

DECISION
MINOR VARIANCE / PERMISSION

Date of Decision:	May 24, 2024
Panel:	2 - Suburban
File Nos.:	D08-02-24/A-00089 & D08-02-24/A-00090
Application:	Minor Variance under section 45 of the <i>Planning Act</i>
Owner/Applicant:	Roberto Campagna
Property Address:	183 Woodroffe Avenue
Ward:	7 - Bay
Legal Description:	Lot 6 and Part of Lot 7, Registered Plan 389
Zoning:	R4D
Zoning By-law:	2008-250
Heard:	May 14, 2024, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATIONS

- [1] The Owner/Applicant wants to subdivide their property into two separate parcels of land for the construction of two, three-storey long semi-detached dwellings, with two additional dwelling units to each principal dwelling, for a total of six units on each parcel. The existing dwelling will be demolished.

REQUESTED VARIANCES

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

A-00089: 181 & 183 Woodroffe Ave, Parts 1 & 2 on draft 4R-Plan

- a) To permit a reduced front yard setback of 4.5 metres, whereas the By-law requires a minimum front yard setback of 6 metres.
- b) To permit an increased building height of 10.7 metres, whereas the By-law requires a maximum building height of 8 metres.

A-00090: 185 & 187 Woodroffe Ave, Parts 3 & 4 on draft 4R-Plan

- c) To permit a reduced front yard setback of 4.5 meters, whereas the By-law requires a minimum front yard setback of 6 metres.

- d) To permit an increased building height of 10.7 metres, whereas the By-law requires a maximum building height of 8 metres.

PUBLIC HEARING

Oral Submissions Summary

- [3] Arjan Soor and Murray Chown, Agents 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.
- [4] Mr. Soor summarized the revisions made to the plans on file, including changes to a front façade intended to ensure the retention of an existing tree in the front yard, and increased interior side yard setbacks to provide adequate space for servicing to the rear units. In response to a question from the Committee, Mr. Soor confirmed that he was in agreement with the City's requested conditions of provisional consent.
- [5] City Planner Samantha Gatchene was also present and stated the City had no concerns with the applications.
- [6] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED

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:
- Applications and supporting documents, including cover letter, plans, tree information, parcel register, photo of the posted sign, and a sign posting declaration.

- City Planning Report received May 13, 2024, with no concerns; received May 8, 2024, requesting an adjournment.
- Rideau Valley Conservation Authority email received May 10, 2024, with no objections.
- Ontario Ministry of Transportation email received April 30, 2024, with no comments.
- Ottawa Carleton District School Board email received May 8, 2024, with comments.
- Hydro One email received May 8, 2024, with comments.

Effect of Submissions on Decision

- [9] The Committee considered all written and oral submissions relating to the applications in making its decision and granted the applications.
- [10] Based on the evidence, the Committee is 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 "no concerns" regarding the applications.
- [12] The Committee also notes that no evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.
- [13] 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.
- [14] 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.
- [15] In addition, the Committee finds that the requested variances maintain the general intent and purpose of the Zoning By-law because the variances represent orderly development that is compatible with the surrounding area.
- [16] 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.
- [17] THE COMMITTEE OF ADJUSTMENT therefore authorizes the requested variances, **subject to** the location and size of the proposed construction being in accordance with the site plan filed, Committee of Adjustment date stamped May

13, 2024, and the elevations filed, Committee of Adjustment date stamped April 9, 2024, as they relate to 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 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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