



Committee of Adjustment

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City of Ottawa | Ville d'Ottawa
Comité de dérogation

**COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1
PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 191 Granville Street
Legal Description: Lots 1 and 2, Reg Plan 636
File No.: D08-01-24/B-00134 & D08-01-24/B-00135
Report Date: August 29, 2024
Hearing Date: September 4, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood
Zoning: R4UA (Residential Fourth Density, Subzone UA)

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject site is located within the Inner Urban Transect and designated as Neighbourhood within Schedules A and B2 of the Official Plan. It is zoned R4UA. 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 proposed consent will create zoning-compliant lots to facilitate separate ownership of an existing semi and a third lot that will be large enough for future development.

ADDITIONAL COMMENTS

Please note that the R Plan must identify the retained lands as “Part 3”.

Planning Forestry

A tree removal permit was issued through the building permit process. 3 compensation trees are required as replacement. One new tree in the ROW or frontage of each lot is recommended to improve the streetscape and canopy cover of the site.

Right of Way Management

1. A Private Approach Permit is required to construct a new driveway (#353 St. Denis) and to modify the existing private approach (#351 St. Denis on the Granville frontage). 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.
2. The Owner shall also be made aware that the existing hedge located in the St. Denis right of way is to be removed as it interferes with sight lines on the corner lot.
3. The existing chainlink fence along the St. Denis ROW frontage in front of the retained lot (#355 St. Denis) and new severed lot (#353 St. Denis) is required to be removed. By-law Regulatory Services would enforce the fence under the Fence By-Law (No. 2003-462).

Transportation Engineering

1. Provide a 3m x 9m corner triangle per Policy 2.1.1 (e) of Schedule C16 of the Official Plan. Dedicate the corner triangle to the City of Ottawa road right of way.

CONDITIONS

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following condition 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, 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) enter into a Joint Use, Maintenance and Operating Agreement, 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 Operating 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 Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to Relevant Manager of the Relevant Branch within Planning, Development and Building Services Department, or their designate, or is satisfactory to City Legal Services, as well as a copy of the Agreement and confirmation that it has been or will be registered on title.

4. The Owner(s) shall prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of Development Review 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.
5. 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 Development Review 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.

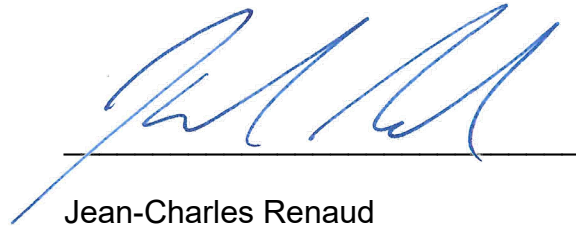
6. That the Owner convey a 3m x 9m corner sight triangle located at the intersection of St. Denis & Granville Street to the City, with all costs to be borne by the Owner(s), to the satisfaction of the Surveys and Mapping Branch of the City. This area will be free of all structures, plantings, etc. and will allow a proper sighting distance for motorists when performing turning movements within the

intersection. The Committee must receive written confirmation from City Legal Services that the transfer of the lands to the City has been registered.

7. That the Owner(s) enter into a resurfacing agreement with the City to the satisfaction of the Program Manager, Right of Way Branch within Planning, Development and Building Services Department, or their designate, and provide financial security in accordance with the Road Activity By-law, as amended, to install an asphalt overlay over the roadway surface of St. Denis Street, fronting the subject lands, to the limits shown on the approved Site Servicing Plan. Where the approved Site Servicing Plan demonstrates that resurfacing is not required based on the City's Road Cut Resurfacing Policy, the Development Review Manager of the All-Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.
8. That the Owner/Applicant(s) provide 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) and species or ultimate size of all compensation trees required under the Tree Protection By-law and/or one new tree (50 mm caliper) per lot, whichever is greater.
9. 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.



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



Jean-Charles Renaud
Planner III, Development Review All Wards
Planning, Development and Building
Services Department