

DECISION
MINOR VARIANCE

Date of Decision:	March 27, 2026
Panel:	1 - Urban
File:	D08-02-26/A-00015
Application:	Minor Variance under section 45 of the <i>Planning Act</i>
Applicant:	M. Paquin
Property Address:	374 McArthur
Ward:	12 - Rideau-Vanier
Legal Description	Part of Lot B, Plan 131
Zoning	TM
Zoning By-law:	2008-250
Heard:	March 18, 2026, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

[1] The Applicant is proposing to construct a 64-unit, six-storey mid-rise apartment building, with underground parking, as shown on plans filed with the Committee.

REQUESTED VARIANCES

[2] The Applicant requests that the Committee authorize minor variances from the Zoning By-law:

- a) To permit 13 parking spaces for the residential use, whereas the By-law requires a minimum of 26 parking spaces for residential use.
- b) To permit 3 visitor parking spaces whereas the By-law requires a minimum of 5 visitor parking spaces.

The property is also the subject of a site plan control application (D07-12-20-0192) under the *Planning Act*.

[3] For the purposes of the transition and continuation provisions of Zoning By-law 2026-50, the application was deemed to be complete on February 18, 2026.

PUBLIC HEARING**Oral Submissions Summary**

- [4] M. Paquin, the Applicant, and his partner T. Arvanitakis, provided an overview of the requested variances and the history of previous site plan control and minor variance applications related to the proposal, and responded to questions from the Committee. In response to a question regarding the proposed parking configuration, Mr. Paquin clarified that there would be 13 resident parking spaces, two visitor spaces, and one car-sharing space provided. The Panel Chair noted that the requested variances should therefore be amended as follows:
- a) To permit **13** parking spaces for the residential use, whereas the By-law requires a minimum of 26 parking spaces for residential use.
 - b) To permit **3** visitor parking spaces, whereas the By-law requires a minimum of 5 visitor parking spaces.
- [5] With no objections, the application was amended accordingly.
- [6] The Committee also heard oral submissions from the following individuals:
- Mr. D. Costello, a local resident, expressed concerns about the impact of increased density and reduced parking spaces on the availability of on-street parking and on traffic--a problem he said already exists in the neighbourhood- - as well as the impact of tree removal on his enjoyment of his property.
- [7] City Planner Penelope Horn responded to the Committee's questions and confirmed that City staff had reviewed a transportation impact assessment provided with the earlier site plan control application, which considered trip generation factors as well as the availability of parking on adjacent streets, and concluded there would be no negative impacts. It was noted that the property is well served by OC Transpo and exceeds the minimum bicycle parking requirement.
- [8] City Planner Allison Hamlin also responded to the Committee's questions regarding the history of development applications for the property, beginning in 2015, and the process and outcome of public consultations, including the availability of supporting documents on the City's website.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED AS AMENDED**Application(s) Must Satisfy Statutory Four-Part Test**

- [9] 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

[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 a cover letter, draft site plan agreement, plans, tree information, photo of the posted sign, and a sign posting declaration.
- City Planning Report received March 12, 2026, with no concerns.
- Rideau Valley Conservation Authority email dated March 10, 2026, with no objections.
- Hydro Ottawa email dated March 10, 2026, with comments.
- Ottawa-Carleton District School Board email dated March 11, 2026, with comments.
- D. Costello, summary of comments provided by phone on March 16, 2026, opposed.

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, as amended.

[12] Based on the evidence, the majority of the Committee (Members A. Keklikian and J. Blatherwick dissenting) is satisfied that the requested variance meets 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 requested variance would result in any unacceptable adverse impact on neighbouring properties.

[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] The majority of the Committee also finds that the requested variances maintain the general intent and purpose of the Official Plan because the proposal supports intensification in the Outer Urban Transect and 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 are minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [19] Members Blatherwick and Keklikian dissent, finding that insufficient evidence was presented to demonstrate that the requested variances are minor and would have no unacceptable adverse impact on surrounding properties.
- [20] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the application is granted as amended and the variances to the Zoning By-law are authorized.

"Ann M. Tremblay"
ANN M. TREMBLAY
CHAIR

"John Blatherwick"
JOHN BLATHERWICK
MEMBER

"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 Ottawa Committee of Adjustment, dated **March 27, 2026**.

"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 April 16, 2026**.

- **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.

Committee of Adjustment
City of Ottawa
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436