



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

**COMITÉ DE DÉROGATION
POUR LA VILLE D'OTTAWA**

**DECISION/DÉCISION
MINOR VARIANCE/PERMISSION
DEMANDE DE DÉROGATIONS MINEURES/PERMISSION**
(Section 45 of the *Planning Act*)
(Article 45 de la *Loi sur l'aménagement du territoire*)

File No./Dossier n°:	D08-02-19/A-00054
Owner(s)/Propriétaire(s):	Marco Valenti (Under Agreement of Purchase & Sale)
Location/Emplacement:	3341 Carling Avenue
Ward/Quartier:	7 - Bay
Legal Description/ Description officielle:	Part Lot 13, Concession 1 (Ottawa Front), Reg. Plan 495
Zoning/Zonage:	R1E
Zoning By-law/ Règlement:	2008-250

Notice was given and a Public Hearing was held on April, 17 and May 1, 2019, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

The Owner wants to construct a two-storey detached dwelling on this vacant property, as shown on plans filed with the Committee.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owner requires the Authority of the Committee for a Minor Variance from the Zoning By-law to permit an increase in building height to 10.7 metres (measured from average grade), whereas the Bylaw permits a maximum building height of 8.5 metres.

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

PUBLIC HEARING/AUDIENCE PUBLIQUE:

Prior to the original Hearing on April 17, 2019, it was brought to Committee's attention that an additional variance would be required to be added to the application, requiring a re-circulation of the Public Notice.

At the hearing, the Committee heard from Mr. M. Valenti, Owner of the property, who appeared along with Mr. J. Grant, the project designer. Mr. Valenti expressed his desire to not have the application recirculated, but rather to revise his proposed plans so that the additional variance would no longer be required. With the Committee in agreement, the application was adjourned to the May 1, 2019 Hearing, to allow time for the applicant to submit revised plans for the proposed dwelling.

Also in attendance was Ms. M. Atfield, of the City's Planning, Infrastructure and Economic Development Department (PIEDD), who referenced her written report on file, confirming that an additional variance was required due to the proposed location of the driveway.

At the renewed Hearing on May 1, 2019, the Committee heard again from Mr. Valenti and Mr. Grant. Mr. Valenti presented the Committee with the revised plans proposing a street-facing garage and driveway, which now conformed to the provisions of the Zoning By-law.

The Committee also heard from Ms. Atfield, who stated that she had reviewed the revised plans and that the department no longer had concerns with the application, and that no additional variances were required. She also added that the request for increased building height was triggered by the existing slope of the vacant site and that no direct neighbouring properties would be effected.

DECISION AND REASONS OF THE COMMITTEE:
DÉCISION ET MOTIFS DU COMITÉ:

APPLICATION GRANTED
DEMANDE ACCORDÉE

Having considered the evidence presented and having reviewed the plans and correspondence on file, including no concerns raised by the City's PIEDD or by neighbouring property owners, the Committee is of the view that the relief sought for the requested increase in building height is being generated mainly due to the calculation of average grade across the vacant site. The Committee is satisfied that the proposal is in keeping with the character of the neighbourhood, and that the approval of the relief requested will not result in any adverse impact on the adjacent properties.

Based on these reasons, the Committee is satisfied, in all the circumstances and in this instance, that the variance sought is minor, that it is desirable for the appropriate development or use of the land and that the general intent and purpose of the Zoning By-law and the general intent and purpose of the Official Plan are maintained. This application is granted subject to the location and size of the proposed construction

being in accordance with the revised plans filed, Committee of Adjustment date stamped April 26, 2019, as they relate to the variance sought.

NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:

To appeal this Decision to the Local Planning Appeal Tribunal, 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 the **30th day of May, 2019**, 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 Tribunal's website at www.elto.gov.on.ca. The Tribunal has established a filing fee of \$300.00 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 Local Planning Appeal Tribunal. 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.

NOTICE TO APPLICANT/AVIS AU RÉQUÉRANT:

If your application has been approved, it should be noted that this Decision is not to be construed as satisfying all the requirements of Hydro Ottawa or the Building Code for the issuance of a building permit.

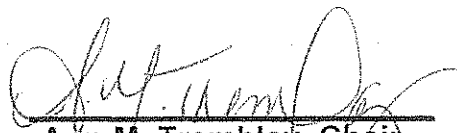
Applicants are advised to take note of comments received from City departments and other technical agencies like Hydro Ottawa and to consult where appropriate.

DECISION SIGNATURE PAGE
PAGE DE SIGNATURE DE LA DÉCISION


File No./Dossier n°: D08-02-19/A-00054
Owner(s)/Propriétaire(s): Marco Valenti (Under Agreement of Purchase & Sale)
Location/Emplacement: 3341 Carling Avenue

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.


Ann M. Tremblay, Chair
Chair/ présidente


Nadine Tischhauser


Scott Hindle


Kathleen Willis



Colin White

I, Krista Libman, 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, soussignée, Krista Libman, secrétaire-trésorière 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.

May 10, 2019

Date of Decision
Date de la décision


Krista Libman
Secretary-Treasurer/Secrétaire-trésorière