



Committee of Adjustment

Panel 1

Wednesday, July 17, 2024

1:00 PM

Ben Franklin Place, The Chamber, Main Floor, 101 Centrepoin 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: [Davette Nyota](#)

Panel Members:

Chair: Ann M. Tremblay

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

CALL TO ORDER

OPENING REMARKS

DECLARATIONS OF INTEREST

CONFIRMATION OF MINUTES

ADJOURNMENT REQUESTS

HEARING OF APPLICATIONS

1. 53 Willow (Ward 14 - Somerset)
D08-02-24/A-00151

Minor Variance Application

Applicant(s): Hybrid Urban Development Inc.

Agent: J. Simpson

To permit a reduced lot width for the construction of a 3-storey low-rise apartment building containing 10 units.

2. 1071 Heron (Ward 17 - Capital)
D08-02-24/A-00149, 00164 - 00165

Minor Variance Applications

Applicant(s): David Palmer
Agent: C. Jalkotzy

To permit increased building heights and reduced front yards, soft landscaped areas, lot widths and lot areas, and a reduced side yard setback, for the construction of a 3-unit townhouse dwelling.

3. 370 Princeton (Ward 15 - Kitchissippi)
9.1 D08-01-24/B-00100 - 00101

9.2 D08-02-24/A-00145 - 00146

Consent & Minor Variance Applications

Adjourned from July 3, 2024

Applicant(s): Falsetto Homes Inc.
Agent: A. Soor

To subdivide the property into two lots for two, three-storey, eight-unit low-rise apartment dwellings, with reduced lot width, lot area, and corner and interior side yards, and an increased number of dwelling units and building height.

OTHER BUSINESS

ADJOURNMENT



Comité de dérogation

Groupe 1

le mercredi 17 juillet 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 : Davette Nyota

Membres du Groupe:

Présidente: Ann M. Tremblay

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

APPEL NOMINAL

MOT D'OUVERTURE

DÉCLARATIONS D'INTÉRÊT

RATIFICATION DU PROCÈS-VERBAL

DEMANDES D'AJOURNEMENT

AUDIENCE DES DEMANDES

1. 53 Willow (Quartier 14 - Somerset)
D08-02-24/A-00151

Demande de dérogation mineure

Requérant(e)(s) : Hybrid Urban Development Inc.

Agent : J. Simpson

Permettre un lot de largeur réduite pour la construction d'un immeuble d'habitation de 3 étages abritant 10 logements.

2. **1071 Heron (Quartier 17 - Capitale)**
D08-02-24/A-00149, 00164 - 00165

Demandes de dérogation mineure

Requérant(e)(s) : David Palmer

Agent : C. Jalkotzy

Pour permettre l'augmentation de la hauteur de bâtiment ainsi que la réduction des retraits de cour avant, de la largeur et de la superficie des lots, de la superficie du paysagement végétalisé et d'un des retraits de cour latérale, en prévision de la construction de trois habitations en rangée.

3. **370 Princeton (Quartier 15 - Kitchissippi)**
9.1 D08-01-24/B-00100 - 00101

9.2 D08-02-24/A-00145 - 00146

Demandes d'autorisation et de dérogations mineures

Ajournée du 3 juillet 2024

Requérant(e)(s) : Falsetto Homes Inc.

Agent : A. Soor

Lotir la propriété en deux lots pour construire deux immeubles d'habitation de huit logements sur trois étages en réduisant la largeur et la superficie d'un lot et les cours latérales intérieures et d'angle et en augmentant le nombre de logements et la hauteur de bâtiment.

AUTRES QUESTIONS

AJOURNEMENT

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variance Application

Panel 1

Wednesday, July 17, 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.:	D08-02-24/A-00151
Applications:	Minor Variance under section 45 of the <i>Planning Act</i>
Owners/Applicants:	Hybrid Urban Development Inc.
Property Address:	53 Willow Street
Ward:	14 - Somerset
Legal Description:	Part of Lot 18, Registered Plan 2545
Zoning:	R4UB
Zoning By-law:	2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant wants to construct a 3-storey low-rise apartment building containing 10 units. The existing dwelling will be demolished.

REQUESTED VARIANCES:

The Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit a reduced lot width of 10.9 metres, whereas the By-law requires a minimum lot width of 15 metres.

The property is not the subject of any other current application under the *Planning Act*.

FIND OUT MORE ABOUT THE APPLICATION(S)

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **Ottawa.ca/CommitteeofAdjustment** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification 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, send a written request to the Committee.

HOW TO PARTICIPATE

Submit written or oral comments before the hearing: Email your comments to 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. 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.

ALL SUBMITTED INFORMATION BECOMES PUBLIC

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented 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 and during the hearing, 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, and potentially posted online and become searchable on the Internet.

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 consent to sever land and minor variances from the zoning requirements.

DATED: June 28, 2024



Ce document est également offert en français.

Committee of Adjustment
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cofa@ottawa.ca
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AVIS D'AUDIENCE

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

Demande de dérogation mineure

Groupe 1
Mercredi 17 juillet 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.

Dossier :	D08-02-24/A-00151
Demande :	Dérogation mineure en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
Requérante :	Hybrid Urban Development Inc.
Adresse municipale :	53, rue Willow
Quartier :	14 - Somerset
Description officielle :	Partie du lot 18, plan enregistré 2545
Zonage :	R4UB
Règlement de zonage :	n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante souhaite construire un petit immeuble d'habitation de 3 étages abritant 10 logements. L'habitation existante sera démolie.

DÉROGATION DEMANDÉE :

La requérante demande au Comité d'accorder une dérogation mineure au Règlement de zonage afin de permettre une largeur de lot réduite à 10,9 mètres, alors que le Règlement exige une largeur de lot minimale de 15 mètres.

La propriété en question ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris **les lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, 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, faites-en la demande par écrit au Comité.

COMMENT PARTICIPER

Présentez vos observations écrites ou orales avant l'audience : Veuillez faire parvenir vos observations par courriel à 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. 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.

TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, 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 et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

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 : 28 juin 2024

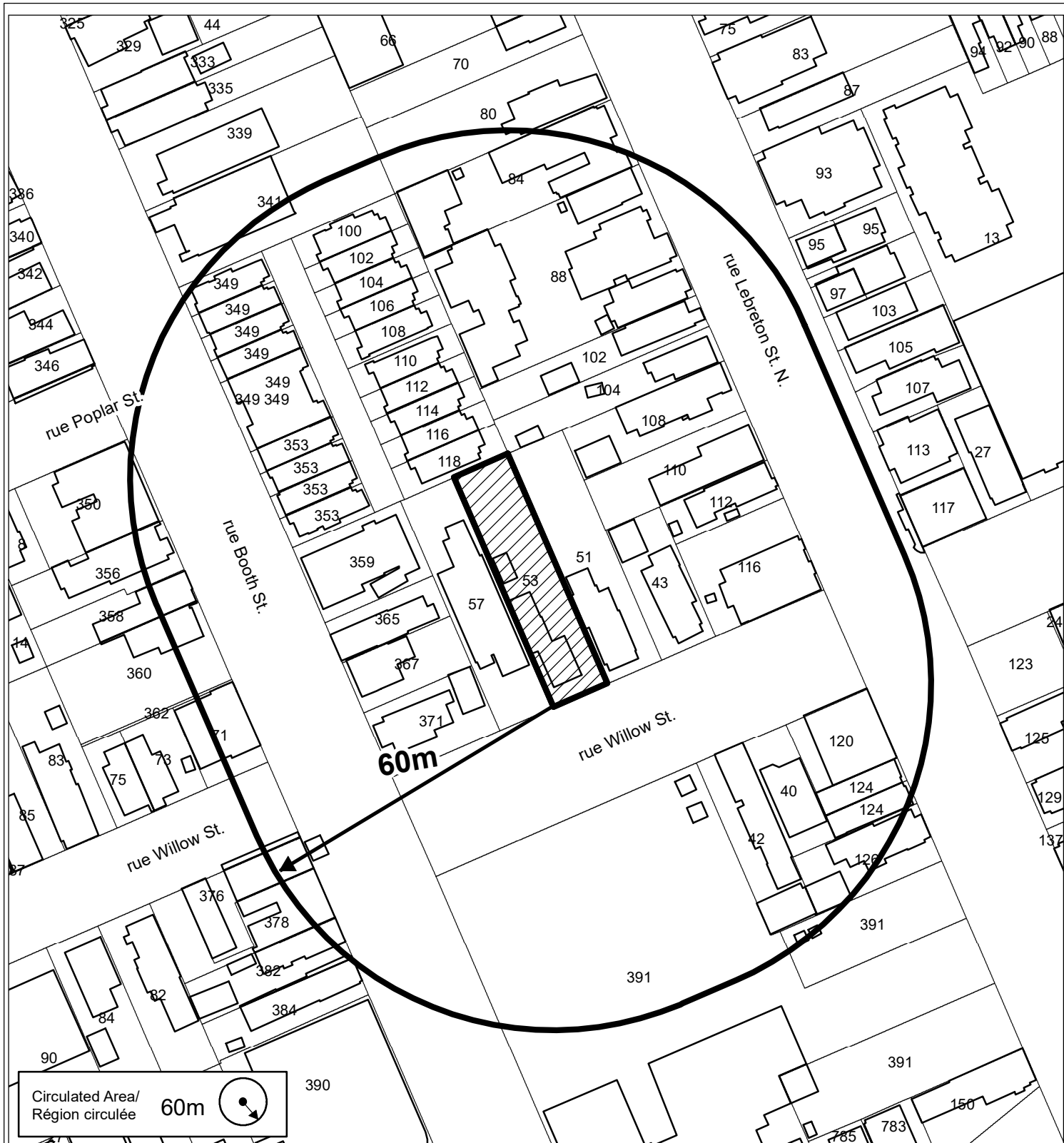


This document is also available in English.

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Committee of Adjustment
Comité de dérogation

CIRCULATION MAP / PLAN DE CIRCULATION

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SUBJECT LAND / TERRE EN QUESTION

53 rue Willow St.



NOT TO SCALE
NON À L'ÉCHELLE

June 3, 2024

1

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 CentrepoinTE Drive, Fourth Floor
Ottawa, ON K2G 5K7

Committee of Adjustment
Received | Reçu le

2024-06-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

RE: Application for Minor Variance
53 Willow Street, Ottawa

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Hybrid Urban Development Inc. ("the Client") to prepare a Planning Rationale for a Minor Variance application to permit a 3 storey, 10-unit apartment building at 53 Willow Street ("subject site") in the City of Ottawa.

The subject site is currently occupied by a two-storey single-detached residential building and driveway. The proposed Minor Variance is required to reduce the minimum required lot width to permit the proposed development. The variance has been assessed against the Four Tests of the Planning Act, and our determination is that the variance can satisfy these tests and is therefore appropriate and in the public interest.

Please find enclosed the following material in support of the application:

- / This cover letter explaining the nature of the application (1 copy);
- / Minor Variance application form (1 copy);
- / Building Elevation Drawings, prepared by Justin Seguin Designs, dated May 16, 2024 (1 full-sized and 1 reduced copy);
- / Site Plan, prepared by Justin Seguin Designs, dated April 16, 2024 (1 full-sized and 1 reduced copy);
- / Survey Plan, prepared by Fairhall, Moffatt & Woodland Ltd., dated June 3, 2022 (1 full-sized and 1 reduced copy);
- / Tree Information Report, prepared by Dendron Forestry Services, dated May 23, 2024 (1 copy); and,
- / Tree Planting Plan, prepared by Dendron Forestry Services, dated May 27, 2024 (1 copy).

Please contact the undersigned with any questions or requests for additional material.

Sincerely,



Jillian Simpson, M.PL
Planner



Scott Alain, MCIP RPP
Senior Planner

1.0 Background and Context

Fotenn Planning + Design (“Fotenn”) has been engaged by Hybrid Urban Development Inc. (“the Client”) to prepare this Planning Rationale in support of a Minor Variance application for the subject site, municipally known as 53 Willow Street in the City of Ottawa.

The subject site is located on the north side of Willow Street between Booth Street to the west and Lebreton Street North to the east, in the Somerset Ward (Ward 14) of the City of Ottawa. The subject site is a rectangular lot with a total area of 506 square metres, a depth of 46 metres and a frontage of 10.9 metres. The subject site is currently occupied by a two-storey residential building with a 1-storey addition in the rear yard and an asphalt driveway along the eastern portion of the lot. Two mature trees are located in the front yard of the property, four mature trees are clustered in the middle of the site, and one mature tree is located in the rear yard. A metal fence is located along the western property line between the subject site and the adjacent property.



Figure 1: Subject Site and surrounding context.

Sidewalks are located on both sides of Willow Street, with street parking provided on the north side of the street. Elevated hydro distribution lines are present in the public right-of-way along the north side of Willow Street. The subject site located is approximately 700 metres walking distance from the future Corso Italia Light Rail Transit (LRT) station to the west, and 900 metres to Pimisi LRT Station to the north.

1.1 Surrounding Area

North: Immediately north of the subject site are low-rise townhouses accessed from Booth Street via Jemruss Private. Further north of the subject site and continuing towards Somerset Street West (Ottawa’s Chinatown neighbourhood) is characterized

by low-rise buildings, including single-detached dwellings, converted multi-unit buildings, townhouses, low-rise apartment buildings, and commercial and institutional buildings. Further north is the Lebreton Flats neighbourhood, the Pimisi LRT station, and the Ottawa River.

East: Immediately east of the subject site are low-rise residential dwellings characterized by long narrow lots, and commercial and institutional uses that continue towards Bronson Avenue. Bronson Avenue is designated as an Arterial Road and features a wide range of uses and heights including retail, restaurants, residential, personal services and other uses.



Figure 2: Looking north from 53 Willow Street, existing building shown.



Figure 3: Looking east from 53 Willow Street, existing building shown.

South: Immediately south of the subject site across Willow Street is a playground associated with St. Anthony School, located at the corner of Booth Street and Gladstone Avenue. Across Gladstone Avenue is St. Anthony of Padua church. A low-rise residential condition continues further south, towards the 417 Provincial Highway, which provides vehicular connections throughout the City.

West: Immediately west of the site is a low-rise residential building with a generous front yard setback. Further west along Booth Street are low-rise residential dwellings and small-scale commercial businesses which cater to the local neighbourhood. This condition continues west to Preston Street, a Traditional Mainstreet and part of Ottawa's 'Little Italy' neighbourhood. Uses includes restaurants, retail, event spaces, personal services and other uses.

2.0 Overview of Application

2.1 Proposed Development

The applicant is proposing to demolish the existing detached dwelling and construct a three-storey low-rise residential apartment building comprised of 10 units: two (2) Bachelor units, three (3) one-bedroom units, one (1) accessible one-bedroom unit, and four (4) two-bedroom units. The proposed development fronts onto Willow Street with soft landscaping provided along the majority of the front yard, and western side yard, with amenity space proposed in the rear yard.

A small outdoor storage shed is proposed in the rear yard for the purpose of refuse and recycling storage, with five (5) covered bicycle parking spaces located adjacent to the shed. A mature Hackberry tree, presently located in the rear yard, will be retained as part of the proposed redevelopment of the lands. No vehicular parking is proposed as part of this redevelopment. Figure 4 below shows the site plan for the proposed development.

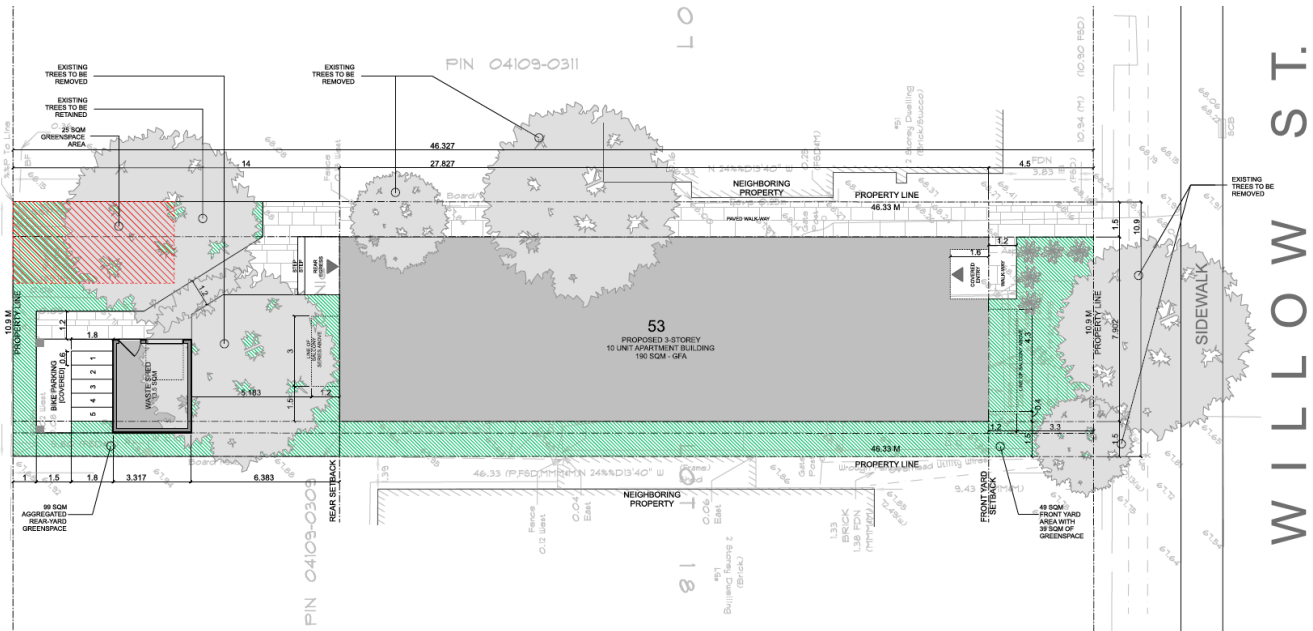


Figure 4: Site Plan of proposed development.

A hardscaped walkway is proposed from the front yard, along the eastern side yard to the rear yard, which provides access from the front of the building to the bicycle parking and refuse storage bins at the rear of the site. The front entrance is proposed along the eastern side of the building linking up to the walkway, and a rear exit is proposed which serves to provide easier access to the rear yard amenity area and bicycle parking.

As shown on Figures 5 and 6, below, the proposed exterior design features large windows on the front and rear façades, which offers natural daylight to the units and a well-lit public realm at night. An overhang covers the front entrance from the elements and highlights the principal entryway. Brick and stone masonry are proposed for the front façade to provide variety and interest, and the side and rear elevations (Figure 7) are proposed to be clad with siding. Windows along the sides of the building are much smaller in size to improve privacy and minimize overlook to adjacent development.

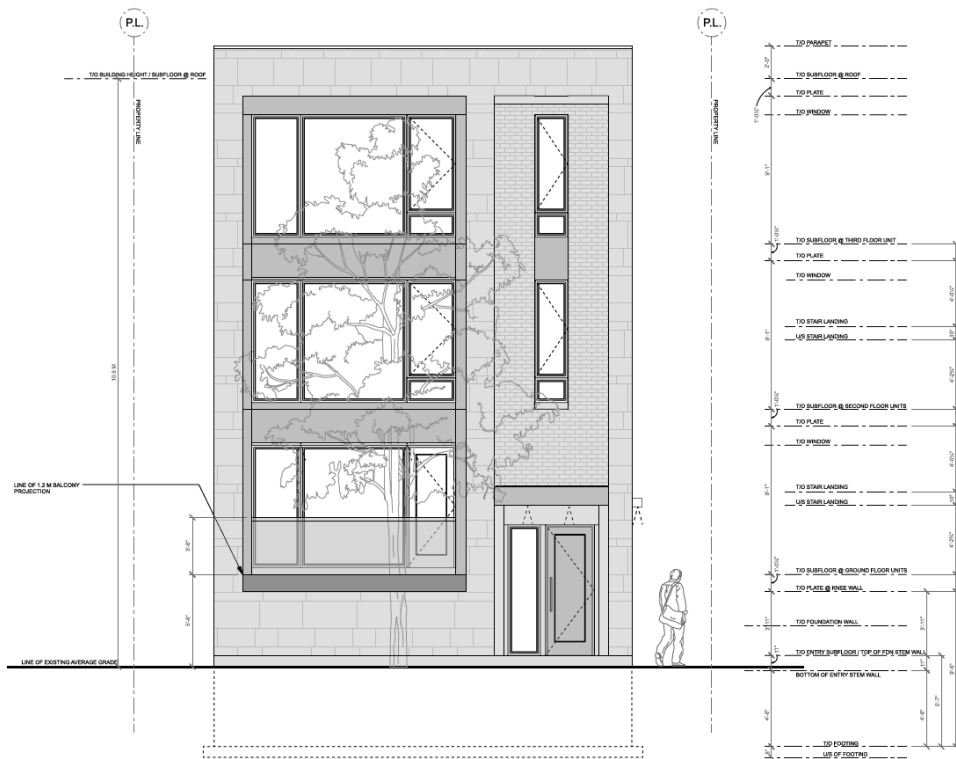


Figure 5: Front Elevation of proposed building.

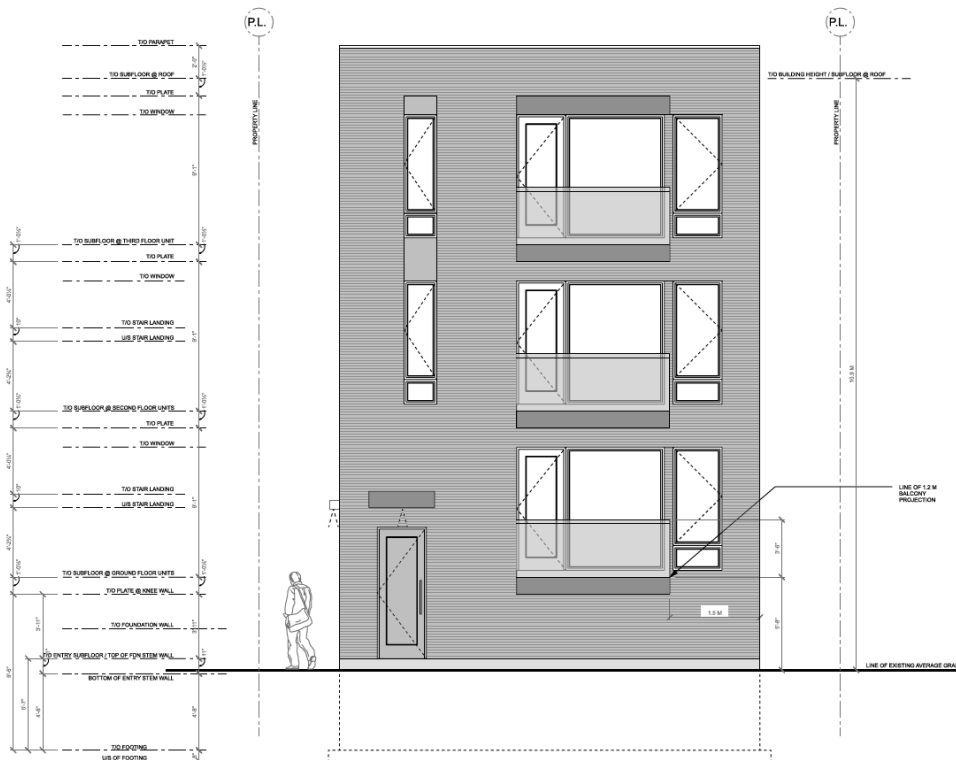


Figure 6: Rear Elevation of proposed building.

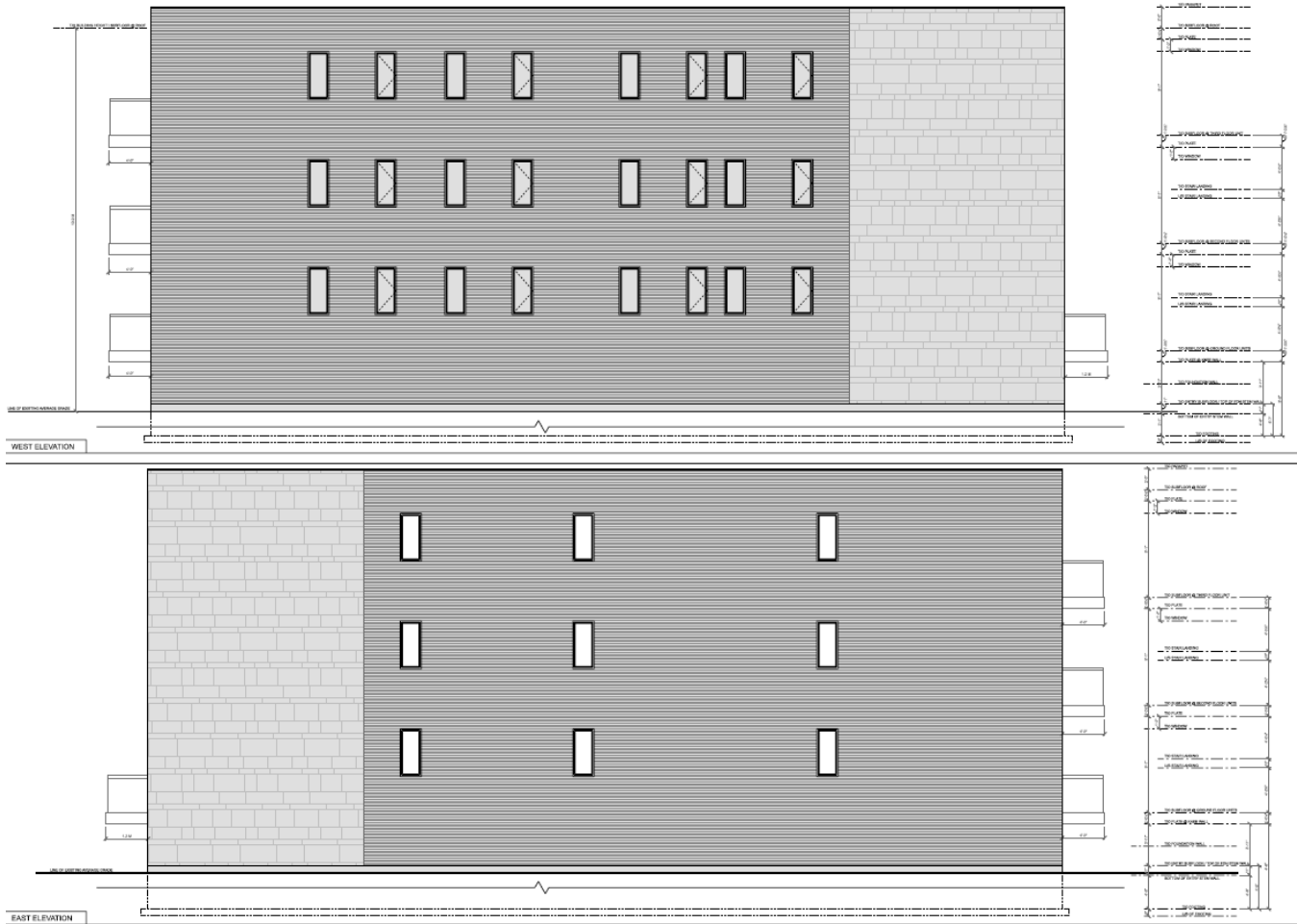


Figure 7: West (top) and East (bottom) Elevations of proposed building.

A Tree Information Report, prepared by Dendron Forestry Services, indicates that the proposed building footprint will limit retention of some of the existing trees on site, per Figure 8 below. Tree 1 is a tree lilac in declining health positioned between a walkway and the existing asphalt driveway, limiting its available rooting space. If left in its location is unlikely to survive construction due to the proximity of construction, and therefore it is proposed that the tree be removed and replanted. Tree 5, a hackberry is in fair health and to best preserve the tree's health, protection measures are to be followed. Trees 2, 3, 4, and 6 are proposed to be removed due to the health condition and due to proximity to excavation.

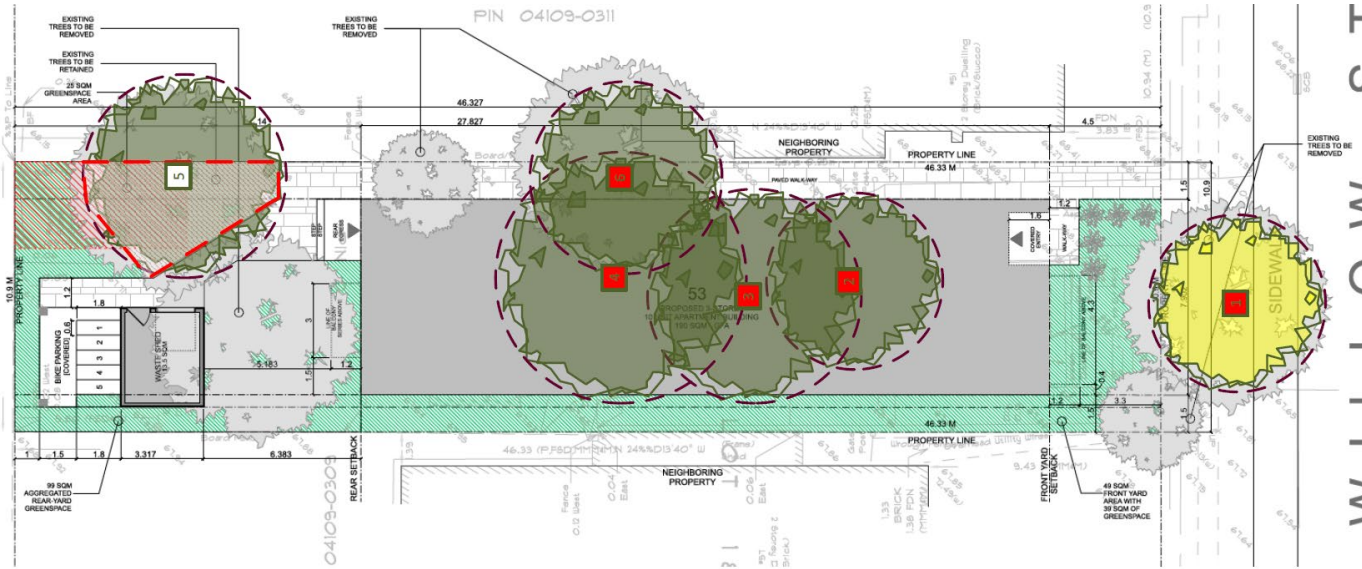


Figure 8: Tree Information Report, 53 Willow Street

To ensure adequate tree coverage for the site, four (4) new trees are proposed in addition to the retention of Tree 5, per Figure 9, below. Two (2) new trees are proposed in the rear yard, with Trees 1 and 2 proposed as medium or large trees at maturity as site conditions are expected to be partial to low light exposure and moderate moisture availability. In the front yard, two (2) trees, labelled as Trees 3 and 4 are suggested as small trees to accommodate the overhead wires along Willow Street, and considering site conditions that are expected to be full light exposure and moderate to minimal moisture availability.

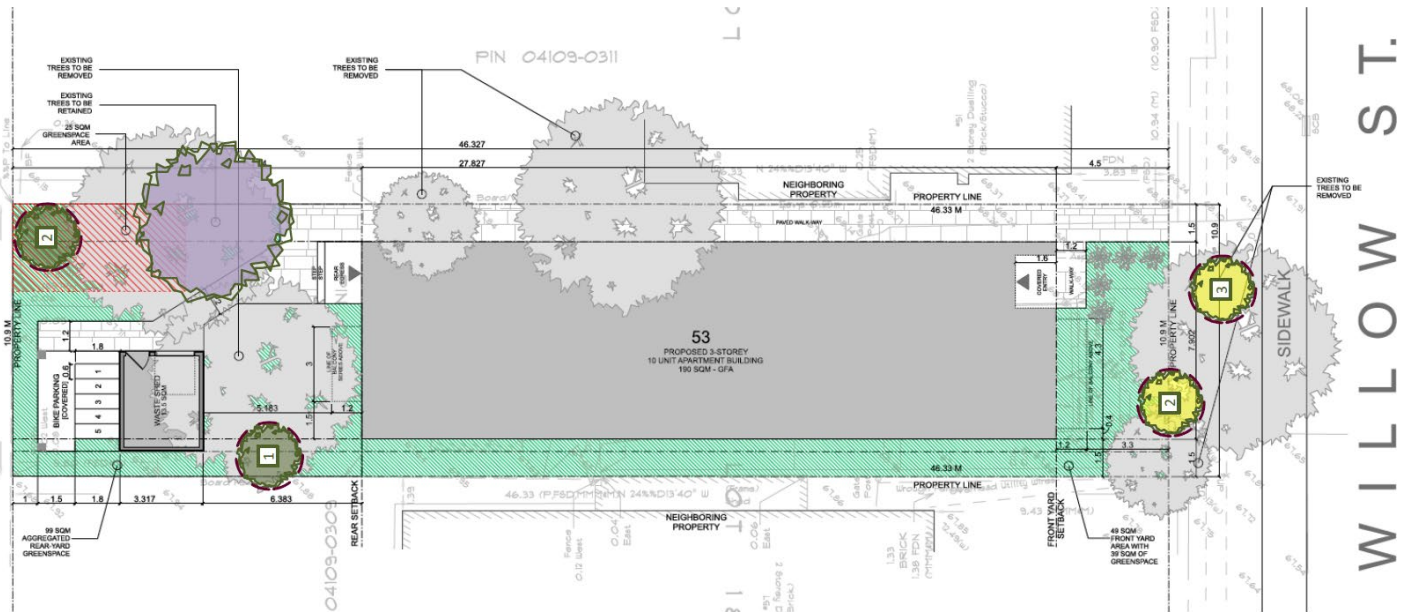


Figure 9: Tree Planting Plan, 53 Willow Street.

2.2 Proposed Minor Variance

The property is located within the “Residential Fourth Density, Subzone UB” (R4UB) zone. While broadly complying with the applicable provisions, in order to proceed with the development, the following minor variance is required:

- / To permit a reduced minimum lot width of 10.9 metres, whereas the By-law requires a minimum lot width of 15 metres for a low-rise apartment with 9 or more units (Table 162A) of City of Ottawa’s Comprehensive Zoning By-law (2008-250)).

An assessment of this variance in relation to the Four Tests of the Planning Act is provided below, following the policy and regulatory overview.

3.0 Policy and Regulatory Review

3.1 Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) establishes the high-level planning policies for land use planning in Ontario. The PPS is issued under Section 3 of the Planning Act and requires that all planning matters are consistent with the PPS, including decisions made by municipalities. Applicable policies for the proposed Minor Variance application include:

- / 1.1.1: Healthy, liveable and safe communities are sustained by:
 - a) Promoting efficient development and land use patterns;
 - b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons);
 - e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.
- / 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) Efficiently use land and resources;
 - b) Are appropriate for, and efficiently use, the infrastructure which are available;
 - f) Are transit-supportive, where transit is planned, exists or may be developed.
- / 1.1.3.3: Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas;
- / 1.4.3: Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - b) permitting and facilitating:
 - 1. All types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
 - c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
 - e) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
 - f) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

As the property is located on an underutilized lot within an established settlement area and in proximity to the Corso Italia rapid transit station and a Transit Priority Corridor along Somerset Street West, the Minor Variance application to permit a 3-storey, 10-unit residential building will establish new housing stock in an area supported by infrastructure and services. The proposed development is therefore consistent with the Provincial Policy Statement, 2020.

3.2 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved by the Ministry of Municipal Affairs and Housing (MMAH) on 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 the manner that the City will accommodate this growth over time and set out the policies to guide the development and growth of the City.

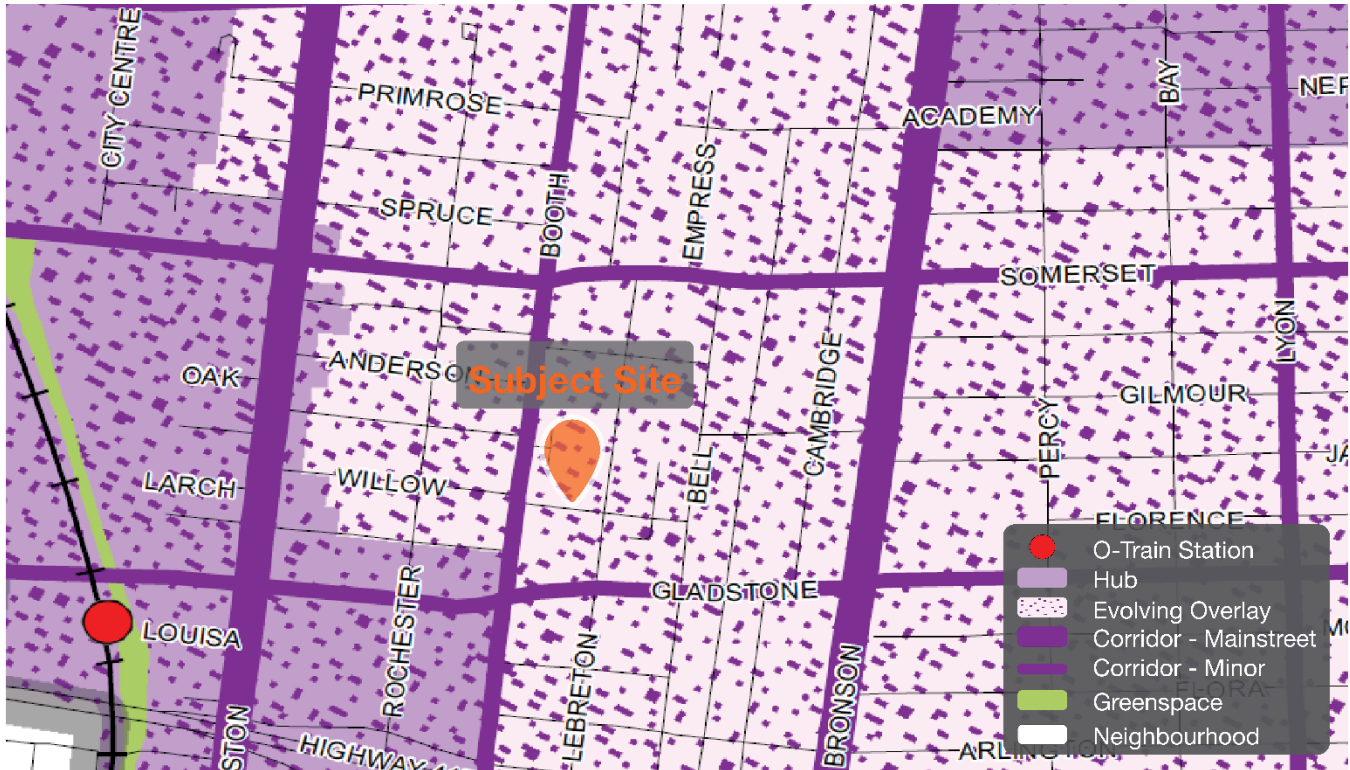


Figure 10: Schedule B2– Downtown Core Transect, City of Ottawa Official Plan, Subject Site indicated.

The Official Plan provides guidance for development across the Ottawa region, highlighting specific desired features, such as 15-minute neighbourhoods, and other intensification targets aimed at improving the walkability and sustainability of existing built-up areas. The Official Plan encourages infill and intensification through the development of various housing types, such as missing middle housing, within existing neighbourhoods in the City's urban areas.

3.2.1 Downtown Core Transect

The subject site is located within the Downtown Core Transect of the Official Plan (Figure 10), which includes a mature built environment whose urban characteristics of high-density, mixed uses and sustainable transportation orientation are to be maintained and enhanced.

- / As identified in Policy 1 of Section 5.1.1 of the Official Plan, the City supports the continued development of the Downtown Core as healthy 15-minute neighbourhoods within a highly mixed-use environment, where:
 - o Hubs and Corridors provide a full range of services;
 - o Existing and new cultural assets are supported; and,
 - o Residential densities are sufficient to support the full range of services.
- / In addition, the Downtown Core is planned for higher-density, urban development forms where either no onsite parking is provided, or where parking is arranged on a common parking garage. Policy 5.1.2.3 prohibits new

automobile-oriented land uses and development forms (i.e. automobile service stations, dealerships, surface parking lots as a main use of land).

3.2.2 Neighbourhood Designation

The subject site is designated “Neighbourhood” in the Official Plan. Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities.

- / Per Section 5.1.5, Neighbourhoods located in the Downtown Core shall accommodate residential growth to meet the Growth Management Framework. The Zoning By-law shall implement the density thresholds in a manner which adheres to the following:
 - c) Permitting 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.
- / Per Section 6.3.1.5, the Zoning By-law will distribute permitted densities in the Neighbourhood by:
 - a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;

The proposed development consists of an apartment building of less than 4 storeys in an area that is in proximity to planned rapid transit (less than 600 metres from the Corso Italia Station); within 350m of Preston Street (Mainstreet Corridor); and within 270m of Somerset St. W. (Minor Corridor, Transit Priority Corridor). It meets the Neighbourhood Designation intent by maintaining a height of 4 storeys or less while offering an increased density that aligns with its proximity to transit and services.

The proposed 10 residential apartment units are also within 900 metres of existing, currently operating, rapid transit. No vehicle parking has been included in the site design to encourage sustainable modes of transportation, which is further encouraged by providing covered bicycle parking in the rear yard.

3.2.3 Evolving Overlay

An Evolving Neighbourhood Overlay is applied to the subject site and surrounding area. The area shall evolve to create the opportunity to achieve an urban form in terms of use, density, built form and site design. The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies.

The Evolving Neighbourhood Overlay is applied to the subject site and indicates the area is subject to gradual change in both built form and density, such as that proposed herein.

The proposed minor variance maintains the general intent and purpose of the Official Plan. The proposed development is within the height range of the Neighbourhood designation and has been designed in a compatible manner which intensifies the site with consideration to adjacent uses.

3.3 City of Ottawa Zoning By-Law (2008-250)

The subject site is zoned “Residential Fourth Density, Subzone UB” (R4UB) in the City of Ottawa’s Comprehensive Zoning By-Law (2008-250) as shown on Figure 10. The purpose of this zone is to:

- / allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys;
- / allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
- / permit ancillary uses to the principal residential use to allow residents to work at home; and,
- / regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced.

A low-rise apartment building of under four storeys is permitted within and follows the intent of the applicable R4UB zoning.



Figure 11: Zoning map of the Subject Site and surrounding context.

The Mature Neighbourhoods Overlay also applies to the subject site. The Overlay includes zone provisions intended to ensure that new infill development complements and reinforces the established neighbourhood character as seen along each street. As per Section 140 of the By-law, the Mature Neighbourhoods Overlay generally regulates development or additions within the front or corner side yard through the completion of a Streetscape Character Analysis. Pursuant to Section 140 (4a), the proposed low-rise development is not subject to a Streetscape Character Analysis, as the proposal does not include a driveway or attached garage or carport and includes a principal entrance facing the front lot line.

Permitted uses include:

- | | |
|--|-------------------------------|
| / apartment dwelling, low rise; | / planned unit development; |
| / bed and breakfast (maximum of 3 guest bedrooms); | / retirement home, converted; |
| / detached dwelling; | / retirement home; |
| / diplomatic mission; | / rooming house; |
| / duplex dwelling; | / secondary dwelling unit; |
| / group home (maximum of 10 residents); | / semi-detached dwelling; |
| / home-based business; | / stacked dwelling; |
| / home-based daycare; | / three-unit dwelling; |
| / linked-detached dwelling; | / townhouse dwelling; and, |
| / park; | / urban agriculture. |

Table 1 below evaluates the proposed development against the applicable zoning provisions, confirming that the subject site can adequately accommodate the development.

Table 1: Zoning Provisions

R4-UB Provision	Required	Provided	Compliance
Minimum Lot Width [Table 162A]	15 metres	10.9 metres	No
Minimum Lot Area [Table 162A]	450 square metres	506 square metres	Yes
Minimum Front Yard Setback [S.144(1)(a);(d)]	Front yard setback must align with the average of the abutting lots' corresponding yard setback abutting the street, but need not exceed minimum required in the ZBL. Average Setback: 6.63m; R4-UB Min.: 4.5 metres	4.5 metres	Yes
Minimum Interior Side Yard Setback [S.144(2)(a)]	1.5 metres	1.5 metres (east) / 1.5 metres (west)	Yes
Minimum Rear Yard Setback [S.144(3)(a)(i)(iii)]	Lot depth greater than 25 metres: 30% of lot depth 46m x 30% = 13.8 metres	14 metres	Yes
Minimum Rear Yard Area [S.144(3)(a)(i)(iii)]	Must comprise at least 25% of the lot area. Total lot area: 506m ² Minimum rear yard area: 506m ² x 25% = 126.5m ²	Rear Yard Width: 10.9m Rear Yard Depth: 14m Rear Yard Area: 152.6m ²	Yes
Maximum Building Height [Table 162A]	11 metres	10.9 metres	Yes
Parking Requirements (Area X) [S.101(3)(a)]	No parking required for first 12 units	No parking provided	Yes
Bicycle Parking [S.111A]	0.5 spaces/dwelling unit 10 units= 5 spaces	5 spaces provided	Yes

R4-UB Provision		Required	Provided	Compliance
Bicycle Parking Space Dimensions [S.111B]		Horizontal: 0.6 metres by 1.8 metres	0.6 metres by 1.8 metres	Yes
Landscaping Requirements [S.161(15)]	Front Yard Soft Landscaping	>3m: 35 per cent, in the case of any lot with a width between 8.25 metres but less than 12 metres Front Yard: $49.1 \text{ m}^2 \times 35\% = 17.2 \text{ m}^2$	Complies (39 m ²)	Yes
	Rear Yard Soft Landscaping	Lot 450 m ² or greater, at least 50% of rear yard Rear yard: $152.6 \text{ m}^2 \times 50\% = 76.3 \text{ m}^2$	Complies (99 m ²)	Yes
		Any part of the rear yard not occupied by accessory buildings and structures, permitted projections, bicycle parking and aisles, hardscaped paths of travel for waste and recycling management, pedestrian walkways, patios, and permitted driveways, parking aisles and parking spaces, must be softly landscaped.	Soft landscaping provided.	Yes
	Minimum Soft Landscaping	Must comprise at least one aggregated rectangular area of at least 25 square metres and whose longer dimension is not more than twice its shorter dimension, for the purposes of tree planting.	Provided.	Yes
Principal Entrance Requirement [S.161(15)]		At least one principal entrance to a ground-floor unit or to a common interior corridor or stairwell must be located on the facade and provide direct access to the street.	Provided.	Yes
Front Façade Window Coverage [S.161(15)]		The front facade must comprise at least 25 per cent windows.	Provided.	Yes
Front Façade Setback [S.161(15)]		At least 20 per cent of the area of the front facade must be recessed an additional 0.6 metres from the front setback line.	Provided as part of the recessed covered entry.	Yes
Minimum Number of Two Bedroom Dwelling Units [S.161(16)]		In the case of a lot of 450 square metres or greater at least 25 per cent of dwelling units must have at least two bedrooms. $10 \text{ units} \times 25\% = 3 \text{ units required.}$	4 units proposed.	Yes

4.0

The Four Tests of the Planning Act

Section 45 of the *Planning Act, R.S.O. 1990* provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness on the basis of Four Tests. It is required to be demonstrated that a proposed variance satisfy the following tests:

1. Is it in keeping with the general intent and purpose of the Official Plan?
2. Is it in keeping with the general intent and purpose of the Zoning By-law?
3. Is it desirable for the appropriate development or use of the land, building or structure?
4. Is the application minor in nature?

It is our professional planning opinion that the application meets the “Four Tests” as follows:

4.1 Does the Proposal Maintain the General Intent and Purpose of the Official Plan?

The subject site is designated “Neighbourhood” on Schedule B2 (Downtown Core Transect) of the Official Plan. The Neighbourhood designation is intended to support housing in a compact, mixed-use environment. The minimum permitted built height is 2 storeys and up to 4 storeys to accommodate higher-density low-rise residential development. The intent of this designation is to ensure new infill is functionally and aesthetically compatible and contributes to the towards the reduction of reliance on private vehicles while furthering the establishment of 15-minute neighbourhoods. The Neighbourhood designation directs denser low-rise uses to areas that are supported by transit, well-served by community amenities, and located within the Evolving Neighbourhood Overlay.

The proposal maintains the intended form, uses and context of the Neighbourhood designation of the Official Plan. Further, no vehicle parking has been provided, as the Official Plan supports the reduction or elimination parking in close proximity to transit. The proposed variance supports the compact and urban form of development intended for the site. The subject site incorporates covered bicycle parking in the rear yard. The height of the building at three storeys also upholds the intent of the Official Plan to maintain a low-rise built form. The applicable Evolving Neighbourhood Overlay anticipates higher density forms of infill being introduced into this neighbourhood over time, such as that currently proposed. Lastly, the Official Plan encourages the introduction of “Missing Middle” housing densities where compatibility is possible.

4.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject site is zoned **Residential Fourth Density Zone, Subzone UB (R4UB)** in the City of Ottawa’s Comprehensive Zoning By-Law. The purpose of the R4UB zone is to allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings. In order to facilitate a 10-unit apartment building on site as proposed, the proposal requires relief from the required minimum lot width of 15 metres, as the existing lot width is 10.9 metres.

The intent of the minimum lot width requirement is to ensure that an infill development lot is sufficient in size to provide a viable building footprint while maintaining an adequate transition to adjacent properties. The 506 square-metre lot area and 10.9-metre lot width provide sufficient area for the proposed development without the need for relief from other By-law provisions, including interior and rear yard setbacks, therefore maintaining compatible separation to neighbouring uses. The subject site is irregularly deep compared to typical infill lots and therefore allows for a sufficient lot area to accommodate landscaping, amenity, and a functional building footprint despite being slightly narrower in nature. Additionally, the proposed lot frontage will contribute to a streetscape consistent with the prevailing character of the area, which features a variety of lot widths and configurations.

The variance requested to reduce the minimum lot width to 10.9 metres meets the general intent and purpose of the Zoning By-law, as it permits a low-rise apartment building on an appropriately sized lot. The lot area of the subject site is

506 square metres, exceeding the minimum zoning requirement of 450 square metres for a low-rise apartment building of up to 12 units, whereas only 10 units are proposed.

4.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The proposed development consists of the establishment of a three-storey low-rise apartment building containing 10 units. As noted previously, the project is consistent with the intended function of the R4UB zone. Additionally, the proposal contributes to intensification goals of the R4UB zone by providing an increased supply of housing. The policies of the Downtown Core Transect of the Official Plan promote intensification, encouraging low-rise apartment buildings and other low-rise residential dwellings where they can be accommodated and fit within the local context. Further, policies within the PPS support the proposed development by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating an appropriate affordable and market-based range and mix of residential types;
- / promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The proposed development makes efficient use of the land, proposes land uses that are compatible with the existing context of the surrounding community, makes use of underutilized land connected to services, and positively contributes to provincial and municipal intensification goals. Overall, the proposal is desirable for the development and use of the lands.

4.4 Is the Proposal Minor in Nature?

The reduction in lot width does not preclude the ability of the proposed low-rise apartment dwelling to meet setback and minimum landscaping requirements in the Zoning By-law and continues to allow the lot to develop in a manner consistent with the built form of the surrounding area. The proposed development is generally consistent with the provisions under the R4UB zone; therefore, the reduced lot width does not create any adverse impacts to adjacent properties and is appropriate for the neighbourhood.

Since the proposed development is accommodated entirely within the as-of-right building envelope, including the permitted height and setbacks, the massing will not overwhelm adjacent uses. Narrow lots form an important characteristic to the fabric of the surrounding neighbourhood and the proposed building will serve as a visually interesting and appealing contribution to the streetscape that is not made lesser by a reduced lot width. The lot area remains generous and can therefore accommodate retaining a tree in the rear yard and meeting soft landscaping requirements despite the reduced width. The variance to reduce the minimum lot width is therefore considered minor.

5.0 Conclusion

It is our professional opinion that the Minor Variance described herein meets the Four Tests of the Planning Act and result in a development proposal which represents good planning principles and is in the public interest. The variance allows for the establishment of a compatible, low-rise apartment form that contributes positively to the housing supply, the public realm and active transportation objectives. This report recognizes the following:

- / The proposal conforms to the direction of the Provincial Policy Statement (2020);
- / The proposal conforms to the policies and objectives of the “Neighbourhood” Official Plan designation;
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law; and
- / The proposed minor variance meets the four tests, as set out in the Planning Act.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,



Jillian Simpson, M.PL
Planner



Scott Alain, MCIP RPP
Senior Planner

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

SURVEYOR'S REAL PROPERTY REPORT - PART 1
TOPOGRAPHIC PLAN OF SURVEY OF
PART OF LOT 18
REGISTERED PLAN 2545
CITY OF OTTAWA

SCALE 1 : 150
0 1 2 5 10 15 metres

FAIRHALL, MOFFATT & WOODLAND LIMITED
ONTARIO LAND SURVEYORS

ELEVATION NOTES

- ELEVATIONS SHOWN HEREON ARE REFERRED TO GEODETIC DATUM (CGVD28).
- ELEVATIONS FOR MANHOLE COVERS AND CATCH BASINS HAVE TO BE INDEPENDENTLY CONFIRMED BEFORE THEY CAN BE ACCEPTED FOR FINAL DESIGN OR CONSTRUCTION PURPOSES.
- 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 AGREE WITH THE INFORMATION SHOWN ON THIS DRAWING.

UTILITY NOTES

- THIS DRAWING CANNOT BE ACCEPTED AS ACKNOWLEDGING ALL OF THE UNDERGROUND UTILITIES AND IT WILL BE THE RESPONSIBILITY OF THE USER TO CONTACT THE RESPECTIVE UTILITY AUTHORITIES FOR CONFIRMATION OR LOCATION.
- UNDERGROUND UTILITIES, AS REPORTED ON THIS DRAWING, ARE NOT BASED ON AN ACTUAL "FIELD LOCATE" BY THE RESPECTIVE UTILITY AGENCIES BUT HAVE BEEN COMPILED FROM DATA OBTAINED FROM THE FOLLOWING SOURCE:
a) CITY OF OTTAWA PUBLIC UTILITIES REGISTRY
- BEFORE ANY WORK INVOLVING PROBING, EXCAVATING, ETC., A FIELD LOCATION OF UNDERGROUND PLANT BY THE PERTINENT UTILITY AUTHORITY IS MANDATORY.

NOTES

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF WILLOW STREET AS SHOWN ON A PLAN OF SURVEY BY FARLEY, SMITH & DENIS SURVEYING LTD. DATED AUGUST 31, 2005 HAVING A BEARING OF N 65°45'00" E.

LEGEND

- SURVEY MONUMENT FOUND
- IB — IRON BAR
- (P) — REGISTERED PLAN 2545
- (M) — MEASURED
- (S) — SET
- DIA. — DIAMETER
- PIN — PROPERTY IDENTIFIER NUMBER
- (FSD) — FARLEY, SMITH & DENIS SURVEYING LTD., O.L.S. (REF. JOB 374-05)
- (857) — FAIRHALL, MOFFATT & WOODLAND LTD., O.L.S. (REF. 10-2545)
- (1236) — PAUL A. RIDDELL LTD.
- (MMM) — MMM GEOMATICS ONTARIO LIMITED (JOB 09-796)
- (1287) — FARLEY, SMITH & MURRAY SURVEYING LTD., O.L.S.
- BF — BOARD FENCE
- FDN — FOUNDATION
- (W) — UTILITY WIRES ELEVATION
- WV — WATER VALVE
- UP — UTILITY POLE
- MH — MANHOLE
- CB — CATCHBASIN
- DT — DECIDUOUS TREE
- CT — CONIFEROUS TREE
- W— — WATERMAIN
- — OVERHEAD UTILITY WIRES
- G— — GAS MAIN
- ST— — STORM SEWER
- S— — SANITARY SEWER
- UB— — UNDERGROUND BELL

SURVEYOR'S REAL PROPERTY REPORT - PART 2
REPORT SUMMARY

DESCRIPTION OF LAND
PART OF LOT 18, REGISTERED PLAN 2545, CITY OF OTTAWA AS IN ALL OF
PIN 04109-0310

REGISTERED EASEMENTS

NONE REGISTERED

REMARKS

NOTE LOCATIONS OF FENCES AND BUILDINGS.

ZONING

COMPLIANCE WITH ZONING, LAND USE, ENVIRONMENTAL AND BUILDING REGULATIONS NOT CERTIFIED BY THIS REPORT.

THIS REPORT WAS PREPARED FOR
HYBRID URBAN DEVELOPMENT
THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON MAY 08, 2022

DATE 10/2/2023
JOHN H. GUTRI
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2191870



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

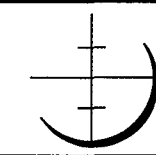
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REFERENCE No.
11-2545

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SR_AC148-TP.dwg (ss)

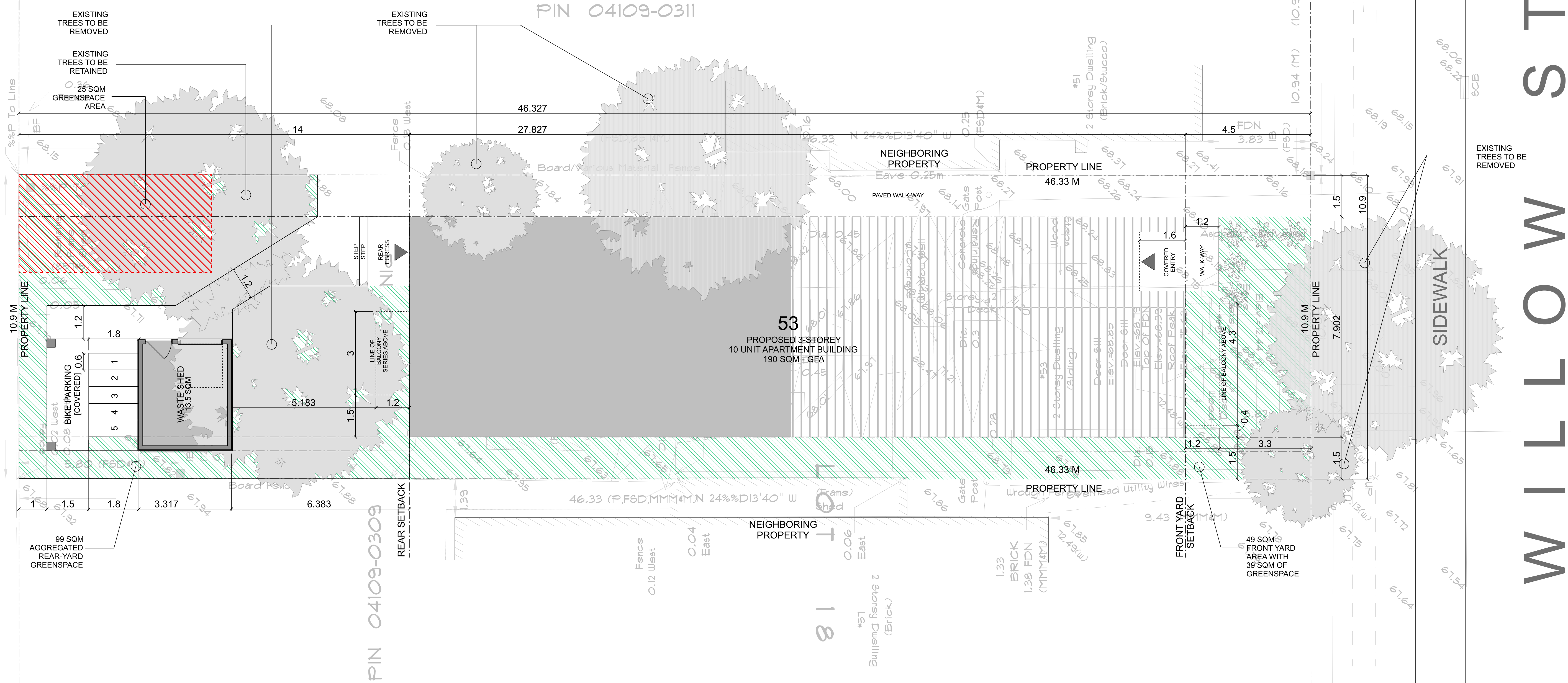
Fairhall
Moffatt &
Woodland
LIMITED
ONTARIO LAND SURVEYORS



Surveying and Land Information Services
100-600 TERRY FOX DRIVE, KANATA, ONTARIO K2L 4B6
TEL: (613) 591-2580 FAX: (613) 591-1495
www.fmw.on.ca

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Committee of Adjustment
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2024-06-05
City of Ottawa | Ville d'Ottawa
Comité de dérogation



ZONING TABLE - 53 WILLOW

	SUB-ZONE	PERMITTED USE	MIN LOT WIDTH	MIN LOT AREA	MAX BUILDING HEIGHT	MIN FRONT YARD SETBACK	MIN CORNER YARD SETBACK	MIN REAR YARD SETBACK	MIN INTERIOR SIDE-YARD SETBACK
BY-LAW	R4 UB	8 UNIT APT.	10 m	300 m2	11 m	4.5 m	4.5 m	30% OF LOT DEPTH = 25% OF LOT AREA = 14M	1.5 m / 1.5 m
PROPOSED	R4 UB	10 UNIT APT.	10.9 m	506 m2	10.9 m	4.5 m	N/A	30% OF LOT DEPTH = 25% OF LOT AREA = 14M	1.5 m / 1.5 m

DIMENSIONS DERIVED FROM PROPERTY SURVEY OF 22 SIMS AVE.
10-106706 BY FAIRHALL MOFFATT AND WOODLAND
VALUES HAVE BEEN ROUNDED TO THE NEAREST SECOND DECIMAL POINT
LOT WIDTH DERIVED FROM ACTUAL LOT WIDTH AND NOT DISTANCE OF ANGLED
FRONT AND REAR PROPERTY LINES (REFER TO SURVEY FOR PROPERTY LINE
LENGTHS)

THIS DRAWING IS NOT INTENDED FOR REPRODUCTION

LOCATION

53 willow st.
OTTAWA ONTARIO
CANADA

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Justin Segun Designs
Architectural & Interior Design

DRAWING NOTES

Revisions

3	issued for minor variance application	
2	issued for client review	april 16 2024
1	issued for client review	feb 23 2024
no.	description	date

DEVELOPER / BUILDER

Hybrid Urban Homes

EMAIL
info@hybridurbanhomes.ca

PHONE
613-606-1902

PLANNING FIRM

Fotenn Planning + Design
Address: 396 Cooper St Suite 300
Ottawa, ON K2P 2H7
Phone: (613) 730-5709

DRAWING INFORMATION

PRELIMINARY SITE PLAN
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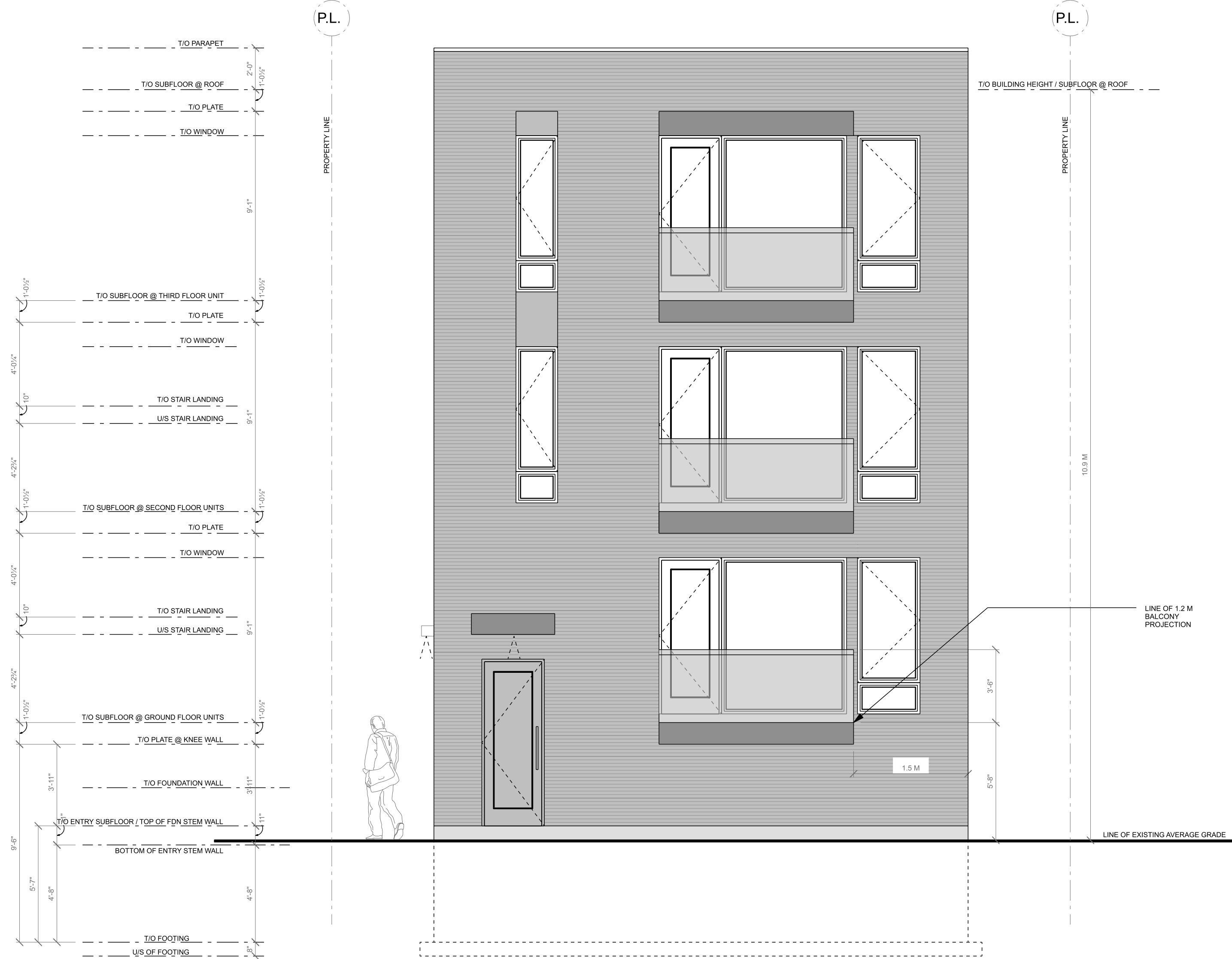
drawn by
J.S.

checked by
J.S.

drawing no.
SK1

2024 - 02

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DESIGNER

DRAWING NOTES

revisions		
4		
3		
2	issued for minor variance	may 16 2024
1	on-site revision	feb 26 2024
no.	description	date

DEVELOPER / BUILDER
HYBRID URBAN HOMES
613-606-1902, 613-286-9932 |
INFO@HYBRIDURBANHOMES.CA



STRUCTURAL ENGINEERING

KOLLAARD ASSOCIATES INC.
210 PRESCOTT STREET
KEMPTVILLE, ONTARIO
K0G 1J0
T: 613 258-3742

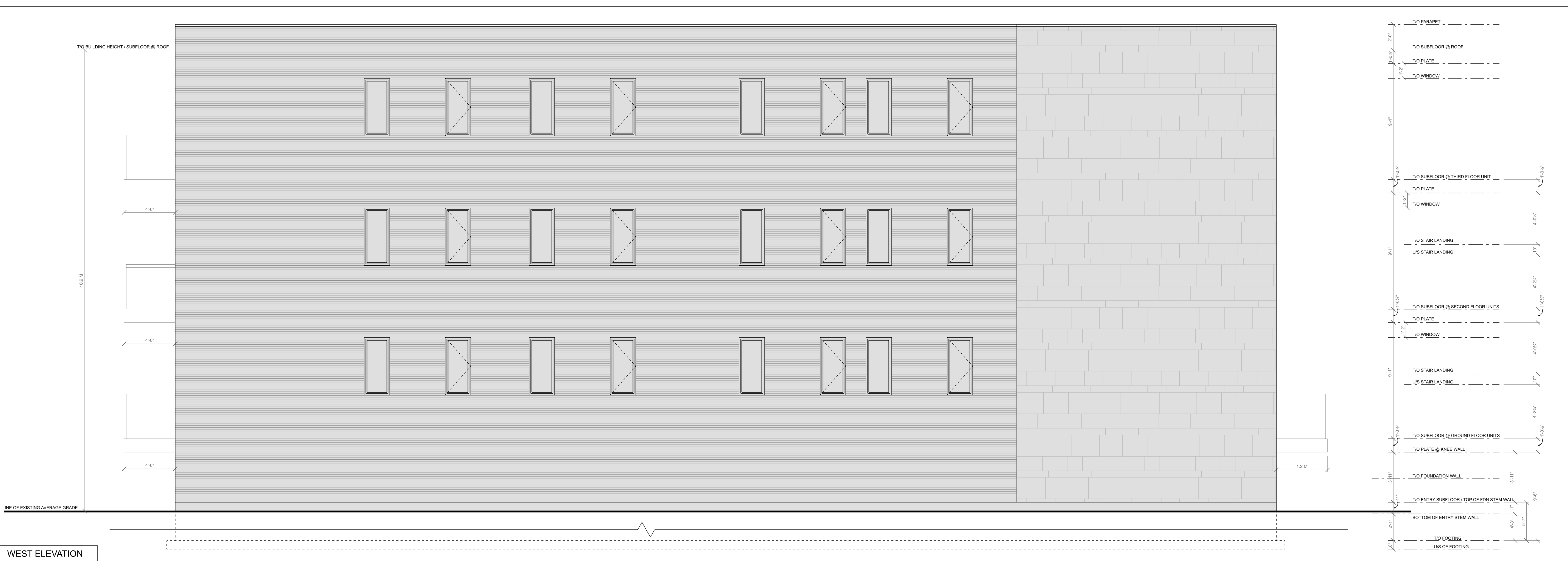
DRAWING INFORMATION
FRONT (SOUTH) AND REAR
(NORTH) ELEVATIONS

SCALE : 1/4" = 1'-0"

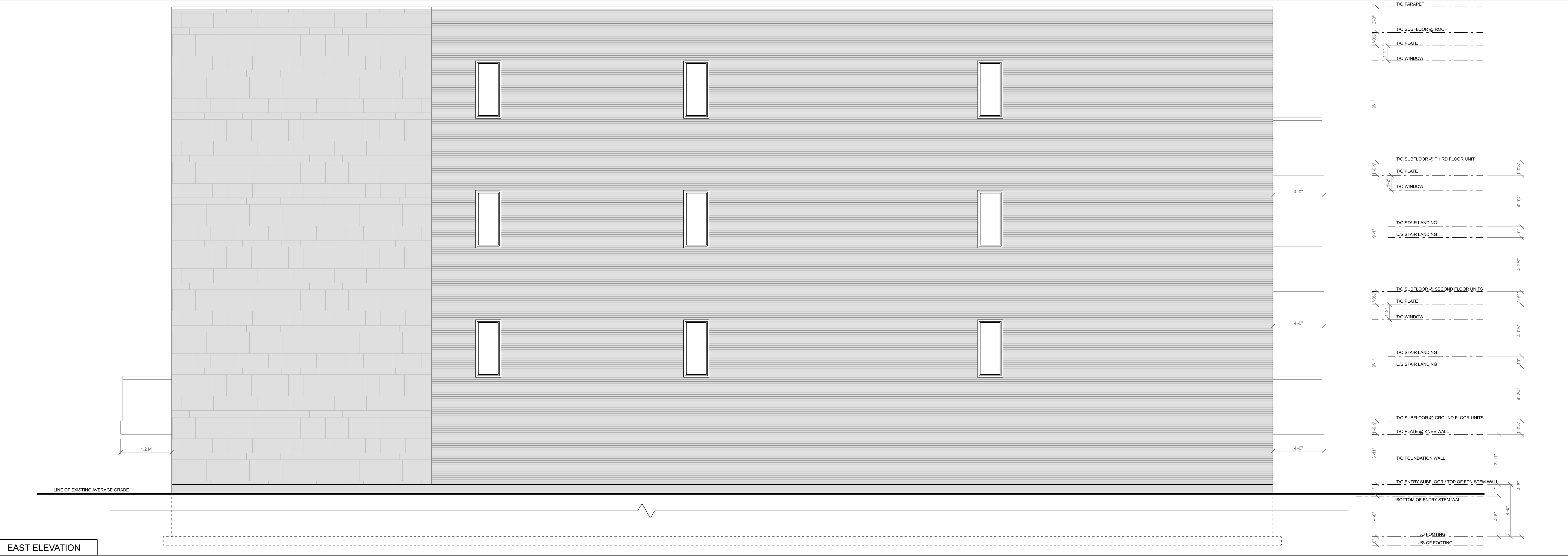
drawn by	checked by	drawing no.
J.S.	D.B.	
project no.		

2022 - 07

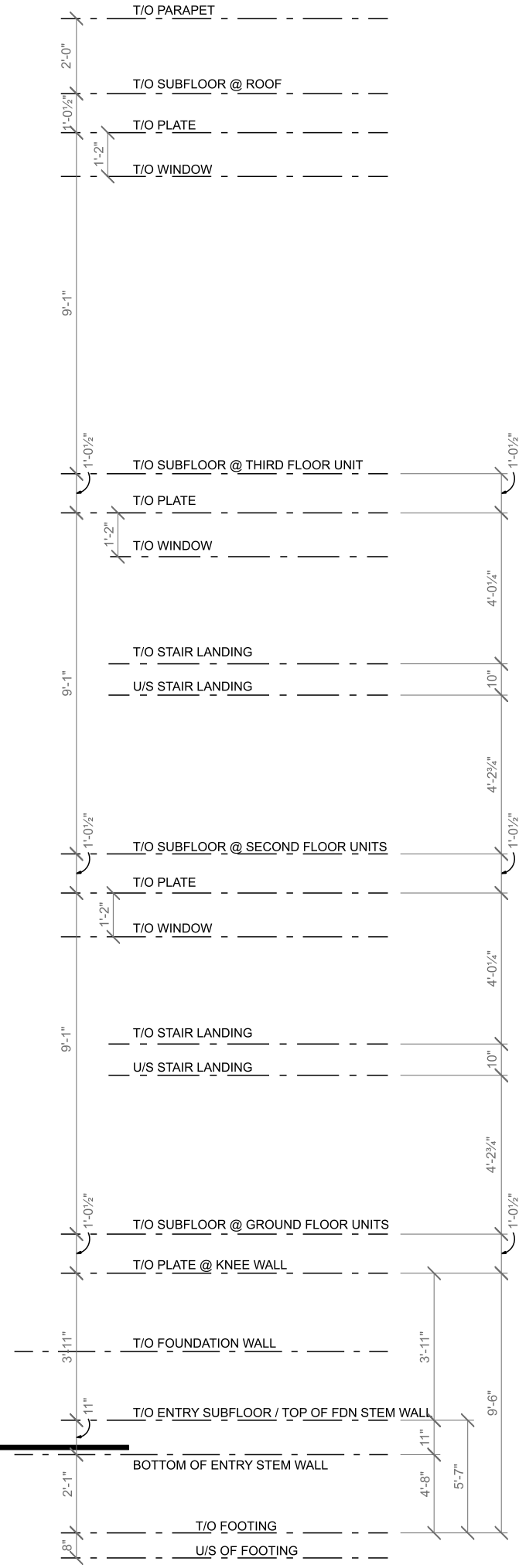
SK2



WEST ELEVATION



EAST ELEVATION



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DESIGNER

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revisions		
4		
3		
2	issued for minor variance	may 16 2024
1	on-site revision	feb 26 2024
no.	description	date

DEVELOPER / BUILDER

HYBRID URBAN HOMES

613-606-1902, 613-286-9932 |
INFO@HYBRIDURBANHOMES.CA



STRUCTURAL ENGINEERING

KOLLAARD ASSOCIATES INC.

210 PRESCOTT STREET
KEMPTVILLE, ONTARIO
K0G 1J0
T: 613 258-3742

DRAWING INFORMATION

LEFT (WEST) AND RIGHT (EAST) ELEVATIONS

SCALE : 1/4" = 1'-0"

drawn by	checked by	drawing no.
J.S.	D.B.	

project no.	
2022 - 07	SK3



Tree Information Report v2.0

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

Date of Report: May 23, 2024
Property Address: 53 Willow Street
Prepared for: Hybrid Urban Developments Inc. c/o Eric Chatelain;
echatelain@hybridurbanhomes.ca
Prepared by: Kevin Myers, ISA Certified Arborist®; kevin.myers@dendronforestry.ca
Date of Site Visit: March 15, 2024

Committee of Adjustment
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2024-06-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

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 Fairhall, Moffatt & Woodland, dated May 8, 2022
- Site Plan by Justin Seguin Designs, dated May 16, 2024

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.**

Update for version 2.0: This report updates the previous version, dated March 21, 2024, with a new site plan provided by the client. Recommendations on tree retention have changed due to this update.

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 with shrubby, unmaintained growth around the periphery and dominating the rear yard area. Most of the young saplings around the rear yard are Norway maples (*Acer platanoides*), Manitoba maples (*Acer negundo*), and hackberry (*Celtis occidentalis*).

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 is a tree lilac in declining health. It is positioned between a walkway and the existing asphalt driveway, likely limiting its available rooting space. The combined impacts of construction, including site access, excavation, and anticipated installation of services will greatly stress the tree and likely lead to decline after construction. It is the opinion of the report author that the directive of the Official Plan to increase canopy will be better served by removing and replanting this tree.

Tree 5 is a hackberry (*Celtis occidentalis*) in fair health. The site plan indicates a walkway is to be installed approximately 2.5m from the tree, which is 7.6x the DBH, at the closest point. Given that the path is to be angled, and the majority of root cutting will be further than 2.5m, stability is not expected to be compromised. To best preserve the tree's health, protection measures as described below are to be followed. Any roots that are encountered during installation of the path are to be cleanly severed by hand with a sharp implement such as secateurs, loppers, or a hand saw.

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 March 15, 2024. On Behalf of Dendron Forestry Services,

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

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

Tree ¹	Species	DBH (cm)	Ownership ²	Tree condition	Approximate distance to excavation (m)	Action	Forester recommendation
1	Tree Lilac (<i>Syringa reticulata</i>)	33	City	Fair/Poor: small cavities with decay in canopy; poor form – included bark at many unions; dead branches; low but consistent vigor	6	Remove	Remove due to health condition and impacts from construction. Tree permit required for removal.
2	White spruce (<i>Picea glauca</i>)	33	Subject property	Fair/Poor: upper deck built around the tree – very close to existing house; ~35% defoliation	0	Remove	Remove: within area of excavation. Tree permit required for removal.
3	White spruce (<i>Picea glauca</i>)	40	Subject property	Fair/Poor: lower deck built around the trunk – very close to existing house; ~20% defoliation	0	Remove	Remove: within area of excavation. Tree permit required for removal.
4	Colorado spruce (<i>Picea pungens</i>)	47	Subject property	Fair: lower deck built around trunk – very close to existing house; sweep in trunk	0	Remove	Remove: within area of excavation. Tree permit required for removal.
5	Hackberry (<i>Celtis occidentalis</i>)	38	Subject property	Fair/Good: broken branches; slight lean to the West	Walkway: 2.5	Retain	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021). Any roots encountered during installation of the walkway are to be cleanly severed by hand.
6	Norway maple (<i>Acer platanoides</i>)	36	Subject property	Fair/Poor: large seam in trunk – decay probable; dead branches in canopy	0	Remove	Remove due to health condition and proximity of excavation. Tree permit required for removal.

¹ 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.

²Ownership 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.



APPENDIX B

PHOTOGRAPHS



Above: main union of Tree 1 - view from the west.



Right: Tree 1 - City lilac to be removed.



Clockwise from above: trunk of Tree 4, view from the north.

Canopies of Tree 2 and 3.

Trunks of Tree 2 (just visible at left), 3 and 4.





Below: canopy of Tree 6.

Right: broken branch stub on Tree 5.



Above: Tree 5 - private hackberry to be retained.

Left: Trunk of Tree 6 - private Norway maple to be removed.



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 12, 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.



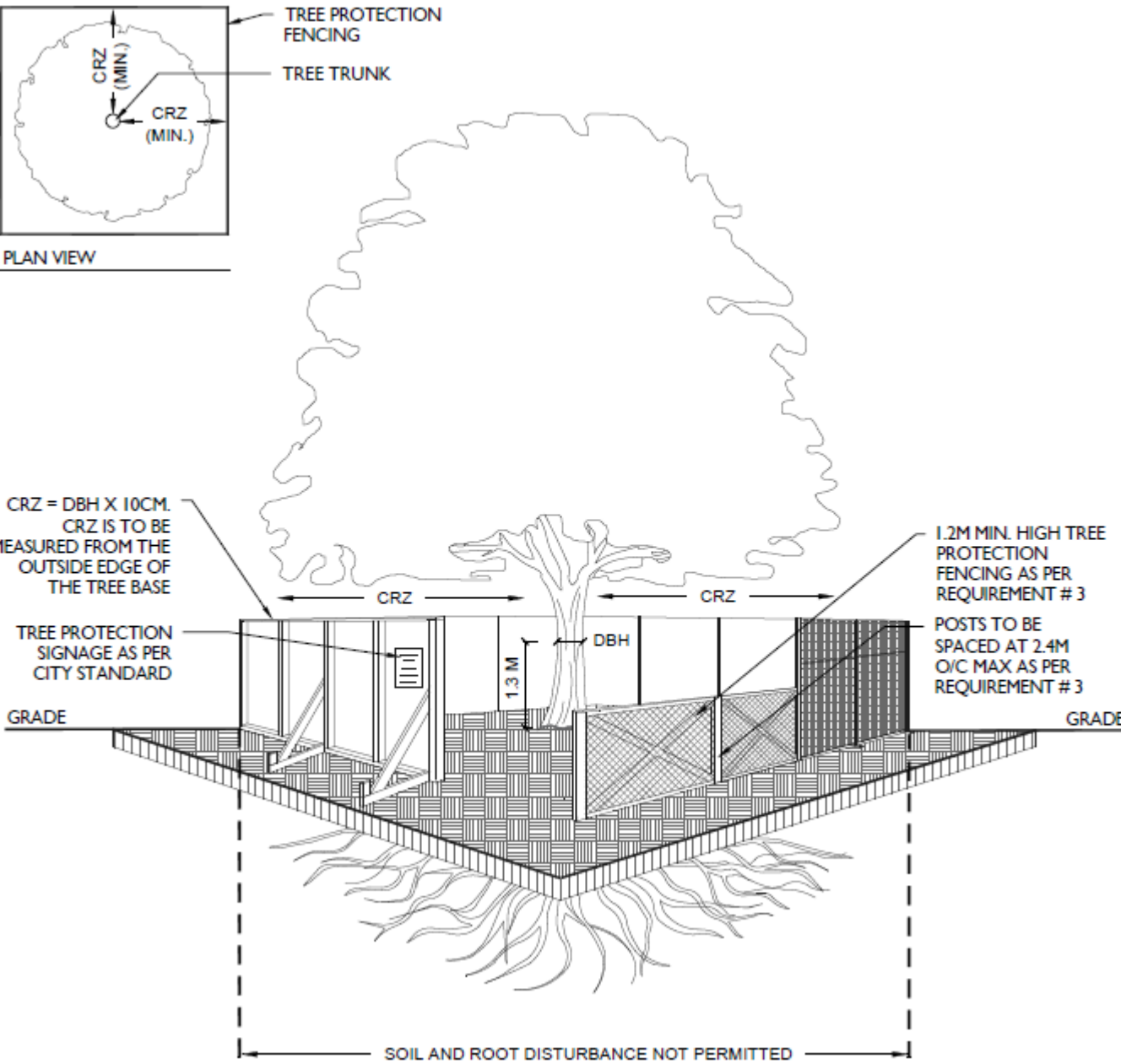
TIR Map – 53 Willow Street
Tree layer prepared by
Dendron Forestry Services
Version 2.0, May 23, 2024

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 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.

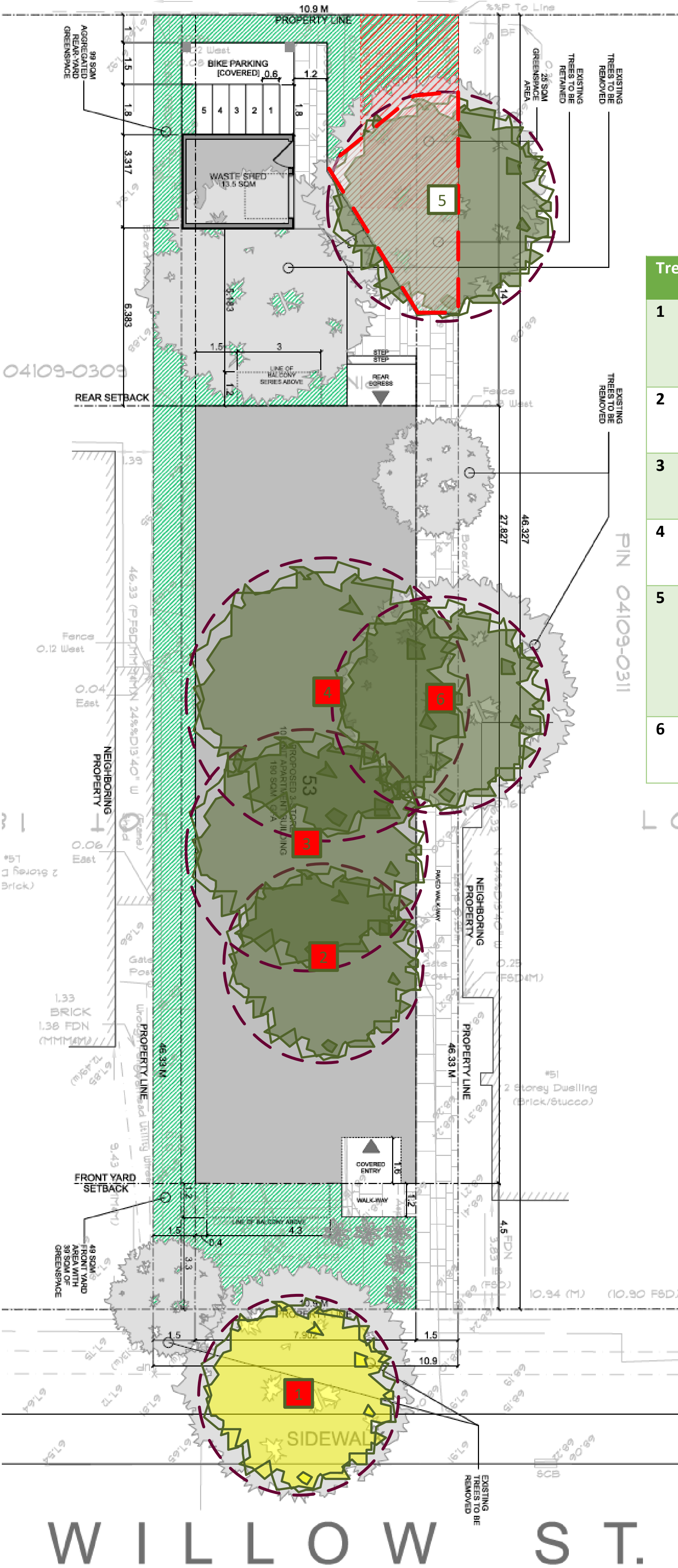
- TREE PROTECTION REQUIREMENTS:
1. PRIOR TO ANY WORK ACTIVITY WITHIN THE CRITICAL ROOT ZONE (CRZ = 10 X DIAMETER) OF A TREE, TREE PROTECTION FENCING MUST BE INSTALLED SURROUNDING THE CRITICAL ROOT ZONE, AND REMAIN IN PLACE UNTIL THE WORK IS COMPLETE.
 2. UNLESS PLANS ARE APPROVED BY CITY FORESTRY STAFF, 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 FOR MORE INFORMATION ON HOW THE TREE BY-LAW APPLIES.

Failure to install and maintain fencing as described in this report may result in fines from the city.



Legend

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



Tree ¹	Species	DBH (cm)	Tree condition	Forester recommendation
1	Tree Lilac (<i>Syringa reticulata</i>)	33	Fair/Poor: small cavities with decay in canopy; poor form – included bark at many unions; dead branches; low but consistent vigor	Remove due to health condition and impacts from construction. Tree permit required for removal.
2	White spruce (<i>Picea glauca</i>)	33	Fair/Poor: upper deck built around the tree – very close to existing house; ~35% defoliation	Remove: within area of excavation. Tree permit required for removal.
3	White spruce (<i>Picea glauca</i>)	40	Fair/Poor: lower deck built around the trunk – very close to existing house; ~20% defoliation	Remove: within area of excavation. Tree permit required for removal.
4	Colorado spruce (<i>Picea pungens</i>)	47	Fair: lower deck built around trunk – very close to existing house; sweep in trunk	Remove: within area of excavation. Tree permit required for removal.
5	Hackberry (<i>Celtis occidentalis</i>)	38	Fair/Good: broken branches; slight lean to the West	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021). Any roots encountered during installation of the walkway are to be cleanly severed by hand.
6	Norway maple (<i>Acer platanoides</i>)	36	Fair/Poor: large seam in trunk – decay probable; dead branches in canopy	Remove due to health condition and proximity of excavation. Tree permit required for removal.

2024-07-11

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: 53 Willow Street
Legal Description: Part of Lot 18, Registered Plan 2545
File No.: D08-02-24/A-00151
Report Date: July 11, 2024
Hearing Date: July 17, 2024
Planner: Margot Linker
Official Plan Designation: Downtown Core Transect, Neighbourhood, Evolving Overlay
Zoning: R4UB (Residential Fourth Density, Subzone UB)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

The subject site is within the Downtown Core Transect and designated Neighbourhood within the Evolving Overlay in the Official Plan, and is zoned R4UB. This area is generally intended for low-rise residential development.

Staff have no concerns with the reduced lot width. It appears that the lot can accommodate adequate waste storage and management, bicycle parking, and intensive soft landscaping can be provided (Section 11.5 in the Official Plan).

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. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

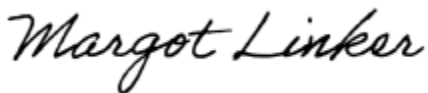
Planning Forestry

Through pre-consultation the plans have been revised to retain 1 of the 6 protected trees on site. Most others are within the buildable footprint or in poor condition. Ownership must be confirmed for any trees along property lines with permission from owners (if shared) and permits are required prior to removal. A tree planting plan must be provided showing all compensation trees (8 new 50mm trees). The City tree is well outside of the construction zone and will be evaluated separately by Forestry.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed application. Private approach permit is required to close a redundant approach.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca and visit the City webpage [Driveways | City of Ottawa](http://ottawa.ca/driveways) to submit a Private Approach application.



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

Minor Variance Application

Panel 1

Wednesday, July 17, 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-00149 & D08-02-24/A-00164 &
D08-02-24/A-00165

Application: Minor Variance under section 45 of the *Planning Act*

Applicant: David Palmer

Property Address: 1071 Heron Road

Ward: 17 - Capital

Legal Description: Part Lot 10, Registered Plan 527

Zoning: R3A

Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant wants to construct a three-storey, three-unit townhouse dwelling, as shown on plans filed with the Committee. The existing detached dwelling will be demolished.

REQUESTED VARIANCES:

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

A-00149, Townhouse dwelling unit (east)

- a) To permit a reduced lot width of 5.27 metres, whereas the By-law requires a minimum lot width of 6 metres.
- b) To permit a reduced soft landscaped area of 8% of the front yard, whereas the By-law requires a minimum soft landscaped area of 30% of the front yard.
- c) To permit an increased building height of 11.92 metres, whereas the By-law permits a maximum building height of 10 metres.
- d) To permit a reduced front yard setback of 3.0 metres, whereas the By-law requires a minimum front yard setback of 6.0 metres.
- e) To permit a reduced lot area of 161.17 square metres, whereas the By-law requires a minimum lot area of 180 square metres.

A-00164, Townhouse dwelling unit (middle)

- f) To permit a reduced lot width of 4.01 metres, whereas the By-law requires a minimum lot width of 6 metres.
- g) To permit a reduced soft landscaped area of 0% of the front yard, whereas the By-law requires a minimum soft landscaped area of 30% of the front yard.
- h) To permit an increased building height of 11.92 metres, whereas the By-law permits a maximum building height of 10 metres.
- i) To permit a reduced front yard setback of 3 metres, whereas the By-law requires a minimum front yard setback of 6 metres.
- j) To permit a reduced lot area of 122.17 square metres, whereas the By-law requires a minimum lot area of 180 square metres.

A-00165, Townhouse dwelling unit (west)

- k) To permit a reduced lot width of 5.99 metres, whereas the By-law requires a minimum lot width of 6 metres.
- l) To permit a reduced soft landscaped area of 10% of the front yard, whereas the By-law requires a minimum soft landscaped area of 30% of the front yard.
- m) To permit an increased building height of 11.92 metres, whereas the By-law permit a maximum building height of 10 metres.
- n) To permit a reduced front yard setback of 3 metres, whereas the By-law requires a minimum front yard setback of 6 metres.
- o) To permit a reduced side yard setback of 0.4 metres, whereas the By-law requires a minimum side yard setback of 1.2 metres.

The applications indicate 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 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. 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: June 28, 2024



Ce document est également offert en français.

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa ON K2G 5K7
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
101, promenade Centrepointe
Ottawa ON K2G 5K7
Ottawa.ca/Comitedederogation
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 17 juillet 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 indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité
de formuler des observations sur la ou les demandes et de participer à l'audience
s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*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 auprès du Comité au moins 72
heures à l'avance.*

Dossiers : D08-02-24/A-00149, D08-02-24/A-00164 et
D08-02-24/A-00165

Demande : Dérogations mineures en vertu de l'article 45 de la *Loi sur
l'aménagement du territoire*

Propriétaires/requérants : David Palmer

Adresse de la propriété : 1071, chemin Heron

Quartier : 17 – Capitale

Description officielle : Partie du lot 10, plan enregistré 527

Zonage : R3A

Règlement de zonage : 2008-250

PROPOSITION DU REQUÉRANT ET OBJET DE LA DEMANDE :

Le requérant souhaite construire une habitation en rangée de trois logements et de trois étages, conformément aux plans déposés auprès du Comité. L'habitation isolée existante sera démolie.

DÉROGATIONS DEMANDÉES :

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

A-00149, habitation en rangée (côté est)

- a) Permettre la réduction de la largeur du lot à 5,27 mètres, alors que le règlement exige une largeur de lot d'au moins 6 mètres.
- b) Permettre la réduction de la superficie consacrée au paysagement végétalisé à 8 pour cent de celle de la cour avant, alors que le règlement exige une superficie minimale de paysagement végétalisé correspondant à au moins 30 pour cent de celle de la cour avant.
- c) Permettre l'augmentation de la hauteur de bâtiment à 11,92 mètres, alors que le règlement permet une hauteur de bâtiment maximale de 10 mètres.
- d) Permettre la réduction du retrait de la cour avant à 3,0 mètres, alors que le règlement exige un retrait de cour avant d'au moins 6,0 mètres.
- e) Permettre la réduction de la superficie du lot à 161,17 mètres carrés, alors que le règlement exige une superficie de lot d'au moins 180 mètres carrés.

A-00164, habitation en rangée (centre)

- f) Permettre la réduction de la largeur du lot à 4,01 mètres, alors que le règlement exige une largeur de lot d'au moins 6 mètres.
- g) Permettre la réduction de la superficie consacrée au paysagement végétalisé à 0 pour cent de celle de la cour avant, alors que le règlement exige une superficie minimale de paysagement végétalisé correspondant à au moins 30 pour cent de celle de la cour avant.
- h) Permettre l'augmentation de la hauteur de bâtiment à 11,92 mètres, alors que le règlement permet une hauteur de bâtiment maximale de 10 mètres.
- i) Permettre la réduction du retrait de la cour avant à 3,0 mètres, alors que le règlement exige un retrait de cour avant d'au moins 6,0 mètres.
- j) Permettre la réduction de la superficie du lot à 122,17 mètres carrés, alors que le règlement exige une superficie de lot d'au moins 180 mètres carrés.

A-00165, habitation en rangée (côté ouest)

- k) Permettre la réduction de la largeur du lot à 5,99 mètres, alors que le règlement exige une largeur de lot d'au moins 6 mètres.

- l) Permettre la réduction de la superficie consacrée au paysagement végétalisé à 10 pour cent de celle de la cour avant, alors que le règlement exige une superficie minimale de paysagement végétalisé correspondant à au moins 30 pour cent de celle de la cour avant.
- m) Permettre l'augmentation de la hauteur de bâtiment à 11,92 mètres, alors que le règlement permet une hauteur de bâtiment maximale de 10 mètres.
- n) Permettre la réduction du retrait de la cour avant à 3,0 mètres, alors que le règlement exige un retrait de cour avant d'au moins 6,0 mètres.
- o) Permettre la réduction du retrait de la cour latérale à 0,4 mètre, alors que le règlement exige un retrait de cour latérale d'au moins 1,2 mètre.

La demande indique que la propriété ne fait l'objet d'aucune autre demande 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 son (leur), 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 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. 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 le 28 juin 2024

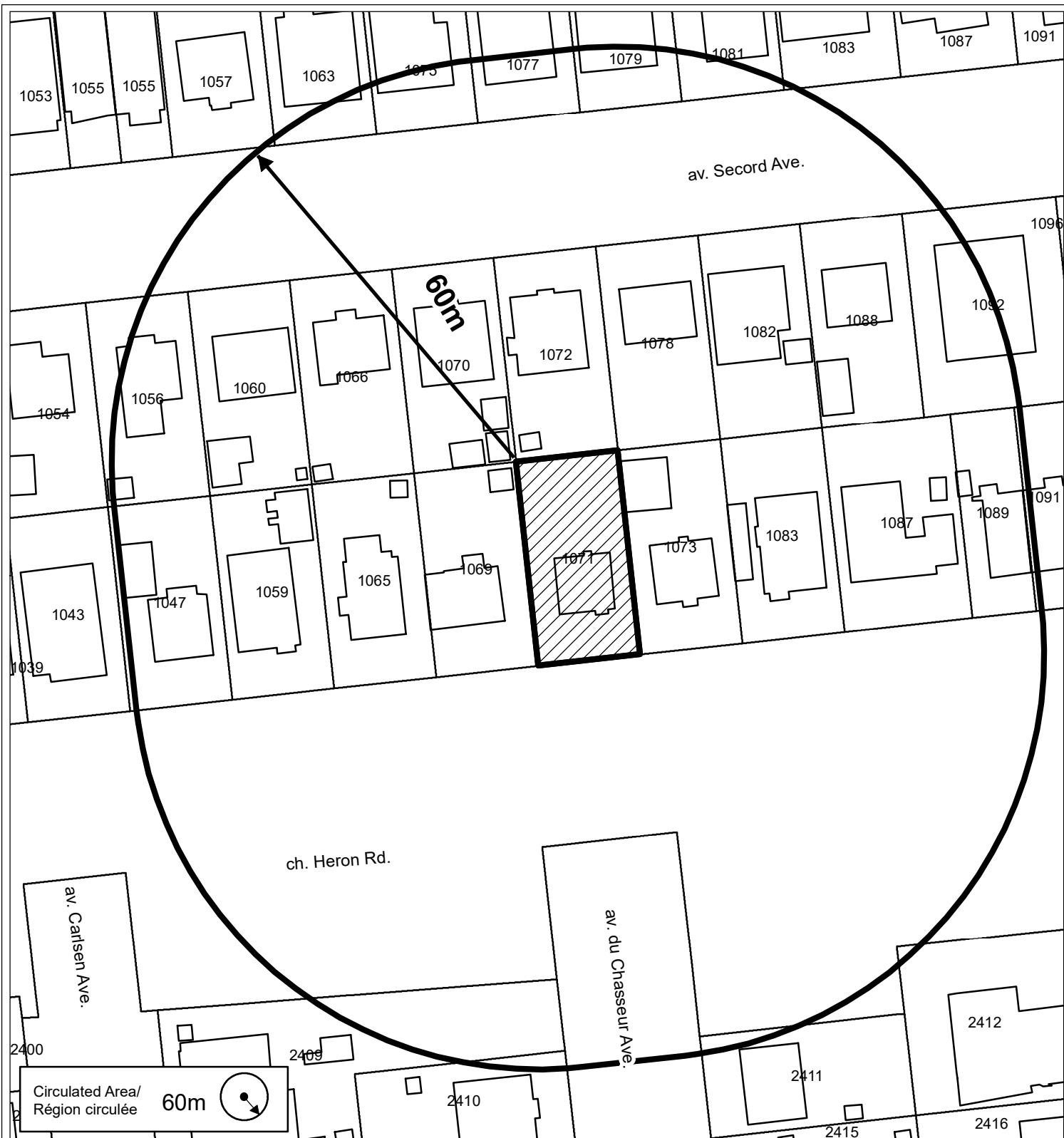


This document is also available in English.

Committee of Adjustment
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Committee of Adjustment
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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SUBJECT LAND / TERRAIN EN QUESTION

1071 ch.Heron Rd.



NOT TO SCALE
NON À L'ÉCHELLE



Variance Rational

Chris Jalkotzy

Modulink, Planning & Design

18 June 2024

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Committee of Adjustment

Received | Reçu le

Revised | Modifié le : 2024-06-18

City of Ottawa | Ville d'Ottawa

Comité de dérogation



1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for variances to permit the construction of a 3 Townhouse Project with the demolition of an existing detached dwelling unit. The property is located at on Heron Road between Hollington Street and Silver Street in Overbrook McArthur. The variances requested are for building height.

2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a two-storey dwelling constructed in the 50's. The property is in the City of Ottawa. It has a street frontage width of 15.24m (east/west) and a depth of 41.45m (north/south). It has a lot area of 464.17 m². The zoning is R3A.

It is located in the Schedule B2 - Inner Urban Transect. The site is in a designated emerging neighbourhood.



Surrounding Land Uses:



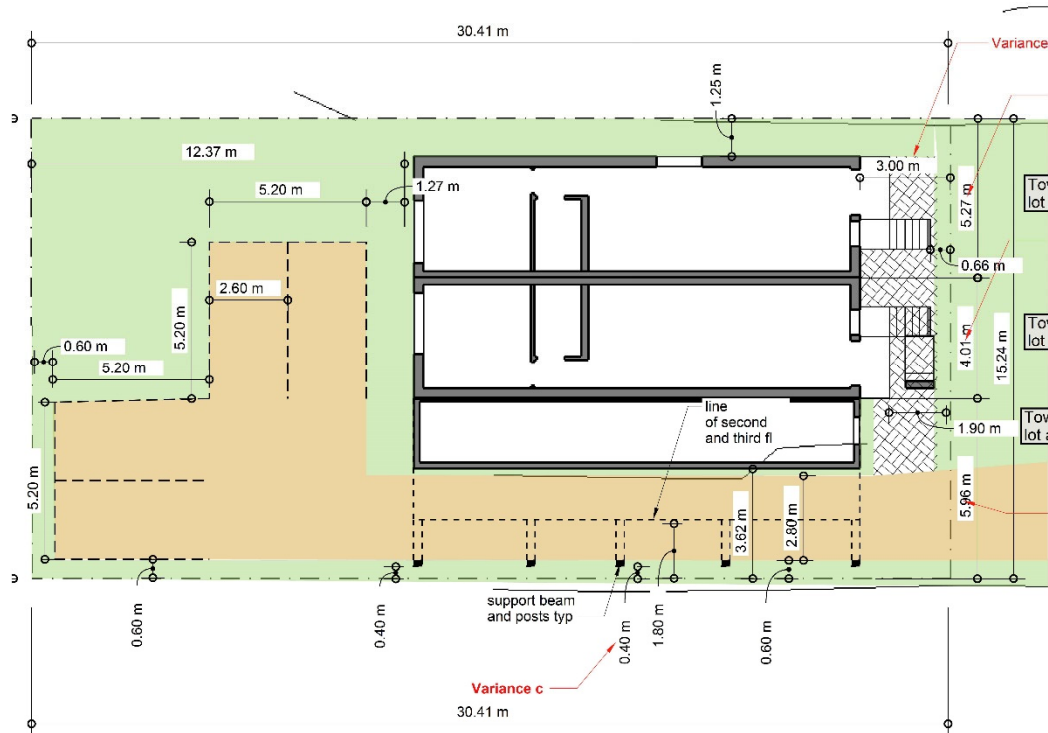
The property is bounded by primarily by detached dwellings and some low-rise apartments to the north. Heron road is to the south and there are a mix of detached and small multi unit residential buildings. The right of way of Heron is 46m at this location.

Neighbourhood





Subject Site





1) Subject Property





2) The Streetscape looking to the East



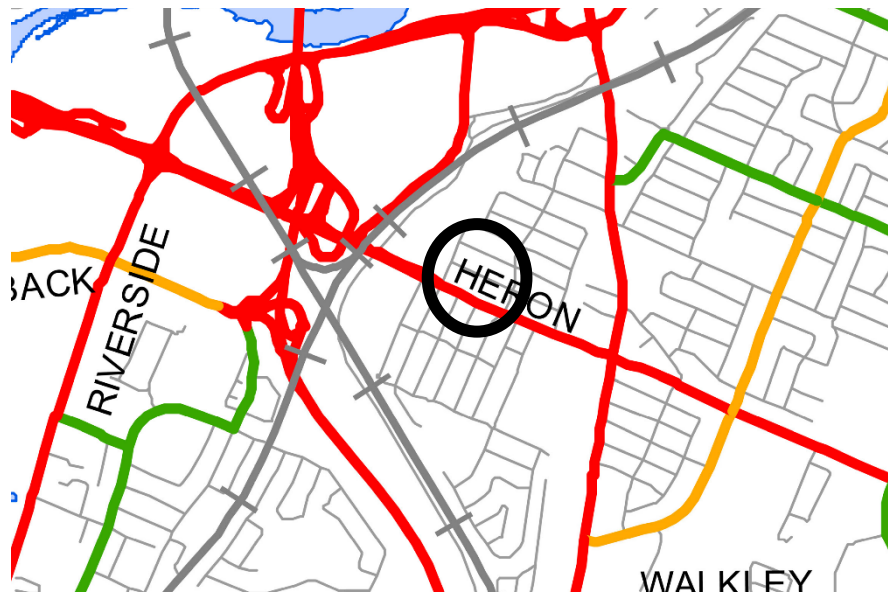
3) The Streetscape looking to the West





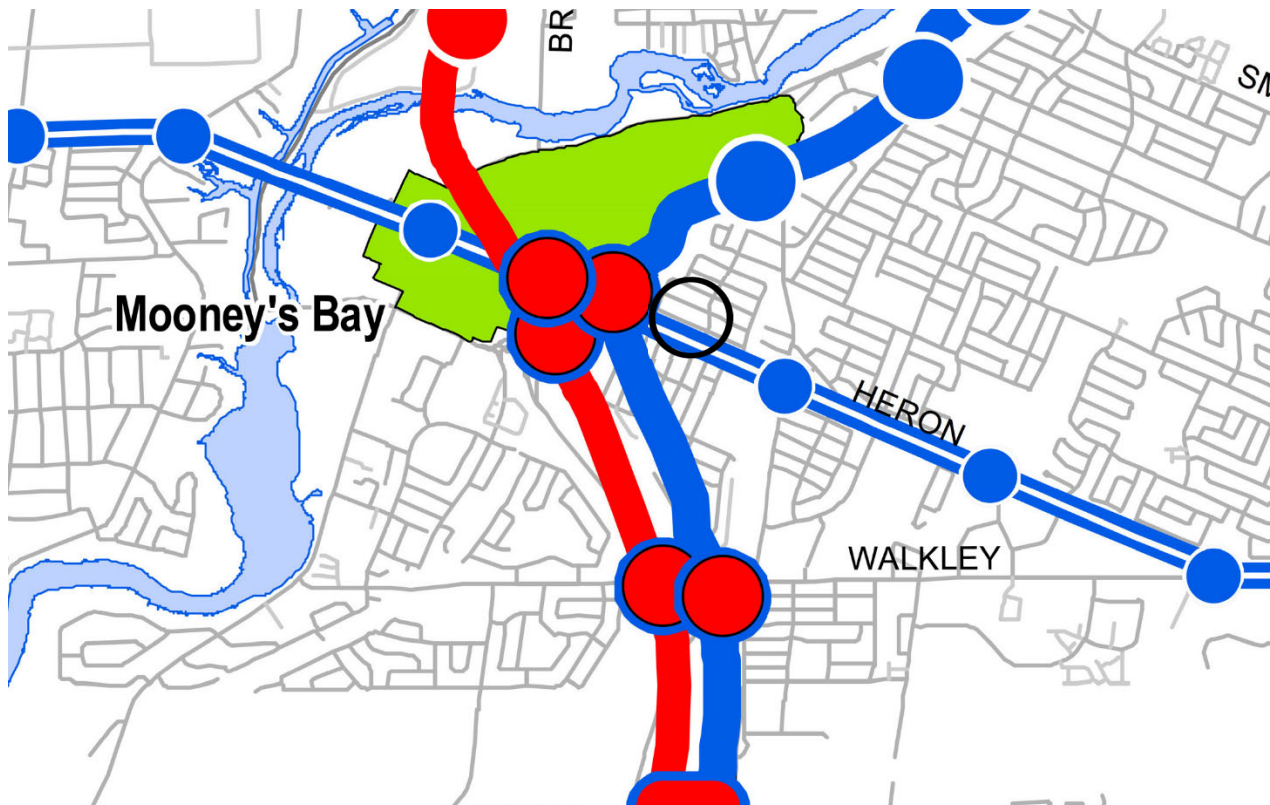
Road Network:

Heron Road that is classified as an arterial on Schedule C4 - Urban Road Network.



Transit Services:

Heron has planned Major Transit Station & Routes, Transitway - At Grade Crossings





Level Br

Community Services:

The site is located in the west of Bank street that is a commercial strip in the location of Bank and Heron Road

3.0 DEVELOPMENT PROPOSAL AND VARIANCES

The proposed building is an existing single-family home. The proposed variances will permit the construction of 3 townhouse dwellings

The requested variances are as follows:

- 1) to permit a maximum building height of 11.92m whereas the bylaw permits a maximum building height of 10.0m
- 2) permit a front yard setback of 3.0m, whereas the bylaw requires a min 6.0m front yard setback
- 3) permit westerly side yard of 0.4m (townhouse west), whereas the bylaw requires a min side yard of 1.2m
- 4) permit a lot area of 161.17 sqm (townhouse east), whereas the bylaw requires a lot area of 180 sqm
- 5) permit a lot area of 122.17 sqm (townhouse middle), whereas the bylaw requires a lot area of 180 sqm
- 6) permit a lot width of 5.27 m (townhouse east), whereas the bylaw requires a lot width of 6.0m
- 7) permit a lot width of 4.01 m (townhouse middle), whereas the bylaw requires a lot width of 6.0m
- 8) permit a lot width of 5.99 m (townhouse west), whereas the bylaw requires a min 6.0m front yard setback
- 9) permit a reduced soft landscaped area east front yard 8% soft landscaped, whereas bylaw requires soft landscaped area of 30%
- 10) permit a reduced soft landscaped area middle front yard 0% soft landscaped, whereas bylaw requires soft landscaped area of 30%
- 11) permit a reduced soft landscaped area west front yard 8% soft landscaped, whereas bylaw requires soft landscaped area of 30%

The proposed variances are all minor as they reflect the changes that will come to Heron Road as result of the new approved Official Plan.

- 1) The official plan identified the proposed max heights for a 4 to 6 storeys so the proposed “tall 3 storey” variance is minor
- 2) As a minor corridor the new zoning bylaw proposes CM2 for Heron Road at this location. It proposes a min front yard setback of “(c) Minimum front yard setback (m) No minimum” and we are proposing 3m, 50% of the required 6m



3) The westerly side yard reduction is for posts and beam structure to support the further setback second storey at 1.8m to permit the laneway access to the rear. The required setback is 1.2m, and as such the variance is minor.

4),5),6),7),8),all relate to lot width and lot area and should be deemed minor as in the proposed CM2 zone there is no min lot area and lot width.

9),10),11) The reduction min percentage of soft landscaping is a result of the reduced min front yard setback and the desirability of individual entrances to all 8 units. The amount of soft landscaping at the rear is greater than required as is the rear yard setback.

4.0 POLICY AND REGULATORY FRAMEWORK:

Provincial Policy Statement (2020)

The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Under the PPS, settlement areas are intended to be the primary focus of growth in the province.

Policy 1.1.1. Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;



h) promoting development and land use patterns that conserve biodiversity;

and

i) preparing for the regional and local impacts of a changing climate.

The subject lands are situated within the urban boundary of the City of Ottawa and constitute a settlement area. Accordingly, the lands are a logical and preferred location for new development. Within settlement areas, the PPS encourages land use patterns that make efficient use of land, effective use of infrastructure and public services, support active modes of transportation and are transit-supportive (Policy 1.1.1).

City of Ottawa Official Plan

The Ottawa Official Plan has been reviewed. The site is designated General Urban Area on Schedule B of the City of Ottawa Official Plan. Lands within this designation are meant to provide a full range and choice of housing options in combination with conveniently located employment, retail, service, entertainment and institutional uses. The project site does not fall within any of Schedule C7-A - Design Priority Areas – Urban. It is classified as “Evolving Neighbourhood” under Schedule B1 - Downtown Core Transe

The Proposal supports 15 min neighbourhood through the following:

- a) 4 car parking space have been placed in the rear to comply with the official plan main street designation for Heron Road.
- b) Amenity space is provided in the rear yard.
- c) Lighting will be for safety purposes and will respect the dark skies initiative.
- d) The building will not generate additional noise.
- e) The additional people living in the neighbourhood will increase the number of commercial services that might chose to locate in the area as well as better utilize transit services.

OP Section 3. Growth Management Framework

OP 3.2 Support Intensification

Table 3b

“Housing density

Inner Urban Transect, 60 to 80,”

This project helps move the inner urban transact closer to 60 to 80 units per hectare with a net density of 170 units per hectare.

OP Section 4. City-Wide Policies

OP 4.2 Housing

“4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city



2) The City shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:

- a) Allowing housing forms which are denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law;
- b) Allowing housing forms of eight or more units in appropriate locations as-of-right within the Zoning By-law;".

OP Section 5. Transects

OP 5.1.5 Provide direction to the Neighbourhoods located within the Inner City Transect

5.2.3 Provide direction to the Hubs and Mainstreet Corridors located within the Inner Urban Transect

3) Along Minor Corridors, permitted building heights are as follows, subject to appropriate height transitions and step backs:

- a) Generally, not less than 2 storeys and in the maximum height range of between 4 to 6 storeys, except where a secondary plan or area-specific policy specifies different heights;
- b) Where the Zoning By-law permits a Low-rise building, an amendment to this Plan shall not be required to consider a building of 5 or 6 storeys;
- c) The wall heights directly adjacent to a street of such buildings shall be proportionate to the width of the abutting right of way, and consistent with the objectives in the urban design section on Mid-rise built form in Subsection 4.6.6, Policy 7); and
- d) The height of such buildings may be limited further on lots too small to accommodate an appropriate height transition.

"5.2.4 Provide direction to the Neighbourhoods located within the Inner Urban Transect

1) Neighbourhoods located in the Downtown Core 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 following:

- 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 contemplated in this Plan;*
- 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;*
- d) Building on Table 6, provides an emphasis on regulating the maximum built form envelope that frames the public right of way; and*
- e) In appropriate locations, to support the production of missing middle housing, prohibit lower-density typologies.*



The site is located in the Inner Urban Transect, Evolving Neighbourhood designation

5.2.4 Provide direction to the Neighbourhoods located within the Inner Urban Transect

1) 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 contemplated in this Plan;

5.6.1.1 Provide built form direction for the urban area where intensification is anticipated to occur

The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor ;lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metreradius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:

a) Guidance for a gradual change in character based on proximity to Hubs and Corridors,

b) Allowance for new building forms and typologies, such as missing middle housing;

c)Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals; and

d)Direction to govern the evaluation of development.

OP Section 6. Urban Designations:

The site is designated a Evolving Neighbourhood under 6.3 of the OP

“6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan.

2) Permitted building heights in Neighbourhoods shall be Low-rise...”

And

“4) 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 Table 3b;

b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);”

The proposed building responds to these requirements by proposing a three storey townhouse residential dwelling.



Urban Design Guidelines for Low-rise Residential Buildings

The proposal maintains the current lot pattern and keeps the exiting building fronting on the street, some characteristics of the buildings in the neighbourhood with a modern architectural style.

City of Ottawa Comprehensive Zoning By-law 2008-250:

Purpose of the Zone

The property is currently R3A:

Purpose of the Zone

The purpose of the R3 - Residential Third Density Zone is to:

(1) allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)

(2) allow a number of other residential uses to provide additional housing choices within the third density residential areas;

(3) allow ancillary uses to the principal residential use to allow residents to work at home;

(4) regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced; and

(5) 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.



5.0 CONCLUSION:

The proposed development has been designed to meet the current planning framework. It is consistent with the Provincial Policy Statement and conforms to the City of Ottawa Official Plan.

The proposed variances should be considered minor for the following reasons:

1. It is minor and desirable.
 - a. The property is located on a minor corridor as designed by the Official Plan and an existing arterial. The future zoning bylaw will likely designate Heron Road as a main street as the Official Plan and Transportation Plan show a future at grade transit corridor. Height limits encourage min 2 storeys, with 4 to 6 storeys preferred. The variances for height and front yard setback are minor considering the current Official Plan designations. The min lot width and lot are should be considered minor in that a much higher density will be developed along this future transit corridor. Parking is placed in the rear to permit an active streetscape and the ability to eliminate the parking in future when transit become predominant.
2. The general intent and purpose of the Zoning By-law is maintained
 - a. the intent of the bylaw is to permit townhouses.
 - b. The intent of the bylaw that the new infill properties respect the existing character of the evolving neighbourhood.
3. The general intent and purpose of the Official Plan is maintained;
 - a. The official plan supports this kind of gentle intensification of land uses compatible with the current urban fabric.
4. The Ontario Planning Act supports intensification in residential urban areas

SECOND AVENUE

TOPOGRAPHIC PLAN OF SURVEY OF

PART OF LOT 10
REGISTERED PLAN 527
CITY OF OTTAWA

Surveyed by Annis, O'Sullivan, Vollebakk Ltd.

Scale 1 : 150



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 regulations made under them.
- The survey was completed on the 3rd day of August, 2023.

August 31, 2023
Date

T. Hartwick
Ontario Land Surveyor

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
Mess.	Measured
Acc.	Accepted
Cal/	Calculated Per
(AOG)	Annis, O'Sullivan, Vollebakk Ltd.
(P1)	Registered Plan 527
(P2)	(1692) Plan Dated April 11, 2011
(P3)	(1697) Plan Dated September 25, 2018
(P4)	Plan 4R-23006
(P5)	(1287) Plan Dated November 3, 1987
(P6)	(725) Plan Dated October 15, 1984
(P7)	(1236) Plan Dated May 27, 1992
(DI)	Inst. No. OT55613
(NI)	(1287) Field Note Dated November 2, 1987
○	Deciduous Tree
★	Coniferous Tree
○ MH-ST	Maintenance Hole (Storm Sewer)
○ MH-S	Maintenance Hole (Sanitary)
○ MH-H	Maintenance Hole (Hydro)
○ MH	Maintenance Hole (Unidentified)
□ CB	Catch Basin
OHW	Overhead Wires
GM	Gas Meter
AC	Hydro Meter
AC	Air Conditioner
RWS	Stone Retaining Wall
RWC	Concrete Retaining Wall
RWT	Wooden Retaining Wall
BF	Board Fence
EI	Edge of Interlock
E/W	East-West
EOA	Edge of Asphalt
T/G	Top of Grate
Gate	Gate
○	Diameter
○ FH	Fire Hydrant
○	Location of Elevations
○	Top of Concrete Curb Elevation and Retaining Wall Elevation
○ UP	Utility Pole
C/L	Centreline
○ PL	Property Line
○ MP	Metal Post

Bearings are grid, derived from Can-Net 2016 Real Time Network GPS observations and are referenced to Specified Control Points 01919680105 and 019198434761, MTM Zone 9 (76°30' West Longitude) NAD-83 (original).

For bearing comparisons, a rotation of 0°31'10" counter-clockwise was applied to bearings on plan P1, P3 and P5.

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.

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.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-60479



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Regulation 1026, Section 29 (3).

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ANNIS, O'SULLIVAN, VOLLEBEKK LTD.
14 Concourse Gate, Suite 500
Nepean, Ont. K2E 7S6
Phone: (613) 727-0850 / Fax: (613) 727-1079
Email: nepean@osvltd.com
Job No. 24017-23 David Palmer PLS10 PLS27 O. DS

REGISTERED

CLEMENTINE BOULEVARD

LOT 20 (JUNCTION GORE)

Committee of Adjustment
Received | Reçu le
2024-06-03
City of Ottawa | Ville d'Ottawa
Comité de dérogation

ROAD ALLOWANCE BETWEEN LOTS 20 & 21 (JUNCTION GORE)

Job Benchmark No. 2
Curb Cross
on Concrete Curb
Elevation= 79.64

Job Benchmark No. 1
Fire Hydrant
At No. 1065
Top of Spindle
Elevation= 78.97

TABLE 160A – R3 SUBZONE PROVISIONS (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)
(By-law 2020-288)

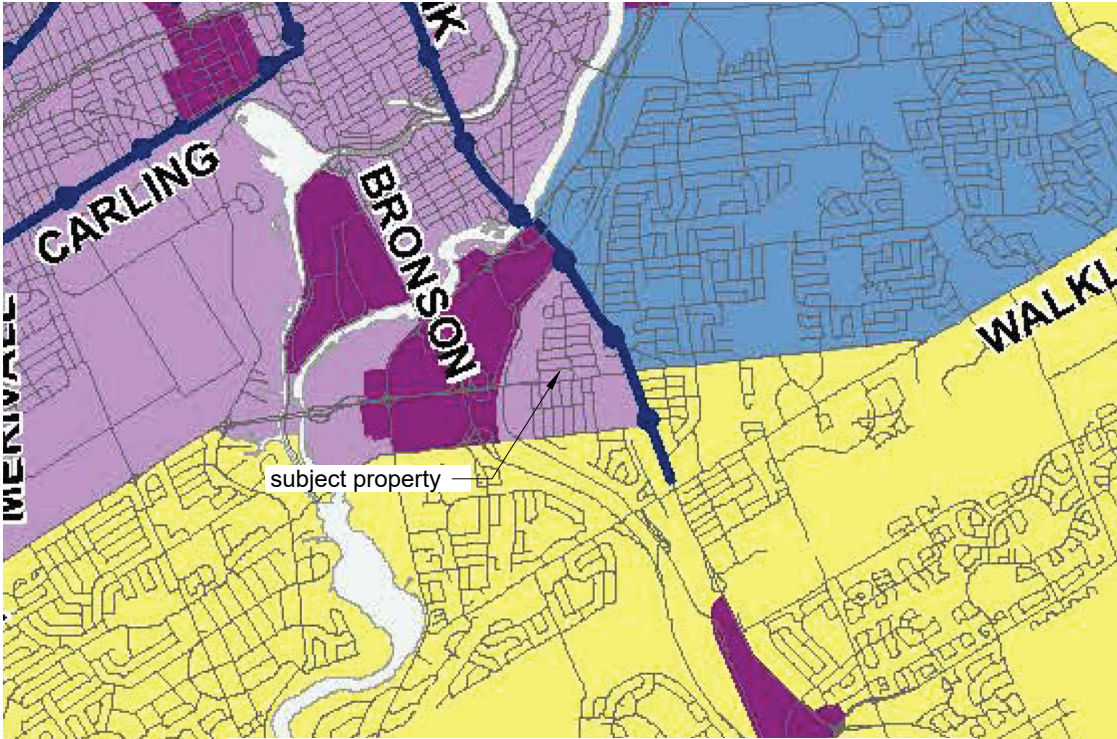
I Sub- Zone	II Prohibited Uses	III Principal Dwelling Type	IV Minimum Lot Width (m)	V Minimum Lot Area (m2)	VI Maximum Building Height (m)	VII Minimum Front Yard Setback (m)	VIII Minimum Corner Side Yard Setback (m)	IX Minimum Rear Yard Setback (m)	X Minimum Interior Side Yard Setback (m)	XI Endnotes (see Table 160B)
A	None	Planned Unit Development	na	1,400	As per dwelling type	6	4.5	varies ¹	varies ¹	1
		Three Unit	18	540	10.7 in Schedule 342, in other cases 11	6	4.5	varies ²	3.6 total, 1.2 for one side yard	2
		Detached, Duplex, Linked-detached	15	450		6	4.5	varies ²	3 total, 1.2 for one side yard	2
		Long Semi	10	300		6	4.5	varies ²	3 total, 1.2 for one side yard	2
		Semi-Detached	9	270		6	4.5	varies ²	1.2	2
		Townhouse	6	180	10 in Schedule 342, in other cases 11	6	4.5	varies ²	1.2	2,6

A0-A1: 30.46 m (99.93 ft)
A1-A2: 15.24 m (50.00 ft)
A2-A3: 30.46 m (99.94 ft)
A3-A0: 15.24 m (50.00 ft)
Total Perimeter: 91.40 m (299.87 ft)
Total Area: 464.17 m² (4996.25 ft²) (0.05 ha)

3 lots average size 154 sqm

TABLE 160B – ADDITIONAL ZONING PROVISIONS (By-law 2020-288)

I Endnote Number	II Additional Zoning Provisions
2	For lands located outside of Schedule 342, the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it need not exceed 7.5 m. Despite the foregoing, on lots with depths of 15 metres or less, the minimum rear yard setback is 4 m. For lands located within Schedule 342, see Part V, Section 144 – Alternative Yard Setbacks for Low-Rise Residential Uses. (By-law 2020-288)
6	For lands within the Schedule 342, where a building has a peaked roof having a slope of 1 in 3 (4/12 pitch) or steeper, the maximum building height is 11 metres. Where the property is located outside of Area A on Schedule 342, or where the building has a peaked roof having a slope of 1 in 3 (4/12 pitch) or steeper, the maximum building height is 12 m in the R3YY subzone, or 11 m in any other subzone. (By-law 2020-288)



- Area X: Inner Urban
Secteur X: Secteur urbain intérieur
- Area Y: Inner Urban Mainstreets
Secteur Y: Rues principales du secteur ur
- Area Z: Near Major LRT Stations
Secteur Z: Près des stations de train léger
- Area B: Outer Urban/Inner Suburban
Secteur B : Secteur urbain extérieur/Banlieue
- Area C: Suburban
Secteur C: Secteur suburbain
- Area D: Rural
Secteur D: Secteur rural

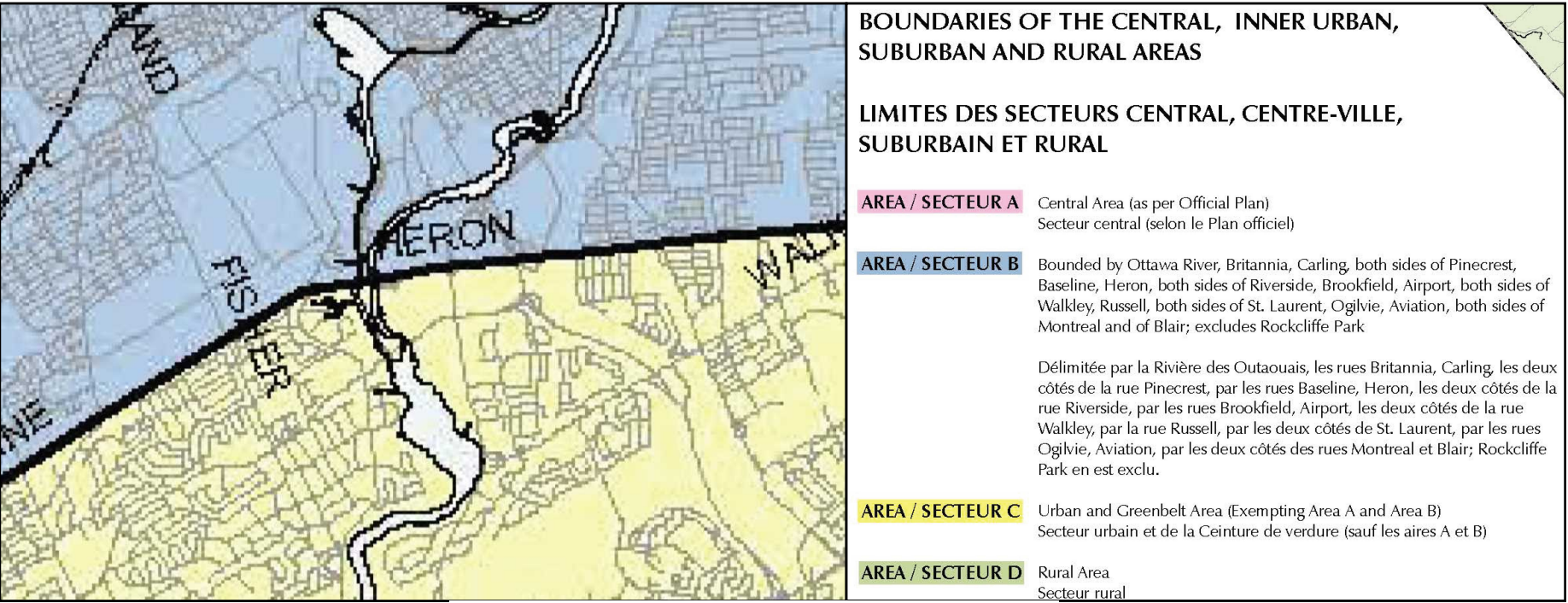
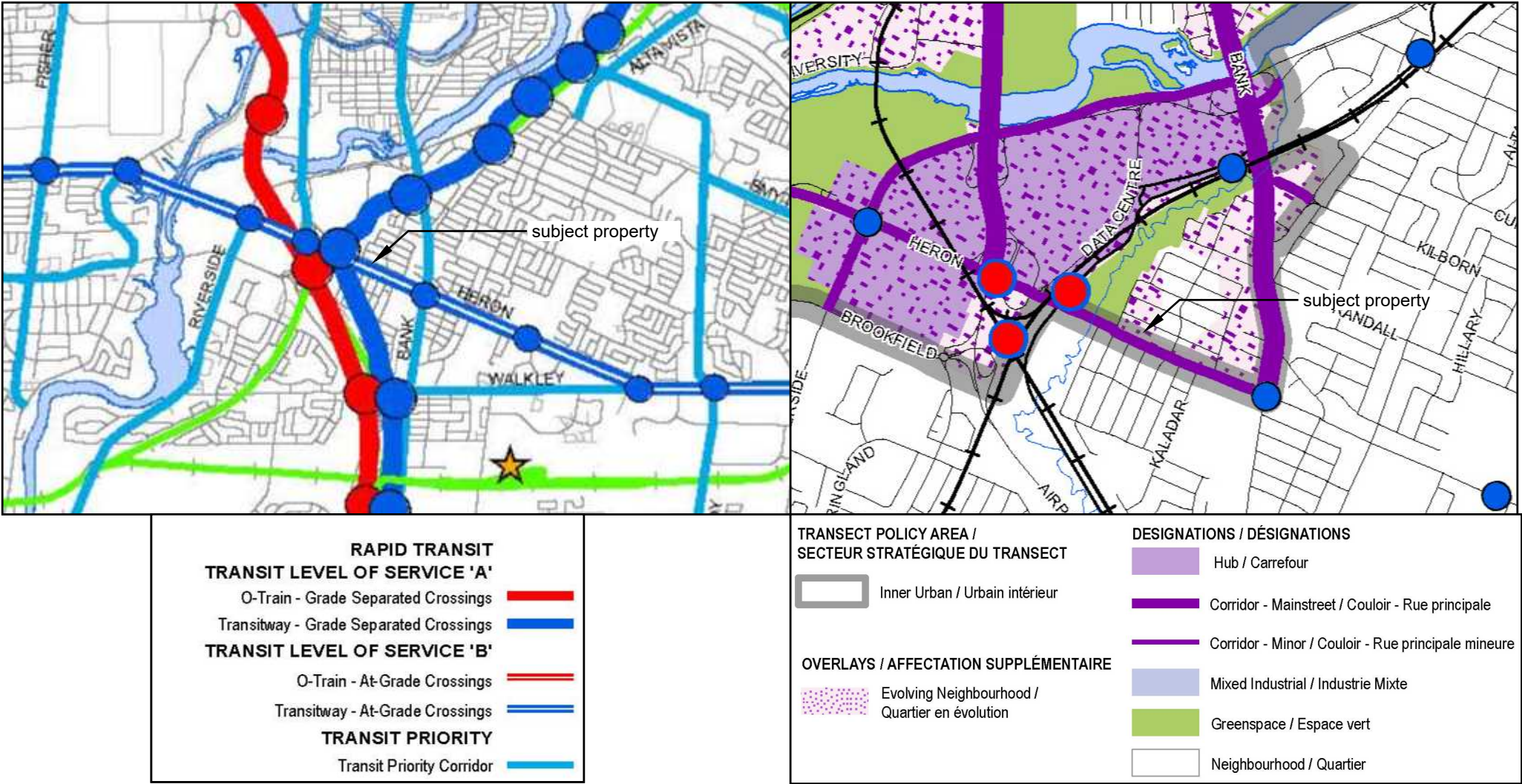
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Revised | Modifié le : 2024-06-18

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1071 Heron Road
Project
Modulink

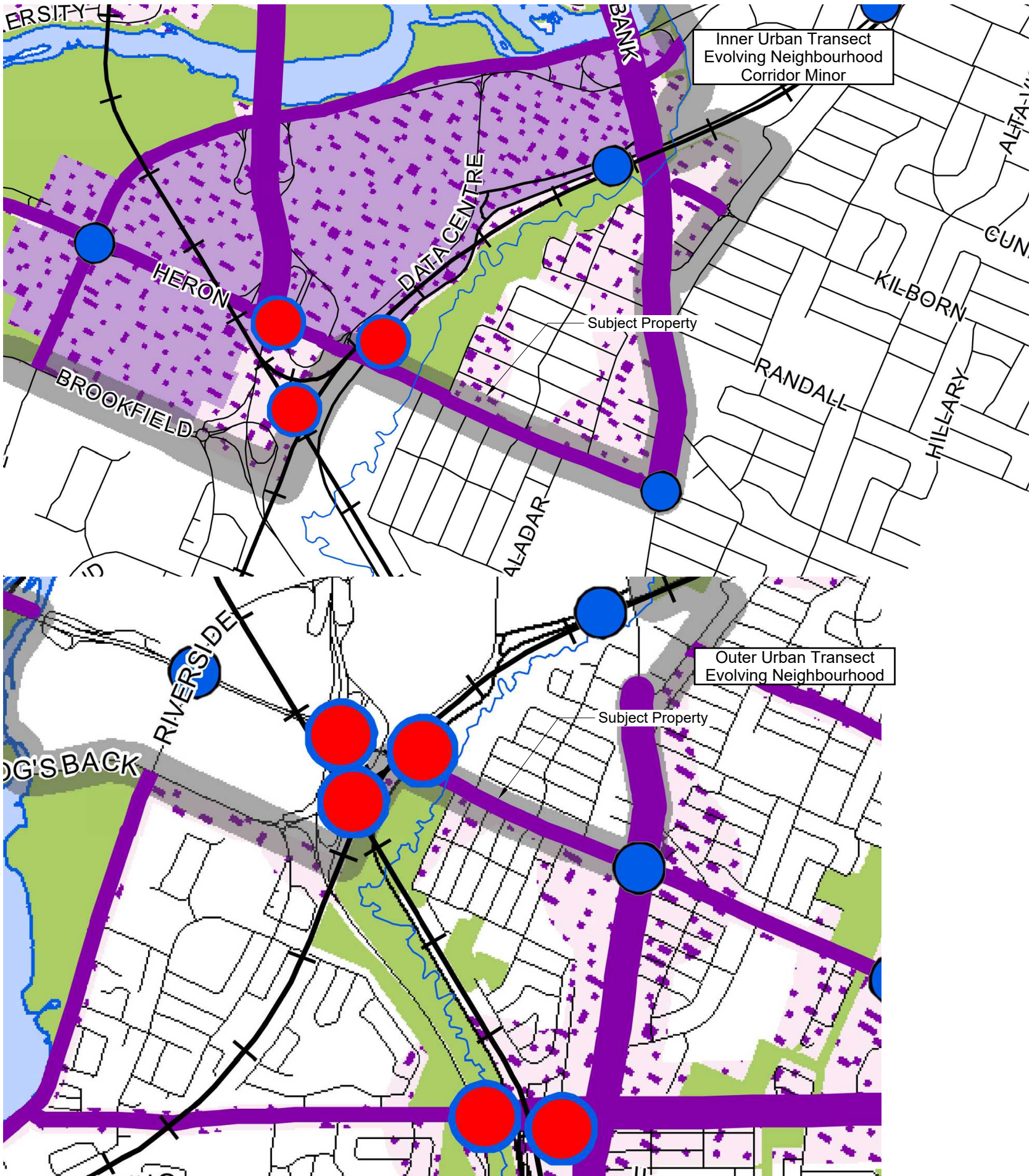


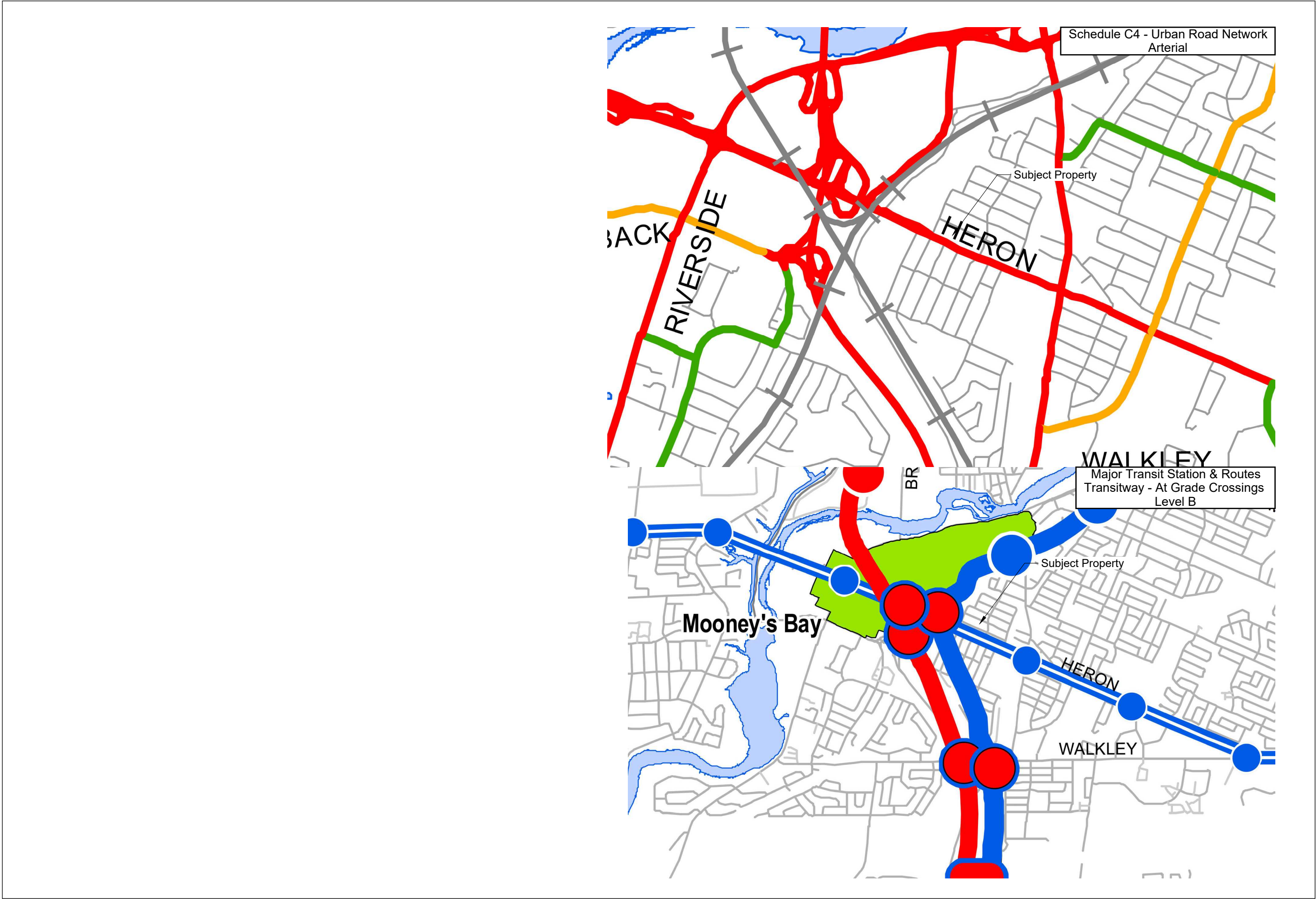
This is **SCHEDULE 1** to Zoning By-law 2008-250



- 3) Along Minor Corridors, permitted building heights are as follows, subject to appropriate height transitions and setbacks:
- a) Generally, not less than 2 storeys and in the maximum height range of between 4 to 6 storeys, except where a secondary plan or area-specific policy specifies different heights;

b) Where the Zoning By-law permits a Low-rise building, an amendment to this Plan shall not be required to consider a building of 5 or 6 storeys;
- c) The wall heights directly adjacent to a street of such buildings shall be proportionate to the width of the abutting right of way, and consistent with the objectives in the urban design section on Mid-rise built form in Subsection 4.6.6, Policy 7); and
- d) The height of such buildings may be limited further on lots too small to accommodate an appropriate height transition.
- 4) All buildings along Mainstreets or Minor Corridors shall have active entrances facing the Mainstreet or Minor Corridor, regardless of use.







1965



1976



2021



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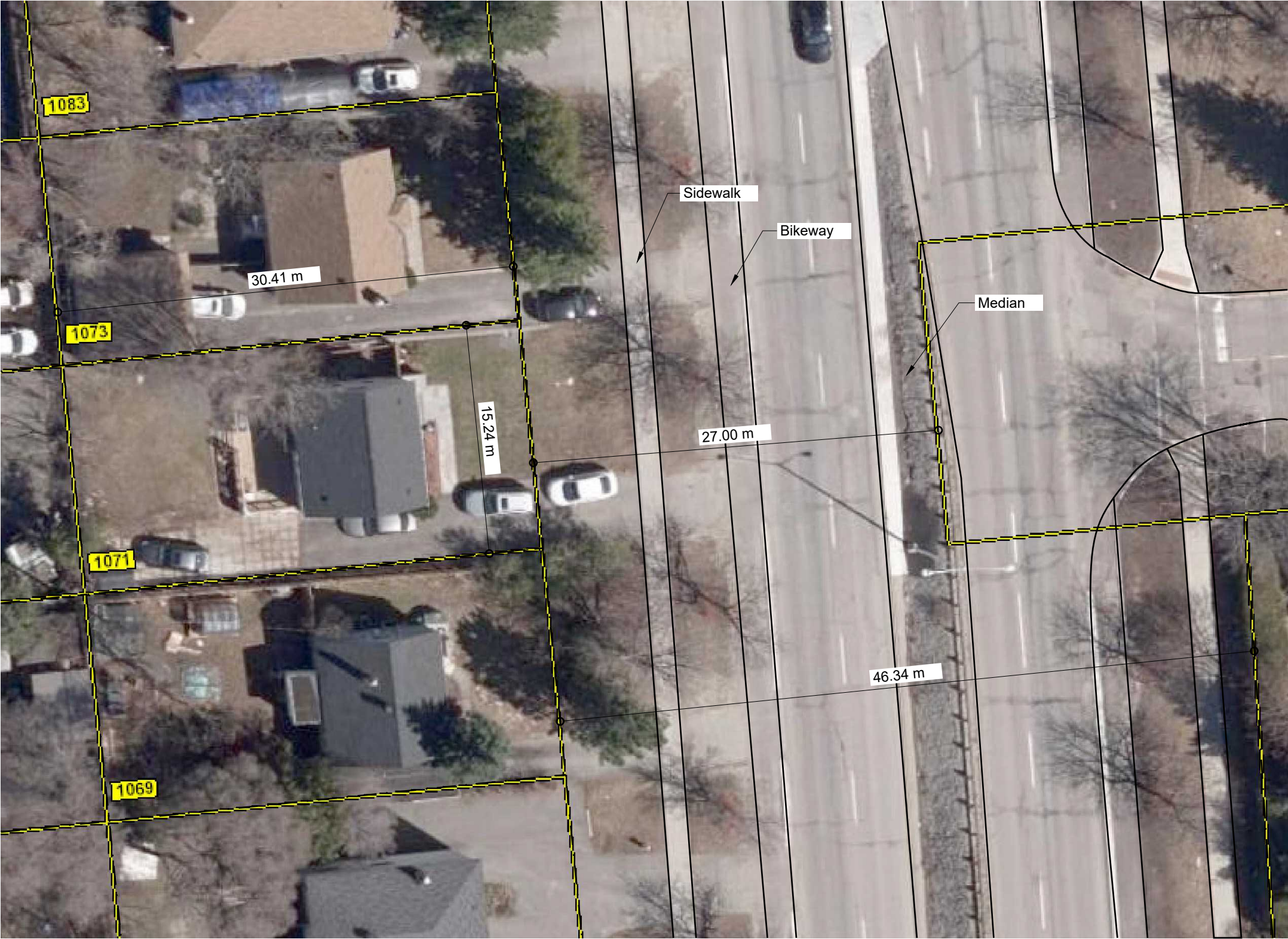
ISSUE
CJ

DRAWN BY
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PROJECT NO.
2024

June 18, 2024
Street 2021

A.04



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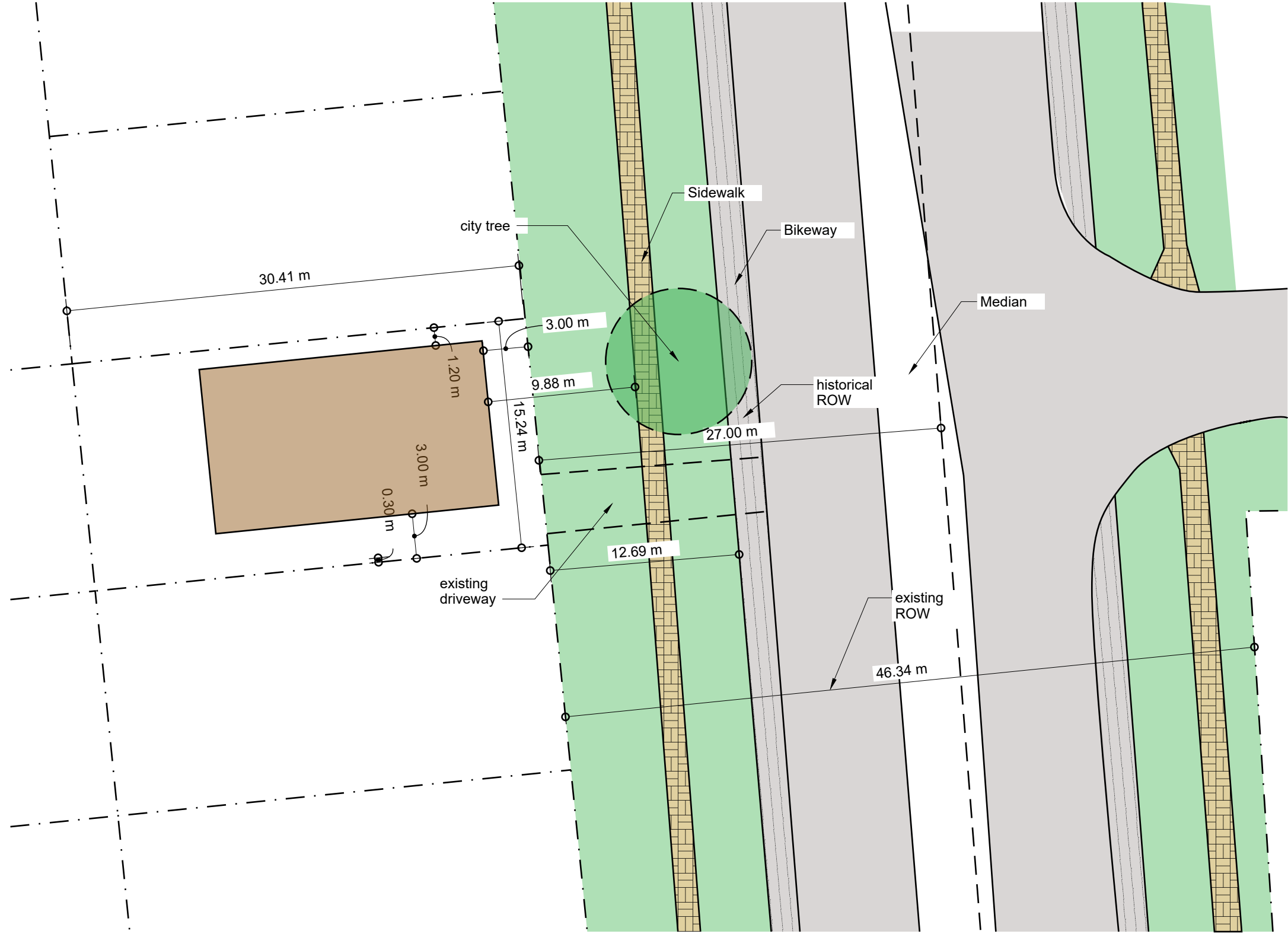
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GeoOttawa 2021



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2024

June 18, 2024
Street @
Property

A.06

Google Maps 1069 Heron Rd



Image capture: Jul 2023 © 2024 Google



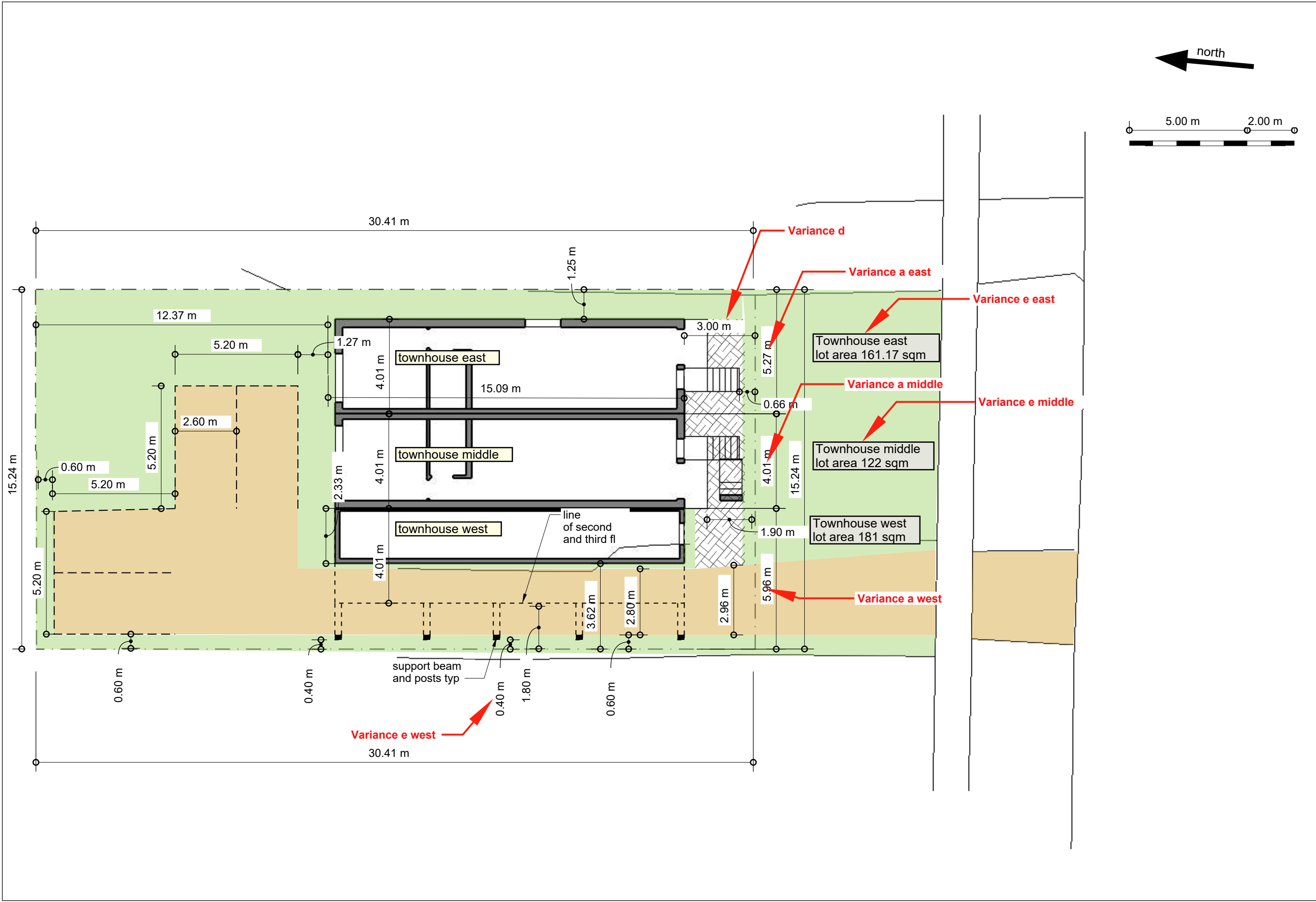
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	2024	1 : 200

June 18, 2024
Site Picture




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1 : 150

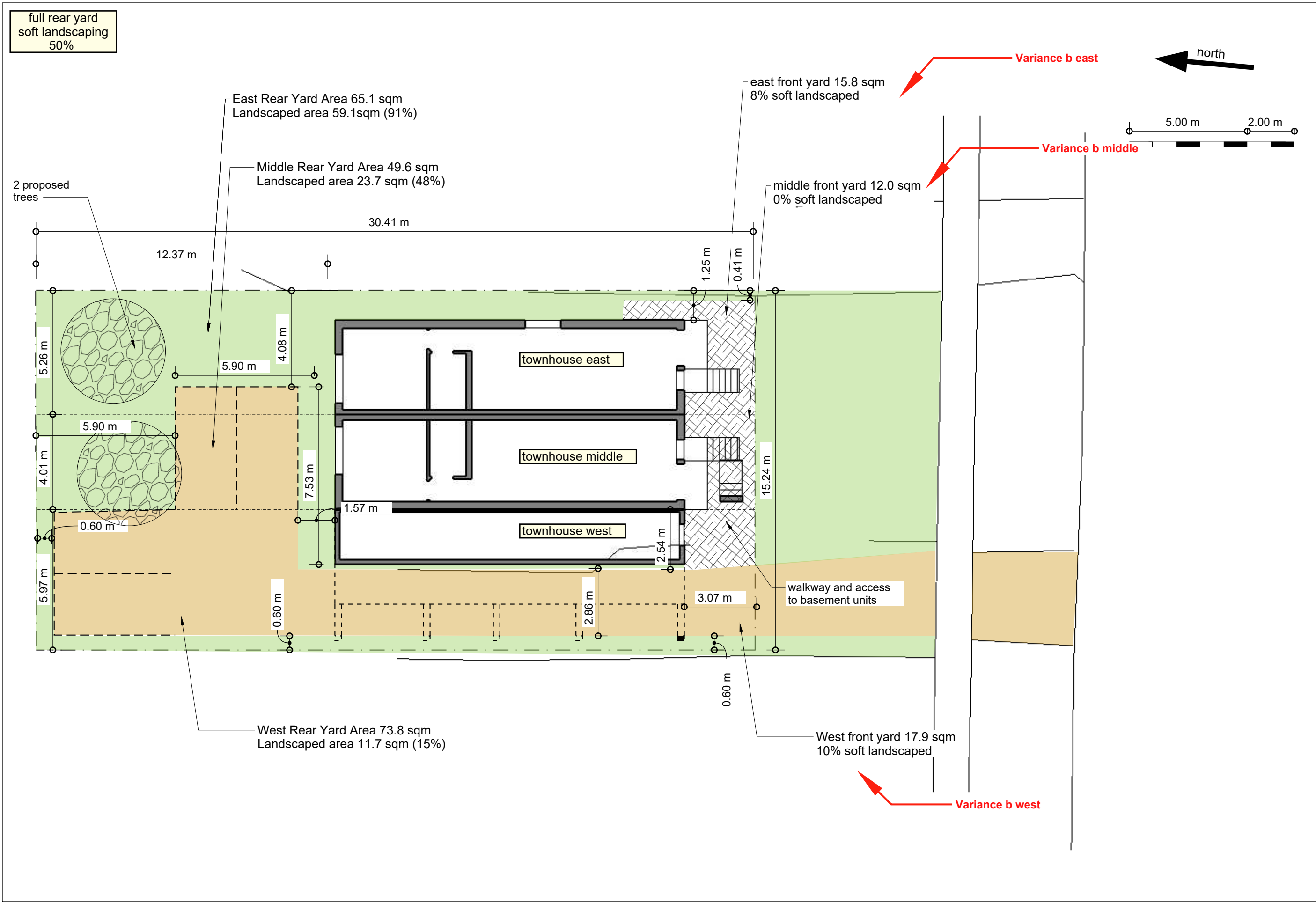
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1071 Heron Road

ISSUE
June 18, 2024

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PROJECT NO.
2024

Site Plan



M

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PROJECT 1071 Heron Road

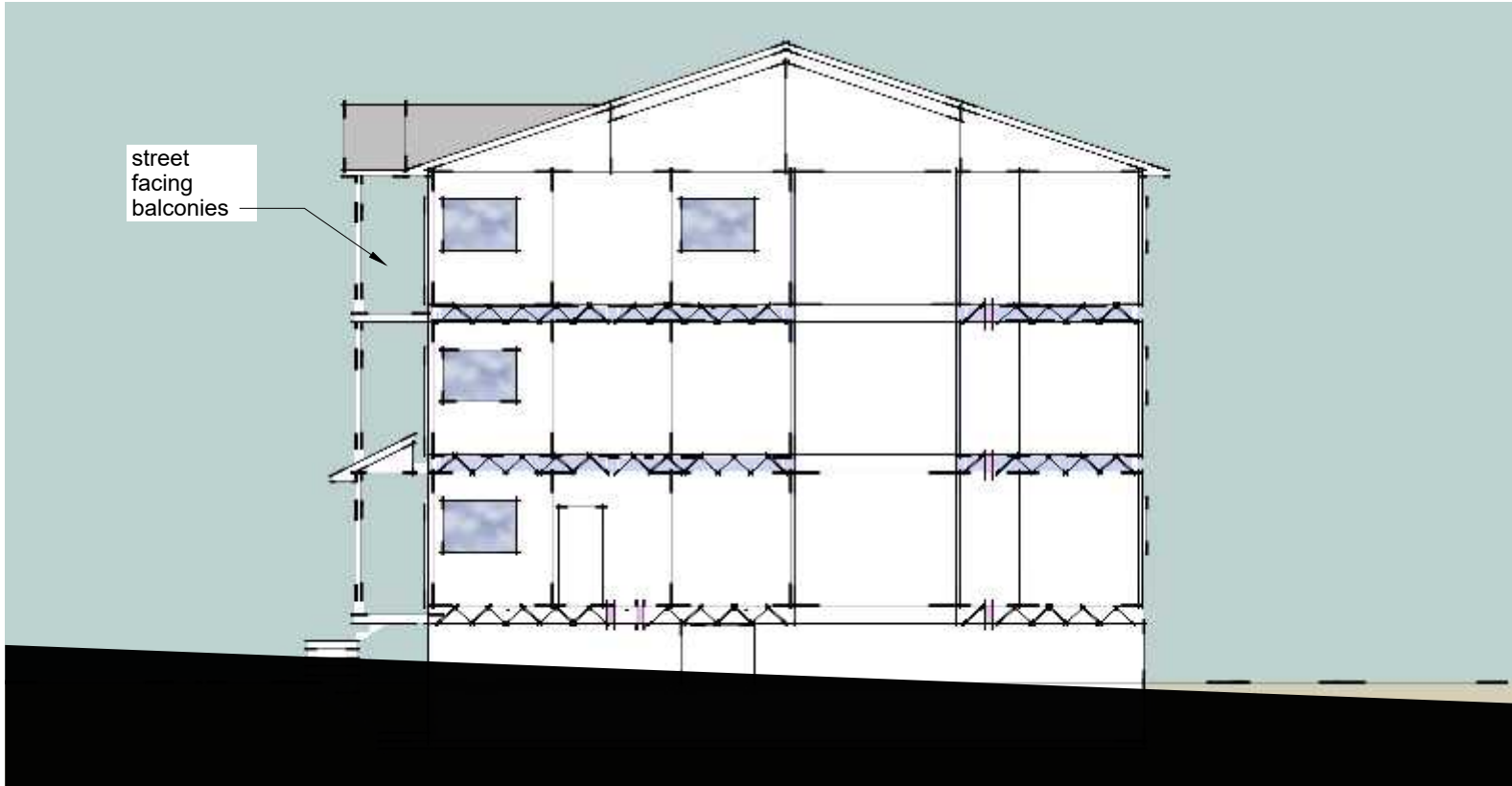
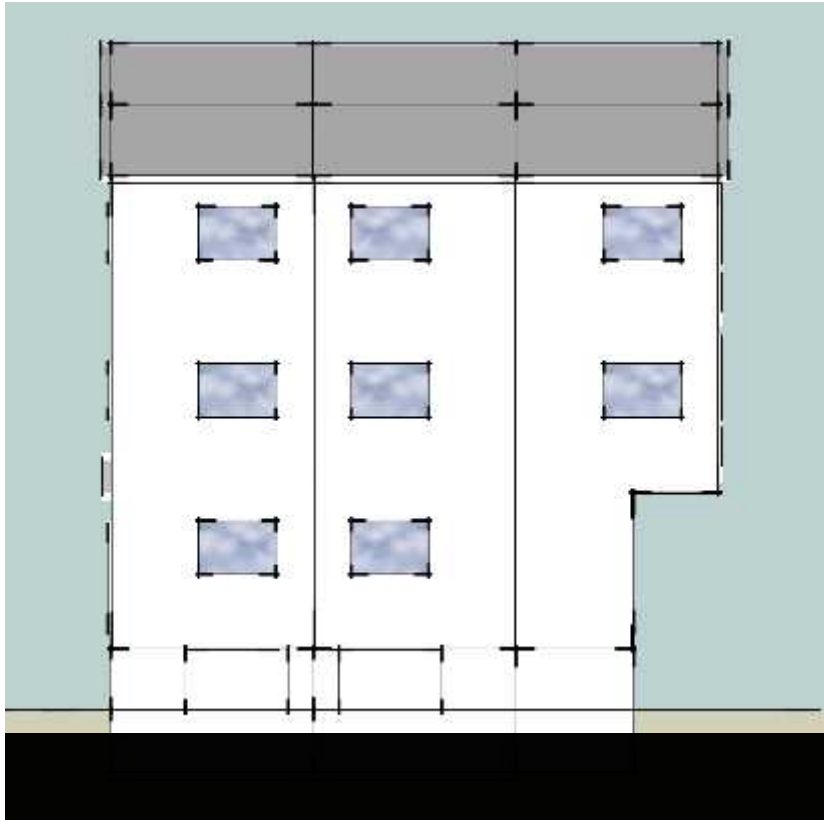
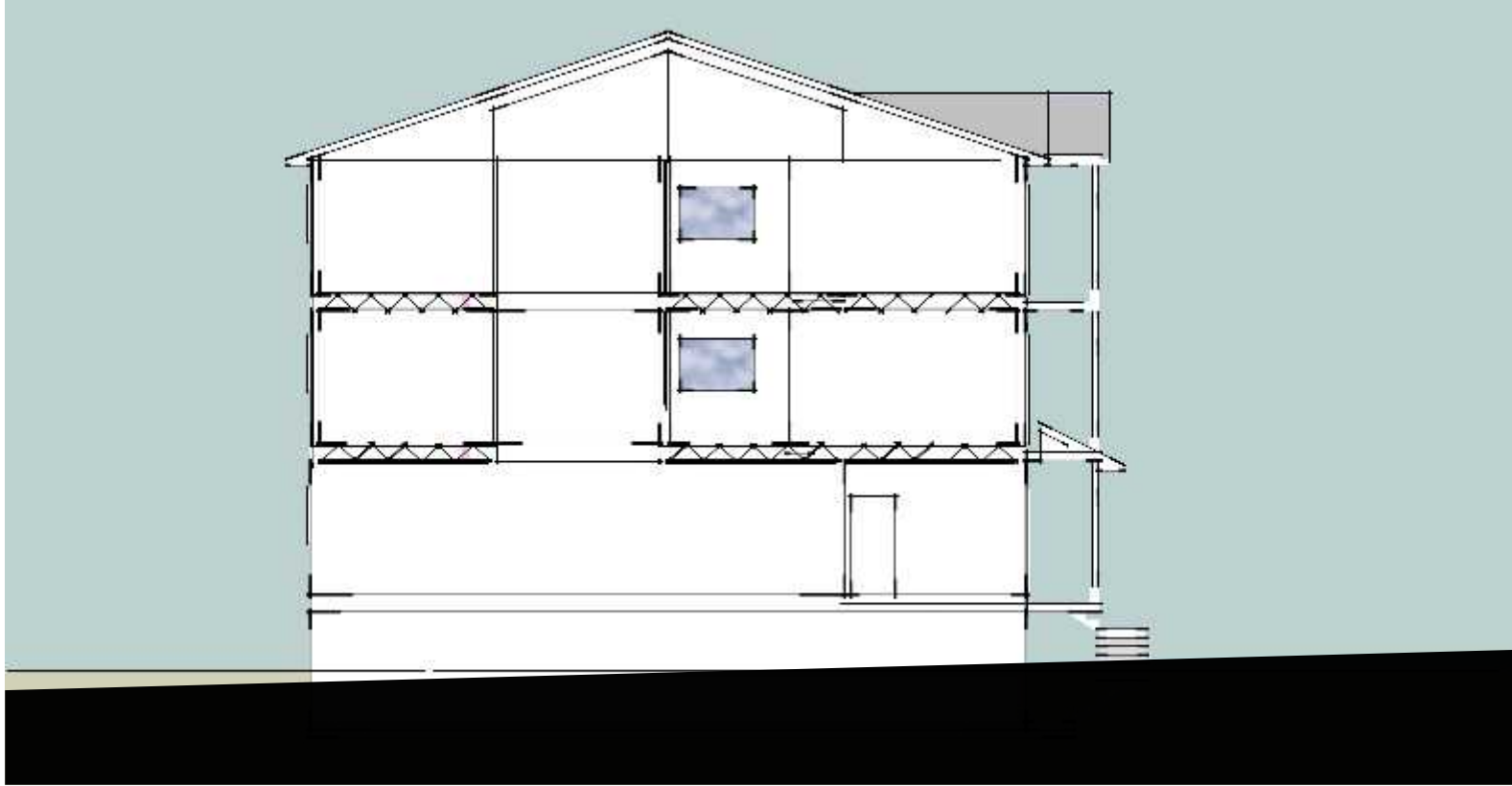
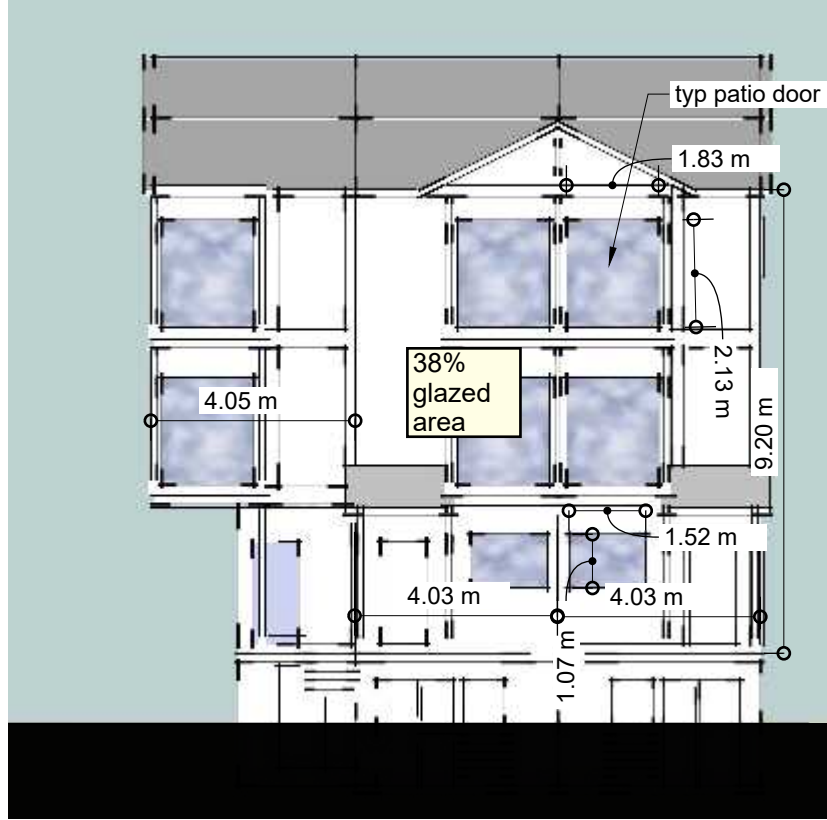
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Scale 1 : 150

June 18, 2024
Landscaping



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CLIENT	PROJECT	ISSUE	DRAWN BY	PROJECT NO.	Scale
	1071 Heron Road		CJ	2024	1 : 150

June 18, 2024
Elevations



A cross-section diagram of a building with a gabled roof. The diagram illustrates the average grade line (red line) and the variance c (blue line). The average grade line is shown as a red line, and the variance c is shown as a blue line. The diagram includes several dimensions: 2.65 m for the roof height, 11.92 m for the height of the main structure, 1.37 m for the height of the lower section, and 0.24 m for the height of the foundation. A red arrow points to the variance c with the label "Variance c".



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ISSUE PROJECT 1071 Heron Road CLIENT
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 CJ 2024 1:200

June 18, 2024
section

A.11



2024-06-03

City of Ottawa | Ville d'Ottawa

Comité de dérogation

Tree Information Report

Submitted as part of Building Permit Application to the City of Ottawa

Date of Report: March 1, 2024
Property Address: 1071 Heron Road
Prepared for: David Palmer; dpalmer999@gmail.com
Prepared by: Kevin Myers, ISA Certified Arborist®; kevin.myers@dendronforestry.ca
Date of Site Visit: February 29, 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 building permit application to the City of Ottawa and considers the impact that the proposed development will have on the trees. Technical and design documents provided by the client are reviewed as part of this report, and conclusions are made on the suitability for retaining the protected trees on the site. For those trees that are recommended for retention, mitigation measures are provided to reduce the impact during construction.

While a rationale for removing trees may be provided based on document review and the 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*:

- Survey by Annis, O'Sullivan, Vollebakk Ltd., dated August 3, 2023
- Site Plan by Ottawa Carleton Construction, dated November 3, 2023
- GeoOttawa tree inventory layer and aerial photography
- Google© Street View imagery – various years

*This report has not considered grading and engineering information

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 conditions

The site is currently occupied by a single dwelling. There are a large number of unmaintained stems of Manitoba maple (*Acer negundo*), Norway maple (*Acer platanoides*) and Siberian elm (*Ulmus pumila*) around the periphery of the property. These are all under 30cm DBH, and generally in poor condition. At the southwest corner of the property is a cedar hedge with approximately 18 stems between 5 and 15cm. This hedge is in fair to poor condition and appears to be entirely on the adjacent and city property.

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 is recommended for removal as it is in line with the proposed driveway.

To protect trees and hedges on adjacent properties, roots should not be torn or damaged during excavation for buildings or driveways. If roots are encountered, they should be cleanly severed by hand to promote fast sealing after construction.

- In particular, to protect the city hedge in the southwest corner, care is to be taken not to tear roots during removal of the existing driveway. Any roots that are torn or damaged are to be cleanly severed back to the nearest union.

The undersigned personally inspected the property and issues associated with this report on February 29, 2024. On Behalf of Dendron Forestry Services,



Kevin Myers, MFC
ISA Certified Arborist®, ON-2907A
kevin.myers@dendronforestry.ca
(514) 726-8531



APPENDIX A

TREE INFORMATION TABLE

Tree ¹	Species	DBH (cm)	Ownership ²	Tree Condition	Approximate distance to excavation (m)	Action	Forester recommendation
1	Honey locust (<i>Gleditsia triacanthos</i>)	35	City	Good	Driveway: 0	Remove	Remove: in line with proposed driveway.

¹ 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.

²Ownership 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.

APPENDIX B

PHOTOGRAPHS



Tree 1 - City Honey locust to be removed



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 23, 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.

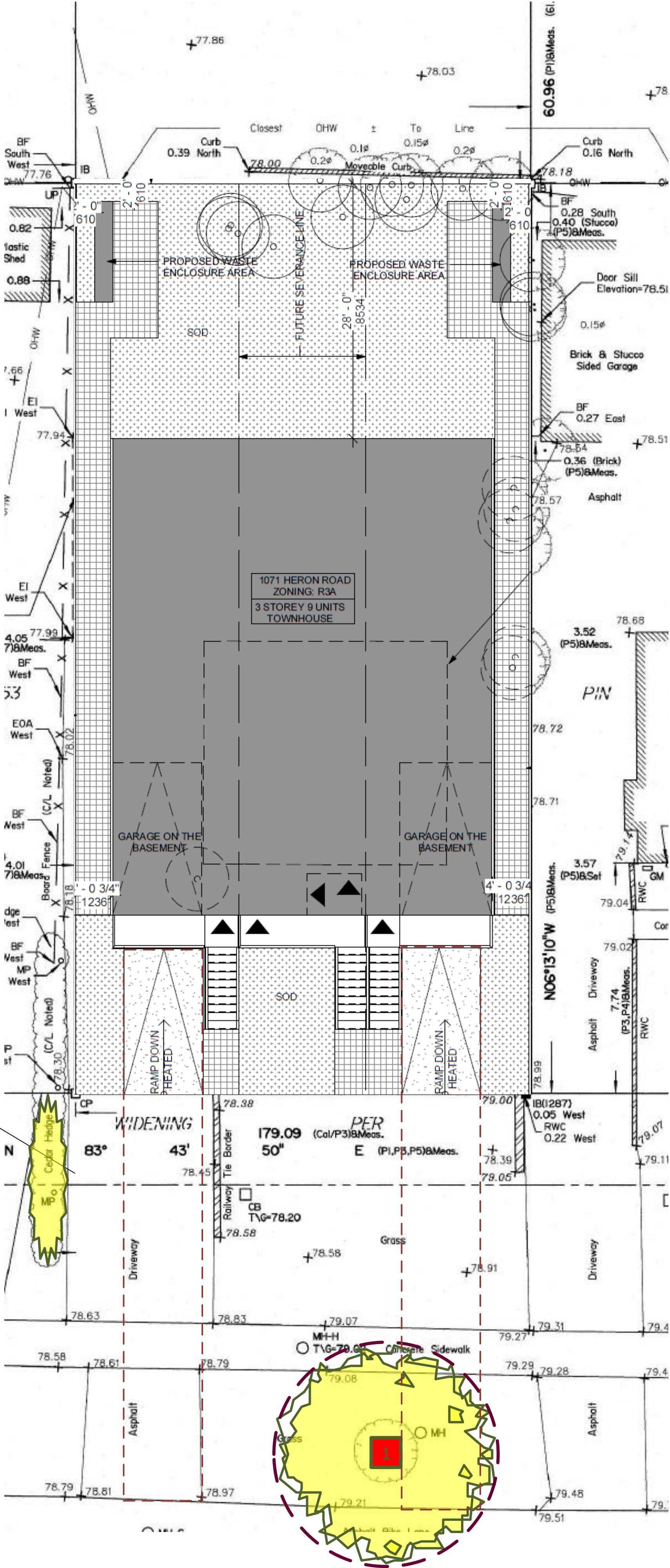
Notwithstanding any of the above, nothing in this Report is taken to absolve the Client of the responsibility of obtaining a new Report in the event that the circumstances of the tree change.



TIR Map – 1071 Heron Road
Tree layer prepared by
Dendron Forestry Services
Version 1.0, March 1, 2024
For more information, please contact: info@dendronforestry.ca




Note: the tree layer has been added to the original site plan and survey 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.

Care to be taken not to tear or damage roots during removal of existing driveway.



Tree ¹	Species	DBH (cm)	Tree Condition	Forester recommendation
1	Honey locust (<i>Gleditsia triacanthos</i>)	35	Good	Remove: in line with proposed driveway.

Legend

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

2024-07-12

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: 1071 Heron Road
Legal Description: Part Lot 10, Registered Plan 527
File No.: D08-02-24/A-00149 & A-00164 & A-00165
Report Date: July 11, 2024
Hearing Date: July 16, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Minor Corridor
Zoning: R3A (Residential Third Density, Subzone A)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

The subject site is located within the Inner Urban Transect and designated Minor Corridor, and is zoned R3A. There is a planned at-grade transit way proposed in front of the subject site, along Heron Road, and within 400m of Heron BRT station (grade-separated) and within 600m of Heron O-Train Station. This area is generally planned for mid- to higher-density development, and does contemplate higher building heights compared to adjacent neighbourhoods. An urban built form characteristic identified in the Official Plan is shallow front yard setbacks with an emphasis on built-form relationship with the public realm.

Staff has no concerns with the proposed front yard setback and reduced front yard soft landscaping, which allow the built form to interact with the public realm without deviating too much from the existing surrounding context.

Staff have no concerns regarding the proposed building height. The height will not be disproportional to the street as the ROW is approximately 45 metres wide. The impacts on the abutting property to the east are mitigated by 1073 Heron's driveway as a buffer

between the buildings, and also mitigated to the west by providing a greater side yard setback than required for the second and third storeys.

Staff also have no concerns with the requested reduced interior side yard setback. The building massing is set back 1.8 metres, cantilevering beyond the first storey. Staff understand that support beams and posts are located 0.8 metres from the side lot line, which does not impact privacy, rear yard access or maintenance of the side walls.

Staff have requested that the applicant provide vehicle turning radius diagrams to better demonstrate how the rear yard parking will be functional.

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. 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. 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.).
8. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
9. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
10. Existing Catch Basin is not to be located within the driveway.

Planning Forestry

An updated TIR was provided, reflecting the updated site plan and including a planting plan for two new trees in the rear yard.

The street tree in the right-of-way must be protected throughout construction according to the [Tree Protection Specification](#). As per the official plan S4.8.2. 3) d): retention and protection of healthy trees shall be prioritized over removal and replacement through planning decisions.

The street tree in the right-of-way must be protected throughout construction according to the Tree Protection Specification. As per the official plan S4.8.2. 3) d): retention and protection of healthy trees shall be prioritized over removal and replacement through planning decisions.

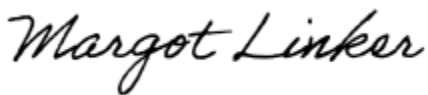
Services for the townhomes should be designed & installed to avoid the Critical Root Zone of the protected street tree.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed application. Private approach permits are required to construct any newly created or modified driveway/approaches and/or close redundant approaches. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca and visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.

Transportation Engineering

Please note that Heron Road is designated as a Crosstown Bikeway.



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*

Consent and Minor Variance Applications

Panel 1

Wednesday, July 3, 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-00100, D08-01-24/B-00101 D08-02-24/A-00145, D08-02-24/A-00146
Applications:	Consent under section 53 of the <i>Planning Act</i> Minor Variance under section 45 of the <i>Planning Act</i>
Owner/Applicant:	Falsetto Homes Inc.
Property Address:	370 Princeton Avenue
Ward:	15 – Kitchissippi
Legal Description:	Lot 27 (Ease side Melbourne Avenue Lots), Registered Plan 204, City of Ottawa
Zoning:	R4UA [2686] H(8.5)
Zoning By-law:	2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATIONS:

The Owner wants to subdivide their property into two separate parcels of land for the construction of two, three-storey, eight-unit low-rise apartment buildings, as shown on plans filed with the Committee.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owner requires the Committee's consent to subdivide the property and grant the use of and right in land for easements. The property is shown as Parts 1 to 6 on a draft plan of survey 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-00100	10.96 m	30.61 m	335.5 sq. m	1 to 4	547 Melbourne Avenue
B-00101	9.16 m	30.61 m	280.4 sq. m	5 and 6	549 Melbourne Avenue

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

- Over Parts 2 & 3 in favour of Parts 5 & 6 to provide walkway access.
- Over Part 5 in favour of Parts 1 to 4 to provide walkway access.

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-00145, A-00146) 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-00145: 547 Melbourne Avenue, Parts 1 to 4, low-rise apartment building:

- To permit a reduced corner side yard setback (Princeton Avenue) of 3.0 metres, whereas the By-law requires a minimum corner side yard setback of 4.5 metres.
- To permit a reduced southerly interior side yard setback of 1.2 metres, whereas the By-law requires a minimum interior side yard setback of 1.5 metres.
- To permit an increased number of dwelling units to 8, whereas the By-law permits a maximum of 6 dwelling units.
- To permit an increased building height of 8.8 metres, whereas the By-law permits a maximum building height of 8.5 metres.

A-00146: 549 Melbourne Avenue, Parts 5 and 6, low-rise apartment building:

- To permit a reduced lot width of 9.1 metres, whereas the By-law requires a minimum lot width of 10 metres.
- To permit a reduced lot area of 280 square metres, whereas the By-law requires a minimum lot area of 300 square metres.

- g) To permit reduced northerly and southerly interior side yard setbacks of 1.2 metres, whereas the By-law requires a minimum interior side yard setback of 1.5 metres on each side.
- h) To permit an increased number of dwelling units to 8, whereas the By-law permits a maximum of 6 dwelling units.
- i) To permit an increased building height of 8.8 metres, whereas the By-law permits a maximum building height of 8.5 metres.

The application indicates that the property is not the subject of any other current application under the *Planning Act*.

FIND OUT MORE ABOUT THE APPLICATIONS

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **Ottawa.ca/CommitteeofAdjustment** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification 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, send a written request to the Committee.

HOW TO PARTICIPATE

Submit written or oral comments before the hearing: Email your comments to 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. 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.

ALL SUBMITTED INFORMATION BECOMES PUBLIC

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented 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 and during the hearing, 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, and potentially posted online and become searchable on the Internet.

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 consent to sever land and minor variances from the zoning requirements.

DATED: June 14, 2024



Ce document est également offert en français.

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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 3 juillet 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.

Dossiers :	D08-01-24/B-00100, D08-01-24/B-00101 D08-02-24/A-00145, D08-02-24/A-00146
Demandes :	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>
Propriétaire/requérante :	Falsetto Homes Inc.
Adresse municipale :	370, avenue Princeton
Quartier :	15 – Kitchissippi
Description officielle :	Lot 27 (côté est des lots de l'avenue Melbourne), plan enregistré 204, ville d'Ottawa
Zonage :	R4UA [2686] H(8.5)
Règlement de zonage :	n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DES DEMANDES :

La propriétaire souhaite lotir le bien-fonds en deux parcelles distinctes en vue de la construction de deux immeubles d'habitation de trois étages abritant huit logements chacun, conformément aux plans déposés auprès du Comité.

AUTORISATION REQUISE :

La propriétaire nécessite l'autorisation du Comité en vue de lotir le bien-fonds et d'accorder l'usage et le droit foncier pour les servitudes. La propriété est représentée par les parties 1 à 6 sur un plan d'arpentage préliminaire déposé avec les demandes. Les parcelles distinctes sont décrites ci-après :

Tableau 1 Parcelles proposées

Dossier	Façade	Profondeur	Superficie	Parties	Adresse municipale
B-00100	10,96 m	30,61 m	335,5 m ²	1 à 4	547, avenue Melbourne
B-00101	9,16 m	30,61 m	280,4 m ²	5 et 6	549, avenue Melbourne

Il est proposé d'établir des servitudes/emprises comme il est décrit ci-après :

- Sur les parties 2 et 3 au bénéfice des parties 5 et 6 pour permettre l'accès à l'allée piétonne.
- Sur la partie 4 au bénéfice des parties 1 à 4 pour permettre l'accès à l'allée piétonne.

L'aménagement proposé ne sera pas conforme aux exigences du Règlement de zonage. Par conséquent, des demandes de dérogations mineures (D08-02-24/A-00145, A-00146) 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-00145 : 547, avenue Melbourne, parties 1 à 4, immeuble d'habitation de faible hauteur :

- a) Permettre la réduction de la marge de recul de la cour latérale d'angle (avenue Princeton) à 3,0 mètres, alors que le Règlement exige une marge de recul de la cour latérale d'angle d'au moins 4,5 mètres.
- b) Permettre la réduction de la marge de recul de la cour latérale intérieure sud à 1,2 mètre, alors que le Règlement exige une marge de recul latérale intérieure d'au moins 1,5 mètre.
- c) Permettre l'augmentation du nombre de logements à huit (8), alors que le Règlement permet un maximum de six (6) logements.
- d) Permettre l'augmentation de la hauteur de bâtiment à 8,8 mètres, alors que le Règlement permet une hauteur de bâtiment maximale de 8,5 mètres.

A-00146 : 549, avenue Melbourne, parties 5 et 6, immeuble d'habitation de faible hauteur :

- e) Permettre la réduction de la largeur du lot à 9,1 mètres, alors que le Règlement exige une largeur de lot minimale de 10 mètres.
- f) Permettre la réduction de la superficie du lot à 280 mètres carrés, alors que le Règlement exige une superficie de lot minimale de 300 mètres carrés.

- g) Permettre la réduction des marges de recul des cours latérales intérieures nord et sud à 1,2 mètre, alors que le Règlement exige une marge de recul latérale intérieure d'au moins 1,5 mètre de chaque côté.
- h) Permettre l'augmentation du nombre de logements à huit (8), alors que le Règlement permet un maximum de six (6) logements.
- i) Permettre l'augmentation de la hauteur de bâtiment à 8,8 mètres, alors que le Règlement permet une hauteur de bâtiment maximale de 8,5 mètres.

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*.

POUR EN SAVOIR PLUS SUR LES DEMANDES

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris **les lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, 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, faites-en la demande par écrit au Comité.

COMMENT PARTICIPER

Présentez vos observations écrites ou orales avant l'audience : Veuillez faire parvenir vos observations par courriel à 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. 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.

TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, 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 et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

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 : 14 juin 2024

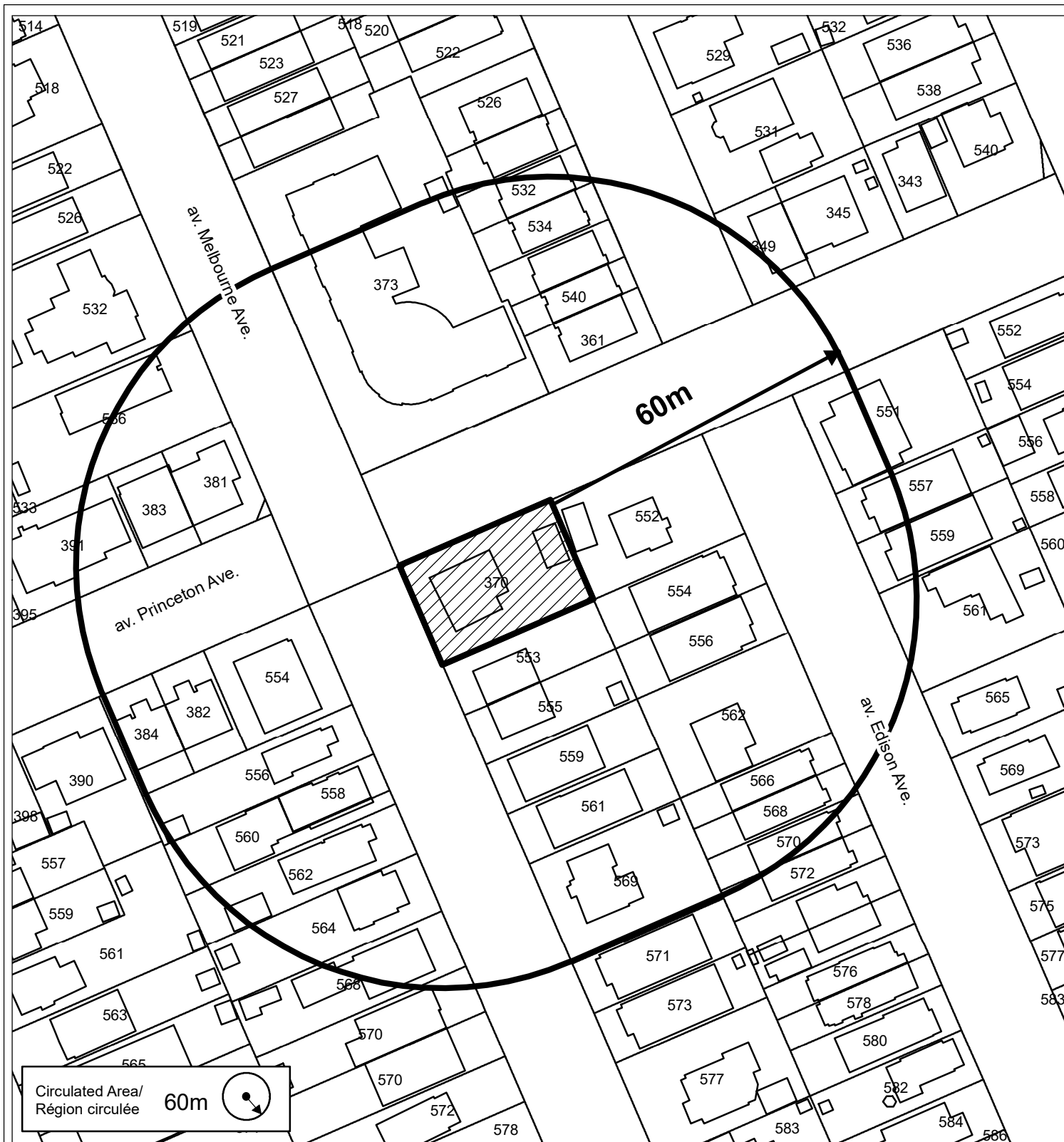


This document is also available in English.

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Circulated Area/
Région circulée 60m



Committee of Adjustment
Comité de dérogation

CIRCULATION MAP / PLAN DE CIRCULATION

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SUBJECT LAND / TERRAIN EN QUESTION

370 av. Princeton Avenue



NOT TO SCALE
NON À L'ÉCHELLE

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Ce document est présenté dans la langue dans laquelle il a été fourni.

May 15, 2024

Committee of Adjustment
City of Ottawa
101 Centrepoin Drive
Ottawa, ON, K2G 5K7

Attention: Michel Bellemare, Secretary - Treasurer

Dear Mr. Bellemare:

**Reference: 370 Princeton Avenue
Applications for Consent and Minor Variance
Our File No: 123048**

Committee of Adjustment
Received | Reçu le

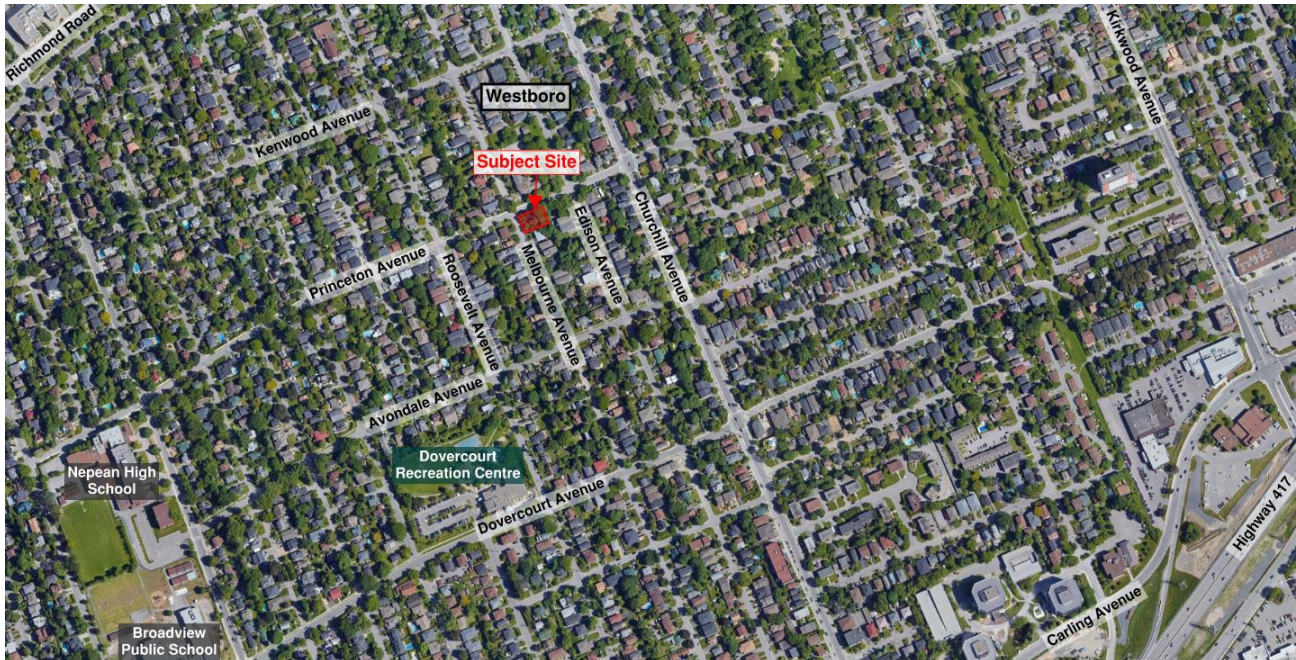
2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Novatech has been retained by the owner of the property municipally known as 370 Princeton Avenue (the "Subject Site") to prepare and file applications for Consent and Minor Variance in order to facilitate the development of two eight-unit low-rise apartment dwellings.

This covering letter describes the existing conditions of the site and its surrounding context, the proposed development, and the rationale in support of the applications.

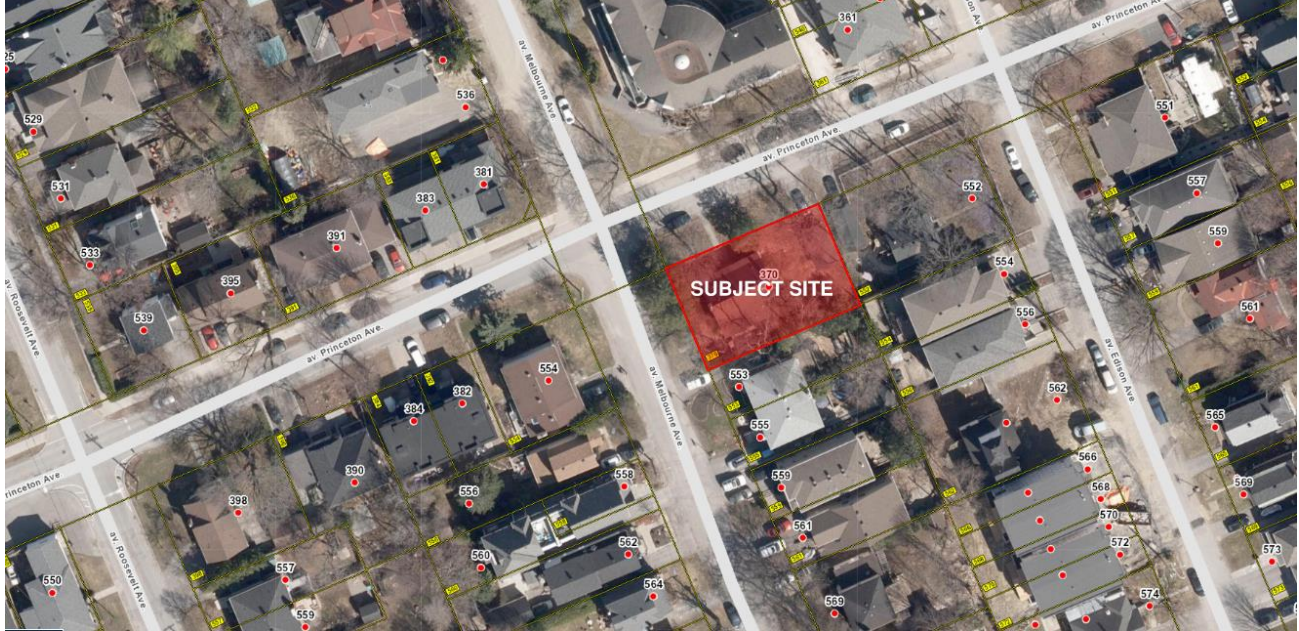
Figure 1: Location of the Subject Site. (Source: Google Maps).



Existing Conditions

The Subject Site is located in the Westboro neighbourhood and is within the City of Ottawa's Kitchissippi Ward (Ward 15). The Subject Site is in an area bounded by Kenwood Avenue to the north, Roosevelt Avenue to the west, Avondale Avenue to the south, and Churchill Avenue to the east (see Figure 1).

Figure 2: Subject Site. (Source: GeoOttawa).



The Subject Site is a corner lot located at the southeast corner of Princeton Avenue and Melbourne Avenue (see Figure 2). The Subject Site has a frontage of 30.61 metres along Princeton Avenue, a frontage of 20.12 metres along Melbourne Avenue, and a lot area of 615.9 square metres. The Subject Site is legally known as Lot 27 (East Side Melbourne Avenue Lots), Registered Plan 204, City of Ottawa.

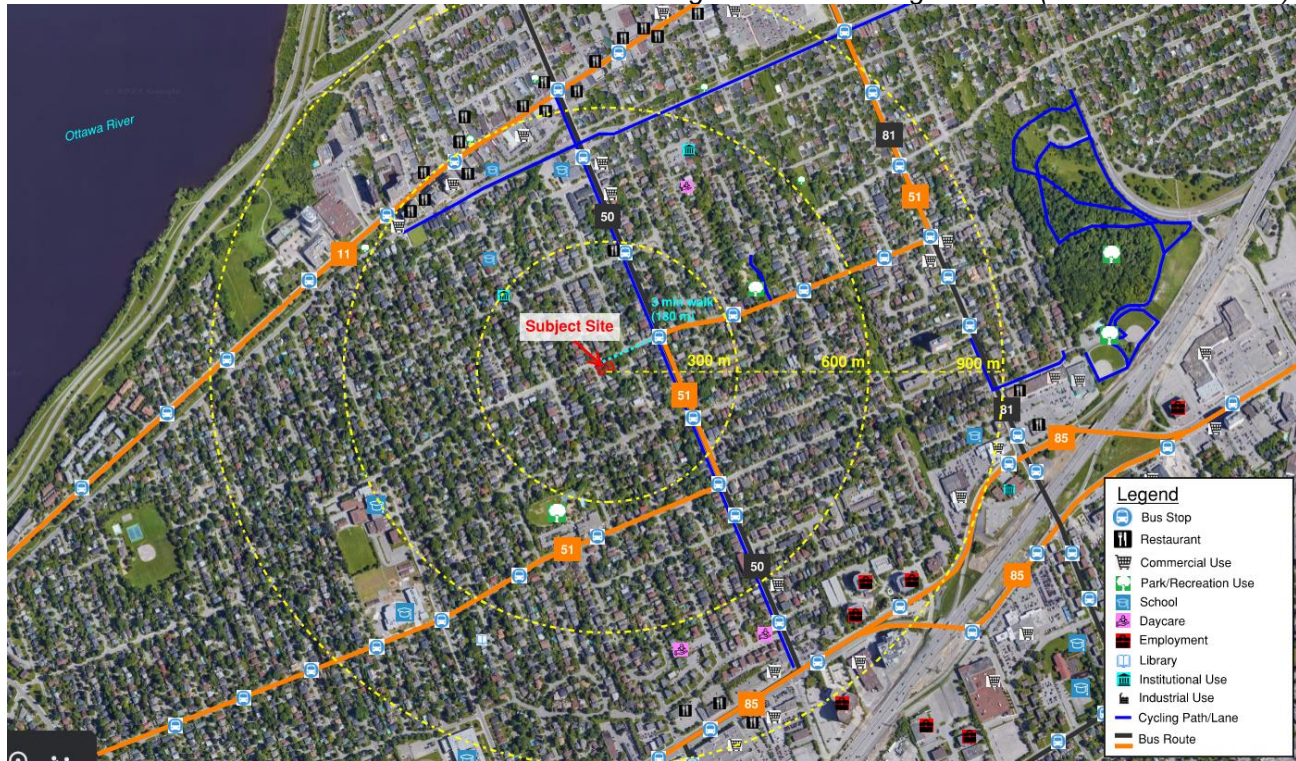
The Subject Site is zoned R4UA[2686] H(8.5) – Residential Fourth Density, Subzone UA, urban exception 2686, with a maximum height of 8.5 metres in the City of Ottawa Zoning By-law 2008-250. The property is subject to the Mature Neighbourhoods Overlay and the Westboro Development Overlay. The Subject Site is designated Neighbourhood within the Inner Urban Transect on Schedule B2 of the City of Ottawa Official Plan.

Figure 3: Existing Building on the Subject Site. (Source: Google Maps).



The Subject Site is currently developed with a detached dwelling (See Figure 3). There is an existing detached garage in the rear yard facing Princeton Avenue. The existing detached dwelling and garage will be demolished.

Figure 4: Surrounding Context. (Source: GeoOttawa).



Surrounding Context

The Subject Site is located in an area characterized by detached and semi-detached dwellings on smaller lots. Many of the properties in the surrounding area, particularly newer semi-detached dwellings, include single driveways and have front-facing attached garages that are set back from the front wall of the building.

The Subject Site is within walking distance of Churchill Avenue, which is designated as a Minor Corridor and Major Collector and Richmond Road, which is designated as a Mainstreet Corridor and Arterial Road in the Official Plan. The Subject Site is well connected with existing and planned transportation routes. The Subject Site is a three-minute walk (180 m) from the nearest bus stop on Churchill Avenue, where the 51 frequent bus route provides connections to Tunney's Pasture LRT station. Frequent bus transit can also be accessed within walking distance along Churchill Avenue, Dovercourt Avenue, and Richmond Road (see Figure 4).

Within 300 metres of the Subject Site, there are primarily detached and semi-detached dwellings, Westboro Kiwanis Park, and Dovercourt Community Centre. Within 600 metres of the Subject Site, there are more high-density residential uses including low- and mid-rise apartment buildings, Clare Gardens Park, and a number of commercial uses and office buildings along Richmond Road.

Proposed Development

It is proposed to sever the existing parcel located at 370 Princeton Avenue into two lots to facilitate the development of two, three-storey, eight-unit low-rise apartment dwellings on the Subject Site. Each proposed low-rise apartment dwelling will front onto Melbourne Avenue (see Figure 5).

The proposed development will advance the City's intensification goals by providing a total of 16 dwelling units in a missing-middle housing form. This form of intensification is well located and meets the City's objective to establish 15-minute neighbourhoods, as the Subject Site is within walking distance of transit, office spaces, and commercial services. The proposed three-storey development will fit in well with the existing neighbourhood, which is characterized by a mix of low-rise residential dwellings.

Figure 5: Site Plan Excerpt. (Source: Evolution Design & Drafting).

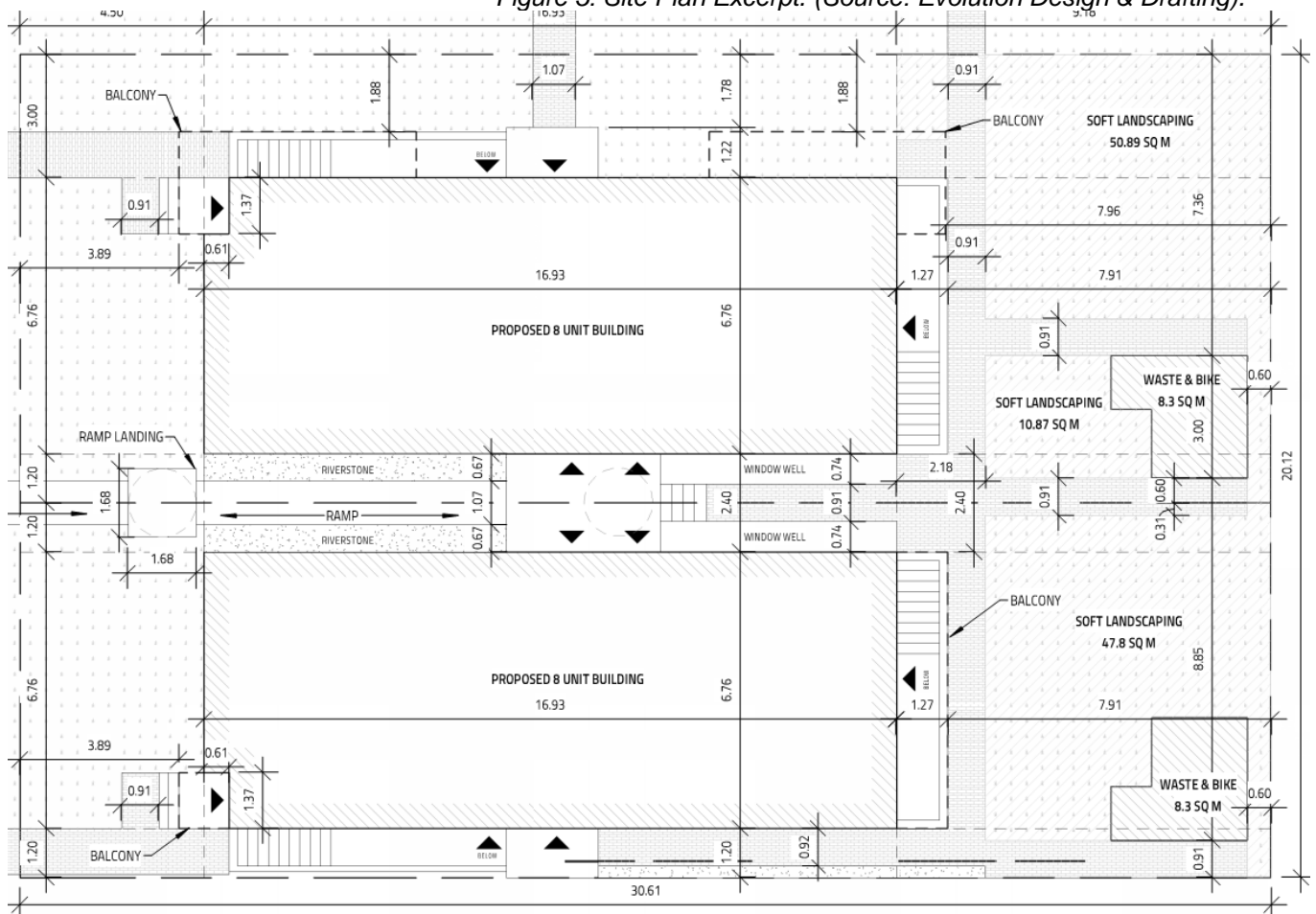


Figure 6: Elevations Excerpts. (Source: Evolution Design).



Front Elevation (Melbourne Avenue)



Rear Elevation



North Elevation (Part 1) (Melbourne Avenue)



South Elevation (Part 1)



North Elevation (Part 2)



South Elevation (Part 2)

Consent Applications

Consent Application 1:

This application will create the corner lot to the north, labelled as Parts 1-4 on the Draft Reference Plan (Figure 7). This lot will be a corner lot with a frontage of 10.96 metres along Melbourne Avenue, 30.61 metres along Princeton Avenue, and a lot area of 335.5 square metres.

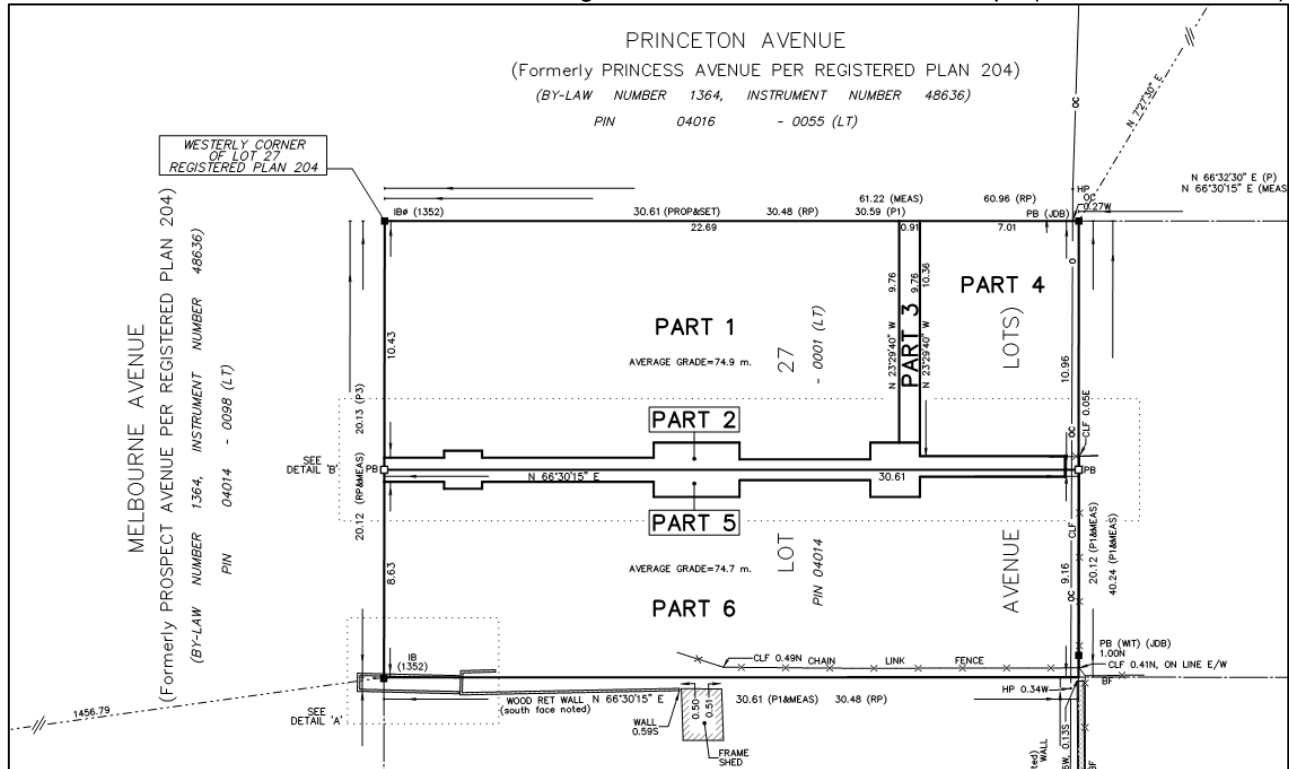
This application will include easements over Parts 2 and 3 in favour of Parts 5 and 6 to provide shared walkways.

Consent Application 2:

This application will create the interior lot to the south, labelled as Parts 5 and 6 on the Draft Reference Plan (Figure 7). This lot will be an interior lot with a frontage of 9.16 metres along Melbourne Avenue, and a lot area of 280.4 square metres.

This application will include an easement over Part 5 in favour of Parts 1, 2, 3, and 4 to provide shared walkways.

Figure 7: Draft Reference Plan Excerpt. (Source: J.D. Barnes).



Rationale (Consent Applications)

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 2020.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by:

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

The proposed development of two, eight-unit low-rise apartment dwellings on the Subject Site supports an appropriate range and mix of residential uses to meet the long-term needs of residents in the neighbourhood. The proposal also promotes a cost-effective development pattern by intensifying lands within the urban boundary, minimizing land consumption and municipal servicing costs.

Planning Act

Subsection 53(1) of the Planning Act states:

“53(1) An owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).”

The proposed severances and easements do not necessitate the construction of new public infrastructure, including roads and services. A plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

“53(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.”

This rationale for the consent applications will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

“51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

370 Princeton Avenue is within the urban area of the City of Ottawa. The proposed severances and easements have regard for the following matters of provincial interest:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management system

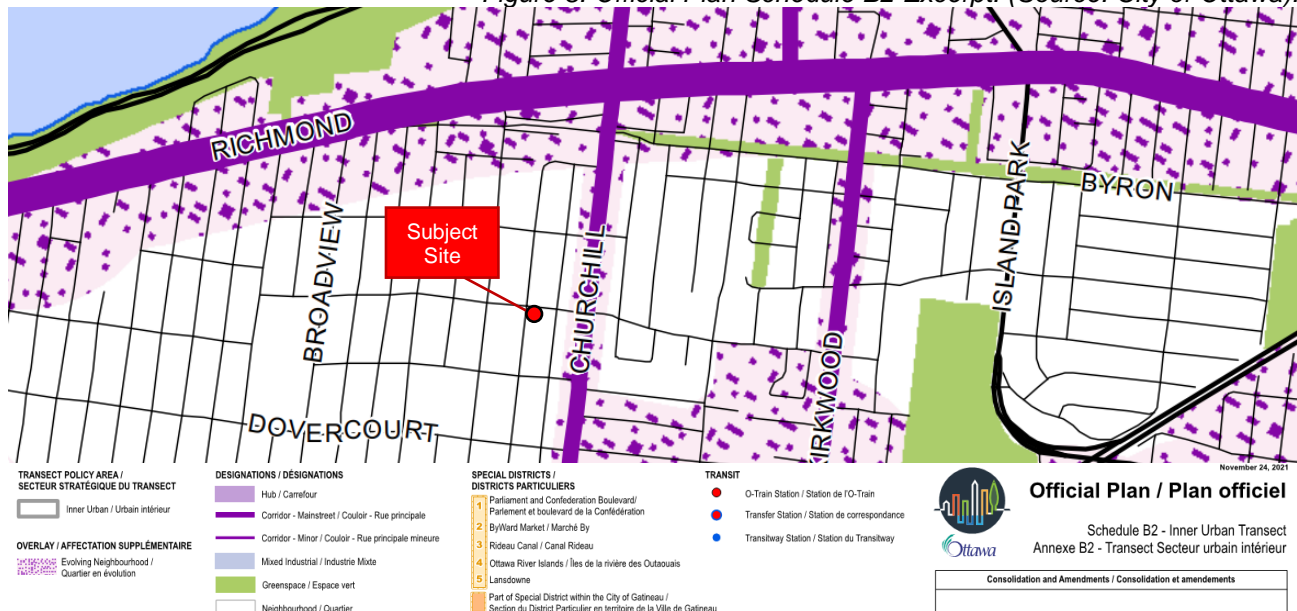
- the orderly development of safe and healthy communities
- the adequate provision of a full range of housing, including affordable housing
- the appropriate location of growth and development
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians

(b) whether the proposed subdivision is premature or in the public interest;

The Subject Site is located within the City of Ottawa's urban boundary and is in a fully developed neighbourhood where hard and soft services are available. The proposed consents are not premature and are in the public's interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

Figure 8: Official Plan Schedule B2 Excerpt. (Source: City of Ottawa).



City of Ottawa Official Plan

The Subject Site is designated “Neighbourhood” in the Inner Urban Transect on Schedule B2 of the City of Ottawa Official Plan. Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: *“The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them”*.

The Subject Site is located in proximity to the Richmond Road Mainstreet Corridor, where a number of commercial, employment, and transit amenities are available. The Subject Site is also in proximity to the Churchill Avenue Minor Corridor where there are higher density residential buildings and frequent transit access. The proximity to a number of amenities as well as existing and planned transit options makes the Subject Site a suitable location for intensification. The proposed development will

increase the number of dwelling units on the Subject Site from 1 to 16 and contribute to the City's objective to establish 15-minute neighbourhoods (see Figure 8).

(d) the suitability of the land for the purposes for which it is to be subdivided;

The proposed consents will facilitate development of two, eight-unit low-rise apartment dwellings on the Subject Site. Low-rise apartment dwellings are compatible with existing land use patterns and the lot fabric of the neighbourhood.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Not applicable.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed severances and easements do not propose any new roads and will not affect highways or the transportation system.

(f) the dimensions and shapes of the proposed lots;

The proposed severances will result in the creation of two rectangular shaped lots. Each lot will have frontage on Melbourne Avenue and one lot will have frontage on Princeton Avenue. Each newly created lot will have lot widths and lot areas that are of a suitable size and shape to support a low-rise apartment dwelling while remaining in context with the streetscape. The proposed easements will allow for a shared walkway providing shared access between the two buildings and from Princeton Avenue.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no restrictions or proposed restrictions on the existing or proposed lots, beyond the provisions of the Zoning By-law.

(h) conservation of natural resources and flood control;

The Subject Site is not located in any floodplains or areas of natural interest.

(i) the adequacy of utilities and municipal services;

The Subject Site is located within the urban boundary and is connected to existing utilities and municipal services. The additional lot will not have any major impacts on the adequacy of the City's municipal services or utilities.

(j) the adequacy of school sites;

The Subject Site is located near Nepean High School, Broadview Public School, Churchill Alternative School, and Notre Dame High School (see Figure 4). The proposed development will be adequately serviced by schools in the area.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

It is anticipated that cash-in-lieu of parkland will be a condition of consent.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposed consents use the area of the Subject Site more efficiently by providing additional housing units on the lot. The proposed consents constitute infill development and facilitate growth within the urban area. The proposed consents improve the efficiency of transportation and transit and more efficiently use existing infrastructure, services, and land.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is not subject to site plan control.

The proposed severances meet the criteria set out in Section 51(24) of the Planning Act. The proposed severances at 370 Princeton Avenue represent good land use planning.

Provincial Policy Statement

Section 3(5) of the Planning Act states:

"A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,

a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision;"

A decision by the Committee of Adjustment with respect to a planning matter must be consistent with the Provincial Policy Statement (PPS). The Provincial Policy Statement provides policy direction on matters of provincial interest that are related to land use planning and development.

Policy 1.1.1 states:

"Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment*

- (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
 - f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
 - h) promoting development and land use patterns that conserve biodiversity; and*
 - i) preparing for the regional and local impacts of a changing climate.”*

The proposed development promotes efficient use of existing land by more effectively using the existing lot and providing additional housing within the urban area. The proposed low-rise apartment buildings will fit in well within the neighbourhood and provide more affordable rental options in the neighbourhood. The Subject Site is ideally located for intensification in proximity to frequent transit routes along Churchill Avenue and commercial uses along Richmond Road. The proposed lots are located within the urban boundary, will have adequate access to the necessary infrastructure and public service facilities and will reduce pressure to expand the urban boundary.

Policy 1.1.3.1 of the PPS states that:

“Settlement areas shall be the focus of growth and development.”

370 Princeton Avenue is considered part of the “Settlement Areas” as defined in Section 1.1.3 of the Provincial Policy Statement, 2020 (the “PPS”).

The proposed consents will support the addition of 16 dwelling units within the City of Ottawa’s urban area and are consistent with policies of the PPS.

Policy 1.1.3.2 of the PPS states that:

“Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*

- f) *are transit-supportive, where transit is planned, exists or may be developed; and*
 - g) *are freight-supportive*
- Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated."*

The proposed consents are an appropriate and efficient use of the land. By providing intensification within the urban area, the proposed development reduces pressure for expansion of the urban area. The proposed development is transit-supportive as it is within walking distance of frequent bus service along Churchill Avenue. Based on proximity to commercial, employment, and transit amenities the Subject Site is an appropriate location to accommodate intensification.

The proposed severances and easements are consistent with the Provincial Policy Statement (2020). The proposed severances and easements at 370 Princeton Avenue constitute good land use planning.

Minor Variance Applications

The proposed minor variances are listed below:

Lot 1 (Parts 1-4):

- a) To permit a reduced corner side yard setback of 3.0m; whereas the By-law requires a minimum corner side yard setback of 4.5m (Section 144(1)(a))
- b) To permit a reduced interior side yard setback of 1.2m; whereas the By-law requires a minimum interior side yard setback of 1.5m (Part 15, Urban Exception 2686, Column V)
- c) To permit an increase to the maximum number of dwelling units to 8 units; whereas the By-law permits a maximum of 6 units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV)
- d) To permit a building height of 8.8 metres; whereas the By-law permits a maximum building height of 8.5 metres. (H (8.5)).

Lot 2 (Parts 5 & 6):

- e) To permit a reduced lot width of 9.1m; whereas the By-law requires a minimum lot width of 10.0m (Part 15, Urban Exception 2686, Column V)
- f) To permit a reduced lot area of 280 m²; whereas the By-law requires a minimum lot area of 300m² (Part 15, Urban Exception 2686, Column V)
- g) To permit a reduced interior side yard setback of 1.2m on each side; whereas the By-law requires a minimum interior side yard setback of 1.5m on each side (Part 15, Urban Exception 2686, Column V)

- h) To increase the permitted number of dwelling units to 8 units; whereas the By-law permits a maximum of 6 units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV)
- i) To permit a building height of 8.8 metres; whereas the By-law permits a maximum building height of 8.5 metres. (H (8.5)).

Note: All requested minor variances have been rounded to the nearest tenths decimal place, as instructed by the Committee of Adjustment.

Minor Variance Rationale

The minor variances listed above meet the four tests for minor variance under Section 45(1) of the Planning Act.

The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.

City of Ottawa Official Plan

Section 3.2 of the Official Plan encourages infill and intensification within the urban area. Policy 3 of Section 3.2 of the Official Plan states that: *"The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them."*

The proposed development on the Subject Site is an example of infill and intensification within the Inner Urban Transect and Neighbourhood designation. The proposed development supports the creation of 15-minute neighbourhoods and will contribute to residential intensification in a Neighbourhood designation that is within proximity of lands designated as Corridors in the Official Plan.

The Subject Site is designated "Neighbourhood" in the Inner Urban Transect on Schedule B2 of the Official Plan. Policy 1 of Section 5.2.4 of the Official Plan 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"*.

The proposed development on the Subject Site is within walking distance of Richmond Road, designated "Mainstreet Corridor" in the Official Plan and Churchill Avenue designated "Minor Corridor" in the Official Plan. The proposed development will contribute to residential growth within the Inner Urban Transect and Neighbourhood designations to meet the targets of the Growth Management Framework.

The Subject Site is ideally located to accommodate intensification, with proximity to commercial uses, offices, and public transit service along Richmond Road, which is a 10-minute walk from the Subject Site. The Subject Site is located close to higher density low-rise development, commercial uses, and public transit service along Churchill Avenue, which is a 2-minute walk from the Subject Site. The proposed development with the requested variances supports intensification of the Subject Site, which is an ideal location for additional density, and contributes to 15-minute communities.

The minor variances maintain the general intent and purpose of the City of Ottawa Official Plan.

The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Site is zoned Residential Fourth Density, Subzone UA, Exception 2686, with a Height limit of 8.5 metres (R4UA[2686] H(8.5)) in the City of Ottawa Zoning By-law 2008-250. The Subject Site is located within the boundary of the Mature Neighbourhoods Overlay and the Westboro Development Overlay.

The purpose of the R4 zone is to:

1. *allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as **General Urban Area** in the Official Plan;*
2. *allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;*
3. *permit ancillary uses to the principal residential use to allow residents to work at home;*
4. *regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced: and*
5. *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 proposed low-rise apartment dwellings are permitted in the R4UA subzone. The applicable zoning provisions for the Subject Site are provided in the table below.

Table 1: Zoning Provisions

Provision	Required	Provided – Part 1	Provided – Part 2	Section
Minimum Lot Width (m)	10 m	10.96 m	9.16 m	Exception 2686
Max Lot Width (m)	38 m	10.96 m	9.16 m	S.162, Table 162B
Minimum Lot Area (m ²)	300 m ²	335.5 m ²	280.4 m ²	Exception 2686
Max Lot Area (m ²)	1,070 m ²	335.5 m ²	280.4 m ²	S.162, Table 162B
Maximum Building Height (m)	8.5 m	8.8 m	8.8 m	H(8.5)
Minimum Front Yard Setback (m)	4.5 m	4.5 m	4.5 m	S.162, Table 162A
Minimum Rear Yard Setback (m)	30% of the lot depth: 9.18 m	9.18 m	9.18 m	S.144, Table 144A
Minimum Interior Side Yard Setback (m)	1.5 m	N/A ; 1.2 m	1.2 m ; 1.2 m	Exception 2686
Minimum Corner Side Yard Setback (m)	4.5 m	3.0 m	N/A	S.162, Table 162A

Minimum Aggregate Front Yard Soft Landscaping	Part 1: 35% FY:(17.3 m ²) CY:(32.14 m ²) Part 2: 35% (14.43 m ²)	±90%	±90%	S.139, Table 139(1)
Maximum Walkway Width	1.8 m	No more than 1.8 m	No more than 1.8 m	S.139(4)(c)(i)
Maximum Area of Parking, Driveways, Aisles in the Rear Yard	70%	0%	0%	S.139(6)
Minimum Soft Landscaping in Rear Yard	Part 1: 15% (15.1 m ²) Part 2: 15% (12.61 m ²)	61.76 m ² (61.4%)	47.8 m ² (56.8%)	S.139(7)
Minimum Area of Soft Landscaping	Lot area < 360 m ² : 35 m ² ; aggregated into area of 25 m ²	61.75 m ²	47.8 m ²	S.161(15)(b)(i); (iv)
Minimum Front Façade Fenestration	25% windows (15.02 m ²) (front) 15% windows (23 m ²) (corner)	16.5 m ² (27.5%) 35.14 m ² (23%)	16.5 m ² (27.5%) N/A	S.161(15)(g)
Minimum Front Façade Setback	20% of front façade additional 0.6 m from front setback line	20%	20%	S.146(2)
Minimum Rear Yard Soft Landscape Buffer	4.5 m or an area equal to required buffer area for 50% of rear lot line Part 1: 49.32 m ² Part 2: 41.22 m ²	50.89 m ²	47.8 m ²	S.146(3)(a); Table 146A
Minimum Setback from Rear and Interior Side Lot Line not Abutting Street (Accessory building)	In a rear yard: 0.6 m	0.6 m	0.6 m	S.55, Table 55
Maximum Size (Accessory building)	Not to exceed 50% of the yard, maximum cumulative floor area: 55 m ²	8.3 m ²	8.3 m ²	S.55, Table 55

Reduced Lot Width and Reduced Lot Area

The proposed development provides lot widths of 10.96 metres for Part 1 and 9.16 metres for Part 2, whereas the Zoning By-law requires a minimum lot width of 10 metres. The proposed development

provides lot areas of 335.5 square metres for Part 1 and 280.4 square metres for Part 2, whereas the Zoning By-law requires a minimum lot area of 300 square metres. The intent of the minimum lot width requirement is to provide lots that have adequate width to accommodate development and to create a consistency of lot widths along the street. The intent of the minimum lot area requirement is to provide adequately sized lots to accommodate development.

The proposed lot widths and lot areas are a result of the Subject Site being a corner lot. Part 1 (corner lot) exceeds the zoning requirement for lot width by 0.96 metres to accommodate a larger corner side yard setback. Part 1 exceeds the zoning requirement for lot area by 35.5 square metres. Part 2 (interior lot) provides a lot width that is 0.84 metres less than the zoning requirement to accommodate a wider lot for Part 1. Part 2 provides a lot area that is 19.6 square metres less than the zoning requirement for lot area.

The reduced lot width and reduced lot area for Part 2 meet the intent of the zoning requirements by severing the lots in a way that can suitably accommodate the proposed low-rise apartment buildings on both lots, while providing adequate interior side yards and corner side yards. The proposed lots exceed the zoning requirements for front yard aggregate soft landscaped area and rear yard soft landscaping despite the reduced lot width and lot area for Part 2.

Increased Building Height

The proposed development has building heights of 8.8 metres, whereas the Zoning By-law permits a maximum height of 8.5 metres. The intent of maximum building heights is to limit the height of new development to ensure that new buildings are compatible with the existing context. The proposed building height constitutes an increase of 0.3 metres over the maximum permitted building height. The proposed building height facilitates the development of a three-storey low rise apartment building, with appropriate floor-to-ceiling heights for each storey. The Subject Site is a corner lot on local streets, which represents an area where additional density can be accommodated. These areas are planned for buildings up to three storeys. The proposed building height aligns with this direction by providing a three-storey building height that is compatible with the adjacent buildings.

The Subject Site abuts a one-storey detached dwelling to the east and a two-storey semi-detached dwelling to the south. A two-storey detached dwelling is located across Melbourne Avenue to the west of the Subject Site and a two-storey building owned by Cornerstone Housing for Women is located across Princeton Avenue to the north of the Subject Site (see Figure 9).

The proposed building height is compatible with the abutting properties. The abutting building to the east is set back approximately 9 metres from the shared lot line. The abutting building to the south is set back approximately 3.6 metres from the shared lot line. Adequate separation is provided between the proposed dwellings and the neighbouring buildings, ensuring that the zoning intent of compatible building heights is met.

Figure 9: Adjacent building heights. (Source: GeoOttawa).



Reduced Interior Side Yard Setback

The proposed development provides interior side yard setbacks of 1.2 metres for the southerly interior side yard of Lot 1 and for both interior side yards of Lot 2. The Zoning By-law requires a minimum interior side yard setbacks of 1.5 metres. The proposed interior side yards constitute a reduction of 0.3 metres from the zoning requirement. The intent of minimum interior side yard setbacks is to ensure that adequate spacing between buildings is provided to enable access between the front and rear yards. Specifically, the intent of 1.5-metre interior side yards in the Westboro Development Overlay is to provide appropriate space for access to rear yards for waste management bins and similar equipment.

The proposed interior side yard setbacks meet this intent. The proposed 1.2-metre interior side yard setbacks are sufficiently wide to permit access between the yards. The proposed low-rise apartment buildings are separated by a total of 2.4 metres. Reciprocal easements are proposed to permit a shared walkway between the two buildings. Walkways in the rear yard connect the waste management bins to the street (Princeton Avenue), ensuring that bins can be brought to the street. The proposed low-rise apartment building on Part 2 and the abutting building to the south are separated by approximately 4.8 metres. This provides adequate space between the buildings.

The proposed interior side yard setbacks support the construction of buildings that are 6.76 metres wide. If zoning compliant interior side yard setbacks were provided, the building envelope for Lot 1 would be reduced by 1.8 metres (5.9 feet) and the building envelope for Lot 2 would be reduced by 0.6 metres (2 feet). The proposed interior side yards support appropriately wide buildings and sufficient unit sizes while ensuring that the intent of maintaining space between buildings and

providing access to the rear yard is maintained. The intent of the interior side yard setback requirement is met.

Reduced Corner Side Yard Setback

The proposed development provides a corner side yard setback of 3.0 metres, whereas the Zoning By-law requires a minimum corner side yard setback of 4.5 metres. The proposed corner side yard setback constitutes a reduction of 1.5 metres. The intent of the corner side yard setback provision is to provide a consistency of yards along the street and to ensure that adequate space is provided for landscaping and tree planting. The intent is also to ensure that buildings are adequately separated from the street.

The proposed corner side yard is almost entirely soft landscaped, exceeding the 35% aggregate corner side yard soft landscaped area required by the Zoning By-law. The reduced setback does not adversely impact the soil volumes and space to accommodate tree growth. The proposed low-rise apartment building is 9.21 metres from the edge of the road, ensuring that the reduced setback does not compromise separation of the building from the street.

Increased Number of Units

The proposed development provides eight units in each low-rise apartment building, for a total of 16 units, whereas the Zoning By-law permits low-rise apartment buildings with a maximum of six units. The zoning provisions of the R4UA Zone permit low-rise apartment dwellings with up to eight units. Exception 2686 prohibits low-rise apartment dwellings with more than six dwelling units. The proposed number of units constitutes an increase of two dwelling units in each building. The proposed buildings meet the intent of the R4UA Zone to provide low-rise apartment buildings that are more than four units and up to eight units.

The intent of limiting the number of dwelling units within a low-rise apartment is to limit overdevelopment of the site with a larger apartment building. Within the Westboro Development Overlay, the intent is to ensure that the building mass of new infill developments provide sufficient space to retain landscaping and areas for trees.

As indicated in the staff report to council on February 24th, 2021 recommending approval of the Westboro Development Overlay, *“a major guiding principle for infill development is that the exterior built form and site design of a building, not the number of units contained within the building, should be the primary determining factor in whether or not a development proposal is appropriate.”* The staff report states further that *“corner lots on local streets represent areas where additional density can be accommodated, as they contain more than one street frontage and fewer direct neighbours.”*

The proposed development provides eight units within the building form of a six-unit apartment building. The proposed apartment buildings meet the required front yard setback and the required rear yard setback. The development exceeds the required aggregate front yard and corner side yard landscaped area and the required rear yard soft landscaped area. By providing no parking spaces, the proposed development provides adequate space for landscaping and areas for trees despite the increased number of units. The proposed eight-unit apartment buildings do not overdevelop the site and meet the intent of the Zoning By-law.

The minor variances maintain the general intent and purpose of the Zoning By-law 2008-250.

The third test for a minor variance is that the minor variance is considered desirable for the use of land.

Variance a) requests a reduced corner side yard setback of 3.0 metres; whereas the By-law requires a corner side yard setback of 4.5 metres for the proposed development (Part 5, Section 144(1)(a)). The requested variance for reduced corner side yard setback is compatible with the built form of the neighbourhood. Specifically, several lots immediately to the east and west along Princeton Avenue have a front or corner side yard setback that is less than 4.5 metres (See Figure 10). Variance a) is consistent with the building setbacks along Princeton Avenue. The requested corner side yard can accommodate the proposed low-rise apartment dwelling in a form and scale that is appropriate in this location.

Variances c) and h) request an increase to the maximum number of dwelling units for a low-rise apartment dwelling to eight units; whereas the By-law permits a maximum of six units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV). The requested increase in dwelling units is consistent with provisions of the R4UA zone for eight-unit, low-rise apartment dwellings and will allow for infill development that supports intensification within the urban area, while having regard for the existing uses, lot fabric, and built form of the neighbourhood. The proposed development will better utilize the Subject Site by providing a total of 16 dwelling units on a lot that is currently developed with one dwelling unit. Each proposed low-rise apartment dwelling will provide adequate space for soft landscaping and tree plantings.

Intensification on the Subject Site is further supported by the availability of local services and amenities in the surrounding area. The lot is located within walking distance of a bus stop on Churchill Avenue, as well as a number of stores, restaurants, and offices along Richmond Road. The Subject Site is also within proximity of a number of schools, parks, and community amenities. In addition, the Subject Site is within walking distance of a planned LRT line along Carling Avenue. The existing and planned neighbourhood context makes the Subject Site a suitable location for intensification (see Figure 4).

Variance e) requests a reduced lot width of 9.1 metres; whereas the By-law requires a minimum lot width of 10 metres (Part 15, Urban Exception 2686, Column V). The requested variance for reduced lot width is compatible with the lot fabric of the neighbourhood. Specifically, several lots to the north and south along Melbourne Avenue and in proximity to the Subject Site have a lot width that is 10 metres or less (See Figure 11). The reduced lot width is consistent with the lot fabric along Melbourne Avenue and the surrounding context. The requested lot width can accommodate the proposed low-rise apartment dwellings in a form and scale that is appropriate in this location.

Variance f) requests a reduced lot area of 280 square metres; whereas the By-law requires a minimum lot area of 300 square metres (Part 15, Urban Exception 2686, Column V). The requested variance for reduced lot area is compatible with the lot fabric of the neighbourhood. Specifically, several lots in the vicinity of the Subject Site have a lot area of 300 square metres or less (See Figure 12). The reduced lot area is consistent with the lot fabric along Melbourne Avenue, Princeton Avenue and the surrounding context. The requested lot area can accommodate the proposed low-rise apartment dwellings in a form and scale that is appropriate in this location.

Variance b) and variance g) request a reduced interior side yard setback of 1.2 metres; whereas the By-law requires a minimum interior side yard setback of 1.5 metres (Part 15, Urban Exception 2686, Column V). The requested variances for reduced interior side yard setbacks on the Subject Site are compatible with the existing neighbourhood context. Several lots to the north and south of the Subject Site along Melbourne Avenue have interior side yard setbacks that are less than required by the zoning by-law (See Figure 13). A fully conforming unobstructed path of travel is provided at grade for

movement of waste bins between the public street and rear yards on each newly created lot. Each low-rise apartment dwelling has been designed to be compatible with abutting lots to the north and south. Variances b) and g) are consistent with the streetscape along Melbourne Avenue. The requested interior side yard setbacks can accommodate the proposed low-rise apartment dwellings in a form and scale that is appropriate in this location.

Variance d) and variance i) request an increased building height of 8.8 metres; whereas the By-law permits a maximum height of 8.5 metres (H (8.5)). The proposed building height facilitates the development of two three-storey low-rise apartment buildings. The proposed building height is compatible with the neighbouring properties and aligns with the low-rise built form context in the neighbourhood. The proposed building height constitutes a slight increase over the permitted building height in order to support three full storeys with appropriate floor-to-ceiling heights. The buildings will be set back almost 11 metres from the edge of Melbourne Avenue and approximately 9.2 metres from the edge of Princeton Avenue, ensuring that the proposed building height does not overwhelm the street and is balanced by large, landscaped areas in the front and corner side yards. The adjacent building to the east is set back approximately 9 metres from the shared property line and the adjacent building to the south is set back approximately 3.6 metres from the shared property line. The proposed buildings will be adequately separated from the existing buildings, ensuring that the increased building height is suitable for the Subject Site.

Figure 10: Front and Corner Side Yard Setbacks along Princeton Avenue. (Source: GeoOttawa).

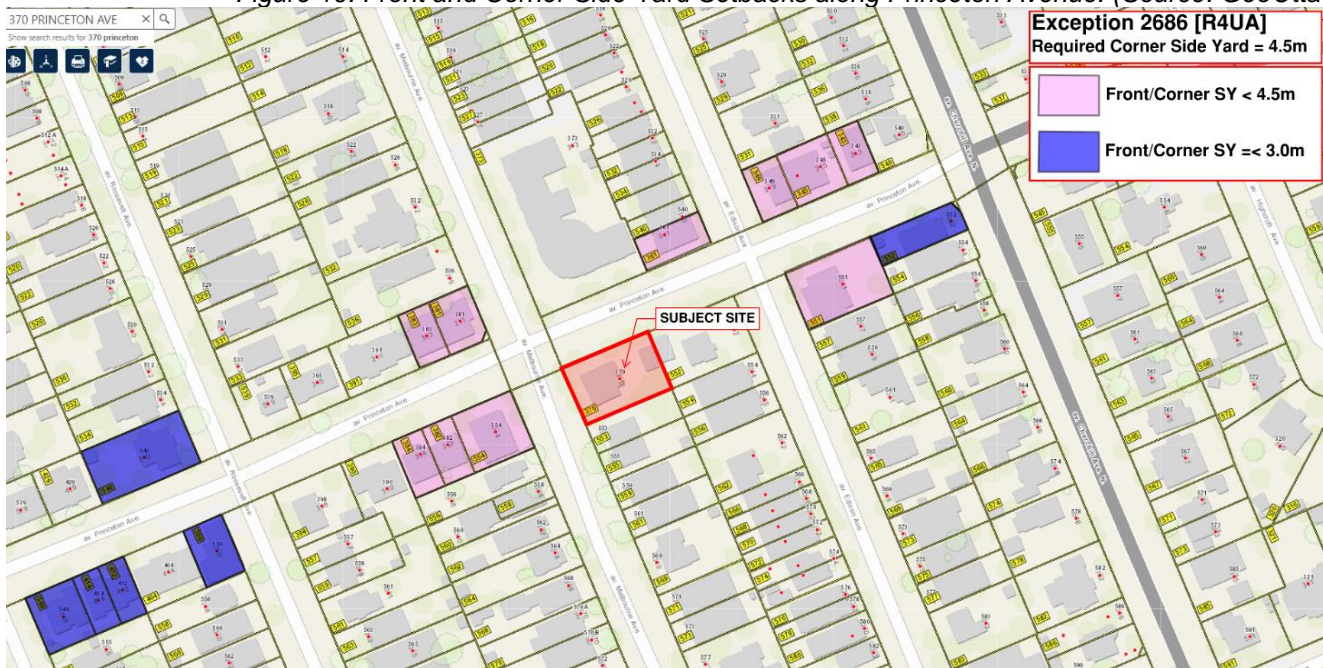


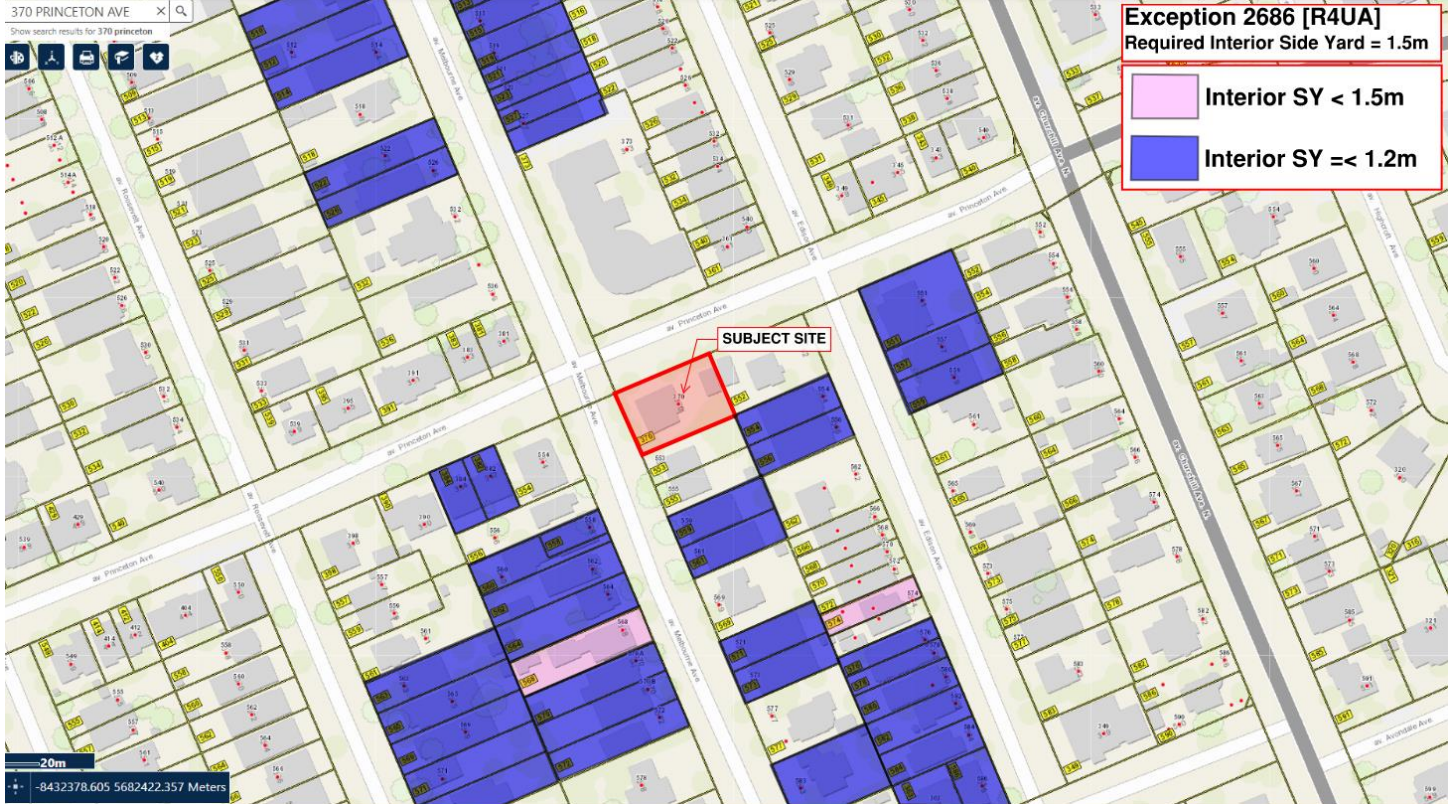
Figure 11: Lot Widths in Surrounding Area. (Source: GeoOttawa).



Figure 12: Lot Areas in Surrounding Area. (Source: GeoOttawa).



Figure 13: Interior Side Yard Setbacks in Surrounding Area. (Source: GeoOttawa).



The requested minor variances are to facilitate reduced lot width, reduced lot area, reduced interior side yard setbacks, and increased building heights for the proposed low-rise apartment dwelling. Reduced lot width, lot area, interior side yard setback, and increased building height for the proposed low-rise apartment development are consistent with the neighbourhood context and with the existing lot fabric. The requested variances are considered desirable for the use of land.

The requested minor variances are considered desirable for the use of land.

The fourth test for a minor variance is that the variance is considered minor in nature.

Variance a) is required to permit a reduced corner side yard setback on the Subject Site that is 1.5m less than the minimum required in the Zoning By-law. Variances b) and g) are required to permit reduced interior side yard setbacks for each low-rise apartment building that are 0.3 metres less than the minimum required for a low-rise apartment building. Variances c) and h) are required to permit an increase to the maximum number of dwelling units for each low-rise apartment building by two units. Variance e) is required to permit a reduced lot width on the Subject Site having a lot width that is 0.9 metres less than the minimum required in the Zoning By-law. Variance f) is required to permit a reduced lot area on the Subject Site having a lot area that is 20 square metres less than the minimum required in the Zoning By-law. Variances d) and i) are required to permit a building height that is 0.23 metres greater than the maximum permitted building height.

The proposed low-rise apartment dwellings meet the performance standards for front yard setback and rear yard setback. The minimum required aggregated soft landscaping area in the front yards and corner side yard is exceeded. The minimum required rear yard soft landscaped area is exceeded.

on each newly created lot. A fully conforming unobstructed path of travel is provided at grade for movement of waste bins between the public street and rear yard on the east side of the Subject Site. The proposed lot widths, lot areas and building setbacks on each newly created lot can accommodate the proposed low-rise apartment dwelling at a form and scale that is appropriate in this location.

The request for reduced corner side yard setback, lot width, lot area, interior side yard setbacks, and increased building heights on the Subject Site are consistent with the character of the surrounding context and will have no impact on the streetscape or on the functionality of the site. The requested increase in maximum permitted number of dwelling units is consistent with provisions of the R4UA zone for eight unit, low-rise apartment dwellings and will allow for infill development that supports intensification within the urban area, while having regard for the existing uses, lot fabric, and built form of the neighbourhood.

The requested variances are considered minor in nature.

Conclusion

A plan of subdivision is not required for the proposed development at 370 Princeton Avenue. The proposed severances are an example of appropriate intensification of the Subject Site that will provide 16 dwelling units in proximity to existing and planned transit infrastructure, commercial amenities, and employment uses.

The requested variances maintain the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law by providing intensification that is well located and fits in well with the existing neighbourhood context. The proposed minor variances are desirable for the use of the land, will fit in with the existing and planned streetscape and are minor in nature.

The proposed development represents good land use planning.

In support of the applications for consent and minor variance, please find enclosed:

- Cover Letter (one copy)
- Complete Consent Application Form for Part 1 (one original copy)
- Complete Consent Application Form for Part 2 (one original copy)
- Complete Minor Variance Application Form for Part 1 (one original copy)
- Complete Minor Variance Application Form for Part 2 (one original copy)
- Consent Sketch for Part 1 (one 8.5x11 copy and one 11x17 copy)
- Consent Sketch for Part 2 (one 8.5x11 copy and one 11x17 copy)
- Minor Variance Sketch (one 8.5x11 copy and one 11x17 copy)
- Draft Reference Plan (one 8.5x11 copy and one 11x17 copy)
- Site Plan (one 8.5x11 copy and one 11x17 copy)
- Elevation Drawings (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 370 Princeton Avenue (one copy)
- Survey Plan (one 8.5x11 copy and one 11x17 copy)
- Tree Information Report (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

NOVATECH

A handwritten signature in black ink, appearing to read 'Arjan Soor', is written over a horizontal line.

Arjan Soor, M.PL
Planner

DRAFT

SCHEDULE				
PART	LOT	PLAN	PIN	AREA (sq.m)
1	27	204	ALL OF 04014-0001 (LT)	233.3
2				20.4
3				8.9
4				72.9
5				18.6
6				261.8

Committee of Adjustment
Received | Reçu le

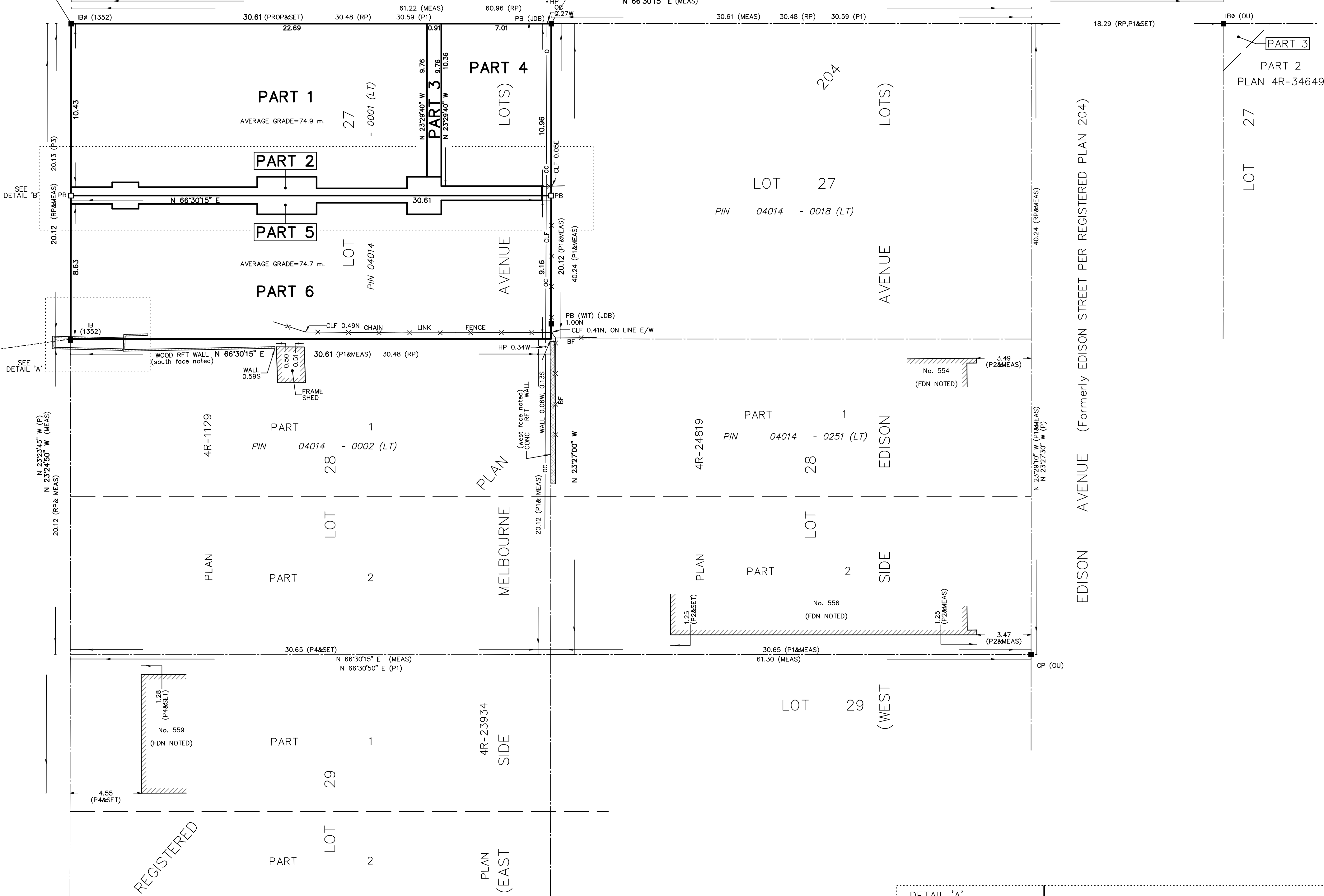
2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation

PRINCETON AVENUE
(Formerly PRINCESS AVENUE PER REGISTERED PLAN 204)
(BY-LAW NUMBER 1364, INSTRUMENT NUMBER 48636)
PIN 04016 - 0055 (LT)

WESTERLY CORNER
OF LOT 27
REGISTERED PLAN 204

MELBOURNE AVENUE
(Formerly PROSPECT AVENUE PER REGISTERED PLAN 204)
(BY-LAW NUMBER 1364, INSTRUMENT NUMBER 48636)
PIN 04014 - 0098 (LT)



PLAN OF SURVEY OF
LOT 27
(EAST SIDE MELBOURNE AVENUE LOTS)
REGISTERED PLAN 204
CITY OF OTTAWA

SCALE 1 : 150
2.5 0 2.5 5 10 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT
WHEN PLOTTED AT A SCALE OF 1:150

J.D. BARNES LIMITED

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

NOTES

BEARINGS ARE MTM GRID, DERIVED FROM SPECIFIED CONTROL POINTS (SCPs)
2016-0105 AND 2016-0121, MTM ZONE 9, NAD83 (ORIGINAL).

FOR BEARINGS COMPARISONS, A ROTATION OF 0°28'30" COUNTER-CLOCKWISE CAN BE
APPLIED TO BEARINGS ON PLANS P1 AND P4.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY
THE COMBINED SCALE FACTOR OF 0.99993.

INTEGRATION DATA

SPECIFIED CONTROL POINTS (SCPs): MTM ZONE 9, NAD83 (CSRS)(2010.0).

COORDINATE VALUES ARE TO A URBAN ACCURACY IN ACCORDANCE WITH
SECTION 14 (2) OF OREG 216/10.

POINT ID	EASTING	NORTHING
SCP 2016-0105	363 541.01	5 029 090.01
SCP 2016-0121	362 094.77	5 026 902.40

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

THE RESULTANT TIE BETWEEN SCPS 2016-0105 AND 2016-0121 IS 2622.65
(GROUND), N 33°28'08" E.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
IB	DENOTES	SURVEY MONUMENT SET
IB#	DENOTES	IRON BAR
PB	DENOTES	PLASTIC BAR
IB#	DENOTES	ROUND IRON BAR
CP	DENOTES	CONCRETE PIN
PROP	DENOTES	PROPORTION
WT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
OU	DENOTES	ORIGIN UNKNOWN
RP	DENOTES	REGISTERED PLAN 204
P	DENOTES	PLAN 4R-1129
P1	DENOTES	PLAN 4R-24819
P2	DENOTES	SURVEYOR'S REAL PROPERTY REPORT BY FARLEY, SMITH & DENIS SURVEYING LTD., DATED JUNE 1, 2011
P4	DENOTES	SURVEYOR'S REAL PROPERTY REPORT BY FARLEY, SMITH & DENIS SURVEYING LTD., DATED SEPTEMBER 10, 2010
1352	DENOTES	BRIAN KERR, O.L.S.
JDB	DENOTES	J.D. BARNES LIMITED
CLF	DENOTES	CHAIN LINK FENCE
JDB	DENOTES	J.D. BARNES LIMITED
HP	DENOTES	HYDRO POLE
FDN	DENOTES	FOUNDATION
BF	DENOTES	BOARD FENCE
—	DENOTES	PROPERTY LINE
—OC—	DENOTES	OVERHEAD CABLE

N=NORTH / S=SOUTH / E=EAST / W=WEST

ALL SET PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN
AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH
SECTION 11 (4) OF OREG 525/91.

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 APRIL 15, 2024.

APRIL 16, 2024
DATE

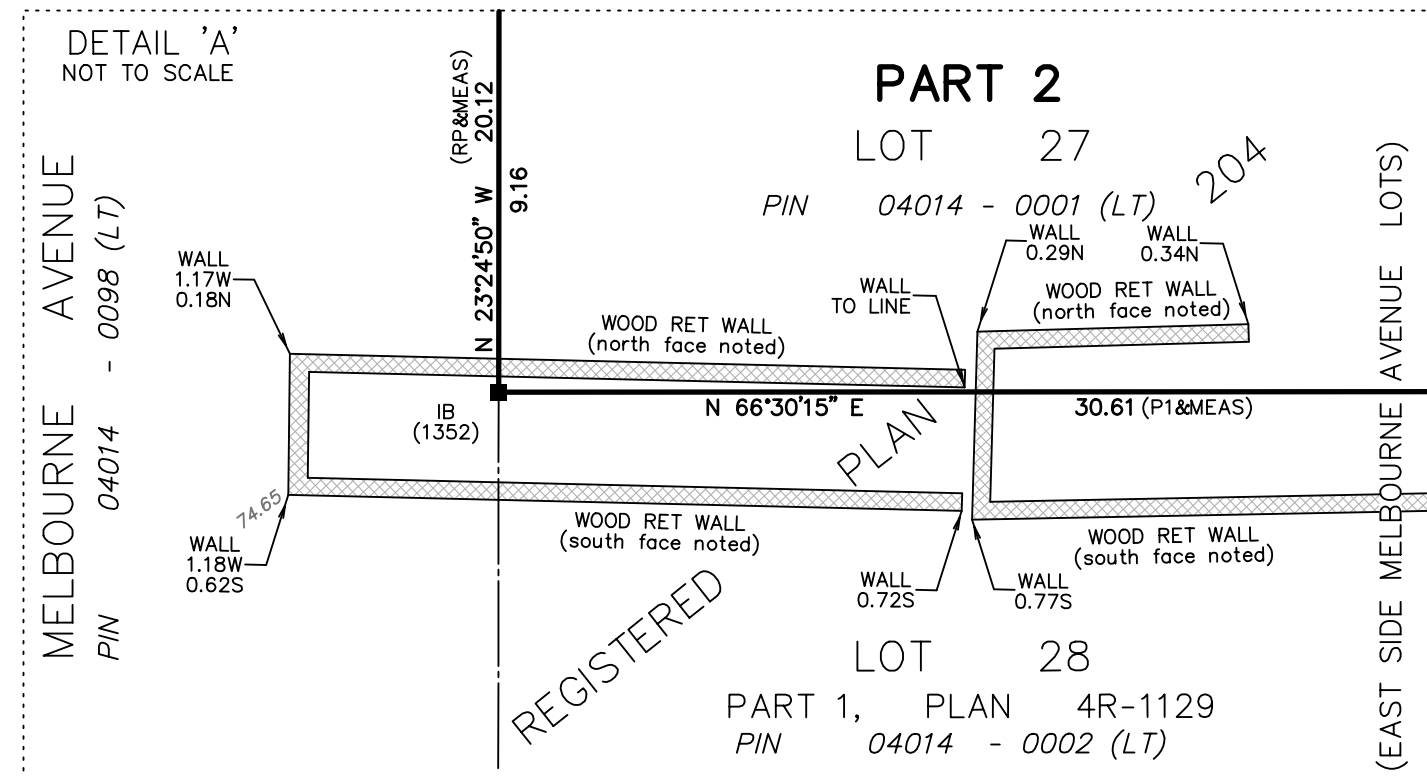
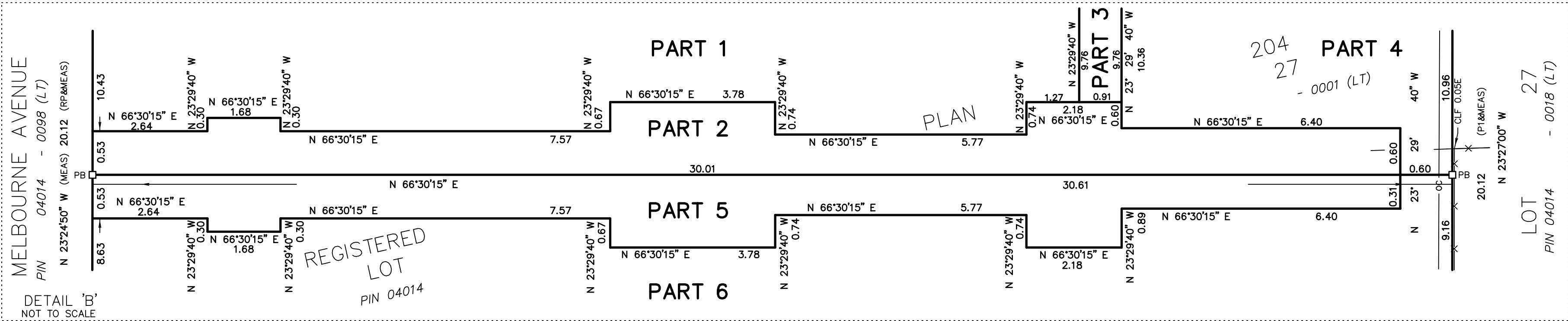
DRAFT

GEORGE ZERVOS
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-58151

J.D. BARNES LIMITED LAND INFORMATION SPECIALISTS 62 STACE DRIVE, SUITE 103, OTTAWA, ON K2K 2A9 T: (613) 731-7244 F: (613) 731-8955 www.jdbarnes.com		
DRAWN BY: KZ	CHECKED BY: GZ	REFERENCE NO.: 23-10-048-01
FILE: G:\23-10-048\01\Drawing\RPLAN\23-10-048-01_RPLAN.dgn		DATED: 04/02/2024

PLOTTED: 5/10/2024



370 PRINCETON
TWO 8 UNIT APARTMENTS

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



1 FRONT ELEVATION
SCALE: 1 : 50

APRIL 22, 2024
ALL HOUSE RENDERINGS ARE ARTIST CONCEPTIONS. ALL FLOOR PLANS ARE APPROXIMATE
DIMENSIONS. ACTUAL USEABLE FLOOR SPACE MAY VARY FROM THE STATED AREA. E & OE

370 PRINCETON

TWO 8 UNIT APARTMENTS

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



370 PRINCETON
TWO 8 UNIT APARTMENTS

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation

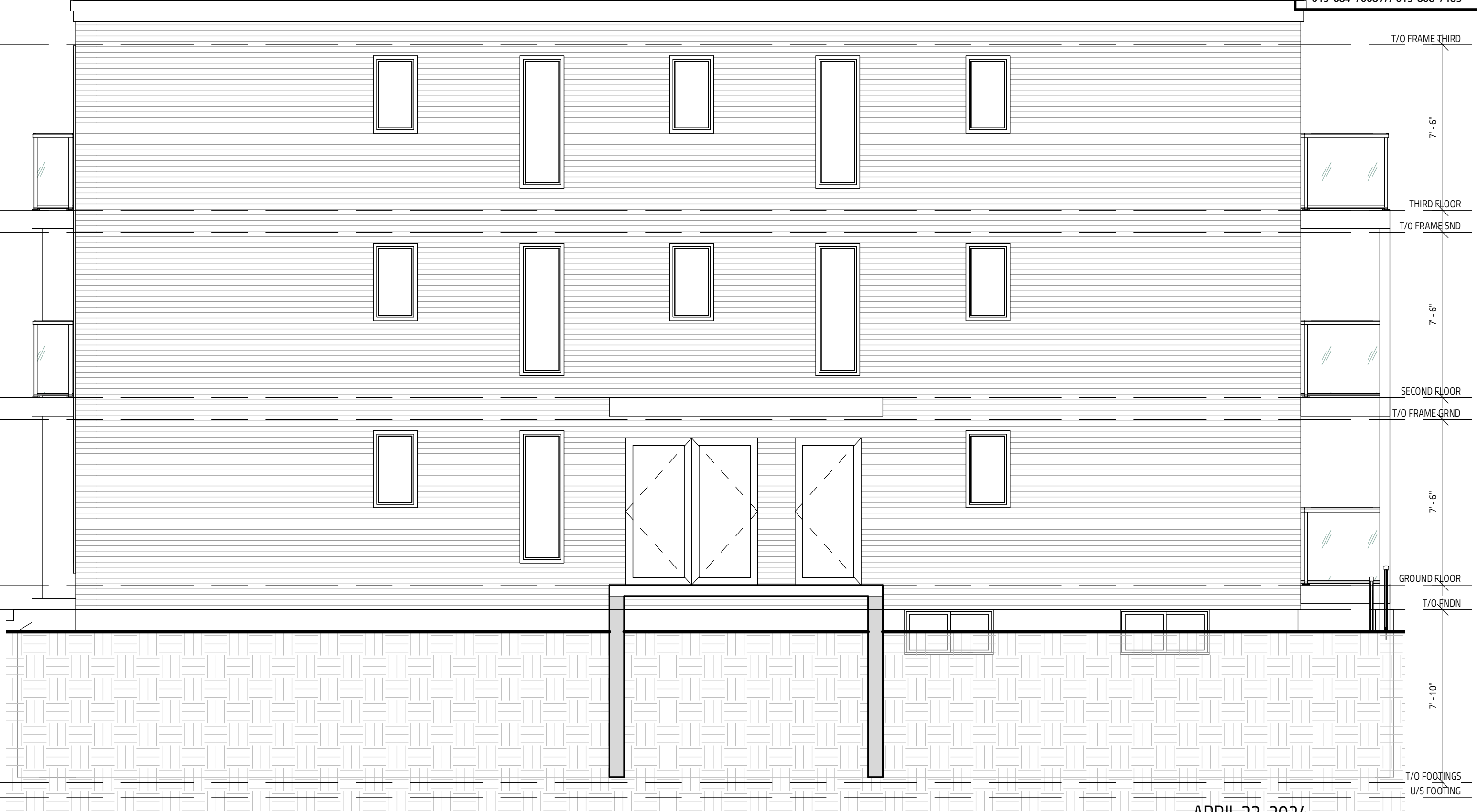


370 PRINCETON
TWO 8 UNIT APARTMENTS

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



1 RIGHT ELEVATION - N
SCALE: 1 : 50

APRIL 22, 2024
ALL HOUSE RENDERINGS ARE ARTIST CONCEPTIONS. ALL FLOOR PLANS ARE APPROXIMATE
DIMENSIONS. ACTUAL USEABLE FLOOR SPACE MAY VARY FROM THE STATED AREA. E & OE

370 PRINCETON
TWO 8 UNIT APARTMENTS

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



1 LEFT ELEVATION - S
SCALE: 1 : 50

APRIL 22, 2024

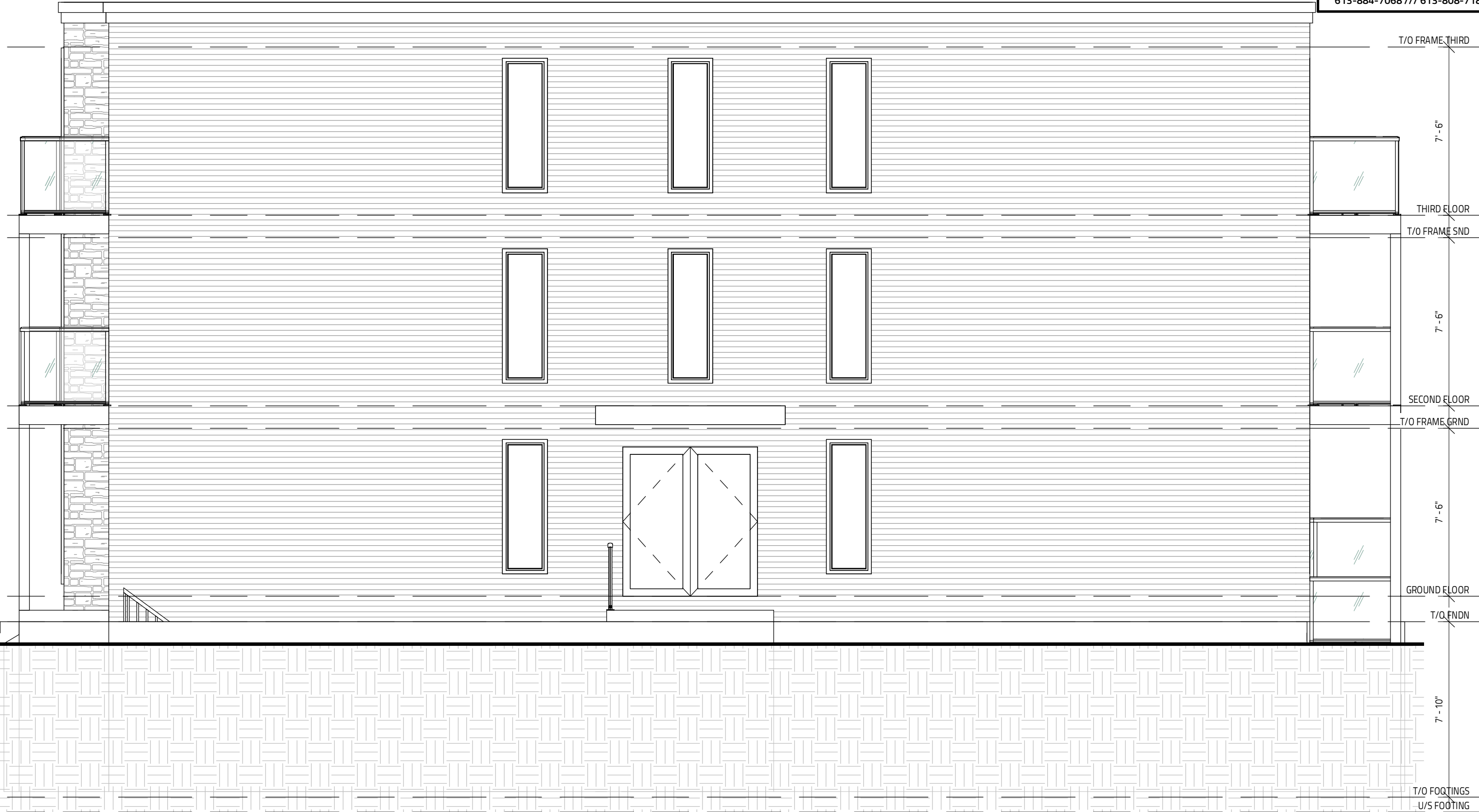
ALL HOUSE RENDERINGS ARE ARTIST CONCEPTIONS. ALL FLOOR PLANS ARE APPROXIMATE
DIMENSIONS. ACTUAL USEABLE FLOOR SPACE MAY VARY FROM THE STATED AREA. E & OE

370 PRINCETON
TWO 8 UNIT APARTMENTS

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



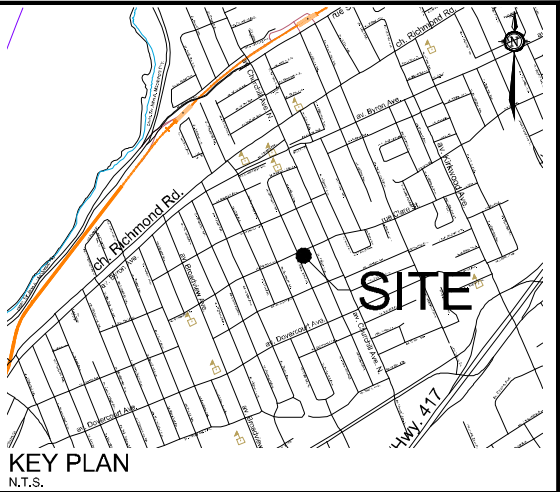
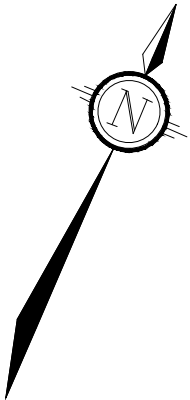
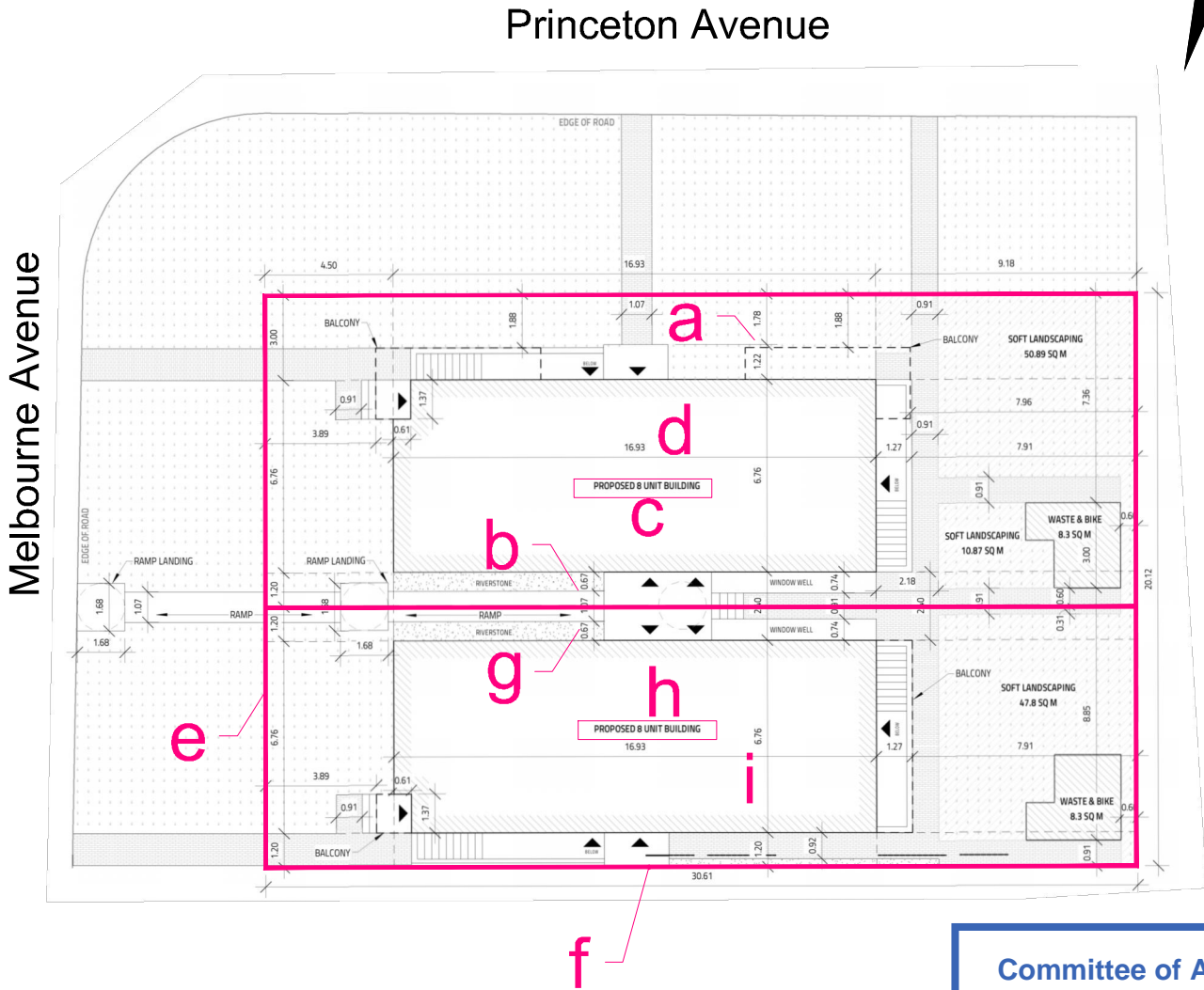
Minor Variance Application:

Parts 1 - 4:

- a) To permit a reduced corner side yard setback of 3.0m; whereas the By-law requires a minimum corner side yard setback of 4.5m (Section 144(1)(a))
- b) To permit a reduced interior side yard setback of 1.2m; whereas the By-law requires a minimum interior side yard setback of 1.5m (Part 15, Urban Exception 2686, Column V)
- c) To permit an increase to the maximum number of dwelling units to 8 units; whereas the By-law permits a maximum of 6 units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV)
- d) To permit a building height of 8.8 metres; whereas the By-law permits a maximum building height of 8.5 metres. (H (8.5)).

Parts 5 - 6:

- e) To permit a reduced lot width of 9.1m; whereas the By-law requires a minimum lot width of 10.0m (Part 15, Urban Exception 2686, Column V)
- f) To permit a reduced lot area of 280 m²; whereas the By-law requires a minimum lot area of 300m² (Part 15, Urban Exception 2686, Column V)
- g) To permit a reduced interior side yard setback of 1.2m on each side; whereas the By-law requires a minimum interior side yard setback of 1.5m on each side (Part 15, Urban Exception 2686, Column V)
- h) To increase the permitted number of dwelling units to 8 units; whereas the By-law permits a maximum of 6 units for an apartment dwelling, low-rise (Part 15, Urban Exception 2686, Column IV)
- i) To permit a building height of 8.8 metres; whereas the By-law permits a maximum building height of 8.5 metres. (H (8.5)).



KEY PLAN
N.T.S.

MINOR VARIANCE APPLICATION

370 PRINCETON AVENUE

LOT 27,
EAST SIDE MELBOURNE AVENUE LOTS;
REGISTERED PLAN 204
CITY OF OTTAWA

1 : 250

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation

1.	ISSUED FOR MINOR VARIANCE APPLICATION	MAY 17/24
No.	REVISION	DATE

NOVATECH
Engineers, Planners & Landscape Architects
Suite 200, 240 Michael Cowpland Drive
Ottawa, Ontario, Canada K2M 1P6

Telephone (613) 254-9643
Facsimile (613) 254-5867
Website www.nowstech-eng.com

ISSUED
MAY, 2024

PROJECT No.
123048

DRAWING No.
123048-MV

LANDS TO BE SEVERED
AREA= 335.5m²

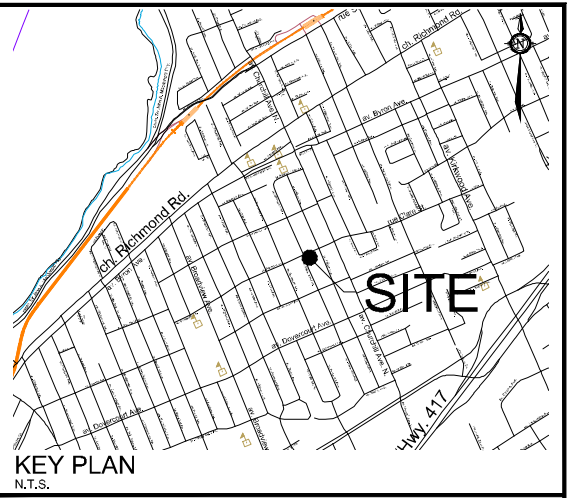
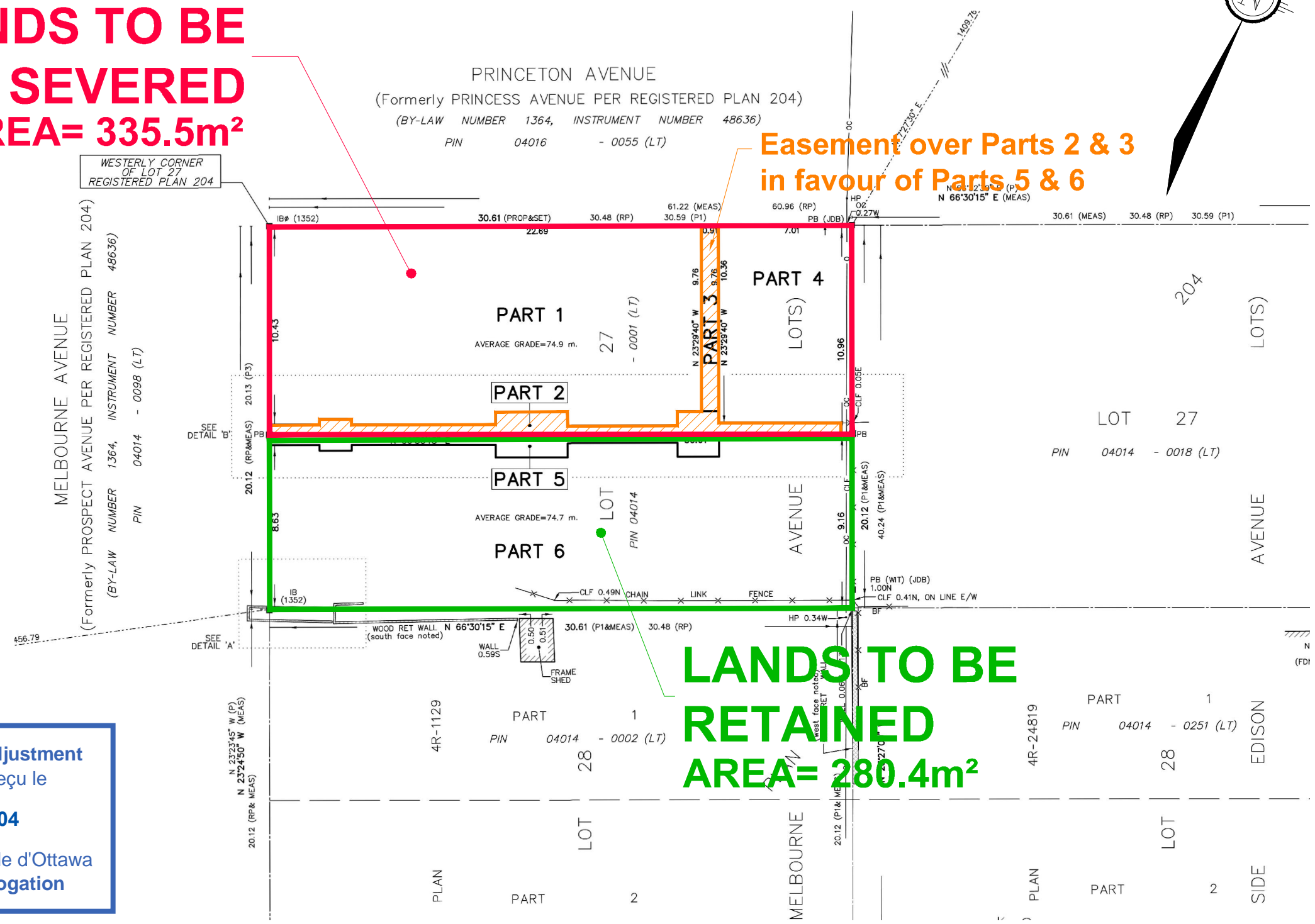
Easement over Parts 2 & 3
in favour of Parts 5 & 6

LANDS TO BE RETAINED
AREA= 280.4m²

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



CONSENT APPLICATION #1

370 PRINCETON AVENUE

LOT 27,
EAST SIDE MELBOURNE AVENUE LOTS;
REGISTERED PLAN 204
CITY OF OTTAWA

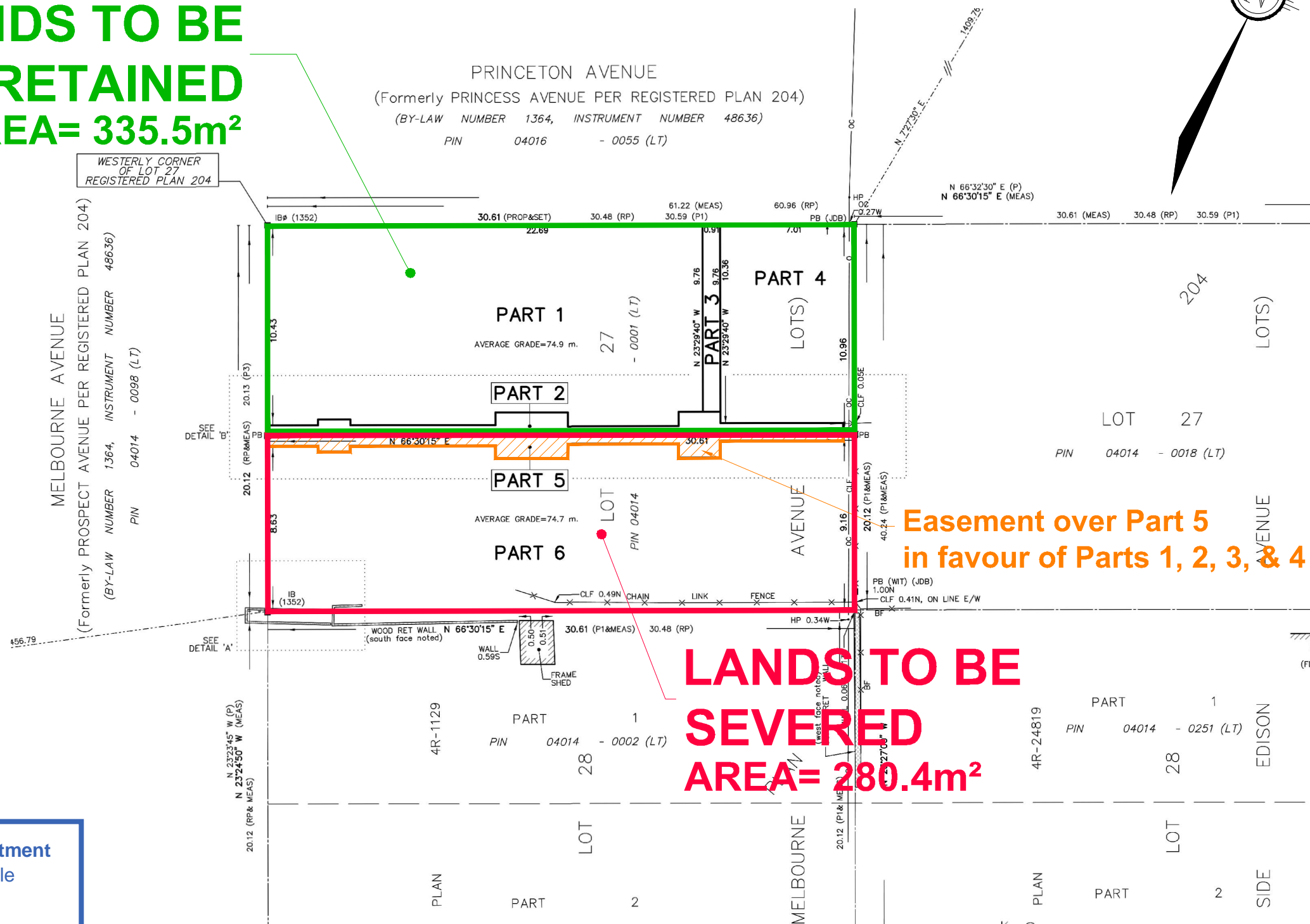
1 : 250

1.	ISSUED FOR CONSENT APPLICATION	MAY 17/24	AS
No.	REVISION	DATE	BY

NOVATECH
Engineers, Planners & Landscape Architects
Suite 200, 240 Michael Cowpland Drive
Ottawa, Ontario, Canada K2M 1P5
Telephone (613) 254-9643
Facsimile (613) 254-5867
Website www.nowtech-eng.com

ISSUED
MAY, 2024
PROJECT No.
123048
DRAWING No.
123048-SEV

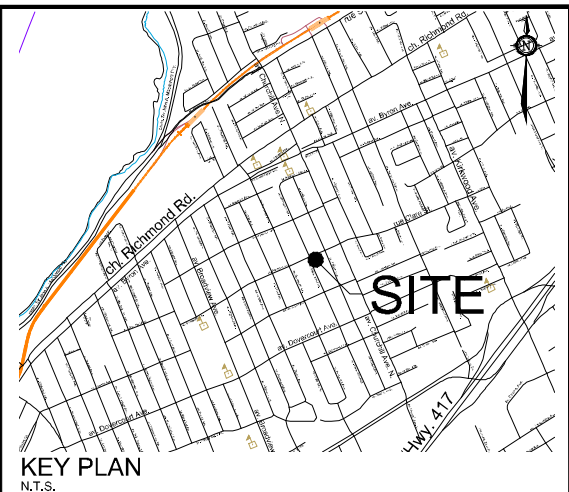
**LANDS TO BE
RETAINED
AREA= 335.5m²**



Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



CONSENT APPLICATION #2

370 PRINCETON AVENUE

LOT 27,
EAST SIDE MELBOURNE AVENUE LOTS;
REGISTERED PLAN 204
CITY OF OTTAWA

1 : 250

1.	ISSUED FOR CONSENT APPLICATION	MAY 17/24	AS
No.	REVISION	DATE	BY

NOVATECH

Engineers, Planners & Landscape Architects
Suite 200, 240 Michael Cowpland Drive
Ottawa, Ontario, Canada K2M 1P6

Telephone (613) 254-9643
Facsimile (613) 254-5867
Website www.novatech-eng.com

ISSUED

MAY, 2024

PROJECT No.

123048

DRAWING No.

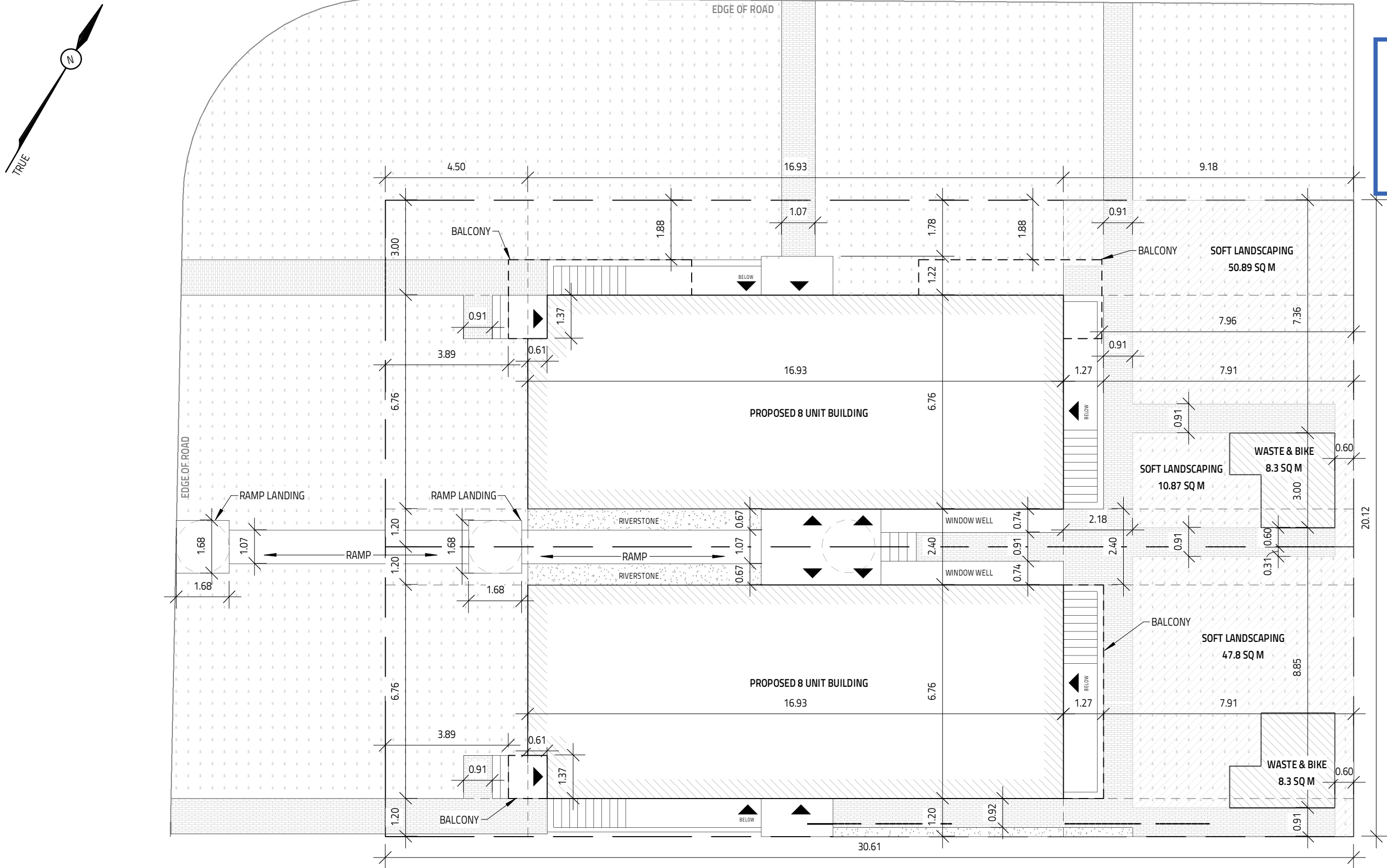
123048-SEV

370 PRINCETON

TWO 8 UNIT APARTMENTS



Committee of Adjustment
Received | Reçu le
2024-06-04
City of Ottawa | Ville d'Ottawa
Comité de dérogation



1 PROPOSED SITE
SCALE: 1 : 125

MELBOURNE AVENUE (Formerly PROSPECT AVENUE PER REGISTERED PLAN 204)

(BY-LAW NUMBER 1364, INSTRUMENT NUMBER 48636)

PIN 04014 - 0098 (LT)

PRINCETON AVENUE

(Formerly PRINCESS AVENUE PER REGISTERED PLAN 204)
(BY-LAW NUMBER 1364, INSTRUMENT NUMBER 48636)

PIN 04016 - 0055 (LT)

SURVEYOR'S REAL PROPERTY REPORT
WITH TOPOGRAPHIC DETAILS
PART 1 - PLAN SHOWING

LOT 27
(EAST SIDE MELBOURNE AVENUE LOTS)
REGISTERED PLAN 204
CITY OF OTTAWA

J.D. BARNES LIMITED

© COPYRIGHT 2023

SCALE 1 : 150

2.5 0 2.5 5 10 metres

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

NOTES

BEARINGS ARE MTM GRID, AND DERIVED FROM GLOBAL NAVIGATION SATELLITE SYSTEMS (GNSS) BY REAL TIME NETWORK (RTN) OBSERVATIONS, MTM ZONE 9, NAD 83, (CSRS) (2010.0).

DISTANCES ARE GROUND.

COMPLIANCE WITH ONTARIO BUILDING CODE SETBACK REQUIREMENTS ARE NOT VERIFIED BY THIS SURVEY.

PART 2 - SURVEY REPORT

- DESCRIPTION
LOT 27 (EAST SIDE MELBOURNE AVENUE LOTS) ON REGISTERED PLAN 204, BEING ALL OF PIN 04014-0001 (LT), IN THE CITY OF OTTAWA
- REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY
NONE
- BOUNDARY FEATURES
NOTE LOCATION OF THE WOOD RETAINING WALL ALONG THE WESTERLY LIMIT OF THE SUBJECT PROPERTY
NOTE LOCATION OF THE CEDAR HEDGE, THE WOOD RETAINING WALL, THE CHAIN LINK FENCE AND THE FRAME SHED ALONG THE SOUTHERLY LIMIT OF THE SUBJECT PROPERTY
NOTE LOCATION OF THE OVERHEAD UTILITY CABLE, THE CHAIN LINK FENCE AND THE ASPHALT DRIVEWAY ALONG THE EASTERLY LIMIT OF THE SUBJECT PROPERTY
NOTE LOCATION OF THE OVERHEAD UTILITY CABLE ALONG THE NORTHERLY LIMIT OF THE SUBJECT PROPERTY

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- IB DENOTES IRON BAR
- IB# DENOTES ROUND IRON BAR
- CP DENOTES CONCRETE PIN
- PROP DENOTES PROPORTION
- WT DENOTES WITNESS
- MEAS DENOTES MEASURED
- OU DENOTES ORIGIN UNKNOWN
- RP DENOTES REGISTERED PLAN 204
- P DENOTES PLAN 4R-1129
- P1 DENOTES PLAN 4R-24819
- P2 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY FARLEY, SMITH & DENIS SURVEYING LTD., DATED JUNE 1, 2011
- P3 DENOTES BUILDING LOCATION SURVEY BY FAIRHALL & MOFFATT LIMITED DATED FEBRUARY 23, 1984
- P4 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY FARLEY, SMITH & DENIS SURVEYING LTD., DATED SEPTEMBER 10, 2010
- 1352 DENOTES BRIAN KERR, O.L.S.
- DENOTES PROPERTY LINE

N=NORTH / S=SOUTH / E=EAST / W=WEST

ALL SET PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

TOPOGRAPHIC LEGEND

- FDN DENOTES FOUNDATION
- CONC DENOTES CONCRETE
- BR DENOTES BRICK
- C/L DENOTES CENTERLINE
- RET DENOTES RETAINING
- EA DENOTES EDGE OF ASPHALT
- (T) DENOTES TOP
- (I) DENOTES INVERT
- CLF DENOTES CHAIN LINK FENCE
- BF DENOTES BOARD FENCE
- OC DENOTES OVERHEAD CABLE
- HP DENOTES HYDRO POLE
- GM DENOTES GAS METER
- WK DENOTES WATER KEY
- MH_STM DENOTES STORM MANHOLE
- MH_SAN DENOTES SANITARY MANHOLE
- E DENOTES OVERHEAD HYDRO CABLE
- OC DENOTES OVERHEAD CABLE
- STM DENOTES UNDERGROUND STORM SEWER
- SAN DENOTES UNDERGROUND SANITARY SEWER
- DENOTES DECIDUOUS TREE
- DENOTES CONIFEROUS TREE

ELEVATION NOTE:

1. IT IS THE RESPONSIBILITY OF THE USER OF THIS INFORMATION TO VERIFY THAT THE SITE BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT ITS RELATIVE ELEVATION AND DESCRIPTION AGREES WITH THE INFORMATION SHOWN ON THIS DRAWING.

2. ELEVATIONS ARE GEODETIC AND ARE REFERRED TO CITY OF OTTAWA BENCHMARK 0011964U102 HAVING A PUBLISHED ELEVATION OF 80.08 METRES (CGVD28:78).

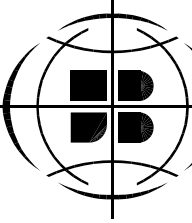
SURVEYOR'S CERTIFICATE

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 JUNE 13, 2023.

JUNE 15, 2023
DATE

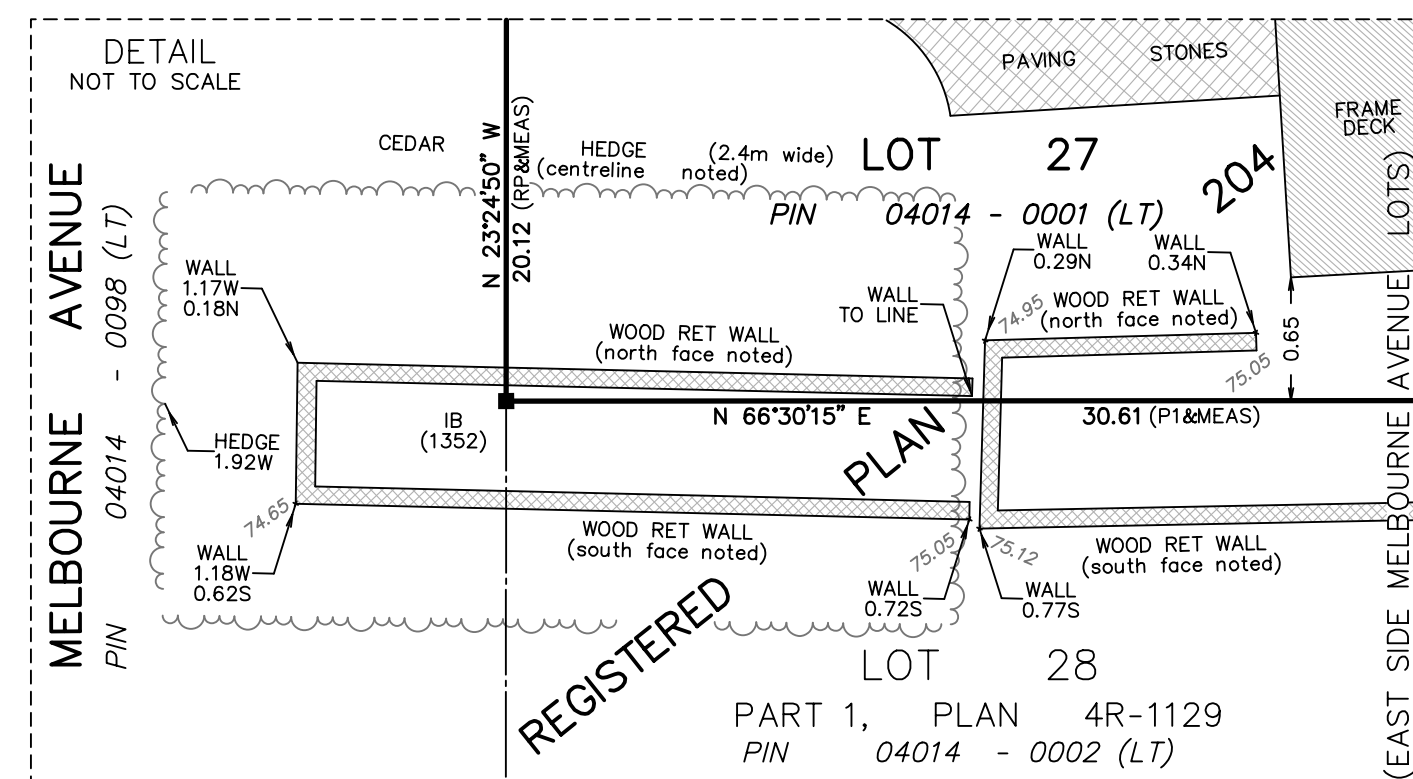
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-42146

		J.D. BARNES LIMITED LAND INFORMATION SPECIALISTS 62 STACEIE DRIVE, SUITE 103, KANATA, ON K2K 2A9 T: (613) 731-7244 F: (613) 254-8659 www.jdbarnes.com	
DRAWN BY: RP		CHECKED BY: GZ	REFERENCE NO.: 23-10-048-00
PLOTTED: 6/16/2023		DATED: 06/15/23	

PREPARED FOR: FALSETTO HOMES

FILE: G:\23-10-048\00\Drawing\TOPO\23-10-048-00_TOP0.dgn

Committee of Adjustment
Received | Reçu le
2024-06-04
City of Ottawa | Ville d'Ottawa
Comité de dérogation



TREE SCHEDULE			
TREE No.	TRUNK DIAMETER (m)	CROWN RADIUS (m)	DISTANCE FROM C/L TRUNK TO PROPERTY LINE
T1	0.8	10	0.2 S
T2	0.4	3	0.1 N
T3	0.5	5	1.1 N
T4	0.3	4.5	0.9 W
T5	0.3	4.5	0.7 W
T6	0.5	6	1.1 W
T7	0.35	4	0.4 W
T8	0.6	5.5	0.9 W
T9	0.3	4.5	± ON LINE
T10	0.5	10	0.7 N
T11	0.4	4	0.1 S
T12	0.6	15	0.5 N
T13	0.3	5	0.2 S
T14	0.3	10	0.4 N
T15	0.3	5	0.2 W
T16	0.25	4	± ON LINE

TRUNK DIAMETER MEASURED AT 1.2 METRES ABOVE GRADE.
TREE POSITION IS CALCULATED OFFSET TO ESTIMATED CENTER OF TREE.
THE LOCATIONS AND SHAPES OF THE TREE CROWNS ARE APPROXIMATE.
CROWN LOCATIONS SHOULD BE VERIFIED IN FIELD PRIOR TO ANY WORK ON SITE.



Tree Information Report v3.0

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

Date of Report: May 14, 2024
Property Address: 370 Princeton Avenue
Prepared for: Falsetto Homes c/o Sam Falsetto; falsettohomes@rogers.com
Prepared by: Kevin Myers, ISA Certified Arborist; kevin.myers@dendronforestry.ca
Date of Site Visit: December 13, 2023

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 J.D Barnes Ltd., dated June 13, 2023
- Site plan and elevations by Evolution Design and Drafting, dated March 20, 2024

Update for version 3.0: This revised report updates the previous version dated March 21, 2024 and takes into consideration the new site plan provided by the client. Recommendations around retention and mitigation have not changed due to this new plan.

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
- Pertinent measurements to structures such as fences, driveways, or building

Existing site information

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 3 is a young elm growing behind the existing garage. The site plan provides soft landscaping around the base of the tree, and there is continued rooting space on the adjacent yard. Care is to be taken not to tear roots during demolition of the existing garage. If roots are encountered during installation of the walkway, they are to be cleanly severed by hand back to the line of excavation.

The canopy of **Tree 12** may require pruning away from the proposed building. Similarly, **Trees 9 and 11** may require pruning for clearance around the proposed walkway. All required clearance pruning on site is to be performed by a certified arborist.

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 December 13, 2023. On Behalf of Dendron Forestry Services,

Kevin Myers, MFC, R.P.F. in Training
ISA Certified Arborist, ON-2907A
kevin.myers@dendronforestry.ca
(514) 726-8531

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

Tree ¹	Species	DBH (cm)	Ownership ²	Tree condition	Approximate distance to excavation (m)	Action	Forester recommendation
1	Eastern white cedar (<i>Thuja occidentalis</i>)	33	City	Fair: portion of crown missing	Driveway: 1.5	Remove	Remove due to health condition and impacts from construction. Tree permit required for removal.
2	Norway maple (<i>Acer platanoides</i>)	70	City	Poor: main leader broken – remaining crown heavily asymmetrical; cavity with decay on main stem	Driveway: 2	Remove	Remove due to health condition. Tree permit required for removal.
3	American elm (<i>Ulmus americana</i>)	36	Subject property	Good	Walkway: 1 Building: 7.5	Retain	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
4	Manitoba maple (<i>Acer negundo</i>)	34	Subject property	Fair: heavy lean – growing on fence; small cavity	3.5	Remove	Remove due to the heavy lean and impacts from construction. Tree permit required for removal.
5	Norway maple (<i>Acer platanoides</i>)	32	Boundary – 553 Melbourne	Fair/Good: included bark at main union	4	Remove	Remove due to proximity of excavation. Tree permit and permission from neighbour required for removal.
6	American elm (<i>Ulmus americana</i>)	57	Boundary – 553 Melbourne	Fair: poor form - canopy with large space in middle – potentially due to previous growth due to shading; limited rooting space due to nearby driveway and houses	0	Remove	Remove due to proximity of excavation. Tree Permit required for removal.
7	Manitoba maple (<i>Acer negundo</i>)	44	Subject property	Fair: heavy lean to the west	0	Remove	Remove due to heavy lean and impacts from construction. Tree permit required for removal.
8	Eastern white cedar (<i>Thuja occidentalis</i>)	54	City	Fair/Poor: woodpecker activity; multiple leaders splitting at 2m; moderate lean towards road; decay in stem	Walkway: 2.5 Building: 4	Retain	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
9	Eastern white cedar (<i>Thuja occidentalis</i>)	32, 10, 11	City	Fair	4	Remove	Remove: in line with proposed walkway. Tree permit required for removal.



10	Eastern white cedar (<i>Thuja occidentalis</i>)	44, 34, 28	City	Fair: largest stem leans heavily to road; 34cm stem has broken leader hanging in canopy	4.5	Retain	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
11	Norway maple (<i>Acer platanoides</i>)	47	City	Good	4.5	Retain	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021). Required clearance pruning to be performed by a certified arborist.

¹ 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.

²Ownership 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.

³Trees on adjacent properties do not include a full assessment. The diameters are estimated, and the health is estimated based on what is visible from the subject property. Trees along the property line may also have limited health assessments if part of the tree is not visible.



APPENDIX B

PHOTOGRAPHS



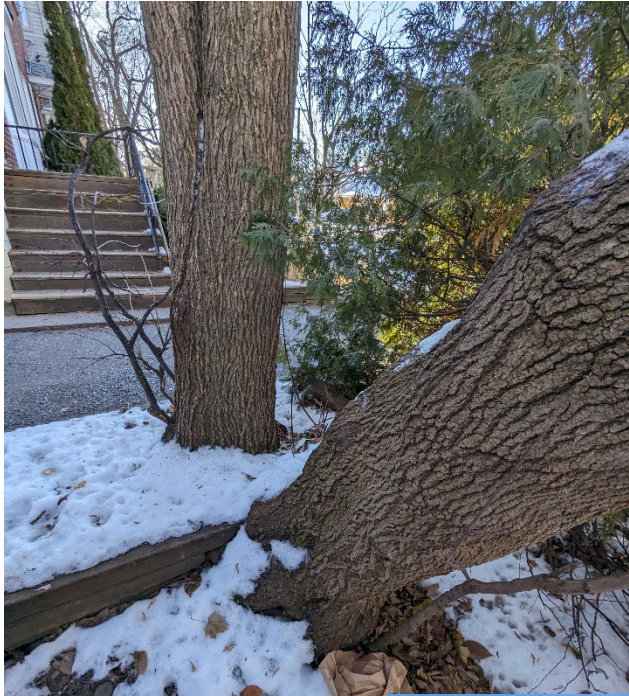
Tree 2: City Norway maple to be removed.



Tree 1: City cedar to be retained.



Left to Right: Tree 4 - private Manitoba maple to be removed, 5 - adjacent Norway maple to be removed, and 6 - private elm to be removed.



Above: Base of Tree 7 (right).

Right: Tree 11 - city Norway maple to be retained.





Above: Trees 8 (right) – city cedar to be removed, Tree 9, and Tree 10 (grouping at left) - city cedars to be retained.

Left: trunk of tree 8



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 December 11, 2023, 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.

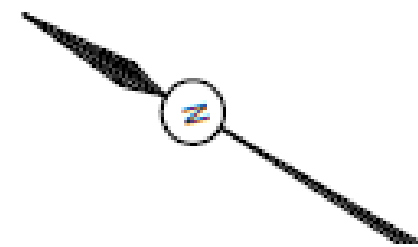
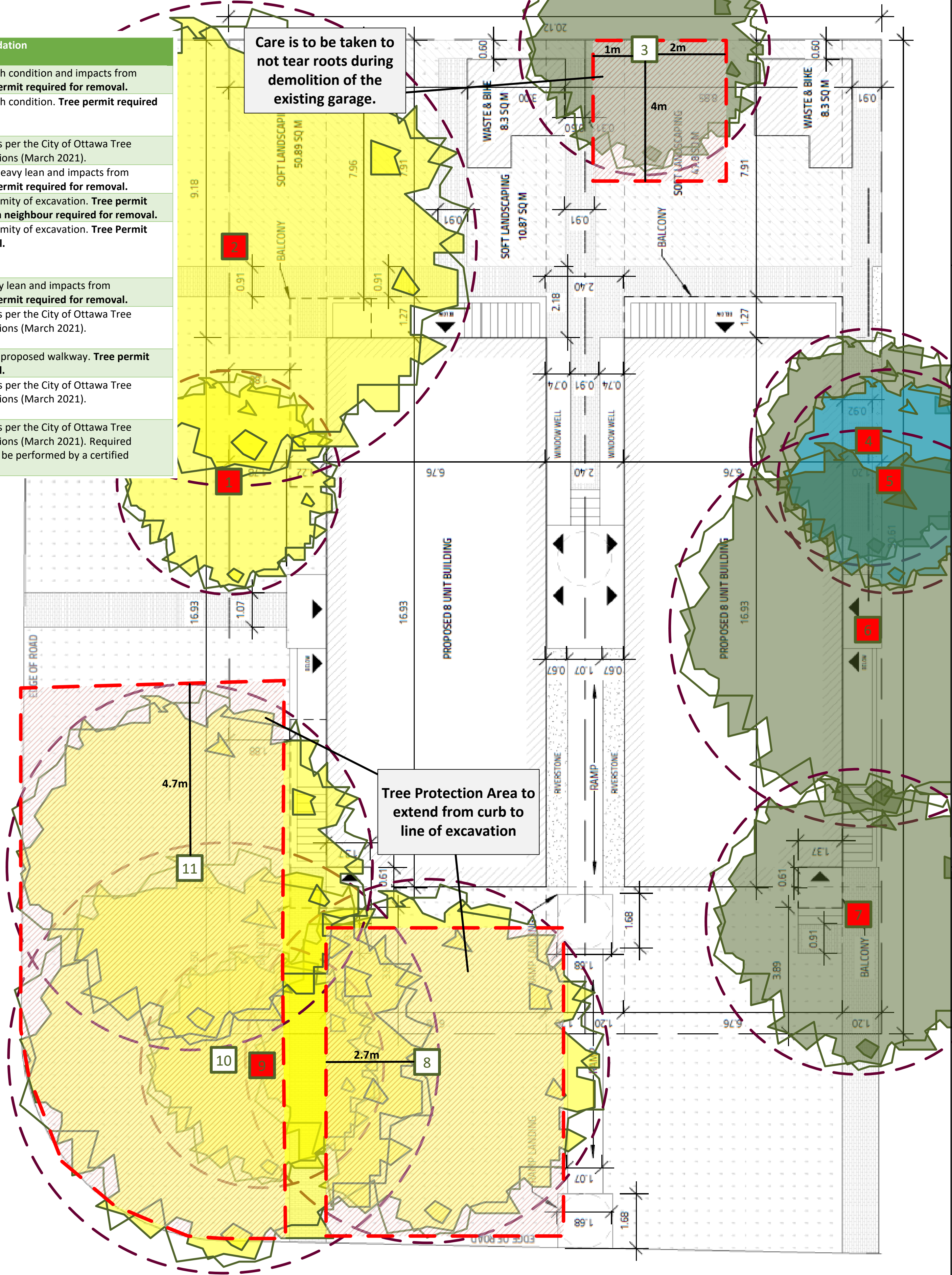
General

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.

Tree¹	Species	DBH (cm)	Tree condition	Forester recommendation
1	Eastern white cedar (<i>Thuja occidentalis</i>)	33	Fair: portion of crown missing	Remove due to health condition and impacts from construction. Tree permit required for removal.
2	Norway maple (<i>Acer platanoides</i>)	70	Poor: main leader broken – remaining crown heavily asymmetrical; cavity with decay on main stem	Remove due to health condition. Tree permit required for removal.
3	American elm (<i>Ulmus americana</i>)	36	Good	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
4	Manitoba maple (<i>Acer negundo</i>)	34	Fair: heavy lean – growing on fence; small cavity	Remove due to the heavy lean and impacts from construction. Tree permit required for removal.
5	Norway maple (<i>Acer platanoides</i>)	32	Fair/Good: included bark at main union	Remove due to proximity of excavation. Tree permit and permission from neighbour required for removal.
6	American elm (<i>Ulmus americana</i>)	57	Fair: poor form - canopy with large space in middle – potentially due to previous growth due to shading; limited rooting space due to nearby driveway and houses	Remove due to proximity of excavation. Tree Permit required for removal.
7	Manitoba maple (<i>Acer negundo</i>)	44	Fair: heavy lean to the west	Remove due to heavy lean and impacts from construction. Tree permit required for removal.
8	Eastern white cedar (<i>Thuja occidentalis</i>)	54	Fair/Poor: woodpecker activity; multiple leaders splitting at 2m; moderate lean towards road; decay in stem	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
9	Eastern white cedar (<i>Thuja occidentalis</i>)	32, 10, 11	Fair	Remove: in line with proposed walkway. Tree permit required for removal.
10	Eastern white cedar (<i>Thuja occidentalis</i>)	44, 34, 28	Fair: largest stem leans heavily to road; 34cm stem has broken leader hanging in canopy	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
11	Norway maple (<i>Acer platanoides</i>)	47	Good	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021). Required clearance pruning to be performed by a certified arborist.

PRINCETON AVE

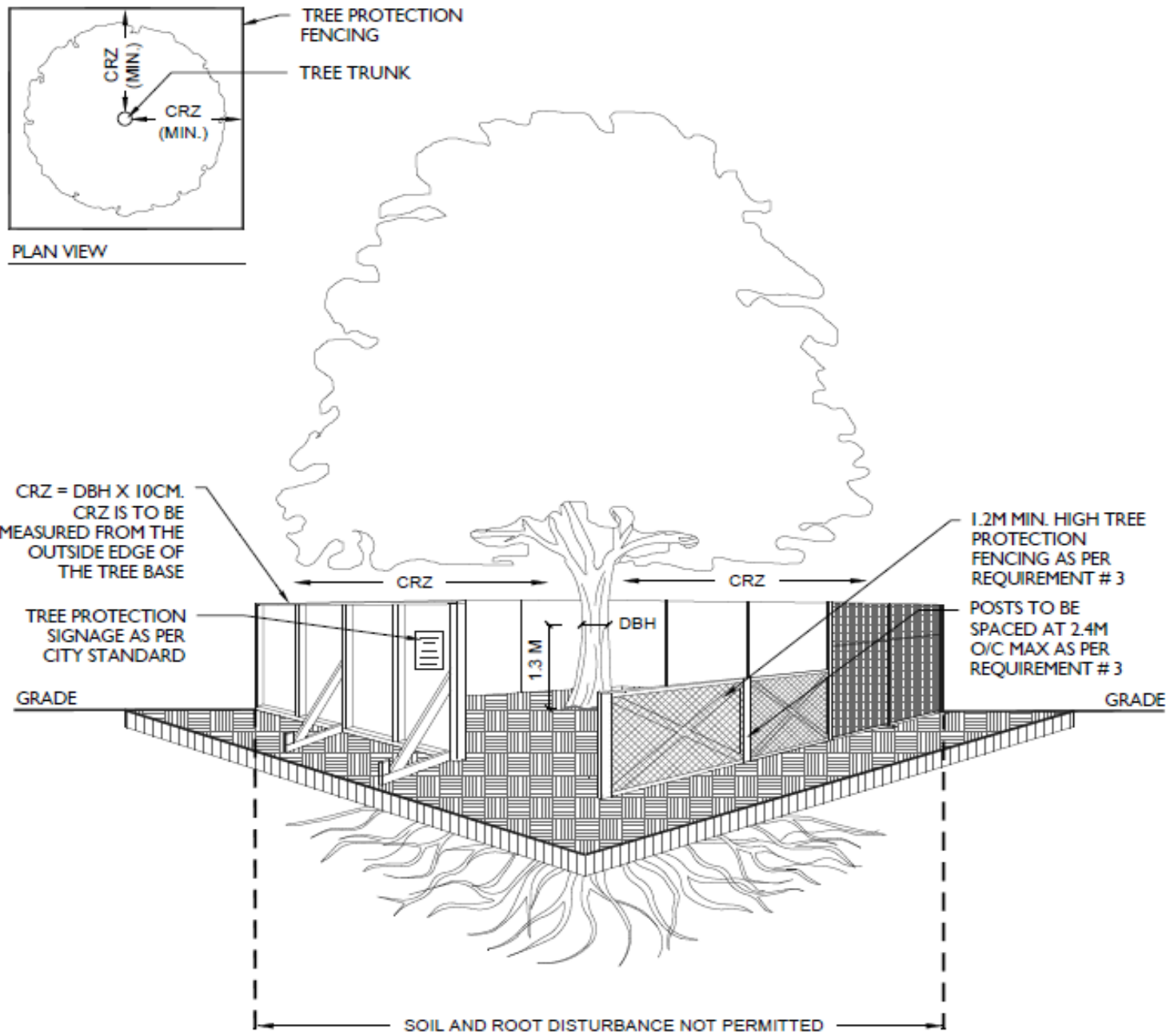


TIR Map – 370 Princeton Avenue
Tree layer prepared by
Dendron Forestry Services
Version 3.0, May 14, 2024
For more information, please contact: info@dendronforestry.ca

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 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 PROTECTION REQUIREMENTS:
- 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
 - 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)
 - 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.
 - 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 FOR MORE INFORMATION ON HOW THE TREE BY-LAW APPLIES.

Failure to install and maintain fencing as described in this report may result in fines from the city.



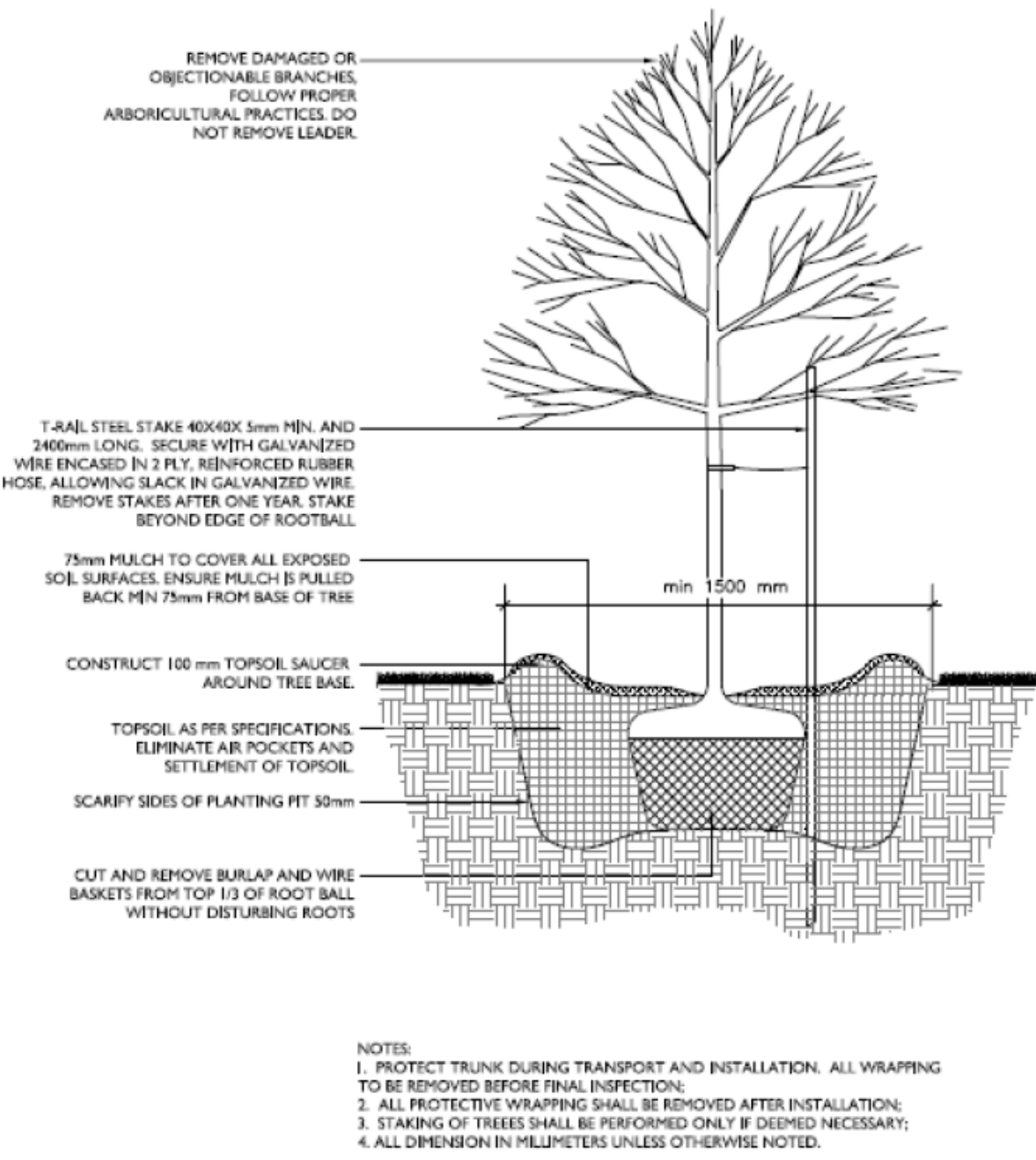
Legend

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



Tree Planting Plan – 370 Princeton Avenue
Prepared by Dendron Forestry Services
Version 3.0, May 14, 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 stumps.
- 2.5m from curbs, hydro transformers, or behind fire hydrants
- 4-7m from any part of an existing tree, depending on canopy width
- 10m from bus shelters and community mailboxes

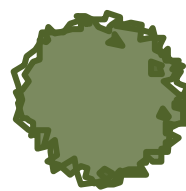
For Coniferous Trees:

- 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.

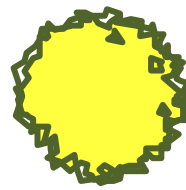
TREES MUST BE WATERED REGULARLY FOLLOWING PLANTING TO ENSURE PROPER ESTABLISHMENT.

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.

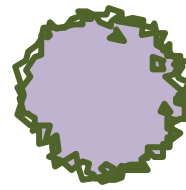
Legend



New Private Tree



New Tree either fully or partly on city property



Existing Tree to be retained

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.

Trees 1-4 should be small trees at maturity to accommodate the overhead wires along Princeton. Site conditions are expected to be partial to low light exposure and moderate to high moisture availability. Species suggestions include:

Blue beech - *Carpinus caroliniana**
Serviceberry - *Amelanchier spp.**
Ohio buckeye - *Aesculus glabra**
Pagoda dogwood - *Cornus alternifolia**
Witch hazel - *Hamamelis virginiana**
Oakleaf mountain ash - *Sorbus thuringiaca* 'Fastigiata'

Tree 5 should be a medium tree at maturity. Site conditions are expected to be partial light exposure and moderate moisture availability. Species suggestions include:

Shagbark hickory - *Carya ovata**
Ironwood - *Ostrya virginiana**
Bitternut hickory - *Carya cordiformis**
Turkish hazel - *Corylus colurna**
Red maple - *Acer rubrum**
Eastern white cedar - *Thuja occidentalis**

There is currently a crab apple in the Melbourne-side yard close to where **Tree 6** is proposed. If this tree is successfully retained during construction, there may not be sufficient area to adhere to the spacing in the Planting Guidelines. However, if the tree is removed, Tree 6 should be a large tree at maturity. Site conditions are expected to be full light exposure and moderate moisture availability. Species suggestions include:

White oak - *Quercus alba**
Freeman maple - *Acer x freemanii*
Tulip tree - *Liriodendron tulipifera*
Ginkgo - *Ginkgo biloba*
Liberty elm - *Ulmus americana* 'Libertas'*
Red oak - *Quercus rubra**
Northern catalpa - *Catalpa speciosa*
Swamp white oak - *Quercus bicolor**
Sycamore - *Platanus occidentalis*

*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.

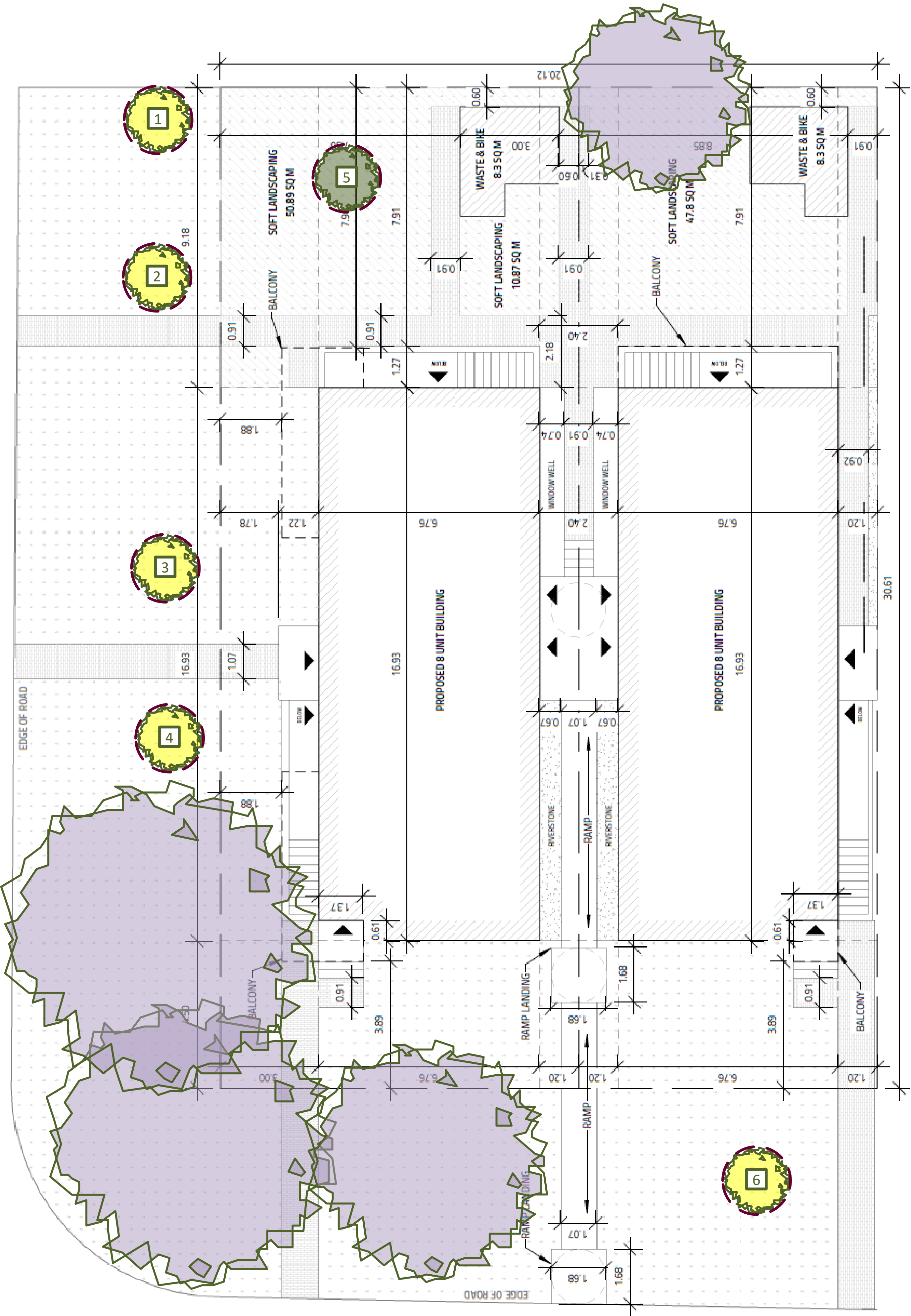
The species recommended herein are the most suitable species based on the existing plans. For best success, tree species should be matched to site conditions.

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.

Committee of Adjustment
Received | Reçu le

2024-06-04

City of Ottawa | Ville d'Ottawa
Comité de dérogation



2024-07-11



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 370 Princeton Avenue
Legal Description: Lot 27 (East side Melbourne Avenue Lots), Registered Plan 204, City of Ottawa
File No.: D08-01-24/B-00100, D08-01-24/B-00101
D08-02-24/A-00145, D08-02-24/A-00146
Report Date: July 11, 2024
Hearing Date: July 17, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R4UA[2686] H(8.5)

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the applications.

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent. The proposed lots generally align with the existing lot fabric found within the site vicinity.

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 located within the Inner Urban Transect and designated Neighbourhood on Schedule B2 in the Official Plan. This area is intended for low-rise residential development with massing that is generally compatible with the local context and character of existing development.

The site is zoned R4UA[2686] H(8.5) (Residential Fourth Density, Subzone UA, Urban Exception 2686, Maximum Height 8.5 Metres). The zoning was implemented in 2021 in part of the Westboro neighbourhood to permit a range of housing types based on a

number of development standards that addresses key characteristics of the neighbourhood. The subject site, being a corner lot on local streets, is intended for higher density development compared to interior lots on local streets, to a maximum of six units, three storeys in height, and prioritizing soft landscaping.

Staff have no concerns with the lot size of the proposed interior lot, which does not appear to depart from the actual lot fabric in the neighbourhood.

Staff generally have no concerns regarding the proposed building height. Corner lots, which have the opportunity to “frame” the block, are generally envisioned to be three-storeys in height. Staff do not anticipate any negative impacts resulting from the increased building height.

Staff have no concerns with the proposed interior side yard setbacks. The 1.5 metre requirement is established for all building typologies in the Westboro area in order to provide access to the rear yard, maintain exterior walls, and manage light and air flow between buildings, while harmonizing development standards between different dwelling types within the same context. Staff believe that the proposed setback meets this intent, and is compatible with existing side yard setbacks within the site vicinity.

~~Staff have concerns with the reduced corner side yard setback. Two City-owned trees (tree #1 and #9) are proposed for removal along this corner side yard. A compliant corner side yard setback and stronger tree protection measures could retain these trees, consistent with policy intent~~

~~Staff have no concerns with the reduced corner side yard setback. The applicant has revised the plans in order to retain all City-owned trees. Staff do not anticipate negative massing impacts resulting from this reduction.~~

~~Staff also have some concerns with the requested increase in number of units. A guiding principal in the Official Plan for infill development is that the exterior built form and site design of a building, not the number of units contained within the building, should be the primary determining factor in whether or not a development proposal is appropriate. However, Staff believe that there are implications for the increase in units, and that the site functionality could be better managed if there were fewer units.~~

~~The proposed development includes below and above grade entrances, most of which are accessed by stairs while some are accessed by a large ramp. The ramp encroaches within the City's Right of Way, contrary to policy intent of balconies and street-facing entrances being main focal points. The proposed ramp also causes those using mobility devices to follow a circuitous route from their unit entrance to the waste storage area. Removing basement units could permit entry at grade, eliminating stairs and ramps and improving site circulation.~~

~~Staff have no concerns regarding the number of units proposed. The applicant has revised the design to better manage site functionality and impacts on the lots without compromising the public realm.~~

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. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
7. 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

As per S.4.8.2 3) d) of the Official Plan: retention of healthy trees must be prioritized over removal and replacement. City trees 1 & 9 must be retained; the TIR and site plan must be updated to reflect retention and to relocate the walkway that conflicts with Tree 9.

Permits are required for the removal of one City tree, two private trees, and two boundary trees. The neighbour's permission must be obtained for removal of the boundary trees. A total of 10 replacement trees are required; any trees that can't be planted are to be compensated for in the form of cash-in-lieu.

Right of Way Management

The Right-of-Way Management Department has concerns with the proposed ramp to be installed within the City right of way accessed at Melbourne Ave. The Owner shall be made aware that further ramp specifications and construction details would be required, as well as a circulation for approval before the City would consider entering into a Permanent Encroachment Agreement with the Owner.

The Owner shall be made aware that a private approach permit is required to construct a newly created entrance, as well as to close any existing entrance.

CONDITIONS

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

1. That the Owner(s) 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 proof to the satisfaction of the Development Review Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee, that the existing dwelling/building has been removed.
3. That the Owner(s) provide evidence to the satisfaction of the Development Review Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their 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.
4. 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.
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 Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their 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 Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
6. That the Owner(s) provide(s) a Grading and Servicing Plan with the proposed elements (**services**, retaining walls, etc.), **and the capping location of existing services**, designed and located to ensure the adequate protection of Protected Trees as identified in the Tree Information Report. This may result in relocation of these structures, and the owner may be required to revise their plans accordingly **to the satisfaction of the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s)**. The Tree Information Report may require revision to reflect these changes.

7. 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 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 Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate, and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to Development Review All Wards Manager of the All-Wards Branch within Planning, Development and Building Services Department, or their 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.

8. That the Owner convey a 3 m x 3 m corner sight triangle located at the intersection of Princeton & Melbourne to the City, with all costs to be borne by the Owner(s), to the satisfaction of the Surveys and Mapping Branch of the City. This area will be free of all structures, plantings, etc. and will allow a proper sighting distance for motorists when performing turning movements within the intersection. The Committee must receive written confirmation from City Legal Services that the transfer of the lands to the City has been registered.
9. That the Owner(s) enter into a resurfacing agreement with the City to the satisfaction of the Program Manager, Right of Way Branch within Planning, Development and Building Services Department, or their designate, and provide financial security in accordance with the Road Activity By-law, as amended, to install an asphalt overlay over the roadway surface of Princeton Avenue and/or Melbourne Avenue, fronting the subject lands, to the limits shown on the approved Site Servicing Plan. Where the approved Site Servicing Plan demonstrates that resurfacing is not required based on the City's Road Cut Resurfacing Policy, the Development Review Manager of the Right of Way Branch within Planning, Development and Building Services Department, or his/her designate, shall deem this condition satisfied.
10. That the Owner/Applicant(s) enter into a Development Agreement or a Letter of Undertaking (LOU) with the City of Ottawa, at the expense of the Owner/Applicant(s), and **to the satisfaction of the Manager of the relevant branch within Planning, Real Estate, and Economic Development Department, or their designate(s)**. A development agreement is to be registered on Title of the property (where applicable). The agreement will include the mitigation measures outlined in the approved Tree Information Report v3.0,

prepared by Dendron Forestry Services, dated May 14, 2024 (and any revised versions), and associated securities for tree protection. The securities, which will be based on the value of the tree(s) to be protected (**Trees 1, 8, 9, 10, & 11**) shall be retained for 2 years following issuance of an occupancy permit, and thereafter returned to the owner only upon the City having received a report from an arborist or appropriate professional confirming that the identified tree(s) is/are healthy, retainable, and remain(s) structurally stable.

11. That the Owner/Applicant(s) provide a signed letter of permission from the owner(s) of identified adjacent or boundary tree(s), for the proposed removal or operations impacting the tree(s). The owner/applicant(s) acknowledge(s) that a tree removal permit cannot be issued without the permission of all owners of a tree, and that the development plan must be revised to allow for the retention and protection of the adjacent or boundary trees if this letter cannot be produced.
12. 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) and 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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