



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 630 Tweedsmuir Avenue
Legal Description: Lot 7, Reg Plan 451
File No.: D08-01-23/B-00307
Report Date: January 11, 2024
Hearing Date: January 17, 2024
Planner: Margot Linker
Official Plan Designation: Inner Urban Transect, Neighbourhood, Evolving Overlay
Zoning: R4UA[2686] H(8.5)

Committee of Adjustment
Received | Reçu le

2024-01-10

City of Ottawa | Ville d'Ottawa
Comité de dérogation

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject site is located within the Inner Urban Transect and designated Neighbourhood within the Evolving Overlay on Schedules A and B2 in the Official Plan. This transect is generally planned for providing a range of context-sensitive low-rise housing options.

The R4UD[2686] H(8.5) (Residential Fourth Density, Urban Exception 2686, Maximum Building Height of 8.5 metres) zone allows a wide mix of residential building forms ranging from detached to low-rise apartment dwellings.

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 existing semi-detached dwelling is zoning compliant and the proposed lots will result in lot patterns that is consistent with the planned context.

ADDITIONAL COMMENTS

Staff recommend imposing a condition to convey a 3m x 3m corner triangle at the intersection. The Site Plan shows a decorative knee wall proposed within this area to be conveyed to the City. Through discussions with the applicant's agent, it appears that the

knee wall has not been built yet and that there are opportunities to either relocate the proposed knee wall or propose a different type of parking prohibitor in the front and corner side yard to ensure zoning compliance, or to discuss the possibility of a permanent encroachment permit with the City.

Transportation Engineering

Please note the Integrated Renewal of Clare Street and Dovercourt Avenue will reconstruct Dovercourt Avenue from Churchill Avenue North to Tweedsmuir Avenue with construction anticipated to begin in 2025. Refer to the project website for additional information and contact information: <https://ottawa.ca/en/city-hall/public-engagement/projects/integrated-renewal-clare-street-and-dovercourt-avenue#section-82acd7f6-d50e-44b3-ae9f-76ec5ebf3667>

Planning Forestry

A tree removal permit, dated September 20, 2021, allowed removal of an 88 cm sugar maple on the property to facilitate the development. A condition of the permit was for 2 replacement trees to be planted. A planting plan showing the location of 2 trees to be planted was approved by the Infill Forestry Inspector. As the construction for this development is nearing completion, the tree planting plan must be implemented. This is supported by Section 4.8.2 of the Official Plan policy 6 which says, "Approvals granted by Council or Committee of Adjustment may include conditions to support tree protection, removal and replanting." The applicant can either provide proof the trees were planted or a contact for the planting with a forestry or landscaping professional to satisfy this condition.

CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following condition(s) 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 Development Review Manager, Planning, Real Estate and Economic Development 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 convey a 3 m x 3 m corner sight triangle located at the intersection of Tweedsmuir Avenue and Dovercourt Avenue 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.
4. 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.

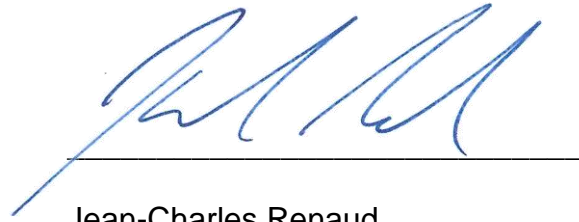
The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways, and common landscaping.

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 **Central Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her designate, and City Legal Services**. The Committee requires written confirmation that the Agreement is satisfactory to **Central Manager of the Central Branch within Planning, Real Estate and Economic Development Department, or his/her 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.

5. That the Owner/Applicant(s) provides proof, **to the satisfaction of the Development Review Manager of the relevant Branch within the Planning, Real Estate and Economic Development Department, or his/her designate** that the approved Tree Planting Plan submitted to the City, prepared by Dendron Forestry Services, Version 1.0., dated July 7, 2021 has been implemented. Proof will be accepted in the form of photographs showing the planted tree(s) or requesting Forestry Services (forestry@ottawa.ca) inspect the site to confirm planting is satisfactory. If the tree planting cannot take place prior to the severance, a paid planting contract is acceptable to satisfy this condition.

Margot Linker

Margot Linker
Planner I, Development Review, Central
Planning, Real Estate and Economic
Development Department

A handwritten signature in blue ink, appearing to read "J. Renaud".

Jean-Charles Renaud
Planner III, Development Review, Central
Planning, Real Estate and Economic
Development Department