

**DECISION  
CONSENT/SEVERANCE**

<b>Date of Decision</b>	May 24, 2024
<b>Panel:</b>	2 - Suburban
<b>File Nos.:</b>	D08-01-24/B-00057 & D08-01-24/B-00058
<b>Application:</b>	Consent under Section 53 of the <i>Planning Act</i>
<b>Owners/Applicants:</b>	Jennifer and Mary Sarumi
<b>Property Address:</b>	154 Sanford Avenue
<b>Ward:</b>	16 - River
<b>Legal Description:</b>	Lot 32, Registered Plan 512
<b>Zoning:</b>	R1GG
<b>Zoning By-law:</b>	2008-250
<b>Heard:</b>	May 14, 2024, in person and by videoconference

**APPLICANTS' PROPOSAL AND PURPOSE OF THE APPLICATIONS**

- [1] The Owners/Applicants want to subdivide their property into two separate parcels of land to create two new lots for the construction of two detached dwellings, each containing two additional dwelling units. The existing dwelling will be demolished.

**CONSENT IS REQUIRED FOR THE FOLLOWING**

- [2] The Applicants require the Committee's consent to sever land. The property is shown as Parts 1 & 2 on a Draft 4R-Plan filed with the applications. The separate parcels will be as follows:

*Table 1 Proposed Parcels*

File No.	Frontage	Depth	Area	Part No.	Municipal Address
B-00057	16.3 m	28.9 m	508 sq. m	1	156 Sanford Avenue
B-00058	11.2 m	28.9 m	325 sq. m	2	154 Sanford Avenue

- [3] Approval of these applications would have the effect of creating separate parcels of land that would not be in conformity with the requirements of the Zoning By-law and therefore, minor variance applications (File Nos D08-02-24/A-00079-80) have been filed and will be heard concurrently with these applications.

## **PUBLIC HEARING**

### **Oral Submissions Summary**

- [4] Rosaline Hill, Agent for the Applicant, provided a slide presentation, a copy of which is on file with the Secretary-Treasurer and available from the Committee Coordinator upon request. Ms. Hill responded to questions from the Committee and confirmed that the Carleton Heights Secondary Plan prohibits new driveways, and a proposal to introduce a new driveway on Part 2 would require an Official Plan Amendment.
- [5] City Planner Samantha Gatchene summarized the City's concerns with the proposed parking reduction. Ms. Gatchene responded to the Committee's questions regarding the prioritization of parking for detached dwellings, noting that detached dwellings correlate to a higher likelihood of car ownership.
- [6] The Committee also heard oral submissions from the following individuals:
- L. Li, resident, noted concerns with the impact of the proposal on traffic safety and submitted that student tenants will likely require vehicles, referring to the distance between the subject property and Carleton University. She also confirmed that there are no sidewalks in this neighbourhood.
  - A. Jain, resident, noted concerns regarding the affordability of the proposed dwelling units and the adequacy of space provided for student tenants. He submitted that more homes at higher prices will not solve the housing crisis and raised concerns that unaffordable rent will result in overcrowded dwelling units.
  - E. Costello, Carleton Heights Community Association, raised concerns regarding existing road and ditch conditions in the neighbourhood and the adverse impacts of overflow parking. She also raised concerns with traffic safety at the intersection and stated that, instead of a new driveway accessed from Morley Boulevard, the community association's preference would be a shared driveway from Sanford Avenue, providing access to parking for both properties.
- [7] Following the public hearing, the Committee reserved its decision.

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

### **Application(s) Must Satisfy Statutory Tests**

- [8] 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 Policy Statement 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**

[9] 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 register, tree information, photo of the posted sign, and a sign posting declaration.
- City Planning Report received May 8, 2024, with some concerns.
- Rideau Valley Conservation Authority email received May 10, 2024, with no objections.
- Hydro One email received May 13, 2024, with comments.
- Ontario Ministry of Transportation email received April 30, 2024, with no comments.
- A. Stevado, resident, email received May 10, opposed; received May 7, opposed.
- L. Alvarenga, resident, email received May 8, 2024, in support.
- M. Holland, resident, email received May 8, 2024, in support.
- J. Rabay, resident, email received May 8, 2024, in support.
- H. Van Dusen and R. Hoglund, residents, email received May 13, 2024, opposed.
- M. Segreto, resident, email received May 13, 2024, in support.
- L. Li, resident, email received May 13, 2024, opposed.
- A. Jain, resident, email received May 14, 2024, opposed.

### **Effect of Submissions on Decision**

[10] The Committee considered all written and oral submissions relating to the applications in making its decision and refused the applications.

[11] The Committee notes that the City's Planning Report raises "some concerns" regarding the applications.

[12] Based on the evidence, the Committee is not satisfied that the proposal is consistent with the Provincial Policy Statement that promotes efficient land use and development as well as intensification and redevelopment within built-up areas, based on local conditions. In addition, the Committee is not satisfied that the proposal has adequate regard for the criteria specified under subsection 51(24) of the *Planning Act*, including the reduced dimensions of the lots considered under Minor Variance Applications D08-02-24/A-00079 and D08-02-24/A-00080, which are refused, or that it is in the public interest.

[13] THE COMMITTEE OF ADJUSTMENT therefore does not grant the provisional consent.

*"Fabian Poulin"*  
FABIAN POULIN  
VICE-CHAIR

*"Jay Baltz"*  
JAY BALTZ  
MEMBER

*"George Barrett"*  
GEORGE BARRETT  
MEMBER

*"Heather MacLean"*  
HEATHER MACLEAN  
MEMBER

*"Julianne Wright"*  
JULIANNE WRIGHT  
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **MAY 24, 2024**.



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 **JUNE 13, 2024**, 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 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](mailto: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.

If a major change to condition(s) is requested, you will be entitled to receive Notice of the changes only if you have made a written request to be notified.

## NOTICE TO APPLICANT(S)

All technical studies must be submitted to Planning, Real Estate and Economic Development Department a minimum of **40 working days** prior to lapsing date of the consent. Should a Development Agreement be required, such request should be initiated **15 working days** prior to lapsing date of the consent and should include all required documentation including the approved technical studies.

*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436