

DECISION
CONSENT/SEVERANCE

Date of Decision: March 13, 2026
Panel: 2 - Suburban
File: D08-01-26/B-00011
Application: Consent under section 53 of the *Planning Act*
Applicant: Southbridge Health Care LP
Property Address: 4085 Strandherd Drive
Ward: 3 - Barrhaven West
Legal Description: Block 75, Registered Plan 4M-1650
Zoning DR
Zoning By-law: 2008-250
Heard: March 3, 2026, in person and by videoconference

APPLICANT’S PROPOSAL AND PURPOSE OF THE APPLICATION

[1] The Applicant wants to subdivide their property into two separate parcels of land. An assisted living facility, currently under construction, would be located on one of the parcels.

CONSENT REQUIRED

[2] The Applicant seeks the Committee’s consent to sever land. The property is shown as Parts 1 to18 on a draft 4R-plan filed with the application and the separate parcels will be as follows:

Table 1 Proposed Parcels

File No.	Frontage	Depth	Area	Part No.	Building
B-00011	180.36 metres	43.52 metres	1.0978 hectares	8 to18	proposed assisted living facility

(Retained)	49.09 metres	188.76 metres	1.4108 hectares	1 to 7	existing assisted living facility
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- [3] The application indicates that the property is subject to existing easements as set out in OC1200930, OC2307263, OC2491588 and OC2307264
- [4] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING.

Oral Submissions Summary

- [5] Marc Ouseley and Brian Casagrande, agents 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.
- [6] Mr. Casagrande highlighted that municipal services would normally run from the road to each individual building, however there is a moratorium preventing any road work on Strandherd Drive. As a result, shared servicing between the two long term care facilities is required. He also highlighted that revised wording of the City's requested conditions had been proposed.
- [7] City Planner Erin O'Connell confirmed that the wording of the revised conditions submitted by the Applicant's agent is satisfactory. She also confirmed that the City usually requests separate services for severance applications, however in this case it is not required because there is a direct relationship between the entitles that will own the properties, restrictive covenants will be registered on title, and the City is requesting securities to ensure adherence to the terms of the covenants.
- [8] Noah Gordon, lawyer for the Applicant, highlighted that, following the registration of the restrictive covenant, the City would need to consent to any future transfer or charge of either parcel of land. He also advised that the registration of the blanket easements would not require consent from the Committee.
- [9] City Planner Elizabeth King confirmed that she had no concerns with the application and that the registered covenants would address the shared driveway. Ms. O'Connell also confirmed that the registration of the covenants on title would cover the registration of the blanket easements and address the joint use and maintenance of both parcels.
- [10] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

Application Must Satisfy Statutory Tests

[11] 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 Planning Statement, 2024*, 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

[12] 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 conservation report, parcel abstract, 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 received February 23, 2026, with no objections.
- Hydro Ottawa email received February 25, 2026, with comments.

Effect of Submissions on Decision

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

[14] The Committee notes that the City's Planning Report raises "no concerns" regarding the application, subject to the amended conditions agreed to by the Applicant's agent.

[15] Based on the evidence, the Committee is satisfied that the proposal is consistent with the *Provincial Planning Statement, 2024*, that promotes building homes, sustaining strong communities; providing infrastructure and public service facilities in an efficient manner while accommodating projected needs; the wise use and management of resources; and, protecting public health and safety.

[16] 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.

[17] 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.

[18] 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.

[19] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the application is 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 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. 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
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APPENDIX A

1. That the Owner(s) apply to have annexed to the lands a section 118 restriction under the *Land Titles Act*, R.S.O. 1990, c. L.5., as amended, whereby no transfer shall be registered without the consent of the **Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**, with respect to the subject lands. The section 118 restrictions shall remain on title of the subject lands and shall be lifted in accordance with the terms and conditions set out in the Development Agreement as defined below;

2. That the Owner(s) enter into an agreement with the City ("**Development Agreement**") to the satisfaction of the City, at the expense of the Owner(s), which shall be registered on title to require the following matters be satisfied to release the section 118 restriction identified in Condition 1:
 - a) that the Owner(s) apply for all necessary permission(s) under the Environmental Activity and Sector Registry (EASR) for the severed parcel;

 - b) that the Owner(s)
 - i. convey reciprocal easements in perpetuity over the retained and severed parcels that will include all shared elements, including but not limited to shared servicing, grading and drainage, and driveways; and
 - ii. provide evidence to the City that the reciprocal easements have been registered on title within sixty (60) days following transfer of the severed parcel as referred to in (g) below;

 - c) that the Owner(s) provide securities by way of letter of credit to the City, in an amount satisfactory to the City Solicitor, to ensure that the matters identified in the Development Agreement are satisfied to the General Manager, Planning, Development and Building Services and the City Solicitor's satisfaction,

 - d) that the securities referred to in (c) shall be released by the City upon satisfaction of the matters addressed in (a), (b), (e) and (f);

 - e) that the following covenant/notice be registered on title at the Owner(s)' expense and to the satisfaction of the City, which 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 (Strandherd Drive and Borrisokane Road) and may therefore be subject to noise and other activities associated with that use."

 - f) that the Owner(s) enter into a Joint Use and Maintenance Agreement, at the expense of the Owner(s), setting forth the obligations between the Owner(s) and the proposed future owners with respect to the joint use and

maintenance of all common elements including, but not limited to, common areas, common driveways and common landscaping;

The Owner(s) shall ensure that the Joint Use and Maintenance Agreement is binding upon all unit owners and successors in title and shall be to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or City Legal Services. The Committee shall be provided with written confirmation that the Joint Use and Maintenance Agreement is satisfactory to the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, or is satisfactory to City Legal Services, as well as a copy of the Agreement and confirmation that it has been registered on title; and

- g) that the City shall deliver consent to the transfer of the severed parcel by the Owner(s) to Southbridge Health Care GP Inc. as nominee, which will hold registered title for and on behalf of Yorkville Development LP or a wholly owned subsidiary thereof, which is under common control with the Owner(s) (and, for greater certainty, is not the beneficial owner of the retained parcel) upon satisfaction of conditions 1 and 2.

The Owner(s) shall provide the Committee with a copy of the Development Agreement and written confirmation from **City Legal Services** that it has been registered on title.

3. 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 to the satisfaction of the **Secretary-Treasurer of the Committee of Adjustment or their designate.**
4. 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 a Conveyance for which the Consent is required to the satisfaction of the **Secretary-Treasurer of the Committee of Adjustment or their designate.**