



CONSENT & MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 6 Basswood Avenue
Legal Description: Lot 3, Registered Plan 869, Geographic Township of Goulbourn
File No.: D08-01-25/B-00017 & D08-02-25/A-00018
Report Date: **March 03, 2025**
Hearing Date: March 04, 2025
Planner: Luke Teeft
Official Plan Designation: Suburban (West) Transect; Neighbourhood; Overlay
Zoning: R1D

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no 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 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

- The **Planning, Development and Building Services Department** will do a complete review of grading and servicing during the building permit process.
- For the proposed development: 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.

- For the proposed garage: At the time of building permit application, a grading plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist may be required.
- A Grading Plan, prepared by a relevant professional, is required for the construction of additions, garages, decks, or other structures over 55 sq. meters in size.
- A Grading Plan, prepared by a relevant professional, is required for any proposal that requires a permit if the proposed works, including hard landscaping are less than 1.2 metres from a property line.
- 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.**
- Applicant must maintain the existing drainage ditch & install culverts in accordance with the City's standards in the proposed driveways.
- This property does not have frontage on a storm sewer.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- 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.

Right of Way Management

- The Right-of-way Management has **no concerns** with the proposed Consent Application or the proposed Minor Variance Application. However, the Owner shall be made aware that a private approach permit is required to relocate the approach on the retained parcel. In addition, the Owner shall be made further aware that a private approach permit is required to establish an entrance way on the severed parcel.

Planning Forestry

- The level of impact to existing trees related to the relocated driveway and garage for the existing house is unclear from the TIR provided. The TIR must be revised to meet the report requirements and to confirm that the proposed protection is adequate to allow for tree retention where work is proposed within the CRZs of protected trees. If any boundary or adjacent trees are proposed to be impacted or

removed, written permission from the owner is required, otherwise plans must be adjusted to minimize impacts. A planting plan must be provided showing the locations and species of all required compensation trees (50mm caliper).

CONDITIONS

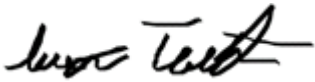
If approved, the Planning, Development and Building Services Department requests that the Committee of Adjustment impose the following conditions on the consent application:

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 the **Manager of the Development Review All Wards Branch, or their designate**, that each existing parcel has its own independent sanitary and water services connected to City infrastructure and that these services do not cross the proposed severance line. If they do cross or are not independent, the Owner(s) will be required, at their own cost, to relocate the existing services or construct new services from the City sewers/watermain. Notice shall be provided in writing to the Committee from the Department confirming this condition has been fulfilled.
3. The Owner(s) shall prepare an Environmental Noise Study, in compliance with the City of Ottawa Environmental Noise Control Guidelines, to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**. The Owner(s) shall enter into an agreement with the City, at the expense of the Owner(s), that requires the Owner(s) to implement any environmental noise attenuation measures recommended in the approved study. The Agreement shall also deal with any covenants/notices, recommended in the approved study, that shall run with the land and bind future owners on subsequent transfers, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise (Abbott Street E.) The Committee shall be provided a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.
4. That the Owner(s) enter into an Agreement with the City, at the expense of the Owner(s), which is to be registered on title to deal with the following covenant/notice that shall run with the land and bind future owners on subsequent transfers:

“The property is located next to lands that have an active railway line now, or may have one in the future, and may therefore be subjected to noise, vibration, and other activities associated with this use.”

The Committee shall be provided a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

5. That the Owner(s) provide proof 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, delineating the existing and proposed grades for both the severed and retained lands has been provided to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**.
6. 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 Development Review All Wards Branch, or their designate**. The TIR must meet the standards of the City's Tree Information Report Guidelines, including an assessment of impacts related to the as-of-right building envelope and specific mitigation measures where work is proposed within the Critical Root Zone of a protected tree.
7. That the Owner/Applicant(s) provide a signed letter of permission from the owner(s) of identified adjacent or boundary tree(s), for the proposed removal or operations impacting the tree(s). A tree removal permit cannot be issued without the permission of all owners of a tree, and that the development plan must be revised to allow for the retention and protection of the adjacent or boundary trees if this letter cannot be produced.
8. That the Owner/Applicant(s) provide a tree planting plan, prepared to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, showing the location(s) and species or ultimate size of at least one new tree (50 mm caliper) per lot, in addition to any compensation trees required under the Tree Protection By-law.
9. That the Owner(s) satisfy 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 the existing building on Part 2 on Draft plan of survey Lot 3 plan 869 shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regards to the limiting distance of along the North west proposed property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.



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