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October 21, 2024

Mr. Michel Bellemare  
Secretary Treasurer - Committee of Adjustment  
101 CentrepoinTE Drive  
Ottawa, Ontario  
K2G 5K7

**Committee of Adjustment**  
Received | Reçu le

**2024-10-23**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**RE: Application for Consent**  
**1296 Old Montreal Rd**  
**PART LOT 26 AND 27, CONCESSION 1, (OLD SURVEY) CUMBERLAND, PARTS 1 AND 2,**  
**PLAN 4R31822 SUBJECT TO AN EASEMENT IN GROSS OVER PART 2, PLAN 4R31822 AS**  
**IN OC2055312 SUBJECT TO AN EASEMENT OVER PART 2, PLAN 4R31822 AS IN**  
**OC2063286 CITY OF OTTAWA**  
**Owner: TAMARACK (CARDINAL CREEK) CORPORATION**

Dear Secretary Treasurer:

HP Urban has been retained by the Property Owner to assist with the Consent Application for the property located at 1296 Old Montreal Road, described as:

PART LOT 26 AND 27, CONCESSION 1, (OLD SURVEY) CUMBERLAND, PARTS 1 AND 2, PLAN 4R31822 SUBJECT TO AN EASEMENT IN GROSS OVER PART 2, PLAN 4R31822 AS IN OC2055312 SUBJECT TO AN EASEMENT OVER PART 2, PLAN 4R31822 AS IN OC2063286 CITY OF OTTAWA.

The property is a vacant undeveloped lot, mostly rectangular in shape and resides within the Cardinal Creek Village community in Cumberland ward. The property is subject to a plan of subdivision application and a zoning bylaw amendment application which will be discussed later in this letter.

The property owner has entered into an agreement to convey a 2.47133 Ha portion of the parcel to new owners while retaining ownership in the retained parcel.

The subject property resides within the Neighbourhood land use designation in the Official Plan, Schedule B8 Suburban (East) Transect.

The subject property is zoned RU – Rural Countryside Zone, AM – Arterial Mainstreet with Exception 2139, and RI – Rural Institutional Zone Subzone 5 in the City of Ottawa Zoning By-Law.

Exception 2139 prohibits several uses and provides size limitations on retail stores and retail food stores. It also provides the following provisions applying to back-to-back townhouses - the maximum number of attached units in a townhouse dwelling is 12 and an air conditioner condenser may be in a front yard when units are attached back-to-back.

To allow for conveyance of the parcel to new owners, a consent application is required.

**SITE LOCATION**

The subject property is located across the street from the intersection of Old Montreal Road and Cardinal Creek Drive.



Figure 1 – Aerial View of Subject Property

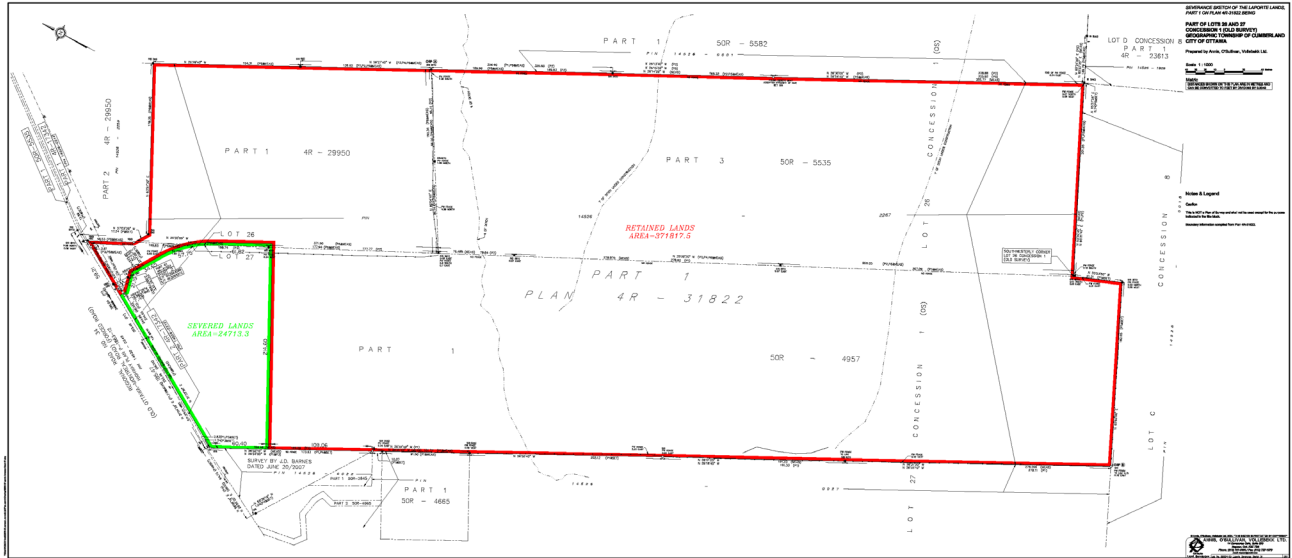
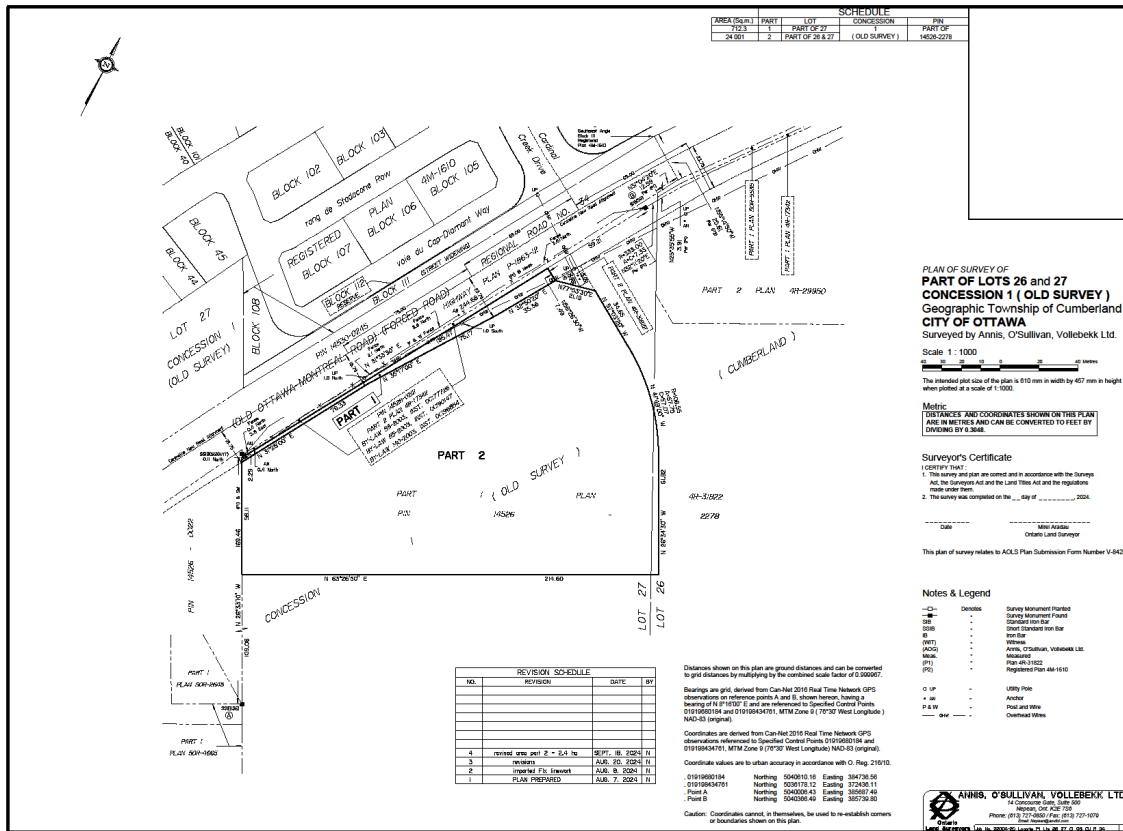


Figure 2 – Proposed Parcels



Proposed R plan with Road Widening identified at Part 1

Committee of Adjustment Consent  
 | 1296 Old Montreal Road

## PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS) 2020 was issued under Section 3 of the *Planning Act* and came into effect May 1, 2020, replacing the Provincial Policy Statement issued April 30, 2014.

The PPS provides policy direction on matters of Provincial interest relating to land use planning while providing for appropriate development that protects resources of provincial interest, public health and safety and the quality of the natural and built environment.

**Section 1.0** speaks to efficient land use and development patterns to support sustainability through the promotion of strong, live able, healthy, and resilient communities.

**Section 1.1** speaks about managing and directing land use to achieve efficient and resilient development.

**Section 1.6** speaks about infrastructure and public service facilities.

**Section 3.0** of the PPS speaks to Protecting Public Health and Safety

The proposed severance is being undertaken to allow the block to be conveyed to a different owner and as such the creation of the parcel does not violate any of the Sections of the Provincial Policy Statement (2020).

The broader urban development interests of the PPS will be addressed as the parcel is reviewed as part of the current Plan of Subdivision and Zoning bylaw Amendment applications

## CITY OF OTTAWA OFFICIAL PLAN, 2022

The Official Plan sets forth broad policies that will help govern growth and change in Ottawa, as well as specific policies dependent upon land use designations. Schedule B8 – Suburban East – of the Official Plan identifies the land designation for the subject property as Neighbourhood.

The City of Ottawa’s Growth Management Framework is set out in Section 3 of the Official Plan. It focuses on the goal of providing sufficient development opportunities to increase sustainable transportation mode shares and use of existing and planned infrastructure, while reducing greenhouse gas emissions.

The intent of the City’s Growth Management Framework is:

- To provide an appropriate range and mix of housing that considered the geographic distribution of new dwelling types and/or sizes to 2046;

- To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;
- To reduce greenhouse gas emissions in the development and building sectors and in the transportation network; and,
- To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt.

Both the severed and retained parcels are subject to a Plan of Subdivision and Zoning bylaw amendments which will guide the development of the subject lands consistent with the designation of Neighbourhood and intent of the Official Plan for the subject lands. The consent application is only for the purpose of allowing different ownership within the broader subject lands.

**CITY OF OTTAWA ZONING BY-LAW, 2008-250**

The Zoning By-Law sets forth specific policies that will help govern growth and change in Ottawa dependent upon specific land designations. As noted above, the subject site is zoned RU – Rural Countryside Zone, AM – Arterial Mainstreet with Exception 2139, and RI – Rural Institutional Zone Subzone 5.

The minimum lot width and the minimum lot area in the RU – Rural Countryside Zone, AM – Arterial Mainstreet with Exception 2139, and RI – Rural Institutional Zone Subzone 5:

RU	50m frontage	.8-hectare lot area
AM	No minimum lot area or lot frontage requirements	
RI5	75m frontage	10,000 m2 lot area



As shown above, the proposed frontage is within the RU and AM zoning and the proposed frontage and lot areas of the severed and retained parcels (185.47m | 24713.3) (59.21 | 371817.5 m<sup>2</sup>) respectively fully comply with the zoning provisions of the RU and AM zones as set out in the City of Ottawa Zoning By-Law.

## DISCUSSION

The purpose of the consent application is to allow the conveyance of the severed lands to new owners consistent with an agreement undertaken between the two parties. As stated earlier both the retained and severed parcels are currently subject to applications for a plan of subdivision and zoning – application numbers: D07-16-22-0024 and D02-02-22-0107.

It is intended that both parcels will continue to be part of the overall land development process and that issues related to site access, water and wastewater, land use designations, and parkland contributions will be resolved via the subdivision process.

Recognizing that Old Montreal Road has a widening requirement that would be a condition of approval of the subdivision which would affect the parcel size the reference plan has been prepared showing a widening that would be conveyed during the consent process.

Planning Act Section 51 – Part 25 Compliance

Provision	Applicability	Application Compliance
(a) The effect of the development of the proposed subdivision on matters of provincial interest as referred to in section 2.	Yes	The Provincial Policy Statement (PPS) provides direction on matters of provincial interest on land use planning which local planning decisions must be consistent with. The policies of the PPS focus growth within settlement areas with lands uses managed to accommodate a full range of current and future needs taking advantage of existing infrastructure. The proposed consent conforms to the overall objectives and intent of the PPS and supports one of its main tenets, specifically Section 1.1.3.6: New development taking place in designated growth areas should occur adjacent to the built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
(b) Whether the proposed subdivision is premature or in the public interest.	Yes	The subject lands are currently under review for the development. The consent is therefore in the public interest

		as it allows for the additional owners to of much needed rental family style housing.
(c) Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	Yes	The parcels conform to both the appropriate OP and Secondary Plan policies.
(d) The suitability of the land for the purposes for which it is to be subdivided;	Yes	The consent application is meant to facilitate additional ownership. Any development that occurs will adhere to the overall plan of subdivision and City zoning and building regulations.
(e) If any affordable housing is being proposed the suitability of the proposed units for affordable housing;	No	
(f) The number, width, location and proposed grades and elevations of highways and the adequacy of them, and the highways linking the highways in the proposing subdivision with the established highway system in the vicinity and the adequacy of them;	No	
(g) The dimensions and shapes of the proposed lots;	Yes	The retained parcel is of an appropriate size to continue to function in the same manner as it does today – it is fully zoning compliant. The severed parcel is also fully zoning compliant and are of a size and dimension that is an appropriate in the context of its future potential use.



(h) 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 the adjoining land;	No	
(i) Conservation of natural resources and flood control;	No	
(j) The adequacy of utilities and municipal services;	Yes	The Plan of Subdivision was indicated that municipal Services when constructed can service the development in accordance with City of Ottawa servicing standards
(k) The adequacy of school sites;	No	
(l) The area of land, if any, within the proposed subdivision that, exclusive of highways is to be conveyed or dedicated for public purposes;	No	
(m) The extend to which the plan’s design optimized the available supply, means of supplying, efficient use and conservation of energy; and	No	
(n) 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 designed under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30;2001, c. 32, s. 31(2); 2006,	No	

c.23, s. 22 (3,4); 2016, c. 25,  
Sched. 4, s. 8 (2).

## **SUMMARY**

The applicant is seeking a consent for the property known as 1296 Old Montreal Road for the purpose of allowing additional ownership with the broader development context.

The proposed severance is consistent with the policies in the 2020 Provincial Policy Statement, the City of Ottawa Official Plan, and comply with the Zoning By-Law requirements of the current City of Ottawa Zoning Bylaw.

Please contact us if you require any additional information.

Peter Hume  
HP Urban Inc.