

DECISION MINOR VARIANCE

Date of Decision:	May 16, 2025
Panel:	1 - Urban
File No.:	D08-02-25/A-00076
Application:	Minor Variance under section 45 of the <i>Planning Act</i>
Applicant:	204 Ste-Monique Street Holdings Inc.
Property Address:	204 Ste-Monique Street
Ward:	12 - Rideau-Vanier
Legal Description:	Part of Lots 79 & 80, Registered Plan 4M-27
Zoning:	R4UA
Zoning By-law:	2008-250
Heard:	May 7, 2025, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicant has completed interior and exterior renovations to the low-rise apartment building on the property, including the construction of 5 additional dwelling units within the building, resulting in a 10-unit low-rise apartment building, as shown on the plans filed with the application.

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 number of dwelling units to 10, whereas the By-law permits a maximum of 8 dwelling units.
 - b) To permit a reduced corner side yard setback of 4.31 metres, whereas the By-law requires a minimum corner side yard setback of 4.5 metres.
 - c) To permit a reduced easterly interior side yard setback of 0 metres, whereas the By-law requires a minimum interior side yard setback of 1.5 metres.

- d) To permit a reduced rear yard setback of 1.6 metres, whereas the By-law requires a minimum rear yard setback of 4 metres.
 - e) To permit a reduced front yard setback for an accessory structure of 2.1 metres, whereas the By-law requires a minimum front yard setback of 4.5 metres for accessory structures.
 - f) To permit a reduced rear yard soft landscaped area of 39 square metres, whereas the By-law requires a minimum rear yard soft landscaped area of 50 square metres.
- [3] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

Oral Submissions Summary

- [4] Jacob Bolduc, 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. Mr. Bolduc highlighted that the building required extensive renovations when it was purchased by the Applicant and summarized the constraints posed by its adaptive reuse, including challenges with providing an appropriate location for garbage storage.
- [5] Responding to the Committee's questions, Jonathan Bielecki of 204 Ste-Monique Holdings Inc., the Applicant, clarified that a building permit was obtained to renovate the building and to increase from 5 to 8 dwelling units, and confirmed that 2 more units were then constructed in the course of renovations.
- [6] Mr. Bielecki also indicated that, while the details of the proposed renovations and increase in dwelling units was not discussed prior to construction, the neighbours he consulted were generally in favour of intensification and his improvements to the property.
- [7] Mr. Bolduc highlighted that a meeting was subsequently held with the Vanier Community Association, who confirmed in writing to the Committee that they had no concerns with the application. He also highlighted that City staff raised no concerns with the increased unit count. He also submitted that the requested variances are appropriate for this property and achieve the intent of the Official Plan to locate increased density close to transit, and to provide a diverse range of housing options in the area.
- [8] The Committee also heard oral submissions from the following individuals:
- B. Boulton, resident, expressed support for the application and noted that it provides needed housing and improves the conditions on site, but raised

concerns over the lack of required parking and the potential for spillover street parking in the neighbourhood.

[9] City Planner Elizabeth King was also present.

[10] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED IN PART

Application Must Satisfy Statutory Four-Part Test

[11] 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

[12] 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, revised Tree Information Report, photo of the posted sign, and a sign posting declaration.
- City Planning Report received May 1, 2025, with some concerns.
- Rideau Valley Conservation Authority email dated April 30, 2025, with no objections.
- Hydro Ottawa email dated April 17, 2025, with no comments.
- Ontario Ministry of Transportation email dated April 16, 2025, with no comments.
- B. Boulton, resident, email received April 22, 2025, in support.
- C. Greenshields, President, Vanier Community Association, email dated May 5, 2025, in support.

Effect of Submissions on Decision

- [13] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application in part.
- [14] Based on the evidence, the Committee is satisfied that variances (b), (c), (d), (e), and (f) meet all four requirements under subsection 45(1) of the *Planning Act*.
- [15] The Committee notes that the City's Planning Report raises "some concerns" regarding the reduced setback from the front lot line for the proposed garbage enclosure, highlighting that, "[t]he intent is that an accessory structure should not be more dominant than the principle dwelling in the front yard [...]." However, the Committee also notes the evidence presented by the Applicant's agent that the location and landscaping surrounding the proposed garbage enclosure is appropriate due to the limited setbacks and space within the existing building and improves upon the previous solution of storing garbage along the side of the building.
- [16] The Committee also notes that no evidence was presented that variances (b), (c), (d), (e), and (f) would result in any unacceptable adverse impact on neighbouring properties.
- [17] Considering the circumstances, the Committee finds that, because the proposal fits well in the area, variances (b), (c), (d), (e), and (f) 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.
- [18] The Committee also finds that variances (b), (c), (d), (e), and (f) maintain the general intent and purpose of the Official Plan because the proposal respects the character of the neighbourhood.
- [19] In addition, the Committee finds that variances (b), (c), (d), (e), and (f) maintain the general intent and purpose of the Zoning By-law because the proposal represents orderly development that is compatible with the surrounding area.
- [20] Moreover, the Committee finds that variances (b), (c), (d), (e), and (f), both individually and cumulatively, are minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [21] Conversely, based on the evidence, the majority of the Committee (Members A. M. Tremblay and S. Lécuyer dissenting) is not satisfied that variance (a) meets all four requirements under subsection 45(1) of the Planning Act.
- [22] Specifically, the majority of the Committee finds that insufficient evidence was presented that variance (a) maintains the general intent and purpose of the Zoning By-law, which limits apartment buildings to 8 dwelling units in this location.

[23] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the minor variance application is granted in part and variances (b), (c), (d), (e), and (f) to the Zoning By-law are authorized, **subject to** the location and size of the construction being in accordance with the plans filed, Committee of Adjustment date stamped March 25, 2025, as they relate to variances (b), (c), (d), (e), and (f). Variance (a) is not authorized.

"Ann M. Tremblay"
(With noted dissent)
ANN M. TREMBLAY
CHAIR

"John Blatherwick"
JOHN BLATHERWICK
MEMBER

"Simon Coakeley"
SIMON COAKELEY
MEMBER

"Arto Keklikian"
ARTO KEKLIKIAN
MEMBER

"Sharon Lécuyer"
(With noted dissent)
SHARON LÉCUYER
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **May 16, 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 5, 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 Centrepoin 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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