

2024-12-05



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 2300 Fox Crescent
Legal Description: Part of Lot 15, Registered Plan 464
File No.: D08-01-2-B-00229 to D08-01-24-B-00231
Report Date: December 05, 2024
Hearing Date: December 10, 2024
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Inner Urban Transect, Neighbourhood,
Evolving Neighbourhood Overlay
Zoning: R10

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the application(s).

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.

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.
- 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.).
- Existing Catch Basin is not to be located within the driveway.
- This property does not have frontage on a storm sewer.
- 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.
- A geotechnical memo addressing the spacing for adequate access for repair and maintenance of the services will be requested.
- Existing street sign to be relocated at the owner's expense.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

This application has been approved in the past. There are no tree-related concerns with the proposed severances, provided that the future plans for development account for the protection of as many existing trees as possible.

A grading and servicing plan must be provided to show that servicing and grading can be designed allowing for tree protection, and a planting plan must be provided to show one new tree in the ROW or frontage of each lot, to improve the streetscape and canopy cover of the site.

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 properties without private approaches. 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. Future development that includes new driveways will require permits.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca. Apply for a private approach here [Private Approach Application](#).

CONDITIONS

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following condition(s) on the application(s):

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/Applicant(s) provide a Grading and Servicing Plan/Site Plan with the proposed elements/structures (driveways, retaining walls, projections, etc.) designed and located based on the least impact to protected trees and tree cover, as well as a revised Tree Information Report reflecting these changes to the satisfaction of the Manager of the All Wards Branch within the Planning, Development and Building Services Department, or their designate(s).
3. That the Owner/Applicant(s) provide a tree planting plan, prepared to the satisfaction of the Manager of the All Wards Branch within the Planning, Development and Building Services 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.
4. That the Owner(s) provide proof to the satisfaction of **the Development Review Manager of the 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 existing dwelling/building has been removed.
5. That the Owner(s) provide evidence to the satisfaction of both the **Chief Building Official and Development Review Manager of the All Wards Branch, 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 with 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.
6. That the Owner(s) provide evidence to the satisfaction of the **Development Review Manager of the 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.
7. 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 Manager of the 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 Manager of the All Wards Branch within Planning, Development and Building Services Department, or their designate**.

8. 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 Fox Crescent and Mountainview Avenue, 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.
9. 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 (Carling Avenue is an Arterial Road) 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.

J. E. Nivethini

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