



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

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

File Nos.: D08-02-21/A-00295 & D08-02-21/A-00296
Owner(s): Domenic Cambareri
Location: 1697 & (1693) Ortona Avenue
Ward: 16 - River
Legal Description: Part of Lot 15, Registered Plan 291190
Zoning: R1GG
Zoning By-law: 2008-250

Notice was given and a Public Hearing was held on **November 3, 2021**, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION:

The Owner has filed Applications for Consent (D08-01-21/B-00340 & D08-01-21/B-00341) which, if approved, will have the effect of creating two separate parcels of land. It is proposed to demolish the existing detached dwelling and construct two new detached dwellings, with one on each of the newly created parcels. The two proposed parcels will not be conformity with the requirements of the Zoning By-law.

RELIEF REQUIRED:

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

A-00295: (1693) Ortona Avenue, Parts 1 & 2 on the Draft Plan, proposed single detached dwelling

- a) To permit a reduced lot width of 15.16 metres, whereas the Zoning By-law requires a minimum lot width of 18 metres.
- b) To permit a reduced lot area of 589.6 square metres, whereas the Zoning By-law requires a minimum lot area of 665 square metres.

A-00296: 1697 Ortona Avenue, Parts 3 & 4 on the Draft Plan, proposed single detached dwelling

- c) To permit a reduced lot width of 15.15 metres, whereas the Zoning By-law requires a minimum lot width of 18 metres.
- d) To permit a reduced lot area of 631.0 square metres, whereas the Zoning By-law requires a minimum lot area of 665 square metres.

The Applications indicate that the Property is the subject of the above noted Consent Applications under the *Planning Act*.

PUBLIC HEARING:

The Chair administered an oath to Jeff Kelly, Agent for the Owner, who confirmed that the statutory notice posting requirements were satisfied. Mr. Kelly provided the Committee with a detailed presentation, with reference to a location plan, Draft 4R-Plan, and architectural elevations. He also presented a lot fabric plan showing comparable parcels throughout the neighbourhood.

The Committee noted that the legal description set out in the Public Notice should be amended to read as follows: Part of Lot 15, Registered Plan 291190; **Part 2 on 4R-1028.**

The Committee also heard from Nicole Charron of 1328 Normandy Crescent and James Simpson of 1066 Stormont Street, representing several area residents in opposition to the applications. The objections and concerns raised by area residents were numerous and outlined in detail in their written correspondence on file. In summary the concerns raised included the compatibility of the proposed lots with the surrounding context, the loss of greenspace, the potential size and setbacks of future development, as well as its impact on traffic and pedestrian safety.

Lucy Ramirez of the City's Planning, Infrastructure and Economic Development Department (PIEDD) was also in attendance. Ms. Ramirez summarized the revisions to the proposed conditions, specifically those related to the tree planting requirements. Mr. Chown, also acting as Agent for the Owner, indicated that he no concerns with the revised conditions.

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED

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

The Committee notes that the PIEDD report raises "no concerns" with the application, highlighting that "the subject property is larger than half of the properties along this segment of Ortona Avenue and has the largest street frontage," and "the lots and proposed development will fit within the existing character." The report further notes that, "the minor variances for lot width and lot area will not negatively impact on the

character of the area [... and] there is enough room in the front yards to accommodate soft landscaping, trees, driveways, and walkways.”

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

Considering the circumstances, the Committee finds that, because the proposal is compatible with its surrounding context, the requested variances are, from a planning and public interest point of view, desirable for the appropriate use of the land, building or structure on the property, and relative to the neighbouring lands. 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 General Urban Area in a form that compliments established lot patterns and is consistent with the low-rise scale of the community. In addition, the Committee finds that the requested variances maintain the general intent and purpose of the Zoning By-law because the proposal meets all applicable performance standards besides lot width and lot area and will not interrupt the existing streetscape. Moreover, 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.

The Committee therefore authorizes the requested variances.

NOTICE OF RIGHT TO APPEAL:

To appeal this decision to the Ontario Land Tribunal (OLT), an appeal form along with a certified cheque or money order payable to the Ontario Minister of Finance must be filed with the Secretary-Treasurer of the Committee of Adjustment by **December 2, 2021**, delivered to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th 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. 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.

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.

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

File No. / Dossier n°: D08-02-21/A-00295 & D08-02-21/A-00296
Owner(s) / Propriétaire(s): Domenic Cambareri
Location / Emplacement: 1697 & (1693) Ortona Avenue

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

Nous, soussignés, souscrivons à la décision et aux motifs rendus par le Comité de dérogation.

"Ann M. Tremblay"

**ANN M. TREMBLAY
CHAIR / PRÉSIDENTE**

"Kathleen Willis"

**KATHLEEN WILLIS
MEMBER / MEMBRE**

"Scott Hindle"

**SCOTT HINDLE
MEMBER / MEMBRE**

"Colin White"

**COLIN WHITE
MEMBER / MEMBRE**

"Julia Markovich"

**JULIA MARKOVICH
MEMBER / MEMBRE**

I, Michel Bellemare, Secretary-Treasurer of the Committee of Adjustment for the City of Ottawa, certify that the attached is a true copy of the Decision of the Committee with respect to the application recorded.

Je, soussigné, Michel Bellemare, secrétaire-trésorier du Comité de dérogation pour la Ville d'Ottawa, confirme que l'énoncé ci-joint est une copie conforme de la décision rendue par le Comité à l'égard de la demande visée.

Date of Decision / Date de la décision
November 12, 2021 / 12 novembre 2021



**Michel Bellemare
Secretary-Treasurer / Secrétaire-trésorier**