



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

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 6247 Russell Road
Legal Description: Part of Lots 2 and 3, Concession 7, former Geographic Township of Gloucester
File No.: D08-01-25/B-00078, D08-01-25/B-00079
Report Date: **July 07, 2025**
Hearing Date: July 08, 2025
Planner: Nivethini Jekku Einkaran
Official Plan Designation: Rural Transect, Rural Countryside, Unstable slopes and Unevaluated wetlands on the Flood Plain Overlay, Natural Heritage System Core Area
Zoning: RU

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has no concerns with** the application(s).

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

Infrastructure Engineering

- Please note that only one connection equal to 2700 L/day is permitted to the Carlsbad Springs Trickle Feed System.

Planning Forestry

There are no tree-related impacts associated with the requested severance.

A TIR and tree permit application would be required for any work that would require removal of any trees within the right-of-way.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent Application. However, the owner shall be made aware that Private Approach permits are required to establish any proposed new entrances for future development as well as to modify or close an existing entrance that becomes redundant. **Please contact the ROW Department for further information at rowadmin@ottawa.ca.**

Transportation Engineering

Russell Road has a right of way (ROW) protection of 37.5m per Schedule C16 of the Official Plan. The 37.5 m ROW (measured equally on both sides from the centreline) must be dedicated to the City as part of this severance application. For more details, refer to Policy 2.1.1 (a) of Schedule C16.

CONDITIONS

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following condition(s) on the application(s):

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. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
2. 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.

~~That the Owner(s) provide a report, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, demonstrating the adequacy of the aquifer, with respect to quality and quantity, to support the proposed development.~~

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~~Where adequacy cannot be demonstrated, the Owner(s) shall construct a new well on the severed lands and provide a report, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to demonstrate the adequacy of the aquifer, with respect to quality and quantity, to support the proposed development. The report must include a septic impact assessment to evaluate the water quality impact of the on-site septic system on the receiving aquifer.—~~

~~The report must demonstrate that the construction of any new well is in accordance with the Ministry of the Environment, Conservation and Parks regulations and City of Ottawa requirements, and that the quality and quantity of water and the septic impact assessment meets the requirements and is prepared as per the City of Ottawa Hydrogeological and Terrain Analysis Guidelines (March, 2021).—~~

~~A qualified Professional Engineer or Professional Geoscientist must prepare the report. It is the Owner's responsibility to coordinate the person drilling a new well, if required, and the professional noted herein in order to properly satisfy this condition.—~~

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~~If the accepted report recommends specific mitigation measures or design requirements, the Owner(s) shall enter into a Development Agreement with the City, at the expense of the Owner(s), to include those recommendations and such agreement shall be registered on title. In instances where the subject site has sensitive soils, the drilling of a well and/or the conveyance of a 30-centimetre reserve may be required. Both the report and any required Development Agreement shall be prepared 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) provide a Septic Impact Assessment Report, prepared by a Professional Engineer or Professional Geoscientist, licensed in the Province of Ontario, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

The Report shall include but may not be limited to, the location of the septic system and mantle (if present), an assessment of the condition of the septic system components, recommendations on system performance and remedial works if necessary, and the identification of sufficient area for a replacement septic bed and mantle, as per the Ontario Building Code 2012, as amended. The Report is required to evaluate the impact of the on-site septic system on the receiving aquifer. The Report must meet the Ministry of the Environment,

Conservation and Parks guidelines; Procedure D-5-4 “Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment” & the City of Ottawa Hydrogeological and Terrain Analysis Guidelines (March, 2021).

If the accepted report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the property, which includes those recommendations. Both the report and any required Development Agreement shall be prepared to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

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

5. 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 has identified that there are potential sensitive marine clay soils within the area that may require site specific detailed geotechnical engineering solutions to allow for development, 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 Committee shall be provided a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

6. That the Owner provide a Geotechnical Study, prepared by a Professional Civil Engineer, licensed in the Province of Ontario, demonstrating the following:

- That all parcels to be created by this application are or can be made suitable for residential purposes (slope stability, erosion protection, and building limits adjacent to slopes),
- That there are no adverse environmental impacts, and
- The Geotechnical Study shall, as a minimum, determine the limit of organic soils/karst topography/sensitive marine clays present on the severed parcel and provide recommendations for construction methods based on the soil types encountered.

The study shall be to the satisfaction of both the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

7. 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 (arterial road) and may therefore be subject to noise and other activities associated with that use.”

“The property is located next to lands that have an active railway line now, or may have one in the future, and may therefore be subjected to noise, vibration, and other activities associated with this 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.

8. That the Owner(s) provide a Rail Safety Report prepared by a suitably experienced Professional Engineer or Planner, licensed in the Province of Ontario, to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

The purpose of the report is to consult with the railway or operator, determine the building setbacks for new development, and to design and install the required mitigative measures with regards to rail safety. The report must meet the requirements of the Guidelines for New Development in Proximity to Railway Operations [2013_05_29_Guidelines_NewDevelopment_E.pdf](#), as amended.

Where the applicant is able to provide clearance from the rail operator that the proposed development can proceed without mitigation measures, and without a study being required, the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.

9. 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 Russell Road frontage of the lands, measuring 18.75 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.
10. That the Owner(s) satisfy 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 severance the existing building (approximately 28 m from new property line, assuming storage or farm building) on Novatech drawings 124200-SEV shall comply with the Ontario Building Code, O. Reg. 163/24 as amended, in regards to the limiting distance along the property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.



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