

DECISION
CONSENT/SEVERANCE

Date of Decision:	April 7, 2026	
Panel:	3 - Rural	
Files:	D08-01-26/B-00051	
Applications:	Consent under section 53 of the <i>Planning Act</i>	
Applicants:	D. Malette and J. Greffe	
Property Address:	5648 Rockdale Road	
Ward:	20 - Osgoode	
Legal Description	Part of Lot 24, Concession 7 Geographic Township of Cumberland	
Zoning By-law:	2008-250	2026-50
Zoning	VM & V1E	VM & V1E
Heard:	April 7, 2026, in person and by videoconference	

APPLICANTS' PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicants want to subdivide the property into two separate parcels of land. It is proposed to construct a semi-detached dwelling on the new parcel. The existing detached dwelling will remain.
- [2] On April 17, 2019, the Committee granted provisional consent (application No. D08-01-19/B-00089) to subdivide the property into two lots. However, the conditions of provisional consent were not fulfilled within the statutory timelines, and the application was deemed to be refused under the *Planning Act*.

CONSENT REQUIRED

- [3] The Applicants seek the Committee's consent to sever land. The property is shown on a sketch filed with the application and the separate parcels will be as follows:

Table 1 Proposed Parcels

File No.	Frontage	Depth	Area	Building
B-00051	41 metres	115.89 metres	4,750.26 sq. metres	Proposed semi-detached dwelling
Retained	65.27 metres	115.83 metres	11,048 sq. metres	Existing detached dwelling

- [4] The Applicant indicates the property is subject to an existing easement as in RR83081.
- [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 March 13, 2026.

PUBLIC HEARING

Oral Submissions Summary

- [7] D. Malette, one of the Applicants, and City Planner Elizabeth King were in attendance.
- [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;
- 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

[10] 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, parcel abstract, tree information, pre-consultation correspondence, photo of the posted sign, and a sign posting declaration.
- City Planning Report received April 2, 2026, with no concerns.
- South Nation Conservation Authority email dated March 31, 2026, with no objections.
- Ottawa Septic System Office email dated March 30, 2026, with no objections.
- Hydro Ottawa email dated April 2, 2026, with no 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 Applicants.

[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.

"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 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.

Committee of Adjustment
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APPENDIX A

1. 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.
2. That the Owner(s) **satisfy the Chief Building Official, or designate**, by providing design drawings or other documentation prepared by a qualified designer, that as a result of the proposed severance the existing dwelling (and any other buildings not captured on the 'plans') shall comply with the Ontario Building Code, O. Reg. 163/24 as amended, in regards to the limiting distance along all new South property line. If necessary, a building permit shall be obtained from Building Code Services for any required alterations.
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 each existing parcel has its own well, independent private sewage system, and storm/foundation drainage and that they do not cross the proposed severance line. If the systems do cross, are not independent, or do not meet the minimum spacing requirements of the Ontario Building Code and City of Ottawa Hydrogeological and Terrain Analysis Guidelines, the Owner(s) will be required, at their own cost, to relocate the existing systems or construct new systems.
4. That the Owner(s) provide a Septic Impact Assessment Report, prepared by a Professional Engineer or Professional Geoscientist, licensed in the Province of Ontario, **to the satisfaction of the Manager of Development Review All Wards Branch within Planning, Development and Building Services Department, or their designate**.

The Report is required to evaluate the impact of the on-site septic system on the receiving aquifer. The Report must meet the City of Ottawa Hydrogeological and Terrain Analysis Guidelines (March, 2021) & Ministry of the Environment, Conservation and Parks guidelines; Procedure D-5-4 "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment".

If the accepted report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the property, which includes those recommendations.

5. 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**.

6. 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.

7. 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.**
8. 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.**