

DECISION
CONSENT/SEVERANCE AND MINOR VARIANCE

Date of Decision: April 17, 2026
Panel: 3 - Rural
Files: D08-01-26/B-00015
D08-02-26/A-00012 & D08-02-26/A-00013
Applications: Consent under section 53 of the *Planning Act*
Minor Variance under section 45 of the *Planning Act*
Applicant: L. Kassis
Property Address: 23 Bradley Street
Ward: 6 - Stittsville
Legal Description: Lot 31, Registered Plan 633
Zoning By-law: 2008-250 2026-50
Zoning: R1D N1D
Heard: April 7, 2026, in person and by videoconference

APPLICANT’S PROPOSAL AND PURPOSE OF THE APPLICATIONS

[1] The Applicant wants to subdivide the property into two separate parcels of land to construct two detached dwellings, as shown on the plans filed with the Committee. The existing single detached dwelling will be demolished.

CONSENT REQUIRED:

[2] The Applicant seeks the Committee’s consent to sever land. The property is shown on a sketch 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-00015	15.23 m	45.69 m	694 sq. m	1	Detached dwelling
Retained	15.23 m	45.69 m	694 sq. m	2	Detached dwelling

- [3] The proposal does not comply with the Zoning By-law and therefore minor variance applications have also been filed.

REQUESTED VARIANCES

- [4] The Applicant requests that the Committee authorize minor variances from the Zoning By-law:

A-00012: Part 1, proposed detached dwelling:

- a) To permit a reduced lot width of 15.23 metres, whereas the By-law requires a minimum lot width of 20 metres.

A-00013: Part 2, proposed detached dwelling:

- b) To permit a reduced lot width of 15.23 metres, whereas the By-law requires a minimum lot width of 20 metres.

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

- [6] For the purposes of the transition and continuation provisions of Zoning By-law 2026-50, these applications were deemed to be complete on February 11, 2026.

PUBLIC HEARING

- [7] On February 17, 2026, the hearing on the applications was adjourned to allow the Applicant time to conduct further consultations with City staff regarding the impact on trees.

Oral Submissions Summary

- [8] Christine McCuaig, 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. Ms. McCuaig noted that, following the adjournment of the applications, a revised tree information report was submitted to the City. She acknowledged that the City's preference was to retain an existing tree at the front of the property but submitted that this was not desirable from a planning perspective, since it would require that the buildings be offset, with one pushed further into the rear yard, reducing the available private amenity space.
- [9] Addressing concerns raised by neighbours, Ms. McCuaig explained that the minimum front yard setback is 6 metres in this location and that existing dwellings are set back approximately 15 metres. She submitted that the proposed 9.1-metre setbacks were therefore intended to bridge a gap between the existing and planned development pattern in this area.
- [10] The Committee also heard oral submissions from the following individuals:

- G. Myles, resident, noted concerns related to the loss of privacy for the rear neighbours along Basswood Avenue, the size of the proposed dwellings, and the impact of the development on the character of the neighbourhood.
- S. Hawkins, resident, highlighted additional concerns related to loss of privacy and the impact of infill development in the neighbourhood.

[11] In response to these concerns, Ms. McCuaig noted that the proposed rear yard setbacks are 15.9 metres, whereas the minimum is only 9 metres. She also reiterated that the rationale for maintaining the front yard setback was to preserve privacy in the rear yard. She also noted that the proposed lot widths are permitted as of right under Zoning By-law 2026-50.

[12] City Planner Elizabeth King confirmed she had no concerns with the applications and noted that the conditions listed in the City Planning report had been updated based on the revised tree information report provided by the Applicant.

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

DECISION AND REASONS OF THE COMMITTEE:

- **CONSENT APPLICATION GRANTED**
- **MINOR VARIANCE APPLICATIONS GRANTED**

Consent Application Must Satisfy Statutory Tests

[14] 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).

Minor Variance Applications Must Satisfy Statutory Four-Part Test

- [15] 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

- [16] 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, photo of the posted sign, and a sign posting declaration.
- City Planning Report received February 26, 2026, with no concerns; received February 27, 2026, with no concerns; received March 3, 2026, with no concerns; received April 1, 2026, with no concerns.
- Rideau Valley Conservation Authority email dated February 23, 2026, with no objections; received March 30, 2026, with no objections.
- Hydro Ottawa email dated February 25, 2026, with comments; received April 2, 2026, with comments.
- S. Hawkins, resident, emails dated February 25, 2026, and March 3, 2026, with comments.
- K. Harrison, resident, email dated March 2, 2026, opposed.
- G. Myles, resident, email dated March 2, 2026, with comments.
- T. and H. Burns, residents, email dated March 2, 2026, opposed.
- N. Castonguay, resident, email dated March 2, 2026, opposed.
- D. Ladouceur, resident, email dated March 9, 2026, with comments.

Effect of Submissions on Decision

- [17] The Committee of Adjustment considered all written and oral submissions relating to the applications in making its decision and granted the applications.
- [18] The Committee notes that the City's Planning Report raises "no concerns" regarding the applications, subject to the requested conditions agreed to by the Applicant or their agent.
- [19] 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.
- [20] 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.

- [21] 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.
- [22] 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.
- [23] Based on the evidence, the Committee is also satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.
- [24] The Committee notes that no compelling evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.
- [25] 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.
- [26] 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.
- [27] 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.
- [28] 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.
- [29] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the consent application is granted and the provisional consent is to be given, subject to the conditions set out in Appendix A to this decision.
- [30] **THE COMMITTEE OF ADJUSTMENT ALSO ORDERS** that the minor variance applications are granted and the variances to the Zoning By-law are authorized.

"Terence Otto"
TERENCE OTTO
VICE-CHAIR

"Gary Duncan"
GARY DUNCAN
MEMBER

"Beth Henderson"
BETH HENDERSON
MEMBER

"Martin Vervoort"
MARTIN VERVOORT
ACTING PANEL CHAIR

"Jocelyn Chandler"
JOCELYN CHANDLER
MEMBER

I certify this is a true copy of the decision of the Ottawa Committee of Adjustment, 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 APPLICANT

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. The Owner(s) provide evidence that the accompanying minor variance applications (D08-02-26/A-00012 & D08-02-26/A-00013) have been approved, with all levels of appeal exhausted.
2. That the Owner(s) submit a request for municipal addresses for each parcel, as required, to be assigned by the City, **to the satisfaction of the Chief Building Official, or their designate**. Confirmation of the assigned municipal addresses shall be provided in writing from Municipal Addressing, Building Code Services, to the Committee.
3. That the Owner(s) provide proof, **to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**, that the existing dwelling/building has been demolished or relocated under the authority of a building permit.
4. That the Owner(s) provide evidence, **to the satisfaction of the Manager of Development Review All Wards, Planning, Development and Building Services Department**, that each existing parcel has its own independent storm, sanitary and water services connected to City infrastructure and that these services do not cross the proposed severance line. If they do cross or are not independent, the Owner(s) will be required, at their own cost, to relocate the existing services or construct new services from the City sewers/watermain. Notice shall be provided in writing to the Committee from the Department confirming this condition has been fulfilled.
5. a) That the owner(s) submit a QuickSWM Analysis to determine if On-Site Stormwater Management ("SWM") Measures are required including what storage volume is required to maintain or improve the existing level of service; or alternatively,
 - b) The owner(s) shall submit a SWM Report/Brief, prepared by a professional civil engineer, licensed in the province of Ontario, based on the current City of Ottawa Sewer Design Guidelines to determine On-Site SWM Measures and what storage volume is to maintain or improve the existing level of service.
 - c) If required through a) the owner shall submit a detailed engineering design based on the results of the QuickSWM Analysis prepared pursuant to paragraph (a), or the recommendations of the SWM Brief prepared pursuant to paragraph (b), prepared by a professional civil engineer, licensed in the province of Ontario. The detailed engineering design shall include all required grading, servicing and stormwater management construction design details. Where the QuickSWM Analysis or SWM Brief demonstrates on-site stormwater management measures are not required, the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.

d) If all or a portion of the On-Site SWM Measures include infiltration techniques, then the owner(s) shall submit a Geotechnical Brief, prepared by a geotechnical professional, licensed in the province of Ontario, or a professional geoscientist, licensed in the province of Ontario.

e) If On-Site SWM Measures are required, then the owner(s) may be required to enter into a Development Agreement with the City to implement any On-Site SWM Measures including construction of any proposed On-Site SWM works. The Development Agreement may include a requirement to post the securities for certain On-Site SWM works. The Development Agreement will require compliance with the Ministry of Environment, Conservation and Parks, Consolidated Linear Infrastructure, Environmental Compliance Approval (CLI-ECA) for any sewers constructed on municipally owned property, as well as any other permits or approvals required by other governments or regulatory agencies. The Committee shall be provided a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

f) If On-Site SWM works cross and/or benefit more than one property, then the owner(s) shall apply to the Committee of Adjustment to grant easement(s) for access and maintenance and/or register a Joint Use and Maintenance Agreement on title of the properties, all at the owner(s) costs.

g) All of the above (a) to (f) shall be to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate. Where deemed not required, the **Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied.**

6. That the Owner(s) provide proof that a grading and drainage plan, prepared by a qualified Civil Engineer, licensed in the Province of Ontario, an Ontario Land Surveyor or a Certified Engineering Technologist, delineating the existing and proposed grades for both the severed and retained lands 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.**
7. That the Owner(s) enter into a Resurfacing Agreement with the City, **to the satisfaction of the Program Manager, Right of Way Branch within the Planning, Development and Building Services Department, or their designate**, and provide financial security in accordance with the Road Activity By-law, as amended, to install an asphalt overlay over the roadway surface of Bradley Street, fronting the subject lands, to the limits shown on the approved Site Servicing Plan. Where the approved Site Servicing Plan demonstrates the resurfacing is not required, based on the City's Road Cut Resurfacing Policy, the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate, shall deem this condition satisfied
8. That the Owner/Applicant(s) provide a revised Grading and Servicing Plan and Stormwater Management Plan with the locations of proposed elements (buildings,

driveways, services, grading, capping location of existing services, etc.) designed and located to reduce excavation within the Critical Root Zones of protected and/or boundary/adjacent trees, particularly tree #1, and/or to provide sufficient soil volume to plant new trees, **to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate.** The Tree Information Report must be revised to reflect changes to the site plan, to show accurate tree protection areas and provide specific mitigation measures.

9. 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.**
10. 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 for which the consent is required to the satisfaction of the **Secretary-Treasurer of the Committee of Adjustment or their designate.**