

Committee of Adjustment
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2023-04-14

City of Ottawa | Ville d'Ottawa
Comité de dérogation



Consent

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

Panel 1

Site Address: 609-611 Mutual Street

Legal Description: Part of Lots 6 and 7, Registered Plan 659

File Nos.: D08-01-23/B-00043 & D08-01-23/B-00044

Date: April 11, 2023

Hearing Date: April 19, 2023

Planner: Basma Alkhatib

Official Plan Designation: Inner Urban Transect, Neighbourhood

Zoning: R2F (Residential second density Zone, subzone F)

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 Neighbourhood designated on Schedule B2 in the Official Plan. The aimed pattern of development in the Inner Urban Transect is urban, exhibiting the characteristics outlined in Table 6 of the Official Plan. This pattern includes small areas of formal landscape and a range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios. Also, Neighbourhoods are anticipated to maintain their low-rise nature unless otherwise stated in the Zoning By-laws or applicable Secondary Plans.

With respect to the criteria for the subdivision of land listed in Section 51(24) of the Planning Act, R.S.O. 1990, c.P.13, Staff have no concerns with the requested severance. The severance will facilitate the establishment of separate ownership of each principal unit in the semi-detached dwelling, a permitted use in the R2F zone. The proposed consent application aligns with the existing multi-family dwelling, adhering to the Official Plan policies for those lands designated as Inner Urban Neighbourhood. The size and shape of the proposed lots are suitable for the use of the land and the lots will front onto an established municipal road with municipal services.

The proposed development is complying with the Zoning By-law standards for the lot width and area.

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

1. That the Owner(s) provide a servicing plan or other evidence, to the satisfaction of- **the Development Review 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 each existing building and/or unit on the severed and retained parcels has its own independent water, sanitary and sewer connection, as appropriate, that are directly connected to City infrastructure and do not cross the proposed severance line.

2. That the Owner(s) enter into a Joint Use, Maintenance and Common Elements, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners.

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

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of- **Central Manager of the Select 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 Select 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.

3. 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 115m of St. Laurent Blvd) and may therefore be subject to noise and other activities associated with that use”

The Agreement shall be to the satisfaction of-**Central 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.



4. That the Owner(s) provide evidence to the satisfaction of the Chief Building Official, or designate, that the party wall meets the Ontario Building Code, O Reg. 332/12 as amended, which requires a 1-hour fire separation from the basement through to the underside of the roof. Verification from the Building Inspector is required. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
5. That the Owner(s) submit a Trees in Trust application for one new 50mm tree to be planted in the right-of-way in front of each lot, to enhance the urban tree canopy and streetscape. <https://ottawa.ca/en/living-ottawa/environment-conservation-and-climate/trees-and-urban-forests/tree-planting#trees-trust>

Forestry Services Comments:

1. This application is seeking a severance for an existing semi-detached dwelling. There are no trees in the front yard of this property. To contribute to the urban tree cover and streetscape the applicant is asked to apply to the City's Trees in Trust program. Through this city run program, a tree would be planted in the ROW of each lot that will be maintained by the city. The applicant is asked to water this tree to promote root establishment for the first few years of its life.

Additional Comments:

1. The Right-of-Way Management Department has **no concerns** with the proposed Consent Applications, as it is simply to establish separate ownership of the existing Semi-Detach Dwelling.

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