

2025-03-12



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address:	1332 Thames Street
Legal Description:	Part of Block 1, Registered Plan 221
File No.:	D08-01-25/B-00007, B-00021
Report Date:	March 12, 2025
Hearing Date:	March 18, 2025
Planner:	Luke Teeft
Official Plan Designation:	Outer Urban Transect; Neighbourhood, Mainstreet Corridor; Evolving Neighbourhood Overlay
Zoning:	R2G

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.

ADDITIONAL COMMENTS

- 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.
- 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.

- 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.).
- 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.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- Infrastructure Services Department expects the applicant to work together to provide SWM best management practices to reduce and mitigate impacts of development at the time of grading & drainage review.

Right of Way Management

- The Right-of-Way Management Department has **no concerns** with the proposed Consent Applications. However, the Owners shall be made aware that a private approach permit is required to establish access to 1332 Thames Street and 1334 Thames Street.

Planning Forestry

- The proposed impacts to Tree 3 are excessive. The plans for the proposed rear yard parking should be modified to ensure Tree 3 can be retained. A grading & servicing plan will be required, as well as an updated TIR outlining specific tree protection measures that align with best practices and the Tree Protection Specifications, to ensure the tree survives through construction.
- As it stands, the application will require a permit for the removal of one distinctive tree (Tree 2), subject to the planting of two replacement trees on site.

CONDITIONS

If approved, the Planning, Development and Building Services 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 **Manager of the Development Review All Wards Branch, or their designate**, 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. The Owner(s) shall either:

Prepare a noise attenuation 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 also enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. The Agreement will also deal with any covenants/notices recommended in the approved study, that shall be registered on the land title and bind future owners on subsequent transfers, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise. The Agreement shall be to the satisfaction of the **Manager, of the Development Review All Wards Branch, 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.

or

Design the dwelling units with the provision for adding central air conditioning at the occupant's discretion and 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, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise. The Committee requires a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title. The following two clauses will be included in the above-noted Agreement:

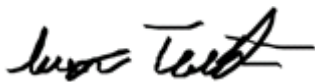
"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has

been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the Purchaser/Lessee will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria;" and

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that noise levels due to increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria."

4. 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 the **Manager of the Development Review All Wards Branch, 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 the **Manager of the Development Review All Wards Branch, or their designate**.
5. That the Owner(s) enter into a resurfacing agreement with the City to the satisfaction of the **Program Manager, Right of Way Branch within the 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 Thames 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, or their designate**, shall deem this condition satisfied.
6. 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.
7. That the Owner/Applicant(s) provide a revised Site Plan and a Grading & Servicing Plan with the proposed elements (services, retaining walls, etc.), and the capping location of existing services, designed and located to ensure the adequate protection of Protected Trees as identified in the Tree Information Report. This may result in relocation of these structures, and the owner may be required to revise their plans accordingly to the satisfaction of the **Manager of the**

Development Review All Wards Branch, or their designate. The Tree Information Report may require revision to reflect these changes.



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