

**DECISION  
CONSENT/SEVERANCE**

**Date of Decision:** August 1, 2025  
**Panel:** 2 - Suburban  
**File Nos.:** D08-01-25/B-00133 & D08-01-25/B-00134  
**Application:** Consent under section 53 of the *Planning Act*  
**Applicant:** MJ Asset Management Ltd.  
**Property Address:** 700 Coronation Avenue  
**Ward:** 18 - Alta Vista  
**Legal Description** Part of Block F, Registered Plan 605  
**Zoning** R4N [2782]  
**Zoning By-law:** 2008-250  
**Heard:** July 22, 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. The existing 30-unit, low-rise apartment building and 21 parking spaces will remain on one of the newly created parcels. A ten-unit, low-rise, apartment building and seven parking spaces will be constructed on the other parcel.

**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 7 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-00133	33.31 m	67.36 m	2,271.9 sq. m	1 to 3	700 Coronation Avenue

File No.	Frontage	Depth	Area	Part No.	Municipal Address
B-00134	23.08 m	49.42 m	1,141.2 sq. m	4 to 7	696 Coronation Avenue

- [3] It is proposed to establish easements/rights of way as follows:
- Over Part 5 in favour of Parts 1, 2 and 3 to provide access to garbage, compost and recycling and to provide access/egress to parking
  - Over Part 2 in favour of Parts 4, 5, 6 and 7 to provide access/egress to parking
- [4] The applications indicate that the property is subject to an existing easement as set out in Instrument Nos. OT22121, as amended by OT37388.
- [5] The property is not the subject of any other current application under the *Planning Act*.

## PUBLIC HEARING

### Oral Submissions Summary

- [6] Matt McElligott, 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. Mr. McElligott requested that the Committee not impose the City's requested conditions requiring evidence that satisfies the Ontario Building Code's limiting distance requirements between the existing building and the proposed property line, the demolition or relocation of the existing shed on the property, and a Development Agreement to prepare and implement a noise control study or to design the dwellings with central air conditioning and to register a noise warning notice on title. He expressed that the requirements for those conditions would be addressed at the time of building permit submission.
- [7] City Planner Nivethini Jekku Einkaran clarified that the requested limiting distance requirement condition applies to the existing building, not the future development. She noted that the existing building is over 20 metres from the current property line and adjusting that setback to 5 metres would alter the Building Code requirements. Additionally, Ms. Einkaran noted that the existing shed is accessory to the principle dwelling and cannot exist on a vacant lot as it would become non-complaint with the Zoning By-law.
- [8] Mr. McElligott stated that in his opinion the requirement for a Development Agreement related to noise was unnecessary, as the Building Code would require the proposed building to be constructed with central heating and cooling systems.
- [9] City Planner Erin O'Connell clarified that the Agreement would establish a notice on title for future landowners and noted that residential land use is sensitive to noise sources.

- [10] Responding to the Committee's questions, M. Farrell, the Applicant, confirmed the proposed building would feature a mix of eighteen 2-bedroom, twelve 1-bedroom, and a single studio apartment dwelling units.
- [11] Ms. Einkaran clarified that the zoning exception on the property allows for 700 and 696 Coronation Avenue to be considered as one lot for Zoning By-law purposes and noted no further concerns with removing the condition for the relocation or demolition of the existing shed.
- [12] Responding to the Committee's questions, City Forester Julian Alvarez-Barkham expressed that staff would be willing to explore options to minimize impact to the critical root zones of trees on the property.
- [13] Mr. McElligott noted that a Tree Information Report had been filed as a requirement of a previous Site Plan Control Application and agreed that it would be updated as a requirement of provisional consent. He also stated that since the Report had been filed, the proposal was revised to have a smaller building footprint and will be less impactful on the critical root zones.
- [14] The Committee also heard oral submissions from the following individuals:
- A. Christie, resident, raised concerns over impact to quality of life, proximity of the proposed building to the abutting properties, loss of tree coverage and greenspace, lack of available parking, and damage to the environment and wildlife habitats.
- [15] While acknowledging Mr. Christie's concerns, the Committee clarified that the application under consideration pertained solely to the creation of a compliant lot, not to any future development plans.
- [16] Mr. McElligott noted that the Applicant was open to continuing discussions with area residents to address their concerns regarding the proposed apartment building.
- [17] Following the public hearing, the Committee reserved its decision.

## **DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED**

### **Applications Must Satisfy Statutory Tests**

- [18] 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**

[19] 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, photos of the existing building, parcel register abstract, photo of the posted sign, and a sign posting declaration.
- City Planning Report received July 17, 2025, with no concerns.
- Rideau Valley Conservation Authority email dated July 22, 2025, with no objections.
- Hydro Ottawa email dated July 14, 2025, with comments.
- Ontario Ministry of Transportation email dated July 9, 2025, with no comments.
- Ottawa International Airport Authority email dated July 4, 2025, with no comments.

### **Effect of Submissions on Decision**

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

[21] The Committee notes that the City's Planning Report raises "no concerns" regarding the applications.

[22] 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.

[23] 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.

[24] 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.

- [25] 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.
- [26] **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

*Absent*  
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 **August 1, 2025**

*"Cheryl Williams"*  
CHERYL WILLIAMS  
ACTING 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 August 21, 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](mailto: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 Centrepointhe Drive, 4<sup>th</sup> 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.*

**Committee of Adjustment**  
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613-580-2436

## 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) satisfies 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 to the existing dwelling on plan 4R-25049 shall comply with the Ontario Building Code, O. Reg. 332/12 as amended, in regard to the limiting distance along the proposed property line (westerly side). If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
3. 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.
4. That the Owner/Applicant(s) provide a Grading and Servicing Plan with the proposed elements (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**.
5. That the Owner/Applicant(s) provide a signed Declaration of Boundary Tree Co-owner from the owner(s) of adjacent or boundary tree(s) identified for removal or operations significantly impacting the tree(s). The owner/applicant(s) must revise any and all plans to allow for the retention and protection of adjacent or boundary trees, if this letter cannot be produced. Plans shall be revised 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(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.

7. 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) 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.

8. 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.**
9. 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.

**Or**

Design the dwelling units with central air conditioning 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 will 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.

**Notice-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 supplied with a central air conditioning system which 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 and Climate Change’s noise criteria.”
  - ii. “The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been supplied with a central air conditioning system which 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 and Climate Change’s noise criteria.”
10. That the Owner(s) satisfy the requirements of **Hydro Ottawa** with respect to the relocation of the existing overhead services or grant an easement as required, the consent to which is hereby granted.
  11. 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.
  12. 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 severances and grant of easements/rights-of-way for which the Consent is required.