



**CONSENT & MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 8 Bell Park Street
Legal Description: Lot 17, Plan 655, Geographic Township of Goulbourn
File No.: D08-01-23/B-00346 & D08-02-23/A-00316 & D08-02-23/A-00317
Report Date: February 01, 2024
Hearing Date: February 06, 2024
Planner: Luke Teeft
Official Plan Designation: Suburban (West) Transect, Neighbourhood
Zoning: R1D

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent.

Staff have reviewed the subject minor variance applications against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested minor variances meet the “four tests”.

The subject property is within the Suburban (West) Transect policy area on Schedule B5 of the Official Plan. The intent of the Suburban Transect is to recognize a suburban pattern of built form and site design with the distinction that this new designation supports an evolution towards 15-minute neighbourhoods and increased density. Net residential densities within the Suburban Transect shall strive to approach the densities of the Inner Urban Transect over time.

The Planning Department has reviewed the Consent and associated Minor Variance applications and note that they are supported by the Official Plan, provided the

requested conditions of approval are satisfied. As mentioned above, the net densities within the Suburban Transect shall strive to approach the densities of the Inner Urban Transect over time. The proposed lot creation is keeping with this Official Plan direction and therefore adheres to the general intent of the Official Plan. Staff also note that the proposed reduction in lot width is a minor deviation from the prescribed requirement and is consistent with previous severance applications within the area. In particular, the severance and minor variance applications are consistent with previously approved applications on 10 Brigade Avenue, 13 and 25 Cherry Drive, 6139 Fernbank Road, and 6145 Fernbank Road, which all have reduced lot widths of between 15.8 metres and 18.9 metres and are within 250 metres of the subject site.

As a result, staff are satisfied the proposed applications represent desirable development for this area. All other zoning provisions are met, indicating that the dwellings have been appropriately sized in proportion to the resulting lots.

ADDITIONAL COMMENTS

Right of Way Management

- The Right-of-Way Management Department has **no concerns** with the proposed consent and minor variance application; however, the Department notes that alterations are required to the existing private approach on the retained parcel. A private approach permit is required to establish a driveway on the severed land.
- The Owner, or any subsequent owners, shall demonstrate that a private approach can be established on the newly created parcel (severed lands). Prior to any development or construction, the Owner, or any subsequent owners, acknowledges and agrees to obtain a private approach permit. In addition, the private approach shall be designed and located in accordance with and shall comply with the City's Private Approach By-Law 2003-447, as amended, and shall be subject to approval of the Right-of-Way, Heritage, and Urban Design Department.
- The Owner, or any subsequent owners, shall demonstrate that a private approach can be established on the retained parcel. Prior to any development or construction, the Owner, or any subsequent owners, acknowledges and agrees to obtain a private approach permit. In addition, the private approach shall be designed and located in accordance with and shall comply with the City's Private Approach By-Law 2003-447, as amended, and shall be subject to approval of the Right-of-Way, Heritage, and Urban Design Department.

CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions on the applications:

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, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.

2. That the Owner(s) provide proof to the satisfaction of **the Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate**, to be confirmed in writing from the Department to the Committee, that the existing dwelling has been removed, that the existing sewer services are capped at the sewer and that the existing water service is blanked at the watermain.
3. That the Owner(s) provide evidence (servicing plan), to the satisfaction of **the Development Review Manager of the Select Branch within Planning, Infrastructure 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.

In the case of a vacant parcel being created, the Owner(s) shall provide evidence (servicing plan), to the satisfaction of **the Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate**, to be confirmed in writing from the Department to the Committee, that the parcel has access to sufficient services with adequate capacity.

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 Manager of the West Branch within Planning, Infrastructure 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 Manager of the West Branch within Planning, Infrastructure 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 Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate**, to require that an asphalt overlay will be installed, at the Owner(s) expense, on Bell Park Street, 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 Manager of the West Branch within Planning, Infrastructure 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 **Manager of the West Branch within Planning, Infrastructure 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.



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