

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



Minor Variance and Consent
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
Panel 1

Site Address: 432 and 436 Ravenhill Avenue

Legal Description: Part of Lots 10 and 11, West Cole Avenue, Registered Plan 235
File No.: D08-02-23/A-00077, D08-01-23/B-00098 to D08-01-23/B-00100

Date: May 12, 2023

Hearing Date: May 17, 2023

Planner: Margot Linker

New Official Plan Designation: Inner Urban Transect, Neighbourhood Designation,
Evolving Neighbourhood Overlay

Zoning: R4UA[2686] H(8.5) (Residential Fourth Density, Subzone UA, Urban
Exception 2686, Maximum Height 8.5 metres) and R3R[2687] H(8.5)
(Residential Third Density, Subzone R, Urban Exception 2687,
Maximum Height 8.5 metres)

Mature Neighbourhood Bylaw: BBA (Cole Avenue frontage), ABA/BBA (Ravenhill
Avenue frontage)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The Official Plan designates the subject property as Neighbourhood within the Evolving Neighbourhood Overlay in the Inner Urban Transect, on Schedules A and B. Policies for Neighbourhoods located within the Inner Urban area allow and support a wide variety of housing types in a low-rise built form. Section 6.3.2 in the Official Plan, which guides the evolution of neighbourhoods towards the model of 15-minute neighbourhoods, says that form-based regulation established through the Zoning By-law will have regard for local context and character of existing development and appropriate interfaces between residential buildings, including provision of reasonable and appropriate soft landscaping and screening to support livability.

Staff note that the subject area is split zoned with the existing lot municipally addressed 432 Ravenhill Avenue zoned R4UA[2686] H(8.5) (Residential Fourth Density, Subzone UA, Exception 2686, Maximum Height 8.5 metres) and 436 Ravenhill zoned R3R[2687] H(8.5) (Residential Third Density, Subzone R, Exception 2687, Maximum Height 8.5 metres). The R4UA[2686] H(8.5) zone



permits a wide mix of residential building forms ranging from detached to low rise apartment dwellings. The R3R[2687] H(8.5) zone permits a mix of residential building forms ranging from detached to townhouse dwellings.

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 proposed consent application aligns with the development of the accompanying single-detached and semi-detached dwellings, 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.

Given that the site is located within 500 metres from the future Kitchissippi O-Train Station, staff note that the reduction in soft landscaping could be further mitigated by increasing the amount of soft landscaping elsewhere on the subject site, such as through reducing the size of the double-wide garages to single-wide garages. However, staff recognize that the proposed development's design will serve the goals of context sensitive design, which will result in better urban design than compliance with the relevant zoning standard would by utilizing the existing rear right-of-way. This will permit a site design without driveway access from Cole Avenue. In addition, while reducing the size of the porches would allow for more soft landscaping on site, the design of the porches will promote street-oriented interactions and contribute to the sociability of the street. Staff appreciate that the proposed single-detached and semi-detached dwellings respect the permitted building envelopes and recognize that 432 Ravenhill is not a part of the mid-block section of Cole Avenue and therefore this design will not interrupt an established contiguous landscaped buffer. Therefore, staff do not have concerns with the reduced soft landscaped buffer to accommodate the proposed development.

Forestry Comments:

The revised design has the same tree impacts as the previous design, leaving no space to retain existing trees apart from tree 'I', shown in the TIR. Permission is required from the shared owners of any of the trees or hedges proposed for removal. Tree protection fencing must be installed and maintained around tree I for the duration of construction. The proposed shared laneway and parking does limit the impact on the remaining soft landscaping, providing an opportunity to restore and improve the streetscape and canopy cover lost to the proposed construction. A landscape plan must be provided showing a minimum of 3 large-growing trees in the Right of Way as compensation for the 67cm silver maple. The TIR proposes only small trees to be planted, but the priority is to provide trees that will provide canopy cover where space is available and no overhead hydro wires are present.



The Department further requests that the following conditions be imposed on the consent application if approved:

1. The Owner/Applicant(s) shall prepare and submit 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, assuming that all proposed tree removals are permitted.
2. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280.
3. That the Owner(s) provide proof 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 the existing dwelling/building has been removed.
4. 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.
5. That the Owner(s) provide 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 the accessory structure has been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.
6. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of **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. The grading and drainage plan shall



delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of **the Development Review Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate.**

7. That the Owner convey a 3 m x 3 m corner sight triangle located at the intersection of Ravenhill Avenue and Cole Avenue to the City, with all costs to be borne by the Owner(s), to the satisfaction of the Surveys and Mapping Branch of the City. This area will be free of all structures, plantings, etc. and will allow a proper sighting distance for motorists when performing turning movements within the intersection. The Committee must receive written confirmation from **City Legal Services** that the transfer of the lands to the City has been registered.
8. That the Owner(s) enter into a Development Agreement with the City, at the expense of the Owner(s) and 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 require that an asphalt overlay will be installed, at the Owner(s) expense, on Cole Avenue, fronting the subject lands, over the entire public driving surface area within the limits of the overlay, if the approved Site Servicing Plan shows three or more cuts within the pavement surface. The overlay must be carried out to the satisfaction of **the Development Review Manager of the Central 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. If the **Development Review Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate** determines that a Development Agreement requiring an asphalt overlay is no longer necessary, this condition shall be deemed as fulfilled.
9. That the Owner(s) enter into an Agreement with the City, at the expense of the Owner(s), which is to be registered on the Title of the property, to deal with the following covenant/notice that shall run with the land and bind future owners on subsequent transfers:
“The property is located next to lands that have an active railway line now, or may have one in the future, and may therefore be subjected to noise, vibration, and other activities associated with this use.”
The Committee requires a copy of the Agreement and **written confirmation from City Legal Services** that it has been registered on title.
10. That the Owner(s) enter into a Joint Use, Maintenance and Operating 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 Select 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 Select 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.

Additional Comments:

1. The **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
3. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
4. The surface storm water runoff including the roof water must be self-contained and directed to the City Right-of-Way, not onto abutting private properties as approved by **Planning, Real Estate and Economic Development Department**.
5. Existing grading and drainage patterns must not be altered.
6. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).
7. The Owner, or any subsequent owners, at its expense acknowledges and agrees to obtain a private approach permit to remove the now redundant approach along **Cole Avenue** from the property. In addition, the removal shall be completed 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**. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca



Margot Linker

Margot Linker
Planner I
Development Review, Central Branch
Planning, Real Estate and Economic
Development Department

A blue ink signature of Jean-Charles Renaud, written in a cursive style.

Jean-Charles Renaud, MCIP RPP
Planner III
Development Review, Central Branch
Planning, Real Estate and Economic
Development Department