



CONSENT & MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 886 Baseline Road
Legal Description: Part of Lot 20, Registered Plan 310501
File No.: D08-01-24/B-00280 & D08-01-24/B-00281
D08-02-24/A-00324 & D08-02-24/A-00325
Report Date: January 31, 2025
Hearing Date: February 04, 2025
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Outer Urban Transect, Neighbourhood,
Evolving Neighbourhoods Overlay
Zoning: R2J

REQUESTED VARIANCES

The Applicant requires the Committee's authorization for the following minor variances from the Zoning By-law:

A-00324: 888 A/B Baseline Road, Parts 1 to 4 on Draft 4R Plan, proposed long semi-detached dwelling with additional dwelling units:

- a) To permit a reduced front yard setback of 4.6 metres, whereas the By-law requires a minimum front yard setback of 6 metres.
- b) To permit a reduced rear yard setback of 22.4% of the lot depth or 7.03 metres, whereas the By-law requires that the minimum required rear yard setback is 28% of the lot depth (8.79 metres) ~~but may not be less than 6 metres and need not exceed 7.5 metres.~~
- c) To permit a reduced rear yard area of 22.4% of the lot area or 75.01 square metres, whereas the By-law requires a minimum rear yard area of 25% of the lot area or, in this case, 83.73 square metres.

A-00325: 886 A/B Baseline Road, Parts 5 to 8 on Draft 4R Plan, proposed long semi-detached dwelling with additional dwelling units:

- d) To permit a reduced front yard setback of 4.6 metres, whereas the By-law requires a minimum front yard setback of 6 metres.

e) To permit a reduced rear yard setback of 22.4% of the lot depth or 7.03 metres, whereas the By-law requires that the minimum required rear yard setback is 28% of the lot depth (8.79 metres) ~~but may not be less than 6 metres and need not exceed 7.5 metres.~~

f) To permit a reduced rear yard area of 22.4% of the lot area or 75.01 square metres, whereas the By-law requires a minimum rear yard area of 25% of the lot area or, in this case, 83.73 square metres.

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.

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 variance(s) meet(s) the “four tests”.

The reference to rear yard setback not being less than 6 m and not exceeding 7.5 m has been removed from Variances b) and e) as they apply to lots outside Schedule 342 to the Zoning By-law as per Endnote 6 under Section 156 of the Zoning By-law. The subject property is within Schedule 342 and Section 144 dictates the rear yard setback for the property.

ADDITIONAL COMMENTS

Infrastructure Engineering

1. The **Planning, Development and Building Services Department** will do a complete review of grading and servicing during the building permit process.
2. 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.
3. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
4. All trees on City property and private trees greater than 30cm in diameter in the inner urban area are protected under the Tree Protection By-law (2020-340), and plans are to be developed to allow for their retention and long-term survival. A Tree Removal Permit and compensation are required for the removal of any protected tree.

5. 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**.
6. A private approach permit is required for any access off of the City street.
7. Existing grading and drainage patterns must not be altered.
8. Existing services are to be blanked at the owner's expense.
9. 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.).
10. Existing Catch Basin is not to be located within the driveway.
11. A report addressing the stability of slopes, prepared by a qualified geotechnical engineer licensed in the Province of Ontario, should be provided wherever a site has slopes (existing or proposed) steeper than 5 horizontal to 1 vertical and/or more than 2 metres in height.
12. Provide a minimum of 1.5m between the proposed driveway and the utility pole.
13. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
14. In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.
15. Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s). Current site plan does show encroachment.

Planning Forestry

The proposed site plan will require the removal of all trees on site. Through pre-consultation all other options were considered to allow for tree retention, but none could be found, primarily due to parking and servicing requirements for long semis. No changes to the variances would affect this outcome.

A planting plan has been provided showing 4 of the 7 required compensation trees; remaining compensation must be paid along with the tree permit applications. A servicing plan must be provided showing the services located to maximize the unencumbered soil volume for new trees to be planted.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent and Minor Variance Applications. The Owner shall be made aware that a private approach permit is required to construct any new entrance, as well as to modify or close an existing entrance that becomes redundant. **Please contact the ROW Department for further information at rowadmin@ottawa.ca.**

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 revised site and/or grading plan with 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, Development and Building Services Department**, or their designate(s).
3. That the Owner(s) provide evidence to the satisfaction of both the **Chief Building Official and Manager of the Development Review All Wards Branch within 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.
4. The Owner(s) shall prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of **Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. 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 **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 **Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.**

6. 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 Baseline 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 **Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**, shall deem this condition satisfied.

7. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 18.5 meters from the existing centerline of pavement/the abutting right-of-way along Baseline Road, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's new Official Plan, if required. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.



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