



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

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

File Nos.: D08-02-21/A-00256 to D08-02-21/A-00261
Owner(s): Concorde Properties
Location: 3663 (~~3661, 3663, 3669, 3673, 3677, 3681~~)
(3667, 3669, 3671, 3673, 3675, and 3677) Albion Road
Ward: 10 – Gloucester-Southgate
Legal Description: Part of Lot 7, Concession 4, **Part 1** on Reg. Plan 5R1069
Zoning: R2N
Zoning By-law: 2008-250

Notice was given and a Public Hearing was held on **September 1 and October 6, and November 3, 2021**, as required by the *Planning Act*.

PURPOSE OF THE APPLICATIONS:

The Owner has filed Applications for Consent (D08-01-21/B-00269 to D08-01-21/B-00274) which, if approved, will have the effect of creating six separate lots for the purpose of development. It is proposed that each lot will contain a semi-detached dwelling unit with a secondary dwelling unit in the basement.

RELIEF REQUIRED:

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

D08-02-21/A-00256: (~~3661~~) **(3667)** Albion Road South, Part 1 on the Draft 4R-Plan filed with the applications

- a) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9.0 metres

D08-02-21/A-00257: (~~3663~~) **(3669)** Albion Road South, Part 2 on the Draft 4R-Plan filed with the applications

File Nos.: D08-02-21/A-00256 to D08-02-21/A-00261

- b) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9.0 metres

D08-02-21/A-00258: ~~(3669)~~ (3671) Albion Road South, Part 3 on the Draft 4R-Plan filed with the applications

- c) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9.0 metres

D08-02-21/A-00259: (3673) Albion Road South, Part 4 on the Draft 4R-Plan filed with the applications

- d) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9.0 metres

D08-02-21/A-00260: ~~(3677)~~ (3675) Albion Road South, Part 5 on the Draft 4R-Plan filed with the applications

- e) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9.0 metres

D08-02-21/A-00261: ~~(3684)~~ (3677) Albion Road South, Part 6 on the Draft 4R-Plan filed with the applications

- f) To permit a reduced lot width of 7.62 metres, whereas the By-law requires a minimum lot width of 9.0 metres

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

PUBLIC HEARING:

Prior to the Hearing on September 1, the Committee received an adjournment request from Christine McCuaig, Agent for the Owner, seeking additional time to redesign parts of the proposal to lessen the impact on trees and to address concerns raised by the City's Planning, Infrastructure and Economic Development Department (PIEDD). At the Hearing, the Committee heard from Ms. McCuaig, who reiterated her request for adjournment. With the concurrence of all parties, the applications were adjourned to October 6.

Prior to the Hearing on October 6, the Committee received correspondence from Ms. McCuaig, requesting a further adjournment to allow additional time to submit revised plans. With the concurrence of the Committee, the applications were further adjourned to November 3.

At the renewed Hearing, the Chair administered an oath to Ms. McCuaig, who confirmed that the statutory notice posting requirements were satisfied.

Ms. McCuaig provided the Committee with a full presentation, with reference to photographs, a revised site plan and a lot fabric plan to demonstrate the compatibility of the proposed lots within their context. She also noted outlined the effect of the revisions to the plans in terms of retention of mature trees.

The Committee noted that the legal description set out in the Public Notice should be amended to read: Part of Lot 7, Concession 4, **Part 1 on** Reg. Plan 5R1069.

The Committee also heard from Richard Mungall of 2766 Wyldewood Street in opposition to the applications. Mr. Mungall submitted that the proposal represents overdevelopment and would adversely impact traffic and pedestrian safety in the area, as well as the character of the streetscape, with particular reference to the number of proposed new driveways.

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED AS AMENDED

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

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 PIEDD report raises "some concerns" regarding the applications, specifically regarding the retention of trees along the streetscape. However, the report also takes note of the applicant's efforts to revise the plans to ensure the retention of one tree.

Considering the circumstances, the Committee finds that, because the proposal permits the most efficient use of the lot with respect to providing infill housing, 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 that the requested variances maintain the general intent and purpose of the Official Plan because the proposal respects the character of the neighbourhood and support the provision of a range of housing options in the area. In addition, the Committee finds that that the requested variances maintain the general intent and purpose of the Zoning By-law because a semi-detached dwelling is a permitted use in the R2N subzone, each lot significantly exceeds the minimum required lot area, and the new buildings will be sited so that they meet all other performance standards. 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-00256 to D08-02-21/A-00261
Owner(s) / Propriétaire(s): Concorde Properties
Location / Emplacement: 3663 (3661, 3663, 3669, 3673, 3677, 3681) Albion Road
South

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