

2023-10-12



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1641 and 1655 Comstock Road
Legal Description: Part of Lot 25, Concession 2 (Ottawa Front) former
Geographic Township of Gloucester
File No.: D08-01-23/B-00249
Report Date: October 11, 2023
Hearing Date: October 17, 2023
Planner: Cass Sclauzero
Official Plan Designation: Outer Urban Transect, Neighbourhood
Zoning: 1L2 F(0.7) H(14)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development 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

The applicant owns two abutting parcels (1641 and 1655 Comstock Road) that have merged on title as a result of both parcels coming under common ownership. Consent from the Committee of Adjustment is required to sever the parcels and unmerge the titles.

Although the proposed severed parcel is a whole Part on a reference plan that was subject to a previous consent application, the applicant does not benefit from an exemption under Section 50 (3) of the *Planning Act*. This is because the retained parcel is made up of various Parts, rather than being a whole Part on a plan of subdivision, and it was not previously conveyed by way of consent. Further, although the severed parcel is a whole Part on a reference plan that was previously conveyed by way of consent, it

was conveyed prior to March 31, 1979. Therefore, consent from the Committee is required to convey Part 2 as shown on the draft reference plan submitted with the application.

Planning Forestry

Through pre-application consultation it was determined that no Tree Information Report is required as no construction is proposed for this technical severance. It is strongly recommended to plant new trees in the right of way in front of this property, to improve the streetscape and canopy cover of the site.

Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed lot consent application as there are no requested changes to private approaches.

CONDITIONS

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

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
2. That the Owner(s) satisfies the **Chief Building Official, or designate**, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed severance to the existing building on Part 2 of Plan 4R-draft shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regard to the limiting distance along the northerly of the proposed property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.



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