



Consent
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
Panel 2

Site Address: 1 Centerpointe Drive

Legal Description: NEPEAN CON 2 PT LOT 35 PLAN;4M623 BLK 39 PT BLKS
22 23;41 AND RP 4R7298 PARTS 4 5 6;13 14 21 TO 24

File No.: D08-01-23/B-00293

Date: January 11th 2023

Hearing Date: January 16th, 2024

Planner: Shahira Jalal

Official Plan Designation: Outer Urban Transect, Hub Designation

Zoning: MC F (2.0) H (34)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns** with the application. Section 4.3.2

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c.P.13 permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted.

The property is a “Hub” designation within the Outer Urban Transect of the Official Plan (OP), with an Evolving Neighbourhood Overlay and also within a Design Priority Area. Section 4.3.2 encourages hub designations to provide mixed uses, walkability and ease of pedestrian access to rapid transit stations and stops. There is an emphasis on establishing higher densities as well as contribute to the goals of 15-minute neighborhoods by concentrating residential and non-residential uses. Staff note that the proposed consent is consistent with OP policies on the subject site, as the consent will contribute to higher density and close proximity to complimentary uses.

The property is zoned Mixed Use Centre Zone, MC F (2.0) H (34). The proposed



severed and retained lot are in compliance with zoning provisions.

ADDITIONAL COMMENTS

Forestry:

1. There are no direct tree-related concerns with the severance of this site. Future development, including access and servicing, must be designed to allow for the retention of protected trees as well as space to plant new trees, in accordance with section 4.8.2 of the Official Plan.

Right of way:

1. The Right-of-Way Management Department has **no concerns** with the proposed lot line adjustment application as there are no requested changes to private approaches. However, the Owner shall be made aware that a private approach permit is required to construct any newly created driveways/approaches on the newly severed lands.

Transportation Engineering Services:

1. Please note that Baseline Road is designated as a protected right of way and requires a 44.3m ROW be maintained as per Schedule C16 of the Official Plan subject to unequal widening outlined in the Baseline Road Rapid Transit Corridor (Bayshore Station to Heron Station) Planning and Environmental Assessment Study
2. Right-of-Way may also be required on Centrepont Dr and Constellation Dr frontages. Please contact Jabbar Siddique (jabbar.siddique@ottawa.ca) with the Environmental Assessment Branch in Transportation Planning service area for exact property requirements.
3. The site is located within 300 m of the OLRT rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.



CONDITIONS OF APPROVAL

The Department further requests that the following conditions be imposed on the consent application if approved:

Parkland:

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.

Infrastructure Services:

2. That the Owner(s) provide evidence (servicing plan), to the satisfaction of the Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that both the severed and retained parcels have their own independent water, sanitary and sewer connection, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner(s) will be required to relocate or construct new services from the city sewers and/or watermain at his/her own costs.

In the case of a vacant parcel being created, the Owner(s) shall provide evidence (servicing plan), to the satisfaction of the Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate, to be confirmed in writing from the Department to the Committee, that the parcel has access to sufficient services with adequate capacity.

3. The Owner(s) shall prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise



control attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

4. That the Owner enter into an Agreement with the City, at the expense of the Owner, which is to be registered on Title to deal with the covenants/notices that shall run with the land and bind future owners on subsequent transfers:

“The property is located next to lands that have an existing source of environmental noise (arterial road) and may therefore be subject to noise and other activities associated with that use”

The Agreement shall be to the satisfaction of the Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

5. 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 the Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her 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 Development Review Manager of the West Branch within Planning, Infrastructure and Economic Development Department, or his/her designate.
6. Pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the Official Plan, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 21 metres from the existing centreline of pavement/the abutting right-of-way. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written



confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.

The Owner is advised that the required road widening described above may be reduced or waived under certain situations, as described in Schedule C16 s.2.1.1 (c) of the Official Plan or where the right-of-way requirement exceeds the front yard setback or corner side yard setback, or where an existing building or structure encroaches into the required road widening, as of the day the Consent to Sever application was deemed complete, as applicable, and determined by the Director, Transportation Planning, Planning, Real Estate and Economic Development Department.

Shahira Jalal
Planner I, Development Review, West

Lisa Stern, MCIP RPP
Planner III, Development Review, West