

Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation



Consent

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

Panel 1

Site Address: 19 St. Francis

Legal Description: Lot 25, Registered Plan 195

File Nos.: D08-01-22/B-00313 & D08-01-22/B-00314

Date: April 05, 2023

Hearing Date: April 19, 2023

Planner: Basma Alkhatib

Official Plan Designation: Inner Urban Transect, Evolving Neighbourhood

Zoning: R4UB (Residential fourth density Zone, subzone UB)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject site is within the Inner Urban Transect Policy Area on Schedule A and Evolving Neighbourhood designated on Schedule B2 in the Official Plan. Section 6.3.2 outlines that new development should respect the character of existing areas and development. The intended pattern of development in the Inner Urban Transect is urban including a minimum of two functional storeys, buildings attached or with minimal functional side yard setbacks and small areas of formal landscape. Policy 5.2.1 states that this development shall encourage moving towards an urban built form pattern, encouraging these areas to develop with a focus on multi-modal transportation methods, particularly walking and cycling. It also should include space for soft landscape, trees, and hard surfacing.

The proposed severance respects the goals of the Official plan to encourage innovative and compatible new forms of housing involving severance of a building. Also, the lot patterns and dimensions result in intensification in support of ground oriented, medium density residential that is consistent with the planned context. Finally, the subject site is compliant with the Zoning By-law requirements for lot size and area.

The Department has **no concerns** with the applicant's request to for Consent for the proposed two lots.

The Planning, Real Estate and Economic Development Department further requests that the following conditions be imposed on the consent if approved:

1. The Owner, or any subsequent owners, acknowledges and agrees to obtain a private approach permit for each side of the newly constructed Semi-Detached Dwellings. In addition, the private approaches shall be designed and located in accordance with and shall comply with the City's Private Approach By-Law, being By-law No. 2003-



447, as amended, and shall be subject to approval of the **Right-of-Way, Heritage, and Urban Design Department**. Furthermore, any works required to be done by the Owner(s) on the City Road allowances shall be according to the specifications and by-laws of the City. The Owner, or its contractor, shall be required to obtain all the necessary permits for road cuts prior to the disruption of the City Road allowance and it is further understood and agreed that the aforementioned cuts shall be reinstated to the satisfaction of the **Director, Infrastructure Services**.

2. That the Owner(s) shall prepare and implement a tree planting plan, prepared to the satisfaction of the **Development Review Manager** of the relevant Branch within the **Planning, Real Estate and Economic Development Department**, or his/her designate, showing the location(s) of the specified number of compensation trees (50mm caliper) required under the Tree Protection By-law.
3. That the Owner(s) provide evidence (servicing plan), to the satisfaction of the **Central Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate**, to be confirmed in writing from the Department to the Committee, that both the severed and retained parcels have their own independent water, sanitary and sewer connection, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner(s) will be required to relocate or construct new services from the city sewers and/or watermain at his/her own costs.
4. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners.

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

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

5. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of **Central Manager of the Central Branch within Planning, Real**



Estate and Economic Development Department, or his/her designate to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of **Central Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate**.

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

“The property is located next to lands that have an existing source of environmental noise (within 500m of a 400 series highway) and may therefore be subject to noise and other activities associated with that use”

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

Forestry Services Comments:

1. Construction of the semi-attached dwelling is in progress. Tree removal permits were issued at the time of building permit approval. Compensation tree planting is required. Planning Forestry does not have tree related concerns with this consent application.

Additional Comments:

1. **Please contact the ROW Department for any additional information at rowadmin@ottawa.ca**
2. Please note existing fire hydrant on Site Plan. If hydrant is in conflict with the south driveway and needs to be relocated, it will be at the expense of the proponent.

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