



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address:	1551 Vercheres Street
Legal Description:	Part of Lot 45, Registered Compiled Plan 906, Geographic Township of Gloucester
File No.:	D08-01-24/B-00143
Report Date:	August 28, 2024
Hearing Date:	September 3, 2024
Planner:	Penelope Horn
Official Plan Designation:	Suburban Neighbourhood
Zoning:	R1W

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

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. The proposed application will result in two zoning compliant lots and meet the criteria listed in Section 51 (24). **After further discussions with the applicant, the City's Infrastructure Engineers are suggesting a condition that would require a watermain extension at the owner's expense, if the existing watermain is not publicly owned.** ~~The City's Infrastructure Engineers have reviewed the application and suggest an adjournment of two weeks in order to determine if the watermain is private, which is how the watermain is shown on our mapping system. Depending on the findings, this information may influence the conditions requested.~~

The site is zoned RIW 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.

ADDITIONAL COMMENTS

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.
- 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**.
- A private approach permit is required for any access off of the City street.
- 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.).
- **Please note this property fronts a private water service.**
- 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.

Planning Forestry

Tree 7 is healthy and located outside the building envelope and as such, is a priority for retention. As per the Official Plan's section 4.8.2 policy 3) a) development and intensification shall "Preserve and provide space for mature, healthy trees on private and public property, including the provision of adequate volumes of high-quality soil." Additionally, policy 3) d) requires that "when considering impacts on individual trees, planning and development decisions, including Committee of Adjustment decisions, shall give priority to the retention and protection of large, healthy trees over replacement plantings and compensation." The site plan and TIR should be revised to retain tree 7 and reduce impacts to trees 6 and 8.

If no changes are made to the parking area, the proposed severance and building would require the removal of five distinctive trees on private property, and one tree within the municipal right-of-way. Removals outlined in the TIR would require compensation of 14 replacement trees, in addition to the value of the street tree.

If tree 7 cannot be retained, the planting plan should be updated to provide screening between the adjacent property by planting a tree between trees 6 and 8.

The planting plan currently proposes four new trees within the right-of-way along Verchères. The front of the property is too narrow to accommodate four large trees at maturity, and the planting plan will need to be updated to provide two large-growing trees at the front. Replacement trees not planted on site would require compensation through the payment of cash-in-lieu.

CONDITIONS

If approved, the Planning, Real Estate and Economic Development 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) 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, and City Legal Services. The Committee requires written confirmation that the Agreement is satisfactory to Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate, and is satisfactory to City Legal Services, as well as a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

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 of 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. The grading and drainage plan shall delineate existing and proposed grades for both the severed

and retained properties, to the satisfaction of Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate.

4. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review All Wards 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.
5. That the Owner/Applicant(s) provide a signed letter of permission from the owner(s) of identified adjacent or boundary tree(s), for the proposed removal or operations impacting the tree(s). The owner/applicant(s) acknowledge(s) that a tree removal permit cannot be issued without the permission of all owners of a tree, and that the development plan must be revised to allow for the retention and protection of the adjacent or boundary trees if this letter cannot be produced.
6. That the Owner/Applicant(s) provide a revised site with plan the locations of proposed elements (buildings, driveways, services, grading, etc.) designed to reduce any excavation within the Critical Root Zones of protected trees and/or to provide sufficient soil volume to plant new trees, **to the satisfaction of the Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or their designate(s)**. The Tree Information Report must be revised to reflect changes to the site plan and to show the accurate tree protection areas and mitigation measures.
7. That the Owner(s) enter into an Infrastructure Agreement with the City of Ottawa to extend the municipal services on Vercheres Street at their own costs and post the necessary securities for the work on the City Right-of-Way to the satisfaction of the City's Planning, Development and Building Services Department's Infrastructural Approvals Branch or to the satisfaction of City Legal Services, if required. The Owner(s) must also receive the approval of the Ontario Ministry of the Environment Conservation and Parks for the extension of the municipal services. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title. Where the approved Site Servicing Plan demonstrates that an extension of services is not required, the Development Review Manager of the All-Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.

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