



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

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

**File No.:** D08-02-21/A-00235  
**Owner(s):** Ark 1988  
**Location:** 71 Pooler Street  
**Ward:** 7-Bay  
**Legal Description:** Lot 41, Reg. Plan 278, Part 2 on Ref. Plan 4R-33041  
83041  
**Zoning:** R2F  
**Zoning By-law:** 2008-250

Notice was given and a Public Hearing was held on **August 4, 2021**, as required by the *Planning Act*.

**PURPOSE OF THE APPLICATION:**

On May 15, 2019 the Committee approved Consent Applications (D08-01-19/B-00014 & D08-01-19/B-00015) and Minor Variance Applications D08-02-19/A-00009 & D08-02-21/A-00010) for the severance of the property into two separate parcels of land and for the proposed construction of a new two-storey semi-detached dwelling. During the Building Permit process, it was discovered that the Owner requires an additional minor variance.

**RELIEF REQUIRED:**

The Owner requires the Authority of the Committee for a Minor Variance from the Zoning By-law to permit a reduced lot width of 8.65 metres, whereas the By-law requires a minimum lot width of 9.0 metres.

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. J. F. Jacques, Agent for the Applicant, who confirmed that the statutory notice posting requirements were satisfied.

The Committee also confirmed that the legal description as identified in the Public Notice circulated to area residents should be amended to read: Lot 41, Reg. Plan 278, Part 2 on Ref. Plan 4R-33041 83041.

In response to questions from the Committee, Ms. L. Ramirez of the City's Planning, Infrastructure and Economic Development Department (PIEDD) was also in attendance and confirmed that the requirement for a reduced lot width was overlooked when the previously approved applications were before the Committee on May 19, 2019.

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

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

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

The Committee notes that the PIEDD report raises "no concerns" with the application, highlighting that "similar lot widths are present along Deschênes Street, for example 2191 and 2193 Deschênes Street each have a lot width of 8.37 metres. The relief sought is minor and the proposed development fits well with the neighbourhood context. No change to the previous construction or design is proposed. The smaller lot width will not be easily discernible [and] the variance is desirable for the appropriate development of the land."

Considering the circumstances, the Committee finds that, because the proposal is compatible with existing land use patterns, the requested variance 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 variance maintains the general intent and purpose of the Official Plan because the proposal contributes discreet intensification in the area. 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, and the proposed lot width will be generally compatible with other lots throughout the greater area. Moreover, the Committee finds that the requested variance 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 variance.

#### **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 **September 2, 2021**, delivered 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. 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.

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

**File No. / Dossier n°:** D08-02-21/A-00235  
**Owner(s) / Propriétaire(s):** LF6JF8PA2DL7 Limited  
**Location / Emplacement:** 71 Pooler Street

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***  
**August 13, 2021 / 13 août 2021**

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