

2023-06-01



**Consent**  
**COMMENTS TO THE COMMITTEE OF ADJUSTMENT**  
**Panel 1**

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Site Address: 257, 259, 261, and 263 Glynn Avenue

Legal Description: Lot 74 and Part of Lot 73, Plan 441

File No.: D08-01-23/B-00120 to D08-01-23/B-00123

Date: June 1, 2023

Hearing Date: June 7, 2023

Planner: Margot Linker

Official Plan Designation: Inner Urban Transect, Neighbourhood

Zoning: R3A (Residential Third Density, Subzone A)

Mature Neighbourhood Bylaw: N/A

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**DEPARTMENT COMMENTS**

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

Staff note that Parts 4 and 5 (the shared driveway) should include “servicing maintenance” in the reason for easement.

**DISCUSSION AND RATIONALE**

The subject site is located within the Inner Urban Transect Policy Area on Schedule A and is designated Neighbourhood on Schedule B2 in the Official Plan. Section 6.3.2 outlines that new development should respect the character of existing areas and development.

Staff note that the R3A (Residential Third Density, Subzone A) zone permits a mix of residential building forms ranging from detached to townhouse dwellings. A long semi-detached dwelling requires a minimum lot width of 10 metres and minimum lot area of 300 square metres in this zone. The subject site meets the minimum performance standards to accommodate a long semi-detached dwelling.

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 and easements. The proposed consent application aligns with the development of the accompanying 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.



In order to ensure that the proposed infill development properly inserts itself within the existing neighbourhood context without undue or adverse impacts on its surroundings as it relates to stormwater runoff, Staff have included Condition 6 below. This condition seeks to address potential issues that could arise following the significant reductions in permeable area due to the shared driveway, the rear parking, and the increase in lot coverage from one building with a large soft landscaped area to the proposed two buildings. Staff request that the Committee of Adjustment impose a condition for a Stormwater Management Report/Brief be prepared to ensure stormwater runoff is controlled on site, and to enter into a development agreement and pay securities to ensure that the proposed stormwater system that was determined from the report/brief is implemented on site.

**Forestry Services Comments:**

The plans in the TIR propose removal of 1 tree in poor condition, and a 70cm silver maple has already been removed due to poor condition. The plans propose 2 parking spaces within the Critical Root Zones of trees to be retained, and the tree protection and mitigation recommendations in the TIR must be followed throughout construction. A planting plan must be provided showing 1 new 50mm tree per lot (4) (this will include the 1 compensation tree required in the permit for the silver maple). At least 2 of the compensation trees must be planted in the Right of Way. See Condition 8.

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

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280.
2. 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 and that the accessory structure has been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.
3. 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.

4. 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 Select Branch within Planning, Real Estate and Economic Development Department, or his/her designate**.
5. 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 Glynn 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.
6. That the Owner(s) submit a Stormwater Management Report/Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, for



approval by **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, demonstrating a SWM design for the control of post-development runoff from the subject site, up to and including the **100-year storm event, to a 2-year pre-development level.**

The Owner(s) also agrees to enter into a Development Agreement with the City to implement any proposed stormwater system including posting required securities. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

If applicable, the Owner(s) must obtain an Environmental Compliance Approval from the Ontario Ministry of Environment, Conservation and Parks.

The Owner(s) acknowledges and agrees that should the stormwater management system cross property lines or access to the system be over multiple properties, that the owner shall obtain approval of the Committee grant easement(s) for access and maintenance of the stormwater system or register a Joint Use and Maintenance Agreement on title of the properties, all at the owner(s) costs.

7. That the Owner(s) enter into a Joint Use, Maintenance of common elements 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 the **Development Review 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 the **Development Review 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.

8. 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 of one new 50mm tree to be planted on each lot (4) following construction, to enhance the urban tree canopy and streetscape - two of which must be planted in the property frontage or right-of-way.

**Additional Comments:**

1. The Right-of-Way Management Department has **no concerns** with the Consent Applications, as the proposed shared private approach/driveway conforms to the Private Approach By-law. However, the Owner shall be made aware that a private approach permit is required to establish the shared approach/driveway.

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