



**CONSENT & MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 23 Bradley Street  
Legal Description: Lot 31, Registered Plan 633  
File No.: D08-01-26\_B-00015 D08-02-26\_A-00012 & D08-02-26\_A-00013  
Report Date: **March 2, 2026**  
Hearing Date: March 3, 2026  
Planner: Elizabeth King  
Official Plan Designation: Suburban Transect, Neighbourhood  
Zoning: R1D

**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.

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 variances meets the “four tests”.

Staff are requesting that the decision be tied to the requested minor variance and not tied to the plans submitted, to allow flexibility with any revisions to the plans as Forestry Staff have identified concerns with the proposed removal of Tree #1 located in the front yard and would like to explore options of retention.

## 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.).
- Provide a minimum of 1.5m between the proposed driveway and the utility pole.
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

### Planning Forestry

Staff are concerned with the large number of tree impacts related to the citing of the proposed buildings. Eight protected trees are proposed for removal, requiring permits and compensation planting, to be determined at the building permit stage. This must be corrected within the TIR.

While it is understood that tree #1, a healthy triple-stemmed tree within the frontage, is within the allowable building footprint, the current zoning provides ample space for the buildings to maintain the setback of the existing house. Maintaining this setback for one of the buildings could allow for the retention of tree #1, which would provide significant benefit to the streetscape, canopy cover, and the neighbouring property. This would also soften the transition between the existing neighbourhood context of large front yard setbacks to the newer more urban context.

Section 4.8.2 of the Official Plan provides strong direction to maintain the urban forest canopy and its ecosystem services during intensification noting when considering the impacts on individual trees, planning and development decisions, including Committee of Adjustment decisions, shall give priority to the retention and protection of large, healthy trees over replacement plantings and compensation. Applications must address the cumulative impacts on the urban forest, over time and space, with the goal of 40% urban forest canopy cover in mind.

Further, that the City and the Committee of Adjustment may refuse a development application where it deems the loss of a tree(s) avoidable or where an application fails to provide adequate soil volume for existing and/or new trees. The loss of tree #1 is considered to be avoidable with changes to the site plan layout including the design of the front entrance and servicing. A revised Site, Grading, Servicing Plan and TIR will be required to address the retention of tree #1 and to correct the permit and compensation requirements. The TIR must include the locations of all protected trees overlaid on the grading and site plan for adequate review. The planting plan must be updated to show the retained trees for context, to include the minimum required stock size, and to increase the number of planted trees where possible, including in the ROW, to improve the canopy cover of the site following development.

## 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 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 or relocated under the authority of a building permit.
2. 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.
3. 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.

The Owner(s) shall enter into a Development Agreement with the City to construct the required stormwater system, which may include 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 all necessary approvals 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.

4. 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.
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 Bradley Street, 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
6. That the Owner/Applicant(s) provide a revised Grading, Servicing and Site Plan with the locations of proposed elements (buildings, driveways, services, grading, capping location of existing services, etc.) designed and located to reduce excavation within the Critical Root Zones of protected and/or boundary/adjacent trees, particularly tree #1, and/or to provide sufficient soil volume to plant new trees, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their

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

7. That the Owner/Applicant(s) provide a revised Tree Information Report, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. 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 current site plan, and specific mitigation measures where work is proposed within the Critical Root Zone of a protected tree
8. That the Owner/Applicant(s) provide a tree planting plan, prepared to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, 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. Planting within the municipal right-of-way [or frontage] should be prioritized, where space allows, to enhance the streetscape and maximize public benefit.
9. **That the Owner/Applicant(s) to agree accurately determine the ownership of all adjacent or boundary trees to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. This may require confirmation from the arborist in addition to the survey. If the identified trees are determined to be boundary or adjacent trees, the owner/applicant(s) shall either provide a Declaration of Boundary Tree Co-owner from all impacted owner(s) for the removal of said tree(s) or, revise any and all plans to allow for the retention and protection of the adjacent or boundary trees, if this letter cannot be produced.**



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