



Committee of Adjustment  
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2024-02-29  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**CONSENT & MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 2272 Lawn Avenue  
Legal Description: Part of Lot 14 Registered Plan 461  
File No.: D08-01-24/B-00010  
D08-02-24/A-00013 & D08-02-24/A-00014  
Report Date: February 29, 2024  
Hearing Date: March 05, 2024  
Planner: Solé Soyak  
Official Plan Designation: Inner Urban Transect, Neighbourhood Designation, Evolving Overlay  
Zoning: R2F (Residential Second Density, Subzone F) Mature Neighbourhood Overlay

**DEPARTMENT COMMENTS**

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

**DISCUSSION AND RATIONALE**

The Official Plan designates this property as Neighbourhood with an evolving Neighbourhood Overlay in the Inner Urban Transect. Development in the Inner Urban Transect will be characterized by low-rise built forms within the Neighbourhood designation and will permit multi-unit dwellings near frequent street transit routes; furthermore, the Neighbourhood designation intends to allow and support a wide variety of housing types and densities and encourage more diverse housing forms that will be compatible with the existing built form context of the neighbourhood.

The property is zoned Residential Second Density Subzone F. The purpose of this zone is to allow for several residential uses and housing types, as well as regulate development in a manner that is compatible with existing land use patterns to maintain the residential character of a neighbourhood. Additionally, the property is within the Mature Neighbourhood Overlay; a Streetscape Character Analysis has been conducted with a B, B, A result, which permits a front-facing garage and a single wide driveway and requires the main door to face the street.

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 application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

Staff notes the character of the neighbourhood is varied, with a mix of singles and semi-detached dwellings; the lots in the neighbourhood also vary in size. Staff have no concerns with the reduced lot area.

The semi-detached dwelling will be situated on a corner lot and oriented towards Lawn Avenue. The rear yard functions as a side yard and the front and corner side yards provide opportunities for soft landscaping and amenity areas for residents. Staff have no concerns with the reduced front and rear yard setbacks.

## **ADDITIONAL COMMENTS**

### **Planning Forestry**

Although the proposed site plan meets the requirements for soft landscaped area, the proposed reduction in front and rear yard setbacks will impact a notable but unprotected private tree, and slightly reduce the area available for planting trees. It is recommended to plant 1 new tree per lot following construction, to improve the streetscape and replace the lost canopy cover on site. The cedar hedges are not included in the TIR but appear to be on the boundary and/or adjacent properties. Any proposed impacts or removals on the north, west and south property lines require permission from the owners. Hedges to be retained should have tree protection fencing installed throughout construction, and those to be removed should be replaced with new trees.

### **Right of Way Management**

The Owner is required to obtain a private approach permit, prior to any development or construction, to establish each of the newly created entrances on Lawn Avenue. The private approach 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. The Owner is also required to obtain a private approach permit to remove the now redundant approach from the property. 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.

Furthermore, any works required to be done by the Owner on the City Road allowances shall be according to the specifications and by-laws of the City. A road cut permit is required prior to the disruption of the City Road allowance and the aforementioned cuts shall be reinstated to the satisfaction of the Director, Infrastructure Services.

Please contact the ROW Department for any additional information at [rowadmin@ottawa.ca](mailto:rowadmin@ottawa.ca)

## CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following condition(s) on the consent application(s):

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, 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 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) 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.

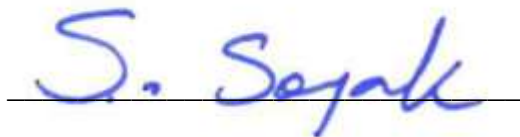
The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of **the Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate, and City Legal Services**. The Committee requires written confirmation that the Agreement is satisfactory to **the Development**

**Review Manager of the West 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.

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, 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 Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate**.
5. That the Owner convey a 3m x 3m corner sight triangle located at the intersection of Lawn Avenue and Woodland 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.
6. 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, 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 Lawn Avenue and Woodland 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 Manager of the West 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 **Manager of the West 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.

7. That the Owner(s) provide(s) a grading and servicing plan with the locations of proposed elements (services, buildings, driveways, grading, etc.) designed to reduce any excavation within the Critical Root Zones of protected trees and/or to provide sufficient soil volume to plant new trees, to the satisfaction of **the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s)**. The Tree Information Report must be revised to reflect changes to the site plan and to show the accurate tree protection areas and mitigation measures, including the cedar hedges, if they are to be retained.
8. The Owner/Applicant(s) shall prepare and submit a tree planting plan, prepared to the satisfaction of **the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s)**, showing the location(s), species or ultimate size of one new 50 mm tree to be planted on each lot following construction, to enhance the urban tree canopy.



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