



**COMMITTEE OF ADJUSTMENT  
OF THE CITY OF OTTAWA**

**DECISION**  
**MINOR VARIANCE / PERMISSION**  
(Section 45 of the *Planning Act*)

**File No.:** D08-02-22/A-00249 & D08-02-22/A-00250  
**Owner(s):** Benjamin Samuel Koshy & Reena Varghese  
**Location:** 49 Meadowlands Drive  
**Ward:** 8 - College  
**Legal Description:** Lot 114, Registered Plan 349783  
**Zoning:** R1FF  
**Zoning By-law:** 2008-250

Notice was given and a Public Hearing was held on **September 21, 2022**, as required by the *Planning Act*.

**PURPOSE OF THE APPLICATION:**

The Owners have filed Consent Applications (D08-01-22/B-00264 and D08-01-22/B-00265) which, if approved, will have the effect of creating two separate parcels of land. It is proposed to demolish the existing dwelling and to construct two new detached dwellings, with one on each of the newly created parcels. The proposed parcels will not be in conformity with the requirements of the Zoning By-law.

**RELIEF REQUIRED:**

The Owners require the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

A-00249: (49 B) Meadowlands Dr., Part 1, one of the proposed detached dwellings

- a) To permit a reduced lot width of 17.055 metres, whereas the Zoning By-law requires a minimum lot width of 19.5 metres.
- b) To permit a reduced lot area of 519.8 square metres, whereas the Zoning By-law requires a minimum lot area of 600 square metres.

A-00250: 49 Meadowlands Dr., Part 2, one of the proposed detached dwellings

- c) To permit a reduced lot width of 17.055 metres, whereas the Zoning By-law requires a minimum lot width of 19.5 metres.
- d) To permit a reduced lot area of 519.8 square metres, whereas the Zoning By-law requires a minimum lot area of 600 square metres.

The applications indicate that the Property is the subject of the above noted Consent Applications under the *Planning Act*.

### **PUBLIC HEARING:**

The Chair administered an oath to Mike Segreto, Agent for the Owners, who confirmed that the statutory notice posting requirements were satisfied.

The Committee heard a presentation from Nancy Wilson of the City View Community Association. Ms. Wilson highlighted objections to the continued development of undersized lots throughout the community, the inadequacy of existing municipal services, and the proposal's impact on the area's streetscape character.

Also in attendance was Cass Schlauzero of the City's Planning, Real Estate and Economic Development Department, who indicated that she had no concerns with the applications. When questioned by the Committee, Ms. Schlauzero confirmed that the proposed driveway would access Meadowlands Drive and comply with the requirements of the Zoning By-law.

### **DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED**

The Committee considered any written and oral submissions relating to the applications in making its Decision.

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.

The majority of the Committee (Member C. White dissenting for the reasons noted below) is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.

The majority of the Committee notes that the City's planning report raises "no concerns" regarding the application, highlighting: "The increased density proposed via the consent and minor variance applications is consistent with the intent of the R1FF zone, which is to 'restrict building form to detached dwellings' and 'regulate development in a manner

that is compatible with existing land use patterns so that the detached dwelling, residential character of [the] neighbourhood is maintained or enhanced.”

The majority of the Committee also notes that no cogent evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.

Considering the circumstances, the majority of the Committee finds that, because the proposal fits well in the neighbourhood, 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. The majority of 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 and contributes new infill development within the General Urban Area located close to range of community services and amenities. In addition, the majority of 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 area. Moreover, the majority of 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.

The Committee therefore authorizes the requested variances.

*Member C. White dissents, finding that the requested variances facilitate the development of two detached dwellings on undersized lots and therefore do not meet the general intent and purpose of the Zoning By-law.*

#### **NOTICE OF RIGHT TO APPEAL:**

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form along with payment must be received by the Secretary-Treasurer of the Committee of Adjustment by **October 20, 2022**, delivered by email at [cofa@ottawa.ca](mailto:cofa@ottawa.ca) and/or by mail or courier to the following address:

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 <https://olt.gov.on.ca/>. The OLT has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application. 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. If you have any questions about the appeal process, please contact the Committee of Adjustment office by calling 613-580-2436 or by email at [cofa@ottawa.ca](mailto:cofa@ottawa.ca).

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for consent to the OLT. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

Please note that there are no provisions for the Committee of Adjustment or the OLT 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.

**DECISION SIGNATURE PAGE  
PAGE DE SIGNATURE DE LA DÉCISION**

**File No. / Dossier n°:** D08-02-22/A-00249 & D08-02-22/A-00250  
**Owner(s) / Propriétaire(s):** Benjamin Samuel Koshy & Reena Varghese  
**Location / Emplacement:** 49 Meadowlands Drive

We, the undersigned, concur in the decision and the reasons set out by the Committee of Adjustment.

Nous, soussignés, souscrivons à la décision et aux motifs rendus par le Comité de dérogation.

***“Ann M. Tremblay”***

**ANN M. TREMBLAY  
CHAIR / PRÉSIDENTE**

***“Kathleen Willis”***

**KATHLEEN WILLIS  
MEMBER / MEMBRE**

***“Scott Hindle”***

**SCOTT HINDLE  
MEMBER / MEMBRE**

Dissent / Dissident

**COLIN WHITE  
MEMBER / MEMBRE**


***“Julia Markovich”***

**JULIA MARKOVICH  
MEMBER / MEMBRE**

I certify that this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa.

Je certifie que celle-ci est une copie conforme de la décision rendue par le Comité de dérogation de la Ville d'Ottawa.

***Date of Decision / Date de la décision***  
**September 29, 2022 / 29 septembre 2022**

  
**Michel Bellemare**  
**Secretary-Treasurer / Secrétaire-trésorier**