

DECISION
MINOR VARIANCE

Date of Decision:	January 23, 2026
Panel:	2 - Suburban
Files:	D08-02-25/A-00257 & D08-02-25/A00258
Application:	Minor Variance under section 45 of the <i>Planning Act</i>
Applicant:	844 Connaught Ave. Holdings Inc.
Property Address:	844A & 844B Connaught Avenue
Ward:	7 - Bay
Legal Description:	Part of Lot 240, Registered Plan 311
Zoning:	R2G[1564]
Zoning By-law:	2008-250
Heard:	January 13, 2026, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATIONS

- [1] The Applicant has constructed a three-storey semi-detached dwelling. They now want to relocate parking to the rear yard of each dwelling, as shown on plans filed with the Committee.

REQUESTED VARIANCES

- [2] The Applicant requests that the Committee authorize a minor variance from the Zoning By-law for each semi-detached dwelling:

A-00257: 844A Connaught Avenue, Part 1 on sketch, one half of the existing semi-detached dwelling:

- a) To permit rear yard parking, whereas the By-law prohibits parking in the rear yard unless it is in a legally provided garage with direct access from a public street to the garage.

A-00258: 844B Connaught Avenue, Part 2 on sketch, one half of the existing semi-detached dwelling:

- b) To permit rear yard parking, whereas the By-law prohibits parking in the rear yard unless it is in a legally provided garage with direct access from a public street to the garage.

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

PUBLIC HEARING

Oral Submissions Summary

- [4] Chris Jalkotzy, 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. Jalkotzy summarized the history of the site, noting that variances were authorized for the construction of a semi-detached dwelling, which featured two front yard parking spaces as permitted by Zoning By-law Exception 1564. A pre-existing driveway and garage in the rear yard were to be removed. After construction was complete, a large portion of the rear yard was then asphalted for additional parking. He explained that it was now proposed to reinstate a driveway and parking area in the rear yard and eliminate one front yard parking space, increasing the total number of spaces from two to four.
- [5] Responding to the Panel's questions, Mr. Jalkotzy explained that additional parking spaces are needed for tenants, until residents transition to greater reliance on public transit, and to minimize on-street parking impacts while improving traffic safety and snow removal conditions. He also agreed that, if the applications were approved, the installation of bollards should be required to limit parking in the rear yard and confirmed that the proposed landscaped area would comply with the Zoning By-law.
- [6] City Planner Elizabeth King highlighted the City's concerns with the applications related to the appropriateness of the proposal for this neighborhood and the intent of Zoning By-law Exception 1564. She explained that the area-specific exception permits front yard parking and restricts rear yard parking to garages. She also noted that the City raised no concerns with previously authorized variances to lot width, lot area and corner side yard provisions to permit this development, in part because it complied with parking and landscaping requirements.
- [7] The Committee also heard oral submissions from the following individuals:
- B. Massek, resident, highlighted procedural concerns regarding deviations from approved plans, noting that the development was approved based in part on the area being well served by public transit. Responding to the Panel's questions, she indicated that six or seven cars are generally parked on the property, and that she has not observed any issues with traffic safety or snow removal.

- S. Blakeney, resident, provided a slide presentation. She highlighted concerns about the misuse of the property, by-law violations and deviations from the approved plans, and the functionality of the proposed rear yard parking. She also objected to increased parking on a lot close to public transit and submitted that the rationale provided by the Applicant's agent regarding traffic safety and visibility was not sufficient to support additional parking and traffic to the site.
- P. Kielland, resident, provided a slide presentation. He referred to photographs highlighting the extent of the paving and the number of non-complying parking spaces that had been created on the site. He also highlighted the impacts on tenants from the loss of amenity space in favour of non-complying parking and waste storage.

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

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS REFUSED

Application Must Satisfy Statutory Four-Part Test

[9] 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

[10] 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, parcel abstract, tree information report, photo of the posted sign, and a sign posting declaration.
- City Planning Report received January 9, 2026, with concerns; received January 8, 2026, with concerns.
- Rideau Valley Conservation Authority email received January 8, 2026, with no objections.
- Hydro Ottawa email received January 8, 2026, with comments.

- A. Landriault and C. Coleman, residents, email received January 5, 2026, with comments.
- B. Masek and A. Schmidt, residents, email received January 12, 2026, opposed
- S. Blakeney, resident, email received January 12, 2026, opposed

Effect of Submissions on Decision

- [11] The Committee considered all written and oral submissions relating to the applications in making its decision and refused the applications.
- [12] The Committee notes that the City’s Planning Report raises “concerns” with the applications, highlighting that the intent of Zoning By-law Exception 1564 is to “restrict driveways to front yards to maintain the existing character and ensure rear yards remain as private amenity spaces, especially through the introduction of additional dwelling units.” The report also notes that the proposal, “removes opportunities for soft landscaping and planting trees and is not consistent with adjacent properties.”
- [13] Based on the evidence, the Committee is not satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.
- [14] Based on the circumstances and because the proposal does not fit well in the neighbourhood, the Committee is not satisfied that, from a planning and public interest point of view, the requested variances are desirable for the appropriate development or use of the land, building or structure on the property, and relative to neighbouring lands.
- [15] Also, the Committee finds that the requested variances do not maintain the general intent and purpose of the Zoning By-law because the proposal does not represent orderly development of the property as it eliminates private amenity space in the rear yard and is incompatible with surrounding residential uses.
- [16] Additionally, the Committee finds that the requested variances are not minor in terms of their unacceptable adverse impact on neighbours and the streetscape.
- [17] Failing three of the four statutory tests, the Committee is unable to grant the applications.
- [18] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the applications are refused and the variances to the Zoning By-law are not authorized.

"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 **January 23, 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 February 12, 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. 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](#)

Ce document est également offert en français.

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