



## **COMMITTEE OF ADJUSTMENT OF THE CITY OF OTTAWA**

### **DECISION MINOR VARIANCE / PERMISSION** (Section 45 of the *Planning Act*)

<b>File No.:</b>	D08-02-22/A-00175
<b>Owner(s):</b>	Jean Pierre
<b>Location:</b>	5926 Buckland Road
<b>Ward:</b>	19-Cumberland
<b>Legal Description:</b>	Lot 25, Concession 3
<b>Zoning:</b>	V1E
<b>Zoning By-law:</b>	2008-250

Notice was given and a Public Hearing was held on **July 20, 2022**, as required by the *Planning Act*.

#### **PURPOSE OF THE APPLICATION:**

The Owner wants to construct a two-storey detached dwelling on the currently vacant parcel of land, as shown on plans filed with the Committee.

#### **RELIEF REQUIRED:**

The Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced lot area of 1,009 square metres, whereas the By-law requires a minimum lot area of 2,000 square metres.
- b) To permit a reduced lot width of 22.83 metres, whereas the By-law requires a minimum lot width of 30 metres.

The application indicates that the Property is not the subject of any other current application under the *Planning Act*.

#### **PUBLIC HEARING:**

The Panel Chair administered an oath to Andre Theriault, Agent for the Applicant, who confirmed that the statutory notice posting requirements were satisfied.

## **DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED**

The Committee considered any written and oral submissions relating to the application in making its Decision.

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.

Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.

The Committee notes that the City's planning report raises "no concerns" regarding the application highlighting "that this lot appears to be an established lot of record and therefore has legal non-complying rights."

The Committee also notes that no evidence was presented that the variances would result in any unacceptable adverse impact on neighbouring properties.

Considering the circumstances, the Committee finds that, because the proposal fits well within its context, the requested variance is, 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. The Committee also finds that, because the proposal respects the character of the area, the requested variance maintains the general intent and purpose of the Official Plan. In addition, the Committee finds that the requested variance maintains the general intent and purpose of the Zoning By-law because, the proposal represents orderly development of the property that is compatible with the surrounding area. Moreover, the Committee finds that the requested is minor because it will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.

The Committee therefore authorizes the requested variances.

### **NOTICE OF RIGHT TO APPEAL:**

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form along with payment must be received by the Secretary-Treasurer of the Committee of Adjustment by **August 18, 2022**, delivered by email at [cofa@ottawa.ca](mailto:cofa@ottawa.ca) and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,  
101 CentrepoinTE Drive, 4<sup>th</sup> floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the OLT website at <https://olt.gov.on.ca/>. The OLT has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application. 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. If you have any questions about the appeal process, please contact the Committee of Adjustment office by calling 613-580-2436 or by email at [cofa@ottawa.ca](mailto:cofa@ottawa.ca).

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for consent to the OLT. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

Please note that there are no provisions for the Committee of Adjustment or the OLT 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.

**DECISION SIGNATURE PAGE  
PAGE DE SIGNATURE DE LA DÉCISION**

**File No. / Dossier n°:** D08-02-22/A-00175  
**Owner(s) / Propriétaire(s):** Jean Pierre  
**Location / Emplacement:** 5926 Buckland Road

We, the undersigned, concur in the decision and reasons of the Committee of Adjustment.

Nous, soussignés, souscrivons à la décision et à la justification ci-devant rendues par le Comité de dérogation.

***“Fabian Poulin”***

**FABIAN POULIN  
VICE-CHAIR / VICE-PRÉSIDENT**

***“Terence Otto”***

**TERENCE OTTO  
MEMBER / MEMBRE**

***“Steven Lewis”***

**STEVEN LEWIS  
MEMBER / MEMBRE**

***“Martin Vervoort”***

**MARTIN VERVOORT  
MEMBER / MEMBRE**

***“Jocelyn Chandler”***

**JOCELYN CHANDLER  
MEMBER / MEMBRE**

I certify that this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa.

Je certifie que celle-ci est une copie conforme de la décision rendue par le Comité de dérogation de la Ville d'Ottawa.

***Date of Decision / Date de la décision***  
**July 29, 2022 / 29 juillet 2022**



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**Matthew Garnett  
Acting Secretary-Treasurer /  
Secrétaire-trésorier intérimaire**