

**DECISION
MINOR VARIANCE**

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| Date of Decision: | February 28, 2025 |
| Panel: | 2 - Suburban |
| File No.: | D08-02-24/A-00328 |
| Application: | Minor Variances under section 45 of the <i>Planning Act</i> |
| Applicant: | Campanale Brothers Construction Inc. |
| Property Address: | 609 Longfields Drive |
| Ward: | 24 - Barrhaven East |
| Legal Description: | Blocks 9 and 10, Registered Plan 4M-1463 |
| Zoning: | MC [1642] |
| Zoning By-law: | 2008-250 |
| Hearing Date: | February 18, 2025, in person and by videoconference |

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicant wants to construct a nine-storey mixed use, mid-rise building containing 92 residential dwelling units and at grade commercial retail.

REQUESTED VARIANCES

- [2] The Applicant seeks the Committee's authorization for the following minor variances from the Zoning By-law:
- a) To permit an increased building height of 27 metres and nine storeys whereas the By-law permits a maximum building height of 24 metres or eight storeys.
 - b) To permit projections into the height limit for an indoor rooftop amenity space with height of 4.0 metres and area of 160 square metres whereas the By-law does not permit projection of an interior rooftop amenity area.
 - c) To permit a maximum density of 405.63 units per hectare, whereas the By-law permits a maximum density of 400 units per hectare.

- d) To permit a reduced interior side yard setback of 0 metres, whereas the By-law requires a minimum interior side yard setback of 3 metres.
- e) To permit a reduced rear yard setback of 0.70 metres, whereas the By-law requires a minimum rear yard setback is 6 metres.

The property is the subject of a Site Plan Control application (File No. D07-12-24-0066)

PUBLIC HEARING

Oral Submissions Summary

- [3] Gillian Henderson, 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.
- [4] Bria Aird, also agent for the Applicant, requested that the Committee not tie the requested variances to plans as the property was still in the Site Plan Control application process and the abutting block still required site plan control approval.
- [5] Ms. Aird confirmed that Block 9 would be maintained as public space and that parking for the proposed mixed use building would be provided in an underground parking lot.
- [6] City Planner Elizabeth King highlighted no concerns with the application. City Planner Erin O'Connell was also in attendance.
- [7] Cody Campanale and Timothy Campanale were also present.
- [8] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

Application Must Satisfy Statutory Four-Part Test

- [9] The Committee has the power to authorize minor variances 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 variances are minor, are 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

- [10] 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, photo of the posted sign, and a sign posting declaration.
 - City Planning Report received February 12, 2025, with no concerns.
 - Rideau Valley Conservation Authority email dated February 13, 2025, with no concerns.
 - Hydro Ottawa email dated February 5, 2025, with no concerns.
 - Ontario Ministry of Transportation email dated February 12, 2025, with no comments.
 - R. Lauren Castro, resident, email dated February 18, 2025, with comments.

Effect of Submissions on Decision

- [11] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [12] Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.
- [13] The Committee notes that the City's Planning Report raises "no concerns" regarding the application.
- [14] As for the request to not tie any approved variances to the submitted plans, the Committee finds that the approval should be tied to the plans only as they relate to the requested variances, which should provide the necessary flexibility regarding the Site Plan Control approval process.
- [15] The Committee also notes that no compelling evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.
- [16] 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.

- [17] 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.
- [18] 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 that is compatible with the surrounding area.
- [19] 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.
- [20] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the application is granted and the variances to the Zoning By-law are authorized subject to the following conditions: the location and size of the proposed construction being in accordance with the plans filed, Committee of Adjustment date stamped January 21, 2025, 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 **February 28, 2025**

"Michel Bellemare"
MICHEL BELLEMARE
SECRETARY-TREASURER

NOTICE OF RIGHT TO APPEAL

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form and the filing fee must be submitted via one of the below options and must be received no later than **3:00 p.m. on March 20, 2025**.

- **OLT E-FILE SERVICE** – An appeal can be filed online through the [E-File Portal](#) . First-time users will need to register for a My Ontario Account. Select [Ottawa (City): Committee of Adjustment] as the Approval Authority. To complete the appeal, fill in all the required fields and provide the filing fee by credit card.
- **BY EMAIL** - Appeal packages can be submitted by email to cofa@ottawa.ca. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). Please indicate on the appeal form that payment will be made by credit card.
- **IN PERSON** – Appeal packages can be delivered to the Secretary-Treasurer, Committee of Adjustment, 101 Centrepointe Drive, 4th floor, Ottawa, Ontario, K2G 5K7. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). In person 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.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of filing, the appeal must be filed with one of the other two options.

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.

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 you have any questions about the appeal process, please visit [File an Appeal | Ontario Land Tribunal](#)

Ce document est également offert en français.

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