

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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 2663 Innes Road
Legal Description: Part of Lot 13, Concession 2
File No.: D08-01-25/B-00048 to D08-01-25/B-00052
D08-02-25/A-00059 to D08-02-25/A-00063
Report Date: May 05, 2025
Hearing Date: May 06, 2025
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Outer Urban Transect, Neighbourhood,
Evolving Neighbourhood Overlay
Zoning: AM11

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has some concerns with** the applications. ~~for additional easements or revise plans to negate their requirement.~~

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 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 revised site plan was provided showing the front steps and the rear balconies. As per the revised site plan, the middle units of the front block of townhouses will be accessed by stairs located on the end units. Easements would be required for Part 4 over Part 5 and Part 3 over Part 2 to establish access. An easement must be applied for or a revised plan with the front steps facing the front must be provided.~~

~~The revised elevations and views show access to the basement which is not shown on the site plan. The plans must be updated accordingly.~~

Staff have concerns with the site functionality with respect to the parking spaces of the rear block of townhouses. Additional driveway space may be needed for the vehicles in the visitor parking space and the parking spaces perpendicular to the visitor parking to safely maneuver into and out from the aisle, though it is not a zoning requirement.

The revised plan shows carports for the parking spaces of the front block of townhouses. Staff are unable to review if the parking spaces would meet the minimum parking space dimensions as the posts of the carports are not shown. Minor variances may be required at building permit stage.

ADDITIONAL COMMENTS

Section 41(1.2) of the Planning Act states that a Site Plan Control application is not required if the development will contain no more than 10 residential units. The Planning Act does not distinguish between principal and additional dwelling units when counting “residential units”. The application does not state if Additional Dwelling Units are proposed within the townhouses. Thus, if the proposed development on this property would result in a building of more than ten residential units, a Site Plan Control application would be required.

The plans do not show walkways connecting the parking spaces to the front steps. Easements may be required for the ~~if the common walkway~~ **walkways cross property lines** in the front lot.

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**.
- 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.).

- 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.
- If deemed required after review by the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, and there is sufficient justification, the Owner(s) must obtain the approval of the Committee to grant easement(s) as required for drainage, on the title of the property, all at their own costs.
- **This property (Lot 1) will not be severable in the future without independent servicing for each unit.**
 - **Due to lack of frontage, this property (Lot 1), will not have separate servicing for each unit & is unlikely to be severable in the future.**

Planning Forestry

~~This site was the subject of a Site Plan application; a Tree Removal Permit was issued as part of the process to allow tree clearing to proceed. The TIR identifies one adjacent tree (#1) to be protected, however there are several adjacent trees near the boundary with 2645 Innes. The applicant should consider redesigning the layout of the driveway and parking, to reduce the extent of paving across the site, minimize impacts to adjacent trees, provide more soft landscaping, and space for new tree plantings.~~

~~To mitigate the heat island effect, enhance the streetscape, provide screening & shade to future residents, the applicant should plant trees on site following construction.~~

This site was the subject of a Site Plan application; a Tree Removal Permit was issued as part of the process to allow site clearing to proceed.

The proposed parking lots & driveways should be redesigned to minimize the amount of paving on site, and to make efficient use of the proposed driveway & drive aisle (parts 6 & 8). Reducing the extent of paving across the site will help to minimize impacts to adjacent trees and may provide more soft landscaping & space for new tree plantings. The site plan should also be updated to show walkways providing access to the rear townhouse building (part 7).

The TIR identifies one adjacent tree (#1) to be protected, however there are several adjacent trees near the boundary with 2645 Innes that would be impacted by the proposed driveway. The TIR should confirm the size of the adjacent trees, and their distance to the proposed work.

The TIR will need to be updated to reflect the latest site plan, once revised to satisfy staff comments & conditions.

To mitigate the heat island effect, enhance the streetscape, provide screening & shade to future residents, the applicant should plant trees on site following construction.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Consent Application to sever the property. A Private approach permit is required to construct any newly created or modified driveway/approaches or close redundant approaches so one is required to create the new 3m shared entrance. Acknowledge there will access easements serving access to parking for the different parcels.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](#) to submit a Private Approach application.

Transportation Engineering

A swept path analysis (AutoTURN) must be provided to confirm users of the visitor parking space and adjacent resident parking space can maneuver into and out of the spaces without reversing into Innes Road. Alternative parking layouts to improve maneuverability must be considered.

Innes Road along the site frontage is undergoing road resurfacing in the next 2-3years (LN55317). Construction coordination is required with the City of Ottawa infrastructure project manager. Contact moustafa.awadalla@ottawa.ca to discuss resurfacing plans and coordination

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 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). The Tree Information Report must be revised to reflect changes to the site plan, show accurate tree protection areas, and provide specific mitigation measures.
3. 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.

4. 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.
5. That the Owner(s) provide a Site Servicing Study/Brief, prepared by a Professional Civil Engineer, licensed in the Province of Ontario, outlining the municipal servicing requirements, including fire flow requirement, for each unit and indicating, if required, that capacity exists within existing City infrastructure. The study shall be to the satisfaction of Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
6. That the Owner(s) provide a Stormwater Management Report, prepared by a Professional Civil Engineer, licensed in the Province of Ontario, demonstrating a design for post-development stormwater peak flows that are controlled to pre-development peak flows for all stormwater events up to and including the 100 year storm event. The report shall be to the satisfaction of and approved by the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

If the Stormwater Management Report includes infiltration techniques, the Owner(s) must provide a supporting Geotechnical Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, for approval by the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

That the Owner(s) enter into a Development Agreement with the City to construct the required stormwater system, including posting required securities. A copy of the Agreement and written confirmation from City Legal Services that it has been registered on title, shall be forwarded to the Committee of Adjustment.

If applicable, the Owner(s) shall obtain an Environmental Compliance Approval from the Ontario Ministry of Environment, Conservation and Parks.

Should the stormwater management system cross property lines or access to the system be over multiple properties, that the owner will seek approval of the Committee to grant easement(s) for access and maintenance of the stormwater system or register a Joint Use and Maintenance Agreement on title of the properties, all at the owner(s) costs.

7. 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.
8. The Owner(s) shall prepare a Noise Control Study, in compliance with the City of Ottawa Environmental Noise Control Guidelines, to the satisfaction of the Manager of 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, at the expense of the Owner(s), that requires the Owner(s) to implement any noise control 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 (arterial, highway, airport, etc.). The Committee shall be provided a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.
9. 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, foundations, common areas, common driveways and common landscaping.

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.

10. 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 Innes Road, 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.



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