces and canopies over the entry podium to align with the raised front porches of the neighbouring homes.



Aerial View of Loretta Avenue

## 6. CONSULTATION WITH STAKEHOLDERS

- City Planning Staff – met with City Staff along with correspondence via email. Staff recognized the challenges with this site and the need for an innovative solution. Staff had no concerns with the variances requested, however, there were some suggestions on a few design considerations for the site. We reviewed their suggestions and applied what we felt was most appropriate for this site.
- Abutting adjacent neighbours – the owner has reached out to abutting neighbours to review the proposal with them. At the time of this submission, the owner was able to meet with 2 neighbours (278 Loretta and 281 Breezehill).

278 Loretta expressed some concern with breaking rock and impact on her foundation. The owner explained that they do not anticipate breaking rock and instead will be digging and installing shoring. They did not express any concerns with the development.

281 Breezehill expressed concern regarding the construction of the new development. However, there were no specific concerns regarding the variances.
- Civic Hospital Neighbourhood Association (CHNA). We met with Karen Wright (CHNA President) and Linda Niksic (CHNA Development Lead) on March 13<sup>th</sup>, 2024. No concerns were raised during that meeting and feedback was generally positive.



## 7. PLANNING EVIDENCE

The points discussed below are in support of the requested variances.

- Lot Width and Lot Area Variances
  - Although the lot width and area are deficient, the site functions very well as the proposal complies with the zoning requirements for all setbacks, soft landscaping, driveway width and parking.
  - There are a number of lots in the immediate area which are undersized (see Lot Analysis Map), so the proposal would not be considered an anomaly.
  - The lots are usually deep. The lot area variances are minimal and amenity areas exceed the By-law requirement.
- Building Height Variance
  - This variance is a result of the manner in which the Zoning By-law calculates height, which does not contemplate a dramatically sloping site.
  - The height of the proposed buildings is similar to the adjacent neighbours.
- Garage Facing the Street and Garage Location Variances
  - This variance eliminates the need for “front yard” parking which is prevalent along Loretta Avenue and is non-compliant with current zoning requirements.
  - The garage doors are effectively part of a retaining wall and animated with canopies, screens and vegetation, making a positive contribution to the Loretta streetscape.
  - The design includes a front porch expression that is located at grade and proud of the garage doors
  - The garage doors are recessed 0.6m from the front wall

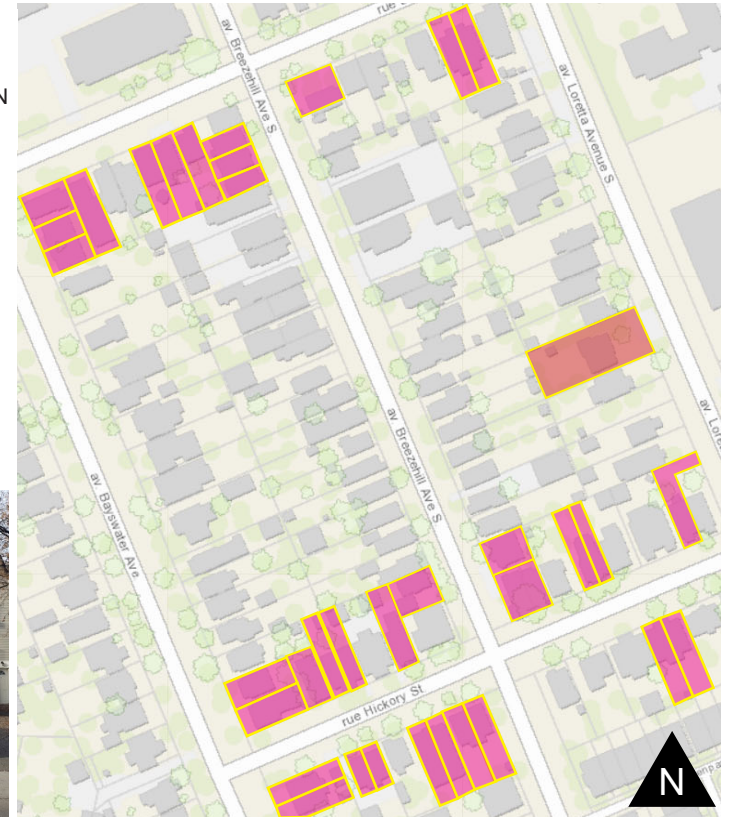
### LEGEND:

SITE (282 LORETTA)

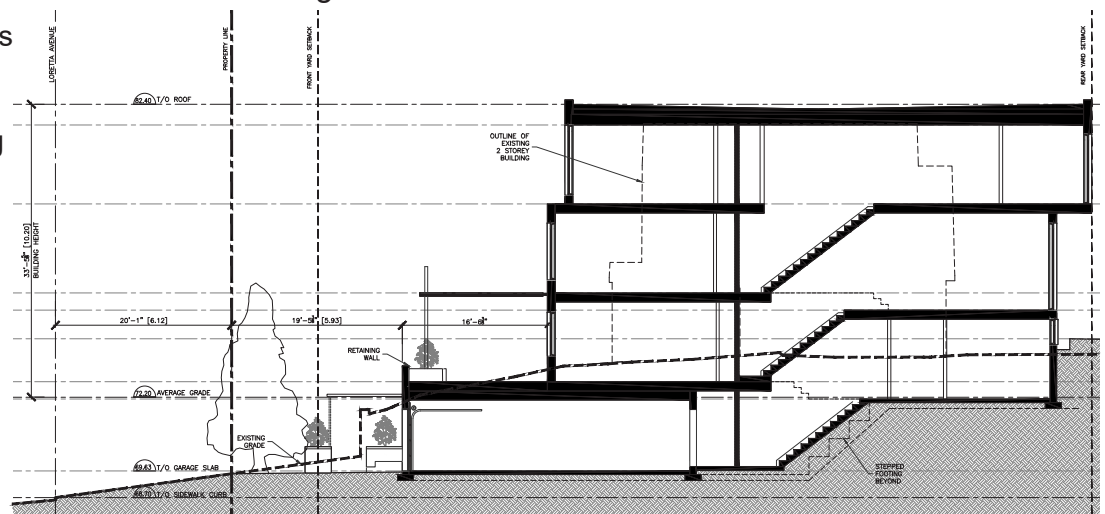
NON CONFORMING LOTS IN LOT WIDTH AND/OR AREA



Loretta Avenue  
Front Yard Parking



Lot Analysis Map



Site Section / Slope



## 7. PLANNING EVIDENCE (Continued)

- Variance to Permit Driveways
  - Most properties along Loretta have driveways and front yard parking for this development. However, it is difficult to provide sufficient proof to zoning that the existing front yard parking spaces are legally established. For this reason, the SCA defaults to Character Group A which would describe this street as “having no driveways along lot lines abutting a street”. This character group contradicts the reality of the streetscape.
  - See aerial image demonstrating that front yard parking has existed on Loretta since 1965.
  - See some examples below of existing driveways and front yard parking on Loretta.



Aerial Image from 1965



293 Loretta



282 Loretta



276 Loretta



260 Loretta

Examples of Existing Front Yard Parking

## 8. 4 TESTS FOR MINOR VARIANCES

### 1) The variances are minor in nature

When applying the “impact test”, the variances are considered minor as they do not create undue adverse impacts on its surroundings.

### 2) The variances maintain the general intent and purpose of the Zoning By-law

The general intent and purpose of the zoning by-law are maintained, as the proposed development is compatible with the residential character of the neighbourhood.

To Note:

- The property is zoned R2R. The stated purpose of this Zoning By-law is to:
  - restrict the building form to detached and two principal unit buildings in areas designated as **General Urban Area** in the Official Plan;
  - allow a number of other residential uses to provide additional housing choices within the second density residential areas;
  - permit ancillary uses to the principal residential use to allow residents to work at home;
  - regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling and two principle dwelling, residential character of a neighbourhood is maintained or enhanced; and
  - permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.
- The general intent and purpose of the performance standards in the zoning by-law are effective to ensure proper functionality of development while mitigating impact on adjacent properties. The proposed development meets all the performance standards of the zoning by-law for setbacks, parking, and soft landscaping.

### 3) The Variances maintain the general intent and purpose of the official plan

The variances maintain the intent of the policies stated in the new official plan.

To Note:

- The proposed development represents an opportunity to meet Provincial Policy, OP policies and the Goals of Intensification to take advantage of an existing oversized lot with existing municipal services and infrastructure

### 4) The Variances are desirable for the appropriate development or use of the land

The test for appropriateness is measured by how well a development “fits” into its physical context... its compatibility. The proposed development does “fit well” into its physical environment and therefore is desirable for the appropriate development or use of the subject land.

To Note:

- The proposed design considers the design suggestions in the city’s “urban design guidelines for low-rise infill housing”
- The proposed design meets all the zoning requirements in Section 139 “Low-Rise Residential Development in All Neighbourhoods within the Greenbelt” including driveway width, location of garage/parking, Front yard landscaping etc
- The variances are desirable for appropriate development and use of the land because they will accommodate a modest amount of intensification in a manner that will be compatible to the existing built fabric.



## 9. CONSENT APPLICATION

The consent applications meet the criteria in Section 51(24) of the Ontario Planning Act for orderly development, including, but not limited to:

- Through intensification the consent applications are allowing for the efficient use of communication, transportation, sewage, and water services & waste management systems.
- Provincial policies generally identify infill development as appropriate for growth and development.
- Infill development by its nature promotes sustainable principles and locations like this that are close to public transit, support public transit and are oriented to pedestrians.
- The proposed development is not premature, as it is designed to integrate into the existing lot fabric, which has available municipal roads, lights and services.
- The consent applications are in the public interest, as they are consistent with provincial and municipal policies, particularly policies encouraging intensification and an efficient use of land public services.
- The proposed parcels will enjoy frontage and direct access to a public street.



Street View From Loretta Avenue



LOT 11  
(WEST LORETTA AVENUE)  
REGISTERED PLAN 146  
CITY OF OTTAWA

FARLEY, SMITH & DENIS SURVEYING LTD. 2023

Scale 1: 125  
0 2.5 5 7.5 10 12.5 metres

Metric Note  
Distances and/or coordinates on this plan are in metres and can be converted to feet by dividing by 0.3048.

Bearing Note  
Bearings hereon are grid bearings derived from the westerly limit of Loretta Avenue having a bearing of N23°34'00"W as shown on Plan 4R-27605 and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

For bearing comparisons, a rotation of 0°36'00" counter-clockwise was applied to bearings on P1, P3, P4, P6.

- Elevation Notes
- Elevations shown are geodetic and are referred to Geodetic Datum CGVD-1928 :1978. (Monument No. 197534238)
  - It is the responsibility of the user of this information to verify that the job benchmark has not been altered or disturbed and that it's relative elevation and description agrees with the information shown on this drawing.

- Utility Notes
- This drawing cannot be accepted as acknowledging all of the utilities and it will be the responsibility of the user to contact the respective utility authorities for confirmation.
  - Only visible surface utilities were located.
  - Underground utility data derived from City of Ottawa utility sheet reference: Plan 17416 Contract No. ISD16-5029 Dwg. No. 15.
  - Sanitary and storm sewer grades and inverts were compiled from: Field measurement and City of Ottawa Utility Sheets.
  - A field location of underground plant by the pertinent utility authority is mandatory before any work involving breaking ground, probing, excavating etc.

- Notes & Legend
- |         |         |   |
|---------|---------|---|
| □       | Denotes | Survey Monument Planted   |
| ■       |         | Survey Monument Found   |
| SSIB    |         | Short Standard Iron Bar   |
| IB      |         | Iron Bar  |
| CP      |         | Concrete Pin  |
| (Wit)   |         | Witness   |
| Meas    |         | Measured  |
| (P1)    |         | Registered Plan 146   |
| (P2)    |         | Plan 4R-27605   |
| (P3)    |         | Plan 5R-4016  |
| (P4)    |         | Plan by (1287) dated July 8, 1987 (Job No. 307/87)  |
| (P5)    |         | Plan 4R-17902   |
| (P6)    |         | Plan by (647) dated October 18, 1976  |
| ○ MH-ST |         | Maintenance Hole (Storm)  |
| ○ MH-S  |         | Maintenance Hole (Sanitary)   |
| — ST —  |         | Underground Storm Sewer   |
| — S —   |         | Underground Sanitary Sewer  |
| — W —   |         | Underground Water   |
| — G —   |         | Underground Gas   |
| ULP     |         | Utility Pole  |
| □ CB    |         | Catch Basin   |
| □ GM    |         | Gas Meter   |
| BF      |         | Board Fence   |
| CLF     |         | Chain Link Fence  |
| CRW     |         | Concrete Retaining Wall   |
| SRW     |         | Stone Retaining Wall  |
| TRW     |         | Timber Retaining Wall   |
| T/G     |         | Top of Grate  |
| Inv.    |         | Invert  |
| U/Eave  |         | Underside of Eave   |
| Tp/dn   |         | Top of Foundation   |
| EI      |         | Elevation   |
| C/L     |         | Centreline  |
| + 65.00 |         | Location of Elevations  |
| + 65.00 |         | Top of Concrete Curb/Retaining Wall Elevation   |
| —       |         | Property Line   |
| —       |         | Diameter  |
| ○       |         | Deciduous Tree - The Symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.  |
| ✱       |         | Coniferous Tree - The Symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan. |

Site Area=781.1 sq.m.

WARNING: NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF FARLEY, SMITH & DENIS SURVEYING LTD.  
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Surveyor's Certificate  
I certify that:  
1. This survey and plan are correct and in accordance with the Surveys Act, the Surveys Act and the Regulations made under them.  
2. The survey was completed on the 17th day of August, 2023.

Aug 17/2023  
Date  
Emad Alrefaai  
Ontario Land Surveyor

This plan of survey relates to AOLS Plan Submission Form Number V-56775  
FARLEY, SMITH & DENIS SURVEYING LTD.

ONTARIO LAND SURVEYORS  
CANADA LAND SURVEYORS  
Unit 275, 30 COLONNADE ROAD, OTTAWA, ONTARIO K2E 7J6  
TEL: (613) 727-8226 E-mail: fdsurveys@bellnet.ca

LORETTA

AVENUE

PLAN

73)

(REGISTERED

(Formerly

Second

Avenue)

P.I.N. 04102

0163

Concrete Curb

Existing 1050mm Watermain

Approximate Crown of Asphalt

Existing 450mm Storm Sewer

Existing 250mm Sanitary Sewer

Concrete Sidewalk

Existing 35mm Gas

Stump

Existing 1050mm Watermain

Existing 450mm Storm Sewer

Existing 250mm Sanitary Sewer

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Existing 1050mm Watermain

Approximate Crown of Asphalt

Existing 450mm Storm Sewer

Existing 250mm Sanitary Sewer

Concrete Sidewalk

Existing 35mm Gas

Stump

Existing 1050mm Watermain

Existing 450mm Storm Sewer

Existing 250mm Sanitary Sewer

Concrete Curb

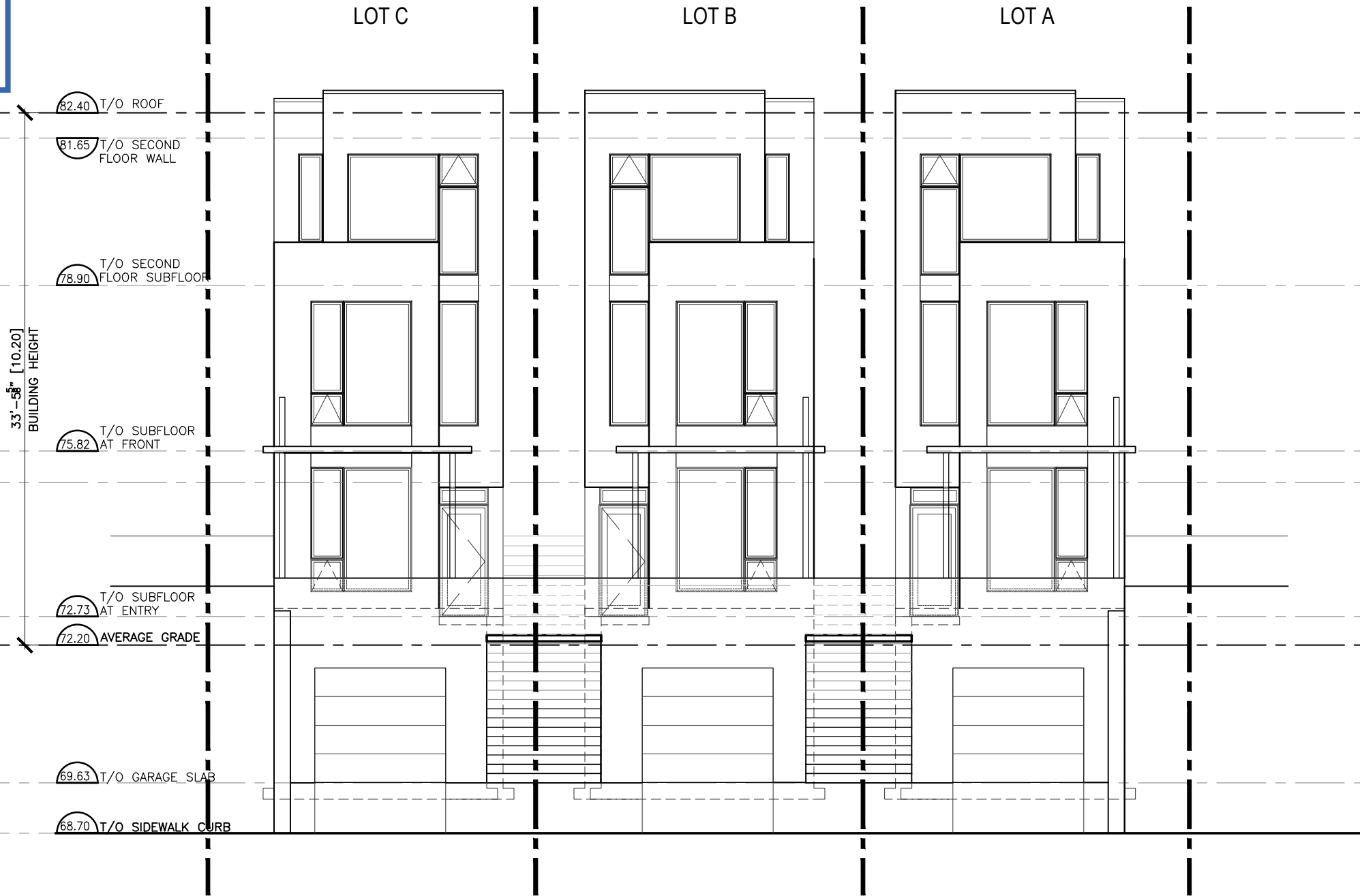
Existing 1050mm Watermain





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Committee of Adjustment  
Received | Reçu le  
  
2024-04-02  
  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation



1  
A5 FRONT ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT A

OTTAWA, ON

DRAWING TITLE  
FRONT  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
-----  
DATE  
3/18/24  
PROJECT NO.  
#019-23

DRAWING NO.

A5

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architecture

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1  
A6 REAR ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT A

OTTAWA, ON

DRAWING TITLE  
REAR  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
-----  
DATE  
3/18/24  
PROJECT NO.  
#019-23

DRAWING NO.

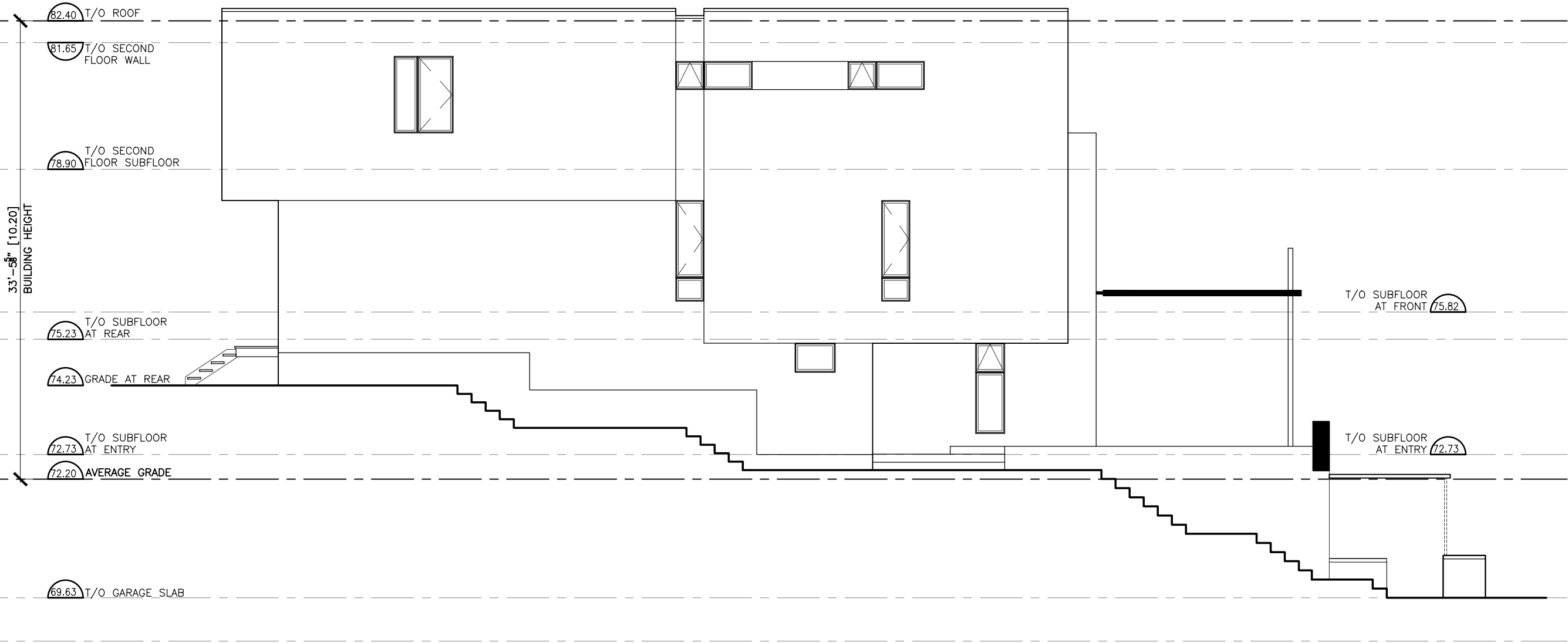
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**SOUTH ELEVATION**

1  
A7 1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT A

OTTAWA, ON

DRAWING TITLE  
SOUTH  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
-----  
DATE  
3/28/24  
PROJECT NO.  
#019-23

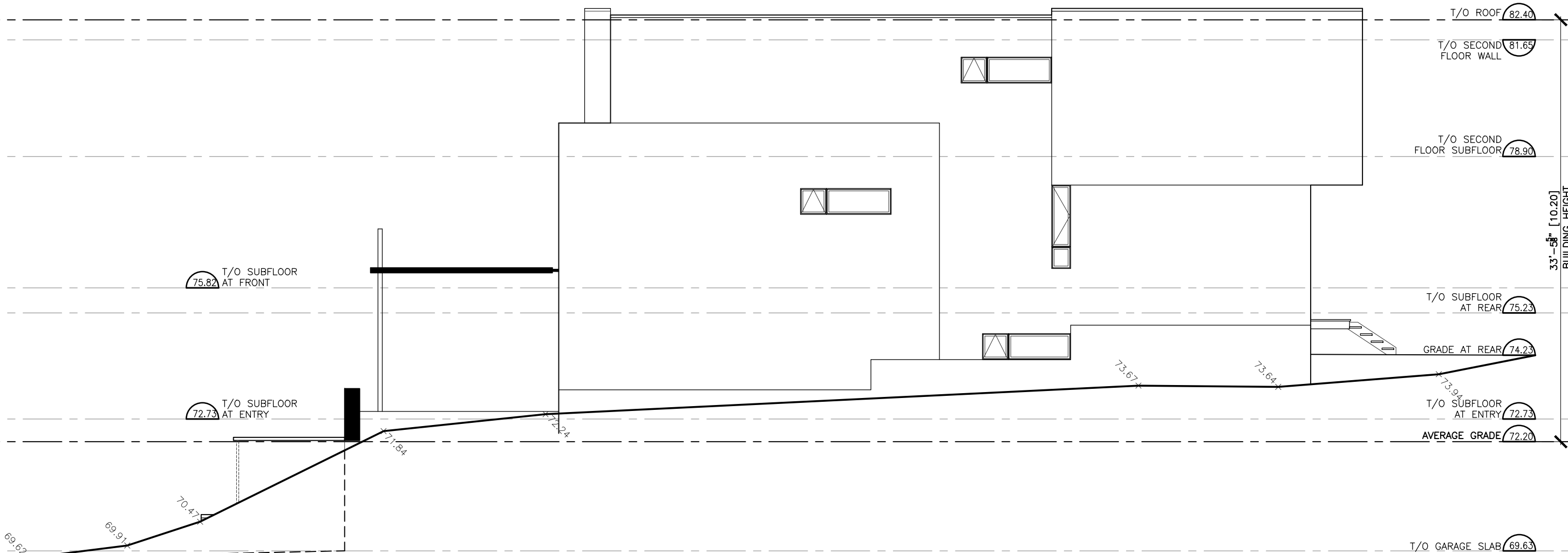
DRAWING NO.

A7

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architecture

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**1**  
**A8** NORTH ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT A

OTTAWA, ON

DRAWING TITLE  
NORTH  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
-----  
DATE  
3/28/24  
PROJECT NO.  
#019-23

DRAWING NO.

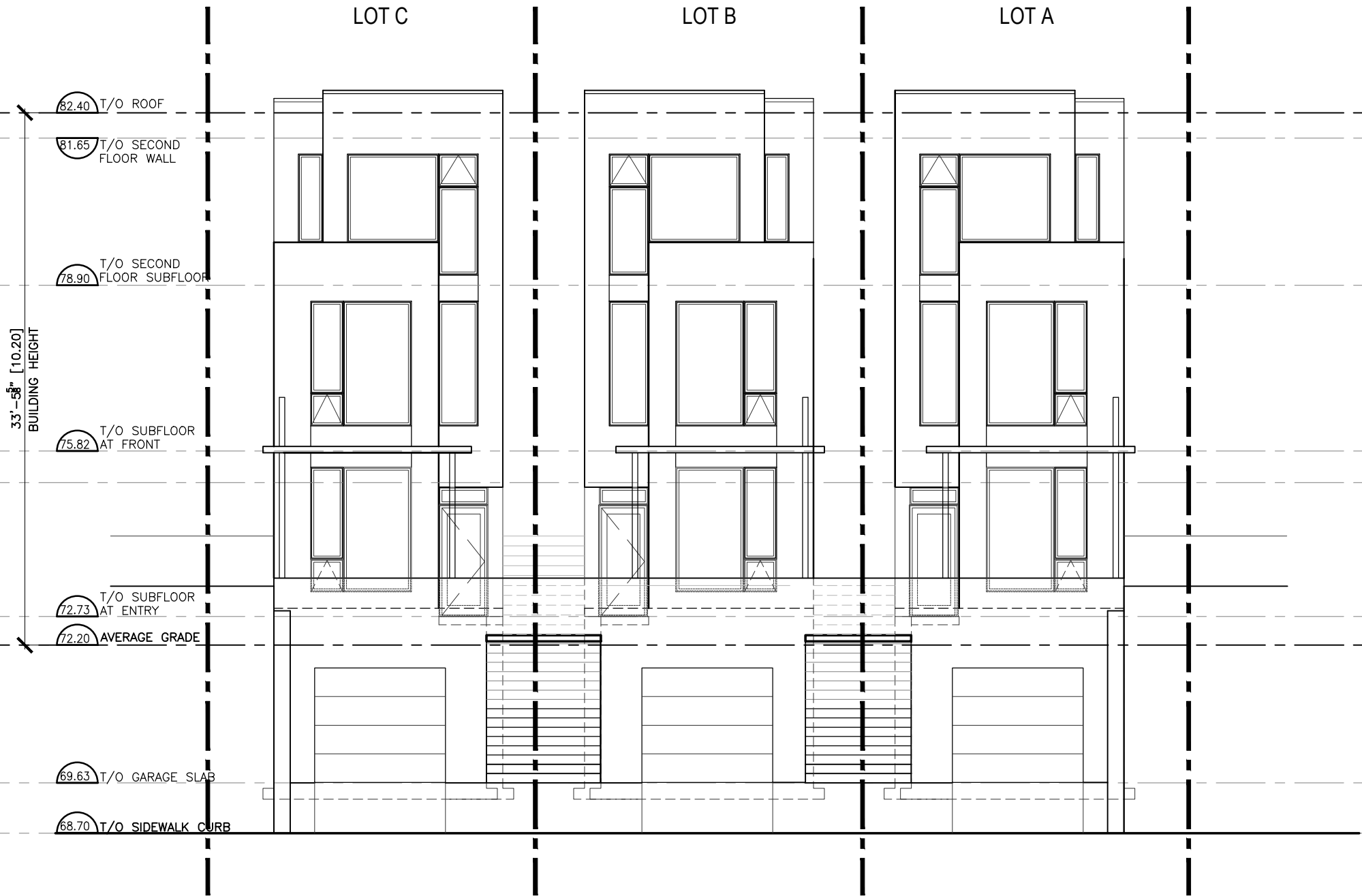
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City of Ottawa | Ville d'Ottawa  
Comité de dérogation



1  
A5 FRONT ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT B

OTTAWA, ON

DRAWING TITLE  
FRONT  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
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DATE  
3/18/24  
PROJECT NO.  
#019-23

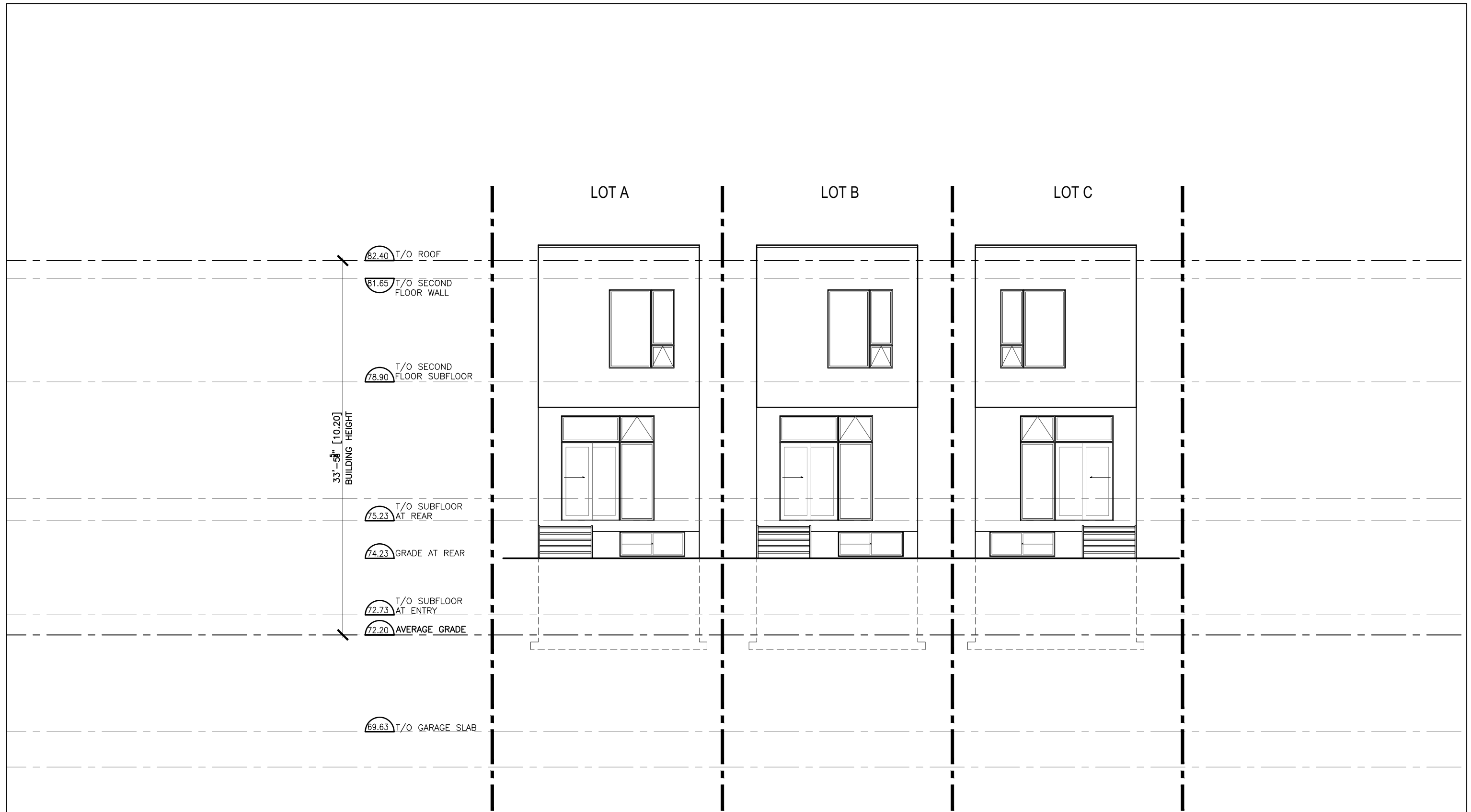
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A5

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1  
A6 REAR ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT B

OTTAWA, ON

DRAWING TITLE  
REAR  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
-----  
DATE  
3/18/24  
PROJECT NO.  
#019-23

DRAWING NO.

A6

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33'-5 7/8" [10.20]  
BUILDING HEIGHT

82.40 T/O ROOF

81.65 T/O SECOND  
FLOOR WALL

78.90 T/O SECOND  
FLOOR SUBFLOOR

75.23 T/O SUBFLOOR  
AT REAR

74.23 GRADE AT REAR

72.73 T/O SUBFLOOR  
AT ENTRY

72.20 AVERAGE GRADE

69.63 T/O GARAGE SLAB

T/O SUBFLOOR  
AT FRONT 75.82

T/O SUBFLOOR  
AT ENTRY 72.73

1  
A7 SOUTH ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT B

OTTAWA, ON

DRAWING TITLE  
SOUTH  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
-----  
DATE  
3/28/24  
PROJECT NO.  
#019-23

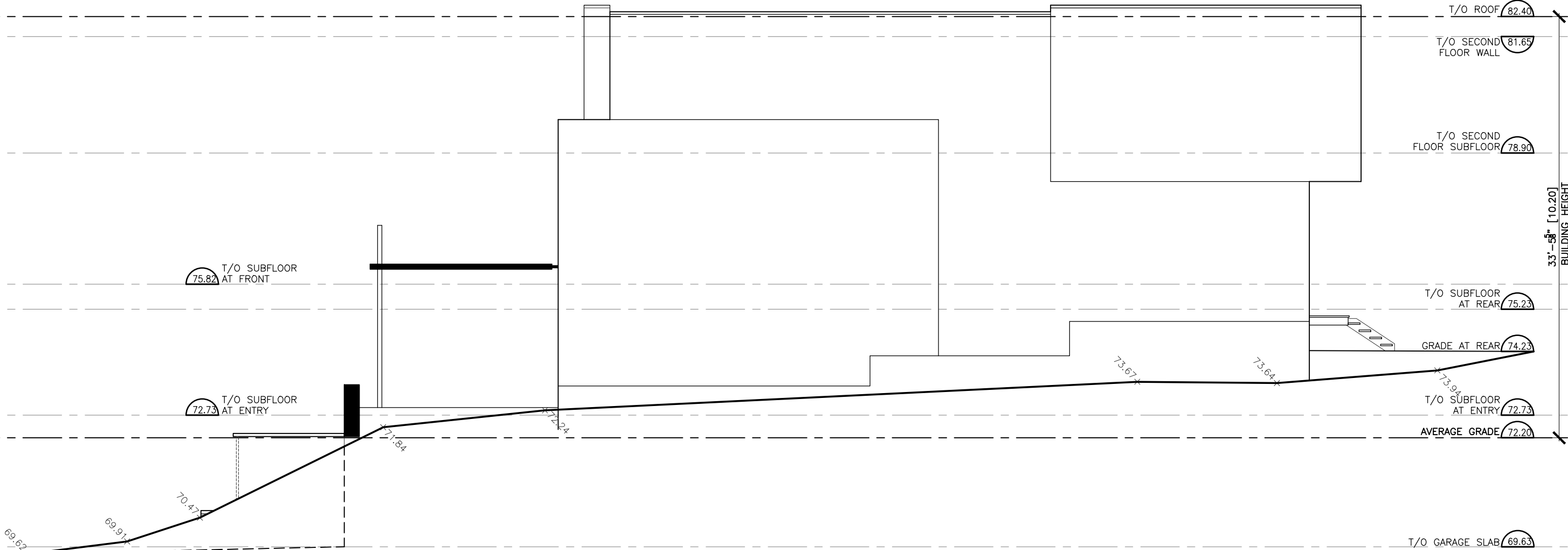
DRAWING NO.

A7

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1  
A8 NORTH ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT B

OTTAWA, ON

DRAWING TITLE  
NORTH  
ELEVATION

SCALE  
AS NOTED  
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PROJECT NO.  
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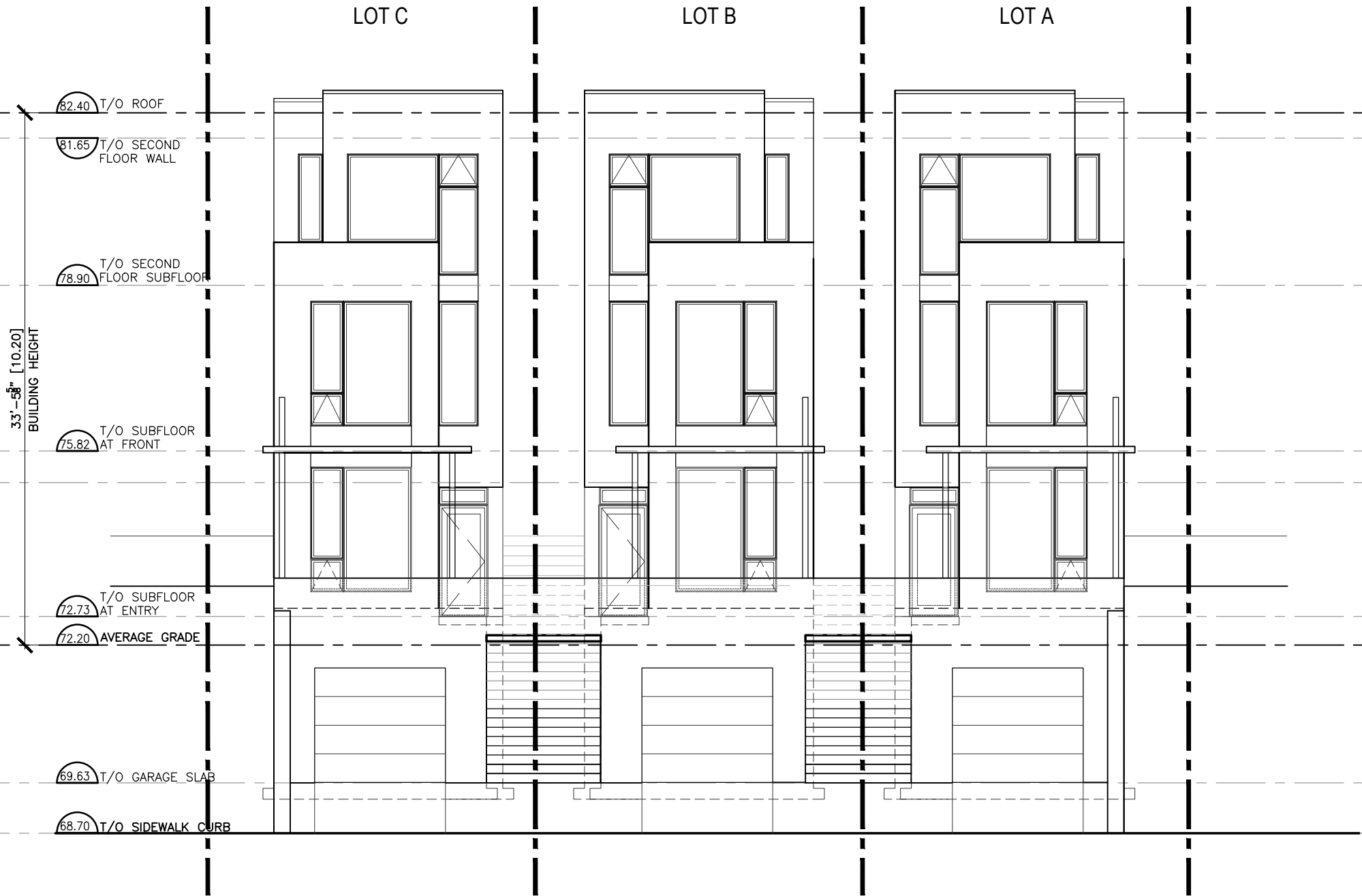
A8

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architecture

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Comité de dérogation



1  
A5 FRONT ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT C

OTTAWA, ON

DRAWING TITLE  
FRONT  
ELEVATION

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AS NOTED  
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3/18/24  
PROJECT NO.  
#019-23

DRAWING NO.

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COLIZZA BRUNI  
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1  
A6 REAR ELEVATION  
1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT C

OTTAWA, ON

DRAWING TITLE  
REAR  
ELEVATION

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PROJECT NO.  
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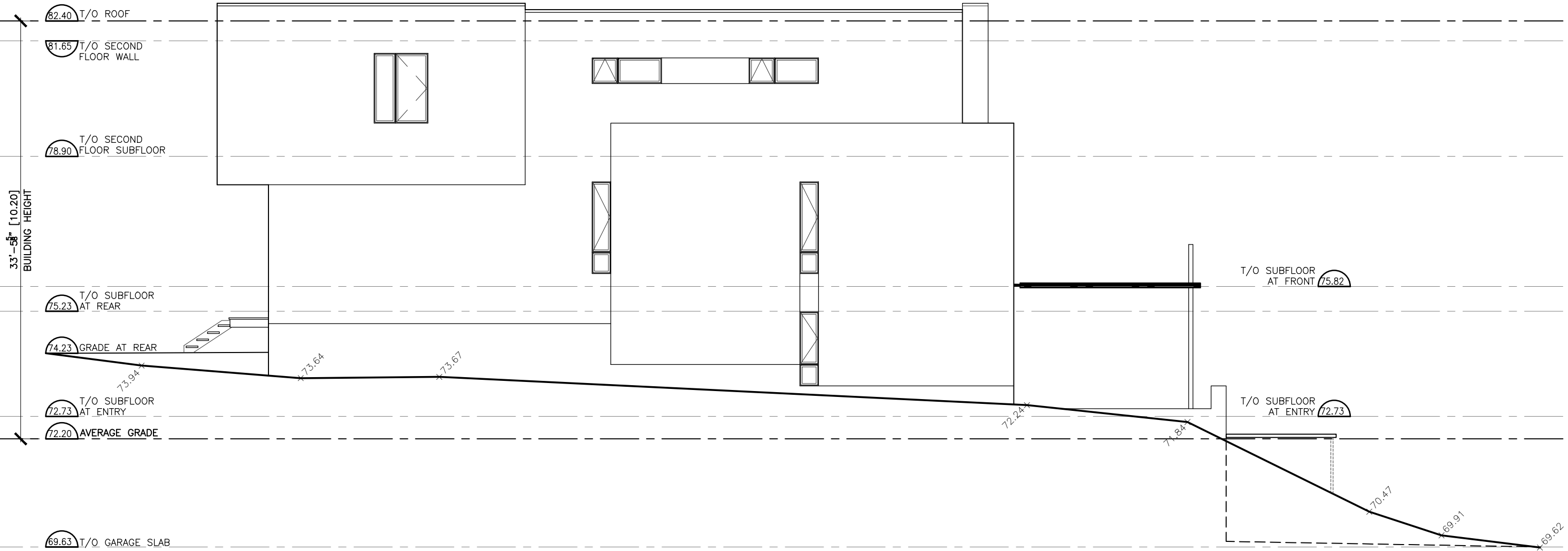
A6

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architecture

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1 SOUTH ELEVATION  
A7 1/8" = 1'-0"

PROJECT NAME  
282 LORETTA AVE.  
LOT C

OTTAWA, ON

DRAWING TITLE  
SOUTH  
ELEVATION

SCALE  
AS NOTED  
DRAWN BY  
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DATE  
3/28/24  
PROJECT NO.  
#019-23

DRAWING NO.

A7

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architecture

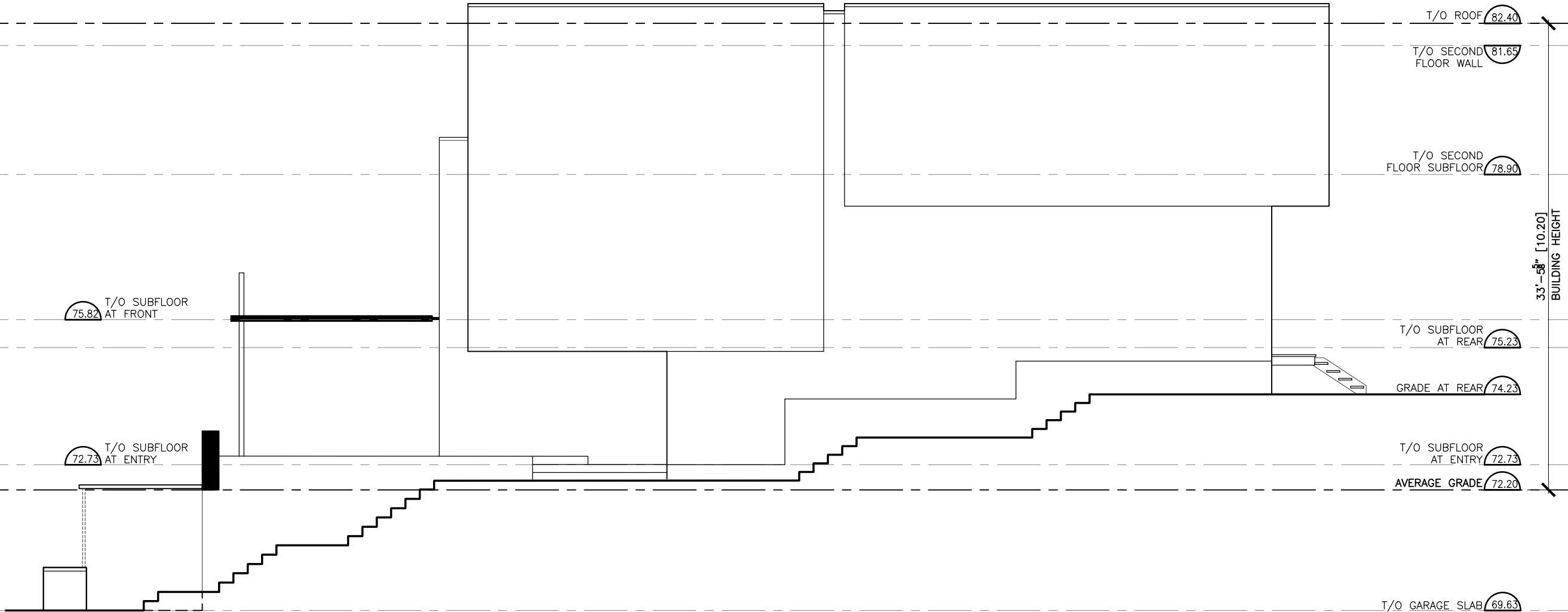
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1  
A8

NORTH ELEVATION

1/8" = 1'-0"



PROJECT NAME  
282 LORETTA AVE.  
LOT C

OTTAWA, ON

DRAWING TITLE  
NORTH  
ELEVATION

SCALE  
AS NOTED

DRAWN BY  
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DATE  
3/28/24

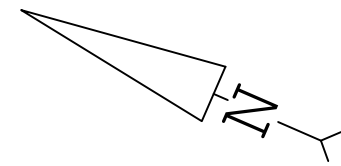
PROJECT NO.  
#019-23

DRAWING NO.

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architecture

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2024-04-02

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Comité de dérogation

LORETTA

(REGISTERED

PLAN

73)

AVENUE

(Formerly

Second

Avenue)

P.I.N. 04102 --

0163

Stump #0.8

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I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE  
LAND TITLES ACT.

DATE: \_\_\_\_\_

EMAD ALREFAAI  
ONTARIO LAND SURVEYOR

PLAN 4R-  
RECEIVED AND DEPOSITED

DATE: \_\_\_\_\_

REPRESENTATIVE FOR LAND REGISTRAR  
FOR THE LAND TITLES DIVISION OF  
OTTAWA-CARLETON NO. 4.

#### SCHEDULE

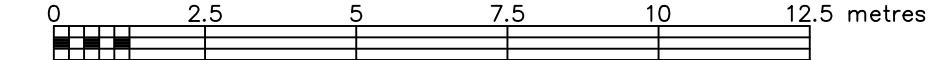
PART	LOT	PLAN	PIN	AREA (Sq.m.)
1				259.9
2				24.9
3				210.7
4	ALL OF 11	146	ALL OF 04102 - 0071	24.9
5				16.7
6				244.1

PLAN OF SURVEY OF

LOT 11  
(WEST LORETTA AVENUE)  
REGISTERED PLAN 146  
CITY OF OTTAWA

FARLEY, SMITH & DENIS SURVEYING LTD. 2024

Scale 1: 125



#### Metric Note

Distances and/or coordinates on this plan are in metres and can be converted to feet by dividing by 0.3048.

#### Distance Note

Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.99994.

#### Bearing Note

Bearings hereon are grid bearings derived from the westerly limit of Loretta Avenue having a bearing of N23°34'00"W as shown on Plan 4R-27605 and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

For bearing comparisons, a rotation of 0°36'00" counter-clockwise was applied to bearings on P1, P3, P4, P6.

CO-ORDINATES WERE DERIVED FROM CAN-NET REAL TIME NETWORK OBSERVATIONS, MTM ZONE 9, N.A.D. 1983 (ORIGINAL).		
POINT ID	NORTHING	EASTING
Ⓐ	5029014.40	366426.18
Ⓑ	5028957.89	366450.83
01919680005	5027191.26	361496.76
01919680105	5024915.16	373971.65
CO-ORDINATES ARE MTM ZONE 9, N.A.D. 1983 (ORIGINAL), TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

#### Surveyor's Certificate

I certify that:

- This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the Land Titles Act and the Regulations made under them.
- The survey was completed on the \_\_\_\_ day of \_\_\_\_\_, 2024.

Date: \_\_\_\_\_  
Emad Alrefaai  
Ontario Land Surveyor

This plan of survey relates to AOLS Plan Submission Form Number V-XXXXX

#### Notes & Legend

Symbol	Denotes	Survey Monument Planted
—□—	"	Survey Monument Found
SSIB	"	Short Standard Iron Bar
IB	"	Iron Bar
CP	"	Concrete Pin
(Wit)	"	Witness
Mess	"	Measured
(P1)	"	Registered Plan 146
(P2)	"	Plan 4R-27605
(P3)	"	Plan 5R-4016
(P4)	"	Plan by (1287) dated July 8, 1987 (Job No. 307/87)
(P5)	"	Plan 4R-17902
(P6)	"	Plan by (647) dated October 18, 1976
(P7)	"	Plan by (1692) dated August 17, 2023 (File No. 281-23)
OHW	"	Overhead Wires
ULP	"	Utility Pole
BF	"	Board Fence
CLF	"	Chain Link Fence
SRW	"	Stone Retaining Wall
TRW	"	Timber Retaining Wall
C/L	"	Centreline
Ø	"	Diameter
⊙	"	Deciduous Tree - The Symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.
⊙	"	Coniferous Tree - The Symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.

FARLEY, SMITH & DENIS SURVEYING LTD.

ONTARIO LAND SURVEYORS  
CANADA LAND SURVEYORS

Unit 275, 30 COLONNADE ROAD, OTTAWA, ONTARIO K2E 7J6  
TEL: (613) 727-8226 E-mail: fsdsurveys@bellnet.ca

FILE No.: 44-24



2024-04-02

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

## Tree Information Report

Submitted as part of Committee of Adjustment Application to the City of Ottawa

**Date of Report:** February 22, 2024  
**Property Address:** 282 Loretta Avenue  
**Prepared for:** Justin Mastromattei; theboulevardottawa@gmail.com  
**Prepared by:** Kevin Myers, ISA Certified Arborist®; [kevin.myers@dendronforestry.ca](mailto:kevin.myers@dendronforestry.ca)  
**Date of Site Visit:** February 21, 2024

**This Report must be read in its entirety, including the Assumptions and Limiting Conditions.**

### Purpose of the Report

The purpose of this report is to provide the client with a detailed description of all protected trees on site as per the City of Ottawa's Tree Protection By-law No. 2020-340. This report is part of a Committee of Adjustment application to the City of Ottawa and considers the impact that the proposed development will have on the trees. The assessment of the suitability of tree retention is based on the information provided at the time of report preparation which includes:

- Survey by Farley, Smith & Denis Surveying Ltd., dated August 17, 2023
- Site plan by Colizza Bruni Architecture, dated February 13, 2024

This assessment does not consider additional factors that could influence tree retainability such as:

- site grading, and requirement for retaining walls and/or swales
- installation of services for the new units
- capping of existing water and sewer services
- installation of gas lines for the new units
- site access

*The potential for retaining those tree(s) identified for retention in this report may change as more information on the site-specific construction details is provided during the building permitting phase.* For those trees that are recommended for retention, mitigation measures are provided to reduce the impact during construction. It should be noted that the construction phase includes all site works that could impact trees, from the capping of services at the beginning to the final landscaping steps at the end.

While a rationale for removing trees may be provided based on document review, **this report does not grant permission to remove trees: a permit from the city must be received before removal of distinctive trees can occur.**



## **Methodology**

The following materials were reviewed as part of this report:

- Survey
- Site plan
- GeoOttawa tree inventory layer and aerial photography
- Google© Street View imagery – various years

A site visit was conducted to collect the following information from each tree classified as protected under the City of Ottawa's Tree Protection By-law No. 2020-340:

- Diameter at breast height (1.3 m from grade)
- Species
- Tree health

## **Existing site information**

The site is currently occupied by a single dwelling at much higher grade than the road. The rear yard is at the same grade as the house, and is relatively large and open. There are several small trees around the periphery that are under the threshold for protection – these trees are mostly Norway maples (*Acer platanoides*). There is a hedge noted on the survey along the north edge of the property – this mostly consists of lilacs (*Syringa vulgaris*) and young Manitoba maples (*Acer negundo*). The hedge extends down towards Loretta avenue: at this end it consists mainly of winged euonymus (*Euonymus alata*), an invasive species in Ontario – this hedge is also covered in grape vine (*Vitis spp.*).

Appendix A is an inventory of all trees that are protected under City of Ottawa Tree Protection (By-law No. 2020-340) on the site and adjacent City property. This includes Distinctive Trees (private trees with a diameter at breast height (dbh) of 30 cm or greater) and city-owned trees of all sizes. It also includes Distinctive Trees on adjacent properties whose Critical Root Zone (CRZ) extend into the subject area. The CRZ is an area around the trunk with a radius equivalent to 10 times the diameter of the trunk. This does not take into account infrastructure such as buildings and asphalt and assumes the tree has no restrictions on root growth.

## **Proposed development and Tree protection**

**Tree 1** has a stem marked for removal by hydro. Once this limb is removed the tree will be in poor condition – with a large wound and very limited rooting space, it is likely the tree will decline. **Tree 6** is growing on the edge of a stone retaining wall, and once this is removed, the tree's rooting space will be greatly disrupted. The proposed development will allow for four new planting areas of between approximately 18-27m<sup>2</sup> – allowing for the planting of trees along the Loretta ROW to replace the removed trees. In the opinion of Dendron Forestry Services, the official plan's direction to increase canopy will be better served by removing and replacing these trees.

**Tree 5** is almost dead – the trunk has little bark left, the tree has grown around three separate metal objects, and there are only two small branches remaining with leaves. The client has indicated the tree will be left standing for now, but if or when the client decides to remove it, no permit should be required due to the tree's health status.



### *Tree Protection*

**Prior to any site works**, protective fencing should be installed around the Tree Protection Area as indicated in the attached Tree Information Map and maintained until all construction on site has been completed as per the City of Ottawa Tree Protection Specifications (March 2021).

**Failure to install and maintain fencing as shown on the attached map may result in fines from the city.**

Within the fenced area, the following tree protection guidelines should be applied:

- Do not change the grade
- Do not store construction material
- Do not operate machinery
- Do not convert to hard surface or change the landscaping
- Do not excavate unless it is a method that has been pre-approved by the City
- Do not place signs, notices or posters to any tree
- Do not damage the root system, trunk, or branches of any tree
- Direct the exhaust away from the tree

The tree protection fencing must be 1.2 m in height and constructed of a rigid or framed material (e.g. modulus – steel, plywood hoarding, or snow fence on a 2"X4" wood frame) with posts 2.4 m apart such that the fence location cannot be altered. All supports must be placed outside of the CRZ and installation must minimize damage to existing roots.

If the fenced tree protection area must be reduced to facilitate construction, *one* of the following mitigation measures should be applied:

- Place a layer of 6-12 inches (15 to 30 cm) of woodchip mulch to the area
- Apply ¾ (2 cm) inch plywood, or road mats over a 4+ inch (10 cm) thick layer of the wood chip mulch
- Apply 4-6 inches (10 to 15 cm) of gravel over a taut, staked, geotextile fabric

The undersigned personally inspected the property and issues associated with this report on February 21, 2024. On Behalf of Dendron Forestry Services,

Kevin Myers, MFC, RPF in Training  
ISA Certified Arborist®, ON-2907A  
[kevin.myers@dendronforestry.ca](mailto:kevin.myers@dendronforestry.ca)  
(514) 726-8531

**APPENDIX A****TREE INFORMATION TABLE**

Tree <sup>1</sup>	Species	DBH (cm)	Ownership <sup>2</sup>	Tree condition	Approximate distance to excavation (m)	Action	Forester recommendation
1	Manitoba maple ( <i>Acer negundo</i> )	44, 44	City	Poor/Fair: one limb marked for removal (likely by hydro); remaining stem has small areas of decay; limited rooting space; moderate lean	Driveway: 0	Remove	Remove due to health status and impacts from construction. <b>Tree permit required for removal.</b>
2	Eastern white cedar ( <i>Thuja occidentalis</i> )	53	Subject property	Fair/Good: included bark at main union	0	Remove	Remove: within excavation area. <b>Tree permit required for removal.</b>
3	Eastern white cedar ( <i>Thuja occidentalis</i> )	31, 15, 17	Subject property	Fair/Good	0	Remove	Remove: within excavation area. <b>Tree permit required for removal.</b>
4	Eastern white cedar ( <i>Thuja occidentalis</i> )	30, 28	Subject property	Fair/Good: included bark at main union	0	Remove	Remove: within excavation area. <b>Tree permit required for removal.</b>
5	Manitoba maple ( <i>Acer negundo</i> )	62	Subject property	Poor: almost dead – two small viable branches	12	Retain	Retain: no action required – far enough from construction
6 <sup>4</sup>	Manitoba maple ( <i>Acer negundo</i> )	12, 9, 6, 9, 12, 9	City	Fair: spreading form – limbs growing at poor angles; poor growing situation – at edge of stone retaining wall	Driveway: 0	Remove	Remove: in line with proposed driveway. <b>Tree permit required for removal.</b>

<sup>1</sup> Please refer to the attached Tree Information map for tree numbers. Note that this includes a tree layer added to the site plan (in pdf format) provided by the client. This layer includes only information about the trees and the original site plan is not altered in this process.

<sup>2</sup>Ownership of the tree in this report is based on the information provided and should not be used as a determination of ownership. For ownership disputes, a survey should be relied on. For boundary trees, consent from the adjacent property owner is required for removal as part of the application.

<sup>4</sup>The location of these trees was not provided and has been estimated





## **APPENDIX B**

### **PHOTOGRAPHS**

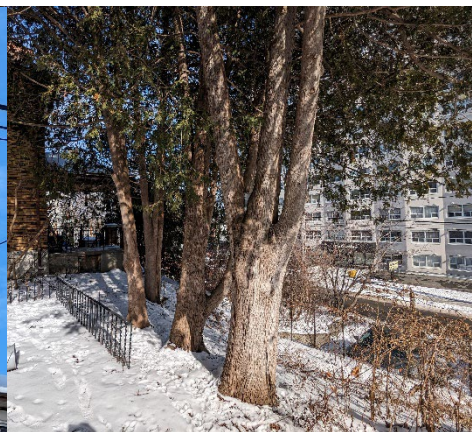


*Above: Tree 1 (view from in front of existing house)  
- city Manitoba maple to be removed.*

*Right: trunks of Tree 1 - one marked for removal.*





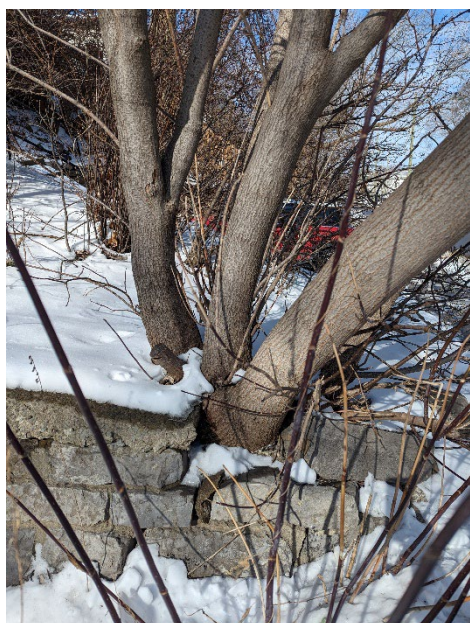


*Above: Trunks of Trees 2-4*

*Left: Trees 2-4 - private cedars to be removed.*

*Below right: Tree 6 – city Manitoba maple to be removed.*

*Below left: base of Tree 6*





## **APPENDIX C**

### **ASSUMPTIONS AND LIMITING CONDITIONS**

#### **Intended Use of the Report**

This Report was prepared by Dendron Forestry Services (hereafter “Dendron”) at the request of the Client. The results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report are to be used solely for the purposes outlined within this Report. All other uses are impermissible and unintended, unless specifically stated in writing in the Report.

#### **Intended User of the Report**

This Report was prepared by Dendron for the exclusive use of the Client and may not be used or relied upon by any other party. All other users are unintended and unauthorized, unless specifically stated in writing in the Report.

#### **Limitations of this Report**

This Report is based on the circumstances and on-site conditions as they existed at the time of the site inspection and the information provided by the Client and/or third parties to Dendron. On-site conditions may limit the extent of the on-site inspection(s) conducted by Dendron, including weather events such as rain, flooding, storms, winds, tornados, snowfall, snow cover, hail; obstructions including fencing, dwellings, buildings, sheds, plants, and animals; lack of access to the entire perimeter of the tree due to adjacent properties; the shape of the tree; and accessibility of the tree crown, branches, trunk, or roots for examination.

In the event that information provided by the Client or any third parties, including but not limited to documents, records, site and grading plans, permits, or representations or any site conditions are updated or change following the completion of this Report, this Report is no longer current and valid and cannot be relied upon for the purpose for which it was prepared. Dendron and its agents, assessors, and/or employees are not liable for any damages, injuries, or losses arising from amendments, revisions, or changes to the documents, records, site and grading plans, permits, representations, or other information upon which Dendron relied in preparing this Report.

No assessment of any other trees or plants has been undertaken by Dendron. Dendron and its agents, assessors, and/or employees are not liable for any other trees or plants on or around the subject Property except those expressly identified herein. The results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report apply only to the trees identified herein.

Trees and plants are living organisms and subject to change, damage, and disease, and the results, observations, interpretations, analysis, recommendations, and conclusions as set out in this Report are valid only as at the date any inspections, observations, tests, and analysis took place. No guarantee, warranty, representation, or opinion is offered or made by Dendron as to the length of the validity of the results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report. As a result the Client shall only rely upon this Report as representing the results, observations, interpretations, analysis, recommendations, and conclusions that were made as at the date of such inspections, observations, tests, and analysis. The trees discussed in this Report should be re-assessed periodically and at least within one year of the date of this Report.

#### **No Opinion regarding ownership of the Tree**

This Report was not prepared to make a determination as to ownership of the subject tree(s). Where ownership of the subject tree(s) is identified within this Report, said identification is based on the information provided by the Client and third parties, including surveys, permits, and site and grading plans and may not be relied upon as a guarantee, warranty, or representation of ownership.

#### **Assumptions**

This Report is based on the circumstances and conditions as they existed at the time of the site inspection and the information provided by the Client and/or third parties to Dendron. Where documents, records, site and grading plans, permits, representations, and any other information was provided to Dendron for the purpose of preparing this Report, Dendron assumed that said information was correct and up-to-date and prepared this Report in reliance on that information. Dendron and its agents, assessors, and/or employees, are not responsible for the veracity or accuracy of such information. Dendron and its agents, assessors, or employees are not liable for any damages, injuries, or losses arising from inaccuracies, errors, and/or omissions in the documents, records, site and grading plans, permits, representations, or other information upon which Dendron relied in preparing this Report.

For the purpose of preparing this Report, Dendron and its agents, assessors, and/or employees assumed that the property which is the subject of this Report is in full compliance with all applicable federal, provincial, municipal, and local statutes, regulations, by-laws, guidelines, and other related laws. Dendron and its agents, assessors, and/or employees are not liable for any issues with respect to non-compliance with any of the above-referenced statutes, regulations, bylaws, guidelines, and laws as it may pertain to or affect the property to which this Report applies.

For the purpose of preparing this Report, Dendron and its agents, assessors, and/or employee assumed that there are no hidden or unapparent conditions affecting the results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report.

#### **No Publication**





The Client acknowledges and agrees that all intellectual property rights and title, including without limitation, all copyright in this Report shall remain solely with Dendron Forestry. Possession of this Report, or a copy thereof, does not entitle the Client or any third party to the right of publication or reproduction of the Report for any purpose save and except where Dendron has given its prior written consent.

Neither all nor any part of the contents of this Report shall be disseminated to the public through advertising, public relations, news, sales, the internet or other media (including, without limitation, television, radio, print or electronic media) without the prior written consent of Dendron Forestry.

### **Implementing the Report Recommendations**

Dendron and its agents, assessors, and/or employees accept no responsibility for the implementation of any part of this Report unless specifically requested to provide oversight on the implementation of the recommendations. In the event that inspection or supervision of all or part of the implementation of the within recommendations is requested, that request shall be in writing and the details agreed to in writing by both parties.

Dendron and its agents, assessors, and/or employees are not liable for any damages or injuries arising from the manner in which the recommendations in this Report are implemented, including failure to, incorrect, or negligent implementation of the recommendations.

### **Further Services**

Neither Dendron nor any assessor employed or retained by Dendron for the purpose of preparing or assisting in the preparation of this Report shall be required to provide any further consultation or services to the Client, save and except as already carried out in the preparation of this Report and including, without limitation, to act as an expert witness or witness in any court in any jurisdiction unless the Client has first made specific arrangements with respect to such further services, including, without limitation, providing the payment of the Report's regular hourly billing fees.

### **Limits of Liability**

In carrying out this Report, Dendron and its agents, assessors, and/or employees have exercised a reasonable standard of care, skill, and diligence as would be customarily and normally provided in carrying out this Report. While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or all parts of them will remain standing. It is professionally impossible to predict with absolute certainty the behaviour of any single tree or group of trees, or all their component parts, in all given circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential to fall, lean, or otherwise pose a danger to property and persons in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Without limiting the foregoing, no liability is assumed by Dendron for:

- a) any legal description provided with respect to the Property;
- b) issues of title and or ownership respect to the Property;
- c) the accuracy of the Property line locations or boundaries with respect to the Property; and
- d) the accuracy of any other information provided to Dendron by the Client or third parties;
- e) any consequential loss, injury or damages suffered by the Client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and
- f) the unauthorized distribution of the Report.

The total monetary amount of all claims or causes of action the Client may have as against Dendron Forestry, including but not limited to claims for negligence, negligent misrepresentation, and breach of contract, shall be strictly limited solely to the total amount of fees paid by the Client to Dendron Forestry pursuant to the Contract for Services dated February 15, 2024, for which this Assessment was carried out.

Further, under no circumstance may any claims be initiated or commenced by the Client against Dendron or any of its directors, officers, employees, contractors, agents, assessors, or Assessors, in contract or in tort, more than 12 months after the date of this Report.

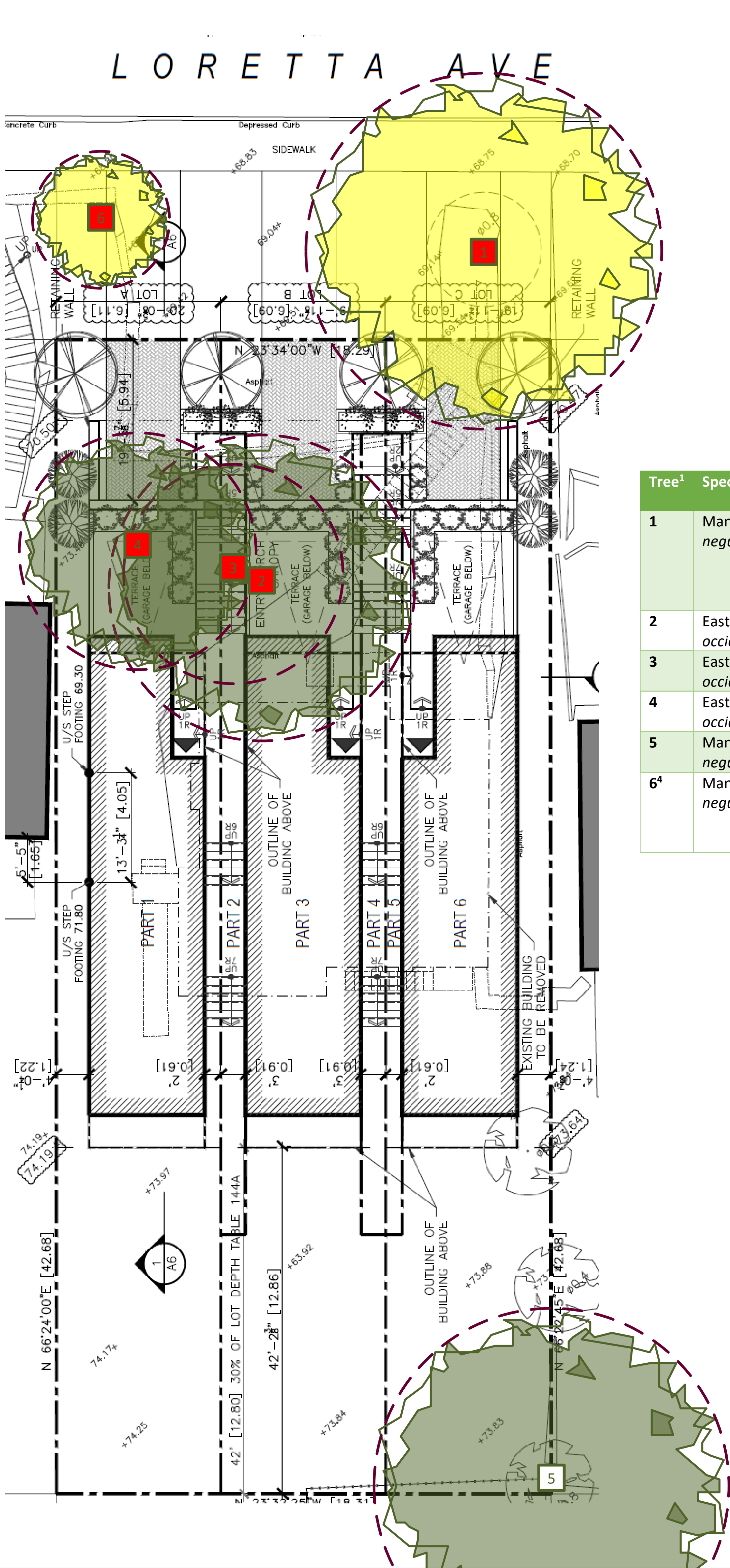
### **No Third Party Liability**

This Report was prepared by Dendron exclusively for the Client for the purpose set out in the Report. Any use which a third party makes of this Report, or any reliance on or decisions a third party may make based upon this Report, are made at the sole risk of any such third parties. Dendron Forestry accepts no responsibility for any damages or loss suffered by any third party or by the Client as a result of decisions made or actions based upon the unauthorized use or reliance of this Report by any such party.

### **General**

Any plans and/or illustrations in this Report are included only to help the Client visualize the issues in this Report and shall not be relied upon for any other purpose. This report is best viewed in colour. Any copies printed in black and white may make some details difficult to properly understand. Dendron accepts no liability for misunderstandings due to a black and white copy of the report.

Notwithstanding any of the above, nothing in this Report is taken to absolve the Client of the responsibility of obtaining a new Report in the event that the circumstances of the tree change.


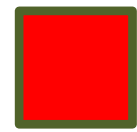




TIR Map – 282 Loretta Avenue  
Tree layer prepared by  
Dendron Forestry Services  
Version 1.0, February 22, 2024  
For more information, please contact: [info@dendronforestry.ca](mailto:info@dendronforestry.ca)

**Note:** the tree layer has been added to the original site plan supplied by the client in pdf format. This layer refers to the trees only, and the original plan has not been altered in the process. Refer to the original plan for details as quality is lost when importing the plan into the mapping software used to create the tree layer.

Tree <sup>1</sup>	Species	DBH (cm)	Tree condition	Forester recommendation
1	Manitoba maple ( <i>Acer negundo</i> )	44, 44	Poor/Fair: one limb marked for removal (likely by hydro); remaining stem has small areas of decay; limited rooting space; moderate lean	Remove due to health status and impacts from construction. <b>Tree permit required for removal.</b>
2	Eastern white cedar ( <i>Thuja occidentalis</i> )	53	Fair/Good: included bark at main union	Remove: within excavation area. <b>Tree permit required for removal.</b>
3	Eastern white cedar ( <i>Thuja occidentalis</i> )	31, 15, 17	Fair/Good	Remove: within excavation area. <b>Tree permit required for removal.</b>
4	Eastern white cedar ( <i>Thuja occidentalis</i> )	30, 28	Fair/Good: included bark at main union	Remove: within excavation area. <b>Tree permit required for removal.</b>
5	Manitoba maple ( <i>Acer negundo</i> )	62	Poor: almost dead – two small viable branches	Retain: no action required – far enough from construction
6 <sup>4</sup>	Manitoba maple ( <i>Acer negundo</i> )	12, 9, 6, 9, 12, 9	Fair: spreading form – limbs growing at poor angles; poor growing situation – at edge of stone retaining wall	Remove: in line with proposed driveway. <b>Tree permit required for removal.</b>

**Legend**

-  Critical Root Zone
-  Tree to be removed
-  Private Tree
-  Tree either fully or partly on city property

2024-05-09



CONSENT & MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 282 Loretta Avenue South  
Legal Description: Lot 11 (West Loretta Avenue), Registered Plan 146  
File No.: D08-01-24/B-00062 to D08-01-24/B-00064  
D08-02-24/A-00083 to D08-02-24/A-00085  
Report Date: May 9, 2024  
Hearing Date: May 15, 2024  
Planner: Margot Linker  
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving Overlay  
Zoning: R2R (Residential Second Density, Subzone R)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the applications.

DISCUSSION AND RATIONALE

The subject site is located within the Inner Urban Transect and designated Neighbourhood within the Evolving Overlay on Schedules A and B2 in the Official Plan, and is zoned R2R. This area is identified as one that will gradually evolve through intensification to a more urban built form.

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. Due to the unique site context, Planning Staff have no concerns regarding the requested variances.

Staff do not believe there are any negative impacts from the reduced lot sizes, which are similar to the existing surrounding lot fabric.

The proposed building heights appears to be generally in line with the surrounding properties, and are also mitigated through the large set back of the main portion of the buildings.

The dominant character, determined by the Streetscape Character Analysis, was no front-facing attached garage, no driveway, and principal entrance facing the street. The majority of the lots on this block that were included in the analysis, have front yard parking that exists today; however, whether those had been established legally was not possible to confirm. Therefore, the majority of the lots were marked as no driveway as it couldn't be determined if they lead to a legal parking space.

Due to the existing grading of the site, interior side yard and rear yard parking is not possible. While no parking is required for this area in the city, the proposed driveways and garages will remove the existing front yard parking and introduce more soft landscaping along Loretta. The proposal also include a terrace above the garage with a canopy to emphasize the second storey and activate the streetscape.

While the principal entrance of each unit is located further back due to the slope of the site, they are visually emphasized with canopies. There are also entrances within the front wall that lead to the units which are oriented to interact with the public realm to mimic the intent of the principal entrance. The proposed projections reduce the visual impact of the front-facing attached garages.

## **ADDITIONAL COMMENTS**

### **Infrastructure Engineering**

1. The Planning, Real Estate and Economic Development Department will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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, Real Estate and Economic Development Department.
4. A private approach permit is required for any access off of the City street.
5. Existing grading and drainage patterns must not be altered.
6. Existing services are to be blanked at the owner's expense.
7. Existing Catch Basin is not to be located within the driveway.
8. A report addressing the stability of slopes, prepared by a qualified geotechnical engineer licensed in the Province of Ontario, should be provided wherever a site has slopes (existing or proposed) steeper than 5 horizontal to 1 vertical and/or more than 2 metres in height.
9. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
10. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

### **Planning Forestry**



While the TIR recommends the removal of all trees on site, which is not generally acceptable, the only trees located outside of the buildable footprint are in a condition where long term survival is questionable. As such, there are no tree-related concerns with the severance or minor variances, provided that a planting plan is provided with the required compensation trees and that sufficient space is maintained between the driveways and services to plant new trees, as large as possible, in the Right of Way to improve the streetscape and canopy cover of the site.

### **Right of Way Management**

The grade on any part of a private approach, excluding the public sidewalk, shall be between 2-6%, per Section 26(g) of the Private Approach By-law.

### **Transportation Engineering**

The site is located within 300 m of the OLRT rail corridor (Line 1). The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

### **CONDITIONS**

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions on the applications:

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
2. The Owner/Applicant(s) shall prepare and submit a tree planting plan, prepared to the satisfaction of the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s), showing the location(s), species or ultimate size of the specified number of compensation trees (50 mm caliper) required under the Tree Protection By-law, assuming that all proposed tree removals are permitted.
3. That the Owner(s) provide proof to the satisfaction of the Development Review Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the existing dwelling/building has been removed.
4. That the Owner(s) provide evidence to the satisfaction of the Development Review Manager of the Relevant Branch within Planning, Development and

Building Services Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the accessory structure has been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.

5. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review Manager, Planning, Development and Building Services 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 to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.
6. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate.
7. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners.

The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways, and common landscaping.

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, and is satisfactory to City Legal

Services, as well as a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

If the Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate determines that the Easement Agreement satisfies the above and a Joint Use, Maintenance and Common Elements Agreement is no longer necessary, this condition shall be deemed as fulfilled.

8. The Owner(s) shall prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control (and vibration if applicable) attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.
9. That the Owner(s) enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, to require that an asphalt overlay will be installed, at the Owner(s) expense, on Loretta Street, fronting the subject lands, over the entire public driving surface area within the limits of the overlay, if the approved Site Servicing Plan shows three or more cuts within the pavement surface. The overlay must be carried out to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

If the Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate determines that a Development Agreement requiring an asphalt overlay is no longer necessary, this condition shall be deemed as fulfilled.

10. That the Owner provide a Slope Stability Report prepared by a Professional Geotechnical Engineer currently licensed in the Province of Ontario, that is satisfactory to Development Review Manager of the Relevant Branch within Planning, Development and Building Services Department, demonstrating that all parcels to be created by this application are, or can be made, suitable for residential purposes.

*Margot Linker*

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Margot Linker  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department

*Erin O'Connell*

---

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

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 1

Wednesday, May 15, 2024

1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 CentrepoinTE Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

<b>File No.:</b>	D08-02-24/A-00088
<b>Application:</b>	Minor Variance under section 45 of the <i>Planning Act</i>
<b>Owner/Applicant:</b>	Evan Potter
<b>Property Address:</b>	80 Fourth Avenue
<b>Ward:</b>	17 – Capital
<b>Legal Description:</b>	Part of Lot 31 (South of Fourth Avenue), Registered Plan 35085
<b>Zoning:</b>	R3Q [1474]
<b>Zoning By-law:</b>	2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Owner wants to construct a two-storey coach house at the rear of the property, as shown on plans filed with the Committee. The existing detached garage will be demolished.

## **REQUESTED VARIANCE:**

The Owner/Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit an increased building height (for the coach house) of 6.21 metres, whereas the By-law permits a maximum building height for a coach house of 3.6 metres.

**THE APPLICATION** indicates the property is not the subject of any other current applications under the Planning Act.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

## **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

## **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 CentrepoinTE Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade CentrepoinTE  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande de dérogation mineure

Groupe 1  
Mercredi 15 mai 2024  
13 h

Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossier :</b>	D08-02-24/A-00088
<b>Demande :</b>	Dérogation mineure en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaire/requérant :</b>	Evan Potter
<b>Adresse municipale :</b>	80, avenue
<b>Quartier :</b>	17 – Capitale
<b>Description officielle :</b>	Partie du lot 31 (au sud de l'avenue Fourth), plan enregistré 35085
<b>Zonage :</b>	R3Q [1474]
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DU REQUÉRANT ET OBJET DE LA DEMANDE :

Le propriétaire souhaite construire une annexe résidentielle de deux étages à l'arrière du bien-fonds, conformément aux plans déposés auprès du Comité. Le garage isolé existant sera démoli.

## DÉROGATION DEMANDÉE :

Le propriétaire/requérant demande au Comité d'accorder une dérogation mineure au Règlement de zonage en vue de permettre l'augmentation de la hauteur de bâtiment (pour l'annexe résidentielle) à 6,21 mètres, alors que le règlement permet une hauteur maximale de 3,6 mètres pour une annexe résidentielle.

**LA DEMANDE** indique que la propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**SI VOUS NE PARTICIPEZ PAS** à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

**SI VOUS SOUHAITEZ RECEVOIR UN AVIS DE LA DÉCISION** prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

**POUR OBTENIR PLUS DE RENSEIGNEMENTS** à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisirez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience** : Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024



*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
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**Committee of Adjustment  
Comité de dérogation**

# CIRCULATION MAP / PLAN DE CIRCULATION

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**SUBJECT LAND / TERRAIN EN QUESTION**

**80 av. Fourth Avenue**



**NOT TO SCALE  
NON À L'ÉCHELLE**



# Ottawa General Contractors

200- 1886 Merivale Rd.  
Ottawa Ontario  
K2G 1E6  
613-225-9991

Committee of Adjustment  
101 Centrepointe Drive  
Ottawa, Ontario, K2G 5K7

March 6, 2024

RE: 80 Fourth Avenue – Application for Minor Variance

Dear Committee Members,

**Committee of Adjustment**  
Received | Reçu le

**2024-04-09**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

OGC Ltd. is pleased to submit a Minor Variance application on behalf of the owner, for the subject sites known as 80 Fourth Avenue.

Upon review of our application, you will find the following:

- One (1) copy of a cover letter/planning rationale
- One (1) copy of the Permission Application form, including owner authorization
- Two (2) copies of the Survey plan (1 full size and 1 reduced)
- One (1) copy of a tree information report
- Two (2) copies of each of the following plans (1 full size and 1 reduced):
  - Drawing A-1 Cover Sheet
  - Drawing A-2 Existing Site Plan
  - Drawing A-3 Proposed Site Plan
  - Drawing A-4 Exterior Elevations
  - Drawings A-5 to A-10 Shadow Studies





## 1.0 – Introduction

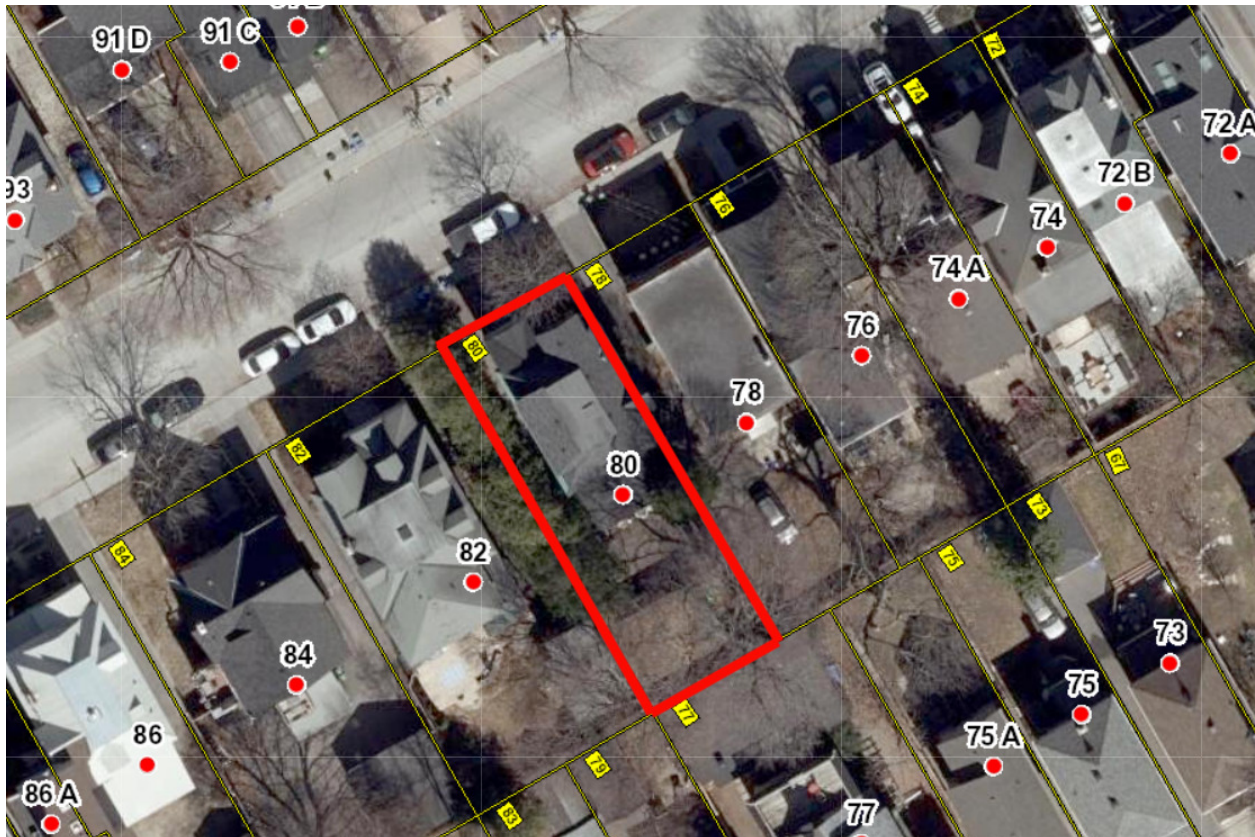
This application has been prepared and submitted to seek minor variance approval to permit the construction of a 2 story - 2 bedroom, 1 car garage coach house with an increase in building height from the zoning provisions set in by-law 2008-250

## 2.0 – Site Context

The subject site is in the Glebe neighborhood and resides a 2.5 story duplex dwelling and is zoned R3Q [1474].

All surrounding properties are of the same zoning designation and are within the mature neighborhood overlay and consist of a mixture of low-rise apartments, duplexes and detached dwellings ranging in 2 to 3 stories.

**Figure 1 – Site Location**









# Ottawa General Contractors

200- 1886 Merivale Rd.  
Ottawa Ontario  
K2G 1E6  
613-225-9991

Figure 3 outlines adjacent properties and their building heights for the principal dwellings to conduct a height comparison of the proposed development and its context. The majority of the residential buildings in the R3Q zone resides a 2.5 story dwelling.

Bank street being a main corridor, resides a mixed use building at the corner of Bank and Fourth which holds a 7 storey building in close proximity to the subject site.

The proposed coach house is located in the southern yard of the property, with the lot orientation being skewed from true North, the majority of shadows casted as a result of a 2 story structure will be maintained on the site with little impact to neighboring properties. Refer to submitted plan for illustrated shadow studies during the summer and winter solstices.

**Figure 3 – Building Height Analysis**





Figure 4 outlines a representation of the existing tree canopy line in relation to the properties along Fourth and Fifth Avenue that exceed the height of the proposed coach houses. The development will maintain the existing vegetation acting as a privacy screen between properties to help maintain privacy to the surrounding properties and their amenity spaces.

**Figure 4 – Neighboring Impact**





## 3.0 – Policies

The City of Ottawa Official Plan lists the property as General Urban. The General Urban area designation permits a full range of housing types, which includes a coach house accessory to the existing dwelling type on site – a duplex.

Under the Bill 23 typology and recent release of the ADU By-law section 133, the proposed development creates a 3 unit configuration on the lot with the existing dwelling and the creation of a coach house in the rear yard.

The proposed development is in alignment with the intent of the new official plan and Bill 23 changes through intensification while providing a wide range of housing options through-out the City.

## 4.0 – Zoning Summary Table

The subject property is designated Residential Third Density (R3Q) in the City of Ottawa zoning by-law (2008-250). The following table summarizes the zoning requirements and outlines the area of non-compliance under section 142 for coach houses.

	Required	Provided	Compliance
Minimum Lot Area	-	335m <sup>2</sup>	Yes
Minimum Lot Width	-	10.76m	Yes
Minimum Front Yard Setback	-	-	-
Minimum Interior Yard	1m or <4m	1m/1m	Yes
Minimum Rear Yard	1m or <4m	1m	Yes
Maximum Building Height	3.6m	6.21m	No
Maximum Walkway Width	1.2m	1.2m	Yes

## 5.0 – Tree Protection

The adjacent sites have existing distinctive trees with critical root zones extending into the subject properties. Please refer to report prepared by IFS Associates for more information on protection of distinctive trees.

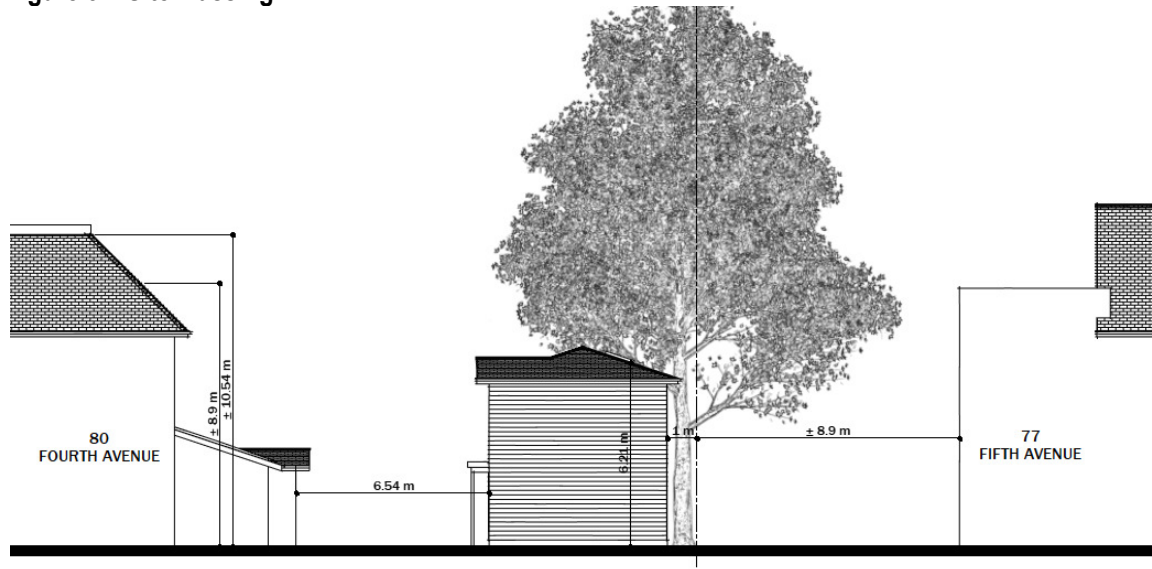
## 6.0 – Site Massing

Under section 133 of the coach house by-law, coach house have a permitted building height of 3.6m for structures located in the urban area that are design with a pitched roof. The following figure 5 has been created to evaluate the proposed development adjacent to the neighboring properties.





Figure 5 – Site Massing



## 7.0 Rationale

In summary, it is in our opinion that the requested reduced rear yard meets the four tests for the following reasons:

1. **Is the variances minor**
  - a. We find the variance to be minor considering the majority of the neighborhood consist of 2.5 stories or more dwellings.
  - b. We also find it minor considering the proximity to Bank streets developments which consist of buildings up to 7 stories in height.
2. **Is the variance desirable for the appropriate development or use of the property**
  - a. We find it appropriate use of the property as the current use utilizes the rear yard for parking and the proposed development maintains the parking area while providing additional housing through an increase in height and attached garage.
3. **Is the variance maintaining the general intent and purpose of the zoning by-law**
  - a. The proposed development does maintain the general intent of the zoning by-law. The design is in similarity to the by-laws for a rural lot and building height for a coach house including an attached garage.
  - b. The increase in height provides a transition line between mid-rise buildings along bank street as it moves into the residential neighborhoods.
4. **Does the variance maintain the general intent and purpose of the Official Plan**
  - a. The proposed development does meet the purpose of the current and new official plans through intensification and providing affordable housing options through-out the City.

In summary, we are of the opinion that the requested relief for the proposed development meets the four tests as established in the planning act.

Yours truly, Ottawa General Contractors

COACH HOUSE

80 FOURTH AVENUE, OTTAWA, ONTARIO

ISSUED MINOR VARIANCE

INDEX OF DRAWINGS	
SHEET	TITLE
A-1	COVER PAGE
A-2	EXSITING SITE PLAN
A-3	PROPOSED SITE PLAN
A-4	EXTERIOR ELEVATIONS
A-5	SHADOW STUDY SUMMER 8:00
A-6	SHADOW STUDY SUMMER 12:00
A-7	SHADOW STUDY SUMMER 18:00
A-8	SHADOW STUDY WINTER 10:00
A-9	SHADOW STUDY WINTER 13:00
A-10	SHADOW STUDY WINTER 16:00

Committee of Adjustment  
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2024-04-09

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- GENERAL NOTES:
- 1.DESIGN IN ACCORDANCE WITH ONTARIO BUILDING CODE (OBC 2012 O. REG. 332/21)
- 2.CONTRACTOR TO VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION
- 3.ANY ERRORS SHALL BE REPORTED TO DESIGNER AND ENGINEER PRIOR TO CONSTRUCTION
- 4.ALL ANGLED WALLS ARE SHOWN ON A 45 ° ANGLE UNLESS NOTED OTHERWISE
- 5.DO NOT SCALE DRAWINGS
- 6.ALL DIMENSIONS TO EXISTING AND NEW CONSTRUCTION TO DRYWALL
- 7.ALL LUMBER SHALL BE SPF NO.2 OR BETTER
- 8.ENGINEERED ROOF TRUSSES SHALL NOT BE DRILLED OR NOTCHED UNLESS NOTED IN THE DESIGN
- 8.ALL WOOD IN CONTACT WITH CONCRETE SHALL BE SEPARATED WITH NO LESS THAN 6mil POLY
- 9.PROVIDE SQUASH BLOCKS AS NECESSARY TO TRANSFER POINT LOADS
- 10.ALL HANDRAILS AND GUARDRAILS TO CONFORM TO SB-7 UNLESS NOTED OTHERWISE
- 11.AIR BARRIERS ARE TO BE CONTINUOUS (9.25.3.3.)
- 12.PROVIDE EXHAUST FANS FOR ALL BATHROOMS WITH DUCT TERMINATING OUTSIDE OF BUILDING ENVELOPE UNLESS NOTED OTHERWISE.
- 13.CONTRACTOR RESPONSIBLE FOR ANY REQUIRED SHORING, INCLUDING INSTALLATION AND DESIGN APPROVED BY ENGINEER
- 14.ALL PLUMBING FIXTURES TO BE INSTALLED WITH A 1/4 TURN BALL TYPE SHUTOFF VALVE
- 15.ALL PLUMBING CONNECTIONS TO BE REVIEWED BY INSPECTOR ON SITE PRIOR TO CLOSING.
- 16.ELECTRICAL PERMIT REQUIRED FROM ELECTRICAL SAFETY AUTHORITY FOR ANY ELECTRICAL WORK, 1-877-372-7233
- 17.ALL PLUMBING FIXTURES TO BE CSA APPROVED.
- 18.SMOKE ALARMS TO HAVE A VISUAL SIGNALING COMPONENT AS PER 9.10.19.3 (3)
- 19.ALL FASTENING OF FRAMING MEMBERS TO CONFORM TO OBC 9.23.3.

Ottawa General Contractors  
Your renovation specialist

NO.	DESCRIPTION	BY	DATE
1	ISSUED MINOR VARIANCE	AB	2024-03-06

SHEET TITLE:

COVER PAGE

PROJECT DESCRIPTION:

80 FOURTH AVENUE  
COACH HOUSE

DATE:

2024-03-06

SCALE:

INDICATED

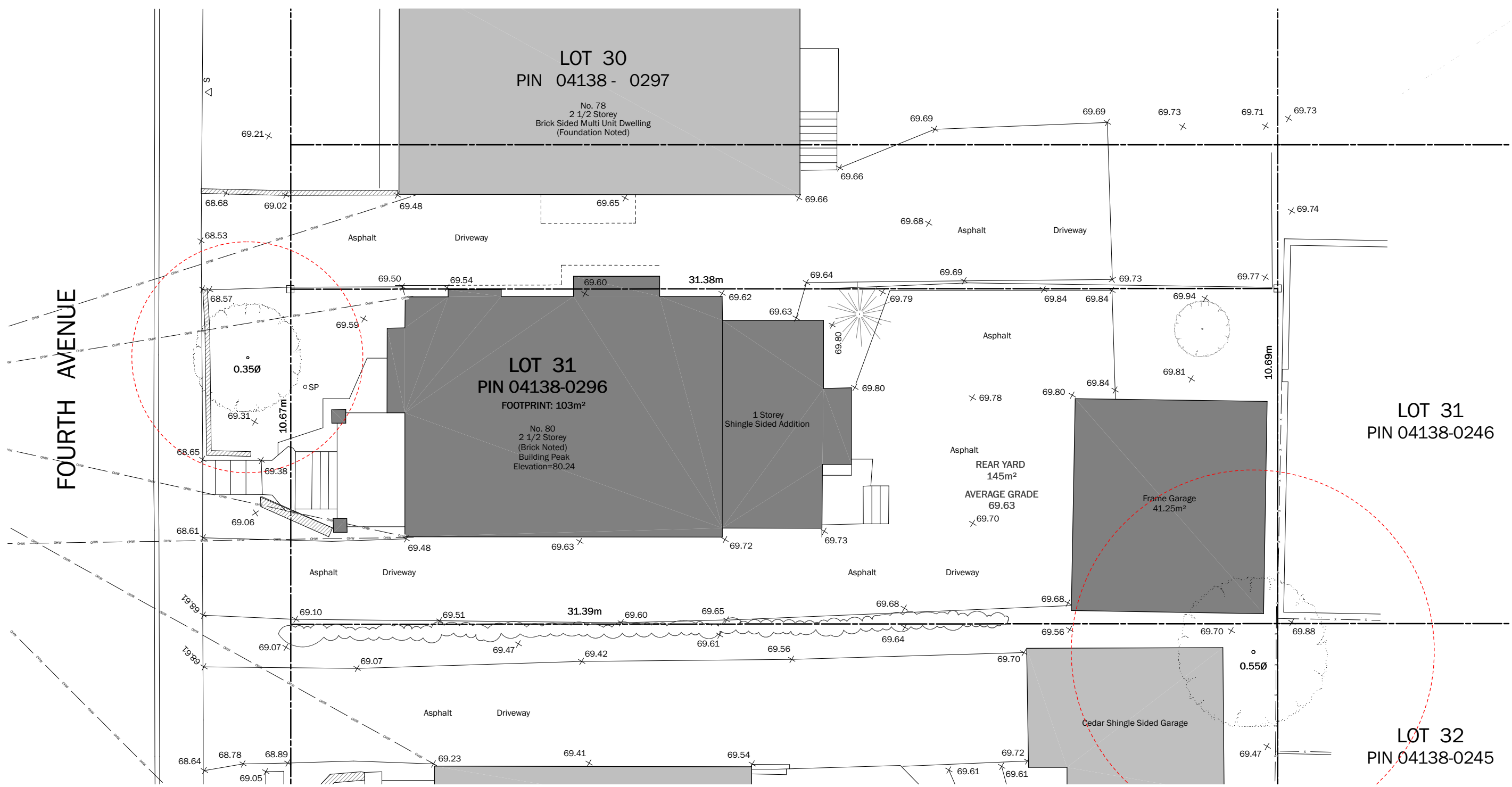
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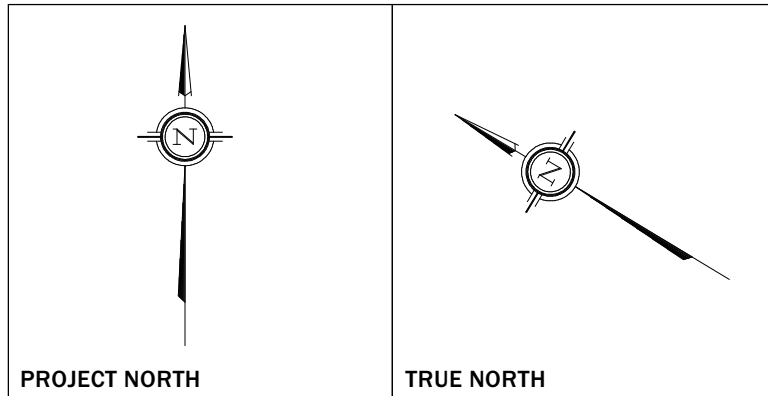
SHEET:

A-1

9:47:59 AM



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**2024-04-09**  
  
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Your renovation specialist

REVISION TABLE			
NO	DESCRIPTION	BY	DATE
1	ISSUED MINOR VARIANCE	AB	2024-03-06

SHEET TITLE:

**EXSITING SITE PLAN**

PROJECT DESCRIPTION:

**80 FOURTH AVENUE  
COACH HOUSE**

DATE:

2024-03-06

SCALE:

INDICATED

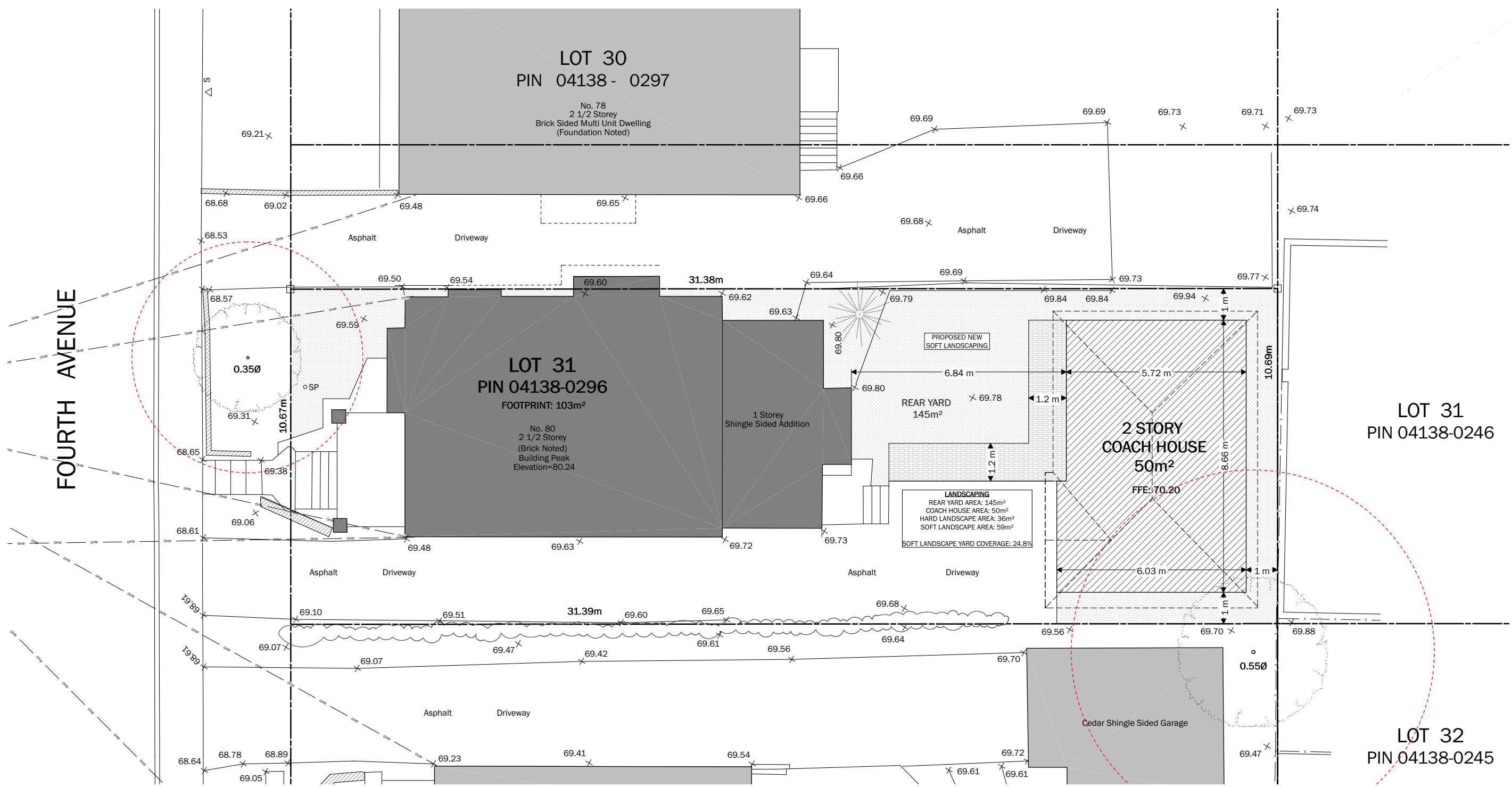
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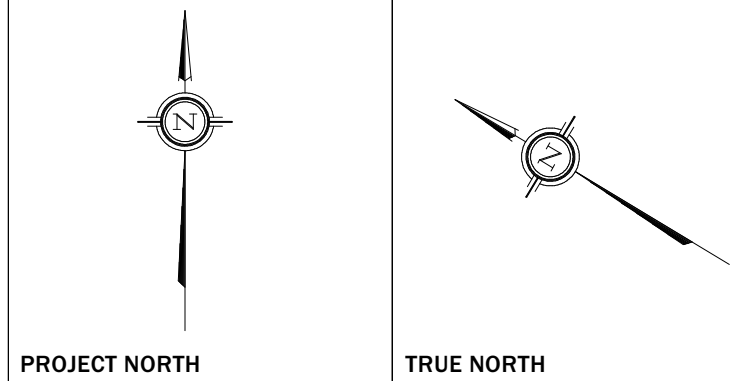
**A-2**

9:47:59 AM



**PROPOSED SITE PLAN**  
SCALE: 3/32" = 1'-0"

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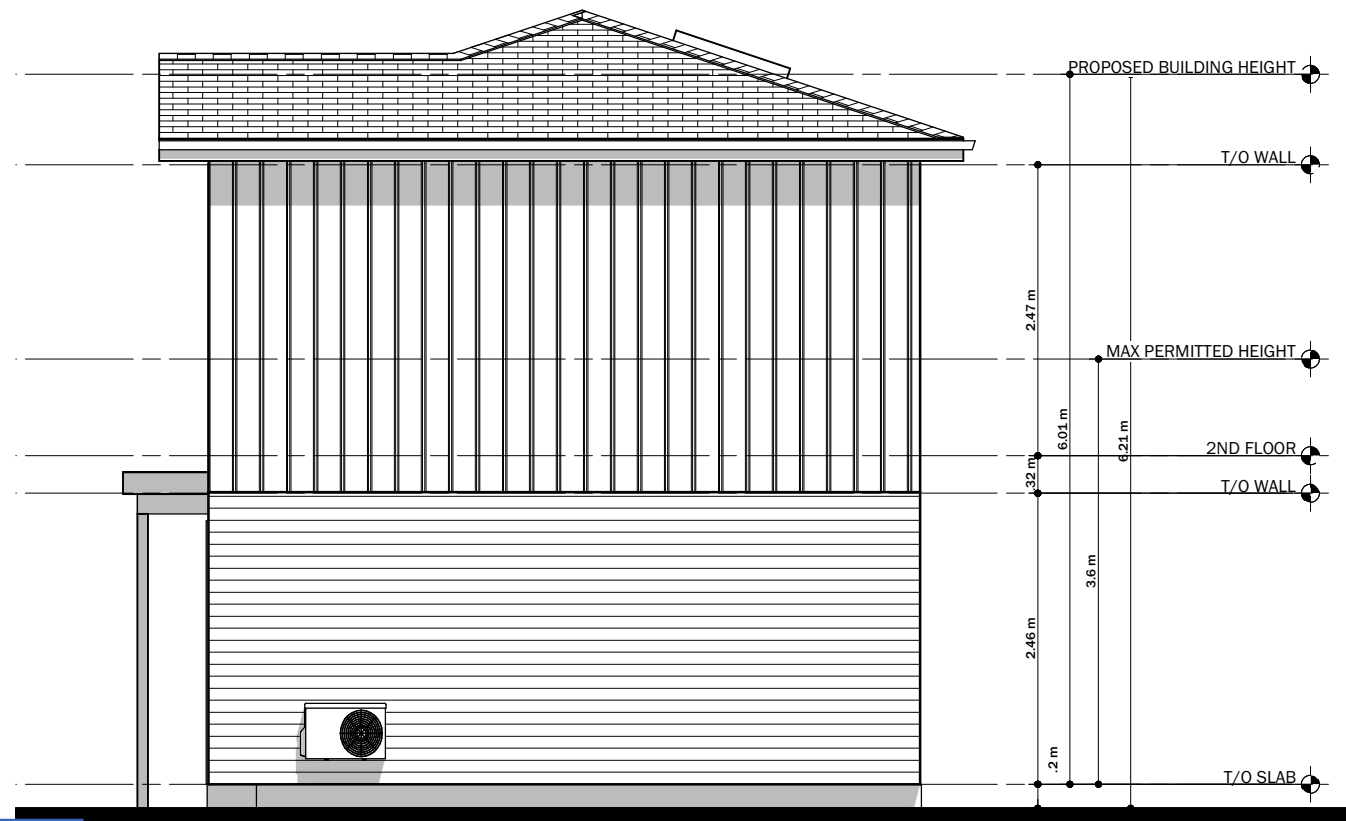
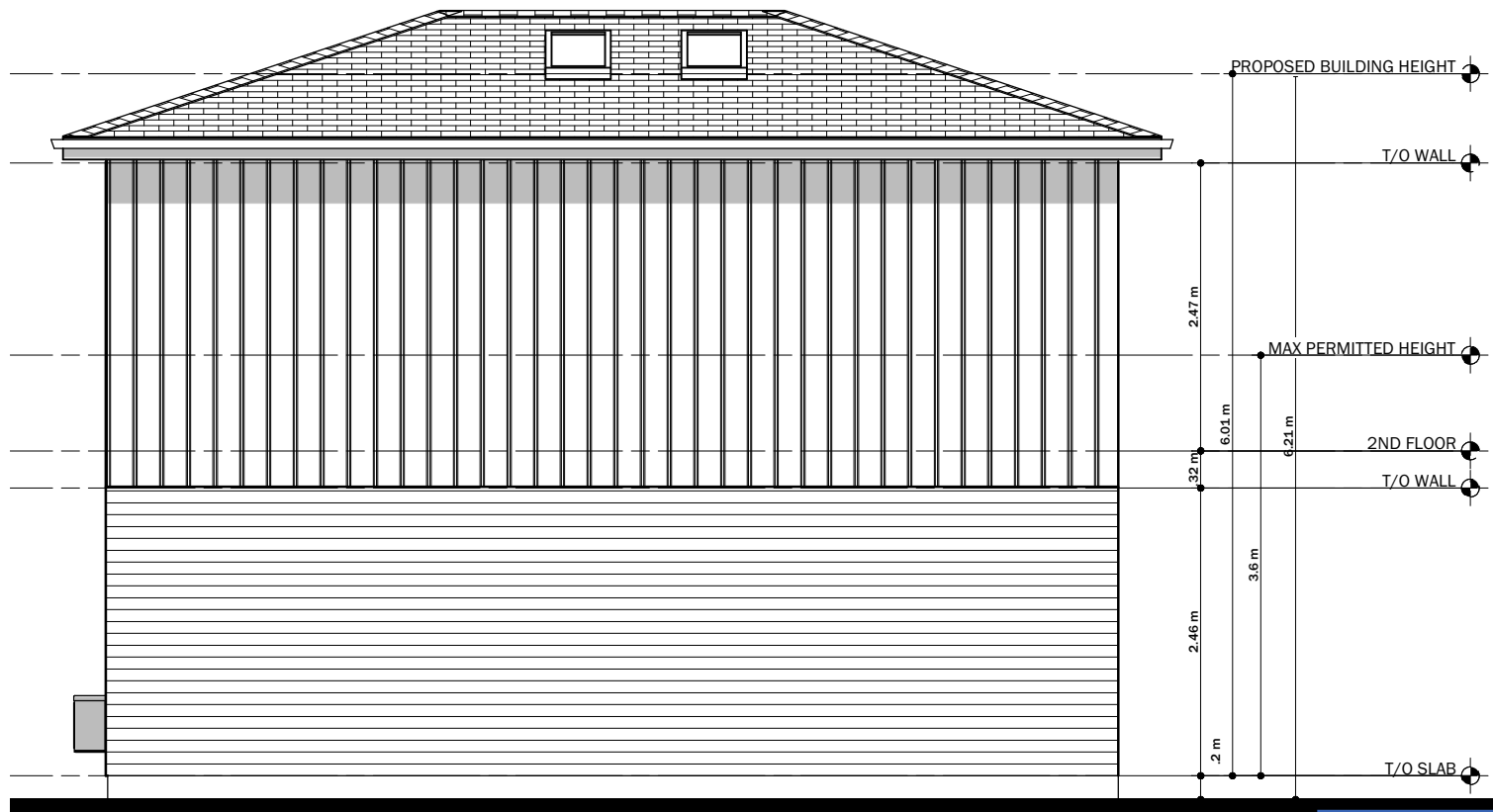
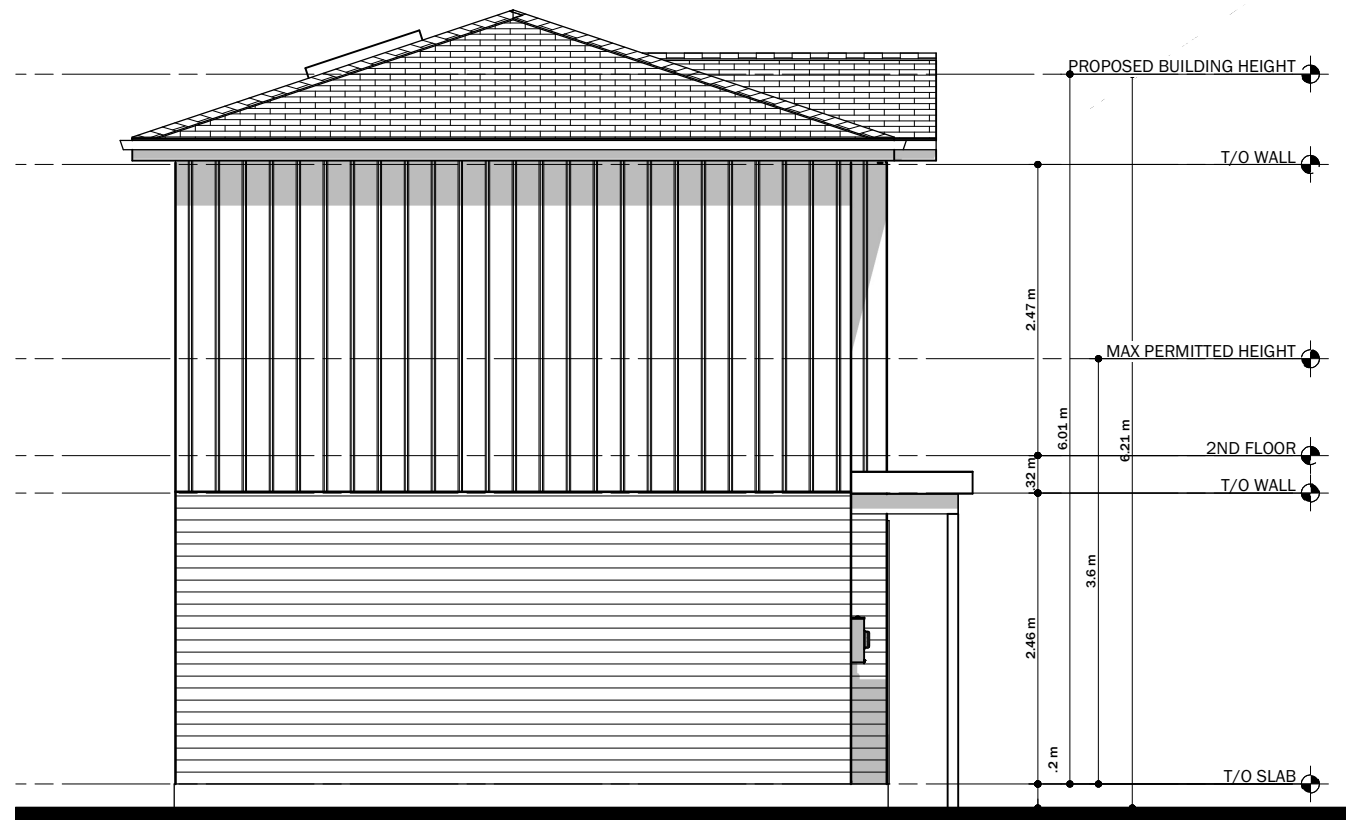
NO.	DESCRIPTION	BY	DATE
1	ISSUED MINOR VARIANCE	AB	2024-03-06

SHEET TITLE:  
**PROPOSED SITE PLAN**

PROJECT DESCRIPTION:  
**80 FOURTH AVENUE  
COACH HOUSE**

DATE:  
2024-03-06  
SCALE:  
INDICATED  
SIZE:  
Tabloid (11" x 17")  
SHEET:  
**A-3**  
9:47:59 AM





**EXTERIOR ELEVATIONS**  
SCALE: 3/16" = 1'-0"

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**2024-04-09**  
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REVISION TABLE		NO.	DESCRIPTION	BY	DATE
1	ISSUED MINOR VARIANCE	AB	2024-03-06		

SHEET TITLE:  
**EXTERIOR  
ELEVATIONS**

PROJECT DESCRIPTION:  
**80 FOURTH AVENUE  
COACH HOUSE**

DATE:  
2024-03-06

SCALE:  
INDICATED

SIZE:  
Tabloid (11" x 17")

SHEET:  
**A-4**  
9:47:59 AM

REVISION TABLE		NO.	DESCRIPTION	ISSUED	MINOR	VARIANCE	BY	DATE
1							AB	2024-03-06

SHEET TITLE:  
**SHADOW STUDY  
SUMMER 8:00**

PROJECT DESCRIPTION:  
**80 FOURTH AVENUE  
COACH HOUSE**

DATE:  
2024-03-06

SCALE:  
INDICATED

SIZE:  
Tabloid (11" x 17")

SHEET:  
**A-5**  
9:48:00 AM

SUMMER SOLSTICE  
JUNE 21 - 8:00

ZONING 3.6m

VARIANCE 6.21m

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REVISION TABLE		NO	DESCRIPTION	ISSUED	MINOR	VARIANCE	BY	DATE
1							AB	2024-03-06

SHEET TITLE:

SHADOW STUDY  
SUMMER 12:00

PROJECT DESCRIPTION:

80 FOURTH AVENUE  
COACH HOUSE

DATE:

2024-03-06

SCALE:

INDICATED

SIZE:

Tabloid (11" x 17")

SHEET:

A-6

9:48:01 AM

SUMMER SOLSTICE  
JUNE 21 - 12:00

ZONING 3.6m

VARIANCE 6.21m

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2024-04-09

City of Ottawa | Ville d'Ottawa  
Comité de dérogation





JUNE 21 - 18:00

**VARIANCE 6.21m**

LOT 30  
N 04138 - 0297

LOT 31  
PIN 04138-0296

LOT 32  
PIN 04138-0295

LOT 33  
PIN 04138-0294

LOT 34  
PIN 04138-0362

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**Ottawa  
General  
Contractors**

REVISION TABLE			
NO	DESCRIPTION	BY	DATE
1.	ISSUED MINOR VARIANCE	AB	2024-03-06

**TITLE:**  
**SHADOW STUDY**  
**SUMMER 18:00**

PROJECT DESCRIPTION:  
**80 FOURTH AVENUE  
COACH HOUSE**

DATE:

2024-03-06

SCALE:

INDICATED

SIZE:

Tabloid (11" x 17")

SHEET:

**A-7**

9:48:01 AM

REVISION TABLE		NO	DESCRIPTION	BY	DATE
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SHEET TITLE:

SHADOW STUDY  
WINTER 10:00

PROJECT DESCRIPTION:

80 FOURTH AVENUE  
COACH HOUSE

DATE:

2024-03-06

SCALE:

INDICATED

SIZE:

Tabloid (11" x 17")

SHEET:

A-8

9:48:02 AM

WINTER SOLSTICE  
DECEMBER 21 - 10:00

ZONING 3.6m

VARIANCE 6.21m

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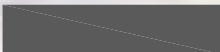
2024-04-09

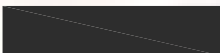
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Comité de dérogation



# WINTER SOLSTICE

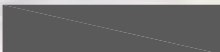
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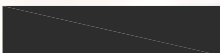
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 VARIANCE 6.21m

# WINTER SOLSTICE

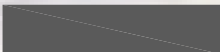
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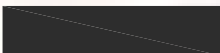
 ZONING 3.6m

 VARIANCE 6.21m

# WINTER SOLSTICE

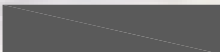
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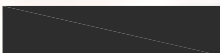
 ZONING 3.6m

 VARIANCE 6.21m

# WINTER SOLSTICE

DECEMBER 21 - 13:00

 ZONING 3.6m

 VARIANCE 6.21m

An aerial map showing a large, irregularly shaped lot. The lot is shaded in light gray. A thick black line outlines the lot's boundary. A pink shaded area runs along the bottom boundary of the lot. The text "LOT 34" and "PIN 04138-0362" is printed in the center of the lot. A dashed line runs along the top and right sides of the lot. A small circular feature is visible in the top left corner. A set of stairs is indicated by a series of short, parallel lines along the bottom boundary.

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**Committee of Adjustment**  
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**2024-04-09**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

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Received | Reçu le  
**2024-04-09**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

REVISION TABLE			
NO	DESCRIPTION	BY	DATE
1	ISSUED MINOR VARIANCE	AB	2024-03-06

TITLE: **SHADOW STUDY  
WINTER 13:00**

**PROJECT DESCRIPTION:**  
**80 FOURTH AVENUE**  
**COACH HOUSE**

DATE:

2024-03-06

SCALE:

INDICATED

**SIZE:**

Tabloid (11" x 17")

SHEET:

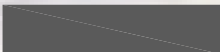
A-9


9:48:02 AM



# WINTER SOLSTICE

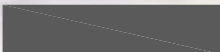
DECEMBER 21 - 16:00


 ZONING 3.6m

 VARIANCE 6.21m

# WINTER SOLSTICE

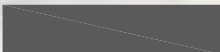
DECEMBER 21 - 16:00


 ZONING 3.6m

 VARIANCE 6.21m

# WINTER SOLSTICE

DECEMBER 21 - 16:00


 ZONING 3.6m

 VARIANCE 6.21m

# WINTER SOLSTICE

DECEMBER 21 - 16:00

 ZONING 3.6m

 VARIANCE 6.21m

LOT 33  
PIN 04138-0294

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REVISION TABLE				
NO	DESCRIPTION	BY	DATE	
1.	ISSUED MINOR VARIANCE	AB	2024-03-06	

TITLE: **SHADOW STUDY  
WINTER 16:00**

**PROJECT DESCRIPTION:**  
**80 FOURTH AVENUE**  
**COACH HOUSE**

DATE:

2024-03-06

**SCALE:**

INDICATED

**SIZE:**

Tabloid (11" x 17")

SHEET:

A-10

9:48:03 AM



TOPOGRAPHIC PLAN OF SURVEY OF  
LOTS 32 AND 33  
AND  
PART OF LOTS 31 AND 34  
(South of Fourth Avenue)  
REGISTERED PLAN 35085  
CITY OF OTTAWA

Surveyed by Annis, O'Sullivan, Vollebakk Ltd.

Scale 1 : 125

5.0 3.75 2.5 1.25 0 2.5 5.0 Metres

Metric  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN  
ARE IN METRES AND CAN BE CONVERTED TO FEET BY  
DIVIDING BY 0.3048.

Surveyor's Certificate

- I CERTIFY THAT:
- This survey and plan are correct and in accordance with the Surveys Act and the Surveyors Act and the regulations made under them.
  - The survey was completed on the 15th day of August, 2023.

Ann, 24 2023  
Date  
T. Hartwick  
Ontario Land Surveyor

Notes & Legend

- Denotes
- Survey Monument Planted
  - Survey Monument Found
  - Standard Iron Bar
  - Short Standard Iron Bar
  - Iron Bar
  - Cut Cross
  - Measured
  - Calculated per
  - Proportional
  - Building Corner
  - Annis, O'Sullivan, Vollebakk Ltd.
  - Registered Plan 35085
  - (857) Plan dated August 20, 2003
  - Plan 4R-34887
  - (AOG) Plan dated May 24, 1991
  - Plan 4R-14310
  - (AOG) Plan dated November 16, 1987
  - Plan 4R-20470
  - (857) Plan dated July 27, 2007
  - Registered Plan 34756
  - (1144) Plan dated August 30, 1965
  - (AOG) Plan dated September 7, 2017
  - Inst. N715840
  - Fire Hydrant
  - Water Stand Post
  - Maintenance Hole (Sanitary)
  - Overhead Wires
  - Fire Hydrant Valve
  - Catch Basin
  - Gas Meter
  - Bollard
  - Sign
  - Utility Pole
  - Air Conditioner
  - Board Fence
  - Gate
  - Timber Retaining Wall
  - Block Retaining Wall
  - Concrete Retaining Wall
  - Stone Retaining Wall
  - Concrete Sidewalk
  - Top of Grate
  - Concrete Sidewalk
  - Diameter
  - Location of Elevations
  - Top of Concrete Curb and Retaining Wall Elevation
  - Centreline
  - Property Line
  - Deciduous Tree
  - Coniferous Tree

ELEVATION NOTES

- Elevations shown are geodetic and are referred to the CGVD28 geodetic datum.
- It is the responsibility of the user of this information to verify that the job benchmark has not been altered or disturbed and that its relative elevation and description agrees with the information shown on this drawing.

Bearings are grid, derived from Can-Net 2016 Real Time Network GPS observations, and are referenced to Specified Control Points 0191968005 and 0191969005, MTM Zone 9 (76°30' West Longitude) NAD-83 (original).

For comparison purposes, a rotation of 0°34'30" counter clockwise was applied to bearings on plans (P1), (P4), (P5), (P6) and (P7).

UTILITY NOTES

- This drawing cannot be accepted as acknowledging all of the utilities and it will be the responsibility of the user to contact the respective utility authorities for confirmation.
- Only visible surface utilities were located.
- A field location of underground plant by the pertinent utility authority is mandatory before any work involving breaking ground, probing, excavating etc.

Committee of Adjustment  
Received / Reçu le

2024-04-09

City of Ottawa / Ville d'Ottawa  
Comité de dérogation

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
V-53905



THIS PLAN IS NOT VALID UNLESS  
IT IS AN EMBOSSED ORIGINAL  
COPY ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29 (3).

© Annis, O'Sullivan, Vollebakk Ltd. 2023. "THIS PLAN IS PROTECTED BY COPYRIGHT"  
ANNIS, O'SULLIVAN, VOLLEBEKK LTD.  
14 Concourse Gate, Suite 500  
Nepean, Ont. K2E 7S6  
Phone: (613) 727-0550 / Fax: (613) 727-1079  
Email: nepean@annisov.com  
Lot No. 2403-23 GMP Homes Inc. PL1431-34 PL 35085 O 04 10





P.O. Box 13593, STN. KANATA, OTTAWA, ON K2K 1X6  
TELEPHONE: (613) 838-5717  
WEBSITE: WWW.IFSASSOCIATES.CA  
URBAN FORESTRY & FOREST MANAGEMENT CONSULTING

December 18, 2023

Alain Bisson  
Senior Architectural Technician, M.A.A.T.O.  
Ottawa General Contractors  
1886 Merivale Road  
Ottawa, ON  
K2G 1E6

Committee of Adjustment  
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2024-04-09

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**RE: TREE INFORMATION REPORT (FULL) FOR 80 FOURTH AVENUE, OTTAWA**

This Tree Information Report (TIR) was prepared by IFS Associates Inc. (IFS) in support of a minor variance application for 80 Fourth Avenue. The need for this report is related to trees protected under the City of Ottawa's Tree Protection By-law (By-law No. 2020-340). The minor variance is required in relation to the construction of a two-storey coach house in the rear yard.

Within the inner urban area of Ottawa a TIR is required for infill developments and/or demolitions when a 'distinctive' tree is present (*i.e.* 30 cm in diameter at breast height (DBH) or greater). This includes distinctive trees on adjacent properties which have critical root zones (CRZ) extending onto a property slated for development or demolition. A "tree" is defined in the By-law as any species of woody perennial plant, including its root system, which has reached or can reach a minimum height of at least 450 cm at physiological maturity. The CRZ is calculated as DBH x 10 cm.

The approval of this TIR by the city and the issuing of a permit authorizes the removal of approved trees. **Importantly, although this report may be used to support the application for a tree removal permit, it does not by itself constitute permission to remove trees or begin site clearing activities. No such work should occur before a tree removal permit is issued authorizing the injury or destruction of a tree in accordance with the By-law. Further, the removal of any trees shared with or fully on neighbouring properties will require written permission of the adjacent landowner.**

The inventory in this report details the assessment of all individual distinctive trees on the subject and adjacent private property. One tree was found nearby on City of Ottawa lands. Field work for this report was completed in December 2023.

**TREE SPECIES, CONDITION, SIZE AND STATUS**

Table 1 on page 2 details the individual distinctive trees on the subject property and adjacent private and public lands. Each of these trees is referenced by the numbers plotted on the tree information plan included on page 3 of this report.



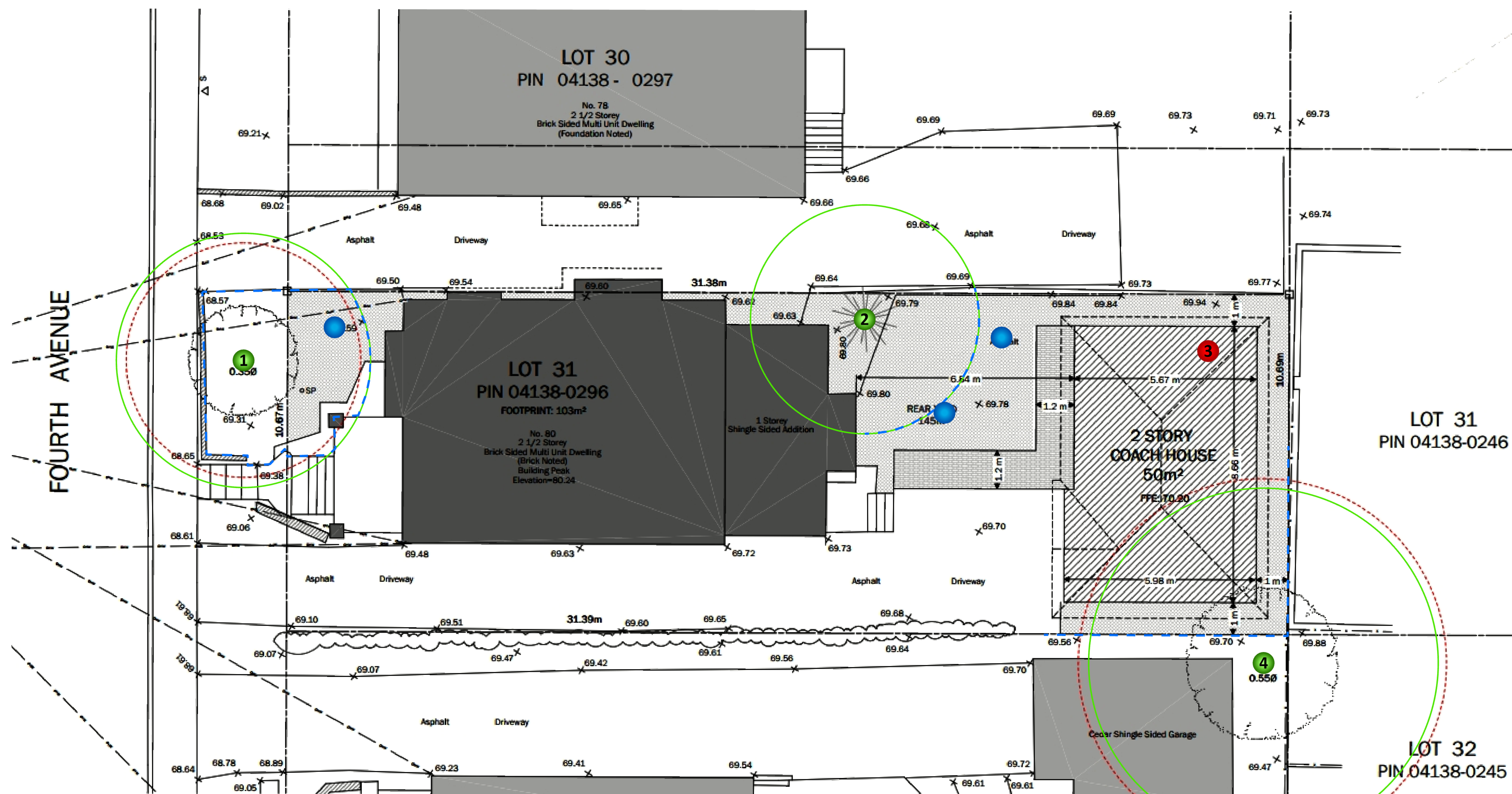
Table 1. Tree information for 80 Fourth Avenue

Tree No.	Tree species /Tolerance to Construction <sup>1</sup>	Owner ship	DBH <sup>2</sup> (cm)	CRZ <sup>3</sup> (m)	Distance to excavation (m) <sup>4</sup>	Tree Condition, Age Class, Condition Notes, Species Origin and <b>Status (to be removed or preserved and protected)</b>	Reason for removal	Forester's Opinion re. Removal
1	Norway maple ( <i>Acer platanoides</i> ) / Moderate - Good	City	40.4	4.0	>10	Good; mature; dominant central stem for most of height with competing leaders near apex; suppressed lateral at 3.5m on northeast (through lines); introduced invasive species; <b>to be removed</b>	Not applicable – to be preserved	Not applicable
2	White cedar ( <i>Thuja occidentalis</i> ) / Good	Private	36.1 (at 1m)	3.6	5	Good; mature; co-dominant stems at 1.4m – both bisect at 2.25m; basal stem on south; fair crown density, annual increment and needle colour; native species; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable
3	Norway maple ( <i>Acer platanoides</i> ) / Moderate - Good	Private	93.0	-	-	Good; very mature; co-dominant stems at 8.5m; both stems bisect at 10-12m - very broad crown; generally strong branches unions through crown; good root collar; introduced invasive species; <b>to be removed</b>	Conflicts with foot-print of proposed dwelling	Tree and stump be removed
4	Norway maple ( <i>Acer platanoides</i> ) / Moderate - Good	Neighbour	+/-55 avg.	+/-5.5	+/-2	Good; mature; double-stemmed; north stem dominant, south suppressed; stubs indicative of past limb failure; introduced invasive species; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable

<sup>1</sup>As taken from Managing Trees during Construction; 2<sup>nd</sup> Ed., Fite and Smiley; <sup>2</sup>Diameter at breast height, or 1.3m from grade (unless otherwise indicated); <sup>3</sup>Critical root zone (CRZ) is considered as being 10 centimetres from the trunk of a tree for every centimetre of DBH. The CRZ is calculated as DBH x 10 cm;

<sup>4</sup>Approximate distances only.





GENERAL NOTES

PLANS COMPLETED BY: OTTAWA GENERAL CONTRACTORS, (25/09/23)

LEGEND

TREE TO BE RETAINED

CRITICAL ROOT ZONE

PROTECTIVE FENCING

TREE TO BE REMOVED

PROPOSED NEW SMALL-GROWING DECIDUOUS TREE

REPLACEMENT TREE OPTIONS

Small-sized Deciduous Trees

Serviceberry (*Amelanchier* spp.)

Japanese tree lilac (*Syringa reticulata*)

Magnolia (*Magnolia* spp.)

Thorn-less Hawthorn (*Crataegus* spp.)

Pagoda dogwood (*Cornus alternifolia*)

Redbud (*Cercis canadensis*)

0 1.5 3 Meters

Tree Information Plan

80 FOURTH STREET CITY OF OTTAWA

IFS ASSOCIATES

613-838-5717

Andrew K. Boyd, R.P.F.

1:65

2023-12-18

SS

1

80 F S



Pictures 1 to 4 on pages 7 through 10 of this report show selected distinctive trees on and adjacent to the subject property.

### **PROVINCIAL REGULATIONS**

Certain provincial regulations are applicable to trees on private property. In particular, the Endangered Species Act – ESA (2007) mandates that tree species on the Species at Risk in Ontario (SARO) list be identified. Butternut (*Juglans cinerea*) is present in Eastern Ontario and is listed as threatened on the SARO. Because of this it is protected from harm. No trees of this species were found on or near the subject property.

### **TREE PRESERVATION MEASURES**

Excavation for the new foundation will be well within the CRZ of tree #4, the neighbouring Norway maple. To help reduce the potential for root loss due to excavation the following measures will be taken in relation to this tree:

1. Hydro excavation along the edge of excavation to carefully expose roots. Any roots will be cleanly cut and sealed before being reburied. Excavation can then resume using traditional mechanical means. Sealing the cleanly cut root ends with a beeswax product will help prevent the loss of moisture and facilitate healing.
2. If the excavation is to be left open for any time a covering of at least three layers of moistened burlap is to be draped over the exposed face of excavation closest to the trees. This will help reduce the loss of soil moisture.

### **TREE PROTECTION MEASURES**

Protection measures intended to mitigate damage during construction will be applied to all the trees to be preserved. The following measures are the minimum required by the City of Ottawa to ensure tree survival during and following construction:

1. Erect a fence as close as possible to the critical root zone (CRZ) of trees (City of Ottawa tree protection barrier detail included on page 6).
2. Do not place any material or equipment within the CRZ of the tree.
3. Do not attach any signs, notices or posters to any tree.
4. Do not raise or lower the existing grade within the CRZ without approval.
5. Tunnel or bore when digging within the CRZ of a tree.
6. Do not damage the root system, trunk or branches of any tree.
7. Ensure that exhaust fumes from all equipment are NOT directed towards any tree's crown.

## **REPLACEMENT TREE PLANTING OR COMPENSATION**

As the property is within the inner urban area, the following ratios are used in terms of replacement tree planting: 2:1 for each removed distinctive tree measuring 30-49 cm in diameter and 3:1 for each distinctive tree measuring 50 cm or greater in diameter. As one tree greater than 50cm is to be removed, compensation of three new trees is required. Replacement trees must be at least 50mm in caliper if deciduous and 2m in height if coniferous. Suggested replanting locations are shown on the plan on page 3.

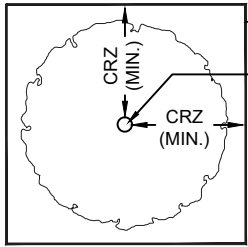
This report is subject to the attached Limitations of Tree Assessments and Liability to which the reader's attention is directed.

Please do not hesitate to contact me with any questions concerning this report.

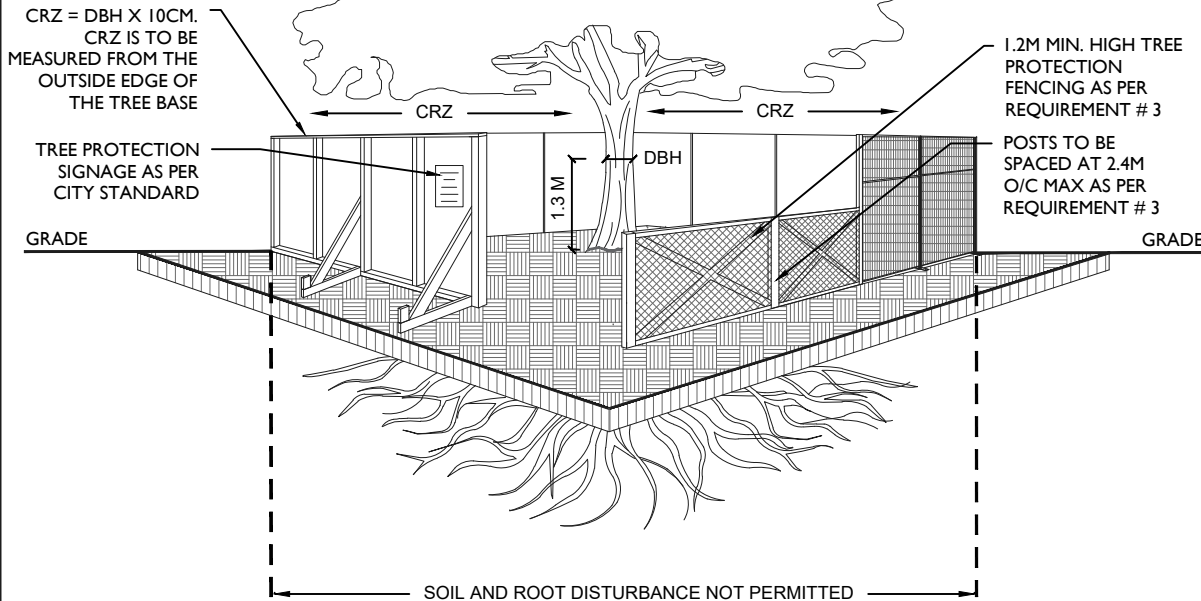
Yours,



Andrew K. Boyd, B.Sc.F, R.P.F. (#1828)  
Certified Arborist #ON-0496A and TRAQualified  
Consulting Urban Forester



PLAN VIEW



ACCESSIBLE FORMATS AND COMMUNICATION  
SUPPORTS ARE AVAILABLE, UPON REQUEST

#### TREE PROTECTION REQUIREMENTS:

1. PRIOR TO ANY WORK ACTIVITY WITHIN THE CRITICAL ROOT ZONE (CRZ = 10 X DIAMETER) OF A TREE, TREE PROTECTION FENCING MUST BE INSTALLED SURROUNDING THE CRITICAL ROOT ZONE, AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETE.
2. UNLESS PLANS ARE APPROVED BY CITY FORESTRY STAFF, FOR WORK WITHIN THE CRZ:
  - DO NOT PLACE ANY MATERIAL OR EQUIPMENT - INCLUDING OUTHOUSES;
  - DO NOT ATTACH ANY SIGNS, NOTICES OR POSTERS TO ANY TREE;
  - DO NOT RAISE OR LOWER THE EXISTING GRADE;
  - TUNNEL OR BORE WHEN DIGGING;
  - DO NOT DAMAGE THE ROOT SYSTEM, TRUNK, OR BRANCHES OR ANY TREE;
  - ENSURE THAT EXHAUST FUMES FROM ALL EQUIPMENT ARE NOT DIRECTED TOWARD ANY TREE CANOPY.
  - DO NOT EXTEND HARD SURFACE OR SIGNIFICANTLY CHANGE LANDSCAPING
3. TREE PROTECTION FENCING MUST BE AT LEAST 1.2M IN HEIGHT, AND CONSTRUCTED OF RIGID OR FRAMED MATERIALS (E.G. MODULOC - STEEL, PLYWOOD HOARDING, OR SNOW FENCE ON A 2"X4" WOOD FRAME) WITH POSTS 2.4M APART, SUCH THAT THE FENCE LOCATION CANNOT BE ALTERED. ALL SUPPORTS AND BRACING MUST BE PLACED OUTSIDE OF THE CRZ, AND INSTALLATION MUST MINIMISE DAMAGE TO EXISTING ROOTS. (SEE DETAIL)
4. THE LOCATION OF THE TREE PROTECTION FENCING MUST BE DETERMINED BY AN ARBORIST AND DETAILED ON ANY ASSOCIATED PLANS FOR THE SITE ( E.G. TREE CONSERVATION REPORT, TREE INFORMATION REPORT, ETC). THE PLAN AND CONSTRUCTED FENCING MUST BE APPROVED BY CITY FORESTRY STAFF PRIOR TO THE COMMENCEMENT OF WORK.
5. IF THE FENCED TREE PROTECTION AREA MUST BE REDUCED TO FACILITATE CONSTRUCTION, MITIGATION MEASURES MUST BE PRESCRIBED BY AN ARBORIST AND APPROVED BY CITY FORESTRY STAFF. THESE MAY INCLUDE THE PLACEMENT OF PLYWOOD, WOOD CHIPS, OR STEEL PLATING OVER THE ROOTS FOR PROTECTION OR THE PROPER PRUNING AND CARE OF ROOTS WHERE ENCOUNTERED.

THE CITY'S TREE PROTECTION BY-LAW, 2020-340 PROTECTS BOTH CITY-OWNED TREES, CITY-WIDE, AND PRIVATELY-OWNED TREES WITHIN THE URBAN AREA. PLEASE REFER TO [WWW.OTTAWA.CA/TREEBYLAW](http://WWW.OTTAWA.CA/TREEBYLAW) FOR MORE INFORMATION ON HOW THE TREE BY-LAW APPLIES.



## TREE PROTECTION SPECIFICATION

TO BE IMPLEMENTED FOR RETAINED TREES, BOTH ON SITE AND ON ADJACENT SITES, PRIOR TO ANY TREE REMOVAL OR SITE WORKS AND MAINTAINED FOR THE DURATION OF WORK ACTIVITIES ON SITE.

SCALE: NTS

DATE: MARCH 2021

DRAWING NO.: 1 of 1





Picture 1. Tree #1, city Norway maple at 80 Fourth Avenue





Picture 2. Tree #2, private white cedar at 80 Fourth Avenue





Picture 3. Tree #3, private Norway maple at 80 Fourth Avenue





Picture 4. Tree #4, neighbouring Norway maple at 80 Fourth Avenue



# LIMITATIONS OF TREE ASSESSMENTS & LIABILITY

## GENERAL

It is the policy of *IFS Associates Inc.* to attach the following clause regarding limitations. We do this to ensure that our clients are clearly aware of what is technically and professionally realistic in assessing trees for retention.

This report was prepared by *IFS Associates Inc.* at the request of the client. The information, interpretation and analysis expressed in this report are for the sole benefit and exclusive use of the client. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the client to whom it is addressed. Unless otherwise required by law, neither all or any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through public relations, news or other media, without the prior expressly written consent of the author, and especially as to value conclusions, identity of the author, or any reference to any professional society or institute or to any initialed designation conferred upon the author as stated in his qualifications.

This report and any values expressed herein represent the opinion of the author; his fee is in no way contingent upon the reporting of a specified value, a stipulated result, nor upon any finding to be reported.

Details obtained from photographs, sketches, *etc.*, are intended as visual aids and are not to scale. They should not be construed as engineering reports or surveys. Although every effort has been made to ensure that this assessment is reasonably accurate, the tree(s) should be reassessed at least annually. The assessment presented in this report is valid at the time of the inspection only. The loss or alteration of any part of this report invalidates the entire report.

## LIMITATIONS

The information contained in this report covers only the tree(s) in question and no others. It reflects the condition of the assessed tree(s) at the time of inspection and was limited to a visual examination of the accessible portions only. *IFS Associates Inc.* has prepared this report in a manner consistent with that level of care and skill ordinarily exercised by members of the forestry and arboricultural professions, subject to the time limits and physical constraints applicable to this report. The assessment of the tree(s) presented in this report has been made using accepted arboricultural techniques. These include a visual examination of the above-ground portions of each tree for structural defects, scars, cracks, cavities, external indications of decay such as fungal fruiting bodies, evidence of insect infestations, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of people and property. Except where specifically noted in the report, the tree(s) examined were not dissected, cored, probed or climbed to gain further evidence of their structural condition. Also, unless otherwise noted, no detailed root collar examinations involving excavation were undertaken.

While reasonable efforts have been made to ensure that the tree(s) proposed for retention are healthy, no warranty or guarantee, expressed or implied, are offered that these trees, or any parts of them, will remain standing. This includes other trees on or off the property not examined as part of this assignment. It is both professionally and practically impossible to predict with



absolute certainty the behaviour of any single tree or groups of trees or their component parts in all circumstances, especially when within construction zones. Inevitably, a standing tree will always pose some risk. Most trees have the potential for failure in the event of root loss due to excavation and other construction-related impacts. This risk can only be eliminated through full tree removal.

Notwithstanding the recommendations and conclusions made in this report, it must be realized that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site conditions, or seasonal variations in the weather. It is a condition of this report that *IFS Associates Inc.* be notified of any changes in tree condition and be provided an opportunity to review or revise the recommendations within this report.

Recognition of changes to a tree's condition requires expertise and extensive experience. It is recommended that *IFS Associates Inc.* be employed to re-inspect the tree(s) with sufficient frequency to detect if conditions have changed significantly.

### ASSUMPTIONS

Statements made to *IFS Associates Inc.* in regard to the condition, history and location of the tree(s) are assumed to be correct. Unless indicated otherwise, all trees under investigation in this report are assumed to be on the client's property. A recent survey prepared by a Licensed Ontario Land Surveyor showing all relevant trees, both on and adjacent to the subject property, will be provided prior to the start of field work. The final version of the grading plan for the project will be provided prior to completion of the report. Any further changes to this plan invalidate the report on which it is based. *IFS Associates Inc.* must be provided the opportunity to revise the report in relation to any significant changes to the grading plan. The procurement of said survey and grading plan, and the costs associated with them both, are the responsibility of the client, not *IFS Associates Inc.*

### LIABILITY

Without limiting the foregoing, no liability is assumed by *IFS Associates Inc.* for:

- 1) Any legal description provided with respect to the property.
- 2) Issues of title and/or ownership with respect to the property.
- 3) The accuracy of the property line locations or boundaries with respect to the property.
- 4) The accuracy of any other information provided by the client or third parties.
- 5) Any consequential loss, injury or damages suffered by the client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and,
- 6) The unauthorized distribution of the report.

Further, under no circumstances may any claims be initiated or commenced by the client against *IFS Associates Inc.* or any of its directors, officers, employees, contractors, agents or assessors, in contract or in tort, more than 12 months after the date of this report.

### ONGOING SERVICES

*IFS Associates Inc.* accepts no responsibility for the implementation of any or all parts of the report, unless specifically requested to supervise the implementation or examine the results of activities recommended herein. In the event that examination or supervision is requested, that request shall be made in writing and the details, including fees, agreed to in advance.





2024-05-09

City of Ottawa | Ville d'Ottawa

Comité de dérogation



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 80 Fourth Avenue  
Legal Description: Part of Lot 31 (South of Fourth Avenue), Registered Plan 35085  
File No.: D08-02-24/A-00088  
Report Date: May 08, 2024  
Hearing Date: May15, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban, Neighbourhood Designation, Evolving Neighbourhood Overlay  
Zoning: R3Q[1474]

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has some concerns with** the minor variance request as Staff is not satisfied it meets policy 4.2.1.3 of the Official Plan.

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 not satisfied that the requested minor variance(s) meet(s) the “four tests”.

The subject site is within the Inner Urban Transect Policy Area on Schedule A and is designated Neighbourhood with an Evolving Neighbourhood Overlay on Schedule B2 in the Official Plan. The intended pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. The Neighbourhood designation allows low-rise development in an efficient form that is compatible with existing development patterns.

The Official Plan in Subsection 4.2.1 enables greater flexibility and an adequate supply and diversity of housing options throughout the city. Policy 4.2.1.3 states that Accessory Dwelling units as provided by the Planning Act, including coach houses, are recognized as key components of the affordable housing stock. However, the Official Plan indicates that minor variance applications to increase the height of a coach house to two storeys

within the urban area will be subject to considerations identified in Subsection 4.2.1, Policy 3 e). These considerations are as follows:

- i) The proponent can demonstrate that the privacy of the adjoining properties is maintained;*
- ii) The siting and scale of the coach house does not negatively impact abutting properties; and*
- iii) Distinctive trees and plantings are preserved on the subject property.*

Privacy concerns have been mitigated through the placement of windows. However, this proposal would require the removal of a distinctive tree and significant injury to a mature tree on an abutting property, a negative impact. Injury to the neighbouring tree will likely be exacerbated by the minor variance sought to increase the maximum height. As a result, staff is of the opinion that the requested variance does not meet the intent of the Official Plan.

## **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 may be required.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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.
- Note regarding Coach Houses:
  - Ensure the servicing trench is identified from the main dwelling to the coach house on the grading or servicing plan.

### **Planning Forestry**

- The current proposal would require the removal of one large private tree on the subject property (tree 3), and significant injury of one distinctive tree (tree 4) in the rear yard of 82 Fourth Ave. A distinctive tree permit would be required, and the owner of the adjacent tree must consent to the tree permit application.

- Removal of the healthy, mature tree in the rear yard in favour of the proposed coach house would result in a significant loss of canopy, loss of good quality planting space, and unsatisfactory replacement.
- The proposal runs counter to Official Plan §4.8.2, Policy 3) which states that intensification shall maintain the urban forest canopy and its ecosystem services by preserving and providing space for mature, healthy trees on private and public property, including through the provision of adequate volumes of high-quality soil.
- As per Official Plan §4.8.2 Policy 3) c) Planning and development decisions, including Committee of Adjustment decisions, shall have regard for short-term, long-term, and cumulative impacts on the urban forest at the neighbourhood and urban-wide scale; and d) When considering impacts on individual trees, planning and development decisions, including Committee of Adjustment decisions, shall give priority to the retention and protection of large, healthy trees over replacement plantings and compensation.

Given that tree 3 is outside the as-of-right building footprint and co-exists with an existing garage, alternative designs using the existing footprint should be considered that would allow for its retention, and reduced injury to tree 4.




---

Insert Name  
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



## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Consent Application

Panel 1  
Wednesday, May 15, 2024  
1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 CentrepoinTE Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

<b>File Nos.:</b>	D08-01-24/B-00059
<b>Application:</b>	Consent under section 53 of the <i>Planning Act</i>
<b>Owners/Applicants:</b>	Andrew Davey & Dawn Millions
<b>Property Address:</b>	155 & 157 Geoffrey Street
<b>Ward:</b>	15 - Kitchissippi
<b>Legal Description:</b>	Part of Lots 32 & 33, Registered Plan 309
<b>Zoning:</b>	R3H
<b>Zoning By-law:</b>	2008-250

### APPLICANTS PROPOSAL / PURPOSE OF THE APPLICATIONS:

The Owners want to subdivide their property into two separate parcels of land to create separate ownership for each half of a semi-detached dwelling currently under construction.

### CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owner requires the Committee's consent to sever and a joint-use and maintenance agreement.

The severed land is shown as Part 2 on the Draft 4R plan filed with the application. This lot will have a frontage of 10.41 metres, a depth of 30.54 metres, and an area of 318.4 square metres. This lot will contain one half of the semi-detached dwelling, known municipally as 155 Geoffrey Street.

The retained land is shown as Part 1 on said plan and will have a frontage of 10.46 metres, a depth of 30.54 metres, and an area of 318.4 square metres. This lot will contain one half of the semi-detached dwelling, known municipally as 157 Geoffrey Street

**THE APPLICATION** indicates the property is not subject to any other current applications under the *Planning Act*.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 CentrepoinTE Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade CentrepoinTE  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande d'autorisation

**Groupe 1**  
**Mercredi 15 mai 2024**  
**13 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossier :</b>	D08-01-24/B-00059
<b>Demande :</b>	Autorisation en vertu de l'article 53 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaires/requérants :</b>	Andrew Davey et Dawn Millions
<b>Adresse municipale :</b>	155 et 157, rue Geoffrey
<b>Quartier :</b>	15 - Kitchissippi
<b>Description officielle :</b>	Partie des lots 32 et 33, plan enregistré 309
<b>Zonage :</b>	R3H
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les propriétaires souhaitent lotir leur bien-fonds en deux parcelles distinctes afin de créer un titre de propriété distinct pour chaque moitié de la maison jumelée en cours de construction.

## AUTORISATION REQUISE :

Les propriétaires nécessitent l'autorisation du Comité pour morceler le bien-fonds et conclure une entente portant sur l'utilisation commune et les travaux d'entretien.

Le terrain morcelé est représenté par la partie 2 sur le plan 4R déposé avec la demande. Il aura une façade de 10,41 mètres, une profondeur de 30,54 mètres et une superficie de 318,4 mètres carrés. Ce lot comprendra la moitié de la maison jumelée dont l'adresse municipale est le 155, rue Geoffrey.

Le terrain conservé est indiqué comme la partie 1 sur ledit plan. Il aura une façade de 10,46 mètres, une profondeur de 30,54 mètres et une superficie de 318,4 mètres carrés. Ce lot comprendra la moitié de la maison jumelée dont l'adresse municipale est le 157, rue Geoffrey.

**LA DEMANDE** indique que la propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**SI VOUS NE PARTICIPEZ PAS** à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

**SI VOUS SOUHAITEZ RECEVOIR UN AVIS DE LA DÉCISION** prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

**POUR OBTENIR PLUS DE RENSEIGNEMENTS** à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une

présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

### COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024

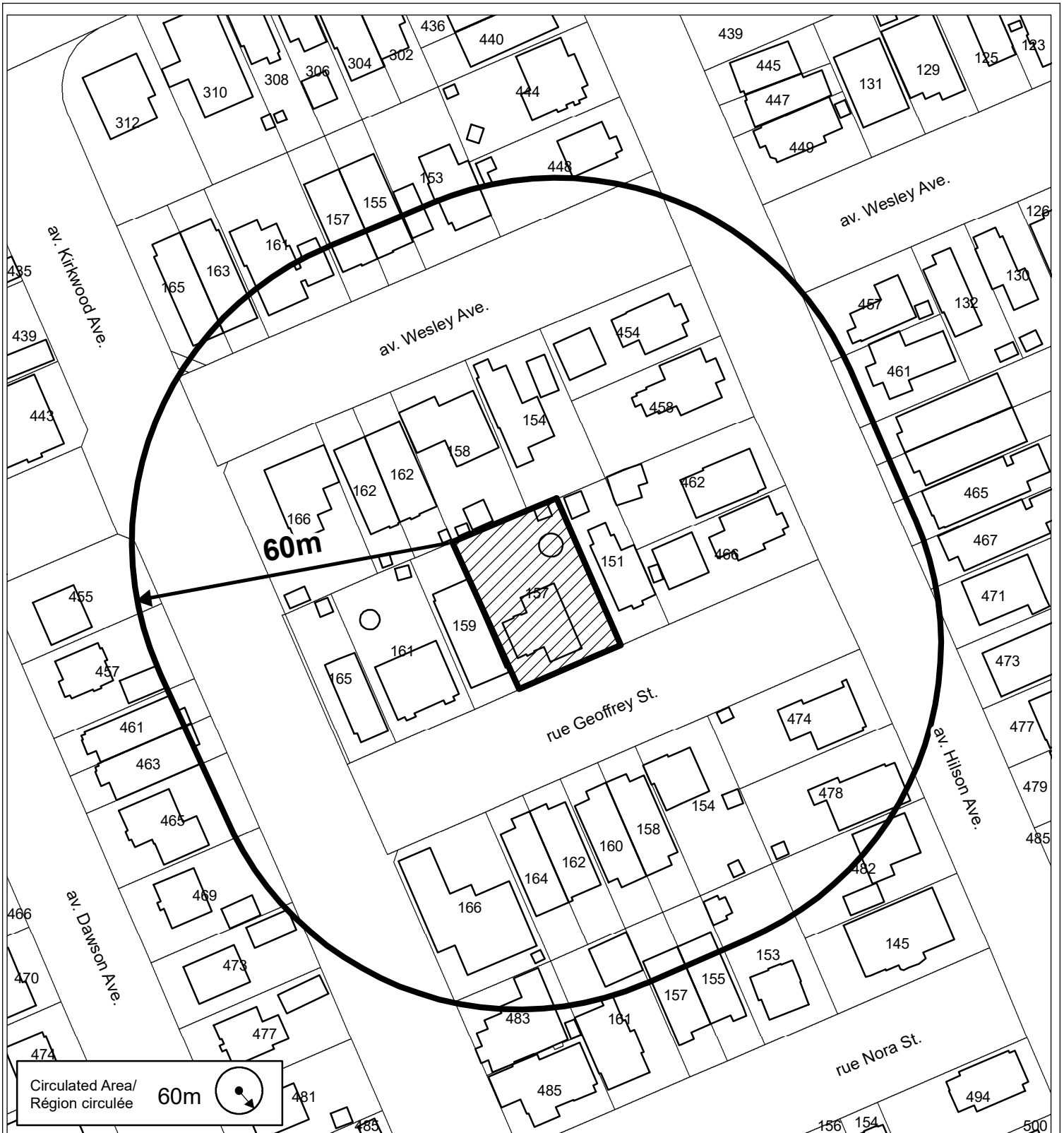


*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepoin Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
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613-580-2436



**Committee of Adjustment**  
**Comité de dérogation**

# CIRCULATION MAP / PLAN DE CIRCULATION

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**SUBJECT LAND / TERRE EN QUESTION**

**155, 157 rue Geoffrey St.**



**NOT TO SCALE**  
**NON À L'ÉCHELLE**



**David Bekkers, M.A.A.T.O.**  
**Professional Design, Consulting and Drafting Service**  
**for Developers and Builders**



Tuesday, April 02, 2024

Committee of Adjustment Office  
City of Ottawa  
101 CentrepoinTE Dr., 4th Floor K2G 5K7

**Committee of Adjustment**

Received | Reçu le

**2024-04-03**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**RE: 157-155 Geoffrey St. - Consent Application - Parts 1 to 2, Draft Plan 4R-**

Dear Sir/Madam,

Find attached the Consent Application for 157-155 Geoffrey St. with the supporting documents.  
The items included are:

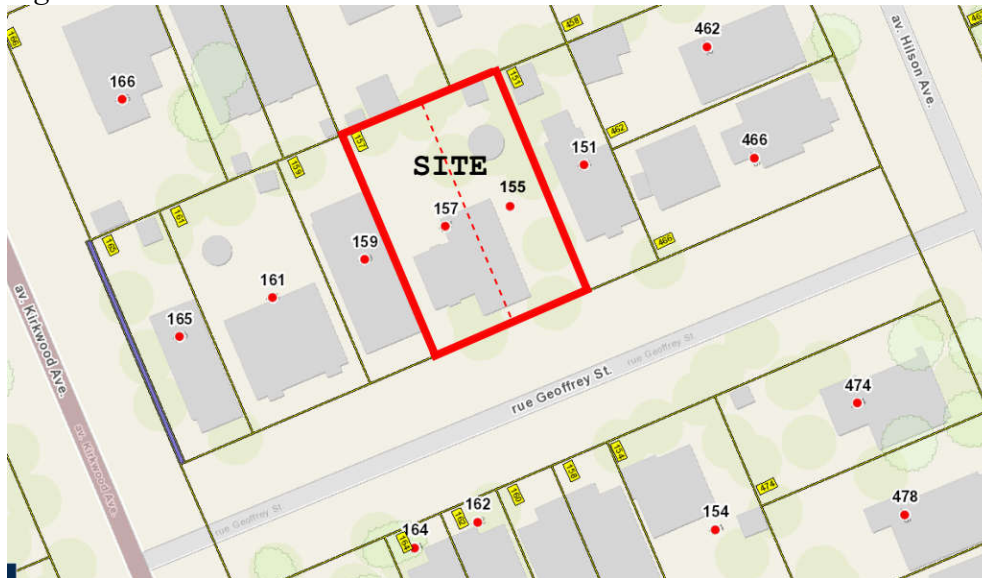
1. Cheque in the amount of \$3639.00 which represents the consent application fee for a full municipal services property (1 copy)
2. A complete Consent Application form (1 copy)
3. This detailed cover letter (1 copy)
4. Draft reference plan (1 full size copy + 1 reduced 8.5"x11" copy)
5. Current survey (1 full size copy + 1 reduced 8.5"x11" copy)
6. Street Character Analysis (SCA) Confirmation (1 copy)
6. Construction drawings (1 full size copy)
5. Site Plan (1 full size copy + 1 reduced 8.5"x11" copy)
6. Site Service and Grading Plan (1 full size copy + 1 reduced 8.5"x11" copy)
7. A Tree Information Report prepared by Davey Resource Group (1 copy)
8. A Parcel Abstract Page confirming all the owners (1 copy)
9. An authorization letter by the owners for the agent to act on their behalf (1 copy)
10. Informed Neighbor's notification and support letter by owner

The purpose of this application is to request consent from the Committee of Adjustment enabling the future sale of 155 Geoffrey St. The proposed retained and severed lots are both fully zoning by-law compliant, properties. A single family home was previously demolished (w/ permit) and a building permit was issued in June 2023 for the construction of a new semi detached residential building. The construction of the approved semi detached building is currently underway and ready for drywall installation (Mar 2024).

The two proposed properties and semi detached house design meets all the lot dimensions and performance criteria set out in the zoning by-laws and NO variances were, are, or will be required.

The following information identifies the existing conditions of the property and surroundings as well as the preliminary proposed re-development.

*Fig.1 – Site Location*

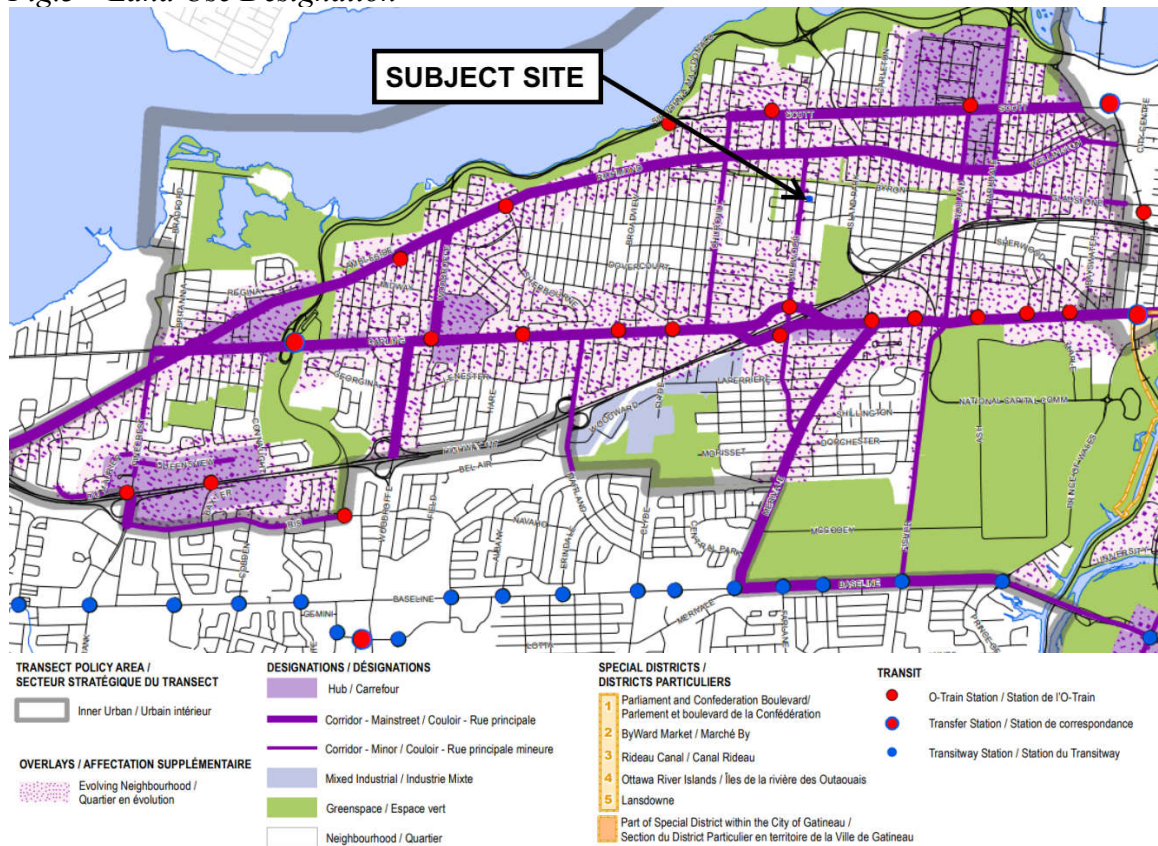


### ***SITE CONTEXT***

The subject site is located in ward 15 (Kichissippi) of the City of Ottawa. The property is on the north side of Geoffrey St., east of Kirkwood Ave. and west of Hilson Ave..(Fig.1).

The Subject Site is rectangular in shape and is 636.8m<sup>2</sup> (6854.5ft<sup>2</sup>), 0.06 Ha, (0.16Acre) in area. The property is zoned R3H which allows for semi-detached dwellings. Currently, a 2 storey semi-detached residence, each with an attached garage, is being constructed on the property. NO variances were, are, or will be required.

Fig.3 – Land Use Designation



### CITY OF OTTAWA – OFFICIAL PLAN

The Subject Site is in the Inner Urban Transect Policy Area and Designated as Neighbourhood in the City of Ottawa Official Plan (OP) (see Fig. 3).

A building permit issued in June 2023 validates that the two storey, semi-detached residential building currently under construction conforms to the policies of 6.3 of the official plan.

The attached Draft Plan identifies the parcels proposed for retention (part1) and severance (part2). Both properties meet all the criteria set out in the zoning by-laws including the min. lot width and area requirements.

The attached current survey shows the recently built foundation and illustrates the dimensions to the property lines conforming to the requirements of the Zoning By-laws.

The attached Street Character Analysis (SCA) confirmation identifies the dominant Character groups and the attached construction drawings illustrate the currently under construction semi detached building conforms to those dominant characters.

The attached site plan was used to apply for the current building permit and received approval from the Zoning department allowing the building permit to be issued. All concerns from the zoning department have been satisfied.

The attached site service and grading plan was used to apply for the current building permit and received approval from the infrastructures department. All concerns from the Infrastructures department have been satisfied.

The attached TIR was used to apply for the current building permit and received approval from the forestry department. All concerns from the forestry department have been satisfied.

A synopsis of how the owner has kept his neighbors and their support for the severance is also included for reference and demonstrates that the severance would not be a concern to those in the vicinity.

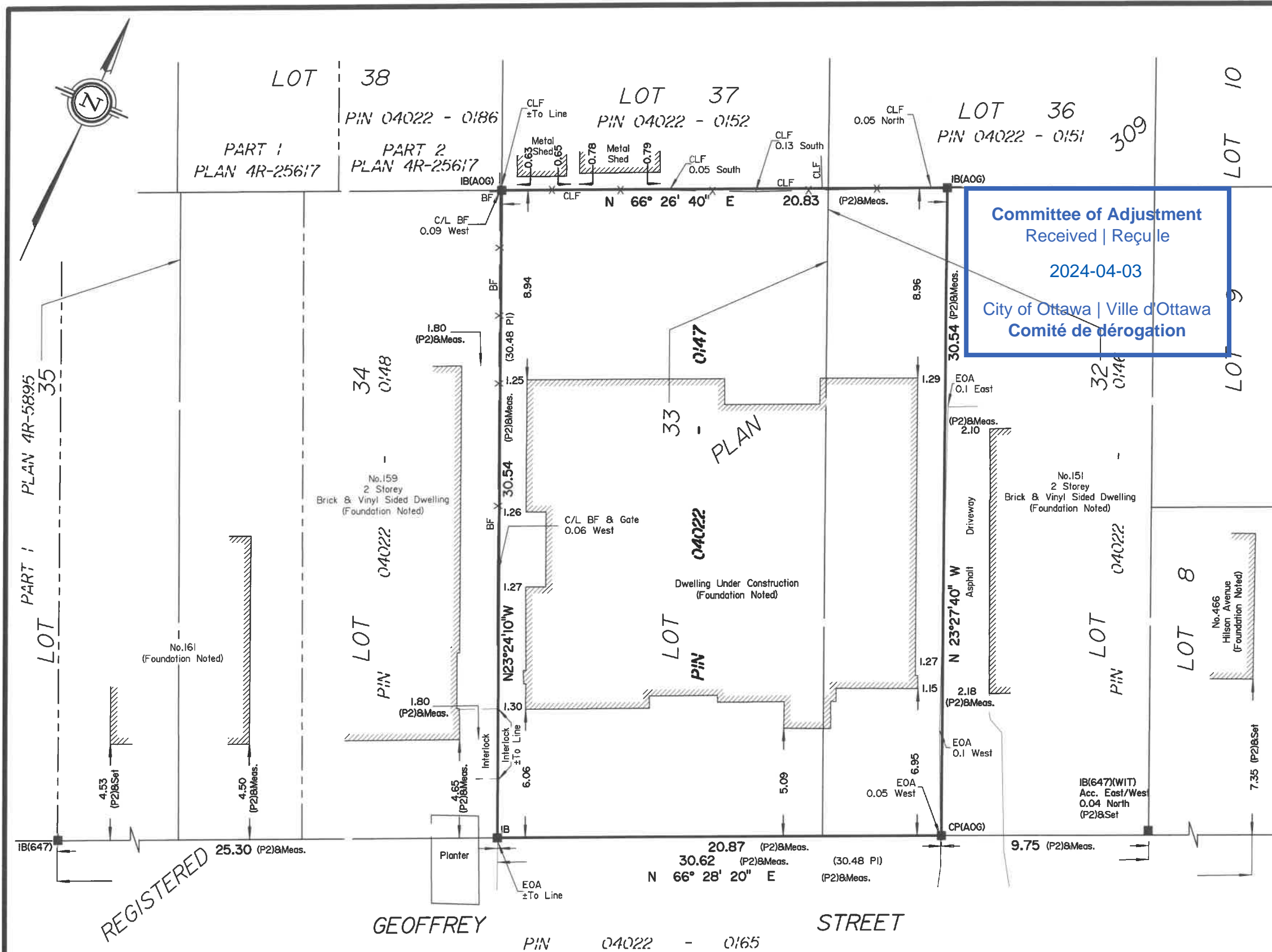
I trust the accompanying application and supporting documents identifies the current property and displays how the permission to consent will result in two properties still compatible with properties within the community. The proposal for the creation of two separate semi-detached dwellings has no bearing on the existing built form or the properties intended use. The consent will only aid in the sale of the existing house under construction. It is a desirable use of the property and conforms to the intent and purpose of the Zoning By-law and Official Plan.

Thank you,

A handwritten signature in black ink, appearing to be 'DB', with a stylized, flowing script.

David J. Bekkers, M.A.A.T.O., BCIN 22980

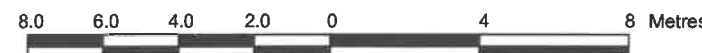




**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1 Plan of Survey of**  
**LOT 33 AND**  
**PART OF LOT 32**  
**REGISTERED PLAN 309**  
**CITY OF OTTAWA**

Surveyed by Annis, O'Sullivan, Vollebekk Ltd.

Scale 1 : 200



**Metric**

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**Surveyor's Certificate**

I CERTIFY THAT :

1. This survey and plan are correct and in accordance with the Surveys Act and the Surveyors Act and the regulations made under them.
2. The survey was completed on the 7th day of Decemeber, 2023.

**DEC. 13, 2023**

Date

Mirel Aradau  
Ontario Land Surveyor

**PART 2**

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED: December 13, 2023

**Notes & Legend**

Denotes	
	Survey Monument Planted
	Survey Monument Found
CP	Concrete Pin
IB	Iron Bar
IP	Iron Pipe
(WIT)	Witness
Meas.	Measured
(AOG)	Annis, O'Sullivan, Vollebekk Ltd.
(PI)	Registered Plan 309
(P2)	(AOG) Plan dated June 13, 2022
CLF	Chain Link Fence
BF	Board Fence
EOA	Edge of Asphalt
C/L	Centreline

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
**V-69119**



THIS PLAN IS NOT VALID UNLESS  
IT IS AN EMBOSSED ORIGINAL  
COPY ISSUED BY THE SURVEYOR  
in accordance with  
Regulation 1026, Section 29 (3).

© Annis, O'Sullivan, Vollebekk Ltd., 2023. "THIS PLAN IS PROTECTED BY COPYRIGHT"



**ANNIS, O'SULLIVAN, VOLLEBEKK LTD.**

14 Concourse Gate, Suite 500

Nepean, Ont. K2E 7S6

Phone: (613) 727-0850 / Fax: (613) 727-1079

Email: Nepean@aovltd.com

Ontario  
Land Surveyors

Job No. 24003-23 ADavey PRLts32-33 RP309 D-C DI

DG/VF

Bearings are grid, derived from Can-Net 2016 Real Time Network GPS observations, MTM Zone 9 ( 76°30' West Longitude ) NAD-83 (original).

ANNIS, O'SULLIVAN, VOLLEBEKK LTD. grants to  
**Andy Davey** ("The Client"), their solicitors,  
mortgagees, and other related parties, permission to use original, signed, sealed  
copies of the Surveyor's Real Property Report in transactions involving The Client.

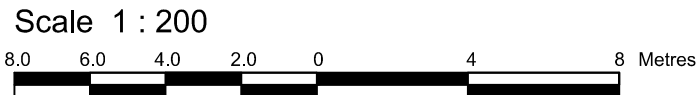
SCHEDULE				
AREA (Sq.m.)	PART	LOT	PLAN	PIN
318.4	1	PART OF LOT 33	309	ALL OF 04022-0147
318.4	2	PART OF LOT 32		

Committee of Adjustment  
Received | Reçu le  
2024-04-03  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

PLAN OF SURVEY OF

LOT 33 AND  
PART OF LOT 32  
REGISTERED PLAN 309  
CITY OF OTTAWA

Surveyed by Annis, O'Sullivan, Vollebekk Ltd.



The intended plot size of the plan is 610 mm in width by 457 mm in height when plotted at a scale of 1:200.

Metric  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Surveyor's Certificate

- I CERTIFY THAT :
- This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the Land Titles Act and the regulations made under them.
  - The survey was completed on the \_\_ day of \_\_\_\_, 2022.

Date Stefan Bazar  
Ontario Land Surveyor

This plan of survey relates to AOLS Plan Submission form number V-

Notes & Legend

□	Denotes	Survey Monument Planted
■	"	Survey Monument Found
SSIB	"	Short Standard Iron Bar
CP	"	Concrete Pin
IB	"	Iron Bar
IP	"	Iron Pipe
Prop.	"	Proportioned
(WIT)	"	Witness
Meas.	"	Measured
(AOG)	"	Annis, O'Sullivan, Vollebekk Ltd.
(PI)	"	Registered Plan 309
(P2)	"	(1442) Plan dated January 22, 1993
(P3)	"	(1692) Plan dated February 4, 2011
(P4)	"	(1319) Plan dated March 26, 1986
(P5)	"	(857) Plan dated November 25, 1986
(NI)	"	(725) Field Notes dated September 20, 1944
(N2)	"	(725) Field Notes dated April 1, 1955
(N3)	"	(725) Field Notes dated June 22, 1955
(D1)	"	Inst. N708804
(D2)	"	Inst. N444968
CLF	"	Chain Link Fence
BF	"	Board Fence
C/L	"	Centreline
EOA	"	Edge of Asphalt

Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.999943.

Bearings are grid, derived from Can-Net 2016 Real Time Network GPS observations on reference points A and B, shown hereon, having a bearing of N47°02'15"E and are referenced to Specified Control Points 01919680005 and 01919680105, MTM Zone 9 ( 76°30' West Longitude ) NAD-83 (original).

For bearing comparisons, a rotation of 0°34'30" counter-clockwise was applied to bearings on plan (P2), (P3) and (P4).

Coordinates are derived from Can-Net 2016 Real Time Network GPS observations referenced to Specified Control Points 01919680005 and 01919680105, MTM Zone 9 (76°30' West Longitude) NAD-83 (original).

Coordinate values are to urban accuracy in accordance with O. Reg. 216/10.

.01919680005	Northing	5027191.26	Easting	361496.76
.01919680105	Northing	5024915.16	Easting	373971.65
.Point A	Northing	5028300.00	Easting	363946.86
.Point B	Northing	5028362.58	Easting	364014.06

Caution: Coordinates cannot, in themselves, be used to re-establish corners or boundaries shown on this plan.

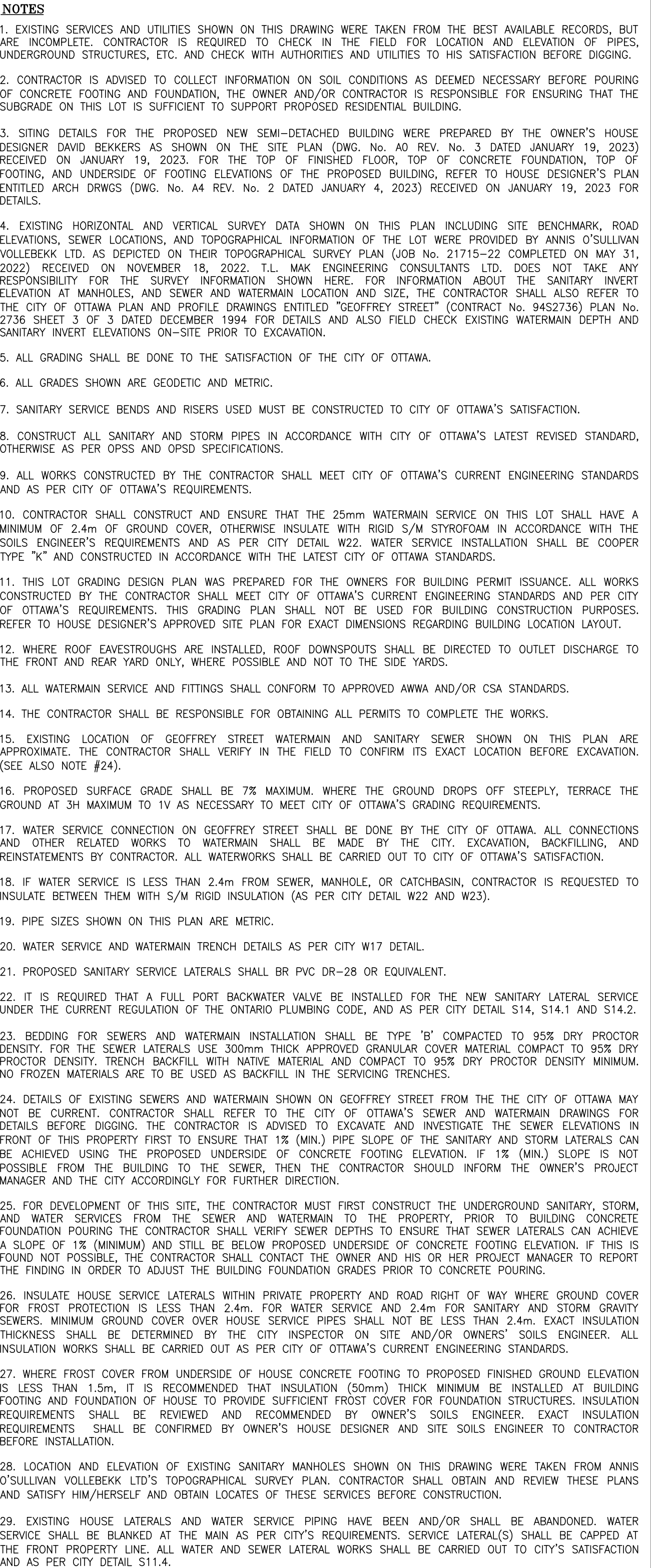
ANNIS, O'SULLIVAN, VOLLEBEKK LTD.  
14 Concourse Gate, Suite 500  
Nepean, Ont. K2E 7S6  
Phone: (613) 727-0850 / Fax: (613) 727-1079  
Email: Nepean@novltd.com


Ontario  
Land Surveyors

Job No. 21715-22 DBekkers PHLts32-33 RP309 R D1

D6







**T.L. MAK ENGINEERING CONSULTANTS LTD.**

**CONSULTING ENGINEERS**

PROJECT No.	DATE	DRAWING No.
822-153	NOVEMBER 2022	G-1



Committee of Adjustment  
Received | Reçu le  
  
2024-04-03  
  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

ZONING - R3H RESIDENTIAL THIRD DENSITY ZONE  
(SEC.154-160)

REQUIRED ZONING FOR SEMI-DETACHED:	PROPOSED:
MIN. LOT WIDTH - 7.5m	Pt1 10.46m, Pt2 10.40m
MIN. LOT AREA - 225m <sup>2</sup>	Pt1 318.38m <sup>2</sup> , Pt2 318.28m <sup>2</sup>
MAX. BUILDING HEIGHT - 8m	Pt1 7.97m, Pt2 7.97m
MIN. FRONT YARD SETBACK - 6m (Avg. 5.67m)	Pt1 6.05m, Pt2 6.35m
MIN. CORNER SIDE YARD SETBACK - n/a	n/a
MIN. REAR YARD SETBACK (28%) - 8.55m	Pt1 8.94m, Pt2 8.95m
MIN. INTERIOR SIDE YARD SETBACK - 1.2m	Pt1 1.27m, Pt2 1.27m

- LEGEND**
- ENTRANCE LOCATION
  - WINDOW WELL
  - GENERAL LOT DRAINAGE
  - 1.5m WOOD FENCE
  - HYDRO POLE
  - OVERHEAD WIRE (HYDRO BELL CABLE)
  - 0.2m DIA. STEEL BOLLARD
  - CATCH BASIN, MANHOLE
  - ASPHALT LANE
  - INTERLOCK MATERIAL
  - LANDSCAPED-SOD/PLANTING
  - DOWNSPOUT

REV 3	LANEWAY ADJUSTED TO AVOID C/B, DOWNSPOUTS, CIVIC NUMBERS	JAN. 19 2023
REV 2	LANEWAY 3m MAX. WIDTH, WALKWAY 1.2m WIDE, AVERAGE EXIST. GRADE	JAN. 04 2023
REV 1	ISSUED FOR PERMIT	NOV. 29 2022

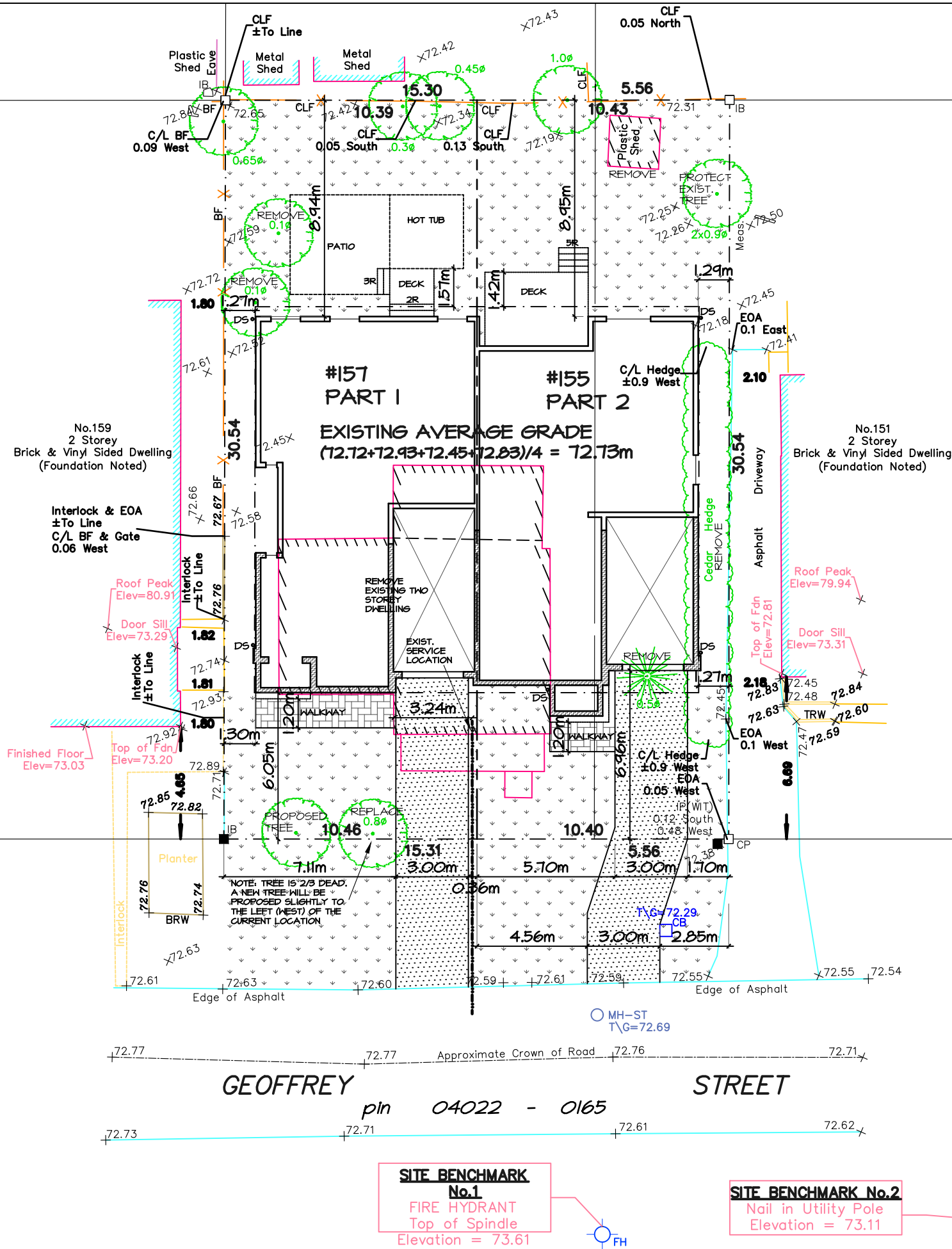
Designer:  
**David Bekkers**  
**M.A.A.T.O.**  
151 Bay St., Suite 1008  
Ottawa, Ontario  
K1R 7T2

Project:  
**The "GEOFFREY" Semi**  
**157 GEOFFREY ST., OTTAWA**  
**ON. K1Z 1A7**  
**LOT 33 and PART OF LOT 32 RP 304**

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code

David Bekkers  
NAME SIGNATURE BCIN 22980

Date:  
Dwg. No.:  
**AO**





This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

# Arborist Report

## Pre-Construction Assessment

**Prepared For:**

Andrew Davey

**Site Address:**

157 Geoffrey St,  
Ottawa, ON K1Z 7A7

**February 24<sup>th</sup>, 2023**

**Committee of Adjustment**  
Received | Reçu le

**2024-04-03**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Prepared By:

**Vladislav Michnevich**



ISA Certified Arborist (ON-2361A)

Phone: (905) 981-8742 || Email: Vladislav.Michnevich@davey.com

©2023 Davey Resource Group. All rights reserved. This document must be used in conjunction with the tree inventory lists, and Tree Preservation Plans with arborist comments (these plans are to be printed on correct size to ensure scalability). This document must be used in whole and with all pages.

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## Summary

The following Arborist Report is with respect to the proposed house tear down and rebuild of a larger home with 2 car garages in the front with various exterior improvements in the backyard at 157 Geoffrey St, Ottawa. This report serves to document the condition and provide recommendations to preserve trees within and surrounding this property in advance of future construction work.

**10** trees were assessed on site:

- Privately-owned trees at 157 Geoffrey Street: **5**
- Neighbour-owned trees: **0**
- Boundary trees: **5**
- City-owned trees: **0**

**1 tree** has work proposed within the Critical Root Zone (CRZ) and is expected to be injured.

- Tree #5: construction of the new home is proposed within its CRZ. The tree is  $\geq 30$  cm in diameter, and therefore regulated under by-law and requires a permit to injure.

**3 trees** can be fully protected from construction.

- Trees #7-9 are not expected to be injured so long as the Tree Protection Plans (TPP) are properly followed.

**6 trees** are recommended for removal prior to construction.

- Trees #3-4 and #10 are trees in fair/poor condition or with construction and relandscaping proposed within their footprints. These trees are  $< 30$  cm in diameter therefore no permits should be required to remove.
- Trees #1-2,6. The trees are  $> 30$  cm in diameter, and therefore regulated under by-law and may require a permit to remove. It is important to note these trees are in poor or fair condition.

*It is imperative for all crew contracted to perform this construction to thoroughly understand this report and the recommendations stated within.*



## **Introduction**

Davey Resource Group (DRG) was retained by the client, Andrew Davey, to develop an Arborist Report and Tree Protection Plan (TPP) for the proposed 2-storey house tear down and rebuild with 2 new front garages with various external improvements at 157 Geoffrey Street in Ottawa. Included within the construction plans is a new house, driveway, garages, deck(s), patio, and above-ground hot-tub.

An inventory and assessment of all the trees within the scope of the assignment was conducted. The Arborist was to document the current condition, size, and location of the trees as they relate to the proposed work. To account for the spatial scope of work within the site, the location of the proposed construction and all trees within 5 meters of it, along with the remainder of the property's backyard were surveyed. All trees over 5 cm in diameter as well as all city-owned trees within the scope of the survey were included in an inventory and assessed for protection or removal needs.

Recommendations for tree preservation or removal are to be provided and follow City of Ottawa Tree Protection By-law (By-law No. 2020-340).

This report must be accompanied by the following additional documents:

1. A full printing of the tree inventory performed by Davey Resource Group (DRG), otherwise known as the Tree Protection Action Key (TPAK). (Appendix 1)
2. The construction maps with the Arborist Comments, otherwise known as the Tree Protection Plan (TPP). (Appendix 2)

## **Limitations of the Assignment**

It must be understood that DRG is the assessor of the trees in relation to tree preservation practices. The construction supervisors should incorporate the information and recommendations provided within this report into their construction methodology to complete their project in a reasonable manner.

This Arborist Report is based on the project scope and details for tree preservation as discussed. All proposed construction methods are limited to what was provided in the site plans and in discussions with the client. Estimates, measurements, and comments regarding tree preservation were based on the proposed construction plans and field observations.

This Arborist Report was compiled from field data collected from the ground. A basic visual assessment of the tree was performed. No level of ISA Tree Risk Assessment was performed. More data on risk may be obtained through a basic or advanced ISA Tree Risk Assessment.

## Methods

- Tools used to assess the trees included a metric DBH measuring tape, metric measuring tape, and camera.
- Photographs included in this report are labeled copies of their originals and may have been cropped for formatting.
- All city-owned trees as well as private trees over 5 cm within 5 meters planned construction work and access points as well as throughout the entire property were collected and assessed for this report.
- Trees were studied for their proximity to existing and planned structures to determine recommendations or precautions for trees requiring removal or injury.

## Observations

- The site was inspected on October 12<sup>th</sup>, 2022, by ISA Certified Arborist Darren Corbelli (ON-2079A).
- Weather conditions were 15°C and cloudy.
- No material storage within Critical Root Zones was observed.
- **10 trees** were assessed for this report and labeled #1-10 in the inventory and Tree Protection Plan included within Appendices 1-2.
- **Tree #1** is a large private owned Sugar maple in poor condition located in the client's front yard. It is recommended to be removed. A permit to remove is required.
- **Tree #2** is a large White pine on the side of the client's existing home. It is in fair condition and recommended to be removed to accommodate construction. A permit to remove is required.
- **Tree #3** is a Cedar hedgerow recommended to be removed for construction. No permits to remove is required.
- **Tree #4** is a Buckthorn recommended to be removed. No permit is required.
- **Tree #5** is a 140cm Swamp white oak in good condition located in the client's backyard. The client will need to seek neighbor permission prior to injuring. Excavation for foundation and basement in TPZ of Tree #5 to be performed under Certified Arborist supervision via low-impact excavation methods such as a Hydro-vac or hand-digging. Roots will be pruned to the Arborist's discretion. A permit to injure is required. The tree is expected to survive in good health if all recommendations are adhered to in the TPP.
- **Tree #6** is a boundary Norway maple in poor condition. It is recommended to be removed due to its condition. Neighbor permission and a permit to remove is required.
- **Trees #7-9** are boundary Norway maples in fair condition. These trees are recommended to be retained and protected with vertical hoarding.
- **Tree #10** is an Apple tree recommended to be removed near the proposed patio. No permit to remove is required.

## Discussion

To preserve and protect these trees, proper recommendations must be followed and abided by the client for the duration of the project.

### Regulatory context

Trees in Ottawa are protected by By-law No. 2020-340, which establishes permit requirements for work surrounding trees. Under the Tree Protection By-law, the following protected trees cannot be injured or removed without a tree permit from the City:

- All City-owned trees throughout the urban and rural area
- All trees 10 cm or more in diameter at breast height on private properties within the urban area that are subject to a Planning Act application for Site Plan, Plan of Subdivision, or Plan of Condominium
- All trees 10 cm or more in diameter at breast height on private properties within the urban area that are over 1 hectare in size
- All distinctive trees on private properties 1 hectare or less in size, where distinctive trees are defined as:
  - Trees measuring 30 cm or more in diameter at breast height within the inner urban area (urban lands inside the Greenbelt)
  - Trees measuring 50 cm or more in diameter at breast height within the suburban area (urban lands outside the Greenbelt).

Under the by-law, Critical Root Zones (CRZ) surrounding each tree are defined by the tree's diameter and must be kept free of all construction activity above and below ground. The CRZ is calculated as 10 centimeters from the trunk of a tree for every centimeter of trunk diameter. Were any work to be required within the CRZ of a tree protected by the by-law a permit to injure the tree is required by the City of Ottawa. Any tree protected by the by-law that must be removed to accommodate construction also requires permit approval to proceed. If work is proposed within 6 meters of a tree but not within its CRZ, it is in the best interest of the client to protect it using a Tree Protection Fence built to city standards (depicted in Appendix 3). This serves to prevent any incidental contact or harm to a protected tree that would constitute a contravention of the by-law and may result in fines or a stop-work order.

Within the context of this report, the property is located within the inner urban area therefore city owned trees as well as private trees measuring 30 cm, or more are protected.

### Tree Protection Hoarding (Appendix 3)

It is in the best interest of the client to take every precaution possible to minimize damage to trees where work is taking place, and to avoid any unnecessary injury to trees outside of work areas. To accomplish this, hoarding (Tree Protection Fencing (TPF)) is to be used on this construction site. The distance from trees that hoarding is installed is typically defined by the dripline pursuant to

the city by-law. However, it must be understood that sometimes this distance is not achievable due to infrastructure being too close. In most situations, hoarding does not need to be installed beyond the closest extent of impermeable and/or paved surfaces. It must be further understood the hoarding distance sometimes must accommodate a larger CRZ (than the typical distance) due to a limited root growing area/volume (this area is typically defined by the project arborist.) On most landscapes within a private property, solid plywood hoarding best serves to protect tree trunks from inadvertent damage. However, along city streets and at driveway entrances, it is recommended that high-visibility snow fence be affixed to a wooden beam frame, which allows for proper tree protection while allowing vehicle and pedestrian traffic to maintain visibility through the tree protection zone.

Hoarding locations will be indicated on the Tree Protection Plan (Appendix 2) which has been included in this report but will be printed to-scale for use on-site and in permit applications. Within the scope of this project, hoarding is recommended to be established around trees not already protected by property boundary fences and existing hoarding. Problems will arise for tree preservation efforts when anyone removes the hoarding, even temporarily. It is imperative to install and maintain in good condition the hoarding to prevent this from happening by utilizing horizontal hoarding whenever necessary. All hoarding must be installed and photographed prior to permit issuance.

### Root Pruning

Like pruning the upper canopy of the tree, roots are best removed (if needed) via target pruning practices and not by being torn off. Using mechanical tools or excavation equipment to remove or prune roots often leaves ragged edges, stripped bark, or splintered tissue. These surfaces are difficult for a tree to heal over and provide a high surface area for potential decay pathogens (bacteria, fungus, insects), to enter a tree. Minimizing the cross section of pruned roots allows for the most efficient recovery for the tree. Roots that are larger in diameter than 20% of its parent trunk's DBH are structurally integral to a tree and must be pruned with discretion. Root pruning is recommended to be carried out by a licensed professional, such as an ISA Certified Arborist via non-invasive methods of excavation including but not limited to AirSpade, hydrovac, and hand-digging to minimize the damage to the health and structure of the trees.

### Tree Protection Signage

It is recommended for the client to create Tree Protection Signs to affix to the tree protection hoarding. A sign should be displayed to indicate the fencing as a Tree Protection Fencing where no construction relative activities are permitted.

### Staging Areas

All staging areas are understood to be outside the CRZ. At no time are materials, vehicles, traffic or debris to be stacked, staged, or piled inside the hoarding (Tree Protection Fencing).



## Conclusion

To account for the proposed house tear down as well as the construction for a new house with 2 garages and various exterior improvements, we assessed **10 trees** for retention, protection, injury, or removal.

Tree #5 has work proposed within the Critical Root Zone (CRZ) and is expected to be injured. Construction of the new home is proposed within its CRZ. The tree is  $\geq 30$  cm in diameter, and therefore regulated under by-law and requires a permit to injure. 3 trees can be fully protected from construction. Trees #7-9 are not expected to be injured so long as the Tree Protection Plans (TPP) are properly followed. 6 trees are recommended for removal prior to construction. Trees #3-4 and #10 are trees in fair/poor condition or with construction and relandscaping proposed within their footprints. These trees are  $< 30$  cm in diameter therefore no permits should be required to remove. Trees #1-2,6 The trees are  $> 30$  cm in diameter, and therefore regulated under by-law and may require a permit to remove. It is important to note these trees are in poor or fair condition.

## Recommendations

In accordance with the numbering of trees in the inventory listed on the Tree Protection Action Key (Appendix 1), we have provided the following recommendations.

- Trees to be fully protected are specified with “Protect” in the “Action” column in the TPAK.
  - We recommend the client establish and maintain tree protection fencing, built to City of Ottawa standards (See Appendix 3) in accordance with the Tree Protection Plan (Appendix 2), which is to accompany this report.
- Trees likely to be injured are specified with “Injure” in the “Action” column in the TPAK.
  - A permit to injure for Tree #5 should be acquired from Urban Forestry prior to commencement of construction.
  - We recommend low-impact root excavation via hand-digging or Hydrovac within the CRZ of Tree #5 under supervision of a Certified Arborist, as well as root pruning by a Certified Arborist, at their discretion.
  - We recommend installing Tree Protection Fencing around Trees #5-9
  - For boundary and Neighbour-owned trees, informed consent from the corresponding owner should be obtained prior to construction.

- Trees likely to be injured are specified with “Remove” in the “Action” column in the TPAK.
  - We recommend Trees #1-4,6 and #10 be removed prior to construction. Permits will be required for Trees #1-2, and #6.
  - For boundary and Neighbour-owned trees, informed consent from the corresponding owner should be obtained prior to construction.
- We recommend the client utilize the existing driveway surface and backyard outside any CRZ for equipment storage and access to the property.
- No equipment of any sort shall be stored within the CRZ of the protected trees except where hard surfaces are already present. No dumping, grade change, or removal of soil is permitted from within CRZs. This will be done to avoid compaction of the roots and soil.
- Replacement trees are denoted in the TPP and shall be planted no later than the spring of 2024. 2 white oaks and 7 Apple trees recommended.

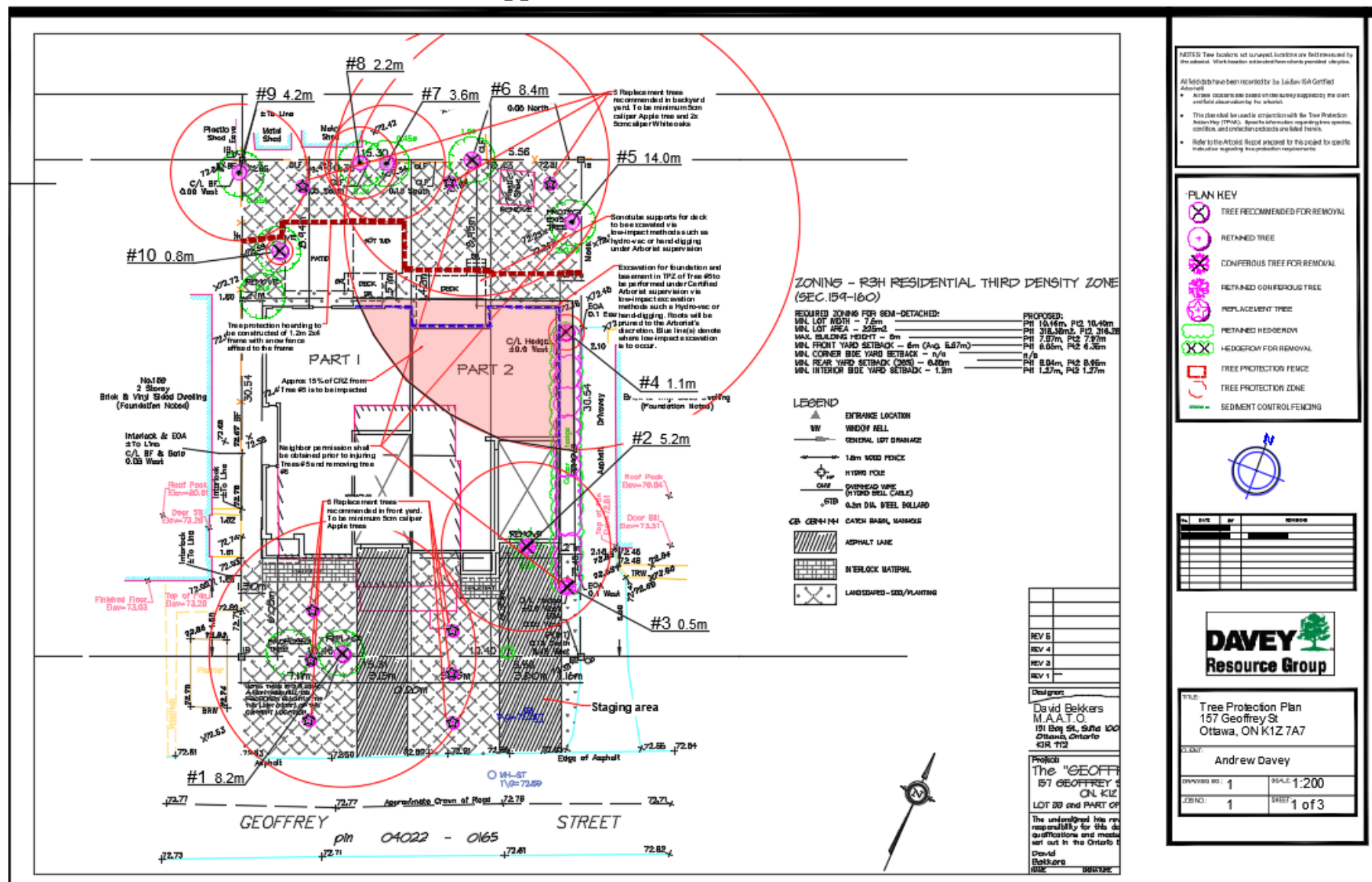
## Appendix 1 – Tree Protection Action Key (TPAK)

Tree Map Number	Species	Botanical	DBH (cm) @ 1.4 m	Tree Ownership	MTPZ (minimum tree protection zone distance m)	Health	Structure	Overall Condition	Crown Width (m)	Deadwood (%)	Construction inside Min TPZ? (Y/N)	Construction Impact (None, Low, Medium, High)	Action (Preserve/Injure/Remove)	Recommendations and observations
1	Sugar maple	<i>Acer saccharum</i>	82	Private	8.2	Poor	Poor	Poor	9	25	Yes	High	Remove	large decay on back stem. Remove due to poor/declining condition.
2	White Pine	<i>Pinus strobus</i>	52	Private	5.2	Fair	Fair	fair	10	2	Yes	High	Remove	Remove due to construction and fair condition
3	Cedar Hedge Row	<i>Thuja occidentalis</i>	5	Private	0.5	Fair	Fair	fair	1.5	10	Yes	High	Remove	Remove for construction.
4	Buckthorn	<i>Rhamnus cathartica</i>	11	Private	1.1	Fair	Fair	fair	2	0	No	None	Remove	Remove due to invasive nature
5	Swamp white oak	<i>Quercus bicolor</i>	140	Boundary	14.0	Good	Fair	Good	25	2	Yes	Medium	Injure	Injure for new home construction. Seek neighbor permission prior to injuring. Excavation for foundation and basement in TPZ of Tree #5 to be performed under Certified Arborist supervision via low-impact excavation methods such a Hydro-vac or hand-digging. Roots will be pruned to the Arborist's discretion.

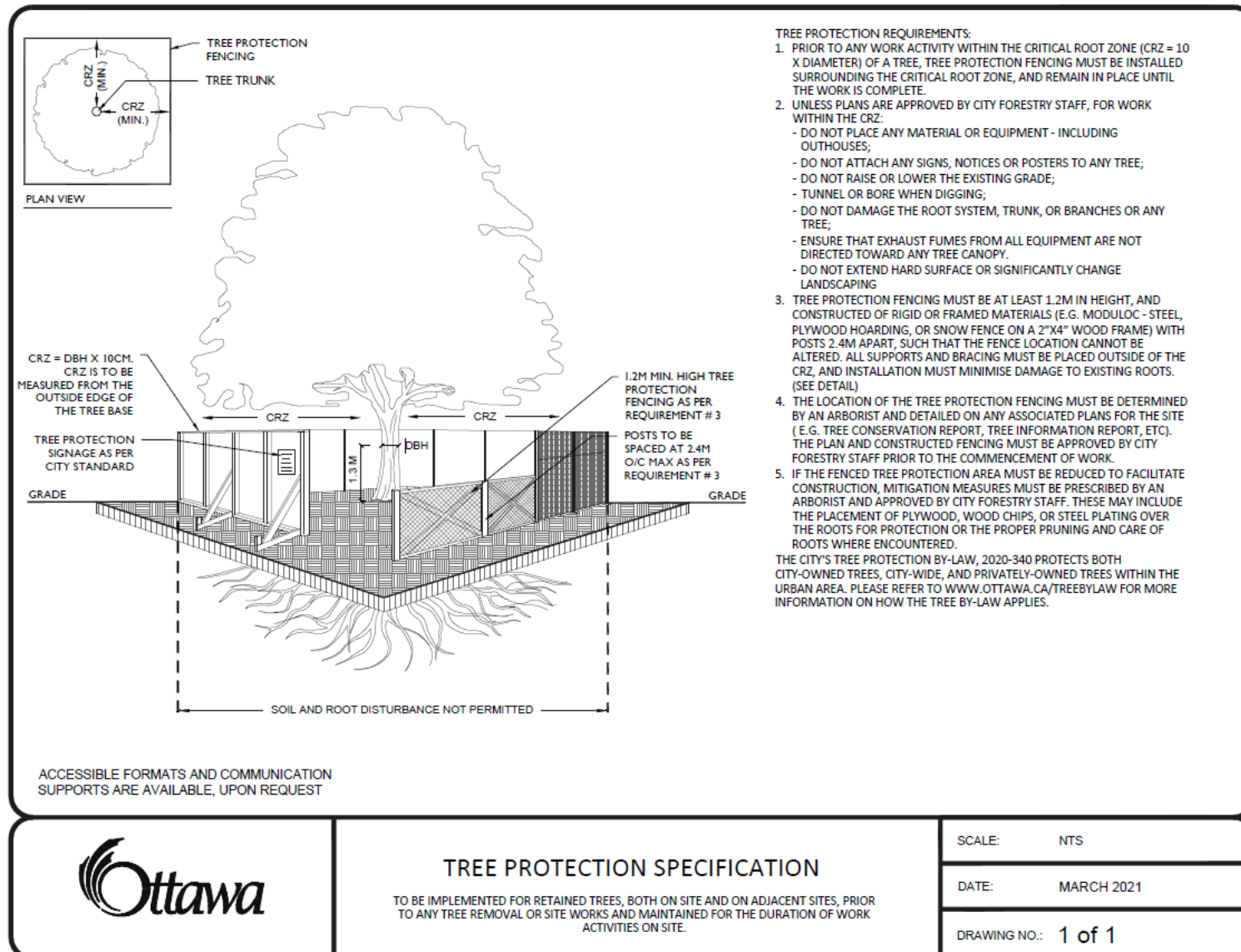
Tree Map Number	Species	Botanical	DBH (cm) @ 1.4 m	Tree Ownership	MTPZ (minimum tree protection zone distance m)	Health	Structure	Overall Condition	Crown Width (m)	Deadwood (%)	Construction inside Min TPZ? (Y/N)	Construction Impact (None, Low, Medium, High)	Action (Preserve/Injure/Remove)	Recommendations and observations
6	Norway maple	<i>Acer platanoides</i>	84	Boundary	8.4	Poor	Poor	Poor	15	5	Yes	Medium	Remove	large tear out and open wound on stem. Remove due to poor condition and proposed construction. Seek neighbor permission prior to removing
7	Norway maple	<i>Acer platanoides</i>	36	Boundary	3.6	Fair	Fair	Fair	6	5	No	None	Preserve	Retain with hoarding
8	Norway maple	<i>Acer platanoides</i>	22	Boundary	2.2	Fair	Fair	Fair	3	0	No	None	Preserve	Retain with hoarding
9	Norway maple	<i>Acer platanoides</i>	42	Boundary	4.2	Fair	Fair	Fair	15	5	No	None	Preserve	Retain with hoarding
10	Apple tree	<i>Malus</i>	8	Private	0.8	Poor	Poor	Poor	1	25	Yes	High	Remove	Remove due to patio and condition



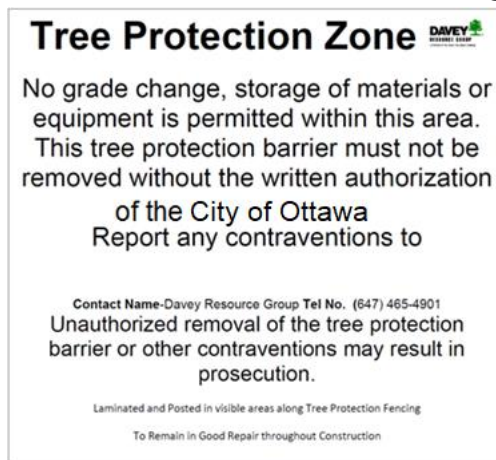
## Appendix 2 – Tree Protection Plan



### Appendix 3 – Hoarding (TPF) Detail



## Appendix 4 – Tree Protection Zone Sign Detail



## Appendix 5 – References

1. ISA, 2001-2011. Best Management Practices, Books 1-9, Companion publications to ANSI A300 Standards for Tree Care
2. Dujesiefken, Dr. Dirk, 2012. Director of the Institute for Tree Care in Germany, The CODIT Principle, research presented on cambial regrowth on trees after injury at the Annual ISA Conference in Kingston Ontario
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5. Neely and Watson, ISA, 1994 and 1998. The Landscape Below Ground 1 and 2
6. Matheny and Clark, ISA, 1994. A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas, 2<sup>nd</sup> Edition
7. Matheny and Clark, ISA 1998. Trees and Development, A Technical Guide to Preservation of Tree During Land Development
8. PNW-ISA, 2011. Tree Risk Assessment in Rural Areas and Urban/Rural Interface, Version 1-5
9. City of Toronto, 2015. Application to Injure or Destroy Trees
10. Todd Hurt & Bob Westerfield, 2005. Tree Protection During Construction and Landscaping Activities
11. City of Toronto, 2015. Toronto Municipal Code Chapter 813: Trees.
12. City of Toronto, 2016. Tree Protection Policy and Specifications for Construction Near Trees

## Appendix 6 – Glossary of Common Arboricultural Terms

Arborist	A professional who possesses the technical competence gained through experience and related training to provide for or supervise the management of trees and other woody plants in residential, commercial, and public landscapes.
ANSI A300	Acronym for American National Standards Institute. In the United States, industry-developed, national consensus standards of practice for tree care.
Bark Tracing	Cutting away torn or injured bark to leave a smooth edge.
Branch Bark Ridge	Raised strip of bark at the top of a branch union, where the growth and expansion of the trunk or parent stem and adjoining branch push the bark into a ridge.
Callus wood	Undifferentiated tissue formed by the cambium, usually as the result of wounding.
Clinometer	A device used to calculate the height of trees.
Consulting Arborist	An Arboricultural consultant is one of the following: <ul style="list-style-type: none"> <li>American Society of Consulting Arborists, Registered Consulting Arborist (ASCA RCA#___)</li> <li>International Society of Arboriculture, Board Certified Master Arborist (ISA BCMA #___B)</li> <li>ISA Certified Arborist/Municipal Specialist in good standing for a minimum of 6 years with 6 years of proven experience in a management role related to arboriculture, and has attested and signed to a code of ethics related to arboriculture (ISA#_____)</li> </ul>
Compartmentalization	Natural defense process in trees by which chemical and physical boundaries are created that act to limit the spread of disease and decay organisms
Critical Root Zone – (CRZ)	Area of soil around a tree where the minimum amounts of roots considered critical to the structural stability or health of the tree are located.
Daylighting	Also known as Hydro-vac, this is the process by which soil is vacuumed up. In the context of tree care this allows workers to access the soil below the roots without mortal damage to significant roots.
DBH	Acronym for tree diameter at breast height. Measured at 1.4m above ground.
Decurrent	Rounded or spreading growth habit of the tree crown.
Directional Pruning	Providing clearance by pruning branches that could significantly affect the integrity of utility facilities or other structures, and leaving in place branches that could have little or no effect.
Dripline	Imaginary line defined by the branch spread of a single parent or group of plants
Excurrent	Tree growth habit characterized by a central leader and a pyramidal crown.



Included bark	Bark that becomes embedded in a crotch (union) between branch and trunk or between codominant stems. Causes a weak structure.
Lion's Tailing	Poor pruning practice in which an excessive number of branches are thinned from the inside and lower part of specific limbs or a tree crown, leaving mostly terminal foliage. Results in poor branch taper, poor wind load distribution, and higher risk of branch failure.
MTPZ	Acronym for Minimum Tree Protection Zone, also known as the Structural Root Zone (SRZ), which is the distance from the tree equal to 6 times the dbh, within which the likelihood of encountering roots that are structural supports for the tree.
Moment	Rotational force that is created by any line force on a body. The magnitude of a moment is defined as the product of the force magnitude and perpendicular distance from the line of action of the force to the axis of which the moment is being calculated.
Mortality Spiral	A sequence of stressful events or conditions causing the decline and eventual death of a tree.
Mulch	Material that is spread or sometimes sprayed on the soil surface to reduce weed growth, to retain soil moisture and moderate temperature extremes, to reduce compaction from pedestrian traffic or to prevent damage from lawn-maintenance equipment, to reduce erosion or soil spattering onto adjacent surfaces, to improve soil quality through its eventual decomposition, and/or to improve aesthetic appearance of the landscape. Mulch can be composed of chipped, ground, or shredded organic material such as bark, wood, or recycled paper; unmodified organic material such as seed hulls; organic fiber blankets or mats; or inorganic material such as plastic sheeting.
Organic Matter	Material derived from the growth (and death) of living organisms. The organic components of the soil.
Project Arborist	The consulting arborist retained to provide all tree preservation recommendations to the project manager or contractors on a given construction project.
Qualified Arborist	An arborist who has documented related training (i.e. ISA, MTCU, or equivalent) and on-the-job experience (minimum of 5 years)
Radial trenching	Technique for aerating the soil or alleviating compaction around a tree by removing and replacing soil (which may be amended) in trenches (typically 300mm deep and 150mm wide) made in a spoke like pattern (radially from the trunk) in the root zone to improve conditions for root growth.
Reaction Wood	Wood formed in leaning or crooked stems or on lower or upper sides of branches as a means of counteracting the effects of gravity.
Removal Cut	A cut that removes a branch at its point of origin. Collar cut.

Reduction Cut	A pruning cut that reduces the length of a branch or stem back to a lateral branch large enough to assume apical dominance.
Resistograph®	A brand name of a device consisting of a specialized micro-drill bit that drills into trees and graphs density differences that are used to detect decay.
Soft-Scaped	Landscaping practices that do not involved solid or deeply-dug foundations.
Static Support System	Cabling system that utilizes rigid materials such as rods and steel cables to limit movement and provide constant support of limbs.
Structural cells	Modular system consisting of units of soil and integrated support structures that serve both as a foundation for paved surfaces and a hospitable environment for tree root growth,
Structural pruning	Pruning to establish a strong arrangement or system of scaffold branches.
Structural Soil™	Pavement substrate that can be compacted to meet engineering specifications yet remains penetrable be tree roots in the urban environment. Composed of angular crushed stone, clay loam, and hydrogel mixed in a weight ratio of 100:20:0.03. Developed at the Urban Horticulture Institute, Cornell University, Ithaca, NY.
Supersonic Air Excavation Techniques (SSAT)	A methodology using a device that directs a jet of highly compressed air to excavate soil. Used within the root zone of trees to avoid or minimizing damage to the roots, or near underground structures such as pipes and wires to avoid or minimize damage to them.
Tree Protection Zone (TPZ)	Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction. TPZ is sometimes based on a minimum multiple of dbh (e.g. 6:1, 6cm of ground distance from the trunk for 1cm of dbh)
Walls	<p>Trees have 4 walls in a process known as compartmentalization.</p> <ul style="list-style-type: none"> <li>• Wall 1 prevents decay moving up and down in a tree</li> <li>• Wall 2 prevents decay moving inward in a tree</li> <li>• Wall 3 prevents decay moving laterally in a tree</li> <li>• Wall 4 is the new growth formed on the outside of the tree, callus growth.</li> </ul>
Woundwood	Lignified, differentiated tissues produced on woody plants after wounding.



## Appendix 7 – Arborist Qualifications



**Vladislav Michnevich** is an ISA Certified Consulting Arborist for the Davey Resource Group (DRG). He has obtained his Urban Forestry Technician diploma from Fleming College in 2017 and completed a year of Urban Arboricultural studies at Humber College in 2018. He has acquired over 5 years of experience from arboricultural practices, consultations, project coordination and management.

### Education

- Received a diploma in Urban Forestry Technician Co-op from Fleming College in 2017
- Completed training and received designation of Certified Arborist from the International Society of Arboriculture. ISA# ON-2375A
- Year of Humber College Arboricultural studies.
- Completed training and received designation of Tree Risk Assessment Qualified from International society of Arboriculture.
- Completed Sales internship within the Davey Tree Expert Company.





## Appendix 8 – Photographs



**Figure 1 – View of Tree #1**





**Figure 2** – View of tree #2.



**Figure 3** – View of Tree #3, a hedge along the north and east sides of the property.





**Figure 4** – View of Tree #4 (surrounding hedge) in the backyard.



**Figure 5** – View of Tree #5





**Figure 6 – View of Tree #6**



**Figure 7 – View of Trees #7-9**

### Conditions of Assessment Agreement

This Conditions of Assessment Agreement is made pursuant to and as a provision of Davey Resource Group, a division of The Davey Tree Expert Co. of Canada, Limited ("Davey"), providing tree assessment services as agreed to between the parties, the terms and substance of which are incorporated in and made a part of this Agreement (collectively the "Services").

Trees are living organisms that are subject to stress and conditions and which inherently impose some degree or level of risk. Unless a tree is removed, the risk cannot be eliminated entirely. Tree conditions may also change over time even if there is no external evidence or manifestation. In that Davey provides the Services at a point in time utilizing applicable standard industry practices, any conclusions and recommendations provided are relevant only to the facts and conditions at the time the Services are performed. Given that Davey cannot predict or otherwise determine subsequent developments, Davey will not be liable for any such developments, acts, or conditions that occur including, but not limited to, decay, deterioration, or damage from any cause, insect infestation, acts of god or nature or otherwise.

Unless otherwise stated in writing, assessments are performed visually from the ground on the above-ground portions of the tree(s). However, the outward appearance of trees may conceal defects. **Therefore, to the extent permitted by law, Davey does not make and expressly disclaims any warranties or representations of any kind, express or implied, with respect to completeness or accuracy of the information contained in the reports or findings resulting from the Services beyond that expressly contracted for by Davey in writing, including, but not limited to, performing diagnosis or identifying hazards or conditions not within the scope of the Services or not readily discoverable using the methods applied pursuant to applicable standard industry practices.** Further, Davey's liability for any claim, damage or loss caused by or related to the Services shall be limited to the work expressly contracted for.

In performing the Services, Davey may have reviewed publicly available or other third- party records or conducted interviews and has assumed the genuineness of such documents and statements. Davey disclaims any liability for errors, omissions, or inaccuracies resulting from or contained in any information obtained from any third- party or publicly available source.

Except as agreed to between the parties prior to the Services being performed, the reports and recommendations resulting from the Services may not be used by any other party or for any other purpose. The undersigned also agrees, to the extent permitted by law, to protect, indemnify, defend and hold Davey harmless from and against any and all claims, demands, actions, rights and causes of action of every kind and nature, including actions for contribution or indemnity, that may hereafter at any time be asserted against Davey or another party, including, but not limited to, bodily injury or death or property damage arising in any manner from or in any way related to any disclaimers or limitations in this Agreement.

By accepting or using the Services, the customer will be deemed to have agreed to the terms of this Agreement, even if it is not signed.

Acknowledged by:

Name of Customer: DAVEY, Digitally signed by  
ANDREW DAVEY, ANDREW  
196 196  
Authorized Signature: 196 Date: 2024.03.27  
16:13:20 -04'00'

Date: \_\_\_\_\_



2024-05-09



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 155 and 157 Geoffrey Street  
Legal Description: Part of Lots 32 & 33, Registered Plan 309  
File No.: D08-01-24/B-00059  
Report Date: May 9, 2024  
Hearing Date: May 15, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban, Neighbourhood, Evolving Neighbourhood Overlay  
Zoning: R3H

**DEPARTMENT COMMENTS**

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

**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. The severance will facilitate the creation of two lots that conform with the performance standards outlined in the Zoning By-law.

**ADDITIONAL COMMENTS**

**Infrastructure Engineering**

- Please note that following the review of the submitted grading plan, it was determined the catch basin near the driveway must be relocated. This deficiency will need to be resolved prior to clearing the servicing plan condition at committee as it is also a requirement at building permit stage.
- This property does not have frontage on a storm sewer.

- 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.
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).
- Existing services are to be blanked at the owner's expense.

## Planning Forestry

- There are no concerns with the proposed severance of the building under construction. Tree permits were issued for the removal of 3 trees >50cm in diameter in 2023; 9 compensation trees are required. A planting plan is required to show the locations of all proposed compensation trees; if there is insufficient space for all, the remaining compensation must be paid to Forestry Services. Please note that it is the City's priority to plant large-growing native species where space allows, particularly in the Right of Way.

## Right of Way Management

- The Right-of-Way Management Department has no concerns with the proposed Consent Application, however, as there are requested changes to the private approach/driveway on the property, the Owner shall be made aware that a private approach permit is required to construct a newly created entrance. There are active construction projects on both properties whereby the approved grading plan (A22-008107) requires and outlines Private Approach permits are required to establish the new entrances.
- Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.

## CONDITIONS

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

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.

2. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review Manager, Planning, Development and Building Services 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 to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.
3. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners.

The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways and common landscaping.

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, and is satisfactory to City Legal Services, as well as a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

4. That the Owner enter into an Agreement with the City, at the expense of the Owner, which is to be registered on Title to deal with the covenants/notices that shall run with the land and bind future owners on subsequent transfers;

“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 Agreement shall be to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

5. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate.
6. That the Owner(s) enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate, to require that an asphalt overlay will be installed, at the Owner(s) expense, on Geoffrey Street, fronting the subject lands, over the entire public driving surface area within the limits of the overlay, if the approved Site Servicing Plan shows three or more cuts within the pavement surface. The overlay must be carried out to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

If the Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or his/her designate determines that a Development Agreement requiring an asphalt overlay is no longer necessary, this condition shall be deemed as fulfilled.

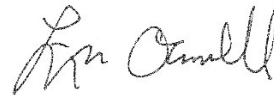
7. The Owner/Applicant(s) shall prepare and implement a tree planting plan, prepared to the satisfaction of the Manager of the relevant Branch within the Planning, Development, and Building Services Department, or their designate(s), showing the location(s), species or ultimate size of the specified number of compensation trees (50 mm caliper) required under the Tree Protection By-law, assuming that all proposed tree removals are permitted.





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Penelope Horn  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department



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

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 1  
Wednesday, May 15, 2024  
1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 CentrepoinTE Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File No.:** D08-02-24/A-00078  
**Application:** Minor Variance under section 45 of the *Planning Act*  
**Owner/Applicant:** Benyamin Javanmardi  
**Property Address:** 267 Ste-Anne Avenue  
**Ward:** 12 – Rideau-Vanier  
**Legal Description:** Lot 56, Registered Plan 246  
**Zoning:** R4UA  
**Zoning By-law:** 2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Owner wants to construct a three-storey, 8-unit apartment building, as shown on plans filed with the Committee.

### REQUESTED VARIANCES:

The Owner/Applicant requires the Committee's authorization for minor variances from the Zoning By-law as follows:

- a) To permit a reduced lot width of 10.01 metres, whereas the By-law requires a minimum lot width of 12 metres.
- b) To permit a reduced lot area of 336 square metres, whereas the By-law requires minimum lot area of 360 square metres.
- c) To permit a reduced front yard setback of 4 metres, whereas the By-law requires a minimum front yard setback of 4.5 metres.
- d) To permit a reduced rear yard setback of 14.28% of the lot depth or 4.8 metres, whereas the By-law requires the minimum required rear yard setback of 22.31% of the lot depth and need not exceed 7.5 metres.
- e) To permit no entrances on the front façade and both entrances to be located on the sides of the building, whereas the By-law requires at least one entrance on the front façade.

**THE APPLICATION** indicated the property is not the subject of any other current Applications under the *Planning Act*.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
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101 CentrepoinTE Drive  
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613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande de dérogations mineures

**Groupe 1**  
**Mercredi 15 mai 2024**  
**13 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossier :</b>	D08-02-24/A-00078
<b>Demande :</b>	Dérogations mineures en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaire/requérant :</b>	Benyamin Javanmardi
<b>Adresse municipale :</b>	267, avenue Ste-Anne
<b>Quartier :</b>	12 – Rideau-Vanier
<b>Description officielle :</b>	Lot 56, plan enregistré 246
<b>Zonage :</b>	R4UA
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DU REQUÉRANT ET OBJET DE LA DEMANDE :

Le propriétaire souhaite construire un immeuble d'habitation de trois étages abritant huit (8) logements, conformément aux plans déposés auprès du Comité.

### DÉROGATIONS DEMANDÉES :

Le propriétaire demande au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

- a) Permettre la réduction de la largeur du lot à 10,01 mètres, alors que le Règlement exige une largeur de lot d'au moins 12 mètres.
- b) Permettre la réduction de la superficie du lot à 336 mètres carrés, alors que le Règlement exige une superficie de lot d'au moins 360 mètres carrés.
- c) Permettre la réduction de la marge de recul de la cour avant à 4 mètres, alors que le Règlement exige une marge de recul de la cour d'avant d'au moins 4,5 mètres.
- d) Permettre la réduction de la marge de recul de la cour arrière à 14,28 % de la profondeur du lot, soit 4,8 mètres, alors que le Règlement exige qu'une marge de recul de la cour arrière requise soit d'au moins 22,31 % de la profondeur du lot et qu'elle ne dépasse pas 7,5 mètres.
- e) Permettre qu'il n'y ait pas d'entrée sur la façade avant et que les deux entrées soient situées sur les côtés du bâtiment, alors que le Règlement exige qu'il y ait au moins une entrée sur la façade avant.

**LA DEMANDE** indique que la propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**SI VOUS NE PARTICIPEZ PAS** à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

**SI VOUS SOUHAITEZ RECEVOIR UN AVIS DE LA DÉCISION** prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

**POUR OBTENIR PLUS DE RENSEIGNEMENTS** à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

### **TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

### **COMMENT PARTICIPER**

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des

détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

### COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024



*This document is also available in English.*

**Committee of Adjustment**  
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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436







Committee of Adjustment  
Comité de dérogation

## CIRCULATION MAP / PLAN DE CIRCULATION

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SUBJECT LAND / TERRAIN EN QUESTION

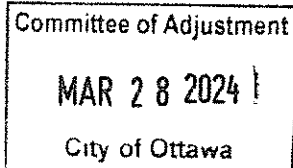
**267 av. Ste. Anne Avenue**



NOT TO SCALE  
NON À L'ÉCHELLE



**Dream Design  
Architecture Inc.**



**Re: Minor Variance cover letter for a new proposed development of an 8-unit three-storey building that will be built @ 267 Ste-Anne Avenue in the Vanier area of Ottawa, Ontario, Canada**

**To whom it may concern,**

We at Dream Design Architecture are applying for a minor variance for the development of a proposed 8-unit three-storey building at 267 Ste-Anne Avenue. We believe firmly that this is a very strong proposal that not only benefits us but also the community and people that live there. In order to develop and obtain our necessary building permits we would like to ask for a couple of minor variances:

1. We would like to ask for an adjustment to the minimum lot width & minimum lot area. As per the City of Ottawa Zoning Bylaw we require 12 m lot width & 360 m<sup>2</sup> lot area whereas we have a lot width of 10.01 m & a lot area of 336 m<sup>2</sup>. There is not a significant difference between the minimums and what we have but it makes a difference in terms of what we can develop the land with. The reason that we need these adjustments is to allow us to build a development with the maximum number of units that we can according to the City of Ottawa Zoning By-Law as Vanier is an area with older and smaller houses that need to be replaced with bigger buildings in order to grow the community. This effort will allow population growth and also is a significant factor to helping to end the major housing crisis we are in by creating more Affordable Housing in the City of Ottawa. Even though we are only proposing an 8-unit building which isn't a lot in terms of number of units but in the end every unit counts toward our common goal to end this crisis.
2. We would like to ask for an adjustment to the front yard & rear yard setbacks. According to the City of Ottawa Zoning By-Law we require a front yard setback of 4.5 m so we are proposing 4.0 m. We require a rear yard setback of 7.5 m so we are proposing 4.8 m. The reason we need these adjustments is because the lot is small as-is for any multi-unit development as we must consider different Ontario Building Code 2012 factors. We need minimum size of rooms as well as minimum exit dimensions and a certain number of exits. At this size of lot we will not be able to meet the minimum building code requirements and even if we do the units will be unrentable as they are too small that they wouldn't be desirable. We need to provide our community Affordable Housing but ones that are comfortable to be living in as without the right comfort level in any building/house/unit in general the units would sit empty and be of no use to the community and City of Ottawa. We need to be able to push the building a bit to the front & rear in order to meet our goals. Also, in regards to the protrusion past the front setback line we also noticed after careful examination of the surrounding properties that most of them are built closer to the property line and even on the front property line. If our building is pushed back it would not provide a nice visual appearance to the area. All the houses need to be lined up in a good fashion to allow that good eye catching appeal.



3. We would like to ask for an adjustment to the Zoning-Bylaw guideline that indicates that at least one entrance/exit shall be located on the front façade. We would like to propose both entrances to be located on the sides of the building. The reason for this proposal is a couple of factors. Firstly, if we put an entrance on the front façade then in terms of layout, we would need more than 2 exits stairs which take up room on the floor area and result in smaller units that are not ideal for the landlord and tenant. Also, a front entrance will result in more dead space being created on the floor area due to more corridors that are longer and thus would be unrentable space which are not beneficial. With the two entrances at the sides (one on each side) we are thus making the units are comfortable size for the landlords and tenants which in turn yields a higher & faster rentable rate for all the units of the building. In addition to the above, an entrance on the front takes up unit space and thus window spaces from the front view so more windows will have to be placed on the sides which could result in a privacy issue for the neighbouring properties and doesn't allow a view for tenants to see from their windows. We as designers & planners try to limit the number of windows on the sides to limit the privacy issue by having rooms on the sides like bathrooms and kitchens which don't require a window. In terms of limiting windows on the sides is an OBC 2012 requirement as the closer an exterior wall is to the property line there shall be lesser windows allowed on that side. With the doors on each side we can conclude that this will be a better choice for everyone which is the tenants, landlords and neighbours in order to allow good 700 sq. ft. unit sizes to allow our tenants and landlords comfort and to allow our neighbours peace of mind from the privacy issue.

**Does this application meet the four tests of Section 45 (1) of the planning act?**

1. Is the application minor in nature?

The variances are minor in nature and are only required as the built form of the existing building is now being changed with the expansion of said building.

2. Is it desirable for the appropriate development or use of land, building or structure?

The question of desirable and appropriate is answered as the proposal seeks to add residential units which will have no impact upon the surrounding area and with little impact as possible upon the neighbourhood and nearby residences.

3. Is it in keeping with the general intent and purpose of the zoning By-law?

The proposal is zoned as R4UA which allows a variety of dwellings and such is the case in this instance. The zoning allows a low-rise apartment with a maximum of eight units and eight are being proposed for the building. Thus, the general intent and purpose of the zoning by-law are met



**Dream Design  
Architecture Inc.**

in this regard. The expansion of the building requires a variance regarding the front yard setback, the rear yard setback, the minimum lot width & the minimum lot area. We are also asking for both entrances to be located on the sides.

4. Is it in keeping with the general intent and purpose of the official plan?

As to the City's Official Plan and particularly the Provincial Policy Statement, the proposal meets the four tests of the PPS regarding intensification and is deemed appropriate for the lands in question as found in subsections 1.1.1 (b) and 1.1.2 of said document. The site is designated General Urban Area and embraces residential uses of this nature on the neighbourhood.

-Section 2.2 embraces intensification in the urban area as long as the built form is found in the neighbourhood. Section 4.11 asks that the proposal respects the character of the surrounding residential neighbourhood as well as being a good fit in respect of Section 4.11.2 of the Official Plan .

Sincerely,

*Karim El-Sarji*

Karim El-Sarji, CEO, BCIN, Constr. PM  
Dream Design Architecture Inc.  
1000 Innovation Drive Suite 550  
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(613) 599-6999  
[dreamdesignarchitecture.ca](http://dreamdesignarchitecture.ca)





Dream Design  
Architecture Inc.



Committee of Adjustment  
Received | Reçu le

2024-04-10

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

SURVEYOR'S REAL PROPERTY REPORT  
**PART 1** Plan of  
**LOT 56**  
**REGISTERED PLAN 246**  
**CITY OF OTTAWA**  
Surveyed by Annis, O'Sullivan, Vollebakk Ltd.

Scale 1 : 100  
Metric  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Surveyor's Certificate  
I CERTIFY THAT:  
1. This survey and plan are correct and in accordance with the Surveys  
Act and the Surveyors Act and the regulations made under them.  
2. The survey was completed on the 28th day of March, 2024.  
March 28, 2024  
Date  
Jamie Leslie  
Ontario Land Surveyor

**PART 2**  
THIS PLAN MUST BE READ IN CONJUNCTION WITH  
SURVEY REPORT DATED: March 28, 2024

ANNIS, O'SULLIVAN, VOLLEBEKK LTD. grants to  
G. Renaud  
("The Client"), their solicitors,  
mortgagees, and other related parties, permission to use original, signed, sealed  
copies of the Surveyor's Real Property Report in transactions involving The Client.

Notes & Legend

Denotes	
Survey Monument Planted	
Survey Monument Found	
SIB	Standard Iron Bar
SSIB	Short Standard Iron Bar
IB	Iron Bar
CP	Concrete Pin
(WIT)	Witness
Meos.	Measured
(AOG)	Annis, O'Sullivan, Vollebakk Ltd.
(P1)	Registered Plan 246
(P2)	(990) Plan Dated March 7, 1989
(P3)	Plan 4R-34952
DI	Inst. N741633
○ M+ST	Maintenance Hole (Storm Sewer)
○ M+S	Maintenance Hole (Sanitary)
— OHW —	Overhead Wires
○ UP	Utility Pole
□ CB	Catch Basin
CLF	Chain Link Fence
Ø	Diameter
+ 65.00	Location of Elevations
+ 65.00	Top of Concrete / Curb & Slab Elevation
C/L	Centreline
○	Deciduous Tree

Bearings are grid, derived from Can-Net 2016 Real Time Network  
GPS observations, MTM Zone 9 (76°30' West Longitude) NAD-83  
(original).  
For bearing comparisons, a rotation of 0°03'00" counter-clockwise  
was applied to bearings on P1.

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
V-75370  
THIS PLAN IS NOT VALID UNLESS  
IT IS AN EMBOSSED ORIGINAL  
COPY ISSUED BY THE SURVEYOR  
in accordance with  
Regulation 1026, Section 29 (3).

**ELEVATION NOTES**  
1. Elevations shown are geodetic and are referred to the CGVD28 geodetic datum.  
2. It is the responsibility of the user of this information to verify that the job benchmark  
has not been altered or disturbed and that its relative elevation and description  
agrees with the information shown on this drawing.

© Annis, O'Sullivan, Vollebakk Ltd. 2024. THIS PLAN IS PROTECTED BY COPYRIGHT.  
**ANNIS, O'SULLIVAN, VOLLEBEKK LTD.**  
14 Concourse Gate, Suite 500  
Nepean, Ont. K2E 7S6  
Phone: (613) 727-0850 / Fax: (613) 727-1079  
Email: Nepean@asvltd.com





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**Committee of Adjustment**  
Received | Reçu le

**2024-04-10**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**267 STE ANNE AVENUE APARTMENT**



1000 Innovation Drive, Suite 550 Kanata, ON K2K 3E7



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Architecture Inc.



1000 Innovation Drive, Suite 550 Kanata, ON K2K 3E7





Dream Design  
Architecture Inc.



1000 Innovation Drive, Suite 550 Kanata, ON K2K 3E7



10.01

1.50 m 7.01 m 1.50 m

1.50 7.01 1.50

8.53 m 5.83

11' - 6"

6' - 0"

Aggregated soft landscape Area: 422.88 sq ft

26' - 10"

10.56

4.80 7.50 m

35.38 22.36 m 25.05

UP

**PROPOSED THREE-STOREY 8-UNIT BUILDING**

**ZONING DESIGNATION: RU4A**

**FOOTPRINT AREA: 2143.30 sq.ft.**

**\*\*\*NOTE: FOOTPRINT AREA INCLUDES 2' - 0" ROOF OVERHANG\*\*\***

22.65 19.94 m 31.94

4.50 4.50

Aggregated soft landscape Area: 250.06 sq ft

EXISTING CITY SIDEWALK

Ste Anne AVE

1.50 7.01 1.50

1.50 m 7.01 m 1.50 m

10.01

SETBACKS WITH MINOR VARIANCE

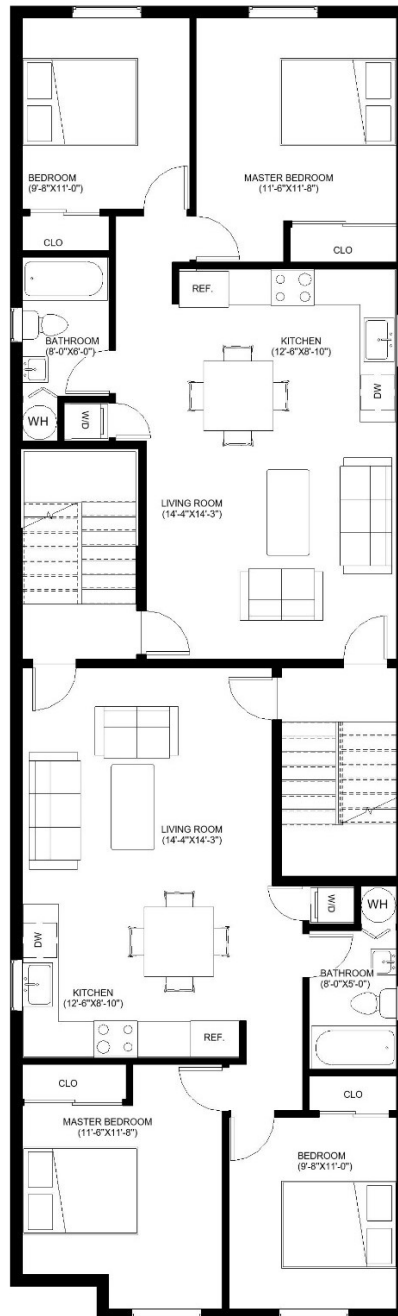
PROPERTY LINE

CITY SETBACKS



Dream Design  
Architecture Inc.

## Basement FLOOR PLAN

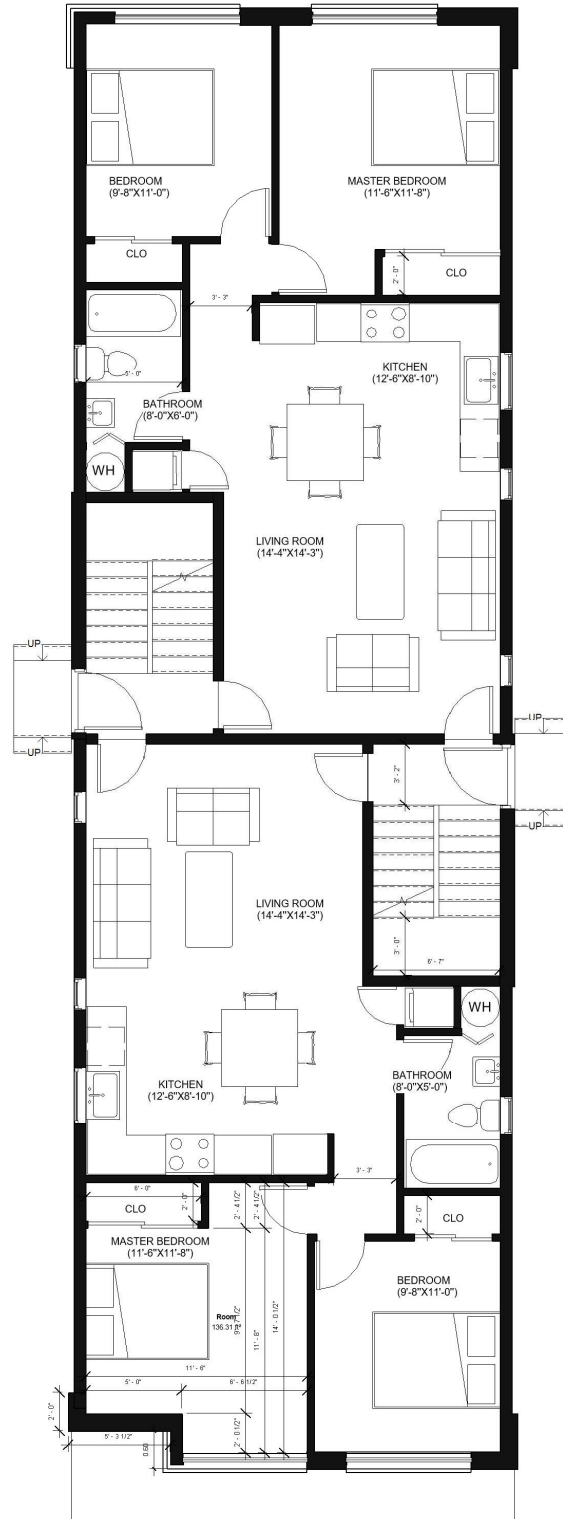


1000 Innovation Drive, Suite 550 Kanata, ON K2K 3E7



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## FIRST FLOOR PLAN



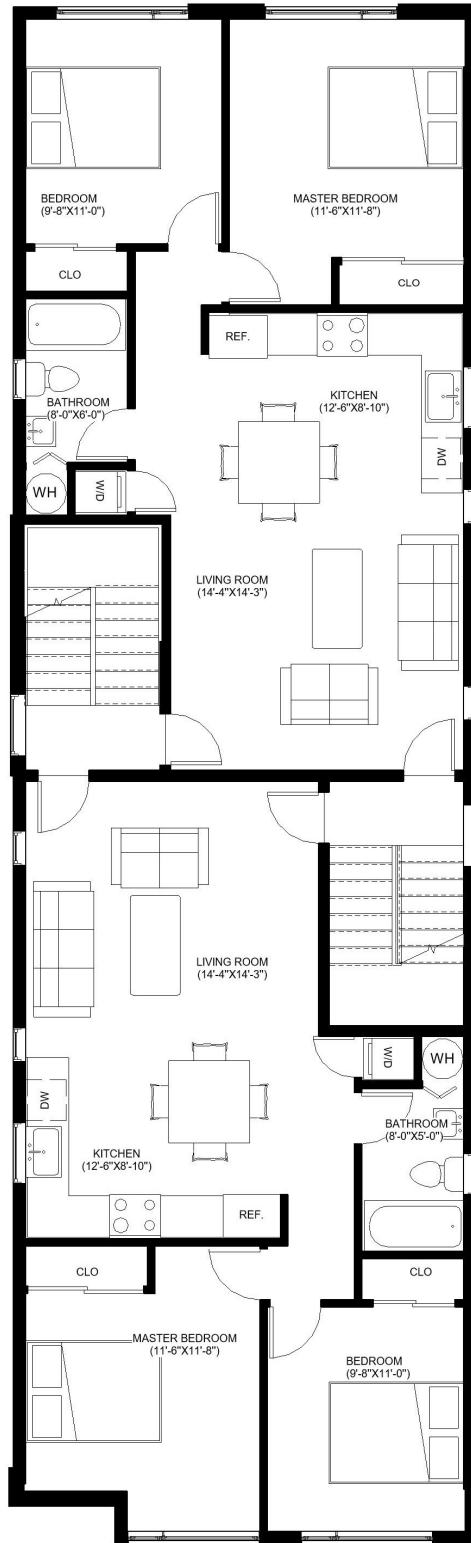
1000 Innovation Drive, Suite 550 Kanata, ON K2K 3E7





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## SECOND AND THIRD FLOOR PLAN



1000 Innovation Drive, Suite 550 Kanata, ON K2K 3E7



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EAST ELEVATION



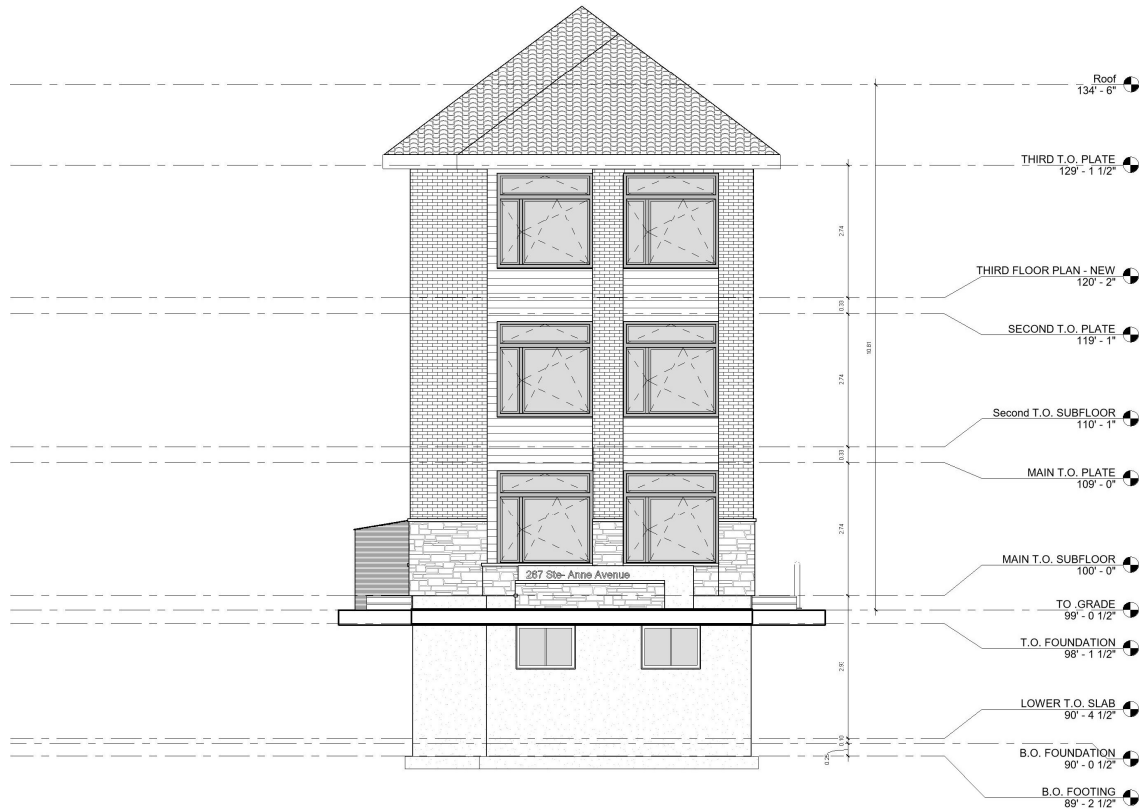
WEST ELEVATION





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Architecture Inc.

## SOUTH ELVATION





Architectural elevation drawing of a three-story house with a gabled roof. The drawing includes a vertical dimension line on the right side with the following labels and dimensions:

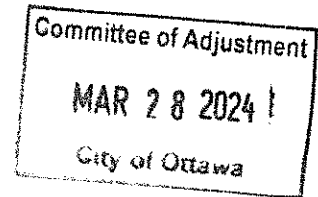
- Roof: 134' - 6"
- THIRD T.O. PLATE: 129' - 1 1/2"
- THIRD FLOOR PLAN - NEW: 120' - 2"
- SECOND T.O. PLATE: 119' - 1"
- Second T.O. SUBFLOOR: 110' - 1"
- MAIN T.O. PLATE: 109' - 0"
- MAIN T.O. SUBFLOOR: 100' - 0"
- TO GRADE: 99' - 0 1/2"
- T.O. FOUNDATION LOWER: 98' - 1 1/2"
- 90' - 4 1/2"
- B.O. FOUNDATION: 90' - 0 1/2"
- B.O. FOOTING: 89' - 2 1/2"

The drawing also shows a central vertical brick chimney and two sets of windows on each floor. The roof is gabled with a textured pattern. The foundation is shown below the ground level.



## SURVEYOR'S REAL PROPERTY REPORT

### (PART 2)



Re: 267 Ste. Anne Avenue  
Lot 56  
Registered Plan 246  
City of Ottawa

#### 1. Registered Rights-of-Way / Easements

The property is subject to right-of-way N741633. Several overhead wires cross the southwesterly corner of the property.

#### 2. Property Improvements

Fencing is displaced up to 0.38 metres from the property lines; the asphalt driveway for 265 Ste. Anne Avenue is displaced up to 0.62 metres from the westerly property line, the edge of asphalt for the parking behind 269 Ste. Anne Avenue crosses the easterly property line. (see plan for locations).

#### 3. Compliance with Municipal Zoning Bylaws

Compliance is not certified by this report.

#### 4. Additional Remarks

The two front property corners are marked by survey monuments. The survey monument marking the most southeasterly property corner aligns with the easterly property line but is a 0.05 metre witness west of the actual property corner.

The area of the property is 336.4 square metres.

This report is a supplement to the accompanying survey plan. Please refer to this plan for disclosure of the location of improvements and boundary information.

OTTAWA, Ontario  
March 28, 2024  
Our Reference: 24247-24

A handwritten signature in black ink, appearing to read "J. Leslie".

Jamie Leslie  
Ontario Land Surveyor



## Tree Information Report

Submitted as part of Committee of Adjustment Application to the City of Ottawa

**Date of Report:** March 25, 2024  
**Property Address:** 267 St Anne Avenue  
**Prepared for:** Guy Renaud; gkinvestmentcorp@gmail.com  
**Prepared by:** Kevin Myers, ISA Certified Arborist\*; [kevin.myers@dendronforestry.ca](mailto:kevin.myers@dendronforestry.ca)  
**Date of Site Visit:** March 25, 2024

**This Report must be read in its entirety, including the Assumptions and Limiting Conditions.**

### Purpose of the Report

The purpose of this report is to provide the client with a detailed description of all protected trees on site as per the City of Ottawa's Tree Protection By-law No. 2020-340. This report is part of a Committee of Adjustment application to the City of Ottawa and considers the impact that the proposed development will have on the trees. The assessment of the suitability of tree retention is based on the information provided at the time of report preparation which includes:

- Site plan received from the client on March 14, 2024

While a rationale for removing trees may be provided based on document review and a site visit, **this report does not grant permission to remove trees: a permit from the city must be received before removal of distinctive trees can occur.**

### Methodology

The following materials were reviewed as part of this report:

- Site Plan
- GeoOttawa tree inventory layer and aerial photography
- Google© Street View imagery – various years

A site visit was conducted to collect the following information from each tree classified as protected under the City of Ottawa's Tree Protection By-law No. 2020-340:

- Diameter at breast height (1.3 m from grade)
- Species
- Tree health
- Pertinent measurements to structures such as fences, driveways, or building



## APPENDIX A

### TREE INFORMATION TABLE

Tree #	Species	DBH (cm)	Ownership <sup>1</sup>	Tree condition	Approximate distance to excavation (m)	Action	Forester recommendation
1 <sup>4</sup>	Siberian elm ( <i>Ulmus pumila</i> )	85	Boundary – with 269 St Anne	Fair: Included bark with bulge at first union; 4 dead branches (~10cm) – some twigs in canopy appear to be debarking, dying back	< 1	Remove	Remove due to proximity of excavation.

<sup>1</sup> Please refer to the attached Tree Information map for tree numbers. Note that this includes a tree layer added to the site plan (in pdf format) provided by the client. This layer includes only information about the trees and the original site plan is not altered in this process.

<sup>2</sup> Ownership of the tree in this report is based on the information provided and should not be used as a determination of ownership. For ownership disputes, a survey should be relied on. For boundary trees, consent from the adjacent property owner is required for removal as part of the application.

<sup>4</sup> The location of these trees was not provided and has been estimated using aerial imagery from GeoOttawa



## **APPENDIX B**

### **PHOTOGRAPHS**



*Above: Tree 1 - view from the existing driveway - boundary elm to be removed.*



*Left: base of Tree 1 with asphalt at the adjacent property.*





## **APPENDIX C**

### **ASSUMPTIONS AND LIMITING CONDITIONS**

#### **Intended Use of the Report**

This Report was prepared by Dendron Forestry Services (hereafter "Dendron") at the request of the Client. The results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report are to be used solely for the purposes outlined within this Report. All other uses are impermissible and unintended, unless specifically stated in writing in the Report.

#### **Intended User of the Report**

This Report was prepared by Dendron for the exclusive use of the Client and may not be used or relied upon by any other party. All other users are unintended and unauthorized, unless specifically stated in writing in the Report.

#### **Limitations of this Report**

This Report is based on the circumstances and on-site conditions as they existed at the time of the site inspection and the information provided by the Client and/or third parties to Dendron. On-site conditions may limit the extent of the on-site inspection(s) conducted by Dendron, including weather events such as rain, flooding, storms, winds, tornados, snowfall, snow cover, hail; obstructions including fencing, dwellings, buildings, sheds, plants, and animals; lack of access to the entire perimeter of the tree due to adjacent properties; the shape of the tree; and accessibility of the tree crown, branches, trunk, or roots for examination.

In the event that information provided by the Client or any third parties, including but not limited to documents, records, site and grading plans, permits, or representations or any site conditions are updated or change following the completion of this Report, this Report is no longer current and valid and cannot be relied upon for the purpose for which it was prepared. Dendron and its agents, assessors, and/or employees are not liable for any damages, injuries, or losses arising from amendments, revisions, or changes to the documents, records, site and grading plans, permits, representations, or other information upon which Dendron relied in preparing this Report.

No assessment of any other trees or plants has been undertaken by Dendron. Dendron and its agents, assessors, and/or employees are not liable for any other trees or plants on or around the subject Property except those expressly identified herein. The results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report apply only to the trees identified herein.

Trees and plants are living organisms and subject to change, damage, and disease, and the results, observations, interpretations, analysis, recommendations, and conclusions as set out in this Report are valid only as at the date any inspections, observations, tests, and analysis took place. No guarantee, warranty, representation, or opinion is offered or made by Dendron as to the length of the validity of the results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report. As a result the Client shall only rely upon this Report as representing the results, observations, interpretations, analysis, recommendations, and conclusions that were made as at the date of such inspections, observations, tests, and analysis. The trees discussed in this Report should be re-assessed periodically and at least within one year of the date of this Report.

#### **No Opinion regarding ownership of the Tree**

This Report was not prepared to make a determination as to ownership of the subject tree(s). Where ownership of the subject tree(s) is identified within this Report, said identification is based on the information provided by the Client and third parties, including surveys, permits, and site and grading plans and may not be relied upon as a guarantee, warranty, or representation of ownership.

#### **Assumptions**

This Report is based on the circumstances and conditions as they existed at the time of the site inspection and the information provided by the Client and/or third parties to Dendron. Where documents, records, site and grading plans, permits, representations, and any other information was provided to Dendron for the purpose of preparing this Report, Dendron assumed that said information was correct and up-to-date and prepared this Report in reliance on that information. Dendron and its agents, assessors, and/or employees, are not responsible for the veracity or accuracy of such information. Dendron and its agents, assessors, or employees are not liable for any damages, injuries, or losses arising from inaccuracies, errors, and/or omissions in the documents, records, site and grading plans, permits, representations, or other information upon which Dendron relied in preparing this Report.

For the purpose of preparing this Report, Dendron and its agents, assessors, and/or employees assumed that the property which is the subject of this Report is in full compliance with all applicable federal, provincial, municipal, and local statutes, regulations, by-laws, guidelines, and other related laws. Dendron and its agents, assessors, and/or employees are not liable for any issues with respect to non-compliance with any of the above-referenced statutes, regulations, bylaws, guidelines, and laws as it may pertain to or affect the property to which this Report applies.

For the purpose of preparing this Report, Dendron and its agents, assessors, and/or employee assumed that there are no hidden or unapparent conditions affecting the results, observations, interpretations, analysis, recommendations, and conclusions contained within this Report.

#### **No Publication**



The Client acknowledges and agrees that all intellectual property rights and title, including without limitation, all copyright in this Report shall remain solely with Dendron Forestry. Possession of this Report, or a copy thereof, does not entitle the Client or any third party to the right of publication or reproduction of the Report for any purpose save and except where Dendron has given its prior written consent.

Neither all nor any part of the contents of this Report shall be disseminated to the public through advertising, public relations, news, sales, the internet or other media (including, without limitation, television, radio, print or electronic media) without the prior written consent of Dendron Forestry.

### **Implementing the Report Recommendations**

Dendron and its agents, assessors, and/or employees accept no responsibility for the implementation of any part of this Report unless specifically requested to provide oversight on the implementation of the recommendations. In the event that inspection or supervision of all or part of the implementation of the within recommendations is requested, that request shall be in writing and the details agreed to in writing by both parties.

Dendron and its agents, assessors, and/or employees are not liable for any damages or injuries arising from the manner in which the recommendations in this Report are implemented, including failure to, incorrect, or negligent implementation of the recommendations.

### **Further Services**

Neither Dendron nor any assessor employed or retained by Dendron for the purpose of preparing or assisting in the preparation of this Report shall be required to provide any further consultation or services to the Client, save and except as already carried out in the preparation of this Report and including, without limitation, to act as an expert witness or witness in any court in any jurisdiction unless the Client has first made specific arrangements with respect to such further services, including, without limitation, providing the payment of the Report's regular hourly billing fees.

### **Limits of Liability**

In carrying out this Report, Dendron and its agents, assessors, and/or employees have exercised a reasonable standard of care, skill, and diligence as would be customarily and normally provided in carrying out this Report. While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or all parts of them will remain standing. It is professionally impossible to predict with absolute certainty the behaviour of any single tree or group of trees, or all their component parts, in all given circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential to fall, lean, or otherwise pose a danger to property and persons in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Without limiting the foregoing, no liability is assumed by Dendron for:

- a) any legal description provided with respect to the Property;
- b) issues of title and or ownership respect to the Property;
- c) the accuracy of the Property line locations or boundaries with respect to the Property; and
- d) the accuracy of any other information provided to Dendron by the Client or third parties;
- e) any consequential loss, injury or damages suffered by the Client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and
- f) the unauthorized distribution of the Report.

The total monetary amount of all claims or causes of action the Client may have as against Dendron Forestry, including but not limited to claims for negligence, negligent misrepresentation, and breach of contract, shall be strictly limited solely to the total amount of fees paid by the Client to Dendron Forestry pursuant to the Contract for Services dated March 18, 2024, for which this Assessment was carried out.

Further, under no circumstance may any claims be initiated or commenced by the Client against Dendron or any of its directors, officers, employees, contractors, agents, assessors, or Assessors, in contract or in tort, more than 12 months after the date of this Report.

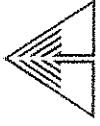
### **No Third Party Liability**

This Report was prepared by Dendron exclusively for the Client for the purpose set out in the Report. Any use which a third party makes of this Report, or any reliance on or decisions a third party may make based upon this Report, are made at the sole risk of any such third parties. Dendron Forestry accepts no responsibility for any damages or loss suffered by any third party or by the Client as a result of decisions made or actions based upon the unauthorized use or reliance of this Report by any such party.

### **General**

Any plans and/or illustrations in this Report are included only to help the Client visualize the issues in this Report and shall not be relied upon for any other purpose. This report is best viewed in colour. Any copies printed in black and white may make some details difficult to properly understand. Dendron accepts no liability for misunderstandings due to a black and white copy of the report.

Notwithstanding any of the above, nothing in this Report is taken to absolve the Client of the responsibility of obtaining a new Report in the event that the circumstances of the tree change.

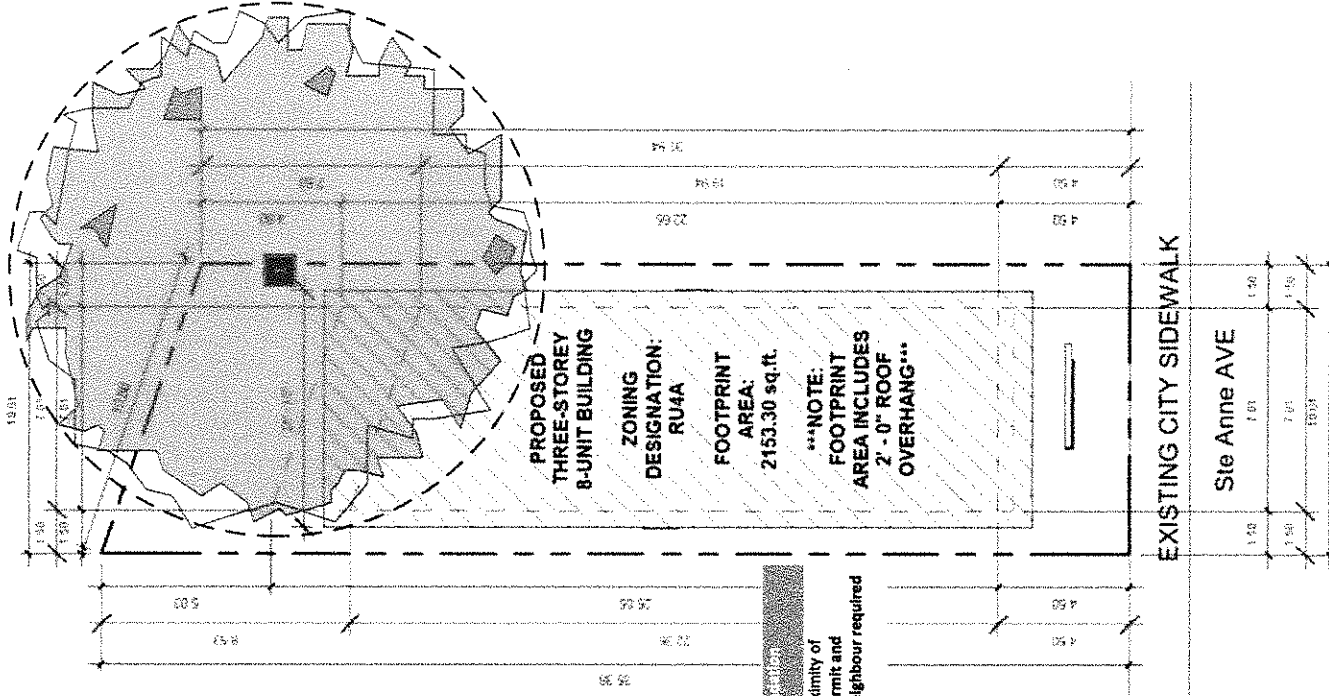


11R Map - 267 St Anne Avenue  
Tree layer prepared by  
Dendron Forestry Services  
Version 1.0, March 25, 2024  
For more information, please contact: info@dendronforestry.ca

Note: the tree layer has been added to the original site plan supplied by the client in .jpg format. This layer refers to the trees only, and the original plan has not been altered in the process. Refer to the original plan for details as quality is lost when importing the plan into the mapping software used to create the tree layer.

#### Legend

- Critical Root Zone  
(as defined in By-Law 2020-240)
- Tree either fully or partly on adjacent property
- Tree to be removed



Tree #	Species	DBH (cm)	Tree condition	Tree layer recommendation
14	Siberian elm ( <i>Ulmus pumila</i> )	85	Fair: included bark with bulge at first union; 4 dead branches (~10cm) - some twigs in canopy appear to be debarking, dying back	Remove due to proximity of excavation. Tree permit and permission from neighbour required for removal.

### Replacement Tree Specifications

**Note:** Proposed tree locations are suggestions only and should be finalized only once construction is complete and should adhere to City of Ottawa Tree Planting Guidelines.

**Tree 1** should be a small tree at maturity. Site conditions are expected to be full light exposure and minimal moisture availability. Species suggestions include:

Eastern redbud - *Cercis canadensis*\*  
Yellowwood - *Cladtrastis lutea*  
Flowering dogwood - *Cornus florida*  
Eastern redbud - *Juniperus virginiana*  
Crabapple - *Malus spp.*

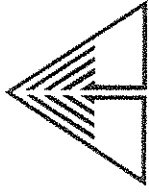
**Tree 2** should be a large tree at maturity. Site conditions are expected to be partial light exposure and moderate moisture availability. Species suggestions include:

Kentucky coffee tree - *Gymnocladus dioica*  
Basswood - *Tilia americana*\*  
Hackberry - *Celtis occidentalis*\*  
Horsechestnut - *Aesculus hippocastanum*  
White pine - *Pinus strobus*\*  
Red Spruce - *Picea rubens*\*  
Black cherry - *Prunus serotina*\*  
Black maple - *Acer nigrum*\*  
Sugar maple - *Acer saccharum*\*  
Balsam fir - *Abies balsamea*\*  
Hemlock - *Tsuga canadensis*\*  
\*Native to Ottawa region: Planting species native to a region can help maintain and enhance biodiversity.

**Note:** Norway maple (*Acer platanoides*) is not recommended as it is highly invasive and not a suitable tree for urban planting.

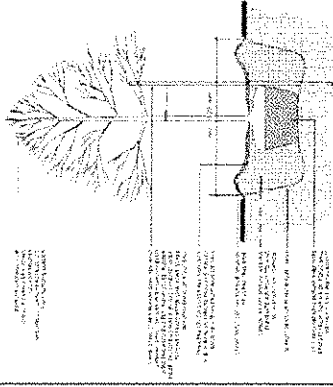
The species recommended herein are the most suitable species based on the existing plans. For best success, tree species should be matched to site conditions.

All deciduous trees must be a minimum of 50 mm in diameter measured no less than 15 cm above ground level. Coniferous trees must be no less than 200 cm in height.



Tree Planting Plan – 267 St Anne Avenue  
Prepared by Dendron Forestry Services  
Version 1.0, March 25, 2024  
For more information, please contact:  
info@dendronforestry.ca

**Note:** the tree layer has been added to the original site plan supplied by the client in pdf format. This layer refers to the trees only, and the original site plan has not been altered in the process. Refer to the original plan for details as quality is lost when importing the plan into the mapping software used to create the tree layer.



#### KEY SPACING GUIDELINES

##### For Deciduous Trees:

- Minimum 50mm caliper stock
- 1.5m from sidewalks, driveways, walkways, fences, sound walls, and old
- 2.5m from curbs, hydro transformers, or behind fire hydrants
- 4.2m from any part of an existing tree, depending on canopy width
- 10m from bus shelters and community railbous

##### For Coniferous Trees:

- Follow same setbacks as deciduous, but due to the widest branching being at the base of the tree, conifers need greater setbacks for ground-level obstacles.
- Minimum 200cm height stock
- 4.5m setbacks from sidewalks, walkways, driveways, and curbs.
- Do not plant on corners where sight lines will be compromised.

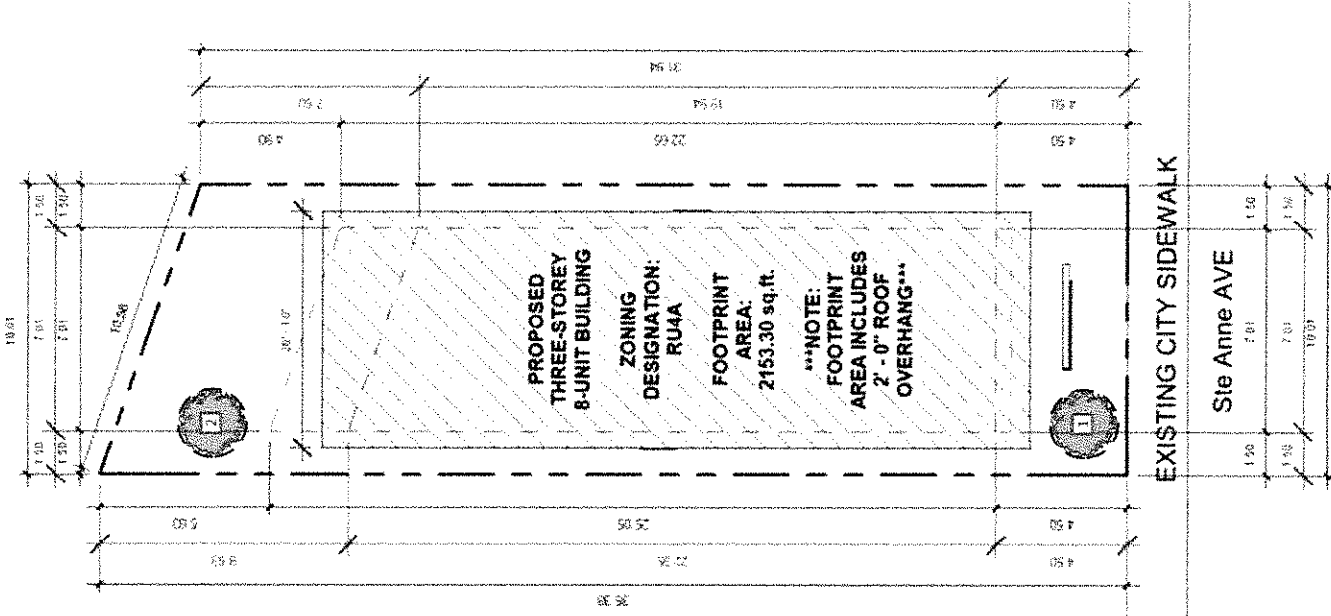
#### TREES MUST BE WATERED REGULARLY FOLLOWING PLANTING TO ENSURE PROPER ESTABLISHMENT.

On average, a young tree needs 6 gallons (24 liters) of water twice per week. (Do not water using a sprinkler as water on the foliage can lead to fungal infection) Placing a ring of mulch around the planting hole will help reduce water loss. Ensure no mulch is touching the base of the tree.

#### Legend



New Private Tree





2024-05-09



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 267 Ste-Anne Avenue  
Legal Description: Lot 56, Reg Plan 246  
File No.: D08-02-24/A-00078  
Report Date: May 9, 2024  
Hearing Date: May 15, 2024  
Planner: Margot Linker  
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving Overlay  
Zoning: R4UA (Residential Fourth Density, Subzone UA)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has concerns with** the application. Staff expect an updated plan from the applicant, demonstrating that the building does not obstruct the existing easement, prior to the hearing. If this is not received, staff request an adjournment.

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.

The subject lands are zoned R4UA and are designated Neighbourhood in the Evolving Overlay within the Inner Urban Transect on Schedules A and B2 in the Official Plan. This area is generally planned for mid to higher density development, which will gradually evolving through intensification to a more urban built form. Proposed massing should have regard for local context and character of existing development.

Staff have no concerns regarding the reduced lot width, lot area or front yard setback.

Staff have some concerns regarding the requested reduced rear yard setback. The reduced setback has resulted in the requirement to remove the tree on the abutting property. The Official Plan favours tree retention over replanting. In addition, when comparing the massing of the immediate surrounding properties, staff believe larger setbacks would better align with the existing pattern of the immediate north and south.

Staff have concerns regarding the request to permit no entrances to be located on the front façade. The lack of a main entrance on the front façade can impact the interaction

with the streetscape and orientation to the public realm, as well as the wayfinding to the main entrance of the building. The design proposes main entrances located approximately 12 metres down the sides of the building. Staff are concerned that the intent of this provision might not be met, no matter how large the ground floor windows are or if there is signage.

## **ADDITIONAL COMMENTS**

### **Infrastructure Engineering**

1. The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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.
4. Existing grading and drainage patterns must not be altered.
5. Existing services are to be blanked at the owner's expense.
6. Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
7. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
8. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

### **Planning Forestry**

The current proposal forces the removal of a boundary tree, shared with 269 Ste-Anne; a tree permit is required, and written consent to the removal is required from the neighbour prior to permit issuance.

While the proposed plan would provide sufficient soft landscaping in the rear yard to accommodate a large-growing tree, the current replanting plan conflicts with the waste storage and bicycle parking area illustrated on the plans. The frontage has sufficient space to accommodate a medium-growing tree and should be updated accordingly. As the existing tree has a diameter greater than 50 cm, three replacement trees would be required; any trees that cannot be planted on site would require monetary compensation for Forestry to plant a tree elsewhere.

While the current proposal provides adequate space for compensation planting, it runs counter to Official Plan S4.8.2 Policy 3 d) When considering impacts on individual trees, planning and development decisions, including Committee of Adjustment decisions, shall give priority to the retention and protection of large, healthy trees over replacement plantings and compensation.

### **Right of Way Management**

110 Laurier Avenue West, Ottawa ON K1P 1J1

Mail code: 01-14

110, av. Laurier Ouest, Ottawa (Ontario) K1P 1J1

Courrier interne : 01-14

Visit us: [Ottawa.ca/planning](http://Ottawa.ca/planning)

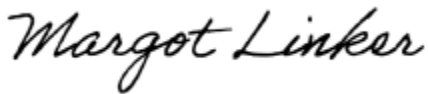
Visitez-nous : [Ottawa.ca/urbanisme](http://Ottawa.ca/urbanisme)

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance, however, as the development is not providing parking the existing driveway will need to be closed and reinstated during construction.

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

Remove existing driveway depressed curb and reinstate with full height curb and sidewalk to City standards.



---

Margot Linker  
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

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Applications

#### Panel 1

**Wednesday, May 15, 2024  
1 p.m.**

**Ben Franklin Place, Main Floor Chamber, 101 CentrepoinTE Drive  
and by videoconference**

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

<b>File Nos.:</b>	D08-02-24/A-00086 & D08-02-24/A-00087
<b>Application(s):</b>	Minor Variance under section 45 of the <i>Planning Act</i>
<b>Owner(s)/Applicant(s):</b>	Asif Ahmed & Jennifer Hannaberry
<b>Property Address:</b>	648 & 648A O'Connor Street
<b>Ward:</b>	17- Capital
<b>Legal Description:</b>	North Half of Lot 5, West side of O'Connor Street, Registered Plan 33446
<b>Zoning:</b>	R3Q [1474]
<b>Zoning By-law:</b>	2008-250

#### **APPLICANT(S)'S PROPOSAL / PURPOSE OF THE APPLICATION(S):**

The Owners want to construct an addition at the rear of the existing semi-detached dwellings on their property, as shown on plans filed with the Committee.



## **REQUESTED VARIANCES:**

The Owner)/Applicants require the Committee's authorization for minor variances from the Zoning By-law as follows:

### **A-00086: 648 O'Connor Street:**

- a) To permit a reduced rear yard setback of 20.7% of the lot depth (5.56 metres), whereas the By-law requires a minimum rear yard setback 30% of the lot depth (8.05 metres).
- b) To permit a reduced rear yard area of 21.5% of the lot area (30.56 square metres), whereas the By-law requires a minimum rear yard area of 25% of lot area (31.11 square metres).

### **A-00087: 648A O'Connor Street:**

- c) To permit a reduced rear yard setback of 22.67% of the lot depth (6.08 metres), whereas the By-law requires a minimum rear yard setback of 30% of the lot depth (8.05 metres).
- d) To permit a reduced rear yard area of 23.53% of the lot area (29.28 square metres), whereas the By-law requires a minimum rear yard of 25% of the lot area (31.11 square metres).

**THE APPLICATIONS** indicate the property is not subject to any other current applications under the *Planning Act*.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

## **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

## HOW TO PARTICIPATE

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 CentrepoinTE Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade CentrepoinTE  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande de dérogations mineures

**Groupe 1**  
**Mercredi 15 mai 2024**  
**13 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossiers :</b>	D08-02-24/A-00071
<b>Demandes :</b>	Dérogations mineures en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaires/requérants :</b>	Asif Ahmed et Jennifer Hannaberry
<b>Adresse municipale :</b>	648 et 648A, rue O'Connor
<b>Quartier :</b>	17- Capitale
<b>Description officielle :</b>	Moitié nord du lot 5, côté ouest de la rue O'connor, plan enregistré 33446
<b>Zonage :</b>	R3Q [1474]
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DES REQUÉRANTS ET OBJET DES DEMANDES :

Les propriétaires souhaitent construire un rajout à l'arrière des habitations jumelées existantes sur leur bien-fonds, conformément aux plans déposés auprès du Comité.

### DÉROGATIONS DEMANDÉES :

Les propriétaires demandent au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

**A-00086 : 648, rue O'Connor :**

- a) Permettre la réduction de la marge de recul arrière à 20,7 % de la profondeur du lot (5,56 mètres), alors que le Règlement exige une marge de recul arrière minimale de 30 % de la profondeur du lot (8,05 mètres).
- b) Permettre la réduction de la superficie de la cour arrière à 21,5 % de la superficie du lot (30,56 mètres carrés), alors que le Règlement exige une superficie minimale de 25 % de la superficie du lot (31,11 mètres carrés).

**A-00087 : 648A, rue O'Connor :**

- c) Permettre la réduction de la marge de recul arrière à 22,67 % de la profondeur du lot (6,08 mètres), alors que le Règlement exige une marge de recul arrière minimale de 30 % de la profondeur du lot (8,05 mètres).
- d) Permettre la réduction de la superficie de la cour arrière à 23,53 % de la superficie du lot (29,28 mètres carrés), alors que le Règlement exige une superficie minimale de 25 % de la superficie du lot (31,11 mètres carrés).

**LES DEMANDES** indiquent que la propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**SI VOUS NE PARTICIPEZ PAS** à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

**SI VOUS SOUHAITEZ RECEVOIR UN AVIS DE LA DÉCISION** prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

**POUR OBTENIR PLUS DE RENSEIGNEMENTS** à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

**TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

**COMMENT PARTICIPER**

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.



**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024



*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointhe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointhe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436





Committee of Adjustment  
Comité de dérogation

## CIRCULATION MAP / PLAN DE CIRCULATION

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SUBJECT LAND / TERRAIN EN QUESTION

**648 & 648A rue O'Connor Street**



NOT TO SCALE  
NON À L'ÉCHELLE

**Asif Ahmed**

648A O'Connor street  
Ottawa, ON, K1S3R8

**Committee of Adjustment**

Application of Consent  
City of Ottawa  
101 Centerpointe Drive

**Committee of Adjustment**  
Received | Reçu le

**Revised | Modifié le : 2024-04-12**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**Subject Properties:**

648A O'Connor street  
Ottawa, ON, K1S3R8

648 O'Connor street  
Ottawa, ON, K1S3R8

**Legal Descriptions:**

648A O'Connor street  
PTLT5, PL33446, 2Part, 5R7743, W of O'Connor st, Ottawa/Nepean

648 O'Connor street  
PTLT 5, PL33446, PART1, 5R7743, WO'Connor; Ottawa/Nepean

RE: Minor Variance Applications for proposed addition to Semi-Detached Dwellings at  
648A O'Connor street AND 648 O'Connor street

Dear Committee Members,

The intent of this Minor Variance Application is to obtain minor variances for Rear yard Setback and Rear yard Area for a proposed addition at the Semi-Detached Dwellings at 648A O'Connor street AND 648 O'Connor street.

As per the site plan, survey, and drawings I have included in this package the proposed addition will be a one storey structure on the back of the existing building. Both of these lots are zoned R3Q [1474]. The proposed structure falls under Holding zone - additions (section 61). The structure will be build across both lots with a demising wall in between like the existing building. The proposed structure is to replace a previous addition that was damaging the building and was removed.

The current building structures on O'Connor street are quite diverse ranging in types under zoning RQ3. There is a wide variety of unique original home types, and new developments as: detached, semi-detached, and multi-family dwellings. The use of



this addition in this location fulfills an increased need for livable space while maintaining the existing streetscape sight lines. The various projects in the neighborhood have had similar rear and side setback variances accepted by the committee.

Test:

I feel that the requested variances meet the four Statutory Tests which are required by the Planning Act:

1. The variance maintains the intent and purpose of the Official plan
  - reference: 5.1.5(1). Low-rise: minimum 2 storeys, generally permit 3 storeys, allow a built height of up to 4 storeys where appropriate.
  - My requested variance fulfills the official plan as it will be a one storey addition.
  - The proposal makes efficient use of serviced land in an established area. I believe this application should be approved as it fulfills the goal of the Official Plan and the City. The proposed structure will upgrade living area to the building without adding to urban sprawl.
2. The variance requested maintains the intent and purpose of the zoning by-law.
  - Referenced: Holding zones - additions (Section 61).
  - 61 (1) Subject to subsection (2), additions to existing buildings and the construction of accessory buildings are permitted on a lot that is subject to a holding zone provision.
  - 61 (2) The cumulative total gross floor area of additions and accessory buildings, mentioned in subsection (1), must not exceed 25% of the gross floor area of the existing building.
  - The proposed addition fulfills the zoning by-law as it will not exceed 25% of the existing building area.
  - The proposed variance is compatible with existing land use and pattern of the neighborhood as similar setbacks are present in the area.
3. The variance is desirable for the appropriate and orderly development and use of land
  - This project has been planned out to ensure grading, building code, drainage and, height limits have been reviewed and approved by the city of Ottawa.
  - I believe the proposed addition will fulfill the potential of both properties and neighborhood in general as adding a main floor powder room has become a necessity in today's modern families.
4. The variance is minor in nature.
  - The variance is minor in nature. It is to replace an addition that separated from the existing structure that was causing damage. This will replace that structure.
  - Also, the variance requested comprises only a ~7.5% reduction in lot depth requirement along with ~6.5% reduction in rear yard area requirement at 648A.

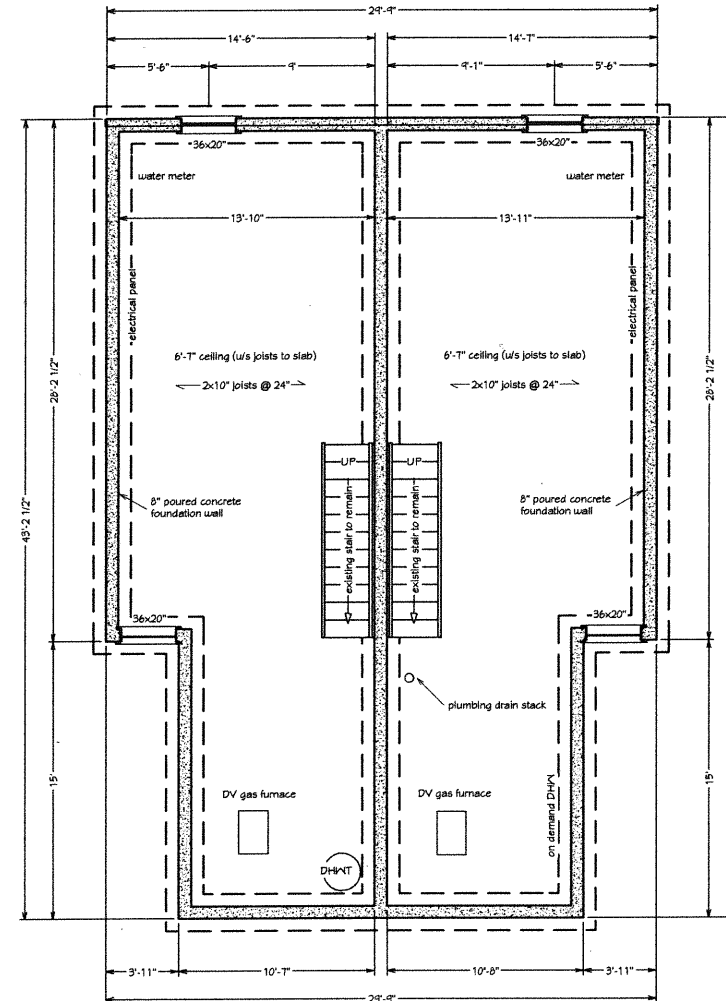
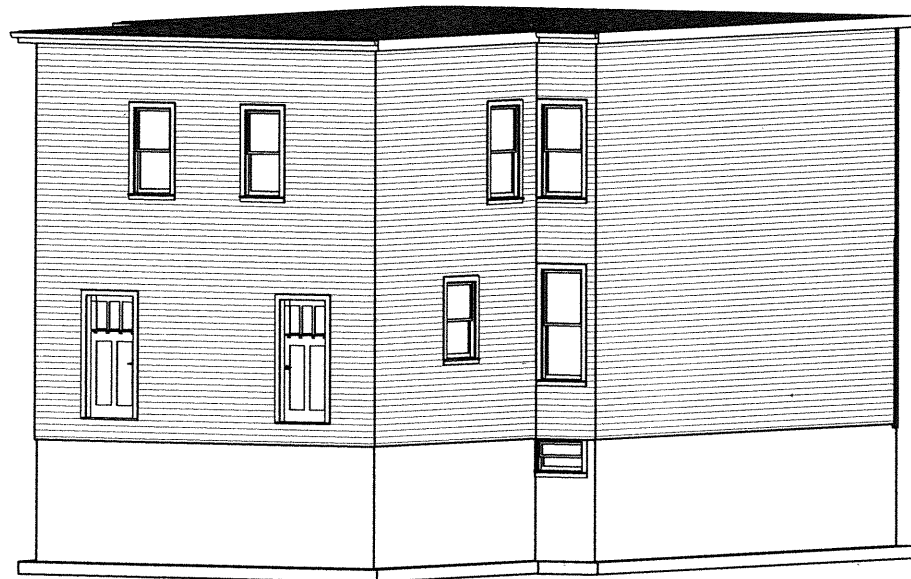
At 648, the variance requested comprises a ~10% reduction in required rear depth along with ~9% in rear area.

**Summary:**

The application of minor variance is requested to support the added livable space in these properties. I believe the requested variance of rear lot setback and rear lot area are in fact minor. All other requirements of this application are met. The proposed addition fit with in the streetscape and serve to help better the neighbourhood towards the cities goals by way of the Official Plan.

Thank you for your Consideration, if you require any further information please feel free to contact me at your convenience.

Asif Ahmed  
(613)404-9846  
asifahmed1985@hotmail.com



**Notes:**  
All proposed work to conform to the latest edition of the Ontario Building Code. All dimensions to be verified on site by contractor prior to construction.

**Designer Declaration:**  
I, \_\_\_\_\_, take responsibility for the architectural design work shown on this drawing.

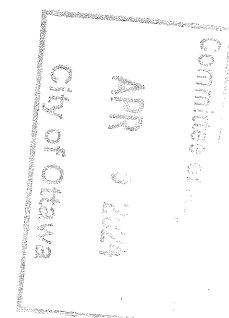
**Project:**  
Ahmed Residence  
Addition to Existing  
Semi-Detached  
Dwelling  
648 O'Connor St.  
Ottawa, ON.

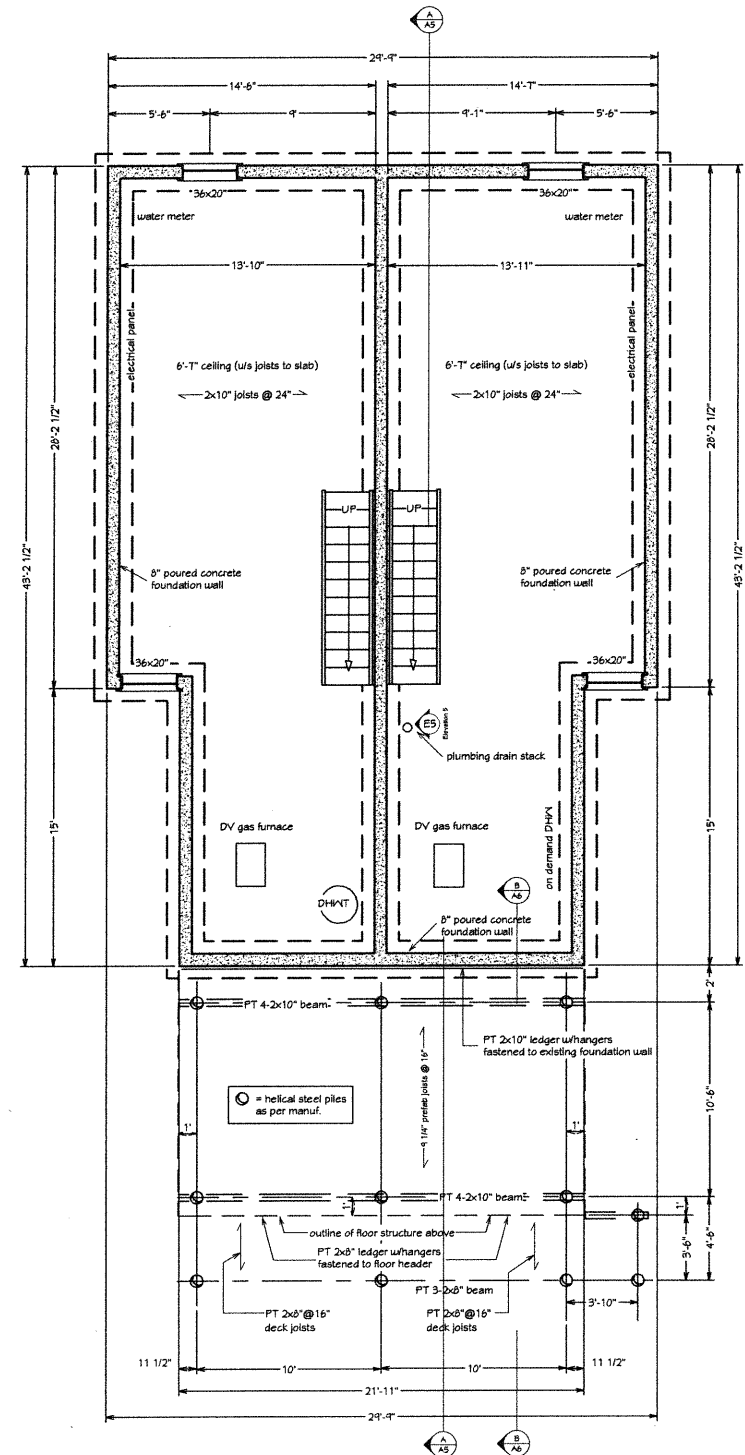
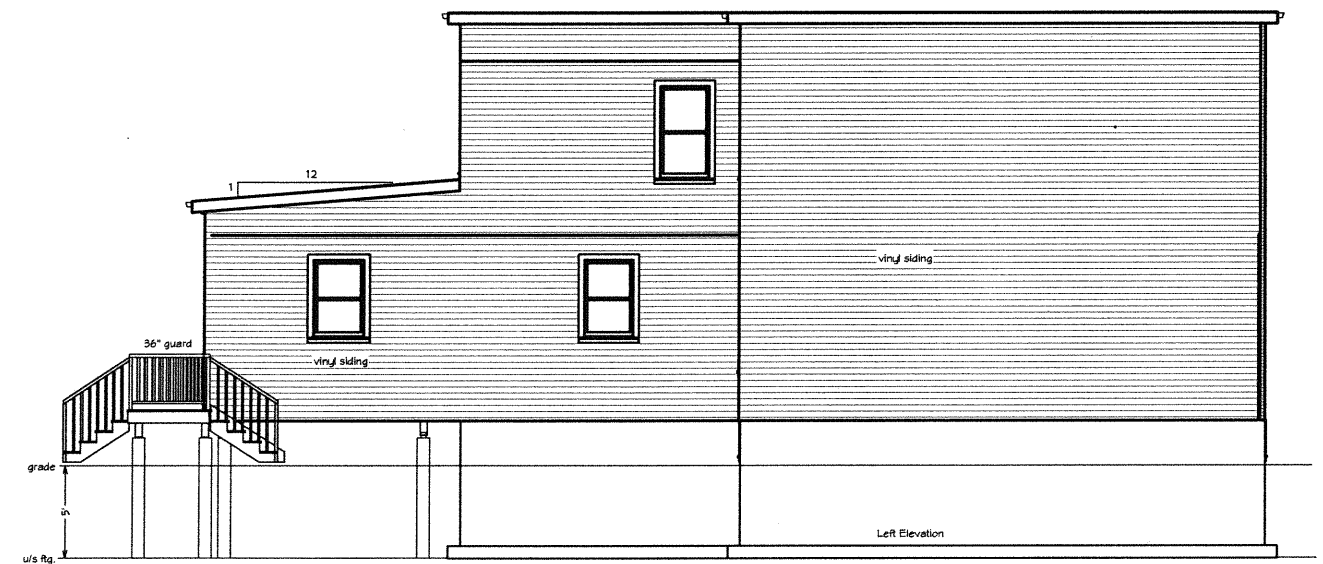
**Existing House**  
Foundation Plan  
Rear Elevation  
Overview

**Scale:**  
1/8" = 1'

**Date:**  
Dec.4, 2023

**Drawn:**  
**Sheet:**  
**A2**





**Notes:**  
All proposed work to conform to the latest edition of the Ontario Building Code. All dimensions to be verified on site by contractor prior to construction.

**Designer Declaration:**  
I, \_\_\_\_\_, take responsibility for the architectural design work shown on this drawing.

**Project:**  
Ahmed Residence  
Addition to Existing Semi-Detached Dwelling  
648 O'Connor St.  
Ottawa, ON.

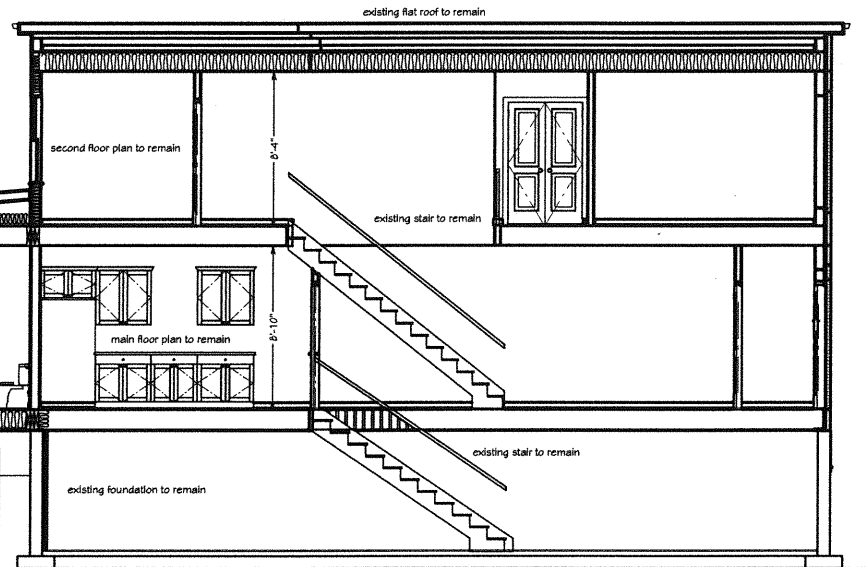
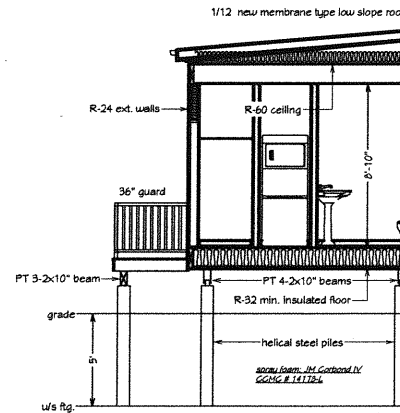
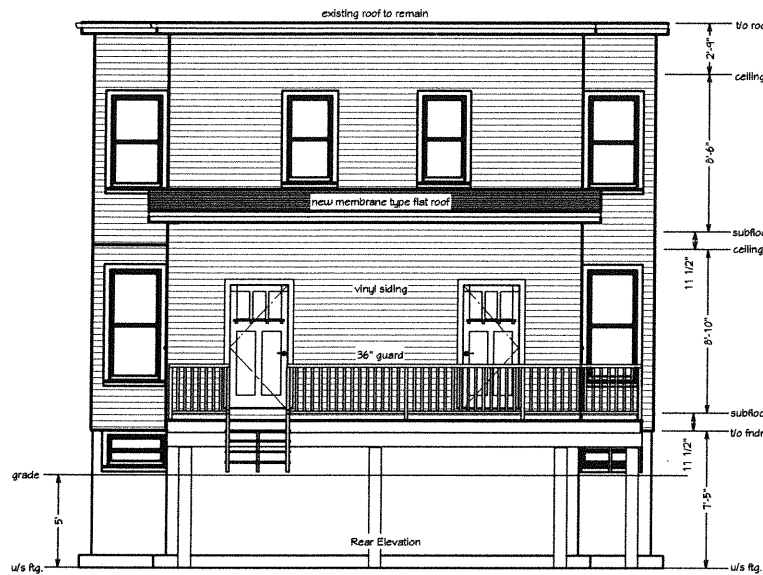
**Proposed House**  
**Foundation Plan Elevations**

**Scale:**  
1/8" = 1'

**Date:**  
Dec.4, 2023

**Drawn:** \_\_\_\_\_  
**Sheet:**  
**A4**





**Notes:**  
All proposed work to conform to the latest edition of the Ontario Building Code. All dimensions to be verified on site by contractor prior to construction.

**Designer Declaration:**  
I, \_\_\_\_\_ take responsibility for the architectural design work shown on this drawing.

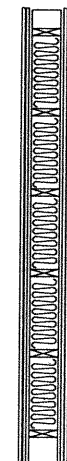
**Project:**  
  
Ahmed Residence  
Addition to Existing  
Semi-Detached  
Dwelling  
648 O'Connor St.  
Ottawa, ON.

#### Prescriptive Energy Efficiency Compliance SB-12, Ahmed

As per OBC Div.B, SB-12, 3.1.1.10 our compliance package will be selected from T 3.1.1.10 Thermal Performance Requirements for Additions to Existing Buildings in Zone 1.

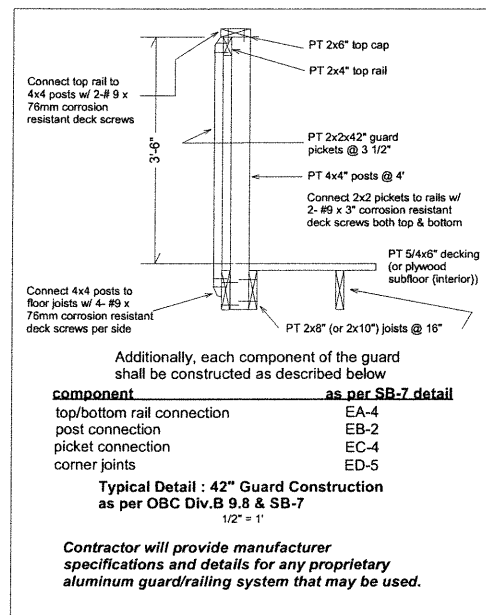
All windows to be at least dual glazed, Low E, argon filled. All windows to meet performance requirements of CAN/CSA A440.2 with max. U value 1.8/min. ER value 21. Manufacturers specifications to be available on site for inspection.

OBC 9.25.3 Air Barrier Systems  
The vapour barrier shall be used as a continuous air barrier as per 9.25.3.3 (see details)



Common Wall Fire Separation  
(45 min. FRR, 50 STC)

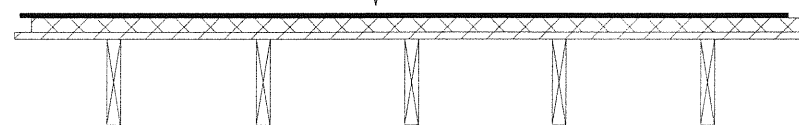
7/16"=1'



Firestone Rubber Guard  
EPDM flat roofing system  
CCMC # 13266-L

to be installed as per  
manuf. instructions

EPDM rubber membrane roofing  
adhesive layer  
polyiso insulation mechanically fastened  
synthetic underlayment  
PT 1/2" plywood sheathing  
PT 2x8" rafters @ 16" o.c.



Detail: Membrane Flat Roof

3/4" = 1'

D1  
A5

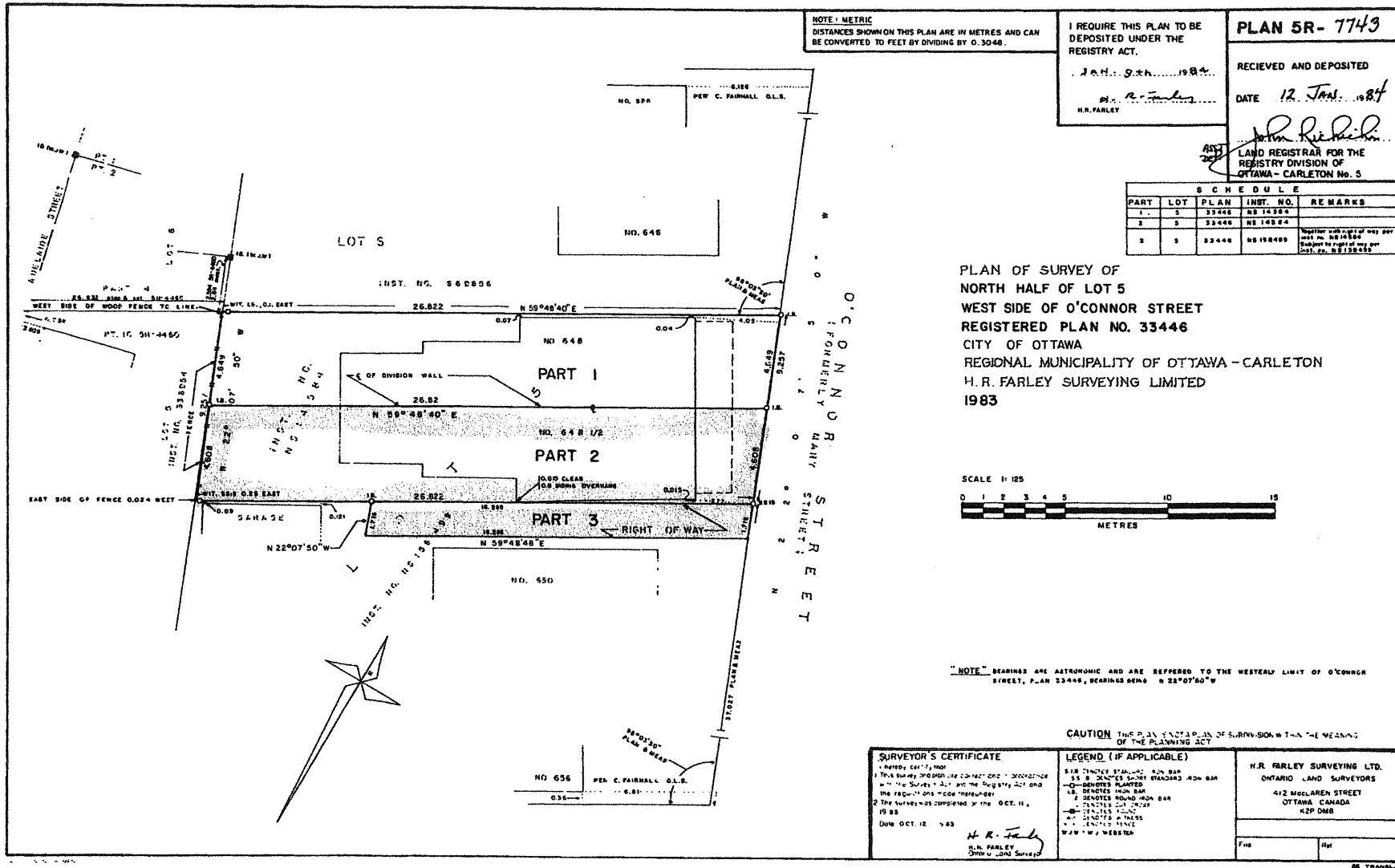
**Proposed House**  
**Elevation**  
**Building Section**  
**Details**  
**Overview**

**Scale:**  
1/8" = 1'

**Date:**  
Dec.4, 2023

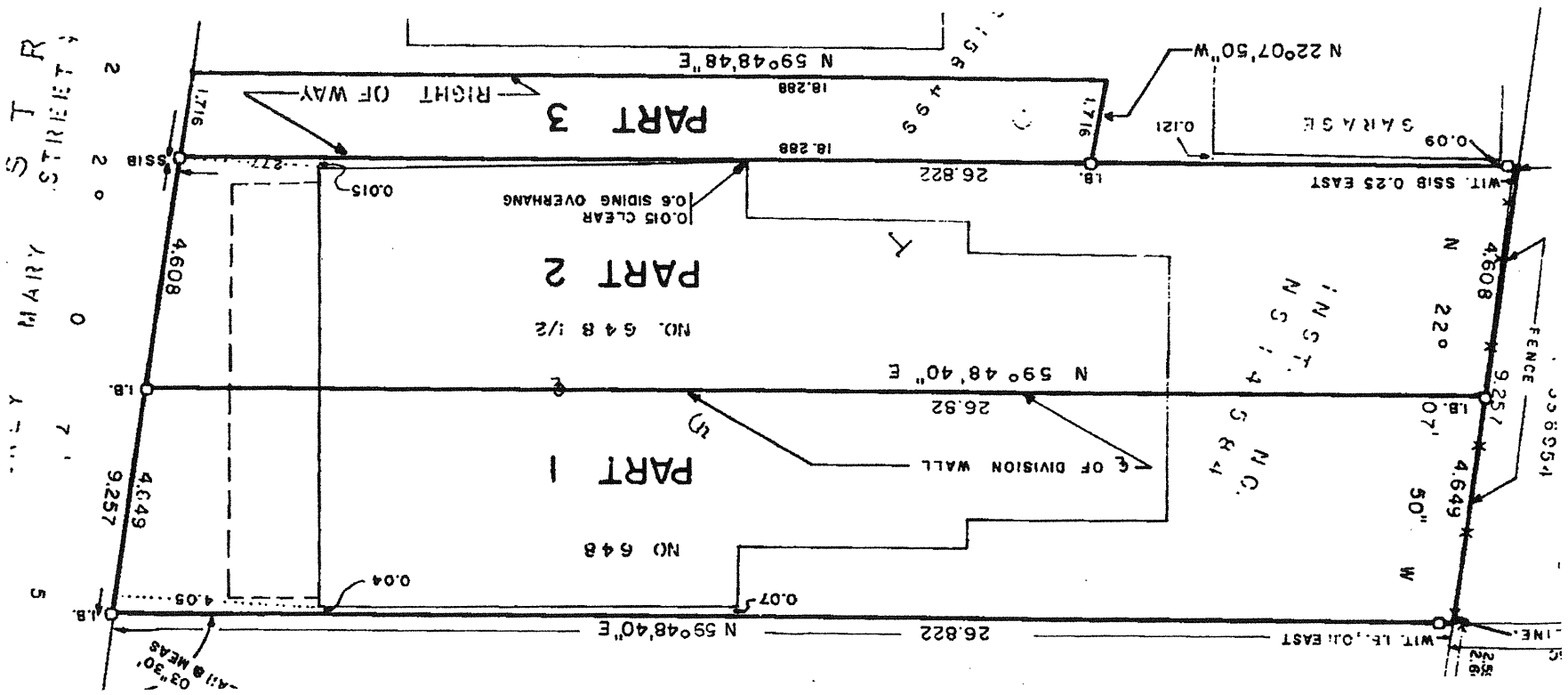
**Drawn:** **Sheet:**

**A5**



16X

5R7743

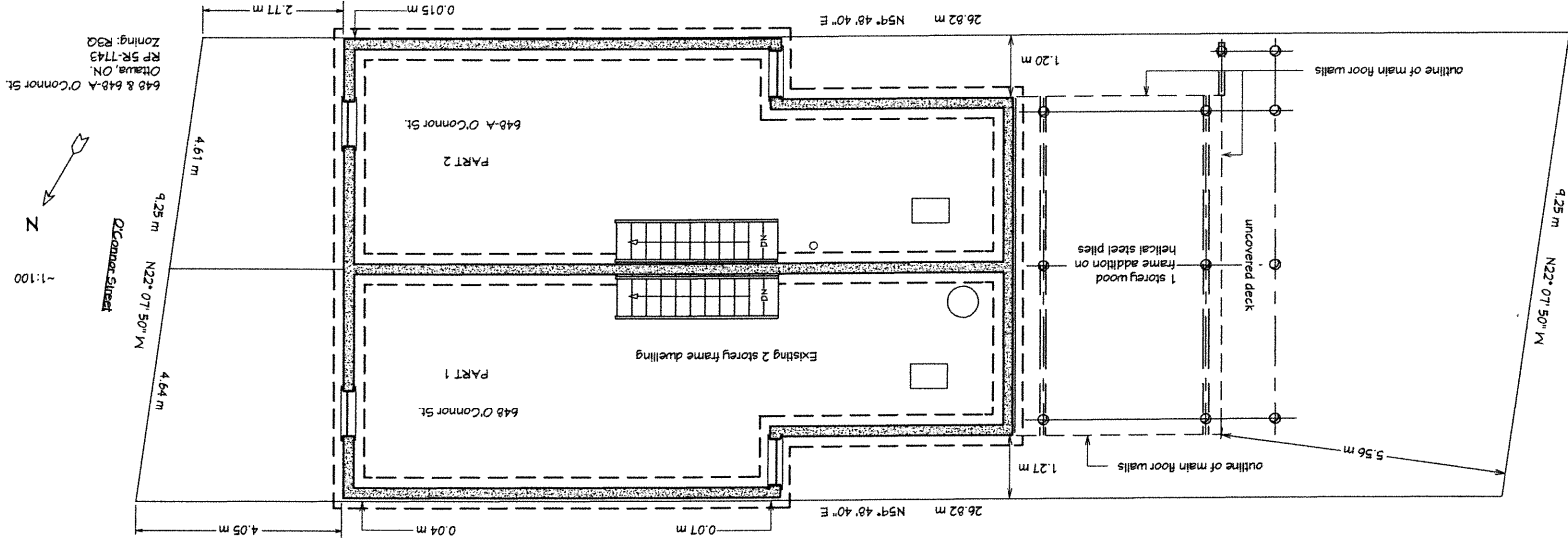


**Designer Declaration:** I, \_\_\_\_\_, take responsibility for the architectural design work shown on this drawing.

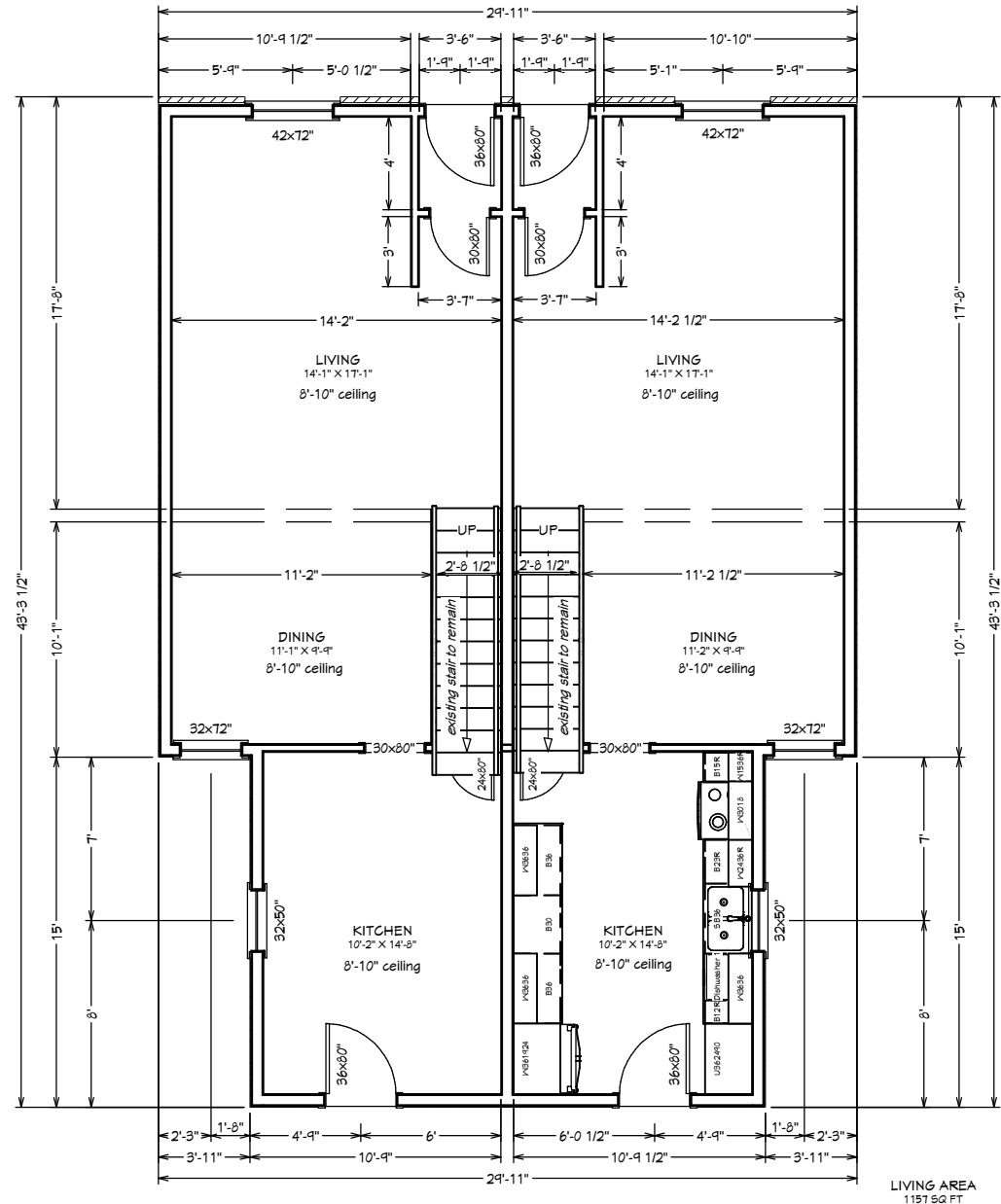
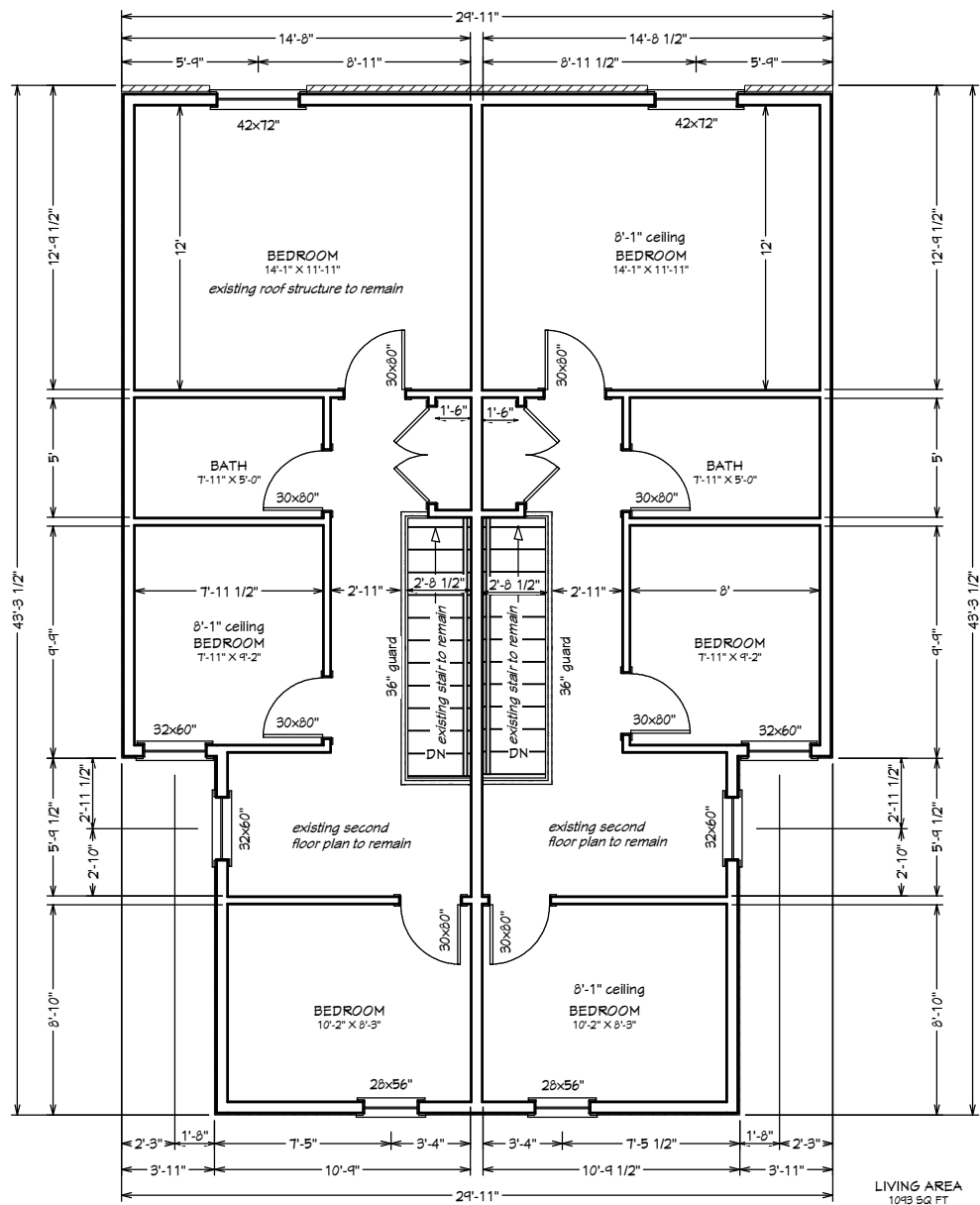
**Proposed House**

**Date:** Dec.4, 2023

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	A7



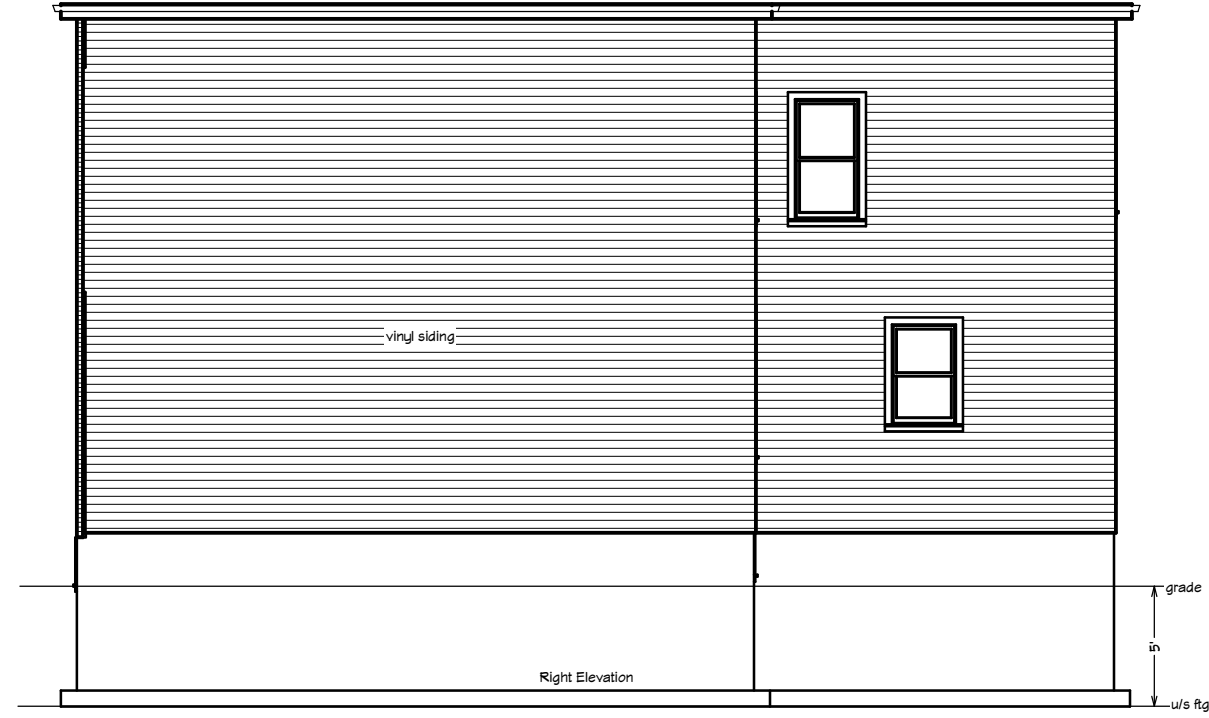
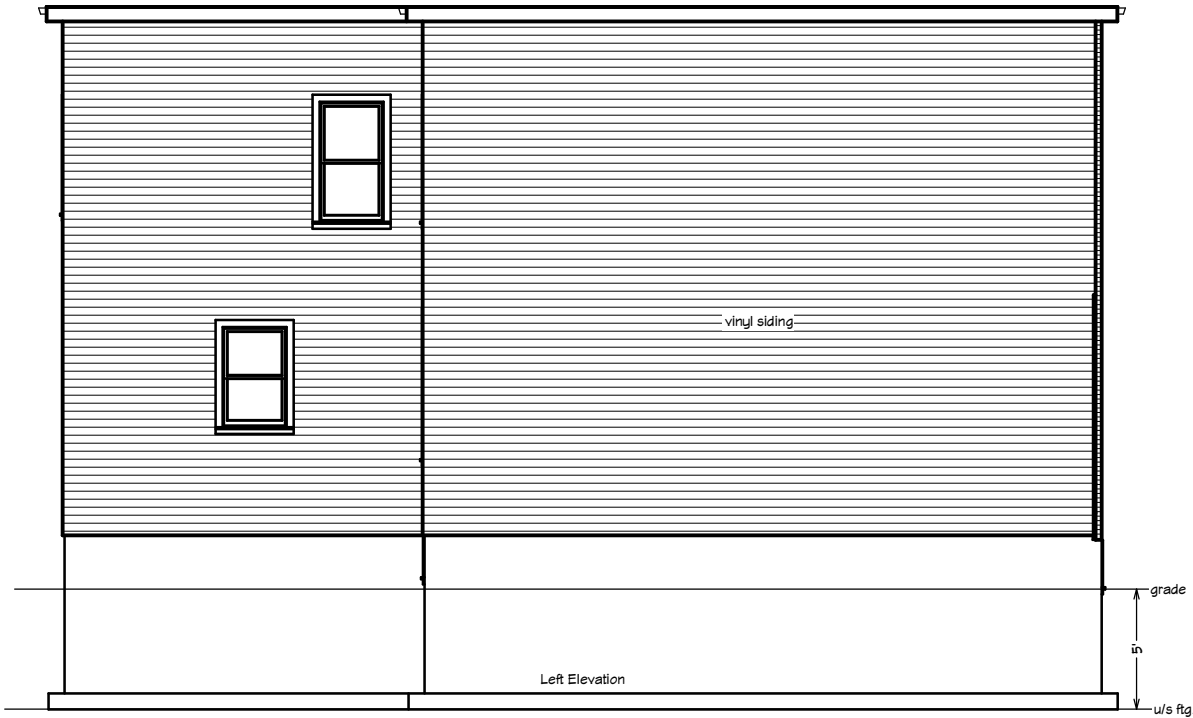




**Notes:**  
All proposed work to conform to the latest edition of the Ontario Building Code. All dimensions to be verified on site by contractor prior to construction.

**Designer Declaration:**  
I, \_\_\_\_\_ take responsibility for the architectural design work shown on this drawing.

**Project:**  
Ahmed Residence  
Addition to Existing Semi-Detached Dwelling  
648 O'Connor St.  
Ottawa, ON.

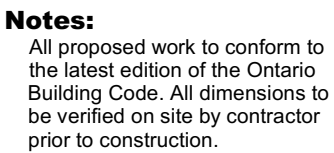


**Existing House**  
Main Floor Plan  
Second Floor Plan  
Side Elevations

**Scale:**  
1/8" = 1'

**Date:**  
Dec.4, 2023

**Drawn:**  
**Sheet:**  
**A1**



**Designer Declaration:**  
I, \_\_\_\_\_ take  
responsibility for the  
architectural design work shown  
on this drawing.

**Project:**

Ahmed Residence  
Addition to Existing  
Semi-Detached  
Dwelling  
648 O'Connor St.  
Ottawa, ON.

# Existing House

## Foundation Plan

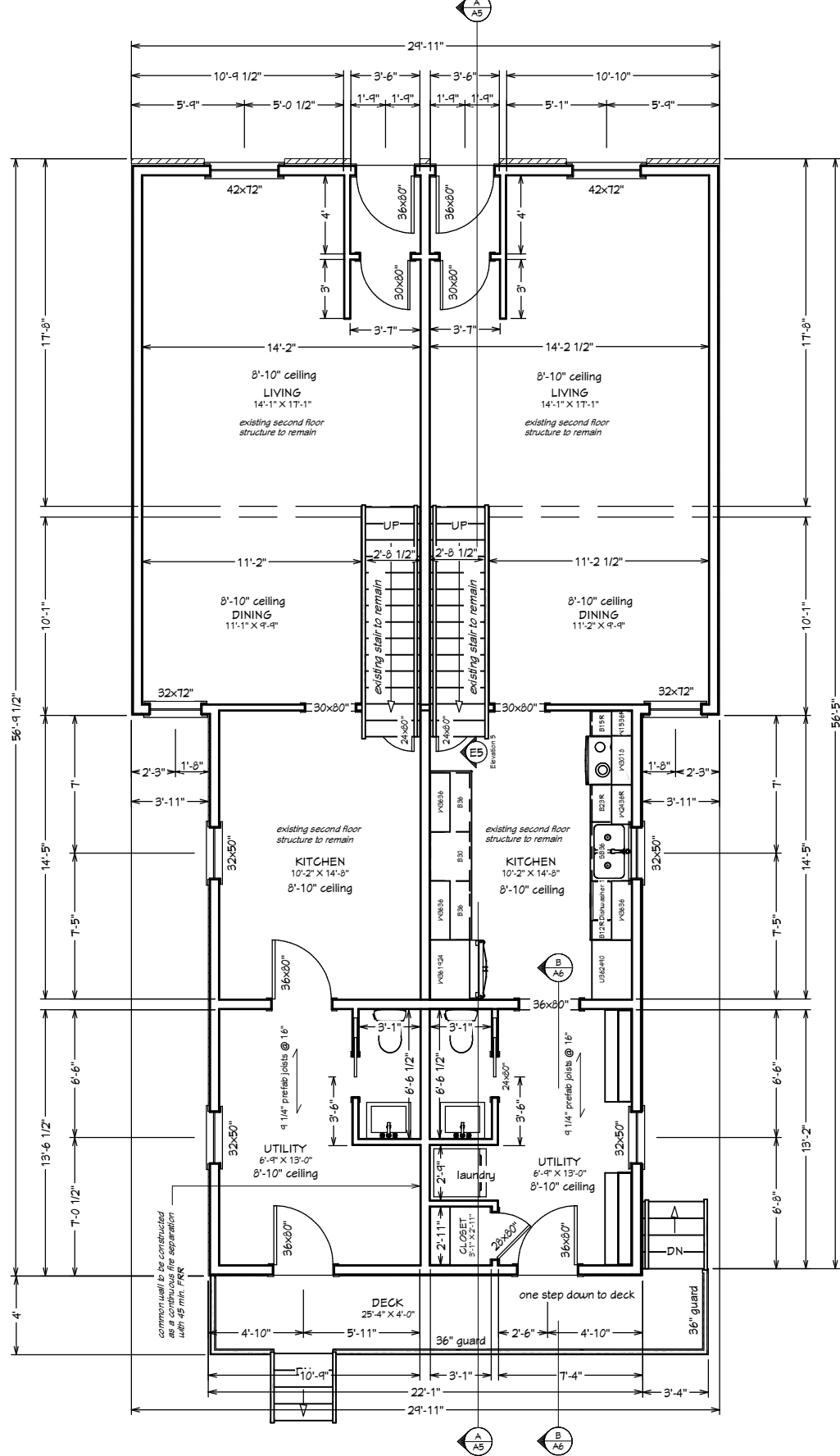
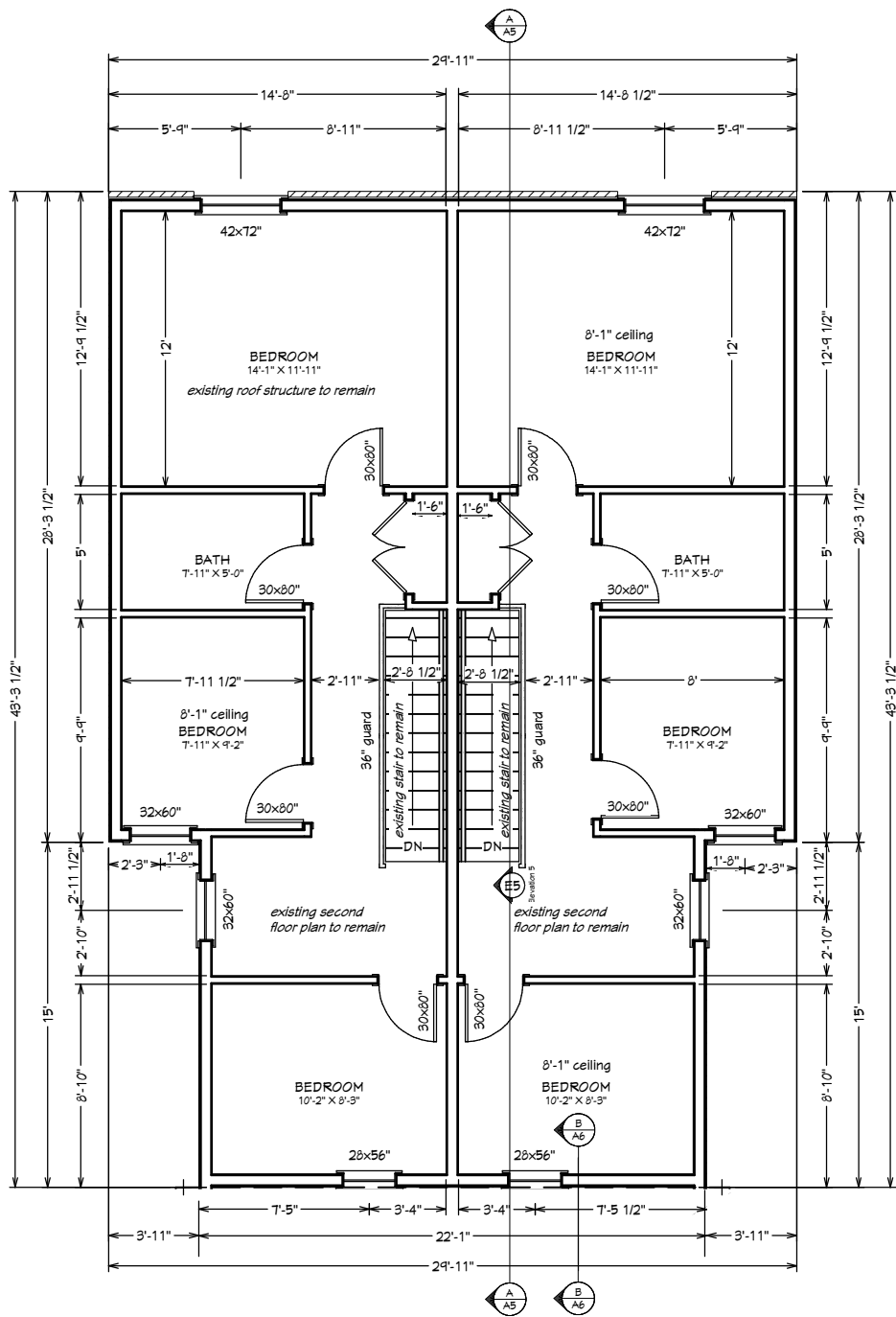
## Rear Elevation

## Overview

**Scale:**  
**1/8" = 1'**

**Date:**  
Dec.4, 2023

**Drawn:** \_\_\_\_\_  
**Sheet:** **A2**



**Notes:**  
All proposed work to conform to the latest edition of the Ontario Building Code. All dimensions to be verified on site by contractor prior to construction.

**Designer Declaration:**  
I, \_\_\_\_\_ take responsibility for the architectural design work shown on this drawing.

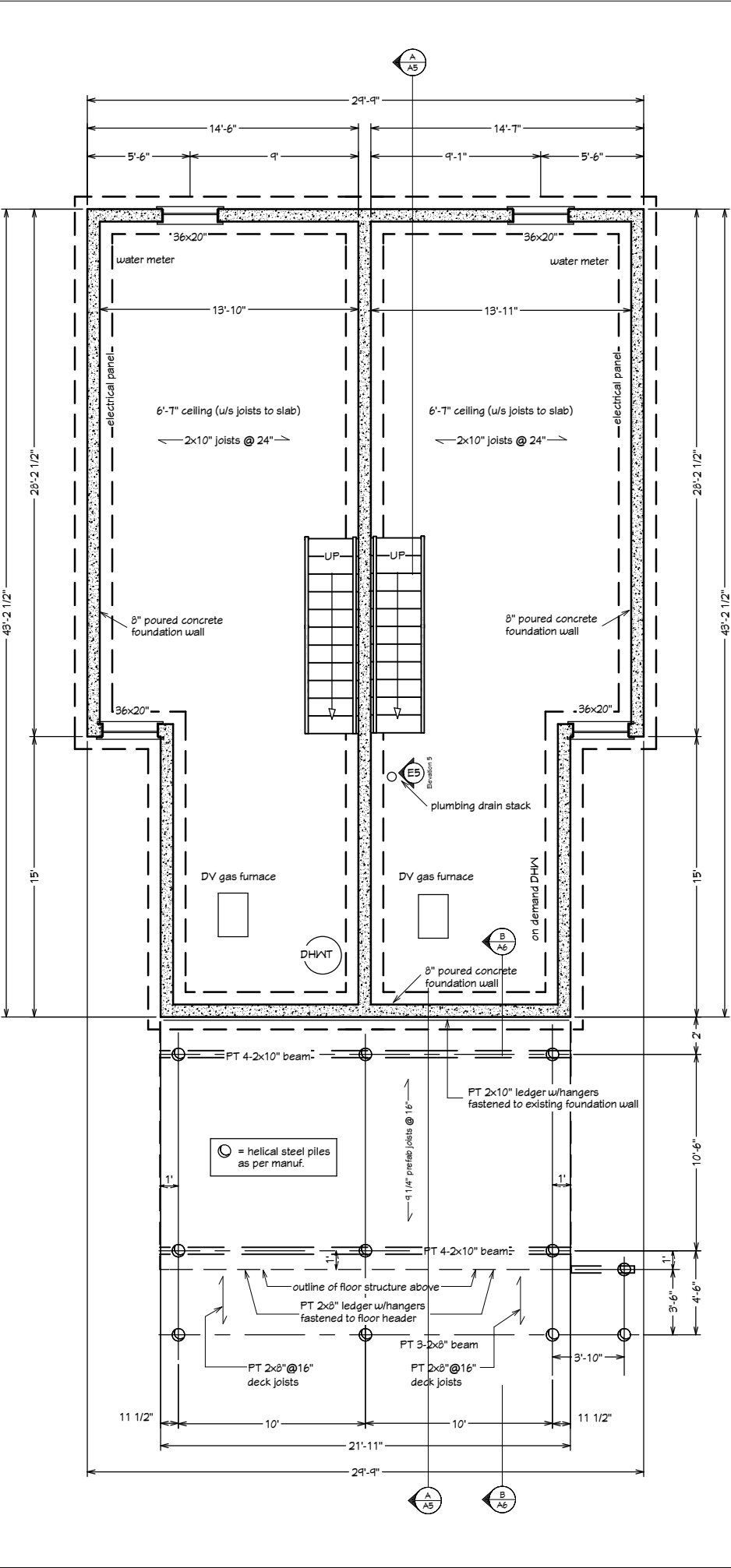
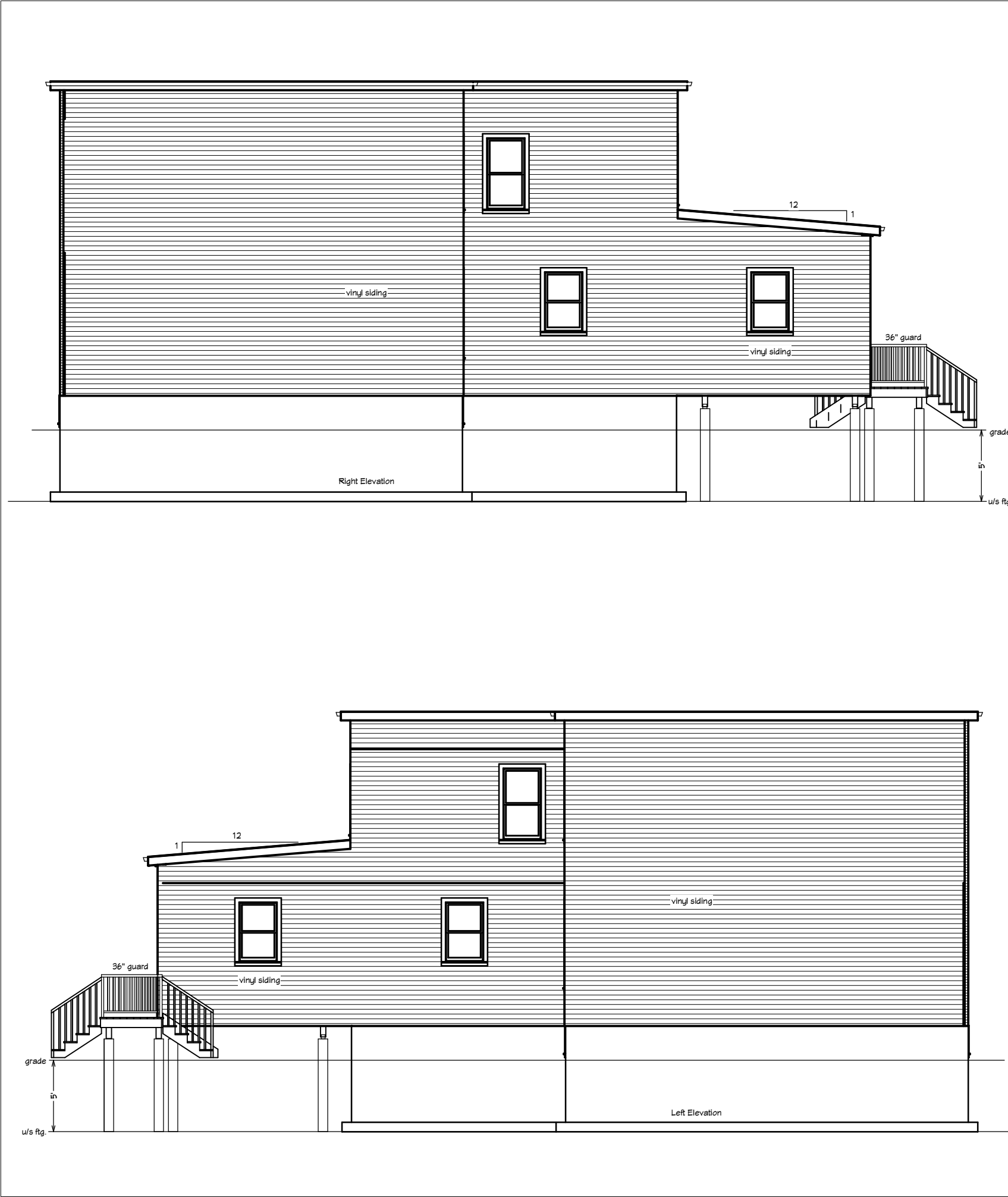
**Project:**  
Ahmed Residence Addition to Existing Semi-Detached Dwelling  
648 O'Connor St.  
Ottawa, ON.

**Proposed House**  
**Main Floor Plan**  
**Second Floor Plan**

**Scale:**  
1/8" = 1'

**Date:**  
Dec.4, 2023

**Drawn:**  
**Sheet:**  
**A3**



**Notes:**

All proposed work to conform to the latest edition of the Ontario Building Code. All dimensions to be verified on site by contractor prior to construction.

**Designer Declaration:**

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**Project:**

Ahmed Residence Addition to Existing Semi-Detached Dwelling  
648 O'Connor St.  
Ottawa, ON.

**Proposed House**

**Foundation Plan Elevations**

**Scale:**

1/8" = 1'

**Date:**

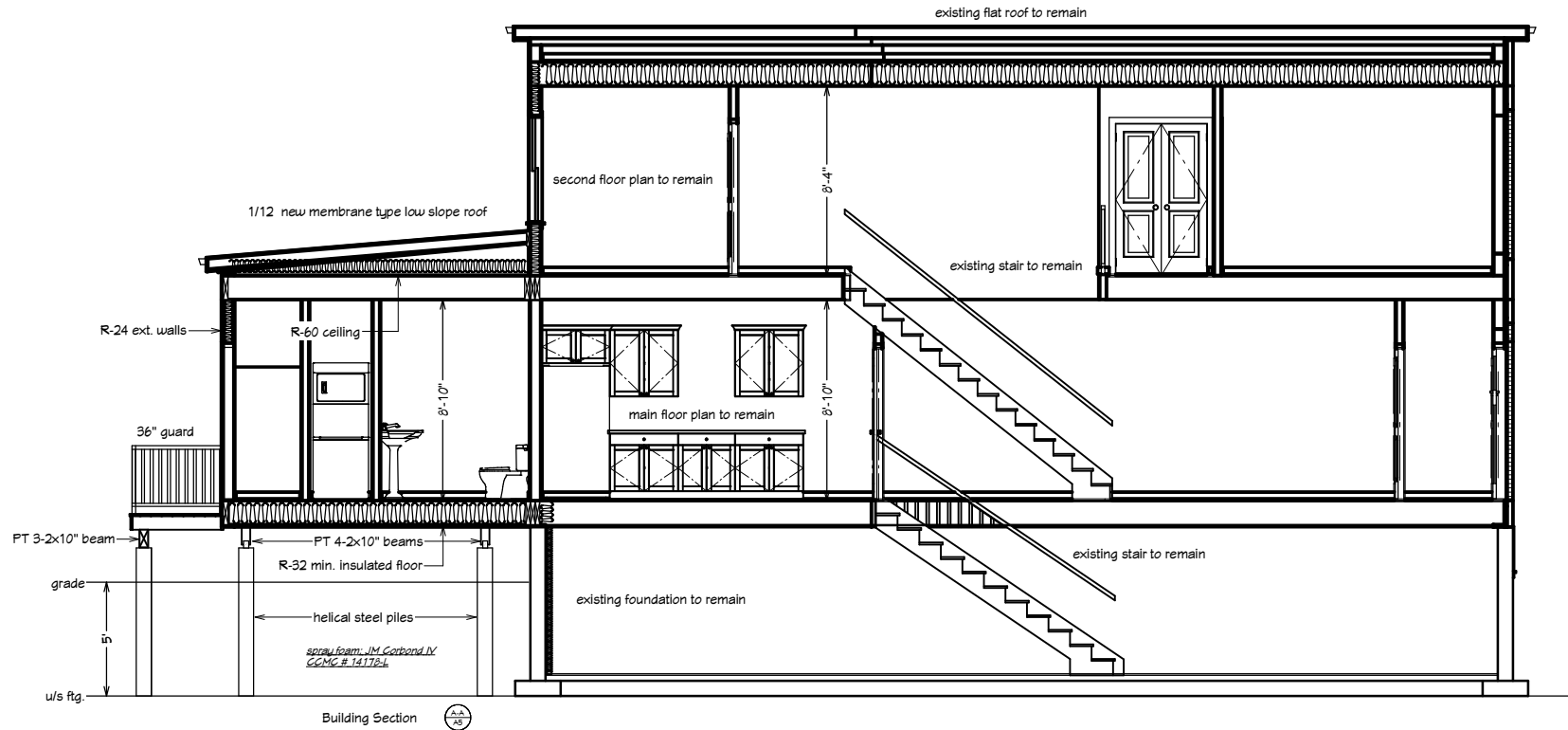
Dec.4, 2023

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**Sheet:**

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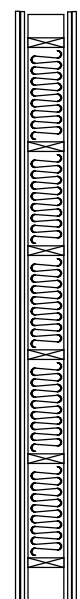


#### Prescriptive Energy Efficiency Compliance SB-12, Ahmed

As per OBC Div.B, SB-12, 3.1.1.10 our compliance package will be selected from T 3.1.1.10 Thermal Performance Requirements for Additions to Existing Buildings in Zone 1.

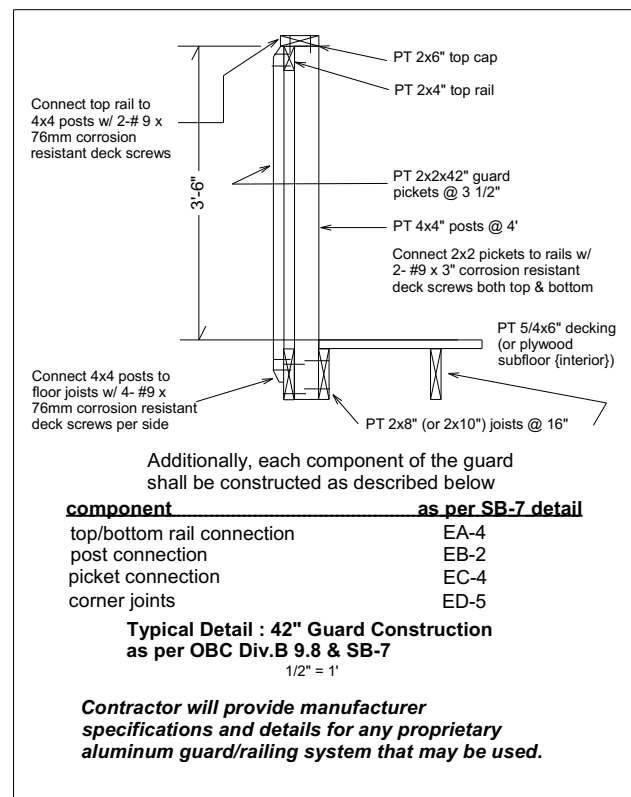
All windows to be at least dual glazed, Low E, argon filled. All windows to meet performance requirements of CAN/CSA A440.2 with max. U value 1.8/min. ER value 21. Manufacturers specifications to be available on site for inspection.

OBC 9.25.3 Air Barrier Systems  
The vapour barrier shall be used as a continuous air barrier as per 9.25.3.3 (see details)



Common Wall Fire Separation  
(45 min. FRR, 50 STC)

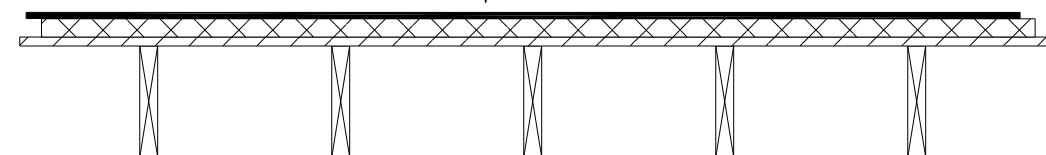
7/16"=1'



Firestone Rubber Guard  
EPDM flat roofing system  
CCMC # 13266-L

to be installed as per  
manuf. instructions

EPDM rubber membrane roofing  
adhesive layer  
polyiso insulation mechanically fastened  
synthetic underlayment  
PT 1/2" plywood sheathing  
PT 2x8" rafters @ 16" o.c.



Detail: Membrane Flat Roof

3/4" = 1'



**Notes:**  
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**Project:**  
  
Ahmed Residence  
Addition to Existing  
Semi-Detached  
Dwelling  
648 O'Connor St.  
Ottawa, ON.

**Proposed House**  
**Elevation**  
**Building Section**  
**Details**  
**Overview**

**Scale:**  
**1/8" = 1'**

**Date:**  
**Dec.4, 2023**

**Drawn:**  
**Sheet:**  
**A5**

Construction Specifications

Footings to bear on undisturbed soil or compacted engineered fill. Allowable bearing pressure to be min. 75 kPa verified by P.Eng. soils report.

Min. 6" 3/4" clear stone to be provided under all basement slabs and 8" 3/4" clear stone on compacted sand fill under all garage slabs.

Min. compressive strength of concrete for footings and walls to be 15 MPa, basement slabs 25 MPa and garage and porch slabs 32 MPa w/ 6% air entrainment. Concrete to conform to CAN/CSA-A23.1  
Suspended slabs above cold rooms to conform to OBC Div.B 9.40.  
Min. 5" frost cover for all footings or frost protection designed by P.Eng.

Step Footings: Max rise 24" Min run 24"

Max backfill height on lat. unsupported fndn. wall 3'11"; on lat. supported fndn. wall 6'11"  
Foundation walls shall be considered laterally supported where there is a floor joist system installed on top.  
Crack control joints to be provided every 40' horiz. on walls longer than 80'.

Exterior doors to have minimum thermal resistance of R4 (RSI 0.7)

All windows to be at least dual glazed, Low E, argon filled. All windows to meet performance requirements of CAN/CSA A440.2 with max. U value 1.6 / min. ER value 25. Manufacturer's specifications to be available on site for inspection.

Exterior walls to have min. thermal resistance of R 24, ceilings R 60, basement walls R 22, unless otherwise noted. These values may change depending on the energy efficiency compliance package chosen from OBC Div.B Part 12 and SB-12.

Heating The mechanical contractor shall provide an HVAC design summary and may be req'd to submit a design by a P.Eng in accordance with OBC Part 6.

Balanced HRV min. 75 % efficiency required in house with a solid fuel burning appliance.

All furnaces, wood stoves, fireplaces and chimneys to be installed according to manufacturer's instructions, OBC and/or CSA standard B-365 and all applicable oil & gas codes. A/C interconnected smoke and CO alarms required as per OBC.

ULC rated class "B" vents min 2' above point of contact w/ roof. Top of wood burning chimney to be min 3' above point of contact w/ roof and 2' above any structure within 10' horizontally.

Vapour barrier (6 mil. poly) conforming to CAN/CGSB 51.34-M to provide a continuous air barrier for building envelope as per OBC Div.B 9.25.3.

All openings & penetrations of air barrier to be sealed with appropriate solution such as sheathing tape, acoustic sealant or spray foam insulation.

Electrical installations including the number of distribution panels, electrical fixtures and outlets shall meet the appropriate provincial and municipal requirements. All wiring shall be copper.

Plumbing installations shall conform to the provincial plumbing code and OBC. Supply piping to be copper, DWV to be ABS. All plumbing fixtures to conform to water efficiency requirements of OBC Div.B 7.6.4 .

All bathrooms and laundry rooms to be provided with mechanical ventilation to exterior.

All attic spaces to be provided with unobstructed vent area of min 1/300 insulated ceiling area w/ 1/2 at soffit.

Ceiling insulation blocked at eaves with fiberglass batts and soffit vent baffles.

Brick Lintels  
Unless otherwise noted, all angles as per this schedule as a minimum. All angles to be steel, shop primed w/ min. 6" bearing each side.

up to 8' 0" span 3 1/2"x 3 1/2" x 1/4"  
8' 1" to 8' 8" 4" x 3 1/2" x 1/4"  
8' 9" to 10' 9" 4 7/8" x 3 1/2" x 5/16"  
10' 10" to 11' 4" 4 7/8" x 3 1/2" x 3/8"

Post Schedule  
All lintels to bear on min P2 unless otherwise noted.  
P1 3 " dia. steel telepost w/ bearing plates  
P2 2 - 2 x 6"  
P3 3 - 2 x 6"  
P4 4 - 2 x 6"  
P5 5 - 2 x 6"  
HSS 3 1/2 x 3 1/2 x 3/16" steel post w/6x6x1/4" bearing plates top & bottom

All gas & propane furnaces to have min. 94 % AFUE efficiency. Other types of furnaces to be specified on the plans. Domestic hot water heaters to have min. 0.80 EF. HRV min. efficiency to be 75 %.  
Manufacturer's specifications to be available on site for inspection.

All dimensions are measured from outside to outside of framing or concrete walls unless otherwise noted.  
All openings are for rough opening sizes unless otherwise noted.  
All lumber to be identified by an NLGA grade stamp.  
All lintels to be min. 2 - 2x10" unless otherwise noted.

Joists to be doubled under all partition walls above.

All bearing points to be blocked solid down to foundation or beam below. All point loads to be approved by a P.Eng.

Floor joist and roof truss manufacturers to provide P.Eng. approved shop drawings for each system. Lateral bracing to be supplied as per manufacturer.

All steel beams to be shop primed and meet requirements of CAN/CSA-G40.21.  
All steel teleposts designed for 8000lb capacity unless otherwise stated.

Log, post & beam etc. construction outside the scope of the OBC to be designed and approved by a P.Eng.

All stairs, guards and railings to conform to OBC Div.B 9.8 and SB-7.

Insulated attic hatch (R 20 min) to be provided to each attic space ; 22x30" w/ weatherstripping.

Required fire seperations shall have 45 min. FRR w/ openings protected by steel doors & closers w/ 20 min. FRR. (1/2" typeX drywall both sides stud walls)

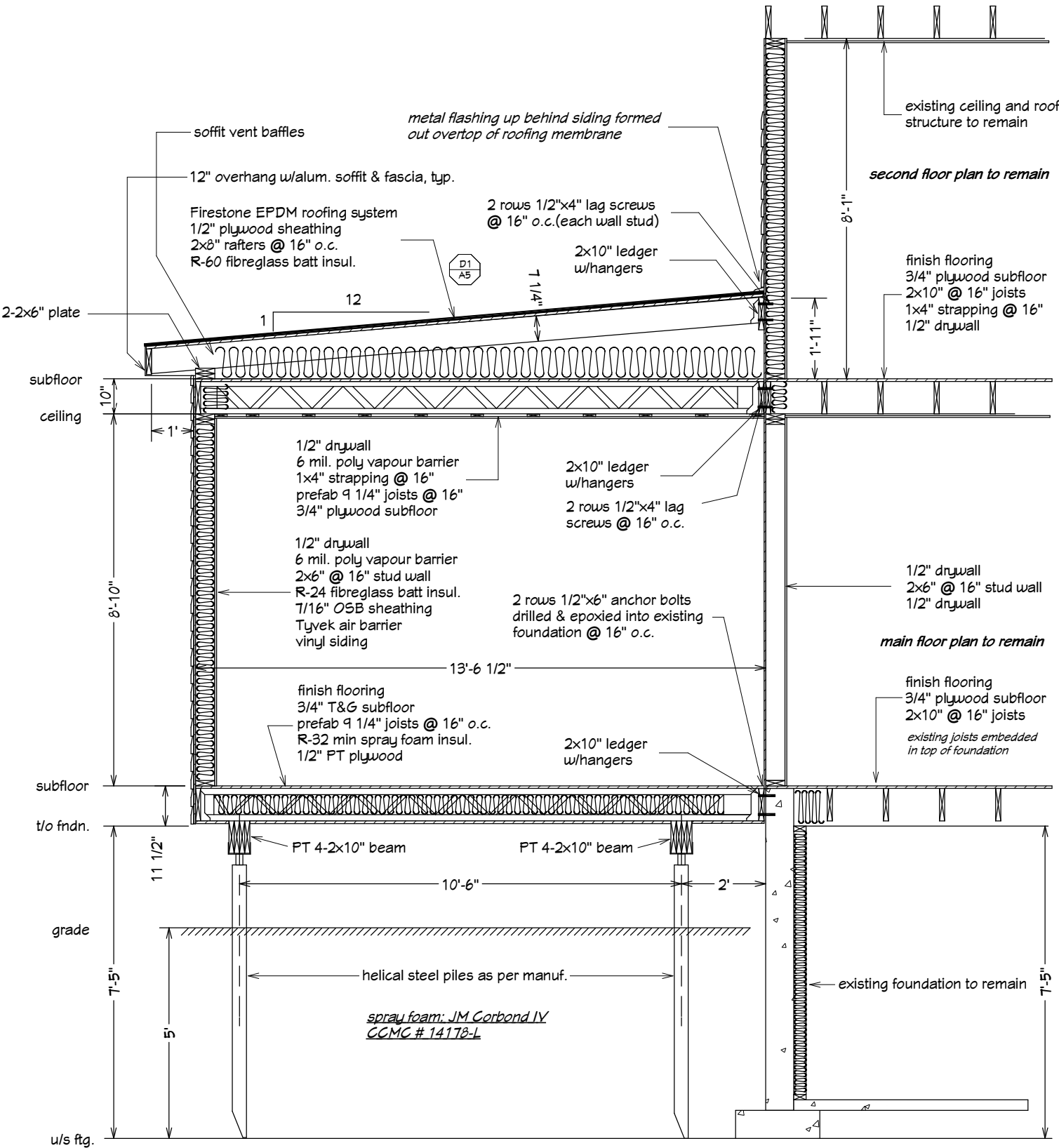
All structural members such as trusses shall be spaced not more than 24" apart.  
All roof and wall planes to be sheathed or braced on at least one side.  
Any structural member than spans more than 40 ft. shall be designed by a P.Eng. as well as the supporting structure below.

Specified snow load shall be 2.0 kPa unless otherwise stated.

House/garage walls & ceiling to be fumeproofed. All drywall or sheathing joints to be sealed.  
Steel, weatherstripped door with auto-closer to be installed between house & garage.

Glazed openings in exposing building face calculations for spatial seperation requirements to be shown on elevation drawings when required. Exterior wall area for purposes of calculating window/wall ratio to be shown on elevation drawings.

Roofing materials to conform to the standards referenced in OBC Div.B 9.26.2.1



Section Assembly Detail



Notes:

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Designer Declaration:

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Project:

Ahmed Residence  
Addition to Existing  
Semi-Detached  
Dwelling  
648 O'Connor St.  
Ottawa, ON.

Proposed House

Section  
Assembly Detail  
Specifications

Scale:

1/4" = 1'

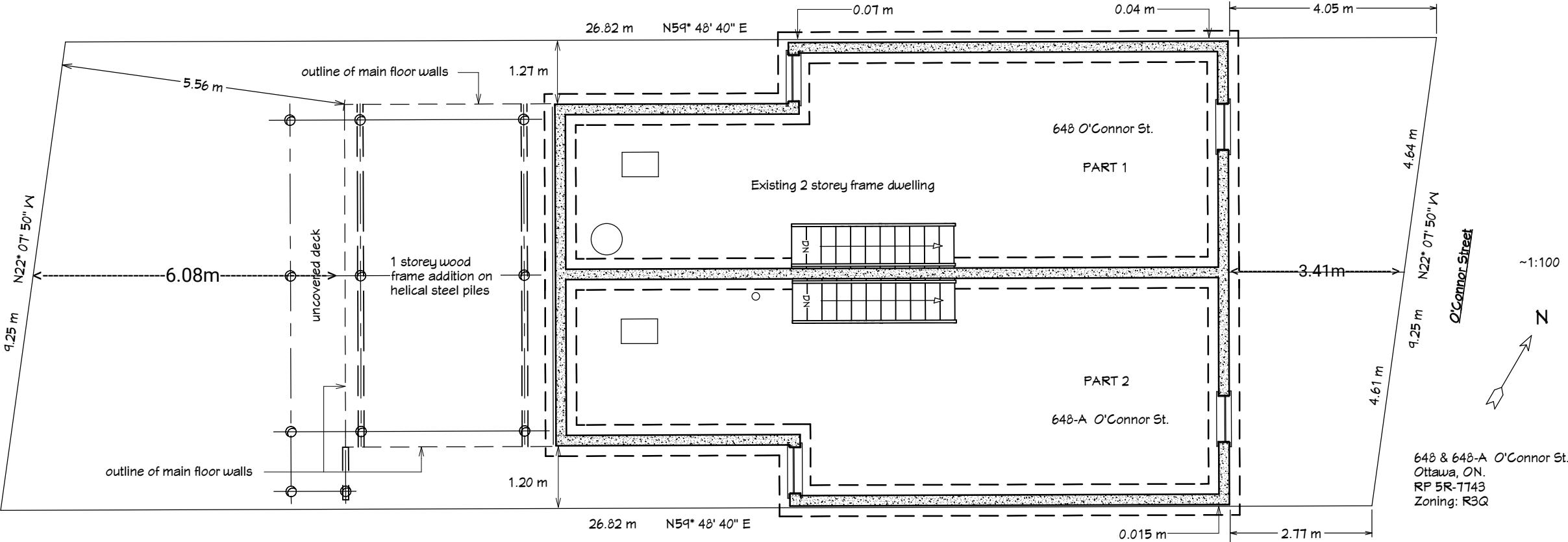
Date:

Dec.4, 2023

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Sheet:

A6



**INTEGRATED  
FORESTREE  
SERVICES INC.**



P.O. Box 13593, Kanata, ON K2K 1X6  
Telephone: (613) 838-5717  
**URBAN FORESTRY & FOREST MANAGEMENT**

March 28, 2024 *Conservation Adjustment*

Asif Ahmed  
648 O'Connor Street  
Ottawa, ON  
K1S 3R8

APR 5 2024

City of Ottawa

**RE: TREE INFORMATION REPORT FULL FOR 648 O'CONNOR STREET, OTTAWA**

This Tree Information Report (TIR) was prepared by Integrated Forestree Services Inc. (IFS Inc.) in support of a building permit for 648 O'Connor Street. The need for this report is related to trees protected under the City of Ottawa's Tree Protection By-law (By-law No. 2020-340).

The work proposed at this address includes construction of a one storey addition to the rear of an existing two storey dwelling. Importantly, the addition will be supported by a series of helical steel piles, thereby avoiding the need for excavation.

Throughout Ottawa, a TIR is required for infill developments, additions and/or demolitions when a 'distinctive' tree is present (*i.e.* 30 cm in diameter at breast height (DBH) or greater). This includes distinctive trees on adjacent properties which have critical root zones (CRZ) extending onto a property slated for development or demolition. A "tree" is defined in the By-law as any species of woody perennial plant, including its root system, which has reached or can reach a minimum height of at least 450 cm at physiological maturity. The CRZ is calculated as DBH x 10 cm.

The inventory in this report details the assessment of the individual distinctive trees on adjacent private property. No relevant trees were found on the subject property or nearby City of Ottawa lands. Field work for this report was completed in March 2024.

**TREE SPECIES, CONDITION, SIZE AND STATUS**

Table 1 on page 2 details the individual distinctive trees on adjacent property. Each of these trees is referenced by the numbers plotted on the tree information plan included on page 3 of this report. Pictures 1 and 2 on pages 6 and 7 of this report show the neighbouring distinctive trees.



Table 1. Tree information for 648 O'Connor Street

Tree No.	Tree species /Tolerance to Construction <sup>1</sup>	Owner	DBH <sup>2</sup> (cm)	CRZ <sup>3</sup> (m)	Distance to excavation (m) <sup>4</sup>	Tree Condition, Age Class, Condition Notes, Species Origin and Status (to be removed or preserved and protected)	Reason for removal	Forester's Opinion re. Removal
1	Freeman maple ( <i>Acer x freemanii</i> ) / Moderate	Neighbour	32.5	3.3	>5	Good; mature; central dominant pedestal with multiple competing leaders and lateral stems; dense crown; cultivar; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable
2	White cedar ( <i>Thuja occidentalis</i> ) / Good	Neighbour	43.5	4.4	>5	Good; mature; central stem with competing laterals starting at 1.5m from grade; good crown density, annual increment and needle colour; native species; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable

<sup>1</sup> As taken from Managing Trees during Construction, 2<sup>nd</sup> Ed., Fite and Smiley; <sup>2</sup> Diameter at breast height, or 1.3m from grade (unless otherwise indicated); <sup>3</sup> Critical root zone (CRZ) is considered as being 10 centimetres from the trunk of a tree for every centimetre of DBH. The CRZ is calculated as DBH x 10 cm;

<sup>4</sup> Approximate distances only.

GENERAL NOTES

LEGEND

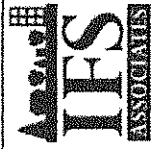
- EXISTING NOT TO REMAIN
- EXISTING NOT TO REMAIN
- EXISTING NOT TO REMAIN
- PROPOSED TYPING

0 1 2 Meters



TYPE INFORMATION PLAN

648 O'CONNOR STREET  
CITY OF OTTAWA



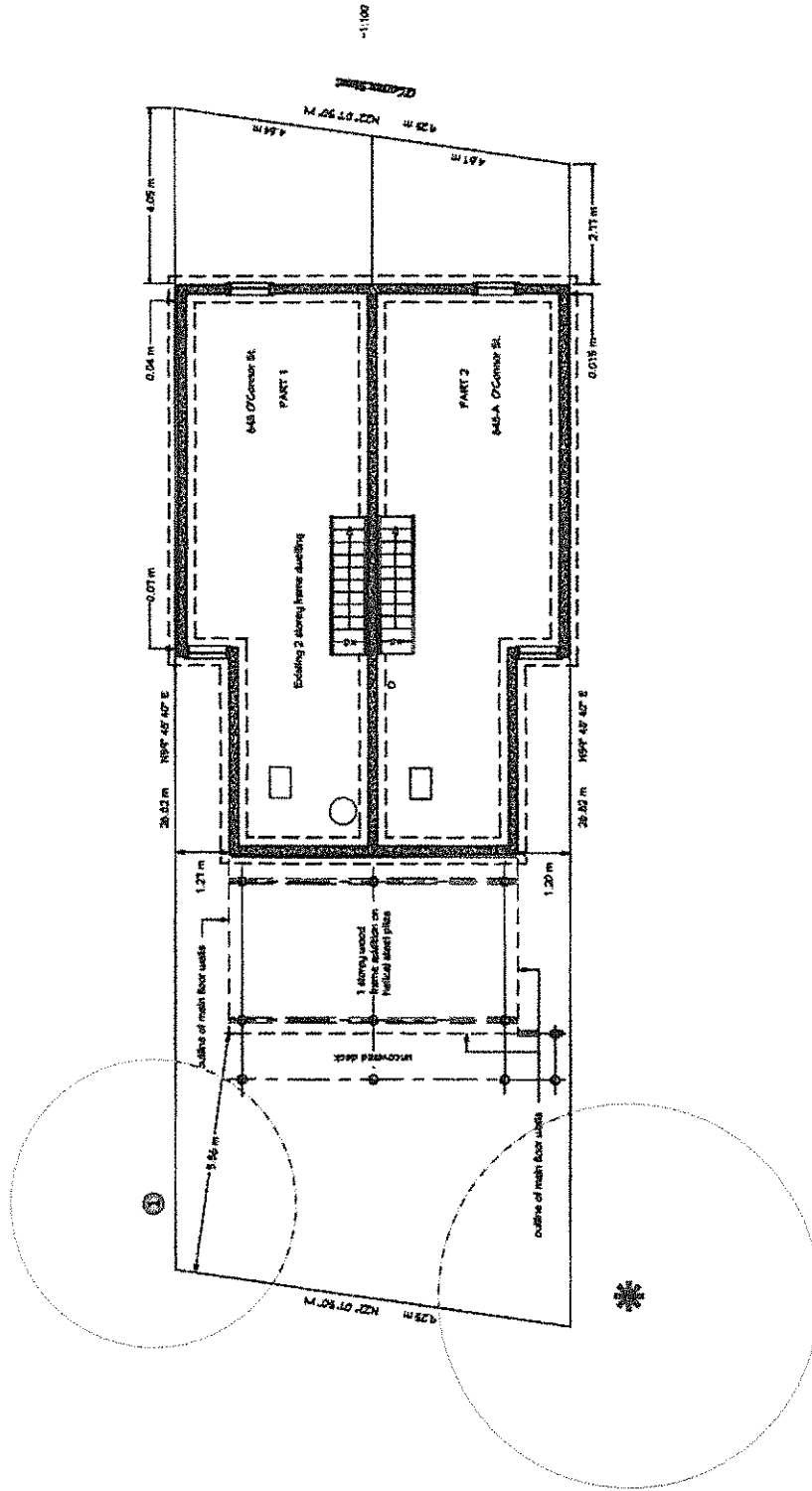
613.833.5717

ARCHITECT

2024.03.26

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## **PROVINCIAL REGULATIONS**

Certain provincial regulations are applicable to trees on private property. In particular, the Endangered Species Act – ESA (2007) mandates that tree species on the Species at Risk in Ontario (SARO) list be identified. Butternut (*Juglans cinerea*) is present in Eastern Ontario and is listed as threatened on the SARO. Because of this it is protected from harm. No trees of this species were found on or near the subject property.

## **TREE PROTECTION MEASURES**

Protection measures intended to mitigate damage during construction will be applied to the trees to be preserved. The following measures are the minimum required by the City of Ottawa to ensure tree survival during and following construction:

1. Erect a fence as close as possible to the critical root zone (CRZ) of trees (City of Ottawa tree protection barrier detail included on page 5).
2. Do not place any material or equipment within the CRZ of the tree.
3. Do not attach any signs, notices or posters to any tree.
4. Do not raise or lower the existing grade within the CRZ without approval.
5. Tunnel or bore when digging within the CRZ of a tree.
6. Do not damage the root system, trunk or branches of any tree.
7. Ensure that exhaust fumes from all equipment are NOT directed towards any tree's crown.

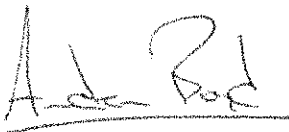
## **REPLACEMENT TREE PLANTING OR COMPENSATION**

As no distinctive trees are to be lost, no replacement tree planting is required in this instance.

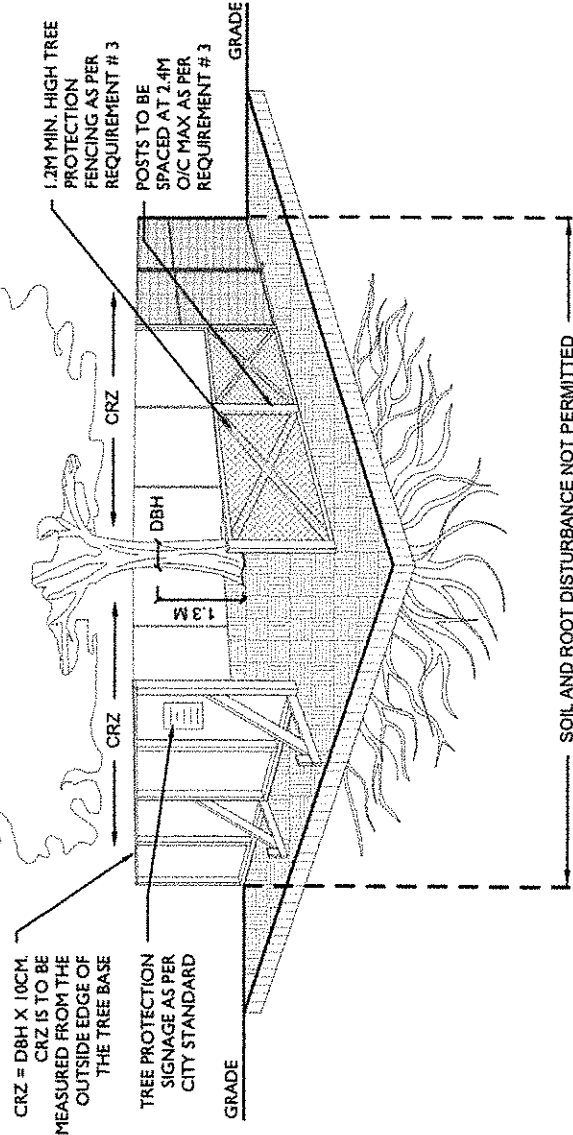
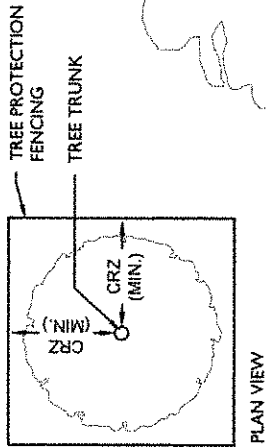
This report is subject to the attached Limitations of Tree Assessments and Liability to which the reader's attention is directed.

Please do not hesitate to contact me with any questions concerning this report.

Yours,



Andrew K. Boyd, B.Sc.F, R.P.F. (#1828)  
Certified Arborist #ON-0496A and TRAQualified  
Consulting Urban Forester



ACCESSIBLE FORMATS AND COMMUNICATION  
SUPPORTS ARE AVAILABLE, UPON REQUEST



## TREE PROTECTION SPECIFICATION

TO BE IMPLEMENTED FOR RETAINED TREES, BOTH ON SITE AND ON ADJACENT SITES, PRIOR  
TO ANY TREE REMOVAL OR SITE WORKS AND MAINTAINED FOR THE DURATION OF WORK  
ACTIVITIES ON SITE.

### TREE PROTECTION REQUIREMENTS:

1. PRIOR TO ANY WORK ACTIVITY WITHIN THE CRITICAL ROOT ZONE (CRZ  $\approx 10$  X DIAMETER) OF A TREE, TREE PROTECTION FENCING MUST BE INSTALLED SURROUNDING THE CRITICAL ROOT ZONE, AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETE.
2. UNLESS PLANS ARE APPROVED BY CITY FORESTRY STAFF, FOR WORK WITHIN THE CRZ:
  - DO NOT PLACE ANY MATERIAL OR EQUIPMENT - INCLUDING OUTHOUSES;
  - DO NOT ATTACH ANY SIGNS, NOTICES OR POSTERS TO ANY TREE;
  - DO NOT RAISE OR LOWER THE EXISTING GRADE;
  - TUNNEL OR BORE WHEN DIGGING;
  - DO NOT DAMAGE THE ROOT SYSTEM, TRUNK, OR BRANCHES OF ANY TREE;
  - ENSURE THAT EXHAUST FUMES FROM ALL EQUIPMENT ARE NOT DIRECTED TOWARD ANY TREE CANOPY.
  - DO NOT EXTEND HARD SURFACE OR SIGNIFICANTLY CHANGE LANDSCAPING
3. TREE PROTECTION FENCING MUST BE AT LEAST 1.2M IN HEIGHT, AND CONSTRUCTED OF RIGID OR FRAMED MATERIALS (E.G. MODULOC - STEEL, PLYWOOD HOARDING, OR SNOW FENCE ON A 2"x4" WOOD FRAME) WITH POSTS 2.4M APART, SUCH THAT THE FENCE LOCATION CANNOT BE ALTERED. ALL SUPPORTS AND BRACING MUST BE PLACED OUTSIDE OF THE CRZ, AND INSTALLATION MUST MINIMISE DAMAGE TO EXISTING ROOTS. (SEE DETAIL)
4. THE LOCATION OF THE TREE PROTECTION FENCING MUST BE DETERMINED BY AN ARBORIST AND DETAILED ON ANY ASSOCIATED PLANS FOR THE SITE (E.G. TREE CONSERVATION REPORT, TREE INFORMATION REPORT, ETC). THE PLAN AND CONSTRUCTED FENCING MUST BE APPROVED BY CITY FORESTRY STAFF PRIOR TO THE COMMENCEMENT OF WORK.
5. IF THE FENCED TREE PROTECTION AREA MUST BE REDUCED TO FACILITATE CONSTRUCTION, MITIGATION MEASURES MUST BE PRESCRIBED BY AN ARBORIST AND APPROVED BY CITY FORESTRY STAFF. THESE MAY INCLUDE THE PLACEMENT OF PLYWOOD, WOOD CHIPS, OR STEEL PLATING OVER THE ROOTS FOR PROTECTION OR THE PROPER PRUNING AND CARE OF ROOTS WHERE ENCOUNTERED.

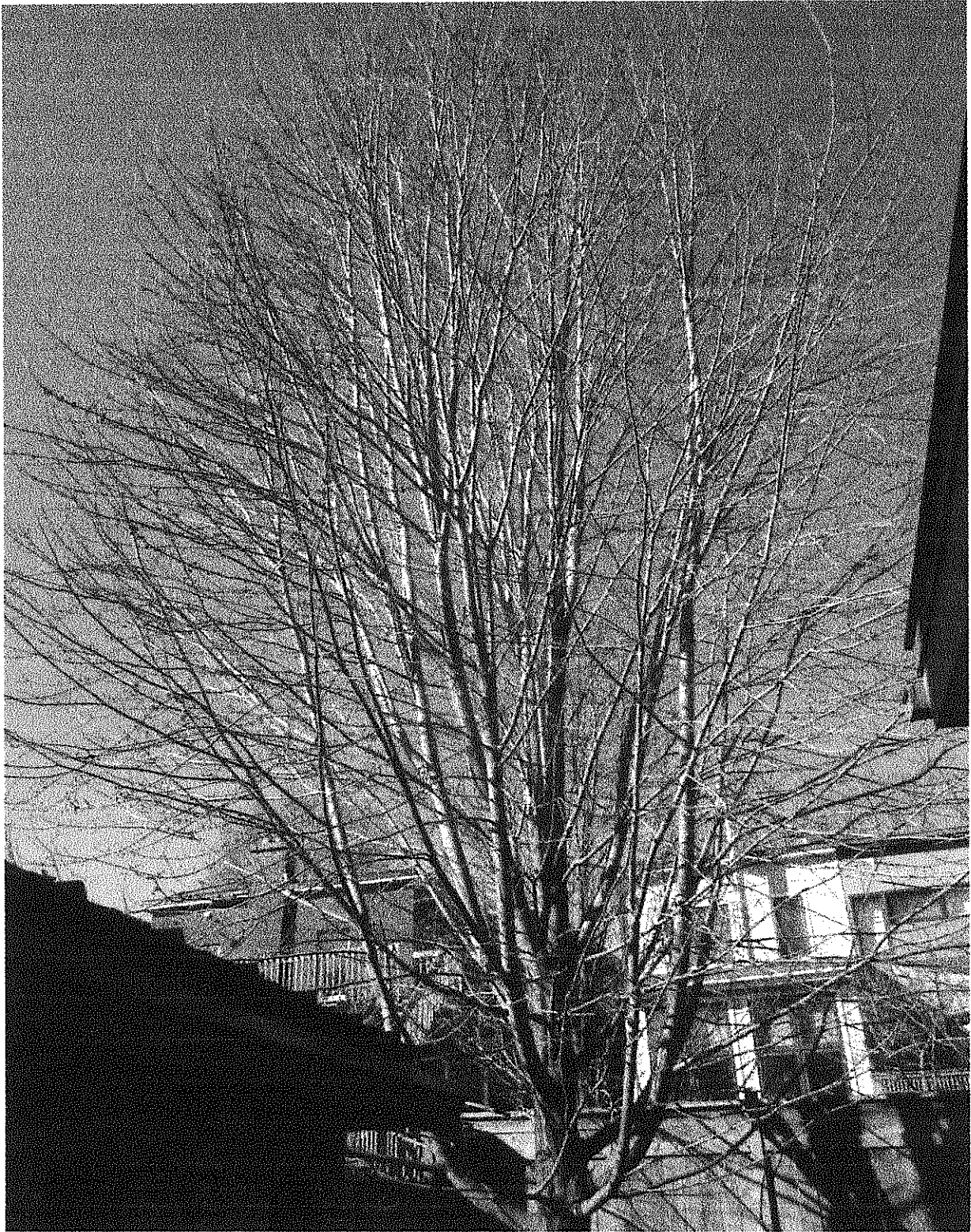
THE CITY'S TREE PROTECTION BY-LAW, 2020-340 PROTECTS BOTH CITY-OWNED TREES, CITY-WIDE, AND PRIVATELY-OWNED TREES WITHIN THE URBAN AREA. PLEASE REFER TO [WWW.OTTAWA.CA/TREEBYLAW](http://WWW.OTTAWA.CA/TREEBYLAW) FOR MORE INFORMATION ON HOW THE TREE BY-LAW APPLIES.

SCALE: NTS

DATE: MARCH 2021

DRAWING NO.: 1 of 1





Picture 1. Tree #1 at 648 O'Connor Street - neighbouring Freeman maple to be retained.



Picture 2. Tree #2 at 648 O'Connor Street – neighbouring white cedar to be retained.

# LIMITATIONS OF TREE ASSESSMENTS & LIABILITY

## GENERAL

It is the policy of IFS Inc. to attach the following clause regarding limitations. We do this to ensure that our clients are clearly aware of what is technically and professionally realistic in assessing trees for retention.

This report was prepared by IFS Inc. at the request of the client. The information, interpretation and analysis expressed in this report are for the sole benefit and exclusive use of the client. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the client to whom it is addressed. Unless otherwise required by law, neither all or any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through public relations, news or other media, without the prior expressly written consent of the author, and especially as to value conclusions, identity of the author, or any reference to any professional society or institute or to any initialed designation conferred upon the author as stated in his qualifications.

This report and any values expressed herein represent the opinion of the author; his fee is in no way contingent upon the reporting of a specified value, a stipulated result, nor upon any finding to be reported.

Details obtained from photographs, sketches, *etc.*, are intended as visual aids and are not to scale. They should not be construed as engineering reports or surveys. Although every effort has been made to ensure that this assessment is reasonably accurate, the tree(s) should be reassessed at least annually. The assessment presented in this report is valid at the time of the inspection only. The loss or alteration of any part of this report invalidates the entire report.

## LIMITATIONS

The information contained in this report covers only the tree(s) in question and no others. It reflects the condition of the assessed tree(s) at the time of inspection and was limited to a visual examination of the accessible portions only. Integrated Forestry Services Inc. has prepared this report in a manner consistent with that level of care and skill ordinarily exercised by members of the forestry and arboricultural professions, subject to the time limits and physical constraints applicable to this report. The assessment of the tree(s) presented in this report has been made using accepted arboricultural techniques. These include a visual examination of the above-ground portions of each tree for structural defects, scars, cracks, cavities, external indications of decay such as fungal fruiting bodies, evidence of insect infestations, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of people and property. Except where specifically noted in the report, the tree(s) examined were not dissected, cored, probed or climbed to gain further evidence of their structural condition. Also, unless otherwise noted, no detailed root collar examinations involving excavation were undertaken.

While reasonable efforts have been made to ensure that the tree(s) proposed for retention are healthy, no warranty or guarantee, expressed or implied, are offered that these trees, or any parts of them, will remain standing. This includes other trees on or off the property not examined as part of this assignment. It is both professionally and practically impossible to predict with

absolute certainty the behaviour of any single tree or groups of trees or their component parts in all circumstances, especially when within construction zones. Inevitably, a standing tree will always pose some risk. Most trees have the potential for failure in the event of root loss due to excavation and other construction-related impacts. This risk can only be eliminated through full tree removal.

Notwithstanding the recommendations and conclusions made in this report, it must be realized that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site conditions, or seasonal variations in the weather. It is a condition of this report that IFS Inc. be notified of any changes in tree condition and be provided an opportunity to review or revise the recommendations within this report. Recognition of changes to a tree's condition requires expertise and extensive experience. It is recommended that IFS Inc. be employed to re-inspect the tree(s) with sufficient frequency to detect if conditions have changed significantly.

### ASSUMPTIONS

Statements made to IFS Inc. in regard to the condition, history and location of the tree(s) are assumed to be correct. Unless indicated otherwise, all trees under investigation in this report are assumed to be on the client's property. A recent survey prepared by a Licensed Ontario Land Surveyor showing all relevant trees, both on and adjacent to the subject property, will be provided prior to the start of field work. The final version of the grading plan for the project will be provided prior to completion of the report. Any further changes to this plan invalidate the report on which it is based. Integrated Forestry Services Inc. must be provided the opportunity to revise the report in relation to any significant changes to the grading plan. The procurement of said survey and grading plan, and the costs associated with them both, are the responsibility of the client, not IFS Inc.

### LIABILITY

Without limiting the foregoing, no liability is assumed by IFS Inc. for:

- 1) Any legal description provided with respect to the property.
- 2) Issues of title and/or ownership with respect to the property.
- 3) The accuracy of the property line locations or boundaries with respect to the property.
- 4) The accuracy of any other information provided by the client or third parties.
- 5) Any consequential loss, injury or damages suffered by the client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and,
- 6) The unauthorized distribution of the report.

Further, under no circumstances may any claims be initiated or commenced by the client against IFS Inc. or any of its directors, officers, employees, contractors, agents or assessors, in contract or in tort, more than 12 months after the date of this report.

### ONGOING SERVICES

Integrated Forestry Services Inc. accepts no responsibility for the implementation of any or all parts of the report, unless specifically requested to supervise the implementation or examine the results of activities recommended herein. In the event that examination or supervision is requested, that request shall be made in writing and the details, including fees, agreed to in advance.



2024-05-09

City of Ottawa | Ville d'Ottawa

Comité de dérogation



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 648 & 648A O'Connor Street  
Legal Description: North half of Lot 5, West side of O'Connor Street, Reg Plan 33446  
File No.: D08-02-24/A-00086 & D08-02-24/A-00087  
Report Date: May 9, 2024  
Hearing Date: May 15, 2024  
Planner: Margot Linker  
Official Plan Designation: Inner Urban Transect, Neighbourhood  
Zoning: R3Q[1474] (Residential Third Density, Subzone Q, Exception 1474)

**DEPARTMENT COMMENTS**

The Planning, Real Estate and Economic Development Department **has no concerns with** the applications.

**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.

The subject site is designated Neighbourhood within the Inner Urban Transect on Schedules A and B2 in the Official Plan, and is zoned R3Q[1474]. This area is intended for low-rise residential development which massing has regard for local context and character of existing development.

Staff have no concerns with the requested reduced rear yard setback and rear yard area. There appears to be an existing addition in the rear yard which the proposed addition will replace and be a similar footprint to. There are a few other lots with shallow rear yards within this block, including the abutting lot to the north. The addition is one-storey, and staff do not anticipate any privacy impacts.

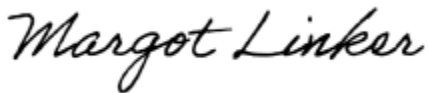
**ADDITIONAL COMMENTS**

**Infrastructure Engineering**

1. The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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.
4. Existing grading and drainage patterns must not be altered.

### Planning Forestry

1. The proposed addition is outside the CRZ (Critical Root Zone) of the adjacent trees. During construction, the [Tree Protection Specifications](#) must be implemented to protect the trees from construction-related activity that may result in soil compaction or other injury to the trees.
2. There appears to be adequate space to accommodate small trees within the right-of-way. The property owner should consider applying to the City's Trees in Trust program. Through this free program, the City would determine if a tree can be planted in the right of way (up to two for corner lots). The property owner is asked to water the tree for the first three years of its life to help it establish. The City owns and maintains the tree once it has established. Additional information on the program and the application form are available at <https://ottawa.ca/en/living-ottawa/environment-conservation-and-climate/trees-and-urban-forests/tree-planting#trees-trust>.



---

Margot Linker  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department



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

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Permission Application

Panel 1

Wednesday, May 15, 2024

1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointhe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

<b>File No.:</b>	D08-02-23/A-00315
<b>Application:</b>	Permission under section 45 of the <i>Planning Act</i>
<b>Owner/Applicant:</b>	National Association of Friendship Centres
<b>Property Address:</b>	275 MacLaren Street
<b>Ward:</b>	14 – Somerset
<b>Legal Description:</b>	All of Lot 46 and Half of Lot 47, Registered Plan 15558
<b>Zoning:</b>	R4UD [479]
<b>Zoning By-law:</b>	2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Owner wants to construct a one-storey addition at the rear of the existing building, as shown on plans filed with the Committee. The existing verandah will be removed.

At its hearing on February 21, 2024, The Committee adjourned the application to allow the applicant time to obtain a heritage Permit. The Owners/Applicants have since received the required permit and would like to proceed.

## **RELIEF REQUIRED:**

The Owner requires the Permission of the Committee to expand a legal non-conforming 'Business and Personal Services' use within the R4UD zone, to permit the construction of a one-storey addition that will contain a boardroom.

**THE APPLICATION** indicates that the Property is not the subject of any other current application under the *Planning Act*.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

## **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

## **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## **COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of



applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 CentrepoinTE Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade CentrepoinTE  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande de permission

**Groupe 1**  
**Mercredi 15 mai 2024**  
**13 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossier :</b>	D08-02-23/A-00315
<b>Demande :</b>	Permission en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaire/requérante :</b>	Association nationale des centres d'amitié
<b>Adresse municipale :</b>	275, rue MacLaren
<b>Quartier :</b>	14 – Somerset
<b>Description officielle :</b>	Tout le lot 46 et la moitié du lot 47, plan enregistré 15558
<b>Zonage :</b>	R4UD [479]
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La propriétaire souhaite construire un rajout de plain-pied à l'arrière du bâtiment existant, conformément aux plans déposés auprès du Comité. Il est prévu enlever la véranda existante.

Lors de l'audience du 21 février 2024, le Comité a ajourné l'étude de la demande pour donner le temps à la requérante d'obtenir un permis patrimoine. La propriétaire/requérante a depuis reçu le permis requis et souhaite aller de l'avant.

## DISPENSE DEMANDÉE :

La propriétaire demande la permission du Comité pour étendre une utilisation de « services personnels et aux entreprises » non conforme légale dans la zone R4UD en vue de la construction d'un rajout de plain-pied qui abritera une salle de réunion.

**LA DEMANDE** indique que la propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**SI VOUS NE PARTICIPEZ PAS** à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

**SI VOUS SOUHAITEZ RECEVOIR UN AVIS DE LA DÉCISION** prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

**POUR OBTENIR PLUS DE RENSEIGNEMENTS** à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisirez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024



*This document is also available in English.*

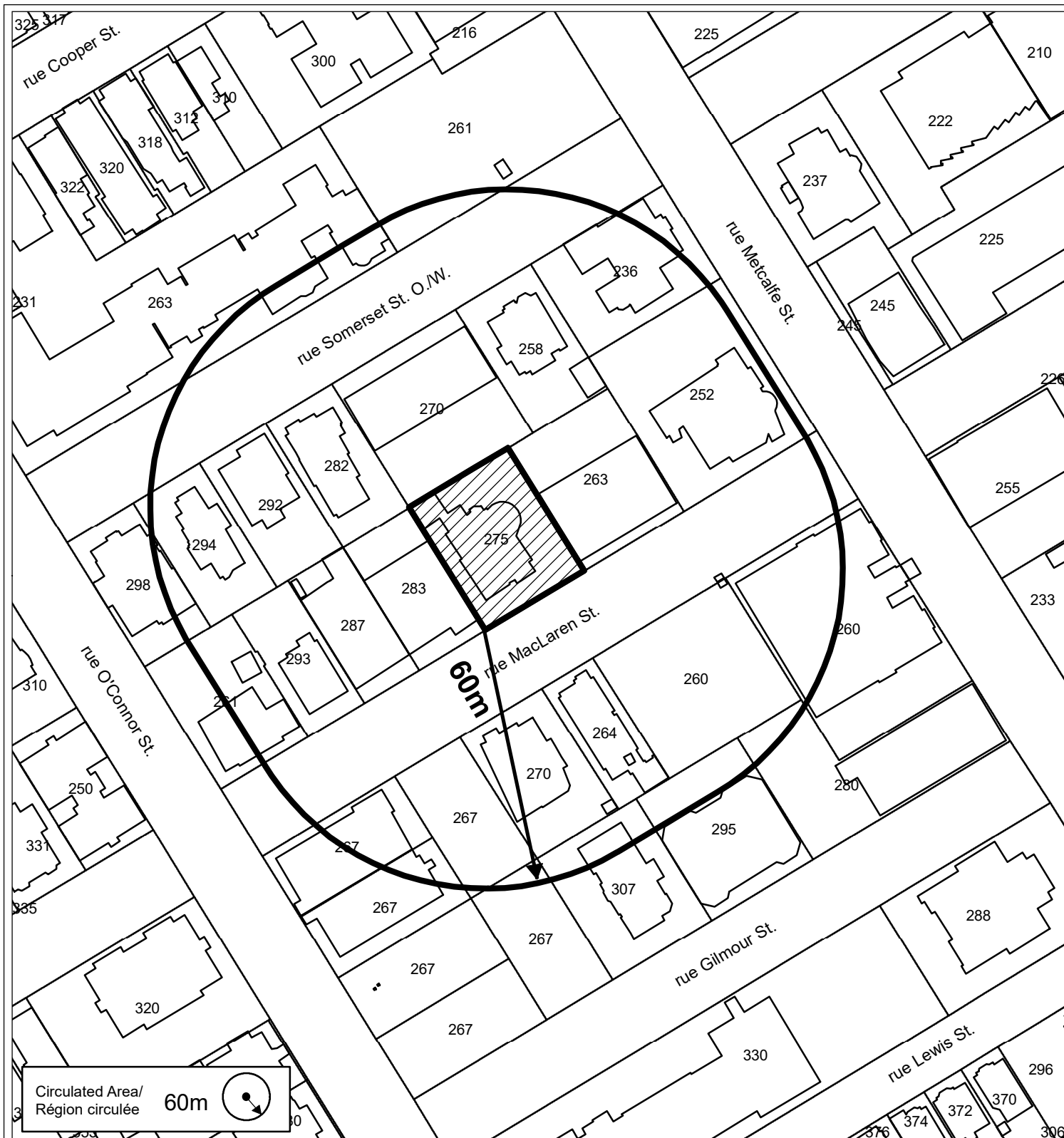
**Committee of Adjustment**  
City of Ottawa  
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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436







**Committee of Adjustment**  
**Comité de dérogation**

# CIRCULATION MAP / PLAN DE CIRCULATION

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**SUBJECT LAND / TERRAIN EN QUESTION**

**275 rue MacLaren Street**



**NOT TO SCALE**  
**NON À L'ÉCHELLE**

wmta | architecture

Committee of Adjustment  
Received | Reçu le

04-04-2024

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

400-116 Lisgar Street  
K2P 0C2 Ottawa ON  
Canada

04 April 2024

Watson MacEwen Teramura Architects  
a partnership of corporations  
E.S. MacEwen Architect Inc  
Allan Teramura Architect Inc

Re: Committee of Adjustments, Permission (File D08-02-23/A-00315)  
275 MacLaren Street, National Association of Friendship Centres (NAFC)

Dear Committee of Adjustments,

We are requesting re-activation of our submission to the Committee of Adjustments for permission of nonconforming use. We were adjourned sine die in February 2023 to obtain a Heritage Permit prior to coming back to the Committee of Adjustments.

The building is individually Designated under Part IV of the Ontario Heritage Act, but as it is located in the Centretown Heritage Conservation District, Part V regulations concerning its modifications apply. A Heritage Permit is in place as of April 2, 2024.

Our request for permission is to proceed with a small addition to an existing nonconforming use for the NAFC at 275 MacLaren Street, Ottawa. The NAFC has owned the property since 1997 and has used it for Group D, Business and Personal Services since that time. The property is currently zoned R4UD [479] residential 4<sup>th</sup> density.

The proposed scope of work for this project includes the removal verandah addition, currently converted to use as a boardroom. It will be replaced with a new single storey boardroom designed to suit the cultural requirements of the Indigenous-led organisation and the communities it serves. The scope also includes rehabilitation of the building to restore and stabilize the original brick finish. Life safety will be addressed with the removal and replacement of fire escape and the provision of a ramp for accessible access.

The design was submitted to the Ward Councillor's office, and no feedback was received. As a result no further, public engagement has been undertaken. The building sits among many residential rental towers, a parking lot and a few similar 2-3 storey brick buildings. As the neighbours are predominantly renters, there has been no direct consultation with these neighbours.

We prepared a tree report and had it reviewed by COFA in advance of the original COA submission. The project requires the removal of 4 trees. One tree is already dead and the other three will be replaced as per the updated TIR. In our first round of COA, Forestry requested additional details on Tree 7 and suggested an alternate replacement species for 1 of the 3 replacement trees. We have satisfied all previous questions and updated the TIR to reflect these comments.

Our engineers are familiar with the requirements of Hydro Ottawa.

t. (613) 232 0330

info@wmta.ca

wmta.ca

400-116 Lisgar Street

K2P 0C2 Ottawa ON

Canada

wmta | architecture

Included in the previous Submission on file was the following:

- Completed Application Form (1 copy)
- Tree Information Report reviewed by COFA (1 copy)
- Survey Plan (1 full size copy and 1 reduced copy)
- Site Plan (1 full size copy and 1 reduced copy)
- Elevations (1 full size copy and 1 reduced copy)
- Application Fee by Cheque to the City of Ottawa \$2,937.00

Included in this submission for reactivation of COA process:

- Heritage Permit and Letter (1 copy)
- Updated Tree Report reviewed and accepted by Julian Alvarez-Barkham (City of Ottawa Forestry) (1 copy)
- Correspondence regarding the TIR comments (1 copy)
- Reactivation fee \$675.00 as confirmed by COA coordinator, Sarah Shuel

There is no change to application for permission. We hope the Committee finds everything in order. We look forward to presenting to the Committee when re-assigned.

Regards,



Emily Webster Mason  
Associate, WMTA



# 275 MACLAREN STREET

275 MACLAREN STREET  
OTTAWA, ONTARIO  
ISSUED FOR  
COMMITTEE OF ADJUSTMENT  
20 OCTOBER 2023  
DRAWING INDEX  
PRE-DEVELOPMENT PLAN TP -1  
POST-DEVELOPMENT PLAN TP-2  
PLANTING PLAN L-01

Committee of Adjustment  
Received | Reçu le  
  
2024-04-09  
  
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**LASHLEY  
+ASSOCIATES**  
LANDSCAPE ARCHITECTURE  
AND SITE ENGINEERING

202-250 GLADSTONE AVENUE  
OTTAWA, ON K1Y 3E5  
T 613 233 8579  
F 613 233 4051  
W LashleyLA.com  
E Mail@LashleyLA.com



KEY PLAN 





1 TREE CONSERVATION PLAN  
TP-1 Scale: 1:75

Existing Tree List

ID	Botanical Name	Common Name	DBH	Condition	Action	Notes
E01	Acer platanoides	Crismon King Norway Maple	0.35	Poor	Retain	Large vertical split in trunk. Significant splitting in branches above crotch. Some response wood around previous pruning wounds. Dead branches in canopy.
E02	Quercus macrocarpa	Burr Oak	0.02	Good	Retain	Good. Young sapling.
E03	Ulmus pumila	Siberian Elm	0.52	Average	Remove	Imbalanced crown, heavy lean to east over driveway. Dead branches in upper canopy. Compression roots raising driveway and tension roots likely attached to building foundation.
E04	Ulmus pumila	Siberian Elm	0.3	Good	Remove	Dead branches in upper canopy. Well-developed buttress roots.
E05	Thuja occidentalis	Eastern White Cedar	0.15	Average	Retain	Some trunk damage. Response wood evident around wounds.
E06	Picea glauca	White Spruce	0.16	Dead	Remove	Dead.
E07	Ulmus pumila	Siberian Elm	0.44	Average	Remove	East leaning stem historically removed at 0.9m. Remaining stem leans southwest over existing building. Dead branches in upper canopy.
E08	Acer platanoides	Crismon King Norway Maple	0.47	Good	Retain	North lean over adjacent property. Conflicts with overhead wires
E09	Acer platanoides	Crismon King Norway Maple	0.37	Average	Retain	Heavily conflicted with overhead wires
E10	Acer negundo	Manitoba Maple	0.22	Average	Retain	Imbalanced crown heavily leaning to south over building. Little buttress support. Stem/upper canopy resting on E11
E11	Acer negundo	Manitoba Maple	0.46	Average	Retain	Heavy lean to southeast over existing building. Intertwined with and provides structural support to E10
E12	Acer negundo	Manitoba Maple	0.43	Poor	Retain	Leans to the northwest over the building. Internal rot at base. Large broken branch hanging from tree.



KEY PLAN, NTS

GENERAL NOTES

1. ALL GENERAL SITE INFORMATION AND CONDITIONS COMPILED FROM ARCHITECT'S AND ENGINEER'S PLANS AND SURVEYS.
2. DO NOT SCALE THIS DRAWING.
3. REPORT ANY DISCREPANCIES PRIOR TO COMMENCING WORK. NO RESPONSIBILITY IS BORN BY THE LANDSCAPE ARCHITECT FOR UNKNOWN SUBSURFACE CONDITIONS.
4. REINSTATE ALL AREAS AND ITEMS DAMAGED AS A RESULT OF CONSTRUCTION ACTIVITIES TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.
5. DRAWING MAY NOT BE USED FOR CONSTRUCTION UNTIL SIGNED BY LANDSCAPE ARCHITECT AS ISSUED FOR CONSTRUCTION.
6. THE ACCURACY OF THE POSITION OF UTILITIES IS NOT GUARANTEED.
7. INDIVIDUAL UTILITY CO. MUST BE CONTACTED FOR CONFIRMATION OF UTILITY EXISTENCE AND LOCATION PRIOR TO DIGGING.
8. THIS DRAWING IS AN INSTRUMENT OF SERVICE AND REQUIRES THE PERMISSION OF THE LANDSCAPE ARCHITECT FOR USE. COPYRIGHT IS RESERVED BY THE LANDSCAPE ARCHITECT, DAVID M. LASHLEY.

Committee of Adjustment  
Received | Reçu le

2024-04-09

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

I	2024-03-15	Planting Revision per City for CoA
F	2023-10-20	Issued for Committee of Adjustment
C	2023-10-19	Issued for Committee of Adjustment
B	2023-10-03	Issued for Committee of Adjustment
A	2023-09-26	Issued for Review

NO.	DATE	DESCRIPTION
SEAL:		NORTH: 

**LASHLEY + ASSOCIATES**  
LANDSCAPE ARCHITECTURE  
AND SITE ENGINEERING  
OTTAWA - MONTREAL

202 990 GLADSTONE AVENUE  
OTTAWA, ON K1Y 3E6  
T 613 233 8579 x102  
F 613 233 4051  
W LashleyLA.com  
E Mail@LashleyLA.com

PROJECT:  
**MACLAREN TREE INVENTORY**  
275 MacLaren Street, Ottawa,  
ON K2P 0L9

DRAWING TITLE:  
*PRE-DEVELOPMENT PLAN*

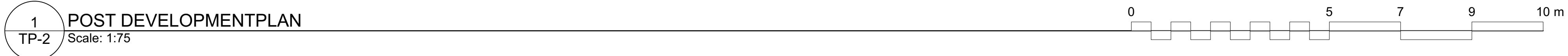
DATE: 2023-09-20 DRAWING NO.:  
DRAWN SCALE: 1:200  
DRAWN BY: NG/RP  
LA PROJECT NO.: 23870-1 REV NO.: 0

**TP-1**





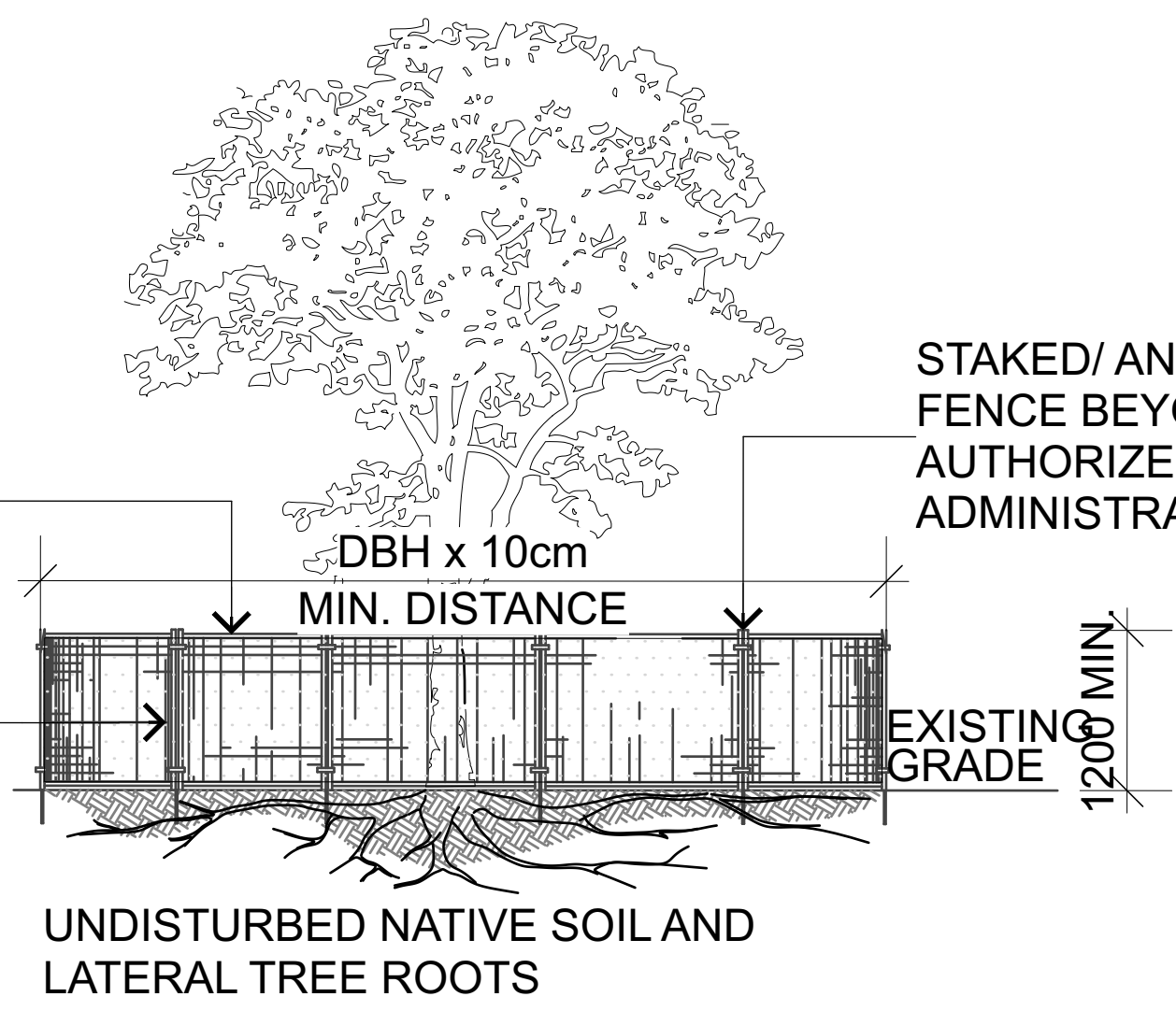
MACLAREN ST.



LEGEND

- PROPERTY LINE
- TREE PROTECTION FENCE
- PROPOSED BUILDING
- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMOVE

38 X 89 TOPRAIL FASTENED TO T-BAR POSTS  
1.2 M HIGH ORANGE PLASTIC FENCE  
MOUNTED ON 2.4 M LONG STEEL 'T' BAR  
POSTS OR WOODEN POSTS @ 2 M O.C. MAX.



- NOTES:**  
THE FOLLOWING PROTECTION MEASURES MUST BE IMPLEMENTED FOR RETAINED TREES, BOTH WITHIN THE WORK AREA AND ON ADJACENT PARCELS.
- UNDER THE GUIDANCE OF AN ARBORIST, ERECT A MODULAR FENCE AT THE CRITICAL ROOT ZONE (CRZ) OF TREES WHERE THE CRZ IS ESTABLISHED AS BEING 10 CENTIMETERS FROM THE TRUNK FOR EVERY CENTIMETER OF TRUNK DIAMETER AT BREAST HEIGHT.
  - TREE PROTECTION SHALL BE ERECTED TO PROVIDE A CONTINUOUS BARRICADE BETWEEN DESIGNATED TREES AND THE WORK AREA PRIOR TO CONSTRUCTION.
  - TUNNEL OR BORE WHEN DIGGING WITHIN THE CRZ OF A TREE.
  - ENSURE ALL EQUIPMENT AND CONSTRUCTION RELATED MATERIAL ARE NOT PLACED OR TEMPORARILY STORED WITHIN THE CRZ.
  - ENSURE EXHAUST FUMES FROM ALL EQUIPMENT ARE NOT DIRECTED TOWARDS ANY TREE'S CANOPY.
  - FLOODING OR DEPOSITION OF SEDIMENT SHALL BE PREVENTED WHERE TREES ARE LOCATED.
  - ALL DISTURBED ROOT SYSTEMS SHALL BE EXPOSED AND BACKFILLED IN ONE CONTINUOUS OPERATION TO MINIMIZE DESICCATION.
  - EXPOSED ROOTS SHALL BE KEPT CONTINUOUSLY MOIST DURING EXCAVATION.
  - REMOVE BROKEN AND DAMAGED ROOTS WITH SHARP PRUNING SHEARS.
  - THE TREE PROTECTION MODULAR FENCE IS TEMPORARY, SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION OPERATIONS, AND SHALL BE REMOVED UPON COMPLETION OF WORK WHEN AGREED TO BY THE CONTRACT ADMINISTRATOR AND LANDSCAPE ARCHITECT.



KEY PLAN, NTS

- GENERAL NOTES**
- ALL GENERAL SITE INFORMATION AND CONDITIONS COMPILED FROM ARCHITECT'S AND ENGINEER'S PLANS AND SURVEYS.
  - DO NOT SCALE THIS DRAWING.
  - REPORT ANY DISCREPANCIES PRIOR TO COMMENCING WORK. NO RESPONSIBILITY IS BORN BY THE LANDSCAPE ARCHITECT FOR UNKNOWN SUBSURFACE CONDITIONS.
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B	2023-10-03	Issued for Committee of Adjustment
A	2023-09-26	Issued for Review

NO.	DATE	DESCRIPTION
SEAL:		
NORTH:		

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LANDSCAPE ARCHITECTURE  
AND SITE ENGINEERING  
OTTAWA - MONTREAL

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**PROJECT:**  
**MACLAREN TREE INVENTORY**  
275 MacLaren Street, Ottawa,  
ON K2P 0L9

**DRAWING TITLE:**  
**POST-DEVELOPMENT PLAN**

DATE:	2023-09-20	DRAWING NO.:	
DRAWN SCALE:	1:200	<b>TP-2</b>	
DRAWN BY:	NG/RP		
LA PROJECT NO.:	23870-1	REV NO.:	0

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**2024-04-09**  
City of Ottawa | Ville d'Ottawa  
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LEGEND

PROPERTY LINE

TREE PROTECTION FENCE

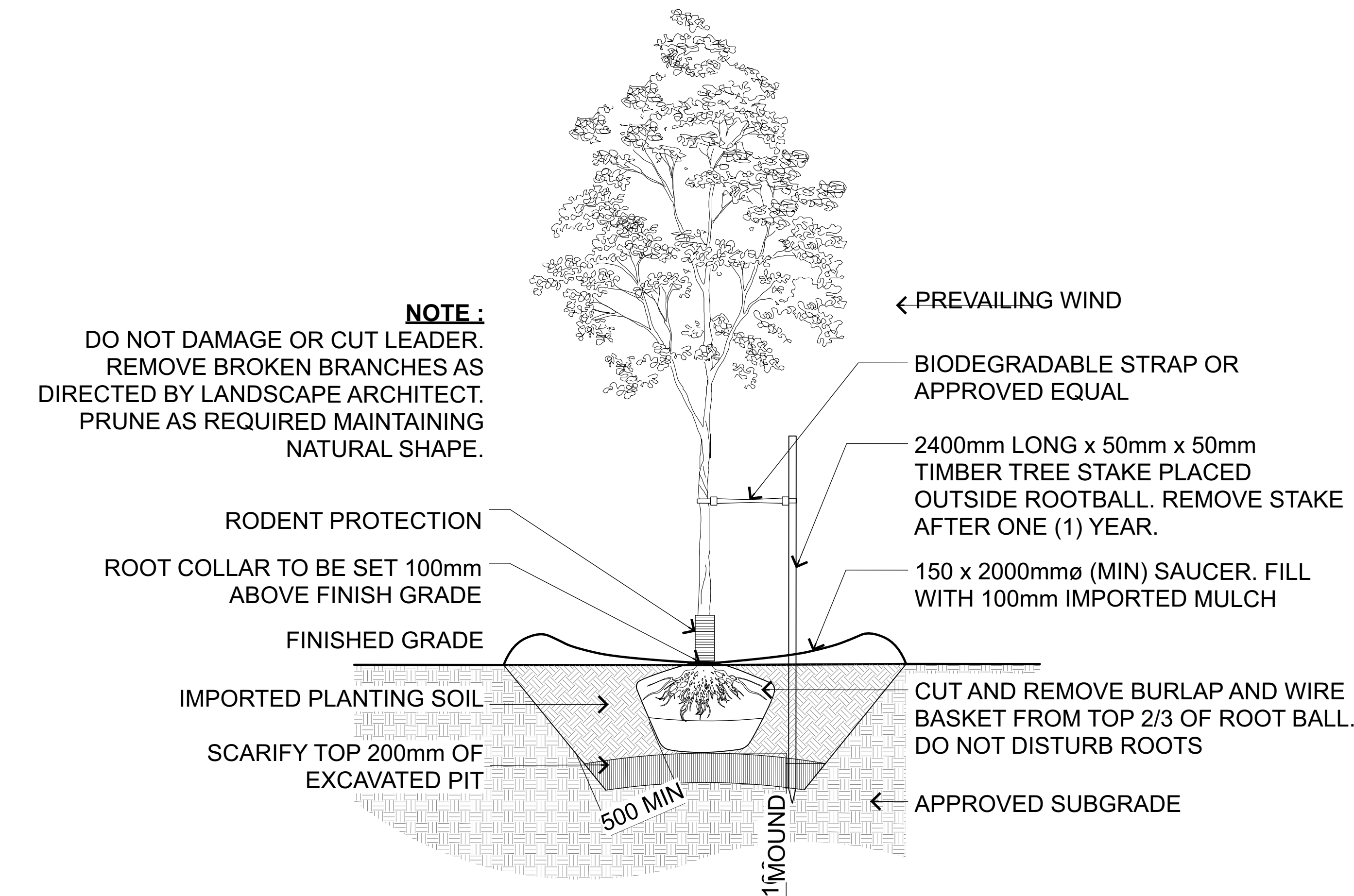
PROPOSED BUILDING

EXISTING TREE TO REMAIN

PROPOSED TREE

Plant List

ID	Qty	Botanical Name	Common Name	Size	Comments
AB	1	Abies balsamea	Balsam Fir	2.0 m ht.	TREEFORM
AC	2	Amelanchier canadensis	Shadblow Serviceberry	50mm WB.	TREEFORM



2

DECIDUOUS TREE PLANTING

Scale 1:25

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KEY PLAN, NTS

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PROJECT:

MACLAREN TREE INVENTORY

275 MacLaren Street, Ottawa,  
ON K2P 0L9

DRAWING TITLE:

PLANTING PLAN

DATE: 2023-09-20

DRAWN SCALE: 1:200

DRAWN BY: NG/RP

LA PROJECT NO.: 23870-1

DRAWING NO.: 0

REV NO.:

L-01



# 275 MACLAREN STREET

275 MACLAREN STREET  
OTTAWA, ONTARIO  
ISSUED FOR  
COMMITTEE OF ADJUSTMENT  
20 OCTOBER 2023  
DRAWING INDEX  
PRE-DEVELOPMENT PLAN TP -1  
POST-DEVELOPMENT PLAN TP-2  
PLANTING PLAN L-01

Committee of Adjustment  
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Revised | Modifié le : 2024-04-09  
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KEY PLAN 





1 TREE CONSERVATION PLAN  
TP-1 Scale: 1:75

Existing Tree List

ID	Botanical Name	Common Name	DBH	Condition	Action	Notes
E01	Acer platanoides	Crismon King Norway Maple	0.35	Poor	Retain	Large vertical split in trunk. Significant splitting in branches above crotch. Some response wood around previous pruning wounds. Dead branches in canopy.
E02	Quercus macrocarpa	Burr Oak	0.02	Good	Retain	Good. Young sapling.
E03	Ulmus pumila	Siberian Elm	0.52	Average	Remove	Imbalanced crown, heavy lean to east over driveway. Dead branches in upper canopy. Compression roots raising driveway and tension roots likely attached to building foundation.
E04	Ulmus pumila	Siberian Elm	0.3	Good	Remove	Dead branches in upper canopy. Well-developed buttress roots.
E05	Thuja occidentalis	Eastern White Cedar	0.15	Average	Retain	Some trunk damage. Response wood evident around wounds.
E06	Picea glauca	White Spruce	0.16	Dead	Remove	Dead.
E07	Ulmus pumila	Siberian Elm	0.44	Average	Remove	East leaning stem historically removed at 0.9m. Remaining stem leans southwest over existing building. Dead branches in upper canopy.
E08	Acer platanoides	Crismon King Norway Maple	0.47	Good	Retain	North lean over adjacent property. Conflicts with overhead wires
E09	Acer platanoides	Crismon King Norway Maple	0.37	Average	Retain	Heavily conflicted with overhead wires
E10	Acer negundo	Manitoba Maple	0.22	Average	Retain	Imbalanced crown heavily leaning to south over building. Little buttress support. Stem/upper canopy resting on E11
E11	Acer negundo	Manitoba Maple	0.46	Average	Retain	Heavy lean to southeast over existing building. Intertwined with and provides structural support to E10
E12	Acer negundo	Manitoba Maple	0.43	Poor	Retain	Leans to the northwest over the building. Internal rot at base. Large broken branch hanging from tree.



KEY PLAN, NTS

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PROJECT:  
**MACLAREN TREE INVENTORY**  
275 MacLaren Street, Ottawa,  
ON K2P 0L9

DRAWING TITLE:  
**PRE-DEVELOPMENT PLAN**

DATE: 2023-09-20 DRAWING NO.:  
DRAWN SCALE: 1:200  
DRAWN BY: NG/RP  
LA PROJECT NO.: 23870-1 REV NO.: 0

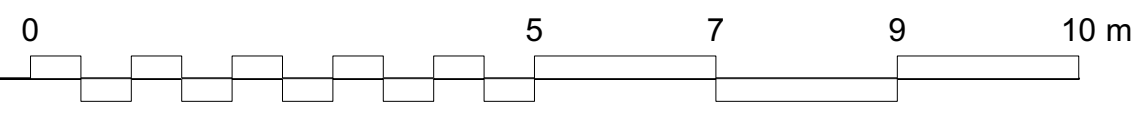
**TP-1**





MACLAREN ST.

1 POST DEVELOPMENT PLAN  
Scale: 1:75

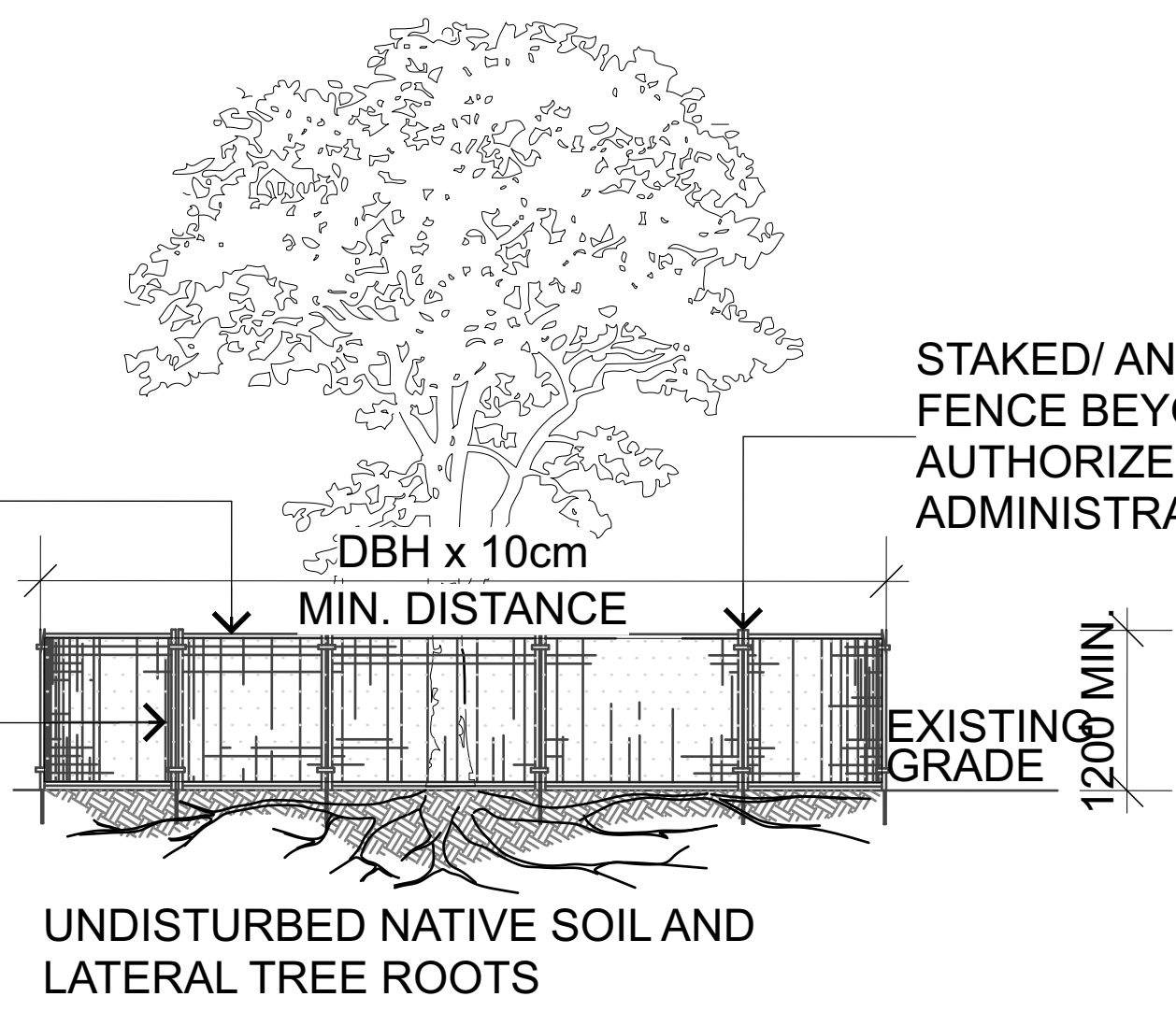


2 TREE PROTECTION FENCE  
Scale: 1:50

LEGEND

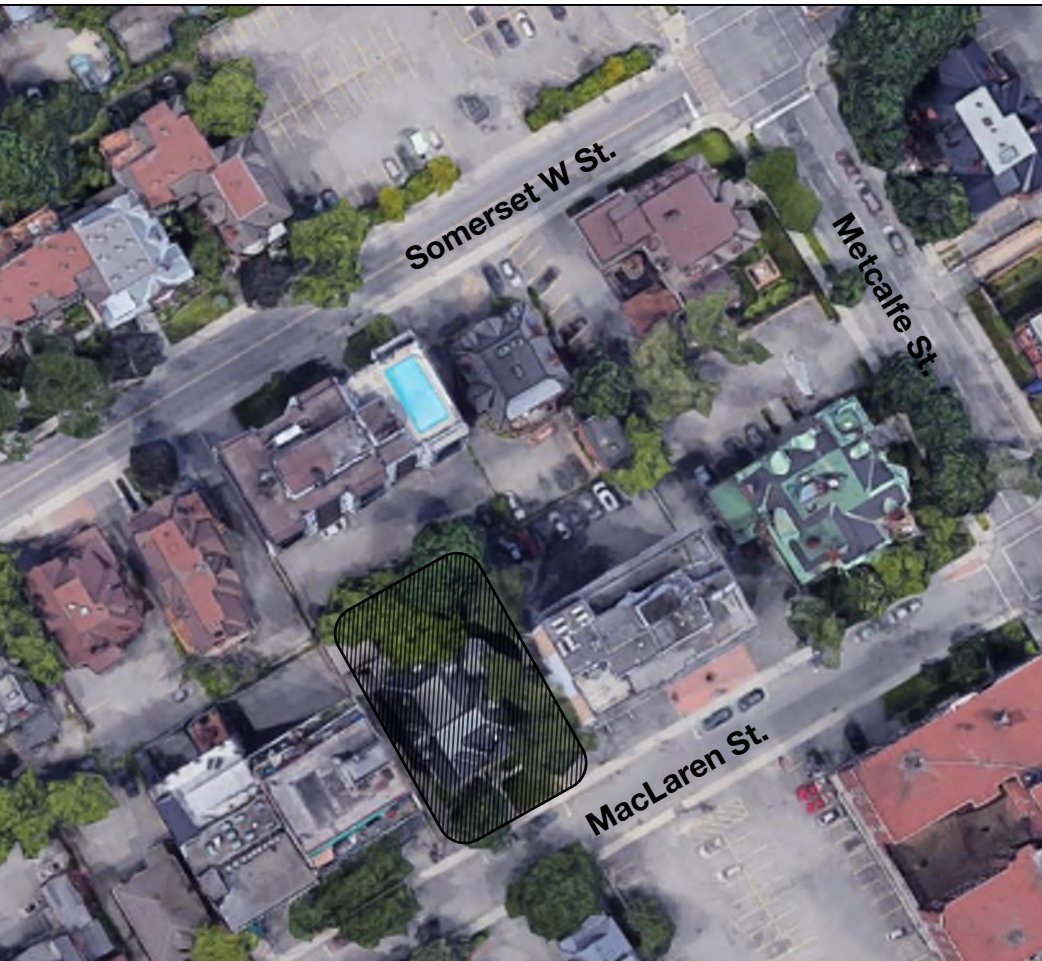
- PROPERTY LINE
- TREE PROTECTION FENCE
- PROPOSED BUILDING
- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMOVE

38 X 89 TOPRAIL FASTENED TO T-BAR POSTS  
1.2 M HIGH ORANGE PLASTIC FENCE  
MOUNTED ON 2.4 M LONG STEEL 'T' BAR  
POSTS OR WOODEN POSTS @ 2 M O.C. MAX.



STAKED/ ANCHORED TREE CONSTRUCTION  
FENCE BEYOND CRITICAL ROOT ZONE UNLESS  
AUTHORIZED BY THE CONTRACT  
ADMINISTRATOR AND LANDSCAPE ARCHITECT

- NOTES:**  
THE FOLLOWING PROTECTION MEASURES MUST BE IMPLEMENTED FOR RETAINED TREES,  
BOTH WITHIN THE WORK AREA AND ON ADJACENT PARCELS.
- UNDER THE GUIDANCE OF AN ARBORIST, ERECT A MODULAR FENCE AT THE CRITICAL ROOT ZONE (CRZ) OF TREES WHERE THE CRZ IS ESTABLISHED AS BEING 10 CENTIMETERS FROM THE TRUNK FOR EVERY CENTIMETER OF TRUNK DIAMETER AT BREAST HEIGHT.
  - TREE PROTECTION SHALL BE ERECTED TO PROVIDE A CONTINUOUS BARRICADE BETWEEN DESIGNATED TREES AND THE WORK AREA PRIOR TO CONSTRUCTION.
  - TUNNEL OR BORE WHEN DIGGING WITHIN THE CRZ OF A TREE.
  - ENSURE ALL EQUIPMENT AND CONSTRUCTION RELATED MATERIAL ARE NOT PLACED OR TEMPORARILY STORED WITHIN THE CRZ.
  - ENSURE EXHAUST FUMES FROM ALL EQUIPMENT ARE NOT DIRECTED TOWARDS ANY TREE'S CANOPY.
  - FLOODING OR DEPOSITION OF SEDIMENT SHALL BE PREVENTED WHERE TREES ARE LOCATED.
  - ALL DISTURBED ROOT SYSTEMS SHALL BE EXPOSED AND BACKFILLED IN ONE CONTINUOUS OPERATION TO MINIMIZE DESICCATION.
  - EXPOSED ROOTS SHALL BE KEPT CONTINUOUSLY MOIST DURING EXCAVATION.
  - REMOVE BROKEN AND DAMAGED ROOTS WITH SHARP PRUNING SHEARS.
  - THE TREE PROTECTION MODULAR FENCE IS TEMPORARY, SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION OPERATIONS, AND SHALL BE REMOVED UPON COMPLETION OF WORK WHEN AGREED TO BY THE CONTRACT ADMINISTRATOR AND LANDSCAPE ARCHITECT.



KEY PLAN, NTS

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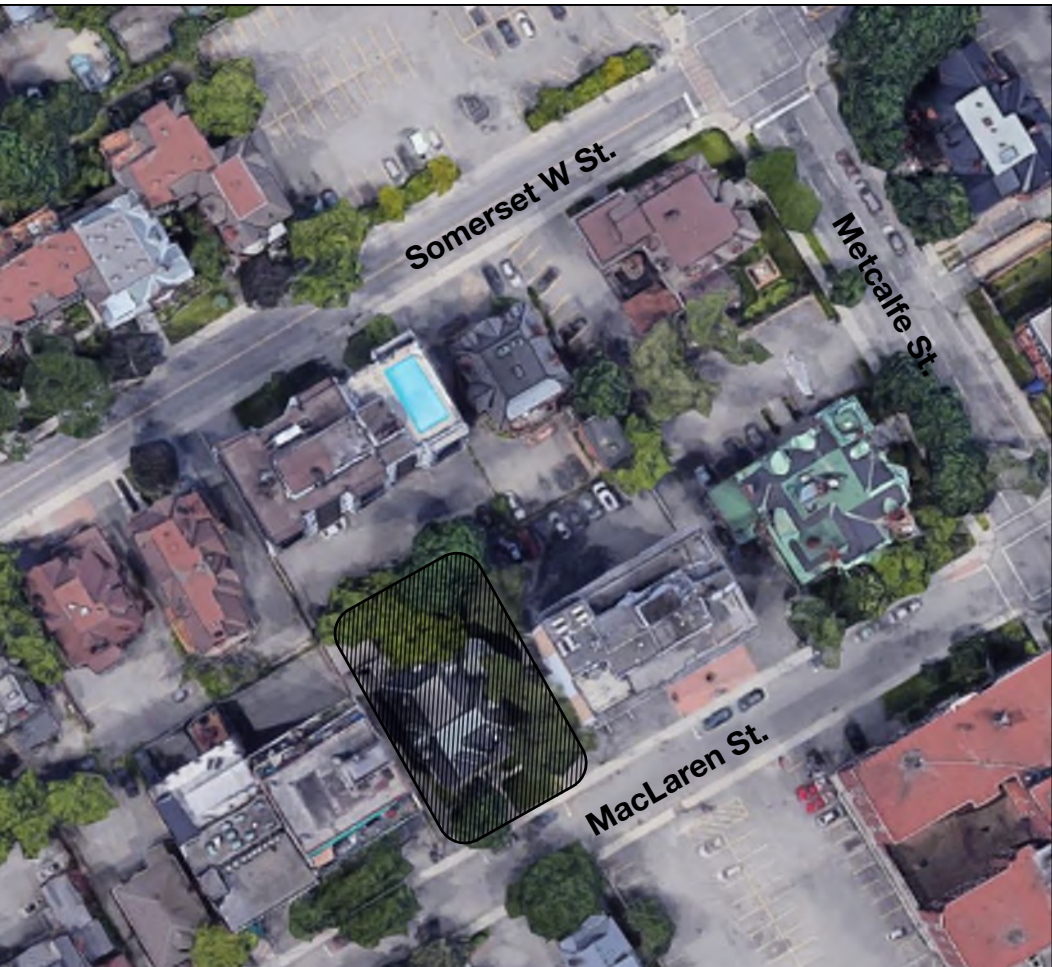
**PROJECT:**  
**MACLAREN TREE INVENTORY**  
275 MacLaren Street, Ottawa,  
ON K2P 0L9

**DRAWING TITLE:**  
**POST-DEVELOPMENT PLAN**

DATE:	2023-09-20	DRAWING NO.:	
DRAWN SCALE:	1:200		
DRAWN BY:	NG/RP		
LA PROJECT NO.:	23870-1	REV NO.:	0

**TP-2**





KEY PLAN, NTS

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**PROJECT:**  
**MACLAREN TREE INVENTORY**  
275 MacLaren Street, Ottawa,  
ON K2P 0L9

**DRAWING TITLE:**  
**PLANTING PLAN**

DATE:	2023-09-20	DRAWING NO.:	
DRAWN SCALE:	1:200		
DRAWN BY:	NG/RP		
LA PROJECT NO.:	23870-1	REV NO.:	0

**L-01**





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# TREE INFORMATION REPORT

PROJECT NAME:	275 MacLaren Street
PROJECT NO.	23870-1
LOCATION	275 MacLaren Street, Ottawa ON, K2P 0L9
INSPECTION DATE:	26 September, 2023 Reinspection of Tree E07 , 11 March 2024* See notes by Principal Landscape Architect

Refer to attached drawing for further details (TP-01, TP-02)

1.0 SITE INFORMATION				
SIZE OF DEVELOPMENT AREA (HECTARES)	NUMBER OF TREES ON SITE	NUMBER OF TREES TO BE REMOVED	NUMBER OF TREES TO BE RETAINED	NUMBER OF TREES TO BE RETAINED AND PROTECTED (OUTSIDE OF PROPERTY LINE)
0.09	11 Trees on site  1 Trees on City property  0 Trees on adjacent property	4 Trees on site  0 Trees on City property  0 Trees on adjacent property	7 Trees on site	1 Tree on City property

2.0 TREE INVENTORY WITHIN PROPERTY LINE			
TREE NO.	TREE SPECIES	SIZE (DBH)	CONDITION AND HEALTH (GOOD, FAIR, POOR, OR DEAD)
E02	Burr Oak / <i>Quercus macrocarpa</i>	2cm	Good. Young sapling.
E03	Siberian Elm / <i>Ulmus pumila</i>	52cm	Fair. Imbalanced crown, heavy lean to east over driveway. Dead branches in upper canopy. Compression roots raising driveway and tension roots likely attached to building foundation.



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23870-1  
275 MacLaren

E04	Siberian Elm / <i>Ulmus pumila</i>	30cm	Good. Dead branches in upper canopy. Well-developed buttress roots.
E05	Eastern White Cedar / <i>Thuja occidentalis</i>	15cm	Fair. Some trunk damage. Response wood evident around wounds.
E06	White Spruce / <i>Picea glauca</i>	16cm	Dead.
E07	Siberian Elm / <i>Ulmus pumila</i>	44cm	Fair. East leaning stem historically removed at 0.9m. Remaining stem leans southwest over existing building. Dead branches in upper canopy. 8 Significant Branches are dead or dying in the crown*
E08	Norway Maple / <i>Acer platanoides</i>	47cm	Good. North lean over adjacent property. Conflicts with overhead wires
E09	Norway Maple / <i>Acer platanoides</i>	37cm	Fair. Heavily conflicted with overhead wires
E10	Norway Maple / <i>Acer platanoides</i>	22cm	Fair. Imbalanced crown heavily leaning to south over building. Little buttress support. Stem/upper canopy resting on E11
E11	Manitoba Maple / <i>Acer negundo</i>	46cm	Fair. Heavy lean to southeast over existing building. Intertwined with and provides structural support to E10
E12	Manitoba Maple / <i>Acer negundo</i>	43cm	Poor. Leans to the northwest over the building. Internal rot at base. Large broken branch hanging from tree.

### 3.0 TREE INVENTORY OF CITY PROPERTY

TREE NO.	TREE SPECIES	SIZE (DBH)	CONDITION AND HEALTH (GOOD, FAIR, POOR, OR DEAD)
E01	Crimson King Norway Maple / <i>Acer platanoides</i>	35cm	Poor. Large vertical split in trunk. Significant splitting in branches above crotch. Some response wood around previous pruning wounds. Dead branches in canopy.

### 4.0 TREE INVENTORY OF ADJACENT PRIVATE PROPERTY



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275 MacLaren

TREE NO.	TREE SPECIES	SIZE (DBH)	CONDITION AND HEALTH (GOOD, FAIR, POOR, OR DEAD)
	N/A		

#### 5.0 TREE REMOVAL RATIONALE (ABORIST'S AND PRINCIPAL LANDSCAPE ARCHITECT'S\* RECOMMENDATIONS)

TREE NO.	RATIONALE
E03	Tree location conflicts with proposed accessible access ramp
E04	This tree conflicts with the new entrance of proposed building addition.
E06	Tree is dead.
E07*	<p>Proposed building foundation is within 1.2m of the stem and excavation for the foundation will likely create structural instability.</p> <p>PLA: There are structural roots extending SW toward the new addition foundations that will likely need to be removed to allow construction and proper backfilling of the foundations. If helical piles are used to replace the foundations, the root structure will still need to be daylighted to allow assessment for the location of the piles causing stress on the tree. Considering the condition of the crown with 8 limbs affected by dieback the tree is likely to undergo more stress from any type of construction in its vicinity with a result of the tree not surviving long term.*</p> <p>Construction access, laydown space and process likely to compact surrounding soils and further damage tree.</p> <p>PLA: Further, the proximity of the centre of the tree at 1.2m from the building foundation (~0.8m at the edge of the trunk and root crown) will require some root removal. The SW lean (approx. 100mm/1000 mm) of the remaining stem means that by the time the trunk reaches the height of the addition roof it may affect the roof if there is wind or any movement of the stem, as well as being a hazard if it starts to drop limbs or falls during a storm.*</p>

#### 6.0 TREE RETENTION RATIONALE AND MITIGATION MEASURES

TREE NO.	RATIONALE AND MITIGATION DESCRIPTION
----------	--------------------------------------



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275 MacLaren

E05, E08, E09, E10, E11, E12	Trees exist adjacent to proposed construction activities. Trees to be protected per Standard City of Ottawa Tree Protection Measures as noted below.
---	--

## 7.0 TREE PROTECTION MEASURES

	RATIONALE AND MITIGATION DESCRIPTION
1	Erect a fence at the critical root zone*(CRZ) of all trees to be protected shown on the attached plans TP-01.
2	Do not place any material or equipment within the CRZ of the tree.
3	Do not attach any signs, notices, or posters to any tree.
4	Do not raise or lower the existing grade within the CRZ of a tree without direction and approval of the landscape architect. Landscape Architect to provide specification of grade changes.
5	Do not damage the root system, trunk or branches of any tree.
6	Ensure that exhaust fumes from all equipment are NOT directed towards the canopy of any tree.

\* D = diameter of trunk in centimeters  
D x 10cm = Critical Root Zone

The critical root zone is established as being 10 centimetres from the trunk of a tree for every centimetre of trunk diameter. The trunk diameter is measured at a height of 1.2 metres for trees of 15 centimetres diameter and greater and at a height of 0.3 metres for trees of less than 15 centimetres diameter.

## 8.0 SUGGESTED TREES FOR LANDSCAPE PLAN

NO. OF PROPOSED TREES	SUGGESTED TREE SPECIES	PERCENT OF TREE OFFSET TO THE SITE (%)
3*	<ul style="list-style-type: none"> <li>2 Serviceberry – <i>Amelanchier canadensis</i></li> <li>1 Balsam Fir – <i>Abies balsmea</i>*</li> </ul>	100%





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275 MacLaren

	<ul style="list-style-type: none"> <li>Serviceberry and Balsam Fir are culturally significant to the property owner and site users. They are appropriately scaled for the resulting site area.*</li> </ul>	
--	--	--

#### 9.0 ADDITIONAL INFORMATION

OWNER NAME	National Association of Friendship Centres
ADDRESS	275 MacLaren Street, Ottawa ON, K2P 0L9
TEL. NO.	(613) 563-4844

PROFESSIONAL NAME	Lashley + Associates Corporation
ADDRESS	Suite 202, 950 Gladstone Avenue, Ottawa ON K1Y 3E6
TEL. NO.	613-233-8579

CONTRACTOR NAME	TBD
ADDRESS	TBD
TEL. NO.	TBD

MUNICIPAL ADDRESS	275 MacLaren Street, Ottawa ON, K2P 0L9
LEGAL DESCRIPTION (LOT, BLOCK, PLAN)	Part of Lots 46, 47, R-Plan 15558, City of Ottawa P.I.N. 04118-0030(LT)



14 MARCH 2024  
23870-1  
275 MacLaren

PURPOSE OF REPORT	To describe the existing tree coverage on the property and to identify the trees to be removed or protected for the construction of a new building addition and associated site works.
-------------------	--

Submitted by:



Ryan Paliga  
MLA, OALA, ISA  
Landscape Architect + Arborist (ON-1664A)



David Lashley  
BLA, OALA, AAPQ, CSLA  
Principal Landscape Architect



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275 MacLaren

## Site Photographs

**Photo 1:** Tree E01 (retain) - No conflict with proposed construction.





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Photo 2: Tree E02 (retain) - No conflict with proposed construction.







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**Photo 3:** Tree E03 (remove) – Heavy leaner to east over existing driveway and conflicts with proposed accessible ramp.





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Photos 4 & 5: Tree E04 (remove) – Conflicts with proposed building entrance.







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**Photo 6:** Tree E05 (retain) – Does not conflict with construction.







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Photo 7: Tree E06 (remove) – Dead.







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23870-1  
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Photo 8: Tree E07 (remove) – 1.2m from proposed building façade and foundation.







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23870-1  
275 MacLaren

Photos 8 a, b, c, d, e, f taken 11 March 2024\*



a. Leaning SW stem



b dead branches in crown



c leaning SW toward addition area



d dead branches in crown





14 MARCH 2024  
23870-1  
275 MacLaren



e. south face of trunk



f. east face of trunk



14 MARCH 2024  
23870-1  
275 MacLaren

Photo 9: Trees E08 & E09 (retain) – No conflict with construction.



E09

E08





14 MARCH 2024  
23870-1  
275 MacLaren

Photo 10: Tree E10 (retain) – No conflict with construction.





14 MARCH 2024  
23870-1  
275 MacLaren

Photo 11: Tree E11 (retain) – No conflict with construction.







14 MARCH 2024  
23870-1  
275 MacLaren

Photo 12: Tree E12 (retain) – No conflict with construction.





14 MARCH 2024  
23870-1  
275 MacLaren



2024-05-09



PERMISSION APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 275 MacLaren Street  
Legal Description: All of Lot 46 and Half of Lot 47, Reg Plan 15558  
File No.: D08-02-23/A-00315  
Report Date: May 9, 2024  
Hearing Date: May 15, 2024  
Planner: Margot Linker  
Official Plan Designation: Downtown Core Transect, Neighbourhood, Evolving Overlay  
Zoning: R4UD[479]

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

The subject site is zoned Residential Fourth Density, Subzone UD, Urban Exception 479, which permits a wide variety of low-rise residential uses. The current “business and personal” use is not a listed permitted use in the zone and has legal non-conforming rights.

Staff have no concerns with the requested expansion of the legal non-conforming rights to facilitate the proposed addition. The addition is situated in the northeast corner of the site, and with the sufficient setbacks and single-storey height, staff do not anticipate adverse impacts to the public realm or abutting properties. As well, the surrounding abutting properties have parking lots in their rear yards which won't be negatively impacted by the proposed addition.

ADDITIONAL COMMENTS

Heritage Planning Branch

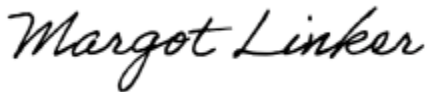
The subject property is designated as an individual property under Part IV of the Ontario Heritage Act, and as part of the Centretown Heritage Conservation District under Part V of the Ontario Heritage Act. A heritage permit for the proposed alterations was issued for this property in April 2024. Heritage Planning staff have no concerns with the permission requested.

## Infrastructure Engineering

1. The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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.
4. Existing grading and drainage patterns must not be altered.

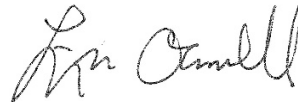
## Planning Forestry

Previously, options were considered to work around Tree 7, however this was found not to be possible. As per the approved TIR, the proposed removal of three (3) distinctive trees will require replanting at a 1:1 ratio. A permit will be required for the trees to be removed.



---

Margot Linker  
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

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 1

Wednesday, May 15, 2024

1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 CentrepoinTE Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

<b>File No.:</b>	D08-02-24/A-00094
<b>Application:</b>	Minor Variance under section 45 of the <i>Planning Act</i>
<b>Owner/Applicant:</b>	Ibukunoluwa Ajila
<b>Property Address:</b>	113 Northwestern Avenue
<b>Ward:</b>	15 – Kitchissippi
<b>Legal Description:</b>	Part of Lot 45, Registered Plan 331
<b>Zoning:</b>	R2D [2159]
<b>Zoning By-law:</b>	2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Owner wants to construct a two-storey detached dwelling, as shown on plans filed with the Committee. The existing detached dwelling will be demolished.

### REQUESTED VARIANCES:

The Owner/Applicant requires the Committee's authorization for minor variances from the Zoning By-law as follows:

- a) To permit a double width driveway (single width at the street that flares to double width), whereas the By-law does not permit a double width driveway based on the conclusions of a Streetscape Character Analysis.
- b) To permit a double width attached garage, whereas the By-law only permits a single attached garage.
- c) To permit balcony above the first floor with no opaque screening, whereas the By-law requires a 1.5-metre high opaque screen facing the interior lot line on balconies above the first floor.

The subject property is not the subject of any other current application under the *Planning Act*.

If you do not participate in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.



## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: April 26, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 CentrepoinTE Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade CentrepoinTE  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande de dérogations mineures

**Groupe 1**  
**Mercredi 15 mai 2024**  
**13 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade CentrepoinTE  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossier :</b>	D08-02-24/A-00094
<b>Demande :</b>	Dérogations mineures en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
<b>Propriétaire/requérante :</b>	Ibukunoluwa Ajila
<b>Adresse municipale :</b>	113, avenue Northwestern
<b>Quartier :</b>	15 – Kitchissippi
<b>Description officielle :</b>	Partie du lot 45, plan enregistré 331
<b>Zonage :</b>	R2D [2159]
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La propriétaire souhaite construire une maison isolée de deux étages, conformément aux plans déposés auprès du Comité. La maison isolée existante sera démolie.

### DÉROGATIONS DEMANDÉES :

La propriétaire demande au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

- a) Permettre une entrée de cour de double largeur (une largeur unique au niveau de la rue qui s'évase en double largeur), alors que le Règlement ne permet pas une entrée de cour de double largeur, selon les conclusions d'une analyse du caractère du paysage de rue.
- b) Permettre un garage attenant de double largeur, alors que le Règlement ne permet qu'un garage attenant de largeur unique.
- c) Permettre un balcon au-dessus du rez-de-chaussée sans écran opaque, alors que le Règlement exige un écran opaque de 1,5 mètre de hauteur faisant face à la ligne de lot intérieure pour les balcons au-dessus du rez-de-chaussée.

La demande indique que la propriété ne fait actuellement l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

Si vous ne participez pas à l'audience, celle-ci pourra se dérouler en votre absence et vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, veuillez en faire la demande par écrit au Comité.

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité (voir les coordonnées ci-dessous, notamment l'adresse municipale, l'adresse électronique, le site Web et le code QR).

## **TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisirez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée.

## **COMMENT PARTICIPER**

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 26 avril 2024



*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
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[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436







March 27, 2024

**Mr. Michel Bellemare**  
Secretary-Treasurer  
Committee of Adjustment  
101 CentrepoinTE Drive, Fourth Floor  
Ottawa, ON K2G 5K7

**RE: Application for Minor Variance**  
**113 Northwestern Avenue, Ottawa**

**Committee of Adjustment**  
Received | Reçu le

**2024-04-16**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Linebox Studio to prepare a Planning Rationale in support of a Minor Variance application to permit the proposed development at the property municipally known as 113 Northwestern Avenue.

The purpose of the Minor Variance application is to permit a double-garage and driveway that flares to a double-wide driveway on the subject property. Additionally, out of an abundance of caution, relief from balcony screening requirements is being requested.

In addition to this cover letter, please find enclosed the following for your consideration:

- / The Minor Variance application form;
- / Streetscape Character Analysis;
- / Site Plan prepared by Linebox Studio;
- / Architectural Design Package prepared by Linebox Studio;
- / Tree Information Report.

Sincerely,



Bria Aird, MCIP RPP  
Senior Planner



Thomas Freeman, B.URPL  
Planner

**Ottawa**  
396 Cooper Street, Suite 300  
Ottawa, ON K2P 2H7  
613.730.5709

**Kingston**  
The Woolen Mill  
4 Cataraqui Street, Suite 315  
Kingston, ON K7K 1Z7  
613.542.5454

**Toronto**  
174 Spadina Avenue, Suite 304  
Toronto, ON M5T 2C2  
416.789.4530

[fotenn.com](http://fotenn.com)

## 1.0

# Application Overview and Surrounding Context

Fotenn Consultants Inc. ("Fotenn") has prepared this Planning Rationale in support of a Minor Variance application for 113 Northwestern Avenue (the "subject property") in the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Minor Variance against the applicable policy and regulatory framework and to determine whether the requested Minor Variances are appropriate for the subject property.

The proposed development includes the construction of a detached dwelling on the subject property, generally in accordance with the approved building permit for this property. The variances sought through this application seek to permit a double-wide garage and a driveway that flares to a double-wide width at the garage entrance. Additionally, out of an abundance of caution, a variance to permit no visual screen on a second storey facing the north interior side lot line.

## 1.1 Subject Property

The subject property has a frontage of approximately 15.7 metres along the east side of Northwestern Avenue and has a total area of approximately 627 square metres. A single storey detached dwelling currently occupies the subject property. The property currently features a single wide driveway running between the existing dwelling and the southern property line.

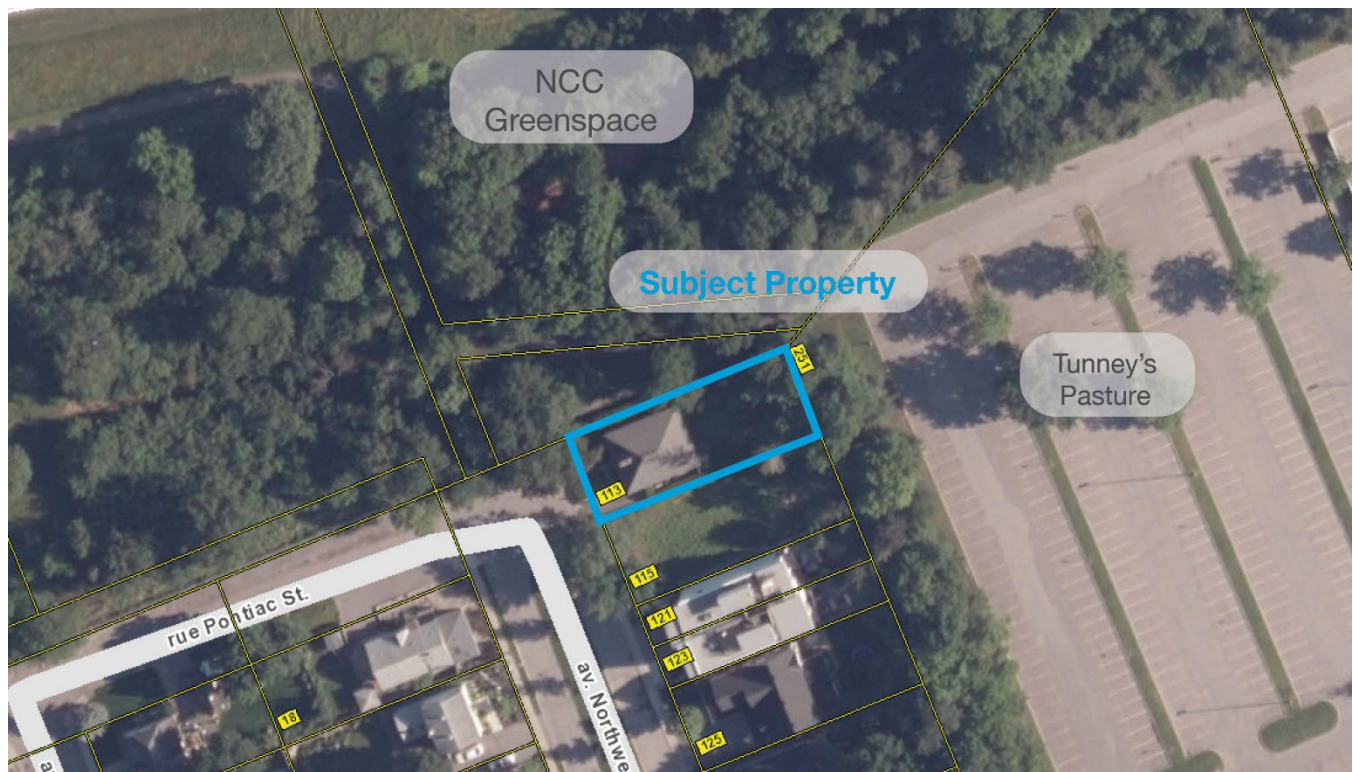


Figure 1: Subject Property and Surrounding Context

## 1.2 Surrounding Context

The subject property is located in the Chaplain Park neighbourhood in the City of Ottawa. The subject property is the most northerly property on Northwestern Avenue. The immediate area is characterized by a low-rise neighbourhood



predominately characterized by detached and semi-detached dwellings. The subject property immediately abuts the NCC greenspace to the north and the Tunney's Pasture Federal complex to the east.

The subject property is within a “mature neighbourhood”, as identified by Schedule 342 of the Zoning By-law. The immediate context is predominantly residential and low-rise, with a mix of detached and semi-detached dwellings. The lot frontage on the street is generally consistent, with the majority of lots along Northwestern Avenue and the surrounding streets, with the majority of the lots having a frontage of approximately 15 metres. A significant minority of lots have been severed to permit semi-detached dwellings.

As reflected in the Streetscape Character Analysis , most of the lots contain a single wide driveway leading to a front facing garage or carport. The dominant streetscape character is front facing attached garages, some of which are double wide garages (125 & 203 Northwestern Avenue) in addition to semi-detached garages that act like double wide garages with double-wide driveways that straddle the property line (121 & 123 Northwestern Avenue, 138 & 140 Northwestern Avenue, 128 & 130 Northwestern Avenue, and 200 & 202 Northwestern Avenue).

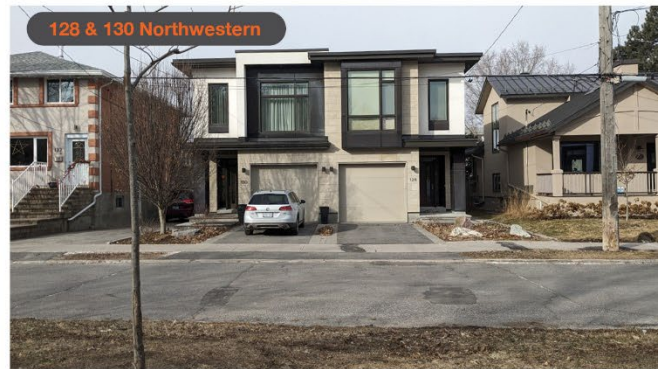
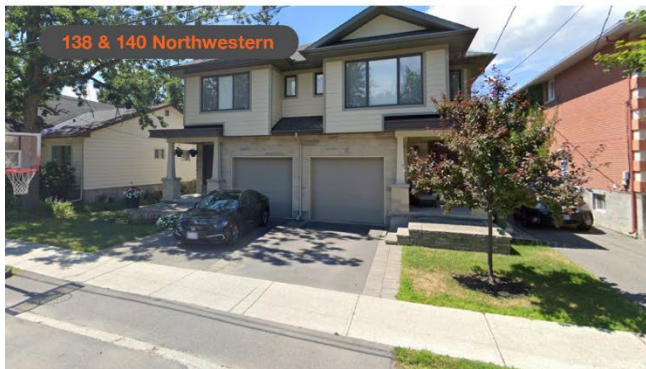
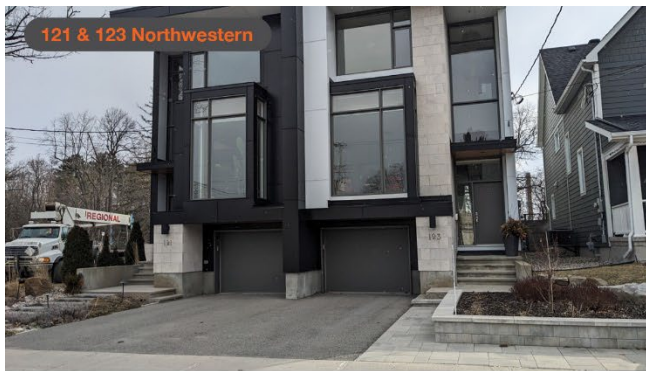


Figure 2: Front Facing attached garages along Northwestern Avenue

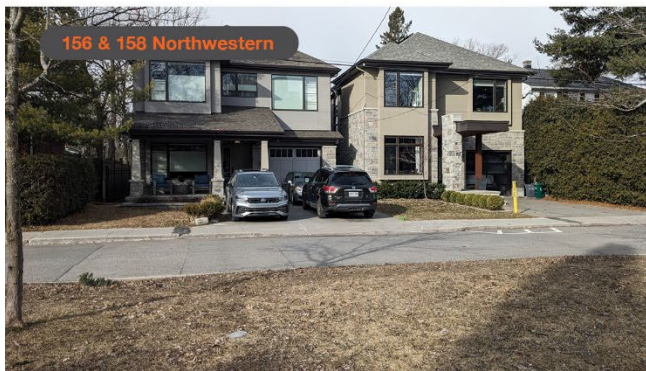
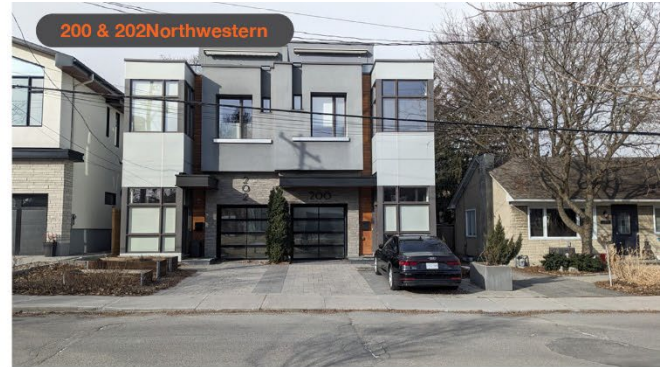


Figure 3: Front Facing attached garages along Northwestern Avenue



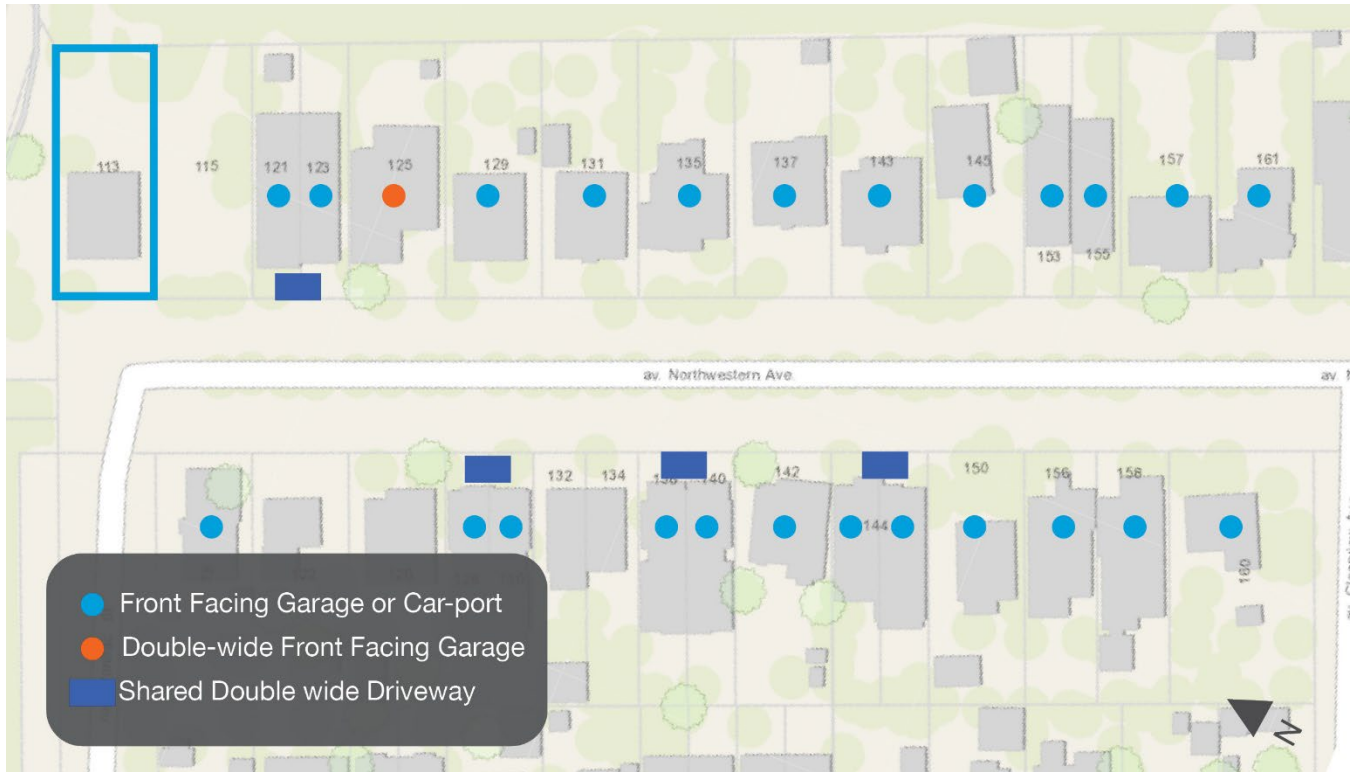


Figure 4: Front Facing attached garages make up the dominant streetscape character along this block of Northwestern Avenue

The description of the surrounding context is as follows.

**North:** Immediately north of the subject property is NCC greenspace which runs along the Ottawa River. Within this greenspace runs the Kichi Zibi Mikan parkway and the Ottawa River Multi-Use Pathway. The subject property is heavily screened by vegetation from the parkway and connective pathways.

**East:** East of the subject property is the Tunney's Pasture Federal complex. A surface parking lot, servicing the federal office buildings is immediately east of the subject property.

**South:** The area to the south is characterized by the low-density, low-rise built form of the Champlain Park neighbourhood. The housing mix consists of detached and semi-detached dwellings. The lot to the immediate south of the subject property is currently vacant.

As shown in Figure 4 above, the majority (16 out of 21) lots on the same block as the subject property are served by front-facing garages and driveways. An additional 4 lots are served by driveways providing access to an interior side yard or rear yard parking space.

**West:** The area to the south is characterizes by low-density, low-rise built form. On the opposite side of Northwestern Avenue, there is a detached dwelling with front facing garage fronting onto Pontiac Street. Further west along Pontiac Street is Champlain Park.

## Proposed Development

The proposed development is to replace the existing detached dwelling on the subject property with a new 2-storey detached dwelling. A building permit has already been issued which permits the lot to be developed with a very similar building and layout. The proposed minor variance is to permit a revised version of the development with a flared driveway and a wider garage entrance, to facilitate access to the garage and circulation onsite. If granted, a building permit revision application will be submitted.

The requested variance will not alter the interior area of the garage, the relationship of the garage to the front door, or the width of the driveway at the front property line.

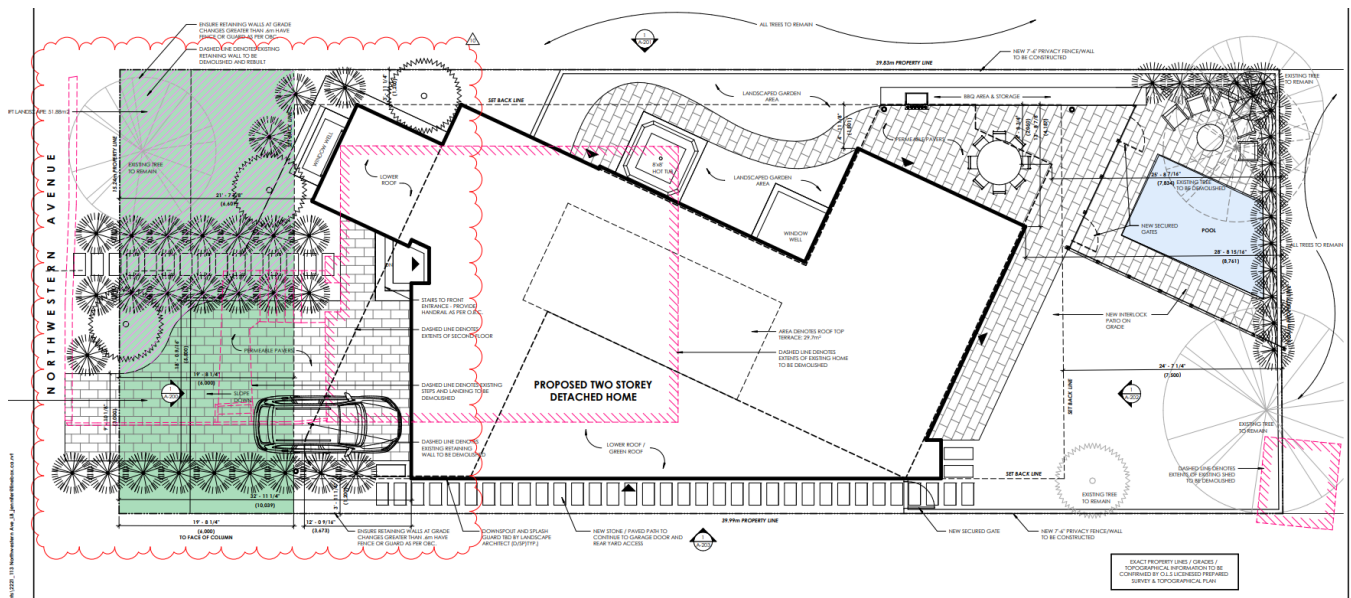


Figure 5: Proposed Site Plan

The development will feature a front yard setback of 6.6 metres, interior side yard setbacks of 1.2 metres and a rear yard setback of 8.76 metres. The height of the building will be 7.52 metres

The proposed variance to permit a double-wide driveway is intended to improve the function of the site while maintaining amenity area in the rear yard. The proposed garage provides for secure bicycle parking, garbage storage, recycling, snowblower, lawnmower, and other items. The proposed garage represents a minor change from the neighbourhood character without impacting the dominant streetscape character, which includes front facing garages.

The following design features minimize the visual impact of the garage as well as impacts on soft landscaping and stormwater management:

- / The garage door will replace an area of blank wall in the building permit-approved building – the original design is illustrated in Figure 3;
- / An angled second storey projects beyond the front façade of the garage to a maximum of 3.6 metres, minimizing its visual impact from the street;



- / The façade containing the garage is set approximately 3.5 metres back from the forward-most point of the building, which contains a living space; The driveway will be constructed of permeable pavers, to assist with infiltration of stormwater;
- / Almost 60 percent of the front yard will be provided as a contiguous landscaped area – exceeding the minimum zoning requirement – which will support a retained mature canopy tree, two new tree plantings and additional landscape plantings;
- / The driveway is single-width at the front lot line, and flares to provide access to the garage;
- / The wider portion of the driveway will be screened from the street by plantings on the subject property and within the right of way.

The proposed front yard exceeds the aggregate landscaping requirements, maintains a single driveway character at the street edge and includes the retention of trees and soft landscaping.



Figure 6: Current (approved) West (Front) Elevation



Figure 7: 3D view of the front facade

## 3.0 Policy and Regulatory Framework

### 3.1 City of Ottawa Official Plan (2022, as amended)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046 when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the city will accommodate this growth over time and set out the policies to guide the development and growth of the City.

The subject property is designated as Neighbourhood and has an Evolving Neighbourhood Overlay applied, as shown on Schedule B2 – Inner Urban Transect, Figure 5 below.

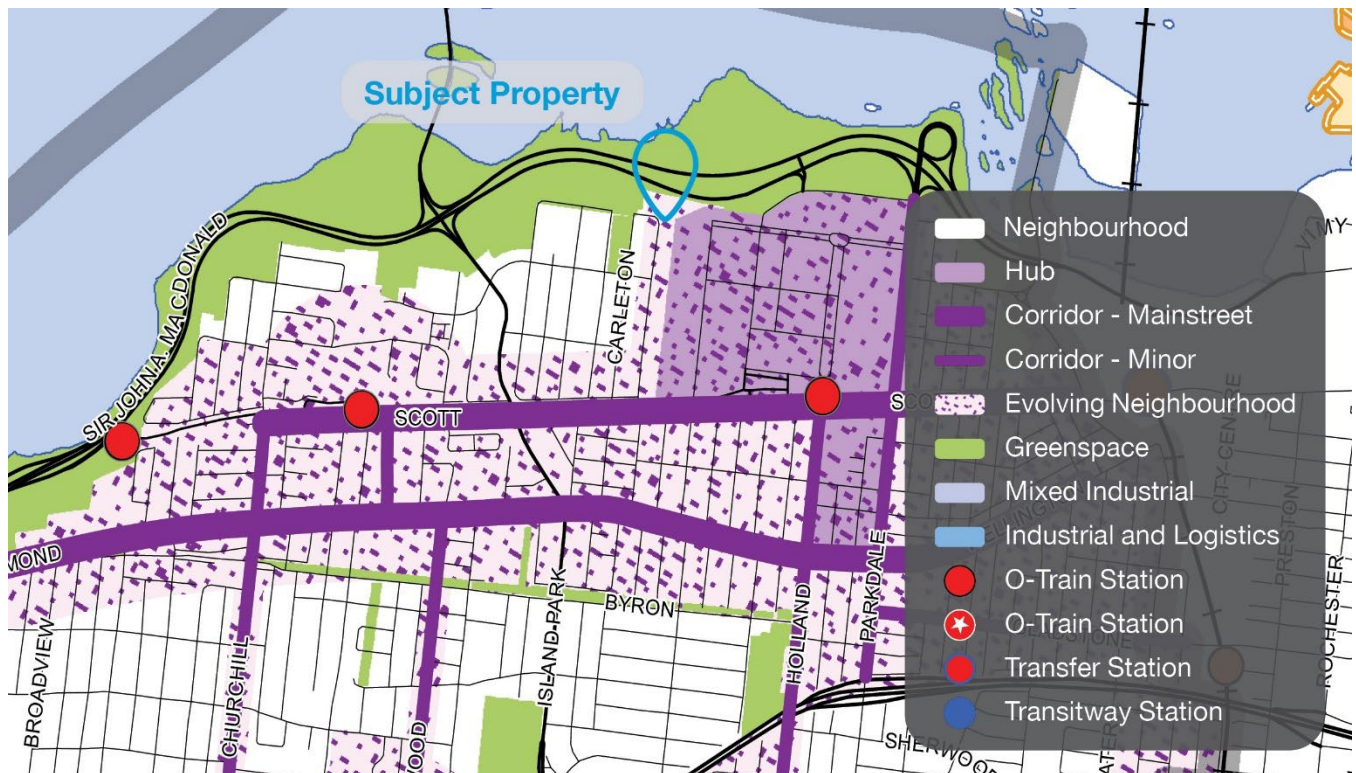


Figure 8: Schedule B2 - Inner Urban Transect

#### 3.1.1 Inner Urban Transect

The Inner Urban Transect includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them and is therefore characterized by both urban and suburban elements. The New Official Plan provides guidance for how the existing character of these neighbourhoods should be complemented while allowing for the development of walkable, service-rich, 15-minute neighbourhoods.

The Inner Urban Transect promotes greater densities than the Outer Urban and Suburban Transects; the intended pattern of built form is urban. The transect is generally planned for medium- to high-density development, subject to their proximity to transit, their underlying land use designation, and municipal servicing capacity constraints. Section 5.2 sets policies guiding development under this transect designation. The policies focus on enhancing the pattern of development to reflect the desired urban character, creating walkable and transit-supportive communities, as well as encouraging appropriate 'missing-middle' intensification within established neighbourhoods.

**Policy 5.2.1.1** states that the Inner Urban Transect's built form and site design includes both urban and suburban characteristics and that its intended pattern is urban.

**Policy 5.2.4.1** states that Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, table 3b. The zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:

- a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not compiled in the Official Plan;
- b) [...]
- c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;

Policy 5.2.1 (5) addresses parking management and private approaches in the Inner Urban Transect. Generally, these policies discourage additional or expanded private approaches. Policy 5.2.1 (5) (c) states that development applications may be required to re-use existing private approaches.

### 3.1.2 Neighbourhood Designation

Neighborhoods are contiguous urban areas that constitute the heart of communities. They are planned for ongoing gradual, integrated, sustainable, and internally compatible development. Neighbourhood policies will allow for the development of a full range and choice of housing, with complementary small-scale non-residential land uses to support the creation of 15-minute neighbourhoods.

**Policy 6.3.1.2** states that Permitted building heights in Neighborhoods shall be Low-rise.

**Policy 6.3.1.4** states that the Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:

- a) Generally, a full range of low-rise housing options sufficient to meet or exceed the goals of Table 2 and 3b;
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Policy 6.3.2.1.

**Policy 6.3.2 (2)** states that the City will establish form-based regulation through planning tools. Although this policy is not directly applicable to the proposed development or requested variances, it indicates the intent of the Official Plan with respect to site design for small sites. The regulations shall have regard for:

- a) "Local context and character of existing development;
- b) Appropriate interfaces with the public realm, including features that occupy both public and private land such as trees; [and]
- c) Appropriate interfaces between residential building, including provision of reasonable and appropriate soft landscaping and screening to support liveability[.]

Policy 6.3.3 (8) (c) states that "c) The City will regulate private approaches as provided under the applicable Transect policies in order to maintain or enhance unbroken curb space for short-term, visitor and permit-zone street parking, as well as for other common purposes."



### 3.1.3 Urban Design (Section 4.6)

Section 4.6 of the Official Plan outlines the specific policies guiding the design and relationship between developments across the City, specifically emphasizing adequate transitions, complementary built forms, and existing neighbourhood design characteristics.

Policy 4.6.6.6 states that low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

Urban design policies for larger-scale developments emphasize the importance of retaining mature trees, minimizing impervious surfaces and using Low Impact Development techniques for stormwater management, and using plantings to screen parking and driveways from the public realm. While these policies do not apply directly to the proposed development, they are helpful in interpreting the intent of the Official Plan.

**The proposed development conforms with the transect and designation policies of the Official Plan as it provides for appropriate context sensitive development on a conforming lot with a compact urban built form.**

## 3.2 City of Ottawa Comprehensive Zoning By-law (2008-250)

The subject property is zoned Residential Second Density, Subzone D, Urban Exception 2159 – R2D[2159] in the City of Ottawa Comprehensive Zoning By-law. The intent of the R2 zone is to restrict the built form to detached and semi-detached dwellings and to regulate development in a manner that is compatible with existing land use patterns.



This zone permits detached dwellings, subject to certain performance standards as follows:

Zoning Mechanism	Requirement	Provided	Compliance
<b>Minimum Lot Area</b> TABLE 158A	450 square metres	628 square metres	Yes
<b>Minimum Lot Width</b> TABLE 158A	15 metres	15.69 metres	Yes
<b>Minimum Front Yard Setback</b> Urban Exception 2159	6 metres	6.6 metres	Yes
<b>Minimum Corner Side Yard Setback</b> Urban Exception 2159	4.5 metres	N/A	Yes
<b>Minimum Rear Yard Setback</b> TABLE 158A	7.5 metres	8.76 metres	Yes
<b>Minimum Interior Side Yard Setback</b> TABLE 158A	1.2 metres	1.2 metres	Yes
<b>Maximum Building Height</b> TABLE 158A	8.5 metres	7.52 metres	Yes
<b>Minimum Habitable Floor Area on First Floor of Dwelling</b> Section 140	40 square metres	208 square metres	Yes
<b>Required Balcony Screening</b> TABLE 65 (6) (b) (iv)	Where balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line.	A balcony is located within 1.5 metres of an interior side lot line	No
<b>Walkway Width</b>	Maximum 1.2 metres	>1.2 metres	Yes
<b>Minimum Soft Landscaped Area in the Front Yard</b> S. 139	40% of the front yard area / Must be contiguous / Must abut the front lot line abutting the street  All parts of the front yard not occupied by driveways, walkways and permitted projections must be soft landscaped	57% contiguous	Yes
<b>Front-facing garage per dominant character</b> Section 140(8)(a)	Character Group B  Front facing garages are permitted.	A front facing garage is proposed.	Yes

<b>Driveway type driveway permitted per dominant streetscape character</b> Table 140B	Character Group B Single driveway permitted Double driveway not permitted unless it is the dominant character	A double-wide driveway is proposed	<b>No</b>
<b>Maximum Width of a Double-wide driveway</b> Table 139(3)(v)	For a lot of 15-18 metres: 5.5 metres <i>May not be more than 50% of yard</i>	5.5 metres	<b>Yes</b>
<b>Driveway Location</b> Section 139	Must not be located in front of the dwelling (except where in front of permitted garage) Must be separated from interior side lot line by minimum 0.15 metres Must be separated from walkways connecting to the street by 0.6 m	Located only in front of proposed garage.  TBC setback between garage and walkway  <1.2 m setback between driveway and interior side lot line	<b>Yes</b>
<b>Relationship between garage and front door</b> Section 140	Garage face set back maximum 0.6 m from leading edge of front steps Principal entrance set back maximum 0.6 m from garage face	The garage is set back 0.6 metres from the edge of the front porch.	<b>Yes</b>
<b>Maximum Building Cantilever over a parking space</b> Section 140(7)(c)	1.8 metres	Cantilevered portion of building projects over driveway only	<b>Yes</b>

### 3.2.1 Required Zoning Relief

#### Required Balcony Screening

Section 65 requires that where a deck or balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line. The intent of this provision is to provide privacy for the abutting lot. In this case there is no abutting residential lot as the subject site abuts NCC greenspace to the north, therefore there is no concern regarding privacy.

#### Driveway type driveway permitted per dominant streetscape character

As per the Streetscape character Analysis, Double-wide driveways are not part of the streetscape character. Therefore, a minor variance is required to permit a double-wise driveway on the subject property. Section 140 does not specify whether single- or double-garage width is permitted, however, the width of the driveway dictates the permitted width of the garage, so a variance to permit a 5.5 m wide driveway would permit a double-garage.



## Minor Variance Application – The Four Tests

It is our professional opinion that the proposed development constitutes good planning and meets the four (4) tests outlined in the Planning Act as discussed below.

### 4.1 Does the Variance Maintain the General Intent and Purpose of the Official Plan?

The Official Plan designates the subject property as Neighbourhood in the Inner Urban Transect, which seeks to respect the existing character of its context, while supporting residential development of an urban built form. As outlined in Policy (1) of Section 5.2.4 of the Official Plan, Neighbourhoods within walking distance to corridors are poised to accommodate residential growth, per the Growth Management Framework of the Plan. Subsection (d) goes on to detail that built form requirements for development within the Neighbourhood designation emphasize the importance of framing the street rather than focusing on lot configuration. The policies highlight the desire for growth and a shifting of importance towards a more urban built form rather than limiting design styles through prescriptive zoning performance standard metrics.

The proposed developments and required Minor Variance application maintains the intent of the applicable Official Plan policies, specifically relating to the compatibility of the design and built form in compliance with the objectives of the Plan. Section 4.6.6(6) directs low-rise buildings to respond to the context of transect and designation policies, specifically through the inclusion of soft landscaping and front porches – both of which are emphasized in the proposed front-yard conditions. Additionally, the policies speak to complementing the existing context through architecturally-integrated design. The proposed development and Minor Variances sought as a result, provide for a complementary design to that of the Champlain Park neighbourhood. The design and character established by the proposed Minor Variances does not result in any adverse impacts on the existing context of the neighbourhood.

Policies for the Inner Urban Transect and Neighbourhood Designation direct that development should not increase the number or width of private approaches.

The urban design policies speak to the importance of soft landscaping for low-rise buildings, and the importance of maintaining and enhancing an urban tree canopy. These features support an attractive streetscape, and are also important for managing stormwater, mitigating the urban heat island, and enhancing health.

**The requested Minor Variances do not alter the permitted built form reflecting the new surrounding development, minimizing adverse impacts on old-character homes on the street. The proposal provides for an appropriate interface with the public realm, including features such as soft landscaping and primary entrances at grade. The intent and purpose of the Official Plan is maintained as a result of the proposed variances on the subject property.**

### 4.2 Does the Variance Maintain the General Intent and Purpose of the Zoning By-law?

The intent of the R2 zone is to restrict the built form to detached and semi-detached dwellings and to regulate development in a manner that is compatible with existing land use patterns. The requested variances will permit a detached dwelling that is consistent with existing pattern of development of the neighbourhood.

The Zoning By-law contains detailed regulations relating to the design of front yards and front facades, particularly in relation to driveways, garages and parking. In particular, Section 140 and the Streetscape Character Analysis is intended to ensure that new development demonstrates good urban design and does not increase the dominance of the automobile relative to existing character of the area. Front-facing garages and associated driveways are permitted.

**While the proposed development seeks relief from one provision of the Streetscape Character Analysis, the proposed design meets the intent and purpose of the Zoning By-law by:**

- / **Maximizing the total area of soft landscaping in the front yard. 57 percent of the front yard area is provided as contiguous soft landscaped area, including grass, gardens, trees and shrubs.**
- / **Narrowing the driveway to 3 metres at the street to maximize the area of soft landscaping. The proposed driveway narrows from 5.5 metres to 3 metres at the road ROW to minimize the effect of the driveway on the streetscape character, which is characterized by single-wide driveways.**
- / **The livable floor area on the ground floor will not be altered by the proposed variance. The proposed design maintains livable floor area positioned towards the street. The driveway width does not affect the area of livable floor area adjacent to the street, if the driveway was single width, the internal floor plans would not be altered.**

**The requested variance removing the requirement for a 1.5 metre screen on the balcony facing the north interior side lot line meets the intent of the zoning By-law. The intent of this provision is to provide a level of privacy to abutting residential dwellings. In this case the balcony abuts the adjacent NCC Greenspace so there are no concerns regarding privacy for adjacent residential properties.**

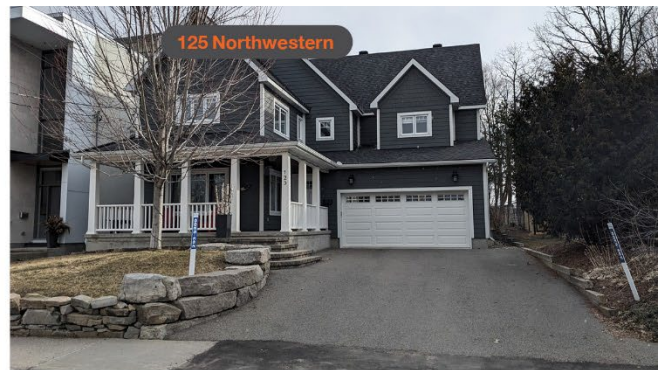
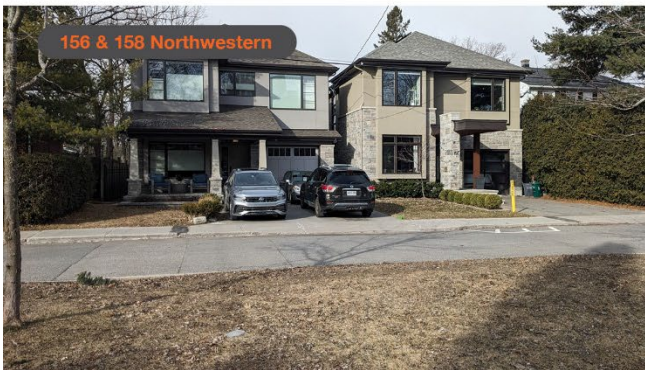
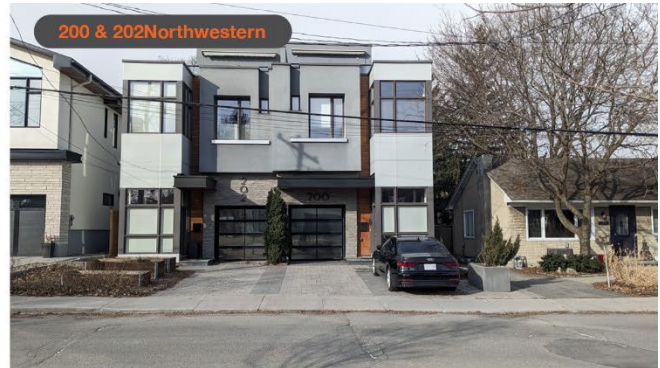
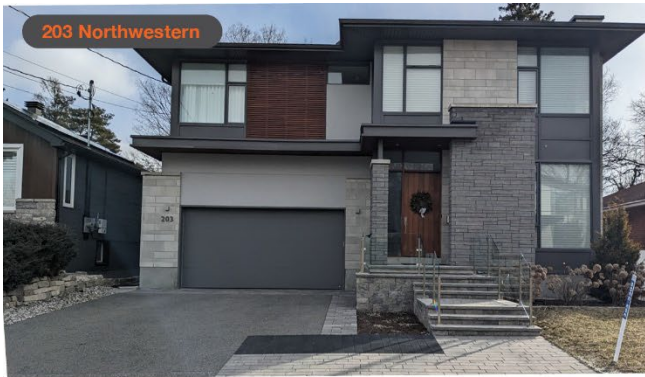
### 4.3 Are the Variances Minor in Nature?

The intent of the Streetscape Character Analysis is to ensure that new development respects the existing streetscape pattern and character of the neighbourhood and ensure that that new development demonstrates good urban design that maintains the existing character of the neighbourhood.

It is intended to ensure that development does not overly emphasises an attached garage such as a “snout garage” to the detriment of the overall design of the house and the streetscape. The intent is not to prohibit front-facing garages but to ensure that they are compatible with the existing streetscape pattern present along the immediate streetscape. The dominant character of the street is front facing garage, single-wide driveway and main entrances that front the street. As the street is already characterized by front facing garages and includes several double-wide driveways, the proposed double wide driveway is appropriate and fits into the character of the street.

While, the proposed double-wide driveway does not meet the technical requirements of the dominant character, it is similar to the existing semi-detached driveways along Northwestern Avenue that while technically aren’t double-wide driveways, appear and function like double-wide driveways. To further reduce the visual impact of the driveway from the street, the double-wide driveway will narrow to a single-wide profile at the street edge, so as to enhance the existing pattern of driveways along Northwestern Avenue.







The proposed design also seeks to maximize the soft landscaping and permeability of the site. The driveway will also not be constructed with asphalt or concrete and will be instead made of permeable pavers to improve the rainwater permeability of the site. Over 50% of the front yard will be soft landscaped.

**The proposed variances sought through this application facilitate the efficient use of the subject property and permit a compatible built form, without resulting in any significant impacts on the existing and planned character of the neighbourhood. The design of the front façade and landscaped front yard emphasise the importance of the at-grade living space and the principal entrance at grade. The garage does not protrude in front of the living space and is set back from both the at grade living space and the second storey. Therefore, the proposed variance is minor in nature.**

The requested variance related to the balcony screening will have no negative impact, as it is not adjacent to any private amenity area and the existing vegetation in the adjacent environmental protection zone completely obscures views from or of the balcony from publicly-accessible parks/amenity area.

#### 4.4 Are the Variances Desirable for the Appropriate Development or Use of the Land?

The requested variances facilitate the functionality of a new detached dwelling on an existing lot in a manner that is desirable for the use of the lands. The proposed development does not detract from the neighbourhood character or the experience of the street from the public realm. The proposed design allows for a positive relationship between the public realm and the front façade of the building with a front facing door and windows. The design also permits a large portion of the front yard to be softly landscaped. The design choices subject to the Minor Variances present a desirable built form that are appropriate for the use of the land.

**The proposed Variances do not negatively impact the streetscape, maintain, and exceed landscaping requirements, and provide good urban design that supports the existing character of the area where both single and double-wide driveways are present. Therefore, the proposed variances are appropriate for the development and use of the lands.**





HARD SURFACE

BUILDING AREA:	248.86m <sup>2</sup>
BASEMENT FLOOR AREA:	163.14m <sup>2</sup>
GROUND FLOOR AREA:	208m <sup>2</sup>
SECOND FLOOR AREA:	155.35m <sup>2</sup>
ROOFTOP ACCESS FLOOR AREA:	29.7m <sup>2</sup>
TOTAL:	<b>556.19m<sup>2</sup></b>

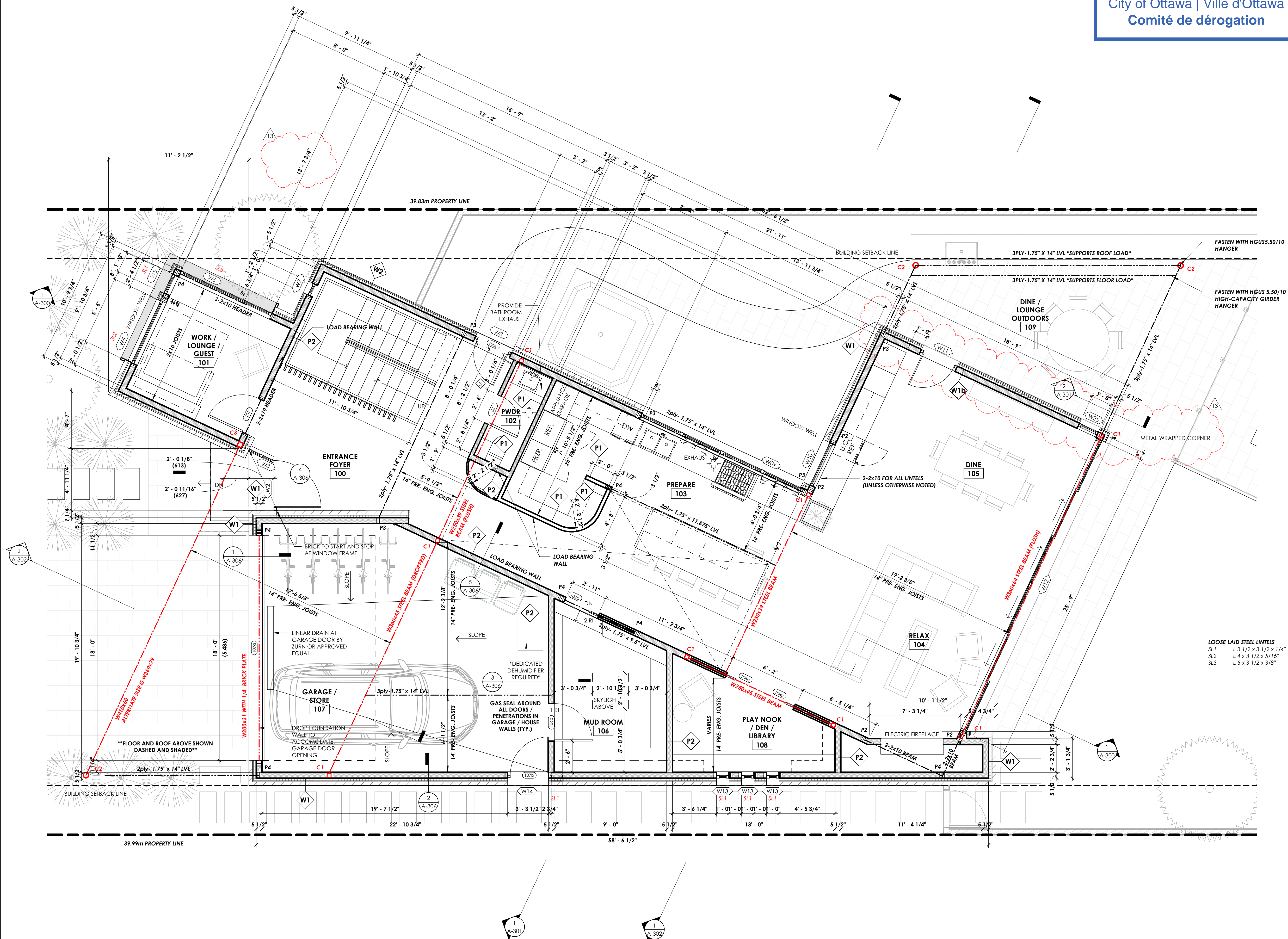
# A-090

**1 SITE PLAN**  
A-090 3/16" = 1'-0"  
A-013



City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

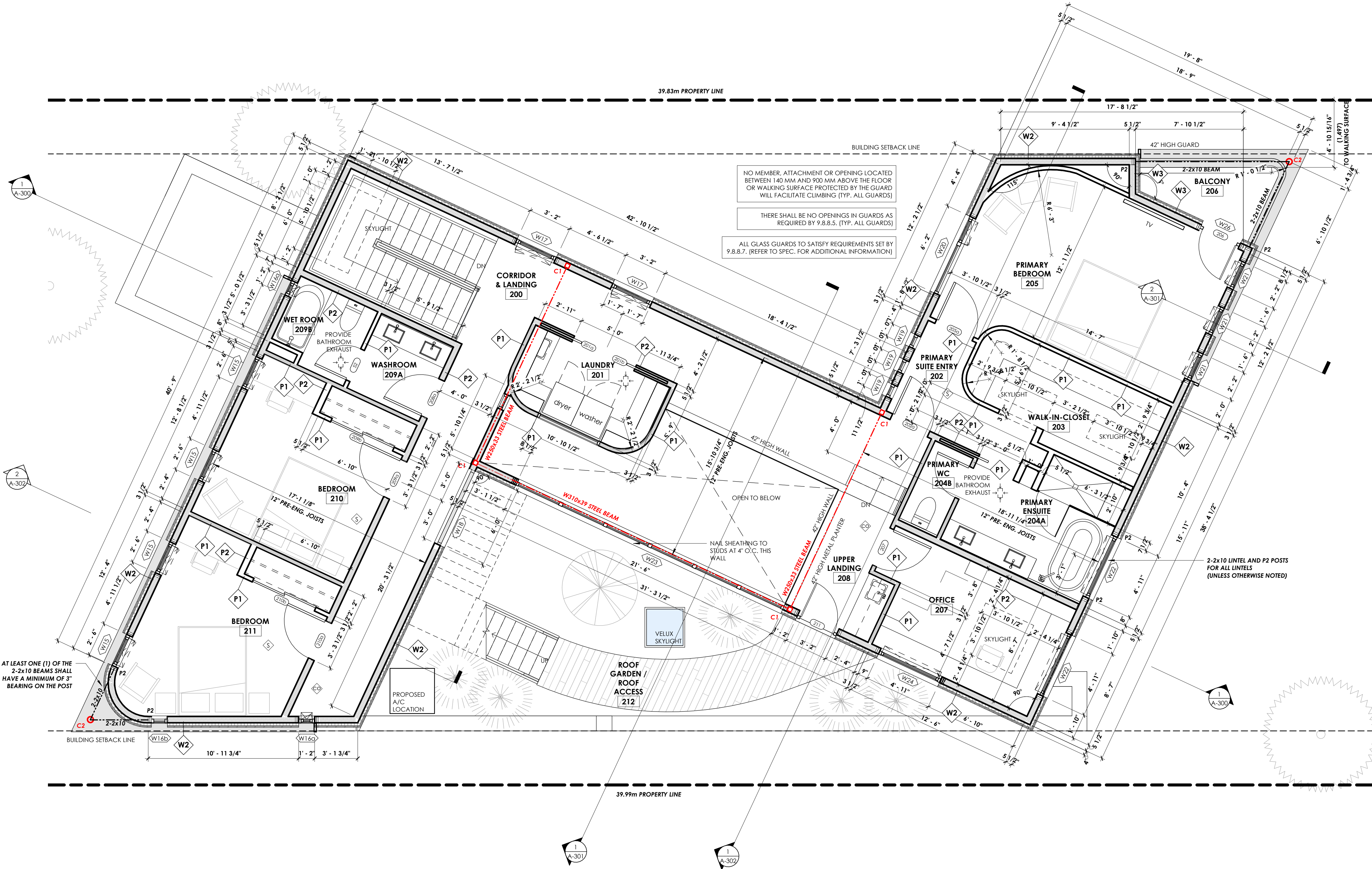
**A-101**



**GROUND FLOOR PLAN**  
1/4" = 1'-0"  
A-013



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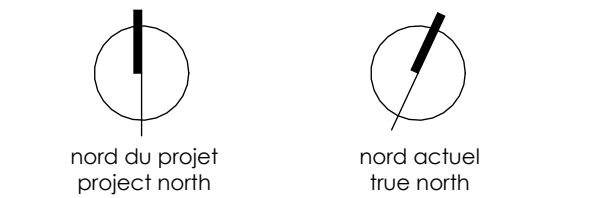


1  
A-102  
1/4" = 1'-0"  
A-013  
SECOND FLOOR PLAN

Committee of Adjustment  
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2024-04-16

City of Ottawa | Ville d'Ottawa  
Comité de dérogation



14	ISSUED FOR MINOR VARIANCE	24-04-12
11	REVISED FOR CONSTRUCTION	24-02-27
10	REDACTED	24-01-24
9	REVISED FOR CONSTRUCTION	24-01-23
7	ISSUED FOR CONSTRUCTION	24-01-12
5	ISSUED FOR COORDINATION	23-12-05
4	REVISED FOR BUILDING PERMIT	23-11-16
2	REVISED FOR BUILDING PERMIT	23-10-03
1	ISSUED FOR BUILDING PERMIT	23-07-10

no revisions date

stamp | timbre

architect | architecte

**linebox**  
STUDIO

project title

**PROPOSED CUSTOM  
SINGLE FAMILY HOME**

113 NORTHWESTERN AVE. | OTTAWA, ON | K1Y 0M1

drawing title | titre du dessin

**SECOND FLOOR PLAN**

project number | numero du projet 2221

drawn | dessiné JJ / JH

checked | vérifié MP

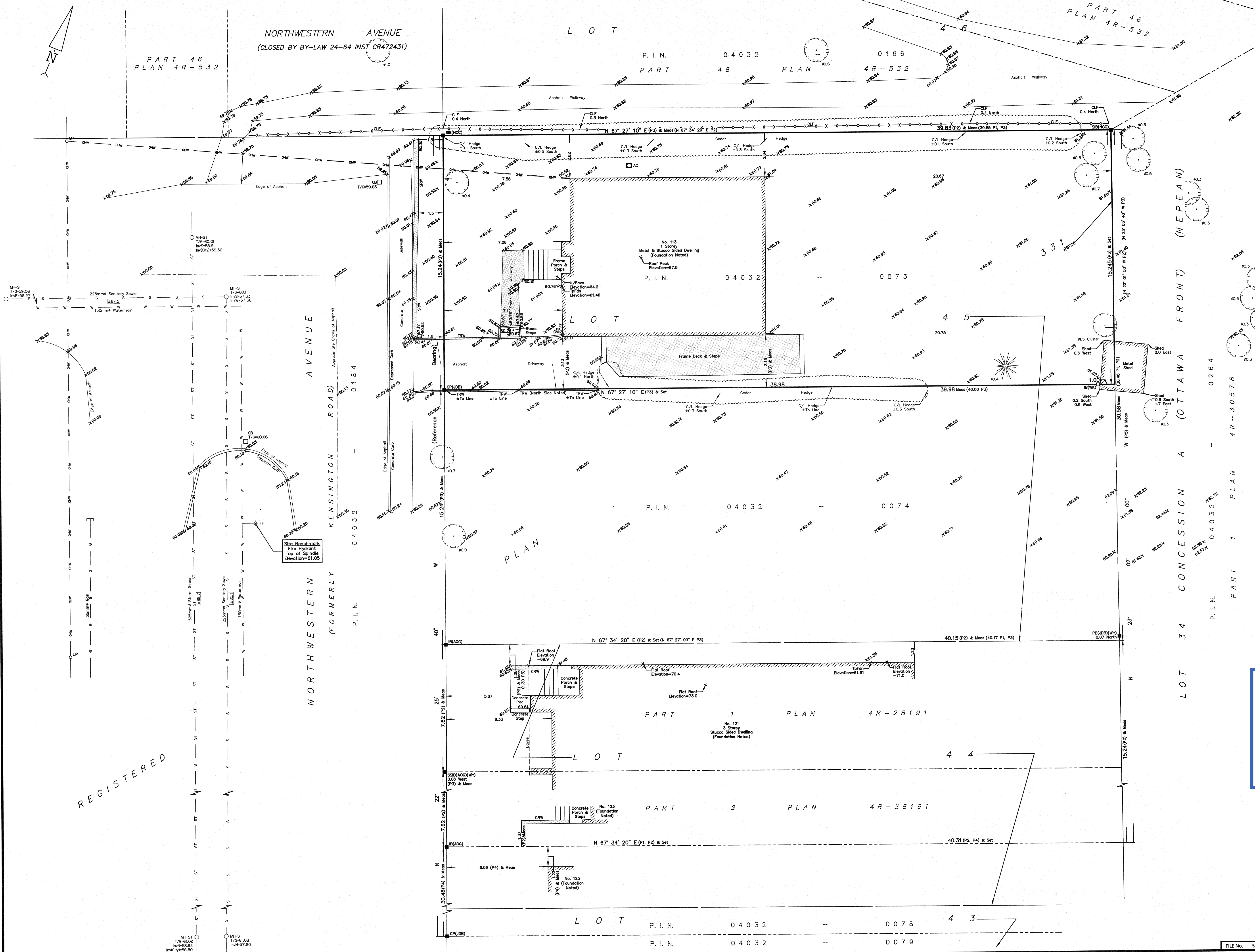
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date | date JULY, 2023

drawing number | numéro du dessin

**A-102**



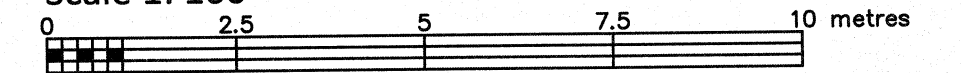


TOPOGRAPHIC PLAN OF SURVEY OF

# PART OF LOT 45 REGISTERED PLAN 331 CITY OF OTTAWA

FARLEY, SMITH &amp; DENIS SURVEYING LTD. 2022

Scale 1: 100



## Metric Note

Distances on this plan are in metres and can be converted to feet by dividing by 0.3048.

## Distance Note

Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.99994.

## Bearing Note

Bearings hereon are grid bearings derived from the Can-Net Real Time Network and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

## Elevation Notes

- Elevations shown are geodetic and are referred to Geodetic Datum CGVD-1928 :1978. (Monument No. 197534238)
- It is the responsibility of the user of this information to verify that the job benchmark has not been altered or disturbed and that its relative elevation and description agrees with the information shown on this drawing.

## Utility Notes

- This drawing cannot be accepted as acknowledging all of the utilities and it will be the responsibility of the user to contact the respective utility authorities for confirmation.
- Only visible surface utilities were located.
- Underground utility data derived from City of Ottawa utility sheet reference: D-06-19, D-06-24, 58048p2-2 & ASC.
- Sanitary and storm sewer grades and inverts were derived from: Field measurement.
- A field location of underground plant by the pertinent utility authority is mandatory before any work involving breaking ground, probing, excavating etc.

## Notes &amp; Legend

- Denotes
- Survey Monument Planted
  - Survey Monument Found
  - Standard Iron Bar
  - Short Standard Iron Bar
  - Iron Bar
  - Plastic Bar
  - Concrete Pin
  - Witness
  - Measured
  - Registered Plan 331
  - Plan by (AOG) dated September 8, 2014 (Job No. 13895-13)
  - Plan by (JDB) dated April 30, 2018 (Ref. No. 18-10-039-00)
  - Plan by (JDB) dated June 8, 2022 (Ref. No. 19-10-018-01)
  - Plan 4R-30578
  - Maintenance Hole (Storm)
  - Maintenance Hole (Sanitary)
  - Underground Storm Sewer
  - Underground Sanitary Sewer
  - Underground Water
  - Underground Gas
  - Overhead Wires
  - Utility Pole
  - Catch Basin
  - Fire Hydrant
  - Gas Meter
  - Air Conditioner
  - Diameter
  - Chain Link Fence
  - Stone Retaining Wall
  - Timber Retaining Wall
  - Invert
  - Top of Grate
  - Underside of Eave
  - Top of Foundation
  - Centreline
  - Location of Elevations
  - Top of Concrete Curb/Retaining Wall Elevation
  - Property Line
- Deciduous Tree - The symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.
- Coniferous Tree - The symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.

Site Area=608.4 sq.m.

Committee of Adjustment  
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2024-04-16

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

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## Surveyor's Certificate

- I certify that:
- This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the Regulations made under them.
  - The survey was completed on the 3rd day of November, 2022.

Nov 3/22  
Date

Jamie Leslie  
Ontario Land Surveyor

This plan of survey relates to AOLS Plan Submission Form Number V-38785

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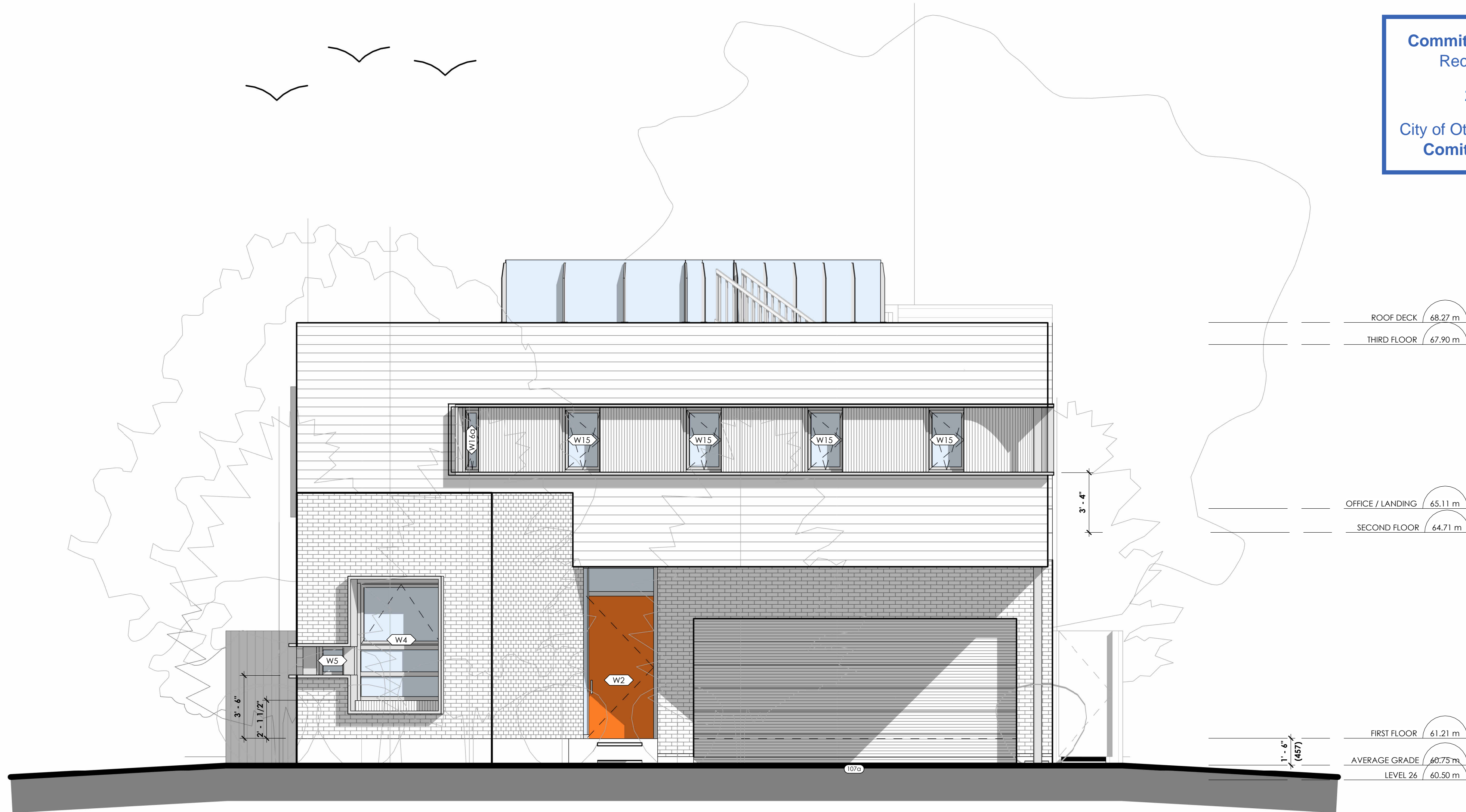
ONTARIO LAND SURVEYORS  
CANADA LAND SURVEYORS

Unit 275, 30 COLONNADE ROAD, OTTAWA, ONTARIO K2E 7J6  
TEL: (613) 727-8226 E-mail: fsdsurveys@bellnet.ca

FILE No.: 520-22

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Committee of Adjustment  
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**2024-04-16**  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

ROOF DECK / 68.27 m  
THIRD FLOOR / 67.90 m

OFFICE / LANDING / 65.11 m  
SECOND FLOOR / 64.71 m

FIRST FLOOR / 61.21 m  
AVERAGE GRADE / 60.75 m  
LEVEL 26 / 60.50 m

NOTES:  
1. ALL GRADES SHOWN ARE PRELIMINARY AND ARE SUBJECT TO GRADE BASED ON FINAL GRADING PLAN.  
2. ALL FOOTINGS TO EXTEND TO UNDISTURBED SOIL OR BEDROCK AND ALL STEPPED FOOTINGS TO BE SITE DETERMINED / COORDINATED AS PER FINAL SITE GRADING (TYPICAL).

1 WEST (FRONT) ELEVATION  
A-200 1/4" = 1'-0"  
A-090



3D VIEWS FOR DESIGN INTENT ONLY



3D VIEWS FOR DESIGN INTENT ONLY

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builder | constructeur

**sense engineering**  
structural engineers | ingénieur structure

Jeanine Jolliveau  
CEO and Senior HVAC Design Technician  
Synergy HVAC Design Inc.

MEP engineers | ingénieur MEP

**K** Kollaard Associates  
Engineers

civil engineering | ingénieur civil

**FARLEY, SMITH & DENIS**  
SURVEYING LTD.  
ONTARIO & CANADA LAND SURVEYORS

surveyor | arpenteur

14	ISSUED FOR MINOR VARIANCE	24-04-12
11	REVISED FOR CONSTRUCTION	24-02-27
9	REVISED FOR CONSTRUCTION	24-01-23
7	ISSUED FOR CONSTRUCTION	24-01-12
5	ISSUED FOR COORDINATION	23-12-05
2	REVISED FOR BUILDING PERMIT	23-10-03
1	ISSUED FOR BUILDING PERMIT	23-07-10

no	revisions	date
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stamp | timbre

architect | architecte

**linebox**  
STUDIO

project title

**PROPOSED CUSTOM  
SINGLE FAMILY HOME**

113 NORTHWESTERN AVE. | OTTAWA, ON | K1Y 0M1

drawing title | titre du dessin

**WEST (FRONT)  
ELEVATION**

project number   numero du projet	2221
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drawn   dessiné	JJ / JH
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checked   vérifié	MP
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scale   échelle	1/4" = 1'-0"
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date   date	JULY, 2023
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drawing number   numéro du dessin	
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**A-200**





Committee of Adjustment  
Received | Reçu le  
**2024-04-18**  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

ROOF DECK / 68.27 m  
THIRD FLOOR / 67.90 m

OFFICE / LANDING / 65.11 m  
SECOND FLOOR / 64.71 m

FIRST FLOOR / 61.21 m  
AVERAGE GRADE / 60.75 m  
LEVEL 26 / 60.50 m

NOTES:  
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builder | constructeur

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structural engineers | ingénieur structure

Jeanine Jolliveau  
CEO and Senior HVAC Design Technician  
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MEP engineers | ingénieur MEP

**K** Kollaard Associates  
Engineers

civil engineering | ingénieur civil

**FARLEY, SMITH & DENIS**  
SURVEYORS & LAND  
ONTARIO & CANADA LAND SURVEYORS

surveyor | arpenteur

11	REVISED FOR CONSTRUCTION	24-02-27
9	REVISED FOR CONSTRUCTION	24-01-23
7	ISSUED FOR CONSTRUCTION	24-01-12
5	ISSUED FOR COORDINATION	23-12-05
2	REVISED FOR BUILDING PERMIT	23-10-03
1	ISSUED FOR BUILDING PERMIT	23-07-10

no revisions date

stamp | timbre

architect | architecte

**linebox**  
STUDIO

project title

**PROPOSED CUSTOM  
SINGLE FAMILY HOME**

113 NORTHWESTERN AVE. | OTTAWA, ON | K1Y 0M1

drawing title | titre du dessin

**EAST (REAR) ELEVATION**

project number | numéro du projet 2221

drawn | dessiné JJ / JH

checked | vérifié MP

scale | échelle 1/4" = 1'-0"

date | date JULY, 2023

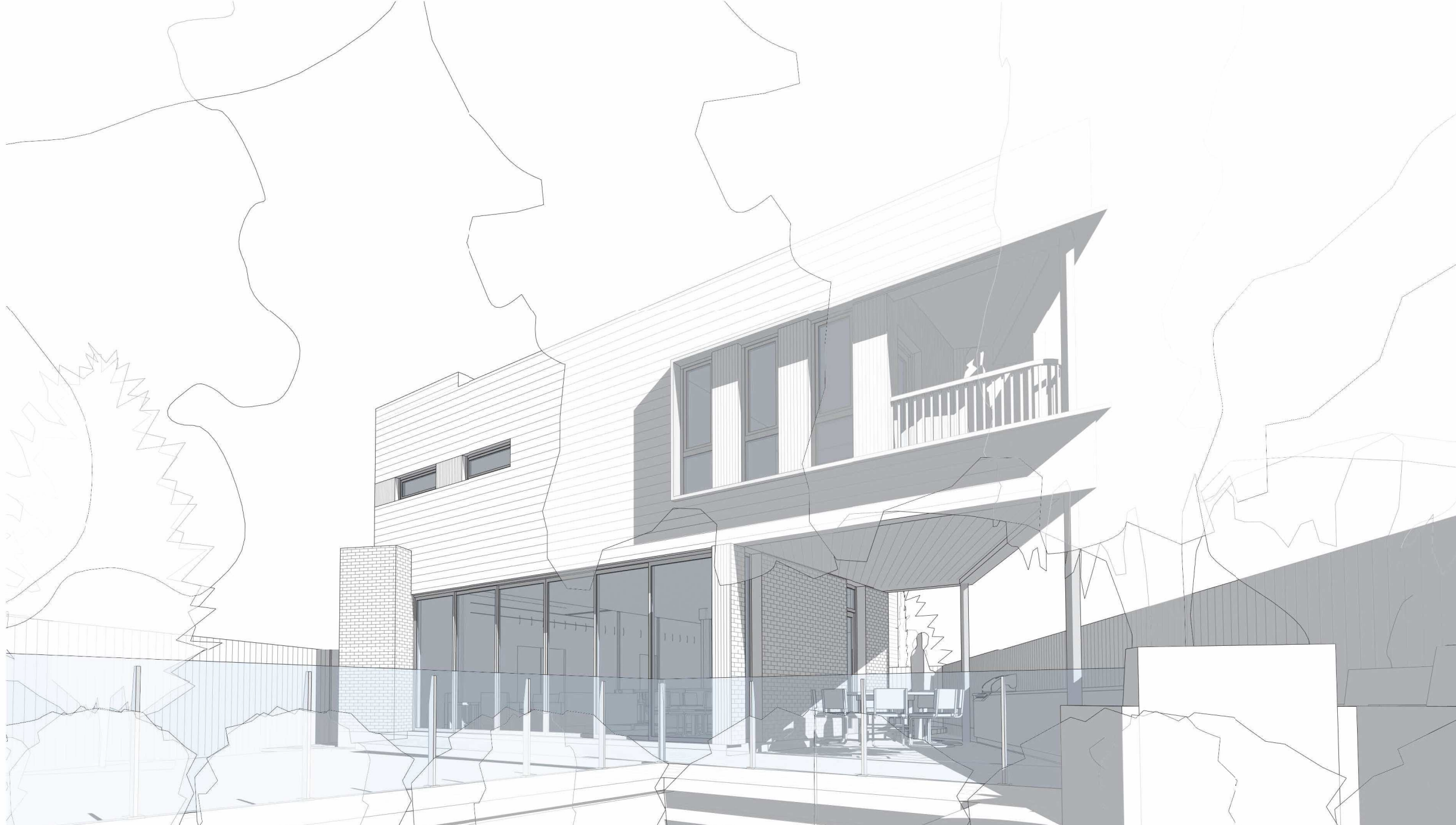
drawing number | numéro du dessin

**A-202**

**EAST (REAR) ELEVATION**  
A-202 1/4" = 1'-0"  
A-090

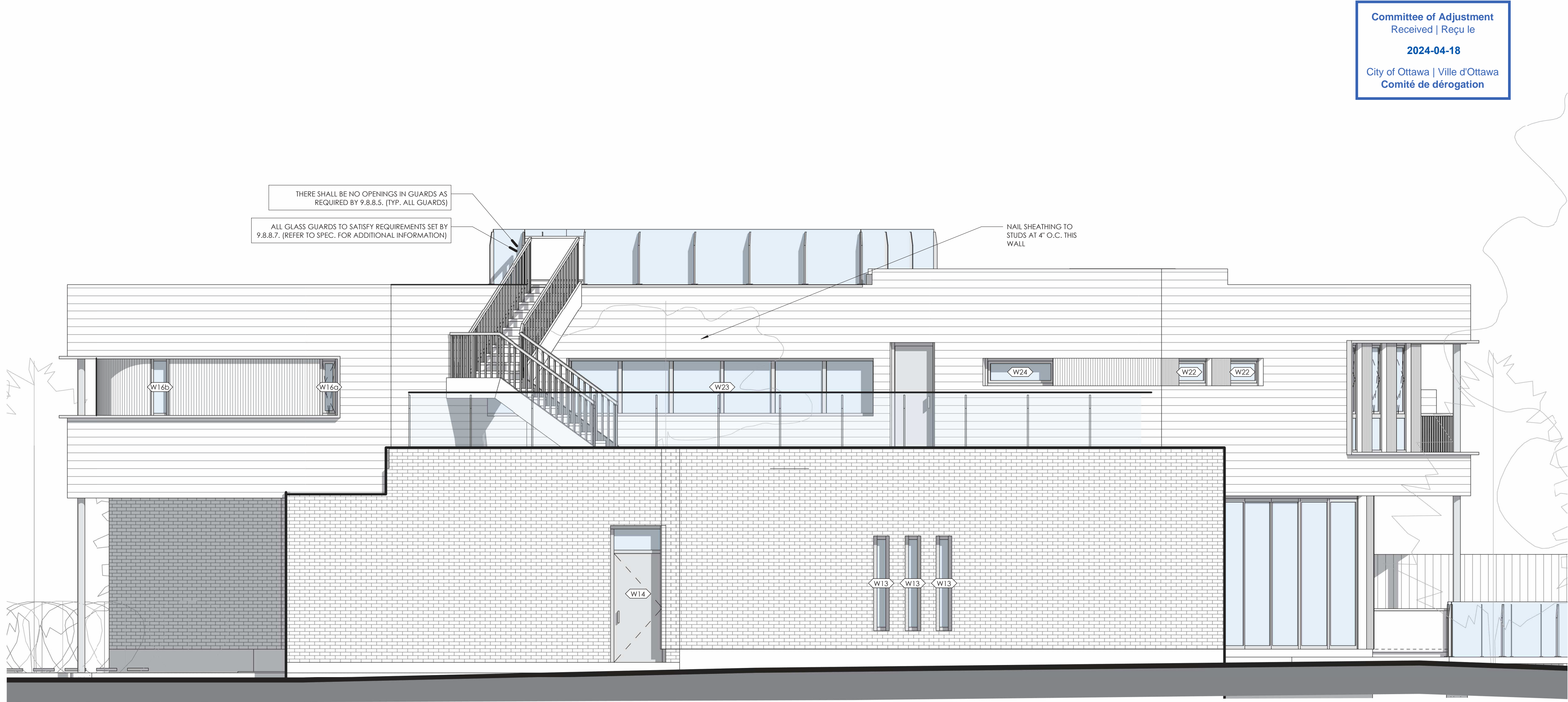


3D VIEWS FOR DESIGN INTENT ONLY



3D VIEWS FOR DESIGN INTENT ONLY

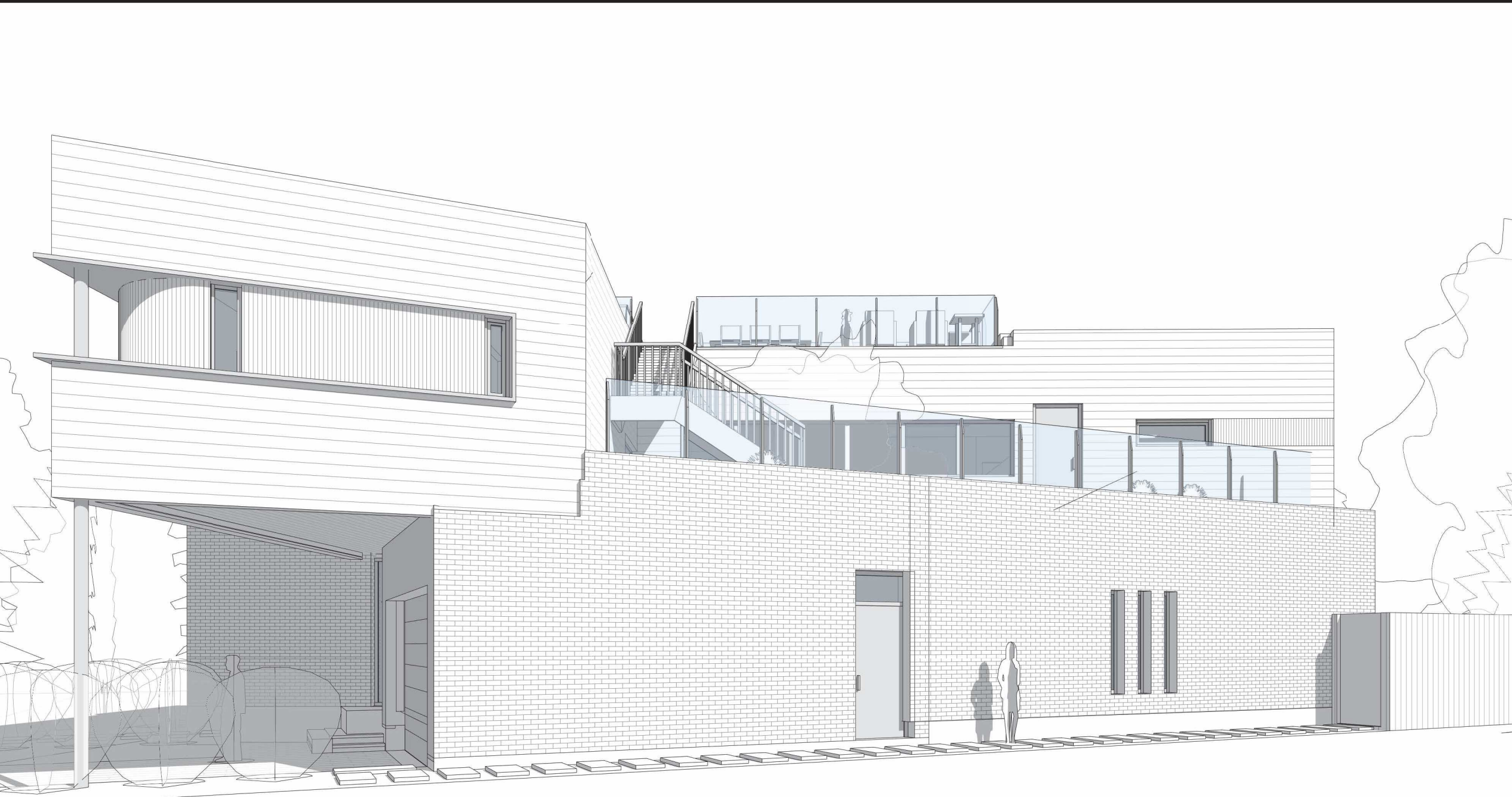




ROOF DECK	68.27 m
THIRD FLOOR	67.90 m
OFFICE / LANDING	65.11 m
SECOND FLOOR	64.71 m
FIRST FLOOR	61.21 m
AVERAGE GRADE	60.75 m
LEVEL 26	60.50 m

- NOTES:
- ALL GRADES SHOWN ARE PRELIMINARY AND ARE SUBJECT TO GRADE BASED ON FINAL GRADING PLAN.
  - ALL FOOTINGS TO EXTEND TO UNDISTURBED SOIL OR BEDROCK AND ALL STEPPED FOOTINGS TO BE SITE DETERMINED / COORDINATED AS PER FINAL SITE GRADING (TYPICAL).

1 SOUTH (SIDE) ELEVATION  
A-203 1/4" = 1'-0"  
A-090



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structural engineers | ingénieur structure

Jeanine Jollineau  
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MEP engineers | ingénieur MEP

**K** Kollaard Associates  
Engineers

civil engineering | ingénieur civil

**FARLEY, SMITH & DENIS**  
ONTARIO & CANADA LAND SURVEYORS

surveyor | arpenteur

11	REVISED FOR CONSTRUCTION	24-02-27
9	REVISED FOR CONSTRUCTION	24-01-23
7	ISSUED FOR CONSTRUCTION	24-01-12
5	ISSUED FOR COORDINATION	23-12-05
2	REVISED FOR BUILDING PERMIT	23-10-03
1	ISSUED FOR BUILDING PERMIT	23-07-10

no revisions date

stamp | timbre

architect | architecte

**linebox**  
STUDIO

project title

**PROPOSED CUSTOM  
SINGLE FAMILY HOME**

113 NORTHWESTERN AVE. | OTTAWA, ON | K1Y 0M1

drawing title | titre du dessin

**SOUTH (SIDE) ELEVATION**

project number | numéro du projet 2221

drawn | dessiné JJ / JH

checked | vérifié MP

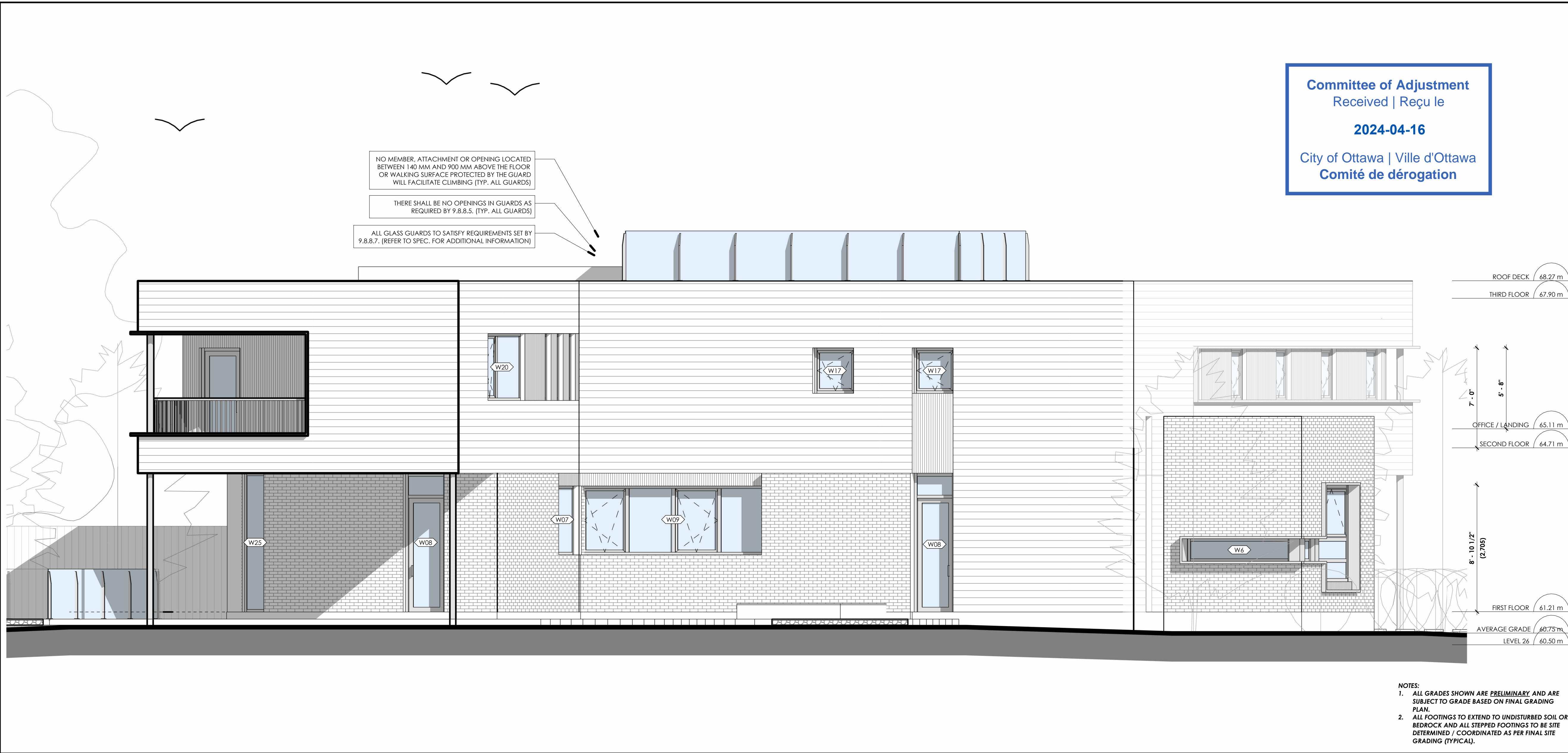
scale | échelle 1/4" = 1'-0"

date | date JULY, 2023

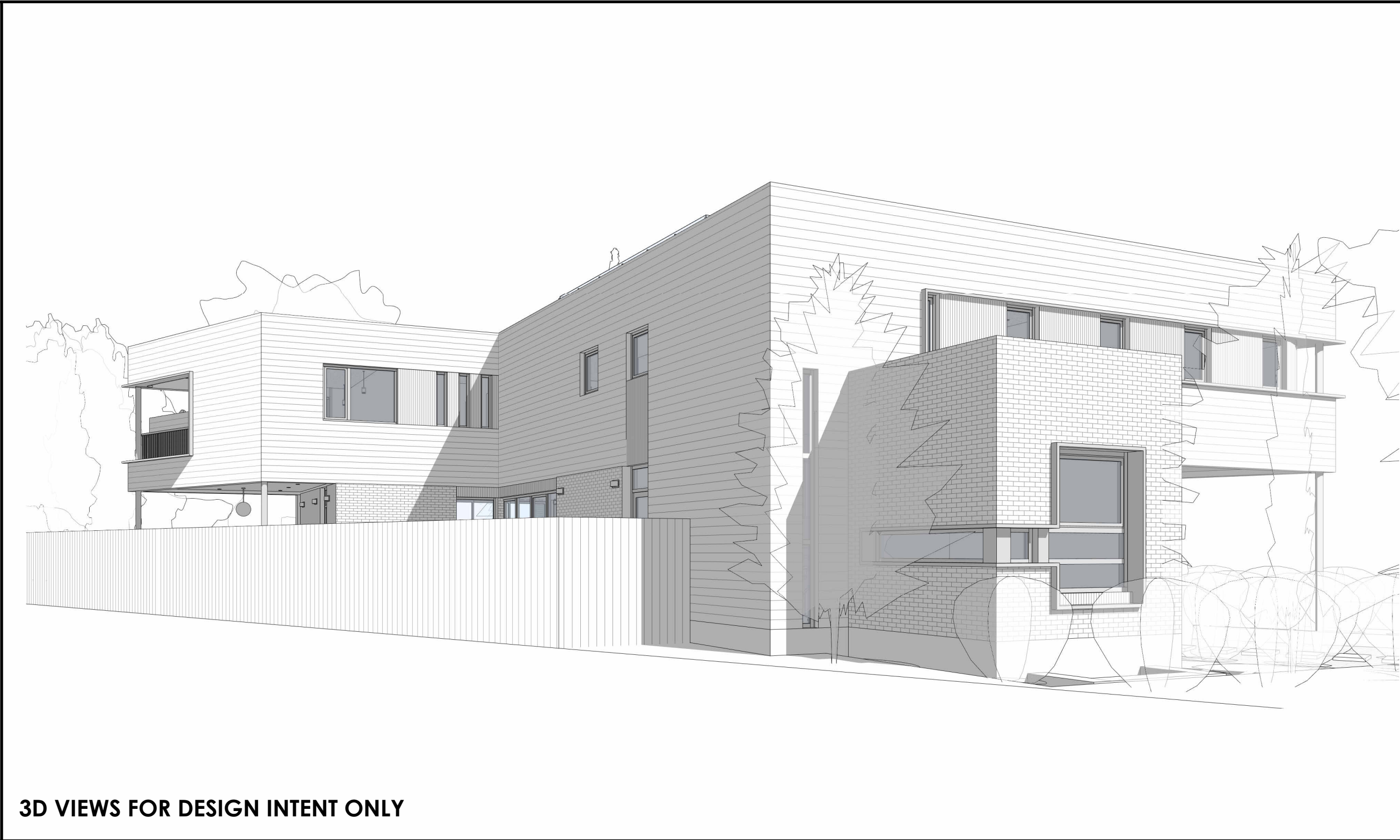
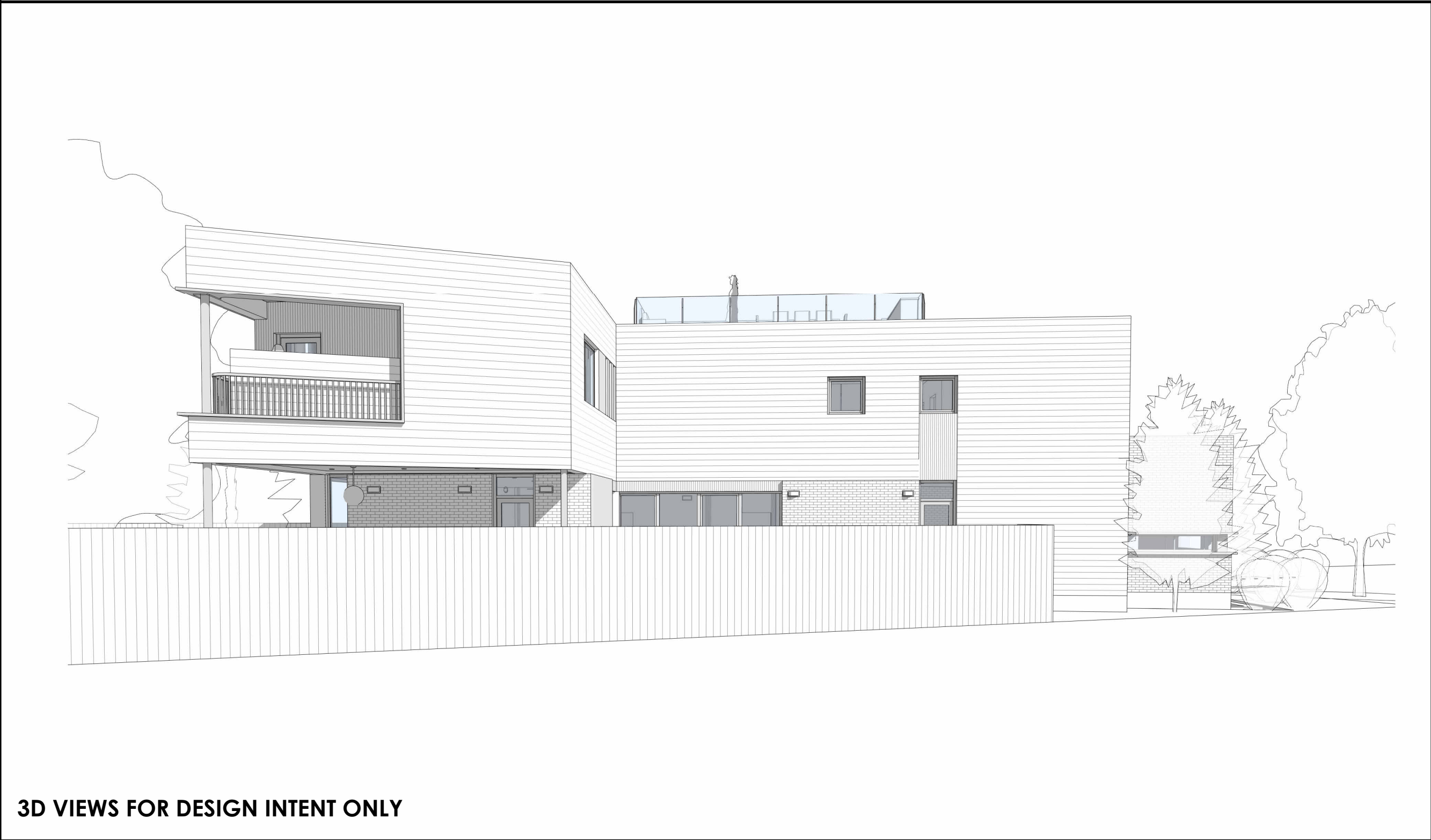
drawing number | numéro du dessin

**A-203**





1 NORTH (SIDE) ELEVATION  
A-201 1/4" = 1'-0"  
A-090



14	ISSUED FOR MINOR VARIANCE	24-04-12
11	REVISED FOR CONSTRUCTION	24-02-27
9	REVISED FOR CONSTRUCTION	24-01-23
7	ISSUED FOR CONSTRUCTION	24-01-12
5	ISSUED FOR COORDINATION	23-12-05
2	REVISED FOR BUILDING PERMIT	23-10-03
1	ISSUED FOR BUILDING PERMIT	23-07-10

no revisions date

stamp | timbre





URBAN FORESTRY & FOREST MANAGEMENT CONSULTING

P.O. Box 13593, STN. KANATA, OTTAWA, ON K2K 1X6  
TELEPHONE: (613) 838-5717  
WEBSITE: WWW.IFSASSOCIATES.CA

July 14, 2023

Jonathan Huska  
Intermediate Technologist, BIM Lead  
Linebox Studio  
1116 Lisgar Street, Unit 110  
Ottawa, ON  
K2P 0C2

Committee of Adjustment  
APR 15 2024  
City of Ottawa

**RE: TREE INFORMATION REPORT (FULL) FOR 113 NORTHWESTERN AVENUE**

This Tree Information Report (TIR) was prepared by IFS Associates Inc. (IFS) in support of an application for a building permit for 113 Northwestern Avenue. The need for this report is related to trees protected under the City of Ottawa's Tree Protection By-law (By-law No. 2020-340). The work proposed at this address includes the demolition of an existing dwelling and construction of a new larger single-family dwelling and in-ground pool.

Within the inner urban area of Ottawa a TIR is required for infill developments and/or demolitions when a 'distinctive' tree is present (*i.e.* 30 cm in diameter at breast height (DBH) or greater). This includes distinctive trees on adjacent properties which have critical root zones (CRZ) extending onto a property slated for development or demolition. A "tree" is defined in the By-law as any species of woody perennial plant, including its root system, which has reached or can reach a minimum height of at least 450 cm at physiological maturity. The CRZ is calculated as DBH x 10 cm.

The approval of this TIR by the city and the issuing of a permit authorizes the removal of approved trees. **Importantly, although this report may be used to support the application for a tree removal permit, it does not by itself constitute permission to remove trees or begin site clearing activities. No such work should occur before a tree removal permit is issued authorizing the injury or destruction of a tree in accordance with the By-law. Further, the removal of any trees shared with or fully on neighbouring properties will require written permission of the adjacent landowner.**

The inventory in this report details the assessment of all individual trees on the subject and adjacent private property. No trees were found on nearby City of Ottawa lands. Field work for this report was completed in June 2023.

**TREE SPECIES, CONDITION, SIZE AND STATUS**

Table 1 on pages 2 and 3 details the individual distinctive trees on the subject property and three on adjacent public lands. Each of these trees is referenced by the numbers plotted on the tree information plan included on page 4 of this report.



Table 1. Tree information for 113 Northwestern Avenue

Tree No.	Tree species /Tolerance to Construction <sup>1</sup>	Owner ship	DBH <sup>2</sup> (cm)	CRZ <sup>3</sup> (m)	Distance to excavation (m) <sup>4</sup>	Tree Condition, Age Class, Condition Notes, Species Origin and Status (to be removed or preserved and protected)	Reason for removal	Forester's Opinion re. Removal
1	White spruce ( <i>Picea glauca</i> ) / Moderate-Good	Private	39.1	-	-	Very poor; mature; holding less than 25 percent living foliage; in advanced decline; native species; <b>to be removed</b>	Very poor condition	Tree and stump be removed
2	Basswood ( <i>Tilia americana</i> ) / Poor - Moderate	Private	35 avg.	-	-	Very poor; overmature; five-stemmed from grade; all stems broken/topped at 10-12m from grade; advanced decay and woodpecker activity – tree is hazardous; native species; <b>to be removed</b>	Very poor condition	Tree and stump be removed
3	Basswood ( <i>Tilia americana</i> ) / Poor - Moderate	Private	32.6 & 39.3	-	-	Poor; mature; double-stemmed from grade; heavy <i>Neonectria ditissima</i> (target) canker on both stems; top of both stems dead; in decline; native species; <b>to be removed</b>	Conflicts with pool skirt	Tree and stump be removed
4	Basswood ( <i>Tilia americana</i> ) / Poor - Moderate	Neighbour	49.8	5	>5	Good; mature; single dominant upright main stem with competing leaders at 14m; native species; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable
5	Basswood ( <i>Tilia americana</i> ) / Poor - Moderate	Private	35.5	3.6	<1	Fair; mature; dominant main stem with competing lateral at 8m on northwest; topped at 14m – recovered via epicormic growth; native species <b>to be removed</b>	Conflicts with pool skirt	Tree and stump be removed



Table 1. Con't

Tree No.	Tree species /Tolerance to Construction <sup>1</sup>	Owner ship	DBH <sup>2</sup> (cm)	CRZ <sup>3</sup> (m)	Distance to excavation (m) <sup>4</sup>	Tree Condition, Age Class, Condition Notes, Species Origin and Status (to be removed or preserved and protected)	Reason for removal	Forester's Opinion re. Removal
6	Bitternut hickory ( <i>Carya cordiformis</i> ) / Moderate - Good	Neighbour	52.2	5.2	>6	Fair; mature; co-dominant stems at 3.5m; growth form moderately divergent towards southeast; major wound 1-1.75m on north from past loss of major lateral stem – early decay at base of wound; native species; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable
7	Bur oak ( <i>Quercus macrocarpa</i> ) / Moderate - Good	Neighbour	95.9	9.6	+/-6	Good; very mature; co-dominant stems at 11m with suppressed laterals starting at 4m from grade; very broad crown, though asymmetric towards south; native species; <b>to be preserved and protected</b>	Not applicable – to be preserved	Not applicable

<sup>1</sup> As taken from Managing Trees during Construction; 2<sup>nd</sup> Ed., Fite and Smiley; <sup>2</sup> Diameter at breast height, or 1.3m from grade (unless otherwise indicated); <sup>3</sup> Critical root zone (CRZ) is considered as being 10 centimetres from the trunk of a tree for every centimetre of DBH. The CRZ is calculated as DBH x 10 cm;

<sup>4</sup> Approximate distances only.





Pictures 1 to 4 on pages 8 through 11 of this report show selected distinctive trees on and adjacent to the subject property.

### **PROVINCIAL REGULATIONS**

Certain provincial regulations are applicable to trees on private property. In particular, the Endangered Species Act – ESA (2007) mandates that tree species on the Species at Risk in Ontario (SARO) list be identified. Butternut (*Juglans cinerea*) is present in Eastern Ontario and is listed as threatened on the SARO. Because of this it is protected from harm. No trees of this species were found on or near the subject property.

### **TREE PRESERVATION MEASURES**

An existing asphalt-covered pathway between them and the subject property will have served to limit root growth from trees #6 and 7. However, to help reduce the potential for root loss due to excavation the following measures will be taken in relation to tree #7:

1. Hydro excavation along the nearest foundation edge to carefully expose roots. Any roots will be cleanly cut and sealed before being reburied. Excavation can then resume using traditional mechanical means. Sealing the cleanly cut root ends with a beeswax product will help prevent the loss of moisture and facilitate healing.
2. If the excavation is to be left open for any time a covering of at least three layers of moistened burlap is to be draped over the exposed face of excavation closest to the trees. This will help reduce the loss of soil moisture.

### **TREE PROTECTION MEASURES**

Protection measures intended to mitigate damage during construction will be applied to all the trees to be preserved. The following measures are the minimum required by the City of Ottawa to ensure tree survival during and following construction:

1. Erect a fence as close as possible to the critical root zone (CRZ) of trees (City of Ottawa tree protection barrier detail included on page 7).
2. Do not place any material or equipment within the CRZ of the tree.
3. Do not attach any signs, notices or posters to any tree.
4. Do not raise or lower the existing grade within the CRZ without approval.
5. Tunnel or bore when digging within the CRZ of a tree.
6. Do not damage the root system, trunk or branches of any tree.
7. Ensure that exhaust fumes from all equipment are NOT directed towards any tree's crown.

### REPLACEMENT TREE PLANTING OR COMPENSATION

As the property is within the inner urban area, the following ratios are used in terms of replacement tree planting: 2:1 for each removed distinctive tree measuring 30-49 cm in diameter and 3:1 for each distinctive tree measuring 50 cm or greater in diameter. As two trees in the range of 30-49cm are to be removed, compensation of four new trees is required. Replacement trees must be at least 50mm in caliper if deciduous and 2m in height if coniferous. Suggested replanting locations are shown on the plan on page 4.

This report is subject to the attached Limitations of Tree Assessments and Liability to which the reader's attention is directed.

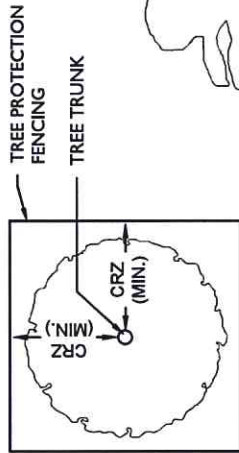
Please do not hesitate to contact me with any questions concerning this report.

Yours,

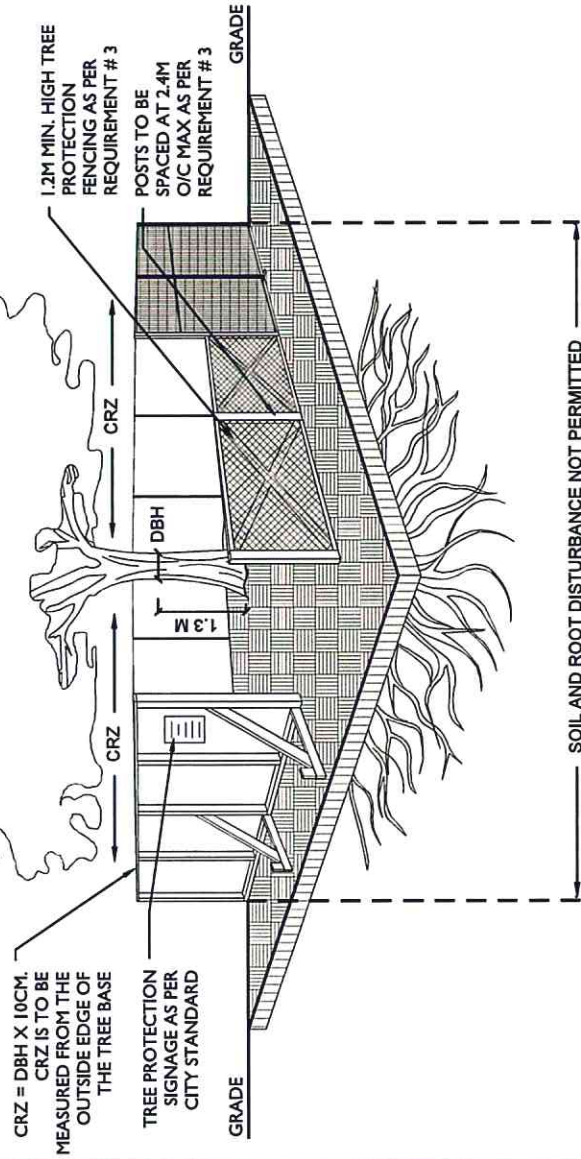


Andrew K. Boyd, B.Sc.F, R.P.F. (#1828)  
Certified Arborist #ON-0496A and TRAQualified  
Consulting Urban Forester





PLAN VIEW



- TREE PROTECTION REQUIREMENTS:**
1. PRIOR TO ANY WORK ACTIVITY WITHIN THE CRITICAL ROOT ZONE (CRZ = 10 X DIAMETER) OF A TREE, TREE PROTECTION FENCING MUST BE INSTALLED SURROUNDING THE CRITICAL ROOT ZONE, AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETE.
  2. UNLESS PLANS ARE APPROVED BY CITY FORESTRY STAFF, FOR WORK WITHIN THE CRZ:
    - DO NOT PLACE ANY MATERIAL OR EQUIPMENT - INCLUDING OUTHOUSES;
    - DO NOT ATTACH ANY SIGNS, NOTICES OR POSTERS TO ANY TREE;
    - DO NOT RAISE OR LOWER THE EXISTING GRADE;
    - TUNNEL OR BORE WHEN DIGGING;
    - DO NOT DAMAGE THE ROOT SYSTEM, TRUNK, OR BRANCHES OR ANY TREE;
    - ENSURE THAT EXHAUST FUMES FROM ALL EQUIPMENT ARE NOT DIRECTED TOWARD ANY TREE CANOPY.
    - DO NOT EXTEND HARD SURFACE OR SIGNIFICANTLY CHANGE LANDSCAPING
  3. TREE PROTECTION FENCING MUST BE AT LEAST 1.2M IN HEIGHT, AND CONSTRUCTED OF RIGID OR FRAMED MATERIALS (E.G. MODULOC - STEEL, PLYWOOD HOARDING, OR SNOW FENCE ON A 2"x4" WOOD FRAME) WITH POSTS 2.4M APART, SUCH THAT THE FENCE LOCATION CANNOT BE ALTERED. ALL SUPPORTS AND BRACING MUST BE PLACED OUTSIDE OF THE CRZ, AND INSTALLATION MUST MINIMISE DAMAGE TO EXISTING ROOTS. (SEE DETAIL)
  4. THE LOCATION OF THE TREE PROTECTION FENCING MUST BE DETERMINED BY AN ARBORIST AND DETAILED ON ANY ASSOCIATED PLANS FOR THE SITE (E.G. TREE CONSERVATION REPORT, TREE INFORMATION REPORT, ETC). THE PLAN AND CONSTRUCTED FENCING MUST BE APPROVED BY CITY FORESTRY STAFF PRIOR TO THE COMMENCEMENT OF WORK.
  5. IF THE FENCED TREE PROTECTION AREA MUST BE REDUCED TO FACILITATE CONSTRUCTION, MITIGATION MEASURES MUST BE PRESCRIBED BY AN ARBORIST AND APPROVED BY CITY FORESTRY STAFF. THESE MAY INCLUDE THE PLACEMENT OF PLYWOOD, WOOD CHIPS, OR STEEL PLATING OVER THE ROOTS FOR PROTECTION OR THE PROPER PRUNING AND CARE OF ROOTS WHERE ENCOUNTERED.
- THE CITY'S TREE PROTECTION BY-LAW, 2020-340 PROTECTS BOTH CITY-OWNED TREES, CITY-WIDE, AND PRIVATELY-OWNED TREES WITHIN THE URBAN AREA. PLEASE REFER TO [WWW.OTTAWA.CA/TREEBYLAW](http://WWW.OTTAWA.CA/TREEBYLAW) FOR MORE INFORMATION ON HOW THE TREE BY-LAW APPLIES.

ACCESSIBLE FORMATS AND COMMUNICATION SUPPORTS ARE AVAILABLE, UPON REQUEST



## TREE PROTECTION SPECIFICATION

TO BE IMPLEMENTED FOR RETAINED TREES, BOTH ON SITE AND ON ADJACENT SITES, PRIOR TO ANY TREE REMOVAL OR SITE WORKS AND MAINTAINED FOR THE DURATION OF WORK ACTIVITIES ON SITE.

SCALE: NTS

DATE: MARCH 2021

DRAWING NO.: 1 of 1





Picture 1. Trees #1 and 2 (right to left), private spruce and basswood trees at 113 Northwestern Avenue





Picture 2. Trees #3 and 5 (right to left), private basswoods at 113 Northwestern Avenue





Picture 3. Tree #6, neighbouring bitternut hickory at 113 Northwestern Avenue (note asphalt pathway to right)





Picture 4. Tree #7, neighbouring bur oak at 113 Northwestern Avenue (crab apple in foreground is less than 30cm DBH so not distinctive)



# LIMITATIONS OF TREE ASSESSMENTS & LIABILITY

## GENERAL

It is the policy of *IFS Associates Inc.* to attach the following clause regarding limitations. We do this to ensure that our clients are clearly aware of what is technically and professionally realistic in assessing trees for retention.

This report was prepared by *IFS Associates Inc.* at the request of the client. The information, interpretation and analysis expressed in this report are for the sole benefit and exclusive use of the client. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the client to whom it is addressed. Unless otherwise required by law, neither all or any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through public relations, news or other media, without the prior expressly written consent of the author, and especially as to value conclusions, identity of the author, or any reference to any professional society or institute or to any initialed designation conferred upon the author as stated in his qualifications.

This report and any values expressed herein represent the opinion of the author; his fee is in no way contingent upon the reporting of a specified value, a stipulated result, nor upon any finding to be reported.

Details obtained from photographs, sketches, *etc.*, are intended as visual aids and are not to scale. They should not be construed as engineering reports or surveys. Although every effort has been made to ensure that this assessment is reasonably accurate, the tree(s) should be reassessed at least annually. The assessment presented in this report is valid at the time of the inspection only. The loss or alteration of any part of this report invalidates the entire report.

## LIMITATIONS

The information contained in this report covers only the tree(s) in question and no others. It reflects the condition of the assessed tree(s) at the time of inspection and was limited to a visual examination of the accessible portions only. *IFS Associates Inc.* has prepared this report in a manner consistent with that level of care and skill ordinarily exercised by members of the forestry and arboricultural professions, subject to the time limits and physical constraints applicable to this report. The assessment of the tree(s) presented in this report has been made using accepted arboricultural techniques. These include a visual examination of the above-ground portions of each tree for structural defects, scars, cracks, cavities, external indications of decay such as fungal fruiting bodies, evidence of insect infestations, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of people and property. Except where specifically noted in the report, the tree(s) examined were not dissected, cored, probed or climbed to gain further evidence of their structural condition. Also, unless otherwise noted, no detailed root collar examinations involving excavation were undertaken.

While reasonable efforts have been made to ensure that the tree(s) proposed for retention are healthy, no warranty or guarantee, expressed or implied, are offered that these trees, or any parts of them, will remain standing. This includes other trees on or off the property not examined as part of this assignment. It is both professionally and practically impossible to predict with





absolute certainty the behaviour of any single tree or groups of trees or their component parts in all circumstances, especially when within construction zones. Inevitably, a standing tree will always pose some risk. Most trees have the potential for failure in the event of root loss due to excavation and other construction-related impacts. This risk can only be eliminated through full tree removal.

Notwithstanding the recommendations and conclusions made in this report, it must be realized that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site conditions, or seasonal variations in the weather. It is a condition of this report that *IFS Associates Inc.* be notified of any changes in tree condition and be provided an opportunity to review or revise the recommendations within this report.

Recognition of changes to a tree's condition requires expertise and extensive experience. It is recommended that *IFS Associates Inc.* be employed to re-inspect the tree(s) with sufficient frequency to detect if conditions have changed significantly.

### ASSUMPTIONS

Statements made to *IFS Associates Inc.* in regard to the condition, history and location of the tree(s) are assumed to be correct. Unless indicated otherwise, all trees under investigation in this report are assumed to be on the client's property. A recent survey prepared by a Licensed Ontario Land Surveyor showing all relevant trees, both on and adjacent to the subject property, will be provided prior to the start of field work. The final version of the grading plan for the project will be provided prior to completion of the report. Any further changes to this plan invalidate the report on which it is based. *IFS Associates Inc.* must be provided the opportunity to revise the report in relation to any significant changes to the grading plan. The procurement of said survey and grading plan, and the costs associated with them both, are the responsibility of the client, not *IFS Associates Inc.*

### LIABILITY

Without limiting the foregoing, no liability is assumed by *IFS Associates Inc.* for:

- 1) Any legal description provided with respect to the property.
- 2) Issues of title and/or ownership with respect to the property.
- 3) The accuracy of the property line locations or boundaries with respect to the property.
- 4) The accuracy of any other information provided by the client or third parties.
- 5) Any consequential loss, injury or damages suffered by the client or any third parties, including but not limited to replacement costs, loss of use, earnings and business interruption; and,
- 6) The unauthorized distribution of the report.

Further, under no circumstances may any claims be initiated or commenced by the client against *IFS Associates Inc.* or any of its directors, officers, employees, contractors, agents or assessors, in contract or in tort, more than 12 months after the date of this report.

### ONGOING SERVICES

*IFS Associates Inc.* accepts no responsibility for the implementation of any or all parts of the report, unless specifically requested to supervise the implementation or examine the results of activities recommended herein. In the event that examination or supervision is requested, that request shall be made in writing and the details, including fees, agreed to in advance.





2024-05-09



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 113 Northwestern Avenue  
Legal Description: Part of Lot 45, Registered Plan 331  
File No.: D08-02-24/A-00094  
Report Date: May 9, 2024  
Hearing Date: May 15, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban, Neighbourhood, Evolving Neighbourhood Overlay  
Zoning: R2D [2159]

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has some 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 not satisfied that the requested minor variances meet the “four tests”.

The subject site is located within the Inner Urban Transect Policy Area and designated Neighbourhood in Schedules A and B2 in the Official Plan. Staff have some concerns regarding the proposed variances. Driveways for new development that lead to parking should be designed to minimize the impact on the public realm. Neighbourhoods are planned to maintain a low-rise character with form-based regulation having regard for local context and character of existing development as well as appropriate interfaces with the public realm. The Official Plan notes that no parking, or limited parking that is concealed from the street, is a characteristic of the urban built form (Table 6).

**Variances for garage and driveway**

Staff have concerns with the requested flared double wide driveway and attached garage. The Streetscape Character Analysis is an objective count of building elements (garages, driveways, and main entrances) within the vicinity of the subject site in order to encourage development to reflect the built form of the surrounding area. Since the



dominant character of the street features single driveways, a flared double driveway and double-wide garage will increase the dominance of the automobile from the street. The Official Plan prioritizes the built-form relationship with the public realm by emphasizing front entrances and windows in areas that are becoming more urban. The proposed double wide driveway and garage would result in a principal entrance that is less prominent. By granting the proposed variances, these changes could be reflected in future developments that are subject to Streetscape Character Analysis, eventually changing the dominant streetscape character towards a more auto-centric landscape.

### **Variance for the balcony**

Staff have no concerns with the proposal to not include a 1.5 metre opaque wall. The variance is minor in nature, the proposed balcony is located primarily outside of the required interior yard. Given the location of the balcony, the proposal will not create adverse impacts on surrounding properties.

## **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.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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.
- Existing grading and drainage patterns must not be altered.
- Existing services are to be blanked at the owner's expense.
- Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

### **Planning Forestry**

A building permit was issued for this site in 2023, and construction is well underway. While there are no concerns with the proposed minor variances, the proposed plans for the rear yard are not in keeping with the Tree Protection By-law or

the objectives of the Official Plan which prioritize tree retention, and the plans must be revised prior to work in the rear yard. It is recommended that the COA decision be tied to the variances rather than the plans to allow for changes to address tree protection.

The site plan and TIR must be revised to allow for the adequate protection of trees #3, 4, and 5, which are outside of the allowable building footprint and proposed for removal for a pool and hardscaping; this removal is avoidable. Please note that tree #4 and the oak trees at 115 Northwestern are not on the subject property, and the owners' written permission is required for excavation or impacts within the Critical Root Zone(s) of their tree(s).

Tree permits are required prior to the removal of any protected trees (excluding those listed as hazardous in the TIR). A planting plan (based on the revised site plan) with all required compensation trees must be submitted with the permit application.

Most importantly, all construction materials and structures must be immediately removed from the Critical Root Zones of all protected trees, including those on the adjacent property, with tree protection fencing installed as per the Tree Protection Specifications.

### Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Minor Variance Application, however, as there are requested changes to the private approach/driveway on the property, the Owner shall be made aware that a private approach permit is required to construct a newly created entrance. There is an approved grading plan (A23-004294) which requires and outlines a Private Approach permit is required to establish the new entrance.

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](http://ottawa.ca/urbanisme) to submit a Private Approach application.



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Penelope Horn  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department



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Jean-Charles Renaud  
Planner III, Development Review Central  
Planning, Development and Building  
Services Department