

2024-05-30



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 944 Woodroffe Avenue  
Legal Description: Part of Lot 46, Registered Plan 293826  
File No.: D08-01-24B-00079 to D08-01-24/B-00082  
Report Date: May 30, 2024  
Hearing Date: June 4, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving  
Neighbourhood Overlay  
Zoning: R2G

**DEPARTMENT COMMENTS**

The Planning, Building and Development Services 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.

The property is in the Residential 2 Zone, which permits the long semi-detached built form. The subject property is within the Inner Urban Transect and Evolving Neighbourhood Overlay in the Official Plan, which supports infill development and a range of housing types.

**ADDITIONAL COMMENTS**

**Infrastructure Engineering**

- The **Planning, Development and Building Services 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.
- 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, Development and Building Services 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.
- Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

## Planning Forestry

- The proposed design for long semis with a shared central driveway and rear yard parking will require removal of all existing trees on site and within the City ROW, which is generally not in keeping with the direction of the Official Plan, particularly section 4.8.2 which gives the COA the authority to refuse an application where removal of a protected tree is avoidable. It is understood that through pre-consultation the removal of the City-owned tree (#1) was agreed to due to evidence of decline of Princeton elms across the city. Compensation for this tree will be evaluated through the tree permit application process.
- A planting plan must be provided showing the locations and species of one new 50mm tree per lot (4), to be planted following development to enhance the ROW streetscape and overall canopy cover of the site. Large-growing native species should be prioritized where space and site conditions allow.

## 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, 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.
3. That the Owner(s) provide proof to the satisfaction of the Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee, that the existing dwelling/building has been removed.
4. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Manager of the Planning, Development and Building Services 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) provide evidence to the satisfaction of the Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee, that the existing structure straddling the proposed severance line has been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.
6. 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 Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to the

Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their 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.

7. The Owner(s) shall prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control 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. That the Owner enter into an Agreement with the City, at the expense of the Owner, which is to be registered on Title to deal with the covenants/notices that shall run with the land and bind future owners on subsequent transfers;

“The property is located next to lands that have an existing source of environmental noise (arterial road, highway, airport, etc) and may therefore be subject to noise and other activities associated with that use”

The Agreement shall be to the satisfaction of the Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

8. 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 Development Review All Wards Branch within Planning, Development and Building Services Department, or their 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 Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
9. 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 Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to require that an asphalt

overlay will be installed, at the Owner(s) expense, on 944 Woodroffe 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 Development Review All Wards Branch within Planning, Development and Building Services Department, or their 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 Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate determines that a Development Agreement requiring an asphalt overlay is no longer necessary, this condition shall be deemed as fulfilled.

10. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 13 from the existing centerline of pavement/the abutting right-of-way along Woodroffe pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's new Official Plan, if required. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.



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