



Committee of Adjustment

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City of Ottawa | Ville d'Ottawa

Comité de dérogation

CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3
PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1222 Century Road
Legal Description: Part of Lot 6, Concession A (Broken Front), Former
Geographic Township of Rideau
File No.: D08-01-23/B-00166
Report Date: July 13, 2023
Hearing Date: July 13, 2023
Planner: Luke Teeft
Official Plan Designation: Rural Transect, Agricultural Resource Area
Zoning: AG3 - Agricultural, Subzone 3

DEPARTMENT COMMENTS

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

DISCUSSION AND RATIONALE

The subject property is located adjacent to the village of Manotick and is designated as Agricultural Resource Area in Schedule B9 of the Official Plan. The intent of the Agricultural Resource Area designation is to protect farmland and minimize the loss of agricultural land.

The subject site is zoned AG3 – Agricultural, Subzone 3. The purpose of the Agricultural zone is to recognize and permit agricultural uses in areas designated Agricultural Resource Area in the Official Plan.

The proposed severance shown as Part 1 on the attached 4R-Plan will have frontage of 90.87 metres on Century Road, a depth of 91.40 metres, and an area of 0.81 hectares. The parcel will contain the existing dwelling and will continue to be known municipally as 1222 Century Road. The retained parcel will have frontage of 1703.36 metres on Century Road, a depth of 102.4 metres, and a total lot area of 14.26 hectares. The retained parcel will contain the vacant agricultural lands and will be known municipally as 1260 Century Road. The proposed severance is of an acceptable size that preserves as much previously farmed land as possible.

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, subject to the following conditions.

ADDITIONAL COMMENTS

Building Code Services

- Building Code Services does not have any comments.

Right of Way Management

- The Right-of-Way Management Department has **no concerns** with the proposed Consent Application. However, the owner shall be made aware that a private approach permit is required to establish a driveway/entrance way to the severed property.

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. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or his/her designate, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

“The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

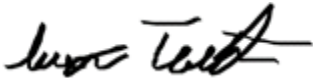
The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

2. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of **Development Review Manager of the Rural Branch within Planning, Real Estate and Economic Development Department, or his/her designate**, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

“The City of Ottawa has identified that there are potential sensitive marine clays and thin soils within the area that may require site specific detailed geotechnical engineering solutions to allow for development, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title

3. That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the **General Manager of the Planning, Infrastructure and Economic Development Department, or his/her designate**, to be confirmed in writing from the Department to the Committee, that re-zones the retained lands to prohibit residential development, with all levels of appeal exhausted.
4. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way along Century Road and 15 meters from the existing centerline of pavement/the abutting right-of-way along Rideau Valley Drive North, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's new Official Plan. 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.



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