

2026-01-29



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 3927 Nixon Drive
Legal Description: Part of Lot 36, Concession 1, former Township of Osgoode
File No.: D08-01-25/B-00178 and B-00179
Report Date: January 29, 2026
Hearing Date: February 03, 2026
Planner: Wendy Yang
Official Plan Designation: Rural Transect, Agricultural Resources Area
Zoning: AG3

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

Planning Forestry

- The proposed lot to be severed is largely forested. While a permit is not required for the removal of privately-owned trees in the Rural area, a Tree Information Report and tree removal permit application is required for work that would necessitate removal of any trees within the municipal right-of-way.

Right of Way Management

- The Right-of-Way Management Department has no concerns with the proposed Consent Application. The owner shall be made aware however, that a private approach permit is required to construct any new entrance, as well as to modify or

close an existing entrance that becomes redundant. If the lots are developed in the future, a Private Approach Permit is required. The owner must contact the ROW Department for further information at rowadmin@ottawa.ca.

Transportation Engineering

- Please note Nixon Drive has a right of way (ROW) protection of 26m per Schedule C16 of the Official Plan. The protected ROW will measure 13m to the centerline of the road.

CONDITIONS

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

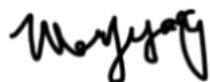
1. That the Owner(s) provide proof, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, that each existing parcel has its own well, independent private sewage system, and storm/foundation drainage 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.
2. That the Owner(s) enter into an Agreement with the City specific to the retained lot on 3927 Nixon Drive 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 property is located next to lands that have an existing source of environmental noise (collector road) and may therefore be subject to noise and other activities associated with that use.”

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

3. 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 Nixon Drive 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.



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