



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2  
PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 2059 Artistic Place  
Legal Description: Part of Lots 2 & 3, Concession 3 (Rideau Front) former  
Geographic Township of Gloucester  
File No.: D08-01-23/B-00116  
Report Date: June 1, 2023  
Hearing Date: June 6, 2023  
Planner: Siobhan Kelly  
Official Plan Designation: Outer Urban Transect, Industrial and Logistics  
Zoning: IL

**Committee of Adjustment**  
Received | Reçu le  
**2023-06-01**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**DEPARTMENT COMMENTS**

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

**DISCUSSION AND RATIONALE**

The applicant is proposing to sever the subject property known municipally as 2059 Artistic Place into two lots along Sawmill Creek which runs through the property from the north to the south. The retained lot shown as Parts 1 and 2 on the draft reference plan will front onto Artistic Place. The severed lot shown as Parts 3, 4, 5, 6, 7, 8, and 9 will front onto Johnston Road. The landscaping company that currently operates on the site will remain on the retained lot and the severed lot will be conveyed to a new owner for future development.

The Official Plan designates the property Industrial and Logistics in the Outer Urban Transect. The Official Plan provides policy direction to preserve lands designated Industrial and Logistics for manufacturing, logistics, storage and other related uses and to limit non-industrial and ancillary uses. The property is subject to the Johnston Road Employment Area (37) Area-Specific Policy. This policy identifies that lands within its boundaries may be appropriate for future intensification and are subject to future land use studies.

Section 4.9.3 of the Official Plan limits development and site alteration near surface water features. Policy 8 allows a lot created by severance to include land within the

watercourse setback if the City and the conservation authority agree that the severance will not negatively affect aquatic and shoreline habitats and that there is sufficient area outside of the setback for structures and water and wastewater services to be built. As discussed below, Environmental Planning staff is satisfied that the severance will not negatively affect the watercourse and deferred the requirement for an Environmental Impact Study (EIS) to the subsequent Site Plan Control application. Further, the South Keys to Blossom Park Community Design Plan (CDP) identifies that this portion of Sawmill Creek “has been significantly impacted by adjacent development and there is very little natural corridor remaining. The Creek has been channelized through commercial properties (garden centre and auto dealership).”

The property is zoned Light Industrial (IL). The purpose of this zone is to permit low impact light industrial uses and office uses. The Zoning By-law requires lots zoned Light Industrial to be a minimum area of 2000 square metres. As proposed, the retained and severed lots are 21843.46 square metres and 48974.75 square metres respectively, which exceed the minimum lot area requirements in the IL zone.

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. The severed and retained lots will both front onto a public street, the dimension and shape of the resulting lots are suitable for Light Industrial uses and the severance conforms with the general intent of the Official Plan.

## **ADDITIONAL COMMENTS**

### **Environmental Planning**

As part of the pre-application consultation process, Environmental Planning staff confirmed that the requirement for an EIS could be deferred to the subsequent Site Plan Control application as per the City’s Environmental Impact Study Guidelines. The deferral is appropriate as the applicant will have more information about the proposed development at the Site Plan Control stage, which will lead to a more precise analysis of potential impacts and mitigation measures.

The EIS should assess the watercourse, its ecological function and the attendant setbacks. The EIS should also consider the unevaluated wetlands located to the east of the site. Orthophotos show that the wetland was cleared, but considerable pooling continues in that area, and it is possible that wetland species recolonized the feature as the source of water remains.

### **Planning Forestry**

Planning Forestry staff do not have concerns with the severance application. Through the site plan review process tree retention and planting will be a priority.

## CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions on the application:

1. Pursuant to Section 50.1(25)(c) of the *Planning Act* and Schedule C16 of the City's Official Plan, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete Johnston Road frontage of the lands to account for the 26-metre protected right-of-way measured from the south side. 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 requires 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.
2. That the Owner(s) provide evidence (servicing plan), to the satisfaction of the Development Review Manager of the South Branch within Planning, Real Estate and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that both the severed and retained parcels have their own independent water, sanitary and sewer connection, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner(s) will be required to relocate or construct new services from the city sewers and/or watermain at his/her own costs.

In the case of a vacant parcel being created, the Owner(s) shall provide evidence (servicing plan), to the satisfaction of the Development Review Manager of the Select Branch within Planning, Real Estate, and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the parcel has access to sufficient services with adequate capacity.

3. That the Owner(s) provide 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, to the satisfaction of the Development Review Manager of the South Branch within Planning, Real Estate and Economic Development Department, or his/her designate to be confirmed in writing from the

Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties.



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Siobhan Kelly  
Planner I, Development Review, South  
Planning, Real Estate and Economic  
Development Department



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Mélanie Gervais, RPP, MCIP  
Planner III, Development Review, South  
Planning, Real Estate and Economic  
Development Department