

2025-04-10

City of Ottawa | Ville d'Ottawa
Comité de dérogation



**PERMISSION APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 1**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 348 Olmstead Street
Legal Description: Lot 12, Block B, Registered Plan 381
File No.: D08-02-25/A-00066
Report Date: April 10, 2025
Hearing Date: April 16, 2025
Planner: Penelope Horn
Official Plan Designation: Inner Urban Transect, Minor Corridor Designation
Zoning: R4UA-c

RELIEF REQUESTED

The Applicant seeks the Committee's permission to enlarge or extend the legal nonconforming dwellings, to permit the second-storey addition **and allow minor additions**.

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

The *Planning Act* subsection 45 (2) (a) permits the Committee to grant permission to either (i) "enlarge or extend" a legal non-conforming building, structure or (ii) change the legal non-conforming use of the land, building or structure to a similar and equally- or more-compatible use. Staff have no concerns with the requested expansion of the legal non-conforming rights to facilitate the proposed addition.

When considering an application under s. 45(2)(a)(i) to expand/extend a legally non-conforming use, the Committee should consider if the proposal is desirable for the appropriate development or use of the land, building or structure. The effect of any expansion made must always be weighed against the impact it could have upon neighbouring properties enjoying a different land use classification. Staff do not anticipate adverse impacts to the public realm or abutting properties as a result of this application. The proposed re-wording of the permission being sought is to ensure that the extent of the changes proposed on site is captured by this application.

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.
- If required, existing street sign to be relocated at the owner's expense.

Planning Forestry

Two neighbouring trees would be impacted by the proposed conversion of the existing one-storey building. The addition of a second storey would require pruning of the neighbouring tree at 214 Heritage Maple Way to provide the necessary clearance. Additionally, the TIR refers to excavation around the existing foundations, within the critical root zones of the adjacent trees.

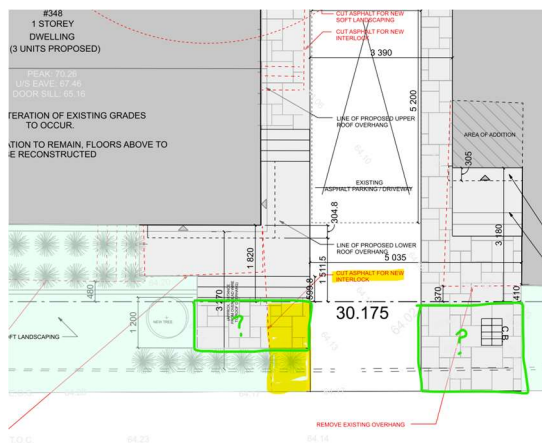
An updated TIR has been provided, outlining the impacts to the neighbouring tree at 214 Heritage Maple Way; impacts will be significant, but tolerable. The full extent of impacts & proposed work to the tree should be communicated to the neighbour, prior to starting work.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Permission Application. From the plans, the existing Private Approach (highlighted in yellow for 348 Olmstead building) is being modified therefore a private approach permit is required.

A Private approach permit is required to construct any newly created or modified driveway/approaches or close redundant approaches.

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.



The new interlock areas (circled in green) may not be supported by By-law Services (Use and Care of Roads By-law), as they are enforcing no walkways extending into the ROW. These look like open invitations for front yard parking.

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