

**DECISION
MINOR VARIANCE**

Date of Decision: August 1, 2025
Panel: 1 - Urban
File No.: D08-02-25/A-00163
Application: Minor Variance under section 45 of the *Planning Act*
Applicant: Y. Tirib
Property Address: 144 Northwestern Avenue
Ward: 15 - Kitchissippi
Legal Description: Part of Lot 14, Registered Plan 331
Zoning: R2D [2159]
Zoning By-law: 2008-250
Heard: July 23, 2025, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicant wants to establish a parking space in the front yard of their existing two-storey semi-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 parking space in the required and provided front yard, whereas the By-law does not permit parking in the required and provided front yard.
 - b) To permit a parking space located in the front yard, whereas the By-law states that front yard parking is prohibited unless it is determined to be the dominant pattern along the streetscape.

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

PUBLIC HEARING

Oral Submissions Summary

- [4] 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.
- [5] Responding to the Committee's questions, Mr. Soor, confirmed that the soft landscaping would comply with the Zoning By-law and the only variance related to the front yard parking space.
- [6] Mr. Chown explained that there were no options for obtaining a City issued, on street parking permit on Northwestern Avenue, and that the street had multiple parking restrictions, therefore a front yard parking space was the only alternative.
- [7] City Planner Penelope Horn had concerns with the application as parking is not required for this area.
- [8] The Committee also heard oral submissions from the following individuals:
- H. Pearl, Chair, Champlain Community association, highlighted support for the proposed front yard parking space noting it would preserve green space and with the existing planters could not be widened.
 - M. Cheng, resident, highlighted his support to the application.
- [9] Following the public hearing, the Committee reserved its decision.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

Application Must Satisfy Statutory Four-Part Test

- [10] 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 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

- [11] 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, streetscape character analysis, photo of the posted sign, and a sign posting declaration.
- City Planning Report received July 17, 2025, with concerns.
- Rideau Valley Conservation Authority email received July 21, 2025, with no objections.
- Hydro Ottawa email received July 14, 2025, with comments.
- Ontario Ministry of Transportation email received July 9, 2025, with no comments.
- Ottawa International Airport Authority email received July 4, 2025, with no comments.
- N. Marsh, resident, email received July 4, 2025, opposed.
- W. Warburton, resident, email received July 14, 2025, in support.
- B. de Bruyn, resident, email received July 17, 2025, in support
- T. Gray, resident, email received July 18, 2025, opposed
- K. Hulshof and M. Robinson, residents, email received July 21, 2025, in support.
- A. Shaw and P. O'Blenes, residents, email received July 14, 2025, in support.
- M. Cheng, resident, email received July 22, 2025, in support.
- Champlain Park Community Association, email received July 22, 2025, in support

Effect of Submissions on Decision

- [12] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [13] Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.

- [14] The Committee notes that the City's Planning Report raises "some concerns" regarding the application, highlighting that "parking is not required for this area and the property is located 700 metres from Tunney's Pasture Station. The Official Plan notes that no parking, or limited parking that is concealed from the street, is a characteristic of the urban built form (Table 6)".
- [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 location and size of the proposed construction being in accordance with the plans filed, Committee of Adjustment date stamped June 23, 2025, as they relate to the requested variances.

"Ann M. Tremblay"
ANN M. TREMBLAY
CHAIR

"John Blatherwick"
JOHN BLATHERWICK
ACTING PANEL CHAIR

"Colin Haskin"
COLIN HASKIN
MEMBER

"Arto Keklikian"
ARTO KEKLIKIAN
MEMBER

"Sharon Lécuyer"
SHARON LÉCUYER
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **August 1, 2025**

“Cheryl Williams”

CHERYL WILLIAMS

ACTING 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 August 21, 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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