



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 6109 Fourth Line Road
Legal Description: Part of Lot 12, Concession 3, North Gower
File No.: D08-01-24/B-00015
Report Date: February 29, 2024
Hearing Date: March 05, 2024
Planner: Luke Teeft
Official Plan Designation: Rural Transect, Agricultural Resource Area
Zoning: AG2

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has some 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 concerns with the proposed consent. The severed lot is considered large for a surplus farm dwelling severance, and staff request that the lot size be reduced.

The subject property is zoned AG2 and designated Agricultural Resource Area under Schedule B5 of the Official Plan. The proposed surplus farm dwelling severance is fully in line with the policies of the Official Plan for surplus farm dwellings in the Agricultural Resource Area. Staff have some concerns with the size of the proposed surplus farm lot. Historic map imagery shows that there is over an acre of land to the rear of the proposed parcel which appears to have been previously farmed. Staff have some concerns with the application as submitted due to the size of the surplus lot, but should Committee choose to consider this application it needs to be subject to the following conditions.

CONDITIONS

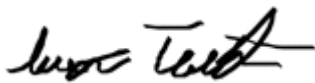
If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions on the application:

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 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 15 meters from the existing centerline of pavement/the abutting right-of-way along **Fourth Line Road**, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City’s new Official Plan, **if required**. 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.
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 prohibits residential development on the retained lands, with all levels of appeal exhausted.
4. 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 permits a reduced lot width on the severed lands, with all levels of appeal exhausted.

A handwritten signature in black ink, appearing to read "Luke Teeft".

Luke Teeft
Planner I, Development Review, Rural
Planning, Real Estate and Economic
Development Department

A handwritten signature in blue ink, appearing to read "Cheryl McWilliams".

Cheryl McWilliams
Planner III, Development Review, Rural
Planning, Real Estate and Economic
Development Department