



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1598 Prince of Wales Drive
Legal Description: Part of Lot 17, Registered Plan 455
File No.: D08-01-24/B-00042 to D08-01-24/B-00044,
D08-02-24/A-00059 to D08-02-24/A-00061 &
D08-02-24/A- 00072
Report Date: April 29, 2024
Hearing Date: April 30, 2024
Planner: Penelope Horn
Official Plan Designation: Outer Urban Transect, Neighbourhood Designation
Zoning: R1GG

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the applications. During the review additional variances for the lot frontage of the two rear lots were identified. An adjournment will allow the applicant time to update their application to reflect the additional variances.

DISCUSSION AND RATIONALE

Regarding the requested variances

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.

The intent of the minimum lot width and minimum lot area is to ensure that access to the site can be accommodated and that there is adequate space to support development. In this situation, access to the rear lots will be provided through an easement and the Applicant has demonstrated that development can be accommodated on each of the

proposed lots with required setbacks met. The removal of the detached garages which were initially proposed, has increased the useable amenity area, space for planting, and minimized the impact of the reduced rear yard setback for the rear lots. The reduced lot width is minor in nature and aligns with the 1.7 metre lot width which would be required if long semi-detached dwellings were proposed, ensuring that there is sufficient space for servicing. The proposed development represents a gentle increase in density within the Outer Urban Transect, along an arterial road.

ADDITIONAL COMMENTS

Infrastructure Engineering

- The Planning, Real Estate and Economic Development Department will do a complete review of grading and servicing during the building permit process.
- 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.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.
- 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.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Existing services are to be blanked at the owner's expense.
- This property does not have frontage on a storm sewer.
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

Planning Forestry

- The revisions to the site plan and TIR (v. 2.0, prepared by Dendron Forestry Services, dated April 16, 2024) ensure the retention of healthy trees on site, while permitting the proposed intensification. The current proposal would require the removal of four private trees and two city trees, requiring 12 compensation trees and the payment of the value of trees 10 and 11. Any trees not planted on site would require compensation payment at \$400/tree.

- The tree planting plan indicates three large trees would be planted on the proposed internal lots, while three small trees would be planted on the Prince of Wales frontage. Replacement tree #2 is located entirely on private property, though it is categorized as a new city tree. The planting plan should be updated to reflect private ownership. Trees 4-6 should be located such that their canopies, at maturity, do not conflict with the proposed dwellings or nearby trees.

Right of Way Management

- The Right-of-Way Management Department has no concerns with the proposed Consent and Minor Variance Application, however, as there are requested changes to the private approach/driveway, the Owner shall be made aware that a private approach permit is required to construct a newly created entrance, as well as to close any existing entrance. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca

Transportation Engineering

- Please note that Prince of Wales Drive is designated as a Crosstown Bikeway
- Sidewalk renewal (CP000689) of Prince of Wales Drive between Normandy Crescent and Normandy Crescent is expected to take place this year. Please coordinate work with City of Ottawa project manager Frederic Lacasse (Frederic.Lacasse@ottawa.ca).

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 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, that the existing dwelling/building has been removed.
3. 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.

4. That the Owner(s) submit a Stormwater Management Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, demonstrating a design for controlling post-development stormwater peak flows to pre-development peak flows for all stormwater events up to the 100 year storm event, 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,

If the Stormwater Management Brief includes infiltration techniques, the Owner(s) must submit a supporting Geotechnical Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, for approval by the Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate.

The Owner(s) must enter into a Development Agreement with the City to construct the required stormwater system, including posting required securities. 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.

Should the stormwater management system cross property lines or access to the system be over multiple properties, that the owner will seek approval of the Committee to 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.

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

7. 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 Operating 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.

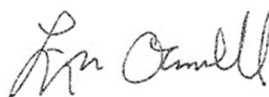
8. The Owner(s) shall prepare a noise attenuation study (or noise and vibration attenuation study if applicable) in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of Relevant Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or his/her designate. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control (and vibration if applicable) attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.
9. 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.

10. The Owner/Applicant(s) shall implement 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 each lot following construction, to enhance the urban tree canopy and streetscape.



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