

Committee of Adjustment

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City of Ottawa | Ville d'Ottawa

Comité de dérogation



CONSENT APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT PANEL 3

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 3060 Shea Road
Legal Description: Part of Lot 25, Concession 5, Geographic Township of Goulbourn
File No.: D08-01-25/B-00057
Report Date: April 09, 2025
Hearing Date: April 15, 2025
Planner: Luke Teeft
Official Plan Designation: Rural Transect; Agricultural Resource Area; Flood Plain Overlay
Zoning: AG, O1P; 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.

ADDITIONAL COMMENTS

Transportation Engineering

- Shea Road is a rural collector and therefore has a right-of-way (ROW) protection of 26 metres per Schedule C16 of the Official Plan. The 26 metres ROW (measured 13 metres from centreline) must be dedicated to the City as part of this severance application. For more details, refer to Policy 2.1.1 (a) of Schedule C16.

CONDITIONS

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

110 Laurier Avenue West, Ottawa ON K1P 1J1

Mail code: 01-14

110, av. Laurier Ouest, Ottawa (Ontario) K1P 1J1

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1. That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the Manager of the Development Review All Wards Branch, or their designate, to be confirmed in writing from the Department to the Committee, that prohibits residential development on the retained lands, with all levels of appeal exhausted.
2. That the Owner(s) provide proof, to the satisfaction of the **Manager of Development Review All Wards Branch, or their designate**, that each existing parcel has its own well, independent private sewage system, and storm/foundation drainage and that they do not cross the proposed severance line. If the systems do cross, are not independent, or do not meet the minimum spacing requirements of the Ontario Building Code and City of Ottawa Hydrogeological and Terrain Analysis Guidelines, the Owner(s) will be required, at their own cost, to relocate the existing systems or construct new systems.
3. Pursuant to clause 51 (25) (c) of the Planning Act and Schedule C16 of the City's Official Plan, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete Shea Road frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way, 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 shall be provided 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.
4. That the Owner(s) enter into an Agreement with the City, at the expense of the Owner(s), which is to be registered on title to deal with the following covenant/notice that shall run with the land and bind future owners 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 shall be provided 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



James Ireland
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