



CONSENT APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 10A Ashburn Drive
Legal Description: Part of Lot 224, Registered Plan 289002
File No.: D08-01-24/B-00071
Report Date: May 9, 2024
Hearing Date: May 14, 2024
Planner: Samantha Gatchene
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: R2M

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **requests an adjournment** of the application to enable the Applicant either revise their design to comply with the maximum driveway width or apply for an additional variance.

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 site is zoned R2M and designated Neighbourhood under the Official Plan. The proposed consent aligns with the requirements of the Zoning By-law for lot area and width. Neighbourhoods are intended to evolve through gradual development, of which this application is an example.

An additional variance is required to permit a 6.0 metre double-wide driveway for the proposed detached dwelling on Part 1. Double-wide driveways are not permitted on lots with widths less than 15 metres. An adjournment is requested to allow the Applicant to revise the design to reduce the width of the driveway or apply for an additional variance.

ADDITIONAL COMMENTS

There is an existing 30 centimetre reserve along the Ashburn Drive. The reserve was dedicated at the time Ashburn Drive was built in the 1960s. It is requested that the lifting of the reserve be a condition of approval.

Planning Forestry

There are no tree-related concerns with the proposed severance. Through pre-consultation it was determined that the pine tree on the adjacent property can be adequately protected using the City's Tree Protection Specifications through construction. One new tree must be planted in the ROW of each lot following development, to improve the streetscape and canopy cover.

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 Catch Basin is not to be located within the driveway.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- 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.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent 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.

CONDITIONS

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

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 the Manager of the Development Review All Wards Branch within 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.
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 the Manager of the Development Review All Wards Branch within the Planning, Development and Building Services 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 the Manager of the Development Review All Wards Branch within the Planning, Development and Building Services Department, or their designate.
4. The Owner/Applicant(s) shall prepare and submit a tree planting plan, to the satisfaction of the Manager of the Development Review All Wards Branch within the Planning, Development and Building Services 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 following construction, to enhance the urban tree canopy and streetscape.
5. That the Owner(s) convey, at no charge, to the City, a 0.30 metre reserve on Ashburn Avenue of the Draft 4R-Plan, to the satisfaction of the Manager of the Development Review All Wards Branch within the Planning, Development and Building Services Department, or their designate. The Transfer must be registered by the City Legal Services. The Committee requires written confirmation from City Legal Services that the land for the reserve has been conveyed to the City.

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