

September 1, 2023

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Committee of Adjustment- Panel 2

101 Centrepointe Drive

Ottawa, Ontario K2G 5K7

Attention: **Cheryl Williams** [cheryl.williams@ottawa.ca](mailto:cheryl.williams@ottawa.ca)  
Deputy Secretary-Treasurer Ottawa Committee of Adjustment

Committee of Adjustment  
Received | Reçu le

2023-09-05

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

RGC Project File: 2340

Municipal address': 1] 1655 Comstock Road {**Retained Lands- Proposed Part 1**} - PIN # 04263-0478  
2] 1641 Comstock Road {**Conveyed Lands- Proposed PART2**} - PIN # 04263-0166

Legal Description: 1] + 2] Part of Lot 25, Concession 2 Twp of Gloucester, City of Ottawa

Ownership Title 1] Madelana Holdings Ltd.  
2] Madelana Holdings Ltd.

Re: **COVER LETTER**  
Consent Application Submission for Lot Division Reinstatement for Adjoining Lots owned by the same corporation

RG Consulting Inc. Planners and Urban Designers (RGC) have been retained by Madelana Holdings Ltd. (Applicant) to represent planning approvals associated with an application to the Committee of Adjustment for a Consent application related to unmerging title of adjoining lands.

Pursuant to Section 51 of the Planning Act, and together with this Consent application complete submission, we attach Cover Letter together with a Consent Application and fees for the Committee of Adjustment's review and process.

## Purpose of Application

Following discussion with City staff, we respectfully submit the application for consent together with a draft reference plan outlining the re-instated property limits between lands municipally known as 1641 and 1655 Comstock Road , Ottawa, On. The Applicant/ Property Owners solicitors have demonstrated to RGC and the City of Ottawa that due to a merge registration of both properties and buildings, an application to divide the lands back to the original parcels must be obtained with the COA panel.

RGC can verify that the 2 adjoining lots were not subject to a consent application previously and that, they cannot benefit from the Planning Act exception under s.50 (5) (a) that exempts land from consent application if it is the identical parcel of land previously conveyed via a consent application. Since this is NOT the case, consent from the COA panel will be required to sever the 2 lots such that titles can unmerge.

The definition and limits of both the Retained lands and Conveyed lands are clearly identified on the attached Draft Reference plan prepared by Fairhall, Moffatt & Woodland OLS dated August, 2023.

Previous deposited and registered reference plans outlining the 2 subject lands are referred to as underlying documents as demonstrated on the New draft reference plan. Copies of these plans can be made available if the City requires same.

## Subject Property(s)

The subject site is legally described as Part of Lot 25 Concession 2 (Ottawa Front) Geographic Township of Gloucester, now City of Ottawa.

Property [1] is municipally known as 1655 Comstock Road. The property is approximately 14,336 sm in overall Lot Area. A recently built new industrial facility with ancillary offices ( Flynn Canada) occupies the entire site for their business operation. The frontage onto Comstock Road is approx. 134 metres measured on a irregular course. ( See site plan for accurate lot dimensions.

Property [2] is municipally known as 1641 Comstock Road. The property remains unchanged and maintains an overall lot area of 4673 sm with a chord frontage of 53.8 m. The industrial building is multi- tenanted with separations between each of the tenants.

Furthermore, the application is deemed to sever the lands to act on their own. The use and buildings shall remain in their current form. There is no intent to change the buildings, add or modify at this time.

Both of the lands are currently designated as a Mixed use centre zone, created by the City of Ottawa Official Plan. The lands are currently zoned IL2 F (0.7) H (14) by the City of Ottawa Zoning By-law.

The intent of this application will permit Legal Compliance with the Planning Act.

The consent application, consideration and approval by the panel will permit Madelana Holdings Inc. to sell either property in the future.

Our firm has contacted City Planning officials with regards to this pending application and completed discussions in advance of this submission.

In conclusion, RGC and City officials must consider each application for land severance providing Planning opinion to the approving body ensuring the merits of each proposal against criteria in Section 53(12) of the Planning Act, are within general compliance with the following:

- *The effects of the proposal on matters of provincial interest, general conformity with the official plan and compatibility with adjacent uses of land;*
- *Compliance with zoning by-law;*
- *Suitability of the land for the proposed purpose, including the size and shape of the lot(s) being created;*
- *Adequacy of vehicular access, water supply, sewage disposal;*
- *The need to ensure protection from potential flooding.*

It is our submission that this application does not require a Plan of Subdivision and does generally meet the criteria for consent listed above.

Attached with this Cover letter are the following document{s}:

1. Completed and signed Committee of Adjustment Application for Consent;- Notarized
2. Copy of 1 Letter of Authorization from Landowner's ;
3. 1 copy of DRAFT Reference plan of Survey + reduced 8 1/2" x 11" scale
4. Copies of Transfer Deeds of ownership; ( 2)
5. Context Plan c/w Photo Illustration prepared by RGC;
6. Fees required for COA remittance ( tbd)

We submit this letter for Staff and committee member's review.

If you have any questions, please do not hesitate to contact the undersigned.

**RG Consulting Inc.**

respectfully submitted,



Ralph Grittani, OPPI, B.Arch  
*Principal*