



May 30, 2023

Mr. Michel Bellemare  
Secretary Treasurer  
Committee of Adjustment  
101 CentrepoinTE Drive  
Ottawa, Ontario  
K2G 5K7

Committee of Adjustment  
Received | Reçu le

2023-05-31

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

Dear Mr. Bellemare:

**RE: Consent Application – 1568 Meadowbrook Road – Ward 11 – Beacon Hill / Cyrville – Panel 2**

Please find enclosed three consent applications submitted under Section 53 of the Planning Act for the property know as 1568 Meadowbrook Road

Attached with this letter are copies of the following documents:

- Three Committee of Adjustment Applications – Consent
- Site Plan for 1568 Meadowbrook Road
- Draft Reference Plan for 1568 Meadowbrook Road
- Tree Report

The owner wishes to sever 1568 Meadowbrook to create 4 lots which will allow for the construction of four long semi-detached dwellings and to do so requires the consent of the Committee.

The site is subject to a Zoning By law Amendment – City file number: ACS2023-PRE-PS-0047 which was considered by Planning Committee on May 17<sup>th</sup>, 2023, and City Council on May 24<sup>th</sup>, 2023. Planning Committee and Council approved the proposed Zoning Bylaw Amendment. The proposed consent application and associated easements conform to the staff recommended zoning.



Under the Zoning Bylaw Application, 1568 Meadowbrook Road has been rezoned from Residential First Density, Subzone WW (R1WW) to Residential Second Density Zone, Subzone N, Urban Exception XXXX (R2N [XXXX]).

The below table outlines how this proposed development meets the R2N [xxxx] zoning provisions and are further illustrated on the attached site plan.

<b>R2N [xxxx] Provisions – Long Semi Detached</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Width	9m	9.915m
Minimum Lot Area	300m <sup>2</sup>	362 m <sup>2</sup>
Building Height	9m	9m
Minimum Front Yard	5m	5.01m
Minimum Rear Yard	7m	7m
Minimum Interior Side Yard	0.6m	0.6m



Figure 3 – Site Plan of 1568 Meadowbrook Road





## **Application Summary - Consent**

The purpose of the applications is to allow the creation of four lots which will allow the creation of one long semi-detached dwelling with secondary dwelling units on each parcel for a total of 16 dwelling units, eight principal and eight secondary dwelling units.

The severances are meant to facilitate the development of both the severed and retained parcels which have been subject to a pre-consult with the City of Ottawa Planning Department and a positive staff report recommending the implementing zoning on the site has been approved by Planning Committee and City Council.

A reference plan, site plan and the staff zoning report are attached to this application.

Three consent applications have been filed and are summarized below. Further, several easements are required to allow pedestrian and vehicle access to the dwellings and are described below.

### **Application 1**

- Sever Parts 1, 2, 9, 10 and retain Parts 3,4,5,6,7,8,11,12,13,14,15,16
- Easement over Part 2 in Favour of 4, 12, 5, 13 for cars and pedestrians, Easement over Part 10 in Favour of 4, 12, 5, 13, Easement over Part 11 in Favour of 1, 9 for pedestrians, and an Easement over Part 3 in Favour of 1, 9 for cars and pedestrians.

### **Application 2**

- Sever Parts 3,4,11,12 and retain Parts 5,6,7,8,13,14,15,16
- Again, Easement over Part 2 in Favour of 4, 12, 5, 13 for cars and pedestrians, Easement over Part 10 in Favour of 4, 12, 5, 13 for pedestrians, Easement over Part 11 in Favour of 1, 9 for pedestrians, and an Easement over Part 3 in Favour of 1, 9 for cars and pedestrians.

### **Application 3**

- Sever Parts 5,6,13,14 and retain Parts 7,8,15,16
- Easement over Part 6 in Favour of Part 8, 16, Easement over Part 14 in Favour of Part 8, 16, Easement over Part 7 in Favour of Part 6 and 13, Easement over Part 15 in Favour of Part 6 and 13

## Rationale

The regulatory framework for a consent is spelled out in the Planning Act. Specifically, Section 53 (1) states that an Owner:

“May apply for a consent as defined in subsection 50(1) and the council or the Minister, as the case may be, may, subject to this subsection, give consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.”

In my opinion, a subdivision is not required as the consent application is solely meant to facilitate the creation of four residential lots which will conform to the underlying zoning. A subsequent building permit application will be needed to ensure that the new long semi-detached dwellings, when constructed, will conform to the City Zoning Bylaw regulations and that appropriate site servicing is in place. This will ensure that this parcel is developed in a proper and orderly manner.

Further, Part VI of the Planning Act, Section 53(12) states that:

“a council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51(24) and has the same powers as the approval authority has under subsection 51(25) with respect to the approval of a plan of subdivision and subsection 51(26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent.”

Accordingly, the criteria from this section will be used to determine that a consent is appropriate for this site. Table 1 show this criterion and denotes those applicable to the site and how, in my opinion, support the proposed consent.

**Table 1: Planning Act Section 51 – Part 25 Compliance**

Provision	Applicability	Application Compliance
<b>(a) The effect of the development of the proposed subdivision on matters of provincial interest as referred to in section 2.</b>	Yes	The Provincial Policy Statement (PPS) provides direction on matters of provincial interest on land use planning which local planning decisions must be consistent with. The policies of the PPS focus growth within settlement areas with lands uses managed to

		accommodate a full range of current and future needs taking advantage of existing infrastructure. The proposed consents conforms to the overall objectives and intent of the PPS and supports one of its main tenets, specifically Section 1.1.3.6: New development taking place in designated growth areas should occur adjacent to the built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
<b>(b) Whether the proposed subdivision is premature or in the public interest;</b>	Yes	The subject lands are already identified as appropriate parcels within the City of Ottawa. The consent is therefore in the public interest as it allows the proper division of the parcel to allow the proposed construction.
<b>(c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</b>	Yes	The parcels conform to the appropriate OP policies.
<b>(d) The suitability of the land for the purposes for which it is to be subdivided;</b>	Yes	The consent application is meant to facilitate the creation of new parcels and long semi-detached dwelling units. Any development that occurs will adhere to City regulations and will occur in accordance with the City of Ottawa Official Plan.
<b>(e) If any affordable housing are being proposed the suitability of the proposed units for affordable housing;</b>	No	
<b>(f) The number, width, location and proposed grades and elevations</b>	No	



<p>of highways and the adequacy of them, and the highways linking the highways in the proposing subdivision with the established highway system in the vicinity and the adequacy of them;</p>		
<p><b>(g) The dimensions and shapes of the proposed lots;</b></p>	<p>Yes</p>	<p>The parcels are of an appropriate size to accommodate the proposed long semi-detached dwellings. All four parcels are of a size and dimension that is an appropriate in the context of the Meadowbrook streetscape.</p>
<p><b>(h) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on the adjoining land;</b></p>	<p>No</p>	
<p><b>(i) Conservation of natural resources and flood control;</b></p>	<p>No</p>	
<p><b>(j) The adequacy of utilities and municipal services;</b></p>	<p>Yes</p>	<p>An adequacy of services report was provided to support the ZBLA process and found the Utility and Municipal Services to be adequate.</p>
<p><b>(k) The adequacy of school sites;</b></p>	<p>No</p>	
<p><b>(l) The area of land, if any, within the proposed subdivision that, exclusive of highways is to be conveyed or dedicated for public purposes;</b></p>	<p>No</p>	
<p><b>(m)The extend to which the plan’s design optimized the available supply, means of supplying, efficient use, and conservation of energy; and</b></p>	<p>No</p>	
<p><b>(n) The interrelationship between the design of the proposed plan of subdivision and site plan</b></p>	<p>No</p>	<p>The proposed development is exempt from site plan control.</p>

**control matters relating to any development on the land, if the land is also located within a site plan control area designed under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30;2001, c. 32, s. 31(2); 2006, c.23, s. 22 (3,4); 2016, c. 25, Sched. 4, s. 8 (2).**

## **Conclusion**

It is our opinion that the consent process is appropriate for the creation of the new parcels. The consent process allows all four newly created parcels to develop in a manner consistent with the Official Plan and the recently approved zoning bylaw amendment.

As a result, it is my opinion the proposed consent is appropriate as it enables good urban development.

Sincerely,

Peter Hume  
HP Urban Inc.

Alison Clarke  
The Stirling Group