



Soloway Wright LLP
700 - 427 Laurier Avenue West
Ottawa ON K1R 7Y2

T: 613.236.0111 | 1.866.207.5880
F: 613.238.8507
www.solowaywright.com

Krista Libman
Partner

Direct line: 613.782.3238
Email address: klibman@solowaywright.com

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BY EMAIL AND COURIER

March 1, 2026

Committee of Adjustment

City of Ottawa
4th Floor, 101 Centrepointe Drive
Ottawa, ON K2G 5K7
Attn: Michel Bellemare, Secretary-Treasurer

Committee of Adjustment
Received | Reçu le

2026-03-03

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare:

Re: Application for Consent to create one new lot and reciprocal easements – 1567 Goth Avenue, Ottawa, Ontario

We are solicitors for Adalakun D'Almeida and Brigitte N'Guessan (collectively, the "**Applicant**"), registered owner of the lands municipally known as 1567 Goth Avenue (PIN 04340-0861 (LT)) (the "**Subject Property**"), for the purpose of submitting reciprocal applications for consent for the Subject Property.

The purpose of this application is to create one new lot that would be approximately half of the area of the Subject Property as well as reciprocal access easements. As illustrated on Draft Reference Plan 4R-XXX enclosed, the Subject Property is delineated such that the retained lands are Parts 3 and 4 and the severed lands are Parts 1 and 2. The intended use for both parcels remains residential.

The application seeks the Committee's consent to establish two separate parcels subject to proposed easements under Section 53(1) of the *Planning Act* and to be exempt from Subsection 50(3).

Ottawa Office

700 – 427 Laurier Avenue West, Ottawa ON K1R 7Y2
T: 613.236.0111 | 1.866.207.5880 | F: 613.238.8507

Kingston Office

510 – 366 King Street, Kingston ON K7K 6Y3
T: 613.544.7334 | 1.800.263.4257 | F: 1.800.263.4213

Background

The Subject Property is municipally known as 1567 Goth Avenue, Ottawa, ON and is legally described by PIN 04340-0861 (LT) as:

| | |
|---------------------|--|
| PIN 04340-0861 (LT) | PART OF LOT 8 CONCESSION 4, GLOUCESTER RIDEAU FRONT, BEING PART 2 ON 4R-17509. CITY OF OTTAWA. |
|---------------------|--|

The Subject Property is located in Ward 10 (Gloucester-Southgate), in the neighbourhood Hunt Club Upper -Blossom Park - Timbermill. The Subject Property is serviced by municipal water and wastewater systems and contains an existing industrial building.

The Application

The purpose of the application is to sever the land to create a new lot and reciprocal easements for access over Parts 2 and 3, running in between Parts 1 and 4, as depicted on the Draft Reference Plan enclosed.

Draft Reference Plan

The Subject Property is shown on the Draft Reference Plan 4R-XXX enclosed, with Parts 1 and 2 being the severed lands (1567 Goth Avenue) and Parts 3 and 4 being the retained lands (1567 Goth Avenue). Parts 1 and 2 will be subject to an easement over Part 2 in favour of Parts 3 and 4 for pedestrian and vehicular access, access to shared bicycle parking and garbage/recycling storage area. Parts 3 and 4 will be subject to an easement over Part 3 in favour of Parts 1 and 2 for pedestrian and vehicular access, access to shared bicycle parking and garbage/recycling storage area.

The retained lands (Parts 3 and 4) have 13.8 m of frontage on Goth Avenue, lot width of 12.97m and a lot area of 518.4 m². The severed lands (Parts 1 and 2) have 10 m of frontage on Goth Avenue, lot width of 10m, and a lot area of 442.3 m².

City of Ottawa Policy Documents

Official Plan

The Subject Property is designated “Neighbourhood” within the Outer Urban Transect as shown on Schedule B3, “Outer Urban Transect”, of the City of Ottawa Official Plan 2022, as shown in Figure 1 below:

The purpose of the R2 zone includes the development of building forms in detached and two principal unit buildings in areas designated as Neighbourhood in the Official Plan, to allow a number of other residential uses to provide additional housing choices within the second density residential areas, to permit ancillary uses to the principal residential use to allow residents to work at home, and to regulate development in a manner that is compatible with existing land use patterns so that the detached and two principle dwelling, residential character of a neighbourhood is maintained or enhanced. Table 158A of the Zoning By-law establishes the performance standards for the R2N Zone, as shown in Figure 3 below.

The proposed lots and the proposed development thereon are in full compliance with the requirements of the Zoning By-law. No minor variances are required.

Consent to Sever

The Committee has the authority to grant the consent for the requested lot pursuant to Sections 50(3)(f) and 53(1) of the *Planning Act* as follows:

Subdivision control

(3) No person shall convey land by way of a deed or transfer, or grant, assign or exercise a power of appointment with respect to land, or mortgage or charge land, or enter into an agreement of sale and purchase of land or enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more unless,

(f) a consent is given to convey, mortgage or charge the land, or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land;

Consents

53. (1) An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).

Section 50(3) states that a transfer may occur if consent is given and a consent may be given if a plan of subdivision is not necessary. We submit that both conditions are satisfied in the attached application.

When considering a consent application, the criteria stated in section 51(24) of the *Planning Act* must be considered.

Criteria

51. (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)-(m).

Below is an analysis of the criteria as they relate to the application.

| Planning Act section 51(24) | Rationale |
|---|--|
| (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2; | None of the provincial interests enumerated in section 2 of the <i>Planning Act</i> are negatively impacted by the proposed parcel. |
| (b) whether the proposed subdivision is premature or in the public interest; | The proposed consent is not premature as the Subject Property is municipally serviced and the Official Plan encourages infill and intensification. |
| (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any; | The proposed new lot configuration is regular and conforms to the Official Plan. |
| (d) the suitability of the land for the purposes for which it is to be subdivided; | The proposed use complies with the existing zoning. |
| (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing; | No affordable housing units are proposed. |
| (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; | No new public highways are required for the re-creation of the separate parcels. |
| (f) the dimensions and shapes of the proposed lots; | The proposed lots are regularly shaped. |
| (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; | No restrictions are applicable and no structures are proposed to be erected. |
| (h) conservation of natural resources and flood control; | Not of concern. |
| (i) the adequacy of utilities and municipal services | Adequate municipal infrastructure and services as well as public utilities are in place. |
| (j) the adequacy of school sites; | Not of concern. |

| Planning Act section 51(24) | Rationale |
|--|--|
| (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes; | No public dedications are anticipated as part of the consent. |
| (l) the extent to which the plan's design optimizes the available supplying, efficient use and conservation of energy; and | Not of concern. |
| (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 <i>City of Toronto Act, 2006</i> . 1994, c. 23, s. 30; 2001, c. 32, s. 31(2); 2006, c. 23, s. 22(3,4). | Site plan control approval is not required for the proposed development. |

Enclosures

In support of this application, please find enclosed the following:

1. Completed and Executed Applications for consent
2. Draft Reference Plan 4R-XXX
3. Authorization of Soloway Wright LLP to submit the Applications
4. Parcel Abstract for the Subject Property - PIN 04340-0861 (LT)
5. Tree Information Report and Planting Plan prepared by Dendron Forestry
6. Our firm cheque in the amount of \$6,193.00 (one Primary Consent (\$4,276.00) and one Secondary Consent (\$1,917.00))

Please do not hesitate to contact us should you have any questions or concerns regarding the Application or this submission. We look forward to the assignment of a Hearing date on the Committee's next available Agenda.

Yours very truly,



Krista Libman
KML/ED