

2025-06-12



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 3970 Stonecrest Road
Legal Description: Part of Lot 12, Concession 1, former Geographic Township of West Carleton
File No.: D08-01-25/B-00115 & D08-01-25/B-00116
Report Date: June 11, 2025
Hearing Date: June 17, 2025
Planner: Luke Teeft
Official Plan Designation: Rural Transect; Rural Countryside; Natural Heritage System Core Area
Zoning: RU

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.

All previously imposed conditions save and except the requirement for payment of cash-in-lieu of parkland have been included as they will require a development agreement to be registered on title. Once the agreement is registered, all conditions will be cleared. (Staff have already received payment for cash-in-lieu of parkland and will therefore not be imposing this condition.)

ADDITIONAL COMMENTS

Planning Forestry

The proposed lots to be severed are forested. While a permit is not required for the removal of privately-owned trees in the Rural area, a TIR and Tree Removal Permit

application would be required for any work that would cause or require removal of any trees within the right-of-way.

The owner/applicant(s) should refer to the *Planning around trees* webpage for guidance on working around their trees. In particular, the *Tree Protection Specification* should be implemented when working around trees that are to be protected & retained.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent Application. From the plans, the lot is being split into 3 parcels. If any of the lots need to modify or create a new entrance, they will require a private approach permit.

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) 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 covenants/notices 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 City of Ottawa has identified that there are potential sensitive marine clay soils, organic soils, and karst topography within the area that may require site specific detailed geotechnical engineering solutions to allow for development, 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.

2. Pursuant to clause 51 (25) (c) of the *Planning Act* and Schedule C16 of the City’s Official Plan, the Owner conveys to the City, at no cost to the City, an unencumbered road widening across the complete Stonecrest Rd frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way. 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.

3. That the Owner(s) provide a report, to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, demonstrating the adequacy of the aquifer, with respect to quality and quantity, to support the proposed development.

Where adequacy cannot be demonstrated, the Owner(s) shall construct a new well on the severed lands and provide a report, to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, to demonstrate the adequacy of the aquifer, with respect to quality and quantity, to support the proposed development. The report must include a septic impact assessment to evaluate the water quality impact of the on-site septic system on the receiving aquifer.

The report must demonstrate the following:

- That the construction of any new well on the severed parcel is in accordance with the Ministry of the Environment, Conservation and Parks;
- That the quality of the water meets the Ministry of the Environment, Conservation and Parks Regulations, Standards, Guidelines and Objectives;
- That the quantity of water meets all the Ministry of the Environment, Conservation and Parks requirements; and
- That the septic impact assessment meets the Ministry of the Environment, Conservation and Parks requirements.

A qualified Professional Engineer or Professional Geoscientist must prepare the report. It is the Owner's responsibility to coordinate the person drilling a new well, if required, and the professional noted herein in order to properly satisfy this condition.

If the accepted report recommends specific mitigation measures or design requirements, the Owner(s) shall enter into a Development Agreement with the City, at the expense of the Owner(s), to include those recommendations and such agreement shall be registered on title. In instances where the subject site has sensitive soils, the drilling of a well and/or the conveyance of a 30-centimetre reserve may be required. Both the report and any required Development Agreement shall be prepared to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**.

The Report shall be prepared as per Procedure D-5-4 "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment" and Procedure D-5-5 "Technical Guideline for Private Wells: Water Supply Assessment".

4. That the Owner(s) 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**, to address the following:
 - a. Prepares and submits a revised Environmental Impact Statement (EIS);
 - b. Implements the recommended mitigation measures as described in the EIS prepared by Shade Group Inc.; and
 - c. Requires all future development on the severed and retained parcel, including private services, be contained to the approved Development Envelope as illustrated in the EIS prepared by Shade Group Inc., with the exception of an accessory storage building within the footprint of the pre-existing accessory storage building.



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