

**DECISION**  
**MINOR VARIANCE / PERMISSION**

<b>Date of Decision</b>	May 24, 2024
<b>Panel:</b>	2 - Suburban
<b>File Nos.:</b>	D08-02-24/A-00079 & D08-02-24/A-00080
<b>Application:</b>	Minor Variance under section 45 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.

**REQUESTED VARIANCES**

- [2] The Applicants require the Committee's authorization for minor variances from the Zoning By-law as follows:

**A-00079: 156 Sanford Avenue, Part 1 on draft 4R-Plan**

- a) To permit a reduced lot width of 16.3 metres, whereas the By-law requires a minimum lot width of 18 metres.

**A-00080: 154 Sanford Avenue, Part 2 on draft 4R-Plan**

- b) To permit a reduced lot width of 11.2 metres, whereas the By-law requires a minimum lot width of 18 metres.
- c) To permit a reduced number of parking spaces of 0, whereas the By-law requires a minimum of 1 parking space.

## **PUBLIC HEARING**

### **Oral Submissions Summary**

- [3] 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.
- [4] 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.
- [5] 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.
- [6] Following the public hearing, the Committee reserved its decision.

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

### **Application(s) 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] Evidence considered by the Committee included any 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**

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

[10] Based on the evidence, the Committee is not 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 "some concerns" regarding the applications, concluding that: "It is staff's interpretation that the intention of the Zoning By-law is to accommodate higher instances of vehicle ownership for detached dwellings. Eliminating the required parking space does not meet this intention and it is staff's opinion the variance is not appropriate for the proposed development."
- [12] Considering the circumstances, the Committee is not satisfied that the requested variances are desirable for the appropriate development or use of the land, building or structure on the property, and relative to the neighbouring lands.
- [13] In addition, the Committee finds that the requested variances do not maintain the general intent and purpose of the Zoning By-law because, while intensification may be possible on the site, this proposal, including the proposed parking solution, does not represent orderly development that is compatible with surrounding uses.
- [14] Failing two of the four statutory tests, the Committee is unable to grant the applications.
- [15] THE COMMITTEE OF ADJUSTMENT therefore does not authorize the requested variances.

*"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.

*Ce document est également offert en français.*

**Committee of Adjustment**  
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