

2024-10-31



CONSENT & MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 242 Park Street  
Legal Description: Lots 210 & 211, Registered Plan 246  
File No.: D08-01-24/B-00021, D08-02-24/A-00025 & D08-02-24/A-00157  
Report Date: October 31, 2024  
Hearing Date: November 6, 2024  
Planner: Penelope Horn  
Official Plan Designation: Inner Urban Transect, Neighborhood, Evolving Overlay  
Zoning: R4UA

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has some concerns with** the applications.

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.

Staff have also reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended, and have some concerns with the proposed minor variances.

The subject site is located within the Inner Urban Transect and designated Neighborhood within the Evolving Overlay on schedules A and B2 of the Official Plan. The site is zoned R4UA. The area is intended for low-rise development.

Staff have no concerns regarding the minor variances for 242 Park Street, which features the existing three-unit dwelling.

Staff have some concerns regarding the minor variances for 267 Carillon Street, which features the proposed low-rise apartment building.

Staff are concerned that the proposed low-rise apartment building does not align with the goals of context sensitive design on the given lot area. Staff have concerns regarding the cumulative impact on the functions of the site caused by the reduced lot size. It is apparent that, due to the undersized lot, the proposed development is not able to meet requirements related to the rear yard. The intent of the aggregated rectangular landscaping and rear yard provisions are to provide adequate space for plantings, infiltration, and amenity area for residents. Furthermore, staff are concerned that the plantings shown will be insufficient to compensate for the reduced rear aggregate rectangular soft landscaping area.

## 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.
- 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.
- As a result of the application, a servicing easement may be required to accommodate the connection from the existing building to the storm sewer on Carillon Street.
- If required, existing street sign to be relocated at the owner's expense.

### Planning Forestry

Through pre-consultation, it was confirmed that a TIR was not required, as there are no distinctive trees on site.

To enhance the streetscape and contribute towards the City's 40% canopy goal, trees must be planted in the property frontage following construction, in line with the Official Plan's policies to enhance and protect the urban forest canopy through growth and intensification (§ 4.8.2).

## CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions 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) provide evidence to the satisfaction of the Development Review Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee, that the accessory structure has been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.
4. 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 (Marier Avenue) and may therefore be subject to noise and other activities associated with that use.”

The Agreement shall be to the satisfaction of Development Review All Wards 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.

5. 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 of the Development Review All Wards Branch 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 of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
6. That the Owner convey a 3 m x 3 m corner sight triangle located at the intersection of Park Street & Carillon 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/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.
8. That the Owner(s) satisfies the Chief Building Official, or designate, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed severance to the existing buildings on Part 2 of draft 4R-plan shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regard to the limiting distance along the southerly of the proposed property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.



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