

2024-01-12



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 1400, 1410, 1420, 1430, 1440 Blair Towers Place
Legal Description: Part of Lot 21, Concession 2 (OF), Geographic Township of Gloucester
File No.: D08-01-23/B-00308 & D08-01-23/B-00309
Report Date: January 11, 2024
Hearing Date: January 16, 2024
Planner: Cass Sclauzero
Official Plan Designation: Outer Urban Transect, Hub, Evolving Neighbourhood Overlay
Zoning: MC F(1.8) H(48) & TD2[2085]

DEPARTMENT COMMENTS

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

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 lot line adjustment and easements for access and servicing.

ADDITIONAL COMMENTS

After the conveyance, the subject lands abutting Part 1 and known municipally as 1400, 1410, 1420 and 1430 Blair Towers Place will continue to benefit from existing access and servicing easements over Part 3 on the draft reference plan submitted with the application. No additional easements are required.

Infrastructure Engineering

Any future development application associated with Parts 2 and 3 on the draft reference plan may be required to prepare a noise attenuation study or noise and vibration attenuation study, if applicable. Conditions of approval may require that the Owner(s) implement any noise and/or vibration control measures recommended in the approved study and may be required to prepare covenants/notices recommended in the approved

that shall be registered on the land title and bind future owners on subsequent transfers, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise (arterial, highway, airport, etc.).

Planning Forestry

There are no tree-related concerns with this application. Any impacts from future development will be assessed through the site plan control approval process.

Right of Way Management

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

Transportation Engineering

Transportation Engineering Services has provided comment through the TIA Strategy process, circulated in October 6, 2023 (circulation #19114), per the associated pre-application consultation PC2023-0363.

The site is located within 300 m of the OLRT rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

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(s):

1. That the Owner(s) enter a Joint Use, Maintenance and Common Elements Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners.

The Joint Use, Maintenance and Common Elements Agreement shall set forth the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways and common landscaping.

The Owner shall ensure that the Agreement is binding upon all the unit owners and successors in title and shall be to the satisfaction of the **Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate, and City Legal Services**. The Committee requires written confirmation that the Agreement is satisfactory to the **Manager of the East Branch within Planning, Real Estate and Economic Development Department, or their designate**, and is satisfactory to **City Legal Services**, as well as a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title.



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