

**DECISION**  
**MINOR VARIANCE**

<b>Date of Decision:</b>	May 1, 2026
<b>Panel:</b>	1 - Urban
<b>File:</b>	D08-02-26/A-00024
<b>Application:</b>	Minor Variance under section 45 of the <i>Planning Act</i>
<b>Applicant:</b>	11096001 Canada Corporation
<b>Property Address:</b>	52 Garland Street
<b>Ward:</b>	15 - Kitchissippi
<b>Legal Description</b>	Part of Lots 40 and 42, Registered Plan 57
<b>Zoning By-law:</b>	2008-250
<b>Zoning</b>	LC1 [2256]
<b>Heard:</b>	April 22, 2026, in person and by videoconference

**APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION**

- [1] The Applicant wants to convert the ground-floor commercial unit to a residential apartment, as shown on the plans submitted to the Committee. This would result in a fully residential apartment building with a total of 13 dwelling units.

**REQUESTED VARIANCES**

- [2] The Applicant is requesting that the Committee authorize minor variances from the Zoning By-law, as follows:
- a) To permit a reduced westerly interior side yard setback of 0 metres, whereas the By-law requires a minimum interior side yard setback of 1.2 metres.
  - b) To permit a reduced easterly interior side yard setback of 0 metres (for the upper levels only), whereas the By-law requires a minimum interior side yard setback of 1.2 metres.
  - c) To permit a reduced front yard setback of 1.5 metres, whereas the By-law requires a minimum front yard setback of 3 metres.

- d) To permit a reduced rear yard setback of 6.3 metres (for the upper levels only), whereas the By-law requires a minimum required rear yard setback of 7.5 metres.
  - e) To permit a reduced width for a front yard landscape area of 1.5 meters, whereas the By-law requires a minimum width of landscaped area abutting a street of 3 meters.
  - f) To permit 0 parking spaces, whereas the By-law requires a minimum of 0.5 parking spaces per dwelling unit for units in excess of 12, in this case 1 parking space is required.
  - g) To permit a reduced total amenity area of 73.3 square metres, whereas the By-law requires 6 square metres of total amenity area per dwelling unit, in this case 78 square metres is required.
  - h) To permit a reduced aggregated communal amenity area of 45.6 square metres, whereas the By-law requires at least one aggregated communal amenity area of 54 square metres when more than one aggregated area is provided.
- [3] There are no other pending applications regarding the property under the *Planning Act*.
- [4] For the purposes of the transition and continuation provisions of Zoning By-law 2026-50, this application was deemed complete on March 4, 2026.

## **PUBLIC HEARING**

### **Oral Submissions Summary**

- [5] Amrinder Kaur, the Applicant's agent, and City Planner Dylan Geldart were present.
- [6] 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 Four-Part Test**

- [7] 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

[8] The evidence reviewed by the Committee included any 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, tree information, photo of the posted sign, and a sign posting declaration.
- City Planning Report received April 16, 2026, with no concerns.
- Rideau Valley Conservation Authority email dated April 14, 2026, with no objections.
- Hydro Ottawa email dated April 14, 2026, with comments.

## Effect of Submissions on Decision

[9] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.

[10] Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.

[11] The Committee notes that the City's Planning Report raises "no concerns" regarding the application.

[12] The Committee also notes that no evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.

[13] Considering the circumstances, the Committee finds that, because the proposal fits well in the area, the requested variances, 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.

[14] 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.

[15] 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.

[16] Moreover, the Committee finds that the requested variances are minor, both individually and cumulatively, because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.

[17] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the application is granted and the variances to the Zoning By-law are authorized, **subject to** the location and

size of the proposed construction complying with the plans filed with the Committee of Adjustment on March 3, 2026, as they relate to the requested variances.

*"John Blatherwick"*  
JOHN BLATHERWICK  
ACTING PANEL CHAIR

*"Arto Keklikian"*  
ARTO KEKLIKIAN  
MEMBER

*"Colin Haskin"*  
COLIN HASKIN  
MEMBER

*"Gary Duncan"*  
GARY DUNCAN  
MEMBER

*"Sharon Lécuyer"*  
SHARON LÉCUYER  
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **May 1, 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 21, 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](mailto: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, 4<sup>th</sup> 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**  
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