

2024-06-26

City of Ottawa | Ville d'Ottawa  
Comité de dérogation



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 90-92 Prince Albert  
Legal Description: Lots 200 and 201, Registered Plan 341  
File No.: D08-01-24/B-00098 to B-00099  
Report Date: June 27, 2024  
Hearing Date: July 3, 2024  
Planner: Margot Linker  
Official Plan Designation: Inner Urban Transect, Neighbourhood  
Zoning: R3M (Residential Third Density, Subzone M)

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has no concerns with** the application.

**DISCUSSION AND RATIONALE**

The subject site is located within the Inner Urban Transect Policy Area on Schedule A and designated as Neighbourhood on Schedule B2 in the Official Plan and zoned R3M (Residential Third Density, Subzone M). This area is intended for low-rise residential development.

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 severance of a large parcel into two lots will facilitate separate ownership of the proposed semi-detached dwelling while creating zoning-compliant lots that align well with the existing lot fabric.

**ADDITIONAL COMMENTS**

**Right of Way Management**

The Right-of-Way Management Department has no **concerns** with the proposed Consent Applications, however, 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.

The current proposal requires two private approach permits as a result, one to close the redundant private approach, and another to construct the new private approach. **Please contact the ROW Department for any additional information at [rowadmin@ottawa.ca](mailto:rowadmin@ottawa.ca).**

## CONDITIONS

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) provide evidence to the satisfaction of the Chief Building Official, or designate, that the party wall meets the Ontario Building Code, O Reg. 332/12 as amended, which requires a 1-hour fire separation from the basement through to the underside of the roof. Verification from the Building Inspector is required. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
2. That the Owner/Applicant(s) provide(s) proof, **to the satisfaction of the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s)** that the approved Tree Planting Plan submitted to the City, prepared by Miroca Design, Version 1, dated May 2024 has been implemented. Proof will be accepted in the form of photographs showing the planted tree(s) or requesting a Tree Planting Inspection by contacting 311. A paid planting contract or a Letter of Undertaking are acceptable if planting cannot be completed prior to completion of the severance.
3. 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 Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate. The Committee requires written confirmation that the Agreement is satisfactory to Development Review All Wards Manager of the All-Wards Branch within Planning, Development and Building Services Department, or their designate, as well as a copy of the Agreement and written confirmation that it has been registered on title.

*Margot Linker*

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Margot Linker  
Planner I, Development Review All Wards  
Planning, Development and Building  
Services Department

*Erin O'Connell*

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Erin O'Connell  
Planner III, Development Review All Wards  
Planning, Development and Building  
Services Department