



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

**DECISION
MINOR VARIANCE
PERMISSION**

(Section 45 of the *Planning Act*)

File No.: D08-02-21/A-00115
Owner(s): Alana Melanson & Roger Guilbault
Location: 76 Britannia Road
Ward: 7-Bay
Legal Description: Part of Lot 4, Plan 40 1/2, Part 1, Ref. Plan 4R-470
Zoning: R1O
Zoning By-law: 2008-250

Notice was given and a public hearing was held on **June 16, 2021**, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION:

The Owners want to construct a new 3.76 metre x 4.47 metre, two-storey rear yard addition as well as a 3.05 metre x 9.35 metre carport addition on the north side of their existing semi-detached dwelling unit, as shown on plans filed with the Committee.

RELIEF REQUIRED:

~~The Owners require the Authority of the Committee for Minor Variances/Permission from the Zoning By-law as follows:~~

- ~~a) To permit the construction of the rear yard addition to the existing two-storey semi-detached dwelling unit which would appear to be a legal conforming use in the R1O zone, whereas the By-law states that permission is required to expand a legal non-conforming use with a rear yard setback of 9.7 metres to the proposed addition and 6.9 metres to the proposed deck.~~
- ~~b) To permit a reduced northerly side yard setback of 0.3 metres, whereas the By-law requires minimum total side yard setback of 3.0 metres, with one side yard no less 1.2 metres.~~

The Owner requires the Permission of the Committee to expand the existing two storey semi-detached dwelling unit, which would appear to be a legal non-

conforming use in the R1O zone, to permit the construction of a two-storey rear yard addition and a carport.

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

PUBLIC HEARING:

The Chair administered an oath to Mr. N. Luetge, Agent for the Owner, who confirmed that the statutory notice posting requirements were satisfied.

Also, in attendance was Ms. L. Ramirez, of the City's Planning, Infrastructure and Economic Development Department (PIEDD), who stated no concerns with the application.

In reference to the report filed by Ms. Ramirez, the Committee noted that the wording of the requested minor variance and permission set out in the notice should be amended to reflect a permission application only as follows:

The Owner requires the Permission of the Committee to expand the existing two storey semi-detached dwelling unit, which would appear to be a legal non-conforming use in the R1O zone, to permit the construction of a two-storey rear yard addition and a carport.

With confirmation from all parties, the application was amended accordingly.

**DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED
AS AMENDED**

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

The Committee notes that the City's Planning Report raises "no concerns" with the proposed addition to rear of the dwelling, highlighting that "the proposed addition complies with the required rear yard setback applicable to detached dwellings". Some concerns were raised by PIEDD regarding the proposed carport, noting "the carport will have a visual impact to the streetscape; however, because the carport has no walls the impact on the streetscape is reduced."

Based on the evidence, the Committee is satisfied that the requested permission meets the two-fold test relating to desirability and impact.

Considering the circumstances the Committee finds that, because the proposal fits well in the neighbourhood, the requested permission is, 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 permission will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general, because the proposed carport has no walls, reducing its impact on the streetscape, and the proposed addition complies with the required rear yard setback applicable to detached dwellings.

The Committee therefore permits the requested expansion (enlargement or extension), subject to the proposed construction being in accordance with the plans filed and Committee of Adjustment date-stamped April 21, 2021, as they relate to the requested permission.

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 **July 15, 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-00115
Owner(s) / Propriétaire(s): Alana Melanson & Roger Guilbault
Location / Emplacement: 76 Britannia Road

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

Absent

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
June 25, 2021/ 25 juin 2021



Michel Bellemare
Secretary-Treasurer / Secrétaire-trésorier