



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

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

File No.: D08-02-21-A-00210
Owner(s): Brian Wilson in Trust (Under Agreement of Purchase and Sale)
Location: 2830 Carling Avenue and 810 Vick Avenue
Ward: 7 - Bay
Legal Description: **Part of Lots 1 & 2, Registered Plan 231; Lot 4 & Part of Lot 2 Lots-2 & 4, Registered Plan 250**
Zoning: R4N
Zoning By-law: 2008-250

Notice was given and a public hearing was held on **September 15, 2021**, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION:

The Owner, under Agreement of Purchase and Sale, intends to consolidate the properties at 2830 Carling Avenue and 810 Vick Avenue under common ownership. It is proposed to construct a 27-unit, stacked townhouse building fronting on Carling Avenue and a three-unit dwelling fronting on Vick Avenue, as well as an underground parking structure. The two existing detached dwellings on the properties are to be demolished. The proposed development will not be in 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) To permit a reduced front yard setback of 1.38 metres (Judge Street), whereas the By-law requires a minimum front yard setback of 6.0 metres.
- b) To permit a reduced front yard setback of 2.97 metres (Vick Avenue), whereas the By-law requires a minimum front yard setback of 6.0 metres.

- c) To permit a reduced corner side yard setback of 3.0 metres (Carling Avenue), whereas the By-law requires a minimum corner side yard setback of 4.5 metres.

The application indicates that the property is a corner through lot and that, for By-law purposes, the minimum required front yard setback applies to both the front and rear lot lines and the minimum rear yard setback does not apply.

The application indicates that the Property is the subject of a current Sit Plan Control application (D07-12-20-0163) under the Planning Act.

PUBLIC HEARING:

The Chair administered an oath to Mr. J. Bonn, Agent for the Applicant, who confirmed that the statutory notice posting requirements were satisfied.

The Committee confirmed that the legal description set out on the notice should be amended as follows:

Legal Description: Part of Lots 1 & 2, Registered Plan 231; Lot 4 & Part of Lot 2 Lots 2 & 4, Registered Plan 250

All parties were in agreement with the amendment.

Also in attendance was Ms. C. Culley, of the City's Planning, Infrastructure and Economic Development Department (PIEDD), who confirmed she had no concerns with the variances requested. Referring to her report filed with the Committee, Ms. Culley noted that the underground parking plan had been revised and was now in conformity with the requirements of the Zoning By-law.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

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 application.

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 offers redevelopment and intensification that fits well in the neighbourhood, 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, because the proposal represents appropriate intensification that respects the character of the neighbourhood, the requested variances maintain the general intent and purpose of the Official Plan. In

In addition, the Committee finds that the requested variances maintain the general intent and purpose of the Zoning By-law because the proposal represents orderly development on the property that is compatible with the neighbourhood. 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, **subject to** the location and size of the proposed construction being generally in accordance with the site development plan and the revised underground parking plan filed, Committee of Adjustment date stamped September 14, 2021, as they relate to 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 **October 14, 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-00210
Owner(s) / Propriétaire(s): Brian Wilson in Trust (Under Agreement of Purchase and Sale)
Location / Emplacement: 2830 Carling Avenue and 810 Vick 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**

Absent / Absente

**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*
September 24, 2021/ 24 septembre 2021**


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