

2024-10-31



CONSENT APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 2180 Mer-Bleue Road
Legal Description: Part of Lot 1, Concession 3 (Ottawa Front), Geographic Township of Gloucester
File No.: D08-01-24-B-00177
Report Date: October 31, 2024
Hearing Date: November 05, 2024
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Suburban Transect, Industrial and Logistics, Evolving Neighbourhood Overlay
Zoning: IL2[1624] H(21)-h

DEPARTMENT COMMENTS

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

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 consent.

The property is subject to the –h holding symbol which can only be lifted when it has been demonstrated that that lands can be serviced with all municipal services, including roads, water and sanitary and storm sewers, The site is within the East Urban Community Phase 3 Secondary Plan, fulfilling the partial requirement for the lifting of the –h holding symbol. Staff have no concerns with the proposed severance as it creates lands for future development.

ADDITIONAL COMMENTS

1. It is the intention of the applicant to sell the severed lot to a public body which is exempt from Cash-in-Lieu of Parkland as per the Parkland Dedication By-law. Cash-in-Lieu of Parkland will be collected at the next applicable development application

(Site Plan Control approval) if the severed lot is sold to a person/organization that is not a public body and not exempt.

2. Conditions relating to noise study and warning clause have been removed as they will be addressed at the Site Plan Control stage of the development.
3. Conditions relating to septic impact assessment, servicing plan, grading and draining plan have been removed as they will be addressed through the Lifting of Holding By-law process.

Infrastructure Engineering

1. The **Planning, Development and Building Services Department** will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
3. The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by **Planning, Development and Building Services Department**.
4. A private approach permit is required for any access off of the city street.
5. Existing grading and drainage patterns must not be altered.
6. Existing services are to be blanked at the owner's expense.
7. Asphalt overlay would be required if three or more road-cuts proposed on City Right of way. This includes the road cut for blanking of existing services, and any other required utility cuts (ie, gas, hydro, etc.).
8. Existing Catch Basin is not to be located within the driveway.
9. This property does not have frontage on a Sanitary sewer.
10. Provide a minimum of 1.5m between the proposed driveway and the utility pole.
11. Provide a minimum of 3m between the proposed driveway and the fire hydrant.
12. The **Planning, Development and Building Services Department** requires proof that the Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

There are no tree impacts associated with this consent application. Future development will be subject to Site Plan Control and will need to prioritize retention of existing trees. Tree retention and future planting opportunities will be addressed through the site plan process.

A tree removal permit will be required, for the removal of trees larger than 10 cm DBH.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent Application, as there are no immediate changes requested to private approaches/driveways. The Owner shall be made aware however, that a private approach permit is required to construct any new entrance, as well as to close any existing entrance that becomes redundant. **Please contact the ROW Department for any additional information at rowadmin@ottawa.ca.**

CONDITIONS

~~If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following condition on the application:~~

- ~~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.~~
- ~~2. That the Owner(s) provide a Septic Impact Assessment Report, prepared by a Professional Engineer or Professional Geoscientist, licensed in the Province of Ontario, to the satisfaction of the Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee.~~

~~The Septic Impact Assessment Report is required to evaluate the impact of the on-site septic system on the receiving aquifer. The Septic Impact Assessment Report must meet the Ministry of the Environment, Conservation and Parks guidelines; Procedure D-5-4 "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment".~~

~~If the accepted report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the property, which includes those recommendations. Both the report and any required Development Agreement shall be prepared to the satisfaction of the Development Review All Wards Manager within Planning, Development and Building Services Department Planning, Development and Building Services Department, or their designate.~~

- ~~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 Development Review All Wards Manager within Planning, Development and Building Services Department, or their 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 snow disposal site) and may therefore be subject to noise and other activities associated with that use”—~~

~~The Agreement shall be to the satisfaction of Development Review All Wards Manager within Planning, Development and Building Services Department, or their 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 Development Review All Wards Manager 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 Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate.~~

- ~~6. That the Owner(s) provide evidence to the satisfaction of both the Chief Building Official and Development Review Manager, Planning, Development and Building Services Department, or designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.—~~

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