

June 6, 2024

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

RE: Application for Consent
541 Somme Street, Ottawa

Committee of Adjustment
Received | Reçu le
2024-06-10

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

The landowner of 541 Somme Street, Tomlinson Development Corporation (the "Owner"), has retained Fotenn Planning + Design ("Fotenn") as Agent to submit a Consent application to the Committee of Adjustment. The intent of the applications is to sever the existing parcel into two (2) separately conveyable parcels.

Pursuant to Section 42(1) of the Planning Act, the Owner requests two certificates, one for the retained parcel and one for the severed parcel.

In addition to this cover letter, the following materials have been enclosed in support of this application:

- / Completed application form;
- / Draft Reference Plan;
- / Parcel Abstracts;
- / Deposited Plan 4M-1388

Sincerely,



Saide Sayah, RPP MCIP
Principal



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Planner

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1.0 Introduction

Fotenn Consultants Inc (“Fotenn”) has been retained to prepare this Planning Rationale in support of Consent application for the property known municipally as 541 Somme Street (the “subject lands”) in the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Consent against the applicable policy and regulatory framework and to demonstrate how the proposed application is appropriate for the subject lands.

1.1 Purpose of Applications

The Consent application seeks to subdivide the subject lands into two (2) parcels, both in compliance with the Zoning By-law to accommodate the sale of the parcel to be severed.



Figure 1: Proposed Severed and Retained Parcels

1.2 Servicing

The subject lands do not feature connections to public water, sanitary, or stormwater infrastructure. In the absence of public services, any development on the subject lands will be on the basis of private services. Any future development on the subject lands will be serviced through a private well and septic system, as confirmed through a Site Plan Control application.

The subject lands were previous subject to Plan of Subdivion approval. As part of the Plan of Subdivion, there are existing roadside ditches and stormwater pond providing stormwater management for the subject lands.

Site Context and Surrounding Area

2.1 Site Context

The subject lands are located southeast of Hawthorne and Rideau Road in the Osgoode neighbourhood. The subject lands are part of a rural-industrial subdivision consisting of more than 80 hectares. The proposal is to create a new parcel in the subdivision that is in compliance with the Zoning By-law in order to accommodate an agreement of purchase and sale. The subdivision has accommodated similar and smaller lots over the last two decades and the proposed severance is in keeping with the orderly development of the rural-industrial park.

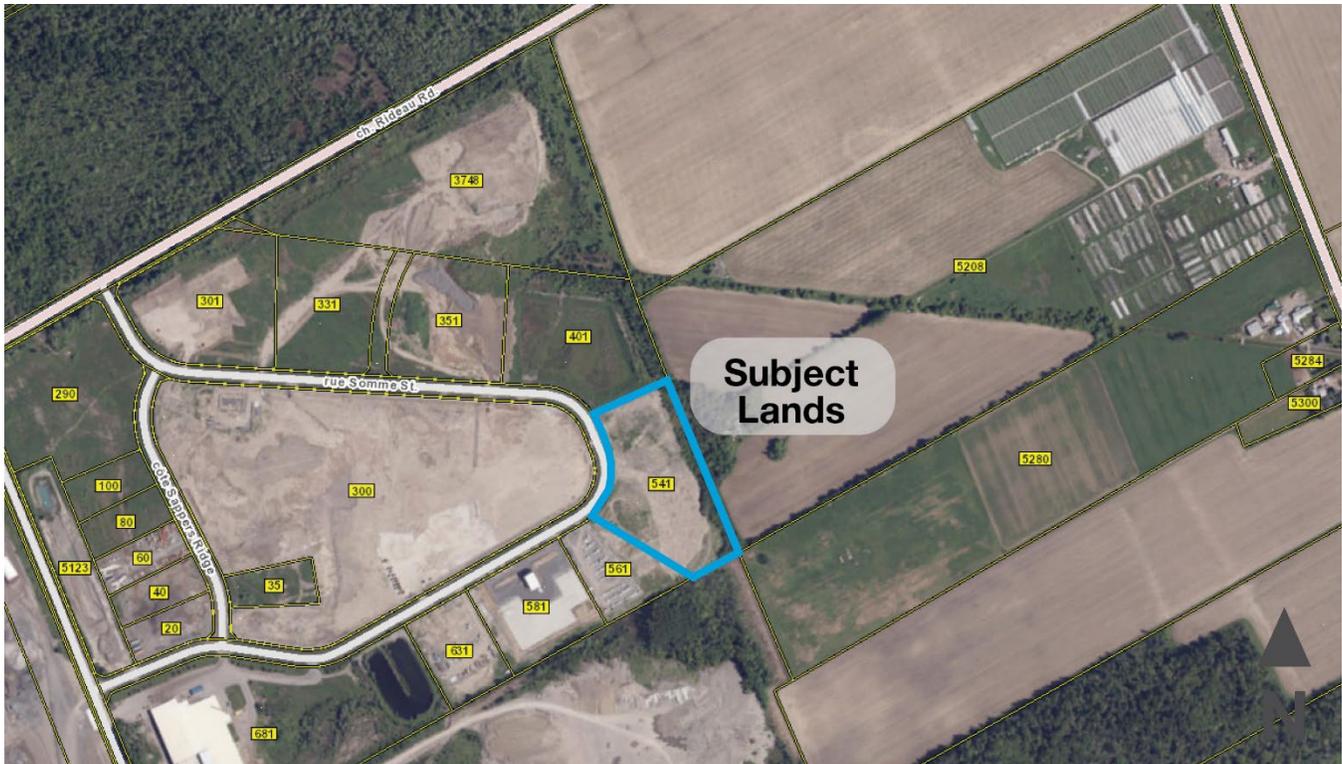


Figure 2: Subject Lands and Surrounding Area

2.2 Surrounding Area

North: Immediately north of the subject lands is a stormwater management pond that services the industrial park as part of the original plan of subdivision.

East: The lands east of the subject lands is a seed / seedling production facility with frontage onto Ramsayville Road.

South: The lands south of the subject lands are undeveloped.

West: West of the subject lands there are several industrial properties that front onto Somme Street and are part of the subdivision.

Proposed Severance

The Owner is proposing to sever the subject lands to create one (1) new parcel in addition to the retained parcel. The intent of the severance is to create two (2) separately conveyable parcels to accommodate future industrial development.

The proposed severed parcel (shown in red in Figure 3 below) will have a lot area of 8,000 square metres, with a frontage of approximately 49.92 metres and a lot width of 53.33 metres. The retained parcel (shown in green in Figure 3 below) will have a lot area of approximately 30,122 square metres and a lot width of approximately 140 metres.

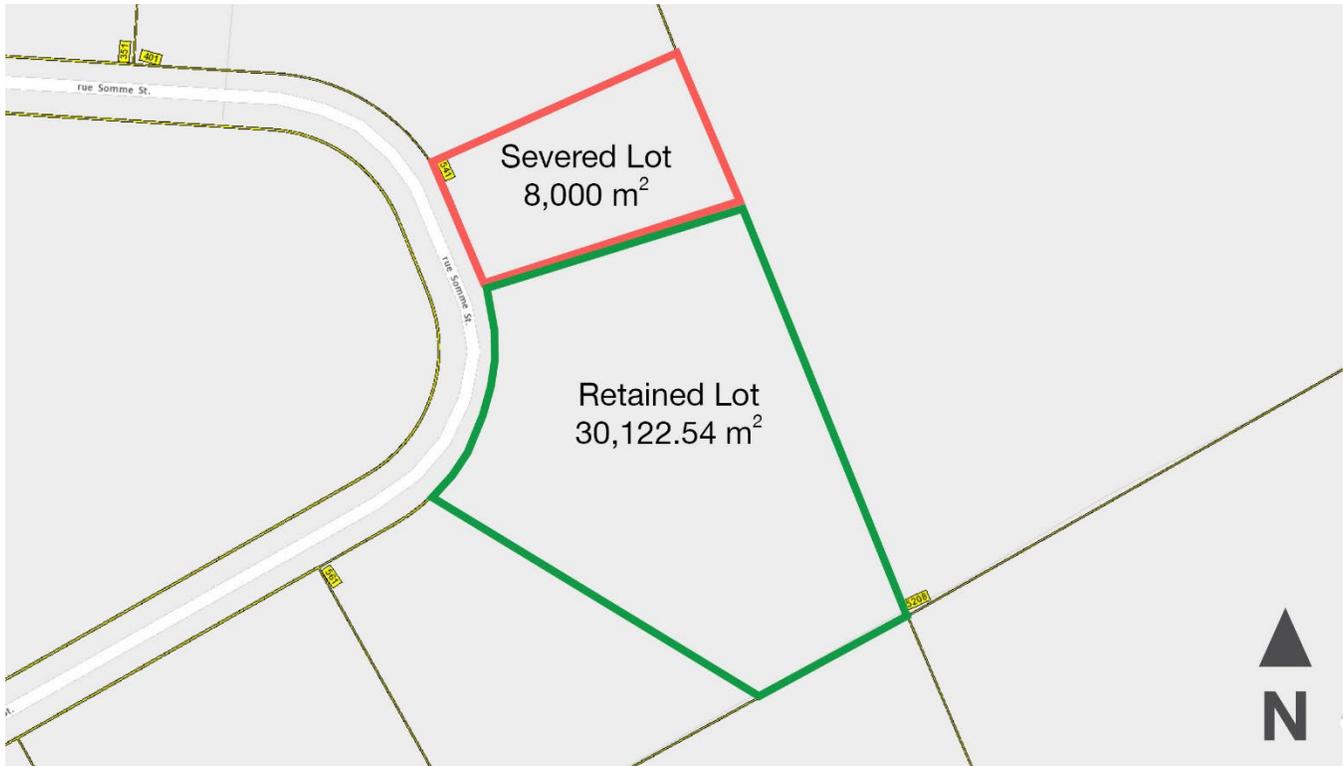


Figure 3: Proposed severed (red) and retained (green) lots

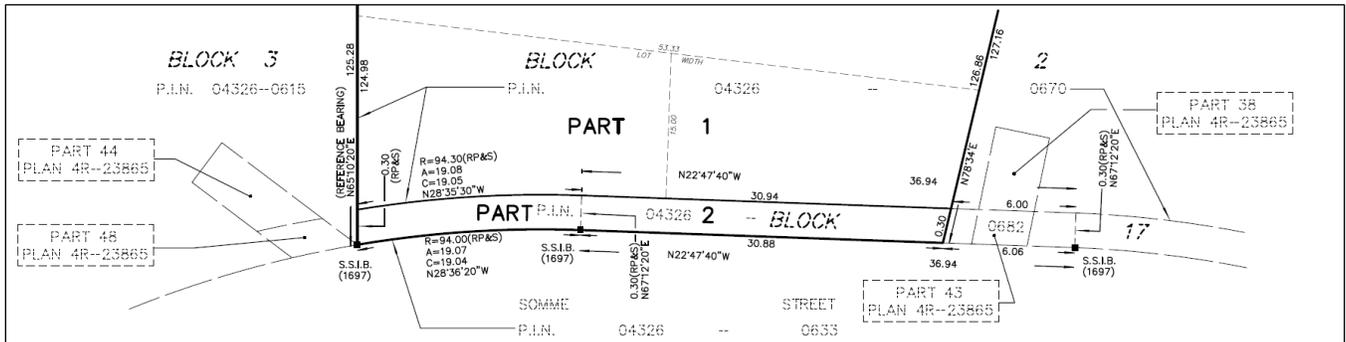


Figure 4: Excerpt from draft reference plan

Table 1: Description of Parts on Reference Plan

Part Number	Description
Part 1	Proposed Severed Lot
Part 2	City of Ottawa – 30 cm reserve This reserve is in place for the City to approve a hydrogeological report that confirms acceptable water quality and quantity as a part of the site plan approval process.

3.1 Servicing

The subject lands do not feature connections to public water, sanitary, or stormwater infrastructure. In the absence of public services, any development on the subject lands will be on the basis of private services.

Any future development on the subject lands will be serviced through a private well and septic system, as confirmed through a Site Plan Control application.

4.0 Policy and Regulatory Review

4.1 Planning Act

The Planning Act is provincial legislation that empowers municipalities to engage in land use planning activities in Ontario. Sections 53(1), 53(12), and 51(24) of the Planning Act establish the criteria for the severance of land. As the proposal includes a single severed lot and no public infrastructure, a plan of subdivision is not required for the orderly development of the lands. The proposed severance meets the criteria established in Section 51(24) of the Planning Act as follows:

a) The effect of development of the proposed subdivision on matters of provincial interest

The proposed Consent application has regard for matters of provincial interest found in Section 2 and is consistent with the policies of the Provincial Policy Statement (2020) by providing for an additional lot that will efficiently use the land, existing infrastructure, and public service facilities.

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

The proposed Consent allows for one additional lot within an exiting rural employment area for the purposes of future industrial development. The application is therefore not premature and is in the public interest.

c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;

The proposed Consent conforms with the policies of the City of Ottawa Official Plan (2022) as it permits future industrial development on lands designated Rural Industrial and Logistics within the Rural Transect. Additionally, the proposed severed and retained lots are consistent with the lot fabric of the surrounding subdivision.

d) The suitability of the land for the purpose for which it is to be subdivided;

The proposed severed and retained parcels meet the all of the provisions of the Zoning By-law and are generally devoid of any natural or human-made constraints.

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 abutting roads are all publicly maintained and connected to the larger urban road network of the City of Ottawa. The proposed lot fabric preserves direct access to Somme Street for each lot through the strategic design of the proposed land parcels.

f) The dimensions and shapes of the proposed lots;

The proposed lot sizes and shapes are consistent with the lot fabric for other properties in the surrounding area. The lots are designed to accommodate future industrial land uses.

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;

The proposal complies with the zoning performances standards including lot area.

h) Conservation of natural resources and flood control;

The subject lands are not located in a sensitive ecological area or in a floodplain. No adverse impacts are anticipated on natural resources and flood control.

i) The adequacy of utilities and municipal services;

Consistent with other lots in the industrial subdivision, the subject lands will be developed on the basis of private services. Roadside ditches and a stormwater pond were installed as part of the previous Plan of Subdivision for the subject lands.

j) The adequacy of school sites;

No school sites are required for industrial uses.

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

No land is proposed to be dedicated to the City. As required by the Planning Act and City of Ottawa Parkland Dedication By-law, cash in-lieu of parkland was provided as part of the previous Plan of Subdivision for the subject lands.

The proposed Consent satisfies the criteria in Section 51(24) of the Planning Act.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters be consistent with policy statements issued under the Act.

The PPS promotes the development of strong communities, which relies on the establishment of efficient land use and development patterns and the accommodation of an appropriate range and mix of uses.

The relevant policy interests to the subject application are as follows:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable, and safe communities are sustained by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating employment uses, including industrial uses, to meet long-term needs; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

1.1.4 Rural Areas in Municipalities

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- e) using rural infrastructure and public service facilities efficiently;

- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

1.1.5 Rural Lands in Municipalities

- 1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.
- 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by, among others:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and
 - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment.

The severance of the lands to create one (1) new parcel promotes the efficient use of land in accordance with the policy direction. The creation of lots result in parcels that provide a diverse economic base for takes into account the needs of existing and future business activity in accordance with the Official Plan. The subject lands are well-suited for various rural industrial uses, particularly given their location within an existing industrial park and bedrock resource area. Overall, the proposed severance is consistent with the policy direction of the 2020 PPS.

4.3 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for growth and development in the City to 2046, when the City's population is expected to surpass 1.4 million people. The Official Plan directs how the City will accommodate this growth over time and establishes policies to guide the development and growth of the City.

The subject lands are located within the Rural Transect and designated Rural Industrial and Logistics Area, as illustrated on Schedule B9 – Rural. An extract from the Schedule is shown in Figure 6 below.

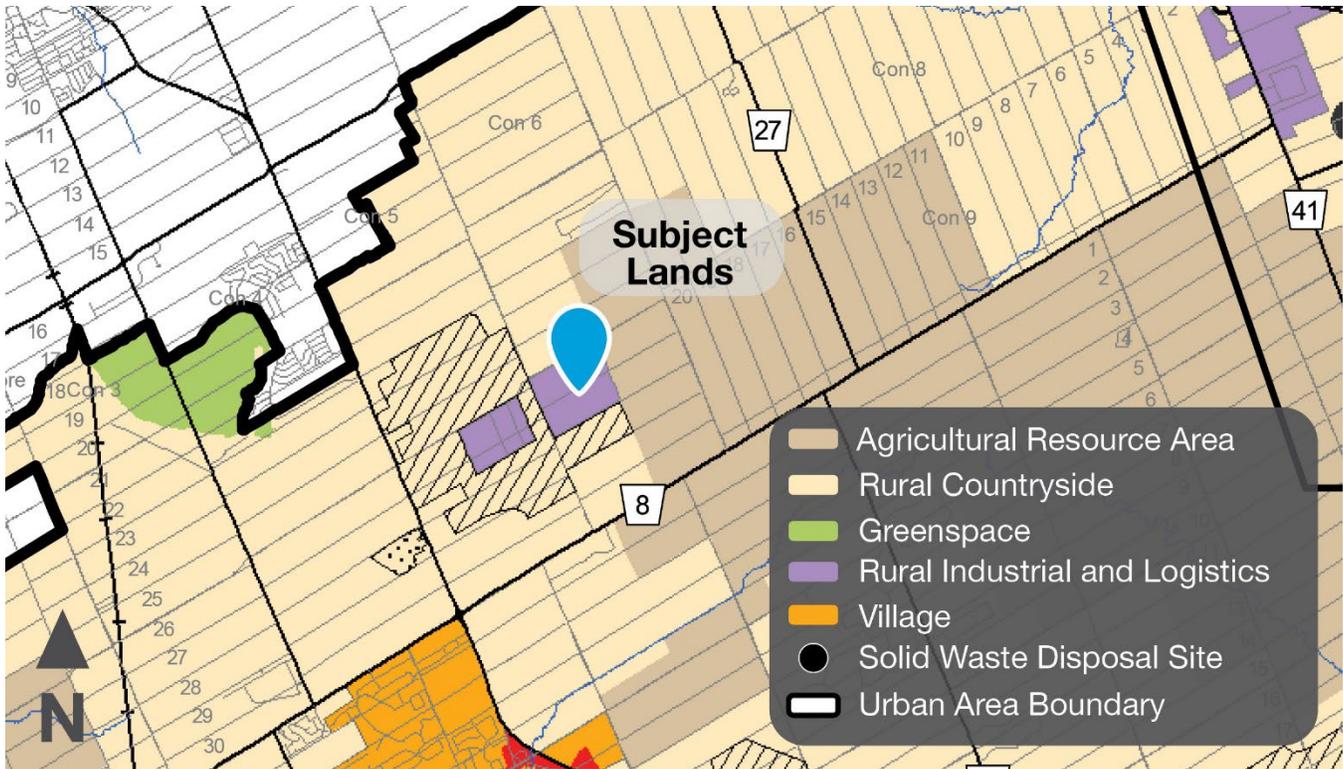


Figure 5: B9 - Rural Transect

4.3.1 Rural Transect

The Rural Transect comprises approximately 80 per cent of the City's total land area. The use of land in this area varies in intensity from untouched natural areas and cultivated farmland, to more intense development within villages and commercial industrial areas.

Policy 5.5.1.1 states that development within the Rural Transect shall be low-rise and located in areas outside Villages. Where development is permitted, built form and site design shall be premised on maintaining the rural character. Sites outside of Villages shall be designed to locate parking, storage and paved areas far from the road frontage, and access to such areas shall be designed to maintain rural character. The frontage along the road shall be landscaped and treed in a way that respects the rural landscape and enhances the green edge of rural roads.

Policy 5.5.1.2 states that development in the Rural Transect shall direct high-intensity rural industrial uses to locations near highway interchanges.

4.3.2 Rural Industrial and Logistics

Lands designated as Rural Industrial and Logistics are intended to support uses that are not suitable in the Urban area or Rural Countryside due to the requirements for large areas of land or separation from their noxious activity. These uses provide for a full range of activities across multiple industry sectors, which include warehouse, distribution, light and heavy industrial uses and small offices. Rural Industrial and Logistics areas are served by arterial roads, most of which are located in close proximity to 400-series highway interchanges to facilitate the efficient movement of goods, while limiting disruption to local rural traffic.

Policy 9.3.1.5 states that severances in Rural Industrial and Logistics areas are permitted. However, large lots of sufficient size to accommodate uses associated with goods movement and storage shall be the dominant size within each designation area and any smaller lots should be located in a manner that shall not limit the development of an industrial subdivision.

The proposed lot sizes are appropriate for large-scale industrial development. The resulting lots are consistent with the existing lot fabric in the existing industrial subdivision.

Policy 9.3.2.1 outlines the following permitted uses in Rural Industrial and Logistics areas:

- Heavy and light industrial uses, such as value-added processing, fabrication, manufacturing, equipment and supply centres, machine and vehicles sales and servicing, landscape and construction yards, nurseries;
- Transportation, distribution, warehouse and large-scale storage operations;
- Uses that are noxious by virtue of their noise, odour, dust or other emissions or that have potential for impact on air quality or surface water or groundwater, such as salvage or recycling yards, composting or waste transfer facilities; concrete plants; the treatment of aggregate products; and abattoirs; where they shall not be located adjacent to a highway unless suitable screening and landscaping are provided; and
- Commercial uses that primarily provide services to employees of the Rural Industrial and Logistics area or the travelling public such as a restaurant, gas station, a retail store up to 300 square metres of gross leasable space or similar uses. A commercial use involving the display and sale of products manufactured or warehoused on the site are permitted, provided that the retail floor space does not exceed the greater of 300 square metres or 25 per cent of the gross floor area of the building.

4.4 City of Ottawa Zoning By-law (2008-250)

The subject lands are zoned RH – Rural Heavy Industrial Zone in the City of Ottawa Comprehensive Zoning By-law (2008-250).

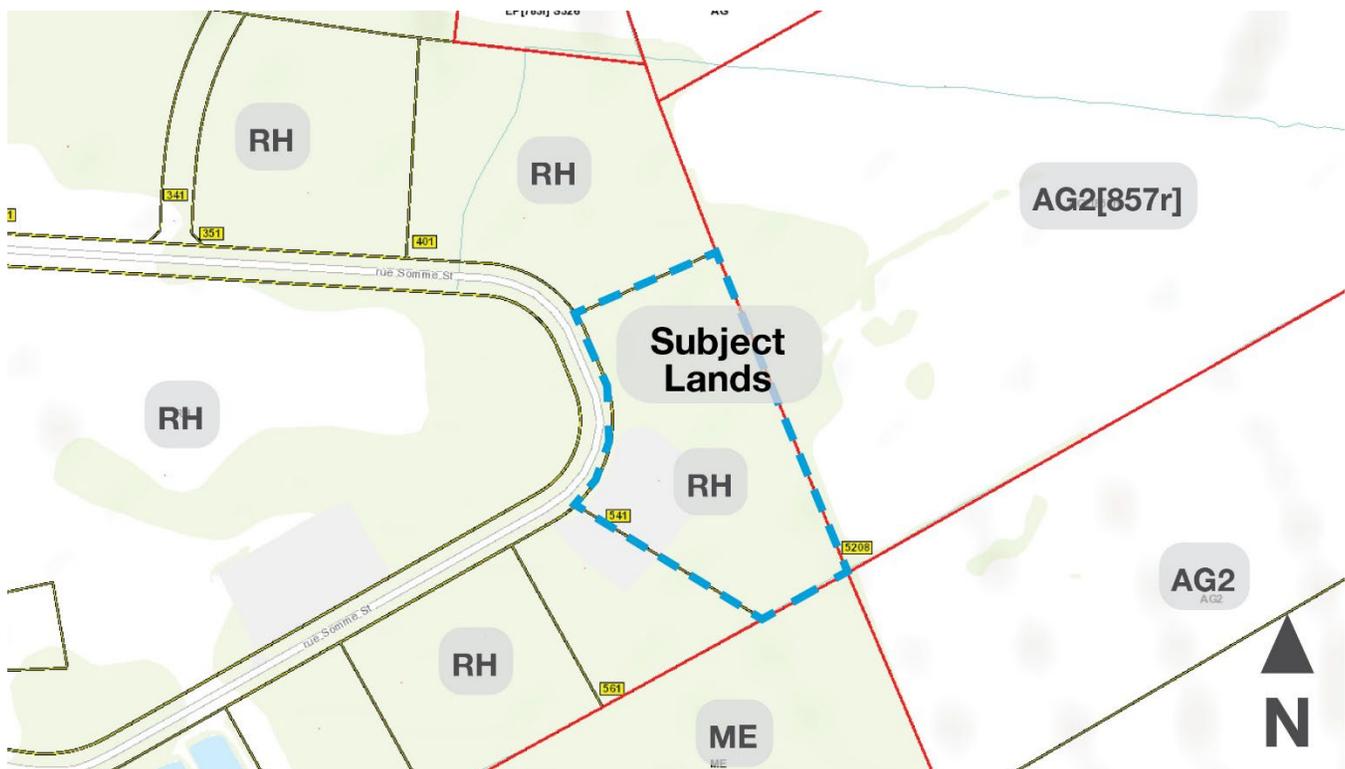


Figure 6: Zoning Map of the subject lands and surrounding area (GeoOttawa)

The purpose of the Rural Heavy Industrial Zone is to:

- / Permit the development of heavy industrial uses in areas designated for these uses in the Official Plan;
- / Accommodate a range of heavy industrial uses and limited-service commercial uses at locations which are neither environmentally sensitive nor in close proximity to incompatible land uses; and,
- / Regulate development in a manner that respects adjacent land uses and will have a minimal impact on the rural area.

The following uses are permitted in the RH Zone:

- / Automobile body shop
- / Automobile service station
- / Cannabis Production Facility
- / Crematorium
- / Drive-through facility
- / Gas bar
- / Heavy equipment and vehicle sales, rental and servicing
- / Heavy industrial use
- / Kennel
- / Leaf and yard waste composting facility
- / Light industrial use
- / Parling lot
- / Printing plant

- / Service and repair shop
- / Storage yard
- / Truck transport terminal
- / Warehouse
- / Waste processing and transfer facility

Additional uses are permitted, provided they are related to a permitted use listed above:

- / Bank machine
- / Bar (subject to additional provisions)
- / Car wash
- / Convenience store
- / Restaurant
- / Retail store

RH Zone Provisions	Requirement	Severed Parcel	Retained Parcel	Compliance
Minimum Lot Width	50 metres	53.33 metres	140 metres	Yes
Minimum Lot Area	8,000 square metres	8,000 square metres	30,122.54 square metres	Yes

The proposed severed and retained lots comply with the performance standards for the RH zone provisions for lot area and lot width.

5.0 Conclusion

It is our professional opinion that a full Plan of Subdivision is not required for the orderly development of the lands, and a Consent is appropriate. The proposal to create two (2) lots from an existing parcel satisfies the Planning Act criteria for a Consent, conforms to the City of Ottawa Official Plan, complies with the provisions of the City of Ottawa Official Plan for lot area and width and represents good planning.

Sincerely,



Saide Sayah, RPP MCIP
Principal



Thomas Freeman, B.URPL
Planner