

2026-02-26



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 4085 Strandherd Drive
Legal Description: Block 75, Registered Plan 4M-1650
File No.: D08-01-26/B-00011
Report Date: February 26, 2026
Hearing Date: March 3, 2026
Planner: Elizabeth King
Official Plan Designation: Suburban Transect, Mixed Industrial,
Evolving Neighborhood Overlay
Zoning: DR

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.

4085 Strandherd Drive is subject to a Minister's Zoning Order issued under Section 47 of the *Planning Act* which changed the zoning development standards from Development Reserve (DR) to General Mixed Use (GM) Zone and exempted the proposal from requiring Site Plan Control under Section 41 of the *Planning Act*. A Minister's Zoning Order does not need to comply with provincial policies and Official Plans in order to be approved. While the lands are still designated Mixed Industrial under the City's Official Plan, the Minister's Zoning Order takes precedence.

The Minister's Zoning Order can be found here: [O. Reg. 126/23 ZONING ORDER - CITY OF OTTAWA | ontario.ca](https://www.ontario.ca/regulation/2023/01/01/O-Reg-126-23-ZONING-ORDER-CITY-OF-OTTAWA)

Currently, it appears that the services that connect to the retained lands are located on the severed parcel, and both the severed and retained land are expected to share services. It is generally Staff's preference that part-specific easements should be applied for servicing and other shared elements such as access between the severed and retained lands and should not be done through blanket easements, however in this particular circumstance we understand the intent is for the buildings to function together and the requested severance is for the purpose of financing. Should future developments change the land use or functioning on the site, Staff would likely require the separation of services through mechanisms available at that time.

Staff are requesting as a condition below permission for the blanket reciprocal easements be sought from the Committee of Adjustment. Staff would have no concerns provided that, as part of the servicing condition recommended below, that the Owner seek these easements with the Committee. Alternatively, part-specific easements should be requested through the Committee of Adjustment.

ADDITIONAL COMMENTS

Planning Forestry

The subject site has obtained a building permit for construction of the 2nd building. A tree permit has been issued for removal of all trees on site and those with permission from the owners of the adjacent property. A planting plan is required as a condition of the permit. There are no tree-related concerns with the severance application.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent Application to sever the property into two parcels of land. The parcel PARTs 1-7 known as 4085 Strandherd will retain the existing assisted living facility and private approach. The new severed parcel; PARTs 8-18 is vacant and when the time comes, any new entrance to the vacant lot will require a private approach permit. Please note, a vacant lot prior to development can only be issued as a Private Approach Temporary Access permit.

A Private approach permit is required to construct any newly created or modified driveway/approaches or close redundant approaches. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage to submit a Private Approach application.

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) obtain all necessary approvals from the Ontario Ministry of Environment, Conservation and Parks, which shall be at their own costs. The Owner shall provide confirmation of registration of the Environmental Activity and Sector Registry (EASR) to the satisfaction of Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
2. That the Owner(s) are granted approval from the Committee of Adjustment for reciprocal easements over the retained and severed parcels that will include all shared elements including but not limited to shared servicing, grading and drainage, and driveways. The Owner(s) provide evidence that the easements have been approved, with all levels of appeal exhausted to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
3. 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 property is located next to lands that have an existing source of environmental noise (Strandherd Drive and Borrisokane 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.

4. If required, that the Owner(s) enter into a Joint Use and Maintenance Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners with respect to the joint use and maintenance of all common elements including, but not limited to, , common areas, common driveways and common landscaping.

The Owner shall ensure that the Agreement is binding upon all unit owners and successors in title and shall be to the satisfaction of Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or City Legal Services. The Committee shall be provided written confirmation that the Agreement is satisfactory to the Manager of Development Review All Wards Branch within Planning, Development and

Building Services Department, or their designate, or is satisfactory to City Legal Services, as well as a copy of the Agreement and confirmation that it has been registered on title.



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