

July 31, 2024
Committee of Adjustment
101 Centrepointe Drive
Ottawa, ON
K2G 5K7

Project Number: P2364(01)

Committee of Adjustment
Received | Reçu le

2024-08-07

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Secretary-Treasurer

Subject: Application for consent for severance and easement.
Location: 3095 Palladium

On behalf of 3095 Palladium GP Inc., we are submitting the accompanying application and supporting documents to the Committee of Adjustment under Section 53 of the Planning Act to apply for a:

- Consent for severance
- Consent for easement

Location of Project

3095 Palladium Drive is located within the former Kanata West Concept Plan study area. The site is an approximately 1.77 ha irregularly shaped parcel, identified as Block 14 on Registered Plan 4M-1566, Concession 1, Part of Lot 3, in the former Geographic Township of Huntley, City of Ottawa. The lands are bounded by Palladium Drive to the east, Campeau Drive to the north, and additional retail development lands to the south and west. See **Figure 1**.

Figure 1: 3095 Palladium Location and Site Context



Project Description

The purpose of this application is to obtain consent to sever the existing parcel into two lots. The property is a commercial site that is currently subject to applications for Site Plan Control, and two plans of condominium (D07-12-23-0092, D07-04-23-0011, & D07-04-23-0012). A Zoning bylaw amendment (By-law 2024-302) which allows a Car Wash as an additional use was approved June 25, 2024. Site plan approval is expected imminently. The purpose of the severance is to convey the independent parcels to different owners. Six retail buildings will occupy the northern portion of the site and a Car Wash in the southern portion. Easements will be established over parts of each lot in favour of the other for access and maintenance of site elements. A reciprocal consent is also proposed to allow either parcel to be conveyed first and to facilitate the establishment of easements through the consent process.

The private roads to the west (Kanata West Centre Drive) & south (Cabelas Way) are wholly contained within the property boundary and were constructed through a previous site plan in 2015-2016.

Figures 2 and 3 below show the boundaries of the requested consents. Throughout the remainder of this report, the northern parcel will be referred to as Property 1 and the southern parcel, as Property 2. 3095 Palladium Drive is proposed to be divided as follows:

- Property 1 consists of parts 1, 3, 4, 5, 7, 8, 12, 13, 14, 15, 16, 17, & 18
- Property 2 consists of parts 2, 6, 11, 19, & 20
- A right-of-way widening is proposed over parts 9 & 10

Figure 2: First Consent - Severed (Red) and Retained (Green) Parcels

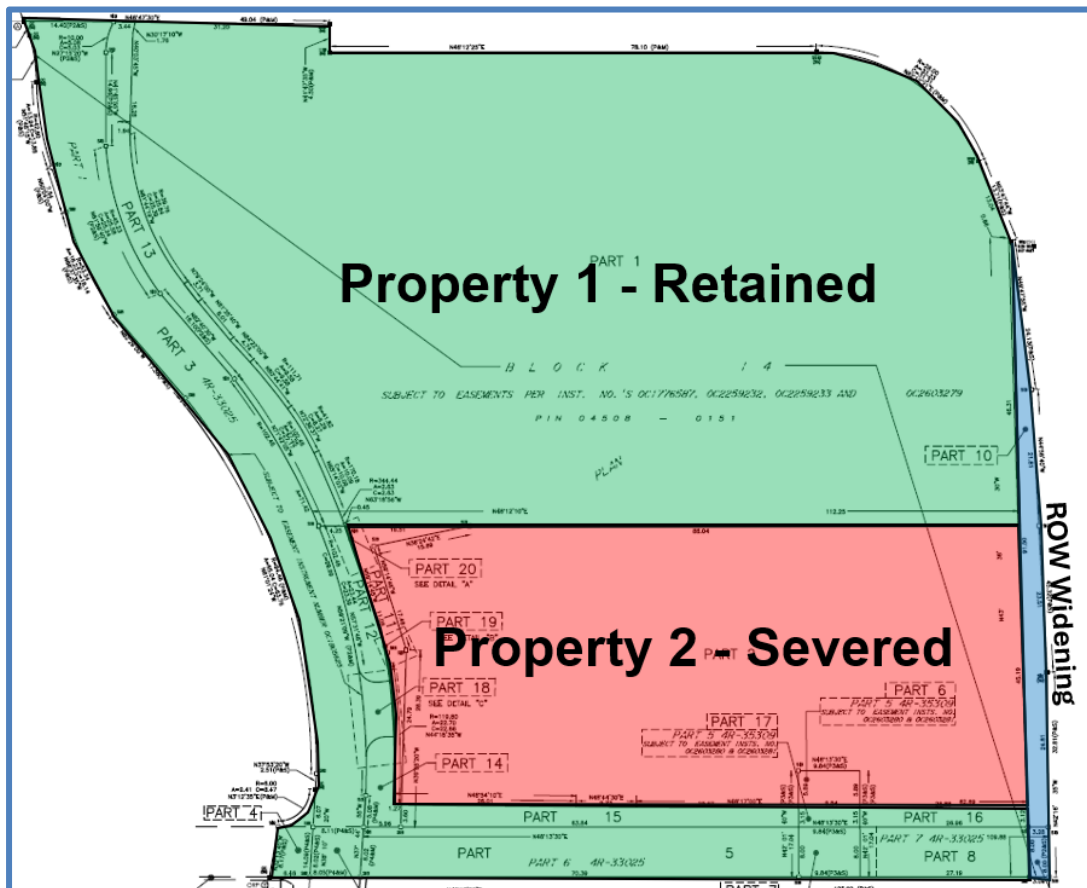
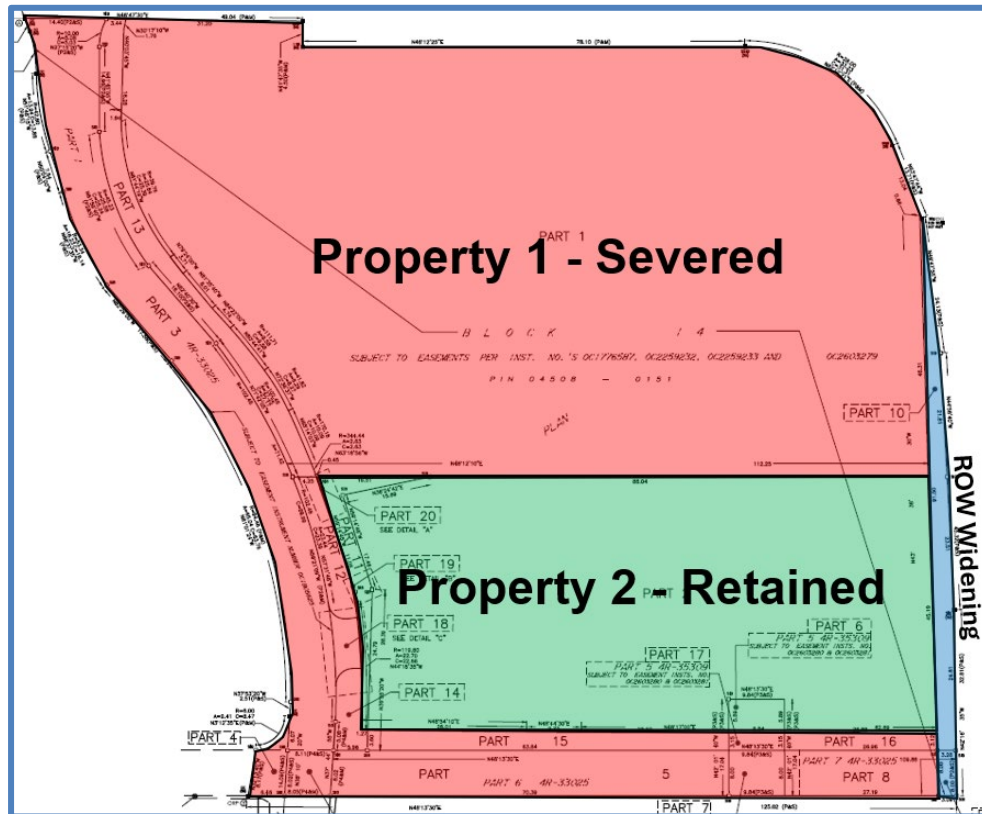


Figure 3: Secondary Consent - Severed (Red) and Retained (Green) Parcels



Proposed Easements

Stormwater

To facilitate the conveyance of stormwater from Property 1, an easement is proposed over Part 11 (being Part of Property 2) in favour of Property 1 (See Figure 4). This easement will allow for the placement of the stormwater pipe and access for future maintenance as may be required. All stormwater is collected on Property 1 and is conveyed through Part 11 on Property 2 to the privately owned storm sewer located under Cabela's Way on Property 1.

Stormwater sewers and other servicing for Property 2 which are connected through Property 1 will be facilitated through blanket easements, for which consent is not required.

- Parts on Draft Reference Plan: 11
- Frontage: none
- Depth: irregular
- Area: 135.4 m²
- Purpose: Servicing - Stormwater

Pedestrian Access

To facilitate pedestrian access over the existing private sidewalks an easement is proposed over Parts 12, 13, 14, 15, 16, & 17 (being part of Property 1) in favour of Property 2 (See Figure 4). This easement will allow pedestrian access and future maintenance as may be required.

- Parts on Draft Reference Plan: 12, 13, 14, 15, 16, & 17
- Frontage: 6.56 m
- Depth: irregular
- Area: 865.4 m²
- Purpose: Access

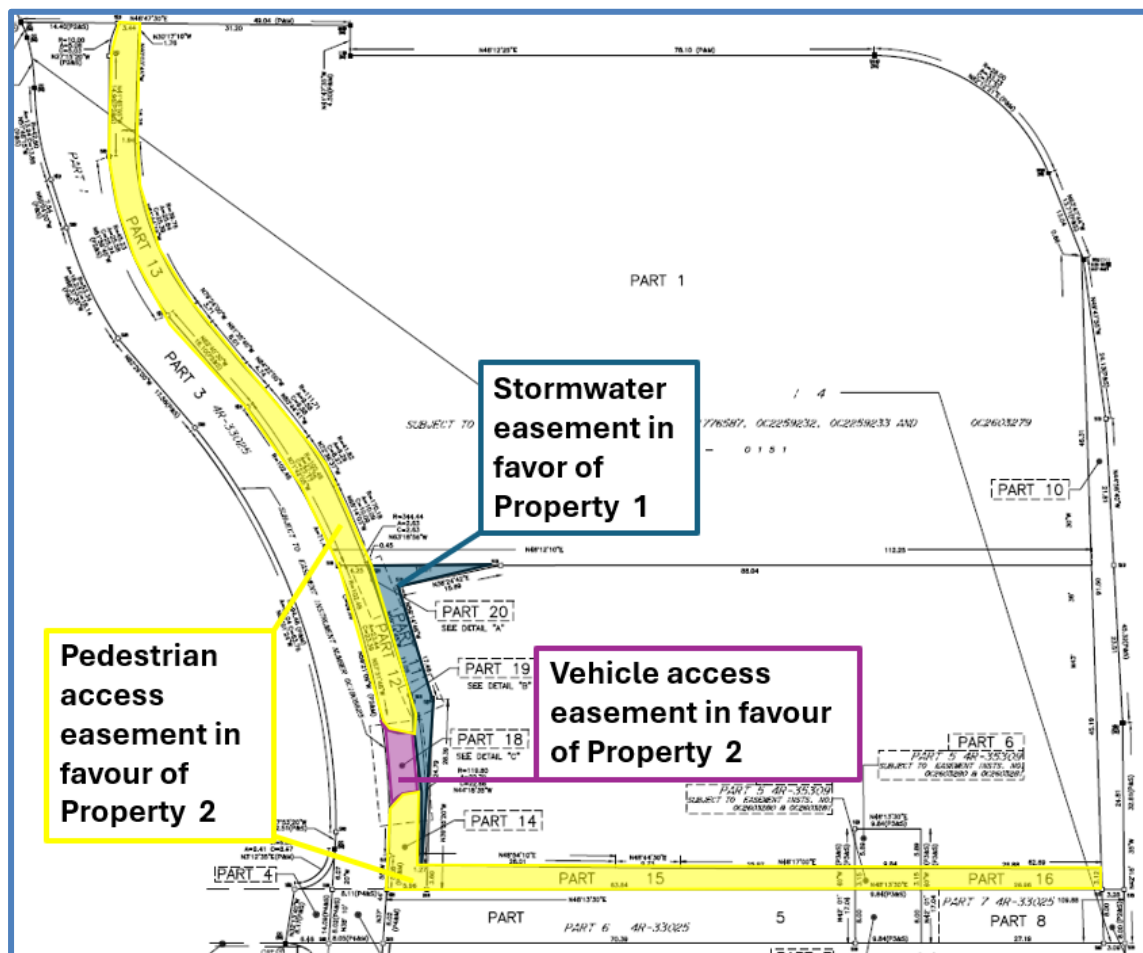
Vehicle and Pedestrian Access

To facilitate pedestrian and vehicle access over the entrance to Property 2 an easement is proposed over Part 18 (being part of Property 1) in favour of Property 2 (See Figure 4). This easement will allow pedestrian and vehicle access as well as future maintenance as may be required.

Access by Property 2 over the private road on Property 1 is already provided through an existing easement (OC1805625).

- Parts on Draft Reference Plan: 18
- Frontage: none
- Depth: irregular
- Area: 43.9 m²
- Purpose: Access

Figure 4: Proposed Easements



Supporting Information

Official Plan

The subject site is located within the Suburban (West) Transect on land designated as “Neighbourhood”. Section 6.3 of the Official Plan states that “*It is the intent of this plan that [Neighborhoods], along with hubs and corridors, permit a mix of building forms and densities.*” Further, “*Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context sensitive development.*”

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The location of the proposed development, within the Kanata West Retail Centre, adjacent to Tanger Outlet, and in close proximity to a 400-series highway interchange, defines the neighbourhood context in this area. The surrounding uses are mostly large-format retail, and the existing municipal and provincial transportation infrastructure supports car-centric development at this location. Based on the site context, the size and orientation of the lots proposed through severance are an appropriate approach to providing for large-format commercial activities on this site.

Planning Support

As per Section 11.5 Policy 1 of the Official Plan, the terms of reference for consent is to guide the Severance process through the Committee of Adjustment. However, a ToR has not been prepared yet. Instead, the evaluation of severances is based on the criteria set out in the *Planning Act* Section 51(24). The following criteria apply:

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

- The proposed severance will enable responsible development of the site as planned through the Site Plan Control process. Providing economic development in a responsible manner is in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

- The proposed severance conforms with the designation in the Official Plan (Neighbourhood). Development of this site will be consistent with the large format retail on adjacent properties in the area.

(d) the suitability of the land for the purposes for which it is to be subdivided;

- The subject site is part of the Kanata West Retail Centre which has long been planned for this type of large-format retail development. The proposed development conforms with the zoning, as revised through the zoning by-law amendment (By-law 2024-302).

(f) the dimensions and shapes of the proposed lots;

- Both proposed lots provide space for development and exceed the minimum lot size and width required by the General Mixed-Use zone.

(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;

- Easements are proposed to facilitate the development of the site. Providing access to pedestrians and vehicles where required as well as providing stormwater conveyance.

(i) the adequacy of utilities and municipal services;

- Full municipal services are available for both properties.

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

- A right-of-way widening on Palladium Drive is provided to the city.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act...

- The property has been evaluated through the site plan control processes and is close to approval.

Zoning

The current zoning at 3095 Palladium is GM[2167] S497 – General Mixed-Use. The existing GM zone allows for a wide variety of uses, while the exception zone [2167] prohibits all residential development and provides site-specific exemptions to front, rear and corner side yard setbacks. This zone specifies no minimum lot size and no minimum frontage. The proposed severance will result in two lots, both of which will conform with the existing zoning.

A zoning by-law amendment was recently approved on the site (By-law 2024-302). This amendment allows an additional use (Car Wash) on the southern portion of the site. Schedule 497 to the zoning bylaw specifies the area subject to the additional use permission.

Site Survey

A site survey of the parcels to be severed has been conducted by Stantec Engineering. The parcel boundaries are defined by:

- A drainage swale dividing the retail site and Car Wash
- The interior edge of existing private sidewalks
- The existing property boundaries
- ROW widening as provided on Palladium Drive

Tree Protection By-Law

Consultation with the city's infill forester, Nancy Young, was undertaken on April 16th, 2024. The forester indicated no Tree Information Report was necessary for this consent because a full Tree Conservation Report has been submitted for review through the Site Plan Control process.

Services

The site is municipally serviced through private on-site connections that are located along Kanata West Centre Drive to the west of the site and Cabela's Way to the south. These services connect to full municipal services at Campeau Drive and Palladium Drive.

Supporting Documents

- Record of correspondence with Nancy Young (Planning Forester) regarding no TIR required, dated April 17, 2024.
- Draft Reference Plan prepared by Stantec Geomatics Ltd.
- Area Certificate for Draft Reference Plan prepared by Stantec Geomatics Ltd.
- Parcel Abstract Page - PIN 04508-0151
- Full Legal Description prepared by Soloway Wright
- Summary of Easements prepared by Soloway Wright
- Committee of Adjustment application form for first consent.
- Committee of Adjustment application form for secondary consent

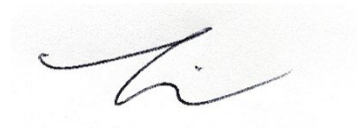
Summary

Consent to sever 3095 Palladium into two parcels is required to establish ownership of the site for its future operations. The requested easements will facilitate the orderly development of the site as they enable public access and allow stormwater to be conveyed from Property 1 to the private storm sewer on Cabela's Way through Property 2.

The proposed parcels conform with existing zoning and Ottawa policy for the creation of new lots. Ongoing planning for the development of the site through the Site Plan Control process has established an acceptable plan that conforms with Ottawa's Official Plan and *Planning Act* Section 51(24).

Yours truly,

J.F. Sabourin and Associates Inc.



Tim Eisner, M. Pl., LEED Green Associate
Planner, JFSA