

2024-12-05



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 2**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

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Site Address:	3636 Innes Road
Legal Description:	Part of Lot 4, Concession 3 (Ottawa Front) former Township of Gloucester
File No.:	D08-01-24-B-00233
Report Date:	December 05, 2024
Hearing Date:	December 10, 2024
Planner:	Nivethini Jekku Einkaran
Official Plan Designation:	Suburban Transect, Neighbourhood, Evolving Neighbourhood Overlay
Zoning:	AM10[2986] H (13.5)

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**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.

A Zoning By-law Amendment for the severed lot to rezone the land from IL2 H (14) -h - to AM10[2986] H(13.5) was approved on October 30, 2024.

**ADDITIONAL COMMENTS**

A Site Plan Control approval may be required for future development on the property.

**Planning Forestry**

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

## Right of Way Management

The Right-of-Way Management Department has **no concerns** with the proposed Consent Application as there appears to be no requested changes to private approaches. The Owner shall be made aware that a private approach permit is required to construct/ alter any entrance, as well as to close any existing entrance that becomes redundant. Future development that includes new driveways will require permits.

## Transportation Engineering

Innes Road has a protected Right of Way (ROW) of 37.5 m per Schedule C16 of the Official Plan. Land within the protected ROW limits should be dedicated to the Innes Road ROW.

Provide an overlapping 5m x 15m corner triangle at Ventus Way and Innes Road per Policy 2.1.1 (e) of Schedule C16 of the Official Plan. Dedicate the corner triangle to the City of Ottawa road right of way.

## CONDITIONS

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following condition(s) 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) satisfy **the Chief Building Official, or designate**, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed severance the existing building on Part 2 on 4R-35585 shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regards to the limiting distance along the East property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
3. 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 with 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.

4. That the Owner(s) enter into an Infrastructure Agreement with the City of Ottawa to extend the municipal services on Innes Road at their own costs and post the necessary securities for the work on the City Right-of-Way to the satisfaction of the **City's Planning, Development and Building Services Department's Infrastructural Approvals Branch** and to the satisfaction of **City Legal Services**. The Owner(s) must also receive the approval of the Ontario Ministry of the Environment Conservation and Parks for the extension of the municipal services. 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 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 (Innes Road is an Arterial Road) 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 **of the Development Review All Wards Branch 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.

6. That 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 18.75 meters from the existing centerline of pavement/the abutting right-of-way along Innes, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's Official Plan, if required. 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.
7. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered overlapping 5m x 15m corner triangle at Ventus Way and Innes Road, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's Official Plan, if required. 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 corner site triangle to the City has been registered. All costs shall be borne by the Owner.

8. 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 Manager of the All Wards Branch 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**.
9. That the Owner(s) submit a Site Servicing Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, for approval by **the Development Review Manager of the All Wards Branch within Planning, Development and Building Services Department, or their designate**, to be confirmed in writing from the Department to the Committee, outlining the municipal servicing requirements for each unit and indicating, if required, that capacity exists within existing City infrastructure.



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Nivethini Jekku Einkaran  
Planner I, Development Review All Wards  
  
Planning, Development and Building  
Services Department



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Wendy Tse  
Planner III (A), Development Review All  
Wards  
Planning, Development and Building  
Services Department