

2024-05-30



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address:	121 and 125 Marketplace
Legal Description:	Block 3 & 4, Registered Plan 4M-1438
File No.:	D08-01-24/B-00053 & D08-01-24/B-00074
Report Date:	May 30, 2024
Hearing Date:	June 4, 2024
Planner:	Samantha Gatchene
Official Plan Designation:	Suburban Transect, Hub, Evolving Neighbourhood Overlay
Zoning:	MC [2388] and R5AA [2389]

It is staff's understanding that no new lots are being proposed. Rather, the existing shared lot line between the properties municipally known as 121 and 125 Marketplace and 101 Lindenshade Drive is being moved such that it runs north-south instead of east-west. The lot line adjustment is to reflect the configuration of the buildings, which are located on east and west sides of the site. Therefore, staff believe that this request should be for a lot line adjustment rather than a severance.

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the applications.

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 for the existing retirement buildings.

Staff do not have concerns with the proposed easements for access and servicing.

The site is split-zoned MC [2388] and R5A [2389] and designated Hub under the Official Plan. It is subject to the Evolving Neighbourhood Overlay. The site is also located in the Barrhaven Town Centre Secondary Plan and is designated as Mixed-use Neighbourhood. The consent application would allow the existing development to continue functioning with easements to address the shared access and services.

ADDITIONAL COMMENTS

Planning Forestry

Through pre-consultation it was determined that no physical changes are proposed as part of this application. There are no tree-related concerns with the proposed administrative severance.

CONDITIONS

If approved, the Planning, Development and Building Services Development Department requests that the Committee of Adjustment impose the following conditions on the applications:

1. That the Owner(s) provide a servicing plan or other evidence, to the satisfaction of the Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee, that each existing building and/or unit on the severed and retained parcels has its own independent water, sanitary and sewer connection, as appropriate, that are directly connected to City infrastructure and do not cross the proposed severance line.

If the services are shared and there is sufficient justification for the service locations to remain, the Owner(s) must obtain Ontario Ministry of the Environment and Conservation and Parks (Environmental Compliance Approval – ECA), must obtain the approval of the Committee to grant easement(s) as required for access and maintenance of the services, and must register a Joint Use and Maintenance Agreement, between the Owners of the services, on the title of the property, all at their own costs.

2. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of the Manager Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.



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