

2024-10-31



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 455 Dawson Avenue
Legal Description: Part of Lot 51, Registered Plan 443
File No.: D08-02-24/A-00242
Report Date: October 10, 2024
Hearing Date: October 16, 2024
Planner: Penelope Horn
Official Plan Designation: Inner Urban Transect, Neighborhood, Evolving Overlay
Zoning: R2G

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application. During review, Staff noted that the required interior side yard setback is 1.5 metres, while the provided interior side yard setback is 1.2 metres. An adjournment is requested for the applicant to amend the submitted documents to include the additional variance and to revise the Tree Information Report to reflect the concerns of Forestry Staff.

DISCUSSION AND RATIONALE

Staff have 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. Staff are satisfied that the requested minor variances meet the “four tests”.

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**.
- 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.).
- 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

A revised servicing plan and TIR have been submitted since the previous hearing, placing the sanitary service from Dawson slightly further from the City tree. The proposed service location is still close enough to the tree (less than the best management practice) that it is likely to be destabilized. As such, the Planning Forester has concerns with the application to provide two sets of services to the proposed buildings without a severance. An alternative location or method of installation must be found and detailed in the TIR, to enable retention of this tree.

There are no tree-related concerns with the minor variances requested.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Application. However, it should be highlighted that this plan will leave the property without a private approach. The Owner shall be made aware that a private approach permit is required to construct/ alter any entrance, as well as to close any existing entrance that becomes redundant.

Transportation

Kirkwood Avenue is designated as a protected Right of Way (ROW) and requires a 26m ROW be maintained as per Schedule C16 of the Official Plan. Illustrate the ROW protection on the site plan. The proponent should refrain from placing critical, permanent infrastructure (such as the proposed retaining wall) within the protected ROW. The ROW protection must be dedicated to the City of Ottawa upon severance of the lot into two semi-detached properties.

In addition, upon severance of the lot into two semi-detached properties, corner triangle must be dedicated to the City of Ottawa ROW per Policy 2.1.1 (e) of Schedule C16 of the Official Plan. The required dimensions of the corner triangles are required:

- 3m x 3m at the corner of Wesley Avenue and Dawson Avenue.
- 3m (along Wesley Avenue) x 9m (along Kirkwood Avenue at the corner of Wesley Avenue and Dawson Avenue. The corner triangle is to be measured from the new property line after ROW widening of Kirkwood Avenue.
- Illustrate the corner triangles on the site plan.

Remove depressed curb at the existing driveway on Kirkwood Avenue and reinstate with full height curb and sidewalk to City standards.

On the site plan, do not show the on-site pathway's paver material extending across the existing concrete sidewalk on Kirkwood Avenue.



Penelope Horn
Planner I, Development Review All Wards

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