



CONSENT APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 1435 and 1451 Belcourt Boulevard
Legal Description: Lots 17 and 18, Registrar's Compiled Plan 906
File No.: D08-01-25/B-00199 – B-00202
Report Date: January 29, 2026
Hearing Date: February 3, 2026
Planner: Elizabeth King
Official Plan Designation: Suburban Transect, Neighbourhood
Zoning: R2N

DEPARTMENT COMMENTS

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

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; 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.

The City will provide the submitted results to the Conservation Authority for their review to ensure that the work was done to the required specifications. The Conservation Authority will then indicate one of the following outcomes:

- 1. Champlain Sea clay deposits susceptible to retrogressive landslides are not present, and the development can proceed with setbacks from top of slope based on a conventional slope stability analysis;*
- 2. Champlain Sea clay deposits susceptible to retrogressive landslides are present, and part of the site is beyond the limit of development such that some development is possible; or*

3. Champlain Sea clay deposits susceptible to retrogressive landslides are present, and the limit of development encompasses the entire site such that no development is possible.

ADDITIONAL COMMENTS

Planning Forestry

The proposed development will require the removal of five protected trees, subject to the planting of 13 replacements, &/or cash-in-lieu compensation. The proposed planting plan shows 10 small-stature trees, including five trees in the rear yards, and five in the frontages. The applicant is strongly encouraged to explore planting opportunities along the Southern & Eastern property lines in the back yards, to mitigate the heat island effect and to provide screening for/from neighbouring properties.

Two mature bur oaks are to be retained, in front of the existing building at 1451 Belcourt. Detailed grading, servicing, and site plans are requested to ensure they are compatible with the recommendations of the TIR.

Right of Way Management

The Right-of-Way Management Department has no objections to the proposed Consent Applications. However, the Owner should be advised that a private approach permit will be required for each individual long semi-detached dwelling to provide access to the rear parking area.

A Private approach permit is required to construct any newly created or modified driveway/approaches or close redundant approaches so one is required to close the existing. 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.

Transportation Engineering

Belcourt Blvd has a right of way (ROW) protection of 24m per Schedule C16 of the Official Plan. The 24m ROW (measured 12m 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 applications:

1. That the Owner(s) provide evidence, to the satisfaction of the Manager of Development Review All Wards, Planning, Development and Building Services Department, that each existing parcel has its own independent storm, sanitary and water services connected to City infrastructure and that these services do not

cross the proposed severance line. If they do cross or are not independent, the Owner(s) will be required, at their own cost, to relocate the existing services or construct new services from the City sewers/watermain. 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 Stormwater Management Report, prepared by a Professional Civil Engineer, licensed in the Province of Ontario, demonstrating a design for post-development stormwater peak flows that are controlled to pre-development peak flows for all stormwater events up to and including the 100 year storm event. The report shall be to the satisfaction of and approved by the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

If the Stormwater Management Report includes infiltration techniques, the Owner(s) must provide a supporting Geotechnical Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, for approval by the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

The Owner(s) shall enter into a Development Agreement with the City to construct the required stormwater system, which may include required securities. A copy of the Agreement and written confirmation from City Legal Services that it has been registered on title, shall be forwarded to the Committee of Adjustment.

If applicable, the Owner(s) shall obtain all necessary approvals from the Ontario Ministry of Environment, Conservation and Parks.

Should the stormwater management system cross property lines or access to the system be over multiple properties, that the owner will seek approval of the Committee to grant easement(s) for access and maintenance of the stormwater system or register a Joint Use and Maintenance Agreement on title of the properties, all at the owner(s) costs.

3. 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.
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 lot is located adjacent to lands with slope stability concerns. Additional engineering and slope stability measures may be required prior to issuance of Building Permits for development on the lot.”

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 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.

6. 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.

7. The Owner(s) shall:

- a. 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.

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 Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title. The following two conditions will be included in the above-noted Agreement:

Notices-on-Title respecting noise:

- 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, Conservation and Parks' 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, Conservation and Parks' noise criteria."
8. That the Owner(s) enter into a Resurfacing Agreement with the City, to the satisfaction of the Program Manager, Right of Way Branch within the Planning, Development and Building Services Department, or their designate, and provide financial security in accordance with the Road Activity By-law, as amended, to install an asphalt overlay over the roadway surface of Belcourt Blvd, fronting the subject lands, to the limits shown on the approved Site Servicing Plan. Where the approved Site Servicing Plan demonstrates the resurfacing is not required, based on the City's Road Cut Resurfacing Policy, the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.
9. That the Owner/Applicant(s) provide Grading, Servicing, & Site plan(s) with the proposed elements/structures (driveways, parking, retaining walls, projections, services, etc.) designed and located based on the least impact to protected trees and tree cover, as well as a revised Tree Information Report reflecting these changes to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.

10. 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 Belcourt frontage of the lands, measuring 12 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



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