

2024-03-12



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

**PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Address: 839 Shefford Road  
Legal Description: Part of lot 15, Concession 1 (Ottawa Front), Gloucester;  
Parts 1 to 4 on Plan 4R-10693  
File No.: D08-01-23/B-00349, D08-01-24/B-00023  
Report Date: March 14, 2024  
Hearing Date: March 19, 2024  
Planner: Jerrica Gilbert  
Official Plan Designation: Outer Urban, Mixed Industrial  
Zoning: IL2[294]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.

The City of Ottawa's Official Plan under Section 4 City-Wide Policies seeks to support the shift towards sustainable modes of transportation. There is a City-owned multi-use pathway, which is considered a cycling facility, within the east boulevard of Shefford Road fronting the subject lands. Under Section 4.1.2 Policy 4, development of land abutting an existing or planned cycling facility identified in the Transportation Master Plan and associated plans will be designed to minimize vehicle access across the cycling facility (in this instance, the multi-use pathway) in order to reduce potential conflict points between active transportation users and vehicles.

When the severance was presented on February 20, 2024, (file D08-01-23/B-00349) there were concerns that without an easement there would be another vehicular access cutting through the multi-use pathway. This concern is being addressed by the applicant applying for an access easement to be registered over Part 2 on Plan 4R-10693 in

favour of Part 3 (D08-01-24/B-00023). Planning staff are also recommending the condition of a 30cm reserve being placed along the frontage of Part 3 to restrict vehicular access to ensure the integrity of the multi-use pathway.

If the severed and retained lots are to share a vehicular access, there is no issue with the consent conforming to the Official Plan, as required by section 51(24)(c) of the Planning Act. The severed and retained lot would conform to the Light Industrial requirements of the Zoning By-law.

## **ADDITIONAL COMMENTS**

### **Building Code Services**

One condition has been included for the consent to ensure that the existing building on Part 1 conforms to the limiting distance requirements of the Ontario Building Code. This condition is to ensure that there is adequate consideration of fire safety for the windows on the southern building face.

### **Infrastructure Engineering**

One standard condition has been recommended for the consent to ensure that the lots can be adequately graded and independently serviced.

### **Planning Forestry**

There are no tree impacts associated with this consent application. Future development will be subject to Site Plan Control and will need to prioritize retention of existing trees. Tree retention and future planting opportunities will be addressed through the site plan process.

### **Transportation Engineering**

The Department recommends that an easement is provided over Part 2 for shared access to the site from Shefford Road. The establishment of an easement would reduce the number of vehicular accesses across the multi use pathway on the east side of Shefford Road. Restricting new accesses from Parts 3 and 4 would ensure that Official Plan Section 4.1.2 Policy 4 will be met by reducing potential conflict points for the cycling facility.

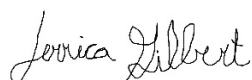
### **Right of Way Management**

The Right-of-Way Management Department has **no concerns** with the proposed Consent Application as there are no requested changes to the private approach/driveway location. The application is proposing to provide an access easement to be established over Part 2 for the severed and retained lots to share vehicular access.

## 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(s) provide evidence to the satisfaction of both the **Chief Building Official and Development Review Manager, Planning, Real Estate and Economic Development Department, or designates**, that both severed and retained parcels are capable of having their own independent water, sanitary and storm connection as appropriate.
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 the proposed severance of the existing building on Part 1 of Plan 4R-10693 shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regard to the limiting distance along the southerly proposed property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
3. That the Owner(s) convey to the City, at no charge to the City, a 0.30-metre reserve over Part 3 on Plan 4R-10693 for the purpose of restricting vehicular access to the satisfaction of the **General Manager of the Planning, Infrastructure and Economic Development Department**, or designate. The Transfer must be registered by the **City Legal Services**. The Committee requires written confirmation from City Legal Services that the land for the reserve has been conveyed to the City.



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