

2024-05-30



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 7 Starwood Road
Legal Description: Lots 1889, 1890, 1891, 1892 Registered Plan 375
File No.: D08-02-24/A-00112 & D08-02-24/A-00113
Report Date: May 30, 2024
Hearing Date: June 4, 2024
Planner: Samantha Gatchene
Official Plan Designation: Outer Urban Transect, Neighbourhood
Evolving Neighbourhood Overlay
Zoning: R1FF[632]

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no 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 site is zoned R1FF [632] and designated Neighbourhood under the Official Plan. Neighbourhoods are intended to evolve through gradual development, of which this application is an example. Staff do not have concerns with the variances for reduced lot width and lot area. The reduced lot dimensions will result in developable lots capable of complying with the setback requirements.

The City View neighbourhood has known ditch drainage issues. The proposed development would result in significant increases in lot coverage, with the potential to worsen the existing situation if no additional stormwater management measures are pursued. Therefore, it is requested that this minor variance approval be subject to stormwater management conditions to address on-site stormwater management.

ADDITIONAL COMMENTS

A consent application is not required because the lots already exist through the underlying Plan of Subdivision. Minor variance approval is required to allow for the

dimensions of these existing lots, which do not comply with the current Zoning By-law with regards to minimum lot area and lot width.

Planning Forestry

The plans as proposed require the removal of all but 2 of the trees on site and in the ROW due to the design with rear yard parking and building footprints. The proposed rear yard parking will result in the majority of each lot being paved, greatly reducing the permeable portion of the site for storm water infiltration and the required planting of 7 compensation trees. It is strongly recommended to consider options to reduce the amount of paving on this site with a modified design which could also allow for the retention of tree #3, which is outside of the allowable footprint and a priority to retain.

The TIR does not include trees within the rear laneway or on adjacent properties; all trees of any size within the laneway are protected and must be retained through development. Trees on adjacent properties shown for removal require the consent of the owners, whether or not they are protected under the Tree By-law.

A planting plan must be provided with the tree permit application, including the locations of all required compensation trees with adequate space to grow. Planting of large-growing species in the ROW (outside of the ditch) should be prioritized to improve the streetscape and canopy cover of the site.

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.
- 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, Development and Building Services Department.
- 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.).

- This property does not have frontage on a storm sewer.
- Provide a minimum of 3m between the proposed driveway and the fire hydrant.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Minor Variance, however, as the development is modifying the existing private approach during construction. Private approach permits are required to construct any newly created or modified driveway/approaches or close redundant approaches.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.

CONDITIONS

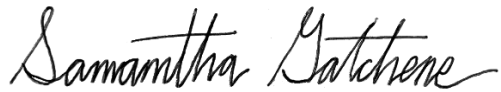
Section 45 (9) of the *Planning Act* gives authority to the Committee to impose conditions on minor variance applications.

If approved, the Planning, Development and Building Services Department requests that the Committee of Adjustment impose the following condition on the application:

1. 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 All Wards Manager within Planning, Development and Building Services Department, or their 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, Development and Building Services Department Planning, Development and Building Services Department, or their designate.
2. That the Owner(s) 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.

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

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.



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