



**COMMITTEE OF ADJUSTMENT  
OF THE CITY OF OTTAWA**

**DECISION  
CONSENT**

(Section 53 of the *Planning Act*)

**File Nos.:** D08-01-21/B-00502, D08-01-21/B-00503  
**Owner(s):** Harrogate Property Group Inc.  
**Location:** 2927, (2925) Highfield Crescent  
**Ward:** 7-Bay  
**Legal Description:** Lot 15 & Part of Lot 14, Reg. Plan 298405  
**Zoning:** R1O  
**Zoning By-law:** 2008-250

Notice was given and a Public Hearing was held on **February 2, 2022**, as required by the *Planning Act*.

**PURPOSE OF THE APPLICATIONS:**

The Owner wants to subdivide its property into two separate parcels of land. One parcel will contain the existing one-storey detached dwelling and the other parcel will contain a proposed two-storey detached dwelling. The Owner intends to demolish the existing attached garage.

**CONSENT IS REQUIRED FOR THE FOLLOWING:**

The Owner requires the Consent of the Committee for Conveyances and Grant of Easements/Rights-of-Ways. The property is shown as Parts 1 to 6 on a Draft 4R-Plan filed with the applications and the separate parcels will be as follows:

File No.	Frontage	Depth	Area	Part Nos.	Municipal Address
B-00502	15.57 m	48.83 m	784.7 sq. m	1, 2 & 3	2927 Highfield (will contain the existing dwelling)
B-00503	15.52 m	48.83 m	700.8 sq. m	4, 5 & 6	2925 Highfield (will contain the proposed dwelling)

It is proposed to create Easements/Rights-of-Ways over Part 3 for the benefit of Parts 4, 5 & 6 and over Part 4 for the benefit of Parts 1, 2 & 3 for vehicular and pedestrian access to the rear of the dwellings.

The Applications indicate that the Property is not the subject of any other current application under the *Planning Act*.

#### **PUBLIC HEARING:**

The Chair administered an oath to Michael Segreto, Agent for the Applicant, who confirmed that the statutory notice posting requirements were satisfied.

Also in attendance was Christina Culley of the City's Planning, Real Estate, and Economic Development Department (PRED).

#### **DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED**

The Committee considered any written and oral submissions relating to the applications in making its Decision.

The Committee notes that the City's planning report raises "no concerns" regarding the applications.

Based on the evidence, the Committee is satisfied that the proposal is consistent with the Provincial Policy Statement that promotes efficient land use and development as well as intensification and redevelopment within built-up areas, based on local conditions. The Committee is also satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. In addition, the Committee is satisfied that the proposal has adequate regard for the criteria specified under subsection 51(24) of the *Planning Act* and is in the public interest.

The Committee therefore grants the provisional consent, subject to the following conditions, **which must be fulfilled within a two-year period from the date of this Decision:**

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2009-95, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
2. That the Owner(s) provide evidence (servicing plan), to the satisfaction of the **Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate**, to be confirmed in writing from the Department to the Committee, that both the severed

and retained parcels have their own independent water, sanitary and sewer connection, as appropriate, and that these services do not cross the proposed severance line and are connected directly to City infrastructure. If they do cross the proposed severance line, or they are not independent, the Owner(s) will be required to relocate or construct new services from the city sewers and/or watermain at his/her own costs.

3. That the Owner(s) provide evidence to the satisfaction of the **Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate**, to be confirmed in writing from the Department to the Committee, that the existing structure straddling the proposed severance line has been demolished in accordance with the demolition permit or relocated in conformity with the Zoning By-law.

4. The Owner(s) shall:

- a) prepare a noise attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the **General Manager, Planning, Real Estate and Economic Development Department, or his/her designate**. The Owner(s) shall also enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. The Agreement will also deal with any covenants/notices recommended in the approved study, that shall be registered on the land title and bind future owners on subsequent transfers, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise. The Agreement shall be to the satisfaction of the **General Manager, Planning, Real Estate and Economic Development Department, or his/her designate**. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title;

**or**

- b) Design the dwelling units with the provision for adding central air conditioning at the occupant's discretion and enter into an Agreement with the City, at the expense of the Owner, which is to be registered on title to deal with the covenants/ notices that shall run with the land and bind future owners on subsequent transfers, warning purchasers and/or tenants of expected noise levels due to the existing source of environmental noise.

The following two conditions will be included in the above-noted Agreement:

- i) "The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been fitted with a forced air heating system

and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the Purchaser/Lessee will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria;" and

- ii) "The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that noise levels due to increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment and Climate Change's noise criteria."
5. That the Owner(s) shall provide evidence that a grading and drainage plan, prepared by a qualified Civil Engineer licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, has been submitted to the satisfaction of **Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate** to be confirmed in writing from the Department to the Committee. The grading and drainage plan shall delineate existing and proposed grades for both the severed and retained properties, to the satisfaction of the **Development Review Manager of the West Branch within Planning, Real Estate and Economic Development Department, or his/her designate**.
  6. The Owner(s) agree to implement the tree protection and mitigation measures outlined in the Tree Information Report prepared by Dendron Forestry Services, dated January 18, 2022, for the retention and protection of Tree #1.
  7. The Owner/Applicant(s) shall prepare and submit a tree planting plan, prepared to the satisfaction of the **General Manager of the Planning, Real Estate, and Economic Development Department, or his/her designate**, showing the location of one new 50mm tree to be planted on the property frontage or right-of-way of each lot following construction, to enhance the urban tree canopy and streetscape.
  8. That the Owner(s) file with the Committee a copy of the registered Reference Plan prepared by an Ontario Land Surveyor registered in the Province of Ontario, and signed by the Registrar, **confirming the frontage and area of the severed land. If the Registered Plan does not indicate the lot area, a letter from the Surveyor confirming the area is required**. The Registered Reference Plan must conform substantially to the Draft Reference Plan filed with the Application for Consent.

9. That upon completion of the above conditions, and **within the two-year period outlined above**, the Owner(s) file with the Committee, the “electronic registration in preparation documents” for a Conveyance and Grant of Easements/Rights-of-Ways for which the Consent is required.

**The Consent lapses two year from the date of this Decision.**

All technical studies must be submitted to Planning, Real Estate and Economic Development Department a minimum of **40 working days** prior to lapsing date of the consent. Should a Development Agreement be required, such request should be initiated **15 working days** prior to lapsing date of the consent and should include all required documentation including the approved technical studies.

Please note that if a major change to a condition or conditions is requested, you will be entitled to receive Notice of the changes only if you have made a written request to be notified.

**NOTICE OF RIGHT TO APPEAL:**

To appeal this decision to the Ontario Land Tribunal (OLT), an appeal form along with a certified cheque or money order payable to the Ontario Minister of Finance must be filed with the Secretary-Treasurer of the Committee of Adjustment by **March 3, 2022**, delivered to the following address:

Secretary-Treasurer, Committee of Adjustment,  
101 CentrepoinTE Drive, 4<sup>th</sup> floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the OLT website at <https://olt.gov.on.ca/>. The OLT has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application. If you have any questions about the appeal process, please contact the Committee of Adjustment office by calling 613-580-2436 or by email at [cofa@ottawa.ca](mailto:cofa@ottawa.ca).

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for consent to the OLT. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

**NOTICE TO APPLICANT:**

Applicants are advised to take note of comments received from City departments and other technical agencies like Hydro Ottawa and to consult where appropriate.

**DECISION SIGNATURE PAGE  
PAGE DE SIGNATURE DE LA DÉCISION**

**File No. / Dossier n°:** D08-01-21/B-00502, D08-01-21/B-00503  
**Owner(s) / Propriétaire(s):** Harrogate Property Group Inc.  
**Location / Emplacement:** 2927 Highfield Crescent

We, the undersigned, concur in the decision and the reasons set out by the Committee of Adjustment.

Nous, soussignés, souscrivons à la décision et aux motifs rendus par le Comité de dérogation.

*“Ann M. Tremblay”*

**ANN M. TREMBLAY  
CHAIR / PRÉSIDENTE**

*Absent / Absente*

**KATHLEEN WILLIS  
MEMBER / MEMBRE**

*Absent / Absente*

**JULIA MARKOVICH  
MEMBER / MEMBRE**

*“Colin White”*

**COLIN WHITE  
MEMBER / MEMBRE**

*“Scott Hindle”*

**SCOTT HINDLE  
MEMBER / MEMBRE**

*“Bonnie Oakes Charron”*

**BONNIE OAKES CHARRON  
MEMBER / MEMBRE**

I certify that this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa.

Je certifie que celle-ci est une copie conforme de la décision rendue par le Comité de dérogation de la Ville d’Ottawa.

***Date of Decision / Date de la décision***  
**February 11, 2022 / 11 février 2022**



**Michel Bellemare**  
**Secretary-Treasurer / Secrétaire-trésorier**