



**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°:	D08-02-13/A-00076
Owner/ Propriétaire: Agent/ Représentant:	Bonnie McQuaid & Stephen Roster Gordon Stokoe
Legal Description//Description officielle: Property Address/Adresse de la propriété:	Lot 46, Reg. PLan 241619 48 Bower Street
Zoning/Zonage: By-Law/Règlement:	R1TT 2008-250
Ward/ Quartier: Former Municipality/Ancienne municipalité:	17 - Capital Ottawa

Notice was given and a Public Hearing was held on April 17, 2013, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

The Owners want to demolish their existing attached 1-storey garage and construct a 3.2 m x 8.7 m, two-storey addition on the west side of the dwelling, as shown on plans filed with the Committee. The new addition will include a garage at grade.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owners require the Authority of the Committee for a Minor Variance from the Zoning By-law to permit a total interior side yard setbacks of 0.92 metres (0.86 metres on the east side and 0.6 metres on the west side) whereas the By-law requires a minimum total interior side yard setback of 1.8 metres, with no yard less than 0.6 metres.

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

PUBLIC HEARING/AUDIENCE PUBLIQUE:

Mr. G. Stokoe, Agent for the Owner concurred with the Committee that application should be amended as follows:

“To permit a total interior side yard setbacks of **1.46** metres (0.86 metres on the east side and 0.6 metres on the west side) whereas the By-law requires a minimum total interior side yard setback of 1.8 metres, with no yard less than 0.6 metres.”

In this regard, the application was amended accordingly.

DECISION AND REASONS OF THE COMMITTEE:

DÉCISION ET MOTIFS DU COMITÉ:

APPLICATION GRANTED

AS AMENDED

DEMANDE ACCORDÉE

TELLE QUE MODIFIÉE

The Committee, having considered the evidence presented and having reviewed the plans and correspondence on file, is satisfied that, in all the circumstances and in this instance, the variance sought, as amended, is minor, that it is desirable for the appropriate development or use of the land and that the general intent of the Zoning By-law and the Official Plan is maintained. This application is granted subject to the location and size of the proposed construction being in accordance with the plans filed, as they relate to the variance sought.

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

To appeal this Decision to the Ontario Municipal Board, a letter, outlining the reasons for appeal, must be filed with the Secretary-Treasurer of the Committee of Adjustment by the **16th day of May, 2013**. The OMB has established a filing fee of \$125.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. A cheque payable to the Ontario Minister of Finance must accompany the Notice of Appeal. If you have any questions about the appeal process, please contact the Committee of Adjustment office.

Only individuals, corporations and public bodies who have an interest in this matter may appeal this Decision to the Ontario Municipal Board. 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.