

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

Date of Decision:	December 16, 2022
File No(s):	D08-02-22/A-00281
Owner(s):	Bridor Developments
Location:	2396 Cléroux Crescent
Ward:	2 - Innes
Legal Description:	Part of Lot 11, Concession 3, Geographic Township of Gloucester
Zoning:	R5A H(22)
Zoning By-law:	2008-250
Hearing Date:	December 7, 2022

PURPOSE OF THE APPLICATION

- [7] The Owner wants to construct a three-storey low-rise rental apartment building containing 40 units, as shown on the plans filled with Committee.

RELIEF REQUIRED

- [8] The Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:
- a) To permit a reduced parking rate for resident parking of 1.1 spaces per dwelling unit (44 spaces), whereas the By-law requires a minimum parking rate for resident parking of 1.2 spaces per dwelling unit (48 spaces).
 - b) To permit front yard parking (7 spaces), whereas the By-law states that no parking space may be established, and no person may park a motor vehicle in a required and provided front yard.
- [9] The application indicates that the Property is the subject of a current Site Plan Application (D07-12-21-0081) under the Planning Act.

PUBLIC HEARING

- [10] The Chair administered an oath to Paul Robinson, Agent for the Owner, who confirmed that the statutory notice posting requirements were satisfied.

- [11] Mr. Robinson indicated that the Site Plan Application for this property, which also included the neighbouring property at 2380 Cléroux Crescent, was nearing completion.
- [12] Siobhan Kelly of the City's Planning, Real Estate and Economic Development Department was also in attendance.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

- [13] The Committee considered any written and oral submissions relating to the application in making its Decision.
- [14] 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.
- [15] Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.
- [16] The Committee notes that the City's Planning Report raises "no concerns" regarding the application. The report highlights that: "The requested variance to permit seven of the surface parking spaces to be located in the front yard is minor when considering the subject property and the abutting property at 2380 Cléroux Crescent, both subject to Site Plan Application D07-12-21-0081, as one contiguous lot. When considered as a single lot, the proposed parking would be located in the interior yard with no need for a minor variance."
- [17] 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.
- [18] 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.
- [19] 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 on the property that is compatible with the surrounding area.
- [20] Moreover, the Committee finds that the requested variances, both individually and cumulatively, are minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.

[21] THE COMMITTEE OF ADJUSTMENT therefore authorizes the requested variances, **subject to** the location and size of the proposed construction being in accordance with the plans filed, Committee of Adjustment date stamped October 25, 2022, as they relate to the requested variances.

"Ann M. Tremblay"
ANN M. TREMBLAY
CHAIR

"Kathleen Willis"
KATHLEEN WILLIS
MEMBER

"Scott Hindle"
SCOTT HINDLE
MEMBER

"Colin White"
COLIN WHITE
MEMBER

Absent
JULIA MARKOVICH
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **December 16, 2022**.



Michel Bellemare
Secretary-Treasurer

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 **January 5, 2023** delivered by email at cofa@ottawa.ca and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the OLT website at <https://olt.gov.on.ca/>. 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. 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.

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.

Ce document est également offert en français.

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