



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address:	195 DeWolfe Street
Legal Description:	Parts of Lots 25 and 26, Concession 5, Fitzroy
File No.:	D08-001-24/B-00169
Report Date:	September 26, 2024
Hearing Date:	October 01, 2024
Planner:	Luke Teeft
Official Plan Designation:	Rural Transect; Rural Countryside, Greenspace; Natural Heritage Core Area, Flood Plain Overlay
Zoning:	RU, EP3; Flood Plain Overlay

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 revised Environmental Impact Statement has been submitted in support of the application and has been reviewed. The revised report rectifies the previous discrepancy wherein the significant wetland was being fragmented by the proposed lot line adjustment. Staff are satisfied that the new report provides sufficient evidence that the PNS is not being fragmented.

CONDITIONS

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

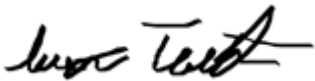
1. That the Owner(s) prepares and submits an Environmental Impact Study (EIS) to satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**. If the accepted report recommends specific mitigation measures

or other requirements, the Owner shall enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, which is to be registered on the title of the property, which includes those recommendations.

2. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

“The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

The Committee requires a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title.



Luke Teeft
Planner I, Development Review, All Wards

Planning, Development and Building
Services Department



Erin O'Connell
Planner III, Development Review, All
Wards

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