



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 2349 Magladry Road
Legal Description: Part of Lots 14, 15, Concession 5, Former Township of Cumberland
File No.: D08-01-26/B-00048
Report Date: April 2, 2026
Hearing Date: April 7, 2026
Planner: Elizabeth King
Official Plan Designation: Rural Transect, Agriculture Resource Area
Zoning By-law 2008-250: AG1
Zoning By-law 2026-50: AG1

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

Right of Way Management

The Right-of-Way Management Department has no concerns with the consent applications to subdivide into two parcels of land to create one new lot for a surplus farm dwelling.

When the time comes, any new entrance to the vacant retained lot will require a private approach permit. Please note, an agricultural lot can apply for a farm/field private approach permit. If the vacant lot prior to development can only be issued as a Private

Approach Temporary Access permit. The Temporary Access can be formalized into a permanent entrance at a later date once their Building Permit has been issued.

Please contact the ROW Department for any additional information at rowadmin@ottawa.ca or visit the City webpage [Driveways | City of Ottawa](#) 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 a Zoning By-law Amendment that restricts residential development on the retained lands. Notice shall be provided in writing to the Committee from the Department confirming this condition has been fulfilled.
2. That the Owner(s) provide a copy of a legally binding agreement of purchase and sale or a letter indicating the current or proposed owner is a farm operator or owner of a registered farm business, to the satisfaction of the Manager of the Development Review All Wards Branch, or their designate, to be confirmed in writing from the Department to the Committee, and that demonstrates that the newly created lot is being sold.
3. That the Owner(s) provides 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.
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 property is located next to lands that have an existing source of environmental noise (arterial 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.



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