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March 22, 2024

Committee of Adjustment
City of Ottawa
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Committee of Adjustment

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2024-03-25

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Michel Bellemare, Secretary – Treasurer

**Reference: 5394 and 5398 Mansel Crescent, Manotick, Ottawa, Ontario
Application for Lot Line Adjustment
Novatech File No.: 122209**

Novatech has been retained by the owner of 5394 Mansel Crescent to support an application for Lot Line Adjustment between 5394 and 5398 Mansel Crescent (the Subject Properties). The property owners have agreed to exchange this area of land, based on how the properties are used. A lot line adjustment application is needed for a minor boundary adjustment following the construction of the detached dwellings on both properties.

This letter describes the existing conditions of the site and its surrounding context, the proposal, and provides a rationale in support of the application.

Existing Conditions

The Subject Properties are located in the Village of Manotick, within the City of Ottawa's Rideau-Jock Ward (Ward 21). Both properties are being developed with detached dwellings currently under construction and nearing completion. The neighbouring lots are similarly developed with 2.5- to 3-storey dwellings on lots with areas ranging from approximately 2240 m² to 4100 m².

As shown in **Figure 1**, 5394 Mansel Crescent is an interior pie-shaped lot with a frontage of approximately 33.34 m and an area of approximately 2,981 m² located on the south side of Mansel Crescent. 5398 Mansel Crescent is an interior pie-shaped lot with a frontage of approximately 29.35 m and an area of approximately 4,416.5 m² located on the west side of Mansel Crescent. The Subject Properties are in a residential area and are bounded by residential uses to the north and west, by the Ivy and Gordon Scharf Park to the south, and by the Wilson Cowan Municipal Drain to the east.

The legal descriptions of the properties are:

5394 Mansel Cres: PCL 18-1, SEC 4M-878 ; LT 18, PL 4M-878 ; S/T LT850006,LT850007 RIDEAU

5398 Mansel Cres: PCL 17-1, SEC 4M-878 ; LT 17, PL 4M-878 ; S/T LT850006,LT850007 RIDEAU



Figure 1: Subject Properties (GeoOttawa, 2022)

The Subject Properties are zoned *Village First Density Subzone P (V1P)* in the *City of Ottawa Zoning By-law 2008-250*. The Subject Properties are designated *Village* in the *Rural Transect* of the *City of Ottawa Official Plan (2022)*. The Subject Properties are designated *Residential – Detached Estate* in the *Village of Manotick Secondary Plan*. The existing residential uses on the Subject Properties are permitted in the designations and zone noted above.

Proposed Consent Application

The proposed lot line adjustments seek to alter the property line dividing 5394 Mansel Crescent and 5398 Mansel Crescent to support a minor boundary change following construction of the houses on both properties. As shown in **Figure 2**, Part 1 on the draft Reference Plan will be severed from 5398 Mansel Crescent and conveyed to 5394 Mansel Crescent.

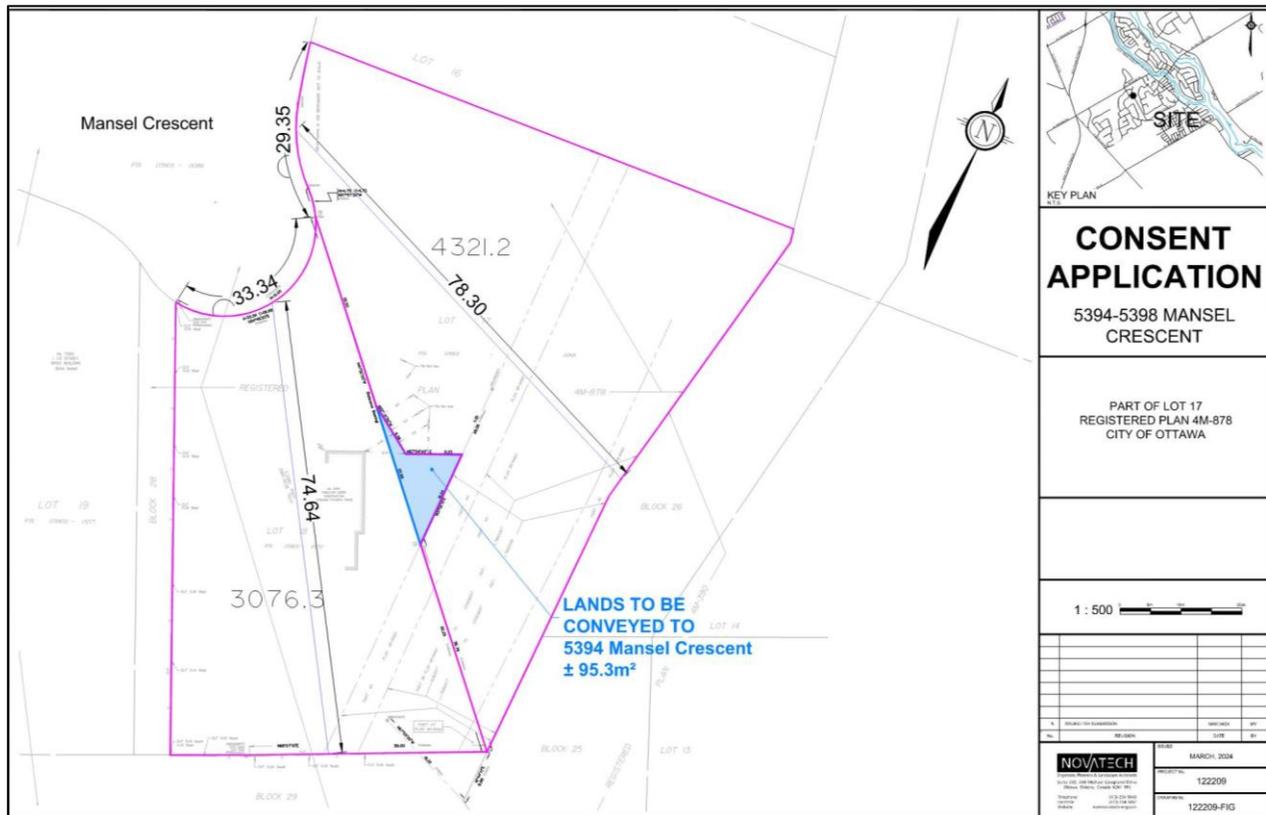


Figure 3: Excerpt from Consent Sketch prepared by Novatech dated March 4, 2024.

Following the lot line adjustment, the lot areas will be approximately 3,076.3 m² and 4,321.2 m² for 5394 Mansel Crescent and 5398 Mansel Crescent, respectively, as shown in **Figure 3**. There will be no change to the lot frontage or width of either property as a result of this application.

The lot pattern in the community will be minimally impacted by the proposed lot line adjustment as the adjusted lots will maintain lot areas that are consistent with neighbouring properties.

Consent Rationale

The following rationale demonstrates the appropriateness of the consent application to facilitate the proposed lot line adjustment.

Subsection 53(1) of the Planning Act states:

53. (1) An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).

A plan of subdivision is not necessary for the adjustment of a lot line between two existing lots in a Registered Plan of Subdivision, where both lots have frontage on a public road and will be privately serviced.

Subsection 53(12) of the Planning Act states:

53. (12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.

Accordingly, the following rationale will address the criteria outlined in subsection 51(24) of the *Planning Act* below.

51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The purpose of this *Consent (Lot Line Adjustment)* application is to exchange a parcel of land between two land owners and does not represent a development application under the *Planning Act*. The proposed lot line adjustment supports the development of residential land within a rural settlement area intended to be the focus of growth and development, and thereby supports the efficient use of land and resources.

(b) whether the proposed subdivision is premature or in the public interest;

The Subject Properties are located within the Village of Manotick and is in an existing residential neighbourhood. The proposed lot line adjustments will adjust a pre-existing lot line and is therefore not premature.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The purpose of this *Consent (Lot Line Adjustment)* application is to exchange a parcel of land between two land owners and does not represent a development application under the *Planning Act*.

Per *Official Plan Section 11.5, Policy 8*, lot line adjustments are permitted in any designation for legal and technical reasons, including minor boundary adjustments which do not result in the creation of a new lot or render an existing lot as non-complying.

5394 and 5398 Mansel Crescent were created through Plan 4M-878 and complied with the Zoning By-law in-effect at the time of creation, the Former Township of Rideau Zoning By-law

2004-428. The lots currently do not comply with the lot width provision of the V1P Zone as stated in the City of Ottawa Zoning By-law 2008-250.

This proposed lot line adjustment will only impact the lot area for both 5394 and 5398 Mansel Crescent and has no impact on the lot width (or measurement thereof) for either property. The proposed lot line adjustment does not result in the creation of a new lot, nor does this application render the existing lots as non-complying.

Both parcels will continue to have safe access to an existing public road (Mansel Crescent) and do not require the extension or opening of any transportation infrastructure. Both parcels have existing easements that accommodate an appropriate setback, access and maintenance for the Wilson Cowan Municipal Drain to the east.

The proposed lot line adjustment conforms to the Official Plan.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The purpose of this *Consent (Lot Line Adjustment)* application is to exchange a parcel of land between two land owners and does not represent a development application under the *Planning Act*. The Subject Properties are designated as *Village on Schedule B9 – Rural Transect* in the City of Ottawa Official Plan (2022). The Subject Properties are designated as *Residential – Detached (Estate) on Schedule A – Designation Plan* in *Volume 2B - Village of Manotick Secondary Plan*. The existing residential uses are permitted by the Official Plan and Secondary Plan designations. The residential uses will continue following the lot line adjustment.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Not applicable. No affordable housing units are proposed.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed lot line adjustments do not propose any new roads and will not affect highways or the highway system. Schedule C16 of the Official Plan indicates that local roads in villages and the rural area will have a protected right-of-way width of 20.0 m. As shown on the draft reference plan, Mansel Crescent has an existing right-of-way width varying from 20.0 m to 40.20 m in front of the Subject Properties, and as such, no further road widening is anticipated.

(f) the dimensions and shapes of the proposed lots;

The proposed lot line adjustment will result in two lots that will reflect the shape of the constructed dwellings and accommodate appropriate setbacks. These lot shapes will fit into

the lot fabric of the neighbourhood, where there is a mix of lot shapes and sizes. In particular, the new lot shapes will appear similar to the interior pie-shaped lots on the northern cul-de-sac of Mansel Crescent and will comply with the minimum lot width provision of the Zoning By-law.

As discussed above, the existing lots complied with the Zoning By-law in effect at the time of subdivision registration but do not comply with the City of Ottawa Zoning By-law 2008-250 with regards to lot width. The proposed lot line adjustment only affects the lot area and has no impact on the lot width (or measurement thereof) for either property. The proposed lot line adjustment does not result in the creation of a new lot, nor does this application render the existing lots as non-complying.

No new lots will be created through this lot line adjustment and the single detached dwellings on both lots are under construction and nearing completion. As such, no further building permits are anticipated for either lot. We note that the City of Ottawa Building Code Services reviewed the zoning and issued building permits for both properties.

This lot line adjustment application does not affect the lot width or the calculation thereof for either lot. Any future development on either lot may address the lot width compliance issue as necessary.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are two existing easements over both properties to provide adequate setback to and access and maintenance for the Wilson Cowan Drain by the RVCA and the City of Ottawa, respectively. This easement does not affect the proposed lot line adjustment and is only being shown on the draft reference plan to reflect what is existing.

(h) conservation of natural resources and flood control;

As noted above, the properties abut the Wilson Cowan municipal drain to the east and both properties have easements to ensure an appropriate setback, access and maintenance to the municipal drain. The proposed lot line adjustment has no impact on the conservation of natural resources or flood control.

(i) the adequacy of utilities and municipal services;

No new demand for utilities or municipal services is anticipated. The lots have access to existing utilities and municipal storm sewers along Mansel Crescent. The existing detached dwellings are serviced by private individual wells and septic systems as discussed in the Existing Septic Systems letter prepared by Novatech dated March 22, 2024.

(j) the adequacy of school sites;

This application is for a minor boundary adjustment between two existing residential lots and will not generate additional demand for school sites.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Not applicable. No land is to be dedicated or conveyed for public purposes.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

Not applicable.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is not subject to site plan control.

The proposed lot line adjustments meet the criteria set out in Section 51(24) of the Planning Act.

Conclusion

The proposed lot line adjustment for 5394 and 5398 Mansel Crescent is required to facilitate a minor boundary adjustment following the construction of detached dwellings on the existing residential lots.

The proposed lot line adjustment does not require a plan of subdivision and meets the criteria of Subsection 51(24) of the Planning Act, is not premature and is a suitable and efficient use of the land with minimal impact on the public interest.

The proposed lot line adjustment complies with the relevant policies of the City of Ottawa Official Plan, in that this application does not create a new lot nor render either of the lots non-compliant with the City of Ottawa Zoning By-law 2008-250. The existing lots do not comply with the lot width provision of Zoning By-law 2008-250 and the proposed lot line adjustment does not impact the lot width or measurement of lot width for either lot.

Based on the foregoing, the proposed lot line adjustments at 5394 and 5398 Mansel Crescent represent good land use planning.

In support of the application, please find enclosed the following:

- Application fee (Cheque)
- Consent Application Form – Lot Line Adjustment
- Consent Sketch prepared by Novatech dated March 4, 2024 (one full-sized and one reduced 8.5”X 11” copy)
- Draft Reference Plan prepared by Annis O’Sullivan Vollebakk dated February 29, 2024 (one full-sized and one reduced 11”x 17” copy)
- Existing Septic Systems letter prepared by Novatech dated March 22, 2024.
- Parcel Abstract PIN for 5394 Mansel Crescent
- Parcel Abstract PIN for 5398 Mansel Crescent

Please contact us should you have any questions regarding this submission.

Sincerely,

NOVATECH



Miranda Virginillo, B.A., M.Pl.
Planner, Planning & Development