



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

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

**File No.:** D08-02-22/A-00279  
**Owner(s):** Mario Staltaris  
**Location:** 217 Strathcona Avenue  
**Ward:** 17- Capital  
**Legal Description:** Lot 2, Registered Plan 46293  
**Zoning:** R3P [1474]  
**Zoning By-law:** 2008-250

Notice was given and a Public Hearing was held on **October 19, 2022**, as required by the *Planning Act*.

**PURPOSE OF THE APPLICATION:**

At its hearing on September 21, 2022, the Committee adjourned the Consent application (D08-01-22/B-00257) to allow time for the Owner to file a minor variance application. The Owner wants to proceed with his application to subdivide its property into two separate parcels of land to create separate parcels for a semi-detached dwelling currently under construction.

**RELIEF REQUIRED:**

The Owners require the Authority of the Committee for a Minor Variance from the Zoning By-law to permit a front yard setback of 3.6 metres, whereas the Zoning By-law permits a maximum front yard setback of 3.0 metres.

The application indicates that the Property is the subject of a Consent application (D08-01-22/B-00257) under the *Planning Act*.

**PUBLIC HEARING:**

The Panel Chair administered an oath to Mario Staltaris, who confirmed that the statutory notice posting requirements were satisfied.

Craig Hamilton of the City's Planning, Real Estate and Economic Development Department was also in attendance, who confirmed the City had no concerns with the application.

**DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED**

The Committee considered any written and oral submissions relating to the application 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.

Based on the evidence, the Committee is satisfied that the requested variance meets all four requirements under subsection 45(1) of the *Planning Act*.

The Committee notes that the City's Planning Report raises "no concerns" regarding the application, highlighting that: "Staff note that the proposed dwellings are currently under construction and requested variances seek to formalize an existing condition on the property."

Considering the circumstances, the Committee finds that, because the proposal fits well in the area the requested variance is, from a planning and public interest point of view, desirable for the appropriate use of the land, building or structure on the property, and relative to the neighbouring lands. The Committee also finds that, because the proposal respects the character of the neighbourhood, the requested variance maintains the general intent and purpose of the Official Plan. In addition, the Committee finds that the requested variance maintains the general intent and purpose of the Zoning By-law because the proposal represents orderly development that is compatible with the surrounding area. Moreover, the Committee finds that the requested variance is minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.

The Committee therefore authorizes the requested variance, **subject to** the relief applying to the existing semi-detached dwellings known municipally as 217 A & B Strathcone Avenue and being restricted to the life of this building only.

**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 **November 17, 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-00279  
**Owner(s) / Propriétaire(s):** Mario Staltaris  
**Location / Emplacement:** 217 Strathcona Avenue

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.

***“John Blatherwick”***

**JOHN BLATHERWICK  
VICE-CHAIR / VICE-PRÉSIDENT**

***“Stan Wilder”***

**STAN WILDER  
MEMBER / MEMBRE**

***“Heather MacLean”***

**HEATHER MACLEAN  
MEMBER / MEMBRE**

Absent / Absente

**BONNIE OAKES CHARRON  
MEMBER / MEMBRE**


***“Michael Wildman”***

**MICHAEL WILDMAN  
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***  
**October 28, 2022 / 28 octobre 2022**

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