

2026-01-29



CONSENT & MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 1461 & 1485 Heron Road
Legal Description: Part of Lot 20, Junction Gore, Geographic Township of Gloucester
File No.: D08-01-25/B-00303 D08-01-26/B-00002 & D08-01-26/B-00003 D08-02-25/A-00287
Report Date: January 29, 2026
Hearing Date: February 03, 2026
Planner: James Ireland
Official Plan Designation: Minor Corridor and Neighbourhood (Evolving Neighbourhood Overlay) in the Outer Urban Transect.
Zoning: I1A H(15)
Minor Institutional, Subzone A, Height Suffix 15 metres

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the applications.

Staff recommend that the Committee of Adjustment amend the public notice to include the existing storm sewer in the proposed servicing easement as noted below:

- Over Parts 17 and 21 in favour of 1495 Heron Road for access and maintenance of the existing sanitary **and storm** sewers.

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 applications.

The proposed consent applications will facilitate lot line adjustments, whereby Parts 9, 11, 15 & 19 on the Draft 4R Plan will be conveyed from 1461 & 1485 Heron Rd (Ottawa Catholic District School Board) to 1495 Heron Rd (Canada Lands Company).

Staff reviewed the minor variance application and are satisfied that it meets the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff

- The proposed variance conforms with the Official Plan. The Official Plan provides direction that developments subject to the Evolving Neighbourhoods Overlay should include urban built form and site design characteristics, such as shallow front yard setbacks and minimal functional side yard setbacks.
- The proposed variance maintains the intent of the Zoning By-law as it provides space for functional access and soft landscaping.
- The proposed variance is desirable for the orderly development of the land as it will facilitate a land transfer between the Ottawa Catholic School Board (OCSB) and Canada Lands Company (CLC), whereby CLC will own the entirety of the existing driveway and future private road. The proposed easement will provide OCSB with continued access.
- The proposed variance is minor as it will not result in negative impacts. The existing building at 1485 Heron Road is setback 3.8 metres from the internal driveway and provides space for access, soft landscaping, and a walkway.

ADDITIONAL COMMENTS

Heritage Planning Branch

1485 and 1495 Heron Road are designated under Part IV of the *Ontario Heritage Act*. Heritage Planning staff have no concerns with the proposed consents and minor variance.

Planning Forestry

The site is subject to Site Plan Control; tree impacts will be addressed through that process; there are no tree impacts specifically related to this minor variance & consent application.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent and Minor Variance Applications. 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. Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](https://www.ottawa.ca/en/transportation-and-parking/driveways) 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 consent applications:

1. The Owner agrees to provide an in-preparation draft of the Transfer Easement, including the easement schedule, for the subject easements to register on title, for review and approval by City Legal Services. Said draft easement schedule shall set forth the access rights, joint use, and maintenance obligations for the private street, watermains, sanitary services, hydrants between the Owner(s) and the future owners. The Committee of Adjustment requires written confirmation that the agreement is satisfactory to City Legal Services, as well as a copy of the in-preparation draft Transfer Easement.
2. Pursuant to clause 51 (25) (c) of the *Planning Act* and Schedule C16 of the City's Official Plan, the Owner agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete Heron Road frontage of the lands measuring 22.25 metres from the existing centerline of pavement. 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.

Should the widening be encumbered, then the Owner shall remove the encumbrance and provide proof of its removal, to the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

3. That the Owner(s) provide a servicing plan or other 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 building and/or unit on the severed and retained parcels has its own independent water, sanitary and sewer connection, as appropriate, that are directly connected to City infrastructure and do not cross the proposed severance line.

If the services are shared, and there is sufficient justification for the service locations to remain, the Owner(s) may be required to obtain all necessary approvals from the Ontario Ministry of Environment, Conservation and Parks, the approval of the Committee to grant easement(s) for access and maintenance of the services, and/or to register on title, a Joint Use and Maintenance Agreement, between the Owners of the services, which shall be at their own costs.

4. That the Owner(s) satisfies the Chief Building Official, or designate, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed lot line adjustment shown on the Draft 4R-plan, shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regard to the limiting distance along the east property lines for the existing 1 Storey Tin Sided Building and the existing building on Part 10. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.



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Planning, Development and Building
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