

**DECISION
MINOR VARIANCE**

Date of Decision:	May 30, 2025
Panel:	3 - Rural
File No.:	D08-02-25/A-00094
Application:	Minor Variances under section 45 of the <i>Planning Act</i>
Applicant:	Ottawa Sivan Temple
Property Address:	2104 Roger Stevens Drive
Ward:	21 - Rideau-Jock
Legal Description:	Part of Lot 21, Concession 3, Geographic Township of North Gower
Zoning:	R13 [608r]
Zoning By-law:	2008-250
Heard:	May 20, 2025, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicant wants to construct a 'Place of Worship' with a detached dwelling, as shown on plans, filed with the Committee.

REQUESTED VARIANCES

- [2] The Applicant seeks The Committee's authorization for the following minor variances from the Zoning By-law:
- a) To permit a reduced parking rate of 5.6 per 100 square metres of Gross Floor Area of the assembly area, for a total of 60 spaces, whereas the By-law requires a minimum parking rate of 10 per 100 square metres of Gross Floor Area of the assembly area, in this case 107 spaces.
 - b) To permit zero vehicle loading spaces, whereas the By-law requires a minimum of 1 vehicle loading space.

- [3] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

Oral Submissions Summary

- [4] Jasmine Paoloni and Yasmine Bahadouri, 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. Ms. Paoloni highlighted that the proposal would be subject to site plan control under the *Planning Act* and that a large portion of the property is located within the floodplain. She also submitted that the proposed parking was sufficient to meet the regular needs of the congregation attending the expanded Place of Worship for the foreseeable future.
- [5] In addressing the concerns raised in written submissions regarding increased parking requirements during an annual summer festival on this site, Ms. Paoloni indicated that this was proposed to be addressed through formal agreements with the City and indicated that measures under consideration included the use of a City parking lot nearby and street parking limited to the south side of Roger Stevens Drive only.
- [6] City Planner Elizabeth King confirmed that she had no concerns with the application. She further requested that approval of this application not be tied to the plans filed, to provide some flexibility for necessary revisions that may arise through the site plan control application process.
- [7] The Committee also heard oral submissions from the following individuals:
- D. Shewan, resident, highlighted concerns that the proposed parking is inadequate for the various activities hosted on the site and would lead to on-street parking and traffic impacts that would compromise the safety of residents and visitors to the site, which is not easily accessible by bicycle or public transit.
 - B. and J. Sullivan, residents, highlighted additional concerns related to the adequacy of the proposed parking on site, as well as the proposed on-street parking on Roger Stevens Drive and its impact on the safety of pedestrians, especially during the summer festival, noting that it is a busy road and there are no sidewalks adjacent to the property.
- [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, Traffic Brief, photo of the posted sign, and a sign posting declaration.
- City Planning Report received May 14, 2025, with no concerns.
- Rideau Valley Conservation Authority email received May 16, 2025, with no objections.
- Hydro Ottawa email received May 7, 2025, with no comments.
- B. and J. Sullivan email received May 16, 2025, opposed.
- D. Brown, Ward Councillor, email received May 16, 2025, with opposed.
- D. Koekkoek, email received May 20, 2025, with concerns.

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 majority of the Committee (Vice-Chair Terry Otto dissenting) 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] The majority of the Committee also notes that no compelling evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties. In this regard, the majority of the Committee notes that its deliberations focused on the merits of the requested variances in connection with the regular intended use of the property for a Place of Worship, and that solutions to meet short-term parking requirements during exceptional periods can be appropriately addressed between the Applicant and the City and through the site plan control application process.
- [15] Considering the circumstances, the majority of 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.
- [16] Also, the majority of the Committee finds that the requested variances maintain the general intent and purpose of the Official Plan because the proposal respects the character of the neighbourhood.
- [17] In addition, the majority of 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.
- [18] Moreover, the majority of 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.
- [19] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the application is granted and the variances to the Zoning By-law are authorized.

"Terence Otto"
TERENCE OTTO
VICE-CHAIR

"Gary Duncan"
GARY DUNCAN
MEMBER

"Beth Henderson"
BETH HENDERSON
MEMBER

"Martin Vervoort"
MARTIN VERVOORT
MEMBER

"Jocelyn Chandler"
JOCELYN CHANDLER
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **May 30, 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 June 19, 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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