

2026-03-12



CONSENT & MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 1347 Normandy Crescent
Legal Description: Lot 50, Registered Plan 291190
File No.: D08-01-25/B-00254, B-00255 and D08-02-25/A-00248
Report Date: March 12, 2026
Hearing Date: March 17, 2026
Planner: Elizabeth King
Official Plan Designation: Outer Urban Transect, Neighbourhood
Carleton Heights Secondary Plan, Neighbourhood Low-rise
Zoning By-law 2008-250: R1GG
Zoning By-law 2026-050: N2E

DEPARTMENT COMMENTS

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

REQUESTED VARIANCES

Based on Staff's review, Staff note the following amendment to Variance (b):

- b) To permit a reduced rear yard setback of **20.55%** ~~17.55%~~ of the lot depth or **15.21 metres** ~~13.33 metres~~, whereas the By-law states that the minimum required rear yard setback is 30% of the lot depth, in this case 22.78 metres

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.

Staff have reviewed the subject minor variance application against the "four tests" as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested minor variance(s) meet(s) the "four tests".

Staff note the recommended amendment to variance (b) is because the rear yard setback is measured to rear wall of the principal dwelling, not the deck projection.

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.

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.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- 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.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Existing services are to be blanked at the owner's expense.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

Planning Forestry

The application proposes the removal of one protected tree in the rear yard, due to root loss during construction, as well as the removal of a large maple in the front yard.

Right of Way Management

The Right of Way Management Department has no concerns with the Consent Applications or the Minor Variance Application, as there are no proposed changes being made to the existing approach.

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 both the Chief Building Official and Development Review Manager, Planning, Development and Building Services Department, or designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, and

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.

2. That the Owner(s) submit a Stormwater Management Brief prepared by a Professional Civil Engineer licensed in the Province of Ontario, demonstrating a design for controlling post-development stormwater peak flows to pre-development peak flows for all stormwater events up to the 100 year storm event, to the satisfaction of the Development Review Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, to be confirmed in writing from the Department to the Committee.

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

That the Owner(s) enter into a Development Agreement with the City to construct the required stormwater system, including posting 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 an Environmental Compliance Approval 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 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;

“The property is located next to lands that have an existing source of environmental noise (airport) and may therefore be subject to noise and other activities associated with that use”

The Agreement shall be to the satisfaction of Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

4. 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 All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their 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 Development Review All Wards Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.
5. That the Owner(s) provide a Grading and Servicing Plan 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.
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 provide a geotechnical site assessment prepared by a Professional Civil Engineer or professional geoscientist, licensed in the Province of Ontario, to address if the:
- Slopes are greater than 8m in height, and
 - Slope gradients are greater than 14%, and
 - There is greater than 8m depth 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.

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



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