

2025-04-10



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 450 Tremblay Road
Legal Description: Lots 140 & 141 and Part of Lots 139 & 937,
Registered Plan 320
File No.: D08-01-25/B-00056
Report Date: April 10, 2025
Hearing Date: April 15, 2025
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Inner Urban Transect, Neighbourhood,
Evolving Neighbourhood Overlay
Zoning: R3M

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.
- 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**.
- 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.
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- Existing street sign to be relocated at the owner's expense.

Planning Forestry

There are no impacts to protected trees associated with this severance application. There is one City tree on the corner of Tremblay and Avenue U that must be protected through construction of the proposed semi-attached dwelling.

The TIR fails to account for the removal of the existing stone retaining wall within the CRZ of tree 1; an updated TIR is required, providing specific tree protection and mitigation measures. Tree protection must be installed and maintained through construction, in keeping with the [Tree Protection Specification](#).

The applicant is asked to plant one tree per lot to enhance the streetscape and contribute to the City's canopy cover target. The new trees should be planted in the Avenue U right-of-way.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Consent Application. However, the owner shall be made aware that Private Approach permits are required to establish new driveways at 450 Tremblay Road and 452 Tremblay Road.

Transportation Engineering

Figure 48 of the 2014 St. Laurent Transit-Oriented Development Plan identifies Tremblay Road for the addition of a future dedicated cycling facility (i.e., bike lane or cycle track) in addition to the existing multi-use pathway on the north side of the road. Per Section 4.1.2 4) of the Official Plan, *"Development of land abutting an existing or planned cycling facility identified in the TMP and associated plans will be designed to minimize vehicle access across the cycling facility in order to reduce potential conflict points, such as by providing vehicular access to parking and service areas from side streets or rear lanes."* It is recommended that the proponent revise the development concept to provide

driveway access from the local street (Avenue U) rather than the major collector street (Tremblay Road).

A corner triangle (per Policy 2.1.1(e) of Schedule C16 of the Official Plan) is required. The corner triangle must be amended from the proposed 6 m by 5 m to measure 9 m along Tremblay Road (the collector) and 3 m along Avenue U (the local). The corner triangle must be dedicated to the City ROW as part of the severance application.

The site is located within 300 m of the O-Train Line 1 rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

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(s) provide proof, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, that the existing dwelling/building has been demolished in accordance with the demolition permit. Notice shall be provided in writing to the Committee from the Department confirming this condition has been fulfilled.
3. That the Owner(s) provide proof, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, that the accessory structure has been demolished in accordance with the demolition permit if required or relocated in conformity with the Zoning By-law. Notice shall be provided in writing to the Committee from the Department confirming this condition has been fulfilled.
4. That the Owner(s) enter into a Joint Use and Maintenance Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners with respect to the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, and foundations.

The Owner shall ensure that the Agreement is binding upon all unit owners and successors in title and shall be to the satisfaction of Manager of Development Review All Wards Branch within Planning, Development and Building Services

Department, or their designate, or City Legal Services. The Committee shall be provided written confirmation that the Agreement is satisfactory to the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or is satisfactory to City Legal Services, as well as a copy of the Agreement and confirmation that it has been registered on title.

5. That the Owner/Applicant(s) provide a tree planting plan, prepared to the satisfaction of the Manager of the relevant Branch within the Planning, Development and Building Services Department, or their designate(s), 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.
6. That the Owner/Applicant(s) provide a Grading and Servicing Plan with the proposed elements/structures (driveways, retaining walls, projections, services, 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 relevant Branch within the Planning, Development and Building Services Department, or their designate(s).
7. That the Owner/Applicant(s) provide a revised Tree Information Report, to the satisfaction of the Manager of the relevant Branch within the Planning, Development and Building Services Department, or their designate(s). This report shall be prepared by an Arborist, identifying all trees protected under the City's Tree Protection by-law, and meeting the standards of the City's Tree Information Report Guidelines, including an assessment of impacts related to the site plan, and specific mitigation measures where work is proposed within the Critical Root Zone of a protected tree.
8. That the Owner(s) provide evidence, to the satisfaction of the Manager of Development Review All Wards, Planning, Development and Building Services Department, that each existing parcel has its own independent storm, 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.
9. 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 Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

10. The Owner(s) shall prepare a noise attenuation study (or noise and vibration attenuation study if applicable) in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of to the satisfaction of the Manager of Development Review All Wards 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 (and vibration if applicable) 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.
11. 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, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise (Highway 417, Tremblay Road is a Major Collector Road, LRT corridor). The Agreement shall be to the satisfaction to the satisfaction of the Manager of Development Review All Wards 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.
12. 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 Insert ROW Name, fronting the subject lands, to the limits shown on the approved Site Servicing Plan. Where the approved Site Servicing Plan demonstrates the resurfacing is not required, based on the City's Road Cut Resurfacing Policy, the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.
13. Pursuant to clause 51 (25) (c) of the *Planning Act* and Schedule C16 of the City's Official Plan, the Owner conveys to the City, at no cost to the City, an unencumbered road widening across the complete Tremblay Road frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way. 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 shall be provided 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.

14. The Owner conveys to the City, at no cost to the City, an unencumbered corner sight triangle, measuring 3m x 9m at the intersection of Tremblay Road and Avenue u. The corner sight triangle must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the corner sight triangle, 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 corner sight triangle. The Committee shall be provided written confirmation from City Legal Services that the transfer of the corner sight triangle to the City has been registered. All costs shall be borne by the Owner.



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