

2024-04-24



**CONSENT & MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1**

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

Site Address: 149 King George Street  
Legal Description: Part of Lot 220, Lots 221 to 226, and Part of Lot 8, Junction Gore (Geographic Township of Gloucester) Registered Plan 342  
File No.: D08-01-24/B-00034 to D08-01-24/B-00041  
D08-02-24/A-00052 to D08-02-24/A-00058  
Report Date: April 25, 2024  
Hearing Date: May 1, 2024  
Planner: Margot Linker  
Official Plan Designation: Inner Urban Transect, Neighbourhood  
Zoning: R3M[1461] S218 (Residential Third Density, Subzone M, Urban Exception 1461, Schedule 218)

**DEPARTMENT COMMENTS**

The Planning, Real Estate and Economic Development Department **has some concerns with** the applications.

**DISCUSSION AND RATIONALE**

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.

The subject site is within the Inner Urban Transect and designated Neighbourhood, which is generally planned for mid- to high-density development in a low-rise built form. The site is zoned R3M[1461] S218, which has an exception to permit the school, daycare, and a variety of other non-residential uses in this residential zone.

Planning staff have no concerns regarding the reduced lot areas. The lots meet the minimum lot width as well as front and rear yard setbacks, and all elements associated with introducing a townhouse can be accommodated on these undersized lots.

Staff have some concerns regarding the reduced corner side yard setback for the lot proposed at the intersection of Glynn and Quill. Staff appreciate that sufficient setback is proposed from King George to preserve the heritage-related protected view of the Vinci School building from the King George and Quill intersection. However, along Glynn

Avenue, there is a contiguous setback within the subject and abutting block of between 5 and 6 metres, of which the proposed 1.55 metre setback is not consistent with.



With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent. The severance will facilitate the development of eight townhouses on lots that are similar in size compared to other lots within this block and surrounding neighbourhood. Easements are proposed to allow access to the rear yard of each newly created interior lot. The applicant has demonstrated that the school and daycare can continue to be licensed in the future with the reduction in lot size.

## **ADDITIONAL COMMENTS**

On a corner lot or a lot abutting on more than one road allowance, the minimum distance between the nearest limit of a private approach and an intersecting street line or its extension shall not be less than 6 metres. The corner lot at Quill and Gwynn is only 4.84m set back. Staff have been in communication with the applicant regarding this issue and the applicant has agreed to update the plans prior to the hearing to remove the subject driveway and garage from Quill Street to comply with the Private Approach By-law.

## **Heritage Planning Branch**

The property contains the former Overbrook Public School which is designated under Part IV of the Ontario Heritage Act.

Heritage staff supported the request to alter the property as no changes were proposed to the existing building, and the design of the new townhouses was respectful of the former Overbrook Public School. City Council approved an application to alter the property, and issued a heritage permit to construct the townhouses conditional upon receiving approval for the requested minor variances and severances.

## **Infrastructure Engineering**

1. The Planning, Real Estate and Economic Development Department will do a complete review of grading and servicing during the building permit process.

2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. 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.
4. A private approach permit is required for any access off of the City street.
5. Existing grading and drainage patterns must not be altered.
6. Existing services are to be blanked at the owner's expense.
7. Existing Catch Basin is not to be located within the driveway.
8. This property does not have frontage on a sanitary sewer.
9. Provide a minimum of 3m between the proposed driveway and the fire hydrant.
10. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
11. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
12. Existing street sign to be relocated at the owner's expense.

### **Planning Forestry**

The layout of the proposed townhouses will provide minimal soil volumes for the proposed new street trees, as illustrated on the Tree Planting Plan prepared by Dendron Forestry Services (v. 1.0, dated April 5, 2023). Modifying the design by mirroring alternating driveways would provide larger soil volumes, resulting in fewer plantings with higher quality growing environments.

It will be crucial to provide good quality soil (to a depth of one meter) in order to create a suitable planting space for the proposed trees. The TIR and planting plan should be revised to include an equivalent recommendation.

There is adequate space to plant one large-growing tree within the Glynn Ave right-of-way. The planting plan should be revised to include an additional tree to the North of the proposed development.

### **Transportation Engineering**

1. The frequency of driveways along Quill Street degrades the public realm. It would be more consistent with the Official Plan to provide rear lane access to the townhome development.
2. There is an existing bus stop adjacent to the property on Quill Street. The owner is to contact OC Transpo if the severance is approved/ when they have plans for development. Any alterations or relocation of the stop would be at the cost of the owner, if required.
3. A sidewalk needs to be constructed on Glynn Avenue to connect the missing link.
4. Reconstructed sidewalk along Quill Street should be constructed at 2m wide, and the sidewalks constructed across driveways should be constructed per City of Ottawa standard drawing SC13.

## 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. The Owner/Applicant(s) shall prepare and submit a tree planting plan, **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/ultimate size of one new 50 mm tree to be planted on the property frontage or right-of-way of each lot, and a tree along Glynn Ave following construction, to enhance the urban tree canopy and streetscape.
3. 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 Relevant Manager of the Relevant 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 Relevant Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or his/her designate.
4. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review Manager, Planning, Real Estate and Economic Development Department, or designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.
5. That the Owner(s) enter into an Infrastructure Agreement with the City of Ottawa to extend the municipal services on Quill Street at his/her own costs and post the necessary securities for the work on the City Right-of-Way to the satisfaction of the City's Planning, Real Estate and Economic Development Department's Infrastructural Approvals Branch and to the satisfaction of City Legal Services. The Owner(s) must also receive the approval of the Ontario Ministry of the Environment Conservation and Parks for the extension of the municipal services.

The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

6. That the Owner(s) enter into a Development Agreement with the City of Ottawa, to design and construct a sidewalk at the sole expense of the Owner(s), within public rights-of-way on Quill Street, to the satisfaction of the Relevant Manager of the Relevant Branch within the City's Planning, Development and Building Services Department, or his/her designate. The sidewalk shall be constructed to City Standards. The Agreement shall be drafted by the City Legal services department to its satisfaction and shall be registered on title. A copy of the Agreement and written confirmation from City Legal Services that it has been registered on title, shall be forwarded to the Committee of Adjustment in order to satisfy the condition.
7. That the Owner(s) enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Relevant Manager of the Relevant 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 Quill 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 Relevant Manager of the Relevant 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 Relevant Manager of the Relevant 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.
8. 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 Relevant Manager of the Relevant 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 Relevant

Manager of the Relevant 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.

9. That the Owner convey a 3 m x 3 m corner sight triangle located at the intersection of Quill & King George Ave, and Quill & Glynn Ave 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.



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