

Committee of Adjustment

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January 10 2024

City of Ottawa | Ville d'Ottawa

Comité de dérogation



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 2598 Pagé Road
Legal Description: Part of Lot 6 Concession 3 (Ottawa Front) Geographic Township of Gloucester
File No.: D08-01-23/B-00310, D08-01-23/B-00311 & D08-01-23/B-00312
Report Date: January 10, 2024
Hearing Date: January 16, 2024
Planner: Jerrica Gilbert
Official Plan Designation: Suburban Transect, Neighbourhood Designation
Zoning: R1WW

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development 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 proposed new lots can be seen as gradual intensification within the Suburban Transect. The severed and retained parcels will be in conformity with the requirement of the Zoning By-law for the R1WW zone, which requires a minimum lot width of 9 metres and a minimum lot area of 450 square metres. The smaller lot sizes will be compatible with those prevalent within the surrounding neighbourhood.

ADDITIONAL COMMENTS

Building Code Services

Two standard conditions have been recommended. The applicant should demonstrate that both the severed and retained lots have their own independent servicing

connections. The existing single-detached dwelling needs to be demolished for the proposed severed and retained lots to be zoning compliant.

Infrastructure Engineering

Four standard conditions have been recommended to ensure that the proposed severances meet the City's standards for development. These conditions include a Noise Warning Clause (Type A) due to Pagé Road's classification as a collector roadway.

Planning Forestry

The proposed severances will directly impact four existing trees, one of which may be retainable through specific design of the future driveway. A Grading and Servicing plan must be provided with the services, driveways and grading located and designed based on the least impact to Trees 1, 2, and 3 to allow for their adequate protection. If all proposed trees are permitted for removal, 11 compensation trees will be required. A Tree Planting Plan must be provided showing the locations of compensation trees, prioritizing medium or large-growing species where space is available and within the Right of Way to improve the streetscape and canopy cover of the site.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Consent Application. However, the Owner should be made aware that private approach permits are required to construct new driveway/approaches as well as closing redundant approaches.

Transportation

The applicant should be aware that note that Pagé Road is designated as a cycling spine route in the 2013 Ottawa Cycling Plan.

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 evidence to the satisfaction of both the **Chief Building Official and Development Review Manager, Planning, Real Estate and Economic Development Department, or their 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 with 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.

3. That the Owner(s) provide evidence to the satisfaction of the **Chief Building Official, or their designate**, that the single dwelling at 2598 Pagé Road has been demolished or relocated under the authority of a Building Permit.
4. That the Owner(s) provide a combined **Grading and Drainage Plan** and **Site Servicing Plan** that includes the locations of proposed structures (driveways, retaining walls, projections, etc.) determined based on the least impact to protected trees and tree cover to the satisfaction of the **Development Review Manager of the East Branch within the Planning, Real Estate and Economic Development Department, or their designate**. The existing Tree Information Report may require revision to reflect these changes. Plans can be shown on one sheet or multiple sheets, but must include the following information:
 - a. The Grading and Drainage Plan must be prepared by a relevant professional (Professional Engineer (P.Eng.), Certified Engineering Technologist (CET), Ontario Land Surveyor (OLS), Professional Landscape Architect (OLA), or Professional Architect (OAA)) and adhere to the following standards:
 - i. Minimum Grading and Servicing Plan Specifications Infill Serviced Lots; and
 - ii. City of Ottawa Standard Drawings, By-laws, and Guidelines, as amended.
 - b. The Site Servicing Plan must be prepared by a relevant professional (Professional Engineer (P.Eng.), Certified Engineering Technologist (CET), or Ontario Land Surveyor (OLS)) and adhere to the same requirements as noted for the Grading and Drainage Plan.
 - c. In the case of a vacant parcel being created, the plan(s) must show a conceptual building envelope to establish that the lot can be graded to a sufficient and legal outlet, has access to services with adequate capacity, and follows the recommendations of the Tree Information Report.
 - d. The following information from the Tree Information Report must be included on both the Grading and Servicing Plans to ensure that these elements are designed to follow the recommendations within the TIR:
 - i. Surveyed locations of all protected trees on and adjacent to the subject site.
 - ii. Location of tree protection fencing.
 - iii. Measurements from the tree(s) trunks to nearest limit of excavation or grade changes.
 - iv. Any notes related to excavation or grade changes within the Critical Root Zone, as recommended in the TIR (e.g., use of hydrovac,

directional boring, or capping of services outside of the Critical Root Zone).

- v. Proposed planting locations from the associated Tree Planting Plan, if provided.
5. That the Owner(s) provide a Grading and Servicing Plan or Existing Conditions, Removals, and Decommissioning plan showing the existing services and the capping location, to be determined based on the least impact to existing protected trees, to the satisfaction of the **Development Review Manager of the East Branch within the Planning, Real Estate and Economic Development Department, or their designate**.
 6. The Owner/Applicant(s) shall prepare and submit a tree planting plan, prepared to the satisfaction of the **Development Review Manager of the East Branch within the Planning, Real Estate and Economic Development Department, or their designate**, showing the location(s), species/ultimate size of the specified number of compensation trees (50mm caliper) required under the Tree Protection By-law, assuming that all proposed tree removals are permitted.
 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 the **Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate**, to require that an asphalt overlay be installed at the Owner(s) expense on Pagé Road if the approved Site Servicing Plan shows three or more cuts within the pavement surface. The asphalt must be installed over the entire public driving surface area within the limits of the overlay to the satisfaction the **Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate**. The Committee requires a copy of the Agreement and written confirmation from **City Legal Services** that the agreement has been registered on title.

If the **Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate** determines that a Development Agreement requiring an asphalt overlay is no longer necessary, this condition shall be deemed as fulfilled.

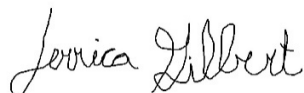
8. That the Owner(s) provide evidence to the satisfaction of the **Development Review Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate** that all outstanding Local Improvement charges (i.e., water, sewer, road) and water frontage fees (at a rate of \$190/m, and sewer \$135.00/m 2023 rates) applicable to both the severed and retained parcels have been paid in full. Payment shall be made to the Infrastructure Management Division. A copy of proof of payment must be

provided to the satisfaction of the **Development Review Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate.**

9. The Owner(s) shall design the dwelling units with the provision for adding central air conditioning at the occupant's discretion and 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, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise. The following two conditions will be included in the above-noted Agreement:

i) "The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been fitted with a forced air heating system and ducting that was sized to accommodate central air conditioning. Installation of central air conditioning by the Purchaser/Lessee will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria;" and

ii) "The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that noise levels due to increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria."



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