



Committee of Adjustment

Panel 2

Tuesday, October 1, 2024

1:00 PM

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

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

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

Coordinator: [Sarah Shuel](#)

Panel Members:

Chair: Fabian Poulin

Members: Jay Baltz, George Barrett, Heather MacLean, Julianne Wright

CALL TO ORDER

OPENING REMARKS

DECLARATIONS OF INTEREST

CONFIRMATION OF MINUTES

ADJOURNMENT REQUESTS

HEARING OF APPLICATIONS

- 1. 375 Épinettes (Ward 1 - Orléans East-Cumberland)
D08-01-24/B-00152**

Consent Application

Applicant(s): 9610529 Canada Inc.

Agent: J. Kelly

To subdivide the property into two separate parcels to create one new lot for future development.

2. 10A Ashburn (Ward 9 - Knoxdale-Merivale)

2.1 D08-01-24/B-00071

2.2 D08-02-24/A-00227

Consent & Minor Variance Applications

Applicant(s): Silvia Marcoux

Agent: A. Marcoux

To sever the property into two separate parcels for the construction of a new detached dwelling with increased driveway width.

3. 20 Robin (Ward 11 - Beacon Hill-Cyrville)

D08-02-2021/A-00335

Minor Variance Application

Applicant(s): 724600 Ontario Inc.

To permit a reduced lot area for future residential construction.

4. 107 Fordham (Ward 16 - River)

D08-01-24/B-00163

Consent Application

Applicant: Ashcroft Leasing Inc.

Agent: M. Arkadan

To subdivide the property into two separate parcels of land to create separate ownership for two of the existing townhouse dwellings.

5. 25 Pennard (Ward 10 - Gloucester-Southgate)

D08-02-24/A-00230

Minor Variance Application

Applicant: Royal S.M.S. Construction Inc.

Agent: E. Ghossein

To permit increased building height for an existing long semi-detached dwelling.

6. **22 Inverkip (Ward 10 - Gloucester-Southgate)**
D08-02-24/A-00229

Minor Variance Application

Applicant: Royal S.M.S. Construction Inc.

Agent: E. Ghossein

To permit an increased building height for an existing long semi-detached dwelling.

7. **52 Lotta (Ward 8 - College)**
D08-02-24/A-00235 & D08-02-24/A-00236

Minor Variance Applications

Applicants: Roberto Iamello, James Devine & Marisa Devine

Agent: M. Segreto

To permit reduced lot widths and lot areas for the construction of two detached dwellings.

8. **6045 Longleaf (Ward 19 - Orléans South-Navan)**
D08-02-24/A-00238

Minor Variance Application

Applicant: Grant and Vicki Lemieux

To permit a reduced interior yard for an addition to the existing garage.

9. **94 Withrow (Ward 8 - College)**
D08-02-24/A-00234 & D08-02-24/A-00237

Minor Variance Application

Owner: Xiaohong Sun and Yijun Li

Agent: M. Segreto

To permit reduced lot widths, lot area and front and rear yard setbacks for the construction of two detached dwellings.

OTHER BUSINESS

ADJOURNMENT



Comité de dérogation

Groupe 2

le mardi 1er octobre 2024

13 h 00

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

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

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

Coordonnatrice : [Sarah Shuel](#)

Membres du Groupe:

Président: Fabian Poulin

Membres : Jay Baltz, George Barrett, Heather MacLean, Julianne Wright

APPEL NOMINAL

MOT D'OUVERTURE

DÉCLARATIONS D'INTÉRÊT

RATIFICATION DU PROCÈS-VERBAL

DEMANDES D'AJOURNEMENT

AUDIENCE DES DEMANDES

1. 375 Épinettes (Quartier 1 - Orléans Est Cumberland)
D08-01-24/B-00152

Demande d'autorisation

Requérant(e)(s) : 9610529 Canada Inc.

Agent : J. Kelly

Lotir la propriété en deux parcelles distinctes afin de créer un nouveau lot pour un aménagement futur.

2. 10A Ashburn (Quartier 9 - Knoxdale-Merivale)

2.1 D08-01-24/B-00071

2.2 D08-02-24/A-00227

Demandes d'autorisation et de dérogations mineures

Requérant(e)(s) : Silvia Marcoux

Agent : A. Marcoux

Morceler la propriété en deux parcelles distinctes pour la construction d'une nouvelle maison isolée avec une entrée de cour de largeur accrue.

3. 20 Robin (Quartier 11 - Beacon Hill-Cyrville)

D08-02-2021/A-00335

Demande de dérogation mineure

Requérant(e)(s) : 724600 Ontario Inc.

Permettre la réduction de la superficie du lot aux fins de construction résidentielle future.

4. 107 Fordham (Quartier 16 - Rivière)

D08-01-24/B-00163

Demande d'autorisation

Requérant(e)(s): Ashcroft Leasing Inc.

Agent: M. Arkadan

Lotir la propriété en deux parcelles distinctes afin de créer des titres de propriété distincts pour deux des maisons en rangée existantes.

5. 24 Pennard (Quartier 10 - Gloucester-Southgate)

D08-02-24/A-00230

Demande de dérogation mineure

Requérant(e)(s): Royal S.M.S. Construction Inc.

Agent: E. Ghossein

Permettre la hauteur accrue de la maison jumelée en longueur existante.

6. **22 Inverkip (Quartier 10 - Gloucester-Southgate)**
D08-02-24/A-00229

Demande de dérogation mineure

Requérant(e)(s): Royal S.M.S. Construction Inc.

Agent: E. Ghossein

Permettre la hauteur accrue de la maison jumelée en longueur existante.

7. **52 Lotta (Quartier 8 - Collège)**
D08-02-24/A-00235 & D08-02-24/A-00236

Demandes de dérogation mineure

Requérants: Roberto Iamello, James Devine & Marisa Devine

Agent: M. Segreto

Permettre la réduction de la largeur et de la superficie des lots pour la construction de deux maisons isolées.

8. **6045 Longleaf (Quartier 19 - Orléans-Sud-Navan)**
D08-02-24/A-00238

Demande de dérogation mineure

Applicant: Grant and Vicki Lemieux

Permettre la réduction de la cour intérieure pour un rajout au garage existant.

9. **94 Withrow (Quartier 8 - Collège)**
D08-02-24/A-00234 & D08-02-24/A-00237

Demande de dérogation mineure

Requérant(e)(s) : Xiaohong Sun and Yijun Li

Agent: M. Segreto

Permettre la réduction de la largeur et de la superficie des lots, ainsi que des marges de recul avant et arrière pour la construction de deux maisons isolées

AUTRES QUESTIONS

AJOURNEMENT

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Consent Application

Panel 2
Tuesday, October 1, 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.: D08-01-24/B-00152
Application: Consent under section 53 of the *Planning Act*
Applicant: 9610529 Canada Inc.
Property Address: 375 Épinettes Avenue
Ward: 1 - Orléans East-Cumberland
Legal Description: Part of Block C, Registered Plan 50M-23
Zoning: LC5 H(9.5)
Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant wants to subdivide their property into two separate parcels of land to create one new lot that will remain vacant for future development. The existing commercial building and associated surface parking will remain.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Applicant requires the Committee's consent to sever the land.

The severed land is shown as Part 2 on the draft 4R-plan filed with the application, will have a frontage of 42.3 metres, an irregular depth, and a lot area of 1,075 square metres. This vacant parcel will be known municipally as 1641 Prestwick Drive.

The retained land, shown as Part 1 on said plan, will have a frontage of 54.4 metres on Prestwick Drive and 71.4 metres on Épinettes Avenue, an irregular depth, and a lot area of 4,868.4 square metres. This parcel contains the existing commercial building and associated surface parking known municipally as 375 Épinettes Avenue.

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

FIND OUT MORE ABOUT THE APPLICATION

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](https://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: September 13, 2024



Ce document est également offert en français.

Committee of Adjustment
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AVIS D'AUDIENCE

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

Demande d'autorisation

Groupe 2
Mardi 1 Octobre 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 : D08-01-24/B-00152
Demande : Autorisation en vertu de l'article 53 de la *Loi sur l'aménagement du territoire*
Requérante : 9610529 Canada Inc.
Adresse municipale : 375, avenue Des Épinettes
Quartier : 1 - Orléans Est-Cumberland
Description officielle : Partie de l'îlot C, plan enregistré 50M-23
Zonage : LC5 H(9.5)
Règlement de zonage : n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante souhaite lotir sa propriété en deux parcelles distinctes afin de créer un nouveau lot qui restera vacant en vue d'un aménagement futur. Le bâtiment commercial existant et le stationnement en surface connexe seront conservés.

AUTORISATION REQUISE :

La requérante nécessite l'autorisation du Comité pour morceler le bien-fonds.

Le terrain disjoint est représenté par la partie 2 sur le plan 4R préliminaire déposé avec la demande. Il aura une façade de 42,3 mètres, une profondeur irrégulière et une superficie de 1 075 mètres carrés. Cette parcelle vacante sera située au 1641, promenade Prestwick.

Le terrain conservé est représenté par la partie 1 sur ledit plan. Il aura une façade de 54,4 mètres sur la promenade Prestwick et de 71,4 mètres sur l'avenue Des Épinettes, une profondeur irrégulière et une superficie de 4 868,4 mètres carrés. Cette parcelle comprend le bâtiment commercial existant et le stationnement en surface connexe dont l'adresse municipale est le 375, avenue Des Épinettes.

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 : 13 septembre 2024

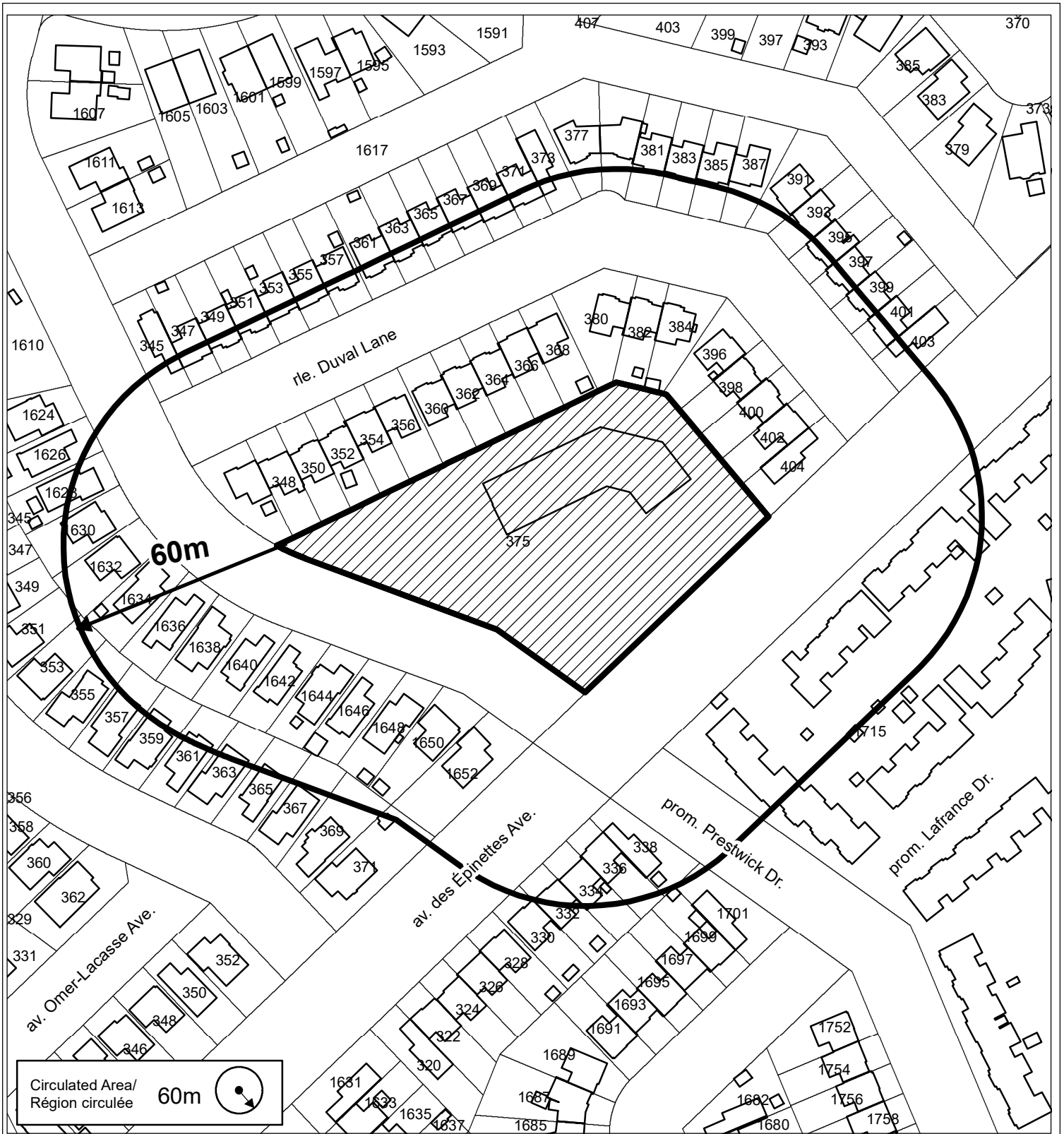


This document is also available in English.

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 613-580-2436



Circulated Area /
Région circulée 60m

 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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SUBJECT LAND / TERRE EN QUESTION

375 av. des Épinettes Avenue



NOT TO SCALE
NON À L'ÉCHELLE

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Engineers, Planners & Landscape Architects

Committee of Adjustment

Received | Reçu le

2024 - 08 - 13

City of Ottawa | Ville d'Ottawa

Comité de dérogation

August 13, 2024

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

Attention: Michel Bellemare, Secretary - Treasurer

Dear Mr. Bellemare:

**Reference: 375 des Épinettes Avenue
Applications for Consent
Our File No. 124136**

Novatech has been retained by the owner of the property municipally known as 375 des Épinettes Avenue (the "Subject Site") to prepare and file Consent applications to sever the existing lot and establish a newly created vacant lot for the purpose of conveyance.

The following letter describes the existing conditions of the site, the proposed severances, and the rationale in support of the application.

Existing Conditions

The Subject Site is located in the Orléans East-Cumberland ward of the City of Ottawa, within the Queenswood Heights neighbourhood, on the north side of des Épinettes Avenue. The Subject Site is in an area bounded by Duval Lane to the north, des Épinettes Avenue to the south, Prestwick Drive to the west, and Tenth Line Road to the east (see Figure 1). The Subject Site is a corner lot with 71.4 metres of frontage along des Épinettes Avenue, 96.75 metres of frontage along Prestwick Drive and an area of 5943.4 square metres.

The Subject Site is legally known as Part of Block C, Registered Plan 50M-23, within the City of Ottawa. The Subject Site is zoned Local Commercial, Subzone 5, Height restricted to 9.5 metres (LC5 H(9.5)) in the City of Ottawa Zoning By-law 2008-250.

Figure 1. Site Location



Proposed Development

The Subject Site is currently developed as a commercial plaza with surface parking. The north west portion of the existing property is vacant. It is proposed to sever the existing lot into two newly created parcels. Following completion of the severance, it is proposed to retain the existing commercial plaza on one parcel and facilitate conveyance of the vacant parcel. The newly severed lots will facilitate separate ownership for each parcel that fully conform to the zoning requirements for commercial or mixed use buildings in the LC5 H(9.5) zone. A separate driveway will be required off Prestwick Avenue to provide access to the newly created vacant lot.

Rationale

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 severance will facilitate conveyance of the newly created lot for future development while maintaining the existing commercial plaza on the Subject Site. The proposed severance supports an appropriate range and mix of potential land uses, including residential and employment uses on the Subject Site to meet the long-term needs of residents in the neighbourhood. The proposal also promotes cost-effective development patterns by creating an opportunity to intensify lands within the urban boundary, minimizing land consumption and municipal servicing costs.

Planning Act

Subsection 53(1) of the Planning Act states:

“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 proposal does 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:

“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 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;

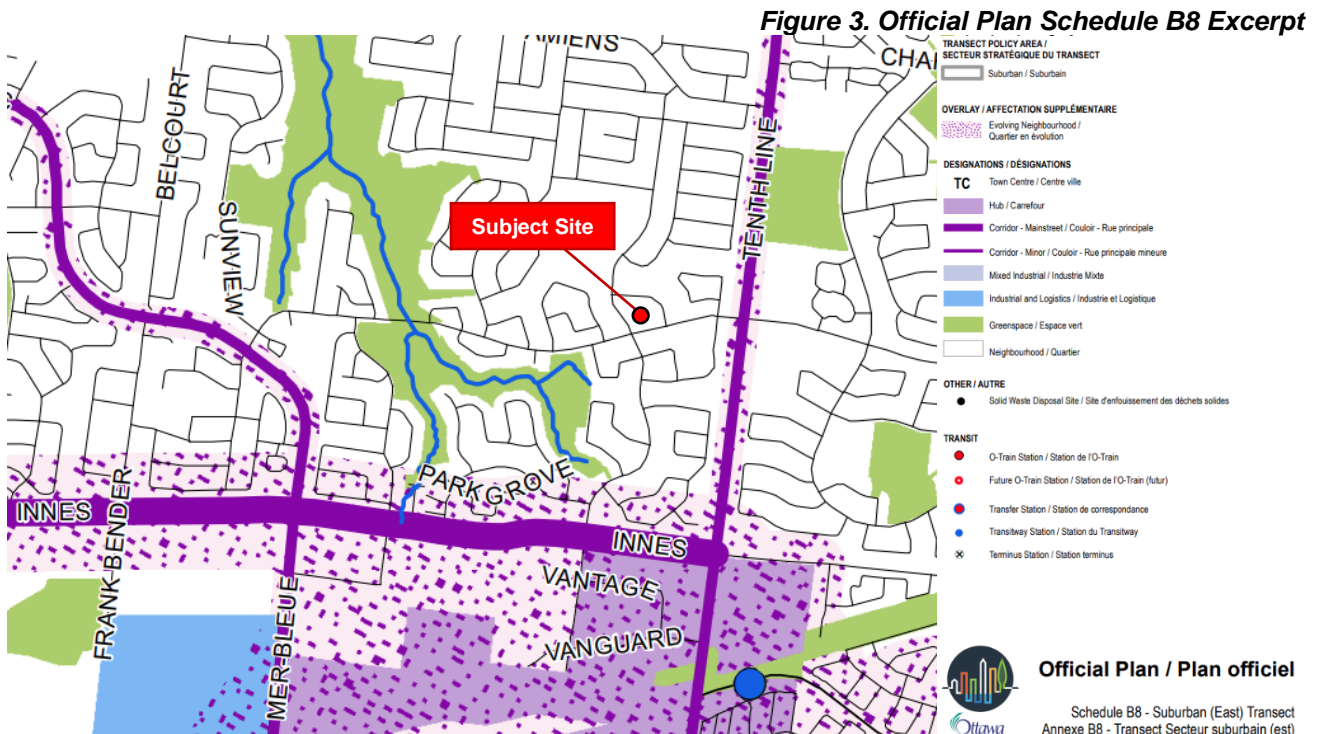
375 des Épinettes Avenue is within the urban area of the City of Ottawa. The proposed severance has regard for the following matters of provincial interest:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing;
- the adequate provision of employment opportunities; and
- the appropriate location of growth and development.

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

The Subject Site is located within a fully developed neighbourhood where hard and soft services are available. The proposed severance is not premature and is in the public's interest.

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



City of Ottawa Official Plan

The Subject Site is designated “Neighbourhood” in the Suburban Transect on Schedule B8 of the City of Ottawa Official Plan (see Figure 3). 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” and, Policy 4 of Section 3.2 of the Official Plan states that: “Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services.”

The severance application will support intensification in a Neighbourhood designation that is in proximity to Tenth Line Road, designated as a Minor Corridor in the Official Plan. Although no specific development proposal has been prepared, a range of land uses including residential and commercial are permitted on the Subject Site and could be developed on the newly created lot “as-of-right”. The newly created lot has municipal water and sewer services and is of a sufficient size to compliment the existing lot pattern, scale, and desirable characteristics of development along Prestwick Drive and des Épinettes Avenue that contribute to the growth of 15-minute neighbourhoods.

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

The proposed severances will facilitate conveyance of the newly created parcel for future development. The newly created lot is of a sufficient size to support a range of permitted land uses including residential and commercial. A range of land uses compatible with the existing lot fabric of the neighbourhood could be developed on the newly created lot “as-of-right”.

(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;*

Not applicable.

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

The proposed severance will result in lot widths and lot areas for the newly created parcels that are compatible with existing land use patterns and the lot fabric of the neighbourhood.

(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;*

Not applicable.

(h) *conservation of natural resources and flood control;*

The Subject Site is not within or adjacent to a flood plain or any areas of natural interest.

(i) *the adequacy of utilities and municipal services;*

The proposed lots will connect to existing utilities and municipal services.

(j) the adequacy of school sites;

Our Lady of Wisdom School, Dunning-Foubert Elementary School, Jeanne-Sauve Public Elementary School and Sir Wilfred Laurier Secondary School are in proximity to the Subject Site.

(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 dedication will be a condition of approval.

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

Infill and intensification within the urban area efficiently utilizes energy (infrastructure, services, transit, etc.) 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).

Not applicable.

The proposed consent application on the Subject Site represents good land use planning.

A Tree Information Report was prepared in support of the application for consent by Dendron Forestry Services, dated August 9, 2024. The Tree Information Report provides recommendations on proposed tree protection and states that *"No development has been proposed at this time. All trees are to be retained during the severance and tree protection measures are to be determined when development is proposed"*. No impacts to existing trees on abutting properties are anticipated as a result of the proposed severance.

The proposed severance at des Épinettes Avenue represents good land use planning. The proposed severance is within an urban area and has regard for matters of provincial interest. The proposed severance is not premature and is in line with public interest. The severance conforms to policies of the City of Ottawa Official Plan with regards to infill and intensification. The proposed severance will result in lots that fully comply with the LC5 H(9.5) zone provisions for lot width and lot area.

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

- One (1) copy of this Covering Letter;
- Severance Application Form for Part 1 and Part 2 (one original copy)
- Severance Sketch for Part 1 and Part 2 (one copy of 11 x 17 and one 8 ½ x 11)
- Draft Reference Plan (one copy of 11 x 17 and one 8 ½ x 11)
- Plan of Survey (one copy of 11x17 and one 8 ½x11)
- Tree Information Report (one copy)
- Parcel Abstract for the Subject Site (one copy)

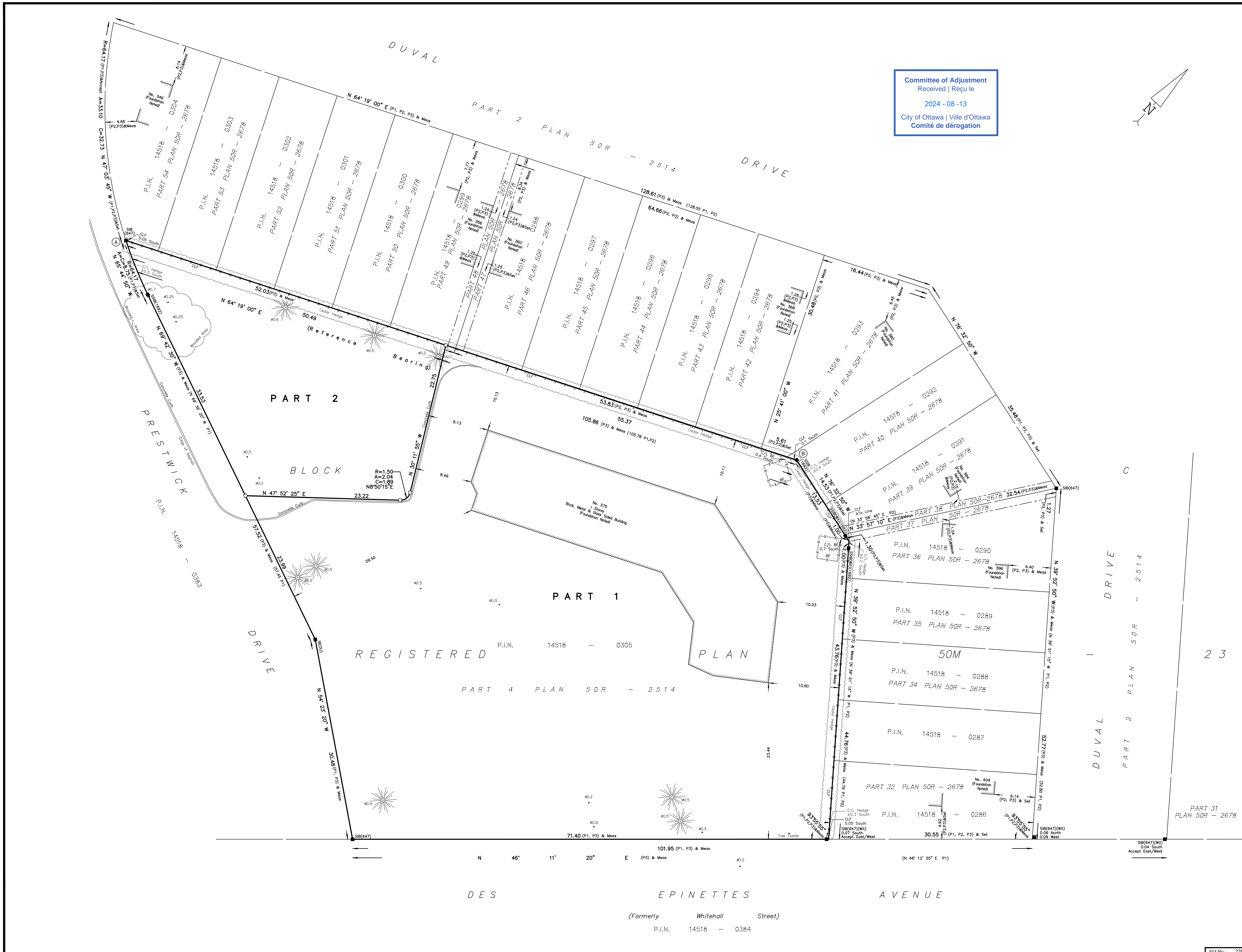


Should you have any questions regarding these applications, please do not hesitate to contact the undersigned.

Yours truly,

NOVATECH

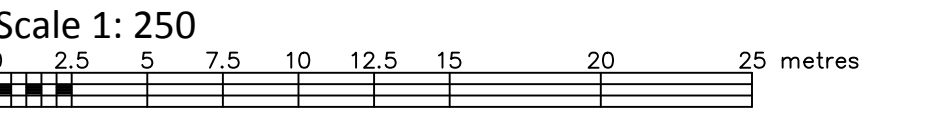
Jeffrey Kelly, MCIP, RPP
Project Planner



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. DATE: _____	PLAN 4R- RECEIVED AND DEPOSITED DATE: _____
DANIEL ROBINSON ONTARIO LAND SURVEYOR	REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OTTAWA-CARLETON NO. 4.

SCHEDULE				
PART	BLOCK	PLAN	PIN	AREA (Sq.m.)
1	PART OF C	50M-23	ALL OF 14518 - 0305	4868.4
2				1075.0

PLAN OF SURVEY OF
PART OF BLOCK C
REGISTERED PLAN 50M-23
CITY OF OTTAWA
FARLEY, SMITH & DENIS SURVEYING LTD. 2024



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

Distance Note
Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.99997.

Bearing Note
Bearings hereon are grid bearings derived from the Can-Net Real Time Network and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

CO-ORDINATES WERE DERIVED FROM CAN-NET REAL TIME NETWORK OBSERVATIONS, MTM ZONE 9, N.A.D. 1983 (ORIGINAL).		
POINT ID	NORTHING	EASTING
(A)	5036721.01	383245.32
(B)	5036766.89	383340.72
01919680184	5040610.16	384736.56
019198434761	5036178.12	372436.11

CO-ORDINATES ARE MTM ZONE 9, N.A.D. 1983 (ORIGINAL), TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Surveyor's Certificate

I certify that:

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

Date: _____
Daniel Robinson
Ontario Land Surveyor

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

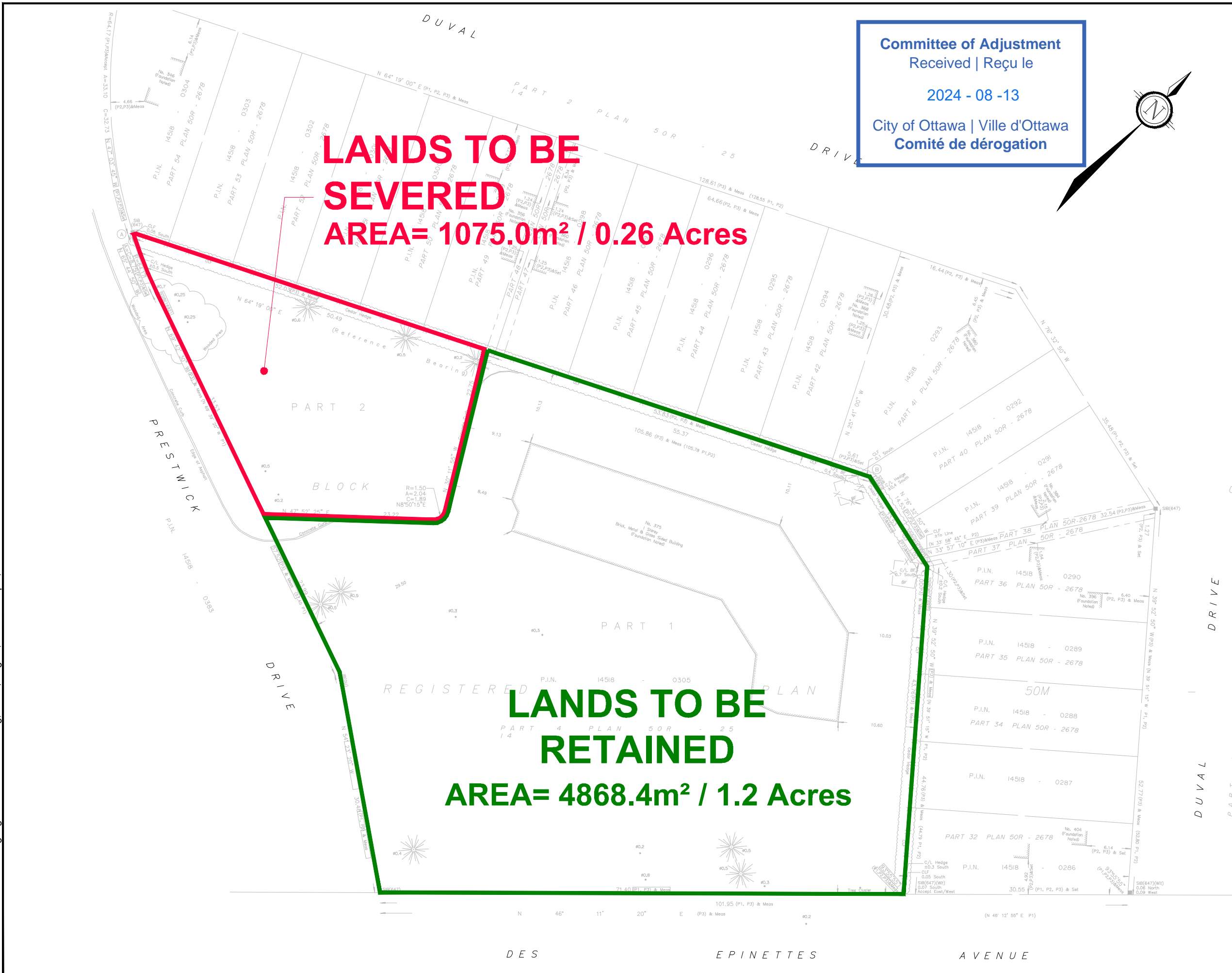
- Notes & Legend**
- Denotes
- Survey Monument Planted
 - Survey Monument Found
 - Standard Iron Bar
 - SSIB Short Standard Iron Bar
 - IB Iron Bar
 - (Wit) Witness
 - Meas Measured
 - (P1) Plan 50R-2514
 - (P2) Plan 50R-2678
 - (P3) Plan by (1692) dated October 27, 2021 (File No. 510-21)
 - ∅ Diameter
 - CLF Chain Link Fence
 - BF Board Fence
 - C/L Centreline
- Deciduous Tree - The Symbol shown denotes location and trunk diameter only. Size of its root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.
 - Coniferous Tree - The Symbol shown denotes location and trunk diameter only. Size of its root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.

FARLEY, SMITH & DENIS SURVEYING LTD.

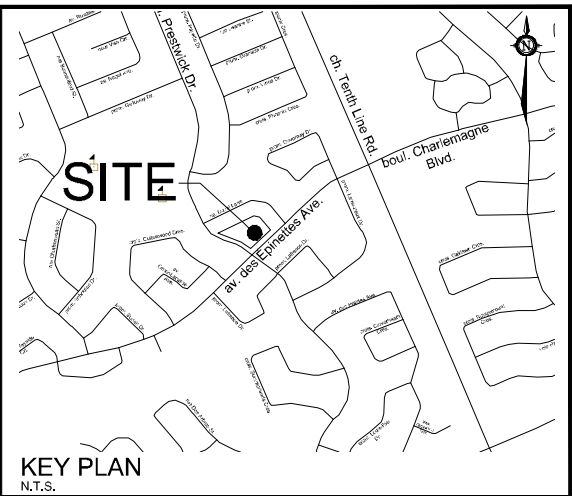
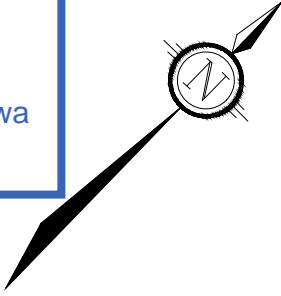
ONTARIO LAND SURVEYORS
CANADA LAND SURVEYORS

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

M:\2024\124136\CAD\Planning\Figures\124136-SEV.dwg, SEV1, Aug 01, 2024 - 4:47pm, wslloss



Committee of Adjustment
Received | Reçu le
2024 - 08 - 13
City of Ottawa | Ville d'Ottawa
Comité de dérogation



SEVERANCE APPLICATION

375 DES EPINETTES AVENUE

PART OF BLOCK C
REGISTERED PLAN 50m-23
CITY OF OTTAWA

1 : 500

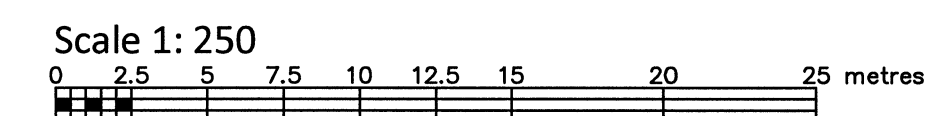
No.	REVISION	DATE	BY
1.	ISSUED FOR CONSENT APPLICATION	AUG 01/24	JK

NOVATECH
Engineers, Planners & Landscape Architects
Suite 200, 240 Michael Cowpland Drive
Ottawa, Ontario, Canada K2M 1P6
Telephone: (613) 254-9643
Facsimile: (613) 254-5857
Website: www.novatech-eng.com

ISSUED
AUGUST, 2024
PROJECT No.
124136
DRAWING No.
124136-SEV

PART OF BLOCK C REGISTERED PLAN 50M-23 CITY OF OTTAWA

FARLEY, SMITH & DENIS SURVEYING LTD. 2021



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

Bearing Note Bearings hereon are grid bearings derived from the Can-Ned Real Time Network and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

Elevation Notes 1. Elevations shown are geodetic and are referred to Geodetic Datum CGVD-1928 -1978. (AOG Job No. E-1102-21) 2. It is the responsibility of the user of this information to verify that the job benchmark has not been altered or disturbed and that its relative elevation and description agrees with the information shown on this drawing.

Utility Notes 1. 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. 2. Only visible surface utilities were located. 3. Underground utility data derived from City of Ottawa utility sheet reference: F-33-02, F-33-03, 73-2949-5, 73-2949-15, 73-2949-16, 78-2006-12, 82-7456-4. 4. Sanitary and storm sewer grades and inverts were compiled from: Field measurement & City of Ottawa. 5. Final location of underground plant by the pertinent utility authority is mandatory before any work involving breaking ground, probing, excavating etc.

Notes & Legend table with symbols and descriptions for Survey Monument Planted, SIB, SSIB, IB, (Wit), Meas, (P1), (P2), MI-ST, MI-S, VC, ST, S, W, G, B, P, B, TV, Deciduous Tree, Coniferous Tree, LS, FH, W, SP, GM, TB-B, TB-C, S, AC, CB, D, CLF, BF, Inv, T/G, U/Eave, T/Fdn, C/L, +65.00, +65.00.

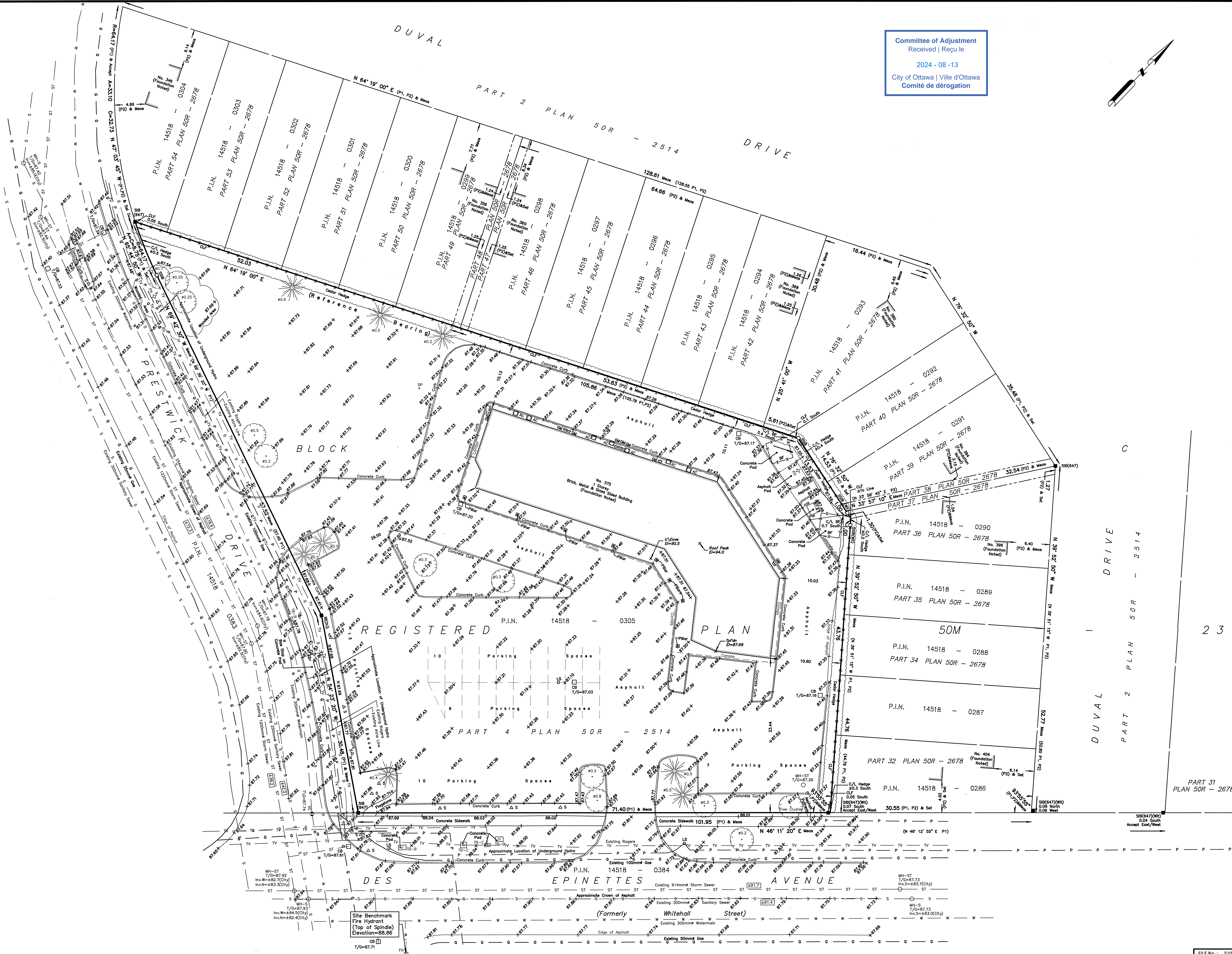
ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM V-18971 THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29 (3).

REVISION NOTE: This plan was revised to show position of additional trees and wooded area in northwest corner. Date: Oct 27/21. Signature: Jamie Leslie, Ontario Land Surveyor.

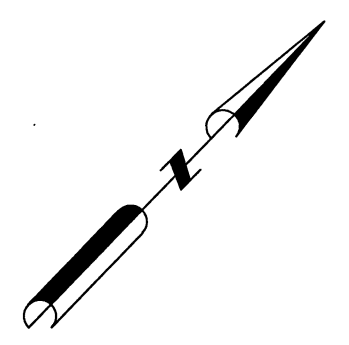
WARNING NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF FARLEY, SMITH & DENIS SURVEYING LTD. © FARLEY, SMITH & DENIS SURVEYING LTD., 2021.

Surveyor's Certificate I certify that: 1. This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the Regulations made under them. 2. The survey was completed on the 21st day of October, 2021. Date: Oct 21/21. Signature: Jamie Leslie, Ontario Land Surveyor.

FARLEY, SMITH & DENIS SURVEYING LTD. ONTARIO LAND SURVEYORS CANADA LAND SURVEYORS 190 COLONNADE ROAD, OTTAWA, ONTARIO K2E 7J5 TEL. (613) 727-8226 FAX. (613) 727-1826



Committee of Adjustment Received | Reçu le 2024-08-13 City of Ottawa | Ville d'Ottawa Comité de dérogation





2024 - 08 -13

Tree Information Report

City of Ottawa | Ville d'Ottawa
Comité de dérogation
to the City of Ottawa

Submitted as part of Committee of Adjustment Application

Date of Report: August 9, 2024
Property Address: 375 Avenue des Epinettes
Prepared for: Zia Zabihi; zzabihi@yahoo.com
Prepared by: Kevin Myers, ISA Certified Arborist®; kevin.myers@dendronforestry.ca
Date of Site Visit: August 8, 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, as per the City of Ottawa's Tree Protection By-law No. 2020-340, in the area to be severed. This report is part of a Committee of Adjustment application to the City of Ottawa for severance only; no development is proposed at this time. The assessment of the suitability of tree retention is based on the information provided at the time of report preparation which includes:

- Survey by Farley, Smith & Denis Surveying Ltd., dated October 21, 2021
- 'Markup' of area to be severed, no author listed, received August 6, 2024

This assessment does not consider additional factors from development that could influence tree retainability, and all trees are considered valid candidates for retention at this time. Further assessment will be required when development is proposed.

Methodology

The following materials were reviewed as part of this report:

- Survey
- Survey markup
- 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 majority of the subject property is currently a parking lot and commercial plaza. The table in Appendix A details only trees in the area to be severed as no change is proposed for the parking lot and trees therein. There are small trees in a cluster around Tree 2 – a serviceberry with several stems ~12cm and a young Manitoba maple ~15cm DBH. The tree marked on the survey beside Tree 3 is gone.

Appendix A is an inventory of all trees that are protected under City of Ottawa Tree Protection (By-law No. 2020-340) in the area to be severed 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

No development has been proposed at this time. All trees are to be retained during the severance and tree protection measures are to be determined when development is proposed.

The undersigned personally inspected the property and issues associated with this report on August 8, 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	Action	Forester recommendation
1	White pine (<i>Pinus strobus</i>)	47	Subject property	Good/Fair: some small broken branches; tridominant leaders @ 7m	Retain	Retain during severance. Determinations on retainability to be made when development is proposed.
2	Russian olive (<i>Eleagnus angustifolia</i>)	47	City	Fair: large broken branch; cavity with decay; moderate lean to the south	Retain	Retain during severance. Determinations on retainability to be made when development is proposed.
3	Russian olive (<i>Eleagnus angustifolia</i>)	31, 28	Subject property	Fair: epicormic shoots throughout; shallow cavity at base with evidence of insect damage; approximately 15% dieback, including two dead branches	Retain	Retain during severance. Determinations on retainability to be made when development is proposed.

¹ Please refer to the attached Tree Information map for tree numbers. Note that this includes a tree layer added to the survey markup (in pdf format) provided by the client. This layer includes only information about the trees and the original 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: Tree 1 - private pine to be retained.



Right: Tree 3 – private Russian olive to be retained.

Below: Tree 2 - City Russian olive to be retained (view from across Prestwick)





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 August 6, 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.

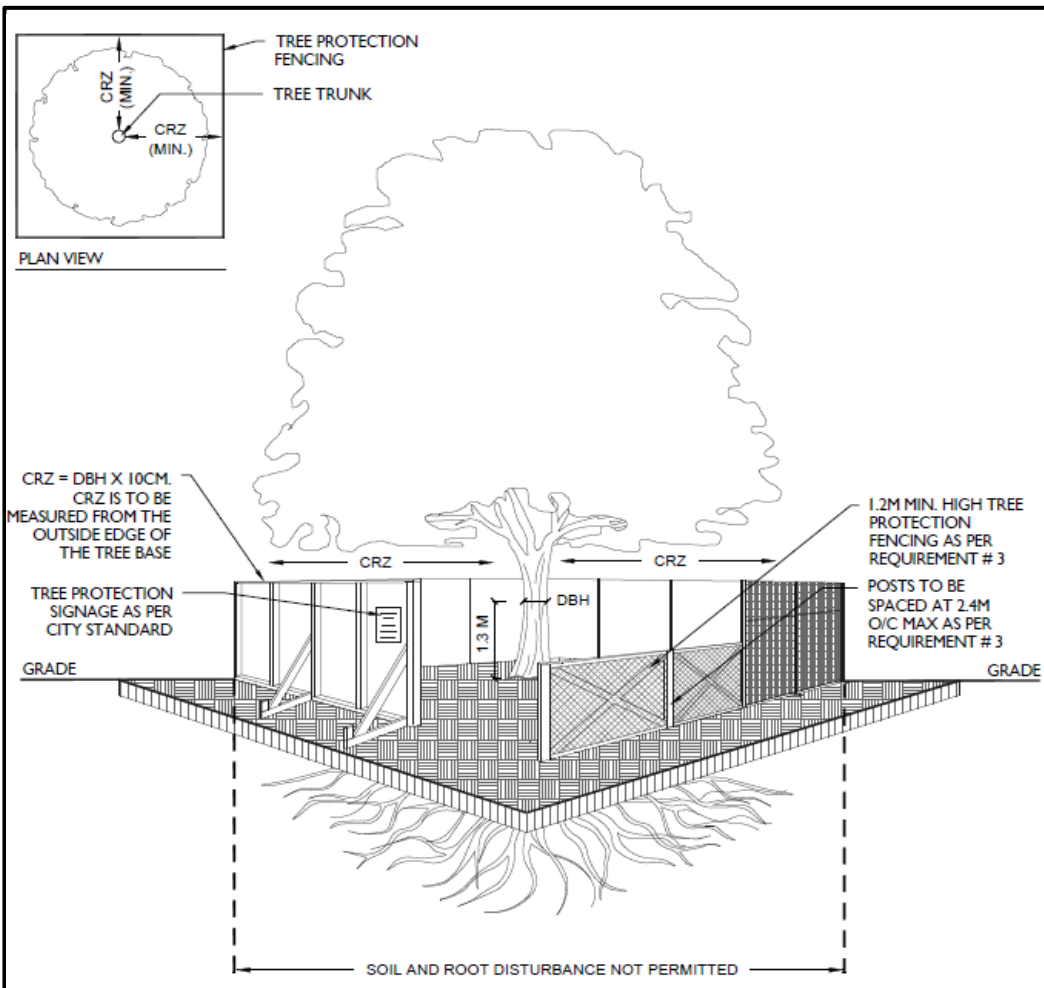
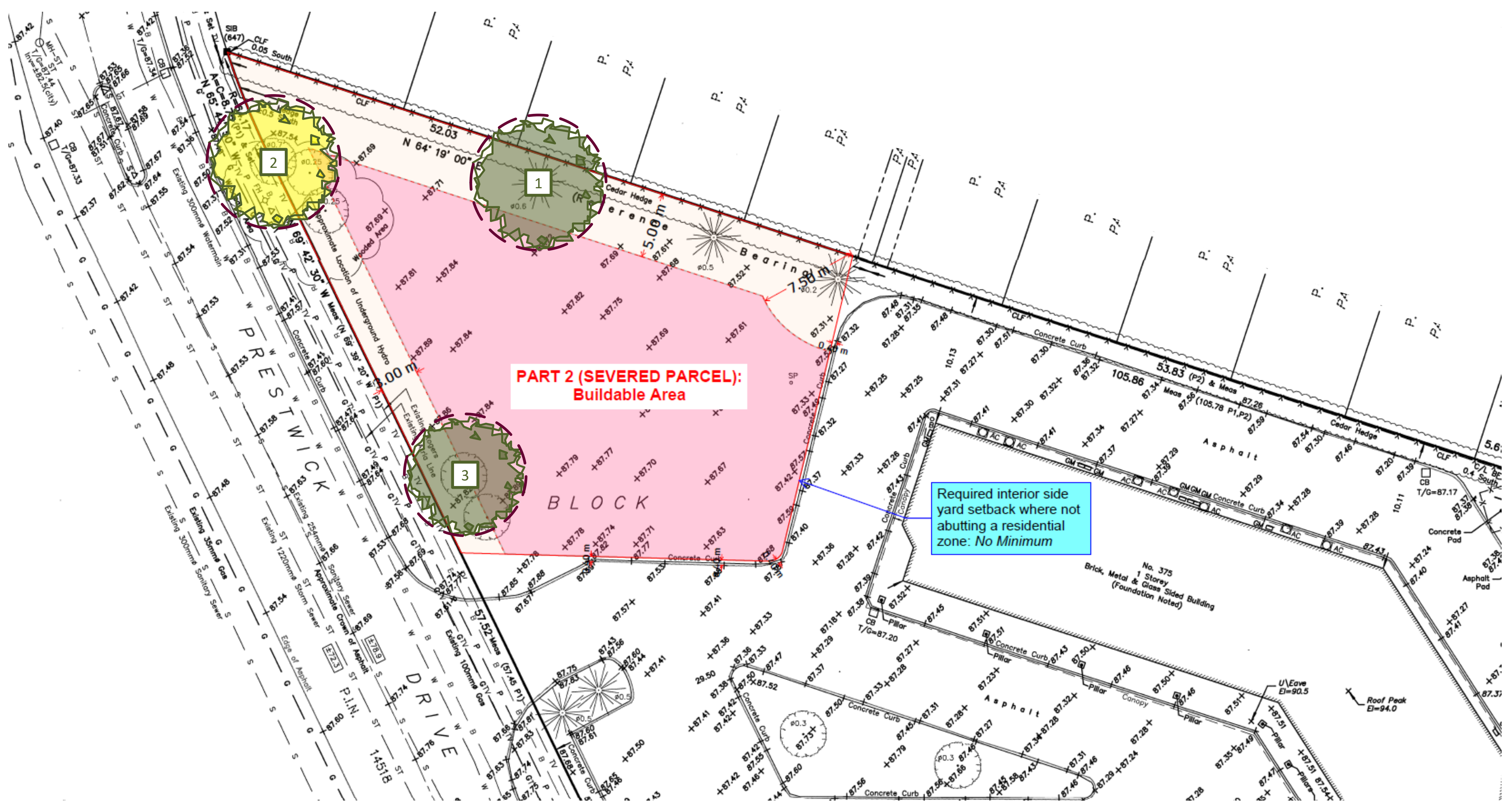
Notwithstanding any of the above, nothing in this Report is taken to absolve the Client of the responsibility of obtaining a new Report in the event that the circumstances of the tree change.

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

Base Layer: Survey markup for severance, no author listed, received August 6, 2024

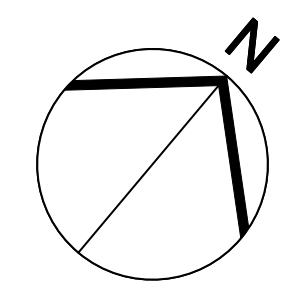
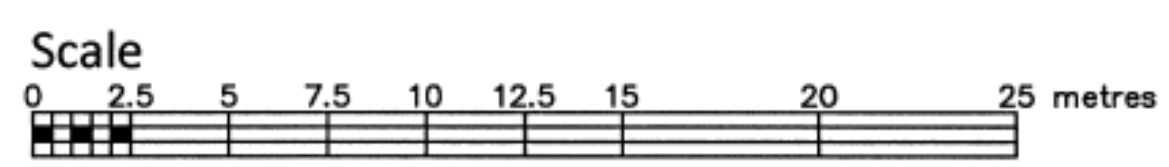
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Date	Version	Prepared By
09/08/2024	1	KM



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

- 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.
 - 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.



Legend

-  Critical Root Zone (as defined in By-Law 2020-340)
-  Private Tree
-  Tree either fully or partly on city property

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Consent Application

Panel 2
Tuesday, October 1, 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.: D08-01-24/B-00071 & D08-02-24/A-00227
Application: Consent under section 53 of the *Planning Act*
Minor Variance under section 45 of the *Planning Act*
Owner/Applicant: Silvia Marcoux
Property Address: 10A Ashburn Drive
Ward: 9 – Knoxdale-Merivale
Legal Description: Part of Lot 224, Registered Plan 289002
Zoning: R2M
Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Owner wants to subdivide their property into two separate parcels of land for the construction of a new detached dwelling. The existing dwelling is to remain.

At its hearing on May 14, 2024, The Committee adjourned the application to allow the applicant time to apply for a minor variance. The applicant is now applying for a minor variance and would like to proceed.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owner requires the Committee's consent to sever the land.

The land to be severed, shown as Part 1 on a Draft 4R-Plan with the application, will have a frontage of 12.50 metres, a depth of 30.48 metres and a lot area of 381 square metres. This parcel is vacant and will be known municipally as 10B Ashburn Drive.

The land to be retained, shown as Part 2 on said plan, will have a frontage of 12.50 metres, a depth of 30.48 metres and a lot area of 381 square metres. This parcel contains the existing dwelling and is known municipally as 10A Ashburn Drive.

Approval of this application will have the effect of creating separate parcels of land, the proposed detached dwelling will not be in conformity with the requirements of the Zoning By-law and therefore, minor variance application (File No. D08-02-24/A-xxx) has been filed and will be heard concurrently with this application.

REQUESTED VARIANCE:

The Applicant require the Committee's authorization for a minor variance from the Zoning By-law:

A-00227 – 10A Ashburn Drive (Part 2 on draft 4R-plan)

- a) To permit an increased driveway width of 5.5 metres, whereas the By-law permits a maximum driveway width of 3 metres.

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: September 13, 2024



Ce document est également offert en français.

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



Comité de dérogation
Ville d'Ottawa
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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 2
Mardi 1^{er} octobre 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-00071 et D08-02-24/A-00227
Demandes : Autorisation en vertu de l'article 53 de la *Loi sur l'aménagement du territoire*
Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*
Requérante : Silvia Marcoux
Adresse municipale : 10A , promenade Ashburn
Quartier : 9 – Knoxdale-Merivale
Description officielle : Partie du lot 224, plan enregistré 289002
Zonage : R2M
Règlement de zonage : n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DES DEMANDES :

La requérante souhaite lotir le bien-fonds en deux parcelles distinctes en vue de la construction d'une nouvelle maison isolée. La maison existante restera au même endroit.

Lors de l'audience du 14 mai 2024, le Comité a ajourné la demande pour permettre à la requérante de présenter une demande de dérogation mineure. La requérante a présenté une demande de dérogation mineure et souhaite maintenant aller de l'avant.

AUTORISATION REQUISE :

La requérante nécessite l'autorisation du Comité pour morceler le bien-fonds.

Le terrain qui sera morcelé est représenté par la partie 1 sur le plan 4R préliminaire qui accompagne la demande. Il aura une façade de 12,50 mètres, une profondeur de 30,48 mètres et une superficie de 381 mètres carrés. Il s'agit d'une parcelle vacante qui sera située au 10B, promenade Ashburn.

Le terrain qui sera conservé est représenté par la partie 2 sur ledit plan. Il aura une façade de 12,50 mètres, une profondeur de 30,48 mètres et une superficie de 381 mètres carrés. Cette parcelle comprend l'habitation existante et est située au 10A, promenade Ashburn.

L'approbation de la demande aura pour effet de créer des parcelles distinctes, et la maison isolée proposée ne sera conforme aux exigences du Règlement de zonage. Par conséquent, une demande de dérogation mineure (D08-02-24/A-00227) a été déposée et sera entendue en même temps que la présente demande.

DÉROGATION DEMANDÉE :

La requérante demande au Comité d'accorder une dérogation mineure au Règlement de zonage :
A-00227 – 10A, promenade Ashburn (partie du plan 4R préliminaire)

- a) Permettre l'augmentation de la largeur de l'entrée de cour à 5,5 mètres, alors que le Règlement permet une largeur maximale de 3 mètres pour une entrée de cour.

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 choisirez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée 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 : 13 septembre 2024



This document is also available in English.

Committee of Adjustment

City of Ottawa

101 Centrepointe Drive

Ottawa ON K2G 5K7

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cofa@ottawa.ca

613-580-2436



Comité de dérogation

Ville d'Ottawa

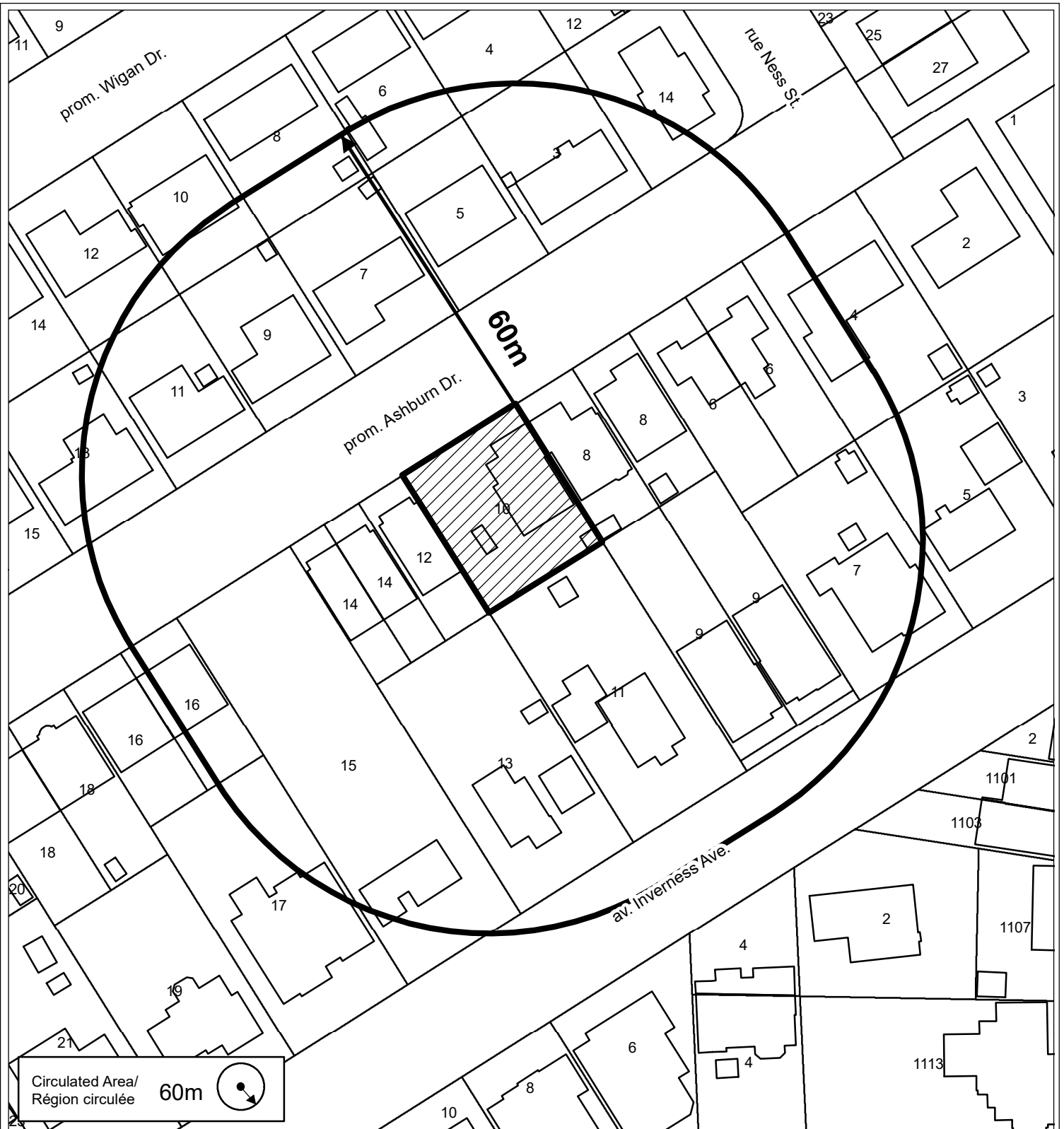
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613-580-2436



**Committee of Adjustment
Comité de dérogation**

**CIRCULATION MAP /
PLAN DE CIRCULATION**

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SUBJECT LAND / TERRAIN EN QUESTION

10 prom. Ashburn Drive



**NOT TO SCALE
NON À L'ÉCHELLE**

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



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

Committee of Adjustment
Received | Reçu le

2024-08-26

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Arcadis Professional Services
(Canada) Inc.
333 Preston Street
Suite 500
Ottawa, Ontario K1S 5N4
Canada
Phone: 613 241 3300
www.arcadis.com

Date: August 22, 2024

Att: Mr. Michel Bellemare

Committee of Adjustment, Secretary-Treasurer

Re: Application for Consent & Minor Variance at 10 Ashburn Drive to sever the lot into two parcels and construct a new single detached dwelling with a double-wide driveway

Arcadis Professional Services (Canada) Inc. has been retained by André Marcoux (the 'Applicant') on behalf of Silva Marcoux (the 'Owner') to support an Application for Minor Variance for the property municipally known as 10 Ashburn Drive (the 'site'). The site is an interior lot with frontage on the south side of Ashburn Drive, and presently contains a two-storey single-detached dwelling with attached garage and double-wide driveway. The proposal is to retain the existing dwelling and sever the property into two parcels, creating one new lot for the development of a new single-detached dwelling.



Figure 1. Proposed front elevation prepared by A. Marcoux

To facilitate the development, authority of the Committee of Adjustment is required for one minor variance to the zoning by-law, as discussed in the Application Summary section below.

APPLICATION SUMMARY

It is understood that the Applicant, André Marcoux, submitted an Application for Consent to the Committee of Adjustment, which was circulated then adjourned on May 14, 2024 as a result of a required variance to permit a double-wide driveway missed on the initial zoning review. The Owner and Applicant agreed to adjourn the application sine die to address the outstanding minor variance and recirculate the application. As a result of the required variance, the Owner has revised the development plans and is now proposing a two-storey single-detached dwelling on the proposed new lot, rather than a bungalow. The proposed lot dimensions and severance application remain unchanged. The following is a resubmission for a Combined Application for Minor Variance and Consent and includes the required minor variance to facilitate an increased driveway width.

The proposed new single-detached dwelling is fully zoning compliant save for a proposed double-wide driveway where the by-law currently restricts a dwelling on a lot width of 12.5 metres to a single-wide driveway. The new dwelling is proposed to be fully accessible, with an interior lift/elevator to the second storey. The required driveway width increase is in response to the need to create a fully accessible home with appropriate wheelchair access. The majority of homes within the neighbourhood, particularly along the south side of Ashburn to the immediate east and west, feature a double-wide driveway and the design is consistent with the existing built context. The site is otherwise zoning compliant, including front yard soft landscaping. The required variance is as follows:

VARIANCE A: To permit a double-wide driveway of 5.5 metres in width whereas the by-law permits a maximum driveway width of 3.0 metres for an individual single driveway on a lot with a width of 8.25 metres to less than 15.0 metres.

COMMENT: The proposed double-wide driveway is required to provide sufficient space for a fully accessible home with an interior lift/elevator which is accessed from the garage. A two-car garage and double-wide driveway are necessary to ensure a wheelchair could enter, exit, or pass by a vehicle parked in the driveway or garage. The Owners are intending to build this home for themselves so they may age in place in their current community. The proposed driveway width is extremely compatible with the surrounding neighbourhood fabric, with at least 14 driveways within the block along the south side of Ashburn Drive having a driveway width of 5.5 metres or greater on a similar width of lot. The driveway width will be offset by providing soft landscaping and a tree in the front yard, as well as interlock paver borders of 0.6 metres along both sides and the top of the driveway.

SITE & SURROUNDING CONTEXT

The site, known municipally as 10 Ashburn Drive, is an interior lot situated on the south side of Ashburn Drive within the block bordered by Inverness Avenue to the south and Ness Street to the east. The site is located in the Carleton Heights neighbourhood in Ward 9 – Knoxdale-Merivale. This neighbourhood

is generally situated east of Merivale Road, south of Baseline Road, and west of Fisher Avenue. The Rideau River is situated to the east, and the Experimental Farm to the north. Merivale Road which travels north-south is situated to the west and features a mix of uses including commercial (retail and restaurants).

Carleton Heights is characterized by a mix of older, low-rise single-detached dwellings interspersed with newer infill developments. The neighbourhood is surrounded by diverse zones: Merivale Road features an Arterial Mainstreet Zone dominated by commercial activities; north of Baseline Road lies the Central Experimental Farm Zone, designated for government agricultural lands; and toward Fischer Avenue, the area consists mainly of low-rise residential uses.

The immediate site context along Ashburn Drive is generally comprised of a mix of one- to two-storey single-detached and semi-detached residential dwellings in a variety of ages, sizes and styles. Most of the dwellings feature moderate to deep front yard setbacks with either single- or double-wide driveways, leading to one or two car front facing attached garages.

There are a variety of nearby public parks and open space including Steve MacLean Park and the Central Experimental Farm fields to the north, Inverness Park to the west, and the Recreational Trails along the Rideau River to the east. The site is walkable to the Carleton Heights Community Centre. Schools nearby include St. Rita School and Carleton Heights Public Elementary School to the east, St. Pius X Catholic High School, Ottawa Islamic School, and St. Augustine School to the north, St. Winston Churchill Public School to the west, Frank Ryan Catholic Intermediate School to the southwest, and Omer Deslauriers Public Highschool and Laurier-Carriere Catholic Elementary School to the south. The site is well situated in terms of vehicular access and is just south of east-west Meadowlands Drive, and west of north-south Fisher Avenue. The is within walking distance of an extensive network of multi-use pathways along the Ottawa River.

The following building types and land uses about the site, with the property parcels and configurations shown in Figure 2 below.

- **North (front yard)** One-storey single-detached dwellings with single and double-wide driveways
- **East (side yard)** Two single-detached dwellings with double-wide driveways
- **South (rear yard)** One-and-a-half- storey single-detached dwelling with double-wide driveway and rear yard detached garage
- **West (side yard)** Two-storey single-detached dwelling with single-wide driveway

The site is a rectangular-shaped interior lot comprised of the following specifications and legal description:

Area	381.0 m ²	PIN	0409 – 0202
Frontage	12.50 m on Ashburn Drive	Legal	Part of Lot 224, Registered Plan
Depth	30.48 m	Description	289002, City of Ottawa



Figure 2. GeoOttawa property parcel boundaries showing subject site and abutting lots (2022)

The images below shows the existing site conditions facing south and southeast from Ashburn Drive. Additional images are included in **Appendix 1** of this report which show the site and immediately surrounding context.



Figure 3. View of existing single-detached dwelling to be retained looking south from Ashburn Drive (Google Streetview)



Figure 4. Proposed vacant parcel to be severed, looking southeast from Ashburn Drive (Google Streetview)

PROPOSED DEVELOPMENT

The proposal is to sever the existing oversized lot into two parcels of land. The existing single-detached dwelling (10A Ashburn Drive) will be retained on the west parcel (Part 2) and a new single-detached dwelling is proposed for the newly created east parcel (Part 1). The new dwelling is proposed to be two storeys with an attached front facing garage, which is permitted under the zoning by-law. The dwelling is intended to be universally accessible with the intention of providing a home where the Owners can retire and age in place, allowing them to remain in their community. To allow full wheelchair accessibility for the second storey, there is a proposed elevator at ground level accessed from the interior of the two-car garage. A two-car garage and double-wide driveway is required to ensure that there is sufficient space for a wheelchair to access a vehicle and for movement around the car and into the dwelling. The new dwelling is fully zoning compliant save for one proposed minor variance to permit an increased driveway width. The increased driveway width is required to facilitate sufficient space for wheelchair access to and from the dwelling, to access the interior lift and elevator from inside the garage. The proposed new single-detached dwelling is consistent with and appropriate for the surrounding neighbourhood context and character. Severance of the proposed lot for a new build allows for modest and gentle infill intensification that is sensitive to the neighbourhood character yet allows the Owner to build a fully accessible home so they may live and stay within their current community. The development details are presented in Table 1.

Table 1. Development details

Proposed Site Condition	
Lot Width	12.5 m
Lot Area	381.0 m ²
Rear Yard Setback	9.30 m
Rear Yard Area	114.50 m ²
Front Yard Setback	5.16 m
Front Yard Landscaping	50% of front yard area, shrubs & grass
Building Height	7.94 m (pitched roof)
Interior Side Yard Setback	1.22 / 1.22

ASHBURN DR.

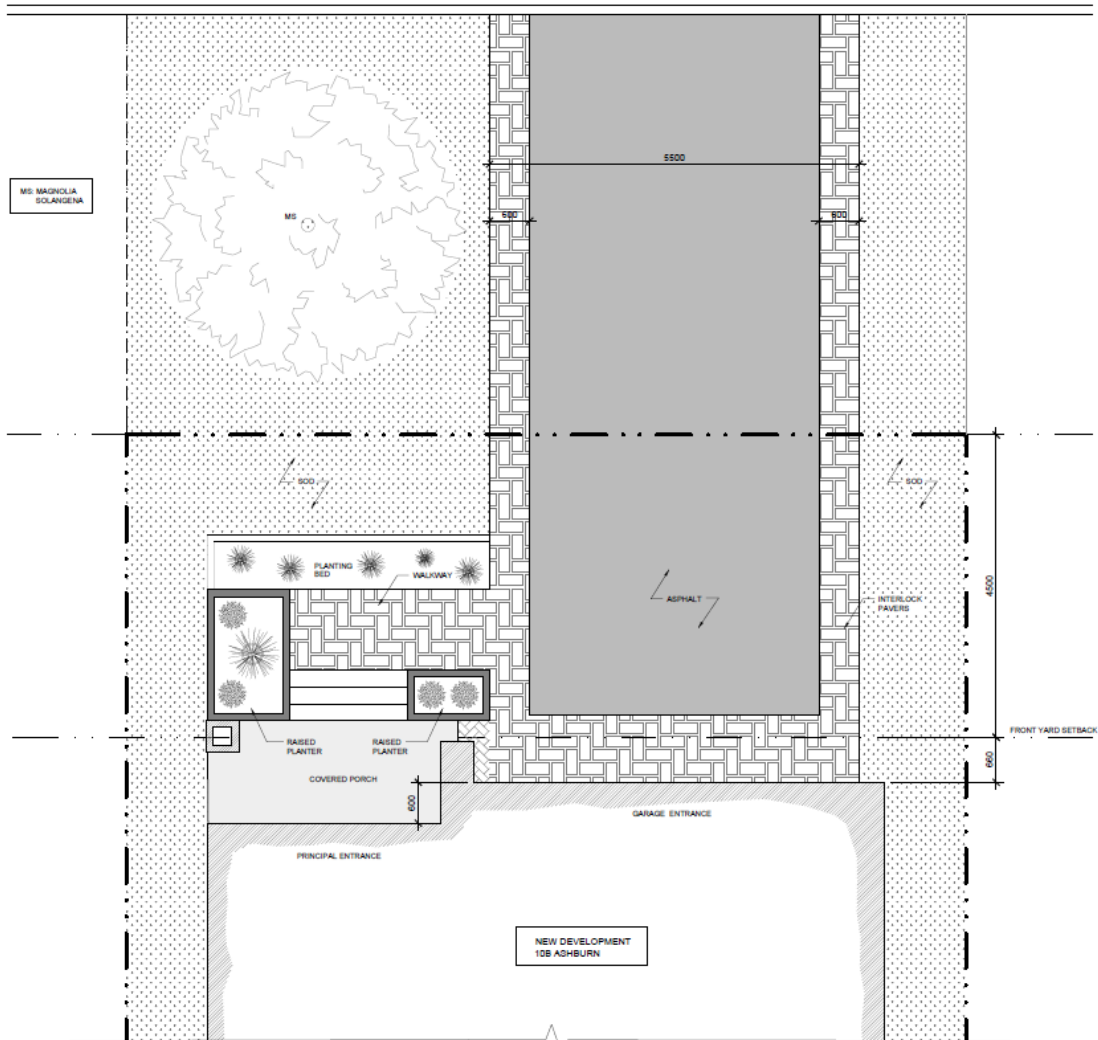


Figure 5. Proposed front yard landscape plan prepared by A. Marcoux

PROPOSED SEVERANCES

As previously noted, the application for consent was previously circulated and adjourned sine die to address a required minor variance. The application materials for the consent were previously completed and submitted by the Agent/Applicant, however the proposal details and rationale for consents have been included in this letter for added clarity and consistency.

The proposal is to sever the lot in half, creating two equally sized parcels both fronting onto Ashburn Drive. Parcel A (east / Part 2) will retain the existing single-detached dwelling with attached front-facing garage and double-wide driveway. Parcel B (west / Part 1) is proposed for the new two-storey single-detached dwelling which will also feature an attached garage and double-wide driveway. The proposed lot width and area are fully zoning compliant for each lot, and consistent with the conditions within the surrounding community. Note that this is a double-wide lot which was formerly intended as two lots within the original subdivision. The proposed lot fabric details are presented in Table 2 below, and the proposed Draft Reference Plan with the proposed Parts is presented in Figure 6.

Table 2. Proposed lot fabric for severed lots

	PROPOSED PARCEL B WEST (10B Ashburn)	PROPOSED PARCEL A EAST (10A Ashburn)
Parts	1	2
Description	Part of Lot 224, Registered Plan 289002, City of Ottawa	
PIN	All of 04049 – 0202	
Lot Area (m²)	381.0 m ²	381.0 m ²
Lot Frontage (m)	12.5 m	12.5 m
Lot Depth (m)	30.48 m	30.48 m
Lot Width (m)	12.5 m	12.5 m

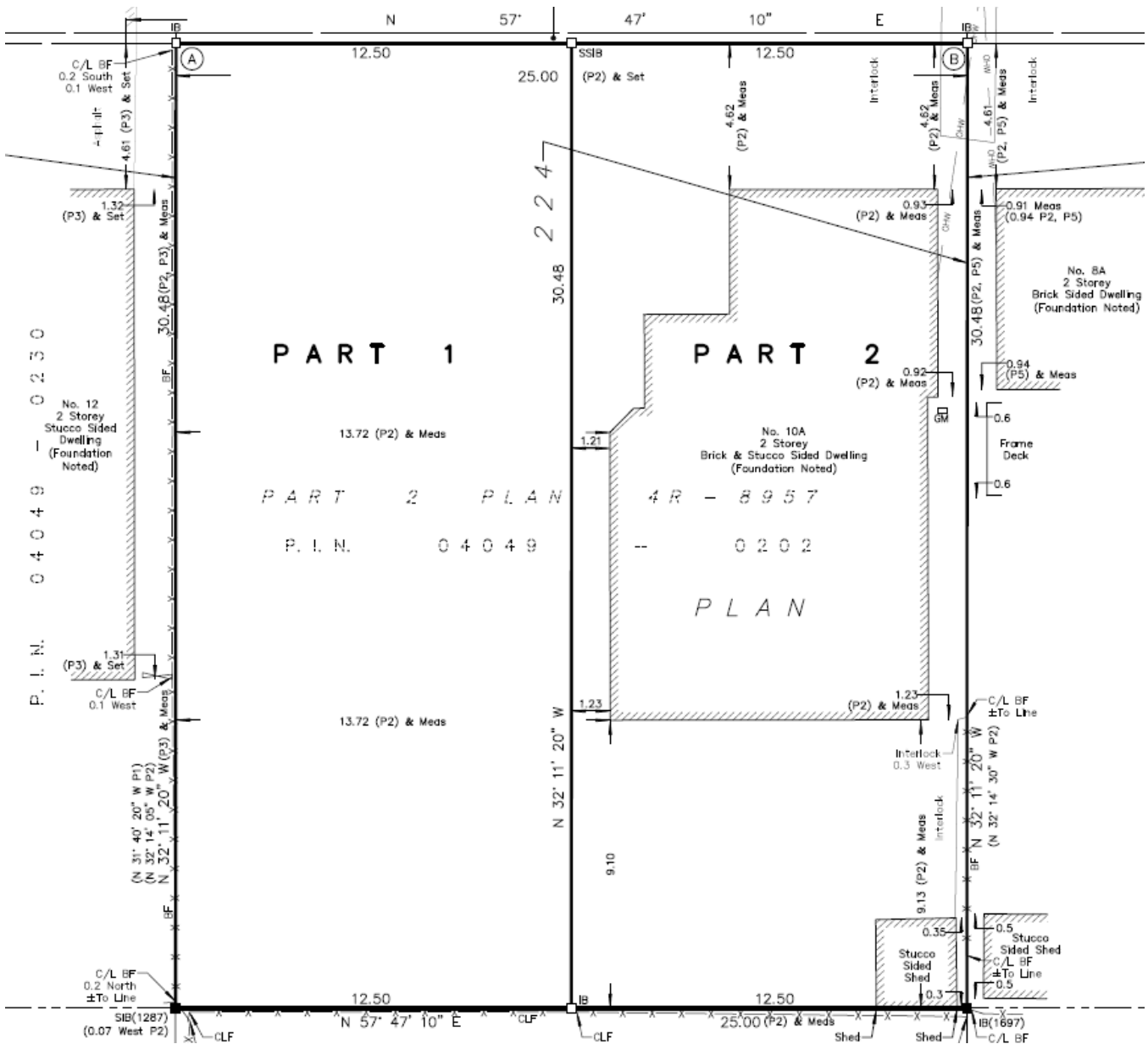


Figure 6. Proposed draft reference plan prepared by Farley, Smith & Denis Surveying Ltd.

PROVINCIAL POLICY STATEMENT 2020

The Provincial Policy Statement 2020 (PPS) provides policy direction on planning matters for the Province of Ontario, and decisions affecting all planning matters shall be consistent with the PPS policies. The proposed development is consistent with the applicable policies of the PPS, as demonstrated below.

Section 1.1.1 of the PPS states that healthy, livable, 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) [...] to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- 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;”...

→ The proposed development demonstrates adherence to the Provincial Policy Statement by embodying principles of sustainable urban development. By subdividing a lot to accommodate an additional single detached dwelling, the project contributes to efficient land use within an urban context, supporting long-term financial sustainability for both the Province and local municipalities. Furthermore, the inclusion of amenities such as a wider driveway for universal accessibility and an elevator allows for a barrier-free development that promotes inclusivity for persons with disabilities and older adults. These measures not only meet current housing demands but also align with the broader objective of promoting responsible growth.

Section 1.4.1 of the PPS states that “to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans”.

→ The proposed development will introduce a new ground-oriented family-sized dwelling unit while maintaining the neighbourhood lot fabric and built form, which is predominantly characterized by similar one- and two-storey dwelling single family or semi-detached homes on similarly sized lots. This approach allows for modest and gentle infill intensification that is consistent with the

established built form and lot patterns. The proposed single detached dwelling is an appropriate size, massing, and scale for the context, and is highly compatible with the surrounding community.

- The use of existing municipal roads and water, sewer and storm services is an appropriate and efficient use of resources. The proposed new lot already features City-installed water and sewer connection from the street. The development fits and functions well within the City’s Urban Area.

OFFICIAL PLAN

The subject site is designated as Neighbourhood within the Outer Urban Transect Policy Area as outlined in the City of Ottawa’s Official Plan (OP), depicted in Figure 7 below. The site is situated south of Meadowlands Drive which is designated Minor Corridor, while Merivale Road to the west is designated as Mainstreet Corridor.

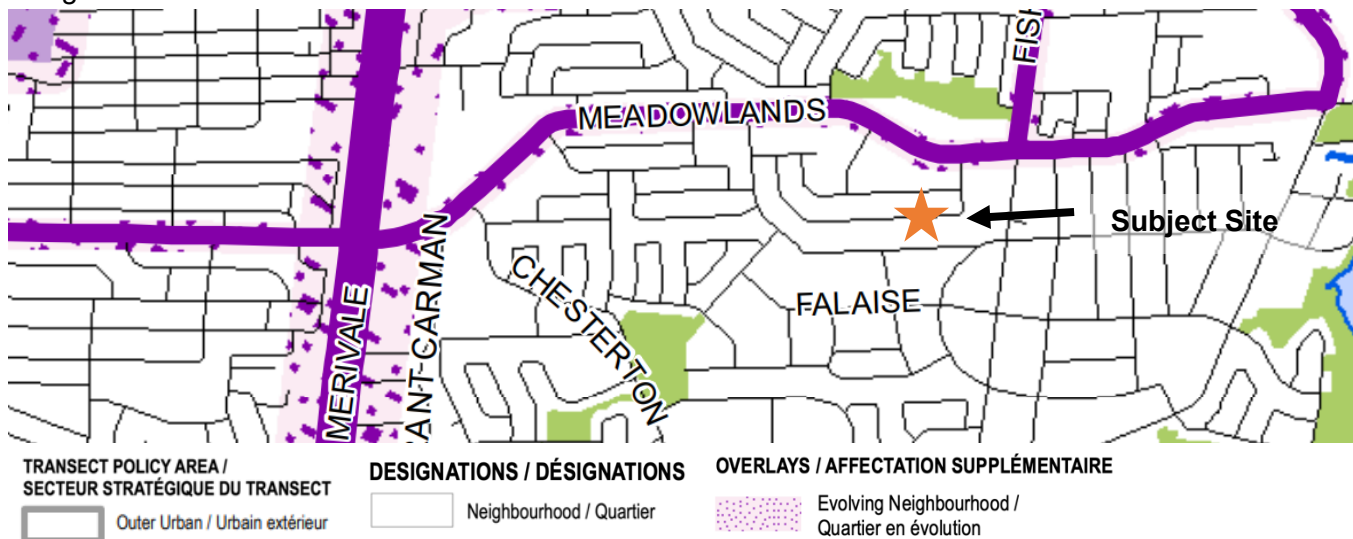


Figure 7. Extract of the City of Ottawa Official Plan Schedule B2 - Outer Urban Transect Policy Area

Section 2.2.1 Intensification and Diversifying Housing Options sets out policy intent for directing residential growth within the urban area. Subsection i) states that “[t]his Plan envisions directing residential intensification towards Hubs, Corridor and surrounding Neighbourhoods where daily and weekly needs can be accessed within a short walk. Subsection ii) states that “[m]uch of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed”.

- The proposed single detached dwelling introduces an additional primary dwelling unit on the current lot, which will be subdivided into two lots. This form of ground-oriented gentle intensification is suitable for the urban area, particularly given its proximity to two Minor Corridors (Meadowlands Drive and Fischer Avenue). The addition of new housing stock in this neighbourhood aligns with the intensification policies outlined in the Official Plan.

Section 2.2.4 Healthy and Inclusive Communities states that “[t]he City’s physical layout and design play an important role in shaping health and well-being by enabling Ottawa’s diverse population to thrive and live their lives to the fullest.” The policy intent to achieve healthy and inclusive communities is to:

- 1) “Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities ... this includes a range of housing types and

affordability, shops, services, access to food, schools and local childcare, employment, greenspaces, parks and pathways. They are complete communities that support active transportation and transit, reduce car dependency and enable people to live car-light or car-free.”

- The proposed development of a new single detached dwelling aligns with this policy framework by contributing to the creation of such 15-minute neighbourhoods. By situating the development close to parks, transit, schools, and amenities along Minor Corridors, it enhances accessibility and convenience for residents. This approach expands housing options while promoting community vitality and sustainability. It fosters a more compact urban form that reduces urban sprawl, preserves green spaces, and supports a healthier, more interconnected urban environment where residents can easily access daily needs and activities within a short distance from their homes.

Section 3: Growth Management Framework sets out the following policy intent for the urban area:

- To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;
- To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt”.

Section 3.2: Support Intensification sets out policies for intensification throughout the urban area, as follows:

2) Intensification may occur in a variety of built forms and height categories, from Low-rise to Highrise 41+ buildings, provided density requirements are met.

4) “Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable.

- The proposed development aligns with the OP’s intensification policies by integrating a low-rise residential unit into a developed area, which is also serviced by municipal water and sewer.

Section 4.2 Housing encourages the provision of greater flexibility and supply of housing options across the city and emphasizes that “[h]ousing that meets needs across ages, incomes and backgrounds and supports accessibility needs is a key requirement for health and well-being...”. Section 4.6.5 subsection 4 encourages universal accessibility in design which “ensures that the built environment addresses the needs of diverse users and provides a healthy equitable and inclusive environment”.

- The housing policies of the OP encourage a diversity of housing typology that meets the needs of various sectors of the population which includes age and accessibility. A marker of a healthy community is whether its residents can successfully age in place with their needs met in the immediate community. By providing a fully accessible home, the future owners have opportunity to live and age in place. The proposed driveway width increase allows for an accessible entrance to the home while still providing adequate front yard soft landscaping, plantings, and street trees. The development supports the city’s housing, accessibility, and healthy communities policies.

Section 5.2 Outer Urban Transect sets out policies for establishing an urban pattern of built form and site design. The proposed development complies with the policies for the Inner Urban Area in the following ways:

→ The Outer Urban Transect’s established pattern of built form and site design is suburban, and is predominantly reflective of the classic suburban model of development. Over the medium- to long-term, this area will gradually evolve toward an urban (15-minute) model as outlined in Official Plan. The Outer Urban Transect is generally characterized by low- to mid-density development, with the proposed development contributing positively to the available housing supply; in particular, ground-oriented family-sized housing that is fully accessible. Overall, the proposed development is supported by the policies of the Official Plan.

ZONING BY-LAW 2008-250

The site is zoned Residential Second Density, Subzone M, in the City of Ottawa Zoning By-law 2008-250. The Residential Second Density Zone with this subzone allows for low-rise residential development, including detached, linked-detached, semi-detached, and long-semi formats. The R2M Subzone specifically prohibits duplex dwellings. The proposed zoning details are presented in Table 2 below with the requested variances highlighted in red.

Table 3. Zoning provisions

R2M Zoning Provisions				
Provisions Single-Detached Dwelling	Permitted / Required		Provided	
Minimum lot width (m) *s.158A	9.5		12.5	
Minimum lot area (m ²) *s.158A	285.0		381.0	
Maximum building height (m) *s.158A	8.5		7.94 m (pitched roof)	
Minimum front yard setback (m) *s.144(1)(a) (must align with average of abutting lots' corresponding setback but need not exceed 4.5 m)	4.5		5.16	
Minimum rear yard setback (m) Table 144A(iii)	30% lot depth	9.14	30%	9.30
Minimum rear yard area (m ²) s.144(3)(a)(i)	25% lot area	95.25 m ²	30%%	114.50
Minimum interior side yard setback (m) *s.158A	0.9		1.22 / 1.22	
Minimum front yard soft landscape area, at grade, aggregated (%) *Table 139(1)	40%		50%	
Minimum width of landscape strip between driveway and side lot line (m) *s.139(2)(c)	0.15		1.3	
Maximum driveway width on a lot 8.25 m to less than 15.0 m wide(m)	Single wide: 3.0 m		Double wide driveway 5.5 m	
	Double wide (5.5 m) not permitted			
Minimum garage setback from principal entrance or portion of a projecting landing or porch that does not fall within a required yard (m) *s.139(3)(a)(i)&(ii) & *s.139(3)(b)	0.6 and no closer than 0.6 m to the front lot line than the principal entrance		0.66	
Maximum walkway width (m) *s.139(4)(c)(ii) (may be included in soft landscaping calculations *s.139(4)(d))	1.2		1.2	
Maximum driveway area (m) *Section 107(3)(b)(ii)	Greater of 50% of the front yard or 2.6 m x the front yard depth	32.25 m ²	44%	28.4 m ²

RATIONALE FOR CONSENT

In Section 51(24) of the Planning Act, 1990, a series of criteria are presented that state in the case of any subdivision of land, regard shall be had to:

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

The consent supports the following matters of provincial interest: “the orderly development of safe and healthy communities, the adequate provision of a full range of housing, the appropriate location of growth and development”. The proposed consent and variances allow for the creation of two new lots for the purpose of constructing one new single-detached dwelling on the newly created vacant parcel which is a permitted use in the zoning by-law and encouraged by the Official Plan policies.

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

The proposed consent is in the public interest as it supports the City’s policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the site zoning and Official Plan designations permit new infill development in the form of ground-oriented larger family dwellings and the severance of those lands. The proposed new lot is also consistent with the original plan of subdivision, as this lot was intended as two lots which were developed as one. The division of the land reflects the intent of the original subdivision. The development is in the public interest as it supports the introduction of new infill development and housing choice in the urban serviced area.

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

The proposed severances to permit single-detached residential development conform to the applicable City of Ottawa Official Plan policies for development, intensification, and compatibility as discussed through the Official Plan section of this report. The Official Plan supports intensification in the urban area, well as the introduction of family-sized units with three or more bedrooms. The proposed development also complies with the healthy communities and housing policies of the OP by providing an accessible home which meets the needs of the future residents and allows for aging in place for those with mobility challenges.

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

The land is suitable for the proposal with surroundings that consist of single-detached and semi-detached dwellings on a range of similar lot sizes. The proposed severance to sever a new lot from the existing double-wide parcel is also consistent with the lot fabrics of the original plan of subdivision and intended fabric of the community when first developed. The proposed lot sizes can appropriately accommodate the proposed built form which is fully zoning compliant. The variance is strictly in response to the need to accommodate sufficient access from the driveway and garage for wheelchair access. Given the proximity to parks, schools, greenspace and urban amenities, the site is well-suited for modest infill intensification in this format.

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

N/A

- (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;

No new roadways are proposed as part of the consents. The proposed development and severances will have adequate frontage to an open public municipal roadway (Ashburn Drive). The newly created lot also features an existing private approach curb cut that was constructed by the City of Ottawa, which will be maintained and used for the proposed new driveway. The site is just south of east-west Meadowlands Drive, and just west of north-south Fisher Avenue.

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

The dimensions and rectangular shape of the proposed lots are functional and appropriate to allow for zoning compliant side yard setbacks for the existing dwelling, and an appropriate building footprint for the new dwelling. Each lot provides appropriate building separation, soft landscaping, yard setbacks, and amenity space. The lots are similar in size and shape to many others within the immediate block pattern and are in keeping with the neighbourhood character, given they are consistent with the original plan of subdivision.

- (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 known existing restrictions on the land and no new restrictions proposed.

- (h) conservation of natural resources and flood control;

The proposed soft landscaping in the front yard exceeds the requirements under the zoning by-law. The respective side and rear yard are softly landscaped, and a new tree is proposed to be planted in the front yard of the new lot/dwelling to contribute to the urban tree canopy. Despite the proposed increased driveway width for the new dwelling, the soft landscaping provided on site is compliant otherwise and provides interlock pavers for additional permeability, as well as to soften the look of the driveway from the street. There are no distinctive trees on site and no impacts to nearby tree canopy.

- (i) the adequacy of utilities and municipal services;

Municipal water, sewer and storm services are available and will be independently provided for both lots. The new lot features City-installed water and sewer connections from the street to the lot line.

- (j) the adequacy of school sites;

There are several schools within proximity of the site including St. Pius X Catholic High School, St. Augustine Catholic Elementary School, and Carleton Heights Public Elementary School.

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

N/A

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

The proposal introduces compatible low-rise, gentle intensification within the urban area that provides a new family-sized, ground-oriented dwelling unit that is fully accessible. The proposed severance contributes to the available housing supply in the urban area and optimizes the use of this residentially zoned land. This is an appropriate and encouraged form of density increase and will make use of existing available municipal water, sewer, and storm services.

- (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.9(2).

The proposal for development of a new single-detached dwelling is not subject to the Site Plan Control By-law and therefore an application for Site Plan Control is not required. Overall, the proposed severance applications demonstrate regard for the criteria of Section 51(24) of the Planning Act.

RATIONALE FOR MINOR VARIANCES

To facilitate the development, one minor variance to the Zoning By-law is required. The following section reviews each variance against the four tests as presented in Section 45(1) of the Planning Act.

IS THE VARIANCE MINOR?

The proposed increased driveway width to permit a double-wide driveway of 5.5 metres whereas the by-law restricts a lot 12.5 metres wide to a single-wide driveway of 3.0 metres is minor in this case. The proposed double-wide driveway leads to a two-car garage which is permitted as-of right in the zoning and is typical for the surrounding neighbourhood. The intent of the new dwelling is to construct a home that is fully accessible with a lift/elevator accessed from the interior of the garage. A two-car garage is necessary in order to accommodate sufficient space for access around a vehicle to the lift. The double-wide driveway is also required to ensure there is sufficient space around both sides of a vehicle for wheelchair access. The Owners are intending to occupy this home for retirement, and creating a fully accessible dwelling allows them to age in place in their current community. The proposed increase in driveway width is minor in this situation considering the zoning requirements for driveway area and soft landscaping are met. There is also a proposed tree in the front yard which contributes to the urban forest canopy, and other plantings to offset the wider driveway. Of the 5.5 metre width, 1.2 metres of the total driveway width will consist of permeable interlock pavers to both offset the visual impact of the driveway width as well as contribute some additional permeable surfaces on the site. With the generous lot depth, there is also a large rear yard setback that allows for significant soft landscaping and open space on the site. The proposed driveway width is in keeping with the existing conditions of the surrounding context. Along the south side of Ashburn Drive within the immediate block alone, there are at least 14 properties with a lot width of 12.5 metres that presently have driveways at least 5.5 metres in width or greater. Of the 21 properties surveyed by the Owner/Applicant with a 12.5 metre lot width, the average driveway width is 5.88 metres. A map of the surveyed driveways is presented in **Appendix 1**, and additional photographs of the streetscape condition are presented in **Appendix 2**. Though these examples likely pre-date the current zoning by-law, the proposal is in keeping with the existing context and fits and works well in the area. As such, the proposed request is minor.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE OFFICIAL PLAN?

The intent and purpose of the Official Plan is to encourage infill intensification in a variety of built forms, with a focus on ground-oriented dwellings. The intent and purpose of the OP is to accommodate residential growth to meeting housing and density targets, and direct housing to the urban area. The Official Plan also supports universally accessible design, as well as introducing a wide form of housing that fulfills the needs of many ages and demographics. The OP supports the creation of accessible spaces and healthy communities. The OP also places emphasis on the need for urban tree canopy and soft landscaping. The OP sets out the need for ground-oriented, infill development in the urban area, and emphasizes the importance of building livable, 15-minute, and healthy communities for all demographics, which this application directly supports. The proposed single-detached dwelling is fully zoning compliant save for the request to permit a double-wide driveway on the newly created lot, which allows the home to be fully accessible for the Owners and contemplates all mobility options. The proposed dwelling contributes to the housing targets of the Official Plan, and is situated on a lot that can adequately support this form of modest infill intensification. Further, intensive soft landscaping is proposed in addition to a new street tree where none presently exists on site, contributing to the urban tree canopy. The proposed minor variances for increased driveway width to facilitate the development of this fully accessible dwelling meets the intent and purpose of the Official Plan.

DOES THE VARIANCE MEET THE INTENT AND PURPOSE OF THE ZONING BY-LAW?

The intent and purpose of the driveway width permission is to ensure that driveways do not occupy the majority of a lot width or front yard and to ensure parking is secondary to the other front yard conditions. The intent is also to ensure there is adequate provision of soft landscaping in the front yard. Lots ranging from 8.25 metres to 15.0 metres are restricted to a single-wide driveway of 3.0 metres to ensure the driveway does not overwhelm the front yard. However, there are no provisions in the zoning by-law that prohibit a two-car garage. The proposed lot is significantly wider than the most restrictive lot width prohibiting a double-wide driveway and still provides ample soft landscaping in the front yard, with over 56% of the lot frontage remaining soft landscaping. The provided soft landscaping also exceeds the zoning requirement of 40%, with 50% of the front yard area proposed to be a mix of grass and plantings. The front yard also includes the provision of a new tree which contributes to the urban tree canopy. Further, to lessen the extent and visual impact of the driveway, a 0.6 metre strip along either side of the driveway will be interlock pavers rather than asphalt, serving to break up the visual width of the driveway and appear more like a single wide driveway. The garage is also setback from the front landing of the porch to place visual primacy on the front porch and entrance rather than garage and driveway. The requested variance therefore meets the intent and purpose of the zoning by-law.

IS THE VARIANCE DESIRABLE FOR THE APPROPRIATE DEVELOPMENT AND USE OF THE LAND?

The proposed variance to permit an increased driveway width is desirable for the appropriate development and use of the land. The intent of the increased driveway width is to provide adequate space for the Owners to live and age in place within their current community and is required to facilitate a fully wheelchair accessible building design. A two-car garage allows sufficient space for a wheelchair to move around a vehicle and access the interior lift from the garage. A corresponding double-wide driveway is required to allow sufficient space to enter and exit a vehicle. The intent of the double-wide driveway is therefore not to part two vehicles side-by-side; rather, to facilitate accessibility and ease of

mobility for the Owners when a single car is parked in the driveway. The proposed driveway width increase is mitigated by the provision of a strip of interlock pavers on either side to lessen the extent of asphalt, as well as a front yard that is fully softly landscaped including plantings, grass and a new tree. The proposed front yard landscape and driveway conditions otherwise fully comply with zoning. The driveway width is also consistent with the community, with the majority of dwellings on similarly sized lots featuring double-wide driveways within this block along the south side of Ashburn, and an average driveway width of 5.88 metres for all properties surveyed by the Owner/Applicant. Finally, the Applicant has obtained letters of support for the proposed minor variance to permit a double-wide driveway from all immediately surrounding property owners including opposite the site and to the east and west. Overall, this is a presently underutilized double-wide lot with available municipal services that can support this form of gentle infill intensification in the form of a new single-detached dwelling. The provision of family-sized and accessible housing stock in the urban serviced area is highly supported by the Official Plan and Provincial policy direction. Given the context and development circumstance, the proposed variance to facilitate a wider driveway to ensure the new dwelling is fully accessible is appropriate for the desirable development and use of the land.

CONCLUSION

The subject site is an urban lot fronting onto Ashburn Drive in Carleton Heights – Nepean neighbourhood, and presently contains a two-storey single detached dwelling. The Owner is proposing to sever the lot into two parcels, retaining the existing single-detached dwelling as-is, and developing a new single-detached dwelling on the severed lot. The lot and dwelling are fully zoning compliant save for one requested variance to permit a double-wide driveway. The variance is required to facilitate a fully accessible dwelling which has wheelchair access proposed from the interior of the two-car garage and provides sufficient space for mobility entering and exiting a vehicle. This proposed building and driveway design allows the Owners to live and age in place in their community, without concern regarding mobility needs. The proposed development is otherwise fully zoning compliant and retains existing good housing stock on the east proposed lot, while supporting new gentle intensification on a newly created parcel. The property is a double-wide lot, and post-severance will be in line with the development pattern and lot shapes and sizes that presently existing along the south side of Ashburn Drive. The proposed driveway width is also highly compatible with the community and will not alter or impact the character of the community. The proposed minor variances are consistent with the Provincial Policy Statement, 2020 conform to the policies of the City of Ottawa Official Plan and comply with the City of Ottawa’s Zoning By-law 2008-250 save and the requested minor variance, which meet the four tests under Section 45(1) of the Planning Act. The proposed development represents good land use planning and is recommended for approval.

Respectfully submitted,



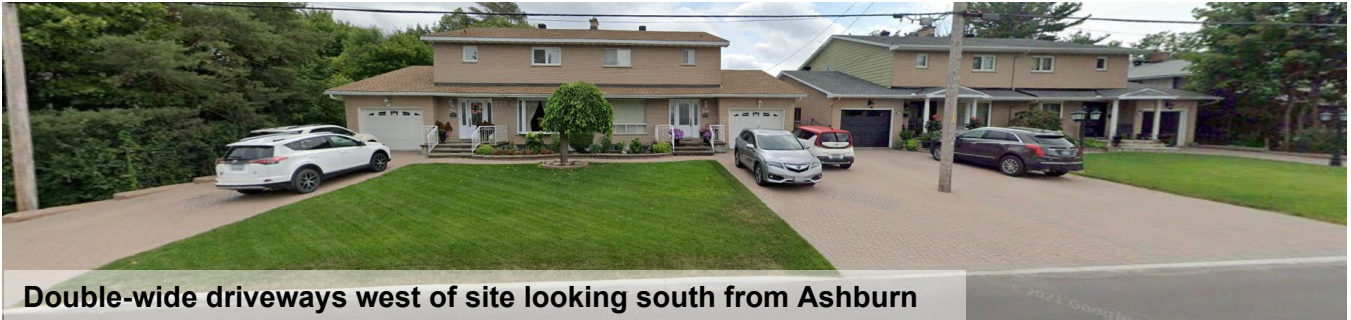
Jessica D’Aoust, MCIP RPP M.PI
Associate – Sr. Project Manager
Arcadis Professional Services (Canada) Inc.



APPENDIX 1 – NEARBY DRIVEWAY WIDTHS



APPENDIX 2 – SURROUNDING CONTEXT & DRIVEWAY CONDITIONS

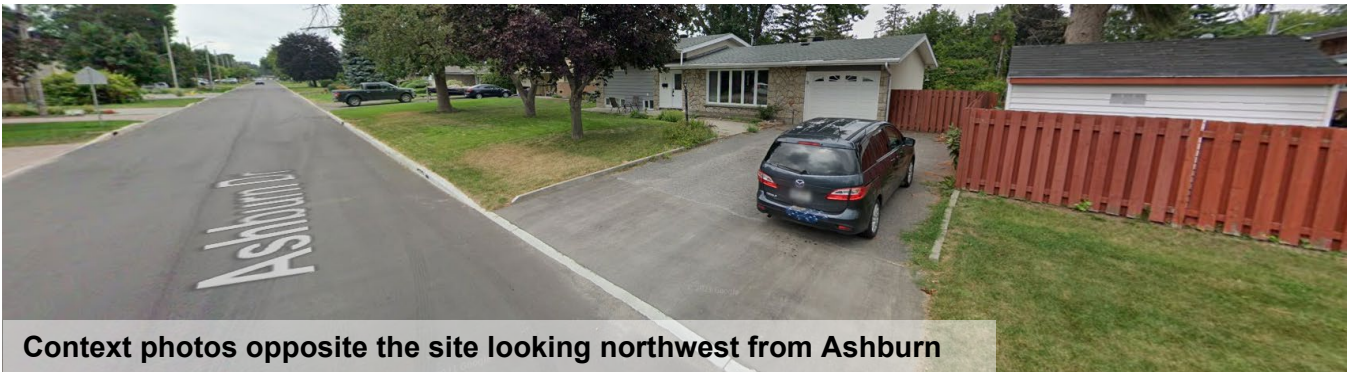




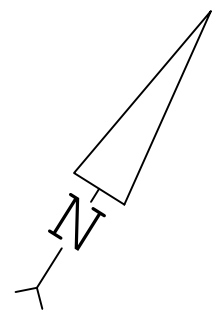
Double-wide driveways east of site looking south from Ashburn



Context photos opposite the site looking north from Ashburn



Context photos opposite the site looking northwest from Ashburn



ASHBURN

DRIVE

(REGISTERED PLAN 412297)

P. I. N. 04049 -- 0197

Committee of Adjustment
Received | Reçu le
2024-08-26
City of Ottawa | Ville d'Ottawa
Comité de dérogation

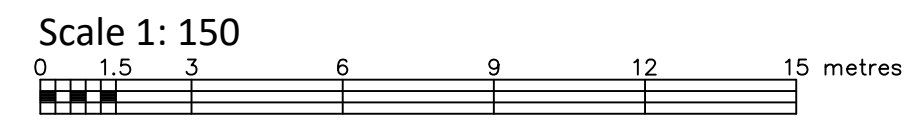
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
DATE: _____
EMAD ALREFAAI
ONTARIO LAND SURVEYOR

PLAN 4R-
RECEIVED AND DEPOSITED
DATE: _____
REPRESENTATIVE FOR LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF
OTTAWA-CARLETON NO. 4.

SCHEDULE				
PART	LOT	PLAN	PIN	AREA (Sq.m.)
1	PART OF 224	289002	ALL OF 04049 - 0202	381.0
2				381.0

PLAN OF SURVEY OF
PART OF LOT 224
REGISTERED PLAN 289002
CITY OF OTTAWA

FARLEY, SMITH & DENIS SURVEYING LTD. 2024



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

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

Bearing Note
Bearings are MTM grid, derived from the southerly limit of the 0.3m reserve from Registered Plan 412297, having a bearing of N 57° 47' 10" E as per 4R-28100 and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

For bearing comparisons, a rotation of 0°31'30" counter-clockwise was applied to bearings on P2.

CO-ORDINATES WERE DERIVED FROM CAN-NET REAL TIME NETWORK OBSERVATIONS, MTM ZONE 9, N.A.D. 1983 (ORIGINAL).

POINT ID	NORTHING	EASTING
(A)	5024715.50	366442.02
(B)	5024728.81	366463.18
01919680005	5027191.26	361496.76
01919680105	5024915.16	373971.65

CO-ORDINATES ARE MTM ZONE 9, N.A.D. 1983 (ORIGINAL), TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Surveyor's Certificate
I certify that:
1. 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.
2. The survey was completed on the 26th day of February, 2024.

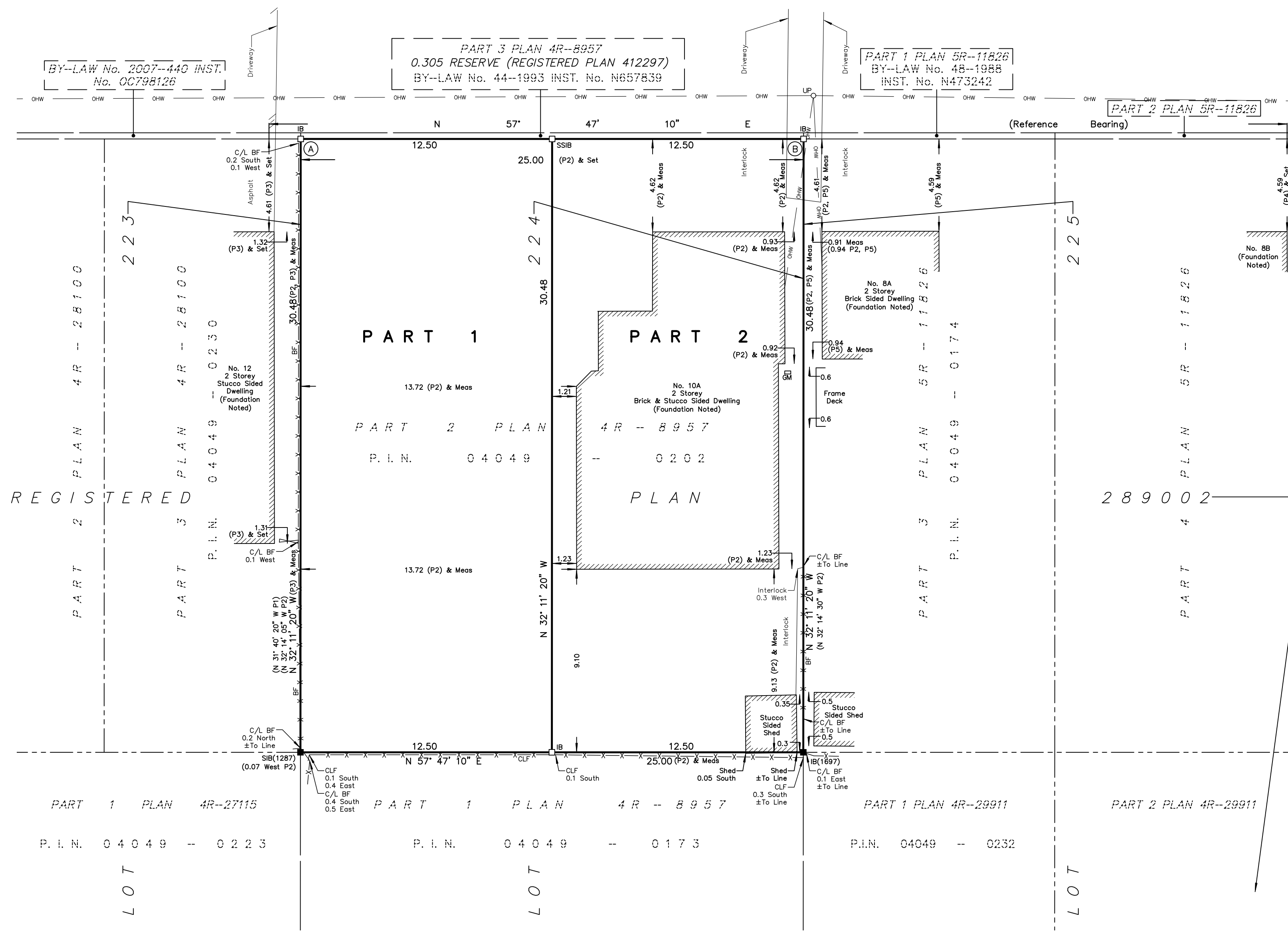
Date _____
Emad Alrefaai
Ontario Land Surveyor

This plan of survey relates to AOLS Plan Submission Form Number V-73409

Notes & Legend

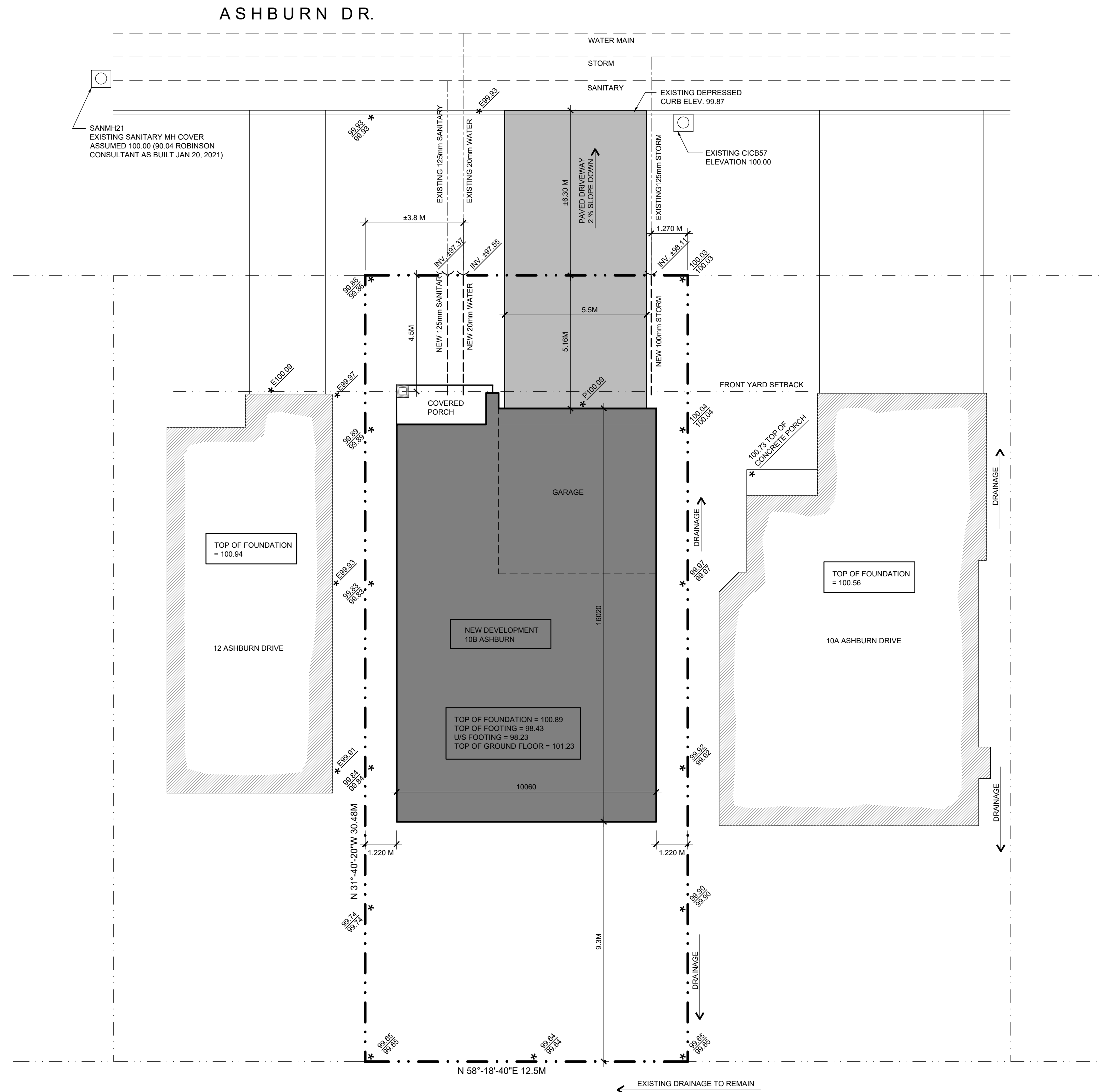
□	Denotes	Survey Monument Planted		
■	"	Survey Monument Found		
SIB	"	Standard Iron Bar	○ UP	Gate
SSIB	"	Short Standard Iron Bar	○	Utility Pole
IB	"	Iron Bar	□ GM	Gas Meter
(Wit)	"	Witness	CLF	Chain Link Fence
Meas	"	Measured	BF	Board Fence
(P1)	"	Registered Plan 289002	C/L	Centreline
(P2)	"	Plan by (1287) dated July 19, 2002 (Job No. 86-02)		
(P3)	"	Plan by (1692) dated December 1, 2014 (File No. 396-14)		
(P4)	"	Plan by (1287) dated June 29, 1988 (Job No. 260-88)		
(P5)	"	Plan by (1287) dated June 29, 1988 (Job No. 261/88)		
OHW	"	Overhead Wires		

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



Committee of Adjustment
Received | Reçu le
2024-08-26
City of Ottawa | Ville d'Ottawa
Comité de dérogation

R2M Zoning Provisions				
Provisions Single-Detached Dwelling	Permitted / Required		Provided	
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Minimum lot area (m ²) *s.158A	285.0		381.0m ²	
Maximum building height (m) *s.158A	8.5		7.938m	
Minimum front yard setback (m) *s.144(1)(a) (must align with average of abutting lots' corresponding setback but need not exceed 4.5 m)	4.5		5.16 m	
Minimum rear yard setback (m) Table 144A(iii)	30% lot depth	9.14	30%	9.30
Minimum rear yard area (m ²) s.144(3)(a)(i)	25% lot area	95.25 m ²	30%	114.50
Minimum interior side yard setback (m) *s.158A	0.9		1.22 / 1.22	
Minimum front yard soft landscape area, aggregated (%) *Table 139(1)	40%		50%	
Minimum width of landscape strip between driveway and side lot line (m) *s.139(2)(c)	0.15		1.3m	
Maximum driveway width on a lot 8.25 m to less than 15.0 m wide(m)	Single wide: 3.0 m Double wide (5.5 m) not permitted		Double wide driveway 5.5 m	
Minimum garage setback from principal entrance or portion of a projecting landing or porch that does not fall within a required yard (m) *s.139(3)(a)(i)&(ii) & *s.139(3)(b)	0.6 and no closer than 0.6 m to the front lot line than the principal entrance		0.66m	
Maximum walkway width (m) *s.139(4)(c)(ii) (may be included in soft landscaping calculations *s.139(4)(d))	1.2		1.2m	
Maximum driveway area (m) *Section 107(3)(b)(ii)	Greater of 50% of the front yard or 2.6 m x the front yard depth	32.5m ²	%	28.4m ²



The Contractor shall check and verify all dimensions on site. This drawing is not to be used for construction unless stamped and signed by the Engineer. Do not scale drawings. Copyright reserved. This drawing is the exclusive property of Cleland, Jardine Engineering Ltd.

LEGEND

- PROPOSED ELEVATION
- EXISTING ELEVATION
- PROPOSED ELEVATION / EXISTING ELEVATION

TEMPORARY BENCHMARK
SANMH21 TOP OF COVER
ASSUMED 100.00
(ELEVATIONS IN METERS)

No.	DATE	REVISIONS	BY
1	AUG 01/24	ISSUED FOR SEVERANCE	ME

PROJECT NORTH

STAMP

PROJECT

MARCOUX RESIDENCE

10b ASHBURN DRIVE

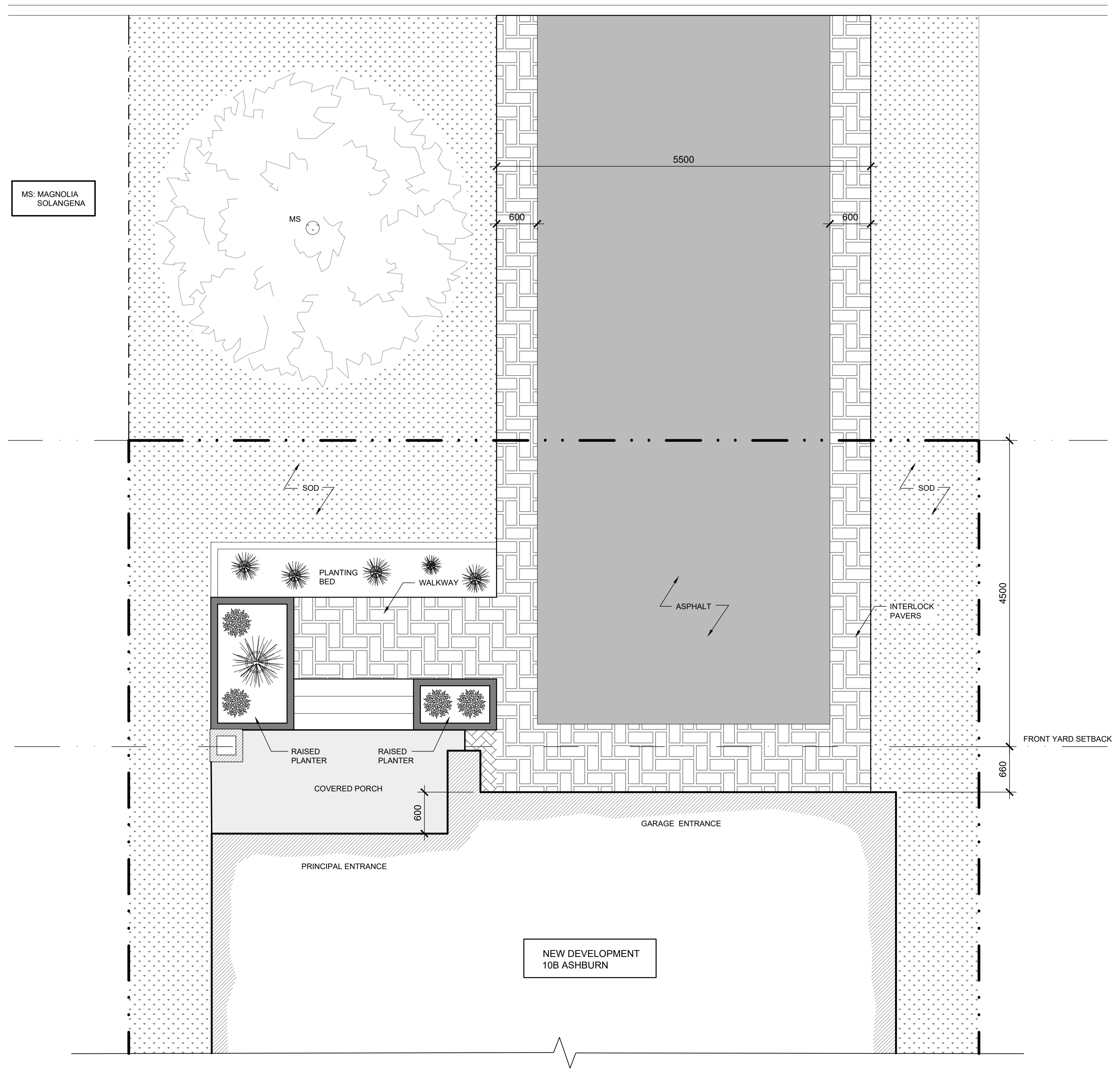
DRAWING

SITE PLAN

DRAWN:	A. MARCOUX	DRAWING No.	A0
DESIGNED:	A. MARCOUX		
DATE:	JULY 07/24		
SCALE:	1/2" = 1'-0"		
PROJECT No.:	00-00		

The Contractor shall check and verify all dimensions on site. This drawing is not to be used for construction unless stamped and signed by the Engineer. Do not scale drawings. Copyright reserved. This drawing is the exclusive property of Cleland, Jardine Engineering Ltd.

ASHBURN DR.



1 PLAN: LANDSCAPING
L1 SCALE: N.T.S.

No.	DATE	REVISIONS	BY
1	AUG 01/24	ISSUED FOR SEVERANCE	ME

PROJECT NORTH	STAMP

PROJECT
MARCOUX RESIDENCE
10b ASHBURN DRIVE

DRAWING
LANDSCAPING PLAN

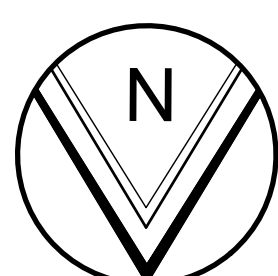
DRAWN:	A. MARCOUX	DRAWING No.	L1
DESIGNED:	A. MARCOUX		
DATE:	JULY 07/24		
SCALE:	1/2" = 1'-0"		
PROJECT No.:	00-00		

The Contractor shall check and verify all dimensions on site. This drawing is not to be used for construction unless stamped and signed by the Engineer. Do not scale drawings. Copyright reserved. This drawing is the exclusive property of Cleland Jardine Engineering Ltd.

Committee of Adjustment
 Received | Reçu le
 2024-08-26
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation

No.	DATE	REVISIONS	BY
1	AUG 01/24	ISSUED FOR SEVERANCE	ME

PROJECT NORTH

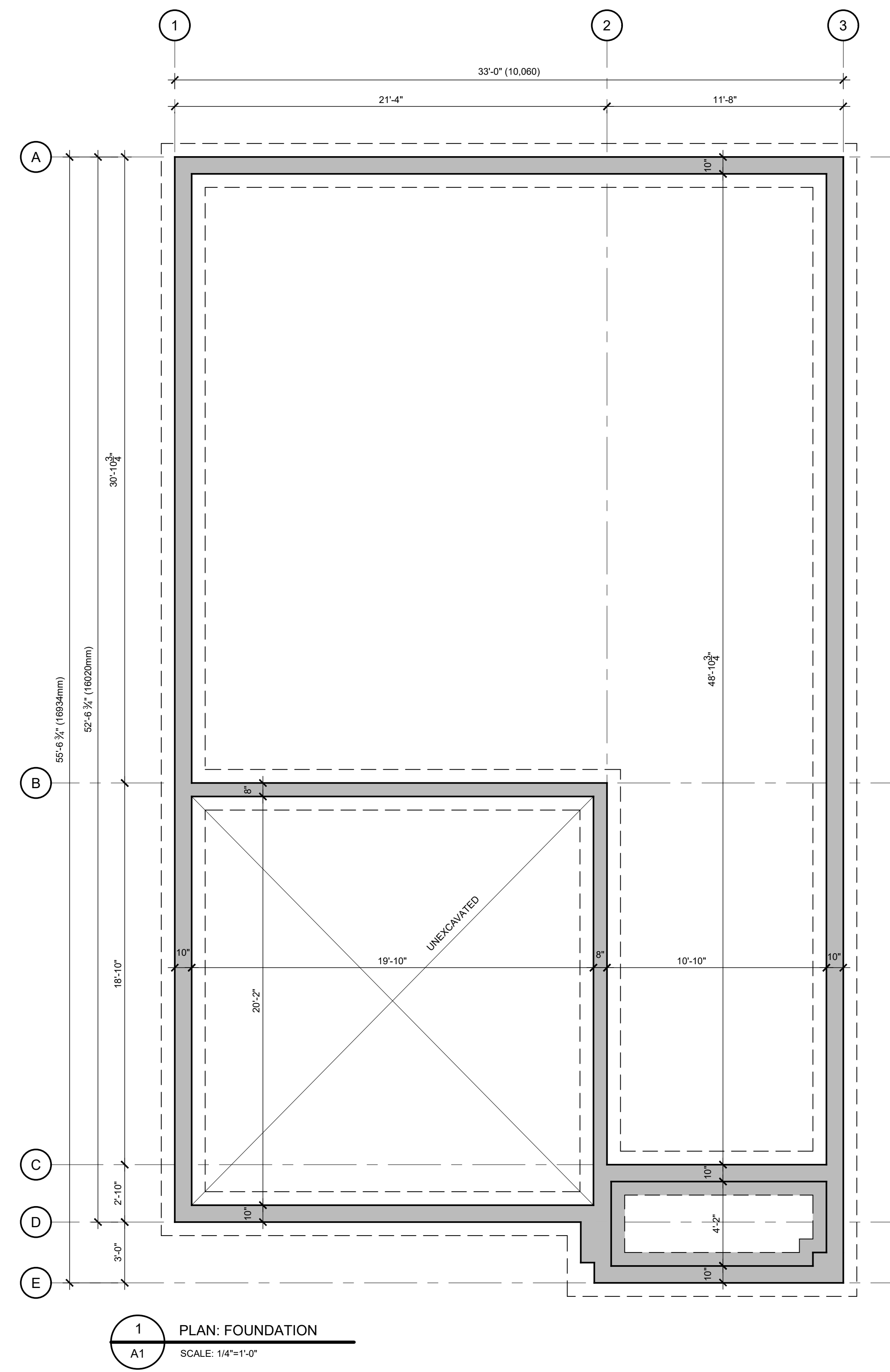
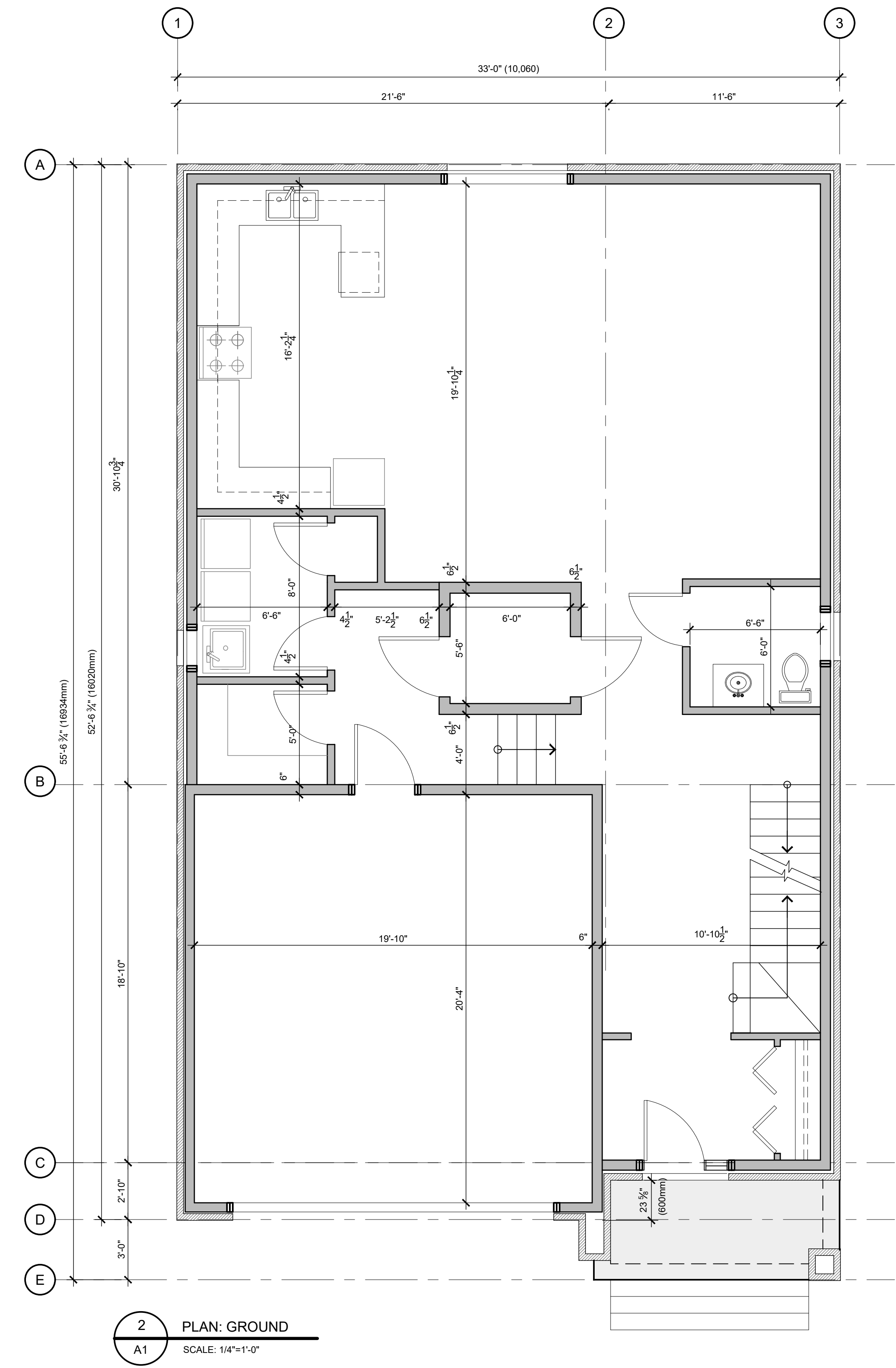


STAMP

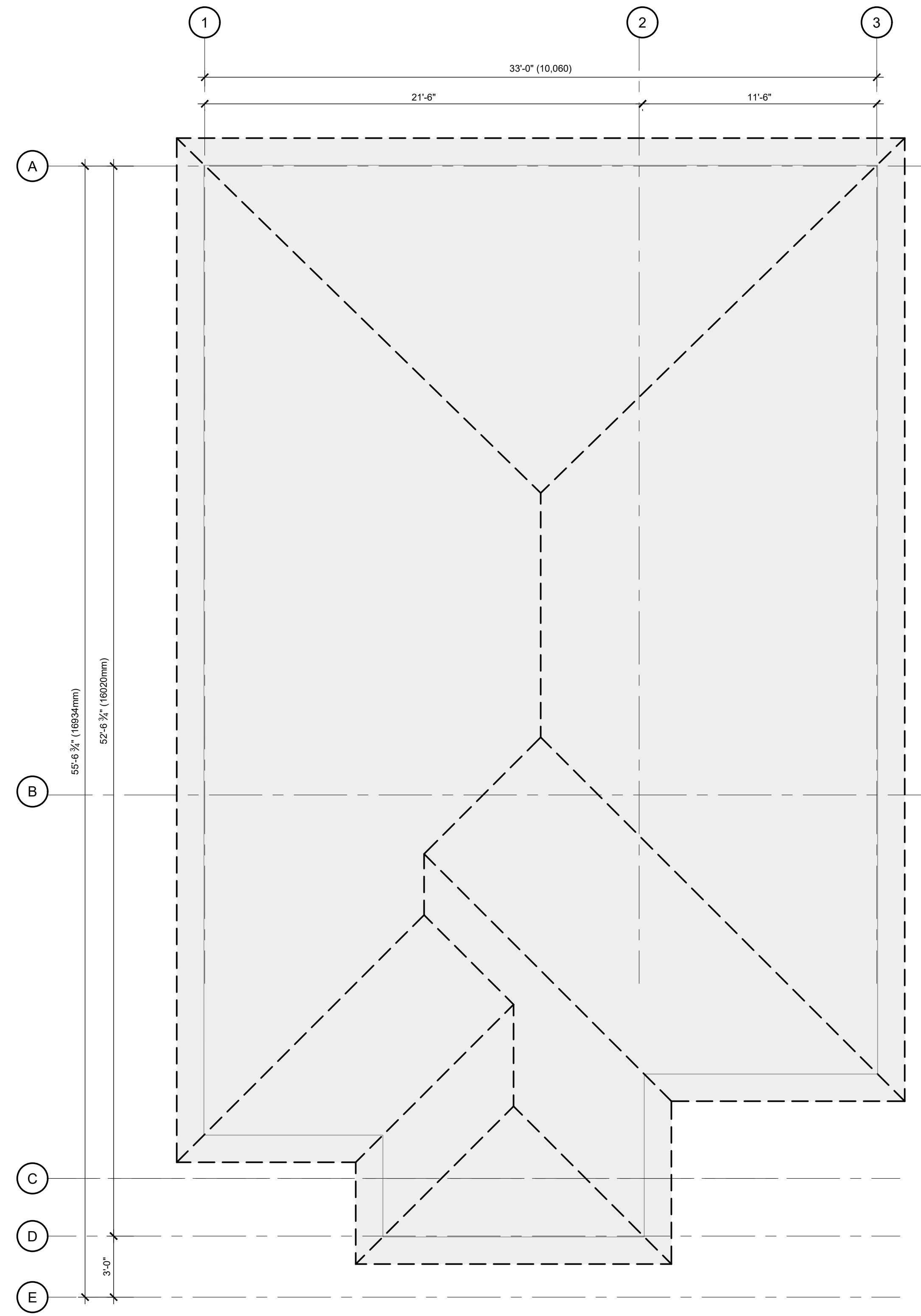
PROJECT
MARCOUX RESIDENCE
 10b ASHBURN DRIVE

DRAWING
FOUNDATION AND GROUND FLOOR PLAN

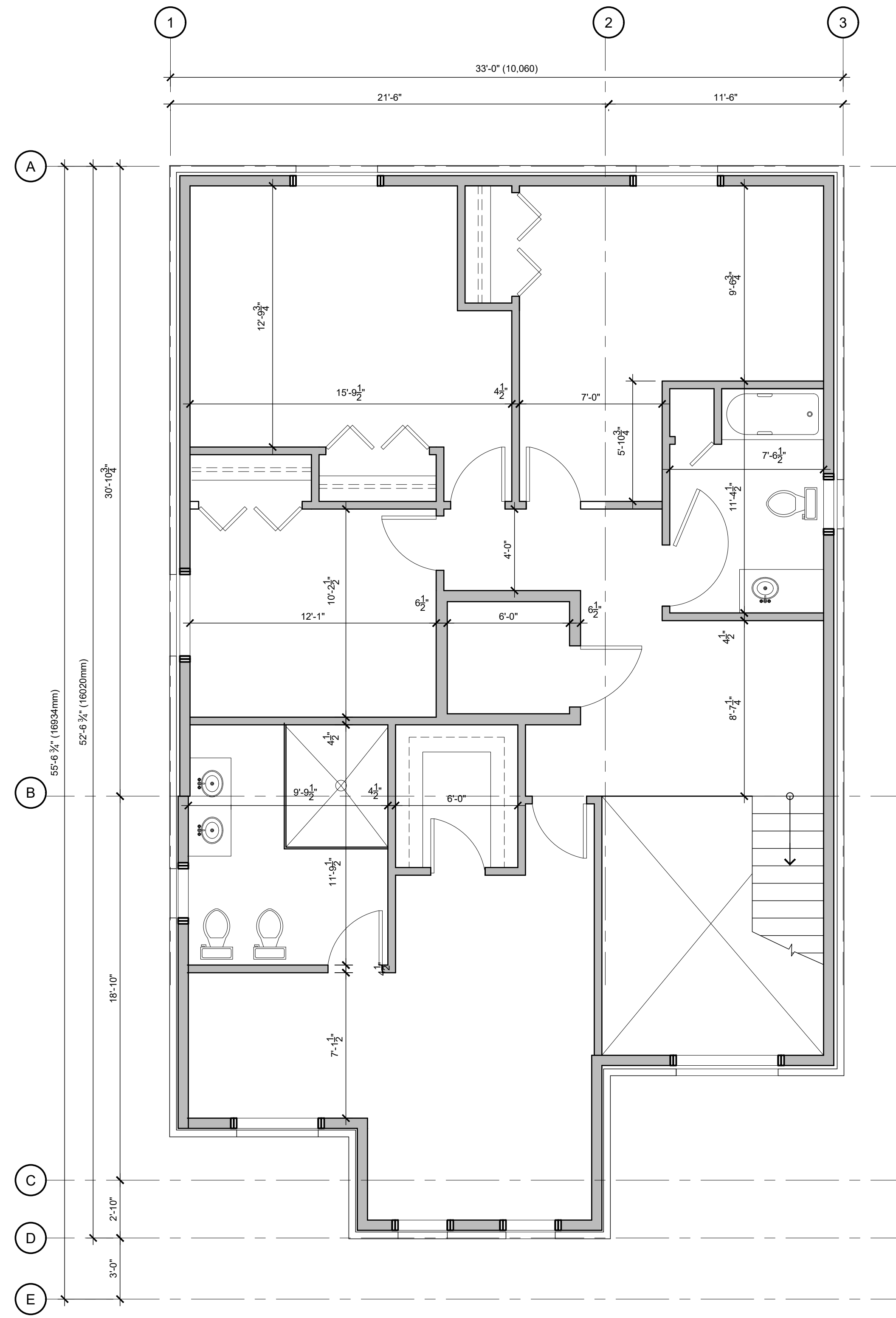
DRAWN:	A. MARCOUX	DRAWING No.	A1
DESIGNED:	A. MARCOUX		
DATE:	JULY 07/24		
SCALE:	1/2" = 1'-0"		
PROJECT No.:	00-00		



The Contractor shall check and verify all dimensions on site. This drawing is not to be used for construction unless stamped and signed by the Engineer. Do not scale drawings. Copyright reserved. This drawing is the exclusive property of Cleland Jardine Engineering Ltd.



2 PLAN: ROOF
A2 SCALE: 1/4"=1'-0"



1 PLAN: SECOND FLOOR
A2 SCALE: 1/4"=1'-0"

No.	DATE	REVISIONS	BY
1	AUG 01/24	ISSUED FOR SEVERANCE	ME

PROJECT NORTH

STAMP

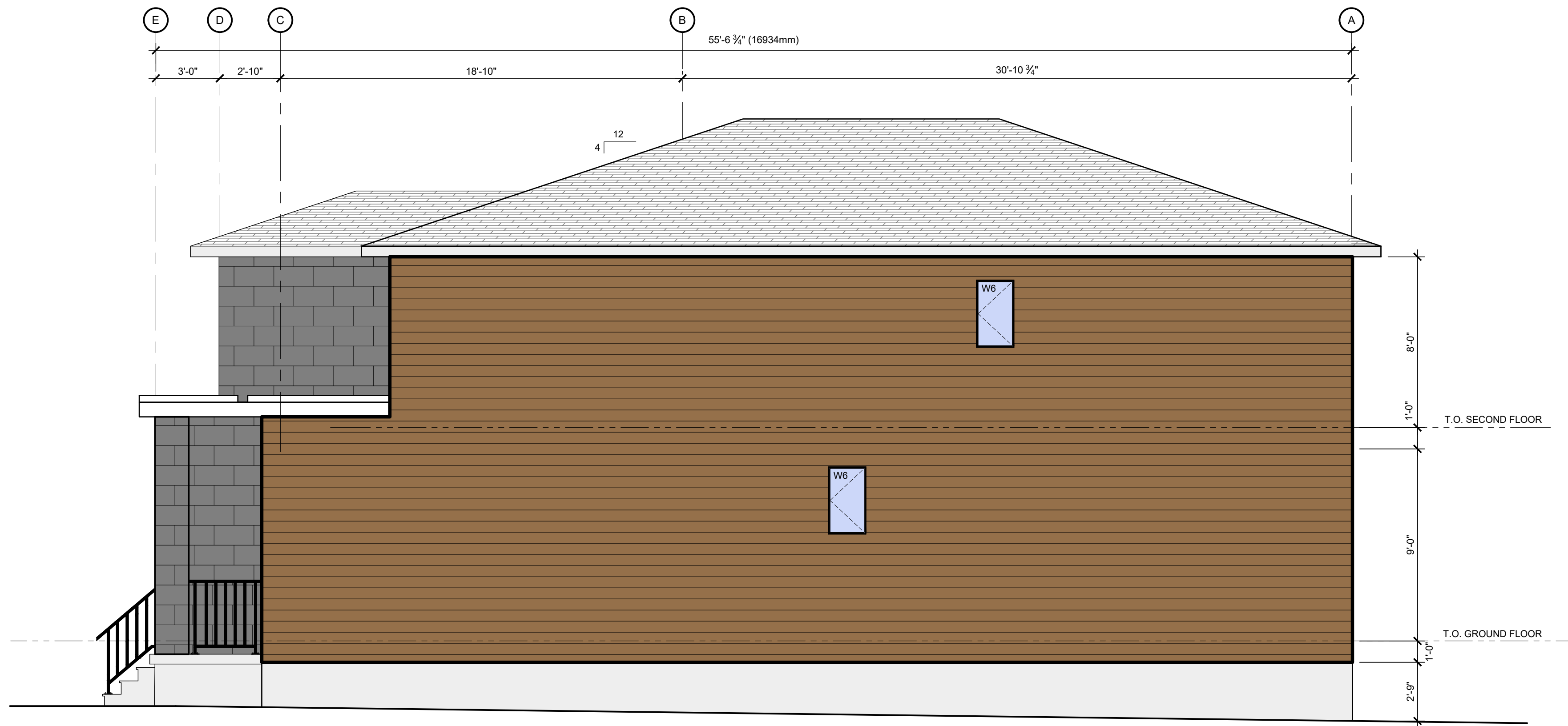
PROJECT

MARCOUX RESIDENCE
10b ASHBURN DRIVE

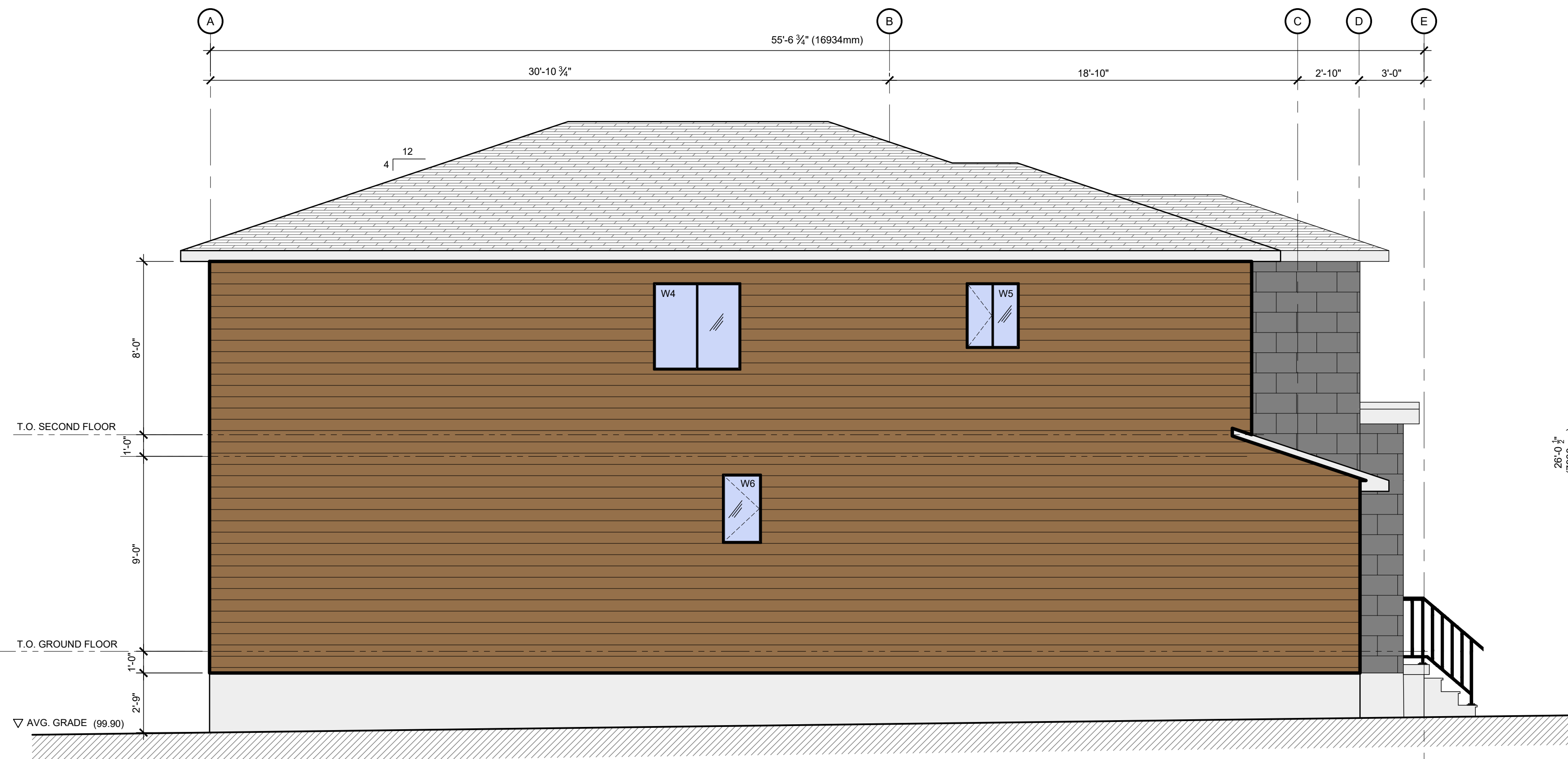
DRAWING
SECOND FLOOR AND ROOF PLAN

DRAWN:	A. MARCOUX	DRAWING No.	A2
DESIGNED:	A. MARCOUX		
DATE:	JULY 07/24		
SCALE:	1/4" = 1'-0"		
PROJECT No.:	00-00		

The Contractor shall check and verify all dimensions on site. This drawing is not to be used for construction unless stamped and signed by the Engineer. Do not scale drawings. Copyright reserved. This drawing is the exclusive property of Cleland Jardine Engineering Ltd.



3 ELEVATION: EAST
A3 SCALE: 1/4"=1'-0"



2 ELEVATION: EAST
A3 SCALE: 1/4"=1'-0"



1 ELEVATION: FRONT
A3 SCALE: 1/4"=1'-0"

1	AUG 01/24	ISSUED FOR SEVERANCE	ME
No.	DATE	REVISIONS	BY

PROJECT NORTH	STAMP
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PROJECT
MARCOUX RESIDENCE
10b ASHBURN DRIVE

DRAWING
ELEVATIONS

DRAWN:	A. MARCOUX	DRAWING No.	A3
DESIGNED:	A. MARCOUX		
DATE:	JULY 07/24		
SCALE:	1/4" = 1'-0"		
PROJECT No.:	00-00		

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variance Application

Panel 2

Tuesday, October 1, 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.: D08-02-21/A-00335
Application: Minor Variance under section 45 of the *Planning Act*
Applicant: 724600 Ontario Inc.
Property Address: 20 Robin Crescent
Ward: 11 – Beacon Hill Cyrville
Legal Description: Block 5, Registered Plan 4M-689
Zoning: R1AA
Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant wants to bring their existing lot into compliance for future residential development.

REQUESTED VARIANCE:

The Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit a reduced lot area of 912.7 square metres, whereas the By-law requires a minimum lot area of 1390 square metres.

The application indicates that Block 6 is the subject of a 30 centimetre reserve.

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: September 13, 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 dérogation mineure

Groupe 2
Mardi 1^{er} octobre 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 : D08-02-21/A-00335
Demande : Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*
Requérante : 724600 Ontario Inc.
Adresse municipale : 20, croissant Robin
Quartier : 11 – Beacon Hill Cyrville
Description officielle : Îlot 5, plan enregistré 4M-689
Zonage : R1AA
Règlement de zonage : n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante souhaite la mise en conformité du lot existant en vue d'un aménagement résidentiel futur.

DÉROGATION DEMANDÉE :

La requérante demande au Comité d'accorder une dérogation mineure au Règlement de zonage afin de permettre la réduction de la superficie du lot à 912,7 mètres carrés, alors que le Règlement exige une superficie de lot minimale de 1 390 mètres carrés.

La demande indique que l'îlot 6 fait l'objet d'une réserve de 30 centimètres.

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 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 : 13 septembre 2024




This document is also available in English.

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



Circulated Area/
Région circulée 60m 

 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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sans autorisation. CECI N'EST PAS UN PLAN D'ARPEMENT



SUBJECT LAND / TERRAIN EN QUESTION

20 coris Robin Cres.



NOT TO SCALE
NON À L'ÉCHELLE

724600 Ontario Inc. Unit 102-2111 Montreal Road, Ottawa ON K1J 8M8
613-294-2841 info@724600.ca

Committee of Adjustment
Received | Reçu le
2024-08-21
City of Ottawa | Ville d'Ottawa
Comité de dérogation

05 August 2024

To: The Committee of Adjustments, City of Ottawa

Good Day,

Reference : 20 Robin Crescent, Rothwell Heights, Ward 11 - Beacon Hill-Cyrville

Request for Minor Variance for Lot Area

The accompanying application is for a single Minor Variance for Lot Area.

I have simplified the application from the previous 2021 application for multiple Minor Variances to a single Minor Variance for Lot Area (2008-250 Section 155-156).

Moving forward apparently requires action by both the Planning Department and Legal Services that was hoped to be performed through some cooperation between these two entities, as to the order of the removal of the 30cm Reserve and the Approval of Minor Variances. This was a stumbling block of the original application process.

Nevertheless, the order of actions has now been clarified to me by Planning; that the application for Minor Variance is to happen first. I am submitting this application as that first step towards completion.

My further understanding is that this application process would have been much simpler if I was requesting a conveyance of severance from an adjacent property; however, it is not.

This is a remaindered portion of a registered building lot (known as Lot 21 of Plan 668) that was reduced in size to allow an access road to the landlocked properties behind. So, no severance is required for approval. See the attached Plan 4M-689 and a portion of Plan 668.

20 Robin Crescent remains the registered civic address for Lot 21 for which taxes are paid annually to the City of Ottawa.

Further, while this application only requests the single minor variance for lot area, I have included, on the Site Plan, a suggestion of a building and amenities area/developable footprint within the minimum setbacks as was suggested to me to add.

Fulfillment of the 4 Statutory Tests: - as further to the Planning Act, Sub-section 45(1):

Test #1: Is the Variance Minor?: >>> Yes

- as further explained below: - a corner property such as this can currently be created by ByLaw 2008-250 regulations, [S144.(4).(b)], from a larger corner property (see Figs. 4,5 &6)
- the existing parcel is 44% larger than the minimum area that the ByLaw permits
- this location was to have been the location of a single family residence
- the lots developable footprint area will easily accommodate a new residence

Test #2: Would the granting of the variance result in a development that would be desirable for the appropriate development or use of the applicant's land or building?: >>> Yes

- this location was to have been the location of a single family residence
- the lot's developable footprint area will easily accommodate a new residence
- even as reduced in area, being nominally 30m x 30m, the parcel is larger than a substantial percentage of Ottawa residential development property
- the property is essentially 'flat', with worthy soils, and has full services

Test #3: Does the variance requested maintain the general intent and purpose of the zoning bylaw?: >>> Yes

- the current Zoning ByLaw permits corner lots of much smaller than this to be created within this R1AA Zone
- as a future single-family residence, in consideration of the neighbourhood and property values, would suggest that a future structure would be a worthy addition and not force-fitted into the neighbourhood's 'matrix'
- 'the intent and purpose' of this property's use is one and the same as when Lot 21 was created in 1956, as is now, and as foreseen into the future
- adding one new residence here suffices what this property was to have been long since used for ---- no added traffic concerns --- 'very' low traffic flow in this area

Test #4: Does the variance requested maintain the general intent and purpose of the Official Plan (OP)?: >>> Yes

- as the OP currently and through the years has intended, this neighbourhood is the same now, as was originally intended, when the Subdivision was created ... Single Family Residential --- as currently, and generally defined now as "Outer Urban"

In Summary:

This Property is a remnant parcel as was made such, when the then legally established and owned vacant building Lot 21, Plan 668 ... Municipally known as 20 Robin Crescent ... in 1989, became subject to ceding land for a road ROW, prior to having been built upon.

Given this property at 20 Robin Crescent was created in 1956 for the same purpose as still intended --- single family residential --- city services and Parks are abutting, etc. ... it stands to reason that the Planning Act's 4 Tests are sufficed.

The resurrecting of this property to be used for the original purpose, as the site for a worthy single family residence, has been a long time in coming and is worthy of consideration.

Please note that all application fees were paid in 2021 and since the application was bounced before it got to the committee, C of A staff have indicated no fees are currently required.

Please do not hesitate to contact myself if any details are missing from this application.

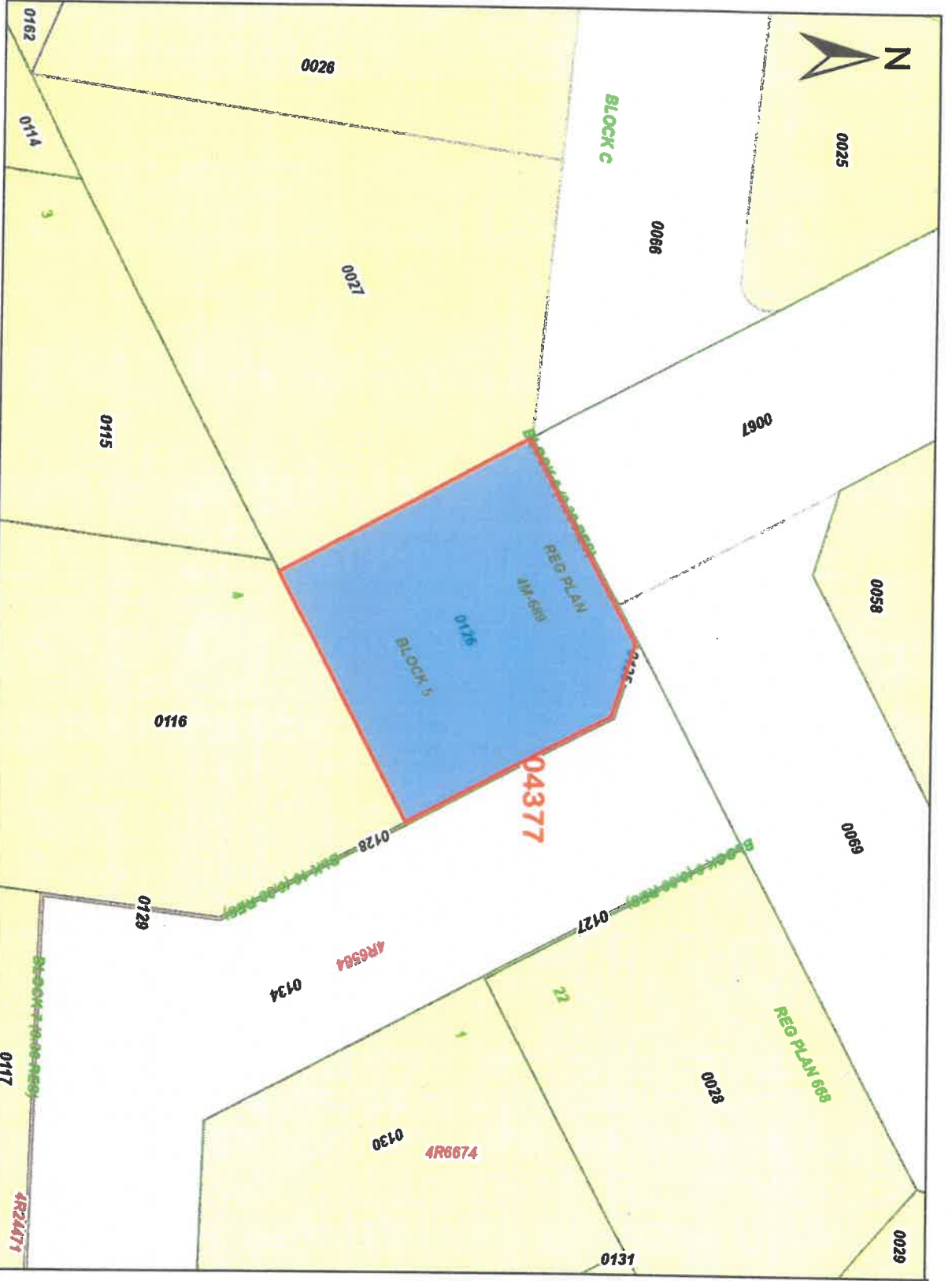
Anticipating your quick action, I remain,

Respectfully,

David

A handwritten signature in blue ink that reads "David R. Park". The signature is fluid and cursive, with a large initial "D" and "P".

David Park, President
724600 Ontario Inc.








ServiceOntario

PRINTED ON 20 AUG, 2024 AT 10:39:42
FOR BMULCAHY



PROPERTY INDEX MAP OTTAWA-CARLETON(No. 04)

LEGEND

-  FREEHOLD PROPERTY
-  LEASEHOLD PROPERTY
-  LIMITED INTEREST PROPERTY
-  CONDOMINIUM PROPERTY
-  RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER
- BLOCK NUMBER
- GEOGRAPHIC FABRIC
- EASEMENT

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



PLAN 4M-669

THIS PLAN IS HEREBY FILED FOR REGISTRATION IN THE LAND TITLES OFFICE OF THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON AT 11:00 O'CLOCK ON THE 14th DAY OF FEBRUARY 1988 AND THE SECTION 41(1)(b) AND REQUIRED CONDITIONS AND APPLICANTS ARE HEREBY ADVISED THAT THE PLAN IS REGISTERED IN THE LAND REGISTRY.

LAND REGISTRY

6-2083-000 02/18/88

NOTARIAL OFFICE
 JACQUES G. GAGNON, Notary Public
 1100, 11th Avenue East
 Ottawa, Ontario K1K 1A1
 TEL: (613) 737-2222

APPROVED UNDER SECTION 50 OF THE PLANNING ACT BY THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON THIS 22nd DAY OF JANUARY 1988.

PLANNING COMMISSION

N. J. ...
 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

PLAN OF SUBDIVISION OF
 PART OF LOTS 4, 5, 6, 8 & 7
 REGISTERED PLAN 555 AND
 LOT 21
 REGISTERED PLAN 668
 CITY OF GLOUCESTER
 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
 FARLEY SMITH & MURRAY SURVEYING LTD.
 1980

SCALE 1:1500

BEARING NOTE:
 BEARING BORN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVISION BY 0.3048.

BEARING NOTE:
 BEARING BORN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVISION BY 0.3048.

SURVEYOR'S CERTIFICATE:
 I, THE SURVEYOR, HAVE BEEN AND AM BEING COMPENSATED FOR THE SURVEY AND THE PREPARATION OF THIS PLAN AND THE LAND TITLES ACT AND THE REGULATIONS THEREUNDER AND I HEREBY CERTIFY THAT THE MONEY HAS BEEN PAID TO ME BY THE OWNER OF THE LAND AND THAT THE SURVEY WAS COMPLETED ON THE 14th DAY OF FEBRUARY, 1988.

DATE: 1988 FEB 14

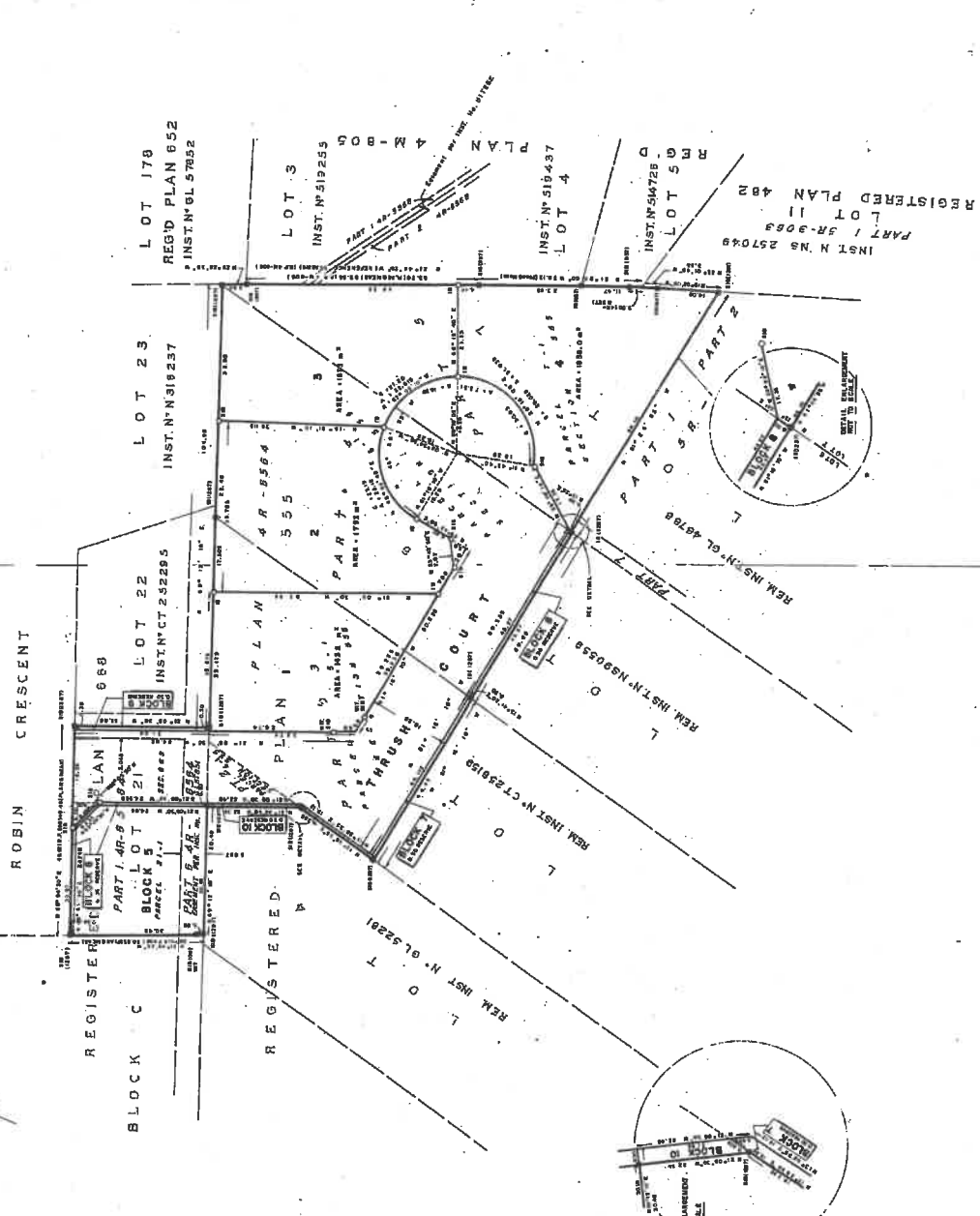
[Signature]
 FARLEY SMITH & MURRAY SURVEYING LTD.
 1980

OWNER'S CERTIFICATE:
 I, THE OWNER, HEREBY CERTIFY THAT I HAVE BEEN AND AM BEING COMPENSATED FOR THE SURVEY AND THE PREPARATION OF THIS PLAN AND THE LAND TITLES ACT AND THE REGULATIONS THEREUNDER AND I HEREBY CERTIFY THAT THE MONEY HAS BEEN PAID TO ME BY THE SURVEYOR AND THAT THE SURVEY WAS COMPLETED ON THE 14th DAY OF FEBRUARY, 1988.

DATE: 1988 FEB 14

[Signature]
 FARLEY SMITH & MURRAY SURVEYING LTD.
 1980

LEGEND:
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 1980

Site Plan for
20 Robin Crescent

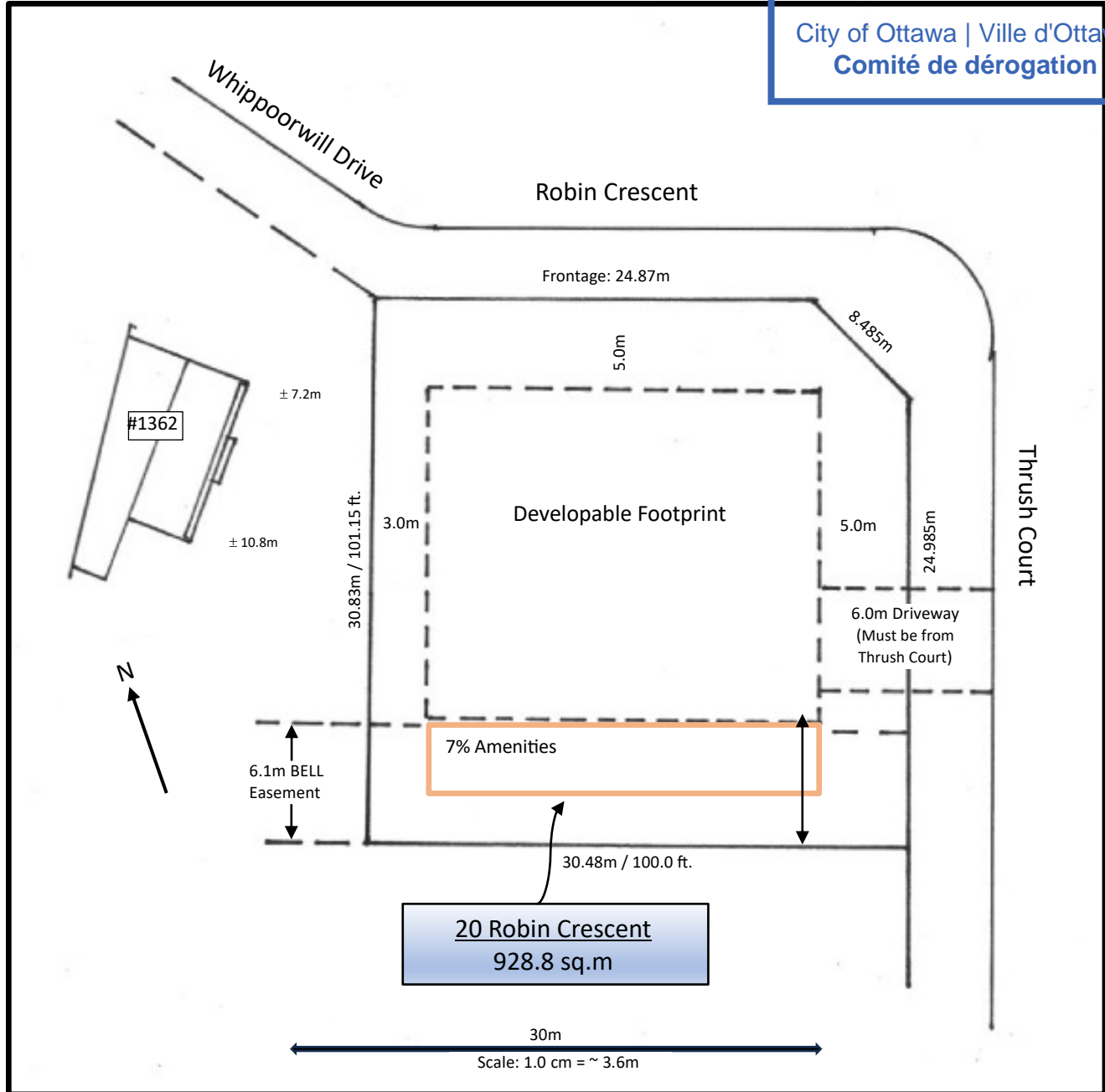
Committee of Adjustment

Received | Reçu le

2024-08-21

City of Ottawa | Ville d'Ottawa

Comité de dérogation



APPROVED UNDER SECTION 50 OF THE PLANNING ACT
 BY THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON THIS 23 DAY OF January 1989.

PLANNING COMMISSIONER
N. Turcotte
 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

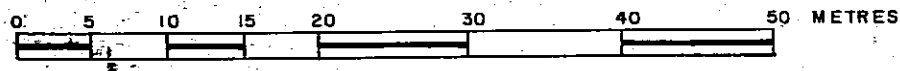
I HEREBY CERTIFY THAT THIS PLAN 4M-689 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF OTTAWA-CARLETON No: 4 AT 2:27 O'CLOCK ON THE 1st DAY OF February 1989 AND ENTERED IN THE REGISTER FOR PARCEL PLAN 4M-689 AND REQUIRED CONSENTS AND AFFIDAVITS ARE REGISTERED AS PLAN DOCUMENT No: 600238

V. Bounsaill Ast Dip
 LAND REGISTRAR

THIS SUBDIVISION AFFECTS
 ALL OF PARCEL 21-1, SECTION 668
 ALL OF PARCEL 4-1, SECTION 655
 ALL OF PARCEL 5-1, SECTION 655
 ALL OF PARCEL 6-1, SECTION 655
 ALL OF PARCEL 7-1, SECTION 655

Committee of Adjustment
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 2024-08-21
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation

PLAN OF SUBDIVISION OF
 PART OF LOTS 4, 5, 6 & 7
 REGISTERED PLAN 555 AND
 LOT 21
 REGISTERED PLAN 668
 CITY OF GLOUCESTER
 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
 FARLEY SMITH & MURRAY SURVEYING LTD.
 1988
 SCALE 1:500



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

BEARING NOTE:
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF PART 5, PLAN 4R-6564 HAVING A BEARING OF N 21° 44' 20" W.

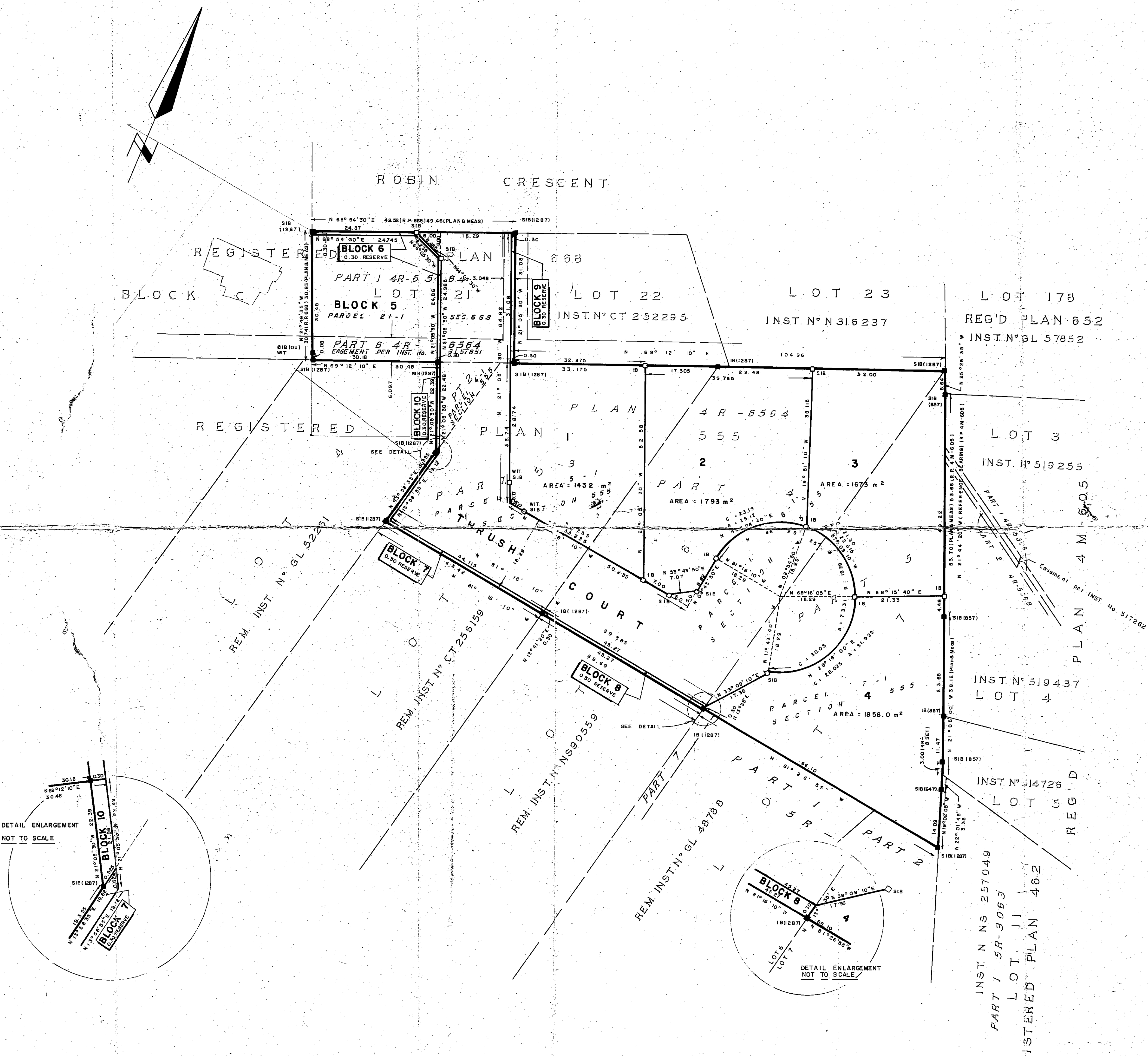
SURVEYOR'S CERTIFICATE:
 I HEREBY CERTIFY THAT:
 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
 2) THE SURVEY WAS COMPLETED ON THE 13th DAY OF SEPT. 1988.

DATE: DEC. 6th 1988. *P. G. Smith*
 P. G. SMITH
 ONTARIO LAND SURVEYOR

OWNER'S CERTIFICATE:
 I HEREBY CERTIFY THAT:
 1) LOTS 1, 2, 3 & 4, BLOCK 5, THE RESERVES NAMED BLOCKS 6, 7, 8, 9, 10 AND THE STREET NAMED THRUSH COURT HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
 2) THE STREET IS HEREBY DEDICATED AS A PUBLIC HIGHWAY TO THE CITY OF GLOUCESTER.

DATE: DEC. 7th 1988. *Paul Webber*
 724600 ONTARIO INC.
 PAUL WEBBER, SECRETARY

LEGEND:
 ■ SURVEY MONUMENT FOUND
 □ SURVEY MONUMENT SET
 SIB STANDARD IRON BAR
 IB IRON BAR
 Ⓟ ROUND
 OU ORIGIN UNKNOWN
 1287 FARLEY, SMITH & MURRAY SURVEYING LTD.
 857 C.W. FAIRHALL O.L.S.
 WIT. WITNESS





Tree Information Report

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

Date of Report: September 14, 2023
Property Address: 20 Robin crescent
Prepared for: 724600 Ontario Inc. c/o David Park; dpark440@gmail.com
Prepared by: Kevin Myers, ISA Certified Arborist; kevin.myers@dendronforestry.ca
Date of Site Visit: September 13, 2023

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

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.

At this time, no site plan has been received, but recommendations have been made for tree retention based on zoned building envelope and tree health. 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 the tree(s) identified in this report may change as more information on the site-specific construction details is provided during the building permitting phase.

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:

- Plan of the property prepared by Don Brown, received September 12, 2023. *Dendron is not responsible for the accuracy of the tree locations drawn on this plan. For accurate locations of trees, a survey should be conducted.*
- 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 conditions

The property is currently unmaintained and being overtaken by invasive and aggressive species such as common buckthorn (*Rhamnus cathartica*), grape vine (*Vitis spp.*) and Norway maple (*Acer platanoides*). Dog strangling vine (*Vincetoxicum nigrum*), common burdock (*Arctium minus*), and Virginia creeper (*Parthenocissus quinquefolia*) were also noted. The city right of way (ROW) along Robin crescent contains a colony of staghorn sumac (*Rhus typhina*), shrubby buckthorn, and approximately 15 small silver poplar (*Populus alba*) saplings, along with the established trees and a large amount of grape vine (*Vitis spp.*).

The middle section of the property is dominated by larger basswoods (*Tilia americana*). These trees are in fair condition – many have grown with bends in the trunk likely trying to find light when they were young. There is a fair amount of ash (*Fraxinus spp.*) regeneration throughout the subject site, most of which looked healthy.

The rear of the property transitions to a sugar maple-dominated wooded area which is the rear of 9 and 13 Davidson. From the subject site, this wooded area looks healthy. The maple regeneration in the subject property is approximately 70% Norway and 30% sugar maple.

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

While no construction is proposed at this time, the included Map indicates the zoned building envelope and recommends several trees for retention and protection during later building projects. Specifics of protection and measures to mitigate tree stress are to be discussed in a later report.

Specifically, **Tree 2** should be far enough from construction within the zoned envelope to be protected effectively. This tree has an asymmetrical crown, but it is expected that if trees were removed to the south, the increase in light exposure would allow this tree to adjust and increase canopy on its south side. The number of trees in the southern wooded area was too great to map individually, but there is a healthy grouping clustered around the subject property's southwestern corner, including the indicated **Trees 11-13**. Keeping construction far from this area would help maintain healthy forest cover in the wooded area.



The undersigned personally inspected the property and issues associated with this report on September 13, 2023. On Behalf of Dendron Forestry Services,

Kevin Myers

Kevin Myers, MFC
ISA Certified Arborist®, ON-2907A
info@dendronforestry.ca
(613) 805-9663 (WOOD)



APPENDIX A
TREE INFORMATION TABLE

Tree #	Species	DBH (cm)	Ownership ²	Tree health		
				Roots/Root Flare	Trunk	Canopy
1	Norway maple (<i>Acer platanoides</i>)	34	Subject property	Good	Fair: large bends throughout	Good
2	American elm (<i>Ulmus americana</i>)	38	City	Good	Good	Fair: asymmetrical
3	American elm (<i>Ulmus americana</i>)	30, 40	City	Good	Fair/Poor: stems are fusing, included bark for >1m	Fair: thin; covered in grape vine
4	Silver poplar (<i>Populus alba</i>)	33	City	Fair	Fair: large bends throughout	Very poor: Mostly dead
5	Basswood (<i>Tilia americana</i>)	37, 41	City	Fair: sprouts growing from base becoming small trees	Fair/Poor: lean; 1 st union at 0.3m has included bark	Fair: covered in grape vine
6	Basswood (<i>Tilia americana</i>)	46	Subject property	Good	Fair/Poor: angled growth from 3.5m and up	Fair
7	Basswood (<i>Tilia americana</i>)	46	Subject property	Fair: potential fungal infection	Fair: some sapsucker holes; lean towards neighbour	Fair
8	Basswood (<i>Tilia americana</i>)	35	Subject property	Fair: soil on N side covers flare – could lead to decay	Fair: lean to S	Fair
9	Basswood (<i>Tilia americana</i>)	31, 32	Subject property	Good	Fair: main union @ 0.4m has included bark; North stem has moderate lean	Fair
10	Sugar maple (<i>Acer saccharum</i>)	50.5	Subject property	Fair: small dead stems at base have decay	Fair: small cavity at 5m may have decay	Good
11	Sugar maple (<i>Acer saccharum</i>)	35	Subject property	Good	Fair: codominant stems at 4m; slight lean	Good
12 ⁴	Sugar maple (<i>Acer saccharum</i>)	52	Adjacent – 13 Davidson	Good	Good: moderate lean to South	Good
13 ⁴	Sugar maple (<i>Acer saccharum</i>)	31	Adjacent – 13 Davidson	Good	Good	Good
14 ⁴	Sugar maple (<i>Acer saccharum</i>)	31	Subject property	Fair: growing on a rock	Fair: leaning towards neighbour	Good



Dendron Forestry Services

5 ⁴	American elm (<i>Ulmus americana</i>)	13, 8	City	Good	Poor: stems are intertwined around one another	Fair
6 ⁴	Staghorn sumac (<i>Rhus typhina</i>)	12	City	Good	Poor: severe lean towards road	Fair: covered in grape vine
7 ⁴	Norway maple (<i>Acer platanoides</i>)	19	City	Good	Good	Fair: growing under wires
8 ⁴	American elm (<i>Ulmus americana</i>)	11	City	Good	Good	Fair: growing under wires
9 ⁴	American elm (<i>Ulmus americana</i>)	12	City	Good	Good	Fair: growing under wires
10 ⁴	American elm (<i>Ulmus americana</i>)	30.5	City	Good	Fair: lean to South	Fair: growing under wires
11 ⁴	Eastern redcedar (<i>Juniperis virginiana</i>)	18	Adjacent - 1362 Whipoorwill	Good	Good	Fair: asymmetrical but dense.

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

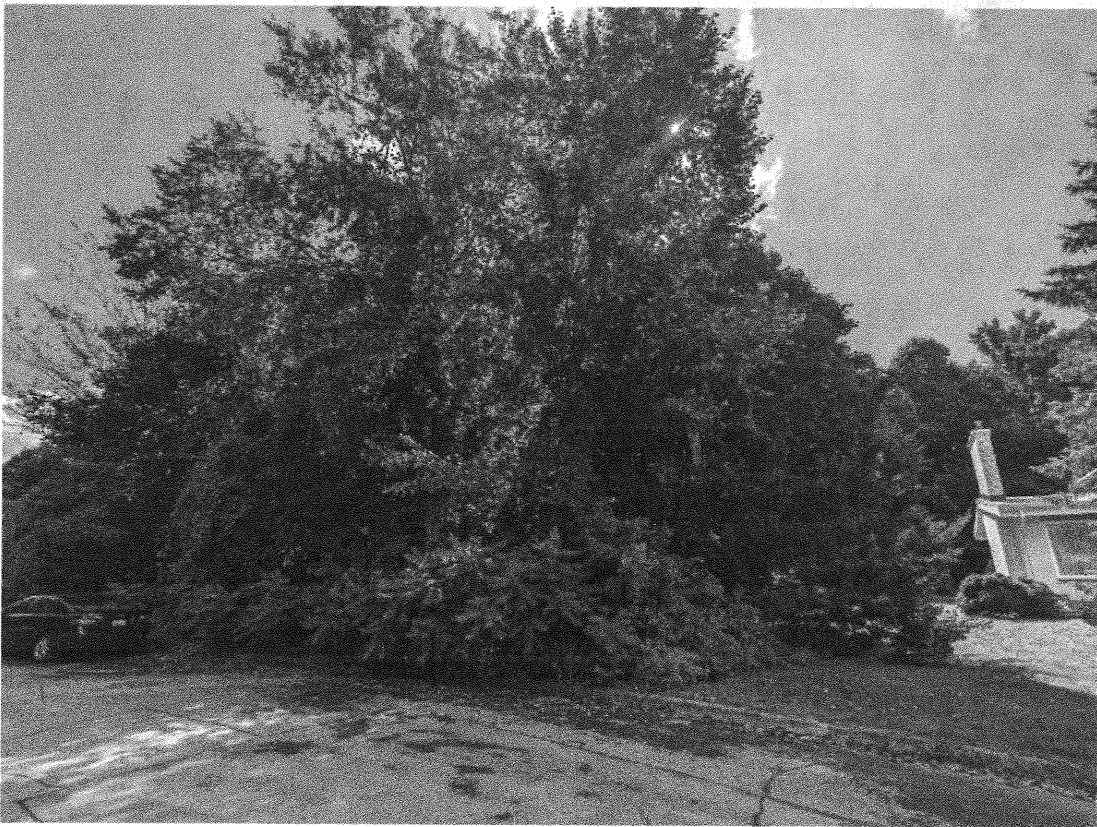
Ownership of the tree in this report is based on the information provided and should not be used as a determination of ownership. For ownership disputes, a survey should be relied on. For boundary trees, consent from the adjacent property owner is required for removal as part of the application.

The location of these trees was not provided and has been estimated



Dendron Forestry Services
www.dendronforestry.ca

APPENDIX B
PHOTOGRAPHS



Overgrown ROW along Robin crescent



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 September 12, 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.

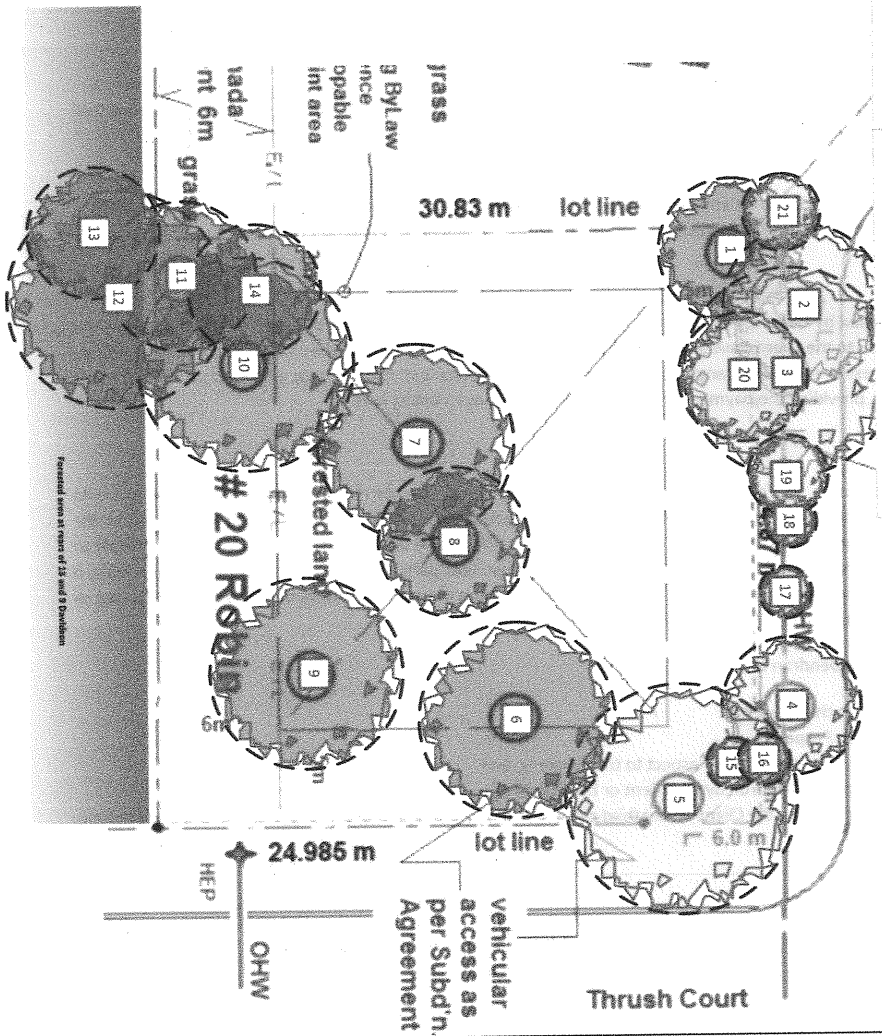
General

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.

Tree ID	Species	Location	Health	Notes
1	Norway maple (Acer platanoides)	34 Subject property	Good	
2	American elm (Ulmus americana)	36 City	Good	
3	American elm (Ulmus americana)	40 City	Good	
4	Silver poplar (Populus alba)	33 City	Fair	Fair: sprouts growing from base becoming small trees
5	Basswood (Tilia americana)	32 City	Good	
6	Basswood (Tilia americana)	46 Subject property	Good	
7	Basswood (Tilia americana)	46 Subject property	Fair	Fair: potential fungal infection
8	Basswood (Tilia americana)	35 Subject property	Fair	Fair: soil on N side covers three - could lead to decay
9	Basswood (Tilia americana)	31 Subject property	Good	
10	Sugar maple (Acer saccharum)	50.5 Subject property	Good	
11	Sugar maple (Acer saccharum)	35 Subject property	Good	
12*	Sugar maple (Acer saccharum)	52 Adjacent - 13	Good	
13*	Sugar maple (Acer saccharum)	31 Adjacent - 13	Good	
14*	Sugar maple (Acer saccharum)	31 Subject property	Fair	Fair: growing on a rock
15*	American elm (Ulmus americana)	8 City	Good	
16*	Shagbark hickory (Carya obovata)	12 City	Good	
17*	Hopspur maple (Acer thorncroftii)	19 City	Good	
18*	American elm (Ulmus americana)	11 City	Good	
19*	American elm (Ulmus americana)	12 City	Good	
20*	American elm (Ulmus americana)	30.5 Adjacent - 1362	Good	
21*	Eastern redbud (Juglans nigra)	18 Whippsawmill	Good	

*The location of these trees was not provided and has been estimated

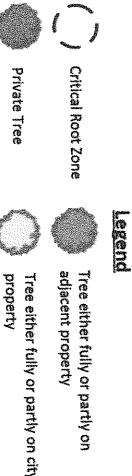


Robin Crescent

TIR Map - 20 Robin Crescent
 Tree layer prepared by
 Dendron Forestry Services
 Version 1.0, September 13, 2023
 For more information, please contact: info@dendronforestry.ca

Note: the tree layer has been added to the original 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.

Dendron is not responsible for the accuracy of the tree locations drawn on this plan. For accurate locations of trees, a survey should be conducted.



Legend

Critical Root Zone

Private Tree

Tree either fully or partly on adjacent property

Tree either fully or partly on city property

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Consent Application

Panel 2
Tuesday, October 1, 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.: D08-01-24/B-00163
Application: Consent under section 53 of the *Planning Act*
Applicant: Ashcroft Leasing Inc.
Property Address: 107 Fordham Private
Ward: 16 - River
Legal Description: Part of Block 74, Registered Plan 4M-1047
Zoning: R5K [835] H(28)
Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant wants to subdivide their property into two separate parcels of land to create separate ownership two of the existing townhouse dwellings.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Applicant requires the Committee's consent to sever. The property is shown as Parts 6 & 7 on 4R-17980 filed with the application and the separate parcels will be as follows:

The severed land, shown as Part 7, will have a frontage of 5.14 metres, an irregular depth, and an area of 150.8 square metres. This lot is known municipally as 107 Fordham Private.

The retained land, shown as Part 6, will have a frontage of 5.14 metres, an irregular depth, and an area of 161.6 square metres. This lot is known municipally as 105 Fordham Private.

The application indicates that the property is subject to an existing easement set out in OC56535 and OC131849.

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

FIND OUT MORE ABOUT THE APPLICATION

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](https://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: September 13, 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 d'autorisation

Groupe 2
Mardi 1^{er} octobre 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 : D08-01-24/B-00163
Demande : Autorisation en vertu de l'article 53 de la *Loi sur l'aménagement du territoire*
Requérante : Ashcroft Leasing Inc.
Adresse municipale : 107, privé Fordham
Quartier : 16 - Rivière
Description officielle : Partie de l'îlot 74, plan enregistré 4M-1047
Zonage : R5K [835] H(28)
Règlement de zonage : n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante souhaite lotir sa propriété en deux parcelles distinctes en vue d'établir des titres de propriété distincts pour deux des maisons en rangée existantes.

AUTORISATION REQUISE :

La requérante nécessite l'autorisation du Comité pour morceler le bien-fonds. La propriété est représentée par les parties 6 et 7 sur le plan 4R-17980 joint à la demande. Les parcelles distinctes sont décrites ci-après :

Le terrain morcelé, représenté par la partie 7, aura une façade de 5,14 mètres, une profondeur irrégulière et une superficie de 150,8 mètres carrés. Ce lot est situé au 107, privé Fordham.

Le terrain conservé, représenté par la partie 6, aura une façade de 5,14 mètres, une profondeur irrégulière et une superficie de 161,6 mètres carrés. Ce lot est situé au 105, privé Fordham.

La demande indique que la propriété est assujettie à une servitude existante énoncée dans les documents OC56535 et OC131849.

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 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.

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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

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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

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FAIT : 13 septembre 2024



This document is also available in English.

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
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 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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SUBJECT LAND / TERRE EN QUESTION

107 privé Fordham Private



NOT TO SCALE
NON À L'ÉCHELLE

Committee of Adjustment
Received | Reçu le

2024 - 08 - 22

City of Ottawa | Ville d'Ottawa
Comité de dérogation

ASHCROFT
BUILDING YOUR LIFESTYLE

August 20, 2024

City of Ottawa
Committee of Adjustments
101 Centrepointe Dr.
Nepean ON
K2G 5K7

To Whom It May Concern,

Re: 107 Fordham Private, Severance Application

Please be advised that Ashcroft Leasing Inc. is the owner of the above-noted property and would like to apply for a technical severance to correct inadvertent merger of 2 parcels that occurred due to a sale that was completed after part lot control by-law had expired. The subject property is currently a residential unit (part 7 on 4R-17980) and had merged with 105 Fordham Pvt. (part 6 on 4R-17980). The townhouse block was developed as part of a bigger subdivision in 1998. The file number of the subdivision application could not be found due to the age of this project.

The owner would like to sever 107 Fordham Pvt. From 105 Fordham Pvt. to create 2 separate parcels; and to correct the inadvertent merger. This would allow 105 Fordham Pvt. be dealt with separately from 107 Fordham Pvt. going forward. There will be no changes made to the use of the properties, and thus, will remain residential.

Due to this severance being a severance for 2 existing residential lots, with no changes or plans for development, the owner believes a Tree Information Report would not be necessary.

This cover letter 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;**

The proposed severances and easements have regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water
- 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 employment opportunities
- 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;

107 Fordham Pvt. is located within the City of Ottawa's urban boundary and is in a fully developed neighbourhood. The proposed severances and easements are not premature and are in the public interest.

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

In order to accommodate the expected growth of the city, the City of Ottawa Official Plan supports infill development and intensification throughout the built-up area (Section 3.2). Policy 3 of Section 3.2 states:

"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 as shown on Schedules B1 through B8. Hub and Corridor designations are intended to be diverse concentrations of employment, commercial, community and transportation services (in addition to accommodating significant residential opportunities) that are accessible to adjacent Neighbourhood designations on a daily and weekly basis."

Both the Severed and Retained Sites are designated Neighbourhood within the Outer Urban Transect of the Official Plan and is subject to the Neighbourhood Overlay. The Severed Site is located within 500 metres of the Merivale Road Arterial and within 1km off Baseline Rd where there is a transit service.

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

The proposed severances will help facilitate the sale of the retained property which will bring in new homeowners which is supported by the policies of the Official Plan.

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

Both parcels are developed and are being used as residential units. There will be no changes made to the current use.

- 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 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 5.14m x 36.53m irregularly shaped lot (retained) and another irregularly shaped lot (severed).

- 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 Severed and Retained Sites are located within the urban boundary and are connected to existing utilities and municipal services.

- j) ***the adequacy of school sites;***

The Subject Site is located near Agincourt Road Public School. The proposed severances will have no major impact on the adequacy of school sites 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;***

Fordham Private is a 6.7m private road and is fully developed.

- 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 severances are keeping the same current uses of the land with no additional servicing work required.

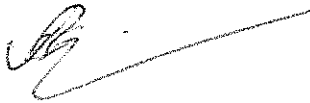
m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto 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 and easements meet the criteria set out in Section 51(24) of the Planning Act. The proposed severances and easements at 107 Fordham Pvt. represent good land use planning.

Please find enclosed the completed Severance Application, related documents, and required application fee for your review and consideration. We look forward to hearing from you.

Yours very truly,



Mustapha Arkadan
Land Development Manager
markadan@ashcrofthomes.ca
613.883.0084

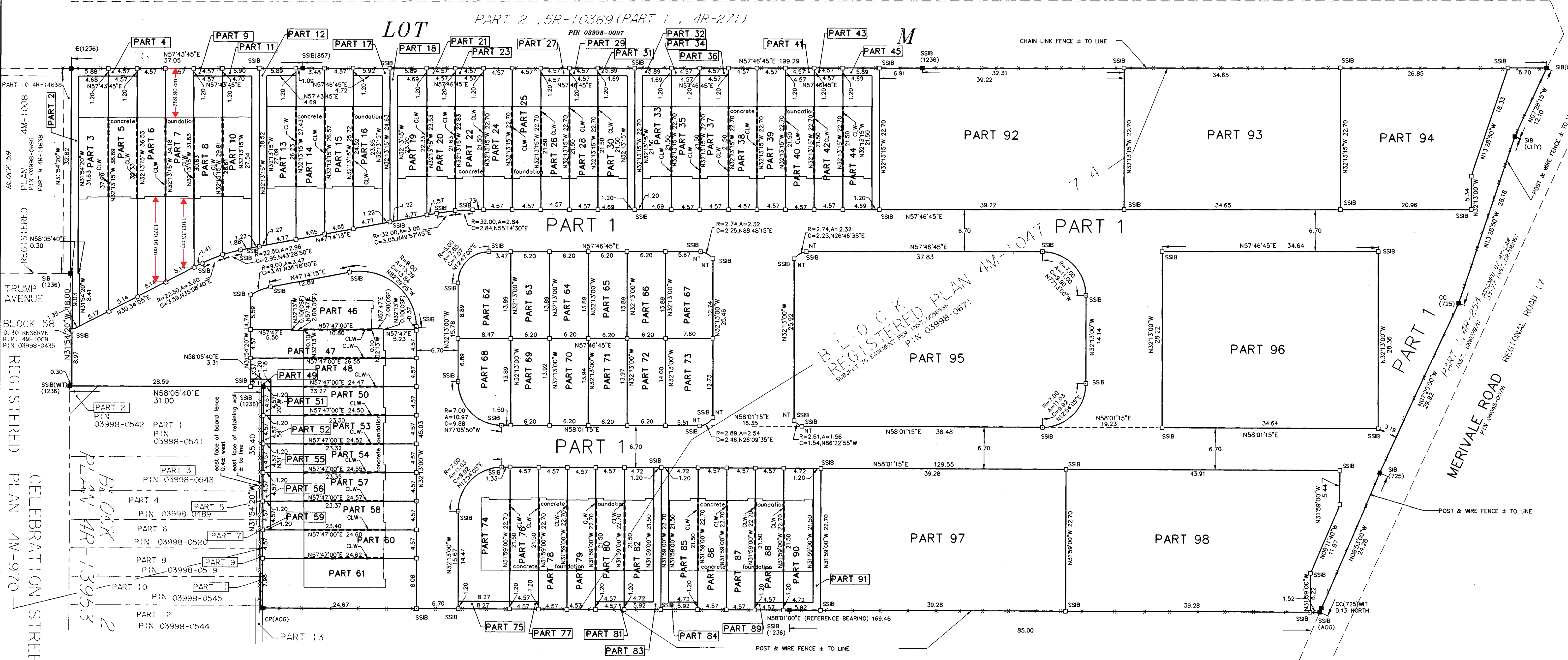
PART	SCHEDULE		17	35.4		35	98.3		53	106.5		71	86.5		89	5.5			
	ALL OF BLOCK	PLAN		ALL OF PIN	AREA(M ²)		18	35.0		36	5.5		54	106.6		72	86.7	90	101.5
1			4440.1	19			106.8	37			5.5	73	105.6	91		32.9			
2			55.7	20			100.3	38			5.5	74	103.7	92		890.3			
3			183.9	21			5.5	39			106.8	75	9.9	93		786.6			
4			5.5	22			98.4	40			106.9	76	98.3	94		526.9			
5			166.9	23			5.5	41			5.5	77	5.5	95		1290.2			
6			161.6	24			103.7	42			112.5	78	103.7	96		979.8			
7			150.8	25			103.7	43			197.9	79	103.7	97		891.7			
8			135.0	26			98.3	44			112.3	80	98.3	98		942.3			
9	74	4M-1047	03998-0671	5.5	27	74	5.5	45	74	4M-1047	03998-0671	5.5	74	4M-1047	03998-0671	5.5	74	4M-1047	03998-0671
10			131.7	28			98.3	46			86.1	81	86.1	82		101.5			
11			40.0	29			5.5	47			86.1	83	86.1	84		32.9			
12			39.7	30			100.8	48			86.1	84	86.1	85		32.9			
13			125.1	31			32.9	49			104.8	85	101.5			101.5			
14			123.4	32			123.4	50			107.1	86	103.7			103.7			
15			119.5	33			100.8	51			86.2	87	103.7			103.7			
16			113.7	34			5.5	52			86.4	88	98.3			98.3			

Committee of Adjustment
Received / Reçu le
2024-08-27
City of Ottawa / Ville d'Ottawa
Comité de dérogation

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
SEPTEMBER 17, 2002
PAUL A. RIDDELL
ONTARIO LAND SURVEYOR

PLAN 4R-17980
RECEIVED AND DEPOSITED
Sept 17, 2002
M. ...
LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OTTAWA - CARLETON NO. 4

CONCESSION "A" (RIDEAU FRONT) LOT CALDWELL AVENUE



PLAN OF SURVEY OF BLOCK 74 REGISTERED PLAN 4M-1047 CITY OF OTTAWA
PAUL A. RIDDELL O.L.S.
SCALE=1:300
MAY 2002

BEARINGS NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF BLOCK 74 AS SHOWN ON REGISTERED PLAN 4M-1047, HAVING A BEARING OF N58°01'00".
NOTE: ALL SET MONUMENTS ARE IB'S UNLESS OTHERWISE NOTED.
NOTE: ALL PERIMETER BEARINGS AND DISTANCES ARE (PL & MEAS) PER REGISTERED PLAN 4M-1047.

- LEGEND:
- IB DENOTES FOUND MONUMENTS
 - IB DENOTES SET MONUMENTS
 - IB DENOTES IRON BAR
 - IB DENOTES STANDARD IRON BAR
 - CC DENOTES SHORT STANDARD IRON BAR
 - CC DENOTES CUT CROSS
 - MT DENOTES WITNESS
 - NT DENOTES NON TANGENTIAL
 - SU DENOTES SOURCE UNKNOWN
 - MEAS. DENOTES MEASURED
 - PL DENOTES REGISTERED PLAN 4M-1047
 - PROP DENOTES PROPORTIONED
 - OP DENOTES OUTSIDE FACE OF WALL
 - OSF DENOTES CENTERLINE OF WALL
 - AOG DENOTES ANNIS O'SULLIVAN & VOLLEBECK O.L.S.'S
 - 1236 DENOTES P.A. RIDDELL O.L.S.
 - 725 DENOTES ARNETT, KENNEDY, RIDDELL & JASON O.L.S.'S
 - 857 DENOTES FAIRHALL, MOFFATT & WOODLAND O.L.S.'S
 - CITY DENOTES CITY OF OTTAWA

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT:
1. THIS PLAN AND SURVEY ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 13 DAY OF SEPTEMBER, 2002
DATED: SEPTEMBER 16, 2002
PAUL A. RIDDELL
ONTARIO LAND SURVEYOR

Paul A. Riddell Ltd.
ONTARIO AND CANADA LAND SURVEYORS
NEPEAN 1-613-225-8513 OTTAWA
RF No. 98-1033-32
email: priddell@magnm.ca

PART OF LOT M CONCESSION "A" (RIDEAU FRONT) PART 1, 4R-1006 PIN 03998-0096

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variance Application

Panel 2

Tuesday, October 1, 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-00230
Application: Minor Variance under section 45 of the *Planning Act*
Applicant: Royal S.M.S Construction Inc.
Property Address: 25 Pennard Way
Ward: 10 – Gloucester-Southgate
Legal Description: Part of Block 13, Registered Plan 4M-997
Zoning: R4S [923]
Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant has constructed a long semi-detached dwelling, as shown on plans filed with the Committee. It has since been determined that the dwelling is not in conformity with the requirements of the Zoning By-law.

REQUESTED VARIANCE:

The Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit an increased building height of 11.12 metres, whereas the By-law permits a maximum building height of 11 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: September 13, 2024



Ce document est également offert en français.

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



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

AVIS D'AUDIENCE

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

Demande de dérogation mineure

Groupe 2
Mardi 1^{er} octobre 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-00230
Demande : Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*
Requérante : Royal S.M.S Construction Inc.
Adresse municipale : 25, voie Pennard
Quartier : 10 – Gloucester-Southgate
Description officielle : Partie de l'îlot 13, plan enregistré 4M-997
Zonage : R4S [923]
Règlement de zonage : n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante a construit une maison jumelée en longueur, conformément aux plans déposés auprès du Comité. Il a depuis été déterminé que l'habitation n'est pas conforme aux exigences du Règlement de zonage.

DÉROGATION DEMANDÉE :

La requérante demande au Comité d'accorder une dérogation mineure au Règlement de zonage afin de permettre une hauteur de bâtiment accrue de 11,12 mètres, alors que le Règlement permet une hauteur de bâtiment maximale de 11 mètres.

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 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.

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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

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TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

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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

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FAIT : 13 septembre 2024



This document is also available in English.

Committee of Adjustment

City of Ottawa

101 Centrepointe Drive

Ottawa ON K2G 5K7

[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)

cofa@ottawa.ca

613-580-2436



Comité de dérogation

Ville d'Ottawa

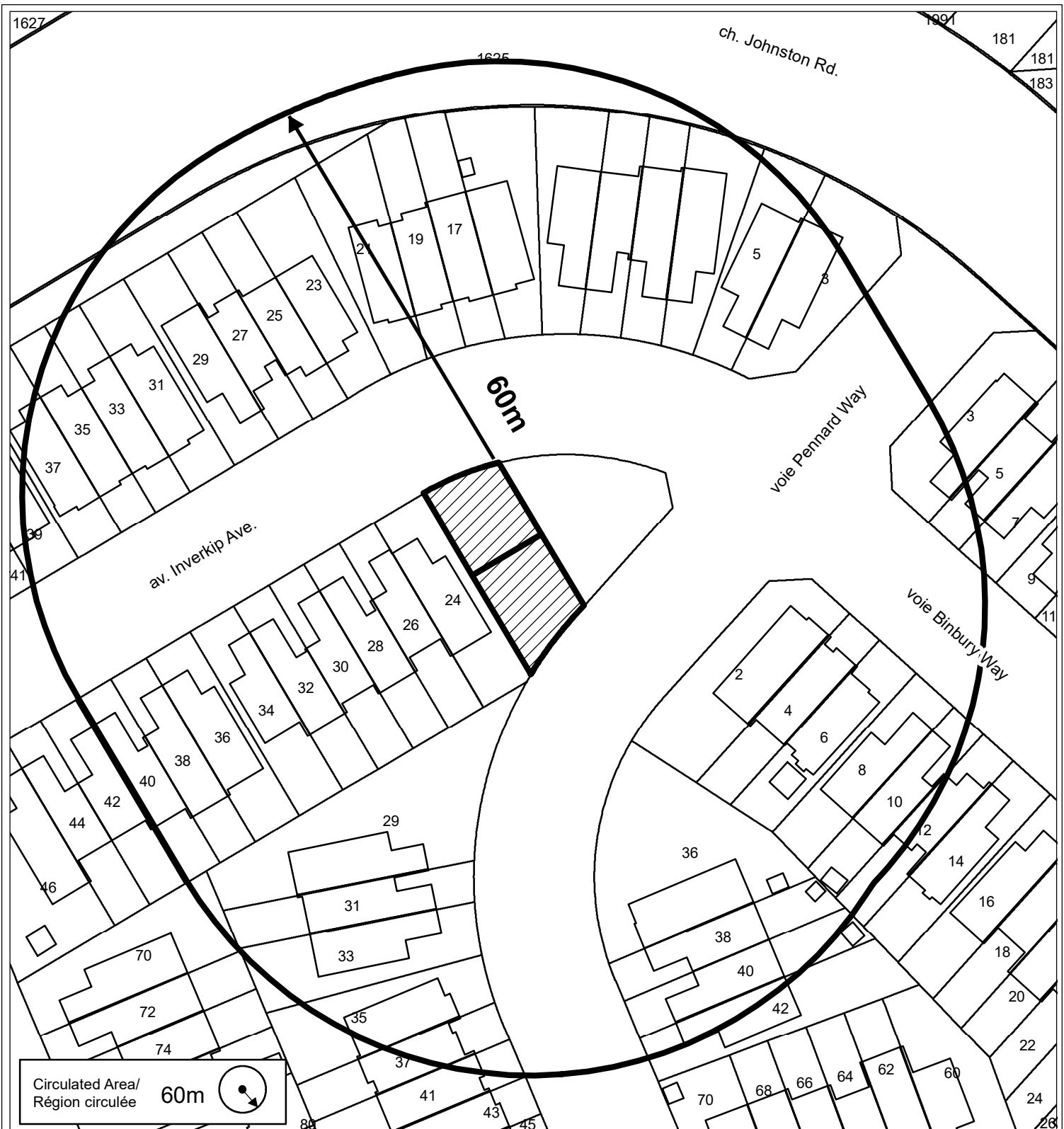
101, promenade Centrepointe


Ottawa ON K2G 5K7

[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)

cded@ottawa.ca

613-580-2436



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
25 voie Pennard & 22 av. Inverkip Ave.



NOT TO SCALE
NON À L'ÉCHELLE

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

Committee of Adjustment
Received | Reçu le

2024-08-28

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Royal SMS Construction Inc.
450 Tremblay Road, Ottawa, On, K1M 0G4

Re: 25 Pennard way.

& 22 Inverkip.

Dear Ladies & Gentlemen of the Committee of Adjustment,

My name is Elie Ghossein, and I am the president/owner of Royal SMS Construction Inc.

After your Committee kindly approved severing the lot, mentioned above, on Octobre 13, 2023. And after I was granted the building permit, on Feb 06, 2024, I started building the long semi-detached addressed 25 Pennard way & 22 Inverkip. I made sure that the house height respects the zoning bylaw and I personally asked my architect to keep it at least 1 meter below the maximum allowed height, which is 11 meters high.

Right after we started digging the lot, we realized that the soil is formed by Lema soft clay. Which made me involved the engineering office of Paterson Inc. to solve this problem. After many attempts, they suggested that I need to pour a mud slab all across the lot with a thickness of 75 mm. and I need to pour my footings on 600 mm of Geogrid packed stones. And they suggested the footings to be 300 mm thick instead of 150 mm. Which raised the house by 825 mm all together.

I was aware that we are raising the house. We (My architect, Mr. Andre Theriault and I), recalculated the height allowed and we found that we are still safe. In terms of respecting the legal height of the house. So, we kept building and framing according to the plans signed by the City Permit.

What we didn't realize is that Mr Andre had clearly indicated in his plans that, the floor joists should be 300mm wide. But what we didn't missed is that the joist manufacture's engineers (St. Lawrence), had changed the joists width to 400mm upon sending them. So now we have 100mm extra height on 3 floors. Which pushed the height of the house to 11.12m instead of 11m.

We did not realize that honest mistake until we completely finished framing the building and the roof is done. It took us some time to understand what happened.

It shook me very much this error, because it never was my intention to exceed the height or to build anyhow different than what I was permitted to.

My circumstances were confusing and stressful. Therefore, I wish from your honorable Committee to look carefully into this matter, and to kindly consider allowing me to have 12cm difference from the allowed height, please. Especially that it was very unintentional and upsetting. And especially that the difference is very tiny and minimum, compared to the 1100 cm allowed.

So, the variance is very minor. And It is desirable for the appropriate development and use of the property, since the property is already built. And the general intent of the Zoning By-Law is maintained since we didn't change anything concerning the By-Law. And the general intent and purpose of the Official Plan is maintained since we built the house exactly according to the Official Plan.

Kind regards,

Elie Ghossein

Royal SMS Construction Inc

819-592-5923

Ottawa, This 26-08-2024

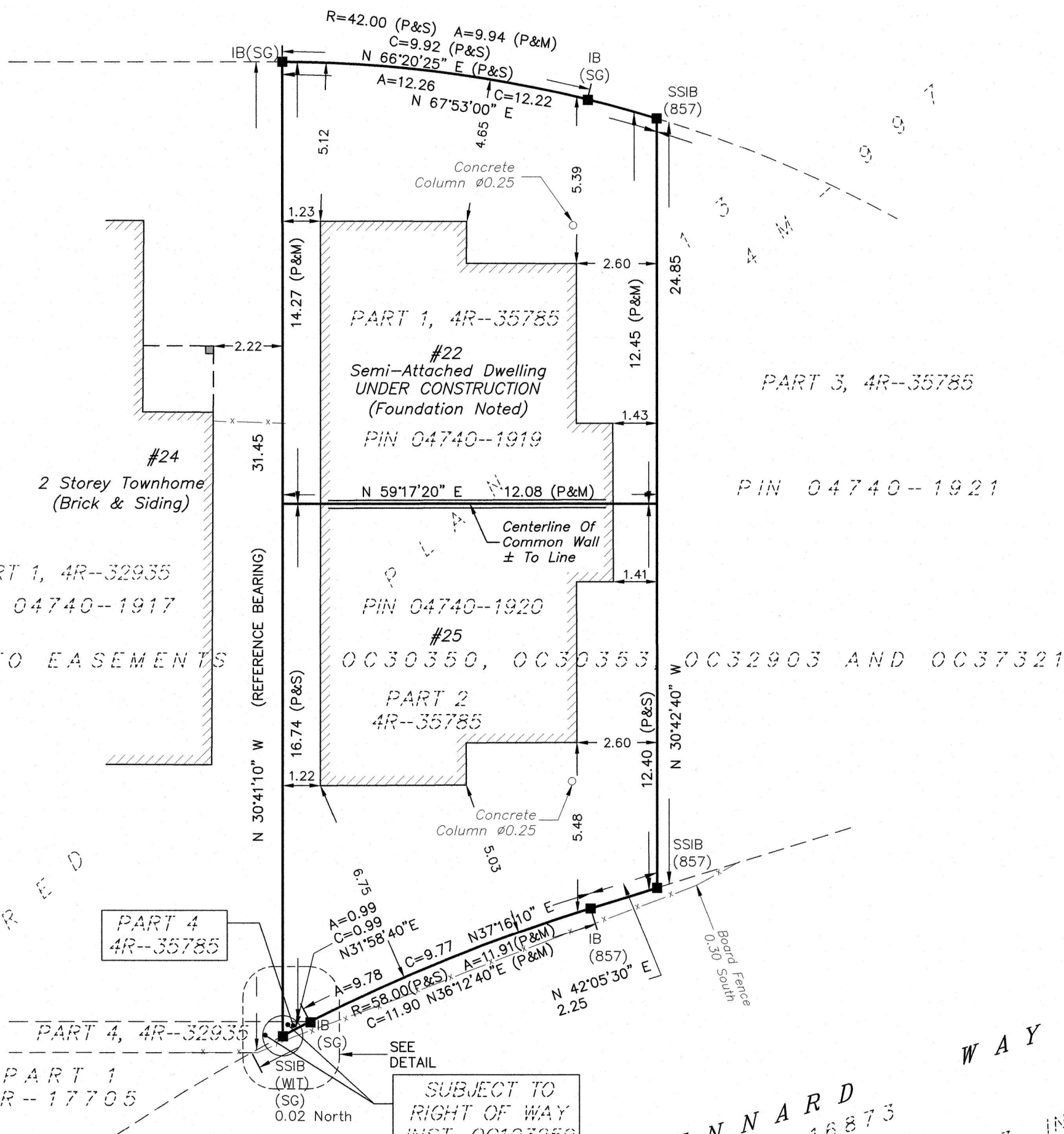
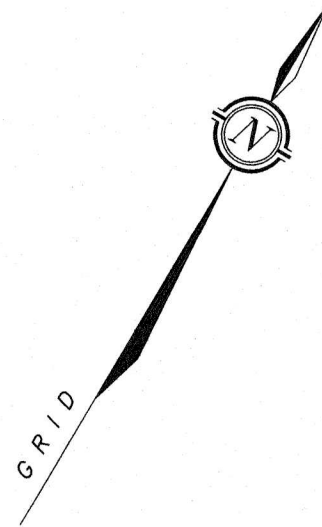
METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Committee of Adjustment
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2024-08-28
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation

SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF
PART OF BLOCK 13
REGISTERED PLAN 4M-997
CITY OF OTTAWA

SCALE 1 : 150
 0 1 2 5 10 15 metres
FAIRHALL, MOFFATT & WOODLAND LIMITED
 ONTARIO LAND SURVEYORS

AVENUE INVERKIP AVENUE
 PART 21, 4R-16873
 PIN 04740-1225
 DEDICATED AS ROAD BY BY-LAW 2001-23
 INST. 0053324

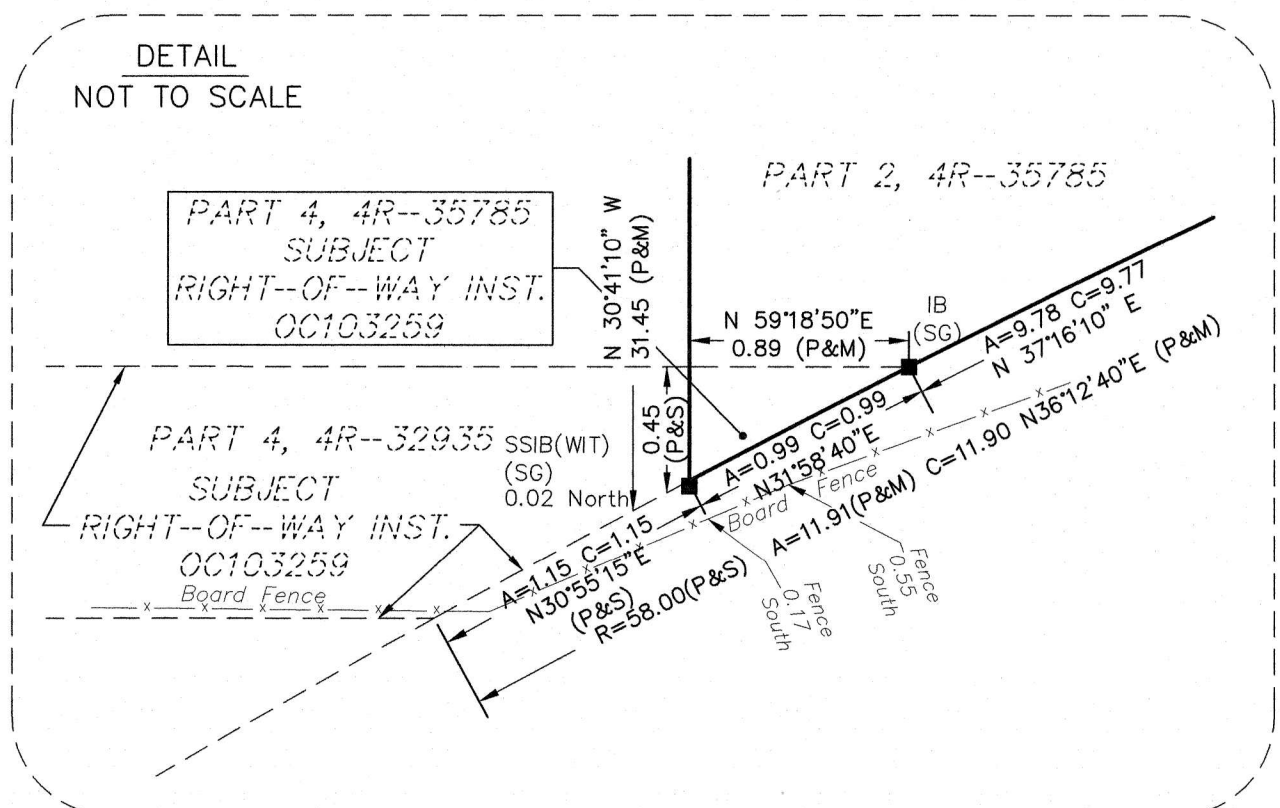


- NOTES**
- BEARINGS ARE GRID DERIVED FROM THE WESTERLY LIMIT OF PART 1 AND 2 AS SHOWN ON PLAN 4R-35785, HAVING A BEARING OF N 30°41'10" E AND ARE REFERRED TO THE CENTRAL MERIDIAN 76°30' W LONGITUDE, MTM ZONE 9, NAD83 (CSRS, 2010.0).
 - DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99995

- NOTES**
- - SURVEY MONUMENT FOUND
 - SSIB - SHORT STANDARD IRON BAR
 - IB - IRON BAR
 - CP - CONCRETE PIN
 - (P) - PLAN 4R-35785
 - (S) - SET
 - (M) - MEASURED
 - (WIT) - WITNESS
 - (SG) - STANTEC GEOMATICS LTD., O.L.S.
 - (857) - FAIRHALL, MOFFATT & WOODLAND LIMITED, O.L.S.
 - PIN - PROPERTY IDENTIFIER NUMBER

B
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VOIE PENNARD
 PART 20, 4R-16873
 PIN 04740-1225
 DEDICATED AS ROAD BY BY-LAW 2001-23, INST. 0053324



SURVEYOR'S REAL PROPERTY REPORT - PART 2
REPORT SUMMARY

DESCRIPTION OF LAND
 PART OF BLOCK 13, REGISTERED PLAN 4M-997, CITY OF OTTAWA AS IN ALL OF PINS 04740-1919 & 04740-1920, DESIGNATED AS PART 1, 4R-35785 AND PARTS 2 & 4, 4R-35785 RESPECTIVELY

REGISTERED EASEMENTS
 PART 4, PLAN 4R-35785 SUBJECT TO RIGHT-OF-WAY PER INST. OC103259 PARTS 1, 2 AND 4 PLAN 4R-35785 SUBJECT TO EASEMENTS INST. OC30350, OC30353, OC32903 AND OC37321 IN FAVOUR OF OTTAWA CENTRAL RAILWAY INC., ROGERS OTTAWA LIMITED, BELL CANADA AND HYDRO OTTAWA LIMITED RESPECTIVELY.

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

THIS REPORT WAS PREPARED FOR ROYAL S.M.S. CONSTRUCTION INC. THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-69777

SURVEYOR'S CERTIFICATE

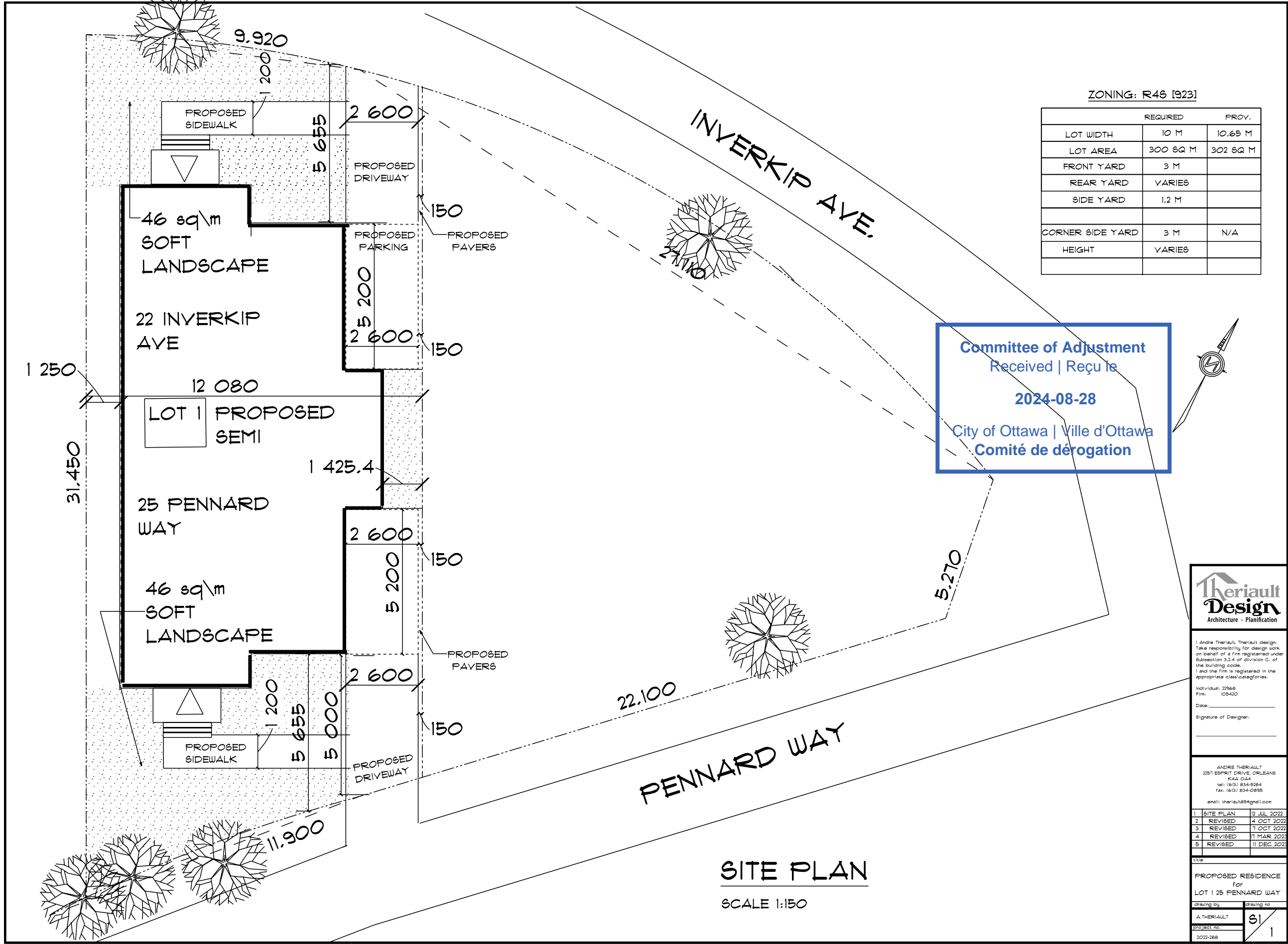
I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON MARCH 12, 2024

2024/05/30
 DATE JOHN H. GUTRI
 ONTARIO LAND SURVEYOR

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

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

JOB No.
 A C 2 2 9 0 0
 E 372606, N 5025781
 REFERENCE No.
 1(b)-4M-997
 S:\JOBS\AC22900\DWG 29MAY2024
 SRPR_AC229.dwg (ss)



ZONING: R48 [923]

	REQUIRED	PROV.
LOT WIDTH	10 M	10.65 M
LOT AREA	300 SQ M	302 SQ M
FRONT YARD	3 M	
REAR YARD	VARIES	
SIDE YARD	1.2 M	
CORNER SIDE YARD	3 M	N/A
HEIGHT	VARIES	

Committee of Adjustment
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 2024-08-28
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation



I, Andre Therriault, Therriault design, take responsibility for design work on behalf of a firm registered under Subsection 3.2.4 of division C. of the building code. I and the firm is registered in the appropriate class/categories.

Individual: 2268
 Firm: 108420
 Date: _____
 Signature of Designer: _____

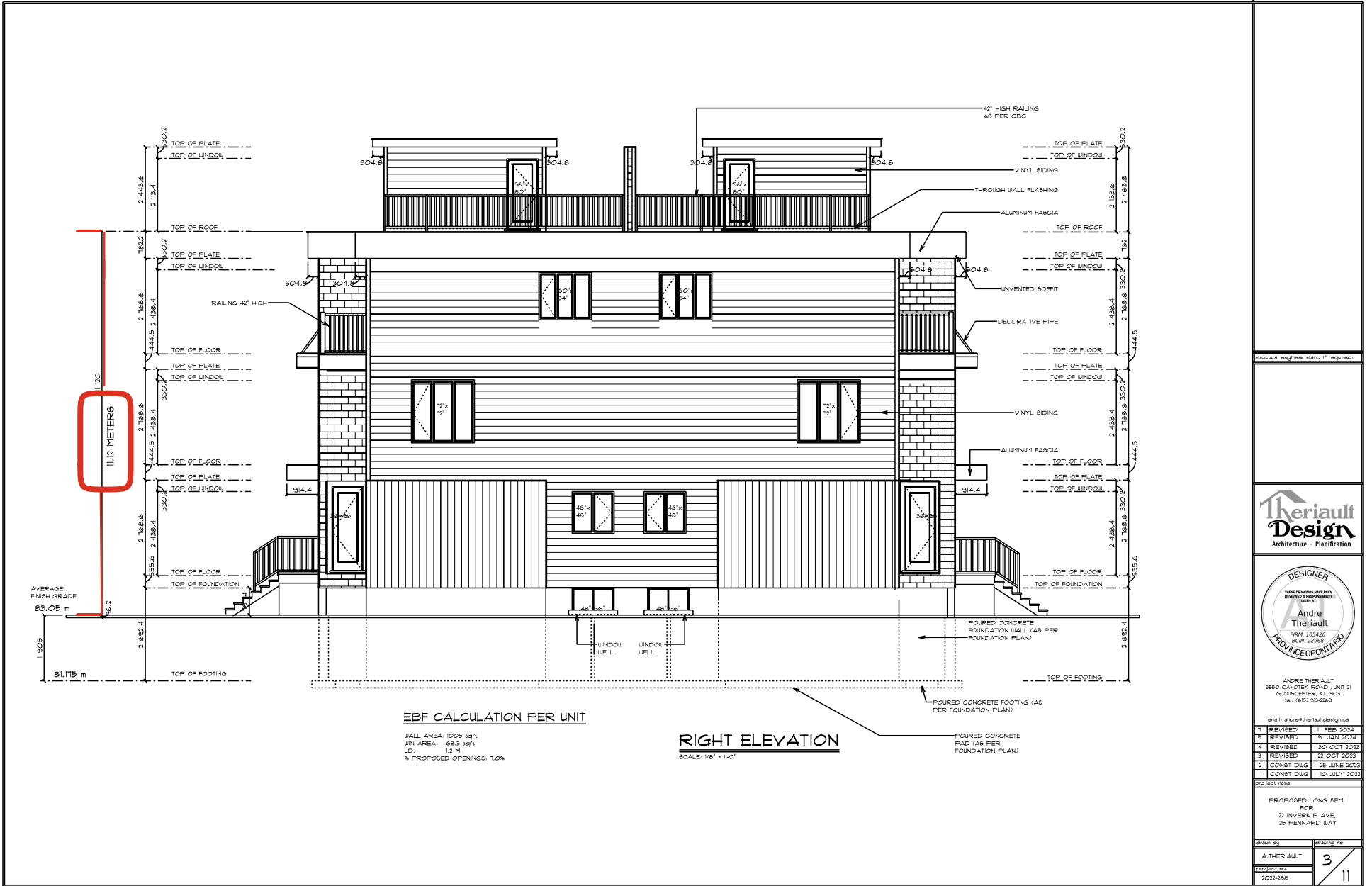
ANDRE THERRIAULT
 2291 ESPRIT DRIVE, ORLEANS
 K4A 0A4
 Tel: (613) 834-9284
 Fax: (613) 834-0985
 email: therriault8@gmail.com

1	SITE PLAN	12 JUL 2022
2	REVISED	4 OCT 2022
3	REVISED	1 OCT 2022
4	REVISED	1 MAR 2023
5	REVISED	11 DEC 2023

SITE PLAN
 SCALE 1:150

title	
PROPOSED RESIDENCE For LOT 1 25 PENNARD WAY	
drawing by	drawing no
A.THERIAULT	51
project no.	1
2022-288	

Committee of Adjustment
 Received | Reçu le
Revised | Modifié le : 2024-09-03
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation



EBF CALCULATION PER UNIT

WALL AREA: 1009 sqft
 FIN AREA: 693 sqft
 LD: 1.2 m
 % PROPOSED OPENINGS: 1.0%

RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

Structural engineer stamp if required:



ANDRE THERIAULT
 3850 SANDYK ROAD UNIT 21
 GLOUCESTER, K1J 1K3
 TEL: (613) 93-2849

1	REVISED	1 FEB 2024
2	REVISED	8 JAN 2024
3	REVISED	30 OCT 2023
4	REVISED	21 OCT 2023
5	CONST DUG	28 JUNE 2023
6	CONST DUG	10 JULY 2022

PROJECT NAME
 PROPOSED LONG BEM1
 FOR
 21 INVERKIP AVE
 25 BERNARD ST

Drawn by:	A.THERIAULT	Sheet no:	3
Project no:	2022-288		11



Dendron Forestry Services
www.dendronforestry.ca
613.805.WOOD (9663)
info@dendronforestry.ca

Tree Information Report

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

Address: 25 Pennard Way
Date of Site Visit: March 14, 2023
Date of Report: March 27, 2023
Prepared by: Kevin Myers, ISA Certified Arborist ®
info@dendronforestry.ca
Client: Elie Ghossein; royalsms.development@gmail.com

Committee of Adjustment
Received | Reçu le

2023-03-30

City of Ottawa | Ville d'Ottawa
Comité de dérogation

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

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 Inc., dated September 3, 2022
- Site plan by Theriault Design, dated November 7, 2022
- 4R plan, dated February 24, 2023
- Site plan by Theriault Design, dated March 17, 2023

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.



Methodology

The following materials were reviewed as part of this report:

- Survey
- Site Plan
- 4R plan
- GeOttawa 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

Tree Information

The following 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.

Tree ¹	Species	Diameter at breast height (cm)	Ownership ²	Condition	Action	Recommendations
1 ³	Japanese lilac (<i>Syringa reticulata</i>)	5	City	Good	Retain	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
2 ³	Callery pear (<i>Pyrus calleryana</i>)	7	City	Fair: sprouts at base, poor branching	Remove	Remove: in line with proposed driveway and fair health; Tree Permit required
3	English oak (<i>Quercus robur</i>)	Multi-stem: 10, 10, 8, 10, 8	City	Fair: poor structure	Retain	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
4	English oak (<i>Quercus robur</i>)	Multi-stem: 13, 13, 17	City	Fair: poor structure	Retain	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
5	Amur maple (<i>Acer ginnala</i>)	7 stems - avg. 8 cm	City	Fair: large stem removed at base; broken branches	Remove	Remove due to proximity to new driveway and fair health; Tree Permit required



6	Amur maple (<i>Acer ginnala</i>)	Multi-stem: 7, 10, 8	City	Fair	Retain	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
7	Amur maple (<i>Acer ginnala</i>)	Multi-stem: 11, 10, 9, 13	City	Fair: broken branches; poor form	Retain	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)

¹ Please refer to the attached Tree Information map for tree numbers. Note that this includes a tree layer added to the 4R plan (in pdf format) provided by the client. This layer includes only information about the trees and the original 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.

³The location of these trees was not provided and has been estimated

Tree Protection

Prior to any site works, protective fencing should be installed around the trees 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)**. 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 14, 2023. On Behalf of Dendron Forestry Services,

Kevin Myers

Kevin Myers, MFC
ISA Certified Arborist®, ON-2907A
Dendron Forestry Services
info@dendronforestry.ca
(613) 805-9663 (WOOD)

This report has been approved by
Astrid Nielsen, Registered
Professional Forester, X, 2023



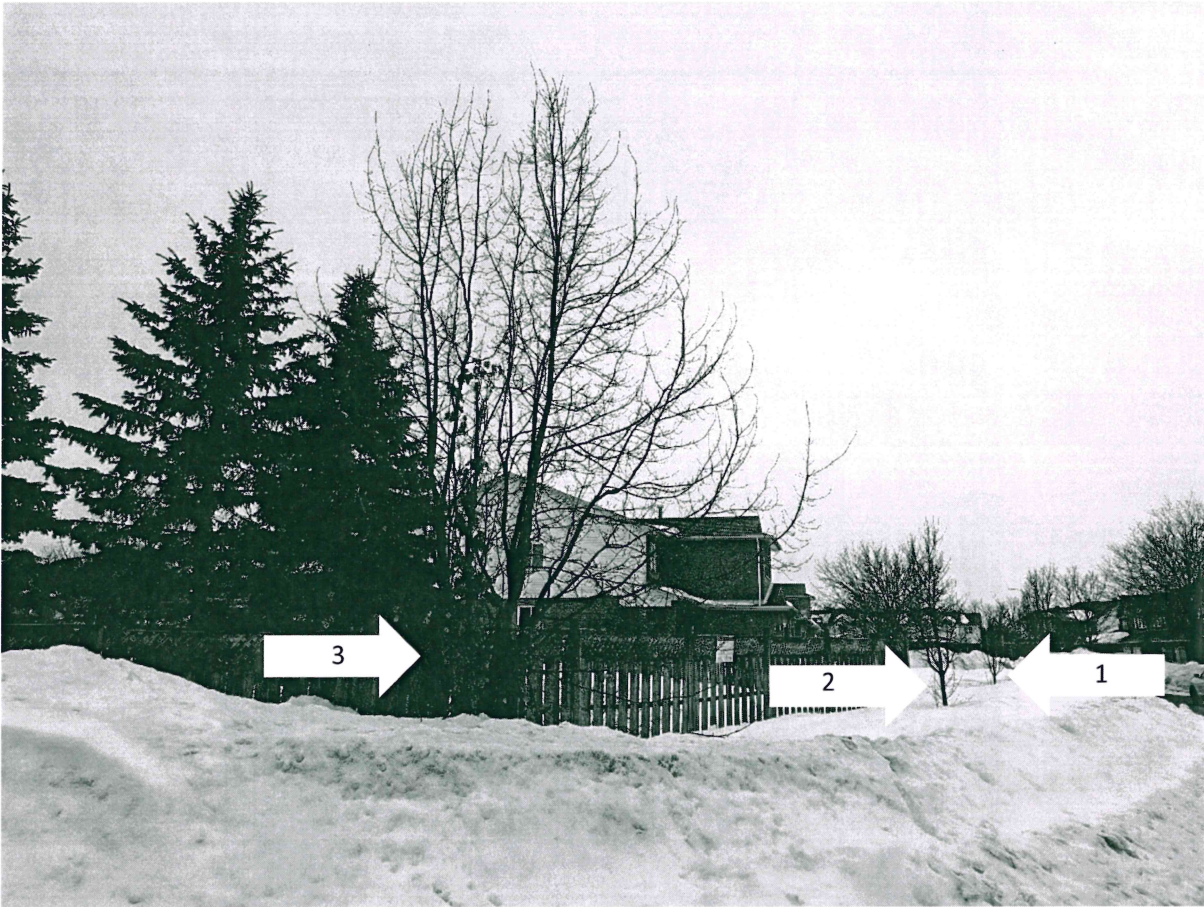


Figure 1 - (indicated with arrows) Tree 1: city lilac to be retained. Tree 2: city pear to be removed. Tree 3: city English oak to be retained.



Figure 2 - Tree 4: city English oak to be retained.



Figure 3 (From Left to Right) - Tree 7: city amur maple to be retained. Tree 6: City Amur maple to be retained. Tree 5: City Amur maple to be removed.



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 2, 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

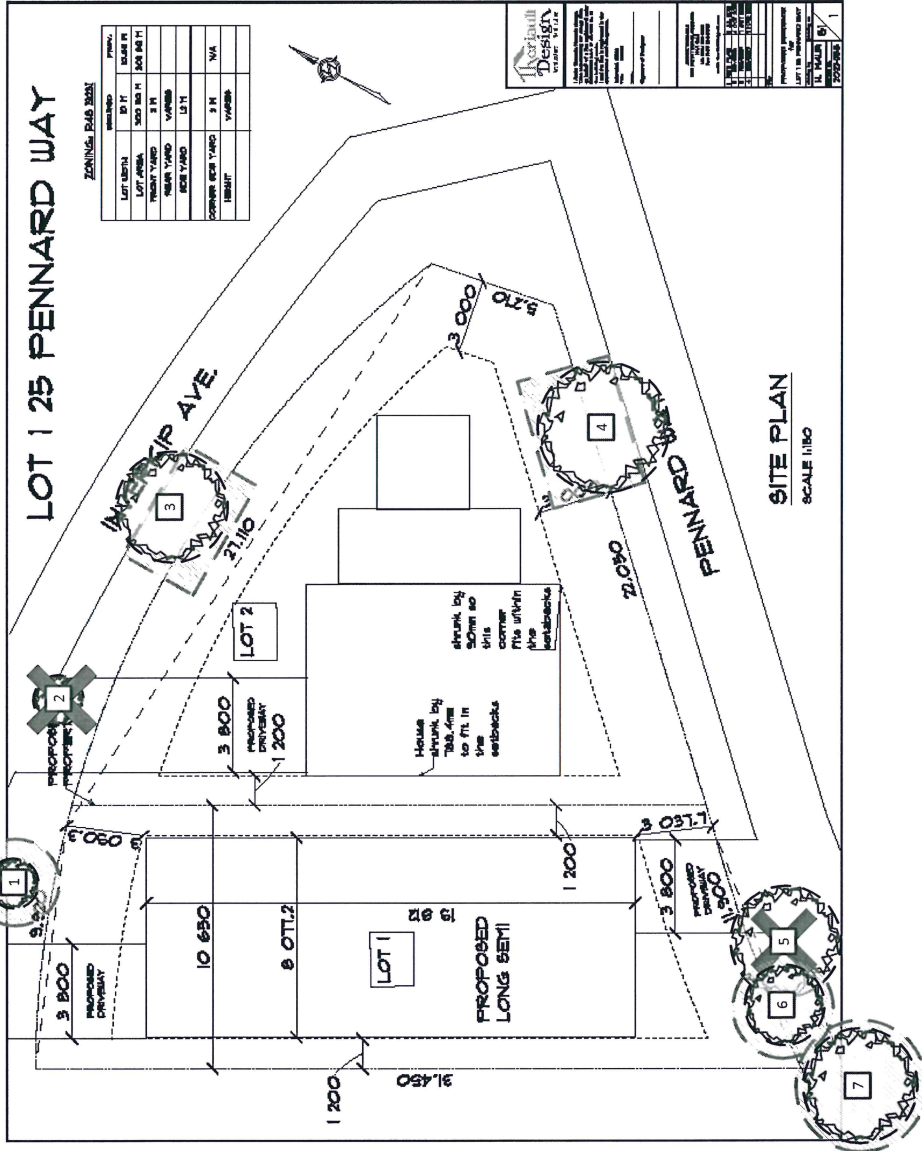
This Report was prepared by Dendron exclusively for the Client for the purpose set out in the Report. Any use which a third party makes of this Report, or any reliance on or decisions a third party may make based upon this Report, are made at the sole risk of any such third parties. Dendron Forestry 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.

Tree#	Species	Diameter at breast height (cm)	Ownership	Condition	Recommendations
1 ³	Japanese lilac (<i>Syringa reticulata</i>)	5	City	Good	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
2 ³	Gallery pear (<i>Pyrus calleryana</i>)	7	City	Fair: sprouts at base, poor branching	Remove: in line with proposed driveway and fair health; Tree Permit required
3	English oak (<i>Quercus robur</i>)	Multi-stem: 10, 10, 8, 10, 8	City	Fair: poor structure	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
4	English oak (<i>Quercus robur</i>)	Multi-stem: 13, 13, 17	City	Fair: poor structure	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
5	Amur maple (<i>Acer ginnala</i>)	7 stems - avg. 8 cm	City	Fair: large stem removed at base; broken branches	Remove due to proximity to new driveway and fair health; Tree Permit required
6	Amur maple (<i>Acer ginnala</i>)	Multi-stem: 7, 10, 8	City	Fair	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)
7	Amur maple (<i>Acer ginnala</i>)	Multi-stem: 11, 10, 9, 13	City	Fair: broken branches; poor form	Retain and protect as per City of Ottawa Tree Protection Specifications (March 2021)



Tree Protection Area (TPA)

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

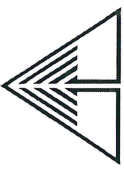
- Place a layer of 6-12 inches (15 to 30 cm) of woodchip mulch to the area
- Apply 1/2 (2 cm) inch plywood, or road mats over a 4+ inch (10 cm) thick layer of the wood chip mulch
- Apply 4-6 inches (10 to 15 cm) of gravel over a taut, staked, geotextile fabric

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

Note: the locations of the trees were not included on the site plan and have been estimated. For exact locations refer to the original survey

Legend

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



Tree Information Report – 25 Pennard Way
 Tree layer prepared by Dendron Forestry Services
 Version 1.0, March 28, 2023
 For more information, please contact info@dendronforestry.ca

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variance Application

Panel 2

Tuesday, October 1, 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-00229
Application: Minor Variance under section 45 of the *Planning Act*
Applicant: Royal S.M.S Construction Inc.
Property Address: 22 Inverkip Avenue
Ward: 10 – Gloucester-Southgate
Legal Description: Part of Block 13, Registered Plan 4M-997
Zoning: R4S [923]
Zoning By-law: 2008-250

APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant has constructed a long semi-detached dwelling, as shown on plans filed with the Committee. It has since been determined that the dwelling is not in conformity with the requirements of the Zoning By-law.

REQUESTED VARIANCE:

The Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit an increased building height of 11.12 metres, whereas the By-law permits a maximum building height of 11 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.

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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.

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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: September 13, 2024



Ce document est également offert en français.

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



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

AVIS D'AUDIENCE

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

Demande de dérogation mineure

Groupe 2
Mardi 1^{er} octobre 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-00229
Demande : Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*
Requérante : Royal S.M.S Construction Inc.
Adresse municipale : 22, avenue Inverkip
Quartier : 10 – Gloucester-Southgate
Description officielle : Partie de l'îlot 13, plan enregistré 4M-997
Zonage : R4S [923]
Règlement de zonage : n° 2008-250

PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante a construit une maison jumelée en longueur, conformément aux plans déposés auprès du Comité. Il a depuis été déterminé que l'habitation n'est pas conforme aux exigences du Règlement de zonage.

DÉROGATION DEMANDÉE :

La requérante demande au Comité d'accorder une dérogation mineure au Règlement de zonage afin de permettre une hauteur de bâtiment accrue de 11,12 mètres, alors que le Règlement permet une hauteur de bâtiment maximale de 11 mètres.

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 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 : 13 septembre 2024

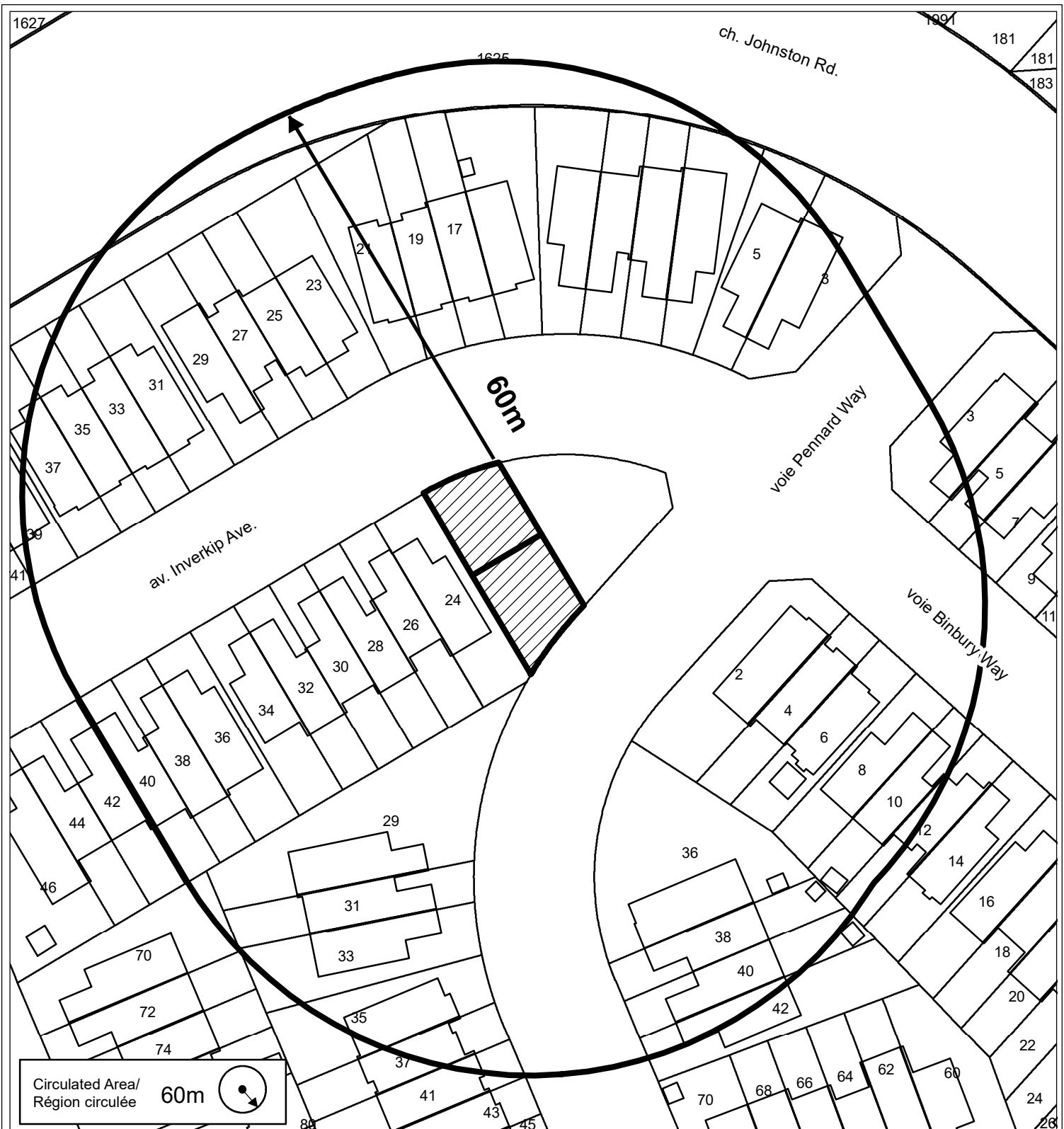



This document is also available in English.


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



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Ville d'Ottawa
101, promenade Centrepointe
Ottawa ON K2G 5K7
Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436




Circulated Area/
Région circulée **60m** 

 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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THIS IS NOT A PLAN OF SURVEY

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 **SUBJECT LAND / TERRAIN EN QUESTION**
25 voie Pennard & 22 av. Inverkip Ave.


NOT TO SCALE
NON À L'ÉCHELLE

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

Committee of Adjustment
Received | Reçu le

2024-08-28

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Royal SMS Construction Inc.
450 Tremblay Road, Ottawa, On, K1M 0G4

Re: 25 Pennard way.

& 22 Inverkip.

Dear Ladies & Gentlemen of the Committee of Adjustment,

My name is Elie Ghossein, and I am the president/owner of Royal SMS Construction Inc.

After your Committee kindly approved severing the lot, mentioned above, on Octobre 13, 2023. And after I was granted the building permit, on Feb 06, 2024, I started building the long semi-detached addressed 25 Pennard way & 22 Inverkip. I made sure that the house height respects the zoning bylaw and I personally asked my architect to keep it at least 1 meter below the maximum allowed height, which is 11 meters high.

Right after we started digging the lot, we realized that the soil is formed by Lema soft clay. Which made me involved the engineering office of Paterson Inc. to solve this problem. After many attempts, they suggested that I need to pour a mud slab all across the lot with a thickness of 75 mm. and I need to pour my footings on 600 mm of Geogrid packed stones. And they suggested the footings to be 300 mm thick instead of 150 mm. Which raised the house by 825 mm all together.

I was aware that we are raising the house. We (My architect, Mr. Andre Theriault and I), recalculated the height allowed and we found that we are still safe. In terms of respecting the legal height of the house. So, we kept building and framing according to the plans signed by the City Permit.

What we didn't realize is that Mr Andre had clearly indicated in his plans that, the floor joists should be 300mm wide. But what we didn't missed is that the joist manufacture's engineers (St. Lawrence), had changed the joists width to 400mm upon sending them. So now we have 100mm extra height on 3 floors. Which pushed the height of the house to 11.12m instead of 11m.

We did not realize that honest mistake until we completely finished framing the building and the roof is done. It took us some time to understand what happened.

It shook me very much this error, because it never was my intention to exceed the height or to build anyhow different than what I was permitted to.

My circumstances were confusing and stressful. Therefore, I wish from your honorable Committee to look carefully into this matter, and to kindly consider allowing me to have 12cm difference from the allowed height, please. Especially that it was very unintentional and upsetting. And especially that the difference is very tiny and minimum, compared to the 1100 cm allowed.

So, the variance is very minor. And It is desirable for the appropriate development and use of the property, since the property is already built. And the general intent of the Zoning By-Law is maintained since we didn't change anything concerning the By-Law. And the general intent and purpose of the Official Plan is maintained since we built the house exactly according to the Official Plan.

Kind regards,

Elie Ghossein

Royal SMS Construction Inc

819-592-5923

Ottawa, This 26-08-2024

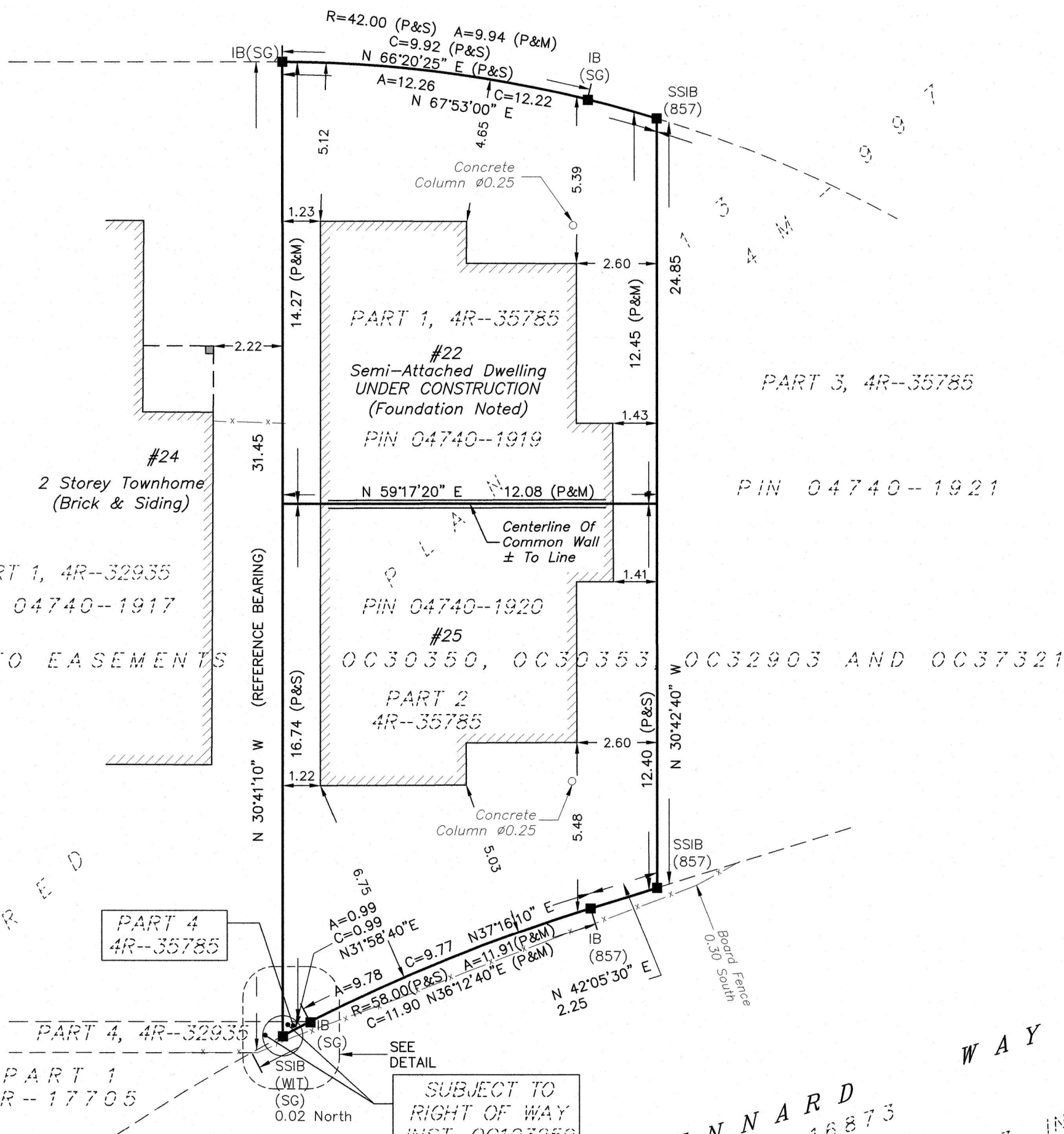
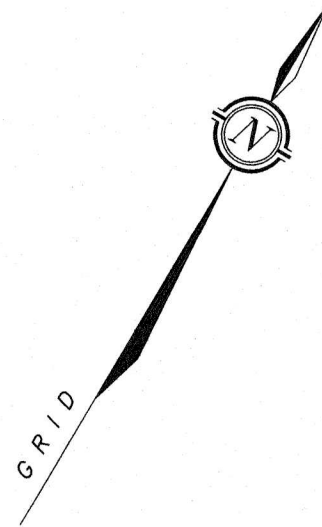
METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Committee of Adjustment
Received | Reçu le
2024-08-28
City of Ottawa | Ville d'Ottawa
Comité de dérogation

SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF
PART OF BLOCK 13
REGISTERED PLAN 4M-997
CITY OF OTTAWA

SCALE 1 : 150
0 1 2 5 10 15 metres
FAIRHALL, MOFFATT & WOODLAND LIMITED
ONTARIO LAND SURVEYORS

AVENUE INVERKIP AVENUE
PART 21, 4R-16873
PIN 04740-1225
DEDICATED AS ROAD BY BY-LAW 2001-23
INST. 0053324

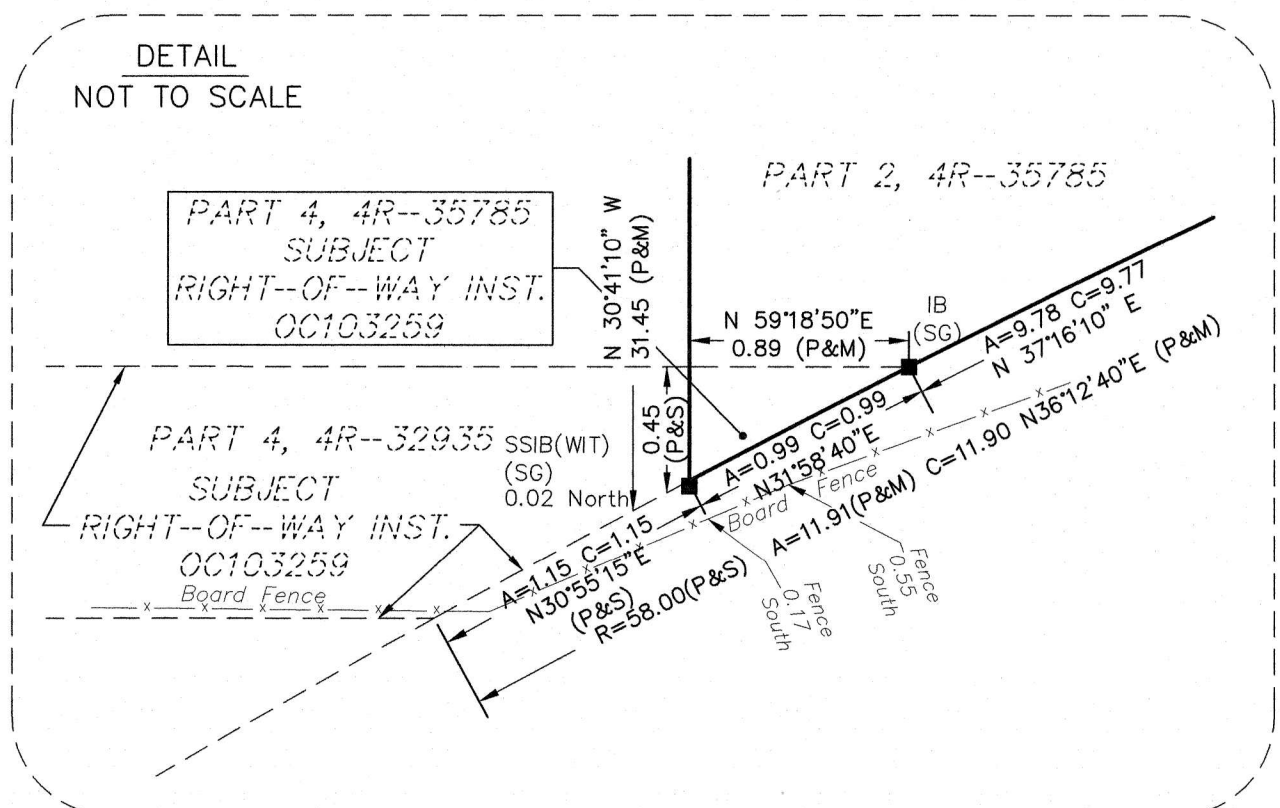


- NOTES**
- BEARINGS ARE GRID DERIVED FROM THE WESTERLY LIMIT OF PART 1 AND 2 AS SHOWN ON PLAN 4R-35785, HAVING A BEARING OF N 30°41'10" E AND ARE REFERRED TO THE CENTRAL MERIDIAN 76°30' W LONGITUDE, MTM ZONE 9, NAD83 (CSRS, 2010.0).
 - DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99995

- NOTES**
- - SURVEY MONUMENT FOUND
 - SSIB - SHORT STANDARD IRON BAR
 - IB - IRON BAR
 - CP - CONCRETE PIN
 - (P) - PLAN 4R-35785
 - (S) - SET
 - (M) - MEASURED
 - (WIT) - WITNESS
 - (SG) - STANTEC GEOMATICS LTD., O.L.S.
 - (857) - FAIRHALL, MOFFATT & WOODLAND LIMITED, O.L.S.
 - PIN - PROPERTY IDENTIFIER NUMBER

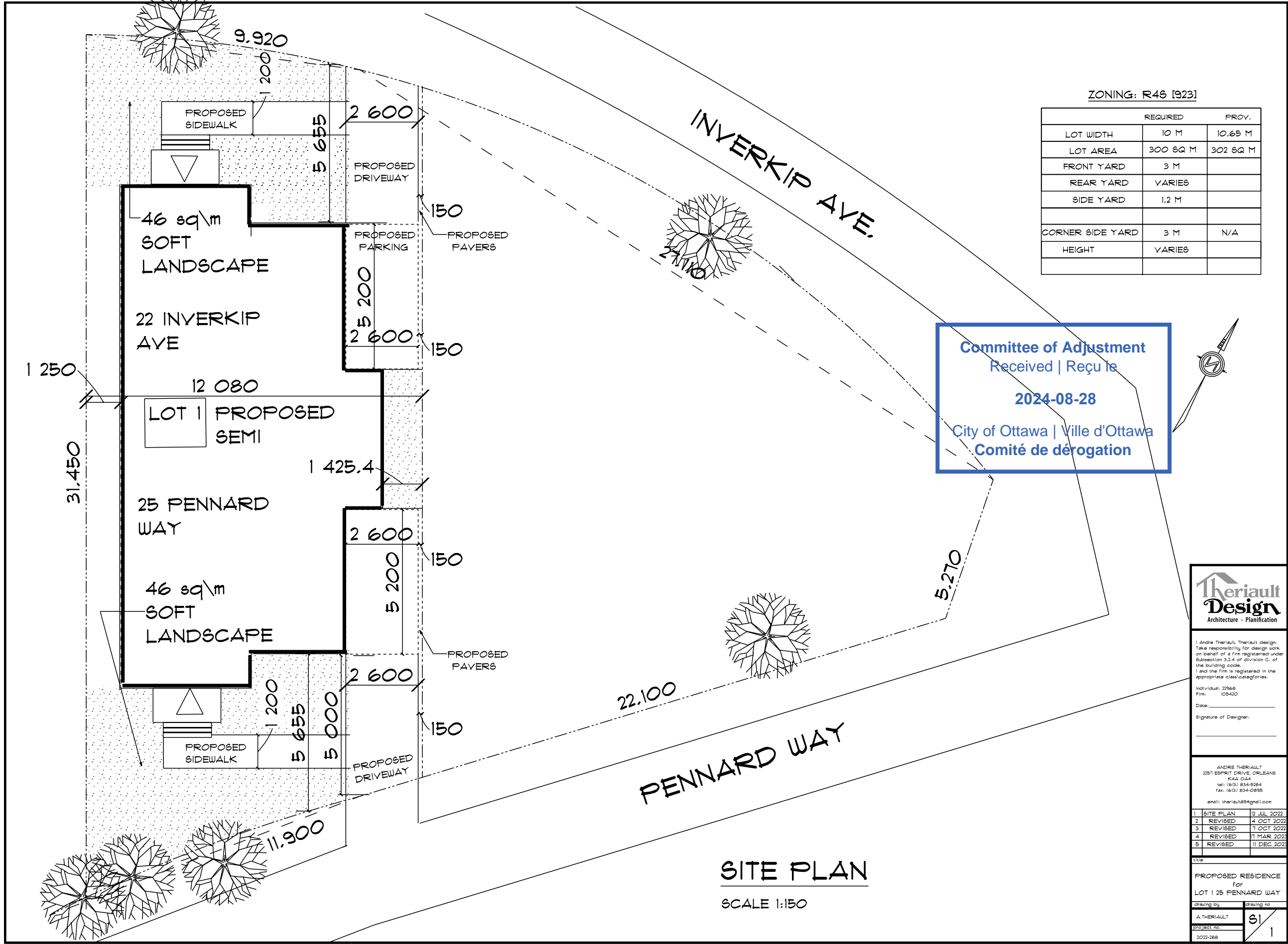
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VOIE PENNARD
PART 20, 4R-16873
PIN 04740-1225
DEDICATED AS ROAD BY BY-LAW 2001-23, INST. 0053324



SURVEYOR'S REAL PROPERTY REPORT - PART 2 REPORT SUMMARY	
DESCRIPTION OF LAND PART OF BLOCK 13, REGISTERED PLAN 4M-997, CITY OF OTTAWA AS IN ALL OF PINS 04740-1919 & 04740-1920, DESIGNATED AS PART 1, 4R-35785 AND PARTS 2 & 4, 4R-35785 RESPECTIVELY	
REGISTERED EASEMENTS PART 4, PLAN 4R-35785 SUBJECT TO RIGHT-OF-WAY PER INST. OC103259 PARTS 1, 2 AND 4 PLAN 4R-35785 SUBJECT TO EASEMENTS INST. OC30350, OC30353, OC32903 AND OC37321 IN FAVOUR OF OTTAWA CENTRAL RAILWAY INC., ROGERS OTTAWA LIMITED, BELL CANADA AND HYDRO OTTAWA LIMITED RESPECTIVELY.	
ZONING COMPLIANCE WITH ZONING, LAND USE, ENVIRONMENTAL AND BUILDING REGULATIONS NOT CERTIFIED BY THIS REPORT.	
THIS REPORT WAS PREPARED FOR ROYAL S.M.S. CONSTRUCTION INC. THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.	
SURVEYOR'S CERTIFICATE I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM. 2. THE SURVEY WAS COMPLETED ON MARCH 12, 2024 DATE: 2024/05/30 JOHN H. GUTRI ONTARIO LAND SURVEYOR	ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM V-69777 THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29 (3).
Fairhall Moffatt & Woodland LIMITED OTTAWA 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	JOB No. A C 2 2 9 0 0 E 372606, N 5025781 REFERENCE No. 1(b)-4M-997 S:\JOBS\AC22900\DWG 29MAY2024 SRPR_AC229.dwg (ss)

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ZONING: R48 [923]

	REQUIRED	PROV.
LOT WIDTH	10 M	10.65 M
LOT AREA	300 SQ M	302 SQ M
FRONT YARD	3 M	
REAR YARD	VARIES	
SIDE YARD	1.2 M	
CORNER SIDE YARD	3 M	N/A
HEIGHT	VARIES	

Committee of Adjustment
 Received | Reçu le
 2024-08-28
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation



I, Andre Therriault, Therriault design, take responsibility for design work on behalf of a firm registered under Subsection 3.2.4 of division C. of the building code. I and the firm is registered in the appropriate class/categories.

Individual: 2268
 Firm: 108420
 Date: _____
 Signature of Designer: _____

ANDRE THERRIAULT
 2291 ESPRIT DRIVE, ORLEANS
 K4A 0A4
 Tel: (613) 834-9284
 Fax: (613) 834-0985
 email: therriault@gmail.com

1	SITE PLAN	12 JUL 2022
2	REVISED	4 OCT 2022
3	REVISED	1 OCT 2022
4	REVISED	1 MAR 2023
5	REVISED	11 DEC 2023

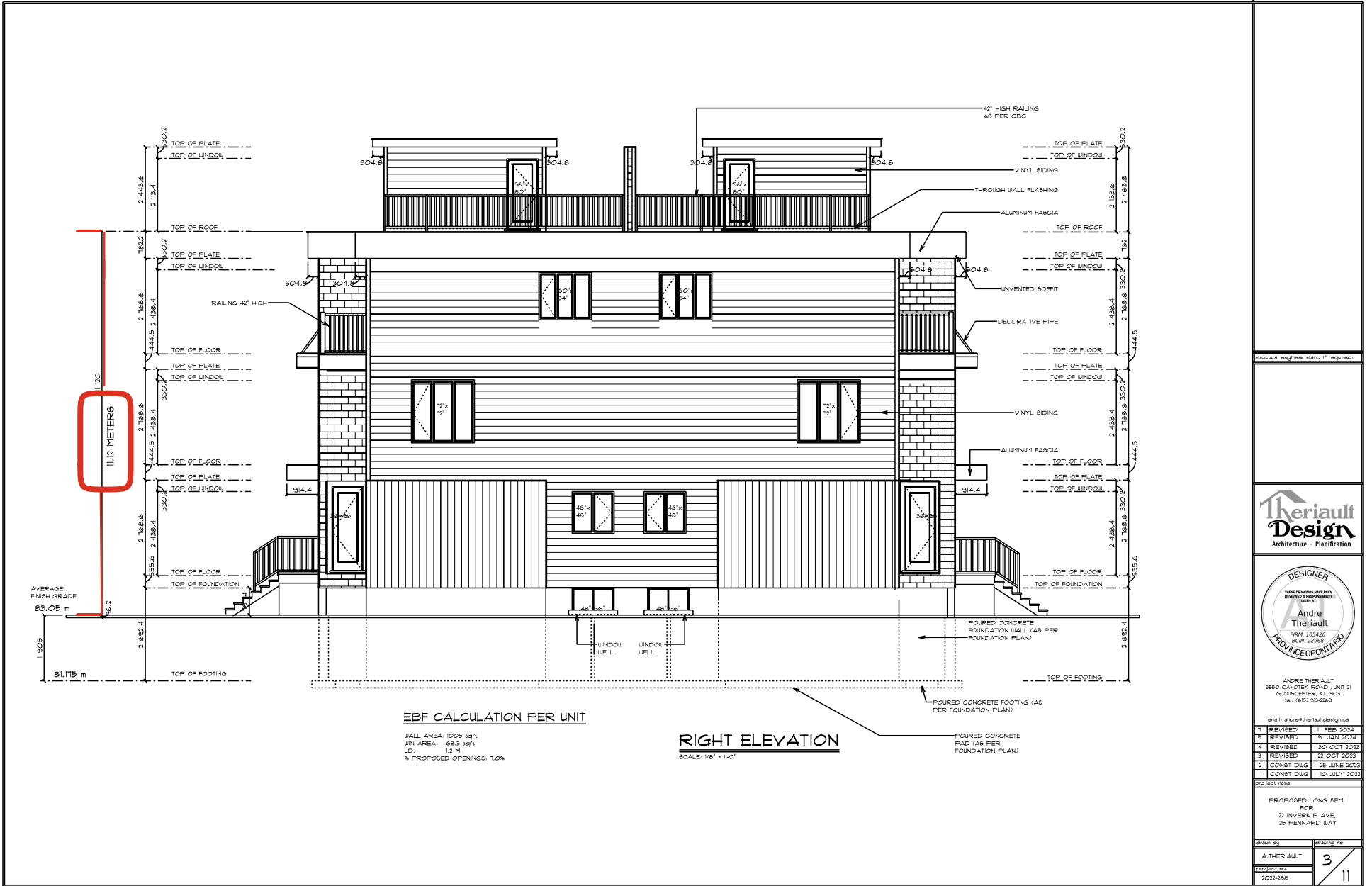
PROPOSED RESIDENCE
 For
 LOT 1 25 PENNARD WAY

drawing by: A.THERIAULT
 project no: 2022-288

drawing no: 51
 1

SITE PLAN
 SCALE 1:150

Committee of Adjustment
 Received | Reçu le
Revised | Modifié le : 2024-09-03
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation



EBF CALCULATION PER UNIT

WALL AREA: 1009 sqft
 WIN AREA: 693 sqft
 LD: 12 ft
 % PROPOSED OPENINGS: 1.0%

RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

Structural engineer stamp if required:



ANDRE THERIAULT
 3850 SANDYK ROAD UNIT 21
 GLOUCESTER, K1J 1K3
 TEL: (613) 93-2849

1	REVISED	1 FEB 2024
2	REVISED	8 JAN 2024
3	REVISED	30 OCT 2023
4	REVISED	21 OCT 2023
5	CONST DUG	28 JUNE 2023
6	CONST DUG	10 JULY 2022

PROJECT NAME
 PROPOSED LONG BEM1
 FOR
 21 INVERKIP AVE
 25 BERNARD ST

Drawn by:	A.THERIAULT	Sheet no:	3
Project no:	2022-288		11

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variances Applications

Panel 2

**Tuesday, October 1, 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.

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File Nos.: D08-02-24/A-00235 and D08-02-24/A-00236
Application(s): Minor Variance under section 45 of the *Planning Act*
Applicant(s): Roberto Iamello, James Devine and Marisa Devine
Property Address: 52 Lotta Avenue
Ward: 8 - College
Legal Description: Lots 1305, 1306, 1307 & 1308 and Part of Lane, Registered Plan 375
Zoning: R1FF [632]
Zoning By-law: 2008-250

APPLICANT(S)'S PROPOSAL / PURPOSE OF THE APPLICATION(S):

The Applicant of four full lots on a plan of subdivision wants to construct two, two-storey detached dwellings, as shown on plans filed with the Committee. One of the dwellings is currently under construction.

REQUESTED VARIANCES:

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

A-00235: 52 Lotta Avenue, Parts 1 & 3 on 4R-Plan, detached dwelling, under construction:

- a) To permit a reduced lot width of 15.215 metres, whereas the By-law requires a minimum reduced lot width of 19.5 metres.
- b) To permit a reduced lot area of 439.9 square metres, whereas the By-law requires a minimum reduced lot area of 600 square metres.

A-00236: 50 Lotta Avenue, Parts 2 & 4 on 4R-Plan, detached dwelling, proposed:

- c) To permit a reduced lot width of 15.215 metres, whereas the By-law requires a minimum reduced lot width of 19.5 metres.
- d) To permit a reduced lot area of 439.9 metres, whereas the By-law requires a minimum reduced lot area of 600 square metres.

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

FIND OUT MORE ABOUT THE APPLICATION(S)

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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: September 13, 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

Demandes de dérogations mineures

Groupe 2
Mardi 1^{er} octobre 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 :	D08-02-24/A-00235 et D08-02-24/A-00236
Demandes :	Dérogations mineures en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
Requérants :	Roberto lamello, James Devine et Marisa Devine
Adresse municipale :	52, avenue Lotta
Quartier :	8 - Collège
Description officielle :	Lots 1305, 1306, 1307 et 1308 et partie de la ruelle, plan enregistré 375
Zonage :	R1FF [632]
Règlement de zonage :	n° 2008-250

PROPOSITION DES REQUÉRANTS ET OBJET DES DEMANDES :

Les requérants de quatre lots complets d'un plan de lotissement souhaitent construire deux maisons isolées de deux étages, conformément aux plans déposés auprès du Comité. Une des maisons est en cours de construction.

DÉROGATIONS DEMANDÉES :

Les requérants demandent au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

A-00235 : 52, avenue Lotta, parties 1 et 3 sur le plan 4R, maison isolée, en cours de construction :

- a) Permettre la réduction de la largeur du lot à 15,215 mètres, alors que le Règlement exige une largeur de lot minimale de 19,5 mètres.
- b) Permettre la réduction de la superficie du lot à 439,9 mètres carrés, alors que le Règlement exige une superficie de lot minimale de 600 mètres carrés.

A-00236 : 50, avenue Lotta, parties 2 et 4 sur le plan 4R, maison isolée, proposée :

- c) Permettre la réduction de la largeur du lot à 15,215 mètres, alors que le Règlement exige une largeur de lot minimale de 19,5 mètres.
- d) Permettre la réduction de la superficie du lot à 439,9 mètres carrés, alors que le Règlement exige une superficie de lot minimale de 600 mètres carrés.

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 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 : 13 septembre 2024

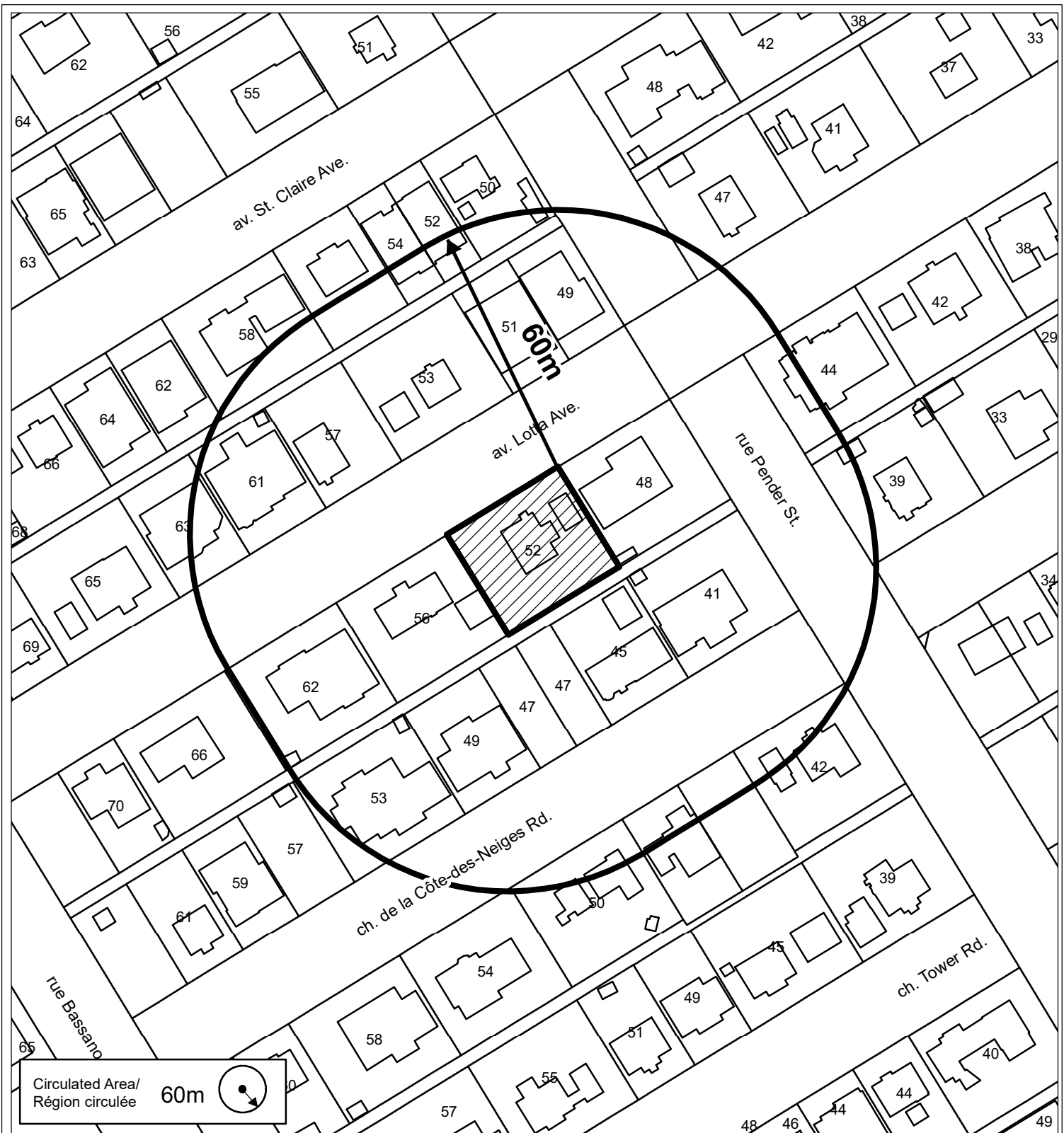


This document is also available in English.

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
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Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436



Circulated Area /
Région circulée 60m

 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE



SUBJECT LAND / TERRAIN EN QUESTION

52 av. Lotta Ave.



NOT TO SCALE
NON À L'ÉCHELLE



30 CONCOURSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085
CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

MIROCA DESIGN INCORPORATED
EST. SINCE 1986

August 22, 2024

Committee of Adjustment

City of Ottawa
101 Centrepointe Drive,
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer
And Committee Members

Committee of Adjustment
Received | Reçu le

2024-09-03

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: **Application for Minor Variance for lands at 52 Lotta Avenue, Ottawa, ON.**
Lots 1305, 1306, 1307, & 1308
Registered Plan 375
City of Ottawa
Ward 8, College
Zoning R1FF[632], Zoning By-law 2008-250

Dear Mr. Bellemare,

Roberto Iamello, James Devine and Marisa Devine have retained Miroca Design Consulting Services to act as agent on their behalf for the preparation and presentation of Minor Variance Application at the Committee of Adjustment for their lands known municipally as 52 Lotta Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form
2. 1 copy of this cover letter prepared by Miroca Design Consultants Inc.
3. 1 full-sized copy and 1 reduced copy of the Draft 4R Plan, prepared by Farley, Smith & Denis, Ontario Land Surveyors
4. 1 full-sized copy and 1 reduced copy of the Site Plan and Elevation Drawings prepared by Miroca Design Inc.
5. 1 copy of the Tree Information Report and Tree Planting Plan prepared by Dendron Forestry Services
6. A cheque payable to the City of Ottawa, and a copy of the Parcel Register showing ownership.

Purpose of the Application

The subject property consists of four full lots on a Plan of Subdivision. The owner would like to divide the property into two separate parcels of land consisting of proposed Parts 1+3 and Parts 2+4. A new 2-storey detached home is presently under construction on Parts 1+3, a second new 2-storey detached home is proposed for Parts 2+4.

Relief Requested

In order to proceed, the owners require the Authority of the Committee for a Minor Variance as follows:

- Parts 1+3
- a) To permit a reduced lot width of 15.215 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A]
 - b) To permit a reduced lot area of 439.9 square metres, whereas the By-law requires a minimum lot area of 600 square metres. [Table 156A]
- Parts 2+4
- c) To permit a reduced lot width of 15.215 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A]
 - d) To permit a reduced lot area of 439.9 square metres, whereas the By-law requires a minimum lot area of 600 square metres. [Table 156A]

Zoning

Zoning Bylaw 2008-250 | R1FF[632] | Table 156A

Section 139 – Low-Rise Residential in All Neighbourhoods Within the Greenbelt

Section 144 – Alternative Yard Setbacks Affecting Low-Rise Residential in the R1 to R4 Zones Within the Greenbelt

Table 1: Zoning Provisions

Zoning Provisions	Required	Proposed Parts 1+3	Proposed Parts 2+4
Min. Lot Width	15m	15.215m	15.215m
Min. Lot Area	450m ²	439.9m ²	439.9m ²
Max. Building Height	8.5m	8.44m	8.44m
Min. Front Yard Setback	6m	6.66m	6.65m
Min. Corner Yard Setback	4.5m	N/A	N/A
Min. Rear Yard Setback	28% of lot depth (8.09m)	28.24% (8.16m)	28.27% (8.17m)
Min. Rear Yard Area	25% of lot area (109.97m ²)	28% (124.2m ²)	28% (124.2m ²)
Min. Interior Side Yard Setback	Total is 2.1m with one yard no less than 0.9m	1.19m + 1.27m = 2.46m	1.28m + 1.15m = 2.43m
Max. Lot Coverage	45%	36.67%	36.67%
Front Yard Landscaping	40%	45.7%	45.7%
Max. Driveway Width	5.5m	4.98m	4.98m

All performance standards of the zoning by-law are met in terms of building setbacks, height and lot coverage.

Existing Conditions and Area Overview

A new 2-storey detached dwelling is presently under construction on the west side of the property.

The property is accessed from Lotta Avenue which is a Local Road. Transit service is provided along Baseline Road to the north and Merivale Road to the east. The area is well served by a range of commercial and community amenities principally along Merivale Road to the east. Algonquin College and College Square Shopping Centre are nearby to the west.

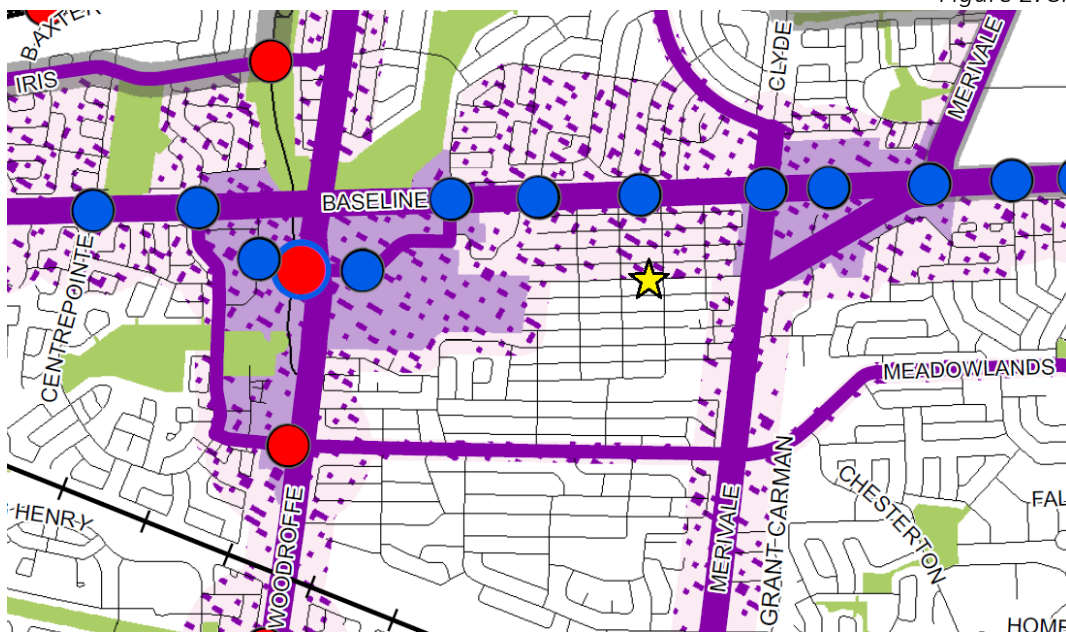
Figure 1: Subject Property



Neighbourhood Character


The City View residential neighborhood generally reflects a classic suburban model, and was first established in the late 1940s into the 1960s. Housing along Lotta Ave., and throughout the neighbourhood, is characterized by single family bungalows and 2-storey homes on wide lots. There are countless examples throughout the neighbourhood of the replacement of the existing homes by larger 2-storey detached dwellings, through dividing the existing wide properties from full lots on the plan of subdivision. Many of these new dwellings utilize the maximum allowable building envelope and building height. This has occurred frequently throughout the City View Neighborhood over the past 10 years, maximizing the residential development on these properties, and creating a varied pattern of development in terms of lot fabric, and built form.

Figure 2: Site Location Map




*Yellow star indicates approx. location of subject property.


TRANSECT POLICY AREA /
SECTEUR STRATÉGIQUE DU TRANSECT

 Outer Urban / Urbain extérieur


OVERLAYS / AFFECTATION SUPPLÉMENTAIRE


 Evolving Neighbourhood /
Quartier en évolution


SPECIAL DISTRICT /
DISTRICT PARTICULIER


 Ottawa International Airport Economic District /
District économique de l'Aéroport international d'Ottawa


DESIGNATIONS / DÉSIGNATIONS


 Hub / Carrefour


 Corridor - Mainstreet / Couloir - Rue principale

 Corridor - Minor / Couloir - Rue principale mineure


 Mixed Industrial / Industrie Mixte


 Industrial and Logistics / Industrie et Logistique


 Greenspace / Espace vert


 Neighbourhood / Quartier

TRANSIT

 O-Train Station / Station de l'O-Train

 Future O-Train Station / Station de l'O-Train (futur)

 Transfer Station / Station de correspondance

 Transitway Station / Station du Transitway

Four Tests

In support of the proposed application, the four tests for minor variances as provided for in Section 45(1) of the Planning Act, have been reviewed as follows:

1. General Intent and Purpose of the Official Plan is Maintained

This property falls within the Outer Urban Transect, categorized under the Neighborhood designation, but directly on the border of the Evolving Neighbourhood Overlay, on Schedule A and Schedule B3 of the City of Ottawa's Official Plan. The corresponding direction for neighbourhoods aims to accommodate residential growth with development standards that gradually transition away from a suburban model and move towards urban built forms. Allowing and supporting a wide variety of housing types with a focus on lower density missing-middle housing which generally reflects the existing built form context of the neighbourhood.

The proposed lot division results in the creation of one additional lot for residential development. Each lot will be developed with a 2-storey detached dwelling, each of which will include one principal dwelling unit and provisions for a future secondary dwelling unit. This development represents gentle intensification within the low-rise character of the neighborhood, aligning with the Growth Management Framework in Section 3 of the Official Plan. It effectively supports residential growth while maintaining a compatible built form and site design.

These detached dwellings contribute to the diversity of housing options available in the area, offering various unit sizes, densities, and tenure types. By gently increasing density, the development fosters 15-minute neighborhoods, promoting accessibility to public transit, commercial amenities, schools, and parks within walking distance. The location of the property is well-suited for residential intensification, aligning with the city's objectives to accommodate residential growth through intensification.

Consistent with the directives of the Official Plan, the proposed site design incorporates increased lot coverage while still allowing for ample space for soft landscaping, trees, and hard surfacing that complements the street context. The new detached homes align with the residential character of the neighborhood, featuring height, massing, and setbacks that meet the performance standards of the Zoning By-law and integrate with the established surroundings.

Moreover, this proposal adheres to the Official Plan's objectives by leveraging existing transit service, water and sewer infrastructure, as well as the network of roads, pathways, and designated cycling routes. It supports redevelopment within the Outer Urban area rather than expansion into peripheral lands, supporting the growth targets for large-household dwellings in neighborhoods. By situating residential use in close proximity to the rapid transit system and various community amenities, including employment and retail facilities, this proposal aims to minimize travel distances and enhance accessibility, thereby contributing to a sustainable community.

Given these considerations, we are confident that the proposed minor variance aligns with the intent and purpose of the Official Plan.

2. General Intent and Purpose of the Zoning By-law is Maintained

The property is zoned under Residential First Density, Subzone R1FF [632]. The intent of this zone is to limit development to detached dwellings, while allowing other residential uses to provide additional housing choices within detached dwelling residential areas. Development is to be regulated in a manner that is compatible with existing land use patterns so that the detached dwelling residential character of the neighbourhood is maintained or enhanced.

The proposed lots meet the intention of the Zoning By-law, accommodating detached dwellings which are compatible with existing land use patterns and the detached residential character of the neighbourhood. The intent of the minimum lot width and lot area provisions is to ensure that lots are adequately sized to accommodate residential development. As demonstrated on the enclosed site plan, the lots can suitably accommodate the proposed detached dwellings while meeting or exceeding the required minimum setbacks and yard areas and respecting the maximum lot coverage for City View. Furthermore, it has been demonstrated through numerous similarly sized lots and severances within the surrounding neighbourhood that the proposed lots sizes are functional for detached dwellings and will fit into the established streetscape.

Given these considerations, we believe that the proposed minor variances align with the intent and purpose of the Zoning By-law.

3. Desirable for the appropriate development and use of the property

The proposed lot division and new detached dwellings represent a fitting use of the land to meet the long-term residential needs of the community. Located centrally, this development offers practical and diverse housing options while maintaining a harmonious balance with green spaces and amenities, enhancing both the public streetscape and private rear yards.

Regarding zoning regulations, the minor variances requested uphold the established character and lot configuration of the neighborhood, aligning with the objectives of the Zoning By-law.

The addition of a detached dwelling and provisions for future secondary units supports gentle intensification, which is crucial for managing growth as outlined in the Official Plan. The proposal also leverages existing infrastructure and proximity to community amenities, aligning well with the goals outlined in the Official Plan and enhancing its appeal.

Environmental considerations are also paramount, with the proposal aiming to preserve mature trees and implement engineering and site planning that enhance lot grading and drainage. Additionally, measures are in place to address and minimize any potential impact or privacy concerns for neighboring properties.

Given these considerations, we feel that the proposed minor variances are desirable for the appropriate development of the property.

4. The variance is minor

Relief is requested to permit a reduced lot width of 15.215 metres for both lots, whereas the By-law requires a minimum lot width of 19.5 metres.

Relief is requested to permit a reduced lot area of 439.9 square metres for both lots, whereas the By-law requires a minimum lot area of 600 square metres.

The proposed lots are consistent with the existing pattern of development found throughout the neighborhood. As demonstrated in Figure 3, showing similar reduced lots sizes. Despite the reduced lot sizes, both lots are still appropriately sized to accommodate detached dwellings that meet all other performance standards of the Zoning By-law in terms of yard setbacks and height.

The proposed lots will meet and exceed the requirements for soft landscaping, and the dwellings are respectful of the maximum 45% lot coverage required in the Zoning By-law for City View.

Figure 3: Lot Fabric Map

LOT FABRIC MAP

SIMILAR REDUCED LOT WIDTHS AND AREAS FOUND THROUGHOUT THE NEIGHBOURHOOD INDICATED IN BLUE:

- 51 LOTTA AVENUE
LW = 15.22M, LA = 417.40M²
- 49 LOTTA AVENUE
LW = 15.22M, LA = 417.38M²
- 69 LOTTA AVENUE
LW = 15.22M, LA = 417.53M²
- 70 LOTTA AVENUE
LW = 15.22M, LA = 417.43M²
- 44 COTE DES NEIGES ROAD
LW = 15.23M, LA = 440.92M²
- 46 COTE DES NEIGES ROAD
LW = 15.23M, LA = 440.92M²
- 57 COTE DES NEIGES ROAD
LW = 15.23M, LA = 417.46M²
- 59 COTE DES NEIGES ROAD
LW = 15.22M, LA = 417.45M²
- 23 COTE DES NEIGES ROAD
LW = 10.68M, LA = 300.75M²
- 23 COTE DES NEIGES ROAD
LW = 9.62M, LA = 263.66M²
- 46 TOWER ROAD
LW = 12.65M, LA = 346.81M²



Given these considerations, we are confident that the proposed new lots can suitably accommodate the proposed dwellings, and the impact of the reduced lot widths and areas is minor.

Urban Design Guidelines for Low-rise Infill Housing

The proposed new dwellings seek to uphold strong urban design principles in consideration of the purpose and objectives of the Urban Design Guidelines for Low-rise Infill Housing. Such as incorporating setbacks which preserve and integrate existing natural features and are consistent with the cultural landscape of the neighbourhood. A balance of more lot coverage with ample greenery and amenity space, enhancing both the public streetscape and the private rear yards. Primary entrances that are inviting and visible from the street, and interesting articulation of the front façades creating distinct identities for the units. Through thoughtful massing and the inclusion of a prominent front porch, the design redirects attention away from the garage towards the living area of the homes and front landscaping.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development across Ontario. Sections 1.1 – 1.4 of the PPS directs that land use planning shall be carried out in a manner that:

- Promotes efficient development patterns that contribute to long-term sustainability on a province-wide basis as well as in local communities;
- Takes advantage of opportunities for intensification and redevelopment that optimize the use of existing of planned infrastructure and public service facilities;
- Promotes a compact built form which supports the use of alternative transportation modes and public transit.

This proposal supports the policies of the PPS by providing intensification in the form of new family dwellings and secondary dwellings within the City's urban area where infrastructure and services already exist and are in close proximity to service facilities. The proposed use of land will promote an efficient, cost effective pattern of development located within proximity to a range of community services and amenities and well-oriented within the City's roadway and transit system.

Pre-consultations

Pre-consultations were held with Penelope Horn in the Development Review Department, whom mentioned the City View neighborhood's concerns with regards to storm water management. The storm water will be managed following best engineering practices and City requirements, following the recommendations of a professional Civil Engineer.

Discussions were also held with Nancy Young, Planning Forester, whom indicated no concerns as long as the protection for the neighbour's tree is maintained, which it will be.

A letter explaining our application and plans was provided to the City View Community Association for their review and comments.

Trees

Existing trees on site were assessed by Dendron Forestry during the preliminary design stage for this file and updated at building permit and for this application as necessary. At this time there is one white spruce tree remaining in the front yard which will continue to be protected, 3 other white spruce trees were removed as recommended in the original TIR for the building permit. A white spruce belonging to the rear neighbor at 45 Cote des Neiges will continue to be protected. Please refer to enclosed Tree Information Report and Tree Replacement Report.

It is proposed to plant six new deciduous trees on the property at completion of the project, a large trees will be added in the front right-of-way and five small trees will be in the rear yards, split between both properties and the untraveled lane as shown in the attached Tree Replacement Report.

Conclusion

With respect to the Minor Variance application, it is our opinion that the minor variances requested are desirable for the appropriate development and use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variances sought are minor.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,

Michael Segreto
Miroca Design Consulting Services Inc.

LOT 1439

SSB(857)

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

EMAD ALREFAAI
 ONTARIO LAND SURVEYOR

PLAN 4R-
 RECEIVED AND DEPOSITED
 DATE: _____

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

SCHEDULE				
PART	LOT	PLAN	PIN	AREA (sq.m.)
1	ALL OF 1305 & 1306			416.7
2	ALL OF 1307 & 1308	375	ALL OF 04690 - 0019	416.7
3	PART OF LANE		PART OF 04690 - 0028	23.2
4				23.2

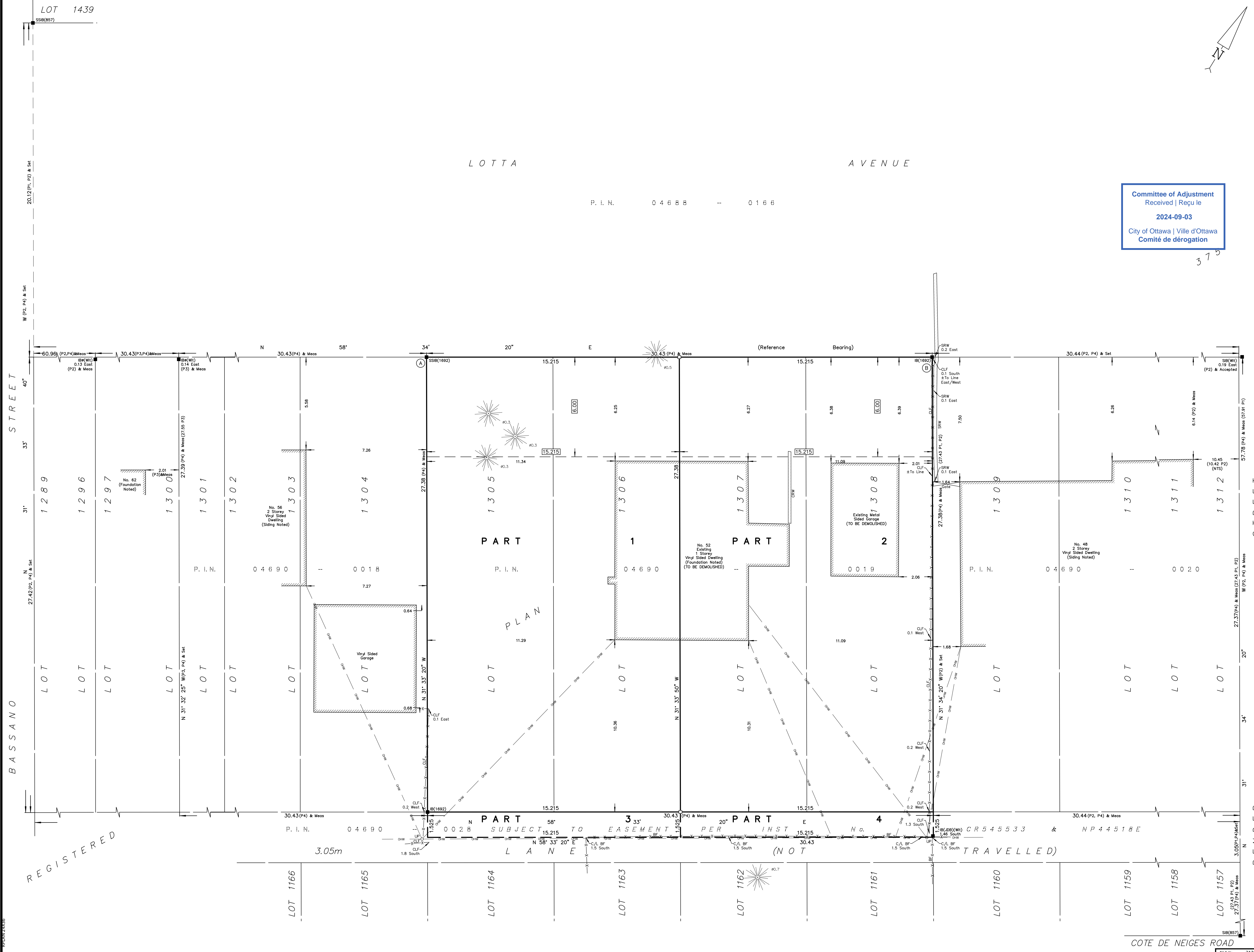
PARTS 3 & 4 ARE SUBJECT TO EASEMENT PER INST NO. CR545533 & NP44518E

PLAN OF SURVEY OF
**LOTS 1305, 1306, 1307 & 1308
 AND PART OF LANE
 REGISTERED PLAN 375
 CITY OF OTTAWA**
 FARLEY, SMITH & DENIS SURVEYING LTD. 2023
 Scale 1: 100
 0 2.5 5 7.5 10 metres

Committee of Adjustment
 Received | Reçu le
 2024-09-03
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation

LOTTA AVENUE

P. I. N. 0 4 6 8 8 -- 0 1 6 6



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

Distance Note
 Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.99993.

Bearing Note
 Bearings hereon are grid bearings derived from the Can-Net Real Time Network and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).
 For bearing comparisons, a rotation of 0°19'20" clockwise was applied to bearings on P1, P2 & P3.

CO-ORDINATES WERE DERIVED FROM CAN-NET REAL TIME NETWORK OBSERVATIONS, MTM ZONE 9, N.A.D. 1983 (ORIGINAL).

POINT ID	NORTHING	EASTING
(A)	5024239.30	364091.21
(B)	5024255.17	364117.17
01919680005	5027191.26	361496.76
01919750705	5016816.93	360806.84

CO-ORDINATES ARE MTM ZONE 9, N.A.D. 1983 (ORIGINAL), TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

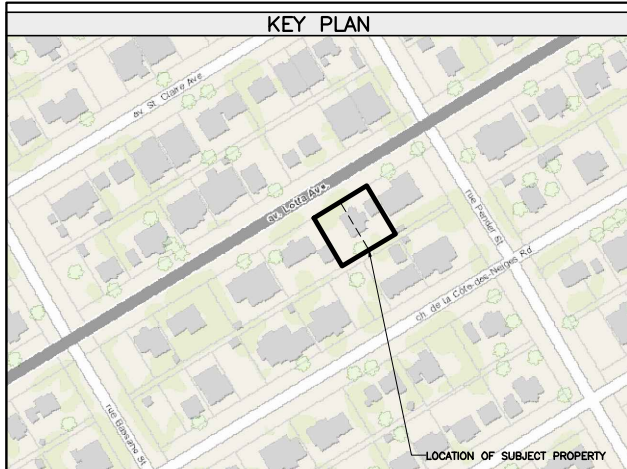
Surveyor's Certificate
 I certify that:
 1. This survey and plan are correct and in accordance with the Surveys Act, the Surveys Act and the Land Titles Act and the Regulations made under them.
 2. The survey was completed on the ___ day of _____ 2023.

Date: _____
 Emad Alrefaai
 Ontario Land Surveyor

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

- Notes & Legend**
- Denotes Survey Monument Planted
 - Survey Monument Found
 - SIB Standard Iron Bar
 - SSB Short Standard Iron Bar
 - IB Iron Bar
 - IBØ Round Iron Bar
 - Wit Witness
 - Meas Measured
 - (P1) Registered Plan 375
 - (P2) Plan by (857) dated July 19, 1999 (Ref. No. 117-375(NP))
 - (P3) Plan by (1692) dated August 20, 2004 (Job No. 102-04)
 - (P4) Plan by (1692) dated July 26, 2023 (File No. 256-23)
 - OW Overhead Wires
 - CLF Utility Pole
 - Ø Diameter
 - CLF Chain Link Fence
 - BF Board Fence
 - CRW Concrete Retaining Wall
 - SRW Stone Retaining Wall
 - C/L Centreline
 - NTS Not to Scale
 - ☼ Coniferous Tree - The Symbol shown denotes location and trunk diameter only. Size of its root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.

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



NOT TO SCALE

PROJECT INFORMATION

ADDRESS	52 LOTTA AVENUE NEPEAN, ON. K2G 2B5
LEGAL DESCRIPTION	LOTS 1305, 1306, 1307, & 1308 REGISTERED PLAN 375 PIN: 04690-0019
ZONING	ZONING BYLAW 2008-250 R1FF[632] SECTION 139 - LOW-RISE RESIDENTIAL IN ALL NEIGHBOURHOODS WITHIN THE GREENBELT SECTION 140 - LOW-RISE RESIDENTIAL DEVELOPMENT WITHIN THE MATURE NEIGHBOURHOODS OVERLAY

DEVELOPMENT STANDARDS

SITE PROVISIONS	BY-LAW REQUIREMENTS	PROVIDED PART 1	PROVIDED PART 2
MIN. LOT WIDTH	19.5m	15.215m	15.215m
LOT DEPTH	N/A	28.90m	28.90m
MIN. LOT AREA	600m ²	439.9m ²	439.9m ²
MAX. BUILDING HEIGHT	8.5m	8.44m	8.44m
MIN. FRONT YARD SETBACK	6m	6.66m	6.66m
MIN. CORNER YARD SETBACK	4.5m	N/A	N/A
MIN. REAR YARD SETBACK	28% OF LOT DEPTH (8.09m)	28.24% (8.16m)	28.27% (8.17m)
MIN. REAR YARD AREA	25% OF LOT AREA	28.2% (124.2m ²)	28.2% (124.2m ²)
MIN. INTERIOR YARD SETBACK	TOTAL IS 2.1m, WITH ONE YARD NO LESS THAN 0.9m	1.19m + 1.27m = 2.46m	1.15m + 1.28m = 2.43m
MAX. LOT COVERAGE	45%	36.67%	36.67%
MIN. SOFT LANDSCAPING OF THE FRONT YARD AREA	40%	45.7%	45.7%
MAXIMUM DRIVEWAY WIDTH	5.5m DOUBLE	4.98m	4.98m

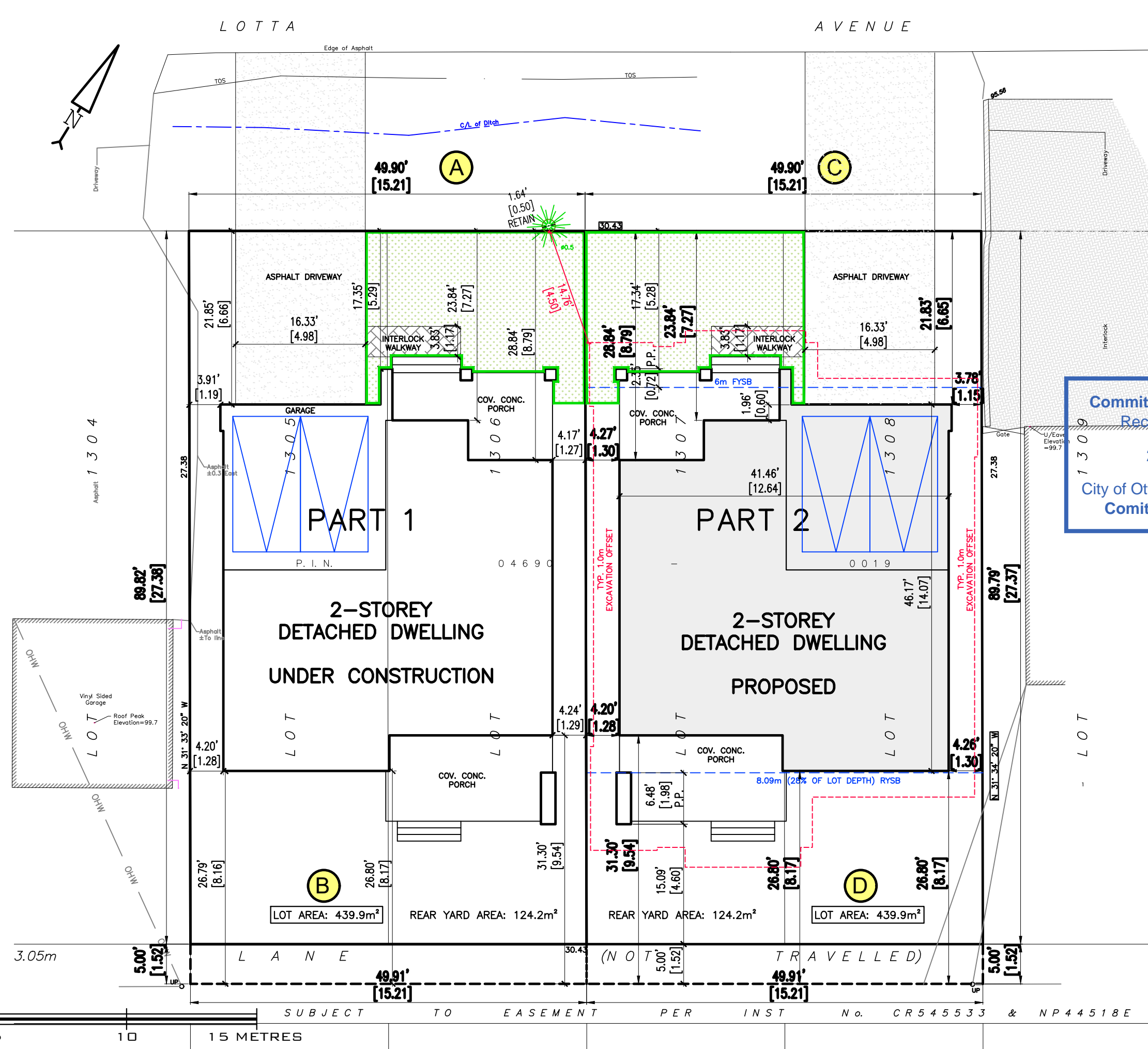
NOTES

MINOR VARIANCES REQUESTED

PART 1	A) To permit a reduced lot width of 15.215 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A] B) To permit an reduced lot area of 439.9 square metres, whereas the By-law permits a lot area of 600 square metres. [Table 156A]
PART 2	C) To permit a reduced lot width of 15.215 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A] D) To permit an reduced lot area of 439.9 square metres, whereas the By-law permits a lot area of 600 square metres. [Table 156A]

LEGEND

PROPOSED BUILDING	[Solid Grey Box]	SOFT LANDSCAPING AREA	[Green Dotted Box]
DRIVEWAY	[Stippled Box]	LINE OF REQUIRED SETBACK	[Blue Dashed Line]
WALKWAY	[Hatched Box]	OVERHEAD WIRES	[OHW Line]
SOD	[Green Dotted Box]	EXISTING TO BE DEMOLISHED	[Red Dashed Line]
		EXCAVATION OFFSET	[Red Dashed Line]



Committee of Adjustment
 Received | Reçu le
 2024-09-03
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation

- GENERAL NOTES:
1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DIMENSIONS TO THE CONSULTANT.
 2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BYLAWS.
 3. FOOTINGS DESIGNED FOR 2000 P.S.F. ASSUMED BEARING. BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
 4. DO NOT SCALE THE DRAWINGS.

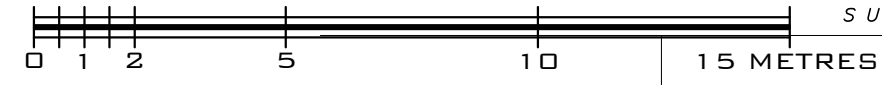
NO.	DESCRIPTION & DATE
REVISIONS	

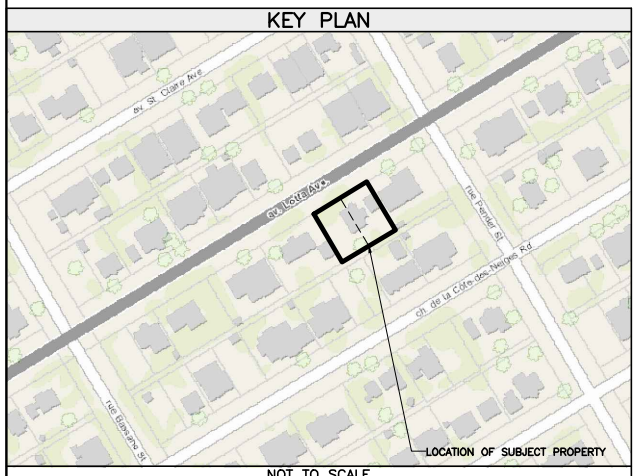
JOB TITLE:
PROPOSED TWO STOREY DWELLING
52 LOTTA
CITY OF OTTAWA

SHEET TITLE:
SITE PLAN

SCALE: AS SHOWN	DWG No.
DRAWN: A.G.	S1.1
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	

SITE PLAN
SCALE = 1:150





NOT TO SCALE

PROJECT INFORMATION

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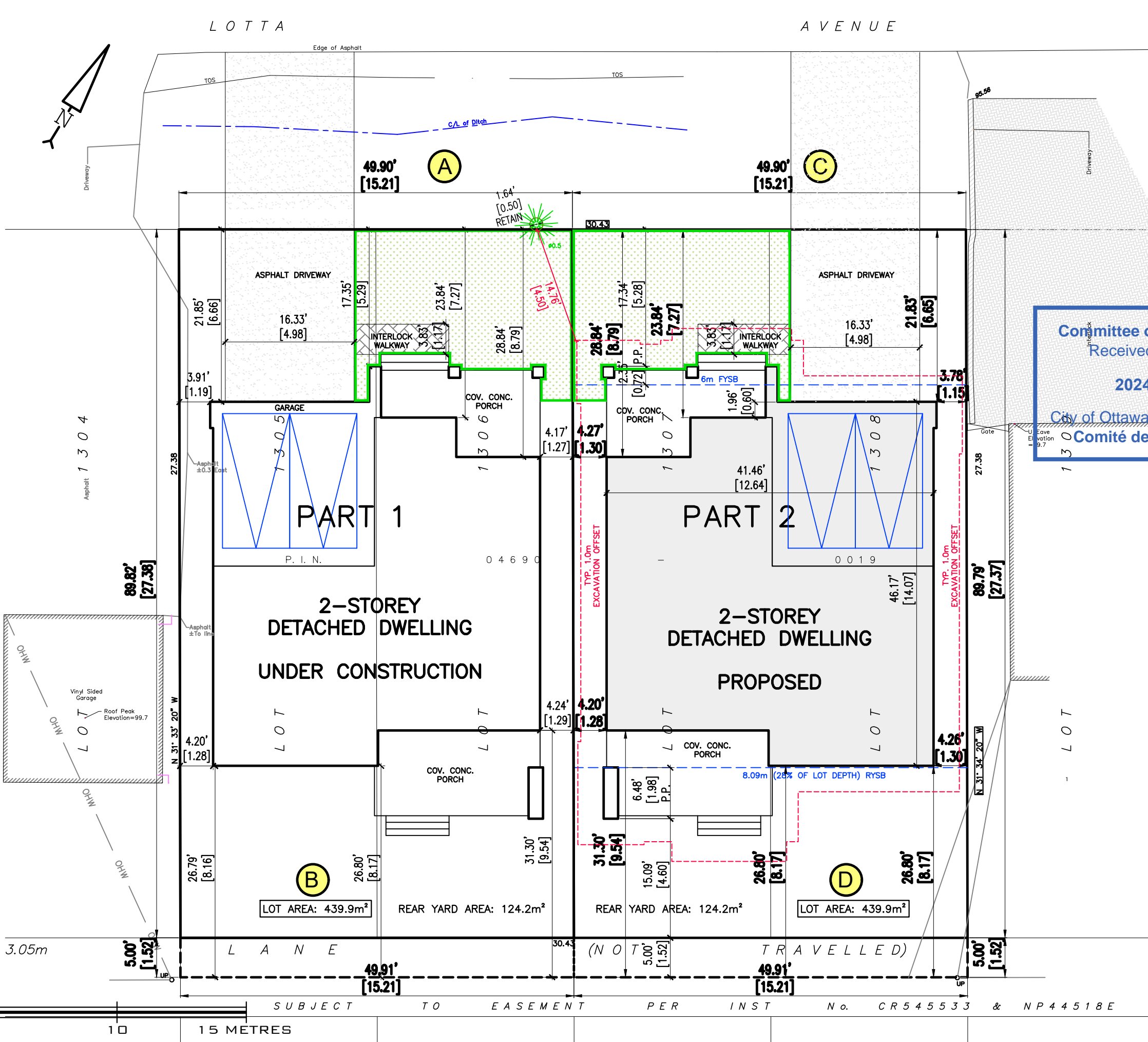
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Committee of Adjustment
Received | Reçu le
2024-09-03
City of Ottawa / Ville d'Ottawa
Comité de dérogation

- GENERAL NOTES:
- THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
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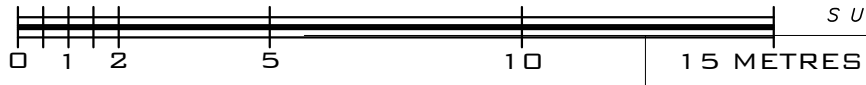
NO.	DESCRIPTION & DATE
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JOB TITLE:
PROPOSED TWO STOREY DWELLING
52 LOTTA
CITY OF OTTAWA

SHEET TITLE:
SITE PLAN

SCALE: AS SHOWN	DWG No.
DRAWN: A.G.	S1.1
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	

SITE PLAN
SCALE = 1:150



SUBJECT TO EASEMENT PER INST No. CR545533 & NP44518E



Tree Information Report v2.0

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

Date of Report: June 26, 2024
Property Address: 52 Lotta Avenue
Prepared for: James Devine; ops10217@gmail.com
Prepared by: Kevin Myers, ISA Certified Arborist; kevin.myers@dendronforestry.ca
Date of Site Visit: August 31, 2023

Committee of Adjustment
Received | Reçu le

2024-09-03

City of Ottawa | Ville d'Ottawa
Comité de dérogation

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

Purpose of the Report

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

- Survey by Farley, Smith & Denis Surveying Ltd., dated July 24, 2023
- Site plan by Miroca Design Inc., received June 25, 2024

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

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

The potential for retaining those tree(s) identified for retention in this report may change as more information on the site-specific construction details is provided during the building permitting phase.

For those trees that are recommended for retention, mitigation measures are provided to reduce the impact during construction. It should be noted that the construction phase includes all site works that could impact trees, from the capping of services at the beginning to the final landscaping steps at the end.

While a rationale for removing trees is 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 with a new site plan provided by the client in anticipation of an application for severance and construction of a second building. No recommendations around tree retention have changed as a result of this update.

Methodology

The following materials were reviewed as part of this report:

- Survey
- Site Plan
- GeOttawa 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 conditions

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

Trees 2-4 were recommended for removal in the previous version of this TIR. The client has indicated they have been removed as construction has begun on site.

During demolition of the existing building on site, or removal of the existing driveway, care is to be taken not to tear roots: it is possible that the trees to be protected have grown roots that reach the structures. Any roots encountered during demolition are to be cleanly severed by hand to promote faster sealing.

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 $\frac{3}{4}$ (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 August 31, 2023. On Behalf of Dendron Forestry Services,

Kevin Myers, MFC
ISA Certified Arborist®, ON-2907A
info@dendronforestry.ca
(613) 805-9663 (WOOD)

APPENDIX A: TREE INFORMATION TABLE

Tree ¹	Species	DBH (cm)	Ownership ²	Tree health			Approximate distance to excavation (m)	Action	Forester recommendation
				Roots/Root collar	Trunk	Crown			
1	White spruce (<i>Picea glauca</i>)	49	Subject property	Good	Good	Good – slightly thin	4.5	Retain	Retain and protect as per the City of Ottawa Tree Protection Specifications (March 2021).
2	White spruce (<i>Picea glauca</i>)	39	Subject property	Good	Good	Fair - asymmetrical growth due to growing as a group	0 – in line with driveway	Remove	Client has indicated this tree was removed as recommended in the previous version of this TIR.
3	White spruce (<i>Picea glauca</i>)	35	Subject property	Good	Good	Fair – some dead lower branches; asymmetrical growth due to growing as a group	0 – in line with driveway	Remove	Client has indicated this tree was removed as recommended in the previous version of this TIR.
4	White spruce (<i>Picea glauca</i>)	36	Subject property	Good	Good	Fair – asymmetrical growth due to growing as a group	0 – in line with driveway	Remove	Client has indicated this tree was removed as recommended in the previous version of this TIR.
5	White spruce (<i>Picea glauca</i>)	50 (estimate)	Adjacent – 45 Cote des Neiges	Good	Good	Good	10	Retain	No action required – far enough from construction

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 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



Above: Tree 1 - private spruce to be retained.



Right: Tree 5 - Adjacent spruce to be retained.



Trees 2-4 - private spruces 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 August 24, 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.

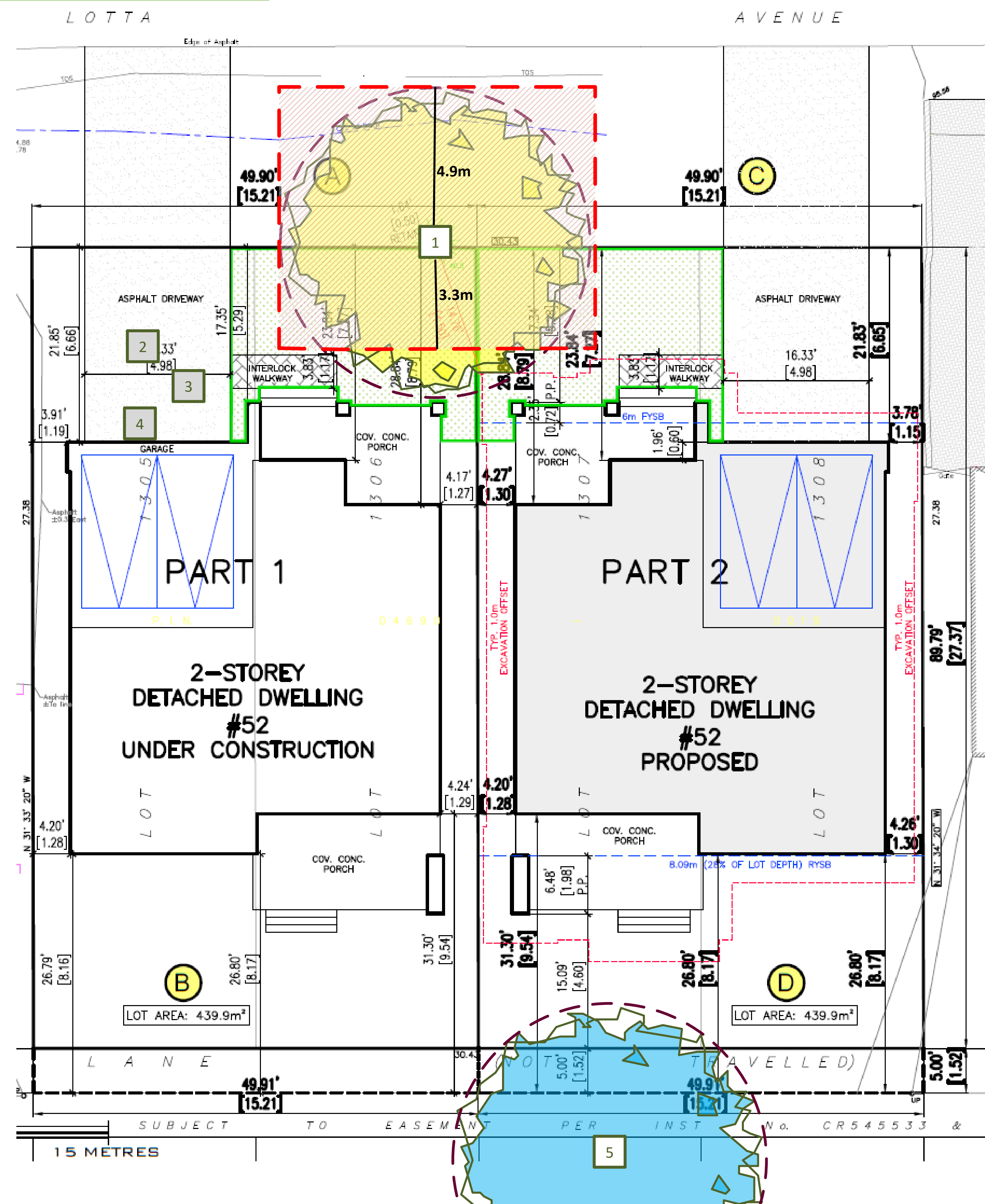
Notwithstanding any of the above, nothing in this Report is taken to absolve the Client of the responsibility of obtaining a new Report in the event that the circumstances of the tree change.



TIR Map – 52 Lotta Avenue
 Tree layer prepared by
 Dendron Forestry Services
 Version 2.0, June 26, 2024
 For more information, please contact: info@dendronforestry.ca

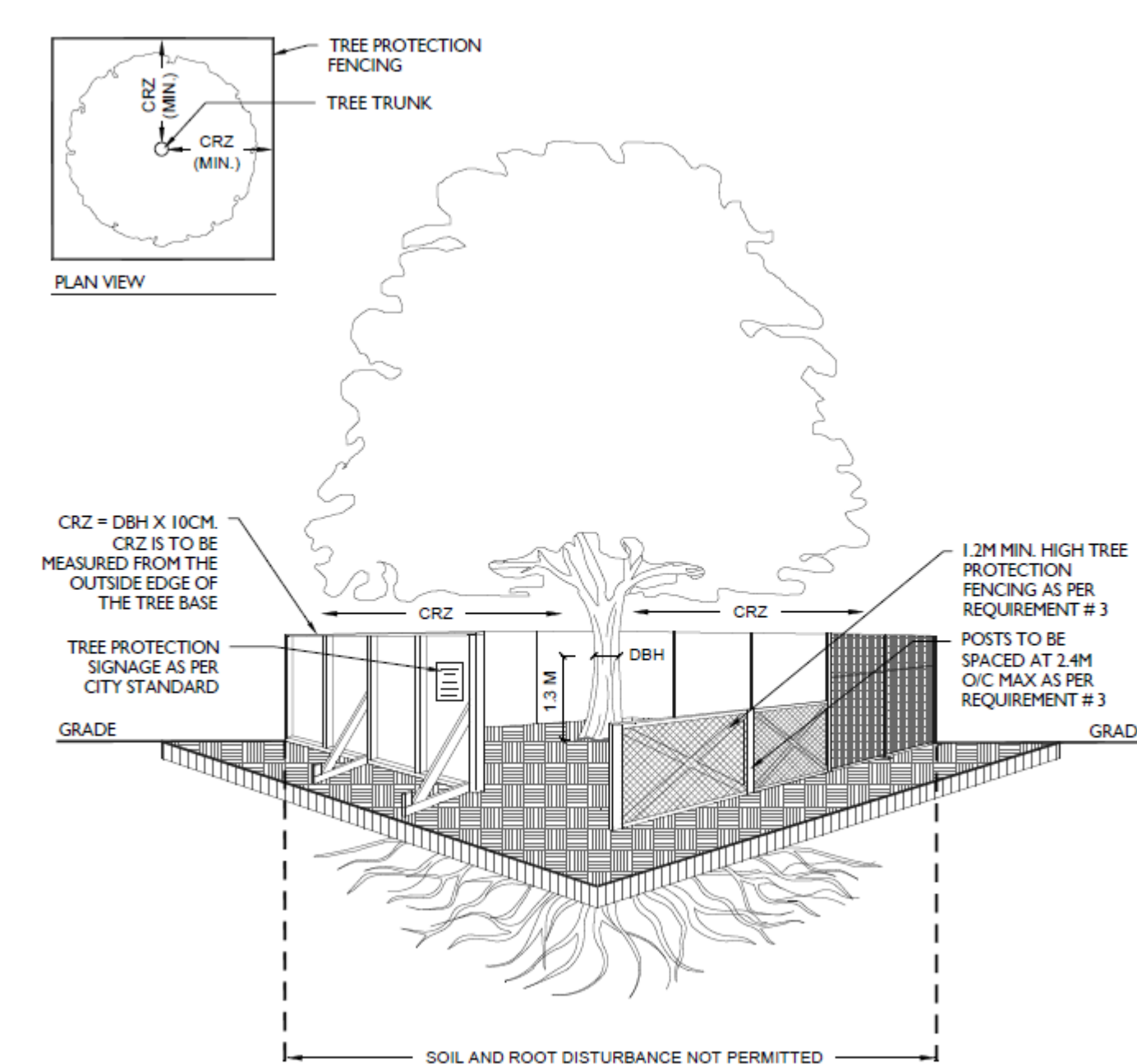
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5	White spruce (<i>Picea glauca</i>)	50 (estimate)	Good	Good	Good	No action required – far enough from construction

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 grading plan has not been altered in the process. Refer to the original plan for details on grading 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.
 - 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)
 - 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
- Tree to be removed
- Tree Protection Area
- Private Tree
- Tree either fully or partly on city property
- Tree either fully or partly on adjacent property

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variance Application

Panel 2
Tuesday, October 1, 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 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-00238
Application: Minor Variance under section 45 of the *Planning Act*
Applicants: Grant and Vicki Lemieux
Property Address: 6045 Longleaf Drive
Ward: 19 - Orléans South-Navan
Legal Description: Part of Lot 5, Plan 4M-1001
Zoning: R1VV
Zoning By-law: 2008-250

APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicants want to construct an addition to their existing garage, , as shown on plans filed with the Committee.

REQUESTED VARIANCE:

The Applicants require the Committee's authorization for a minor variance from the Zoning By-law as follows:

- a) To permit a reduced interior side yard setback of 0.61 metres, whereas the By-law requires a minimum interior side yard setback of 0.935 metres.

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

FIND OUT MORE ABOUT THE APPLICATION

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.

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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: September 13, 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
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cded@ottawa.ca
613-580-2436

AVIS D'AUDIENCE

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

Demande de dérogation mineure

Groupe 2
Mardi 1^{er} octobre 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-00238
Demande : Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*
Requérants : Grant et Vicki Lemieux
Adresse municipale : 6045, promenade Longleaf
Quartier : 19 - Orléans Sud-Navan
Description officielle : Partie du lot 5, plan 4M-1001
Zonage : R1VV
Règlement de zonage : n° 2008-250

PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les requérants souhaitent construire un rajout à leur garage existant, conformément aux plans déposés auprès du Comité.

DÉROGATION DEMANDÉE :

Les requérants demandent au Comité d'accorder une dérogation mineure au Règlement de zonage comme suit :

- a) Permettre la réduction de la marge de recul de la cour latérale intérieure à 0,61 mètre, alors que le Règlement exige une marge de recul de la cour latérale intérieure d'au moins 0,935 mètre.

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 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 choisirez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à

l'agent, l'agente, ainsi qu'à toute autre personne intéressée 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 : 13 septembre 2024

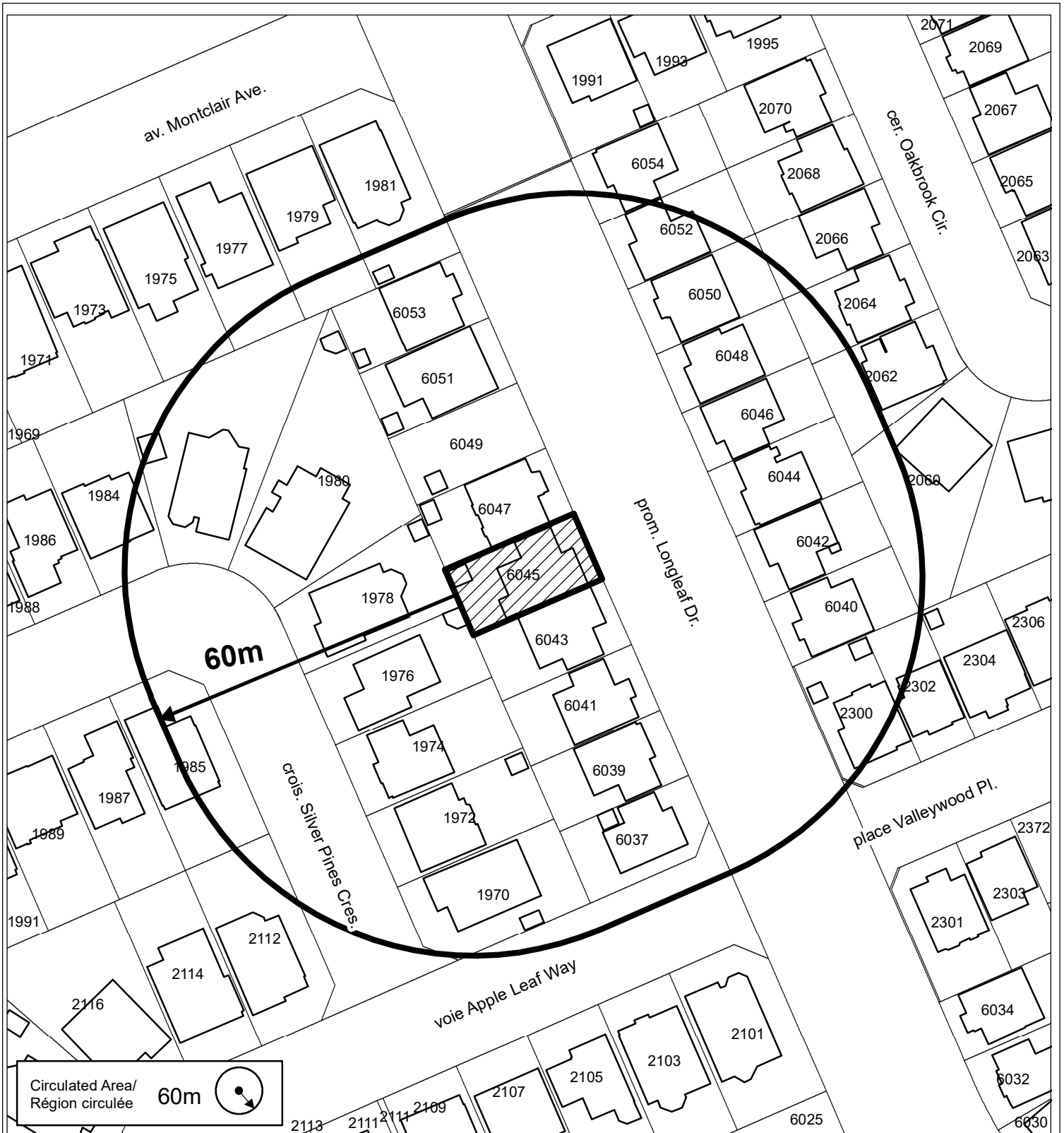



This document is also available in English.

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
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cded@ottawa.ca
613-580-2436



Circulated Area /
Région circulée **60m** 

 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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THIS IS NOT A PLAN OF SURVEY

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sans autorisation. CE CI N'EST PAS UN PLAN D'ARPEMENT



SUBJECT LAND / TERRE EN QUESTION

6045 prom. Longleaf Drive



NOT TO SCALE
NON À L'ÉCHELLE

2024-08-27

City of Ottawa
Committee of Adjustment
101 Centrepointe Drive, 4th Floor
Ottawa, ON K2G 5K7

August 16, 2024

Dear Committee,

Please find attached application for a Minor Variance.

We are proposing to build an extension to our existing garage. In order to maintain a consistent look to the exterior side view of the house, we propose to keep the wall of the new extended portion of the garage in line with the existing garage. We would require a variance allowing an interior side yard setback of 0.61m, where currently the permitted interior side yard setback is 0.935m.

As per Section 45 of the Planning Act, our proposal meets the criteria of the “four tests” as follows:

- The variance is minor.
 - The existing side yard setback permitted is 0.935m and we are proposing a side yard setback of 0.61m
- The variance is desirable for the appropriate development or use of the property.
 - The proposed variance is essential for the appropriate development or use of the property, as it will allow us to make the necessary alterations that will enhance the functionality of the garage.
- The general intent and purpose of the Zoning By-Law is maintained.
 - Despite the requested variance, the general intent and purpose of the Zoning By-Law is maintained. The variance does not undermine the basic principles of the Zoning By-Law and will not lead to any negative impact on the surrounding area.
- The general intent and purpose of the Official Plan is maintained.
 - The proposed variance is in line with the general intent and purpose of the Official Plan, as it will not impede the planned development or growth of the area. The variance is consistent with the objectives and policies of the Official plan, and it does not conflict with any long-term plans for the area.

We believe this would be in keeping with the look of the neighbourhood, as the proposed extension is not visible from the street, it simply extends into the back yard.

We have enclosed our site plan in metric as well as the original survey of the lot, confirmation from the Infill Forester that at TIR is not required, and rear and right elevation plans.

We would like to thank you for your consideration.

Yours truly,

Grant and Vicki Lemieux
6045 Longleaf Drive Ottawa ON K1W 1J5
613-325-7292
vicki.lemieux@bgo.com

ACCEPTED CO-ORDINATE VALUES FOR LOT CORNERS PER (A.O.G.) REFERENCE 4M-1001

SURVEYOR'S REAL PROPERTY REPORT PART I - Plan of

LOTS 5, 6, 7, AND 8 REGISTERED PLAN 4M-1001 CITY OF GLOUCESTER

REGIONAL MUNICIPALITY OF OTTAWA - CARLETON

Scale 1 : 250



Metric

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

Surveyor's Certificate

I CERTIFY THAT :

1. This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act, the Land Titles Act and the regulations made under them.
2. The survey was completed on August 16, 1999.

September 29 1999 Edward M. Lancaster
 Date Edward M. Lancaster O.L.S.

PART 2

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED September 29, 1999

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

Notes & Legend

- Denotes Survey Monument Planted.
- " Survey Monument Found.
- SIB " Standard Iron Bar.
- SSIB " Short Standard Iron Bar.
- IB " Iron Bar.
- Wit. " Witness.
- (AOG) " Annis, O'Sullivan, Vollebakk Ltd.

ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN SUBMISSION FORM
 1257274

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

Bearings are astronomic derived from the westerly limit of Longleaf Drive shown to be N23°34'30"W on Registered Plan 4M-1001

© Annis, O'Sullivan, Vollebakk Ltd, 1999
 "THIS PLAN IS PROTECTED BY COPYRIGHT"

ANNIS, O'SULLIVAN, VOLLEBEKK
Ontario Land Surveyors
 14 CONCOURSE GATE, SUITE 500, NEPEAN, ONTARIO, K2E 7S6
 TEL.(613)727-0850 FAX(613)727-1079
 5059D5.DWG Job No. 505-99

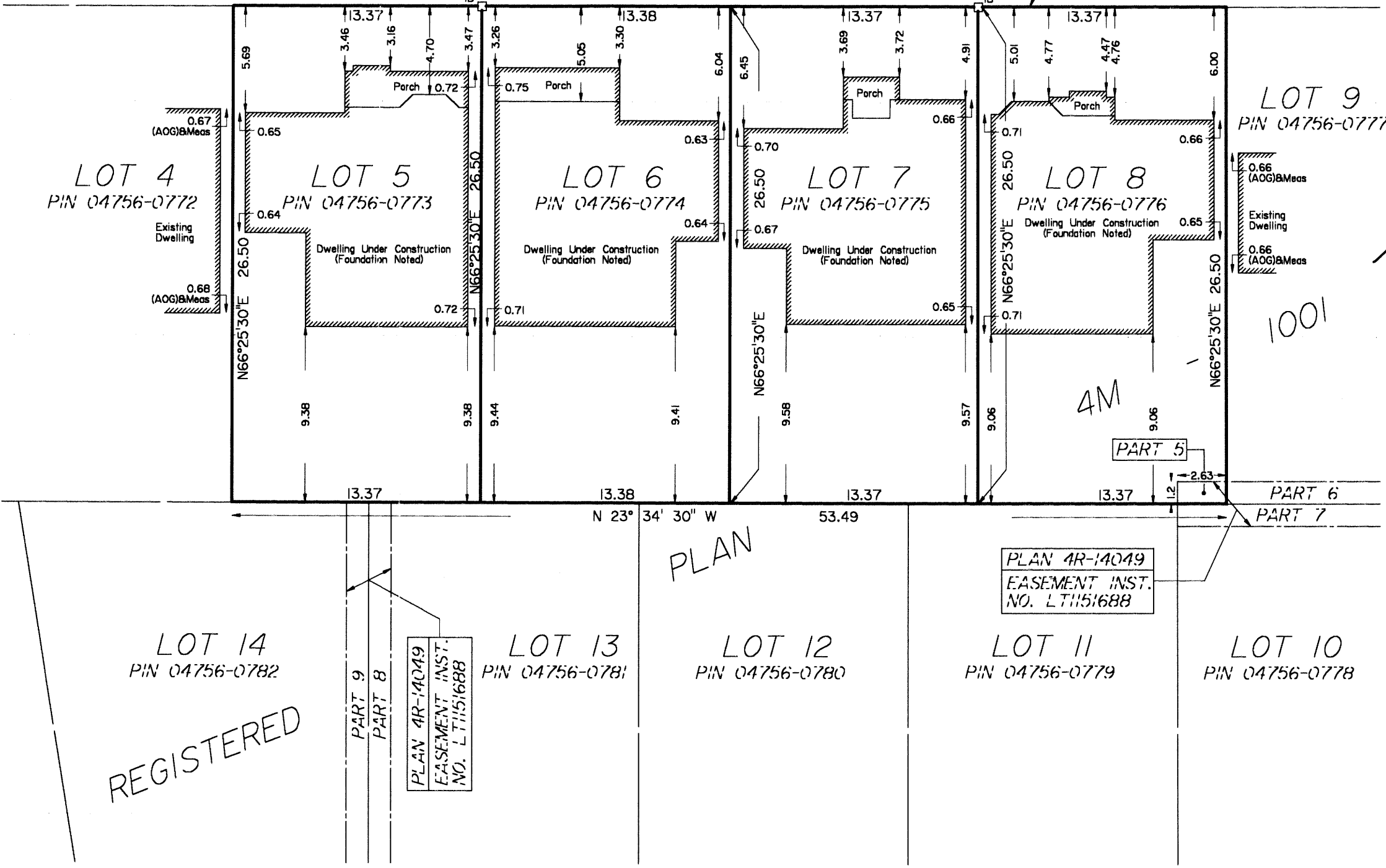
Committee of Adjustment
 Received | Reçu le
 2024-08-27
 City of Ottawa | Ville d'Ottawa
 Comité de dérogation

REGISTERED PLAN 4M-987

LONGLEAF DRIVE

PIN 04756 - 0764

(Reference Bearing)
 N 23° 34' 30" W 53.49



PLAN 4R-14049
 EASEMENT INST.
 NO. LTH151688

PLAN 4R-14049
 EASEMENT INST.
 NO. LTH151688

REGISTERED

SITE PLAN: GARAGE EXTENSION FOR 6045 LONGLEAF DRIVE

1,336cm

Lot Area: 354.25m²

927 cm

879 cm

Proposed Garage Extension

506 cm

61 cm

330 cm

Existing 2 Storey Residence

2,637 cm

61 cm

Existing Attached Garage

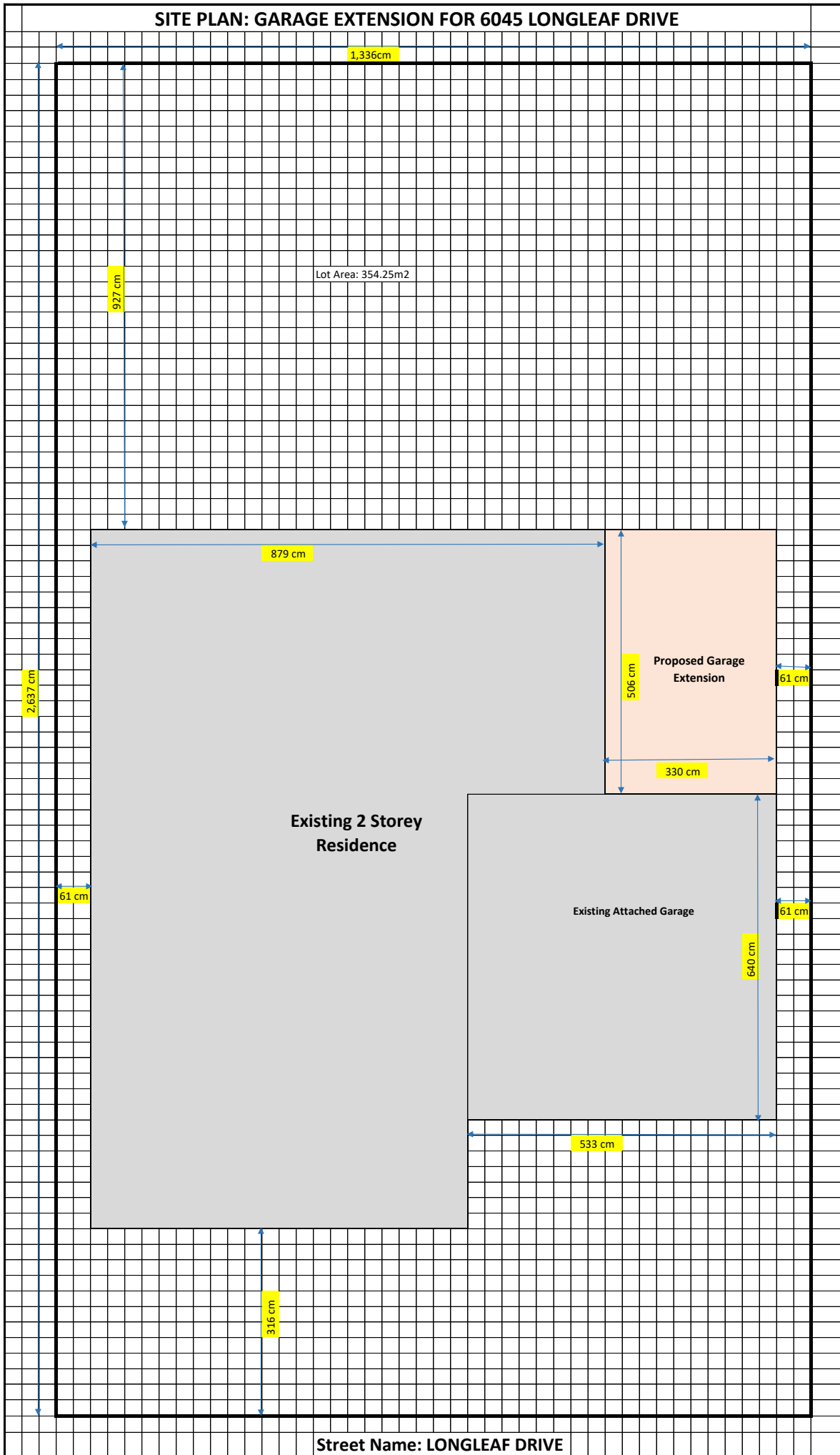
640 cm

61 cm

533 cm

316 cm

Street Name: LONGLEAF DRIVE



COMPOSITE WALL CONSTRUCTION NOTES:

WALL W1:

- VINYL SIDING TO MATCH EXISTING
- 1" x 3" STRAPPING
- TYVEK HOUSE WRAP AIR BARRIER LAP JOINT 6" AND TAPE
- 1/6 O.S.B SHEATHING
- 2" x 4" STUDS @ 16" O/C
- ALL WOOD IN CONTACT WITH CONCRETE MUST BE SEPERATED WITH 6 MIL POLY

COMPOSITE ROOF CONSTRUCTION NOTES:

ROOF RFI:

- 50 YEAR ASPHALT SHINGLES MATCH EXISTING
- 1/2" PLYWOOD SHEATHING C/W H. CLIP
- 2" x 8" RAFTERS @ 24" O/C

FLOOR FI:

- 6" CONCRETE SLAB ON GRADE C/W 152X152X118.7X118.7 MESH ON 12" MIN. WELLS COMPACTED GRANULAR "A" FILL

COMPOSITE SPECIFICATIONS NOTES:

SPEC N1:

- 2"X6" WOOD FASCIA BOARD (ALUMINIUM CLAD)

SPEC N2:

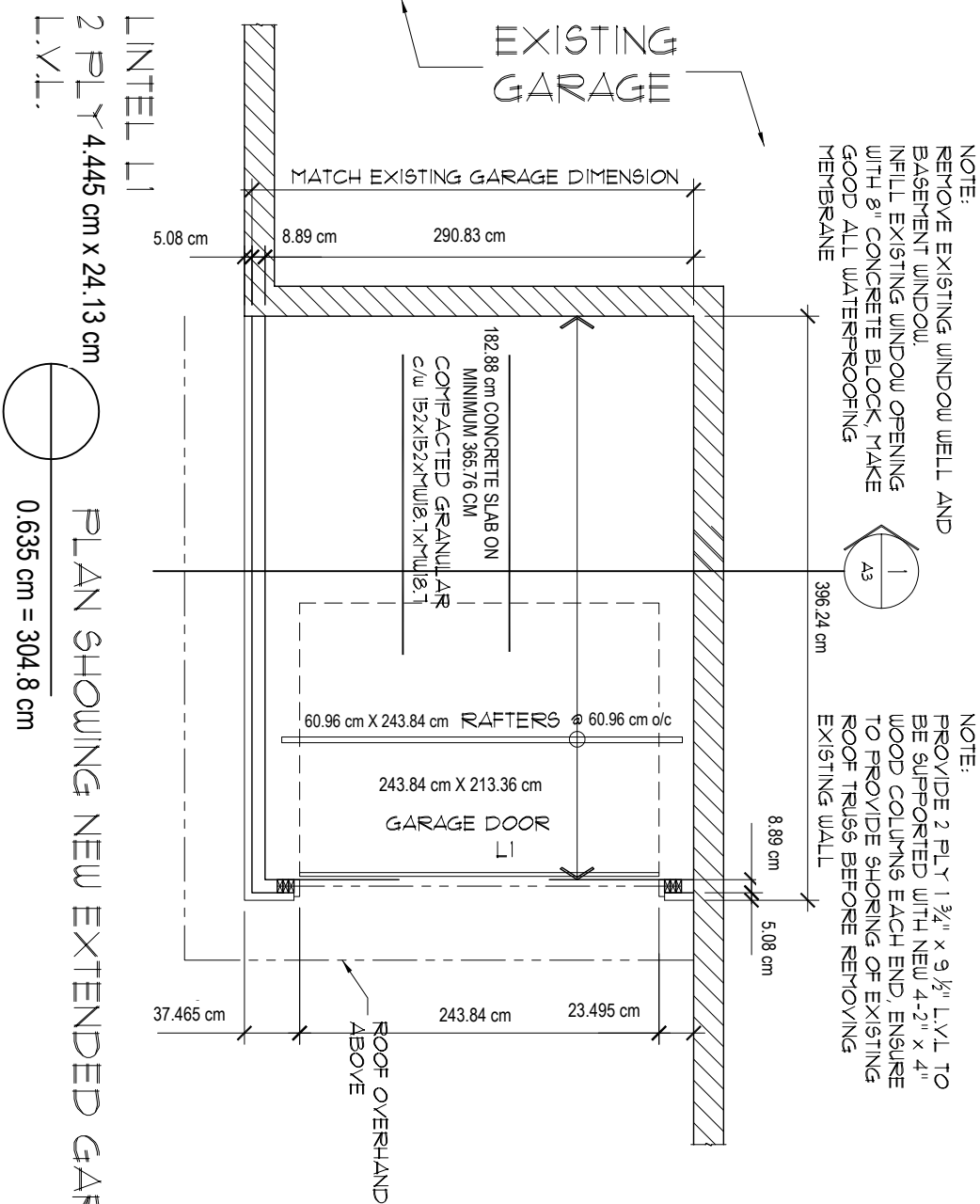
- VINYL SIDING TO MATCH EXISTING

SPEC N3:

- PRE FINISHED ALUMINIUM CONTINUOUSLY VENTED SOFFIT

SPEC N4:

- 50 YEAR SELF ADHESIVE SHINGLES



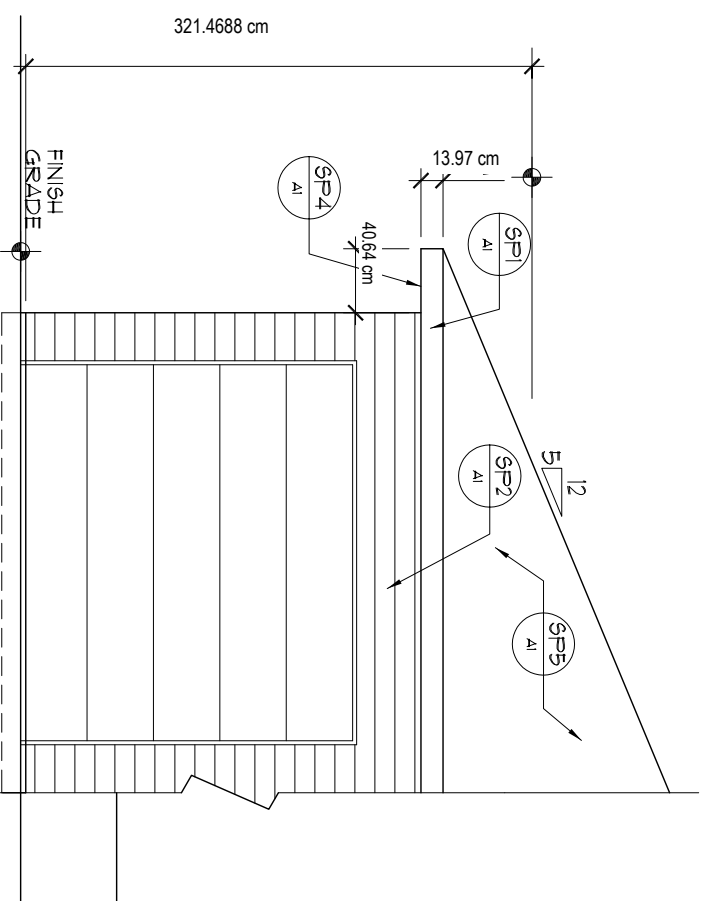
LINTEL L1
 2 PLY 4.445 cm x 24.13 cm
 L.V.L.

PLAN SHOWING NEW EXTENDED GARAGE
 0.635 cm = 304.8 cm

No.	Revision	Date
X		X

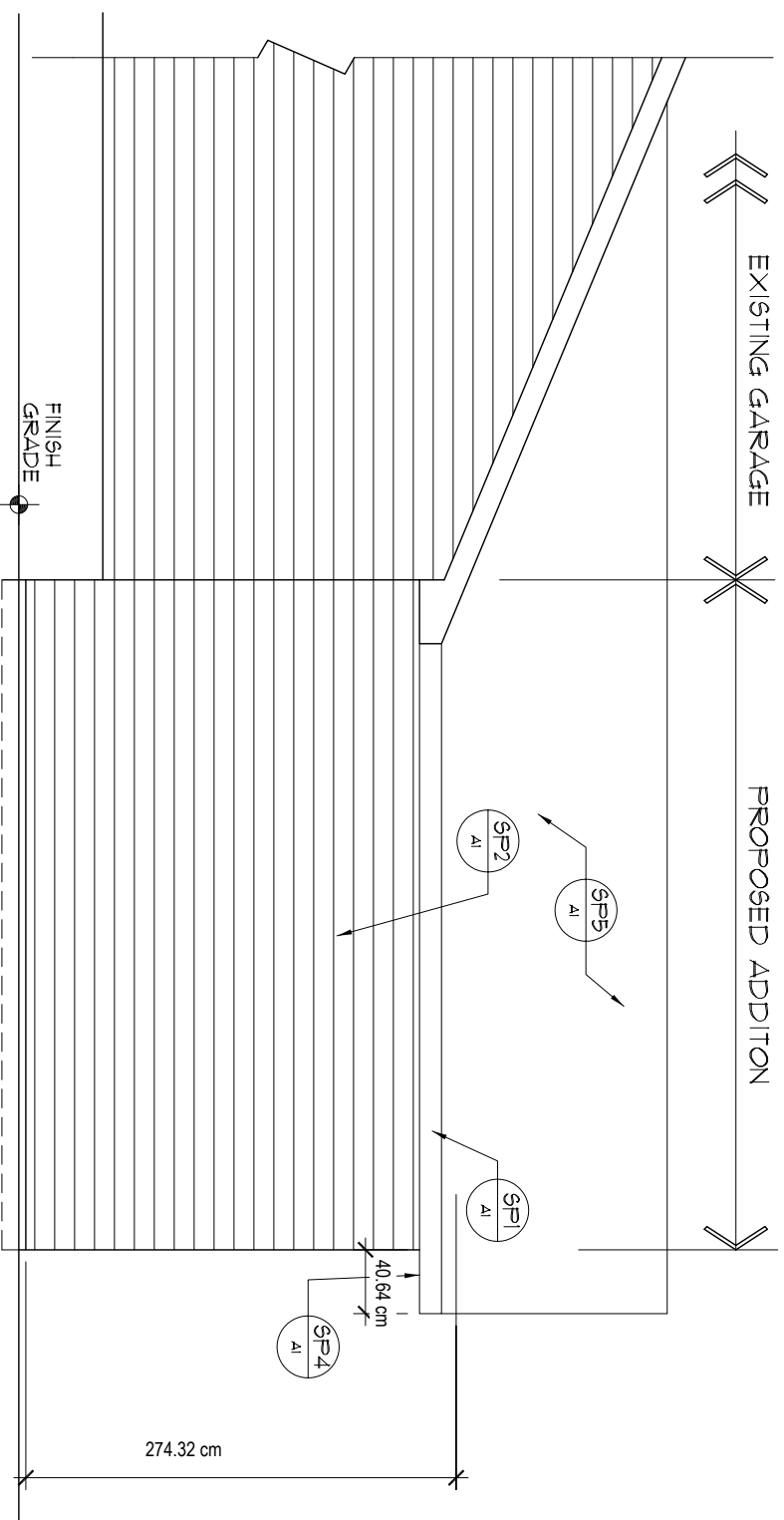
Client		
PROPOSED GARAGE ADDITION 6045 LONGLEAF DRIVE		
Drawing		
PLAN		
Scale AS NOTED	By AREA	Date
STRAP		

A1



REAR ELEVATION

SCALE: 0.635 cm X 30.48 cm



RIGHT ELEVATION

SCALE: 0.635 cm X 30.48 cm

No.	Revision	Date
X		X

Client: PROPOSED GARAGE ADDITION
6045 LONGLEAF DRIVE

Drawing: ELEVATIONS

Scale	By	Date
AS NOTED	AREA	
STAMP		

A2

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Minor Variance Applications

Panel 2

Tuesday, October 1, 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.

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File Nos.: D08-02-24/A-00234 & D08-02-24/A-00237
Application(s): Minor Variance under section 45 of the *Planning Act*
Applicant(s): Xiaohong Sun and Yijun Li
Property Address: 94 Withrow Avenue
Ward: 8 – College
Legal Description: Lots 286, 297, 299, & 289. Registered Plan 375
Zoning: R1FF (632)
Zoning By-law: 2008-250

APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATIONS:

The Applicants, the owner of four full lots on a plan of subdivision, wants to construct two two-storey detached dwellings, as shown on the plans filed with the application. The existing two-storey detached dwelling and detached garage will be demolished.

REQUESTED VARIANCES:

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

A-00234: 94 Withrow Avenue, Part 1 on Draft 4R-Plan proposed detached dwelling:

- a) To permit a reduced lot width of 15.30 metres, whereas the By-law requires a minimum lot width of 19.5 metres.
- b) To permit a reduced lot area of 443.00 square metres, whereas the By-law requires a minimum lot area of 600 square metres.
- c) To permit a reduced rear yard setback of 27.23% of the lot depth (7.88 metres), whereas the By-law requires a minimum rear yard setback of 28% of the lot depth (8.10 metres).

A-00237: 92 Withrow Avenue, Part 2 on Draft 4R-Plan, proposed detached dwelling:

- a) To permit a reduced lot width of 15.30 metres, whereas the By-law requires a minimum lot width of 19.5 metres.
- b) To permit a reduced lot area of 442.9 square metres, whereas the By-law requires a minimum lot area of 600 square metres.
- c) To permit a reduced front yard setback of 5.42 metres, whereas the By-law requires a minimum front yard setback of 5.63 metres.

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

FIND OUT MORE ABOUT THE APPLICATION(S)

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DATED: September 13, 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

Demandes de dérogations mineures

Groupe 2
Mardi 1^{er} octobre 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.

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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 :	D08-02-24/A-00234 et D08-02-24/A-00237
Demandes :	Dérogations mineures en vertu de l'article 45 de la <i>Loi sur l'aménagement du territoire</i>
Requérants :	Xiaohong Sun et Yijun Li
Adresse municipale :	94, avenue Withrow
Quartier :	8 – Collège
Description officielle :	Lots 286, 297, 299 et 289, plan enregistré 375
Zonage :	R1FF (632)
Règlement de zonage :	n° 2008-250

PROPOSITION DES REQUÉRANTS ET OBJET DES DEMANDES :

Les requérants, propriétaires de quatre lots complets d'un plan de lotissement, souhaitent construire deux maisons isolées de deux étages, conformément aux plans déposés auprès du Comité. Il est prévu démolir la maison isolée de deux étages et le garage isolé existants.

DÉROGATIONS DEMANDÉES :

Les requérants demandent au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

A-00234 : 94, avenue Withrow, partie 1 sur le plan 4R préliminaire, maison isolée proposée :

- a) Permettre la réduction de la largeur du lot à 15,30 mètres, alors que le Règlement exige une largeur de lot minimale de 19,5 mètres.
- b) Permettre la réduction de la superficie du lot à 443,00 mètres carrés, alors que le Règlement exige une superficie de lot minimale de 600 mètres carrés.
- c) Permettre la réduction de la marge de recul de la cour arrière à 27,23 % de la profondeur du lot (7,88 mètres), alors que le Règlement exige une marge de recul de la cour arrière d'au moins 28 % de la profondeur du lot (8,10 mètres).

A-00237 : 92, avenue Withrow, partie 2 sur le plan 4R préliminaire, maison isolée proposée :

- a) Permettre la réduction de la largeur du lot à 15,30 mètres, alors que le Règlement exige une largeur de lot minimale de 19,5 mètres.
- b) Permettre la réduction de la superficie du lot à 442,9 mètres carrés, alors que le Règlement exige une superficie de lot minimale de 600 mètres carrés.
- c) Permettre la réduction de la marge de recul de la cour avant à 5,42 mètres, alors que le Règlement exige une marge de recul de la cour avant d'au moins 5,63 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 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 : 13 septembre 2024



This document is also available in English.

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

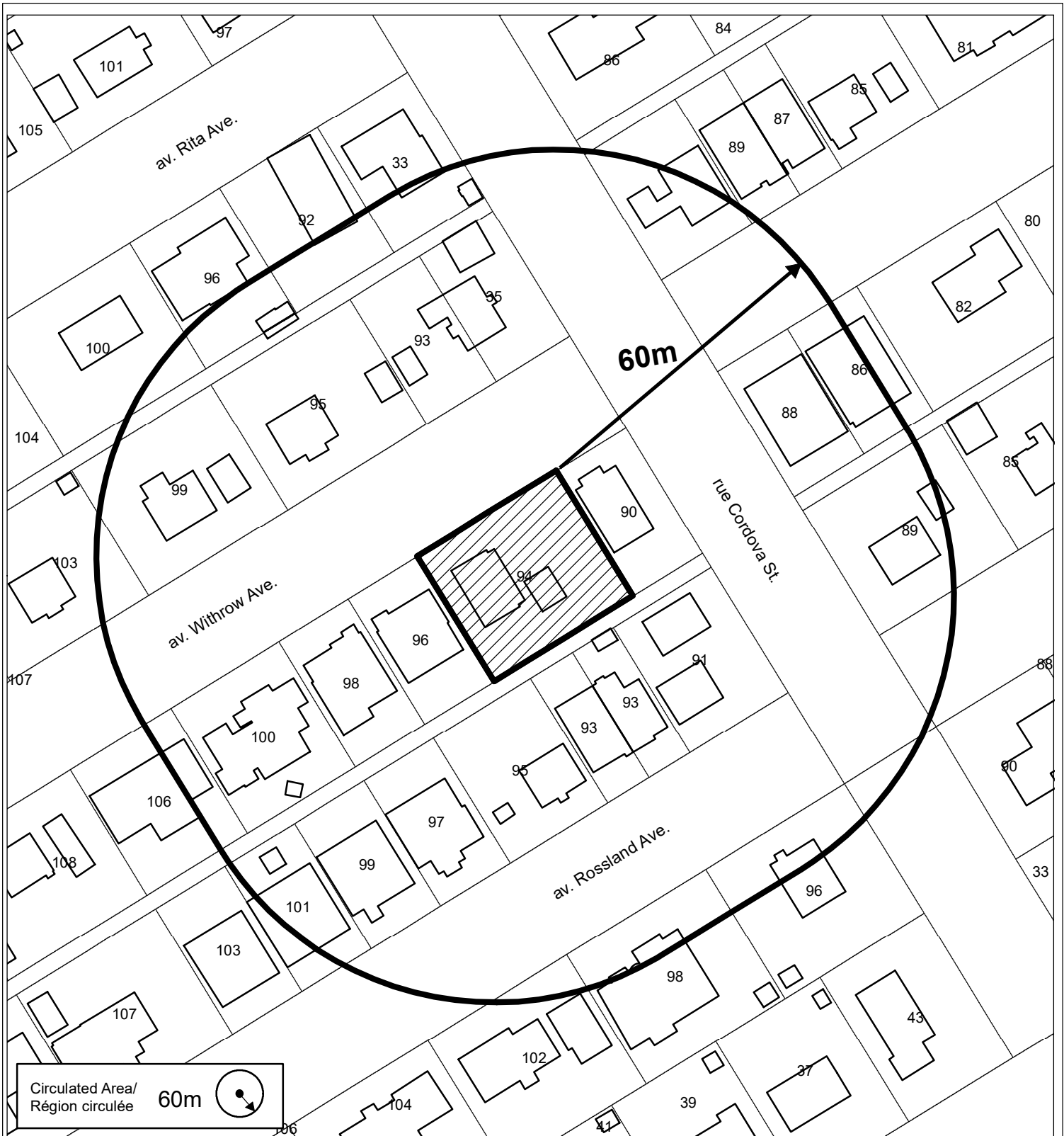
101, promenade Centrepointe


Ottawa ON K2G 5K7

Ottawa.ca/Comitedederogation

cded@ottawa.ca

613-580-2436



Circulated Area/
Région circulée 60m 

 **Committee of Adjustment**
Comité de dérogation

CIRCULATION MAP /
PLAN DE CIRCULATION

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SUBJECT LAND / TERRE EN QUESTION

94 av. Withrow Ave.



NOT TO SCALE
NON À L'ÉCHELLE



30 CONCOURSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085
CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

MIROCA DESIGN INCORPORATED
EST. SINCE 1986

August 27, 2024

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

Committee of Adjustment

City of Ottawa
101 Centrepointe Drive,
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer
And Committee Members

Committee of Adjustment
Received | Reçu le

2024-08-29

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: **Application for Minor Variance for lands at 94 Withrow Avenue, Ottawa, ON.**
Lots 286, 287, 288, & 289
Registered Plan 375
City of Ottawa
Ward 8, College
Zoning R1FF[632], Zoning By-law 2008-250

Dear Mr. Bellemare,

Xiaohong Sun and Yijun Li have retained Miroca Design Consulting Services to act as agent on their behalf for the preparation and presentation of Minor Variance Application at the Committee of Adjustment for their lands known municipally as 94 Withrow Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form
2. 1 copy of this cover letter prepared by Miroca Design Consultants Inc.
3. 1 full-sized copy and 1 reduced copy of the Draft 4R Plan, prepared by Farley, Smith & Denis, Ontario Land Surveyors
4. 1 full-sized copy and 1 reduced copy of the Site Plan and Elevation Drawings prepared by Miroca Design Inc.
5. 1 copy of the Tree Information Report and Tree Planting Plan prepared by Arborist Consulting Ottawa
6. A cheque payable to the City of Ottawa, and a copy of the Parcel Register showing ownership.

Purpose of the Application

The subject property consists of four full lots on a Plan of Subdivision. The owner would like to divide the property into two separate parcels of land consisting of proposed Part 1 (plus ½ of lane) and Part 2 (plus ½ of lane). The existing 2-storey detached dwelling and detached garage are to be demolished, and it is proposed to construct two new detached dwellings, one on each new parcel of land.

Relief Requested

In order to proceed, the owners require the Authority of the Committee for a Minor Variance as follows:

- Part 1
- a) To permit a reduced lot width of 15.30 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A]
 - b) To permit a reduced lot area of 443.0 square metres, whereas the By-law requires a minimum lot area of 600 square metres. [Table 156A]
 - c) To permit a reduced rear yard setback of 27.23% of the lot depth (7.88m), whereas the By-law requires a minimum rear yard setback of 28% of the lot depth (8.10m). [Sec. 144 (3)]
- Part 2
- d) To permit a reduced lot width of 15.30 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A]
 - e) To permit a reduced lot area of 442.9 square metres, whereas the By-law requires a minimum lot area of 600 square metres. [Table 156A]
 - f) To permit a reduced front yard setback of 5.42 metres, whereas the By-law requires a minimum front yard setback of 5.63 metres. [Sec. 144 (1)]

Zoning

Zoning Bylaw 2008-250 | R1FF[632] | Table 156A

Section 139 – Low-Rise Residential in All Neighbourhoods Within the Greenbelt

Section 144 – Alternative Yard Setbacks Affecting Low-Rise Residential in the R1 to R4 Zones Within the Greenbelt

Table 1: Zoning Provisions

Zoning Provisions	Required	Proposed Part 1 (plus ½ lane)	Proposed Part 2 (plus ½ lane)
Min. Lot Width	15m	15.30m	15.30m
Min. Lot Area	450m ²	443.0m ²	442.9m ²
Max. Building Height	8.5m	8.42m	8.42m
Min. Front Yard Setback	5.63m (<i>average</i>)	5.67m	5.42m
Min. Corner Yard Setback	4.5m	N/A	N/A
Min. Rear Yard Setback	28% of lot depth	27.23% (7.88m)	28.08% (8.13m)
Min. Rear Yard Area	25% of lot area	28.70% (120.4m ²)	28.02% (124.1m ²)
Min. Interior Side Yard Setback	Total is 2.1m with one yard no less than 0.9m	1.15m + 1.21m = 2.36m	1.21m + 1.15m = 2.36m
Max. Lot Coverage	45%	42.12%	42.13%
Front Yard Landscaping	40%	51.83%	51.73%
Max. Driveway Width	5.5m	4.98m	4.98m

Existing Conditions and Area Overview

There is an existing 2-storey detached dwelling and detached garage on the property which are to be demolished. The property is accessed from Withrow Avenue which is a Local Road. Transit service is provided along Baseline Road to the north and Merivale Road to the east. The area is well served by a range of commercial and community amenities principally along Merivale Road to the east. Algonquin College and College Square Shopping Centre are nearby to the west.

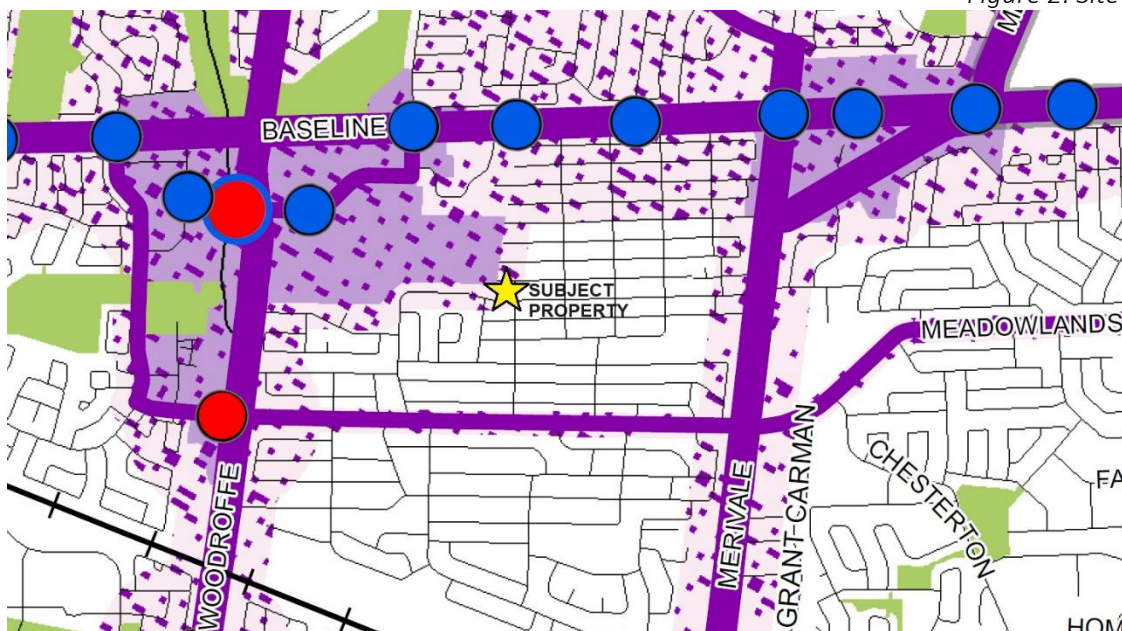
Figure 1: Existing home on Subject Property




Neighbourhood Character

The City View residential neighborhood generally reflects a classic suburban model and was first established in the late 1940s into the 1960s. Housing along Withrow Ave., and throughout the neighbourhood, is characterized by single family bungalows and 2-storey homes on wide lots. There are countless examples throughout the neighbourhood of the replacement of the existing homes by larger 2-storey detached dwellings, through dividing the existing wide properties from full lots on the plan of subdivision. Many of these new dwellings utilize the maximum allowable building envelope and building height. This has occurred frequently throughout the City View Neighborhood over the past 10 years, maximizing the residential development on these properties, and creating a varied pattern of development in terms of lot fabric, and built form.


Figure 2: Site Location Map




TRANSECT POLICY AREA /
SECTEUR STRATÉGIQUE DU TRANSECT

 Outer Urban / Urbain extérieur


OVERLAYS / AFFECTATION SUPPLÉMENTAIRE


 Evolving Neighbourhood /
Quartier en évolution


SPECIAL DISTRICT /
DISTRICT PARTICULIER


 Ottawa International Airport Economic District /
District économique de l'Aéroport international d'Ottawa


DESIGNATIONS / DÉSIGNATIONS


 Hub / Carrefour


 Corridor - Mainstreet / Couloir - Rue principale

 Corridor - Minor / Couloir - Rue principale mineure


 Mixed Industrial / Industrie Mixte


 Industrial and Logistics / Industrie et Logistique


 Greenspace / Espace vert


 Neighbourhood / Quartier

TRANSIT

 O-Train Station / Station de l'O-Train

 Future O-Train Station / Station de l'O-Train (futur)

 Transfer Station / Station de correspondance

 Transitway Station / Station du Transitway

Four Tests

In support of the proposed application, the four tests for minor variances as provided for in Section 45(1) of the Planning Act, have been reviewed as follows:

1. General Intent and Purpose of the Official Plan is Maintained

This property falls within the Outer Urban Transect, categorized under the Evolving Neighbourhood Overlay, on Schedule A and Schedule B3 of the City of Ottawa's Official Plan. The corresponding direction for neighbourhoods aims to accommodate residential growth with development standards that gradually transition away from a suburban model and move towards urban built forms. Allowing and supporting a wide variety of housing types with a focus on lower density missing-middle housing which generally reflects the existing built form context of the neighbourhood.

The proposed lot division results in the creation of one additional lot for residential development. Each lot will be developed with a 2-storey detached dwelling, each home will include one principal dwelling unit and an additional dwelling unit in the basement, for a total of 4 units. This development represents gentle intensification within the low-rise character of the neighborhood, aligning with the Growth Management Framework in Section 3 of the Official Plan. It effectively supports residential growth while maintaining a compatible built form and site design.

These detached dwellings contribute to the diversity of housing options available in the area, offering various unit sizes, densities, and tenure types. By gently increasing density, the development fosters 15-minute neighborhoods, promoting accessibility to public transit, commercial amenities, schools, and parks within walking distance. The location of the property is well-suited for residential intensification, aligning with the city's objectives to accommodate residential growth through intensification.

Consistent with the directives of the Official Plan, the proposed site design incorporates increased lot coverage while still allowing for ample space for soft landscaping, trees, and hard surfacing that complements the street context. The new detached homes align with the residential character of the neighborhood, featuring height, massing, and setbacks that meet the intentions of the Zoning By-law and integrate with the established surroundings.

Moreover, this proposal adheres to the Official Plan's objectives by leveraging existing transit service, water and sewer infrastructure, as well as the network of roads, pathways, and designated cycling routes. It supports redevelopment within the Outer Urban area rather than expansion into peripheral lands, supporting the growth targets for large-household dwellings in neighborhoods. By situating residential use in close proximity to the rapid transit system and various community amenities, including employment and retail facilities, this proposal aims to minimize travel distances and enhance accessibility, thereby contributing to a sustainable community.

Given these considerations, we are confident that the proposed minor variances align with the intent and purpose of the Official Plan.

2. General Intent and Purpose of the Zoning By-law is Maintained

The property is zoned under Residential First Density, Subzone R1FF [632]. The intent of this zone is to limit development to detached dwellings, while allowing other residential uses to provide additional housing choices within detached dwelling residential areas. Development is to be regulated in a manner that is compatible with existing land use patterns so that the detached dwelling residential character of the neighbourhood is maintained or enhanced.

The proposed lots meet the intention of the Zoning By-law, accommodating detached dwellings which are compatible with existing land use patterns and the detached residential character of the neighbourhood. The intent of the minimum lot width and lot area provisions is to ensure that lots are adequately sized to accommodate residential development. It has been demonstrated through numerous similarly sized lots and severances within the surrounding neighbourhood that the proposed lot sizes are functional for the proposed detached dwellings and will fit into the established streetscape.

The intent of the required front yard setback is to ensure that new homes are generally in line with the established setback from the street of the existing adjacent homes. This is to ensure orderly development that balances with the existing streetscape. The proposed 5.42m front yard setback of Part 2 is in fact setback further from the front lot line than the existing adjacent home at 90 Withrow Ave., which is setback 5.24m from the front lot line. Therefore, it does not present any obvious deviation to the streetscape to a passerby, and is generally in line with the average along the street. The requirements for front yard soft landscaping are also well exceeded, providing 51.73% soft landscape area, whereas a minimum of 40% is required.

The intent of the required rear yard setback is to ensure that new homes are generally in line with the established rear yard setback of adjacent homes, in order to maintain adequate rear yard privacy, amenity space, greenery and trees. The proposed 27.23% rear yard setback still maintains more than the required rear yard area at 28.70% of the lot area, whereas a minimum of 25% is required. The rear yard maintains adequate space for privacy, amenity area and greenery, including future planting of trees. The maximum lot coverage for City View is also respected, being 42.12% whereas a maximum of 45% is required.

Given these considerations, we believe that the proposed minor variances align with the intent and purpose of the Zoning By-law.

3. Desirable for the appropriate development and use of the property

The proposed lot division and new detached dwellings represent a fitting use of the land to meet the long-term residential needs of the community. Located centrally, this development offers practical and diverse housing options while maintaining a harmonious balance with green spaces and amenities, enhancing both the public streetscape and private rear yards.

Regarding zoning regulations, the minor variances requested uphold the established character and lot configuration of the neighborhood, aligning with the objectives of the Zoning By-law. The addition of these new detached dwellings with secondary units, supports gentle intensification, which is crucial for managing growth as outlined in the Official Plan. The proposal also leverages existing infrastructure and proximity to community amenities, aligning well with the goals outlined in the Official Plan and enhancing its appeal.

Environmental considerations are also paramount, with the proposal aiming to preserve mature trees and implement engineering and site planning that enhance lot grading and drainage. Additionally, measures are in place to address and minimize any potential impact or privacy concerns for neighboring properties. Given these considerations, we feel that the proposed minor variances are desirable for the appropriate development of the property.

4. The variance is minor

Relief is requested to permit a reduced lot width of 15.30 metres for both lots, whereas the By-law requires a minimum lot width of 19.5 metres.

Relief is requested to permit a reduced lot area of 443.0 square metres for Parts 1, and 442.9 square metres for Part 2, whereas the By-law requires a minimum lot area of 600 square metres.

The proposed lots are consistent with the existing pattern of development found throughout the neighborhood. As demonstrated in Figure 3, showing similar reduced lots sizes. Despite the reduced lot sizes, both lots are still appropriately sized to accommodate detached dwellings.

The proposed lots will meet and exceed the requirements for soft landscaping, and the dwellings are respectful of the maximum 45% lot coverage required in the Zoning By-law for City View.

Given these considerations, we are confident that the proposed new lots can suitably accommodate the proposed dwellings, and the impact of the reduced lot widths and areas is minor.

Figure 3: Lot Fabric Map

LOT FABRIC MAP

SIMILAR REDUCED LOT WIDTHS AND AREAS FOUND THROUGHOUT THE NEIGHBOURHOOD INDICATED IN BLUE:

88 WITHROW AVENUE
LW = 15.23 M, LA = 417.10M ²
86 WITHROW AVENUE
LW = 15.23M, LA = 417.17M ²
89 WITHROW AVENUE
LW = 10.52 M, LA = 289.68M ²
87 WITHROW AVENUE
LW = 15.23M, LA = 9.24M ²
90 WITHROW AVENUE
LW = 15.24M, LA = 418.00M ²
96 WITHROW AVENUE
LW = 15.24M, LA = 417.99M ²
98 WITHROW AVENUE
LW = 15.24M, LA = 417.99M ²
93B WITHROW AVENUE
LW = 15.24M, LA = 417.72M ²
77 ROSSLAND AVENUE
LW = 15.24M, LA = 417.92M ²
97 ROSSLAND AVENUE
LW = 15.24M, LA = 418.01M ²
99 ROSSLAND AVENUE
LW = 15.24M, LA = 418.01M ²
101 ROSSLAND AVENUE
LW = 15.24M, LA = 418.02M ²



The assessment of whether a variance is minor hinges on whether it results in a minor change or causes any undue or adverse effects. In the case of the proposed minor variances for reduced lot width and area it is evident that it does not negatively impact the streetscape or neighboring properties.

Relief is requested to permit a reduced rear yard setback of 27.23% of lot depth for Part 1 whereas the By-law requires a minimum rear yard setback of 28% of lot depth.

The proposed 27.23% rear yard setback still maintains more than the required rear yard area at 28.70% of the lot area, whereas a minimum of 25% is required. The rear yard maintains adequate space for privacy, amenity area and greenery, including protection of existing, and future plantings of, trees. The maximum lot coverage for City View is also respected, being 42.12% whereas a maximum of 45% is required. The assessment of whether a variance is minor hinges on whether it results in a minor change or causes any undue or adverse effects. In the case of the proposed minor variance to allow a reduced rear setback, it is evident that it does not negatively impact the rear yard environment or neighboring properties.

Relief is requested to permit a reduced front yard setback of 5.42m for Part 2 whereas the By-law requires a minimum front yard setback based on the average of 5.63m.

The purpose of the requested minor variance for reduced front yard setback is to move the house forward on the site to provide more space for the black walnut tree in the rear yard, to better protect the roots and canopy.

The proposed 5.42m front yard setback of Lot 2 is in fact setback further from the front lot line than the existing adjacent home at 90 Withrow Ave., which is setback 5.24m from the front lot line. Therefore, it does not present any obvious deviation to the streetscape to a passerby, and is generally in line with the average along the street. The requirements for front yard soft landscaping are also well exceeded, providing 51.73% soft landscape area, whereas a minimum of 40% is required. The assessment of whether a variance is minor hinges on whether it results in a minor change or causes any undue or adverse effects. In the case of the proposed variance to allow a reduced front yard setback, it is evident that it does not negatively impact the streetscape or neighboring properties.

Urban Design Guidelines for Low-rise Infill Housing

The proposed new dwellings seek to uphold strong urban design principles in consideration of the purpose and objectives of the Urban Design Guidelines for Low-rise Infill Housing. Such as incorporating setbacks which preserve and integrate existing natural features and are consistent with the cultural landscape of the neighbourhood. A balance of more lot coverage with ample greenery and amenity space, enhancing both the public streetscape and the private rear yards. Primary entrances that are inviting and visible from the street, and interesting articulation of the front façades creating distinct identities for the units. Through thoughtful massing and the inclusion of prominent front porches, the designs redirect attention away from the garage towards the living area of the homes and front landscaping.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development across Ontario. Sections 1.1 – 1.4 of the PPS directs that land use planning shall be carried out in a manner that:

- Promotes efficient development patterns that contribute to long-term sustainability on a province-wide basis as well as in local communities;
- Takes advantage of opportunities for intensification and redevelopment that optimize the use of existing of planned infrastructure and public service facilities;
- Promotes a compact built form which supports the use of alternative transportation modes and public transit.

This proposal supports the policies of the PPS by providing intensification in the form of new family dwellings and secondary dwellings within the City's urban area where infrastructure and services already exist and are in close proximity to service facilities. The proposed use of land will promote an efficient, cost effective pattern of development located within proximity to a range of community services and amenities and well-oriented within the City's roadway and transit system.

Pre-consultations

Pre-consultations were held with Penelope Horn in the Development Review Department, whom indicated the City View neighborhood's concerns with regards to storm water management; and asked for confirmation of the building height, which has been provided on the enclosed elevations.

Discussions were also held with Nancy Young, Planning Forester, whom indicated no tree related concerns with the proposal, and recommended to plant 2 large-growing trees within the ROW, rather than medium trees on the frontage. With the planting location accounting for ditch reinstatement. This change has been included in the enclosed TIR.

A letter explaining our application and plans was provided to the City View Community Association for their review and comments.

Trees

Existing trees on site were assessed by Arborist Consulting Ottawa during the preliminary design stage for this file. There are 4 trees on or adjacent to the property which meet the City of Ottawa Tree Protection By-law guidelines for assessment. Please refer to enclosed Tree Information Report.

Two blue spruces are within the building footprint and will be removed and replaced at a 2:1 ratio. Steps will be taken to protect and retain the honey locust on the neighbouring property. The black walnut in the rear yard of Part 2 will also be protected and retained; the house design has been modified and front yard variance is being requested in order to preserve the tree.

2 large replacement trees are proposed to be planted in the City right-of-way in the front yard, and 2 small-medium replacement trees are proposed in the rear yard.

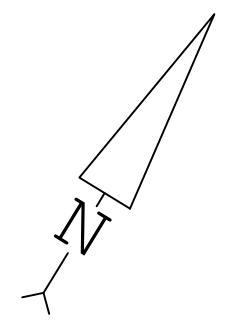
Conclusion

With respect to the Minor Variance application, it is our opinion that the minor variances requested are desirable for the appropriate development and use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variances sought are minor.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,

Michael Segreto
Miroca Design Consulting Services Inc.



Committee of Adjustment
Received | Reçu le
2024-08-29
City of Ottawa | Ville d'Ottawa
Comité de dérogation

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
DATE: _____
DANIEL ROBINSON
ONTARIO LAND SURVEYOR

PLAN 4R-
RECEIVED AND DEPOSITED
DATE: _____
REPRESENTATIVE FOR LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF
OTTAWA-CARLETON NO. 4.

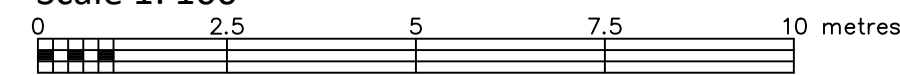
SCHEDULE				
PART	LOT	PLAN	PIN	AREA (Sq.m.)
1	ALL OF 286 & 287			419.7
2	ALL OF 288 & 289	375	ALL OF 04676 - 0024	419.6

PLAN OF SURVEY OF

LOTS 286, 287, 288 & 289
REGISTERED PLAN 375
CITY OF OTTAWA

FARLEY, SMITH & DENIS SURVEYING LTD. 2024

Scale 1: 100



Metric Note

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

Distance Note

Distances shown on this plan are ground distances and can be converted to grid distances by multiplying by the combined scale factor of 0.99993.

Bearing Note

Bearings hereon are grid bearings derived from the Can-Net Real Time Network and are referred to the Central Meridian of MTM Zone 9 (76°30' West Longitude) Nad-83 (Original).

For bearing comparisons, a rotation of 0°14'15" clockwise was applied to bearings on P1.

CO-ORDINATES WERE DERIVED FROM CAN-NET REAL TIME NETWORK OBSERVATIONS, MTM ZONE 9, N.A.D. 1983 (ORIGINAL).		
POINT ID	NORTHING	EASTING
(A)	5023752.99	363895.35
(B)	5023784.97	363947.52
01919680005	5027191.26	361496.76
01919750705	5016816.93	360806.84

CO-ORDINATES ARE MTM ZONE 9, N.A.D. 1983 (ORIGINAL), TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Surveyor's Certificate

I certify that:

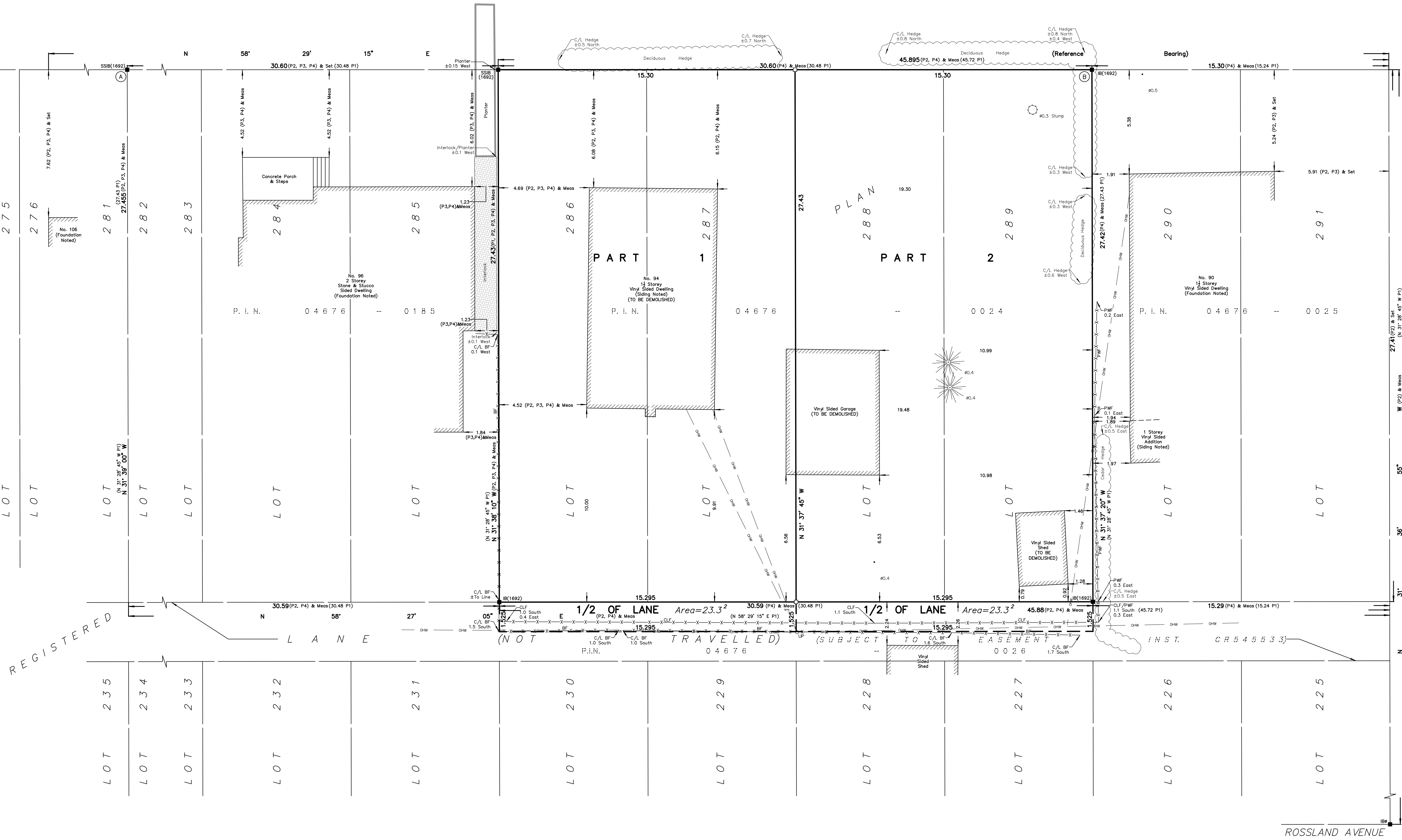
- This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the Land Titles Act and the Regulations made under them.
- The survey was completed on the _____ day of _____, 2024.

Date: _____ Daniel Robinson
Ontario Land Surveyor

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

Notes & Legend

- Denotes Survey Monument Planted
- Survey Monument Found
- SSIB Standard Iron Bar
- IB Short Standard Iron Bar
- Meas Iron Bar
- (P1) Measured
- (P2) Registered Plan 375
- (P3) Plan by (1692) dated August 30, 2017 (File No. 303-17)
- (P4) Plan by (1692) dated June 26, 2018 (File No. 84-18)
- Plan by (1692) dated February 12, 2024 (File No. 21-24)
- OHW Overhead Wires
- Utility Pole
- CLF Chain Link Fence
- PWF Post and Wire Fence
- BF Board Fence
- C/L Centreline
- Deciduous Tree - The Symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.
- Coniferous Tree - The Symbol shown denotes location and trunk diameter only. Size of its' root system/overhead canopy may be smaller/larger than the symbol size depicted on this plan.



ROSSLAND AVENUE

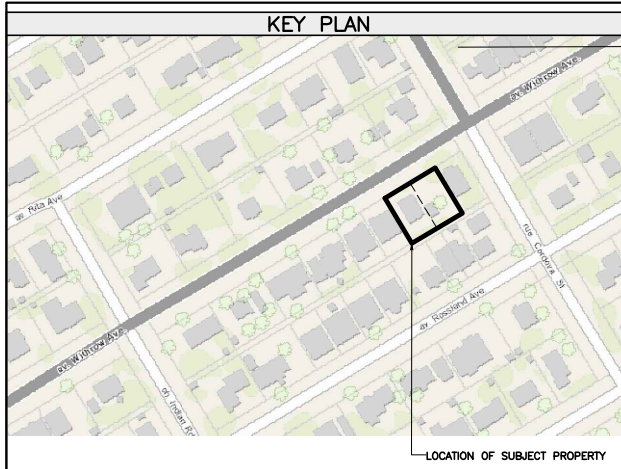
FARLEY, SMITH & DENIS SURVEYING LTD.

ONTARIO LAND SURVEYORS
CANADA LAND SURVEYORS

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

FILE No.: 91-24

AVERAGE FRONT YARD
SETBACK CALCULATION
6.02m (#96)
5.24m (#90)
= 5.63m AVERAGE



NOT TO SCALE

PROJECT INFORMATION

ADDRESS	94 WITHROW AVENUE NEPEAN, ON. K2G 2J5
LEGAL DESCRIPTION	LOTS 286, 287, 288, & 289 REGISTERED PLAN 375 PIN: 04676-0024
ZONING	ZONING BYLAW 2008-250 R1FF[632] SECTION 139 - LOW-RISE RESIDENTIAL IN ALL NEIGHBOURHOODS WITHIN THE GREENBELT

DEVELOPMENT STANDARDS

ZONING PROVISIONS	REQUIRED	PROPOSED PART 1 (PLUS 1/2 LANE)	PROPOSED PART 2 (PLUS 1/2 LANE)
MIN. LOT WIDTH	19.5m	15.30m	15.30m
MIN. LOT AREA	600m ²	443.0m ²	442.9m ²
LOT DEPTH	N/A	28.95m	28.95m
MAX. BUILDING HEIGHT	8.5m	8.42m	8.42m
MIN. FRONT YARD SETBACK	5.63m (AVERAGE)	5.67m	5.42m
MIN. CORNER YARD SETBACK	4.5m	N/A	N/A
MIN. REAR YARD SETBACK	28% OF LOT DEPTH	27.23% (7.88m)	28.08% (8.13m)
MIN. REAR YARD AREA	25% OF LOT AREA	28.7% (120.4m ²)	28.02% (124.1m ²)
MIN. INTERIOR SIDE YARD SETBACK	TOTAL IS 2.1m, WITH ONE YARD NO LESS THAN 0.9m	1.15m + 1.21m = 2.36m	1.15m + 1.21m = 2.36m
MAX. LOT COVERAGE	45%	42.12%	42.13%
FRONT YARD LANDSCAPING	40%	51.83%	51.73%
MAXIMUM DRIVEWAY WIDTH	5.5m	4.98m	4.98m

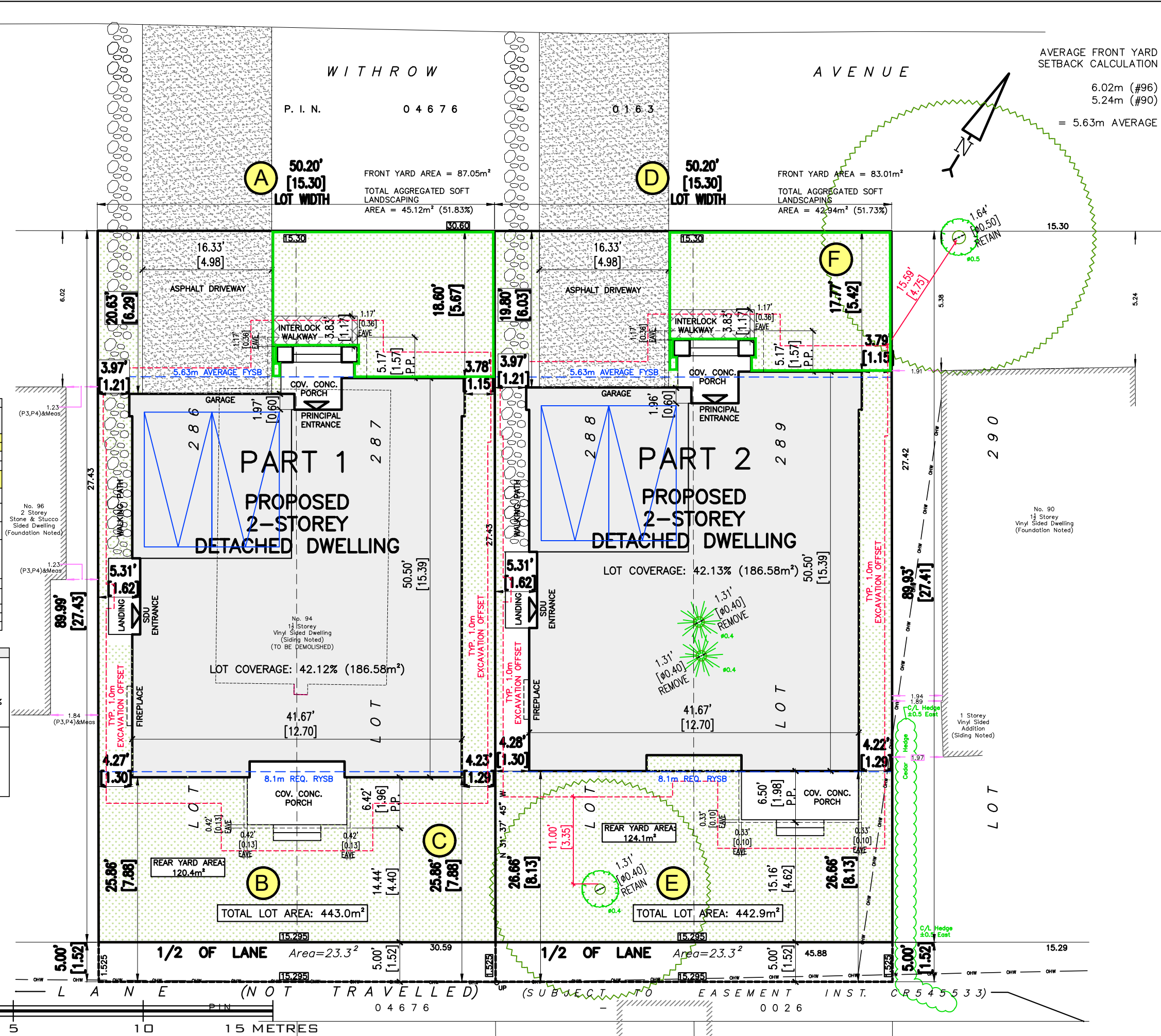
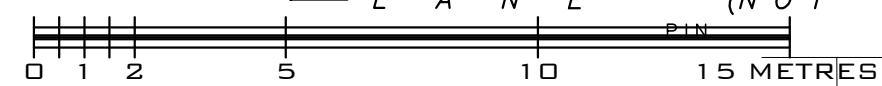
MINOR VARIANCES REQUESTED

PART 1	A) To permit a reduced lot width of 15.30 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A] B) To permit an reduced lot area of 443 square metres, whereas the By-law permits a lot area of 600 square metres. [Table 156A] C) To permit an reduced rear yard setback of 7.88 metres (27.23% lot depth), whereas the By-law permits a rear yard setback of 8.1 metres (28% lot depth). [Table 144B]
PART 2	D) To permit a reduced lot width of 15.30 metres, whereas the By-law requires a minimum lot width of 19.5 metres. [Table 156A] E) To permit an reduced lot area of 442.9 square metres, whereas the By-law permits a lot area of 600 square metres. [Table 156A] F) To permit an reduced front yard setback of 5.42 metres, whereas the By-law permits an average front yard setback of 5.63 metres. [Table 156A]

LEGEND

PROPOSED BUILDING	SOFT LANDSCAPING AREA
DRIVEWAY	LINE OF REQUIRED SETBACK
WALKWAY	OVERHEAD WIRES
SOD	EXISTING TO BE DEMOLISHED
STEPPING STONES	EXCAVATION OFFSET

SITE PLAN
SCALE = 1:150



GENERAL NOTES:

1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DIMENSIONS TO THE CONSULTANT.
2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BY-LAWS.
3. FOOTINGS DESIGNED FOR 2000 P.S.F. ASSUMED BEARING. BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE
REVISIONS	

JOB TITLE:	PROPOSED TWO STOREY DWELLING 94 WITHROW CITY OF OTTAWA
------------	--

SHEET TITLE:	SITE PLAN
--------------	-----------

SCALE: AS SHOWN	DWG NO.
DRAWN: A.G.	S1.1
CHECKED:	
DATE: AUGUST 2024	
PRINT DATE:	

Committee of Adjustment

Received | Reçu le

2024-08-29

City of Ottawa | Ville d'Ottawa
Comité de dérogation



FRONT ELEVATION - PART 1
SCALE: 3/16" = 1'-0"

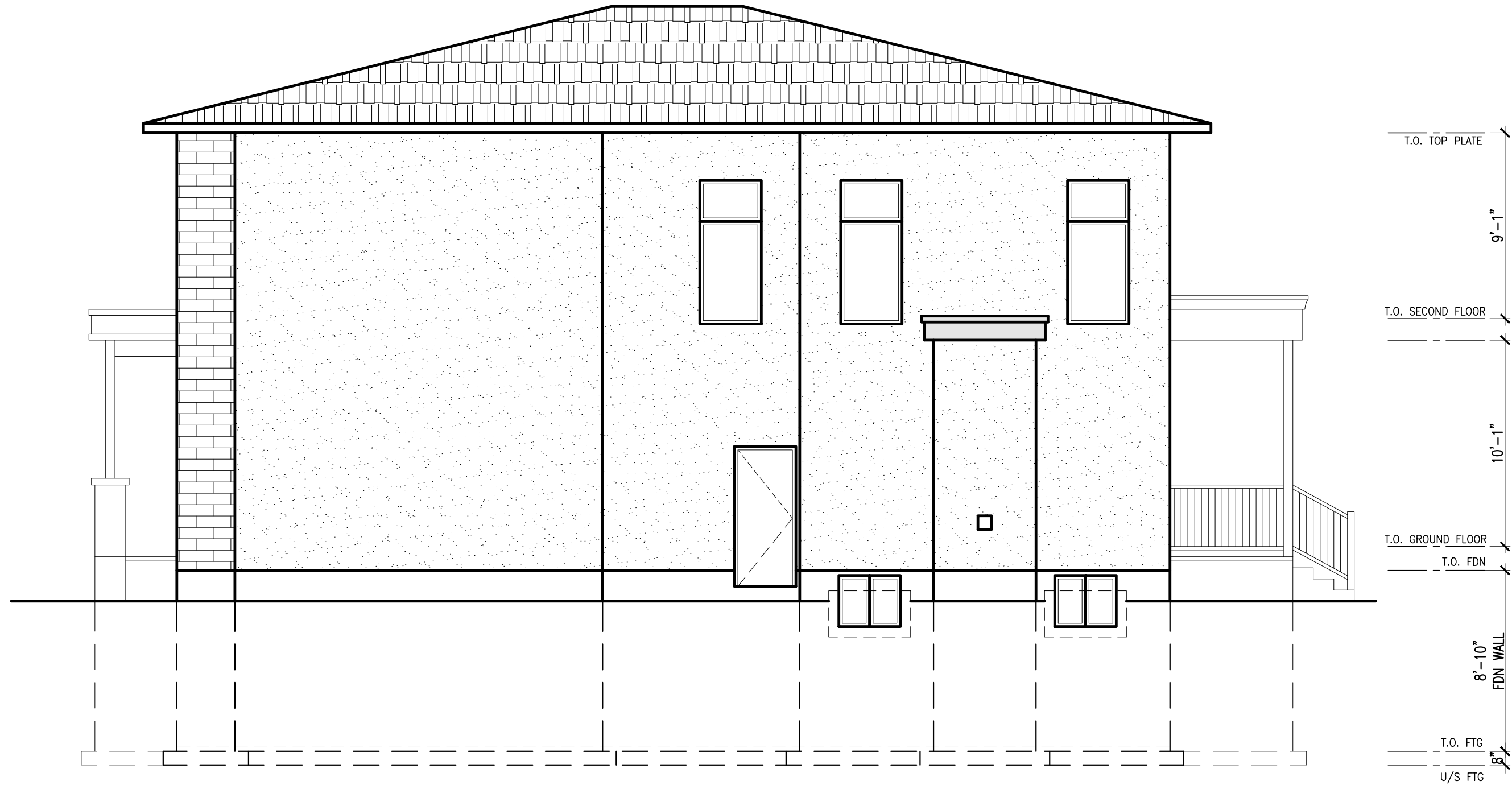
- GENERAL NOTES:
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 2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BY-LAWS.
 3. FOOTINGS DESIGNED FOR 3000 P.S.F. ASSUMED BEARING. BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
 4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE	REVISIONS
1		

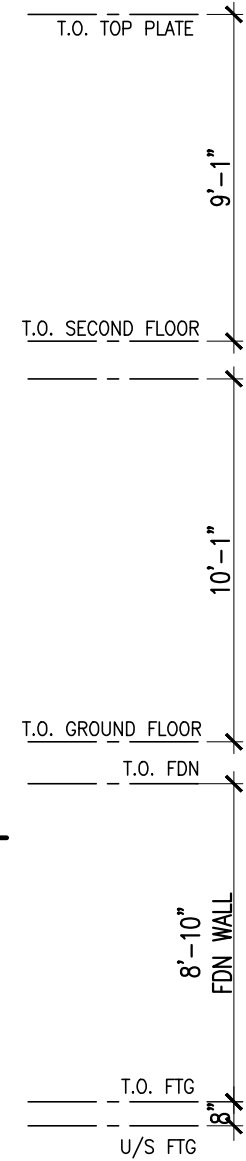
JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
FRONT ELEVATION
PART 1

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A1.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



RIGHT SIDE ELEVATION - PART 1
SCALE: 3/16" = 1'-0"



GENERAL NOTES:

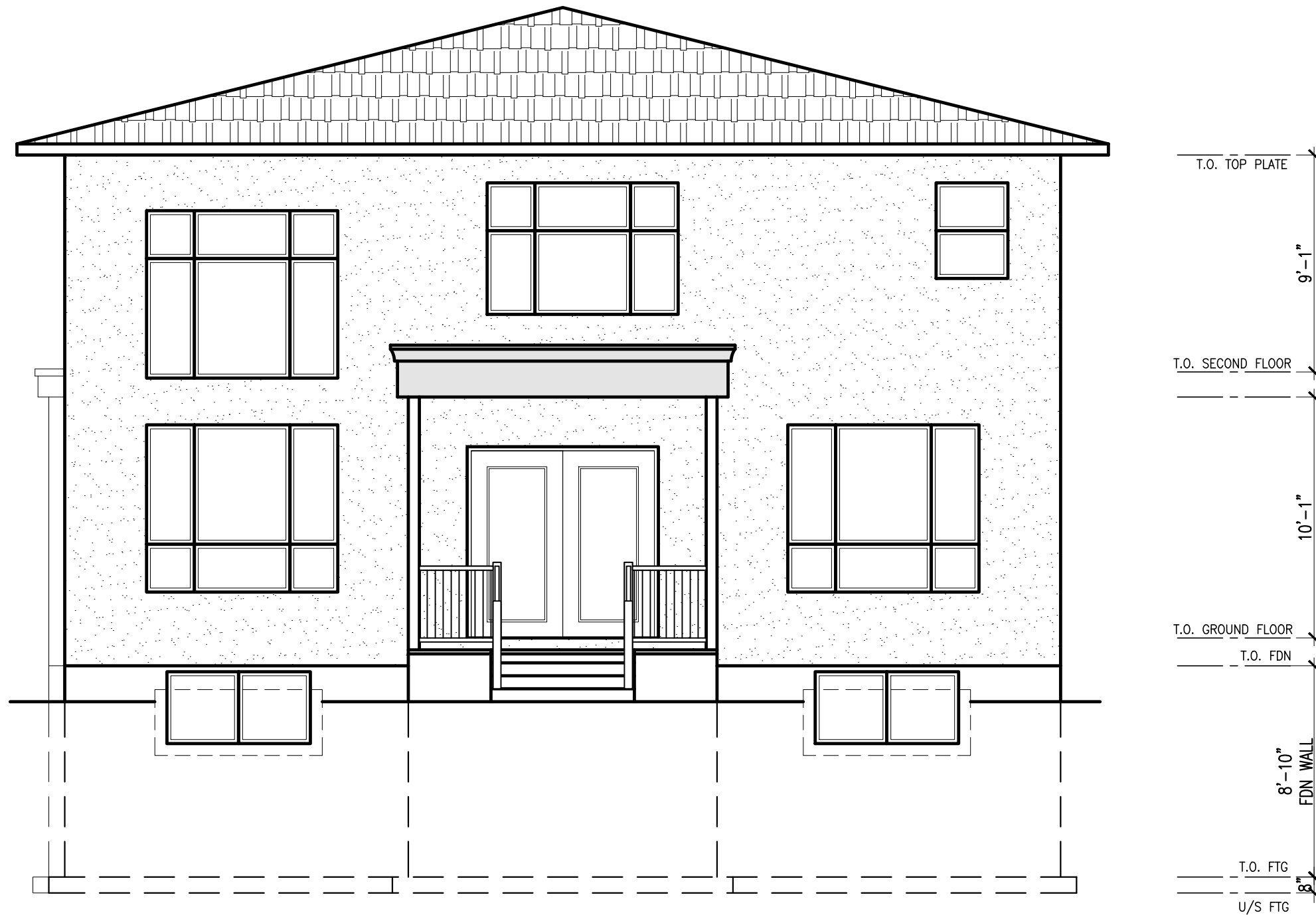
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4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE
1	
	REVISIONS

JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
RIGHT SIDE ELEVATION
PART 1

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A2.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



REAR ELEVATION - PART 1
 SCALE: 3/16" = 1'-0"

GENERAL NOTES:

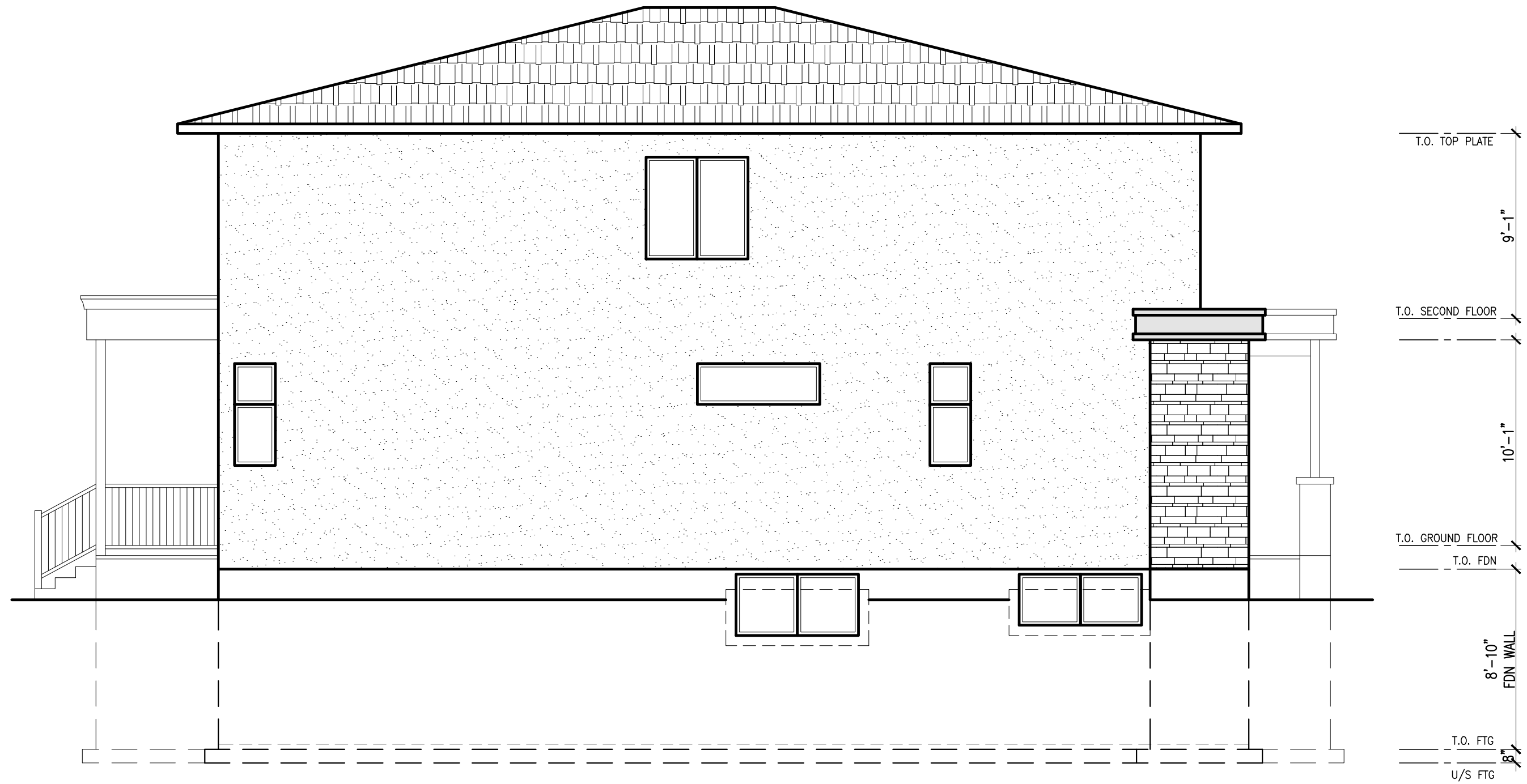
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4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE	REVISIONS
1		

JOB TITLE:
 PROPOSED TWO STOREY
 DETACHED DWELLING
 94 WITHROW
 CITY OF OTTAWA

SHEET TITLE:
 REAR ELEVATION
 PART 1

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A3.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



LEFT SIDE ELEVATION - PART 1
SCALE: 3/16" = 1'-0"

- GENERAL NOTES:**
1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
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 4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE
1	
	REVISIONS

JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
LEFT SIDE ELEVATION
PART 1

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A4.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



FRONT ELEVATION - PART 2
SCALE: 3/16" = 1'-0"

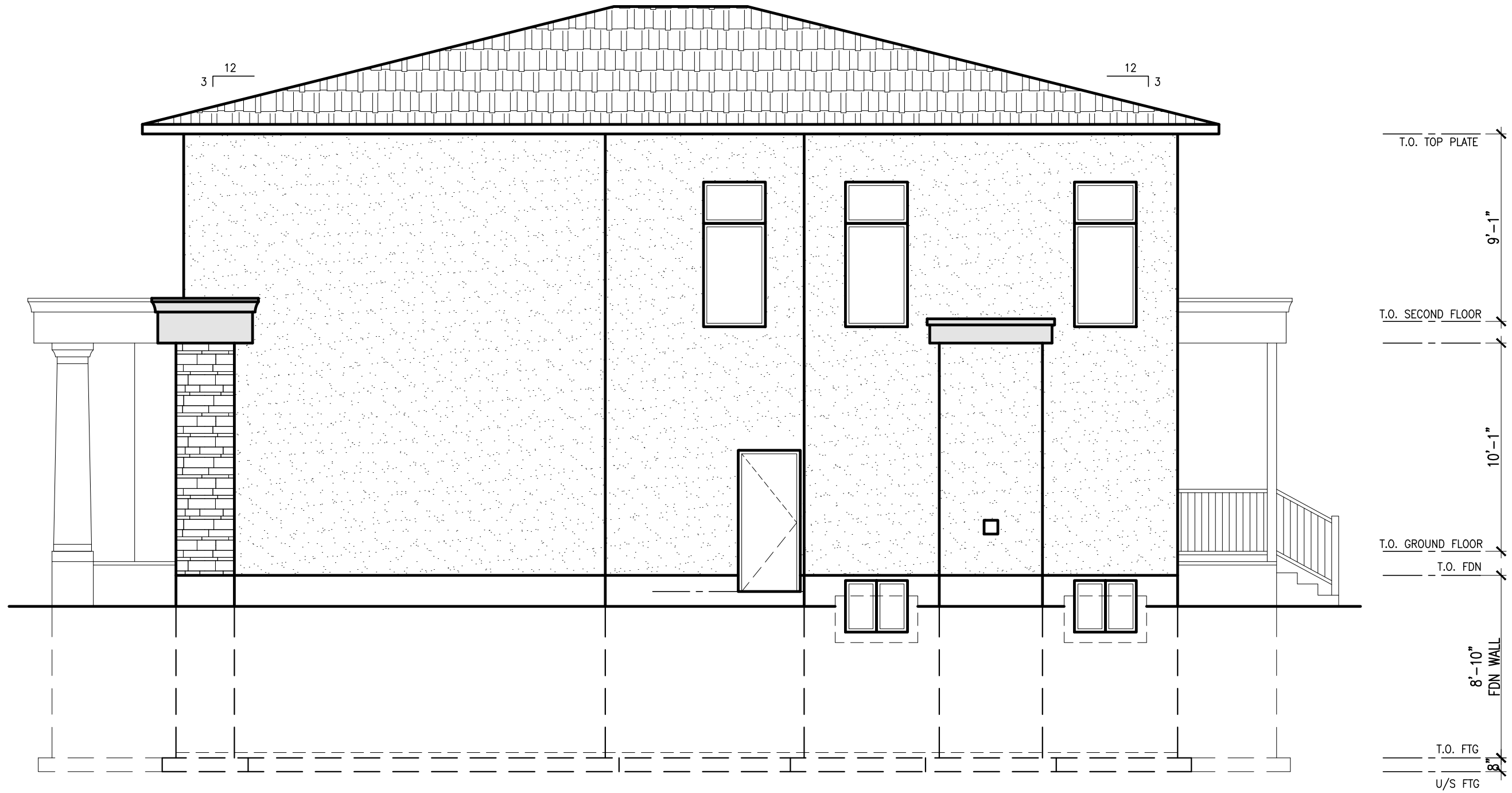
- GENERAL NOTES:**
1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
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 4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE	REVISIONS
1		

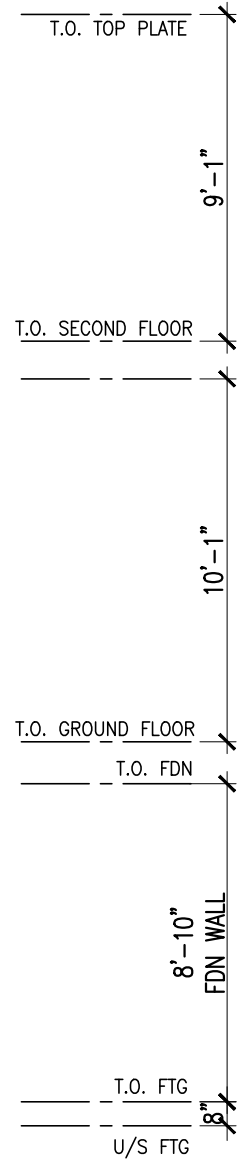
JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
FRONT ELEVATION
PART 2

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A5.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



RIGHT SIDE ELEVATION - PART 2
SCALE: 3/16" = 1'-0"



- GENERAL NOTES:**
1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
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 4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE	REVISIONS
1		

JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
RIGHT SIDE ELEVATION
PART 2

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A6.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



REAR ELEVATION - PART 2
SCALE: 3/16" = 1'-0"

GENERAL NOTES:

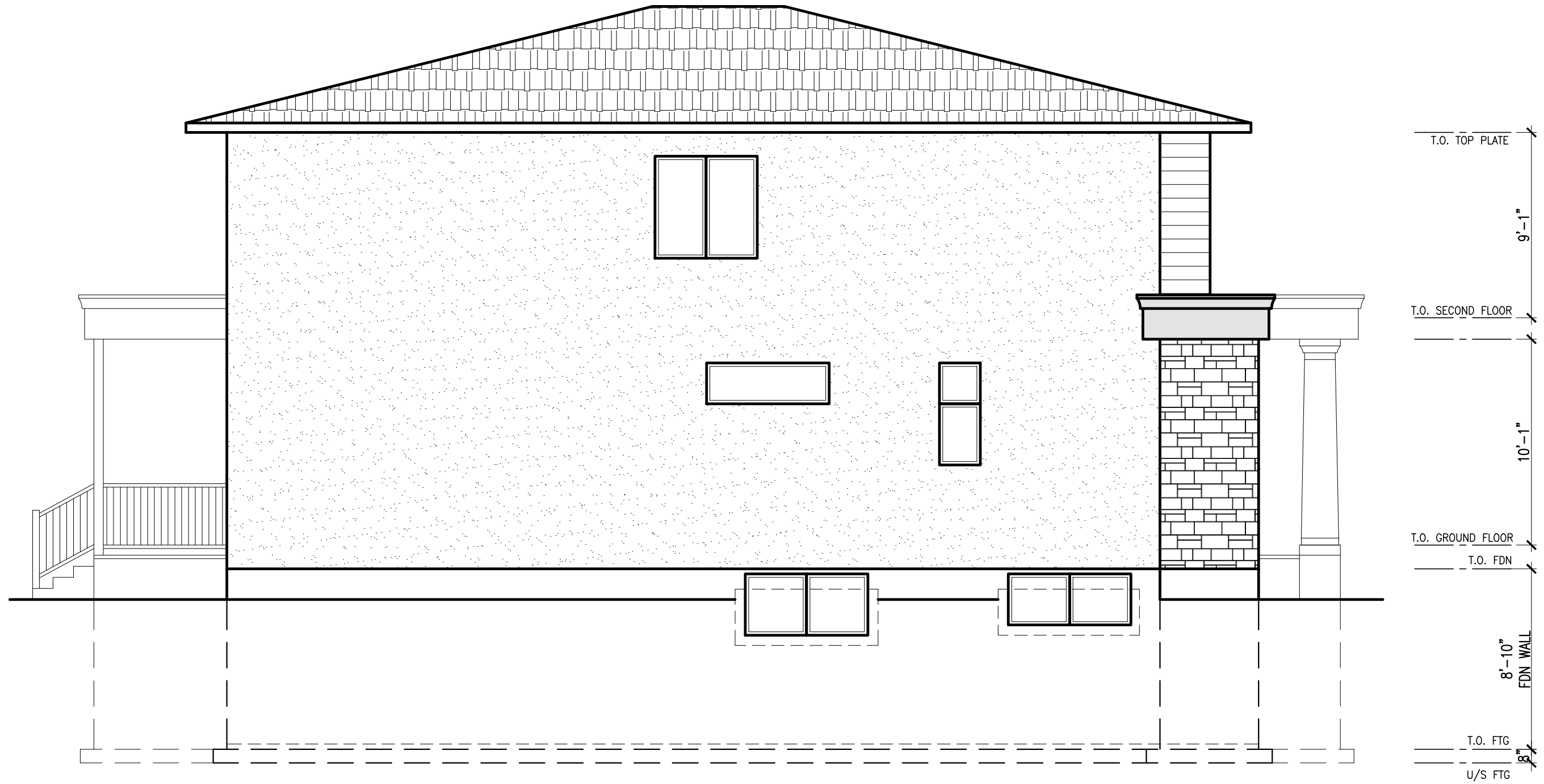
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NO.	DESCRIPTION & DATE
1	
	REVISIONS

JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
REAR ELEVATION
PART 2

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A7.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	



LEFT SIDE ELEVATION - PART 2
SCALE: 3/16" = 1'-0"

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NO.	DESCRIPTION & DATE
1	
	REVISIONS

JOB TITLE:
PROPOSED TWO STOREY
DETACHED DWELLING
94 WITHROW
CITY OF OTTAWA

SHEET TITLE:
LEFT SIDE ELEVATION
PART 2

SCALE: AS SHOWN	Dwg No.
DRAWN: A.G.	A8.8
CHECKED:	
DATE: JULY 2024	
PRINT DATE:	

LOT FABRIC MAP

SIMILAR REDUCED LOT WIDTHS AND AREAS FOUND THROUGHOUT THE NEIGHBOURHOOD INDICATED IN BLUE:

88 WITHROW AVENUE
LW = 15.23 M, LA = 417.10M²

86 WITHROW AVENUE
LW = 15.23M, LA = 417.17M²

89 WITHROW AVENUE
LW = 10.52 M, LA = 289.68M²

87 WITHROW AVENUE
LW = 15.23M, LA = 9.24M²

90 WITHROW AVENUE
LW = 15.24M, LA = 418.00M²

96 WITHROW AVENUE
LW = 15.24M, LA = 417.99M²

98 WITHROW AVENUE
LW = 15.24M, LA = 417.99M²

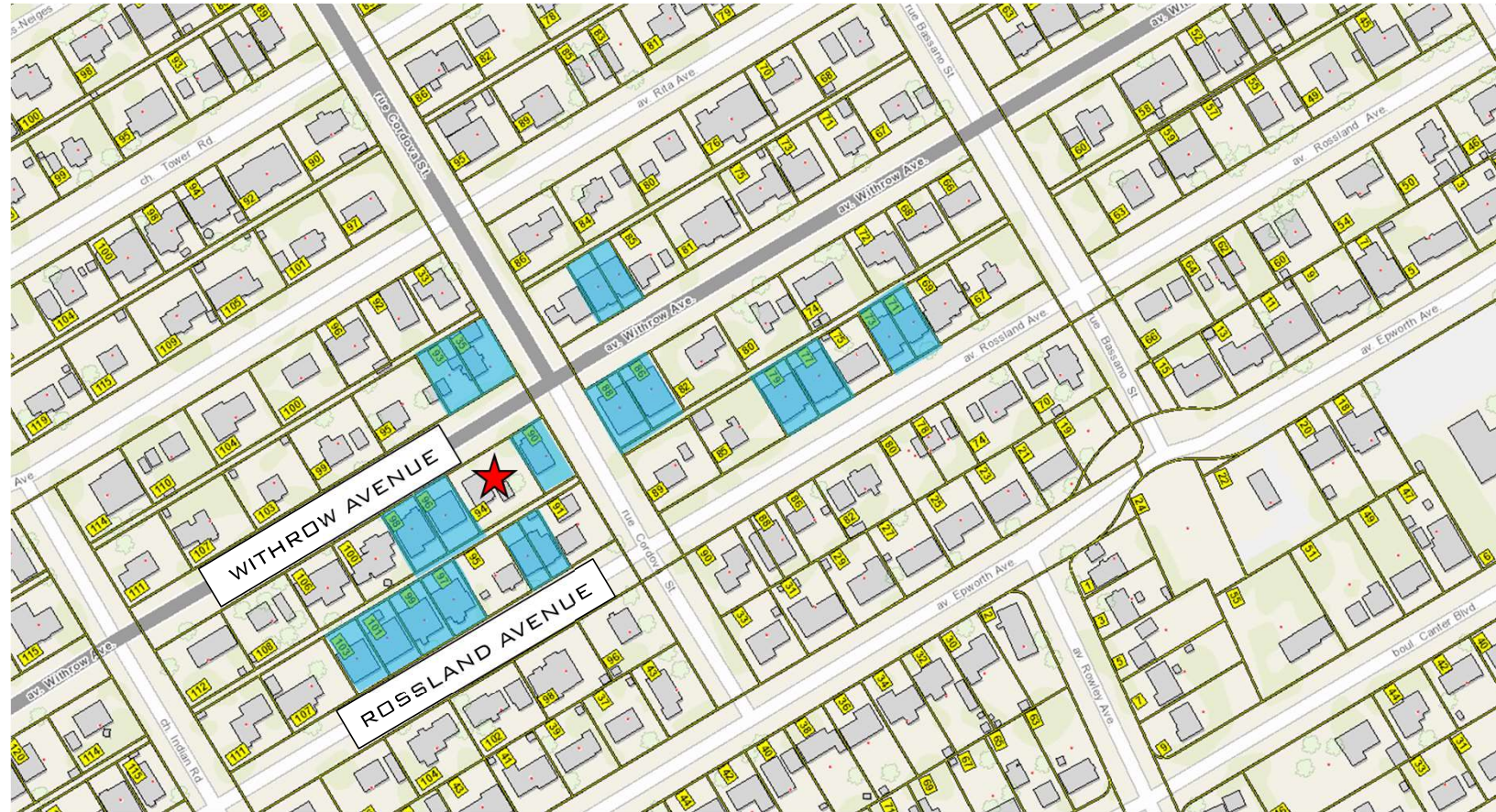
93B WITHROW AVENUE
LW = 15.24M, LA = 417.72M²

77 ROSSLAND AVENUE
LW = 15.24M, LA = 417.92M²

97 ROSSLAND AVENUE
LW = 15.24M, LA = 418.01M²

99 ROSSLAND AVENUE
LW = 15.24M, LA = 418.01M²

101 ROSSLAND AVENUE
LW = 15.24M, LA = 418.02M²



94 WITHROW AVENUE

MIROCA DESIGN
INCORPORATED SINCE 1988

APPLICATION FOR CONSENT | SEPTEMBER 2024

SIMILAR LOTS ON WITHROW AVENUE



93B WITHROW AVENUE



96 WITHROW AVENUE



98 WITHROW AVENUE



86 WITHROW AVENUE



88 WITHROW AVENUE



90 WITHROW AVENUE



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

Tree Information Report

Prepared by Colleen Eames, Arborist ISA-ON1226A
Arborist Consulting Ottawa
416 Brigatine Ave, Stittsville ON
arboristconsultingottawa@gmail.com
613-884-3394

Committee of Adjustment
Received | Reçu le

2024-08-29

City of Ottawa | Ville d'Ottawa
Comité de dérogation



Application Details:

Home Owner	Christina Sun
Address of Tree(S)	94 Withrow Ave
Contact Information	christinasun@hotmail.com
Date of Inspection:	April 3, 2024
Reason for application	Infill development, property severance
Boundary trees or trees on neighbouring properties.	Yes, see tree detail
Regulations	None

Tree Details:

Inventory	Species	DBH(cm)	CRZ(m)	Ownership	Condition	Recommended Action
1	Blue spruce	40	4.0	Private	Good	Remove
2	Blue Spruce	41	4.1	Private	Good	Remove
3	Black walnut	40	4.0	Private	Excellent	Protect and Retain
4	Honey locust	61	6.1	Neighbour	Good	Protect and Retain

Comments:

Report Edited July 2024 with addition of site plan and inclusion of tree protection plan and tree replacement plans on pages 5-6.

Property recently severed with a plan in place to build two dwellings. Four distinctive trees are impacted by the potential building, three on the property and one on the neighbouring property. Two of the trees (blue spruces #1 and #2) require removal as they are within the footprint of the proposed dwelling. The other two trees can be protected and retained. A tree protection plan is on pages 5-6.

As the spruce trees are distinctive, they will need to be replaced in a 2:1 ratio as per the City of Ottawa guidelines or the appropriate fees paid. See potential Tree replacement plan on pages 5-6.

Colleen Eames, Arborist

Date



#1 and #2 Blue spruce trees, 40cm and 41cm DBH at 94 Withrow Ave, April 3 2024, Colleen Eames



#3 Black walnut 40cm DBH at 94 Withrow Ave, April 3, 2024, Colleen Eames



#4 Honey locust, 61cm DBH in front of 90 Withrow Ave, April 3 2024, Colleen Eames

Tree Protection Plan for 94 Withrow Ave

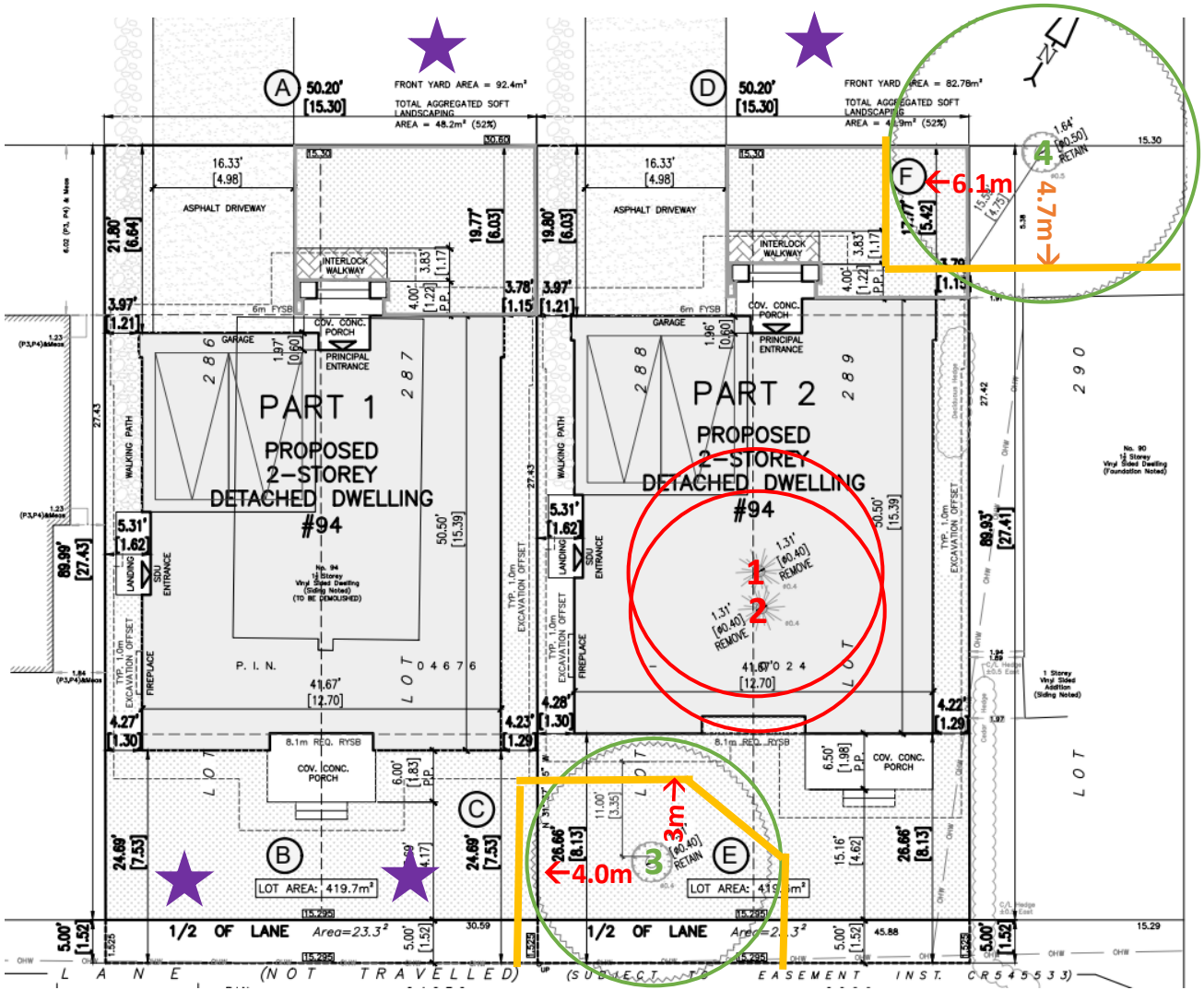
This Tree Protection Plan is required to mitigate any potential damage to the roots of the trees during construction. A site plan with an illustration of this tree protection plan is on page 6. Please note that the tree protection plan site plan is not necessary to scale and measurements should be taken before installing the tree protection fence.

- A temporary fence 1.2m high should be erected along the outside of the Critical Root of the trees as per the attached map and measurements of the root zone in the tree inventory. Tree protection fences are in yellow on the site plan.
- Tree #3, Black walnut has a CRZ of 4m, the Tree protection fence should be placed no further than 3m from the base of the tree on the construction side, which will ensure that a maximum of 20% of the roots are disturbed.
- Tree #4, the honey locust on the neighbouring property has a CRZ of 6.1m, the Tree protection fence should be placed no further than 4m from the base of the tree on the construction side, which will ensure that a maximum of 20% of the roots are disturbed.
- Any roots greater than 1" diameter encountered while digging should be cut cleanly with a sharp, clean saw.
- No vehicles, machinery or construction materials should be allowed within the Tree protection fences at any time during construction.
- No change of grade should be done within the CRZ. Any landscaping within the CRZ should be approved before it is undertaken.
- Damage to all parts of the tree should be avoided, including damage to the trunk and branches. Any pruning required for clearance during construction should be done by a professional arborist.

Tree Replacement Plan for 94 Withrow Ave

- As two distinctive trees are to be removed, a total of four trees should be planted as replacement once construction is completed.
- It is recommended to plant native species and a mixture of different trees and follow the City of Ottawa guidelines for size:
 - Trees should be a minimum of 50mm as measured 15cm from the ground when planted or 200cm tall.
- Trees should be spaced to allow for proper growth.
- Trees should be planted with suitable root-space, mulched and watered regularly for the first year to ensure survival.
- Preferred species for this site would include would 2 large trees planted in the City right-of-way in the front yard and 2 small-medium trees trees in the back yard, including but not limited to:
 - Large: Sugar maple, red oak, white oak, eastern white pine.
 - Medium: Hackberry, red maple, honey locust, white spruce, fir, tamarack
 - Small: Serviceberry, Hawthorn, Sweet Viburnum , Mountain Ash, Crab Apple, Canada Plum, Pin Cherry, Mulberry, Eastern Flowering Dogwood.
- Avoid planting: Norway maple, willow, aspen or poplar, ash.
- See Site on page six for potential planting sites.

Tree Protection and Replacement: 94 Withrow Ave



This diagram is approximate and actual measurements should be taken when installing tree protection

- Trees to be removed —
- Critical Root zones of trees to be retained —
- Tree Protection Fence to be installed —
- Replacement tree to be planted —