

DECISION

CONSENT/SEVERANCE

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| Date of Decision: | April 17, 2026 |
| Panel: | 1 - Urban |
| File: | D08-01-25/B-00273 |
| Application: | Consent under section 53 of the <i>Planning Act</i> |
| Applicants: | F. Chaaban and Y. Yang |
| Property Address: | 269 and 271 Emond Street |
| Ward: | 12 - Rideau-Vanier |
| Legal Description | Part of Lots 14 and 15 and Lot 16, Registered Plan 242 |
| Zoning By-law: | 2008-250 |
| Zoning | R4UA |
| Heard: | April 8, 2026, in person and by videoconference |

APPLICANTS' PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicants wish to subdivide the property into two separate parcels so that each half of the existing semi-detached house constitutes a separate property.

CONSENT REQUIRED

- [2] The Applicants are requesting the Committee's consent to sever land and to the granting of a mortgage/partial discharge of mortgage. The property is shown as Parts 1 and 2 on a draft 4R plan attached to the application, and the resulting separate parcels will be as follows:
- [3] The severed land, designated as "Part 1" in the draft 4R plan, will have a frontage of 7.99 metres, a depth of 21.18 metres and an area of 169.23 square metres. This lot corresponds to half of the existing semi-detached house and is numbered 269 Emond Street, according to the municipal addressing system.
- [4] The retained land, designated as Part 2 on the draft 4R plan, will have a frontage of 8.47 metres, a depth of 21.18 metres, and an area of 179.39 square metres.

This lot comprises half of the existing semi-detached house and is numbered 271 Emond Street under the municipal addressing system.

- [5] There are no other pending applications regarding the property under the *Planning Act*.
- [6] For the purposes of the transition and continuation provisions of Zoning By-law 2026-50, these applications were deemed complete on March 11, 2026.

PUBLIC HEARING

Oral Submissions Summary

- [7] Nataylia Hughes-Mitchell, agent for the Applicants, and City Planner Nick Burnie were present.
- [8] There were no objections to granting this unopposed application as part of the Panel's fast-track consent agenda.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

Application Must Satisfy Statutory Tests

- [9] 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;
- e) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- f) 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;
- g) the dimensions and shapes of the proposed lots;
- h) 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;
- i) conservation of natural resources and flood control;
- j) the adequacy of utilities and municipal services;
- k) the adequacy of school sites;
- l) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- m) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- n) 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

[10] The evidence reviewed by the Committee included all oral statements made during the hearing, as noted above, as well as the following written documents, which may be obtained upon request from the Coordinator:

- Application and supporting documents, including cover letter, plans, photo of the posted sign, and a sign posting declaration.
- City Planning Report received April 2, 2026, with no concerns.
- Rideau Valley Conservation Authority email dated March 30, 2026, with no objections.

- Hydro Ottawa email dated April 2, 2026, with comments.

Effect of Submissions on Decision

- [11] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [12] The Committee notes that the City’s Planning Report raises “no concerns” regarding the application, subject to the requested conditions agreed to by the Applicant’s agent.
- [13] 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.
- [14] 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.
- [15] 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.
- [16] 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.
- [17] **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.

"Jocelyn Chandler"
JOCELYN CHANDLER
ACTING PANEL CHAIR

"John Blatherwick"
JOHN BLATHERWICK
MEMBER

"Colin Haskin"
COLIN HASKIN
MEMBER

"Gary Duncan"
GARY DUNCAN
MEMBER

"Sharon Lécuyer"
SHARON LÉCUYER
MEMBER

Absent
ARTO KEKLIKIAN
MEMBER

I certify this is a true copy of the decision of the Ottawa Committee of Adjustment of the City of Ottawa, dated **April 17, 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 May 7, 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 APPLICANTS

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.

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APPENDIX A

1. That the Owner(s) provide evidence, to the satisfaction of both the **Chief Building Official** and the **Manager of Development Review All Wards Branch within Planning, Development and Building Services Department**, or their designates, that both severed and retained parcels have their own independent water, sanitary and storm connection as appropriate, that these services do not cross the proposed severance line and are connected directly to City infrastructure. Further, the Owner(s) shall comply to 7.1.5.4(1) of the Ontario Building Code, O. Reg. 332/12 as amended. If necessary, a plumbing permit shall be obtained from Building Code Services for any required alterations.
2. That the Owner(s) enter into an Agreement with the City, at the expense of the Owner(s), which is to be registered on title to deal with the following covenant/notice that 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 (arterial road) and may therefore be subject to noise and other activities associated with that use.”

The Committee shall be provided a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title.

3. If required, 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, the common party walls, common structural elements such as roof, footings, soffits, foundations, common areas, common driveways and common landscaping.

The Owner shall ensure that the Agreement is binding upon all unit owners and successors in title and shall be to the satisfaction of **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 written confirmation that the 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.

4. That the Owner(s) provide evidence to the satisfaction of the **Chief Building Official, or designate**, that the party wall meets the Ontario Building Code, O Reg. 332/12 as amended, which requires a fire separation from the basement through to the underside of the roof. Verification from the Building Inspector is required. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
5. 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.**

6. 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 the conveyance and mortgage/ partial discharge of mortgage for which the Consent is required to the satisfaction of the **Secretary-Treasurer of the Committee of Adjustment or their designate.**