

2026-01-08



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 1258 Cousineau Street
Legal Description: Part of Lots 2 and 3 (North Charles Street Lots),
Registered Plan 10
File No.: D08-01-25/B-00245
Report Date: January 8, 2026
Hearing Date: January 13, 2026
Planner: Elizabeth King
Official Plan Designation: Suburban Transect, Neighbourhood, Evolving Neighbourhood
Overlay
Zoning: R2N

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has 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 concerns with the proposed consent.

This site is located in an area with a risk of retrogressive landslides as there is an escarpment along St Joseph Boulevard; therefore, a Retrogressive Landslide Analysis Report is required to determine whether the site is developable. Unstable slopes are identified through Schedule C15 of the Official Plan.

At this time, Staff have concerns with granting a consent to sever application prior to this information being available for review because Staff are unsure if the recommended conditions can be cleared.

Staff would also like it noted that if the severance is registered, and a semi-detached dwelling is not constructed, the existing detached dwelling will have non-compliance with the zoning by-law.

ADDITIONAL COMMENTS

Infrastructure Engineering

- The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
- At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
- The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by Planning, Development and Building Services Department.
- Existing grading and drainage patterns must not be altered.
- Existing services are to be blanked at the owner's expense.
- This property does not have frontage on a storm sewer.
- Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.
- In accordance with the Sewer Connection By-Law a minimum spacing of 1.0m is required between service laterals and the foundation face.

Planning Forestry

Additional information is required to ensure construction of the proposed addition is compatible with retention of tree 1. Grading and servicing plans are requested for review, as a condition of severance. Changes to plans may be required to ensure the existing tree can be adequately protected during development.

Additionally, a planting plan is requested, showing at least one new tree on site and/or in the frontage, following construction.

Right of Way Management

The Right-of-Way Management Department has no concerns with the proposed Consent Application, as there are no proposed alterations or modifications to the private approach.

Transportation Engineering

The site is located within 300 m of the future O-Train Line 1/3 rail corridor. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

Cousineau St has a right of way (ROW) protection of 18m per Schedule C16 of the Official Plan. The 18m ROW (measured 9m from centreline) must be dedicated to the City as part of this 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 conditions on the application:

1. 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 on Plan of Survey shall comply with the Ontario Building Code, O. Reg. 163/24 as amended, in regard to the limiting distance along the proposed West property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
2. That the Owner(s) provide evidence to the satisfaction of the Chief Building Official, or designate, that the covered deck has been demolished or relocated under the authority of a building permit.
3. That the Owner/Applicant(s) provide Grading, Servicing, & Site plan(s) with the proposed elements/structures (services, retaining walls, projections, etc.) designed and located to allow for the retention and protection of existing tree (#1), as detailed in the Tree Information Report prepared by Integrated Forestree Services, and dated Oct. 20, 2025. 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.
4. That the Owner/Applicant(s) provide a tree planting plan, prepared to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, showing the location(s) and species or ultimate size of at least one new tree (50 mm caliper) per lot, in addition to any compensation trees required under the Tree Protection By-law.
5. That the Owner(s) provide evidence, to the satisfaction of both the Chief Building Official and the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.
6. That the Owner(s) provide proof 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, delineating the existing and proposed grades for both the severed and retained lands has been provided to the satisfaction of the Manager of Development Review All Wards Branch within

Planning, Development and Building Services Department, or their designate.

7. If required, that the Owner(s) enter into a Joint Use and Maintenance Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners with respect to the joint use and maintenance of all common elements including, but not limited to, the common party walls, common structural elements such as roof, footings, party walls, soffits, and foundations.

The Owner shall ensure that the Agreement is binding upon all unit owners and successors in title and shall be to the satisfaction of Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or City Legal Services. The Committee shall be provided written confirmation that the Agreement is satisfactory to the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or is satisfactory to City Legal Services, as well as a copy of the Agreement and confirmation that it has been registered on title.

8. 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 Cousineau frontage of the lands, measuring 9 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.

9. 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 and the Rideau Valley Conservation Authority.

10. That the Owner provide a geotechnical site assessment prepared by a Professional Civil 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 to address if the:

- Slopes greater than 8m in height, and
- Slope gradients greater than 14%, and
- Greater than 8m of sensitive marine clay

If the geotechnical site assessment is consistent with the criteria, the Owner shall provide a Retrogressive Landslide Analysis Report, prepared by a Professional Civil Engineer or professional geoscientist, licensed in the Province of Ontario, to the satisfaction of both the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate and the Rideau Valley Conservation Authority. The Retrogressive Landslide Analysis Report shall be in accordance with the Technical Guidance on Slope Stability Assessment Requirements for Development Applications with Sensitive Marine Clays.

If the Retrogressive Landslide Analysis Report concludes that some development is possible, the Owner shall provide a Slope Stability Analysis, prepared by a Professional Civil Engineer or professional geoscientist, licensed in the Province of Ontario, to the satisfaction of both the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate and the Rideau Valley Conservation Authority.

If the accepted Slope Stability Analysis report recommends specific mitigation measures or design requirements, the Owner(s) may be required to 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.



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