

**DECISION
CONSENT/SEVERANCE**

Date of Decision: March 28, 2025
Panel: 2 - Suburban
File No.: D08-01-25/B-00012 & D08-01-25/B-00013
Application: Consent under section 53 of the *Planning Act*
Applicant: 1001043242 Ontario Inc.
Property Address: 2544 Gravelle Crescent
Ward: 2 - Orléans West-Innes
Legal Description: Part of Lot 15, Concession 2 (Ottawa Front) Geographic Township of Gloucester
Zoning: R2N
Zoning By-law: 2008-250
Heard: March 18, 2025, in person and by videoconference

APPLICANT’S PROPOSAL AND PURPOSE OF THE APPLICATIONS

[1] The Applicant wants to subdivide the property into two separate parcels of land for the construction of two long semi-detached dwellings, with 2 additional dwelling units to each principal unit, for a total of 6 dwelling units in each building. The existing dwelling will be demolished.

CONSENT REQUIRED

[2] The Applicant seeks the Committee’s consent to sever land and grant easements/rights of way. The property is shown as Parts 1 to 4 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 No.	Municipal Address
B-00012	12.04 m	57.34 m	693.2 sq. m	1 and 3	2538, 2540 Gravelle Crescent (proposed long semi-detached dwelling)

File No.	Frontage	Depth	Area	Part No.	Municipal Address
B-00013	12.04 m	57.26 m	691.7 sq. m	2 and 4	2542, 2544 Gravelle Crescent (proposed long semi-detached dwelling)

[3] It is proposed to establish easements/rights of way as follows:

- Over Part 3 in favour of Parts 2 and 4 to provide pedestrian and vehicle access, parking, and vehicle turning movements.
- Over Part 4 in favour of Parts 1 and 3 to provide pedestrian and vehicle access, parking, and vehicle turning movements.

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

PUBLIC HEARING

[5] On March 4, 2025, the Committee adjourned the hearing of the applications to allow additional time for the Applicant to consult with area residents, and for residents to review the applications and prepare their comments to the Committee.

Oral Submissions Summary

[6] Peter Hume, agent for the Applicant, confirmed that a meeting was held with area residents prior to the hearing. He noted, however, that the objections and concerns raised by residents were not resolved. He submitted that those objections and concerns related primarily to the proposed development, which he highlighted is permitted as of right.

[7] Mr. Hume provided a slide presentation, a copy of which is on file with the Secretary-Treasurer and available from the Committee Coordinator upon request. He highlighted that the proposal is consistent with the Provincial Policy Statement, as it contributes to the range of housing options, including affordable housing in a settlement area with access to existing municipal infrastructure and public transit, and responds to the direction in the City's Official Plan by supporting intensification in an area subject to the Evolving Neighbourhood Overlay. He also highlighted that the proposed lots significantly exceed the minimum lot width and area required by the Zoning By-law.

[8] City Planner Nivethini Jekku Einkaran confirmed that she had no concerns with the applications. Responding to the Committee's questions, she confirmed that the proposed lots meet zoning requirements and that City engineers had reviewed the applications and raised no concerns with the capacity of existing infrastructure to support the development of the proposed lots.

[9] The Committee also heard oral submissions from the following individuals:

- C. Calvert, resident, highlighted concerns that the proposal amounts to overdevelopment, that the proposed parking is inadequate and would lead to on-street parking and traffic impacts that compromise the safety of residents, that the neighbourhood lacks the stormwater drainage capacity to support the development, which would exacerbate existing drainage and flooding issues, and that the Applicant's evidence fails to address the criteria set out in the *Planning Act*, the Provincial Policy Statement and the City's Official Plan, which she submitted have not been satisfied. She requested that the Committee refuse the applications, to limit the development potential on the lot to one building containing a maximum of 6 dwelling units. She also requested that, if the applications are approved, the Committee require the Applicant to submit a stormwater management plan, parking and traffic impact study, an updated tree information report, and a sun/shadow study as conditions of provisional consent.
- J. Nehme, resident, highlighted concerns about existing issues with water pressure and the adequacy of sanitary services to support increased density, as well as the impact of increased building footprints on water runoff and flooding. He also submitted that residents were not provided sufficient time prior to the hearing to fully address their concerns.
- L. Sharkey, resident, highlighted concerns about the impact of the development on the character of the community, on the safety of residents due to increased traffic and demand for on-street parking, and with regard to upkeep and property standards.
- D. Sazarin, resident, highlighted additional concerns about the compatibility of the development with the unique character of Blackburn Hamlet and the existing streetscape pattern, the adequacy of the proposed parking, impacts on property values, and the impact that approval of these applications may have on future development
- M. Sazarin, resident, commented on the sense of community in the neighbourhood and highlighted concerns about the overdevelopment of the lot, its precedent for future development, impacts on parking, pedestrian safety and property values, and the lack of community consultation undertaken by the Applicant.
- J. Grise, resident, commented on the importance of preserving the character and safety of the community and proposed that an alternate development could be achieved that would better address the concerns of area residents.

[10] Responding to questions from the Committee, Mr. Hume explained that the property is located close to public transit along Innes Road, which provides access to Blair Station.

[11] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED

Applications Must Satisfy Statutory Tests

[12] 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 Policy Statement 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

[13] 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 cover letter, plans, tree information, photo of the posted sign, and a sign posting declaration.
- City Planning Report received March 13, 2025, with no concerns; received February 27, 2025, with no concerns.
- Rideau Valley Conservation Authority email received March 17, 2025, with no objections; received February 28, 2025, with no objections.
- Hydro Ottawa email received March 6, 2025, with comments; received February 21, 2025, with comments.
- Hydro One email received February 28, 2025, with no comments.
- Ontario Ministry of Transportation email received March 12, 2025, with no comments.

- M. Sarazin, resident, email received March 17, 2025, opposed; received March 3, 2025, requesting an adjournment.
- L. Sharkey, resident, email received March 17, 2025, opposed; received March 3, 2025, requesting an adjournment.
- B. Sarazin, resident, email received March 17, 2025, opposed; received March 3, 2025, requesting an adjournment.
- C. Calvert, resident, email received March 17, 2025, opposed; received March 3, 2025, requesting an adjournment; received March 3, 2025, petition signed by 81 residents, opposed.
- J. Franche, resident, email received February 24, 2025, opposed; received March 3, 2025, requesting an adjournment.
- B. Meyer, resident, email received February 28, 2025, opposed.
- P. Bruneau, resident, email received March 3, 2025, opposed.
- P. Gravelle, resident, email received March 3, 2025, requesting an adjournment.
- J. Sharkey, resident, email received March 3, 2025, requesting an adjournment.
- J. Frank Cassidy, resident, email received March 3, 2025, requesting an adjournment.
- S. Ragusa, resident, email received March 3, 2025, requesting an adjournment.
- G. Shannon, resident, email received March 3, 2025, requesting an adjournment.
- R. Ray, resident, email received March 3, 2025, requesting an adjournment.
- R. Vermette, resident, email received March 3, 2025, requesting an adjournment.
- C. Dubois and A. Pilon, residents, email received March 3, 2025, requesting an adjournment.
- J. Grise, resident, email received March 3, 2025, requesting an adjournment.

- W. Abou-Arraj, resident, email received March 3, 2025, requesting an adjournment.
- A. Balla, resident, email received March 3, 2025, requesting an adjournment.
- J. Abou-Arrai, resident, email received March 3, 2025, requesting an adjournment.
- B. Lawrie, resident, email received March 3, 2025, requesting an adjournment.
- E. Dinardo, resident, email received March 3, 2025, requesting an adjournment.
- K. Sharkey, resident, email received March 3, 2025, requesting an adjournment.
- S. Blouin, resident, email received March 3, 2025, requesting an adjournment.
- L. Abou-Arrai, resident, email received March 3, 2025, requesting an adjournment.
- N. Lacasse and T. Timothy, residents, email received March 3, 2025, requesting an adjournment.
- A. Prigli and A. Balla, residents, email received March 3, 2025, requesting an adjournment.
- J. Nehme and A. Nehme, residents, email received March 3, 2025, with comments.
- D. Lalonde, resident, email received March 3, 2025, requesting an adjournment.
- J. Laurin, resident, email received March 3, 2025, requesting an adjournment.
- B. Martin, resident, email received March 3, 2025, requesting an adjournment.
- M. Rasheed, resident, email received March 3, 2025, requesting an adjournment.

- M. Yardon, B. Yardon and Z. Yardon, residents, email received March 3, 2025, requesting an adjournment.
- M. Martin, resident, email received March 3, 2025, requesting an adjournment.
- M. and S. Lamess, residents, email received March 3, 2025, requesting an adjournment.

Effect of Submissions on Decision

- [14] The Committee considered all written and oral submissions relating to the applications in making its decision and granted the applications.
- [15] 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, and that confirmation was provided by the City Planner that the City has no concerns with the adequacy of existing infrastructure to support the proposal.
- [16] The Committee also notes that City Council has established, through the provisions of the Zoning By-law, that the proposed lots are appropriately sized for this area, and that a range of as-of-right development options exist, including long semi-detached dwellings. Additionally, the Committee notes that the *Planning Act* sets out minimum permitted densities, which includes the use of three residential units in any semi-detached house. In considering these consent applications, therefore, the Committee notes that it is dealing only with the proposed severance of land, and it has no authority to impose stricter development standards, such as greater lot sizes or increased parking requirements, to constrain future development.
- [17] Based on the evidence, the Committee is satisfied that the proposal is consistent with the Provincial Policy Statement that promotes efficient land use and development as well as intensification and redevelopment within built-up areas, based on local conditions.
- [18] 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.
- [19] 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.
- [20] 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.

[21] **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 **March 28, 2025**.

"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 April 17, 2025**.

- **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(S)

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.

Committee of Adjustment
City of Ottawa
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
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APPENDIX A

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 evidence to the satisfaction of the Chief Building Official, **or designate**, that the house, garage and sheds have been demolished or relocated under the authority of a building permit.
3. That the Owner/Applicant(s) provide a revised site plan with the locations of proposed elements (buildings, driveways, services, grading, etc.) designed to reduce any excavation within the Critical Root Zones of protected trees and/or to provide sufficient soil volume to plant new trees, to the satisfaction of the **Manager of the relevant Branch within the Planning, Development and Building Services Department, or their designate(s)**. The Tree Information Report must be revised to reflect changes to the site plan and to show the accurate tree protection areas and mitigation measures.
4. That the Owner/Applicant(s) provide a Grading and Servicing Plan with the proposed elements (services, retaining walls, etc.), and the capping location of existing services, designed and located to ensure the adequate protection of Protected Trees as identified in the Tree Information Report. This may result in relocation of these structures, and the owner may be required to revise their plans accordingly to the satisfaction of the **Manager of the relevant Branch within the Planning, Development and Building Services Department, or their designate(s)**. The Tree Information Report may require revision to reflect these changes.
5. That the Owner/Applicant(s) provide a tree planting plan, prepared to the satisfaction of the **Manager of the relevant Branch within the Planning, Development and Building Services Department, or their designate(s)**, 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.
6. That the Owner(s) provide evidence to the satisfaction of both the **Chief Building Official and Manager of the Development Review All Wards Branch, 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.

7. 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 (Innes Road is a Major Collector Road) 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.

8. 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 **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 **Manager of the Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**.
9. That the Owner(s) enter into a resurfacing agreement with the City to the satisfaction of the **Program Manager, Right of Way Branch within 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 Gravelle, fronting the subject lands, to the limits shown on the approved Site Servicing Plan. Where the approved Site Servicing Plan demonstrates that resurfacing is not required based on the City's Road Cut Resurfacing Policy, the **Development Review Manager of the All-Wards Branch within Planning, Development and Building Services Department, or their designate**, shall deem this condition satisfied.
10. 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.

11. 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 the conveyances and grant of easements/rights-of-way for which the Consent is required.