

DECISION
MINOR VARIANCE

Date of Decision:	February 13, 2026
Panel:	2 - Suburban
Files:	D08-02-25/A-00276 & D08-02-25/A-00277
Applications:	Minor Variances under section 45 of the <i>Planning Act</i>
Applicant:	C. Arkett
Property Address:	1241 Collins Avenue
Ward:	18 - Alta Vista
Legal Description	Lot 444, Registered Plan M-23
Zoning	R2F
Zoning By-law:	2008-250
Heard:	February 3, 2026, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATIONS

- [1] The Applicant wants to construct a semi-detached dwelling, as shown on plans filed with the Committee. The existing dwelling and garage are to be demolished.

REQUESTED VARIANCES

- [2] The Applicants request the Committee's authorization for minor variances from the Zoning By-law:

A-00276:1241 Collins Avenue, proposed semi-detached dwelling:

- a) To permit a reduced lot area of 231.8 square metres, whereas the By-law requires a minimum lot area of 270 square metres.
- b) To permit a reduced lot width of 7.61 metres, whereas the By-law requires a minimum lot width of 9.0 metres.

A-00277: 1243 Collins Avenue, proposed semi-detached dwelling:

- c) To permit a reduced lot area of 231.8 square metres, whereas the By-law requires a minimum lot area of 270 square metres.
 - d) To permit a reduced lot width of 7.61 metres, whereas the By-law requires a minimum lot width of 9.0 metres.
- [3] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

Oral Submissions Summary

- [4] Muhanad Joudeh, 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.
- [5] In response to the Panel's questions, Mr. Joudeh highlighted plans to build a semi-detached dwelling. He could not confirm if each dwelling would include additional dwelling units as development plans had not yet been finalized.
- [6] City Planner Elizabeth King responded to the Panel's questions and confirmed that a rooming house is not a permitted use in the R2F zone. She highlighted that a primary unit and two accessory units were permitted for each half of the semi-detached dwelling. Ms. King also highlighted that the City's Building Code Services will be conducting a full review on the interior floor plans prior to the issuance of a building permit to ensure compliance with the requirements of the Zoning By-law.
- [7] City Planner E. O'Connell also responded to the Panel's questions, clarifying the definition of a rooming house and highlighting that four bedrooms would be allowed per dwelling unit under the Zoning By-law. She added that any future violation would need to be addressed through the City's By-law enforcement services.
- [8] The Committee also heard oral submissions from the following individuals:
- G. Lowe, resident, expressed concerns with the potential for the dwellings to become a rooming house and their impact on road safety in the neighbourhood.
 - W. Turner, resident, highlighted concerns regarding the number of bedrooms and the possibility that the proposal could become a rooming house. He also highlighted his frustration with the enforcement process, noting similar developments in the neighbourhood.

- E. Ayre, resident, highlighted that the proposal would negatively affect the enjoyment of her property because of potential overshadowing and loss of sunlight, as well as concerns regarding flooding and loss of permeable surfaces.
- K. Bergquist, resident, highlighted concerns relating to increased vehicle traffic and the lack of sidewalks in the neighbourhood.

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

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED

Applications Must Satisfy Statutory Four-Part Test

[10] 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 variances are minor, are 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

[11] 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 January 29, 2026, with no concerns, but requesting a condition.
- Rideau Valley Conservation Authority email dated January 27, 2026, with no objections.
- Hydro Ottawa email dated January 28, 2026, with comments.
- A. Glaze, resident, email dated January 27, 2026, with comments.
- A. Glaze and A. Garrod-Martin, residents, email dated February 2, 2026, opposed.
- L. Hamel, resident, email dated January 23, 2026, with comments.
- G. Lowe, resident, email dated February 2, 2026, opposed.

- W. Turner, resident, email dated February 2, 2026, opposed.

Effect of Submissions on Decision

- [12] The Committee considered all written and oral submissions relating to the applications in making its decision and granted the applications.
- [13] Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.
- [14] The Committee notes that the City's Planning Report raises "no concerns" regarding the applications.
- [15] The Committee also notes that no compelling evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.
- [16] Considering the circumstances, the Committee finds that, because the proposal fits well in the area, the requested variances are, 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.
- [17] The Committee also finds that the requested variances maintain the general intent and purpose of the Official Plan because the proposal respects the character of the neighbourhood.
- [18] In addition, the Committee finds that the requested variances maintain the general intent and purpose of the Zoning By-law because the proposal represents orderly development that is compatible with the surrounding area.
- [19] Moreover, the Committee finds that the requested variances, are minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [20] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the applications are granted and the variances to the Zoning By-law are authorized, **subject to:**
1. That prior to the issuance of a building permit, the Owner(s) provide proof that a grading and drainage plan including a stormwater management mechanism, prepared by a qualified Civil Engineer, licensed in the Province of Ontario, 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.**

"Fabian Poulin"
FABIAN POULIN
VICE-CHAIR

Absent
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 **February 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 March 5, 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.

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



Comité de dérogation
Ville d'Ottawa
Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436