

Committee of Adjustment  
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City of Ottawa | Ville d'Ottawa  
Comité de dérogation



Consent  
**COMMENTS TO THE COMMITTEE OF ADJUSTMENT**  
Panel 3

Site Address: 2765 Palladium Drive  
Legal Description: Block 242, Plan 4M-1687

No.: D08-01-23/B-00118 & D08-01-23/B-00119

Date: June 1, 2023

Hearing Date: June 6, 2023

Planner: Luke Teeft

Official Plan Designation: Mixed Industrial, Minor Corridor  
Zoning: GM[2654] – General Mixed Use, Exception 2654

## DEPARTMENT COMMENTS

The Planning, Real Estate, and Economic Development Department has **No Concerns** with the application as submitted subject to the following requested conditions.

## DISCUSSION AND RATIONALE

The subject property is designated as Mixed Industrial and Minor Corridor in Schedule B5 of the Official Plan. Mixed Industrial areas are clusters of economic activity that are less impactful and provide a broader range of non-residential uses than Industrial areas. Minor Corridors are intended to provide a mix of residential and non-residential uses that are compatible with a dense mixed-use urban environment.

The subject site is zoned GM[2654] – General Mixed Use, Exception 2654. The purpose of the General Mixed-Use Zone is to permit a range of residential and non-residential uses in the General Urban Area and other specific areas identified in the Official Plan (By-law 2013-58).

The applicant proposes to sever the property at 2765 Palladium Drive into two separate parcels. The severed parcel identified as Part 1 and 2 in the attached 4M plan will have 119.53 metres of frontage on Culdaff Road, a depth of 78.5 metres and an area of 9730.18 square metres. This parcel will be known municipally as 425 Culdaff Road. The retained parcel identified as Part 3 in the attached 4M plan will



have 148.33 metres of frontage on Palladium Drive, a depth of 85.23 metres and an area of 15,940.04 square metres. This parcel will continue to be known municipally as 2765 Palladium Road.

Staff have determined that lot creation at this location poses no risk to nearby properties or complications for the future use of the lands. The severance provides an opportunity for increased density and diversity of uses on the subject property. Staff have no concerns with the proposal subject to the following conditions.

#### **ADDITIONAL COMMENTS:**

##### **Building Code Services:**

No comments.

##### **Civil Engineering:**

- Staff have reviewed the Grading and Servicing design submitted as part of the Subdivision application including the subject land. The existing plans show drainage from Part 3 (2765 Palladium Drive) towards Parts 1 and 2 (425 Culdaff Road). At the time of Site Plan and/or Building Permit, the applicant will be required to regrade Part 3 (2765 Palladium Drive) or provide adequate on-site storm structures to contain drainage within 2765 Palladium Drive and discharge overland flow towards the City's right-of-way. Separate water and sewer connections to the municipal services along Derreen Avenue will also be required.
- The only engineering condition imposed is the Noise study. As the vacant land will be about 155 metres from an arterial road (Palladium Drive), this condition is included in anticipation of residential development that would go directly to building permit instead of a site plan.

#### **CONDITIONS:**

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following condition(s) on the application(s):

1. That the Owner(s) provide plans, drawings or reports as may be required to demonstrate, to the satisfaction of the **Manager, Right-of-Way, Heritage, and Urban Design Department or his/her designate** that a private approach that conforms with the Private Approach By-law (2003-447) can



reasonably be established on both the retained and severed parcels, to be confirmed in writing from the Department to the Committee.

2. That the Owner(s) provide evidence (payment receipt) to the Committee that payment has been made to the City of Ottawa of cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of the land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2009-95, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
3. That the Owner(s) prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the **General Manager, Planning, Infrastructure and Economic Development Department, or his/her designate**. The Owner(s) shall also enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. The Agreement will also deal with any covenants/notices recommended in the approved study, that shall be registered on the land title and bind future owners on subsequent transfers, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise. The Agreement shall be to the satisfaction of the **General Manager, 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.;

**or**

Design the dwelling units with the provision for adding central air conditioning at the occupant's discretion and 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, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise. The following two conditions will be included in the above-noted Agreement:

- i) "The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns, acknowledges being advised that this dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the Purchaser/Lessee will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within



the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria;" and

ii) "The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that noise levels due to increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria.

A handwritten signature in black ink, appearing to read "Luke Teeft".

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Luke Teeft  
Planner I, Development Review, PRED  
Dept.

A handwritten signature in blue ink, appearing to read "Lisa Stern".

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Lisa Stern, MCIP, RPP  
Planner III, Development Review, PRED  
Dept.