



**Committee of Adjustment**

**Panel 3**

**Tuesday, September 3, 2024**

**9:00 AM**

**Ben Franklin Place, The Chamber, Main Floor, 101 Centrepointhe Drive, and by electronic participation**

**The hearing can be viewed on the Committee of Adjustment [YouTube](#) page. For more information, visit [Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)**

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by calling the Committee information number at least 72 hours in advance of the hearing.*

**Coordinator: [Sarah Shuel](#)**

**Panel Members:**

**Chair: Terry Otto**

**Members: Jocelyn Chandler, Beth Henderson, Martin Vervoort, Gary Duncan**

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**CALL TO ORDER**

**OPENING REMARKS**

**DECLARATIONS OF INTEREST**

**CONFIRMATION OF MINUTES**

**ADJOURNMENT REQUESTS**

**HEARING OF APPLICATIONS**

- 1. 1579 9th Line (Ward 20 - Osgoode)  
D08-01-24/B-00138**

**Consent Application**

Applicant(s): 15669481 Canada Inc.

Agent: V. Carbonneau

To subdivide the property into two separate parcels to create one new lot for a surplus farm dwelling.

2. **5444 West River (Ward 21 - Rideau-Jock)**  
**D08-02-24/A-00196**

**Minor Variance Application**

Applicant(s): Peter and Sue-Ellen Johnston

To expand the existing garage with a reduced side yard setback.

3. **1780 Burnt Lands (Ward 5 - West Carleton-March)**  
**D08-02-24/A-00214**

**Minor Variance Application**

Applicant(s): Matthew and Jenna Kewley

To permit an increased aggregate area of accessory buildings for the construction of a one-storey workshop.

4. **6051 Herberts Corners (Ward 20 - Osgoode)**  
**D08-02-24/A-00048**

**Minor Variance Application**

Applicant(s): Michael Faw, Susan Faw, Kieran Faw and Jerome Racine

To permit an increased building footprint and a driveway for the construction of a coach house with an attached garage.

5. **5100 Loggers (Ward 5 - West Carleton-March)**  
**D08-02-24/A-00201**

**Minor Variance Application**

Applicant(s): Daniel Barrette and Francine Barrette

Agent: C. Leitch

To permit a reduced interior side yard setback for the existing non-complying dwelling.

6. **1712 Devine (Ward 20 - Osgoode)**  
**D08-02-24/A-00028**

**Minor Variance Application**

Applicant(s): Laura Somerville and Ryan Shirley

To permit an increased cumulative floor area of accessory structures for the construction of a detached garage.



7. **1126 Cope (Ward 6 - Stittsville)**  
**D08-02-24/A-00173**

**Minor Variance Application**

*Adjourned from August 6 and 20, 2024*

Applicant(s): Valecraft Homes (2019) Ltd  
Agent: D. Page

To permit a driveway to occupy 60 per cent of the front yard.

8. **612 Smith (Ward 19 - Orléans South-Navan)**  
**D08-01-24/B-00119 - 00120**

**Consent Applications**

*Adjourned from August 6 and 20, 2024*

Applicant(s): Martin Brazeau

To subdivide the property into two separate parcels of land to create one new lot for future residential development and to convey a portion of land to the abutting property to the south.

**OTHER BUSINESS**

**ADJOURNMENT**



Comité de dérogation

Groupe 3

le mardi 3 septembre 2024

09 h 00

Place-Ben-Franklin, salle du Conseil, premier étage, 101, promenade Centrepointe, et participation par voie électronique

L'audience pourra être visionnée sur la chaîne YouTube du Comité de dérogation. Pour en savoir plus, allez au [Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande par téléphone auprès du service d'information du Comité au moins 72 heures à l'avance.*

Coordonnatrice : [Sarah Shuel](#)

Membres du Groupe:

Président: Terry Otto

Membres: Jocelyn Chandler, Beth Henderson, Martin Vervoort, Gary Duncan

APPEL NOMINAL

MOT D'OUVERTURE

DÉCLARATIONS D'INTÉRÊT

RATIFICATION DU PROCÈS-VERBAL

DEMANDES D'AJOURNEMENT

AUDIENCE DES DEMANDES

1. 1579 9th Line (Quartier 20 - Osgoode)  
D08-01-24/B-00138

**Demande d'autorisation**

Requérant(e)(s) : 15669481 Canada Inc.

Agent : V. Carbonneau

Pour lotir le bien-fonds en deux parcelles distinctes afin de créer un nouveau lot qu'occuperait une habitation agricole excédentaire.

2. **5444 West River (Quartier 21 - Rideau-Jock)**  
**D08-02-24/A-00196**

**Demande de dérogation mineure**

Requérant(e)(s) : Peter et Sue-Ellen Johnston

Pour permettre la réduction du retrait de cour latérale en prévision de l'agrandissement du garage existant.

3. **1780 Burnt Lands (Quartier 5 - West Carleton-March)**  
**D08-02-24/A-00214**

**Demande de dérogation mineure**

Requérant(e)(s) : Matthew et Jenna Kewley

Pour permettre une augmentation de la surface bâtie cumulée des bâtiments accessoires, en vue de la construction d'un atelier de plain-pied.

4. **6051 Herberts Corners (Quartier 20 - Osgoode)**  
**D08-02-24/A-00048**

**Demande de dérogation mineure**

Requérant(e)(s) : Michael Faw, Susan Faw, Kieran Faw and Jerome Racine

Pour permettre une augmentation de la surface au sol et la présence d'une entrée privée, en prévision de la construction d'une annexe résidentielle assortie d'un garage attenant.

5. **5100 Loggers (Quartier 5 - West Carleton-March)**  
**D08-02-24/A-00201**

**Demande de dérogation mineure**

Requérant(e)(s) : Daniel Barrette et Francine Barrette  
Agent : C. Leitch

Pour permettre la réduction du retrait de cour latérale intérieure d'une habitation légalement non conforme.

6. **1712 Devine (Quartier 20 - Osgoode)**  
**D08-02-24/A-00028**

**Demande de dérogation mineure**

Requérant(e)(s) : Laura Somerville et Ryan Shirley

Pour permettre la réduction du retrait de cour latérale intérieure d'une habitation légalement non conforme.

7. **1126 Cope (Quartier 6 - Stittsville)**  
**D08-02-24/A-00173**

**Demande de dérogation mineure**

*Ajournée du 6 et 20 août 2024*

Requérant(e)(s) : Valecraft Homes (2019) Ltd

Agent : D. Page

Permettre qu'une entrée de cour occupe 60 % de la cour avant.

8. **612 Smith (Quartier 19 - Orléans Sud Navan)**  
**D08-01-24/B-00119 - 00120**

**Demandes d'autorisation**

*Ajournée du 6 et 20 août 2024*

Requérant(e)(s) : Martin Brazeau

Lotir la propriété en deux parcelles distinctes afin de créer un nouveau lot pour un aménagement résidentiel futur et de céder une partie du terrain à la propriété contiguë au sud.

**AUTRES QUESTIONS**

**AJOURNEMENT**

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Consent Application

Panel 3  
Tuesday, September 3, 2024  
9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File No.:** D08-01-24/B-00138  
**Application:** Consent under section 53 of the *Planning Act*  
**Applicant:** 15669481 Canada Inc.  
**Property Address:** 1579 9th Line Road  
**Ward:** 20 - Osgoode  
**Legal Description:** Part of Lot 7, Concession 9 Geographic Township of Osgoode  
**Zoning:** AG  
**Zoning By-law:** 2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant wants to subdivide their property into two separate parcels of land to create one new lot for a surplus farm dwelling.

## CONSENT IS REQUIRED FOR THE FOLLOWING:

The Applicant requires the Committee's consent to sever the land.

The severed land, shown on a sketch filed with the application, will have a frontage of 45 metres, a depth of 90 metres, and a lot area of 4,050 square metres. This parcel will contain the surplus farm dwelling and will be known municipally as 1587 9th Line Road.

The retained land, shown in green on said sketch, has a frontage of 67 metres on 9th Line Road, an irregular depth, and a lot area of 23,450 square metres. This parcel will contain the existing barn and be used for agricultural purposes. It will be known municipally as 1579 9<sup>th</sup> Line Road.

The subject property is not the subject of any other current application under the Planning Act.

## FIND OUT MORE ABOUT THE APPLICATION

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, send a written request to the Committee.

## HOW TO PARTICIPATE

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence and during the hearing, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent and any other interested individual, and potentially posted online and become searchable on the Internet.

### **COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consent to sever land and minor variances from the zoning requirements.

DATED: August, 16, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire de l'Ontario*

**Demande d'autorisation**

**Groupe 3**

**Mardi 3 septembre 2024**

**9 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe, et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande auprès du Comité au moins 72 heures à l'avance.*

**Dossier :** D08-01-24/B-00138  
**Demande :** Autorisation en vertu de l'article 53 de la *Loi sur l'aménagement du territoire*  
**Propriétaire/requérant :** 15669481 Canada Inc.  
**Adresse de la propriété :** 1579, chemin 9<sup>th</sup> Line  
**Quartier :** 20 – Osgoode  
**Description officielle :** Partie du lot 7, concession 9, canton géographique d'Osgoode  
**Zonage :** AG  
**Règlement de zonage :** 2008-250

### PROPOSITION DU REQUÉRANT ET OBJET DE LA DEMANDE :

Le requérant souhaite lotir sa propriété en deux parcelles distinctes afin de créer un nouveau lot pour une habitation agricole excédentaire.



## **AUTORISATION REQUISE :**

Le requérant sollicite l'autorisation du Comité en vue de morceler le terrain.

Le terrain disjoint est représenté sur un croquis joint à la demande. Il aura une façade de 45 mètres, une profondeur de 90 mètres et une superficie de 4 050 mètres carrés. Cette parcelle sera occupée par l'habitation agricole excédentaire et sera située au 1587, chemin 9<sup>th</sup> Line.

Le terrain conservé, indiqué sur ledit croquis, a une façade de 67 mètres sur le chemin 9<sup>th</sup> Line, une profondeur irrégulière et une superficie de 23 450 mètres carrés. Cette parcelle sera occupée par la grange existante et sera utilisée à des fins agricoles. Elle portera pour adresse municipale le 1579, chemin 9<sup>th</sup> Line.

La propriété en question ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

## **POUR EN SAVOIR PLUS SUR LA DEMANDE**

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris les **lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## **COMMENT PARTICIPER**

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

### **TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Sachez que, conformément à la Loi sur l'aménagement du territoire, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agente ou agent, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

### **COMITÉ DE DÉROGATION**

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT le 16 août 2024



*This document is also available in English.*

**Committee of Adjustment**

City of Ottawa

101 Centrepointe Drive

Ottawa ON K2G 5K7

[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)

[cofa@ottawa.ca](mailto:cofa@ottawa.ca)

613-580-2436



**Comité de dérogation**

Ville d'Ottawa

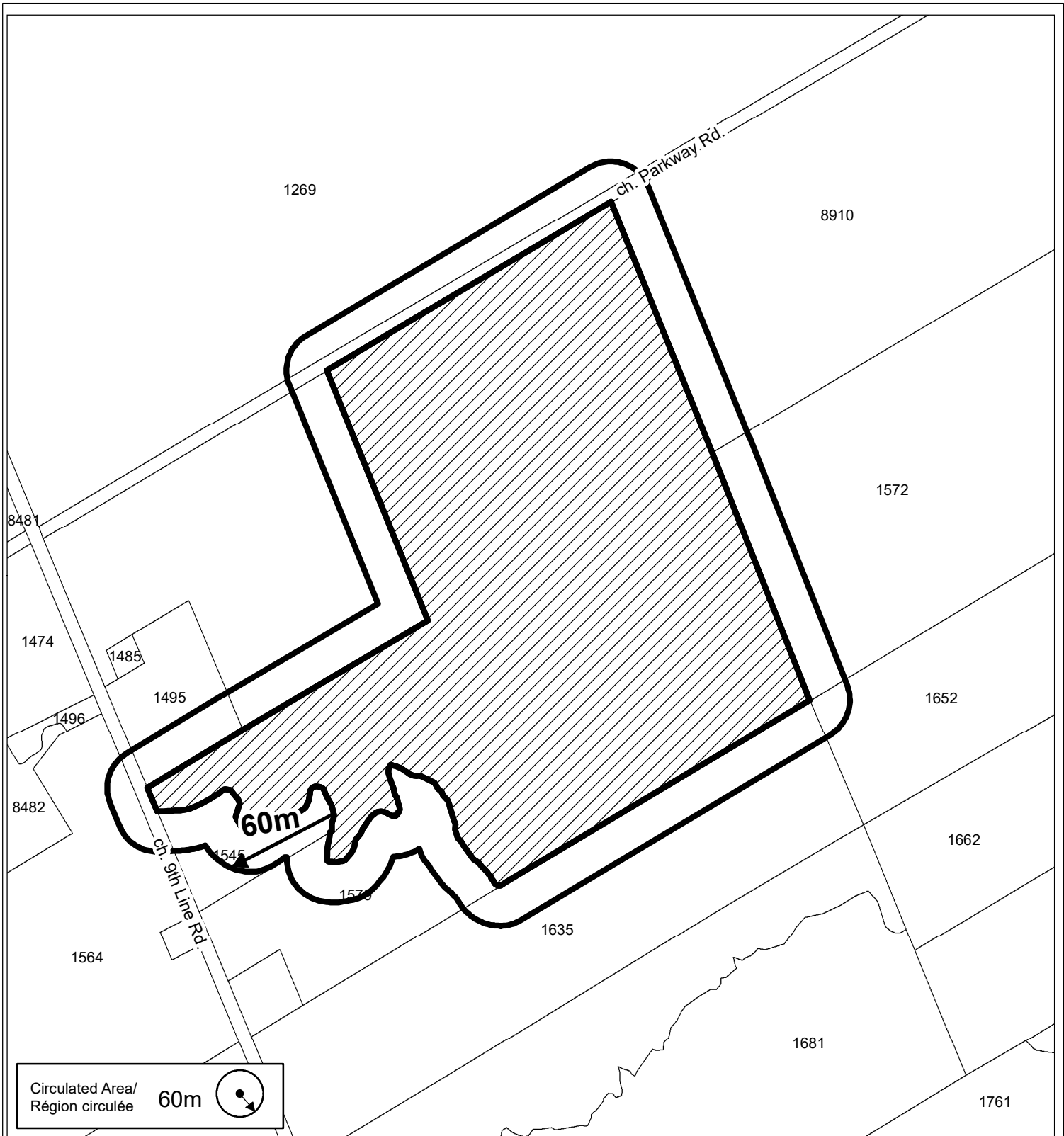
101, promenade Centrepointe

Ottawa ON K2G 5K7

[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)

[cded@ottawa.ca](mailto:cded@ottawa.ca)

613-580-2436



**Committee of Adjustment  
Comité de dérogation**

**CIRCULATION MAP /  
PLAN DE CIRCULATION**

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**SUBJECT LAND / TERRE EN QUESTION**

**1579 ch. 9th Line Road**



**NOT TO SCALE  
NON À L'ÉCHELLE**

15669481 Canada Inc.  
1579 9<sup>th</sup> Line Road  
Metcalf, Ontario, K0A 2P0  
80fifthavenue@gmail.com  
613-402-7495  
July 25, 2024

Committee of Adjustment  
City of Ottawa  
110 Laurier Avenue West  
Ottawa, ON K1P 1J1

Dear Members of the Committee of Adjustment,

**Re: Severance Application for 1579 9th Line Road, Metcalfe, ON K0A 2P0**

We are writing to formally submit a severance application for the property located at 1579 9th Line Road, Metcalfe, ON K0A 2P0. The purpose of this application is to sever the existing parcel into 2 separate lots to sever the existing dwelling from the farmland.

The details of the severance are as follows:

**1. Description of the Property:**

- Current Zoning:
- Lot Size: 17.79 Acres
- Proposed Lot Sizes:
  - Severed Lot Size: 1.00 Acre
  - Retained Lot Size: 16.79 Acres

**2. Purpose of the Severance:**

- The purpose of this severance application is creating a farm-related surplus farm residence. The goal is to sever the existing dwelling on the property from the farmland and farm activities. The current owners of the farm are no longer using the existing dwelling. We are severing this land in a square, similar to the neighboring property. The severed property does not encroach on any tillable land from the existing farm, the severed parcel will be the minimum size to not take up any additional farmland.

**3. Compliance with Official Plan and Zoning By-Laws:**

- The proposed severance complies with the City of Ottawa's Official Plan and Zoning By-Laws. It supports the goals of maintaining the zoning designation as AG – Agricultural zone under Zoning By-Law #2008-250

**4. Supporting Documents:**

- Completed Severance Application Form
- Draft Plan
- Parcel Abstract Page
- Rural Consent Application Form

**5. Consultations and Community Support:**

- We have consulted with the Development Information Officer and City Planner that have provided us with the support to proceed with our application.

The proposed severance aligns with the City of Ottawa's strategic objectives for growth and development in the Metcalfe area. It will contribute positively to the community by creating additional housing without compromising any farming land. The owner is currently in progress of receiving their Farm Registration number, the application is filed and currently under 1<sup>st</sup> year exemption.

We respectfully request that the Committee of Adjustment consider this application for approval. I am available to discuss any aspects of the application or provide further information as required.

Thank you for your time and consideration.

Vincent Carbonneau  
Principal – Modern Consulting LLC



Committee of Adjustment  
Received | Reçu le

2024-07-26

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

FILE # J - 059 05

PLAN 4R-20370

RECEIVED AND DEPOSITED

June 22 2006

R. MATTA Ass't. Dep.

LAND REGISTRAR FOR THE  
LAND TITLES DIVISION OF  
OTTAWA CARLETON # 4

REQUIRE THIS PLAN TO  
BE DEPOSITED UNDER  
"THE LAND TITLES ACT"

June 21<sup>ST</sup> 2006

W. J. JOHNSTON

ONTARIO LAND SURVEYOR  
WINCHESTER, ONTARIO

SCHEDULE OF PARTS

PART	PART OF LOT	CON	AREA	P.I.N.
1	7	9	7.2 ± ha	04322-0227 (LT)
2	7	9	0.4 ± ha	04322-0227 (LT)

NOTE: PARTS 1 AND 2 ARE PART OF P.I.N. 04322-0227(LT).

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
- THE SURVEY WAS COMPLETED ON THE 14<sup>TH</sup> DAY OF JUNE 2006

June 17 05  
DATED  
W. J. JOHNSTON  
ONTARIO LAND SURVEYOR  
WINCHESTER, ONTARIO

NOTES...

- ROUND STANDARD IRON BARS 25mm Diam. x 1.22m SHOWN #SIB
- ROUND IRON BARS 15mm Diam. x 610mm SHOWN #IB
- STANDARD IRON BARS 25mm x 1.22m SHOWN #SIB
- IRON BARS 15mm x 610mm SHOWN #IB
- #IT DENOTES WITNESS
- #E DENOTES EVIDENCE FOUND
- #P DENOTES PLANTED
- FENCES SHOWN THIS
- ALL TIES TO WATER'S EDGE ARE AT 90° FROM TRAVERSE LINES UNLESS OTHERWISE INDICATED.

BEARING REFERENCE...

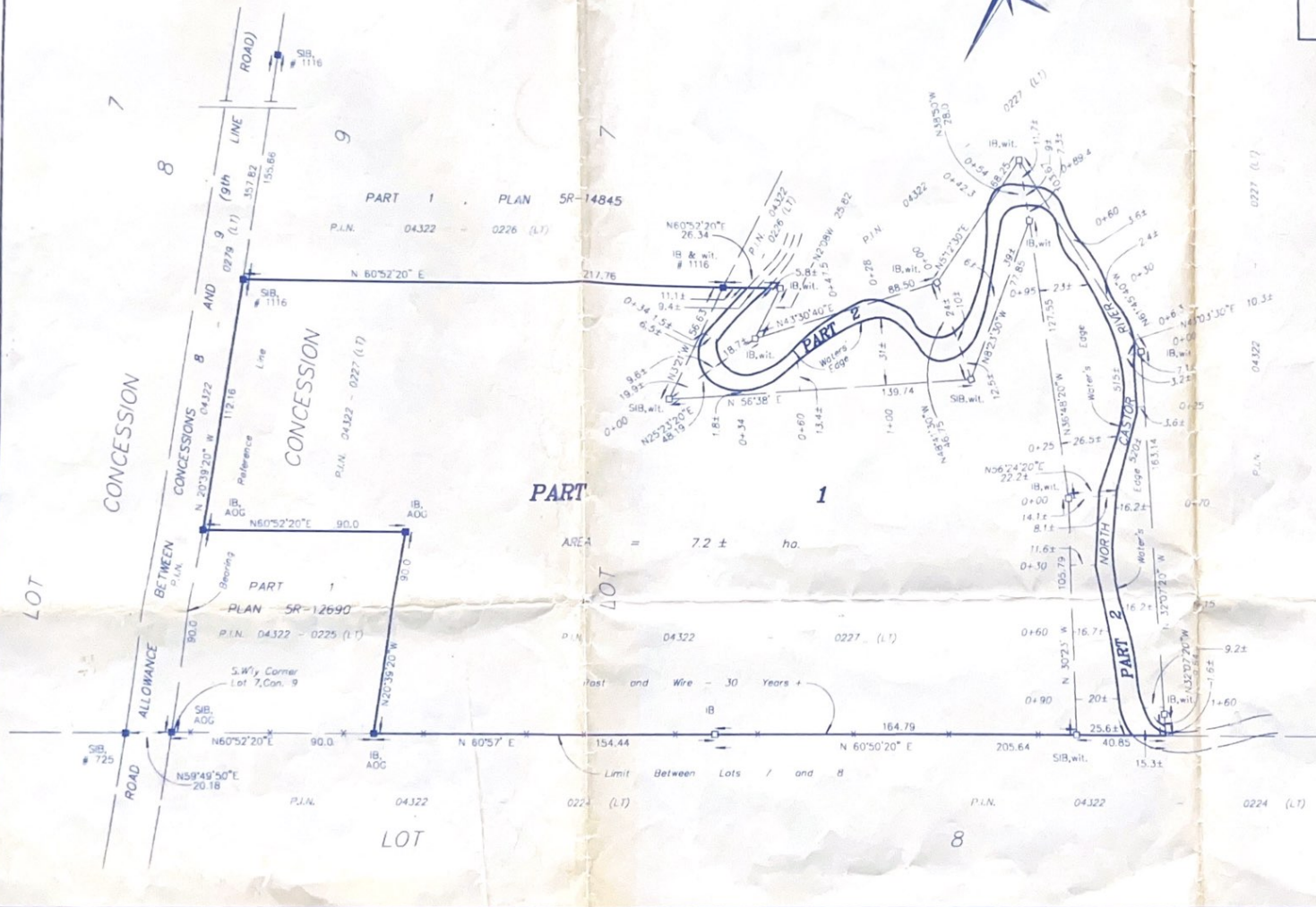
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF THE CONCESSION ROAD ALLOWANCE, ACCORDING TO PLAN SR-14845, BETWEEN MONUMENTS FOUND, THE BEARING BEING N 20° 39' 20" W

FROM THE OFFICE OF  
W. J. JOHNSTON SURVEYING LTD.  
ONTARIO LAND SURVEYORS  
WINCHESTER, ONTARIO

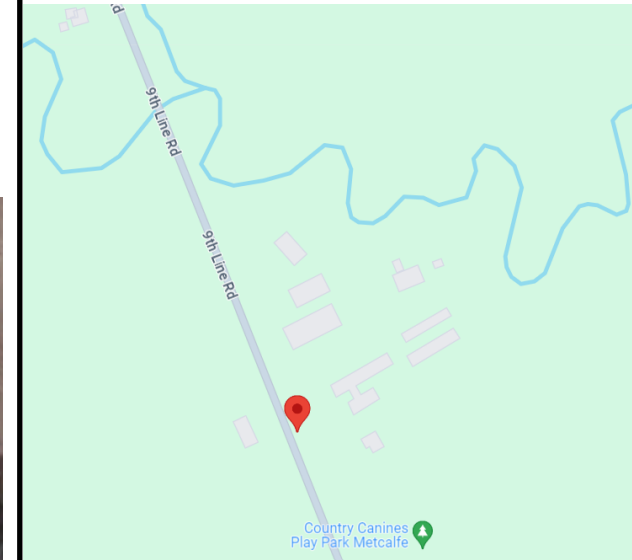
PLAN OF SURVEY OF  
PART W 1/2 LOT 7  
CONCESSION 9  
GEOGRAPHIC TOWNSHIP OF OSGOODE  
NOW CITY OF OTTAWA  
SCALE 1 : 1800  
2005  
W. J. JOHNSTON, O.L.S.



METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048







# Severance Application

1579 9TH LINE ROAD

PART OF LOT 7  
CONCESSION 9  
CITY OF OTTAWA



ISSUED

July 2024

PROJECT No.

012024

DRAWINGS No.

012024-SEV



2024-08-29



**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 1579 9th Line Road  
Legal Description: Part of Lot 7, Concession 9 Geographic Township of Osgoode  
File No.: D08-01-24/B-00138  
Report Date: August 28, 2024  
Hearing Date: September 03, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Agricultural Resource Area  
Zoning: AG

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has concerns with** the application.

**DISCUSSION AND RATIONALE**

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have concerns with the proposed consent.

There is presently a mobile home on the property which appears to have been used as an additional dwelling unit. As a condition of the severance, staff will require proof that the structure has been removed.

Surplus farm severances typically require proof that the farm is being consolidated and either the farm or dwelling sold to a new owner. There is no indication that this is happening because of this severance as both properties will remain under the same ownership and no other additional farms are identified as being part of the applicant's operation. Staff also require proof that the applicant is in the process of receiving their farm registration number for the retained lands. Further clarification on the use of the existing structures should also be provided.

## CONDITIONS

If approved, the Planning, Development and Building Services Department requests that the Committee of Adjustment impose the following conditions on the application:

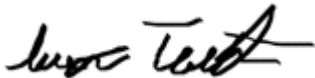
1. That the Owner(s) provide proof to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee, that the existing temporary dwelling/accessory structure on the severed lands has been removed.
2. That the Owner(s) provide proof to the satisfaction of both the **Chief Building official and Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee, that each existing parcel has its own independent private sewage system, storm/foundation drainage, and well and that they do not cross the proposed severance line. If the systems cross the proposed severance line, are not independent, or do not meet the minimum spacing requirements of the Ontario Building Code and City of Ottawa Hydrogeological and Terrain Analysis Guidelines, the Owner(s) will be required to relocate the existing systems or construct new systems, at their own cost.
3. That the Owner(s) provide a copy of a legally binding agreement of purchase and sale and/or a letter indicating the current owner is a licensed farmer, satisfactory to the **Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee, that demonstrates that the newly created lot is being sold.
4. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, which provides the following covenants/notices that run with the land and bind future Owner(s) on subsequent transfers:

“The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

“The property is located next to lands that have an existing source of environmental noise (collector road) and may therefore be subject to noise and other activities associated with that use.”

The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

5. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way along 9<sup>th</sup> Line Road, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's Official Plan, if required. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.
6. That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the **Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee, that restricts residential development on the retained lands, with all levels of appeal exhausted.
7. That the Owner(s) provide evidence to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**, to be confirmed in writing from the Department to the Committee, that the structures on the retained lands have either been demolished in accordance with a demolition permit or demonstrated to be retained for a use that is in conformity with the Zoning By-law.



---

Luke Teeft  
Planner I, Development Review, All Wards  
Planning, Development and Building  
Services Department



---

Cheryl McWilliams  
Planner III, Development Review, Rural  
Planning, Development and Building  
Services Department

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3

Tuesday, September 3, 2024

9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File No.:** D08-02-24/A-00196  
**Application:** Minor Variance under section 45 of the *Planning Act*  
**Applicants:** Peter and Sue-Ellen Johnston  
**Property Address:** 5444 West River Drive  
**Ward:** 21 – Rideau-Jock  
**Legal Description:** Pt of Lot 71, Plan 648, Geographic Township of Gloucester  
**Zoning:** VIP  
**Zoning By-law:** 2008-250

### APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicants want to expand their existing garage to accommodate two vehicles, as shown on plans filed with the Committee.

### REQUESTED VARIANCE:

The Applicants require the Committee's authorization for a minor variance from the Zoning By-law to permit a reduced side yard setback of 1.98 metres, whereas the By-law requires a minimum side yard setback of 3 metres.

The property is not the subject of any other current application under the Planning Act.

### **FIND OUT MORE ABOUT THE APPLICATION**

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **Ottawa.ca/CommitteeofAdjustment** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, send a written request to the Committee.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence and during the hearing, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent and any other interested individual, and potentially posted online and become searchable on the Internet.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consent to sever land and minor variances from the zoning requirements.

DATED: August, 16, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire de l'Ontario*

**Demande de dérogation mineure**

**Groupe 3**

**Mardi 3 septembre 2024**

**9 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe, et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande auprès du Comité au moins 72 heures à l'avance.*

**Dossier :** D08-02-24/A-00196  
**Demande :** Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Propriétaires/requérants :** Peter et Sue-Ellen Johnston  
**Adresse de la propriété :** 5444, promenade West River  
**Quartier :** 21 – Rideau-Jock  
**Description officielle :** Partie du lot 71, plan 648, canton géographique de Gloucester  
**Zonage :** VIP  
**Règlement de zonage :** 2008-250

### PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les requérants souhaitent agrandir leur garage afin d'y abriter deux véhicules, conformément aux plans déposés auprès du Comité.

## DÉROGATION DEMANDÉE :

Les requérants demandent au Comité d'accorder une dérogation mineure au Règlement de zonage en vue de permettre la réduction du retrait de la cour latérale à 1,98 mètre, alors que le Règlement exige un retrait de cour latérale d'au moins 3 mètres.

La propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

## POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris les **lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.



## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, conformément à la Loi sur l'aménagement du territoire, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agente ou agent, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

### COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT le 16 août 2024




*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436




**Committee of Adjustment**  
**Comité de dérogation**

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**CIRCULATION MAP /**  
**PLAN DE CIRCULATION**

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**SUBJECT LAND / TERRE EN QUESTION**  
**5444 prom. West River Drive**


**NOT TO SCALE**  
**NON À L'ÉCHELLE**

This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

Committee of Adjustment  
Received | Reçu le

Revised | Modifié le : 2024-07-30

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

19 July 2024

Committee of Adjustment  
101 Centrepoin Drive, 4th Floor  
Ottawa, ON K2G 5K7

Requested Variance: To permit a reduced side yard setback of 1.98 metres

Hello:

Attached you will find the details of our proposal to extend our garage 3 metres towards the property line and the supporting documentation as follows:

- A. Slope Stability Assessment including no septic impact assessment
- B. Grading Plan
- C. Elevation Drawings and Proposed Plan 5444 West River Drive
- D. Construction Plan Drawing Details with Dimensions
- E. Truss Layout
- F. TIR Report - Rogers Yahoo Mail re: 3 metres Extension on Garage at 5444 West River Drive
- G. Site Survey Lot 75 Plan 648 Large Scale
- H. Site Survey Lot 75 Plan 648 Reduced Scale
- I. RCVA Development Activity Permit Letter
- J. Neighbours Attestation Letter with no concerns or issues
- K. Hydro Ottawa – No Conditions Letter

As outlined in the references, the proposal is to extend the garage to the left (when facing the property from the street) by 3 metres to accommodate two vehicles. This extension will still leave 1.98 metres between garage and the property line. Hence, the requested variance is a request to reduce the distance from the proposed garage to the property line from 3 metres to 1.98 metres. The back side of the garage will remain the same distance from the Rideau River and have no impact on the environmentally protected areas. Additionally, there is no impact on any trees or vegetation as the existing area is a stone pathway and beach stone.

The roof line will be extended to accommodate the dual vehicle garage and will remain in line with existing height and slope. This design fits into current neighbourhood designs and is like other two vehicle garage structures. The 5 neighbours in adjoining and near properties are supportive of the proposal and have no issues or concerns.

As requested, I completed the 4 tests as follows:

- 1. Variance is minor – confirmed
- 2. Variance is desirable for the appropriate development or use of the property – Confirmed. Variance is only 9 foot extension on garage.
- 3. The general intent and purpose of the Zoning By-law is maintained – Maintained as there is still 1.98 metres to the property line.

4. The general intent and purpose of the Official Plan is maintained – Maintained as there is still 1.98 metres to the property line and neighbours are in agreement.

Hence, we respectfully request permission and approval to progress this renovation. The builder is still able to complete this project if approved before 30 August 2024.

Sincerely,

A handwritten signature in black ink, appearing to be 'PJ', with a long horizontal stroke extending to the right.

Peter Johnston  
Owner  
5444 West River Drive



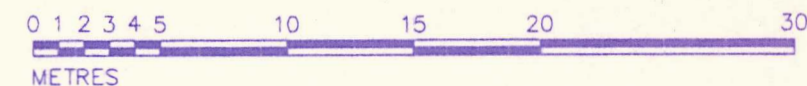
# SURVEYOR'S REAL PROPERTY REPORT

Committee of Adjustment  
Received | Reçu le  
  
2024-07-22  
  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

WEST RIVER DRIVE

P.I.N. 04588 -- 0152

**PART 1) PLAN OF  
PART OF LOT 75  
REGISTERED PLAN 648  
GEOGRAPHIC TOWNSHIP OF GLOUCESTER  
NOW IN THE TOWNSHIP OF RIDEAU  
REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
BY J.P. SHIPMAN, O.L.S.  
SCALE 1:300**



PLEASE RETAIN THIS COPY IN A SAFE PLACE,  
CURRENT INSURANCE LIABILITY REQUIREMENTS  
PRECLUDE ISSUING ADDITIONAL COPIES AFTER  
THIS DATE.

**METRIC**

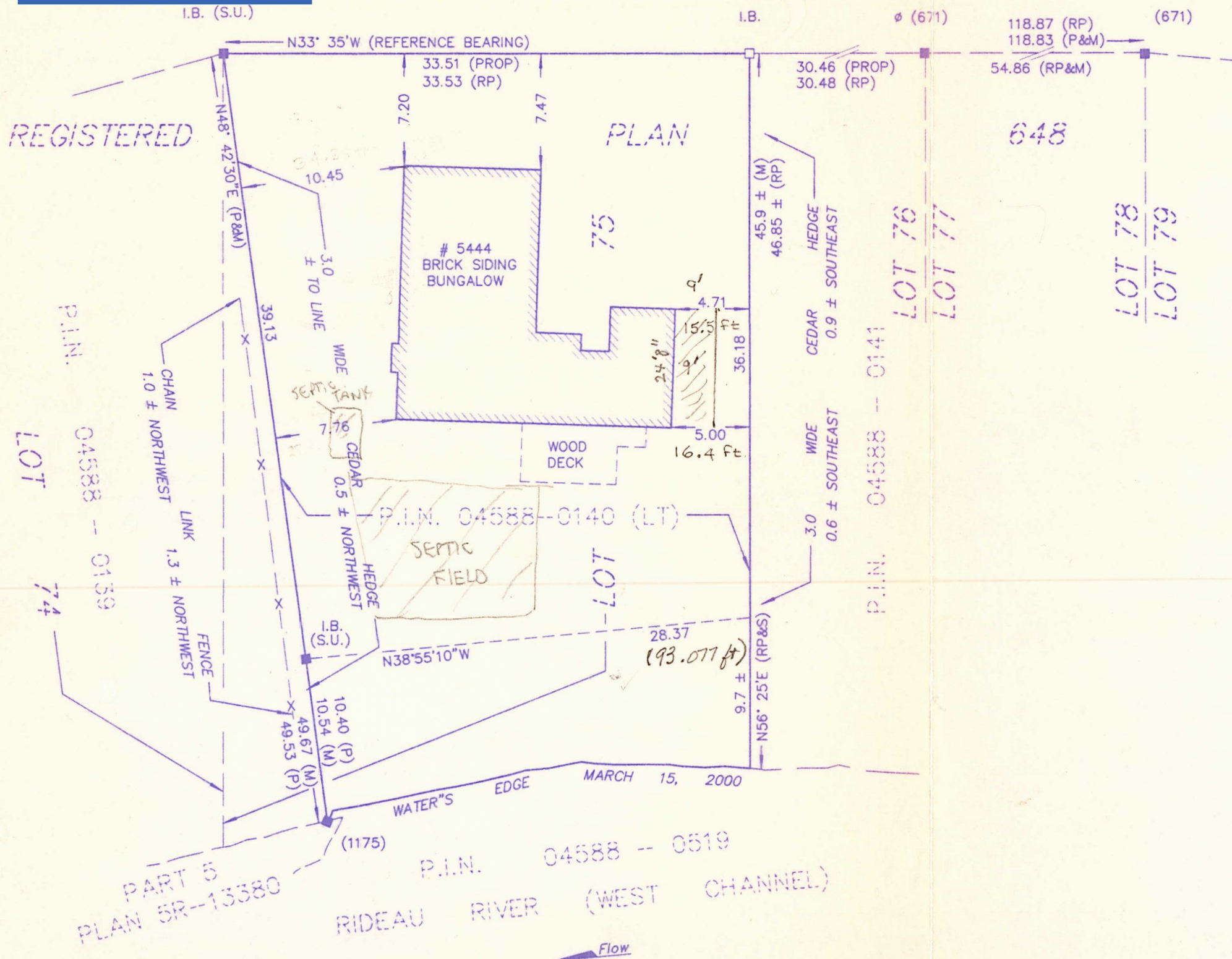
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**NOTES**

BEARINGS ARE ASTROMOMIC AND ARE DERIVED FROM THE WESTERLY LIMIT OF WEST RIVER DRIVE AS SHOWN ON REGISTERED PLAN 648, HAVING A BEARING OF N33° 35' W

ALL MONUMENTS ARE STANDARD IRON BARS UNLESS OTHERWISE NOTED.

- S.I.B. DENOTES STANDARD IRON BAR
- S.S.I.B. DENOTES SHORT STANDARD IRON BAR
- I.B. DENOTES IRON BAR
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- WT. DENOTES WITNESS
- DENOTES ROUND IRON BAR
- S.U. DENOTES SOURCE UNKNOWN
- 671 DENOTES F.H. GOOCH, O.L.S.
- 1175 DENOTES H.A.K. SHIPMAN, O.L.S.
- R.P. DENOTES REGISTERED PLAN 648
- P DENOTES DEPOSITED PLAN 5R-13380
- M DENOTES MEASURED
- S DENOTES SET
- PROP DENOTES PROPORTIONED



## SURVEYOR'S REAL PROPERTY REPORT PART 2) REPORT SUMMARY

<u>DESCRIPTION OF LAND</u>	PART OF LOT 75, REGISTERED PLAN 648, GEOGRAPHIC TOWNSHIP OF GLOUCESTER, NOW IN THE TOWNSHIP OF RIDEAU, P.I.N. 04588-0140 (LT)
<u>REGISTERED EASEMENTS AND/OR RIGHT OF WAYS</u>	NONE
<u>ENCROACHMENTS</u>	AS SHOWN ON THE PLAN (PART 1)
<u>COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS</u>	NOT CERTIFIED BY THIS REPORT.
<u>ADDITIONAL REMARKS</u>	

**NOTE:** THIS REPORT WAS PREPARED FOR S.&P. JOHNSTON AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

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NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF H.A.KEN SHIPMAN SURVEYING LTD.

**H.A.KEN SHIPMAN SURVEYING LTD.**  
P.O. BOX 53, NORTH GOWER, ONT. KOA 2T0 TEL: 489-3910

REF. No.: RD.-642 FILE No.: 00-3-7279

### SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYOR'S ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE UNDER THEM.
  2. THE SURVEY WAS COMPLETED ON THE 15th DAY OF MARCH, 2000.

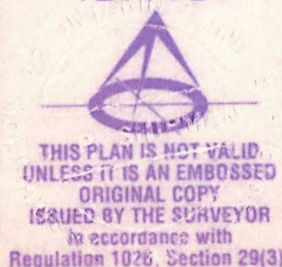
APRIL 3, 2000

DATE

\_\_\_\_\_  
J.P. SHIPMAN  
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM

1280529





(H)

# SURVEYOR'S REAL PROPERTY RE

Committee of Adjustment  
Received | Reçu le

2024-07-22

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

WEST

RIVER

DRIVE

P.I.N. 04588 -- 0152

LB. (S.U.)

LB.

# (6)

REGISTERED

PLAN

LOT 74

P.I.N.

04588 -- 0139

CHAIN NORTHWEST  
1.0 ± NORTHWEST

LINK  
1.3 ± NORTHWEST  
FENCE

N48° 42' 30" E (PLAN)

10.45  
± TO LINE

39.13

3.0

SEPTIC TANK

CEEDAR  
0.5 ± NORTHWEST

HEDGE

10.40 (P)

10.54 (M)

48.67 (M)

48.53 (P)

(1175)

WATER'S EDGE

MARCH 15, 2000

33.51 (PROP)  
33.53 (RP)

7.20

7.47

# 5444  
BRICK SIDING  
BUNGALOW

4.71

15.5

36.18

5.00

16.4

WOOD DECK

SEPTIC FIELD

28.37  
(193.07 ft)

N38° 55' 10" W

9.7 ±

9.7 ±

156' 25" E (PROP)

45.9 ± (M)

46.95 ± (RP)

3.0

CEEDAR

HEDGE

0.9 ± SOUTHWEST

0.6 ± SOUTHWEST

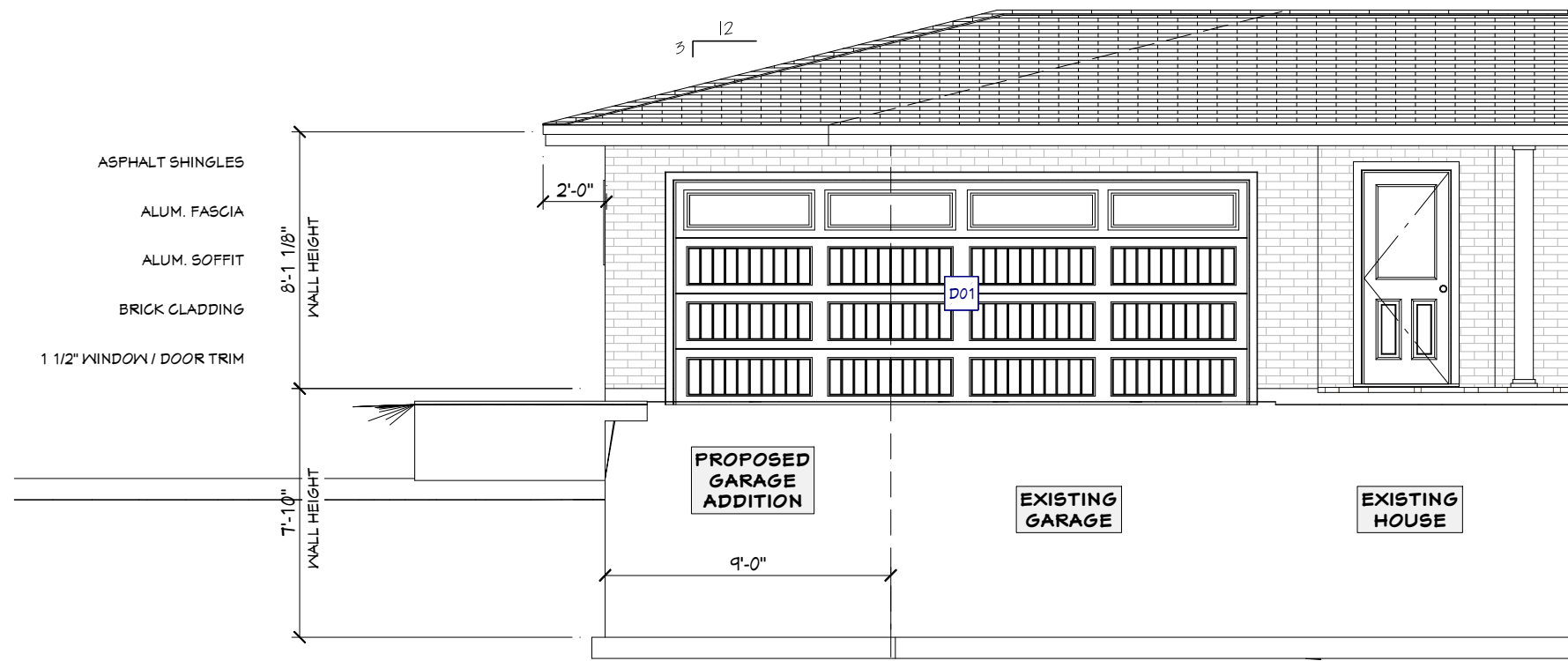
LOT 76

P.I.N. 04588 -- 0141

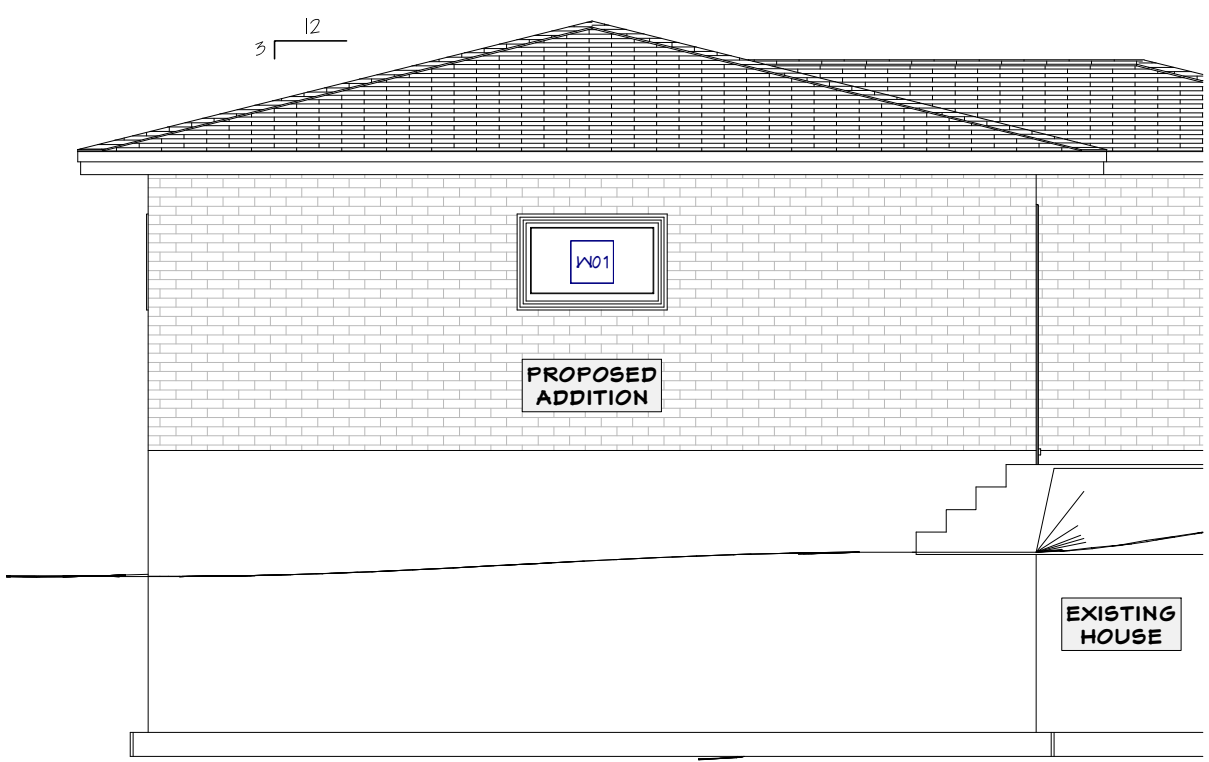
P.I.N. 04588 -- 0519

RIDEAU RIVER (WEST CHANNEL)

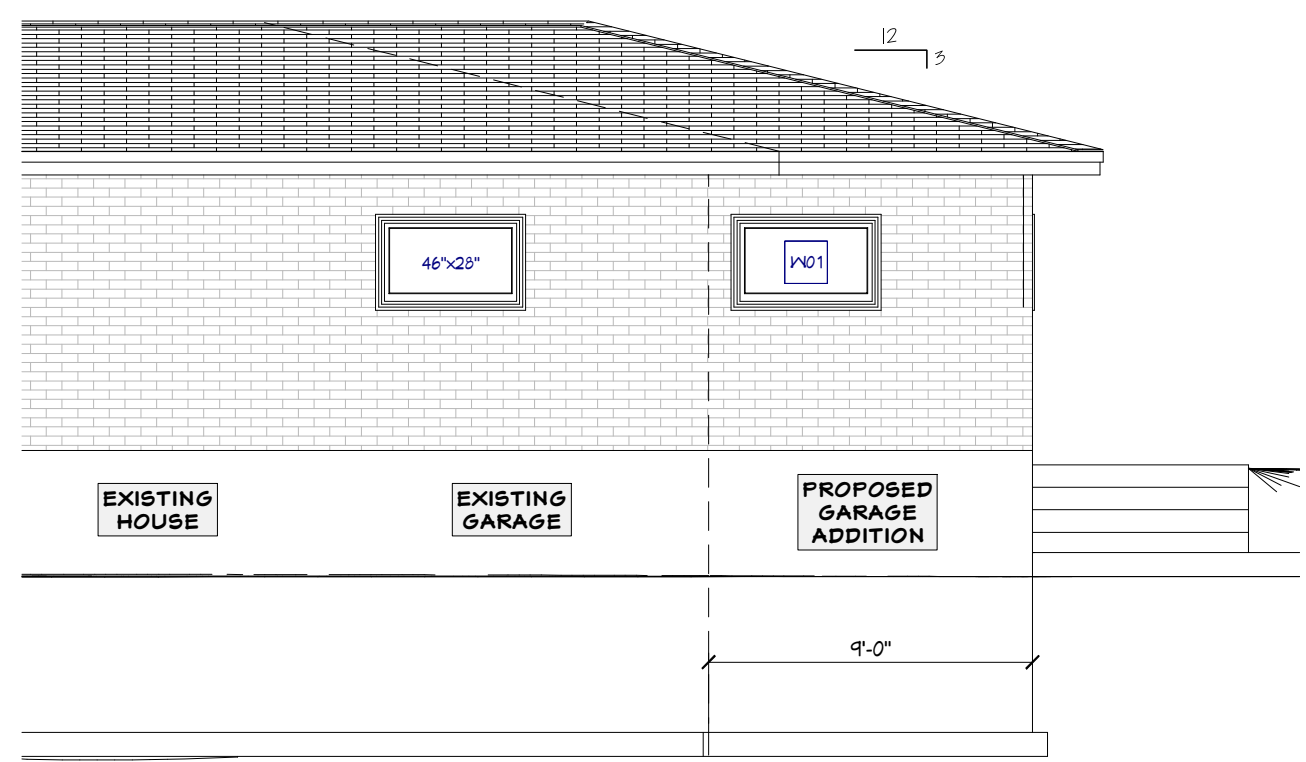
Flow



**PROPOSED FRONT ELEVATION**



**PROPOSED LEFT ELEVATION**



**PROPOSED REAR ELEVATION**

**NOTES:**  
 1. ALL DIMENSIONS ARE TO BE CONFIRMED ON-SITE PRIOR TO CONSTRUCTION.

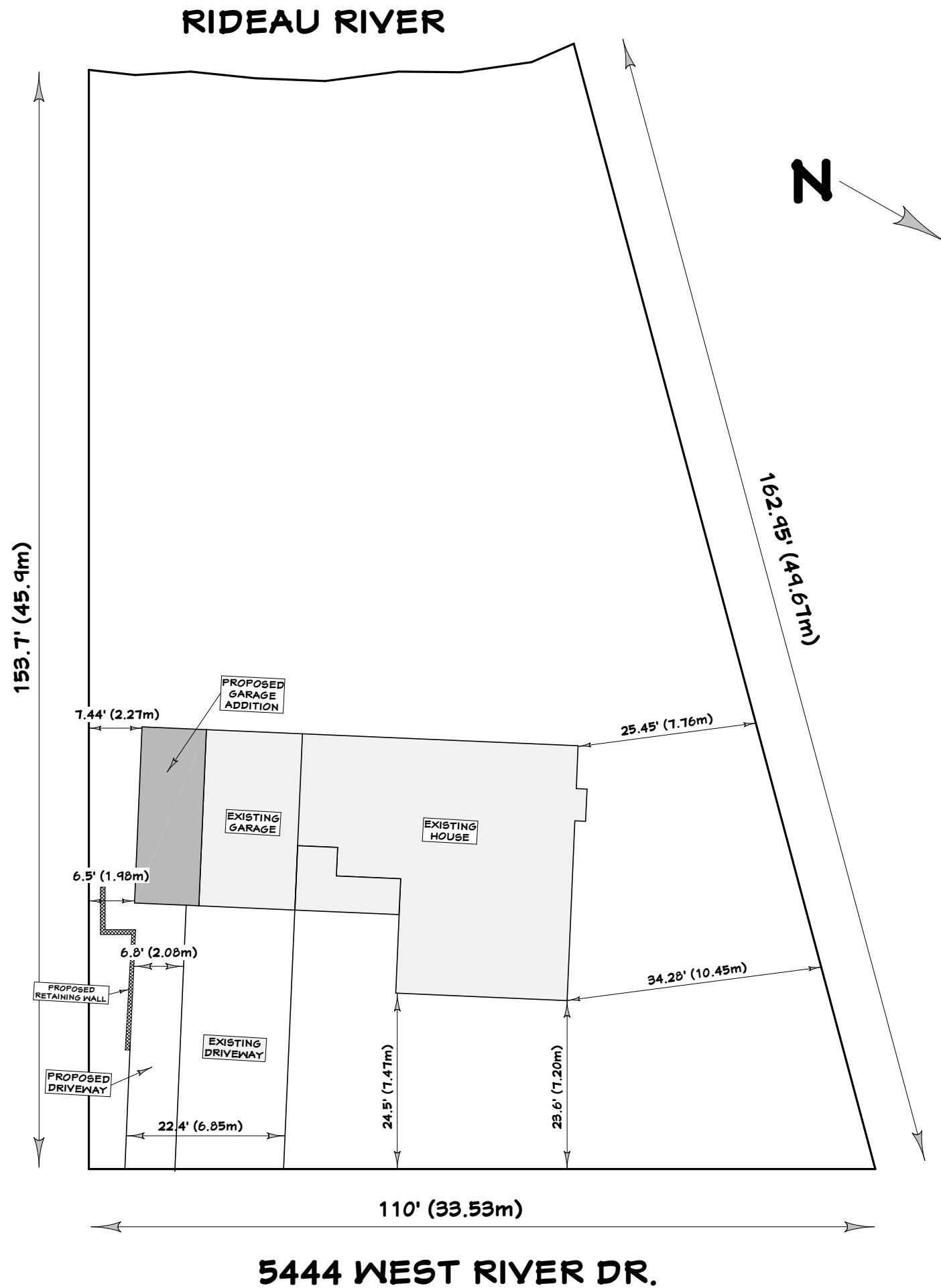


Please note that renderings are for illustration purposes only and may not reflect exact choices & inclusions in project.  
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.  
 Qualification Information:  
 Jeremy McMullen *Signature* 22021  
 NAME SIGNATURE BCIN  
 Precision Home Design 113690  
 FIRM BCIN

**CUSTOMER:**  
 JOHNSTON ADDITION  
 5444 WEST RIVER DR,  
 MANOTICK, ON

**DRAWING NAME:**  
 PROPOSED ELEVATIONS

<b>SCALE:</b> 3/16" = 1'-0"	<b>Sheet #</b> <b>A4</b>
<b>DATE:</b> JULY 5, 2024	



Please note that renderings are for illustration purposes only and may not reflect exact choices & inclusions in project.

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code.

Qualification Information:

Jeremy McMullen	<i>Jeremy McMullen</i>	22021
NAME	SIGNATURE	BCIN
Precision Home Design		113690
FIRM		BCIN

**CUSTOMER:**

**JOHNSTON ADDITION**

**5444 WEST RIVER DR,  
MANOTICK, ON**

**DRAWING NAME:**

**SITE PLAN**

<b>SCALE:</b>	<b>Sheet #</b>
<b>DATE:</b> JULY 5, 2024	<b>A6</b>



2024-08-29



MINOR VARIANCE APPLICATION

COMMENTS TO THE COMMITTEE OF ADJUSTMENT

PANEL 3

PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT

Site Address: 5444 West River Drive  
Legal Description: Part of Lot 71, Plan 648, Geographic Township of Gloucester  
File No.: D08-02-24/A-00196  
Report Date: August 28, 2024  
Hearing Date: September 03, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Village, Residential - Detached (Low Density); Flood Plain Overlay  
Zoning: V1P; Flood Plain Overlay

DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **requests an adjournment of** the application.

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. At this time, staff cannot confirm that the requested minor variance(s) meet(s) the “four tests”.

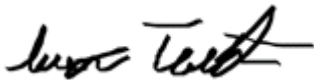
The proposed addition does not reduce the setback of the existing structure to the river.

Staff recommend an adjournment of the application until the Zoning Plans Examiner finishes their review of the Building Permit to ensure no further minor variances are required.

Additional Comments:

- The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
- At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist may be required.

- The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by Planning, Development and Building Services Department.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Please note unstable slopes in the area. Further information or reports may be required during the building permit process.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).



---

Luke Teeft  
Planner I, Development Review, All Wards  
  
Planning, Development and Building  
Services Department



---

Wendy Tse  
Planner III (A), Development Review, All  
Wards  
Planning, Development and Building  
Services Department

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3

Tuesday, September 3, 2024

9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File No.:** D08-02-24/A-00214  
**Application:** Minor Variance under section 45 of the *Planning Act*  
**Applicants:** Matthew & Jenna Kewley  
**Property Address:** 1780 Burnt Lands Road  
**Ward:** 5 – West Carleton-March  
**Legal Description:** Part of Lot 17 Concession 11, Geographic Township of Huntley  
**Zoning:** EP3  
**Zoning By-law:** 2008-250

### APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicants want to construct a new one-storey accessory workshop building on their property, as shown on plans filed with the Committee.

### REQUESTED VARIANCE:

The Applicants require the Committee's authorization for a minor variance from the Zoning By-law to permit an aggregate area for all accessory buildings of 67 square

metres, whereas the By-law permits a maximum aggregate area for all accessory buildings of 55 square metres.

The property is not the subject of any other current application under the *Planning Act*.

### **FIND OUT MORE ABOUT THE APPLICATION(S)**

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, send a written request to the Committee.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence and during the hearing, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent and any other interested individual, and potentially posted online and become searchable on the Internet.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consent to sever land and minor variances from the zoning requirements.

DATED: August 16, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire de l'Ontario*

**Demande de dérogation mineure**

**Groupe 3**

**Mardi 3 septembre 2024**

**9 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe, et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande auprès du Comité au moins 72 heures à l'avance.*

**Dossier :** D08-02-24/A-00214  
**Demande :** Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Propriétaires/requérants :** Matthew et Jenna Kewley  
**Adresse de la propriété :** 1780, chemin Burnt Lands  
**Quartier :** 5 – West Carleton-March  
**Description officielle :** Partie du lot 17, concession 11, canton géographique de Huntley  
**Zonage :** EP3  
**Règlement de zonage :** 2008-250

### PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les requérants souhaitent construire un atelier accessoire de plain-pied sur leur propriété, conformément aux plans déposés auprès du Comité.

## DÉROGATION DEMANDÉE :

Les requérants demandent au Comité d'accorder une dérogation mineure au Règlement de zonage en vue de permettre une surface bâtie de 67 mètres carrés pour tous les bâtiments accessoires, alors que le règlement permet une surface bâtie cumulée maximale de 55 mètres carrés pour les bâtiments accessoires.

La propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

## POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris les **lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, conformément à la Loi sur l'aménagement du territoire, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agente ou agent, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

## COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT le 16 août 2024



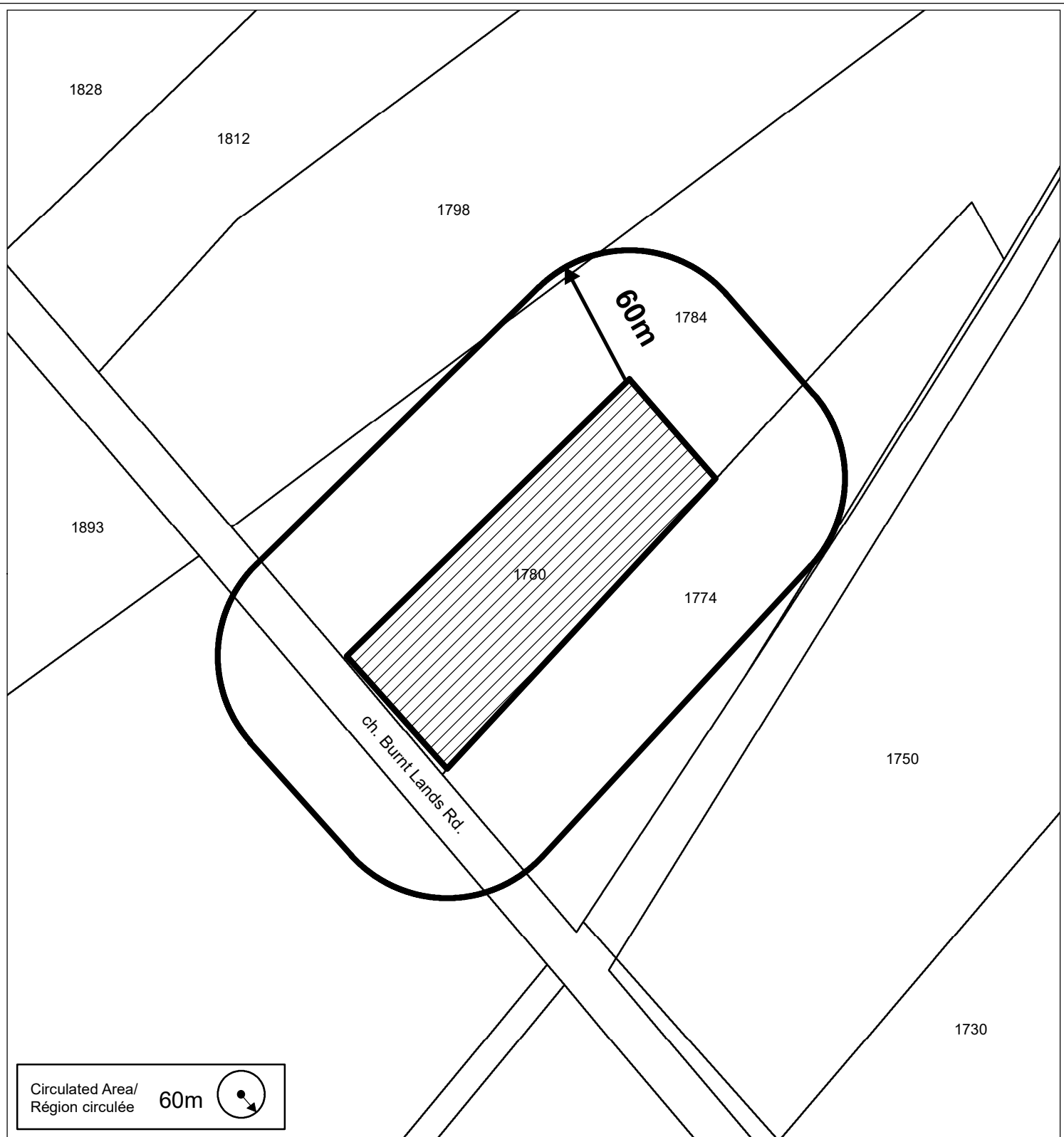
*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
101 CentrepoinTE Drive  
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**Committee of Adjustment  
Comité de dérogation**

**CIRCULATION MAP /  
PLAN DE CIRCULATION**



**SUBJECT LAND / TERRAIN EN QUESTION**

**1780 ch. Burnt Lands Rd.**

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**NOT TO SCALE  
NON À L'ÉCHELLE**

July 31, 2024

Committee of Adjustment  
101 Centerpointe Dr.  
Nepean, ON K2G 5K7



Dear Committee of Adjustment,

Applicant/ Owner	Subject Property	Zoning Bylaw Regulation
Matthew and Jenna Kewley 1780 Burnt Lands Road Carp, ON K0A 1L0 <a href="mailto:Kewley_12@hotmail.com">Kewley_12@hotmail.com</a> 613-229-9613	Concession 11 Part of Lot 17 Township of Huntley	Environmental Protection Sub-Zone 3 Zoning Bylaw 2008-250 Official Zoning: Greenspace, Rural Transect Policy Area

The nature of this application is to apply for a minor variance at 1780 Burnt Lands Road for the construction of a workshop. The area we wish to receive a variance for falls under Section 55 – Accessory Uses, Buildings and Structures. Table 55 – PROVISIONS FOR ACCESSORY USES, BUILDINGS OR STRUCTURES, which states that “*In an EP Zone, if accessory to residential use, aggregate of all accessory buildings not to exceed 55m2 or if accessory to other uses, aggregate of all accessory buildings not to exceed 150m2.*”

I believe that this application passes the four tests for the following reasons:

**Test 1** – That the variance is Minor. This variance is minor because the proposed workshop is 67m2 which is considerably less than our 9,722m2 lot, but is larger than the 55m2 maximum as per the zoning requirements. Given the size of our lot, this is less than 1% of our yard space. Furthermore, it is significantly less than the “*if accessory to other uses, aggregate of all accessory buildings not to exceed 150m2*” allowance that would be provided if our request was not related to our residential use, ergo we are not seeking to exceed any parameters that don’t currently exist for alternative purposes.

**Test 2** – The variance is desirable for the appropriate use of the property. The reason we need a garage that is larger than 55m2 is that we wish to store our lawn tractor, tractor and accessories, and snowblower that is required for maintaining a property of this size. Being able to build a workshop of this size will eliminate our requirement for temporary (and generally unsightly) storage solutions.

**Test 3** – The intent and purpose of the Zoning by-law and Official Plan is maintained. Our house is only 232m2 and includes an attached double car garage, in which we park our vehicles and does not allow room for other large items. The Workshop we are proposing to build is well within the proportion to our home and lot size. Our street consists of mixed zoning with the majority of properties having barns and detached garages larger than 55m2 so our workshop will not look out of place in the neighbourhood.

**Test 4** – This property is located within the Burnt Lands Alvar Area of Natural Scientific Interest (ANSI) and as a result it is within the Greenspace and Natural Environment Area sub-designation of the Official Plan (OP). After consulting with Lucas Teeft, Planner with the City of Ottawa, we were advised we would require a Minor Environmental Impact Study (EIS) completed. As per the requirements, we completed the Minor EIS and Lucas Teeft and his colleague, Mark Elliott conducted a site visit of our property on Friday, July 19, 2024. We have attached a copy of their concurrence that states: *“Based on the site visit, staff have no further concerns with the proposal and have deemed the EIS acceptable. There was no evidence of either alvar habitat or any rare/endangered species within the vicinity of the proposed detached garage. There is likely to be no negative impact from the proposed development.”*

**Trees** – We are located in a rural area and no trees are on the City of Ottawa property. We will only be required to remove invasive buckthorn in order to build in our desired location on our property.

In addition to the technical aspects of this request, it is important to note that on March 8, 2024, we received a response from the City of Ottawa Development Information Officer (DIO) who provided information regarding our allowances with respect to building a workshop or detached garage. Based on the information provided by the DIO we proceeded with the required planning documents to submit our permit request, at which time we were advised that not only was the zoning information for accessory buildings inaccurate and that a Minor Variance would be required, the DIO also did not advise that we resided in an Area of Natural and Scientific Interest (ANSI) and that there could be issues related to that. If we had known at the outset that there would be costly requirements associated with simply obtaining a permit to build a workshop, we likely would have postponed or dismissed the construction altogether.

That said, given the time and money we have already invested in the slightly larger Workshop, we are respectfully seeking the Committee of Adjustment’s approval to build a detached Workshop of 67m<sup>2</sup>.

We thank you for your time and consideration.

Sincerely,

Matthew and Jenna Kewley

**Attachments:**

Annex A – Communications with DIO & Zoning Plan Examiner

Annex B – Architectural Drawings

Annex C – Site Plan

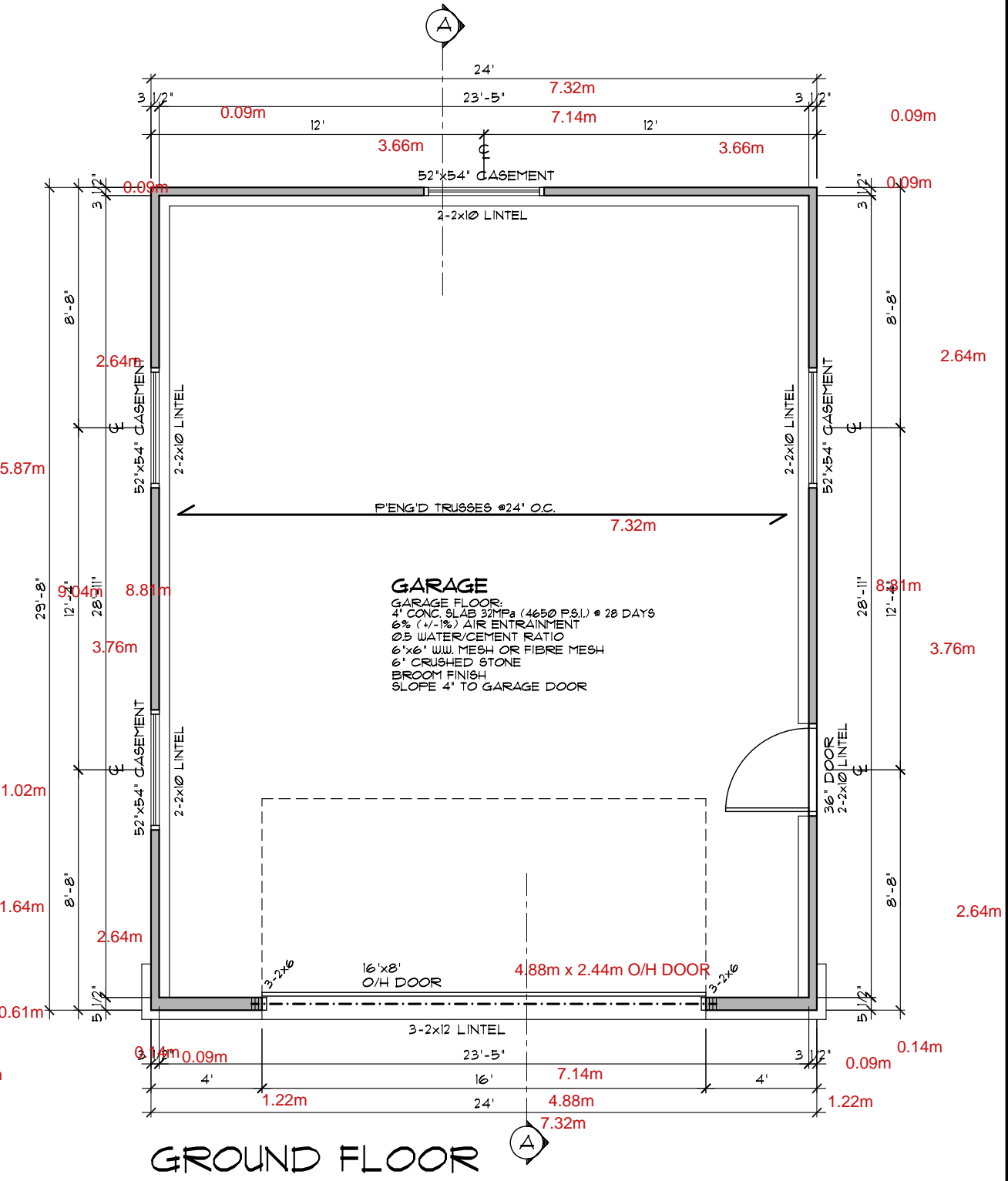
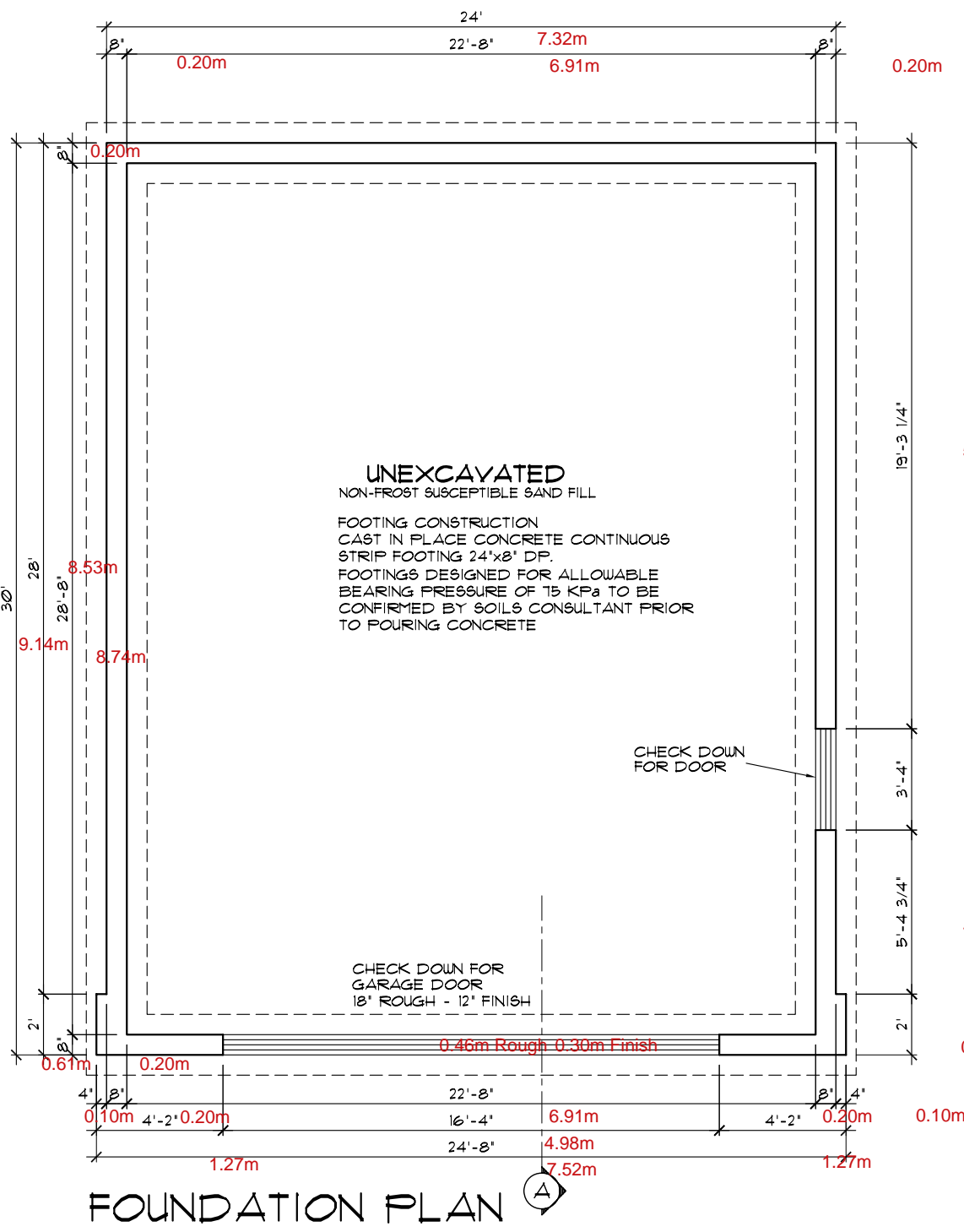
Annex D – Grading Plan

Annex E – Survey Plan

Annex F – Environmental Impact Study with City of Ottawa Planning approval

GENERAL NOTES:  
 -E. & O. E.  
 -DO NOT SCALE DRAWINGS. FIGURED DIMENSIONS ONLY TO BE USED  
 -IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE AND REPORT ALL DISCREPANCIES TO LAND ARK HOMES.  
 -GENERAL CONTRACTOR TO CONSTRUCT IN ACCORDANCE WITH THE O.B.C. ANY MUNICIPAL BYLAWS & ALL OTHER APPLICABLE CODES.

Committee of Adjustment  
 Received | Reçu le  
 2024-08-08  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation



NOTE  
 CHECK WITH MANUFACTURER FOR EXACT ROUGH-OPENING REQUIREMENTS FOR ALL DOORS AND WINDOWS

NO.	REVISION	DATE

**LUXART**  
 HOMES

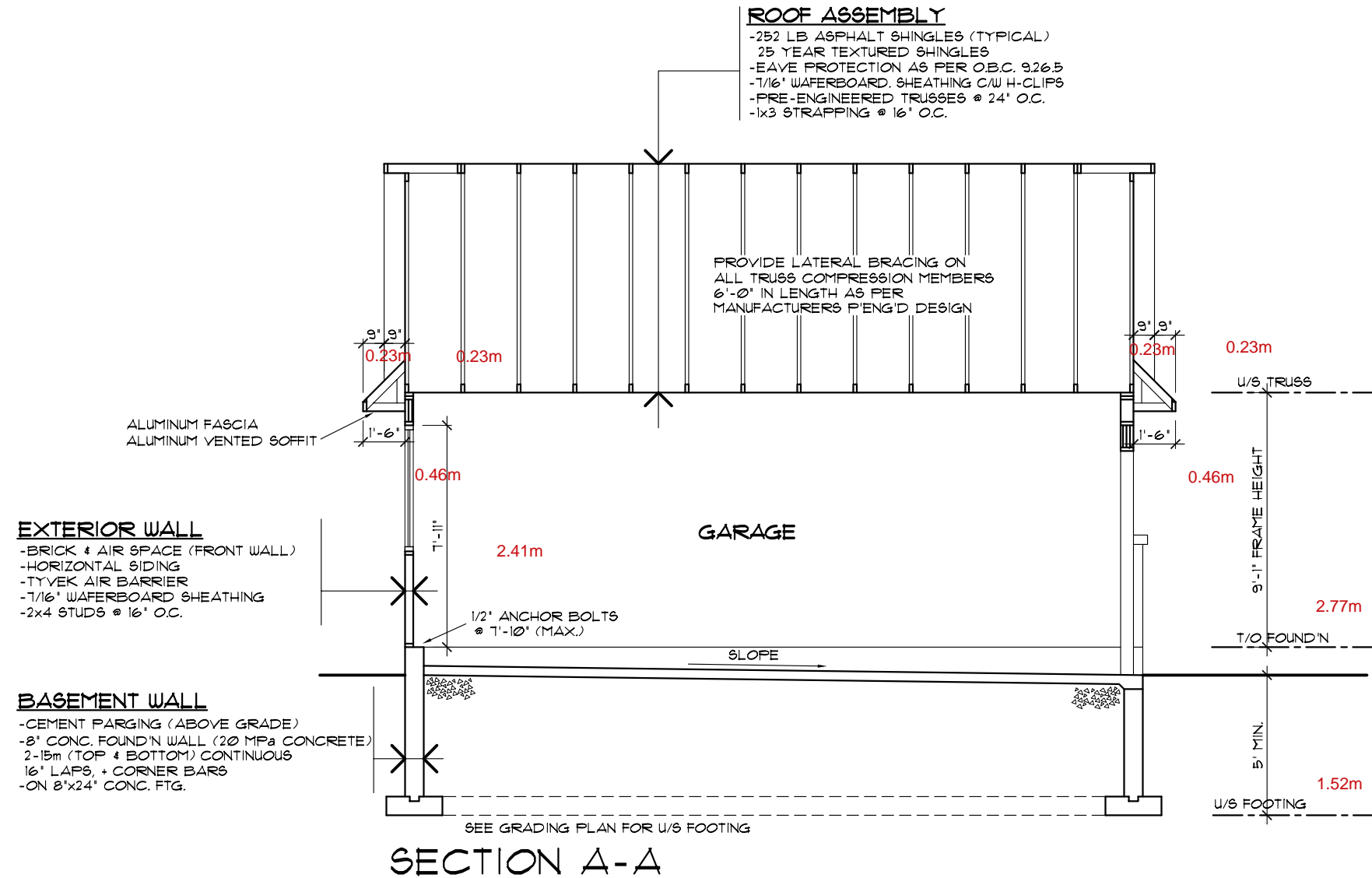
DRAWINGS BY  
**Gerald St.Jean**  
 915 Beauchamp Ave., Gloucester, ON, K1C 3A9  
 Tel: (613) 830-0142

MODEL  
**GARAGE**

DWG TITLE  
**FLOOR PLANS**

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CHECKED: GS	DWG. NO. <b>A-1</b>

GENERAL NOTES:  
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NO.	REVISION	DATE

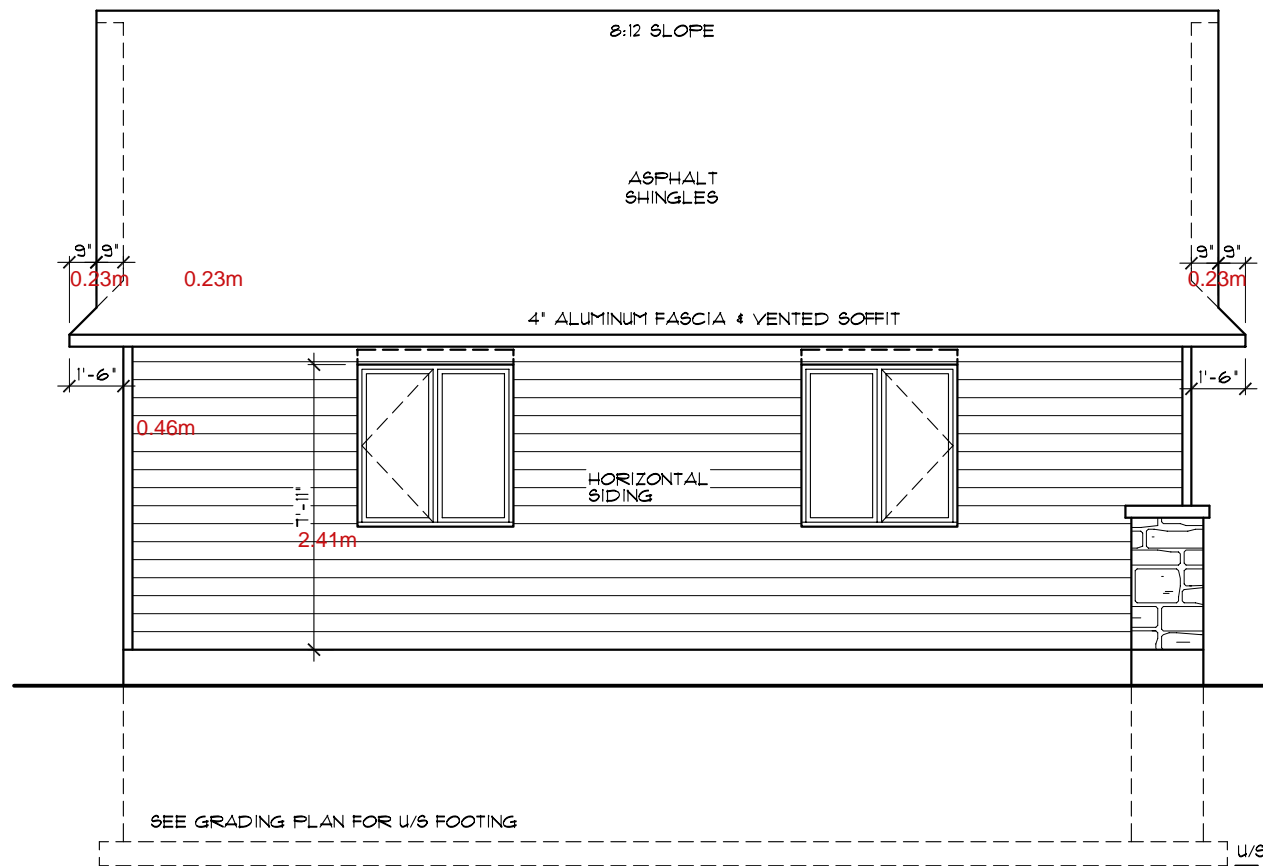
**LUXART**  
 HOMES

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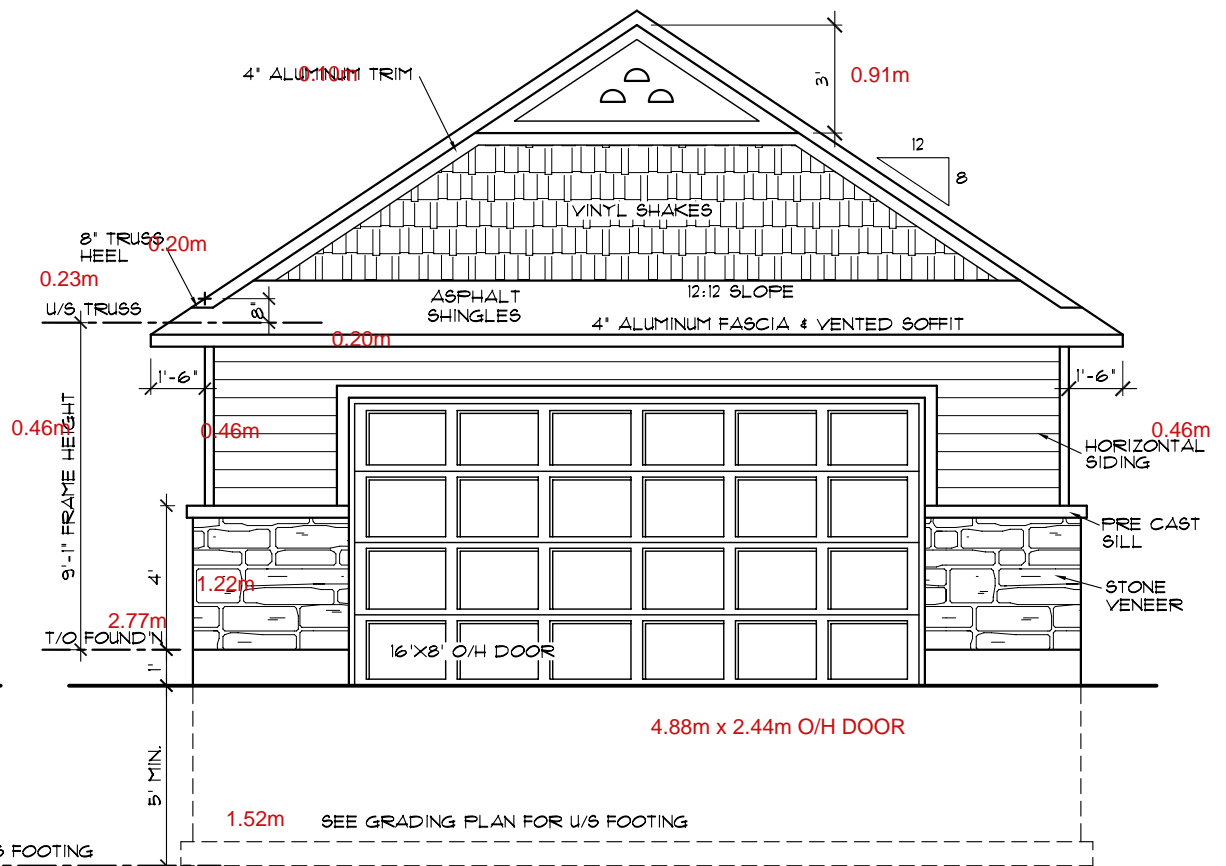
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**GARAGE**

DWG TITLE  
**SECTION A-A**

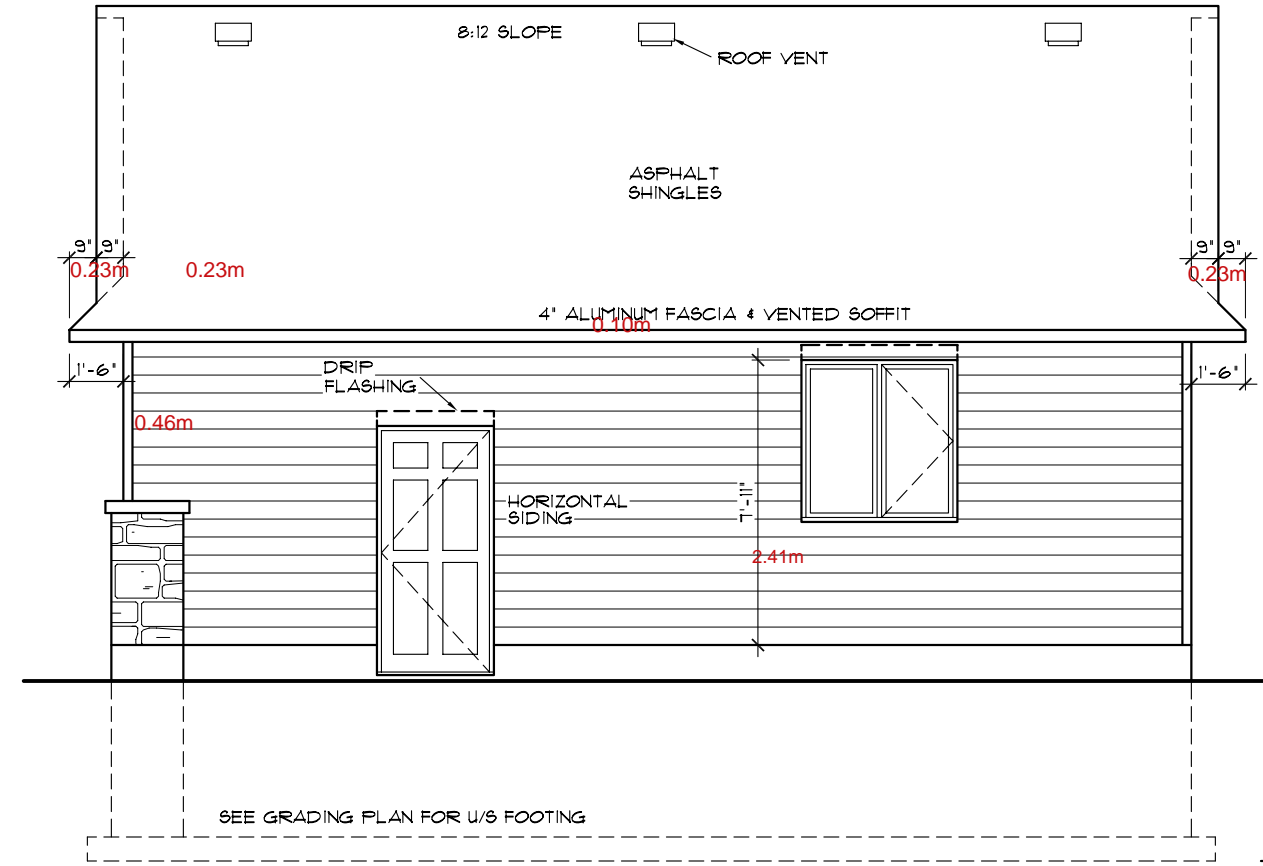
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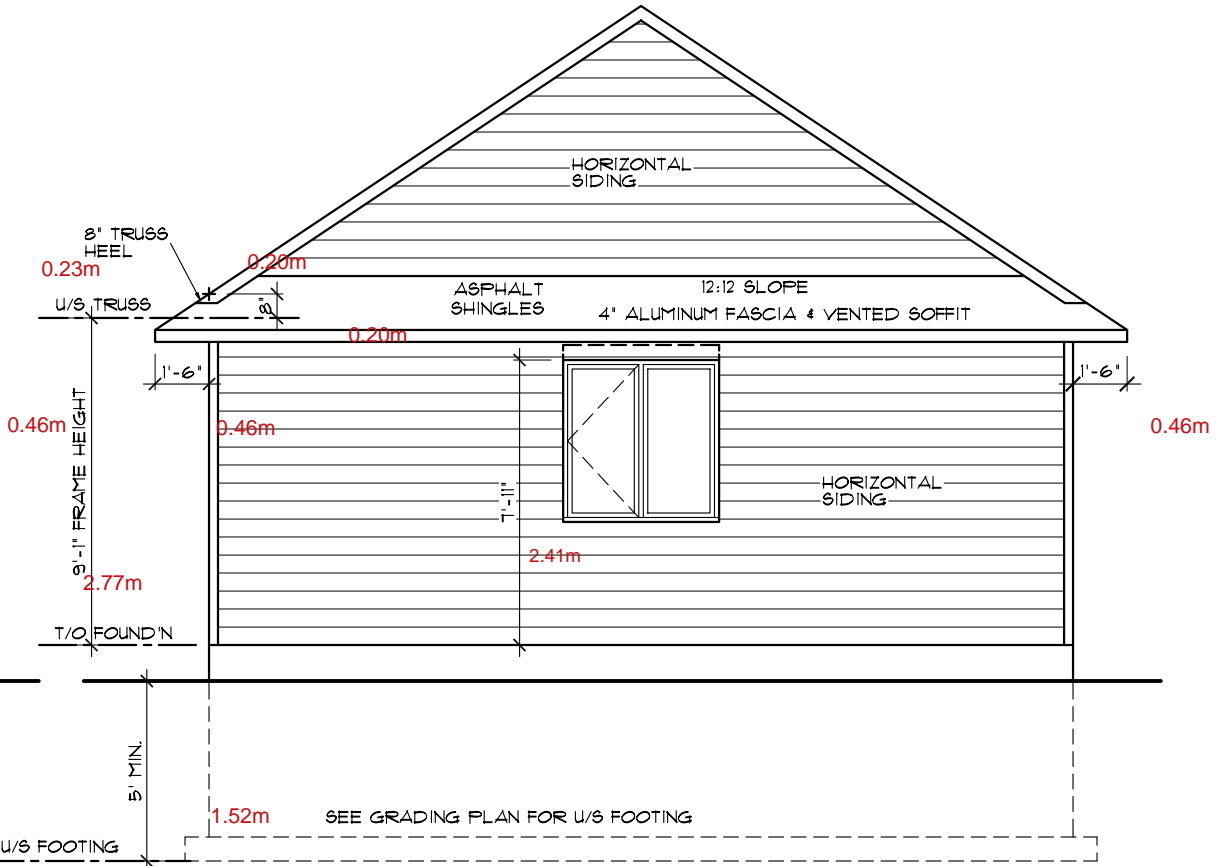
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

GENERAL NOTES:  
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NO.	REVISION	DATE

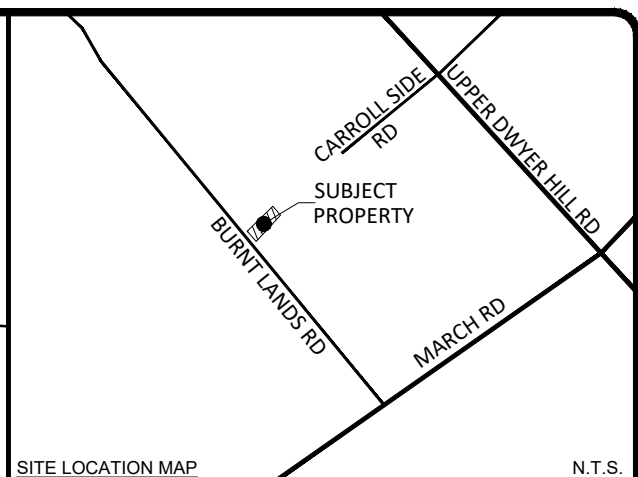
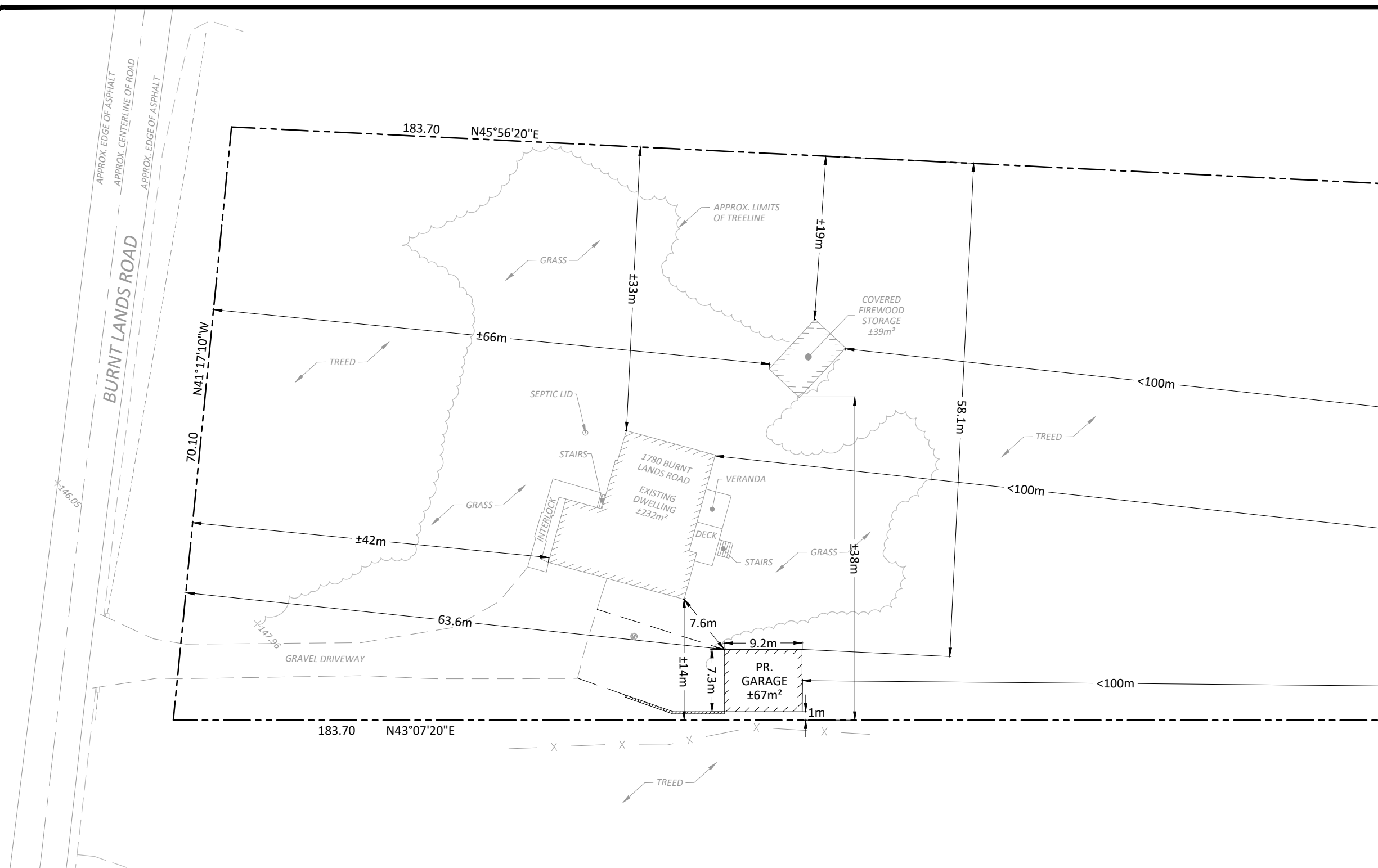
**LUXART**  
 HOMES

DRAWINGS BY  
**Gerald St.Jean**  
 915 Beauchamp Ave., Gloucester, ON, K1C 3A9  
 Tel: (613) 830-0142

MODEL  
**GARAGE**

DWG TITLE  
**ELEVATIONS**

DATE DRAWN: OCT 2010	SCALE: 3/16" = 1'-0"
DRAWN: GS	FILE NAME: GARAGE.DWG
CHECKED: GS	DWG. NO. <b>A-3</b>



SITE LOCATION MAP N.T.S.  
 SCALE BAR 0 10 20m  
 ALL DIMENSIONS ARE IN METRES. DO NOT SCALE DRAWING

PAGE SIZE 11" x 17" SCALE 1:500

SHADE GROUP INC.  
 4625 MARCH ROAD  
 ALMONTE, ONTARIO  
 K0A 1A0  
 t: 613-889-9733 e:monica@shadegroup.ca



**LEGEND**

---	PROPERTY LINE
- - -	EX. CENTERLINE
---	EX. EDGE OF ASPHALT
- - -	EX. EDGE OF GRAVEL
- x -	EX. FENCE
---	EX. STRUCTURE
///	PR. RETAINING WALL (DESIGN BY OTHERS)
---	PR. STRUCTURE
- - -	PR. EDGE OF GRAVEL
⊙	EX. WELL

**GENERAL NOTES**

- ALL SURVEY DATA IS SHOWN FOR INFORMATION PURPOSES ONLY AND IMPLIES NO GUARANTEE OF ACCURACY. ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- THE PROPERTY LINES SHOWN ON THIS PLAN HAVE BEEN REFERENCED FROM THE SURVEYOR'S REAL PROPERTY REPORT - PART 1; PLAN OF PART OF LOT 17, CONCESSION 11, GEOGRAPHIC TOWNSHIP OF HUNTLEY, CITY OF OTTAWA (FAIRHALL, MOFFATT & WOODLAND LIMITED, 2011/03/21) AS SUPPLIED BY THE CLIENT AND APPROXIMATED BASED ON THE OFFSETS TO THE HOUSE, AS SHOWN ON THE SRPR.
- THIS IS NOT A LEGAL SURVEY.
- THE OWNER IS RESPONSIBLE FOR ALL PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES PRIOR TO CONSTRUCTION.
- LAYOUT BY OTHERS.
- IT IS RECOMMENDED THAT A LICENSED ONTARIO LAND SURVEYOR BE RETAINED TO CONFIRM THE LOCATION OF THE EAST PROPERTY LINE PRIOR TO CONSTRUCTION TO ENSURE THAT THE PROPOSED STRUCTURE REMAINS WITHIN THE OWNER'S PROPERTY LIMITS AND CONFORMS WITH THE MINIMUM 1m SETBACK.
- THIS PLAN HAS BEEN PROVIDED IN SUPPORT OF A BUILDING PERMIT FOR THE PROPOSED FREE STANDING GARAGE. THE PROPOSED GARAGE HAS BEEN DRAWN IN REFERENCE TO THE PLANS PREPARED BY GERALD ST JEAN, DATED OCT 2010, AS SUPPLIED BY THE CLIENT.

00	ISSUED FOR REVIEW	APRIL 26, 2024
REV.	DESCRIPTION	DATE
CLIENT	JENNA KEWLEY	
PROJECT ADDRESS	1780 BURNT LANDS ROAD	
PROJECT TITLE	PROPOSED DETACHED GARAGE	
DRAWING TITLE	SITE PLAN	





1780

+/- Approx. distance to Septic lid

+/- Approx. distance to well head

1784

1780



PROPOSED GARAGE  
 USF = SEE NOTE  
 T/FND=150.35\*\*

**\*USF NOTE\***

USF TO BE SET ON BEDROCK OR SUITABLE SUBGRADE CONDITIONS AS CONFIRMED BY A GEOTECHNICAL ENGINEER AT THE TIME OF CONSTRUCTION. AS PROPERTY IS LOCATED WITHIN AN AREA KNOWN FOR SHALLOW BEDROCK, IT IS NOT ANTICIPATED THAT 5' OF COVER OVER THE FOOTINGS WILL BE ACHIEVABLE, AND AS SUCH, THE FOOTING MAY REQUIRE FROST PROTECTION. REFER TO DIRECTION FROM A GEOTECHNICAL/STRUCTURAL ENGINEER. FROST PROTECTION, ENGINEERED FILL (IF APPLICABLE) AND FOUNDATION DESIGN BY OTHERS.  
 SUITABILITY OF SUBGRADE CONDITIONS TO BE CONFIRMED BY THE APPROPRIATE PROFESSIONAL PRIOR TO FOOTING INSTALLATION.

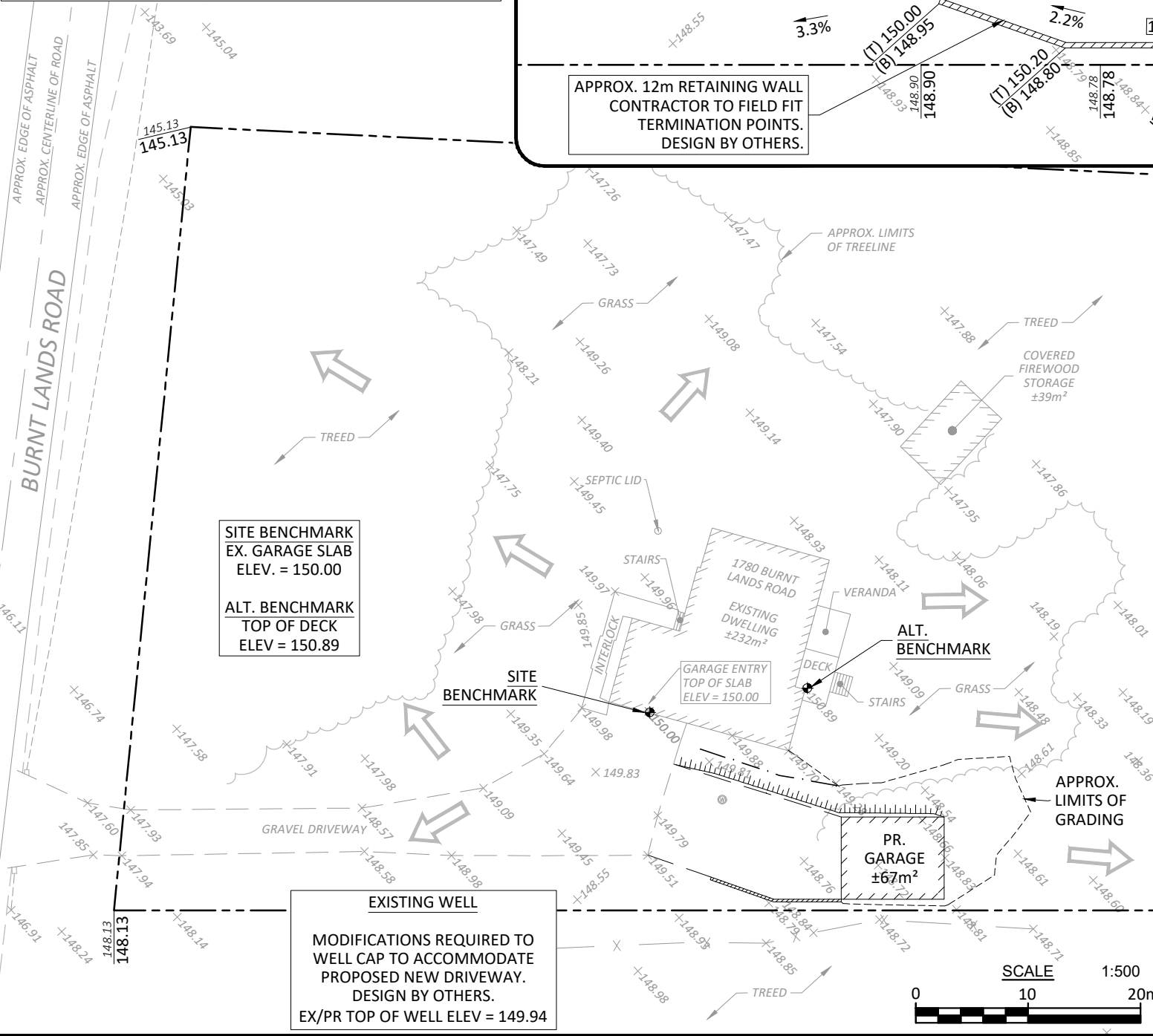
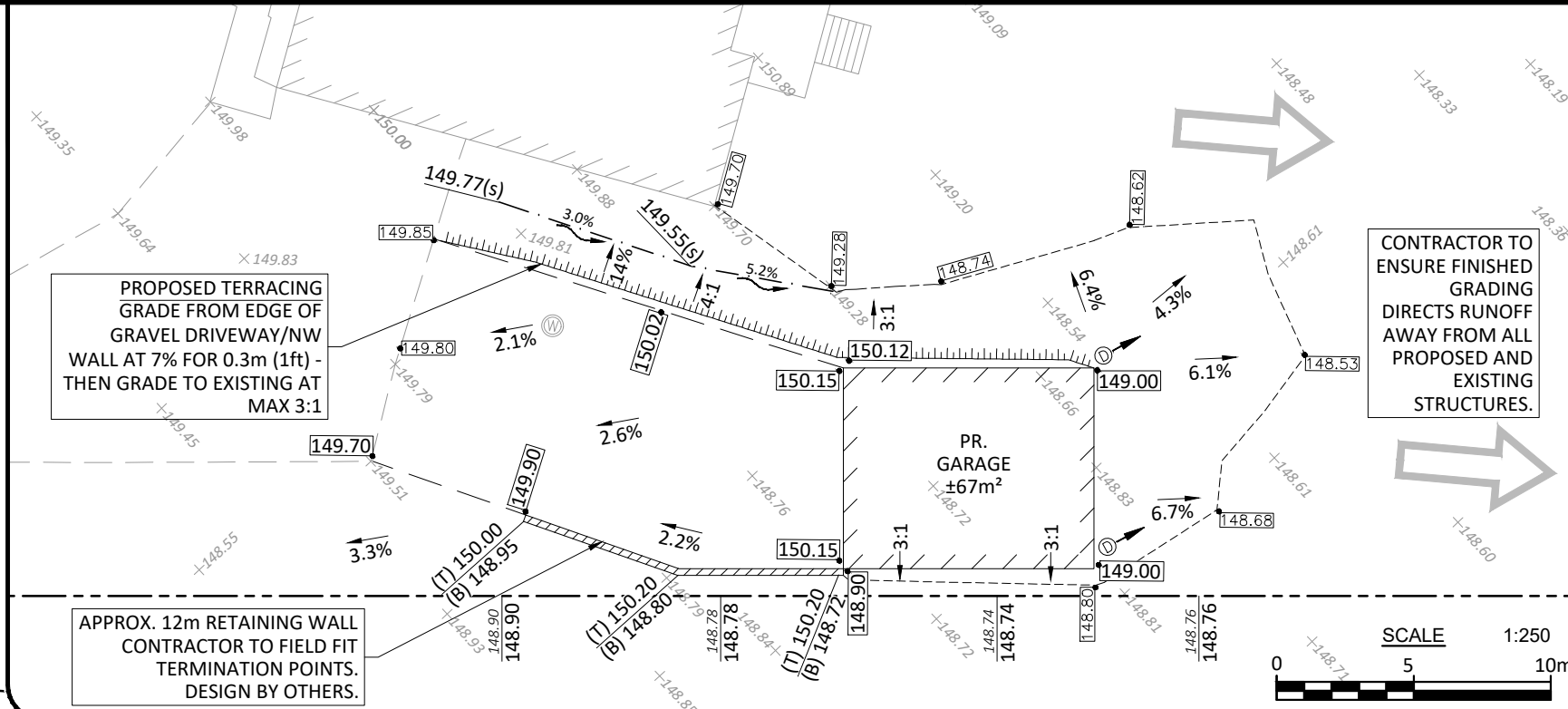
**\*\*T/FND NOTE\*\***

TOP OF FOUNDATION ELEVATION HAS BEEN SET BASED ON CLIENT SUPPLIED DRAWINGS (1' ABOVE GARAGE ENTRY GRADE)

PROPOSED TERRACING GRADE FROM EDGE OF GRAVEL DRIVEWAY/NW WALL AT 7% FOR 0.3m (1ft) - THEN GRADE TO EXISTING AT MAX 3:1

APPROX. 12m RETAINING WALL CONTRACTOR TO FIELD FIT TERMINATION POINTS. DESIGN BY OTHERS.

CONTRACTOR TO ENSURE FINISHED GRADING DIRECTS RUNOFF AWAY FROM ALL PROPOSED AND EXISTING STRUCTURES.



**GENERAL NOTES**

- ALL TOPOGRAPHY, GROUND ELEVATIONS AND SURVEY DATA ARE SHOWN FOR INFORMATION PURPOSES ONLY AND IMPLY NO GUARANTEE OF ACCURACY. ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- ELEVATIONS WERE COLLECTED BY SHADE GROUP INC., ON APRIL 16, 2024 USING A SPECTRA PRECISION SP60 GNSS RECEIVER.
- THIS IS NOT A LEGAL SURVEY, UTILITY PLAN OR SITE PLAN - THE INFORMATION PROVIDED HEREON IS FOR GRADING AND DRAINAGE PURPOSES ONLY.
- THIS PLAN HAS BEEN PREPARED IN REFERENCE TO BUILDING PLANS SUPPLIED BY THE OWNER (GERALD ST. JEAN - GARAGE - OCTOBER 2010). A DETAILED FOUNDATION DESIGN WAS NOT AVAILABLE AT THE TIME OF THE PREPARATION OF THIS PLAN. IT IS RECOMMENDED THAT A STRUCTURAL ENGINEER BE RETAINED FOR THE FOUNDATION DESIGN.
- APPROXIMATE PROPERTY LINES HAVE BEEN DELINEATED BASED ON A CLIENT SUPPLIED SURVEY - SRPR FOR PART OF LOT 17, CONCESSION 1, GEOGRAPHIC TOWNSHIP OF HUNTLEY, PREPARED BY FAIRHALL, MOFFATT & WOODLAND LIMITED, 2011/03/21. THE PROPERTY LINES SHOWN ON THIS PLAN ARE NOT CONSIDERED SURVEY ACCURATE.
- THE OWNER IS RESPONSIBLE FOR ALL PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES PRIOR TO CONSTRUCTION.
- LAYOUT BY OTHERS. IT IS RECOMMENDED AN ONTARIO LAND SURVEYOR BE RETAINED TO CONFIRM THE LOCATION OF THE SOUTHEAST PROPERTY LINE PRIOR TO CONSTRUCTION TO ENSURE THE 1m SETBACK IS CONFORMED WITH.
- THIS PLAN HAS BEEN PROVIDED IN SUPPORT OF A BUILDING PERMIT FOR THE PROPOSED FREESTANDING GARAGE. IT HAS NOT BEEN PREPARED TO ADDRESS ANY PRE-EXISTING ON-SITE OR OFF-SITE DRAINAGE CONCERNS, IF APPLICABLE. COMPILED DATA IS LIMITED TO APPLICABILITY AS IT RELATES TO THE PROPOSED PERMIT APPLICATION.
- EAVESTROUGHING IS TO BE INSTALLED ON THE SIDES OF THE PROPOSED STRUCTURE. DOWNSPOUTS ARE TO BE DIRECTED AS SHOWN ON THE PLAN VIEW ABOVE. ROOF RUNOFF IS NOT TO BE DIRECTED TOWARDS THE NEIGHBOURING PROPERTY.
- MAXIMUM ALLOWABLE SLOPE IS TO BE 3:1. FINISHED GRADING TO BE COMPLETED TO DIRECT RUNOFF AWAY FROM ALL STRUCTURES. GRADING NOT TO EXTEND BEYOND THE PROPERTY LINE.
- ANY CHANGES MADE TO THIS PLAN ARE TO BE VERIFIED AND APPROVED BY SHADE GROUP INC. SHOULD THE GRADING PROPOSED HEREIN CONFLICT WITH SITE CONDITIONS ASSESSED DURING EXCAVATION, SHADE GROUP INC. IS TO BE CONSULTED ON ANY PROPOSED DEVIATIONS THAT MAY IMPACT SITE GRADING AND DRAINAGE.
- DETAILED DESIGN OF RETAINING WALL BY OTHERS.

SITE LOCATION MAP N.T.S.

ALL DIMENSIONS ARE IN METRES. DO NOT SCALE DRAWING

PAGE SIZE 11" x 17" SCALE VARIES

SHADE GROUP INC.  
 4625 MARCH ROAD  
 ALMONTE, ONTARIO  
 KOA 1A0



t: 613-889-9733 e:monica@shadegroup.ca

**LEGEND**

---	PROPERTY LINE	▨	PR. STRUCTURE
- - -	EX. CENTERLINE	⊙	PR. DOWNSPOUT & DIRECTION OF DISCHARGE
---	EX. EDGE OF ASPHALT	150.10	DESIGN GRADE POINT (SURFACE GRADE)
---	EX. EDGE OF GRAVEL	3.9%	PR. OVERLAND FLOW ROUTE & SLOPE
x	EX. FENCE	3.9%	PR. SWALE, SLOPE AND DIRECTION
x	EX. STRUCTURE	149.22(s)	PR. SWALE INV. ELEVATION
+	EX. SPOT ELEVATION	(T)85.00	TOP AND BOTTOM ELEV OF RETAINING WALL
+	EX. OVERLAND FLOW ROUTE	(B)84.50	
+	SITE BENCHMARK		
+	EXISTING/PROPOSED PROPERTY LINE ELEVATION		
+	EX. ELEVATION - MATCH EXISTING FOR DESIGN		
▨	PR. RETAINING WALL (DESIGN BY OTHERS)		

00 ISSUED FOR REVIEW APRIL 26, 2024

REV. DESCRIPTION DATE

STAMP



CLIENT JENNA KEWLEY

PROJECT ADDRESS 1780 BURNT LANDS ROAD

PROJECT TITLE PROPOSED DETACHED GARAGE

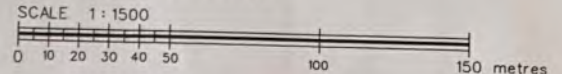
DRAWING TITLE GRADING AND DRAINAGE PLAN



**METRIC** DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**SURVEYOR'S REAL PROPERTY REPORT - PART 1**  
**PLAN OF**  
**PART OF LOT 17**  
**CONCESSION 11**  
**GEOGRAPHIC TOWNSHIP OF HUNTLEY**  
**CITY OF OTTAWA**



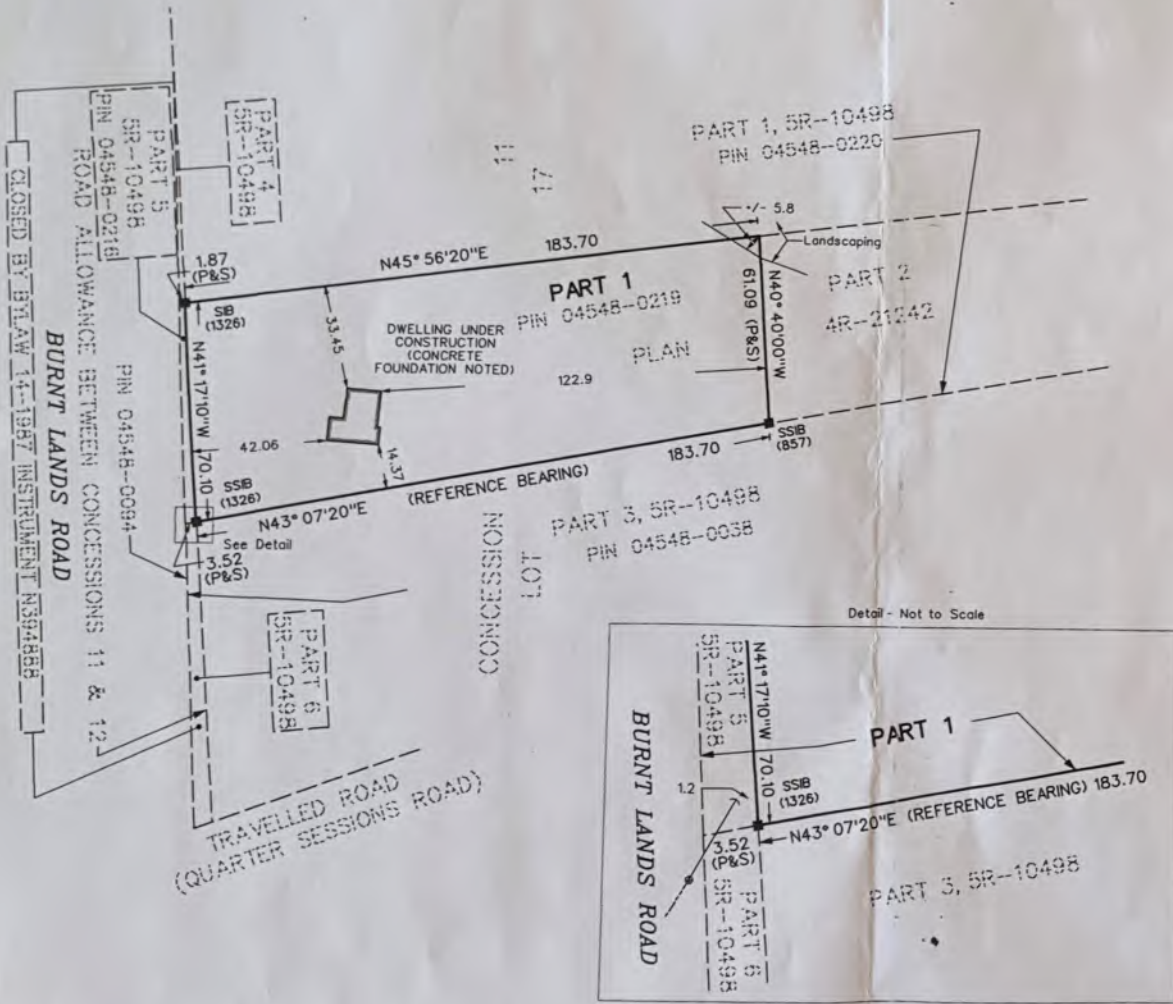
**FAIRHALL, MOFFATT & WOODLAND LIMITED**  
 ONTARIO LAND SURVEYORS

**NOTES**

- BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH EASTERLY LIMIT OF PART 1 AS SHOWN ON PLAN 4R-21242, HAVING A RESULTANT BEARING OF N43°07'20"E.

**LEGEND**

- - SURVEY MONUMENT SET
- - SURVEY MONUMENT FOUND
- SIB - STANDARD IRON BAR
- SSIB - SHORT STANDARD IRON BAR
- IB - IRON BAR
- (P) - PLAN 4R-21242
- (S) - SET
- (M) - MEASURED
- (867) - FAIRHALL, MOFFATT & WOODLAND LIMITED, O.L.S.
- (1326) - W.R. TAGGART O.L.S.
- PIN - PROPERTY IDENTIFICATION NUMBER
- ← - GUY WIRE
- ⊙ - HYDRO POLE



**SURVEYOR'S REAL PROPERTY REPORT - PART 2**  
**REPORT SUMMARY**

**DESCRIPTION OF LAND**  
 PART OF LOT 17 CONCESSION 11, DESIGNATED AS PART 1, PLAN 4R-21242, SAVE AND EXCEPT PART 5 ON PLAN SR-10498 AS IN ALL OF PIN 04548-0219.

**REGISTERED EASEMENTS**  
 NONE REGISTERED

**REMARKS**  
 1. NOTE LOCATION OF GUY WIRE IN VICINITY OF MOST SOUTHERLY PROPERTY CORNER  
 2. NOTE LIMIT OF LANDSCAPING AT MOST NORTHERLY PROPERTY CORNER  
 3. PLEASE NOTE THAT A SEARCH OF LAND REGISTRY OFFICE RECORDS INDICATE THAT THE SUBJECT PROPERTY DOES NOT INCLUDE PART 5, PLAN SR-10498 WHICH IS OWNED BY CITY OF OTTAWA AS PART OF A CLOSED ROAD ALLOWANCE AS IN PIN 04548-0219.

THIS REPORT WAS PREPARED FOR  
**LUXART HOMES INC., MATTHEW KEWLEY & JENNA RYAN**  
 THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON DECEMBER 13, 2010.

211/03/21  
 DATE

*John H. Guthrie*  
 JOHN H. GUTHRIE  
 ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS  
 PLAN SUBMISSION FORM

1798294

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 28 (3).

**Fairhall Moffatt & Woodland LIMITED**  
 ONTARIO LAND SURVEYORS  
 Surveying and Land Information Services  
 100 - 600 TERRY FOX DRIVE, OTTAWA, ONTARIO K2L 4R6  
 TEL: (613) 591-2580 FAX: (613) 591-1495  
 www.fmw.on.ca

JOB No. N39800

E 332310  
 N 5014350

Drawing Name  
 SUBMISSION/PROVIDOR (H)

REFERENCE No.  
 94-11-HUNTLEY

2024-08-29



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

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Site Address: 1780 Burnt Lands Road  
Legal Description: Part of Lot 17 Concession 11, Geographic Township of Huntley  
File No.: D08-02-24/A-00214  
Report Date: August 28, 2024  
Hearing Date: September 03, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Greenspace; Natural Heritage System Core Area  
Zoning: EP3

---

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has no concerns with** the application.

**DISCUSSION AND RATIONALE**


Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested minor variance meets the “four tests”.

Staff initially had concerns with the location of the proposed garage as the entire property is designated greenspace and is within a Natural Heritage System Core Area. The applicants prepared an EIS and staff conducted a site visit which demonstrated that the new structure would likely not have any negative impacts on sensitive habitat or species at risk.

**Additional Comments:**

- The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
- At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.

- The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by Planning, Development and Building Services Department.
- Existing grading and drainage patterns must not be altered.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).



---

Luke Teeft  
Planner I, Development Review, All Wards  
  
Planning, Development and Building  
Services Department



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Wensdy Tse  
Planner III (A), Development Review, All  
Wards  
Planning, Development and Building  
Services Department

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3

Tuesday, September 3, 2024

9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File Nos.:** D08-02-24/A-00048  
**Application(s):** Minor Variance under section 45 of the *Planning Act*  
**Owner)/Applicant(s):** Michael Faw, Susan Faw, Kieran Faw, Jerome Racine  
**Property Address:** 6051 Herberts Corners Road  
**Ward:** 20 - Osgoode  
**Legal Description:** Part of Lot 14, Concession 2, Geographic Township of Osgoode  
**Zoning:** RU  
**Zoning By-law:** 2008-250

### APPLICANTS PROPOSAL / PURPOSE OF THE APPLICATIONS:

The Applicants want to construct a coach house with an attached garage, as shown on the plans filed with the application.

### REQUESTED VARIANCES:

The Owners require the Committee's authorization for minor variances from the Zoning By-law as follows:



- a) To permit an increased building footprint for a coach house of 68% of the principal dwelling (187.25 square metres), whereas the Zoning By-law permits a maximum building footprint of a coach house to be 40% (110.28 square metres) of the principal dwelling.
- b) To permit a driveway for a coach house, whereas the By-law only permits a driveway for a coach house on a corner lot which does not contain a driveway for the principal dwelling unit.

The subject property is not the subject of any other current application under the *Planning Act*.

If you do not participate in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: August 16, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire de l'Ontario*

### Demande de dérogations mineures

#### Groupe 3

Mardi 20 août 2024

9 h

Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe, et par vidéoconférence

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande auprès du Comité au moins 72 heures à l'avance.*

**Dossier :** D08-02-24/A-00048  
**Demande :** Dérogations mineures en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Propriétaires/requérants :** Michael Faw, Susan Faw, Kieran Faw et Jérôme Racine  
**Adresse de la propriété :** 6051, chemin Herberts Corners  
**Quartier :** 20 – Osgoode  
**Description officielle :** Partie du lot 14, concession 2  
**Zonage :** RU  
**Règlement de zonage :** 2008-250

#### PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les requérants souhaitent construire une annexe résidentielle assortie d'un garage attenant, conformément aux plans déposés auprès du Comité.

## DÉROGATIONS DEMANDÉES :

Les propriétaires demandent au Comité d'accorder les dérogations mineures au Règlement de zonage décrites ci-après :

- a) Permettre une augmentation de la superficie au sol d'une annexe résidentielle correspondant à 68 pour cent de celle du logement principal (187,25 mètres carrés), alors que le règlement stipule que la superficie au sol d'une annexe résidentielle doit correspondre au maximum à 40 pour cent (110,28 mètres carrés) de celle du logement principal.
- b) Permettre une entrée privée pour une annexe résidentielle, alors que le règlement n'autorise une entrée privée que pour une annexe résidentielle occupant un lot d'angle dont le logement principal ne dispose pas d'entrée privée.

La propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

## POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris les **lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

### **TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Sachez que, conformément à la Loi sur l'aménagement du territoire, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agente ou agent, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

### **COMITÉ DE DÉROGATION**

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT le 2 août 2024



*This document is also available in English.*

**Committee of Adjustment**

City of Ottawa

101 Centrepointe Drive

Ottawa ON K2G 5K7

[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)

[cofa@ottawa.ca](mailto:cofa@ottawa.ca)

613-580-2436



**Comité de dérogation**

Ville d'Ottawa

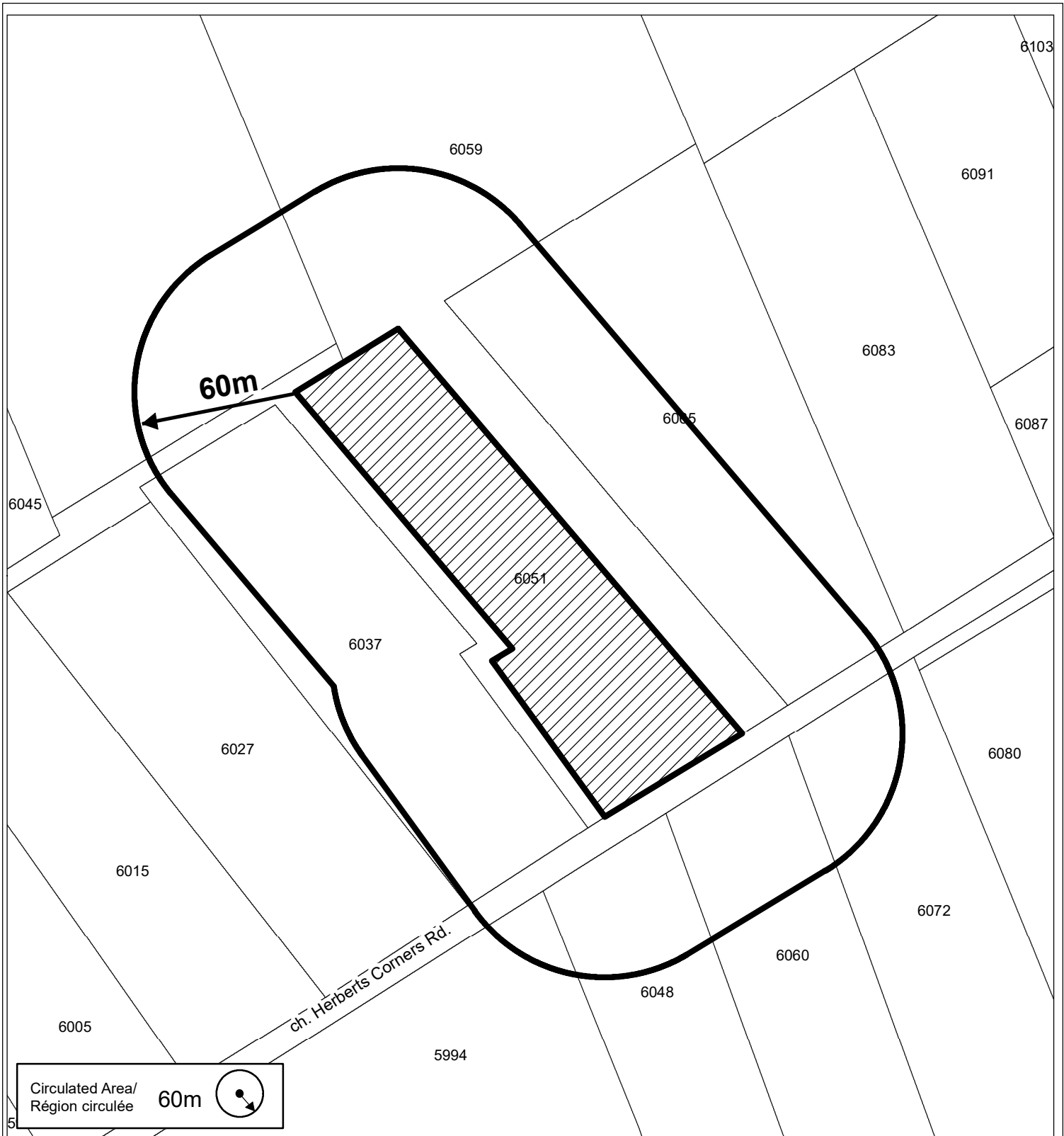
101, promenade Centrepointe


Ottawa ON K2G 5K7

[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)

[cded@ottawa.ca](mailto:cded@ottawa.ca)

613-580-2436




**Committee of Adjustment**  
**Comité de dérogation**

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**CIRCULATION MAP /**  
**PLAN DE CIRCULATION**

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**SUBJECT LAND / TERRE EN QUESTION**  
**6051 ch. Herberts Corners Rd.**

  
**NOT TO SCALE**  
**NON À L'ÉCHELLE**

This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

Committee of Adjustment  
Received | Reçu le

Revised | Modifié le : 2024-07-15

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

## Faw Family Coach House Build Proposal Project description

To the Committee of adjustment  
City of Ottawa  
Attn. Michelle Bellemare

Our proposal is to infill on our property located at 6051 Herberts Corners Road in Greely with a Coach House. The property is approximately 2.5 acres, zoned RU Residential. We are well removed from our neighbours' buildings and host many trees. (We are very keen to NOT remove trees where it can be avoided.)

Our variances are minor when considered in the scope of our location and specific property. There are 2.

The variances:

- (1) The proposed Coach House is approx. 187.25 sq/m, single story bungalow, with basement, and garage. This exceeds the allowed footprint for a coach house relative to the principal dwelling.
- (2) A driveway from the municipal road to the Coach House (3) garage is necessary due to the distance. Both the driveway and garage are outside the defined coach house description.

We are also constructing to meet netZero guidelines and will be installing solar power generation on the roof of the house and garage. The area of the combined house and garage roof is required to provide adequate solar panel array to meet netZero designs.

We are to be sharing a well with the main house and will have a separate septic bed. Septic grading info attached. A site plan drawing for our property and the construction is also attached.

We believe this to be both desirable and appropriate use of the land.

With the approval of the requested variances to meet our NetZero, senior accessible bungalow build, the general intent and purpose of the Official Plan is being maintained.

The general intent and purpose of the by-law is being respected, interpreted to meet our project specific needs.

Mike Faw  
6051 Herberts Corners Road  
Greely, On. K4P1H3

05/29/2024

DRAWING NUMBER: 230261-GR

- CONSTRUCTION NOTES:**
- All dimensions and elevations are in metres. Do not scale drawing.
  - This drawing is not a legal survey, a utility plan or a site plan and is for grading purposes only.
  - TBM = Twin nails in utility pole. Elevation = 97.58 metres.
  - This drawing cannot be accepted as acknowledging all of the utilities, and it will be the responsibility of the user to contact the respective utility authorities for confirmation.
  - This drawing is not for construction until approved by the relevant authorities.
  - Contractor is responsible for location and protection of utilities.
  - Top of Foundation (TOF) elevation and Underside of Footing (USF) elevation for dwelling are as shown on drawing.
  - Finished grade around dwelling to be as shown.
  - Maximum allowable slope on site is 3H:1V. Finished grade to slope away from house at all sides at a minimum of 2%, and a maximum of 7%. Maximum slope away from septic system area is 4H:1V.
  - All dimensions to be verified on site by contractor prior to construction.
  - Client is responsible for acquiring all necessary permits.
  - The proposed grades have been set and verified for site grading control only. The grade raise at the house location should be verified with regard to subsurface conditions by qualified geotechnical personnel after completion of the excavation.
  - The underside of footing elevation may not have accounted for actual ground water conditions at the exact house location and should be verified by qualified geotechnical personnel upon completion of the excavation.
  - A geotechnical engineer should be retained to provide geotechnical recommendations with respect to the subgrade conditions prior to footing installation.
  - Frost protection will be required for the foundation footing where the soil cover over the underside of footing is less than 1.52 metres.
  - Any changes made to this plan must be verified and approved by Kollaard Associates Inc.

REV.	NAME	DATE	DESCRIPTION
2.	NR	MAY 1/24	REVISED SEPTIC LOCATION
1.	AKM	OCT 11/23	REVISED SEPTIC LOCATION

**Kollaard Associates**  
Engineers  
(613) 860-0923

210 PRESCOTT STREET  
PO BOX 189  
KEMPTVILLE ONTARIO  
K0G 1J0

FAX (613) 258-0475  
www.kollaard.ca  
info@kollaard.ca

CLIENT: JOE BUCKLEY CONSULTING

OWNER: MICHAEL K. FAW

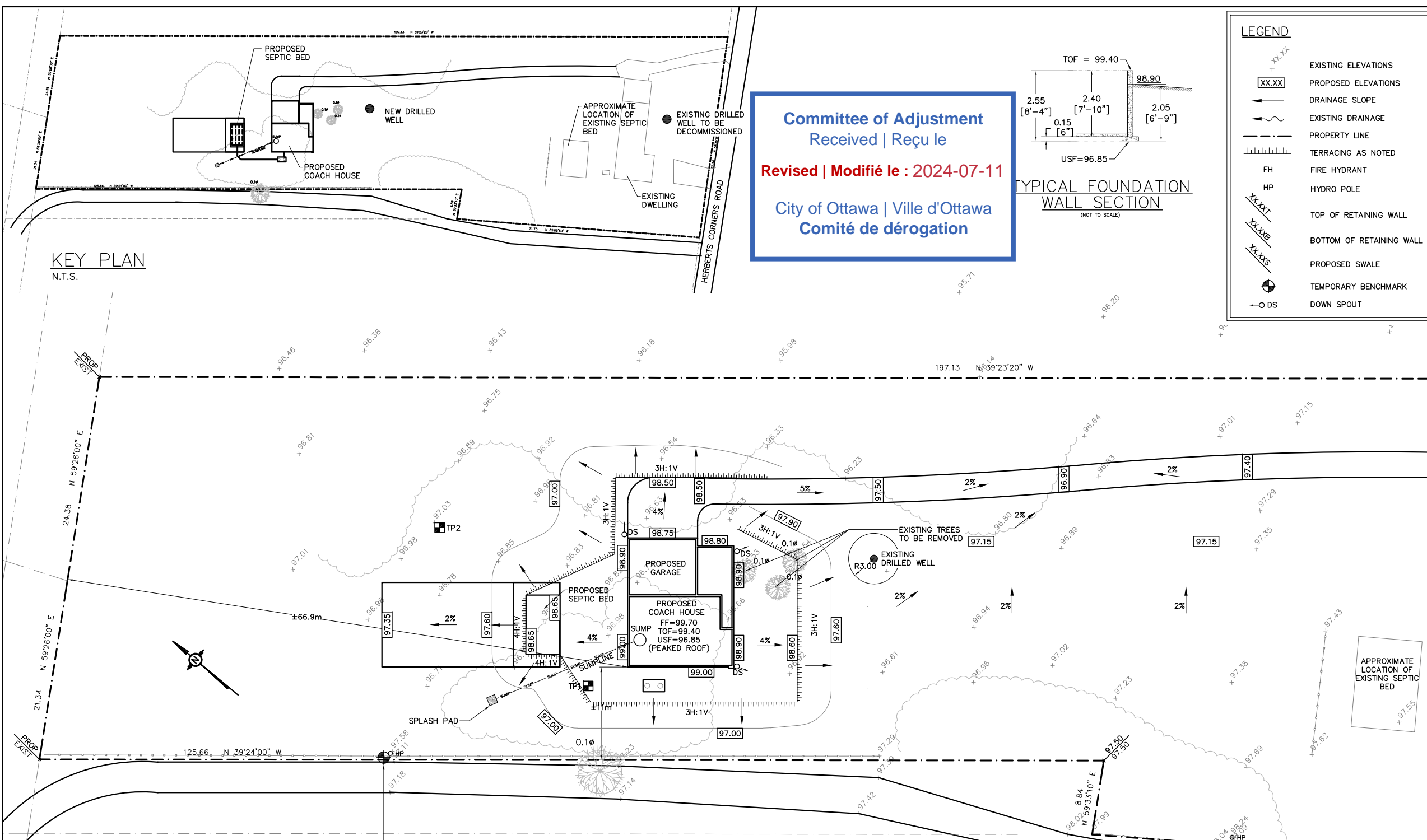
DRAWING: GRADING PLAN FOR COACH HOUSE

LOCATION:  
6051 HERBERTS CORNERS ROAD  
LOT 14, CONC. 2,  
OSGOODE,  
CITY OF OTTAWA, ONTARIO

DESIGNED BY: NR  
DATE: JUL 5, 2023

DRAWN BY: NR  
SCALE: 1:500

KOLLAARD FILE NUMBER: 230261

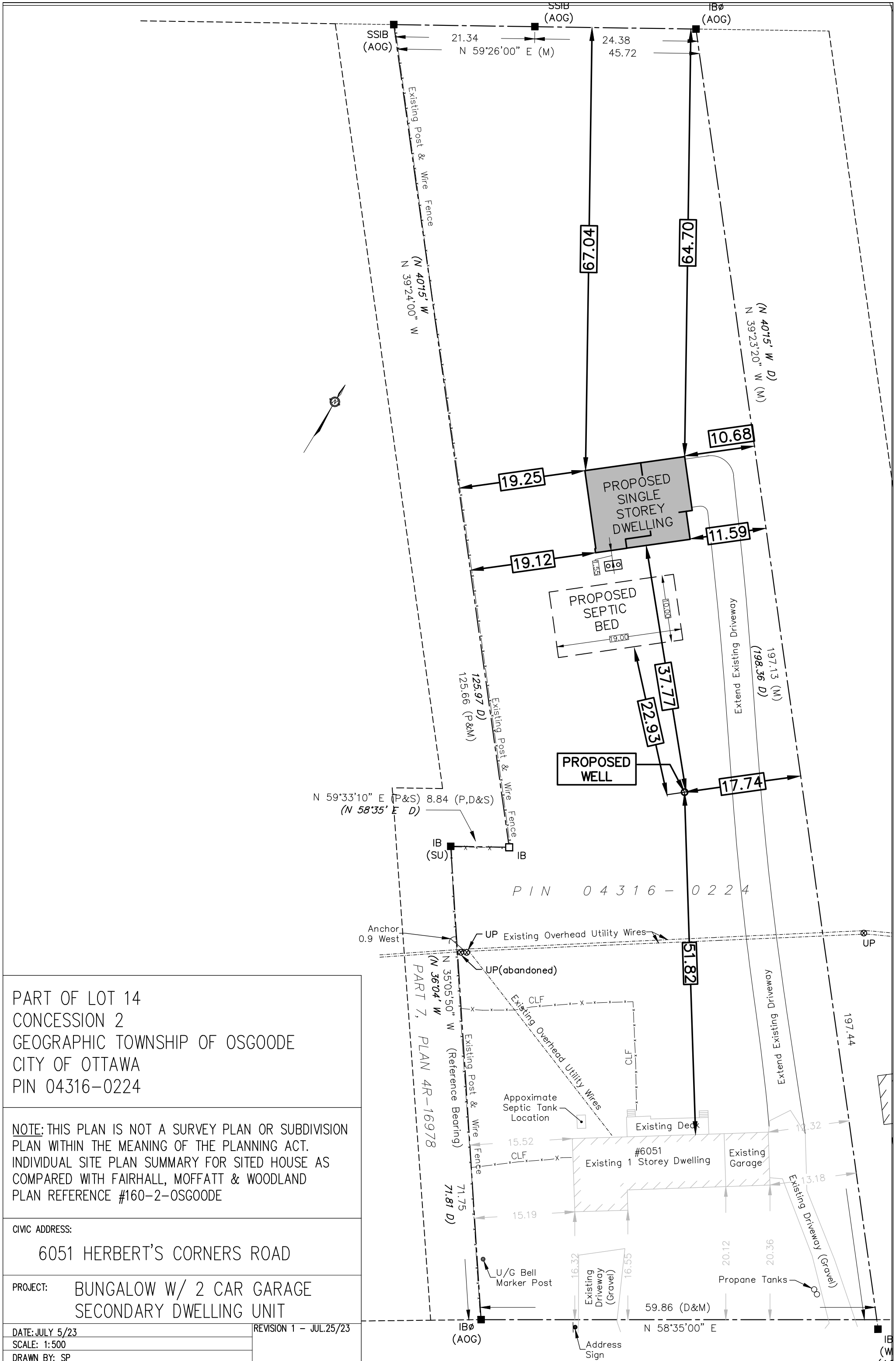


**Committee of Adjustment**  
Received | Reçu le  
**Revised | Modifié le : 2024-07-11**  
**City of Ottawa | Ville d'Ottawa**  
**Comité de dérogation**

- TBM = TWIN NAILS IN UTILITY POLE. ELEVATION = 97.58 METRES.
- THIS DRAWING IS NOT FOR CONSTRUCTION UNTIL APPROVED BY THE RELEVANT AUTHORITIES
- PROPERTY BOUNDARY TAKEN FROM GEOTTAWA GIS MAPPING. CONTRACTOR TO VERIFY DISTANCE TO PROPERTY LINES PRIOR TO CONSTRUCTION
- \* THIS GRADING PLAN IS NOT A SITE PLAN. BUILDING LOCATION AS PER SITE PLAN/SKETCH PROVIDED BY CLIENT/DESIGNER
- \* CLIENT IS RESPONSIBLE TO ENSURE BUILDING LOCATION MEETS MUNICIPAL ZONING BY-LAWS
- \* KOLLAARD ASSOCIATES ACCEPTS NO RESPONSIBILITY IF THE GRADING PLAN IS USED FOR PURPOSES OTHER THAN LOT GRADING
- \* DIMENSIONS ARE INCLUDED ON THE GRADING PLAN AS A COURTESY AND ARE NOT TO BE USED FOR LAYOUT







PART OF LOT 14  
 CONCESSION 2  
 GEOGRAPHIC TOWNSHIP OF OSGOODE  
 CITY OF OTTAWA  
 PIN 04316-0224

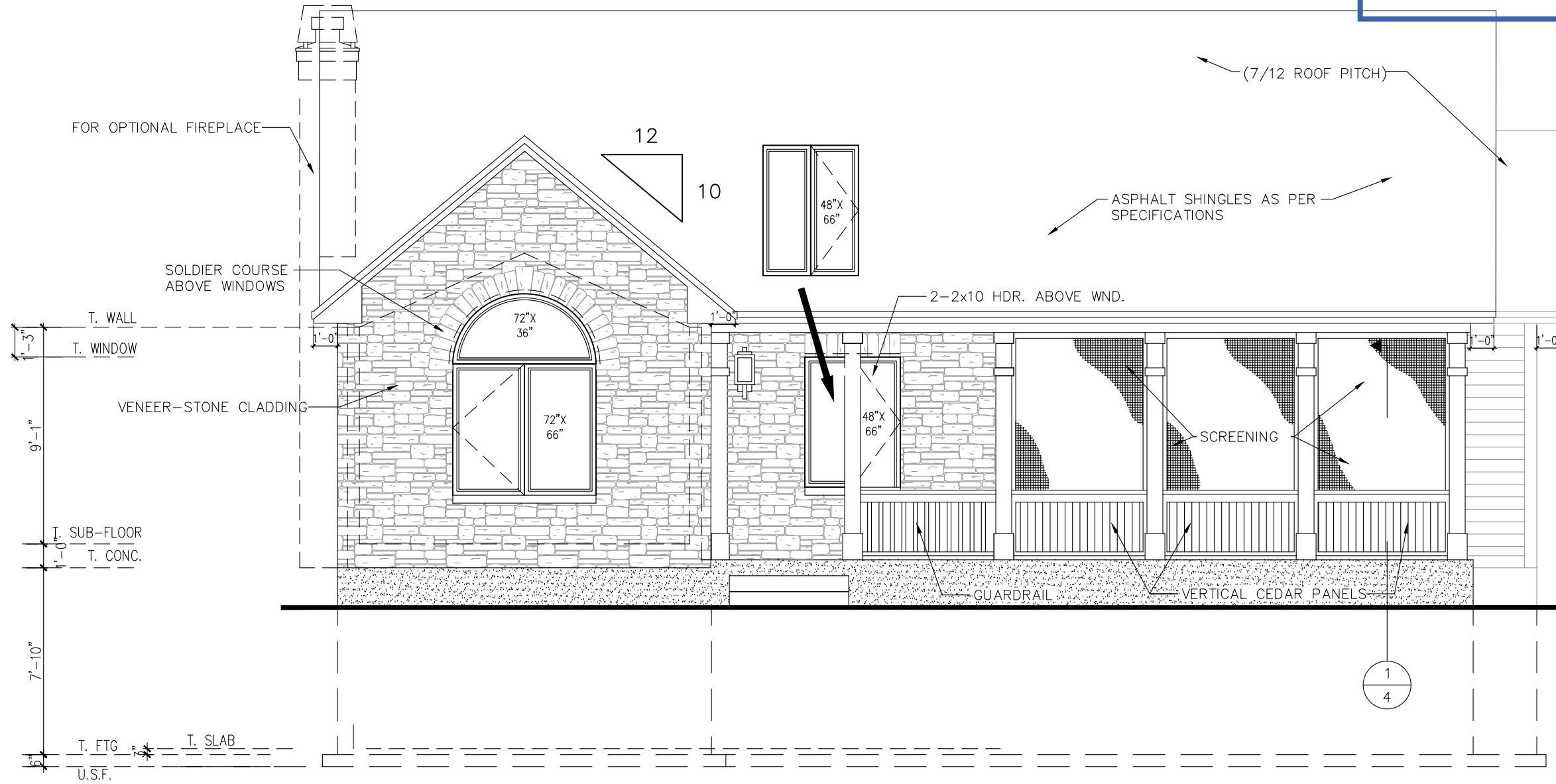
NOTE: THIS PLAN IS NOT A SURVEY PLAN OR SUBDIVISION PLAN WITHIN THE MEANING OF THE PLANNING ACT. INDIVIDUAL SITE PLAN SUMMARY FOR SITED HOUSE AS COMPARED WITH FAIRHALL, MOFFATT & WOODLAND PLAN REFERENCE #160-2-OSGOODE

CIVIC ADDRESS:  
 6051 HERBERT'S CORNERS ROAD

PROJECT: BUNGALOW W/ 2 CAR GARAGE  
 SECONDARY DWELLING UNIT

DATE: JULY 5/23 REVISION 1 - JUL 25/23  
 SCALE: 1:500  
 DRAWN BY: SP

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**FRONT ELEVATION**  
 SCALE: 3/16" = 1'-0"

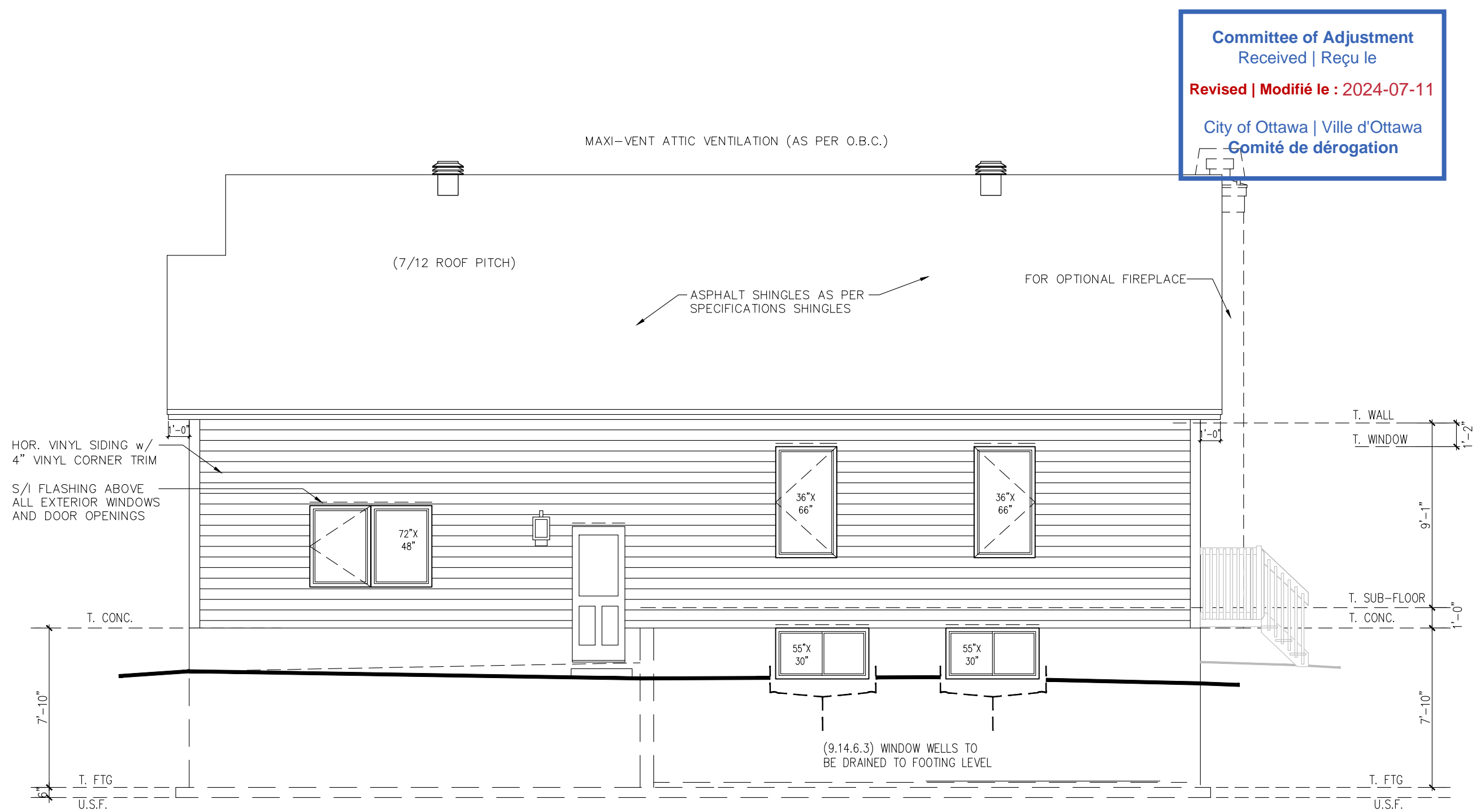
**SHEET TITLE**  
**FRONT ELEVATION**

**PROJECT**  
**BUNGALOW - 6051 HERBERT'S CORNERS RD**

DATE: MAY 2023  
 SCALE: 3/16" = 1'-0"  
 DRAWN BY: SP

No.	Description	Date	By
7	DELETE WALK-OUT CONDITION & SUB-FOOTING INSULATION	04/22/24	SP
6	FROST PROTECTION ADJUSTMENT	01/08/23	SP
5	REVERSE IMAGE OF PLAN	25/07/23	SP
4	AS PER STRUCTURAL REVIEW	18/07/23	SP
3	AS PER GRADE REVIEW	29/06/23	SP
2	FOR TRUSS AND JOIST LAYOUTS	26/06/23	SP
1	FOR REVIEW	06/06/23	SP
REVISIONS			

DRAWING  
**A3**



**Committee of Adjustment**  
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 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

REAR ELEVATION  
 SCALE :  $\frac{3}{16}$ " = 1'-0"

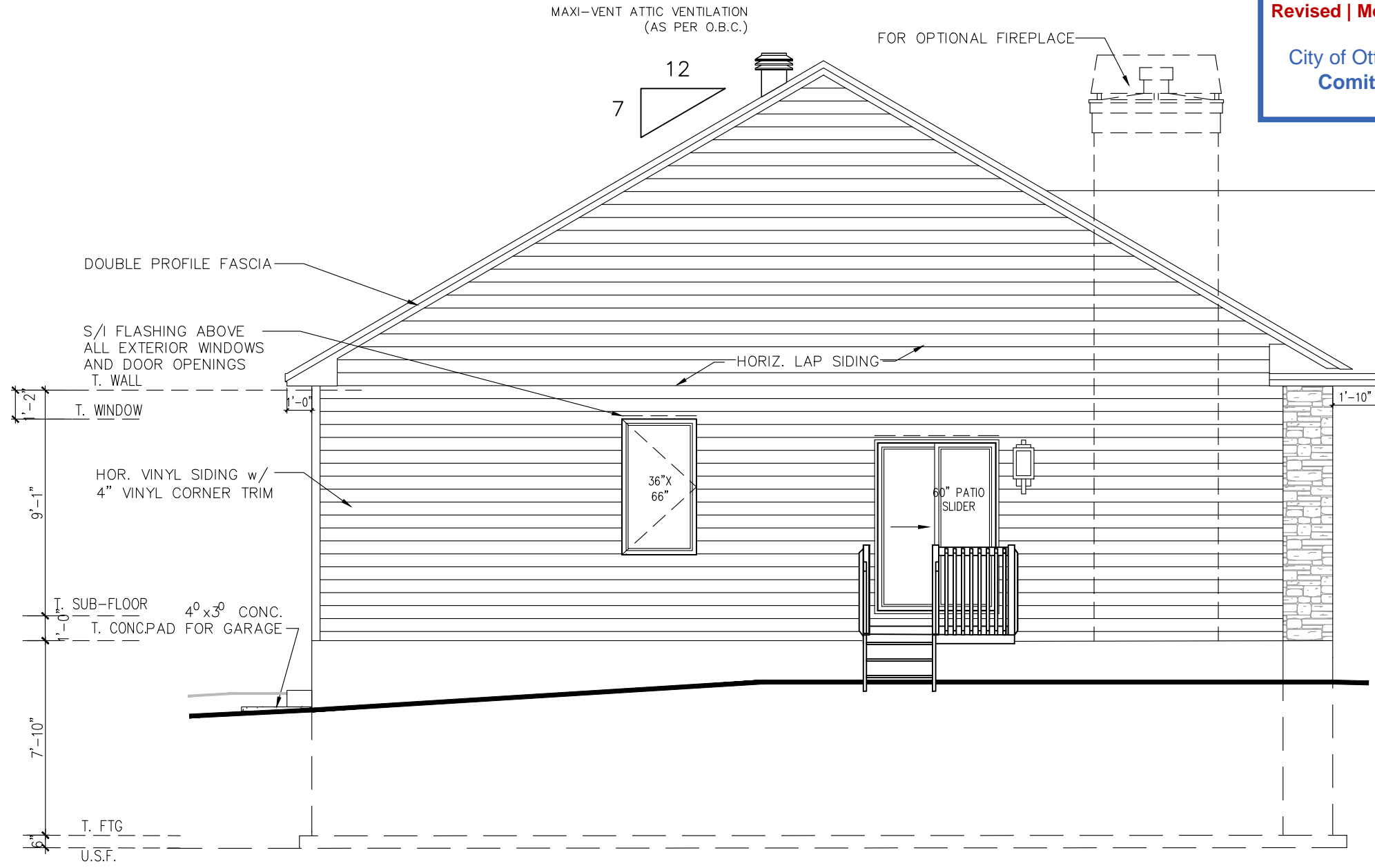
SHEET TITLE  
**REAR ELEVATION**

PROJECT  
**BUNGALOW - 6051 HERBERT'S CORNERS RD**

DATE: MAY 2023  
 SCALE:  $\frac{3}{16}$ " = 1'-0"  
 DRAWN BY: SP

DRAWING  
**A4**

No.	Description	By
7	DELETE WALK-OUT CONDITION & SUB-FOOTING INSULATION	04/22/24 SP
6	FROST PROTECTION ADJUSTMENT	01/08/23 SP
5	REVERSE IMAGE OF PLAN	25/07/23 SP
4	AS PER STRUCTURAL REVIEW	18/07/23 SP
3	AS PER GRADE REVIEW	29/06/23 SP
2	FOR TRUSS AND JOIST LAYOUTS	26/06/23 SP
1	FOR REVIEW	06/06/23 SP



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LEFT SIDE ELEVATION  
 SCALE :  $\frac{3}{16}$ " = 1'-0"

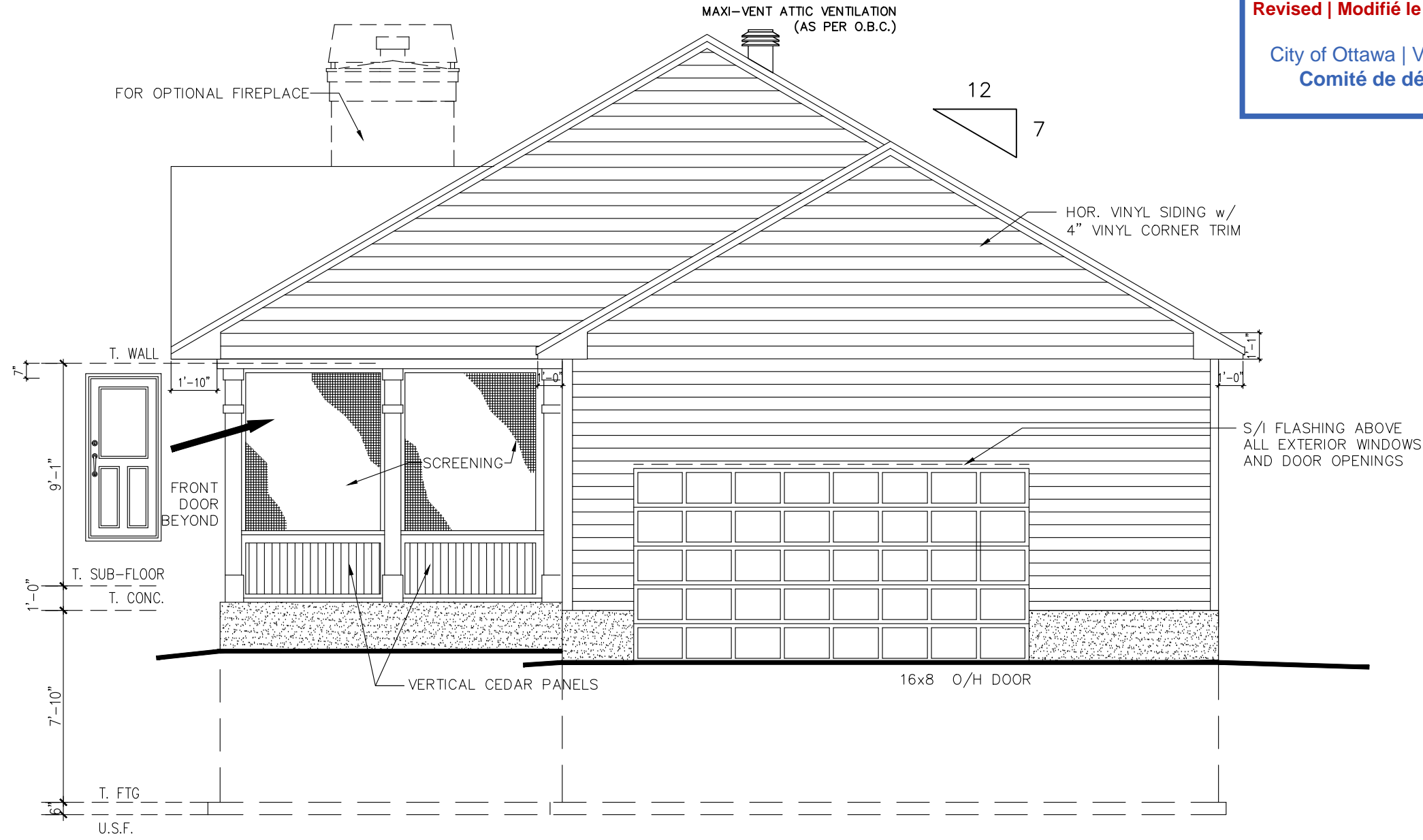
SHEET TITLE  
**RIGHT ELEVATION**

PROJECT  
**BUNGALOW - 6051 HERBERT'S CORNERS RD**

DATE: MAY 2023  
 SCALE:  $\frac{3}{16}$ " = 1'-0"  
 DRAWN BY: SP

DRAWING  
**A5**

No.	Description	By	dd/mm/yy
7	DELETE WALK-OUT CONDITION & SUB-FOOTING INSULATION	SP	04/22/24
6	FROST PROTECTION ADJUSTMENT	SP	01/08/23
5	REVERSE IMAGE OF PLAN	SP	25/07/23
4	AS PER STRUCTURAL REVIEW	SP	18/07/23
3	AS PER GRADE REVIEW	SP	29/06/23
2	FOR TRUSS AND JOIST LAYOUTS	SP	26/06/23
1	FOR REVIEW	SP	06/06/23



**Committee of Adjustment**  
 Received | Reçu le  
**Revised | Modifié le : 2024-07-11**  
 City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

LEFT SIDE ELEVATION  
 SCALE :  $\frac{3}{16}'' = 1'-0''$

SHEET TITLE  
**LEFT ELEVATION**

PROJECT  
**BUNGALOW - 6051 HERBERT'S CORNERS RD**

DATE: MAY 2023  
 SCALE:  $\frac{3}{16}'' = 1'-0''$   
 DRAWN BY: SP

DRAWING  
**A6**

No.	Description	By	dd/mm/yy
7	DELETE WALK-OUT CONDITION & SUB-FOOTING INSULATION	SP	04/22/24
6	FROST PROTECTION ADJUSTMENT	SP	01/08/23
5	REVERSE IMAGE OF PLAN	SP	25/07/23
4	AS PER STRUCTURAL REVIEW	SP	18/07/23
3	AS PER GRADE REVIEW	SP	29/06/23
2	FOR TRUSS AND JOIST LAYOUTS	SP	26/06/23
1	FOR REVIEW	SP	06/06/23

2024-08-29



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 6051 Herberts Corners Road  
Legal Description: Part of Lot 14, Concession 2, Geographic Township of Osgoode  
File No.: D08-02-24/A-00048  
Report Date: August 28, 2024  
Hearing Date: September 03, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Rural Countryside  
Zoning: RU

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has concerns with** the application.

**DISCUSSION AND RATIONALE**

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are not satisfied that the requested minor variances meet the “four tests”.

The proposed coach house is significantly larger than what is permitted under the Zoning By-law. The proposed structure exceeds both 40% of the existing dwelling and the 95m<sup>2</sup> maximum. This zoning provision is to ensure the coach house remains an accessory use. Staff therefore do not believe that the variance can be considered “minor”.

Staff have no concerns with the driveway extension.

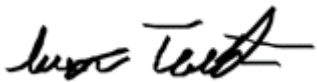
**ADDITIONAL COMMENTS**

- The **Planning, Development and Building Services Department** will do a complete review of grading and servicing during the building permit process.
- At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist may be required.
- The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by



the **Planning, Development and Building Services Department**.

- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).



---

Luke Teeft  
Planner I, Development Review, All Wards  
  
Planning, Development and Building  
Services Department



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Wendy Tse  
Planner III (A), Development Review, All  
Wards  
Planning, Development and Building  
Services Department

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3

Tuesday, September 3, 2024

9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File Nos.:** D08-02-24/A-00201  
**Application(s):** Minor Variance under section 45 of the *Planning Act*  
**Applicant(s):** Daniel and Francine Barrette  
**Property Address:** 5100 Loggers Way  
**Ward:** 5 – West Carleton-March  
**Legal Description:** Lot 15, Registered Plan 4M-1284  
**Zoning:** RR3  
**Zoning By-law:** 2008-250

### APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATIONS:

The Applicants want to regularize the existing non-complying dwelling, as shown on the plans filed with the application.

### REQUESTED VARIANCES:

The Applicants require the Committee's authorization for a minor variance from the Zoning By-law to permit a reduced interior side yard setback of 3.29 metres, whereas the Zoning By-law requires a minimum side yard setback of 5.0 metres.

The property is not the subject of any other current application under the *Planning Act*.

### **FIND OUT MORE ABOUT THE APPLICATION(S)**

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **Ottawa.ca/CommitteeofAdjustment** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, send a written request to the Committee.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence and during the hearing, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent and any other interested individual, and potentially posted online and become searchable on the Internet.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consent to sever land and minor variances from the zoning requirements.

DATED: August 16, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436

## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire de l'Ontario*

### Demande de dérogation mineure

#### Groupe 3

Mardi 3 septembre 2024

9 h

Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe, et par vidéoconférence

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande auprès du Comité au moins 72 heures à l'avance.*

**Dossier :** D08-02-24/A-00201  
**Demande :** Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Propriétaires/requérants :** Daniel et Francine Barrette  
**Adresse de la propriété :** 5100, voie Loggers  
**Quartier :** 5 – West Carleton-March  
**Description officielle :** Lot 15, plan enregistré 4M-1284  
**Zonage :** RR3  
**Règlement de zonage :** 2008-250

#### PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les requérants souhaitent régulariser une habitation légalement non conforme, comme l'illustrent les plans déposés auprès du Comité.

## DÉROGATION DEMANDÉE :

Les requérants demandent au Comité d'accorder une dérogation mineure au Règlement de zonage pour permettre la réduction à 3,29 mètres du retrait de cour latérale intérieure, alors que le règlement exige un retrait de cour latérale intérieure d'au moins 5,0 mètres.

La propriété ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

## POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris les **lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.



## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, conformément à la Loi sur l'aménagement du territoire, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agente ou agent, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

### COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT le 16 août 2024

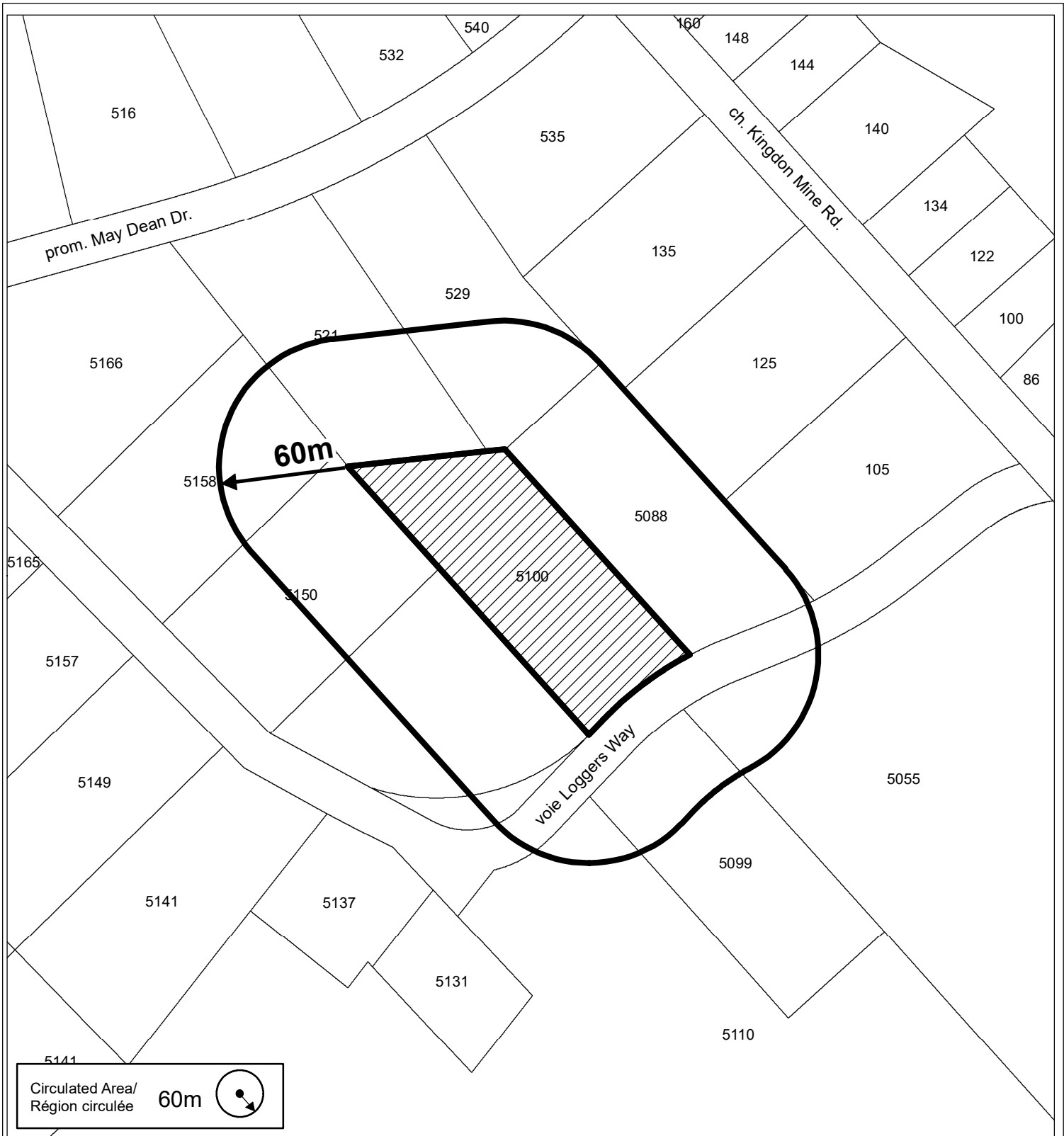



*This document is also available in English.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



Circulated Area/  
Région circulée 60m 

 **Committee of Adjustment**  
**Comité de dérogation**

**CIRCULATION MAP /**  
**PLAN DE CIRCULATION**



**SUBJECT LAND / TERRE EN QUESTION**

**5100 voie. Loggers Way**

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**NOT TO SCALE**  
**NON À L'ÉCHELLE**

This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

Daniel and Francine Barrette  
5100 Loggers Way  
Arnprior, ON  
K7S 3G7

August 7th, 2024

City of Ottawa  
Committee of Adjustments

**Re: Minor Variance Application**

**Municipal Address: 5100 Loggers Way**

**Legal Description:** Lot 15 Plan 4M1284, Ottawa S/T an easement in gross over Parts 21 and 22, Plan 4R20792 as in OC5 52862, subject to an easement in gross over Parts 20 and 22 ON 4R-20792 as in OC555206

**To Whom it May Concern:**

We are including this cover letter with our application for a Minor Variance while addressing the statutory tests under section 45 of the Planning Act.

We are planning to sell our home and were suspicious that the foundation was poured slightly short of the legal setbacks. The house was built in 2013. We referred to a survey of the property prepared by Fairhall, Moffatt & Woodland, Ontario Land Surveyors dated September 27<sup>th</sup>, 2013. We are requesting a reduced interior side yard setback. The interior (east) side yard setback is 3.29 metres. The legal setback for a side lot is 5.0 metres. Since we are short just 1.71 metres, we perceive this application for a minor variance to be “minor”.

We believe that this minor variance does maintain the general intent and purpose of the Official Plan in that it is a very small discrepancy in the legal setback and won't change anything regarding the use of the property including the goals, objectives and policies of the Official Plan.

We believe that this minor variance does maintain the general intent and purpose of the Zoning By-laws in that all other setbacks of the property adhere to the legal setbacks with the exception of this one minor variance. There is a minimal change to the spacing between the subject property and the neighbouring property (1.71 metres) and no change to the privacy, density, light and air in relation to the neighbouring property.

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Comité de dérogation

We believe that this minor variance is desirable for the appropriate development or use of the land in that it will not change the development or use of the land as it is currently being used. The broader public interest is not affected by this small deficiency (1.71 metres) in the setback of the interior (east) side yard setback.

We are applying for relief in the form of a reduced interior (east) side yard setback from the RR3 zone provisions of Zoning By-Law 2008-250.

Thank you for your consideration of this application for a minor variance.

Yours truly,

DocuSigned by:

*Daniel Barrette*

7BE2C633EB42473...

Daniel and Francine Barrette

8/7/2024 | 12:48 PM EDT

DocuSigned by:

*Francine Barrette*

BE7815428F4B483...

8/7/2024 | 12:49 PM EDT



**METRIC**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Committee of Adjustment  
 Received | Reçu le  
 2024-08-01  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

**SURVEYOR'S REAL PROPERTY REPORT - PART 1**  
 PLAN OF  
 LOT 15  
 REGISTERED PLAN 4M-1284  
 CITY OF OTTAWA  
 SCALE 1 : 400  
 0 10 20 40 metres  
**FAIRHALL, MOFFATT & WOODLAND LIMITED**  
 ONTARIO LAND SURVEYORS

**NOTES**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
 NORTHERLY LIMIT OF LOT 15 SHOWN ON REGISTERED  
 PLAN 4M-1284, AS HAVING A BEARING OF N 83° 48' 05" E.

**LEGEND**

□	- SURVEY MONUMENT SET	PIN	- PROPERTY IDENTIFIER NUMBER
■	- SURVEY MONUMENT FOUND	←	- ANCHOR & GUY WIRE
SIB	- STANDARD IRON BAR	---	- OVERHEAD UTILITY WIRES
SSIB	- SHORT STANDARD IRON BAR		
IB	- IRON BAR		
(P)	- REGISTERED PLAN 4M-1284		
(P1)	- PLAN 4R-20792		
(S)	- SET		
(M)	- MEASURED		
(647)	- H. R. FARLEY, O.L.S.		
(1692)	- FARLEY, SMITH & DENIS SURVEYING LTD., O.L.S.		
(WIT)	- WITNESS		

**SURVEYOR'S REAL PROPERTY REPORT - PART 2**  
**REPORT SUMMARY**

**DESCRIPTION OF LAND**  
 LOT 15, REGISTERED PLAN 4M-1284, CITY OF OTTAWA AS IN ALL OF  
 PIN 04559-1795.

**REGISTERED EASEMENTS**  
 PART SUBJECT TO EASEMENT INST. OC555206, OVER PARTS 20 & 22, 4R-20792  
 IN FAVOUR OF HYDRO ONE NETWORK INC. PART SUBJECT TO EASEMENT INST.  
 OC52862, OVER PARTS 21 & 22, 4R-20792 IN FAVOUR OF CITY OF OTTAWA.

**ZONING**  
 COMPLIANCE WITH ZONING, LAND USE, ENVIRONMENTAL AND BUILDING REGULATIONS  
 NOT CERTIFIED BY THIS REPORT.

THIS REPORT WAS PREPARED FOR  
**DANIEL & FRANCINE BARRETTE**  
 THE UNDERSIGNED ACCEPTS NO  
 RESPONSIBILITY FOR USE BY OTHER PARTIES.

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 1886109

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN  
 ACCORDANCE WITH THE SURVEYS ACT, THE  
 SURVEYORS ACT AND THE REGULATIONS MADE  
 UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON SEPT. 25, 2013.

2013/09/27  
 DATE

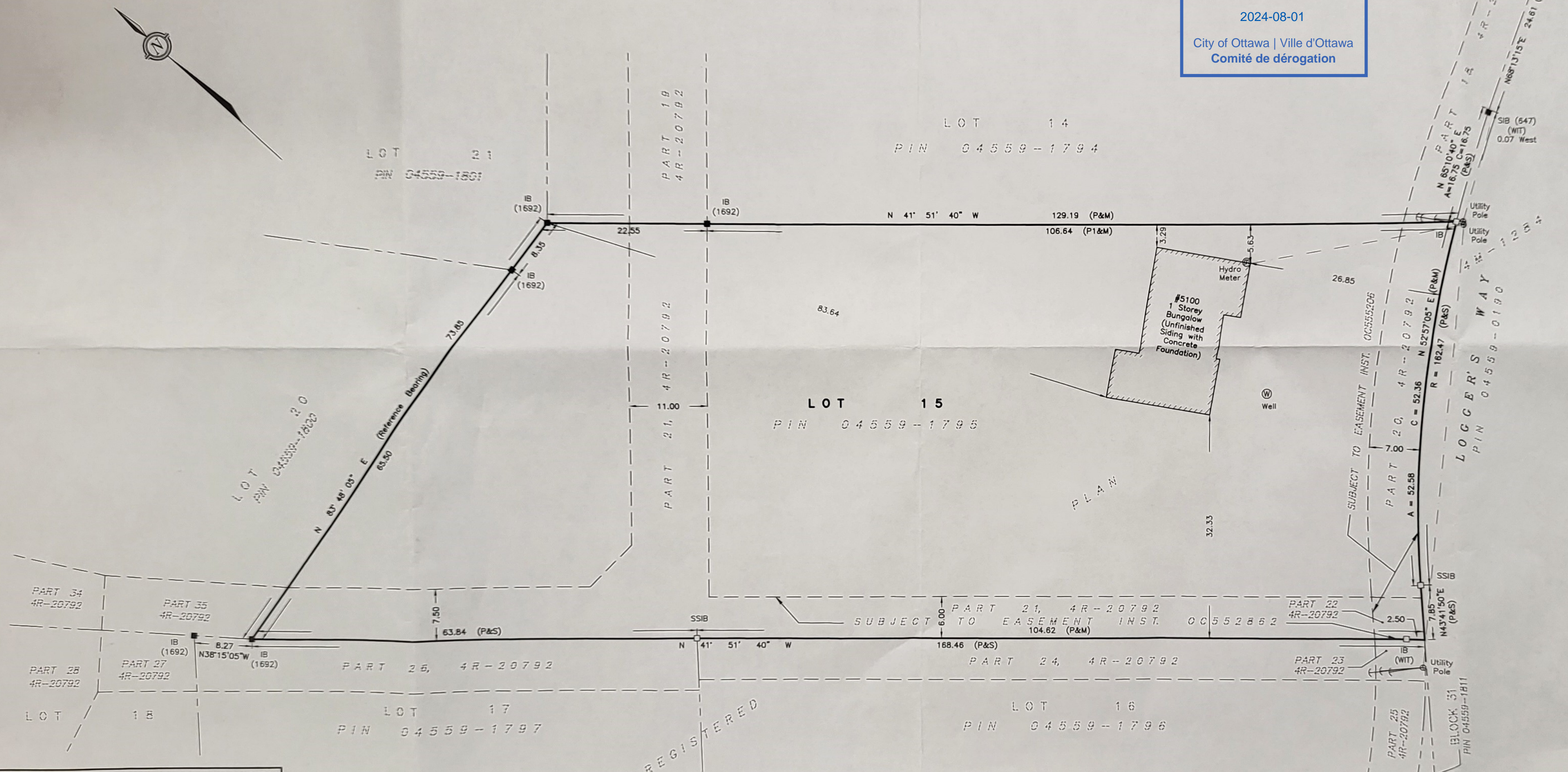
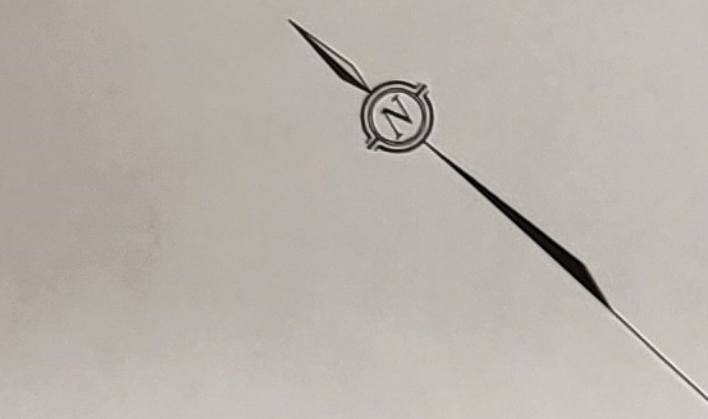
JOHN H. GUTRI  
 ONTARIO LAND SURVEYOR

THIS PLAN IS NOT VALID  
 UNLESS IT IS AN EMBOSSED  
 ORIGINAL COPY  
 ISSUED BY THE SURVEYOR  
 In accordance with  
 Regulation 1026, Section 29 (3).

**Fairhall  
 Moffatt &  
 Woodland**  
 LIMITED  
 ONTARIO LAND SURVEYORS  
 Surveying and Land Information Services  
 100-600 TERRY FOX DRIVE, KANATA, ONTARIO K2L 4B6  
 TEL: (613) 591-2580 FAX: (613) 591-1495  
 www.fmw.on.ca

OTTAWA

JOB No.  
 S36600  
 E 323720, N 5033652  
 REFERENCE No.  
 1 - 4M - 1284  
 S:\085\536600\DWG 2013-09-27  
 SR366S.DWG (n)



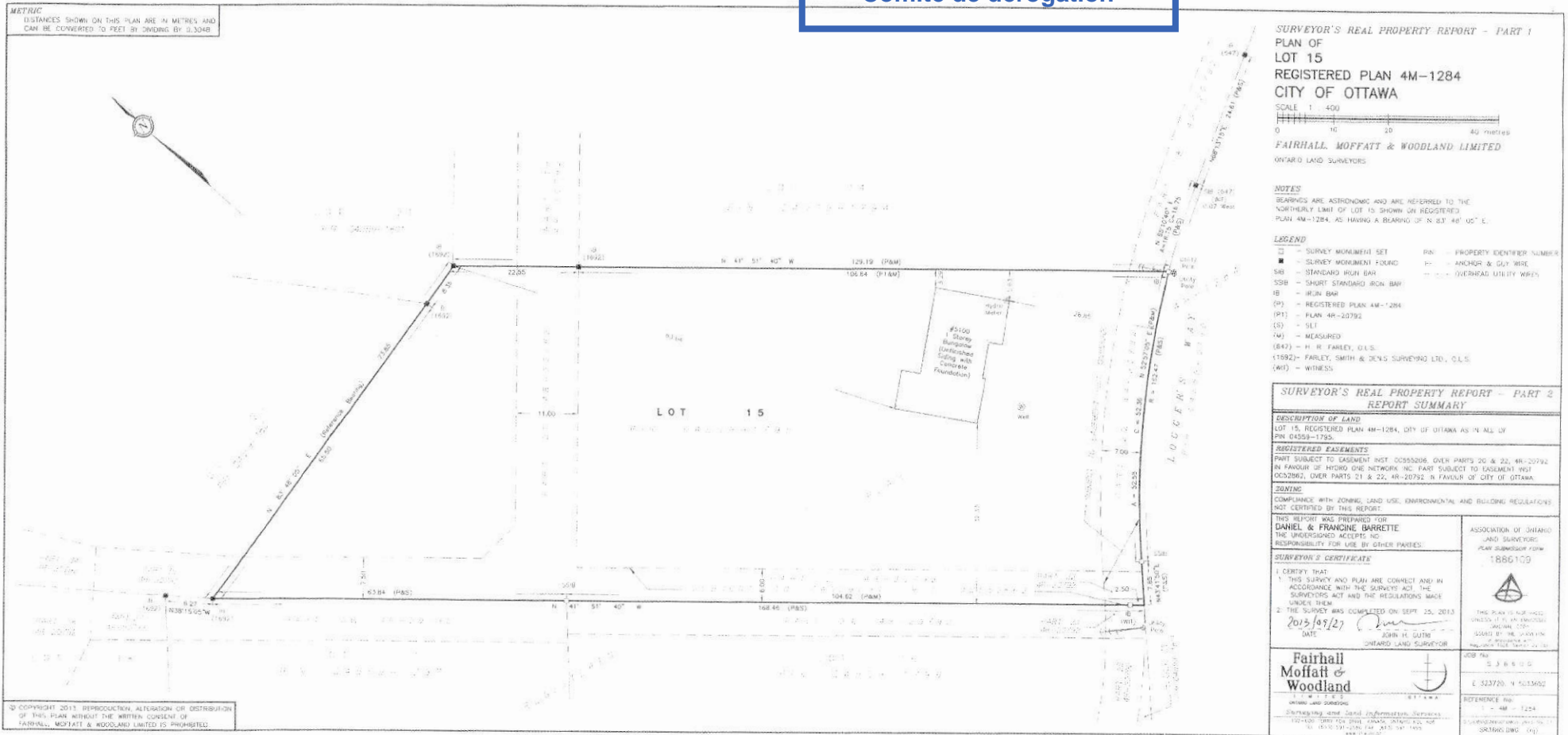
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Committee of Adjustment  
Received | Reçu le

2024-07-26

City of Ottawa | Ville d'Ottawa  
Comité de dérogation



**SURVEYOR'S REAL PROPERTY REPORT - PART 1**  
**PLAN OF**  
**LOT 15**  
**REGISTERED PLAN 4M-1284**  
**CITY OF OTTAWA**  
 SCALE 1:400  
 0 10 20 40 metres  
**FAIRHALL, MOFFATT & WOODLAND LIMITED**  
 ONTARIO LAND SURVEYORS

**NOTES**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF LOT 15 SHOWN ON REGISTERED PLAN 4M-1284 AS HAVING A BEARING OF N 43° 46' 00\"/>

- LEGEND**
- - SURVEY MONUMENT SET
  - - SURVEY MONUMENT FOUND
  - SMB - STANDARD IRON BAR
  - SSB - SHORT STANDARD IRON BAR
  - IB - IRON BAR
  - (P) - REGISTERED PLAN 4M-1284
  - (P1) - PLAN 4R-20792
  - (S) - SILL
  - (M) - MEASURED
  - (S43) - H. R. FARLEY, O.L.S.
  - (1592) - FARLEY, SMITH & DEN'S SURVEYING LTD., O.L.S.
  - (W) - WITNESS
  - PK - PROPERTY IDENTIFIER NUMBER
  - KL - ANCHOR & GUY WIRE
  - - OVERHEAD UTILITY WIRES

**SURVEYOR'S REAL PROPERTY REPORT - PART 2**  
**REPORT SUMMARY**

**DESCRIPTION OF LAND**  
 LOT 15, REGISTERED PLAN 4M-1284, CITY OF OTTAWA AS IN ALL BY P.M. (4559-1725)

**REGISTERED EASEMENTS**  
 PART SUBJECT TO EASEMENT INST. 0055206, OVER PARTS 20 & 22, 4R-20792 IN FAVOUR OF HYDRO ONE NETWORK INC. PART SUBJECT TO EASEMENT INST. 0022063, OVER PARTS 21 & 22, 4R-20792 IN FAVOUR OF CITY OF OTTAWA

**ZONING**  
 COMPLIANCE WITH ZONING, LAND USE, ENVIRONMENTAL AND BUILDING REGULATIONS NOT CERTIFIED BY THIS REPORT.

THIS REPORT WAS PREPARED FOR DANIEL & FRANCOISE BARRETTE THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S CERTIFICATE**

1. I CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATION AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON SEPT. 25, 2013.  
 DATE: 2013/09/27  
 JOHN H. SMITH  
 ONTARIO LAND SURVEYOR

<b>Fairhall Moffatt &amp; Woodland</b> L.L.B.S. L.L.B.S. Surveying and Land Information Services 100-100 DUNDAS STREET EAST, OTTAWA, ONT. K1N 6N5 TEL: 613-745-1111 FAX: 613-745-1112		ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM 1886109
		REFERENCE NO. 4M-1284 SURVEYOR'S REPORT NO. 001866 (DWG. 01)

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Committee of Adjustment

Received | Reçu le

Revised | Modifié le : 2024-08-02

City of Ottawa | Ville d'Ottawa  
Comité de Régulation

Existing grading and Drainage Patterns must not be altered.

Match existing elevations at abutting property.

The slope from the specified house grade to the front or rear of lot shall be 2% min. and 7% max. Grading over 7% shall be terraced.

Grading around the foundation should be 0.15 min. below the top of the foundation.

Encroachment of an addition, and any component thereof including footings and roof overhang, will not be permitted within any easements including drainage easements, access easements, utility easements or any other easements.

- NOTES:
- NO GROUNDWATER WAS ENCOUNTERED IN THE TEST HOLES WITHIN 0.3m BELOW UNDERSIDE OF FOOTING.
  - CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS SHOWN AND PROMPTLY REPORT ANY DISCREPANCIES TO THE CONSULTANT.
  - NO ROOF OVERHANG WITHIN 5m OF FINISHED GRADE, OR FOOTING PROJECTION, SHALL EXTEND BEYOND THE LIMITS OF THE PROPERTY.
  - PERIMETER DRAINAGE SYSTEM CONSISTING OF 100mm PERFORATED PIPE AND CLEAR STONE SHALL BE INSTALLED WITH OUTLET TO SUMP PIT WHICH, IN TURN, DISCHARGES TO THE GROUND SURFACE A MINIMUM OF 1.5m FROM PROPERTY LINES.
  - NO EXCESS DRAINAGE SHALL BE DIRECTED TOWARDS THE NEIGHBORING PROPERTIES DURING AND AFTER CONSTRUCTION.
  - THE EXISTING GRADES ALONG THE PROPERTY LINES SHALL NOT BE ALTERED.
  - PROVIDE A MINIMUM DEPTH OF 1.0m OF SOIL COVER ABOVE UNDERSIDE OF FOOTING OR PROVIDE AN EQUIVALENT COMBINATION OF INSULATION AND SOIL COVER.



**LEGEND:**

- ◆ TEST HOLE LOCATION
- x 65.73 EXISTING GROUND SURFACE ELEV. (m)
- x 67.10 PROPOSED GROUND SURFACE ELEV. (m)
- (65.3) EXISTING BEDROCK SURFACE ELEV. (m)
- (64.6) GROUND WATER ELEV. (m) - (13/04/12)
- MFL MAIN FLOOR LEVEL
- BFL BASEMENT FLOOR LEVEL
- TIC TOP OF FOUNDATION WALL
- GFL GARAGE FLOOR LEVEL
- UBF UNDERSIDE OF FOOTING
- SURFICIAL FLOW DIRECTION
- FINAL GRADING: 2% MIN, 7% MAX. OR
- TTTT TERRACE GRADE 3:1 V MAX.

**BENCHMARK INFORMATION:**

TBM - NAIL IN UTILITY POLE @ SOUTHEAST CORNER OF SUBJECT PROPERTY (SEE PLAN)

APPROXIMATE GEODETIC ELEVATION = 86.30m

250/113	ISSUED FOR BUILDING PERMIT	0
Date	Description	Rev.

Client: **MR. DANIEL BARRETTE**

Consultant: **patersongroup consulting engineers**

Project: **PROPOSED SINGLE FAMILY DWELLING**  
5400 LOGGERS WAY  
OTTAWA, ONTARIO

Drawing: **LOT GRADING PLAN**

Scale: 1:400

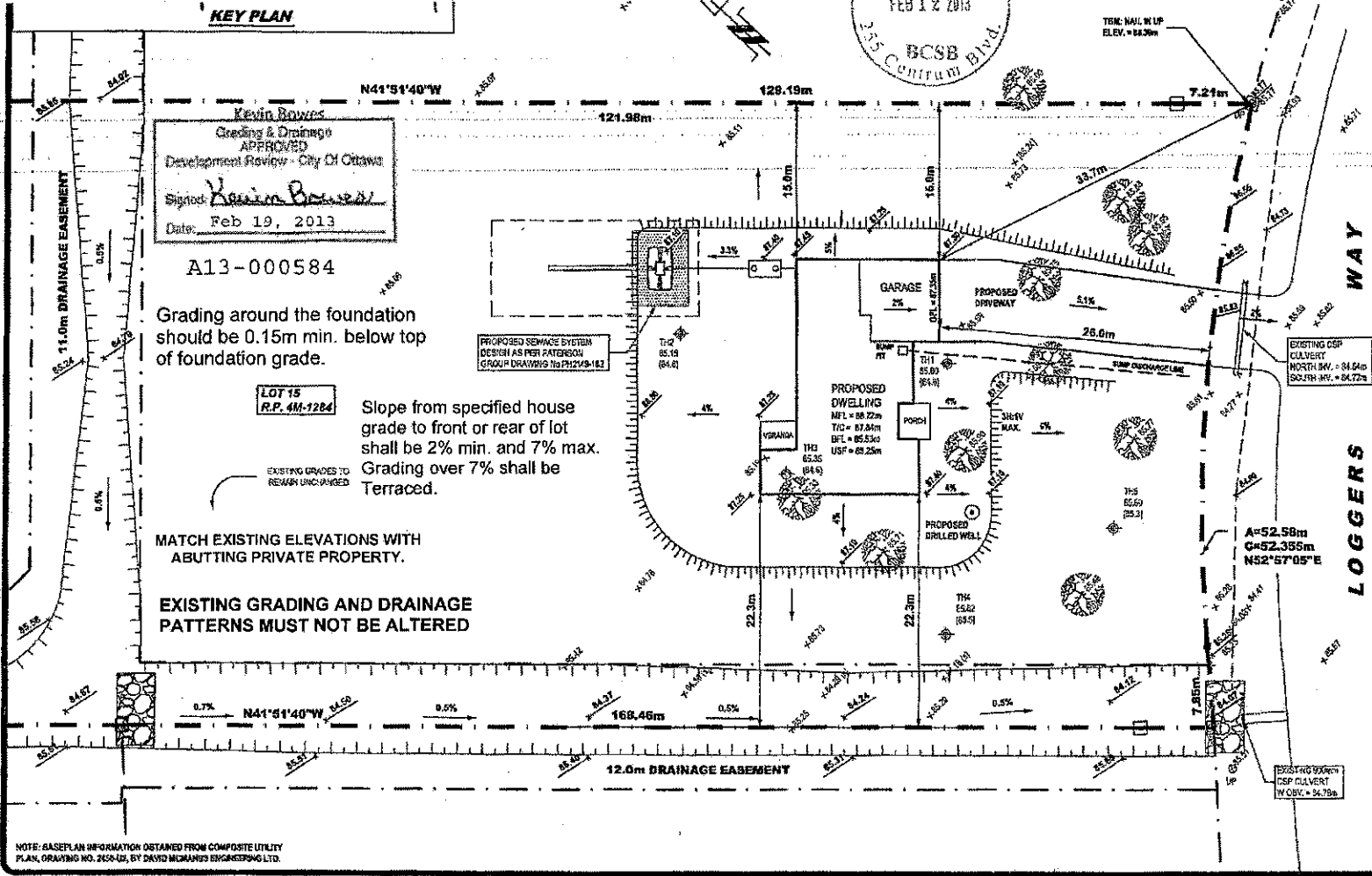
Date: 01/2013

Drawn by: BA

Checked by: AVS

File: PH1948

Drawing No.: **PH1949-3**



planctocad drawing/hydrology/plan/lot/PH1949-3(1).dwg





Committee of Adjustment  
Received | Reçu le  
Revised | Modifié le : 2024-08-06  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**Front Elevation - South**





**Side elevation - West**

Committee of Adjustment  
Received | Reçu le  
Revised / Modifié le - 2024-08-06  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation





Committee of Adjustment  
Received / Reçu le  
Revised / Révisé le 2024-09-05  
City of Ottawa / Ville d'Ottawa  
Comité de dérogation

**Rear Elevation - North**





Committee of Adjustment  
Reçu n° 16  
Reçu n° 16, 2024-08-05  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**Side Elevation - East**





**BUDGET**  
PROPANE  
1 800 561-9127



2024-08-29



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 5100 Loggers Way  
Legal Description: Lot 15, Registered Plan 4M-1284  
File No.: D08-02-24/A-00201  
Report Date: August 28, 2024  
Hearing Date: September 03, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Rural Countryside  
Zoning: RR3

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **requests an adjournment** of the application.

**DISCUSSION AND RATIONALE**

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are not satisfied that the requested minor variance meets the “four tests”.

The dwelling in question is already built on the property, however the structure does not conform with the approved grading and drainage plan from 2013. Staff are requesting an adjournment to confirm that the existing grading does not result in increased runoff to the adjacent property.

Luke Teeft  
Planner I, Development Review, All Wards  
Planning, Development and Building  
Services Department

Wendy Tse  
Planner III (A), Development Review, All  
Wards  
Planning, Development and Building  
Services Department

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3  
Tuesday, September 3, 2024  
9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File Nos.:** D08-02-24/A-00028  
**Application:** Minor Variance under section 45 of the *Planning Act*  
**Owners/Applicants** Laura Somerville and Ryan Shirley  
**Property Address:** 1712 Devine Road  
**Ward:** 20 - Osgoode  
**Legal Description:** Part of Lot 26, Concession 7, Geographic Township of Cumberland  
**Zoning:** V1D  
**Zoning By-law:** 2008-250

### APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicants want to construct a detached garage to the east of the existing dwelling, as shown on the plans filed with the application.

**REQUESTED VARIANCE:**

The Applicants require the Committee's authorization for a minor variance from the Zoning By-law to permit an increased cumulative floor area of 81 square metres for accessory structures, whereas the By-law permits a maximum cumulative floor area of 55 square metres for accessory structures.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

**ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

**HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consents to sever land and minor variances from the zoning requirements.

DATED: August 16, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire de l'Ontario*

**Demande de dérogation mineure**

**Groupe 3**

**Mardi 3 septembre 2024**

**9 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe, et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse indiquée ci-dessous reçoivent le présent avis afin d'avoir la possibilité de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience pourra être visionnée sur la chaîne [YouTube](#) du Comité de dérogation.

*Les participants pourront bénéficier d'une interprétation simultanée dans les deux langues officielles et de formats accessibles et d'aides à la communication pour toute question à l'ordre du jour s'ils en font la demande auprès du Comité au moins 72 heures à l'avance.*

**Dossier :** D08-02-24/A-00028  
**Demande :** Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Propriétaires/requérants :** Laura Somerville et Ryan Shirley  
**Adresse de la propriété :** 1712, chemin Devine  
**Quartier :** 20 – Osgoode  
**Description officielle :** Partie du lot 26, concession 7, canton géographique de Cumberland  
**Zonage :** V1D  
**Règlement de zonage :** 2008-250

### PROPOSITION DES REQUÉRANTS ET OBJET DE LA DEMANDE :

Les requérants souhaitent construire un garage isolé à l'est de l'habitation existante, conformément aux plans déposés avec la demande.

## DÉROGATION DEMANDÉE :

Les requérants demandent au Comité d'accorder une dérogation mineure au Règlement de zonage pour permettre l'augmentation à 81 mètres carrés de la surface de plancher cumulée des structures accessoires en question, alors que le règlement permet une surface de plancher cumulée maximale de 55 mètres carrés pour des structures accessoires.

## POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris les **lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, conformément à la Loi sur l'aménagement du territoire, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agente ou agent, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

### COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT le 16 août 2024

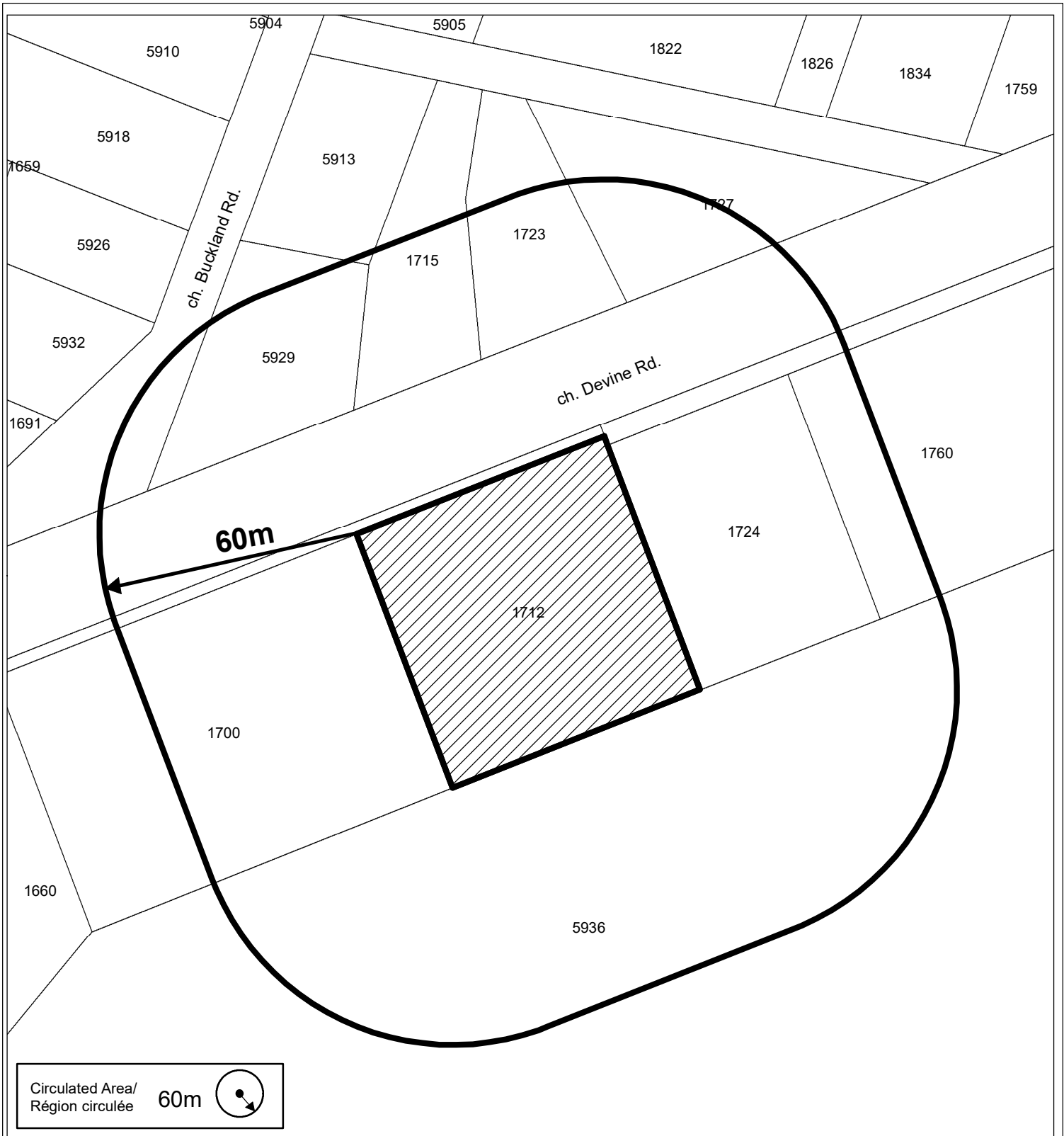



*This document is also available in English.*

**Committee of Adjustment**  
 City of Ottawa  
 101 CentrepoinTE Drive  
 Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
 613-580-2436



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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
 613-580-2436



Circulated Area/  
Région circulée 60m 

 **Committee of Adjustment**  
**Comité de dérogation**

**CIRCULATION MAP /**  
**PLAN DE CIRCULATION**



**SUBJECT LAND / TERRE EN QUESTION**  
**1712 ch. Devine Road**

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**NOT TO SCALE**  
**NON À L'ÉCHELLE**

Committee of Adjustment  
101 Centrepointe Dr  
Nepean, Ontario  
K2G 5K7

**Committee of Adjustment**  
Received | Reçu le

2024-02-26

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

To the Committee of Adjustment:

The nature of this application is to apply for a minor variance at 1712 Devine Rd for the construction of a detached garage. The area we wish to receive a variance for falls under Section 55 - Accessory Uses, Buildings and Structures. Table 55 - PROVISIONS FOR ACCESSORY USES, BUILDINGS OR STRUCTURES, which states that the maximum permitted size: Aggregate of all accessory buildings not to exceed a lot coverage of 50% of the yard in which they are located, with a maximum cumulative floor area of 55 m<sup>2</sup> as measured from the exterior walls of the building.

I believe this application passes the 4 tests for the following reasons:

Test 1- That the variance is minor. This variance is minor because the proposed garage is 81 square meters which is considerably less than our 4000 square meter lot but is larger than the 55 square meter maximum. Given the size of our lot, the garage is only 2% of our yard space.

Test 2- The variance is desirable for the appropriate development or use of the property. The reason we need a garage that is larger than 55 square meters is that we wish to park our two vehicles in our garage as well as our lawn tractor and tractor that are necessary for maintaining a property of this size.

Test 3 & 4- The general intent and purpose of the Zoning By-law and Official Plan is maintained. Our house is over 792 square meters plus our concrete porch and does not have a garage attached to it. The garage we are proposing to build is well within proportion to our house and our lot size. Our street consists of mixed zoning with a couple houses with garages larger than their homes. In addition to this our property is adjacent to agricultural land which consists of several large barns and structures which means our garage will not look out of place in our neighborhood. I have reached out to the City of Ottawa Planning Department and they do not have any concerns regarding our application at this time.

Trees- . I have reached out to the City of Ottawa Planning Forester and because we are located in a rural area and no trees are on the City of Ottawa property their only recommendation is construction fences and trying to maintain all trees. We do not plan on removing any trees for this build.

Please find enclosed a land survey, a site plan/ elevation drawings, architectural drawings of the garage, engineered drawings of the garage, a Google Maps aerial view of the neighborhood and photos of my property with the proposed garage site outlined. The land we wish to build our garage on is clear and no trees will need to be removed for its construction.

Thank you,

Laura Somerville and Ryan Shirley



ROAD ALLOWANCE BETWEEN LOTS 25 AND 26  
(REGIONAL ROAD No. 8)  
(KNOWN LOCALLY AS DEVINE ROAD)

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1 Plan of**  
**PART OF LOT 26**  
**CONCESSION 7**  
**(Geographic Township of Cumberland)**  
**CITY OF OTTAWA**

Surveyed by Annis, O'Sullivan, Vollebek Ltd.  
Scale 1 : 400



**Metric**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**Surveyor's Certificate**

- I CERTIFY THAT :
1. This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the regulations made under them.
  2. The survey was completed on August 28, 2023.

Aug 29/23 Date  
Mer J. Allison  
Ontario Land Surveyor

This Plan of Survey relates to AOLS Plan Submission form number V-43989.

**PART 2**

1. REGISTERED RIGHTS-OF-WAY/EASEMENTS  
No rights-of-way or easements were found to be registered against the subject property.
2. PROPERTY IMPROVEMENTS  
A post and wire fence runs along the south boundary. Refer to the plan for ties to the boundaries.
3. COMPLIANCE WITH MUNICIPAL ZONING BYLAWS  
Compliance is not certified by this report.
4. ADDITIONAL REMARKS  
The building ties are to the unparged concrete foundation walls.

ANNIS, O'SULLIVAN, VOLLEBEKK LTD. grants to  
Laura Somerville ("The Client"), their solicitors,  
mortgagees, and other related parties, permission to use original, signed, sealed  
copies of the Surveyor's Real Property Report in transactions involving The Client.

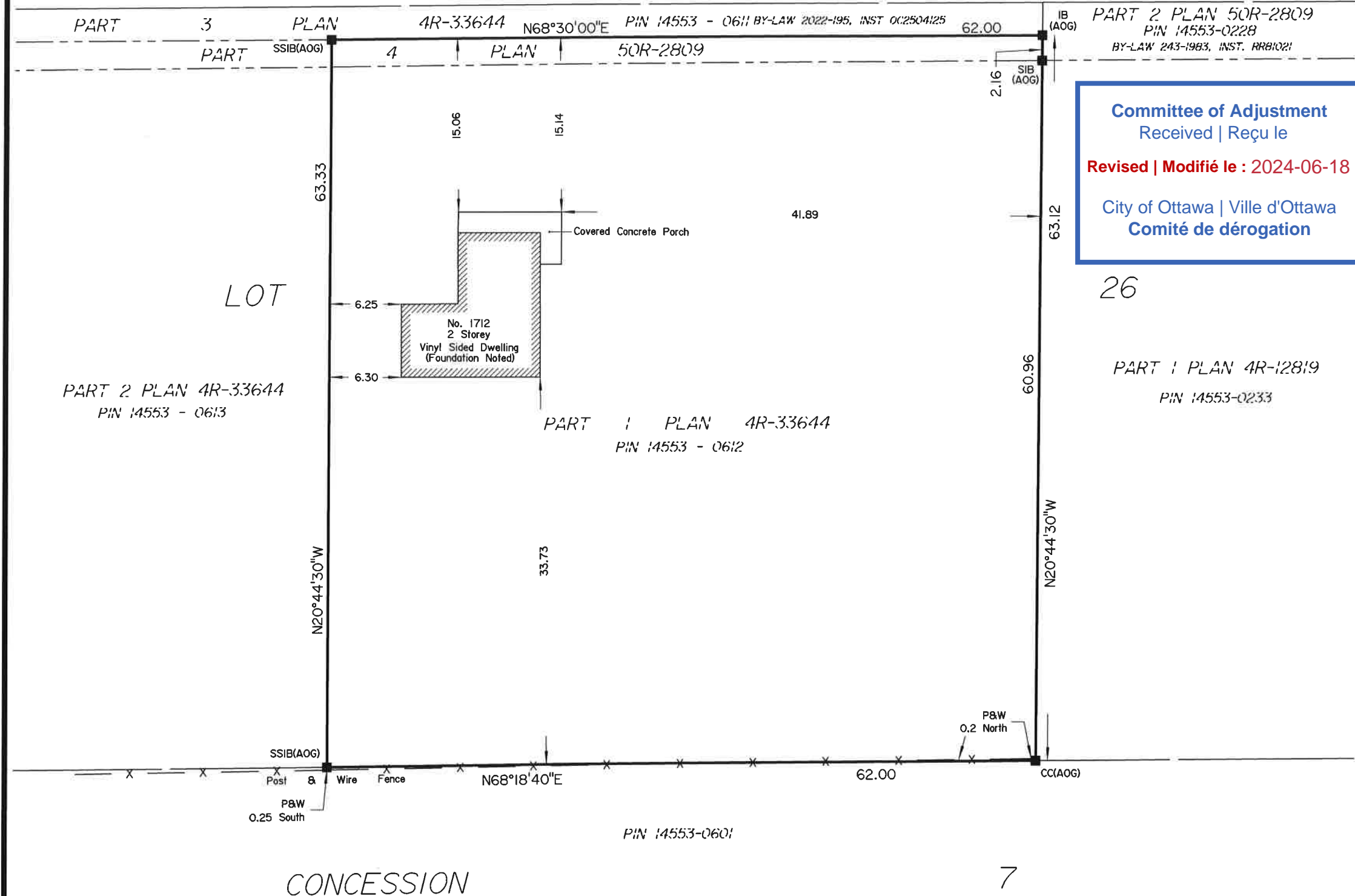
**Notes & Legend**

- Denotes Survey Monument Planted
- " Survey Monument Found
- SIB " Standard Iron Bar
- SSIB " Short Standard Iron Bar
- IB " Iron Bar
- CC " Cut Cross
- (WIT) " Witness
- (AOG) " Annis, O'Sullivan, Vollebek Ltd.
- Meas. " Measured
- (P1) " Plan 4R-33644
- P&W " Post & Wire Fence

© Annis, O'Sullivan, Vollebek Ltd, 2023. "THIS PLAN IS PROTECTED BY COPYRIGHT"

**ANNIS, O'SULLIVAN, VOLLEBEKK LTD.**  
165 Bay Street  
Embrun, Ont. K0A 1W1  
Phone: (613) 443-3364  
Email: Embrun@aovltd.com

Ontario Land Surveyors Job No. E-3351-23 A.M.



**Committee of Adjustment**  
Received | Reçu le  
**Revised | Modifié le : 2024-06-18**  
**City of Ottawa | Ville d'Ottawa**  
**Comité de dérogation**

26

PART 1 PLAN 4R-12819  
PIN 14553-0233

PART 2 PLAN 4R-33644  
PIN 14553 - 0613

PART 1 PLAN 4R-33644  
PIN 14553 - 0612

CONCESSION

7

Bearings are grid, derived from Can-Net Real Time Network GPS observations and are referred to the Central Meridian of MTM Zone 9 NAD-83 (CSRS) (1997.0).





ROAD ALLOWANCE BETWEEN LOTS 25 AND 26  
(REGIONAL ROAD No. 8)  
(KNOWN LOCALLY AS DEVINE ROAD)

Committee of Adjustment  
Received | Reçu le  
Revised | Modifié le : 2024-08-07  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

SURVEYOR'S REAL PROPERTY REPORT  
PART 1 Plan of  
PART OF LOT 26  
CONCESSION 7  
(Geographic Township of Cumberland)  
CITY OF OTTAWA  
Surveyed by Annis, O'Sullivan, Vollebek Ltd.  
Scale 1 : 400



Metric  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Surveyor's Certificate  
I CERTIFY THAT:  
1. This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act and the regulations made under them.  
2. The survey was completed on August 28, 2023.  
*Aug 29 2023*  
Date  
*Alison J. Allison*  
Ontario Land Surveyor

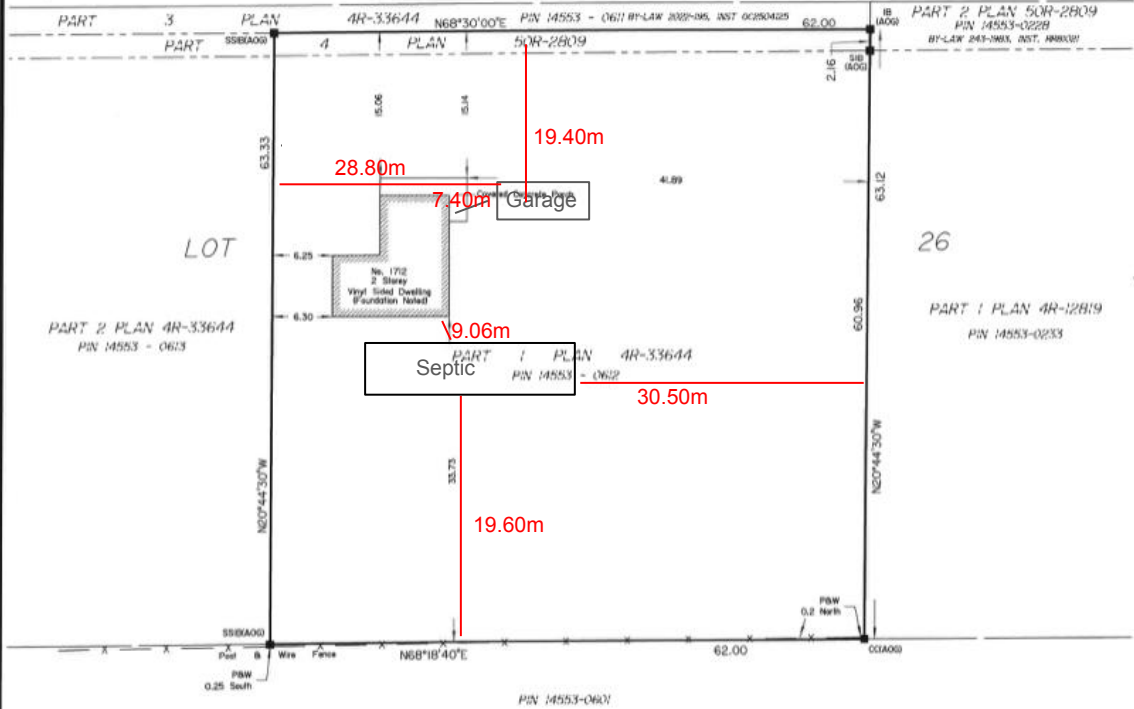
This Plan of Survey relates to AOLS Plan Submission form number V-43969.

**PART 2**  
**1. REGISTERED RIGHTS-OF-WAY/EASEMENTS**  
No rights-of-way or easements were found to be registered against the subject property.  
**2. PROPERTY IMPROVEMENTS**  
A post and wire fence runs along the south boundary. Refer to the plan for ties to the boundaries.  
**3. COMPLIANCE WITH MUNICIPAL ZONING BYLAWS**  
Compliance is not certified by this report.  
**4. ADDITIONAL REMARKS**  
The building ties are to the unpergated concrete foundation walls.

ANNIS, O'SULLIVAN, VOLLEBEK LTD. grants to Alison J. Allison ("The Client"), their solicitors, mortgagees, and other related parties, permission to use original, signed, sealed copies of the Surveyor's Real Property Report in transactions involving The Client.

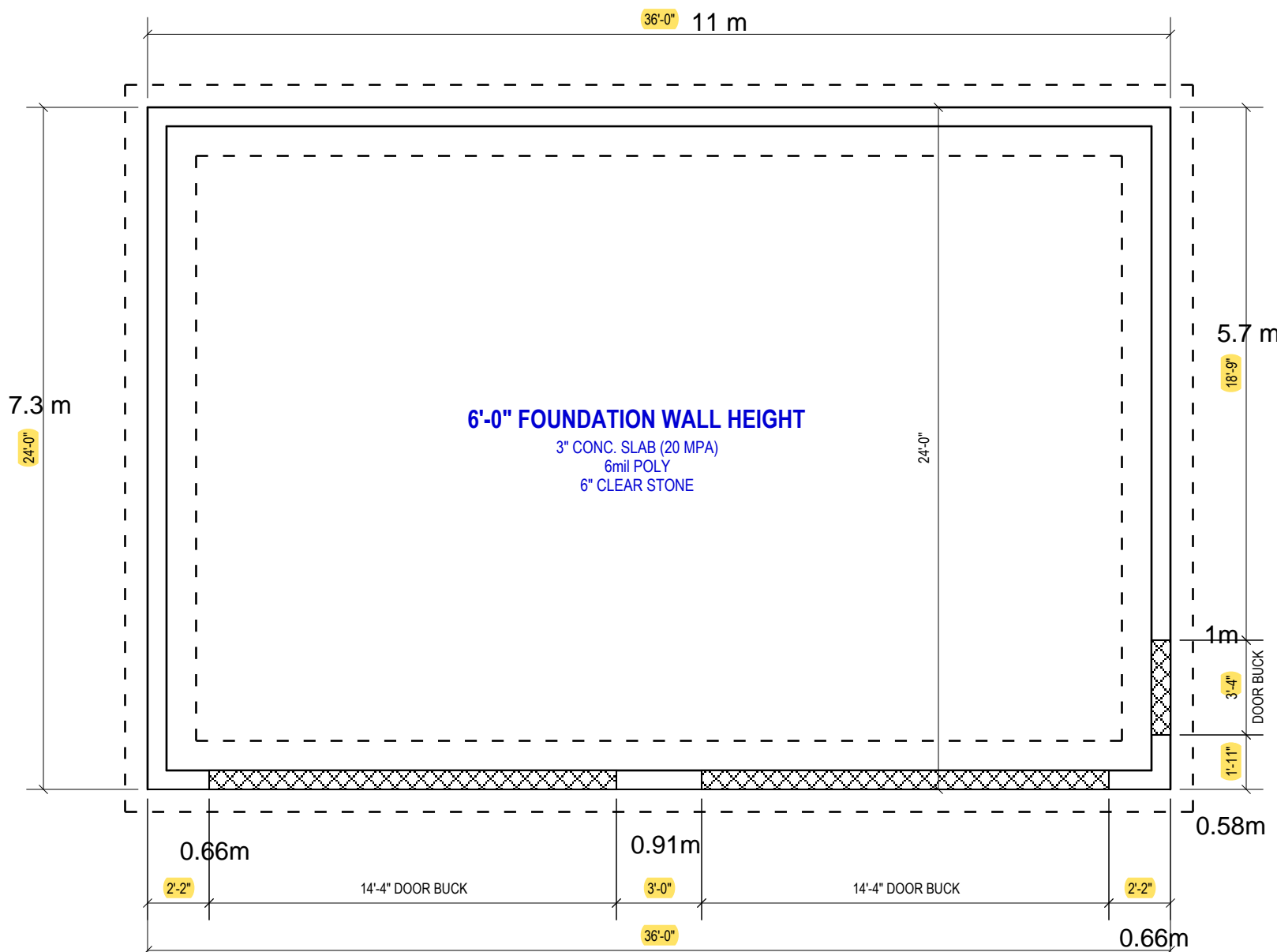
**Notes & Legend**  
 □ Denotes Survey Monument Planted  
 ■ " " Survey Monument Found  
 SIB " Standard Iron Bar  
 SSSB " Short Standard Iron Bar  
 IB " Iron Bar  
 CC " Cut Cross  
 (WT) " Witness  
 (ADG) " Annis, O'Sullivan, Vollebek Ltd.  
 Meas " Measured  
 (P1) " Plan 4R-33644  
 P&W " Post & Wire Fence

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**ANNIS, O'SULLIVAN, VOLLEBEK LTD.**  
 165 Bay Street  
 Etobicoke, Ont. M9A 1W1  
 Phone: (613) 443-3364  
 Email: [Embrvd@aol.com](mailto:Embrvd@aol.com)  
 Ontario Land Surveyors Lic. No. E-3350-23

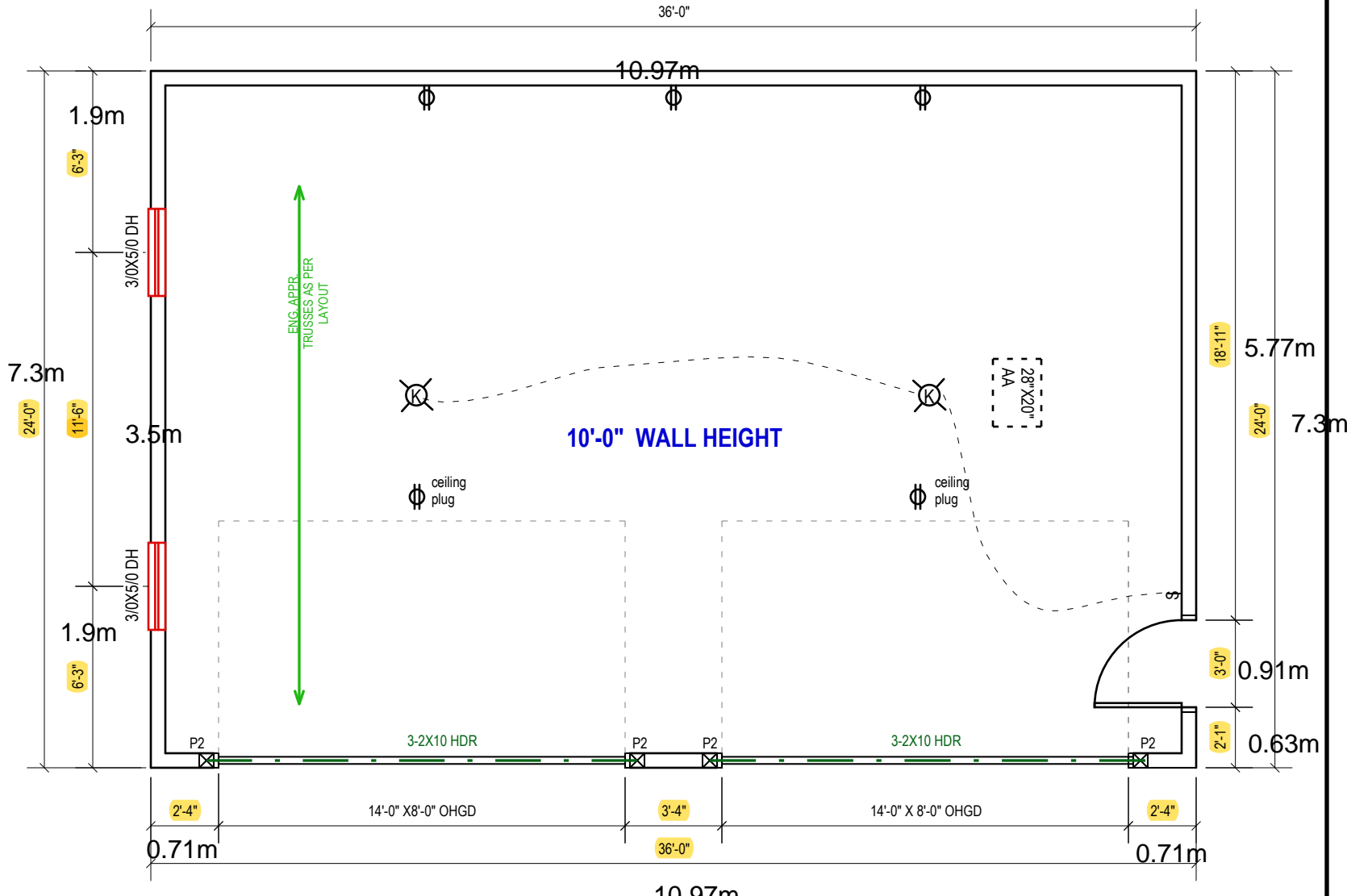


7  
Bearings are grid, derived from Can-Net Real Time Network GPS observations and are referred to the Central Meridian of MTM Zone 9 NAD-83 (CSRS) (1997.0).





**GARAGE FOUNDATION**



**GARAGE FLOOR PLAN**

**POST SCHEDULE**

P2 2-2X6  
P3 3-2X6  
P4 4-2X6

**ELECTRICAL LEGEND**

	THERMOSTAT & HRV CONTROL		POT LIGHT
	DUPLEX RECEPTACLE		CEILING MOUNTED LIGHT
	220V RECEPTACLE		WALL MOUNTED LIGHT
			A/C INTERCONNECTED SMOKE/CO DETECTOR
			KEYLESS FIXTURE

**FOUNDATION WALL**

	FND. WALL
	DROPPED AREA
	DOOR BUCK

**FOUNDATION GENERAL NOTES:**  
 - 8" POURED CONC. STRIP FTG.  
 - PERIMETER STRIP FOOTINGS 24"X8"  
**MAIN FLOOR GENERAL NOTES:**  
 - ALL LINTELS TO BE 2-2X10 (UNLESS OTHERWISE NOTED)  
 - ALL BEAMS AND GIRDER TRUSSES REQUIRE 3-2X6 POSTS UNLESS NOTED  
 - STUDS OVER 10'-0" IN HEIGHT c/w blocking @7'-0" & 14'-0" (OTHER HEIGHTS MAY REQUIRE SPECIFIC BLOCKING AS PER PLAN)  
 - ATTIC ACCESS MINIMUM 3.4 sq. ft. WITH NO DIMENSION LESS THAN 21-1/2"

3.		
2.	FEB. 10, 2021	Garage size increased to 36'x24'
1.	JAN. 26, 2021	Prelim. Working Drawings

**6'-0" ICF FOUNDATION WALL HEIGHT & 10'-0" MAIN (WOOD) WALL HEIGHT**

Area	Sq. Ft.	Sq m
Garage	576 sq. ft.	81 sq. m

**SOIL BEARING CAPACITY ASSUMED TO BE 100 KPA, TO BE CONFIRMED ON-SITE**

GARAGE FOUNDATION & FLOOR PLAN

SCALE: 3/16"=1'-0"

of 1 pg 4

The undersigned has reviewed and undertaken the responsibilities for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code

#TBD DEVINE RD.  
 VARS, ON.  
 DRAWN BY: E. MCCURDY  
 hello@elysemccurdyhomedesigns.ca  
 613.295.8921  
 INDIV. BCIN# 43240  
 FIRM BCIN#106265





GARAGE FRONT ELEVATION



GARAGE REAR ELEVATION

**ROOFER NOTES:**

- COMPACT ROOF AREAS ARE TO RECEIVE ICE & WATER SHIELD OVER ENTIRE SURFACE
- FLASH ROOF & WALL INTERSECTIONS
- FLASH ROOF & EAVE INTERSECTIONS
- FLASH ROOF VALLEYS
- MINIMUM FLASHING RETURNS TO ENSURE ADEQUATE PROTECTION AGAINST WATER DAMAGE
- WALL & ROOF INTERSECTIONS ARE TO RECEIVE ICE & WATER SHIELD AS REQUIRED

**EXTERIOR FINISH NOTES:**

- ARCHITECTURAL SHINGLES
- EXTERIOR CLADDING
- OVERHANGS 18" UNLESS NOTED OTHERWISE
- PRE-FINISHED ALUMINUM VENTED SOFFIT AND 6" ALUMINUM FASCIA UNLESS NOTED OTHERWISE

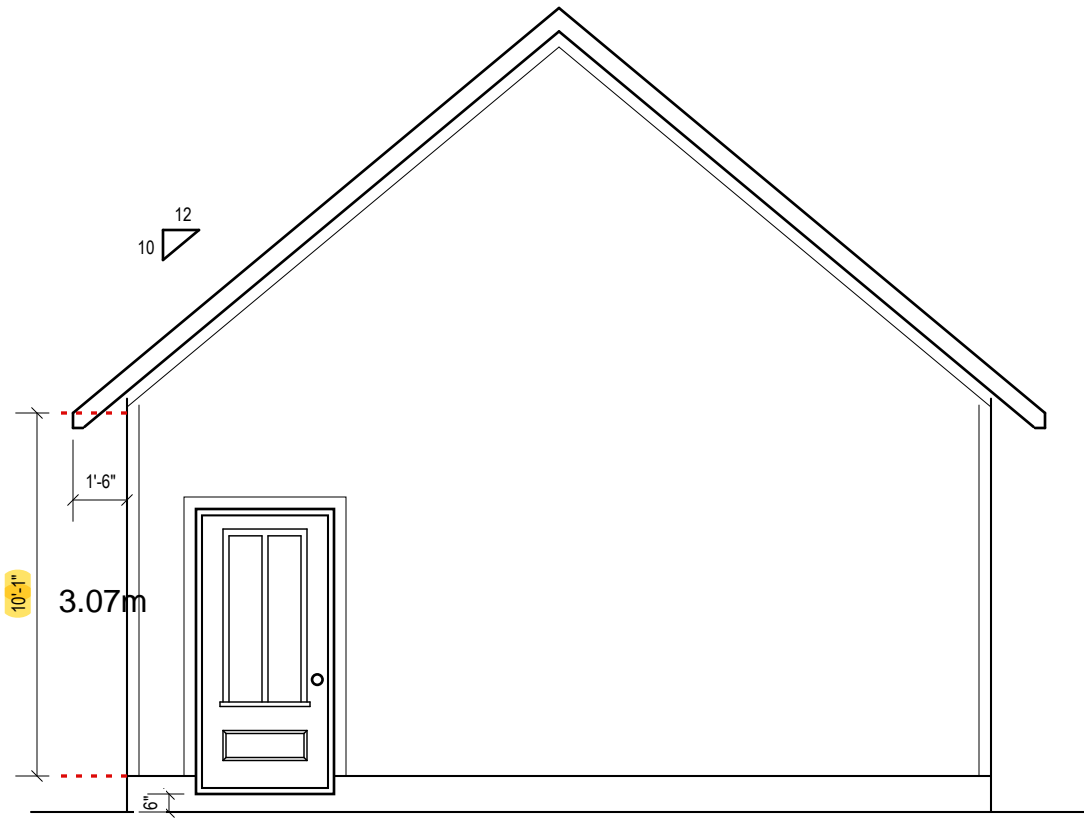
#TBD DEVINE RD.  
VARS, ON.

FRONT & REAR ELEVATION

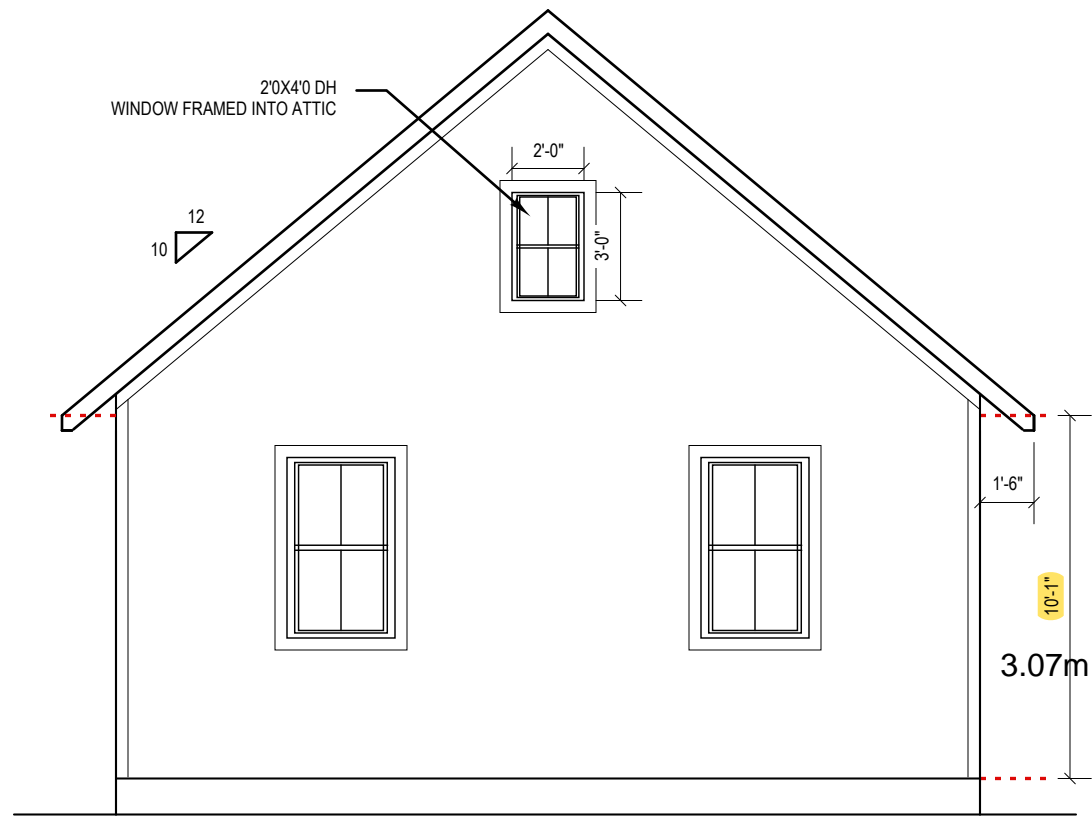
SCALE: 3/16"=1'-0"

of	pg
2	4





RIGHT ELEVATION



RIGHT ELEVATION

**ROOFER NOTES:**

- COMPACT ROOF AREAS ARE TO RECEIVE ICE & WATER SHIELD OVER ENTIRE SURFACE
- FLASH ROOF & WALL INTERSECTIONS
- FLASH ROOF & EAVE INTERSECTIONS
- FLASH ROOF VALLEYS
- MINIMUM FLASHING RETURNS TO ENSURE ADEQUATE PROTECTION AGAINST WATER DAMAGE
- WALL & ROOF INTERSECTIONS ARE TO RECEIVE ICE & WATER SHIELD AS REQUIRED

**EXTERIOR FINISH NOTES:**

- ARCHITECTURAL SHINGLES
- EXTERIOR CLADDING
- OVERHANGS 18" UNLESS NOTED OTHERWISE
- PRE-FINISHED ALUMINUM VENTED SOFFIT AND 6" ALUMINUM FASCIA UNLESS NOTED OTHERWISE

#TBD DEVINE RD.  
VARS, ON.

LEFT & RIGHT ELEVATION

SCALE: 3/16"=1'-0"

of 3 | pg 4



2024-08-29



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 1712 Devine Road  
Legal Description: Part of Lot 26, Concession 7, Geographic Township of Cumberland  
File No.: D08-02-24/A-00028  
Report Date: August 28, 2024  
Hearing Date: September 03, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Village, Village Residential  
Zoning: V1D

**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has no concerns with** the application.

**DISCUSSION AND RATIONALE**

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are satisfied that the requested minor variance(s) meet(s) the “four tests”.

The proposed structure exceeds the maximum allowable footprint of 55m<sup>2</sup>; however it is less than 50% of the footprint of the primary dwelling and does not require any additional variances to the Zoning By-law.

Luke Teeft  
Planner I, Development Review, All Wards  
Planning, Development and Building  
Services Department

Wendy Tse  
Planner III (A), Development Review, All  
Wards  
Planning, Development and Building  
Services Department



## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3

Tuesday, August 6, 2024

9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File Nos.:** D08-02-24/A-00173  
**Applications:** Minor Variance under section 45 of the *Planning Act*  
**Applicant:** Valecraft Homes (2019) Ltd  
**Property Address:** 1126 Cope Drive  
**Ward:** Stittsville - 6  
**Legal Description:** Pt of Block 41, Plan 4M-1740  
**Zoning:** R3Z [2920]  
**Zoning By-law:** 2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicant has constructed a block of five townhomes. One of the townhouse units has a driveway that does not meet the requirements of the Zoning By-law.

### REQUESTED VARIANCE:

The Applicant requires the Committee's authorization for a minor variance from the Zoning By-law to permit the area of a driveway to occupy 60 percent of the front yard,



whereas the By-law requires that the area of the driveway may not exceed 50 percent of the area of the yard in which it is located.

The subject property is not the subject of any other current application under the *Planning Act*.

### **FIND OUT MORE ABOUT THE APPLICATIONS**

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, send a written request to the Committee.

### **HOW TO PARTICIPATE**

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence and during the hearing, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent and any other



interested individual, and potentially posted online and become searchable on the Internet.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consent to sever land and minor variances from the zoning requirements.

DATED: July 19, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
[Ottawa.ca/CommitteeofAdjustment](https://Ottawa.ca/CommitteeofAdjustment)  
[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



**Comité de dérogation**  
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7  
[Ottawa.ca/Comitedederogation](https://Ottawa.ca/Comitedederogation)  
[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demande de dérogation mineure

**Groupe 3**  
**Mardi 6 août 2024**  
**9 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

**Dossier :** D08-02-24/A-00173  
**Demande :** Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Requérante :** Valecraft Homes (2019) Ltd  
**Adresse municipale :** 1126, promenade Cope  
**Quartier :** Stittsville - 6  
**Description officielle :** Partie de l'îlot 41, plan 4M-1740  
**Zonage :** R3Z [2920]  
**Règlement de zonage :** n° 2008-250

### PROPOSITION DE LA REQUÉRANTE ET OBJET DE LA DEMANDE :

La requérante a construit un ensemble de cinq maisons en rangée. L'une des maisons en rangée est dotée d'une entrée de cour qui ne répond pas aux exigences du Règlement de zonage.



## DÉROGATION DEMANDÉE :

La requérante demande au Comité d'accorder une dérogation mineure au Règlement de zonage afin de permettre qu'une entrée de cour occupe 60 % de la cour avant, alors que le Règlement exige que la superficie de l'entrée de cour ne dépasse pas 50 % de la superficie de la cour dans laquelle elle est située.

La propriété en question ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

## POUR EN SAVOIR PLUS SUR LA DEMANDE

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris **les lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

## COMMENT PARTICIPER

**Présentez vos observations écrites ou orales avant l'audience** : Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.

**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS

Sachez que, conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous



choisissez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

## COMITÉ DE DÉROGATION

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 19 juillet 2024



*This document is also available in English.*

### **Committee of Adjustment**

City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7

[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)

[cofa@ottawa.ca](mailto:cofa@ottawa.ca)

613-580-2436



### **Comité de dérogation**

Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7

[Ottawa.ca/Comitedederogation](https://ottawa.ca/Comitedederogation)

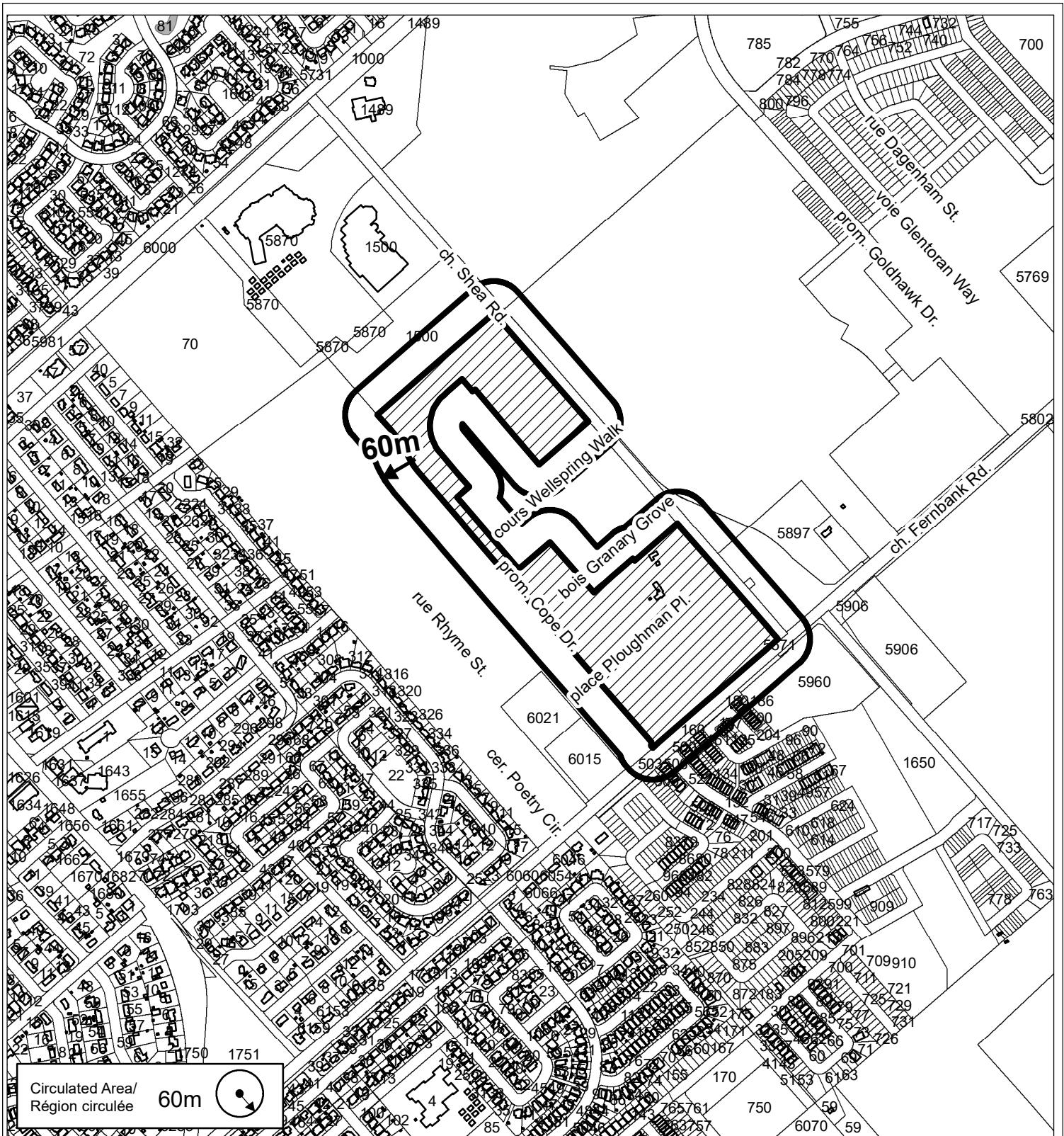
[cded@ottawa.ca](mailto:cded@ottawa.ca)

613-580-2436









Circulated Area /  
Région circulée **60m**

 **Committee of Adjustment**  
**Comité de dérogation**

**CIRCULATION MAP /**  
**PLAN DE CIRCULATION**

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**SUBJECT LAND / TERRE EN QUESTION**

**1126 prom. Cope Drive**



**NOT TO SCALE**  
**NON À L'ÉCHELLE**





# Valecraft

Homes (2019) Limited

June 26, 2024

Delivered by Hand

Mr. Michel Bellemare, Secretary-Treasurer  
City of Ottawa Committee of Adjustment  
101 Centrepointhe Drive, 4th Floor  
Ottawa, ON K2G 5K7

**Committee of Adjustment**  
Received | Reçu le  
2024 - 06 26

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Mr. Bellemare:

**Re: Application for Minor Variance  
Valecraft Homes (2019) Ltd.  
1126 Cope Road**

I am pleased to submit the attached application for a minor variance relating to the property described as Part of Block 41, Plan 4M-1740, known municipally as 1126 Cope Drive. Block 41 contains a block of five townhomes nearing completion. This application requests relief from the Zoning By-law to permit a driveway at 1126 Cope Drive which occupies 60 % of the front yard, whereas the provisions of Section 107 (3) (b) (ii) of the Zoning By-law limit the driveway area to no more than 50 % of the area of this yard.

In support of this request, you will find the following material:

- Completed application form;
- Cheque payable to the City of Ottawa in the amount of \$3,196;
- An email from Nancy Young, Planning Forrester confirming that a TIR is not required;
- A Site Plan highlighting 1126 Cope Road and showing all of the building setbacks (1 full size copy);
- An Excerpt of Plan 4M-1740, illustrating Block 41 (full scale) and Reduction of Plan 4M-1740; and,
- Building elevations.

Valecraft Homes (2019) Ltd. is submitting this request to ensure that the unit at 1126 Cope Drive may be conveyed to a future homeowner in compliance with the Zoning By-law. The minor variance is intended to apply solely to the corner unit municipally addressed as 1126 Cope Road. This unit presently serves as a residential sales office but will ultimately revert to its intended use as a townhouse. The front façade of this model features a double garage and



driveway facing Cope Drive, while the principal entry and porch are oriented to Craig Duncan Terrace. This arrangement results in a driveway occupying more of the front yard than is permitted under the by-law. The building permit was obtained with the understanding that zoning relief will be necessary to enable a double driveway, failing which the driveway may need to be reconfigured. The townhouse is compliant with the Zoning By-law in every other regard.

We believe that the minor variance is fundamentally appropriate and meets all the prescribed tests of the Planning Act. The increase in yard coverage from 50 to 60 % is relatively minor and is more than off- set by the fact that this corner unit has a fully landscaped external side yard. When the two yards are considered together, the driveway area represents less than 20 % the area of the yards abutting streets. Thus, while the driveway may occupy a slightly greater area, the lot still provides far more opportunities for street parking and street landscaping than the surrounding lots. The additional driveway width will not be perceptible in this context.

The proposed variance is desirable and appropriate for the development of this site and the neighbouring lands. Corner locations such as this provide an unusual opportunity to fit our largest townhouse with a double driveway. This model tends to attract blended families and larger households, a segment which has become particularly challenged in the current affordability climate. We believe this variance helps to broaden the housing options as family-oriented townhomes are not usually available with double garages. We also note that having an additional parking space within the driveway will likely help alleviate parking pressures on Cope Drive. This road is designated as a Collector with a Multi-Use Pathway. The layout does not impede the ability to implement the tree planting program approved under the subdivision process. The driveway does not compromise sight lines at this intersection or the functionality of the pathway.

The proposed variance is consistent with the general intent of the Zoning By-law and the Official Plan. Section 107 3) (b) (ii) of the By-law limits the extent of driveway coverage in a front yard or corner side yard to ensure that the streetscape is not dominated by driveways. In this instance, the driveway area will be increased marginally within the front yard, while the corner side yard provides extensive landscaped area and an animated building façade. This building façade is fully clad in a combination of brick and cultured stone and includes ten windows, a porch and principal entrance. This contributes to a more interesting built form and a more active streetscape. Such measures are encouraged by the Official Plan.





Photo of 1126 Cope Road (June 21, 2024)

We believe that the requested variance is appropriate for its context, is minor and is consistent with the intent of both the Zoning By-law and the Official Plan.

I trust that this information will assist you in considering this minor variance application. If you have any questions, please feel free to contact me by telephone at (613) 837-1104 or by email at [dpage@valecraft.com](mailto:dpage@valecraft.com).

Yours truly,

Danny W. Page, MCIP, RPP

Manager of Planning and Land Development







Committee of Adjustment  
 Received | Reçu le  
 2024 - 06 26  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

LOT: XXXX  
 DATE: XX/XX/XXXX



DANIEL GUERIN, ARCHITECTURAL MANAGER FOR VALECRAFT HOMES LTD., HAVE REVIEWED THE FOLLOWING DOCUMENTS AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES.

- PERSONAL BCIN #19896  
 - TARIION REGISTRATION NUMBER #611

\*\* SEE SIGNED SCHEDULE 1: DESIGNER INFORMATION FORM \*\*

THIS DRAWING IS TO BE USED IN CONJUNCTION WITH SCHEDULE B-1A AND ANY 680'S AND MAY SHOW ONLY SOME OF THE CHANGES DETAILED ON THAT DOCUMENT. SHOULD THE DRAWINGS NOT SHOW ALL ITEMS CONTAINED ON A SCHEDULE OR MISS OTHER ITEMS ALTOGETHER, THE SCHEDULE IS CONSIDERED THE GOVERNING DOCUMENT.

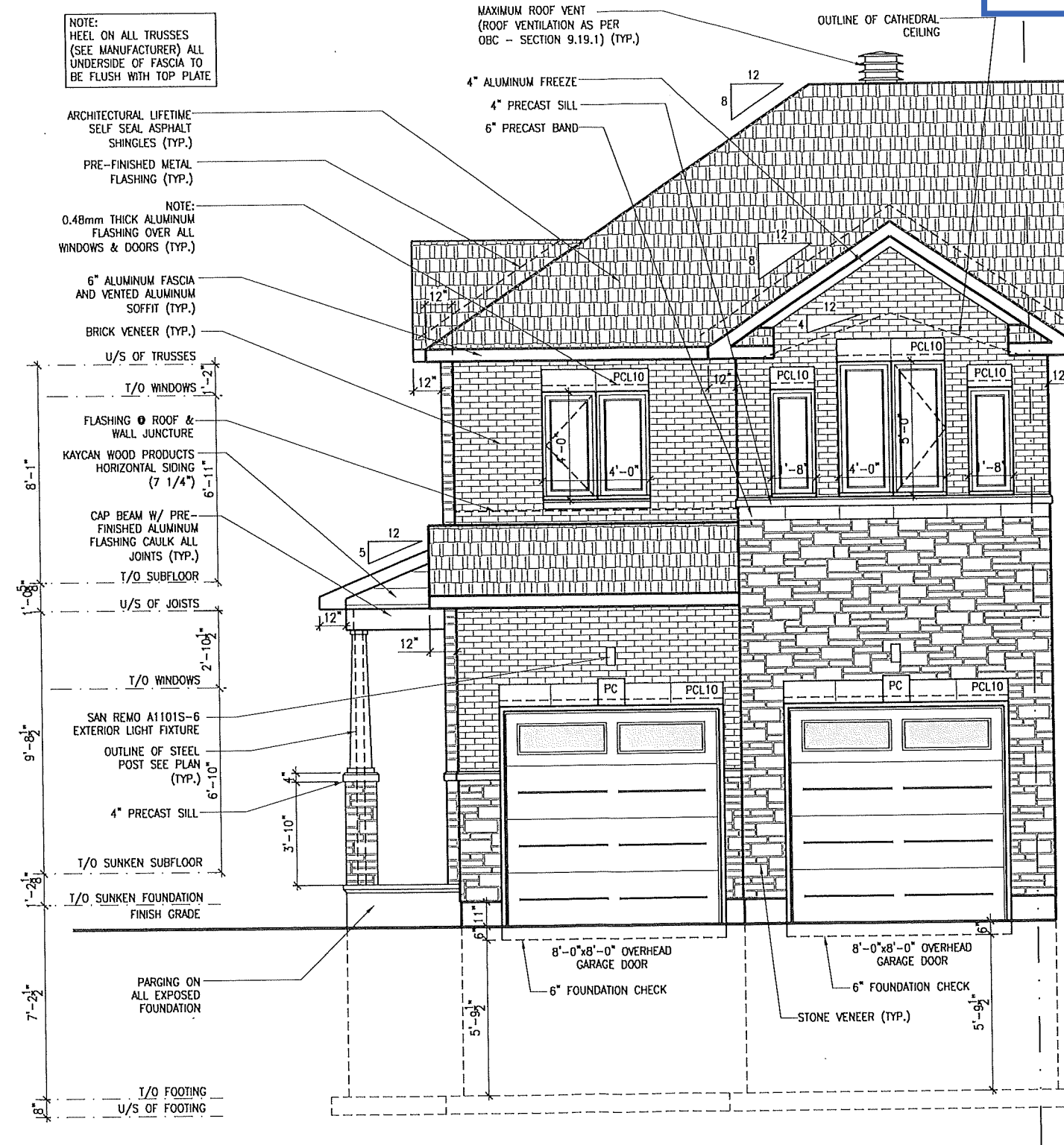
ALL CONTRACTORS SHALL PERFORM THEIR WORK WHETHER DESCRIBED OR NOT, ACCORDING TO THE APPLICABLE BUILDING CODE REQUIREMENTS AND MUNICIPAL REGULATIONS.

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ERRORS AND OMISSIONS TO VALECRAFT'S ARCHITECTURAL DEPARTMENT.

NO DIMENSION SHOULD BE SCALED ON DRAWINGS.

THE GENERAL CONTRACTOR OR SUB-CONTRACTORS WILL BE HELD RESPONSIBLE FOR ALL WORK DONE ON THE CONSTRUCTION SITE.

PC - PRECAST KEYSTONE  
 PCL10 - 10" PRECAST LINTEL



NOTE:  
 HEEL ON ALL TRUSSES  
 (SEE MANUFACTURER) ALL  
 UNDERSIDE OF FASCIA TO  
 BE FLUSH WITH TOP PLATE

ARCHITECTURAL LIFETIME  
 SELF SEAL ASPHALT  
 SHINGLES (TYP.)  
 PRE-FINISHED METAL  
 FLASHING (TYP.)  
 NOTE:  
 0.48mm THICK ALUMINUM  
 FLASHING OVER ALL  
 WINDOWS & DOORS (TYP.)

6" ALUMINUM FASCIA  
 AND VENTED ALUMINUM  
 SOFFIT (TYP.)  
 BRICK VENEER (TYP.)

U/S OF TRUSSES  
 T/O WINDOWS

FLASHING @ ROOF &  
 WALL JUNCTURE  
 KAYCAN WOOD PRODUCTS  
 HORIZONTAL SIDING  
 (7 1/4")

CAP BEAM W/ PRE-  
 FINISHED ALUMINUM  
 FLASHING CAULK ALL  
 JOINTS (TYP.)  
 T/O SUBFLOOR

U/S OF JOISTS  
 T/O WINDOWS

SAN REMO A1101S-6  
 EXTERIOR LIGHT FIXTURE  
 OUTLINE OF STEEL  
 POST SEE PLAN  
 (TYP.)

4" PRECAST SILL  
 T/O SUNKEN SUBFLOOR

T/O SUNKEN FOUNDATION  
 FINISH GRADE

PAVING ON  
 ALL EXPOSED  
 FOUNDATION

T/O FOOTING  
 U/S OF FOOTING

MAXIMUM ROOF VENT  
 (ROOF VENTILATION AS PER  
 OBC - SECTION 9.19.1) (TYP.)

OUTLINE OF CATHEDRAL  
 CEILING

4" ALUMINUM FREEZE  
 4" PRECAST SILL  
 6" PRECAST BAND

8'-0"x8'-0" OVERHEAD  
 GARAGE DOOR  
 6" FOUNDATION CHECK

8'-0"x8'-0" OVERHEAD  
 GARAGE DOOR  
 6" FOUNDATION CHECK

STONE VENEER (TYP.)

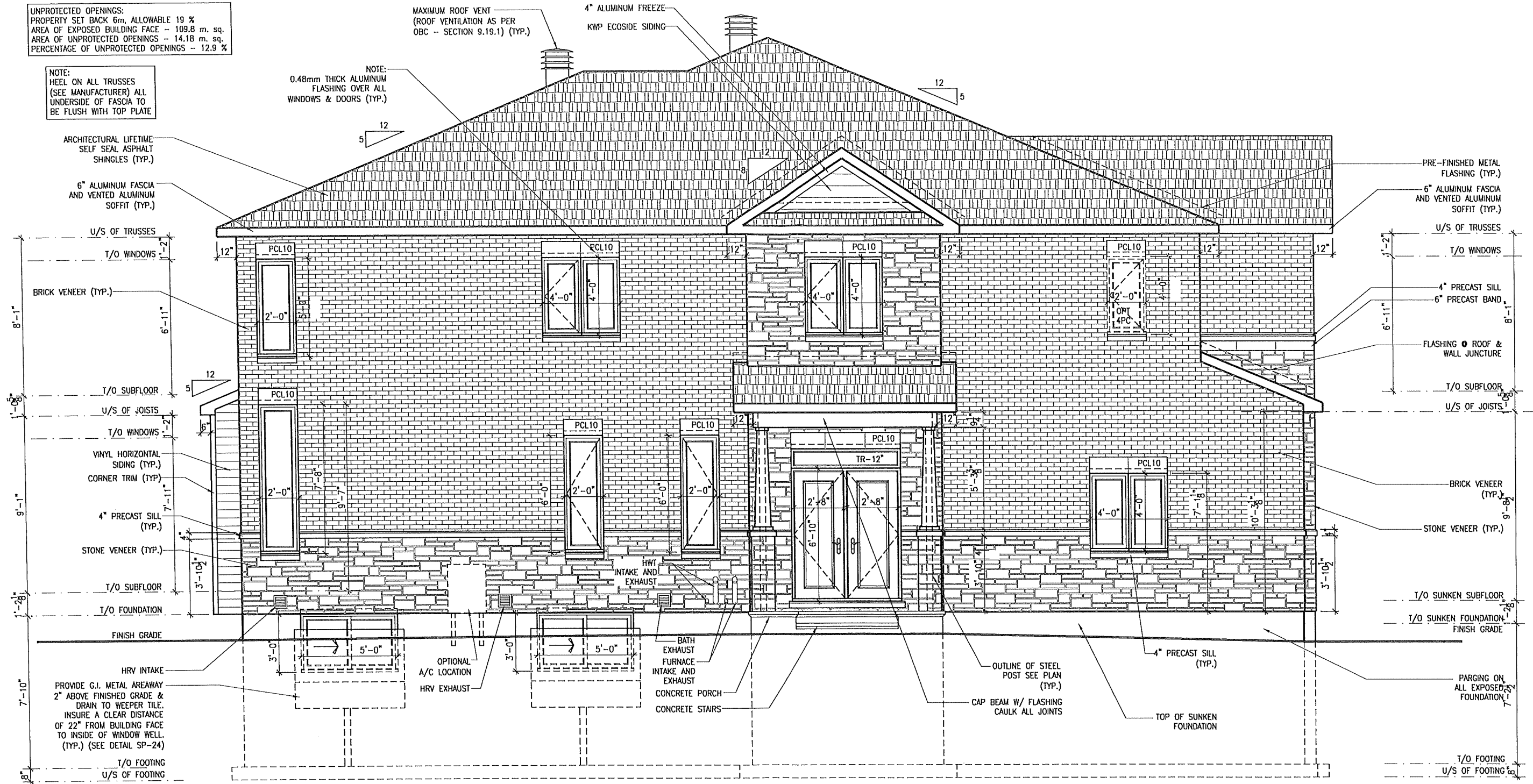
REV-1	NEW STANDARD DRWG MODIFICATION	01/01/2022	DOYON
NO.	DESCRIPTION	MM/DD/YYYY	BY



UNPROTECTED OPENINGS:  
 PROPERTY SET BACK 6m, ALLOWABLE 19 %  
 AREA OF EXPOSED BUILDING FACE - 109.8 m. sq.  
 AREA OF UNPROTECTED OPENINGS - 14.18 m. sq.  
 PERCENTAGE OF UNPROTECTED OPENINGS - 12.9 %

NOTE:  
 HEEL ON ALL TRUSSES  
 (SEE MANUFACTURER) ALL  
 UNDERSIDE OF FASCIA TO  
 BE FLUSH WITH TOP PLATE

NOTE:  
 0.48mm THICK ALUMINUM  
 FLASHING OVER ALL  
 WINDOWS & DOORS (TYP.)



**1 RIGHT ELEVATION - PORCH END UNIT**  
 A.2a SCALE: 3/16" = 1'-0"

LOT: XXXX  
 DATE: XX/XX/XXXX



A - ALL CONTRACTORS SHALL PERFORM THEIR WORK WHETHER DESCRIBED OR NOT, ACCORDING TO THE APPLICABLE BUILDING CODE REQUIREMENTS AND MUNICIPAL REGULATIONS.  
 B - THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ERRORS AND OMISSIONS TO VALECRAFT'S ARCHITECTURAL DEPARTMENT.  
 C - NO DIMENSION SHOULD BE SCALED ON DRAWINGS.  
 D - THE GENERAL CONTRACTOR OR SUB-CONTRACTORS WILL BE HELD RESPONSIBLE FOR ALL WORK DONE ON THE CONSTRUCTION SITE.  
 E - THIS DRAWING IS TO BE USED IN CONJUNCTION WITH SCHEDULE B-1A AND ANY 680'S AND MAY SHOW ONLY SOME OF THE CHANGES DETAILED ON THAT DOCUMENT. SHOULD THE DRAWINGS NOT SHOW ALL ITEMS CONTAINED ON A SCHEDULE OR MISS OTHER ITEMS ALTOGETHER, THE SCHEDULE IS CONSIDERED THE GOVERNING DOCUMENT.

I, DANIEL GUERIN, ARCHITECTURAL MANAGER FOR VALECRAFT HOMES LTD., HAVE REVIEWED THE FOLLOWING DOCUMENTS AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES.  
 - PERSONAL BCIN #19896  
 - TARIKON REGISTRATION NUMBER #611  
 \*\* SEE SIGNED SCHEDULE 1: DESIGNER INFORMATION FORM \*\*

REV.-1	DESCRIPTION	DATE	BY
NEW STANDARD DRWG MODIFICATION		01/01/2022	DOYON

2012 O.B.C. DRAWINGS  
 DRAWING: RIGHT ELEVATION PORCH END UNIT  
 ADDRESS: xx SCALE: 3/16" = 1'-0" DATE: xx/xx/xxxx  
 170 - THE BASSETT 2022 FOOTPRINT (STANDARD DRAWINGS)  
 SHEET: A.2a

CONSTRUCTION SITES:  
 SHEA VILLAGE



LOT: XXXX  
 DATE: XX/XX/XXXX



I, DANIEL GUERIN, ARCHITECTURAL MANAGER FOR VALECRAFT HOMES LTD., HAVE REVIEWED THE FOLLOWING DOCUMENTS AND TAKE RESPONSIBILITY FOR THE DESIGN ACTIVITIES.

- PERSONAL BCIN #19896
- TARIION REGISTRATION NUMBER #611

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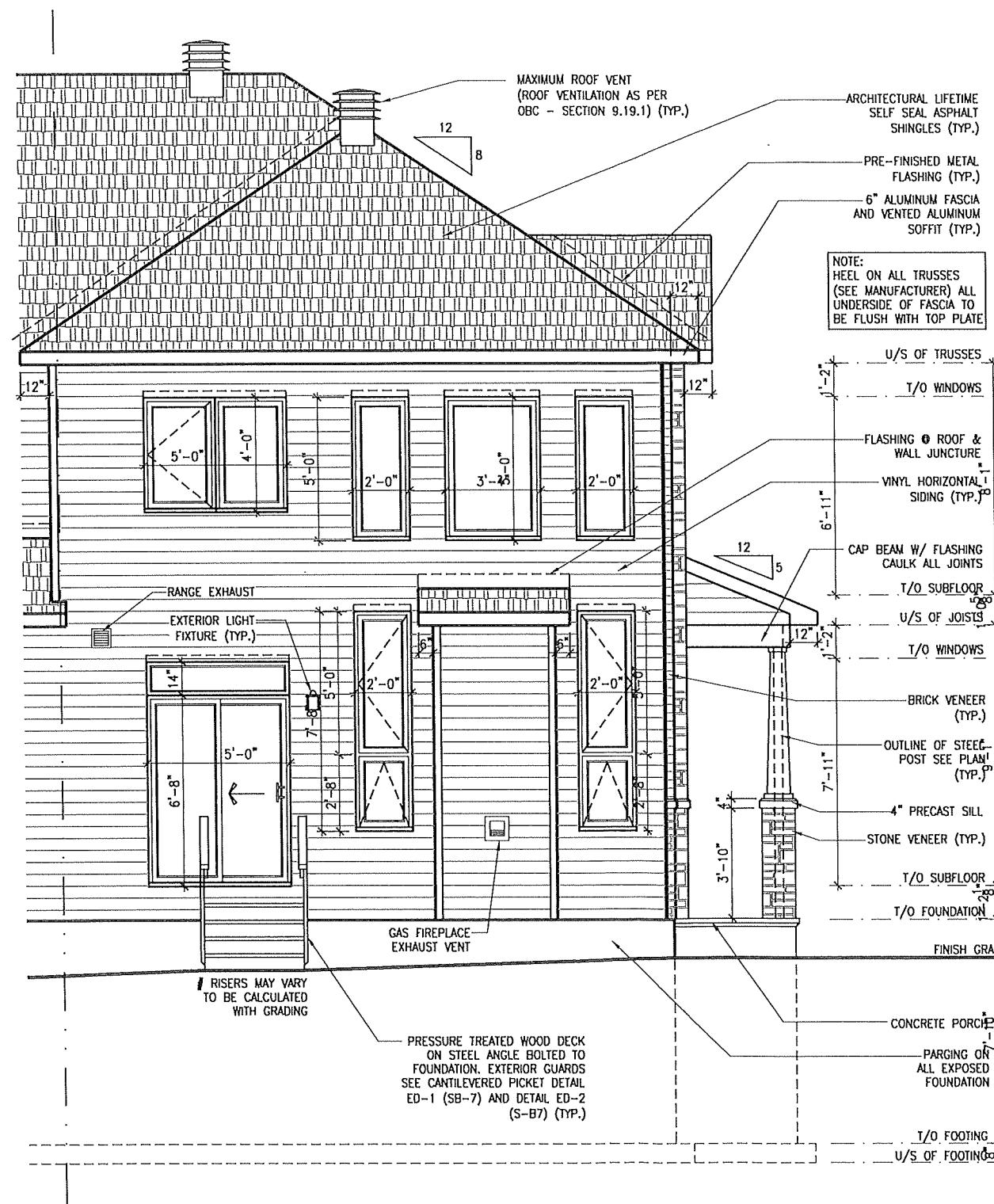
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PC - PRECAST KEYSTONE  
 PCL10 - 10" PRECAST LINTEL



1 REAR ELEVATION - PORCH END UNIT  
 A.2c SCALE: 3/16" = 1'-0"

2012 O.B.C. DRAWINGS

REV-1	NO.	DESCRIPTION	DATE	BY
1		NEW STANDARD DRWG MODIFICATION	01/01/2022	DOYON

DRAWING: REAR ELEVATION PORCH END UNITS

ADDRESS: XX SCALE: 3/16" = 1'-0" DATE: XX/XX/XXXX

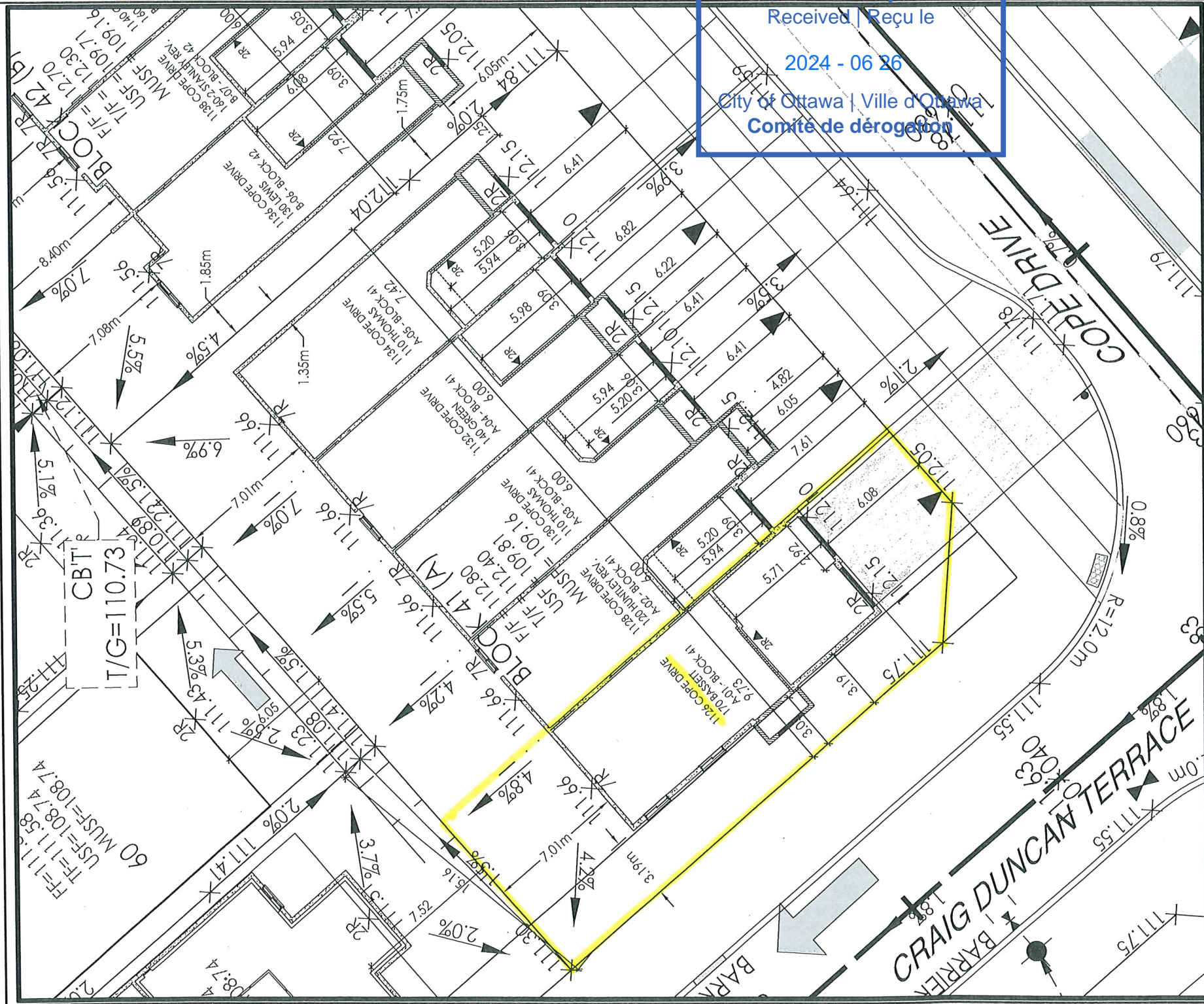
170 - THE BASSETT 2022 - FOOTPRINT SHEET: A.2c

CONSTRUCTION SITES: SHEA VILLAGE



- NEW SUBMISSION
- RE-SUBMISSION
- MODEL CHANGE
- MODEL CHANGE PERMIT #

**Committee of Adjustment**  
 Received / Reçu le  
 2024 - 06 26  
 City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**



OWNER/APPLICANT  
 Valecraft Homes (2019) Ltd.  
 TELEPHONE # 837-1104  
 PLAN # 50M-  
 Lot # BLOCK 41 (A-01-05)

Civic Address: 1126, 1128, 1130, 1132 & 1134 COPE DRIVE  
 SHEA VILLAGE  
 ZONING: R3Z

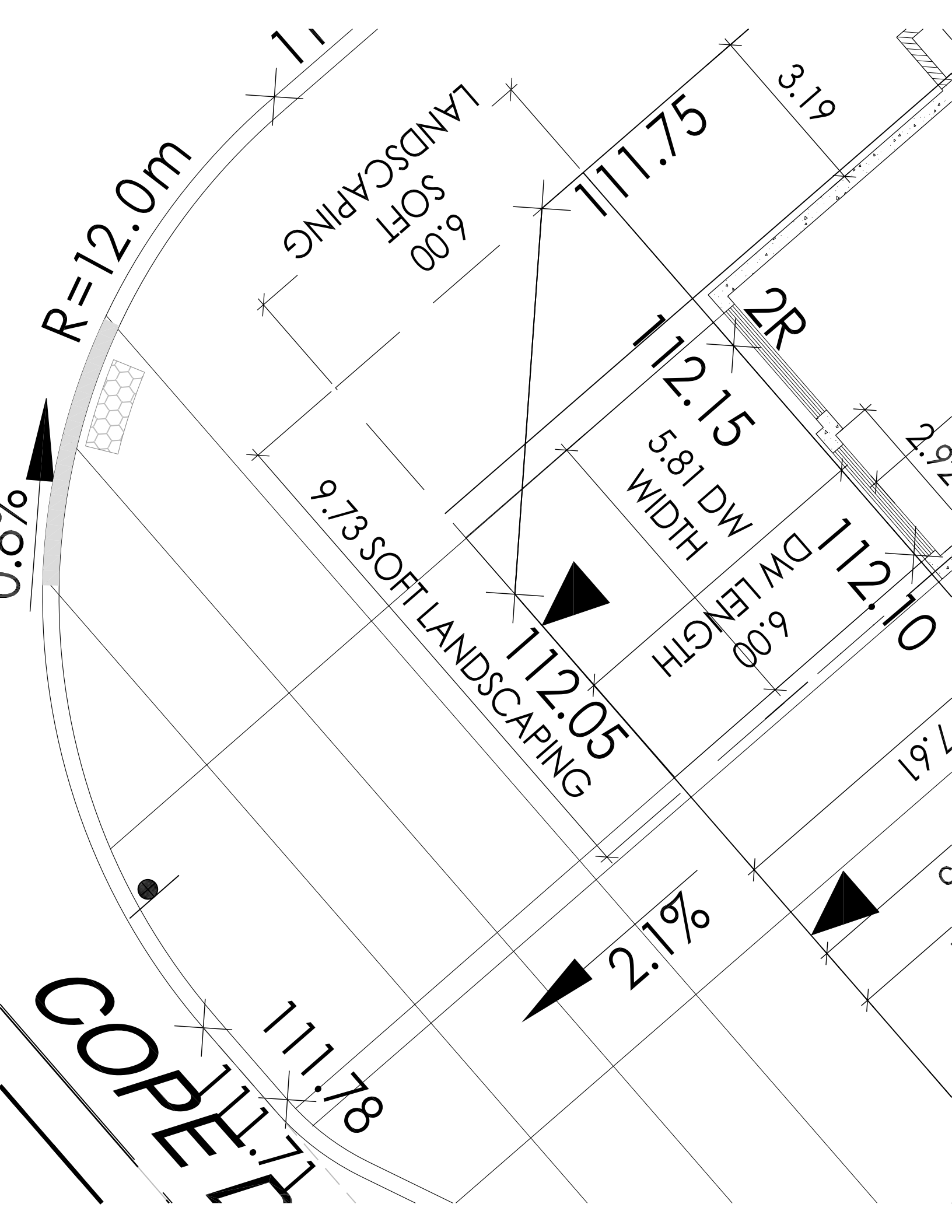
Scale 1:250

No.	REVISION	DATE
1.	ISSUED FOR BUILDING PERMIT	06/21/23

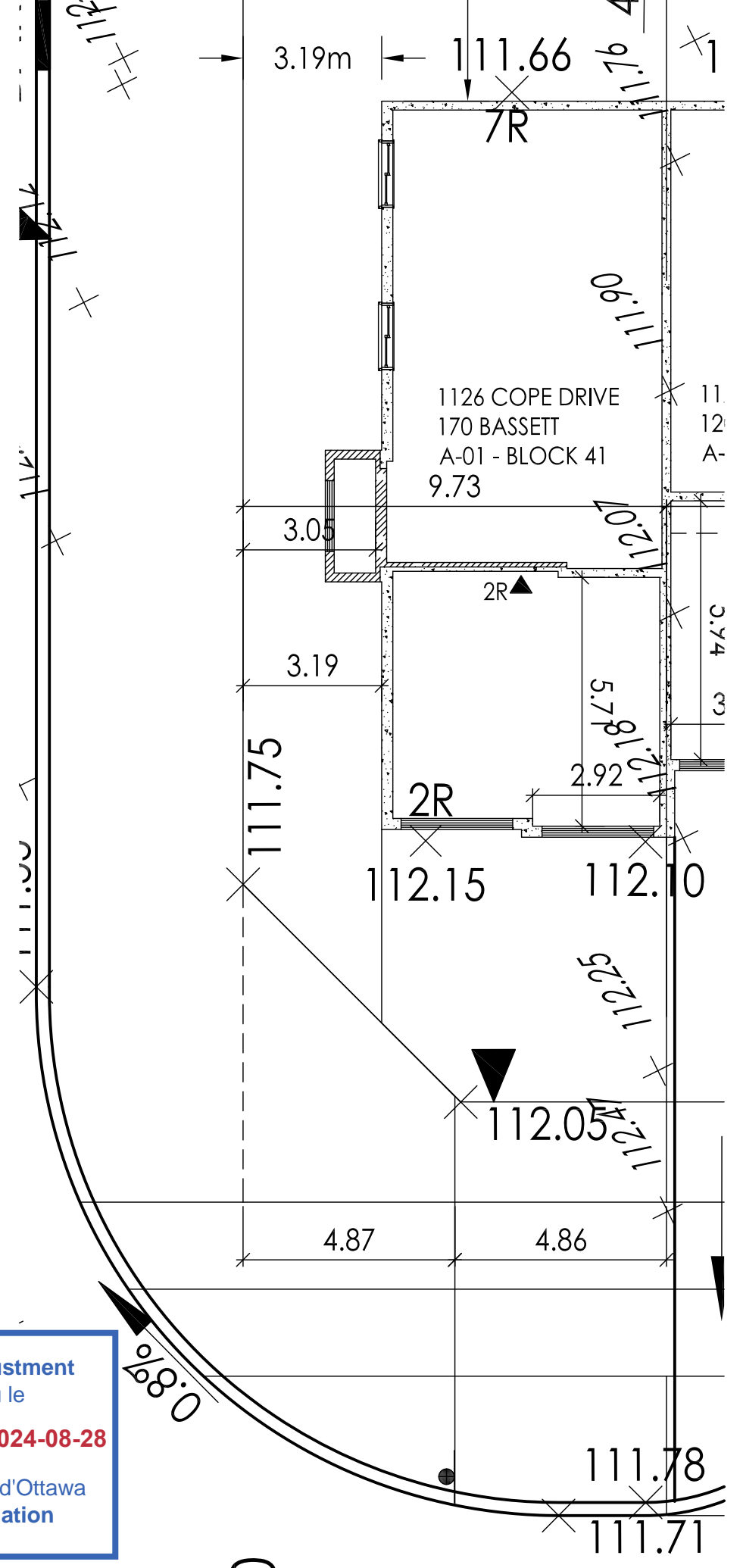
circ date:	circ date:	circ date:
Works Division Approval Date:	Zoning Approval Date:	UPO Approval Date:











1126 COPE DRIVE  
 170 BASSETT  
 A-01 - BLOCK 41  
 9.73

11  
 12  
 A-

**Committee of Adjustment**  
 Received | Reçu le  
**Revised | Modifié le : 2024-08-28**  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation



2024-08-28

Hi Sarah,

Please see the attached and my notes below:

The applicant has amended the site plan of the proposed driveway with the following changes:

- The revised site plan is a revision of the site plan drawing on page 6 of the original application.
- The driveway width is 5.81 metres where the double-garage is (unchanged)
- The driveway width narrows where the driveway meets the sight corner triangle, the angled part of the frontage
- Then the driveway narrows to a width of 4.86 metres at the front lot line and private approach, instead of being the original proposed 5.81 metres fully to the private approach.
- Additionally, the edge of the driveway is 4.87 metres from the edge of the 4.86 metre to the side lot line.
- ROW Staff have reviewed and provided new comments in the Staff Report.

I hope the above clarifies and I am happy to answer any questions by the Committee on Tuesday.

Kind regards,

**Elizabeth King**

Planner I | Urbansite I

Development Review All Wards (DRAW) | Direction de l'examen des projets d'aménagement -Tous les quartiers (EPATQ)

Planning, Development and Building Services Department (PDBS) | Direction générale des services de la planification, de l'aménagement et du bâtiment (DGSPAB)

City of Ottawa | Ville d'Ottawa

110 Laurier Avenue West | 110 avenue Laurier Ouest

Ottawa, ON K1P 1J1

---

**From:** Shuel, Sarah <sarah.shuel@ottawa.ca>

**Sent:** August 28, 2024 1:36 PM

**To:** King, Elizabeth <elizabeth.king@ottawa.ca>

**Subject:** RE: CofA Reports for Panel 3

Hey Elizabeth,

Thanks for sending these along – I don't believe we've received the revised site plan, if you wouldn't mind sending it along! Could you also advise what revisions the Applicant has made?

Thanks so much!

*Sarah Shuel*

*She, Hers, elle*

Coordinator | Coordonnatrice

Committee of Adjustment | Comité de dérogation



City of Ottawa | Ville d'Ottawa  
101 Centrepointe Drive | 101, promenade Centrepointe  
Ottawa ON K2G 5K7, 613-580-2400 ext. 27584

---

**From:** King, Elizabeth <[elizabeth.king@ottawa.ca](mailto:elizabeth.king@ottawa.ca)>

**Sent:** August 28, 2024 1:04 PM

**To:** Shuel, Sarah <[sarah.shuel@ottawa.ca](mailto:sarah.shuel@ottawa.ca)>

**Subject:** CofA Reports for Panel 3

Hi Sarah,

Please see the attached report for Panel 3 September 3<sup>rd</sup> hearing:

- 612 Smith Road
- 1126 Cope Drive

Please note 1126 Cope Drive submitted a revised site plan to Planning Staff and I am not aware yet (or can see myself in the External CofA page) if the applicant has submitted this to Committee. If the applicant has not, I can forward this to you and/or whomever I need to forward the revised site plan too.

Thank you,

**Elizabeth King**

Planner I | Urbansite I

Development Review All Wards (DRAW) | Direction de l'examen des projets d'aménagement -Tous les quartiers (EPATQ)

Planning, Development and Building Services Department (PDBS) | Direction générale des services de la planification, de l'aménagement et du bâtiment (DGSPAB)

City of Ottawa | Ville d'Ottawa

110 Laurier Avenue West |110 avenue Laurier Ouest

Ottawa, ON K1P 1J1



## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Consent Application

Panel 3  
Tuesday, August 6, 2024  
9 a.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive  
and by videoconference

**Owners of neighbouring properties within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page.

*Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by contacting the Committee of Adjustment at least 72 hours before the hearing.*

**File Nos.:** D08-01-24/B-00119 & D08-01-24/B-00120  
**Application:** Consent under section 53 of the *Planning Act*  
**Applicants:** Martin Brazeau  
**Property Address:** 612 Smith Road  
**Ward:** 19 – Orléans South-Nevan  
**Legal Description:** Part of Lot 10, Concession 10, Geographic Township of Cumberland  
**Zoning:** RU  
**Zoning By-law:** 2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATIONS:

The Applicant wants to subdivide their property into two separate parcels of land to create one new lot for future residential development and to convey a portion of their property to the abutting property to the south known municipally as 590 Smith Road.



**CONSENT IS REQUIRED FOR THE FOLLOWING:**

The Applicant requires the Committee's consent to sever land and for a lot line adjustment. The property is shown as Parts 1, 3, 4, 5, 6 and 7 on the Draft 4R-Plan and sketch filed with the applications and the separate parcels will be as follows:

*Table 1 Proposed Parcels*

<b>File No.</b>	<b>Frontage</b>	<b>Depth</b>	<b>Area</b>	<b>Part No.</b>	<b>Municipal Address</b>
B-00119	70 m	122 m	0.8 ha	4, 5 & 6	634 Smith Road  Vacant land for future residential development
B-00120	landlocked	Irregular	5.26 ha	7	To be merged with 590 Smith Road

The retained land is shown as Part 1 on said plan and will have a frontage of 112.46 metres, an irregular depth, and an area of 13.36 hectares. This lot contains a detached dwelling and an accessory building and is known municipally as 612 Smith Road.

The subject property is not the subject of any other current application under the *Planning Act*.

**FIND OUT MORE ABOUT THE APPLICATION(S)**

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification of the proceedings.

If you want to be notified of the decision following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, send a written request to the Committee.



## HOW TO PARTICIPATE

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's *Rules of Practice and Procedure* accessible online.

### ALL SUBMITTED INFORMATION BECOMES PUBLIC

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence and during the hearing, including your personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent and any other interested individual, and potentially posted online and become searchable on the Internet.

### COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario *Planning Act*. Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario *Statutory Powers Procedure Act*, including consent to sever land and minor variances from the zoning requirements.

DATED: July 19, 2024



*Ce document est également offert en français.*



**Committee of Adjustment**

City of Ottawa

101 Centrepointe Drive

Ottawa ON K2G 5K7

[Ottawa.ca/CommitteeofAdjustment](http://Ottawa.ca/CommitteeofAdjustment)

[cofa@ottawa.ca](mailto:cofa@ottawa.ca)

613-580-2436



**Comité de dérogation**

Ville d'Ottawa

101, promenade Centrepointe

Ottawa ON K2G 5K7

[Ottawa.ca/Comitedederogation](http://Ottawa.ca/Comitedederogation)

[cded@ottawa.ca](mailto:cded@ottawa.ca)

613-580-2436



## AVIS D'AUDIENCE

Conformément à la *Loi sur l'aménagement du territoire* de l'Ontario

### Demandes d'autorisation

**Groupe 3**  
**Mardi 6 août 2024**  
**9 h**

**Place-Ben-Franklin, salle Chamber, 101, promenade Centrepointe  
et par vidéoconférence**

**Les propriétaires des biens-fonds situés dans un rayon de 60 mètres de l'adresse ci-dessous reçoivent le présent avis afin de formuler des observations sur la ou les demandes et de participer à l'audience s'ils le souhaitent.**

L'audience peut aussi être visionnée sur la page [YouTube](#) du Comité de dérogation.

*Les participants peuvent bénéficier de l'interprétation simultanée dans les deux langues officielles, de formats accessibles et d'aides à la communication pour toute question de l'ordre du jour en s'adressant au Comité de dérogation au moins 72 heures à l'avance.*

<b>Dossiers :</b>	D08-01-24/B-00119 et D08-01-24/B-00120
<b>Demandes :</b>	Autorisation en vertu de l'article 53 de la <i>Loi sur l'aménagement du territoire</i>
<b>Requérant :</b>	Martin Brazeau
<b>Adresse municipale :</b>	612, chemin Smith
<b>Quartier :</b>	19 – Orléans Sud-Navan
<b>Description officielle :</b>	Partie du lot 10, concession 10, canton géographique de Cumberland
<b>Zonage :</b>	RU
<b>Règlement de zonage :</b>	n° 2008-250

### PROPOSITION DU REQUÉRANT ET OBJET DES DEMANDES :

Le requérant souhaite lotir son bien-fonds en deux parcelles distinctes afin de créer un nouveau lot pour un aménagement résidentiel futur et de céder une partie de son bien-fonds à la propriété contiguë au sud, située au 590, chemin Smith.



**AUTORISATION REQUISE :**

Le requérant nécessite l'autorisation du Comité en vue du morcellement de son bien-fonds et d'un redressement de ligne de lot. La propriété est représentée par les parties 1, 3, 4, 5, 6 et 7 sur le plan 4R préliminaire joint aux demandes. Les parcelles distinctes sont décrites ci-après :

Tableau 1 Parcelles proposées

Dossier	Façade	Profondeur	Superficie	Parties	Adresse municipale
B-00119	70 m	122 m	0,8 ha	4, 5 et 6	634, chemin Smith  Terrain vacant pour un aménagement résidentiel futur
B-00120	enclavée	irrégulière	5,26 ha	7	Qui sera fusionnée au 590, chemin Smith

Le terrain qui sera conservé est représenté par la partie 1 sur ledit plan. Il aura une façade de 112,46 mètres, une profondeur irrégulière et une superficie de 13,36 hectares. Une maison isolée et un bâtiment accessoire occupent ce lot dont l'adresse municipale est le 612, chemin Smith.

La propriété en question ne fait l'objet d'aucune autre demande en cours en vertu de la *Loi sur l'aménagement du territoire*.

**POUR EN SAVOIR PLUS SUR LES DEMANDES**

Pour obtenir plus de renseignements à ce sujet, communiquez avec le Comité de dérogation via l'adresse, le courriel, le site Web ou le code QR ci-dessous.

Visitez le site **Ottawa.ca/Comité de dérogation** et suivez le lien **Prochaines audiences** pour consulter l'ordre du jour du Comité et les documents relatifs aux demandes, y compris **les lettres d'accompagnement des propositions, les plans, l'information sur les arbres, les avis d'audience, les cartes de diffusion et les rapports d'urbanisme de la Ville**. Les décisions écrites sont également publiées une fois rendues et traduites.

Si vous ne participez pas à l'audience, vous ne recevrez pas d'autre avis à ce sujet.

Si vous souhaitez recevoir un avis de la décision prise à l'issue de l'audience et de tout appel ultérieur interjeté devant le Tribunal ontarien de l'aménagement du territoire, faites-en la demande par écrit au Comité.

**COMMENT PARTICIPER**

**Présentez vos observations écrites ou orales avant l'audience :** Veuillez faire parvenir vos observations par courriel à [cded@ottawa.ca](mailto:cded@ottawa.ca) au moins 24 heures avant l'audience afin de vous assurer que les membres des groupes chargés du rendu des décisions les ont bien reçues. Vous pouvez également téléphoner au coordonnateur ou à la coordonnatrice au numéro 613-580-2436 pour demander que vos observations soient transcrites.



**Inscrivez-vous au moins 24 heures à l'avance** en communiquant avec le coordonnateur ou la coordonnatrice du Comité au numéro 613-580-2436 ou à l'adresse à [cded@ottawa.ca](mailto:cded@ottawa.ca). Vous recevrez des détails sur la façon de participer par vidéoconférence. Si vous souhaitez faire une présentation visuelle, le coordonnateur ou la coordonnatrice sera en mesure de vous fournir des détails sur la façon de procéder. Les présentations sont limitées à cinq minutes et toute exception est laissée à la discrétion du président ou de la présidente.

Les audiences sont régies par les *Règles de pratique et de procédure* du Comité de dérogation et sont accessibles en ligne.

## **TOUS LES RENSEIGNEMENTS PRÉSENTÉS DEVIENNENT PUBLICS**

Sachez que, conformément à la *Loi sur l'aménagement du territoire*, à la *Loi sur les municipalités* et à la *Loi sur l'accès à l'information municipale et la protection de la vie privée*, les observations écrites adressées au Comité de dérogation sont considérées comme des renseignements publics et peuvent être communiquées à toute personne intéressée. Les renseignements que vous choisirez de divulguer dans votre correspondance, notamment vos renseignements personnels, seront versés au dossier public et communiqués aux membres du Comité, au(x) requérant(s) ou à l'agent, l'agente, ainsi qu'à toute autre personne intéressée et pourront éventuellement être affichés en ligne et faire l'objet d'une recherche sur Internet.

## **COMITÉ DE DÉROGATION**

Le Comité de dérogation est le tribunal quasi judiciaire de la Ville d'Ottawa créé en vertu de la *Loi sur l'aménagement du territoire* de l'Ontario. Chaque année, il tient des audiences sur des centaines de demandes en vertu de la *Loi sur l'aménagement du territoire*, conformément à la *Loi sur l'exercice des compétences légales* de l'Ontario, y compris des demandes d'autorisation de morcellement de terrain et de dérogation mineure aux exigences en matière de zonage.

FAIT : 19 juillet 2024



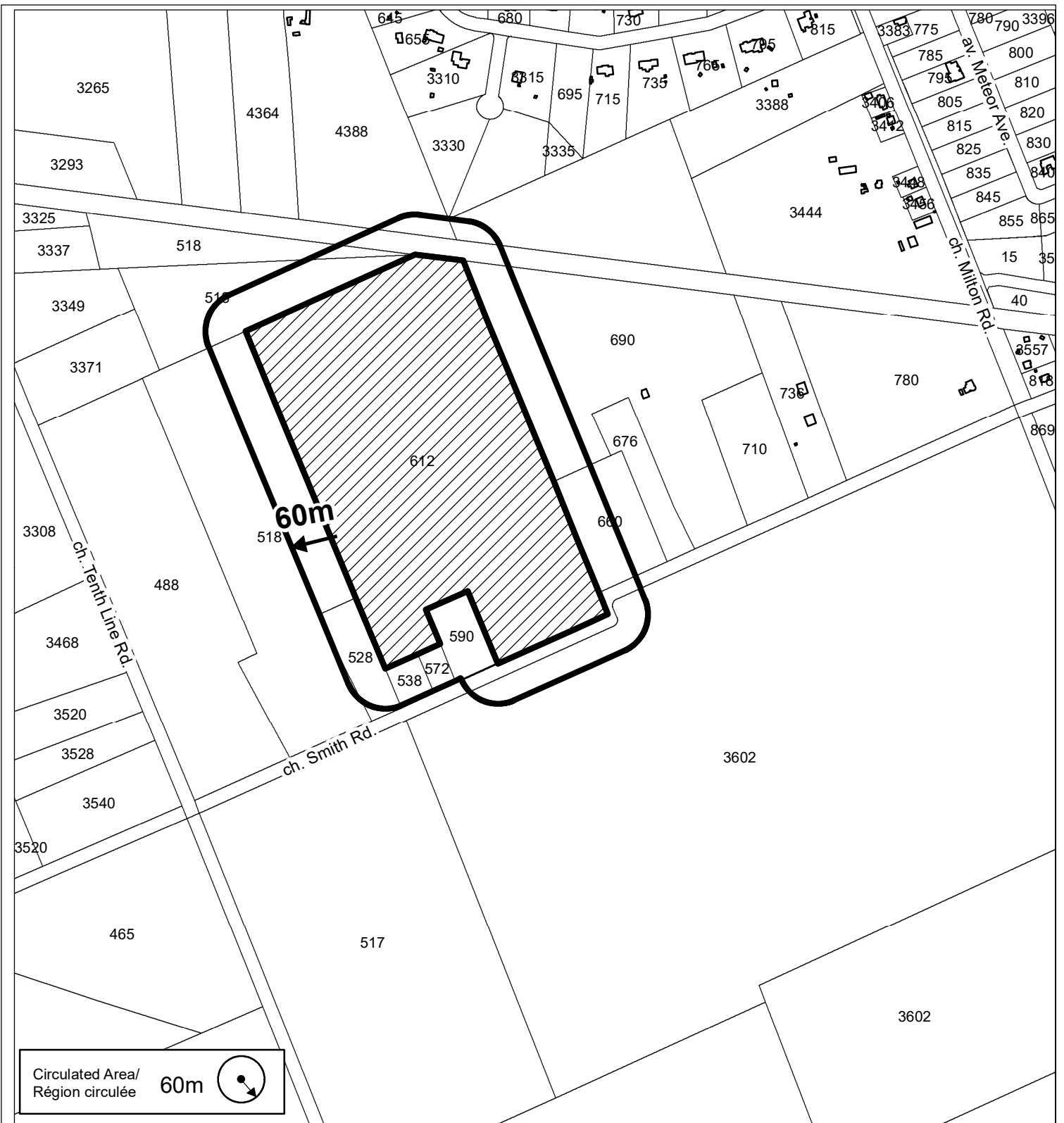
*This document is also available in English.*


**Committee of Adjustment**  
City of Ottawa  
101 Centrepointe Drive  
Ottawa ON K2G 5K7  
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[cofa@ottawa.ca](mailto:cofa@ottawa.ca)  
613-580-2436



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[cded@ottawa.ca](mailto:cded@ottawa.ca)  
613-580-2436





Circulated Area/  
Région circulée 60m 

 **Committee of Adjustment**  
**Comité de dérogation**

**CIRCULATION MAP /**  
**PLAN DE CIRCULATION**

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**SUBJECT LAND / TERRE EN QUESTION**  
**612 ch. Smith Road**



**NOT TO SCALE**  
**NON À L'ÉCHELLE**



This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

101 Centrepointe Drive,  
4th Floor Ottawa, ON  
K2G 5K7

Members of City of Ottawa Committee of Adjustment,

Committee of Adjustment

Received | Reçu le

2024-06-25

City of Ottawa | Ville d'Ottawa

Comité de dérogation

I am the owner of two neighbouring properties: 590 Smith Road and 612 Smith Road. I am seeking consent from the City of Ottawa Committee of Adjustment for a conveyance for lot creation (severance) and a conveyance for a lot line adjustment. Details of both properties as well as my intentions are detailed below.

### **590 Smith Road**

This property was originally part of 612 Smith Road and two acres were severed in 2016. I purchased the two acres from the previous owner and built my personal residence, a single family dwelling.

### **612 Smith Road**

In February 2024, I purchased 612 Smith Road. This property is 19.42 hectares, largely wooded, and includes a single family dwelling as well as a detached building.

### **Intent**

My intentions with 612 Smith Road are twofold:

- Conveyance for lot creation (severance): On the east side of 612 Smith Road lies two acres that I believe is highly suitable for single family dwelling.
- Conveyance for a lot line adjustment: To continue enjoying the benefits of the forest of 612 Smith, I propose a line adjustment which would to add 5.26 hectares from 612 Smith Road to 590 Smith Road. My intent with the additional 5.26 hectares is to fully conserve the existing forest. A report supporting the lot adjustment was completed by Bernie Muncaster, in September 2023, and supports the lot line adjustment. The report is annex and a visual rendering of the proposed lot line adjustment is also annexed.
- Once the severance and line adjustment completed, I intend to sell 612 Smith Road. The interested buyer is currently working with the Conseil des écoles catholique du Centre-Est to create a learning opportunity for school children, allowing them to benefit from nature, outdoor classrooms, walks in the forest and growing vegetables.

I strongly believe my proposal has multiple benefits for the City Ottawa: economic opportunities, conserving our environment, and the eventual benefit to school children. As such, I hope you will strongly consider the requested severance and lot adjustment.

I thank you for the attention you will be giving my proposal.

Martin Brazeau

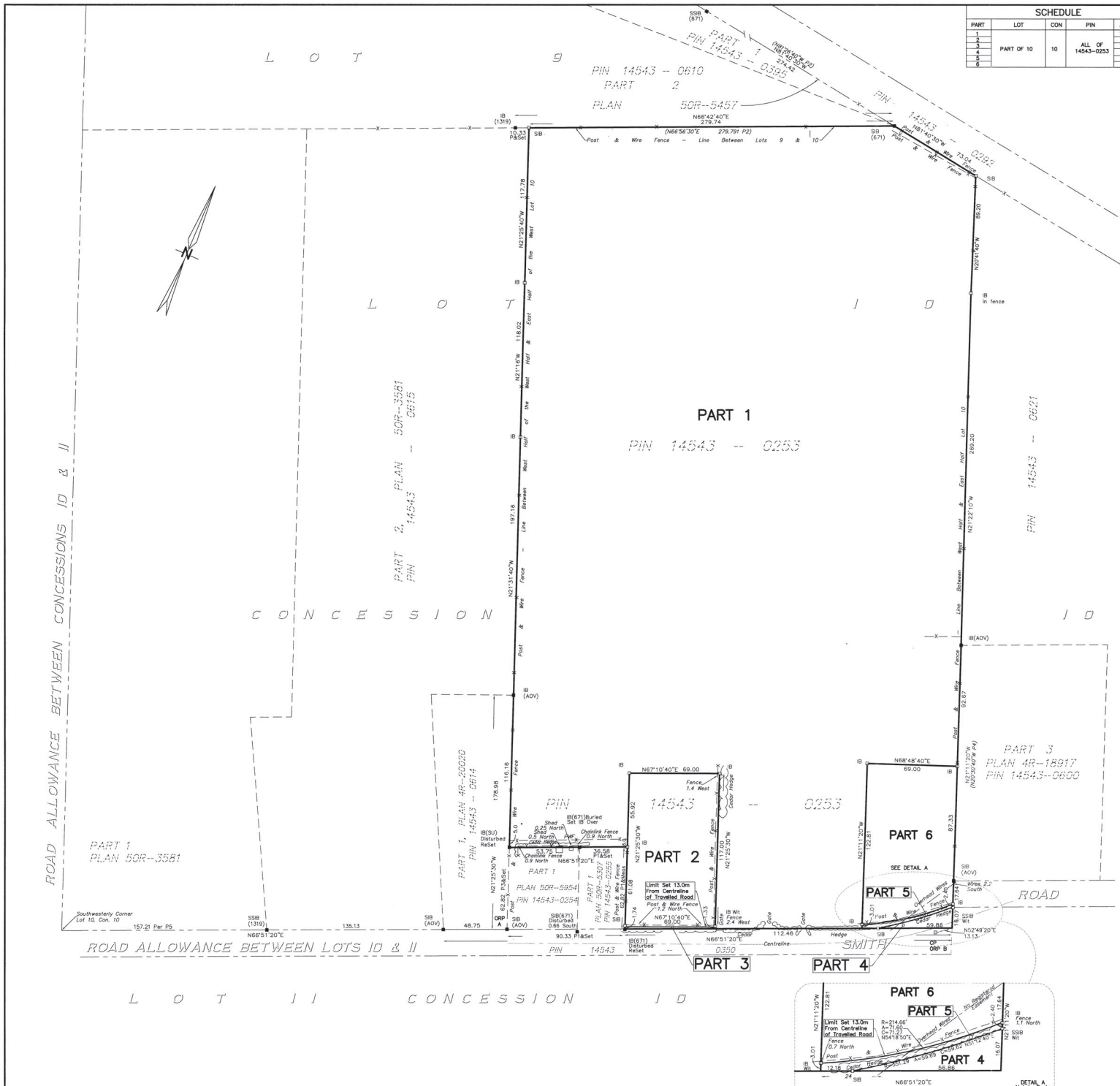












SCHEDULE				
PART	LOT	CON	PIN	AREA
1				18.56ha
2				0.91ha
3	PART OF 10	10	ALL OF 14543-0253	0.91ha
4				0.02ha
5				0.02ha
6				0.89ha

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE \_\_\_\_\_

--- JOHN H. KENNEDY ---  
 REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OTTAWA No. 4

PLAN OF SURVEY OF  
**PART OF LOT 10**  
**CONCESSION 10**  
 GEOGRAPHIC TOWNSHIP OF CUMBERLAND  
 Now in the  
**CITY OF OTTAWA**  
 JOHN H. KENNEDY O.L.S.  
 SCALE 1 : 1500

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTES**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B SHOWN HEREON BY REAL TIME NETWORK OBSERVATIONS UTM ZONE 18, NAD 83 (CSRS) (2010)

FOR BEARING COMPARISONS, A ROTATION OF 01°19'30" CLOCKWISE WAS APPLIED TO BEARINGS ON PLANS 50R-3381, 50R-5307, 50R-5457, 50R-5954, 4R-18917, 4R-20020 AND 4R-21154.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999810

POINT ID	NORTHING	EASTING
ORP A	5028732.32	4644385.50
ORP B	5028798.46	464741.40

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

- DENOTES SURVEY MONUMENT FOUND
- SB DENOTES STANDARD IRON BAR
- SSSB DENOTES SHORT STANDARD IRON BAR
- # DENOTES IRON BAR
- R DENOTES ROUND
- SU DENOTES SOURCE UNKNOWN
- IP DENOTES IRON PIPE
- CM DENOTES CONCRETE MONUMENT
- CC DENOTES CUT CROSS
- ORP DENOTES OBSERVED REFERENCE POINT
- WT DENOTES WITNESS
- Acc DENOTES ACCEPTED
- Meas DENOTES MEASURED
- X-X DENOTES FENCE
- PWF DENOTES POST AND WIRE FENCE
- (ADV) DENOTES ANNE'S, O'SULLIVAN & VOLLEBKX LTD
- (E1) DENOTES F.H. GOUGH O.L.S.
- (1319) DENOTES W.J. WEBSTER O.L.S.
- P1 DENOTES PLAN 50R-3381
- P2 DENOTES PLAN 50R-5307
- P3 DENOTES PLAN 50R-5954
- P4 DENOTES PLAN 4R-18917
- P5 DENOTES PLAN 4R-20020
- P6 DENOTES PLAN 4R-21154

**Committee of Adjustment**  
 Received | Reçu le  
 2024-06-25  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

**SURVEYOR'S CERTIFICATE**

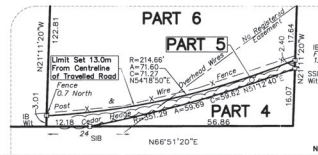
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 1st DAY OF NOVEMBER, 2016.

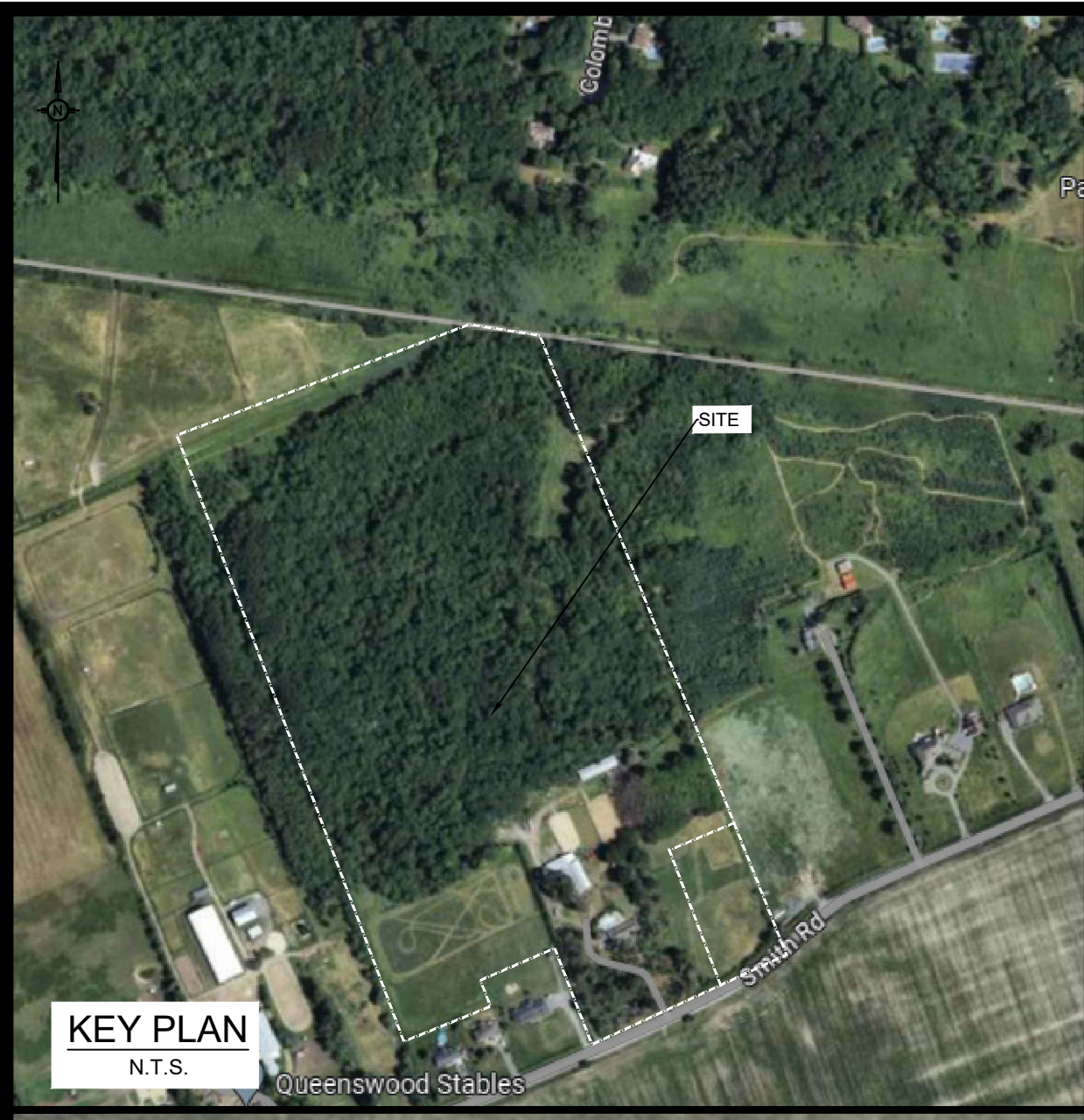
DATE: \_\_\_\_\_ 2016

--- JOHN H. KENNEDY ---  
 REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OTTAWA No. 4

**JOHN H. KENNEDY LTD.**  
 ONTARIO & CANADA LANDS SURVEYORS  
 KEMPVILLE PORTLAND  
 Ref: 2016 - 10 - 114







**LEGEND:**  
 - - - - - EXISTING PROPERTY LINE TO REMAIN

**GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION ARE PART OF THE CONTRACT DOCUMENTS AND DISCRIBE THE SCOPE AND INTENT OF THE DRAWING. THE CONTRACT DOCUMENTS INCLUDE NOT ONLY THE DRAWINGS, BUT ALSO THE OWNER-CONTRACTOR AGREEMENT, CONDITIONS OF THE CONTRACT, THE SPECIFICATIONS, ADDENDA, AND MODIFICATIONS ISSUED AFTER EXECUTION OF THE CONTRACT. THESE CONTRACT DOCUMENTS ARE COMPLEMENTARY, AND WHAT IS REQUIRED BY ANY ONE SHALL BE BINDING AS IF REQUIRED BY ALL. WORK NOT COMPLETELY DELINEATED HEREON SHALL BE CONSTRUCTED OF THE SAME MATERIALS AND DETAILED SIMILARLY AS WORK SHOWN MORE COMPLETELY ELSEWHERE IN THE CONTRACT DOCUMENTS.**

BY USE OF THE DRAWINGS FOR CONSTRUCTION OF THE PROJECT, THE OWNER CONFIRMS THAT HE HAS REVIEWED AND APPROVED THE DRAWINGS. THE CONTRACTOR CONFIRMS THAT HE HAS VISITED THE SITE, FAMILIARIZED HIMSELF WITH THE LOCAL CONDITIONS, VERIFIED FIELD DIMENSIONS AND CORRELATED HIS OBSERVATIONS WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.

AS INSTRUMENTS OF SERVICE, ALL DRAWINGS, SPECIFICATIONS, CADD FILES OR OTHER ELECTRONIC MEDIA AND COPIES THERE OF FURNISHED BY THE ENGINEER ARE HIS PROPERTY. THEY ARE TO BE USED ONLY FOR THIS PROJECT AND ARE NOT TO BE USED ON ANY OTHER PROJECT, INCLUDING REPEATS OF THE PROJECT. CHANGES TO THE DRAWINGS MAY ONLY BE MADE BY THE ENGINEER.

UNLESS THE REVISION TITLE IS "ISSUED FOR CONSTRUCTION", THESE DRAWINGS SHALL BE CONSIDERED PRELIMINARY AND SHALL NOT BE USED AS A CONSTRUCTION DOCUMENT.

THESE DRAWINGS ILLUSTRATE THE WORK TO BE DONE. THE ENGINEER IS NOT RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES USED TO DO THE WORK, OR THE SAFETY ASPECTS OF CONSTRUCTION, AND NOTHING ON THESE DRAWINGS EXPRESSED OR IMPLIED CHANGES THIS CONDITION. CONTRACTOR SHALL DETERMINE ALL CONDITIONS AT THE SITE AND SHALL BE RESPONSIBLE FOR KNOWING HOW THEY AFFECT THE WORK. SUBMITTAL OF A BID TO PERFORM THIS WORK IS ACKNOWLEDGEMENT OF THE RESPONSIBILITIES, AND THAT THEY HAVE BEEN FULLY CONSIDERED IN PLANNING OF THE WORK, AND THE BID PRICE. NO CLAIMS FOR EXTRA CHARGES DUE TO THESE CONDITIONS WILL BE FORTHCOMING.

**UNAUTHORIZED CHANGES:**  
 IN THE EVENT THE CLIENT, THE CLIENT'S CONTRACTORS OR SUBCONTRACTORS, OR ANYONE FOR WHOM THE CLIENT IS LEGALLY LIABLE MAKES OR PERMITS TO BE MADE ANY CHANGES TO ANY REPORTS, PLANS, SPECIFICATIONS OR OTHER CONSTRUCTION DOCUMENTS PREPARED BY LRL ASSOCIATES LTD. (LRL) WITHOUT OBTAINING LRL'S PRIOR WRITTEN CONSENT, THE CLIENT SHALL ASSUME FULL RESPONSIBILITY FOR THE RESULTS OF SUCH CHANGES. THEREFORE THE CLIENT AGREES TO WAIVE ANY CLAIM AGAINST LRL AND TO RELEASE LRL FROM ANY LIABILITY ARISING DIRECTLY OR INDIRECTLY FROM SUCH UNAUTHORIZED CHANGES.

IN ADDITION, THE CLIENT AGREES TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY AND HOLD HARMLESS LRL FROM ANY DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEY'S FEES AND COST OF DEFENSE, ARISING FROM SUCH CHANGES.

IN ADDITION, THE CLIENT AGREES TO INCLUDE IN ANY CONTRACTS FOR CONSTRUCTION APPROPRIATE LANGUAGE THAT PROHIBITS THE CONTRACTOR OR ANY SUBCONTRACTORS OF ANY TIER FROM MAKING ANY CHANGES OR MODIFICATIONS TO LRL'S CONSTRUCTION DOCUMENTS WITHOUT THE PRIOR WRITTEN APPROVAL OF LRL AND THAT FURTHER REQUIRES THE CONTRACTOR TO NOTIFY BOTH LRL AND THE CLIENT FROM ANY LIABILITY OR COST ARISING FROM SUCH CHANGES MADE WITHOUT SUCH PROPER AUTHORIZATION.

**GENERAL NOTES:**  
 EXISTING SERVICES AND UTILITIES SHOWN ON THESE DRAWINGS ARE TAKEN FROM THE BEST AVAILABLE RECORDS, BUT MAY NOT BE COMPLETE OR TO DATE. CONTRACTOR SHALL VERIFY IN FIELD FOR LOCATION AND ELEVATION OF PIPES AND CHECK WITH THE UTILITY COMPANIES BEFORE DIGGING OR PERFORMING WORK.  
 CONTRACTOR IS ADVISED TO COLLECT INFORMATION ON SOIL CONDITIONS BEFORE START OF CONSTRUCTION.  
 THE ENGINEER WAIVES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS AND THE DESIGN INTENT THEY CONVEY, OR FOR PROBLEMS WHICH ARISE FROM OTHERS' FAILURE TO OBTAIN AND/OR FOLLOW THE ENGINEER'S GUIDANCE WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES OR CONFLICTS WHICH ARE ALLEGED.  
 CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES BEFORE WORK COMMENCES. DO NOT SCALE DRAWINGS.



**A** RETAINED LOT

MDS AFFECTATION= 0.07Ha (8.6%).  
 TOTAL LOT AREA= 0.80Ha  
 UNAFFECTED AREA= 0.73Ha

**B** SEVERED LOT

PROPOSED ±2500 SQFT. HOUSE AND ATTACHED GARAGE.

PROPOSED DUG WELL TO SERVICE THE NEW DEVELOPMENT

APPROX. LOCATION OF THE EXISTING HORSE STABLE

APPROX. LOCATION OF THE EXISTING SEPTIC BED

APPROX. LOCATION OF THE EXISTING SEPTIC TANK

APPROX. LOCATION OF THE EXISTING HOUSE

PROPOSED SEPTIC TANK

EXISTING DUG WELL

PROPOSED SEPTIC BED

PROPOSED SPARE SEPTIC BED

APPROX. BOUNDARY OF PART 5

**NOTE:**  
 THE MEASUREMENTS PROVIDED ON THE DRAWING ARE APPROXIMATE AND MAY NOT BE PRECISE. BACKGROUND IMAGE CAPTURED FROM GOOGLE MAPS IS USED TO LOCATE THE APPROX LOCATION OF THE EXISTING STRUCTURES, WELL AND SEPTIC AREA.

Committee of Adjustment  
 Received | Reçu le  
 Revised / Modifié le : 2024-08-29  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

NO.	ISSUED FOR APPROVAL	S.V.	29 AUG 2024
	REVISIONS	BY	DATE

NOT AUTHENTIC UNLESS SIGNED AND DATED

**LRL**  
 ENGINEERING | INGÉNIERIE  
 5430 Canotek Road | Ottawa, ON, K1J 9G2  
 www.lrl.ca | (613) 842-3434

CLIENT  
**MARTIN BRAZEAU**

DESIGNED BY: P.P.    DRAWN BY: S.V.    APPROVED BY: P.P./J.A.

PROJECT  
 PROPOSE LOT SEVERANCE  
 612 SMITH ROAD, NAVAN, ON

DRAWING TITLE  
 SITE DEVELOPMENT PLAN

PROJECT NO.  
**230678**    **C201**





Muncaster  
Environmental  
Planning Inc.

September 7, 2023

Mr. Martin Brazeau  
590 Smith Road  
Navan, Ontario  
K4B 1H8

Dear Mr. Brazeau:

**RE: 590 Smith Road Lot Boundary Adjustment  
Environmental Impact Study**

**Committee of Adjustment**  
Received | Reçu le

2024-06-25

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

This Environmental Impact Study (EIS) addresses the existing vegetation and other natural heritage components including significant woodlands and, potential Species at Risk utilization on and adjacent to a proposed 5.2 hectare lot boundary adjustment at 590 Smith Road, on the north side of Smith Road, approximately 450 metres east of Tenth Line Road and west of the Village of Navan. The site is within Concession 10, Part of Lot 10 in the Cumberland Geographic Township of the City of Ottawa.

For the purposes of this report Smith Road is assumed to be in an east-west orientation.

### ***Background and Project Description***

A mostly rectangular 5.2 hectare land parcel is proposed to be added to 590 Smith Road (Figure 1). An EIS was completed in 2016 for the severance of 590 Smith Road from 612 Smithe Road. With the proposed lot boundary adjustment, the retained lands of 612 Smith Road will be approximately 14.2 hectares. Importantly, there are no developments or other site alterations associated with the lot boundary adjustment as the owner of 590 Smith Road wishes to obtain ownership of a portion of the forest to ensure it remains in its existing condition.

The site and adjacent areas are designated rural countryside on Schedule B9 of the City of Ottawa Official Plan. The site is also zoned *Rural Countryside* (RU). The forests on the site are part of the Natural Heritage System Feature Overlay on Schedule C11-C of the Official Plan. No Natural Heritage System Core Areas, Linkage Areas, Significant Wetlands, Natural Environment Areas, or Areas of Natural and Scientific Interest are on or adjacent to the site, with the closest Natural Heritage System Core Area approximately 725 metres to the west, associated with Mer Bleue. This is also the closest Provincially Significant Wetland and Area of Natural and Scientific Interest. No unevaluated wetlands are shown on the geoOttawa layer on the site, with the closest mapped wetlands approximately 250 metres to the north of the northeast corner of the



lot boundary adjustment. No environmental constraints are mapped on or adjacent to the site on Schedule C15 of the Official Plan.

### ***Methodology***

This EIS was prepared in accordance with the City's EIS Guidelines, with guidance from the Natural Heritage Reference Manual (OMNR, 2010). The major objective of this EIS is to assess the features and functions of the on-site and adjacent natural environment conditions.

Colour aerial photography (1976 - 2021) was used to assess the natural environment features in the general vicinity of the site. A field review of the lot boundary adjustment and adjacent lands was completed from 10:40 to 12:45 on August 31<sup>st</sup>, 2023, under sunny skies, a light air, and an air temperature of 18° C. The field survey and this report were completed by Bernie Muncaster, who has a Master's of Science in Biology and over thirty-five years of experience in completing natural environment assessments.

### ***Existing Conditions***

The lands proposed for a lot boundary adjustment are generally level with no clear changes in topography. The soils on the proposed adjustment lands are mapped as well-drained fine sands and sandy loams which is consistent with the field observations.

Residences and extensive agricultural operations along the Smith Road corridor limit potential linkages from the lands proposed for a lot boundary adjustment to Mer Bleue to the west. However, some linkage function is anticipated with the forests to the north and east via a series of forests south of Navan Road.

The south portion of the lands proposed for lot boundary adjustment were formerly used as horse pasture and is a cultural meadow (Photo 1) dominated by common non-native and/or invasive ground flora including bluegrass, awnless brome grass, June meadow grass, orchard grass, reed canary grass, field sow-thistle, common dandelion, Canada thistle, common burdock, Canada goldenrod, tall goldenrod, New England aster, common yarrow, common milkweed, white-sweet clover, red clover, tufted vetch, bird's-foot tick trefoil, and lady's thumb.

The forest which occupies the central and north portions of the lands proposed for the lot boundary adjustment contain upland mixed and deciduous forests (Photo 4), up to 380 metres in depth. Sugar maple and red maple are well represented throughout. Where the coniferous component is greater than 25 percent white pine, white cedar, white spruce, and eastern hemlock are common and the forest is shown as a mixed forest on Figure 1 (Photo 2 and 3). White ash, green ash, white birch, trembling aspen, American beech, black cherry, and red oak are also well represented in the deciduous forest component. Crack willow and small black walnut stems are along the south boundary of the forest. The largest trees are white pine, sugar maple, and white ash in the 60cm diameter at breast height (dbh) range, but most trees are less than 25cm dbh (Photos 2, 3, and 4). This suggests historical logging for selective tree removal and/or former pasture activity. The forest appears to be in generally good condition with some windthrow (Photo 6) but less than the windthrow in many of the forests in the general area. The windthrow and historical cutting has resulted in open areas of the canopy in a few locations.



Common buckthorn and glossy buckthorn shrubs are common in portions of the forest understory, with red-osier dogwood, round-leaved dogwood, beaked hazel, red raspberry and slender willow also present, along with regenerating ash, maple, white spruce, American beech, red oak, white pine, and balsam fir stems. The ground flora includes many native species reflecting less disturbed conditions such as eastern bracken, lady fern, New York fern, marginal wood fern, eastern hay-scented fern, starflower, pipsissewa, tall white lettuce, wild sarsaparilla, Canada mayflower, wild ginger, Indian tobacco, partridge-berry, Indian cucumber-root, woodland horsetail, ground pine, and ground cedar, with thicket creeper, common dandelion, small white aster, panicled aster, flat-topped aster, heart-leaved aster, small enchanter's nightshade, purple-flowering raspberry, and Pennsylvania sedge also present. Many lower areas in the forest have wetland affinities and here ostrich fern, sensitive fern, spotted jewelweed, fowl manna grass, hop sedge, lake-bank sedge, purple loosestrife, boneset, water horehound, path rush, and false nettle are common along with narrow-leaved meadowsweet shrubs. There are many trails in the forest (Photo 5), likely used for selective tree removal over the decades. Along the trails the ground flora is often reflected of disturbed conditions including common burdock, common plantain, heal-all, colt's-foot, common ragweed, Canada goldenrod, common dandelion, white avens, yellow wood sorrel, and common strawberry.

Wildlife observations on and adjacent to the proposed adjustment lands include American crow, common raven, wild turkey, black-capped chickadee, downy woodpecker, northern flicker, song sparrow, blue jay, American robin, great-crested flycatcher, northern leopard frog, grey squirrel and red squirrel. A turkey vulture was observed overhead. A few of the larger trees in the forest contained cavities at suitable heights that could be used for wildlife. No stone piles or bedrock fissures were observed.

No potential aquatic habitat was observed on or adjacent to the lot boundary adjustment lands.





*Photo 1 – Cultural meadow in the south portion of the lot boundary adjustment lands, with view looking north to the mixed forest*



*Photo 2 – Typical condition for the south portion of the mixed forest in the lands proposed for lot boundary adjustment. View looking northwest*





*Photo 3 – Another portion of the mixed forest. This example is in the central portion of the lands proposed for lot boundary adjustment. View looking north*



*Photo 4 – Upland maple forest in the northwest portion of the lands proposed for lot boundary adjustment. View looking northeast*





*Photo 5 – Trails are common in the forests in the central and north portions of the lands proposed for lot boundary adjustment. View looking north*



*Photo 6 – Windfall is present but not common through the forests. This example is along the west edge of the site in the upland deciduous forest. View looking northeast*



### ***Species at Risk***

No butternuts or other Species at Risk were observed during the field surveys. On August 24<sup>th</sup>, 2023 the MNR's Make a Map: Natural Heritage Area website was reviewed again. This site allows for a search of Threatened and Endangered species covered by the 2008 *Endangered Species Act*, as well as other species of interest. A search was conducted on the 1 km squares including the proposed adjustment lands and adjacent areas (18VR62-48 and -49). Two Species at Risk were identified for these squares; eastern meadowlark and bobolink. Bobolink and eastern meadowlark utilize large grassland areas including hay fields. The meadow habitat is too small and lacks core habitat to be suitable for eastern meadowlark and bobolink nesting. The total size is approximately 2.25 hectares, which is much less than the minimum size of five hectares identified in the Ministry of Natural Resources and Forestry's General Habitat Description and the maximum depth of the meadow habitat is about 110 metres. Two species of special concern, wood thrush and eastern wood pewee are also listed for these squares in the database. As forest interior habitat is present in the forest habitat on and adjacent to the lands proposed for the lot boundary adjustment these forest nesting birds may be found on the site.

Species at Risk reported in the Ontario Breeding Bird Atlas for the 10 km square 18VR62 that includes the site and general area are least bittern, bobolink, eastern meadowlark, barn swallow (now species of special concern), bank swallow and chimney swift. Least bittern is found in large undisturbed expanses of cattail, open water and other marshes. Chimney swift nests predominantly in open chimneys and sometimes in tree hollows. Bobolink and eastern meadowlark are discussed above. No structures are present on the lot boundary adjustment lands. Suitable wetland or sand bank habitats were not observed on the proposed lot boundary adjustment lands least bittern or bank swallow, respectively. No open brick chimneys on the adjacent buildings that may be used by chimney swift were noted. The barns to the northeast on the adjacent lands are well maintained with no evidence of barn swallow nesting and no open rafters on the outside or ready access to the inside.

The potential Species at Risk in the City of Ottawa were also reviewed. Many endangered and threatened species have historically been reported in the overall City, including butternut, American ginseng, eastern prairie fringed-orchid, wood turtle, spiny softshell, butternut, Blanding's turtle, musk turtle, Henslow's sparrow, loggerhead shrike, little brown myotis, northern long-eared bat, small-footed myotis, olive hickorynut, chimney swift, eastern meadowlark, bank swallow, bobolink, eastern whip-poor-will, bald eagle, golden eagle, cerulean warbler, least bittern, eastern cougar, lake sturgeon, and American eel.

The habitat requirements of the above species along with those listed as special concern were reviewed. Although butternut is found in a variety of habitats in eastern Ontario, no butternuts were observed on or within 50 metres of the lot boundary adjustment lands. The understory of the on-site forests is too thick to be used by eastern whip-poor-will and the density of potential cavity trees for summer bat colony use is less than the 10 per hectare recommended for higher quality potential bat habitat.



### ***Significant Woodlands***

As outlined in Section 5.1 of City of Ottawa (2022b), forests in the rural portion of the City of Ottawa are evaluated using the criteria in Section 7 of the Natural Heritage Reference Manual (OMNR, 2010). For the Ottawa East – Bearbrook rural planning area, which includes the site, a contiguous woodland of twenty hectares or greater or with forest interior habitat of at least two hectares is considered significant. As indicated above the on-site forests are contiguous with forests to the north, in many cases extending to the Navan Road corridor. The total size of the contiguous forest is approximately 62.6 hectares, resulting in the overall contiguous forest, including the forests on the lands proposed for lot boundary adjustment to be considered significant woodlands. Greater than two hectares of forest interior habitat is also present. The forests within the lot boundary adjustment are not needed for the contiguous forests to be considered significant woodlands. Forest interior habitat is also present in contiguous forests to the north, south of Navan Road.

### ***Significant Wildlife Habitat***

The potential for significant wildlife habitat was assessed using the guidance in OMNR (2010) and MNR (2015). Potential components which may lead to a designation of significant wildlife habitat include seasonal concentration areas of animals, rare vegetation communities or specialized habitat for wildlife, habitat for species of conservation concern, and animal movement corridors. As indicated above wood thrush and eastern wood pewee, species of special concern, have the potential to utilize the on-site and adjacent forests and associated forest interior habitat. The field observations would not trigger other significant wildlife habitat designation with respect to the ELC communities present. For example, the cultural habitats do not support waterfowl stopover or staging areas, colonial nesting bird breeding habitat, or other examples of seasonal concentration areas. No rare vegetation communities as noted in MNR (2015) or rare or specialized habitats were observed. No evidence of raptor utilization was seen and old growth forest is not present. The number of potential tree cavities that may support maternity colonies for bats is less than the density for high quality habitat. Areas of broken and fissured rock or stone for potential use by snakes and other wildlife were not observed. No rare vegetation communities as noted in MNR (2015) or rare or specialized habitat including seeps or springs are on or adjacent to the site. Though the on-site forests have wetland affinities in areas, the low extent of potential standing water would not appear suitable for supporting amphibian or turtle habitat.

Residences and extensive agricultural operations along the Smith Road corridor limit potential linkages from the lands proposed for a lot boundary adjustment to Mer Bleue to the west. However, some linkage function is anticipated from the forests to the north and east via a series of forests south of Navan Road.



### ***Impact Analysis and Recommendations***

Natural heritage features, as identified in the Provincial Policy Statement and OMNR (2010), observed on and adjacent to the lands proposed for lot boundary adjustment are significant woodlands and potential significant wildlife habitat. This section of the EIS is different from other reports as no development or other site alterations are proposed in association with the lot boundary adjustment. The Applicant has indicated that he wishes to add the forest to the existing parcel to ensure no impacts in the future to the forest. It is recommended that consideration be given to changing the zoning of the forests to open space to assist in their future preservation.

The following additional mitigation measures are recommended to protect the environment in general:

- to assist with avoiding potential impacts on the forests all pets are to be under control at all times and kept out of the forests;
- outdoor lighting is to be limited as much as possible and not directed towards the adjacent forests;
- plantings of native vegetation in the meadow habitat will provide a diversity of natural environment and aesthetic features and augment the features and functions of the adjacent forest. To provide a natural appearance, trees and shrubs should be planted in a random, cluster fashion rather than in a grid system. Potential native species to plant include nannyberry, elderberry, ninebark, and dogwood shrubs along with sugar maple, red maple, basswood, balsam fir, white cedar, tamarack, red oak, and white spruce trees. Sourcing native species from local seed sources is strongly recommended to ensure adaptability and longevity;
- Species at Risk sightings should be reported to the Ministry of the Environment, Conservation, and Parks.

### ***Conclusion***

A 5.2 hectare lot boundary adjustment is proposed to be added to the existing land parcel at 590 Smith Road on the north side of Smith Road east of Tenth Line Road. The Applicant has indicated that he wishes to add the forest to the existing parcel to ensure no impacts in the future to the forest. The on-site and adjacent contiguous forests are considered significant woodlands and potential significant wildlife habitat is present in the forests. Native plantings are recommended for the meadow habitat to the south of the forests.



## **References**

City of Ottawa. 2022. Protocol for Wildlife Protection during Construction. Revised September, 2022. 14 pp & Append.

City of Ottawa. 2022b. Significant Woodlands - Guidelines for Identification, Evaluation, and Impact Assessment. Revised December, 2022. 31 pp & Append.

Ontario Ministry of Natural Resources. 2010. Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. March 2010. 233 pp.

Ontario Ministry of Natural Resources and Forestry. 2015. Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E. January, 2015. 38 pp.

Please call if you have any questions on this Environmental Impact Study.

Yours Sincerely,

**MUNCASTER ENVIRONMENTAL PLANNING INC.**



Bernie Muncaster, M.Sc.  
Principal

\\612SmithRoad23

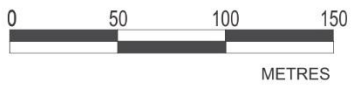




- Legend**
- Existing Severance
  - Retained Lands
  - Lands to be Added to 590 Smith Road
  - Vegetation Communities



Approx. Scale 1:3,600



**Vegetation Communities**

- ① Cultural meadow
- ② Upland mixed forest
- ③ Upland maple deciduous forest

September 2, 2023

FILE: 15-22

**Figure 1**

Prepared for: **Martin Brazeau**

Prepared by:  Muncaster Environmental Planning Inc.

**ENVIRONMENTAL IMPACT STUDY**

**Lot Boundary Adjustment  
590 Smith Road  
Cumberland Geographic Township, City of Ottawa**





**CONSENT APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3**

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

---

Site Address: 612 Smith Road  
Legal Description: Part of Lot 10, Concession 10, Geographic Township of Cumberland  
File No.: D08-01-24/B-00119 & D08-01-24/B-00120  
Report Date: August 29, 2024  
Hearing Date: September, 3 2024  
Planner: Elizabeth King  
Official Plan Designation: Rural Transect, Rural Countryside  
Zoning: Rural Countryside, Flood Plan Overlay

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**DEPARTMENT COMMENTS**

The Planning, Development and Building Services Department **has no concerns with** the application.

**DISCUSSION AND RATIONALE**

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have no concerns with the proposed consent.

Staff received a revised site plan on August 29, 2024, demonstrating that the new lot being created satisfies the required Minimum Distance Separation (MDS) setback of 82 metres and Staff have no further concerns. Additionally, Staff do not have concerns with the application for the lot line adjustment.



## ADDITIONAL COMMENTS

### Infrastructure Engineering

- The Planning, Development and Building Services Department will do a complete review of grading and servicing during the building permit process.
- At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
- Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.
- The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by Planning, Development and Building Services Department.
- A private approach permit is required for any access off of the City street.
- Existing grading and drainage patterns must not be altered.
- Encroachment on or alteration to any easement is not permitted without authorization from easement owner(s).

### Right of Way Management

The Owner shall be made aware that a Private Approach Permit is required to construct any new driveway/private approach.

## CONDITIONS

If approved, the Planning, Development, and Building Services Department requests that the Committee of Adjustment impose the following conditions on the applications:

1. That the Owner(s) provide proof to the satisfaction of **Development Review Manager of All Wards within Planning, Development and Building Services Department, or their designate**, to be confirmed in writing from the Department to the Committee, that each existing parcel has its own independent private sewage system, storm/foundation drainage, and well and that they do not cross the proposed severance line. If the systems cross the proposed severance line, are not independent, or do not meet the minimum spacing requirements of the Ontario Building Code and City of Ottawa Hydrogeological and Terrain Analysis Guidelines, the Owner(s) will be required to relocate the existing systems or construct new systems, at their own cost.
2. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Development Review Manager of All Wards within Planning, Development and Building Services Department, or their



designate, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

“The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

“The property is located next to lands that have an existing source of environmental noise (collector road) and may therefore be subject to noise and other activities associated with that use”

The Committee requires a copy of the Agreement and **written confirmation from City Legal Services** that it has been registered on title.

3. The Owner(s) shall prepare a noise and vibration attenuation study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of **Development Review All Wards Manager within Planning, Development and Building Services Department, or their designate**. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement vibration and noise control attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title.
4. That the Owner(s) provide a Rail Safety Report prepared by a suitably experienced Professional Engineer or Planner, licensed in the Province of Ontario, to the satisfaction of the **Development Review Manager of All Wards within Planning, Development and Building Services Department , or their designate**, to be confirmed in writing from the Department to the Committee.

The purpose of the report is to consult with the railway or operator, determine the building setbacks for new development, and to design and install the required mitigative measures with regards to rail safety. The report must meet the requirements of the Guidelines for New Development in Proximity to Railway Operations, as amended.

5. That the Owner(s) submit a **Phase 1 Environmental Assessment** prepared by a qualified person who meets the qualifications prescribed by the regulations, for approval by the Development Review Manager of All Wards within Planning, Infrastructure and Economic Development Department, or their designate, to be confirmed in writing from the Department to the Committee, outlining the assessment of the property and determining the likelihood that one or more contaminants have affected any land or water, in or under the property.



6. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way along Smith Rd, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's Official Plan, if required. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.
7. That the Owners provide a report, to the satisfaction of the City of Ottawa, demonstrating the adequacy of the aquifer with respect to quality and quantity to support the proposed development, failing which the Owners construct a new well on the severed lot and provide a report, to the satisfaction of the City of Ottawa, to demonstrate the adequacy of the aquifer with respect to quality and quantity to support the proposed development. The report must include a septic impact assessment to evaluate the water quality impact of the on-site septic system on the receiving aquifer.

The Owners' report must demonstrate the following to the City of Ottawa:

- a) That the construction of any new well on the severed parcel is in accordance with the Ministry of the Environment, Conservation and Parks
- b) That the quality of the water meets the Ministry of the Environment, Conservation and Parks Regulations, Standards, Guidelines and Objectives;
- c) That the quantity of water meets all the Ministry of the Environment, Conservation and Parks requirements.
- d) That the septic impact assessment meets the Ministry of the Environment, Conservation and Parks requirements.

A qualified Professional Engineer or Professional Geoscientist must prepare the report. It is the Owner's responsibility to coordinate the person drilling a new well, if required, and the professional noted herein in order to properly satisfy this condition.

If the accepted report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the



property, which includes those recommendations. In instances where the subject site has sensitive soils, the drilling of a well and/or the conveyance of a 30-centimetre reserve may be required. Both the report and any required Development Agreement shall be prepared to the satisfaction of **Development Review All Wards Manager within Planning, Development and Building Services Department , or their designate.**

The Report shall be prepared as per Procedure D-5-4 “Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment” and Procedure D-5-5 “Technical Guideline for Private Wells: Water Supply Assessment”.

8. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
9. That the Owner(s) provide a report, to the satisfaction of the City of Ottawa, demonstrating the adequacy of the aquifer with respect to quality and quantity to support the proposed development, prepared in accordance with the City of Ottawa Hydrogeological and Terrain Analysis Guidelines, as amended. The Hydrogeological and Terrain Analysis report must demonstrate the following to the City of Ottawa:
  - That the construction of any new well(s) on the severed parcel(s) is/are in accordance with the Ministry of the Environment, Conservation and Parks regulation (O.Reg.903) and the City of Ottawa Hydrogeological and Terrain Analysis Guidelines;
  - That the quality of the water meets the requirements of the City’s Hydrogeological and Terrain Analysis Guidelines;
  - That the quantity of water meets all the requirements of the City’s Hydrogeological and Terrain Analysis Guidelines;
  - That the septic impact assessment meets the requirements of the City’s Hydrogeological and Terrain Analysis Guidelines.

A hydrogeologist (P.Geo. or P.Eng. with the required qualifications) must prepare the report. It is the Owner’s responsibility to coordinate the person drilling a new well (or wells), if required, and the professional hydrogeologist noted herein in order to properly satisfy this condition.

Lot creation will normally not be approved based on dug wells, unless it can be demonstrated, to the satisfaction of the City, that a drilled well is likely to produce unacceptable water quantity or quality. Technical pre-consultation is mandatory if dug



wells are contemplated. The report provided with the application identifies that dug wells are contemplated, which will require technical pre-consultation with the City.

If the approved report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the property, which includes those recommendations. In instances where the approved Hydrogeological and Terrain Analysis report recommends specific requirements for well or septic system design and construction, the drilling of a well (or wells) and/or the conveyance of a 30-centimetre reserve shall be required. A potential alternative to conveying a 30cm reserve, for sites with specific recommendations in the approved Hydrogeological and Terrain Analysis report, would be to drill a well on each severed parcel and submit the required confirmation documents, which could include, but is not limited to, a Well Inspection Report (certified by a hydrogeologist, not only the well driller) and a copy of the approved Septic Permit from the Ottawa Septic System Office for each severed parcel, demonstrating compliance with the approved Hydrogeological and Terrain Analysis report.

Both the report and any required Development Agreement shall be prepared to the satisfaction of **the Manager of the Development Review All Wards Branch, or their designate.**

10. That the Owner file with the Secretary-Treasurer of the Committee of Adjustment the following:
- a. A copy of the Reference Plan and/or legal description of the severed land and the deed or instrument conveying the severed land to the owner of the abutting property known municipally as 590 Smith Road, so that no new lot is being created, in accordance with paragraph (b) below;
  - b. A Certificate of Official attached to the deed/transfer required by paragraph (a) above containing the following endorsement:

“The lands to be severed are for the purpose of a lot addition only to the abutting lands owned by *(insert name)* described as PIN *(insert property identification number)* being Part(s) *(insert numbers)* on Plan *(insert plan number)*, not for the creation of a new lot, and any subsequent transfer, charge or other transaction involving the lands to be severed shall be subject to compliance with Section 50(3) or Section 50(5) of the Planning Act, as applicable. Neither the lands to be severed nor the abutting lands are to be transferred, charged or otherwise re-conveyed in the future without the other parcel unless a further consent is obtained.

The Owner shall cause the lands to be severed to be consolidated on title with the abutting lands and for this condition to be entered on the parcel register for the consolidated parcel as a restriction”;



- c. An Undertaking from a solicitor authorized to practice law in the Province of Ontario, and in good standing with the Law Society of Upper Canada, as follows:

“In consideration of, and notwithstanding the issuance of the Certificate under Section 50(12) of the Planning Act in respect to the subject Application for Consent, I undertake on behalf of the Owner, within **30 days** of the registration on title of the transfer document containing the endorsement set out in the Certificate of Official issued by the Committee of Adjustment, to file an Application to Consolidate Parcels including the severed land (Part of PIN *(insert number)* and the abutting land (PIN *insert number*). This PIN consolidation is intended to reinforce the Planning Act stipulation in the condition outlined above that both parcels have merged on Title and cannot be conveyed separately in the future. I further undertake to forward a copy of the registered Application to Consolidate Parcels and a copy of the Consolidated Parcel abstract page(s) to the Committee office within 21 days of the registration of the Application to Consolidate Parcels”.

- d. Where the parcel consolidation stipulated in paragraph (b) and the solicitor's Undertaking in paragraph (c) above cannot be reasonably completed because the parcels of land to be merged have different estate qualifiers, an Application to Annex Restrictive Covenant under Section 118 of the *Land Titles Act* must be registered on the Title of both the severed lands and on the abutting parcel that is to be merged. The Covenant, which is to be to the satisfaction of the Secretary-Treasurer of the Committee, shall advise all future purchasers that the parcels must be dealt with together and not separately, and contain wording set out below or similar wording acceptable to the Secretary-Treasurer of the Committee:

“These lands have been merged and may not be dealt with separately, without applying for a Consent of the Committee of Adjustment”.

- e. In lieu of the Undertaking provided in paragraph (c), a replacement Undertaking by the solicitor must be filed undertaking on behalf of the Owner to register the Restrictive Covenant on both property Titles within 30 days of the registration of the transfer document containing the endorsement of the Certificate of Official issued by the Committee of Adjustment for this application and to file a copy of the registered Restrictive Covenant with the Committee within 21 days of the registration of the document

11. That the Owner(s) enter into an Agreement with the City, to the satisfaction of **the Manager of the Development Review All Wards Branch, or their designate**, to be placed on title that includes the mitigation measures identified in the “590 Smith Road



Lot Boundary Adjustment Environmental Impact Study” provided by Muncaster Environmental Planning and dated September 7, 2023.



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