

**DECISION**  
**MINOR VARIANCE**

<b>Date of Decision:</b>	March 13, 2026
<b>Panel:</b>	3 - Rural
<b>File:</b>	D08-02-26/A-00014
<b>Application:</b>	Minor Variance under section 45 of the <i>Planning Act</i>
<b>Applicant:</b>	Ottawa Catholic School Board
<b>Property Address:</b>	5431 Fernbank Road
<b>Ward:</b>	6 - Stittsville
<b>Legal Description</b>	Block 365, Registered Plan 4M-1637
<b>Zoning</b>	I1A and R3Z
<b>Zoning By-law:</b>	2008-250
<b>Heard:</b>	March 3, 2026, in person and by videoconference

**APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION**

- [1] The Applicant wants to construct an institutional building (secondary school), as shown on plans filed with the Committee.

**REQUESTED VARIANCE VARIANCE**

- [2] The Applicant requests that the Committee authorize a minor variance from the Zoning By-law to permit a reduced front yard setback of 4.75 metres, whereas the By-law requires a minimum front yard setback of 7.5 metres.
- [3] The property is the subject of a Site Plan Control application (File No. D07-12-25-0141).

## PUBLIC HEARING

### Oral Submissions Summary

- [4] Vladimir Popovic provided a slide presentation, a copy of which is on file with the Secretary-Treasurer and available from the Committee Coordinator upon request.
- [5] In response to questions from the Panel, Mr. Popovic advised that the variance related to a small section of the school. He added that the building would be as close as possible to the street to free up area for the school yard and to promote pedestrian safety and access.
- [6] City Planner Wendy Yang confirmed she had no concerns with the application.

## DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

### Application Must Satisfy Statutory Four-Part Test

- [7] The Committee has the power to authorize a minor variance from the provisions of the Zoning By-law if, in its opinion, the application meets all four requirements under subsection 45(1) of the *Planning Act*. It requires consideration of whether the variance is minor, is desirable for the appropriate development or use of the land, building or structure, and whether the general intent and purpose of the Official Plan and the Zoning By-law are maintained.

### Evidence

- [8] 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:
- Application and supporting documents, including cover letter, plans, tree information, photo of the posted sign, and a sign posting declaration.
  - City Planning Report received February 26, 2026, with no concerns.
  - Rideau Valley Conservation Authority email dated February 23, 2026, with no objections.
  - Hydro Ottawa email dated February 25, 2026, with comments.
  - R. McGetchie, resident, email dated March 2, 2026, with comments.
  - S. and N. Agarwal, residents, email dated March 2, 2026, with comments.

### Effect of Submissions on Decision

- [9] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [10] Based on the evidence, the Committee is satisfied that the requested variance meets all four requirements under subsection 45(1) of the *Planning Act*.
- [11] The Committee notes that the City's Planning Report raises "no concerns" regarding the application.
- [12] The Committee also notes that no compelling evidence was presented that the variance would result in any unacceptable adverse impact on neighbouring properties.
- [13] Considering the circumstances, the Committee finds that, because the proposal fits well in the area, the requested minor variance is, from a planning and public interest point of view, desirable for the appropriate development or use of the land, building or structure on the property, and relative to the neighbouring lands.
- [14] The Committee also finds that the requested variance maintains the general intent and purpose of the Official Plan because the proposed school respects the character of the neighbourhood and supports the achievement of complete communities by integrating an important public service facility to meet current and future needs.
- [15] In addition, the Committee finds that the requested variance maintains the general intent and purpose of the Zoning By-law because the proposal represents orderly development that is compatible with the surrounding area.
- [16] Moreover, the Committee finds that the requested variance is minor because it will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [17] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the application is granted and the variance to the Zoning By-law is authorized, **subject to** the location and size of the proposed construction complying with the plans filed with the Committee of Adjustment on February 3, 2026, as they relate to the requested variance.

*Absent*  
TERENCE OTTO  
VICE-CHAIR

*Absent*  
GARY DUNCAN  
MEMBER

*"Beth Henderson"*  
BETH HENDERSON  
MEMBER

*"Martin Vervoort"*  
MARTIN VERVOORT  
ACTING PANEL CHAIR

*"Jocelyn Chandler"*  
JOCELYN CHANDLER  
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **March 13, 2026**

*"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 2, 2026**.

- **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 CentrepoinTE 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](#)

*Ce document est également offert en français.*

**Committee of Adjustment**  
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