

2025-05-29



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 37 Kenora Street
Legal Description: Lot 2159, Registered Plan 4M-48
File No.: D08-01-25/B-00095 & D08-01-25/B-00098
Report Date: May 29, 2025
Hearing Date: June 04, 2025
Planner: Luke Teeft
Official Plan Designation: Inner Urban Transect; Neighbourhood
Zoning: R3I; Mature Neighbourhoods Overlay

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the application.

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

Planning Forestry

- This site has already been constructed. A permit was issued for removal of the City owned tree in 2023, including a condition to plant 2 50mm replacement trees. A planting plan must be provided and implemented to improve the streetscape and canopy cover of the site following construction.

Right of Way Management

- The Right-of-Way Management Department has no concerns with the proposed Consent Application. The Owner shall be made aware however, that a private approach permit is required to construct any new entrance, as well as to modify or close an existing entrance that becomes redundant. As a result of the newly planned

driveways, two Private Approach Permits are required, one for 37A Kenora and 37B Kenora. The Owner must contact the ROW Department for further information at rowadmin@ottawa.ca.

CONDITIONS

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

1. That the Owner(s) provide evidence, to the satisfaction of both the **Chief Building Official and the Manager of the Development Review All Wards Branch, or their designates**, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, 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.
2. 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 the **Manager of the Development Review All Wards Branch, or their designate, or City Legal Services**. The Committee shall be provided written confirmation that the Agreement is satisfactory to the **Manager of the Development Review All Wards Branch, 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.

3. 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 existing source of environmental noise (collector road) and may therefore be subject to noise and other activities associated with that 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.



Luke Teeft
Planner I, Development Review, All Wards

Planning, Development and Building
Services Department



Erin O'Connell
Planner III, Development Review, All
Wards

Planning, Development and Building
Services Department

110 Laurier Avenue West, Ottawa ON K1P 1J1 Mail code: 01-14
110, av. Laurier Ouest, Ottawa (Ontario) K1P 1J1 Courrier interne : 01-14

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