

DECISION

CONSENT/SEVERANCE

Date of Decision:	February 27, 2026
Panel:	2 - Suburban
Files:	D08-01-25/B-00261 & D08-01-25/B-00262
Applications:	Consent under section 53 of the <i>Planning Act</i>
Applicant:	Talos Custom Homes Ltd.
Property Address:	6003 Perth Street
Ward:	21 - Rideau-Jock
Legal Description	Unit 75, Index Plan 4D-22, Geographic Township of Goulbourn
Zoning	RC11
Zoning By-law:	2008-250
Heard:	February 17, 2026, in person and by videoconference

APPLICANT’S PROPOSAL AND PURPOSE OF THE APPLICATIONS

- [1] The Applicant wants to subdivide the property into three parcels of land to create one new lot for future commercial development. The existing dwelling at 6003 Perth Street will be demolished and the heritage dwelling at 6019 Perth Street will remain.
- [2] At the scheduled hearing on January 13, 2026, the Committee adjourned the applications to allow the Applicant time to revise the proposal based on the location of an existing well.

CONSENT REQUIRED

- [3] The Applicant seeks the Committee’s consent to sever land. The property is shown as Parts 1 to 3 on a draft 4R-plan filed with the applications and the separate parcels will be as follows:

Table 1 Proposed Parcels

File No.	Frontage	Depth	Area	Part	Building
B-00261	47.59 metres	74.19 metres	4,055.06 sq. metres	1	6003 Perth Street
B-00262	37.22 metres	74.5 metres	2,244.35 sq. metres	2	6019 Perth Street
Retained	20.51 metres	74.54 metres	1,529.25 sq. metres	3	6025 Perth Street

- [4] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

Oral Submissions Summary

- [5] Alison Clarke, agent for the Applicant, provided a slide presentation, a copy of which is on file with the Secretary-Treasurer and available from the Committee Coordinator upon request.
- [6] Ms. Clarke confirmed that the subject property is zoned rural commercial and any future development on the site will require a site plan control application. This would take into consideration the neighbouring residential units.
- [7] City Planner Dylan Geldart was also present.
- [8] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED

Applications Must Satisfy Statutory Tests

- [9] Under the *Planning Act*, the Committee has the power to grant a consent if it is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. Also, the Committee must be satisfied that an application is consistent with the *Provincial Planning Statement, 2024*, and has regard for matters of provincial interest under section 2 of the Act, as well as the following criteria set out in subsection 51(24):

Criteria

- (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,
- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
 - b) whether the proposed subdivision is premature or in the public interest;
 - c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
 - d) the suitability of the land for the purposes for which it is to be subdivided;
 - d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
 - e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
 - f) the dimensions and shapes of the proposed lots;
 - g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
 - h) conservation of natural resources and flood control;
 - i) the adequacy of utilities and municipal services;
 - j) the adequacy of school sites;
 - k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
 - l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
 - m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

Evidence

[10] Evidence considered by the Committee included all oral submissions made at the hearing, as highlighted above, and the following written submissions held on file with the Secretary-Treasurer and available from the Committee Coordinator upon request:

- Applications and supporting documents, including a cover letter, lawyer's letter, plans, parcel abstract, photo of the posted sign, and a sign posting declaration.
- City Planning Report received February 11, 2026, with no concerns.
- Rideau Valley Conservation Authority email dated February 10, 2026, with no objections.
- Hydro Ottawa email dated February 13, 2026, with comments.
- M. Kabo, resident, email dated January 9, 2026, opposed.
- J. Seeman, resident, email dated January 9, 2026, opposed.
- L Schmidt, resident, email dated January 12, 2026, with comments
- G. Best, resident, email dated January 13, 2026, with concerns.

Effect of Submissions on Decision

[11] The Committee considered all written and oral submissions relating to the applications in making its decision and granted the applications.

[12] The Committee notes that the City's Planning Report raises "no concerns" regarding the applications, subject to the requested conditions agreed to by the Applicant's agent.

[13] Based on the evidence, the Committee is satisfied that the proposal is consistent with the *Provincial Planning Statement, 2024*, that promotes building homes, sustaining strong communities; providing infrastructure and public service facilities in an efficient manner while accommodating projected needs; the wise use and management of resources; and, protecting public health and safety.

[14] The Committee is also satisfied that the proposal has adequate regard to matters of provincial interest, including the orderly development of safe and healthy communities; the appropriate location of growth and development; and the protection of public health and safety.

[15] Additionally, the Committee is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.

- [16] Moreover, 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.
- [17] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the applications are granted and the provisional consent is to be given, subject to the conditions set out in Appendix A to this decision.

"Fabian Poulin"
FABIAN POULIN
VICE-CHAIR

"Jay Baltz"
JAY BALTZ
MEMBER

"George Barrett"
GEORGE BARRETT
MEMBER

"Heather MacLean"
HEATHER MACLEAN
MEMBER

"Julianne Wright"
JULIANNE WRIGHT
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **February 27, 2026**

"Michel Bellemare"
MICHEL BELLEMARE
SECRETARY-TREASURER

NOTICE OF RIGHT TO APPEAL

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form and the filing fee must be submitted via one of the below options and must be received no later than **3:00 p.m. on March 19, 2026**.

- **OLT E-FILE SERVICE** – An appeal can be filed online through the [E-File Portal](#) . First-time users will need to register for a My Ontario Account. Select [Ottawa (City): Committee of Adjustment] as the Approval Authority. To complete the appeal, fill in all the required fields and provide the filing fee by credit card.
- **BY EMAIL** - Appeal packages can be submitted by email to cofa@ottawa.ca. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). Please indicate on the appeal form that payment will be made by credit card.

- **IN PERSON** – Appeal packages can be delivered to the Secretary-Treasurer, Committee of Adjustment, 101 Centrepointe Drive, 4th floor, Ottawa, Ontario, K2G 5K7. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). In person payment can be made by certified cheque or money order made payable to the Ontario Minister of Finance, or by credit card. Please indicate on the appeal form if you wish to pay by credit card.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of filing, the appeal must be filed with one of the other two options.

The Ontario Land Tribunal has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application.

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A “specified person” does not include an individual or a community association.

There are no provisions for the Committee of Adjustment or the Ontario Land Tribunal to extend the statutory deadline to file an appeal. If the deadline is not met, the OLT does not have the authority to hold a hearing to consider your appeal.

If you have any questions about the appeal process, please visit [File an Appeal | Ontario Land Tribunal](#)

NOTICE TO APPLICANT

Should a Development Agreement be required, such request should be initiated 30 working days prior to lapsing date of the consent and should include all required documentation including that related to transfers, easements, and postponements, and all approved technical studies. If you do not fulfill the conditions of provisional consent within the two-year period, the *Planning Act* provides that your application “shall be deemed to be refused”.

Ce document est également offert en français.

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APPENDIX A

1. 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.

2. That the Owner(s) provide a Hydrogeological and Terrain Analysis report, **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 be prepared by a licensed Professional Geoscientist (P.Geo.) or Professional Engineer (P.Eng.) and be in accordance with the City of Ottawa's council-approved Hydrogeological and Terrain Analysis Guidelines (March, 2021), as amended. The reporting must provide sufficient information with the application to demonstrate:
 - That sufficient quantity of groundwater exists on the site to service the development,
 - That the quality of the groundwater meets or exceeds the drinking water standards and guidelines referenced in the City's council-approved Hydrogeological and Terrain Analysis Guidelines (March, 2021), as amended, and
 - That the operation of sewage systems on the lots will not adversely impact on wells to be constructed or on the wells of neighboring properties.

Where groundwater water quantity or quality are considered marginal, as many as one test well per lot may be required to demonstrate the adequacy of the aquifer to support the proposed development. Technical Pre-Consultation with the City's Hydrogeological staff is highly recommended for sites where quantity or quality are marginal, where dug wells are contemplated, or where the site is likely to be hydrogeologically sensitive.

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 is hydrogeologically sensitive, the drilling of a well and/or the conveyance of a 30-centimetre reserve may be required to ensure that the measures are implemented in accordance with the recommendations of the approved hydrogeological reporting. 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) 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.

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 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.

5. The Owner(s) shall prepare a Noise Control Study, in compliance with the City of Ottawa Environmental Noise Control Guidelines, **to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.** The Owner(s) shall enter into an agreement with the City, at the expense of the Owner(s), that requires the Owner(s) to implement any noise control attenuation measures recommended in the approved study. The Agreement shall also deal with any covenants/notices, recommended in the approved study, 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 (arterial, highway, airport, etc.). 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. 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 Perth Street frontage of the lands, measuring 15 meters 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.

7. That the Owner/Applicant(s) provide a Tree Information Report, **to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**. This report shall be prepared by an Arborist, identifying all trees protected under the City's Tree Protection by-law, and meeting the standards of the City's Tree Information Report Guidelines, including an assessment of impacts related to the current site plan, and specific mitigation measures where work is proposed within the Critical Root Zone of a protected tree.
8. Where a severance will create a vacant lot, the Owner/Applicant(s) will provide a Grading/Servicing Plan based on the conceptual building envelope created by the zoning of the proposed lot, to establish that the lot can be graded to a sufficient and legal outlet and has access to services with adequate capacity, while minimizing impacts to protected trees outside of the building envelope, including boundary and adjacent trees. The Tree Information Report must reflect any changes to the grading and servicing plan. These plans will be **to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**.
9. 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 to the satisfaction of the **Secretary-Treasurer of the Committee of Adjustment or their designate**.
10. 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 severance for which the Consent is required to the satisfaction of the **Secretary-Treasurer of the Committee of Adjustment or their designate**.