



**Committee of Adjustment**

**Panel 3**

**Tuesday, September 17, 2024**

**9:00 AM**

**Ben Franklin Place, The Chamber, Main Floor, 101 CentrepoinTE 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**

**HEARING OF APPLICATIONS**

- 1. 177 Loreka (Ward 6 - Stittsville)  
D08-02-24/A-00219**

**Minor Variance Application**

**Applicant(s): Mathew Haufe and Kaitlyn Haufe**

**To permit an increased projection for the construction of a deck at the rear of the existing dwelling.**

2. **5370 Sand (Ward 20 - Osgoode)**  
**D08-01-24/B-00145**

**Consent Application**

Applicant(s): Mark Hamilton and Leslie Hamilton  
Agent: K. Cure

To convey a portion of land to the abutting property to the northwest (PIN 14558-0149).

3. **394 Allbirch (Ward 5 - West Carleton-March)**  
**D08-02-24/A-00221**

**Minor Variance Application**

Applicant(s): William and Avril Van Aert  
Agent: Jarvis Design Firm

To permit an increased cumulative floor area and reduced setbacks from the front and side lot lines for the construction of a new detached garage.

4. **4490 Donnelly (Ward 21 - Rideau-Jock)**  
**D08-01-24/B-00140**

**Consent Application**

Applicant(s): Jon and Mary Hegan

To convey a portion of the property to the abutting property owners to the east, known municipally as 4472 Donnelly Drive.

5. **1126 Cope (Ward 6 - Stittsville)**  
**D08-02-24/A-00173**

**Minor Variance Application**

*Adjourned from August 6. 20 and September 3, 2024*

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

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

**OTHER BUSINESS**

**ADJOURNMENT**



## Comité de dérogation

### Groupe 3

le mardi 17 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. 177 Loreka (Quartier 6 - Stittsville)  
D08-02-24/A-00219

**Demande de dérogation mineure**

Requérant(e)(s) : Mathew Haufe et Kaitlyn Haufe

Permettre l'augmentation de la saillie pour la construction d'une terrasse à l'arrière de la maison existante.

2. **5370 Sand (Quartier 20 - Osgoode)**  
**D08-01-24/B-00145**

**Demande d'autorisation**

Requérant(e)(s) : Mark Hamilton et Leslie Hamilton  
Agent : K. Cure

Céder une partie du bien-fonds à la propriété voisine au nord-ouest (NIP 14558-0149).

3. **394 Allbirch (Quartier 5 - West Carleton-March)**  
**D08-02-24/A-00221**

**Demande de dérogation mineure**

Requérant(e)(s) : William et Avril Van Aert  
Agent : Jarvis Design Firm

Permettre une surface de plancher cumulative accrue et des marges de recul réduites par rapport aux lignes de lot avant et latérales pour la construction d'un nouveau garage isolé.

4. **4490 Donnelly (Quartier 21 - Rideau-Jock)**  
**D08-01-24/B-00140**

**Demande d'autorisation**

Requérant(e)(s) : Jon et Mary Hegan

Céder une partie du bien-fonds aux propriétaires du bien-fonds voisin à l'est, situé au 4472, promenade Donnelly.

5. **1126 Cope (Quartier 6 - Stittsville)**  
**D08-02-24/A-00173**

**Demande de dérogation mineure**

*Ajournée du 6 et 20 août et 3 septembre 2024*

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

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

**AUTRES QUESTIONS**

**AJOURNEMENT**

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 3

Tuesday, September 17, 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-00219  
**Application(s):** Minor Variance under section 45 of the *Planning Act*  
**Applicant(s):** Mathew and Kaitlyn Haufe  
**Property Address:** 177 Loreka Court  
**Ward:** 6 - Stittsville  
**Legal Description:** Lot 22, Registered Plan 4M-1390  
**Zoning:** R1MM [1314]  
**Zoning By-law:** 2008-250

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

The Applicants wants to construct a deck at the rear 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 a deck to project 3.927 metres into the required rear yard (3.07 metres from the rear lot line), whereas the By-law permits a deck to project a maximum of 2 metres in a required rear yard (5 metres from the rear lot line in this case).

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 30, 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  
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[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 17 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 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-00219  
**Demande :** Dérogation mineure en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Requérants :** Mathew et Kaitlyn Haufe  
**Adresse municipale :** 177, cour Loreka  
**Quartier :** 6 - Stittsville  
**Description officielle :** Lot 22, plan enregistré 4M-1390  
**Zonage :** R1MM [1314]  
**Règlement de zonage :** n° 2008-250

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

Les requérants souhaitent construire une terrasse à l'arrière de la maison existante, conformément aux plans déposés auprès du Comité.



## DÉROGATION DEMANDÉE :

Les requérants demandent au Comité d'accorder une dérogation mineure au Règlement de zonage afin de permettre qu'une terrasse s'avance jusqu'à 3,927 mètres dans la cour arrière requise (3,07 mètres de la ligne de lot arrière), alors que le Règlement permet qu'une terrasse s'avance de 2 mètres au maximum dans une cour arrière requise (5 mètres de la ligne de lot arrière dans le cas présent).

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'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 : 30 août 2024

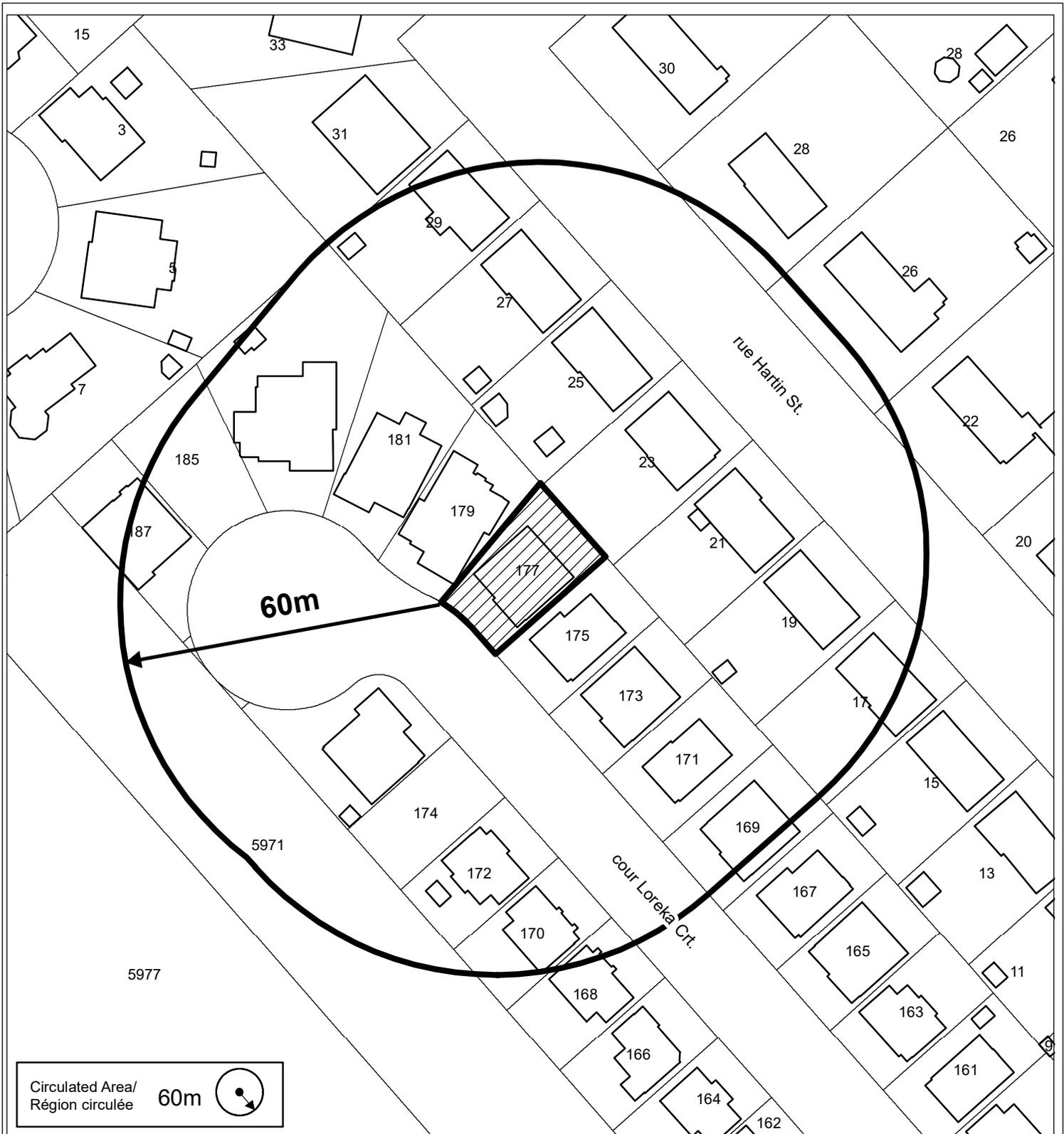


*This document is also available in English.*

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



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

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



**SUBJECT LAND / TERRE EN QUESTION**

**177 court. Loreka Crt.**

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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.

Subjects:

Kaitlyn and Matthew Haufe  
177 Loreka Crt, Stittsville ON K2S0N3  
613-899-5140/613-791-1192  
matthaufe@gmail.com

August 9<sup>th</sup> 2024

**Committee of Adjustment**  
Received | Reçu le  
2024-08-09  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

To: the Committee of Adjustment

Re: Minor Variance Request for 177 Loreka Court

We, Kaitlyn and Matthew Haufe, the homeowners of 177 Loreka Court in Stittsville, are formally requesting a minor variance to our property to facilitate the construction of a larger deck at the back of our home.

Currently, we have a builder-grade deck that will require repairs in the near future. This deck is limited in size, accommodating only our barbeque. By extending our deck off the main floor living room, we aim to enhance our outdoor living space, providing easier access to the backyard without having to use the walk-out basement. With a large family, including three small children, maximizing our backyard space for dining and recreational use is essential. A larger deck will allow us to fully utilize our outdoor area and improve our overall living experience.

We have proactively consulted with city planning staff and informed all our neighbors about our plans, none of whom have raised any concerns. We are collaborating with Klinger Homes to ensure the deck is built to the highest standards for long-term enjoyment. We are referring to section **65(6)(c)** which states the deck can project 2m into the required rear yard set back, but no closer than 1m from any lot line. The rear yard setback in **R1MM[1314]** zone is 7m, as per exception **[1314]** the deck can be no closer than 5m from rear yard property line, and our proposed deck is 3.07m from rear yard property line, therefore we require a minor variance in order to build the proposed deck on our property.

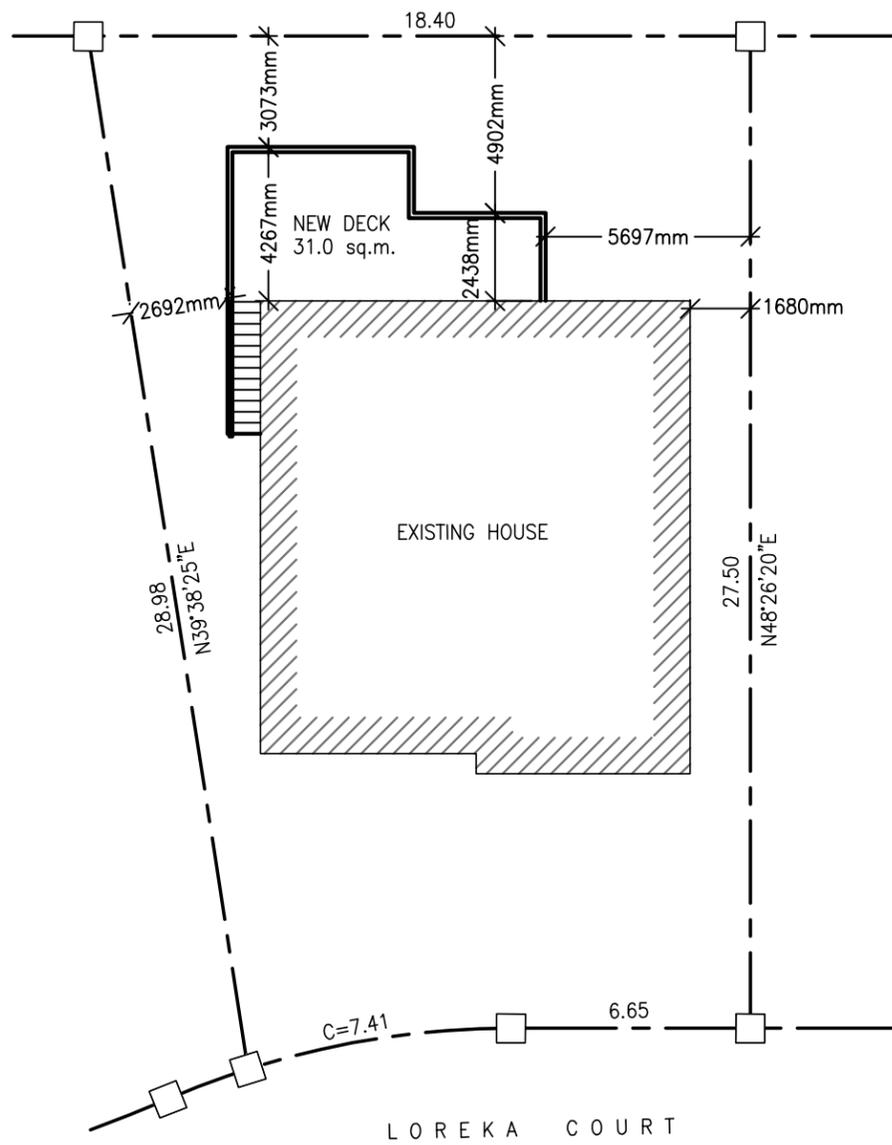
Our variance proposal does not impact any surrounding properties or areas. We believe this improvement will enhance the aesthetics and functionality of our home without any adverse effects on the neighborhood. We also have contacted the **Planning Forester Hayley Murray**, and she has confirmed that a TIR is not needed as the trees we have in our back yard are smaller than 30cm in diameter (her email is attached as proof), also no trees will be removed or affected in any way. Our builder Klinger Homes has also spoken to **Penelope Horn, a Planner within the Development Review All Wards**, she has confirmed she is good if we move forward with building of our deck.

We have completed all necessary steps to apply officially for this minor variance and hope for a favorable consideration of our request.

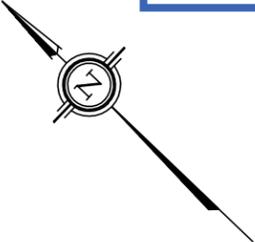
Thank you for your time and attention to our application. Please do not hesitate to contact us at the above phone numbers or email address if you require any further information.

Sincerely,

Matthew & Kaitlyn Haufe



**Committee of Adjustment**  
 Received | Reçu le  
 2024-08-09  
 City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**



PROJECT:	
<b>REAR DECK</b>	
MATT & KAITLYN HAUFE 177 LOREKA COURT STITTSVILLE, ONTARIO	
DRAWING TITLE:	
SITE PLAN	
Date:	JULY 16, 2024
Scale:	1 : 200
Dwg#	<b>A1</b>

**SITE/GRADING PLAN**

**CITY OF-VILLE DE OTTAWA**

NEW SUBMISSION      RE-SUBMISSION      MODEL CHANGE      MODEL CHANGE PERMIT #

LOT 5

REGISTERED

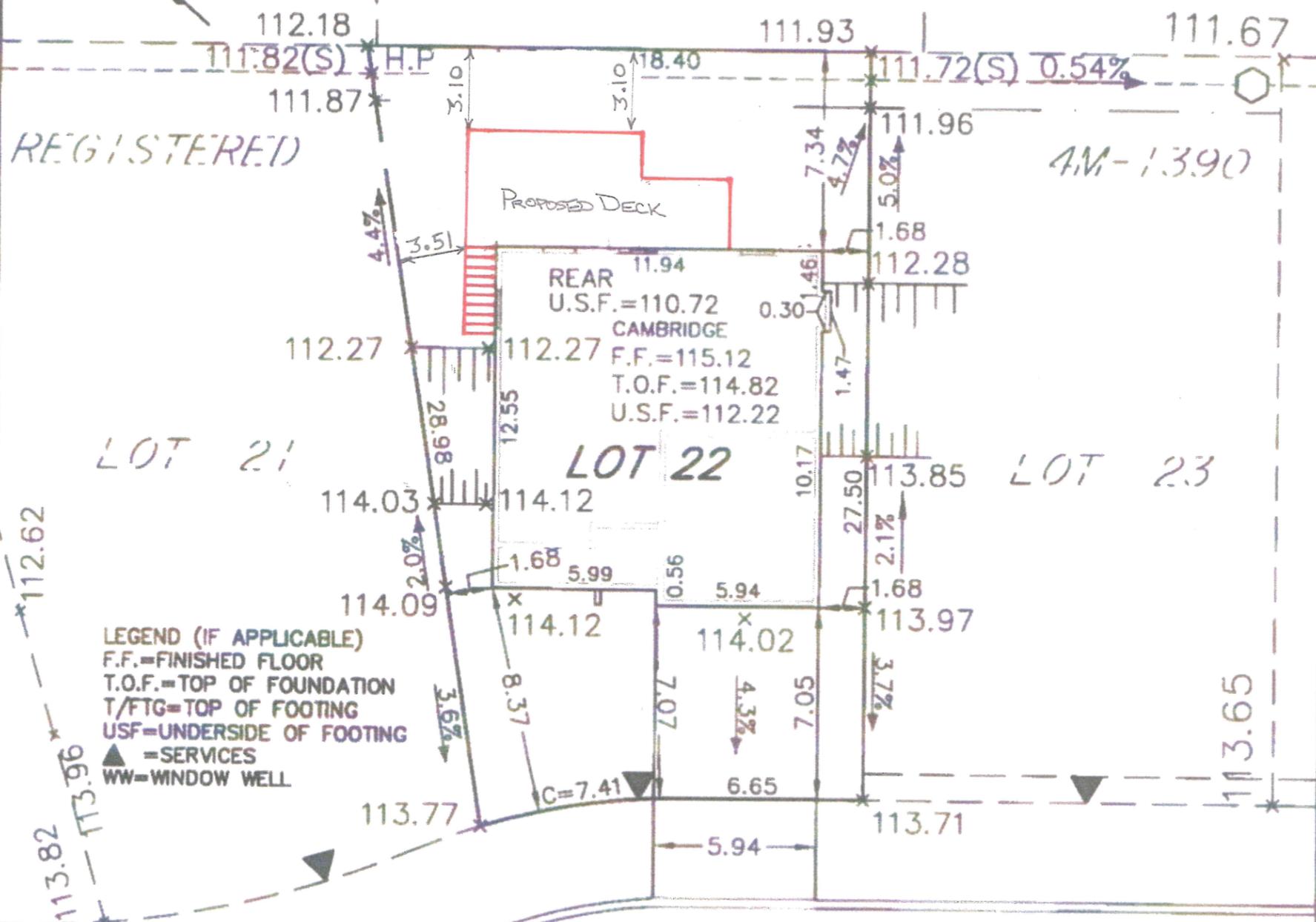
LOT 6

PLAN

LOT 7

4M-457

T/G=111.64  
INV=110.67



**LEGEND (IF APPLICABLE)**  
 F.F.=FINISHED FLOOR  
 T.O.F.=TOP OF FOUNDATION  
 T/FTG=TOP OF FOOTING  
 USF=UNDERSIDE OF FOOTING  
 ▲ =SERVICES  
 WW=WINDOW WELL

**LOREKA COURT**

SAN  
STORM  
WATER

Feb. 27, 2015  
LOT 22

Owner/Applicant  
Brigil Construction  
 Telephone # 819-243-7392  
 Plan # 4M-1390  
 Lot # 22  
 Block # \_\_\_\_\_ Unit # \_\_\_\_\_  
 Conc. # \_\_\_\_\_

**PLEASE NOTE: THIS APPLICATION EXPIRES 6(SIX) MONTHS AFTER DATE RECEIVED**

OFFICE USE ONLY: Civic Address: \_\_\_\_\_

Circ Date      Circ Date      Circ Date      APPLICATION RECEIVED

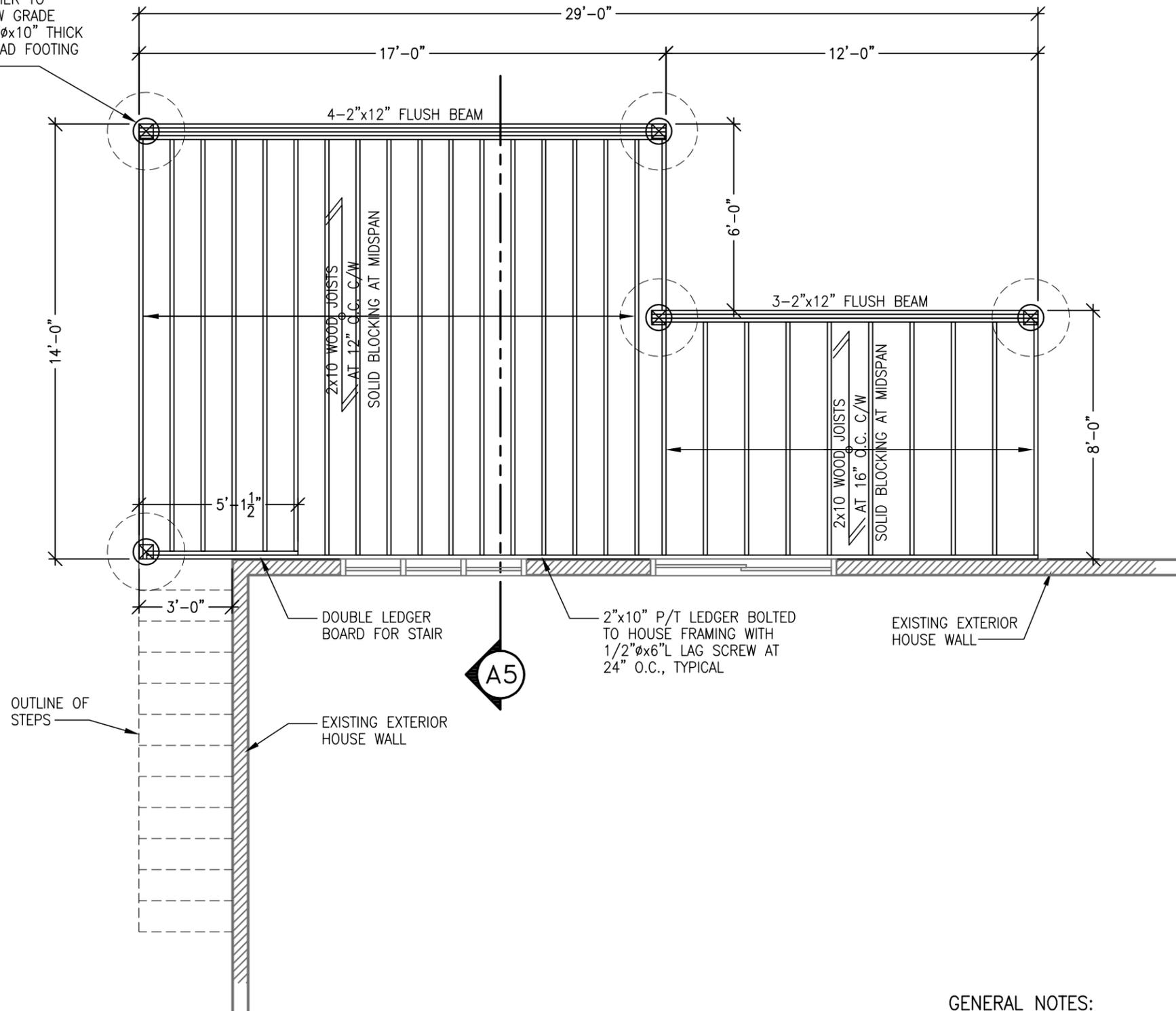
Bldg. Ht. \_\_\_\_\_ m  
 Lot coverage 34.1 %  
 Scale 1 : 250

Grade Approval (Operations) Date: \_\_\_\_\_  
 Zoning Approval Date: \_\_\_\_\_  
 UPO Approval Date: \_\_\_\_\_

Committee of Adjustment  
 Received | Reçu le  
 2024-08-09  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

**ELEVATIONS**  
 Step footings N/A m  
 Underside footing SEE ABOVE m  
 Top of foundation SEE ABOVE m

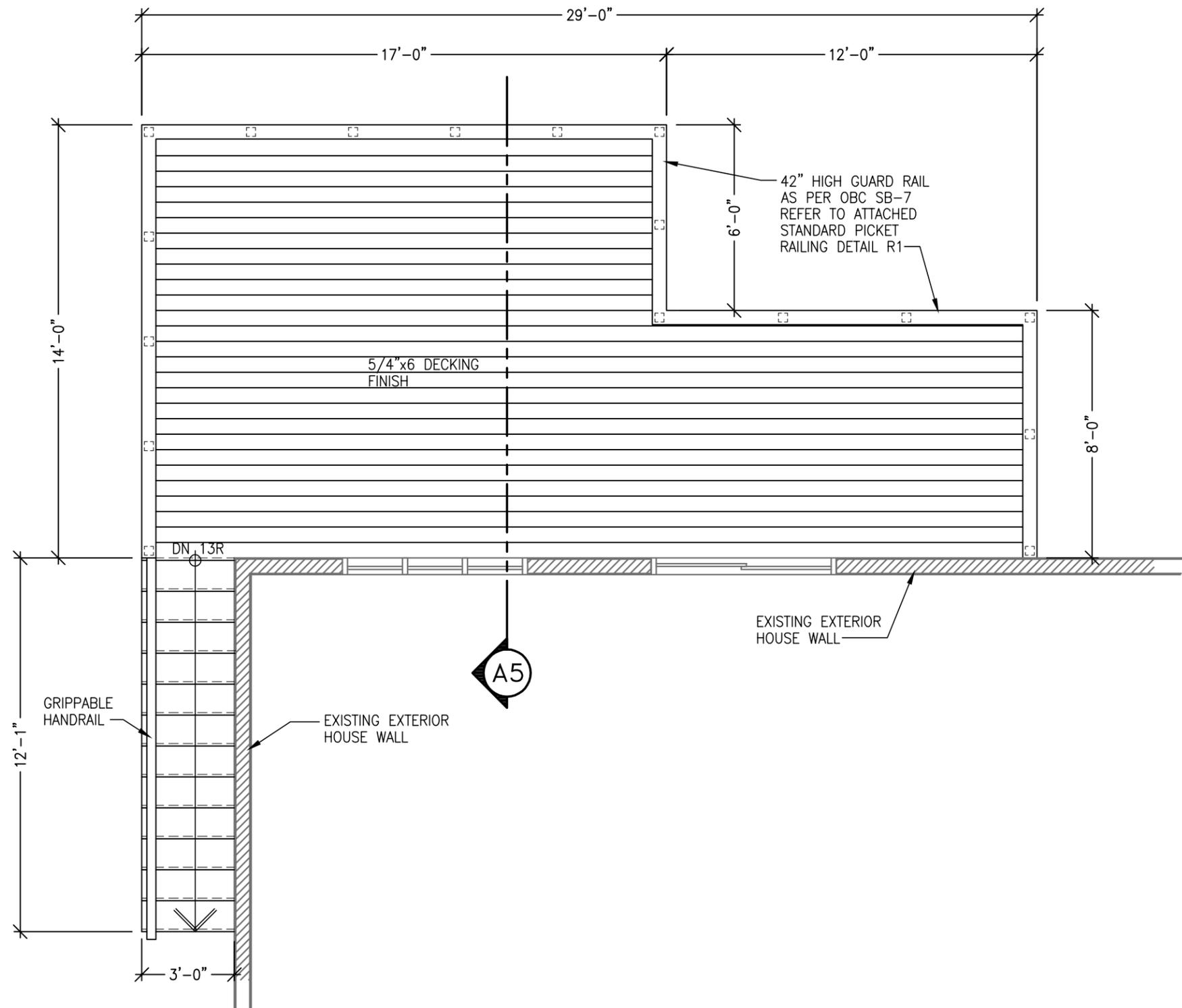
6x6 P/T POST c/w  
SADDLE ON 10"Ø  
CONCRETE PIER TO  
5'-0" BELOW GRADE  
ON MIN. 24"Øx10" THICK  
CONCRETE PAD FOOTING  
TYPICAL



**GENERAL NOTES:**

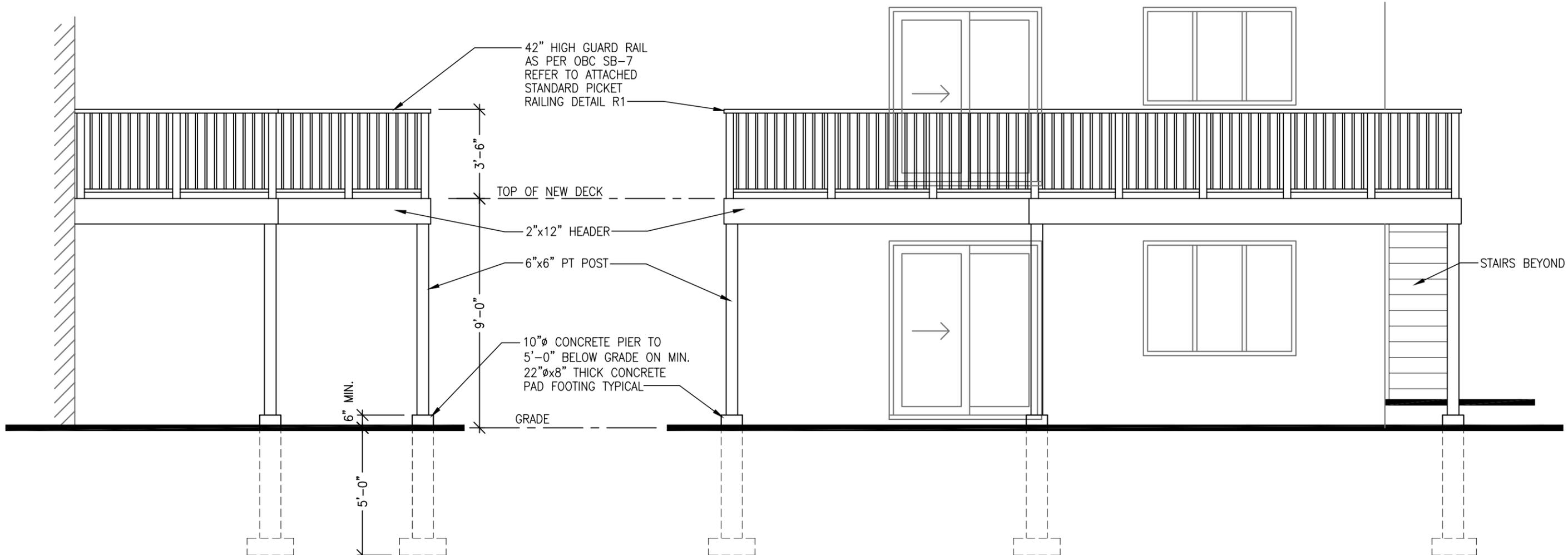
- A) ALL CONSTRUCTION TO BE IN ACCORDANCE TO OBC 2012 & SB-7 BUILDING CODE REQUIREMENTS
- B) ALL WOOD STRUCTURE TO BE PRESSURE TREATED
- C) ALL SAW ENDS OF PRESURE TREATED LUMBER TO BE TREATED
- D) ALL FASTENERS TO BE GALVANIZED

PROJECT:	
<b>REAR DECK</b>	
MATT & KAITLYN HAUFE 177 LOREKA COURT STITTSVILLE, ONTARIO	
DRAWING TITLE:	
<b>DECK FRAMING PLAN</b>	
Date:	Dwg#
JULY 16, 2024	<b>A2</b>
Scale:	
1/4" = 1'-0"	



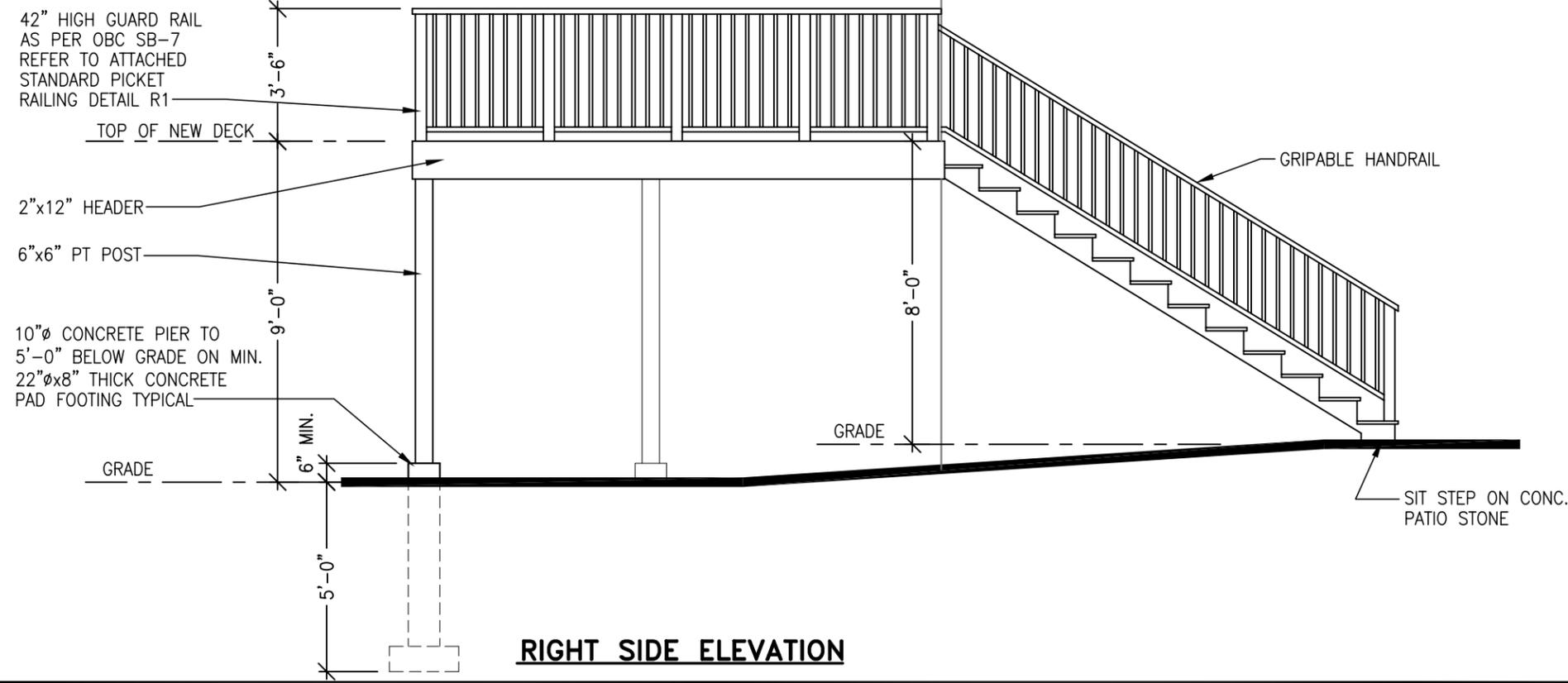
PROJECT:	
REAR DECK	
MATT & KAITLYN HAUFE 177 LOREKA COURT STITTSVILLE, ONTARIO	
DRAWING TITLE:	
DECK PLAN	
Date:	JULY 16, 2024
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Dwg#	<b>A3</b>





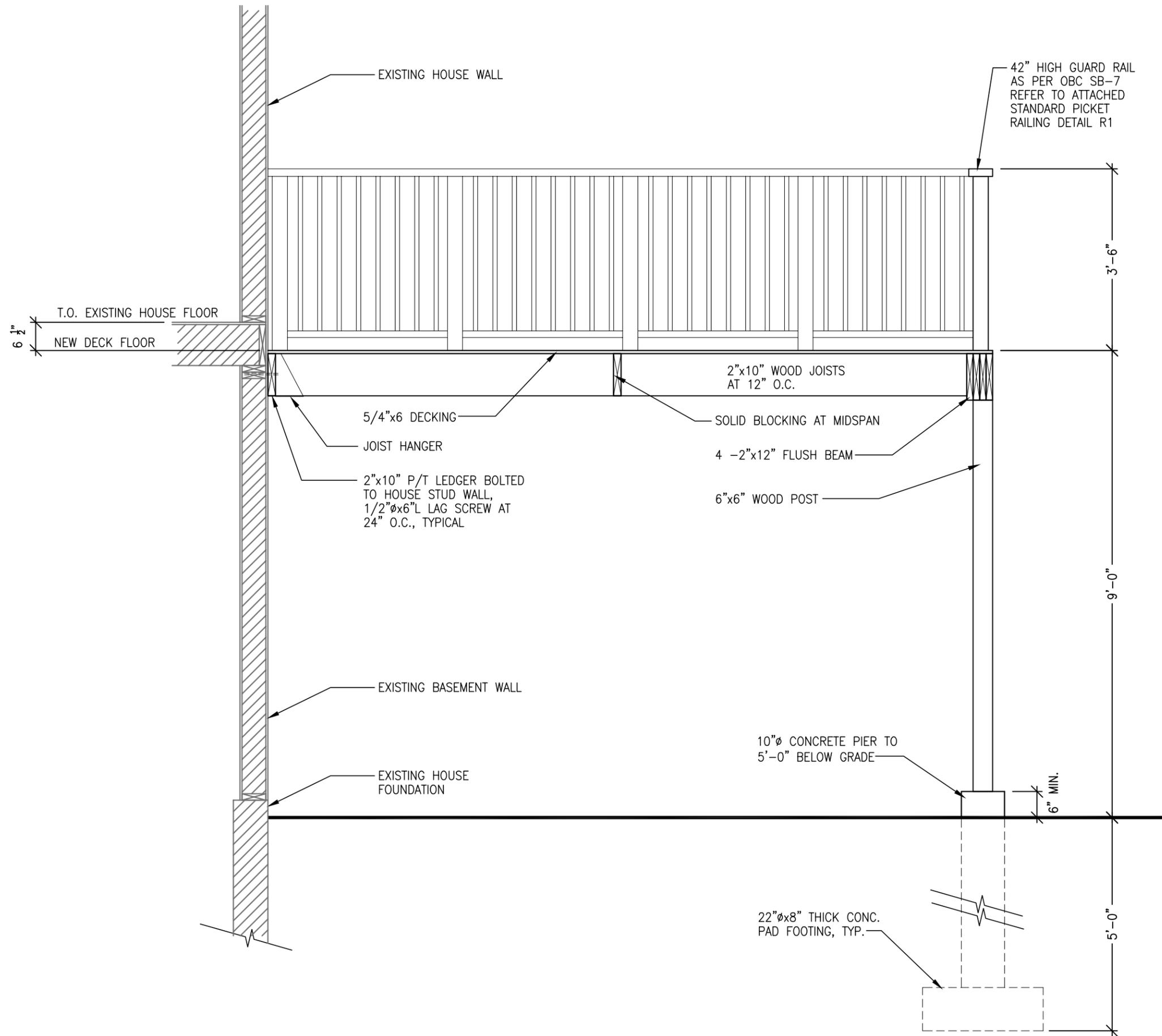
**LEFT SIDE ELEVATION**

**REAR ELEVATION**



**RIGHT SIDE ELEVATION**

PROJECT:	
<b>REAR DECK</b>	
MATT & KAITLYN HAUFE 177 LOREKA COURT STITTSVILLE, ONTARIO	
DRAWING TITLE:	
<b>ELEVATIONS</b>	
Date:	JULY 16, 2024
Scale:	1/4" = 1'-0"
Dwg#	<b>A4</b>



**GENERAL NOTES:**

- A) ALL CONSTRUCTION TO BE IN ACCORDANCE TO OBC 2012 & SB-7 BUILDING CODE REQUIREMENTS
- B) ALL WOOD STRUCTURE TO BE PRESSURE TREATED
- C) ALL SAW ENDS OF PRESURE TREATED LUMBER TO BE TREATED
- D) ALL FASTENERS TO BE GALVANIZED

PROJECT:	
REAR DECK	
MATT & KAITLYN HAUFE 177 LOREKA COURT STITTSVILLE, ONTARIO	
DRAWING TITLE:	
SECTION	
Date:	JULY 16, 2024
Scale:	1/2" = 1'-0"
Dwg#	<b>A5</b>

2024-09-11



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 177 Loreka Court  
Legal Description: Lot 22, Registered Plan 4M-1390  
File No.: D08-02-24/A-00219  
Report Date: September 11, 2024  
Hearing Date: September 18, 2024  
Planner: Luke Teeft  
Official Plan Designation: Suburban (West) Transect; Neighbourhood  
Zoning: R1MM [1314]

**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”.

The proposed variance is for a slight increase in the projection of the deck into the rear yard, and does not require any other variances or create any negative impacts on other properties.

**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 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**.
- Existing grading and drainage patterns must not be altered.



---

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*

### Consent Application

Panel 3  
Tuesday, September 17, 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-00145  
**Application:** Consent under section 53 of the *Planning Act*  
**Applicants:** Mark and Leslie Hamilton  
**Property Address:** 5370 Sand Road  
**Ward:** 20 – Osgoode  
**Legal Description:** Part of Lot 22, Concession 9.  
**Zoning:** RU  
**Zoning By-law:** 2008-250

### APPLICANTS PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicants want to convey a portion of their property to the abutting property owner to the northwest.

### CONSENT IS REQUIRED FOR THE FOLLOWING:

The Applicants require the Committee's consent for a lot line adjustment.

The severed land is shown as Part 1 on the draft 4R-plan filed with the application. This land is landlocked with an irregular depth and has an area of 18.21 hectares. This vacant land will merge with the property to the northwest (PIN 14558-0149).

The retained land is shown as Part 2 on said plan and will have a frontage of 106.76 metres, an irregular depth, and an area of 12.07 hectares. This land contains the existing dwelling and is known as 5370 Sand Road.

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](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 30, 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 d'autorisation

#### Groupe 3

Mardi 17 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 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>Dossier :</b>	D08-01-24/B-00145
<b>Demande :</b>	Autorisation en vertu de l'article 53 de la <i>Loi sur l'aménagement du territoire</i>
<b>Requérants :</b>	Mark et Leslie Hamilton
<b>Adresse municipale :</b>	5370, chemin Sand
<b>Quartier :</b>	20 – Osgoode
<b>Description officielle :</b>	Partie du lot 22, concession 9
<b>Zonage :</b>	RU
<b>Règlement de zonage :</b>	n° 2008-250

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

Les requérants souhaitent céder une partie de leur bien-fonds aux propriétaires du bien-fonds voisin au nord-ouest.

### AUTORISATION REQUISE :

Les requérants nécessitent l'autorisation du Comité en vue d'un redressement de ligne de lot.



Le terrain morcelé est représenté par la partie 1 sur le plan 4R préliminaire déposé avec la demande. Il s'agit d'un terrain enclavé d'une profondeur irrégulière et d'une superficie de 18,21 hectares. Ce terrain vacant sera fusionné avec la propriété située au nord-ouest (NIP 14558-0149).

Le terrain conservé est représenté par la partie 2 sur ledit plan. Il aura une façade de 106,76 mètres, une profondeur irrégulière et une superficie de 12,07 hectares. Ce terrain comprend l'habitation existante dont l'adresse municipale est le 5370, chemin Sand.

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'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 : 30 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)

613-580-2436



#### Comité de dérogation

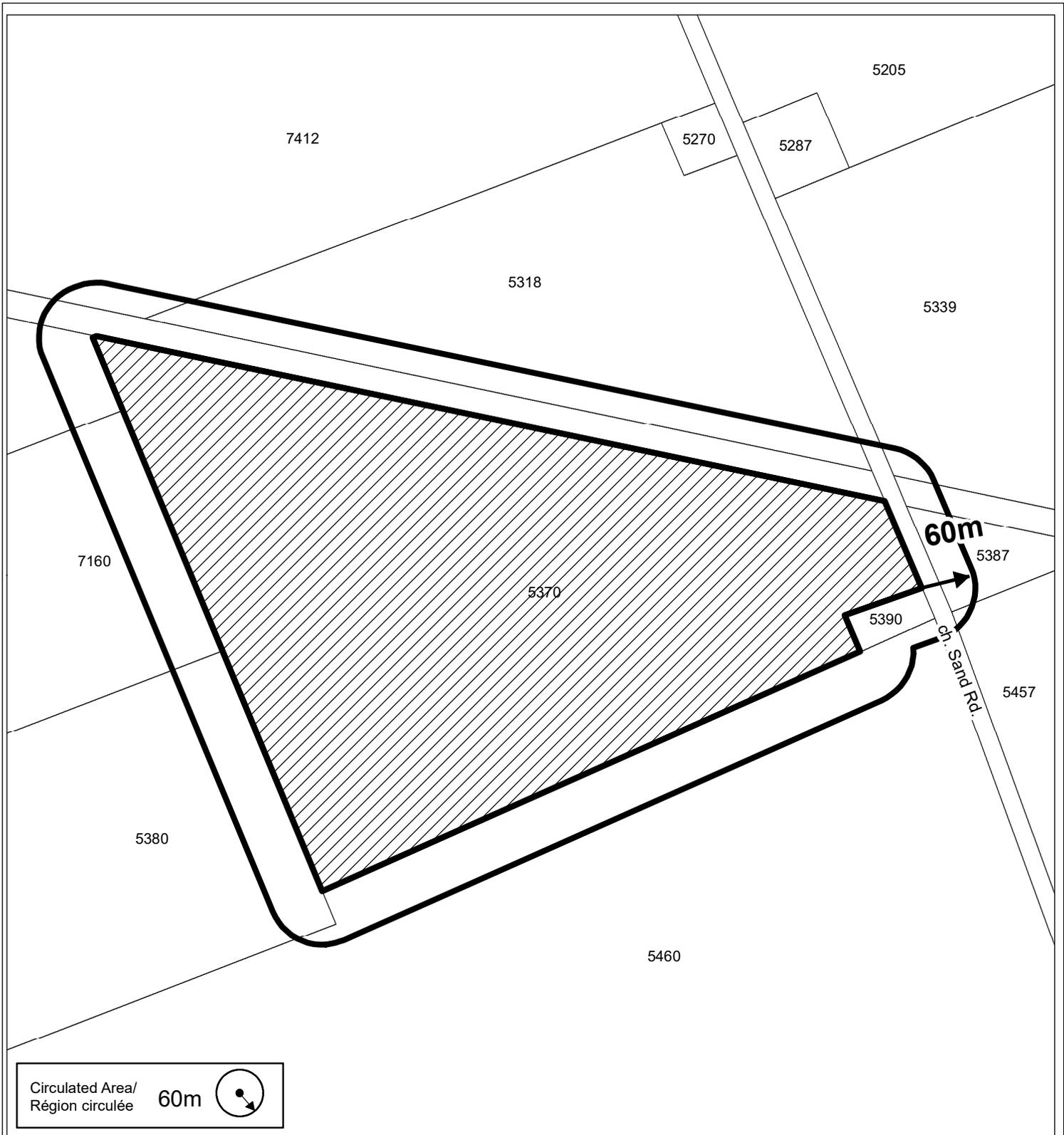
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7

[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**  
**5370 ch. Sand Rd.**



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



EFI Engineering  
Cornwall Office  
34 South Branch Road  
Cornwall, ON K6K 1T4  
(613) 936-0148

EFI Engineering  
Brockville Office  
50 Crawford Street  
Brockville, ON K6V 1S3

Lowe, Gravelle & Assoc.  
New York State Office  
69 East Orvis Street  
Massena, NY 13662  
(315) 769-8471

SERVICES

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- Civil
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- Mechanical
- Electrical
- Project Management
- Technical Staffing

July 29, 2024

Secretary-Treasurer  
Committee of Adjustment, City of Ottawa  
101 Centrepointhe Drive, 4<sup>th</sup> Floor  
Ottawa, Ontario K2G 5K7

Committee of Adjustment  
Received | Reçu le  
Revised | Modifié le : 2024-08-27  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**Application for Consent – 5370 Sand Road - Panel 3  
Revised Letter August 15, 2024**

EFI Engineering has been retained and acts on behalf of the owners of 5370 Sand Road and applicants associated with the above noted application.

This letter and the attached applications and supporting material serve as a formal submission for consent/lot line adjustment.

The information below provides a summary of the request.

Scope/Purpose:

- The lot line adjustment is being requested to fulfil the conditions of an offer of purchase and sale for a portion of the property. The use of the land will remain the same as there is no intention to develop the land for any other purpose.
- The retained portion will remain in the current owner’s title.
- A survey sketch is provided to reflect the severance proposal.
- No relief to zoning by-law is required.

Property Identification:

- Property Address: 5370 Sand Road
- Municipality: Russell Ward
- Conservation Authority: South Nation
- Site Details: Property is in Osgoode Ward, between Vars and Carlsbad Springs. Property is roughly triangular with approx. total Area of 30.28hectares (74.82 acres).
- Property abuts the Alexandria Rail Corridor (901.55m frontage along rail) and 106m of frontage along Sand Rd.

**EFI Engineering**  
*Cornwall Office*  
34 South Branch Road  
Cornwall, ON K6K 1T4  
(613) 936-0148

**EFI Engineering**  
*Brockville Office*  
50 Crawford Street  
Brockville, ON K6V 1S3

**Lowe, Gravelle & Assoc.**  
*New York State Office*  
69 East Orvis Street  
Massena, NY 13662  
(315) 769-8471

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- Official Plan Designation: Rural Countryside
- Zoning: Rural
- Existing Use: Predominantly wooded land with dwelling unit and out-buildings south of rail line encompassing the retained portion of the severed land.
- Adjacent uses:
  - North: Vacant Land/Agricultural Use
  - South: Vacant woodland and residential dwelling with out buildings
  - East: Vacant/Wooded land
  - West: Vacant Wooded land

**Property Photos and Boundary:**



# EFI

ENGINEERS  
ARCHITECTS  
PROCESS PROFESSIONALS

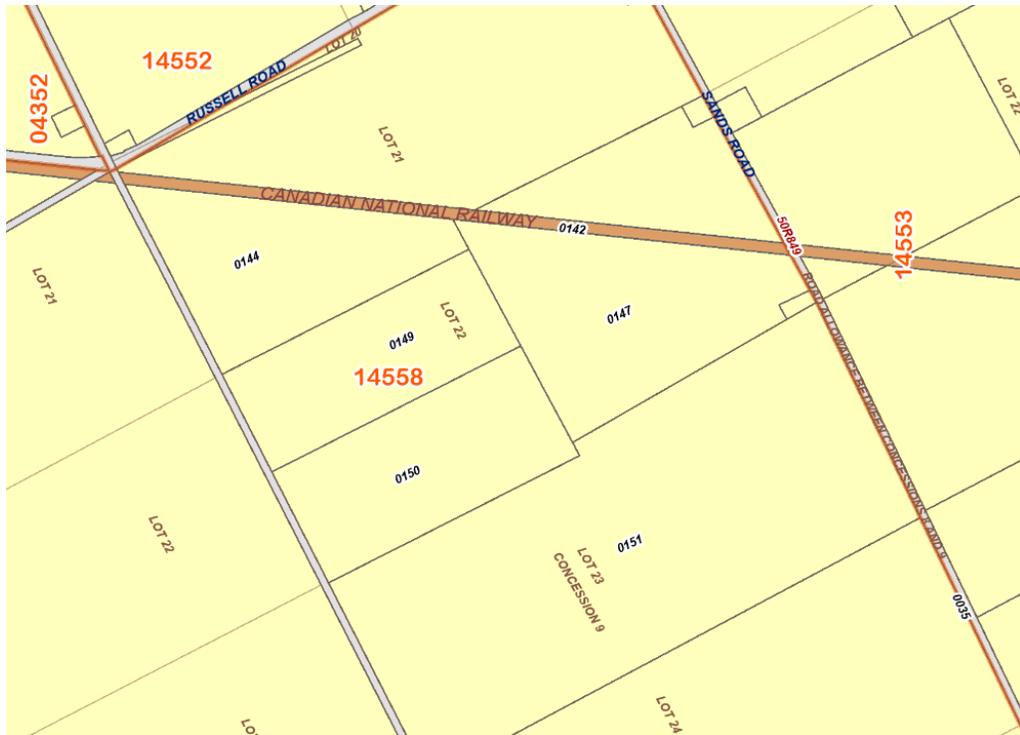
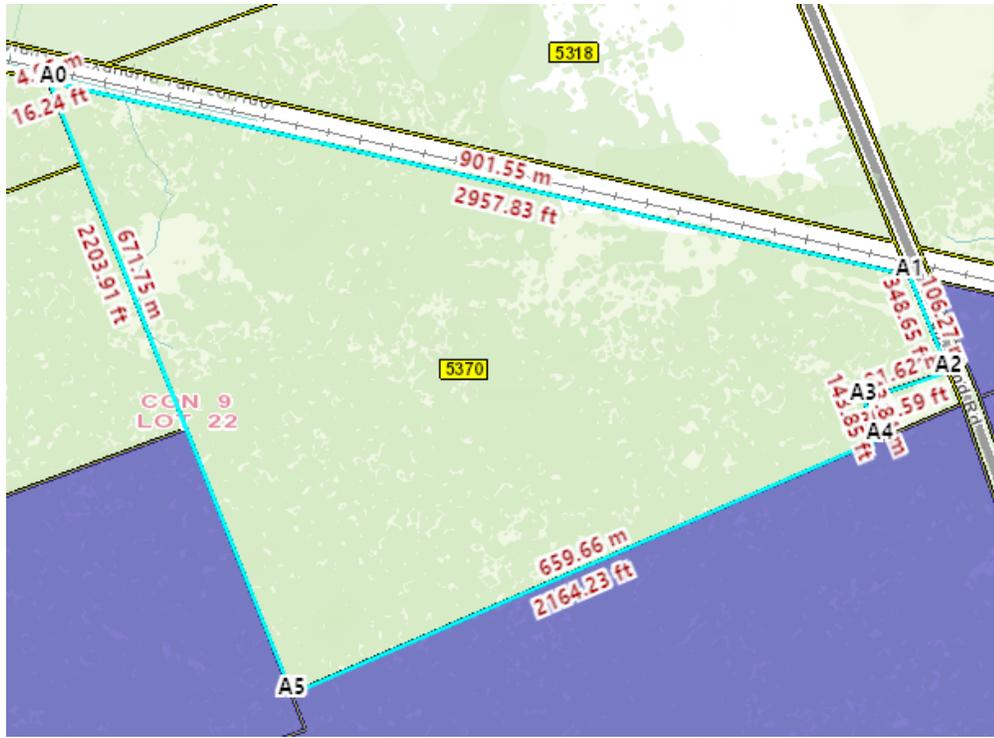
**EFI Engineering**  
Cornwall Office  
34 South Branch Road  
Cornwall, ON K6K 1T4  
(613) 936-0148

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## SERVICES

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- Mechanical
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- Project Management
- Technical Staffing



Nearby Roads and Access Points:



**EFI Engineering**  
*Cornwall Office*  
34 South Branch Road  
Cornwall, ON K6K 1T4  
(613) 936-0148

**EFI Engineering**  
*Brockville Office*  
50 Crawford Street  
Brockville, ON K6V 1S3

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69 East Orvis Street  
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SERVICES

- Surveys
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- Mechanical
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- 417 (South)
- Frank Kenney (East)
- Russell Rd (North)
- Abuts Sand Road (106m)

Essentially, the lot line adjustment in favour of PIN 14558-0149 will be maintained in its existing condition and land use. The proposal is in conformity with the Provincial Policy Statement, the City’s Official Plan policies and objectives and the zoning classification for the lands.

I look forward to working with the City to advance this application. Please do not hesitate to contact me if you have any questions related to this matter.

Sincerely,

Dennis Gratton

Dennis Gratton  
Professional Planner  
[www.efiengineering.com](http://www.efiengineering.com)  
[dgratton-c@efiengineering.com](mailto:dgratton-c@efiengineering.com)

c. 613-581-6828





Committee of Adjustment  
Received | Reçu le  
2024-08-15  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

SCHEDULE				
AREA (SQ.M)	PART	LOT	CONCESSION	PIN
182115.2	1			
111425.4	2	PART OF 22	9	ALL OF 14558-0147

PLAN OF SURVEY OF  
**PART OF LOT 22**  
**CONCESSION 9**  
GEOGRAPHIC TOWNSHIP OF CUMBERLAND  
FORMERLY COUNTY OF RUSSELL  
CITY OF OTTAWA  
MONUMENT-URSO SURVEYING LTD.



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

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON DATE

DATE: \_\_\_\_\_ STEFAN BAZAR  
ONTARIO LAND SURVEYOR

This plan of survey relates to AOLS Plan Submission Form Number V-XXXXX

**LEGEND**

□	DENOTES	FOUND SURVEY MONUMENT
■		PLANTED SURVEY MONUMENT
⊕		IRON BAR
SIB		STANDARD IRON BAR
SSIB		SHORT STANDARD IRON BAR
PB		PLASTIC BAR
RB		ROUND IRON BAR
(WIT)		WITNESS
ACC		ACCEPTED
MEAS.		MEASURED
(1476)		MONUMENT-URSO SURVEYING LTD.
(P1)		PLAN 50R-3998
P&W		POST & WIRE FENCE
▲AN		ANCHOR
⊙UP		UTILITY POLE

**BEARING NOTES**  
BEARINGS ARE MTM GRID, DERIVED FROM CAN-NET REAL-TIME NETWORK GPS OBSERVATIONS ON OBSERVED REFERENCE POINTS A AND B HAVING A BEARING OF N03°46'30"E AND ARE REFERRED TO THE CENTRAL MERIDIAN (76°30' WEST LONGITUDE) OF MTM ZONE 9 NAD83 (CSRS) (2010).

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.999979.

**CO-ORDINATE NOTES**  
CO-ORDINATES ARE DERIVED FROM CAN-NET REAL-TIME NETWORK GPS OBSERVATIONS, MTM ZONE 9 NAD83 (CSRS) (2010).

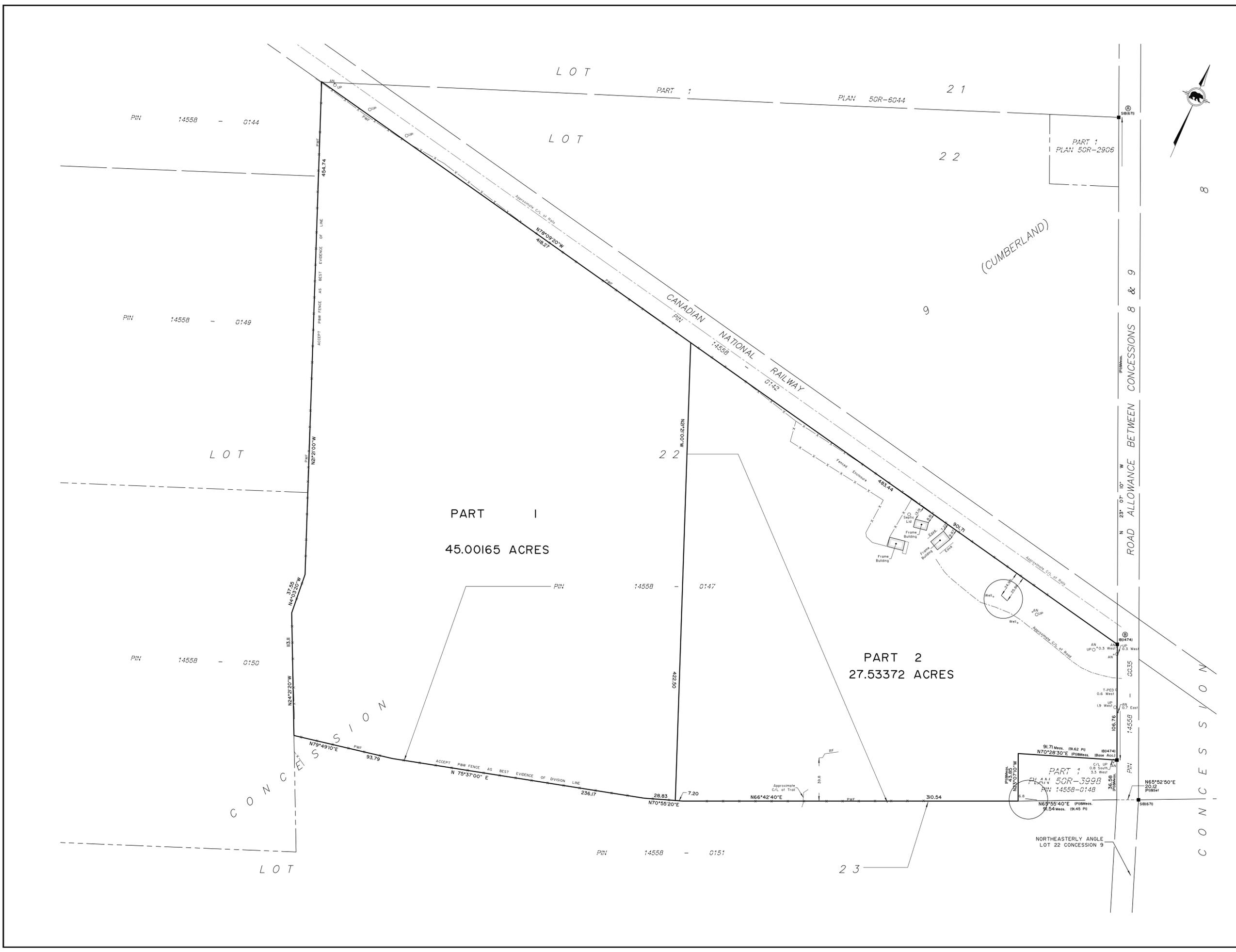
POINT ID	NORTHING	EASTING
A	5025333.85	391345.39
B	5024886.90	391536.38

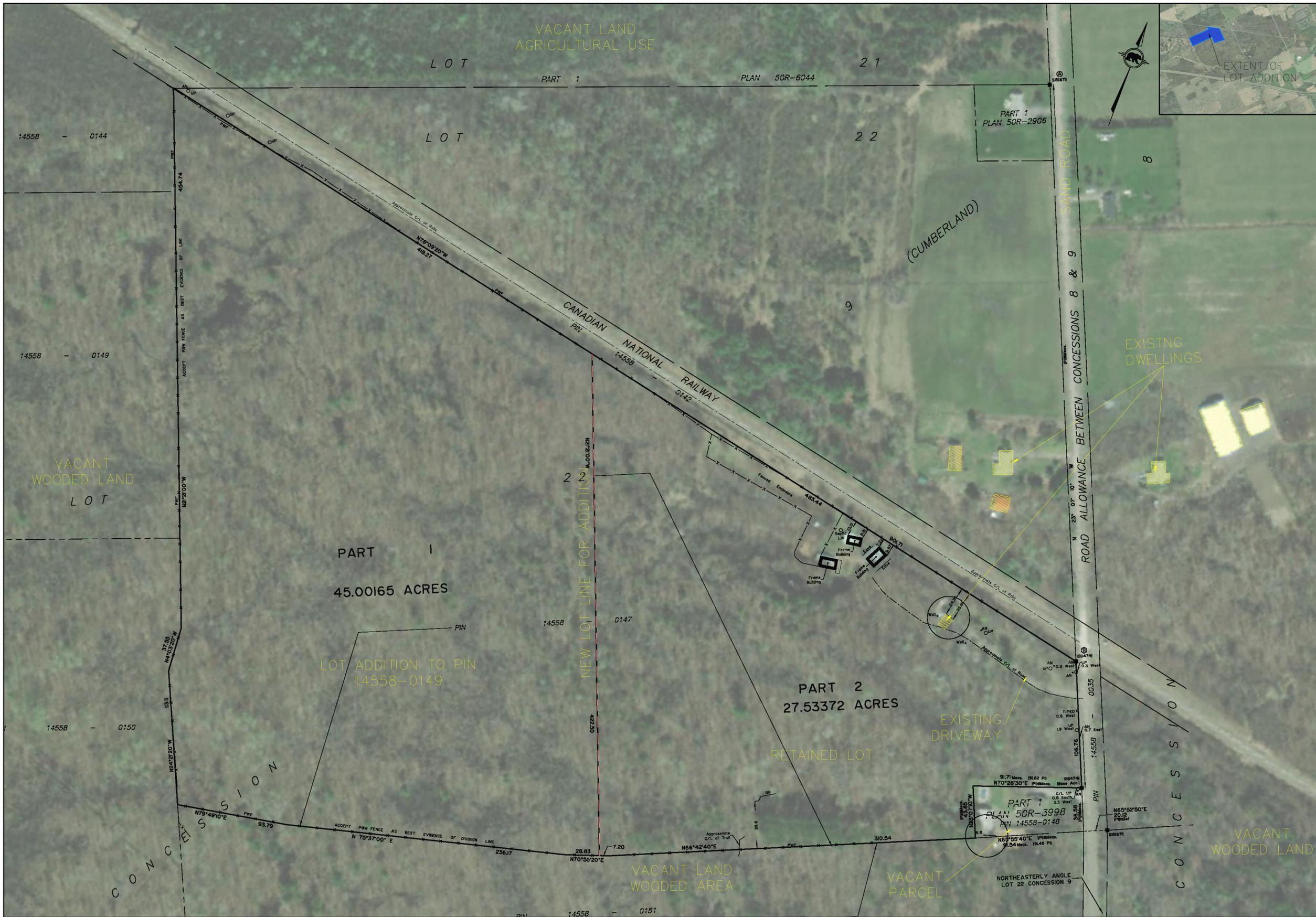
COORDINATES ARE TO URBAN ACCURACY PER SECTION 14(2) OF O. REG 216/10.  
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Monument-Urso Surveying Ltd.  
Ontario Land Surveyors | Canada Land Surveyors  
3755 WOODWARD DRIVE  
OTTAWA, ON, K2C 0P9  
536 C FOURTH LINE EAST  
SAULT STE MARIE, ON, P3A 6J8

TEL: (613) 800-1583  
TEL: (705) 254-7851  
FAX: (705) 254-5371

DRAWN: DG  
PROCESSOR: SB  
FIELD: XXXX  
CHECKED: SB  
FILE NO: O-3002-53705ansR04R DL





**USE AND INTERPRETATION OF DRAWINGS:**  
 DRAWINGS ARE NOT TO BE SCALED.  
 BY USE OF THE DRAWINGS FOR CONSTRUCTION OF THE PROJECT, THE OWNER REPRESENTS THAT HE HAS REVIEWED AND APPROVED THE DRAWINGS, THE CONTRACTOR REPRESENTS THAT HE HAS VERIFIED THE SITE, FAMILIARIZED HIMSELF WITH THE LOCAL CONDITIONS, VERIFIED FIELD DIMENSIONS AND CORRELATED HIS OBSERVATIONS WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.  
 THIS DRAWING ILLUSTRATES 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 THIS DRAWING 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.  
 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 EFI WITHOUT OBTAINING EFI'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 EFI AND TO RELEASE EFI FROM ANY LIABILITY ARISING DIRECTLY OR INDIRECTLY FROM SUCH CHANGES.  
 IN ADDITION, THE CLIENT AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY AND HOLD HARMLESS EFI FROM ANY DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEY'S FEES AND COSTS 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 EFI'S CONSTRUCTION DOCUMENTS WITHOUT PRIOR WRITTEN APPROVAL OF EFI AND THAT FURTHER REQUIRES THE CONTRACTOR TO INDEMNIFY BOTH EFI AND THE CLIENT FROM ANY LIABILITY OR COST ARISING FROM SUCH CHANGES MADE WITHOUT SUCH PROPER AUTHORIZATION.



**REFERENCES**

NO. REF.	NO. DWG.	TITLE	BY

Committee of Adjustment  
 Received | Reçu le  
 2024-08-15  
 City of Ottawa | Ville d'Ottawa  
 Comité de dérogation

**DRAWING ISSUED FOR:**  
 DATE: YEAR MONTH DAY  
 CLIENT REVIEW     BID/TENDER     CONSTRUCTION  
 INFORMATION     PERMIT     OTHER

SEAL(S):  
 \_\_\_\_\_  
 \_\_\_\_\_

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**EFI**  
 ENGINEERING ARCHITECTURE PROCESS PROFESSIONALS  
 T: (613) 936-0148  
 engineer@efiengineering.com  
 www.efiengineering.com

CLIENT: **LONDON DAIRY**

SITE: **PART OF LOT 22 CON 9**

TITLE: **5370 SAND ROAD LOT ADDITION**

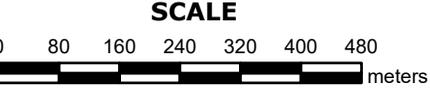
SCALE: **N.T.S.**    DRAWN: **A.B.**    ENGINEER:  
 DATE: **2024/06/19**    QC:    PM:

PROJECT NO: **7421**    DRAWING NO: **D1**    REVISION: **A**

NOTE:  
 1. THIS IS A SKETCH FOR A LOT ADDITION PREPARED FOR THE COMMITTEE OF ADJUSTMENT, CITY OF OTTAWA  
 2. DRAWING INFORMATION IS BASED ON THE SURVEY PREPARED BY MONUMENT SURVEY LTD



PRINTED ON 29 MAY, 2024 AT 12:12:19 FOR EFI



**PROPERTY INDEX MAP**  
OTTAWA-CARLETON(No. 04)

**LEGEND**

FREEHOLD PROPERTY	
LEASEHOLD PROPERTY	
LIMITED INTEREST PROPERTY	
CONDOMINIUM PROPERTY	
RETIRED PIN (MAP UPDATE PENDING)	
PROPERTY NUMBER	0449
BLOCK NUMBER	08050
GEOGRAPHIC FABRIC	
EASEMENT	

**THIS IS NOT A PLAN OF SURVEY**

**NOTES**

**REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS**

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



2024-09-11



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 5370 Sand Road  
Legal Description: Part of Lot 22, Concession 9  
File No.: D08-01-24/B-00145  
Report Date: September 11, 2024  
Hearing Date: September 18, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Rural Countryside, Greenspace; Overlay  
Zoning: RU

**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.

**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 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 (arterial road, highway, railway, etc.) and may therefore be subject to noise and other activities associated with that use.”

“The property is located next to lands that have an active railway line now, or may have one in the future, and may therefore be subjected to noise, vibration, and other activities associated with this use.”

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

2. 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 Sand 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.



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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 17, 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-00221  
**Application:** Minor Variance under section 45 of the *Planning Act*  
**Applicants:** William and Avril Van Aert  
**Property Address:** 394 Allbirch Road  
**Ward:** 5 – West Carleton-March  
**Legal Description:** Part of Lot 83, Registered Plan 782  
**Zoning:** V1H[350r]  
**Zoning By-law:** 2008-250

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

The Applicants wants to construct a new detached garage on their property, as shown on plans filed with the application.

### REQUESTED VARIANCES:

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

- a) To permit an increased cumulative floor area for an accessory building of 76 square metres, whereas the By-law permits a maximum cumulative floor area for accessory buildings of 55 square metres.
- b) To permit a reduced setback for an accessory building from the front lot line of 5.6 metres, whereas the By-law requires a minimum setback for an accessory building from the front lot line of 9 metres.
- c) To permit a reduced setback for an accessory building from the side lot line of 3.5 metres, whereas the By-law requires a minimum setback for an accessory building from the side lot line of 9 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](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 30, 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 17 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 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-00221  
**Demande :** Dérogations mineures en vertu de l'article 45 de la *Loi sur l'aménagement du territoire*  
**Requérants :** William et Avril Van Aert  
**Adresse municipale :** 394, chemin Allbirch  
**Quartier :** 5 – West Carleton-March  
**Description officielle :** Partie du lot 83, plan enregistré 782  
**Zonage :** V1H[350r]  
**Règlement de zonage :** n° 2008-250

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

Les requérants souhaitent construire un nouveau garage isolé sur leur propriété, conformément aux plans déposés auprès du Comité.

### DÉROGATIONS DEMANDÉES :

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

- a) Permettre l'augmentation de la surface de plancher cumulative pour un bâtiment accessoire à 76 mètres carrés, alors que le Règlement permet une surface de plancher cumulative maximale pour les bâtiments accessoires de 55 mètres carrés.
- b) Permettre la réduction de la marge de recul d'un bâtiment accessoire par rapport à la ligne de lot avant à 5,6 mètres, alors que le Règlement exige une marge de recul minimale de 9 mètres pour un bâtiment accessoire par rapport à la ligne de lot avant.
- c) Permettre la réduction de la marge de recul d'un bâtiment accessoire par rapport à la ligne de lot latérale à 3,5 mètres, alors que le Règlement exige une marge de recul minimale de 9 mètres pour un bâtiment accessoire par rapport à la ligne de lot latérale.

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'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 : 30 août 2024



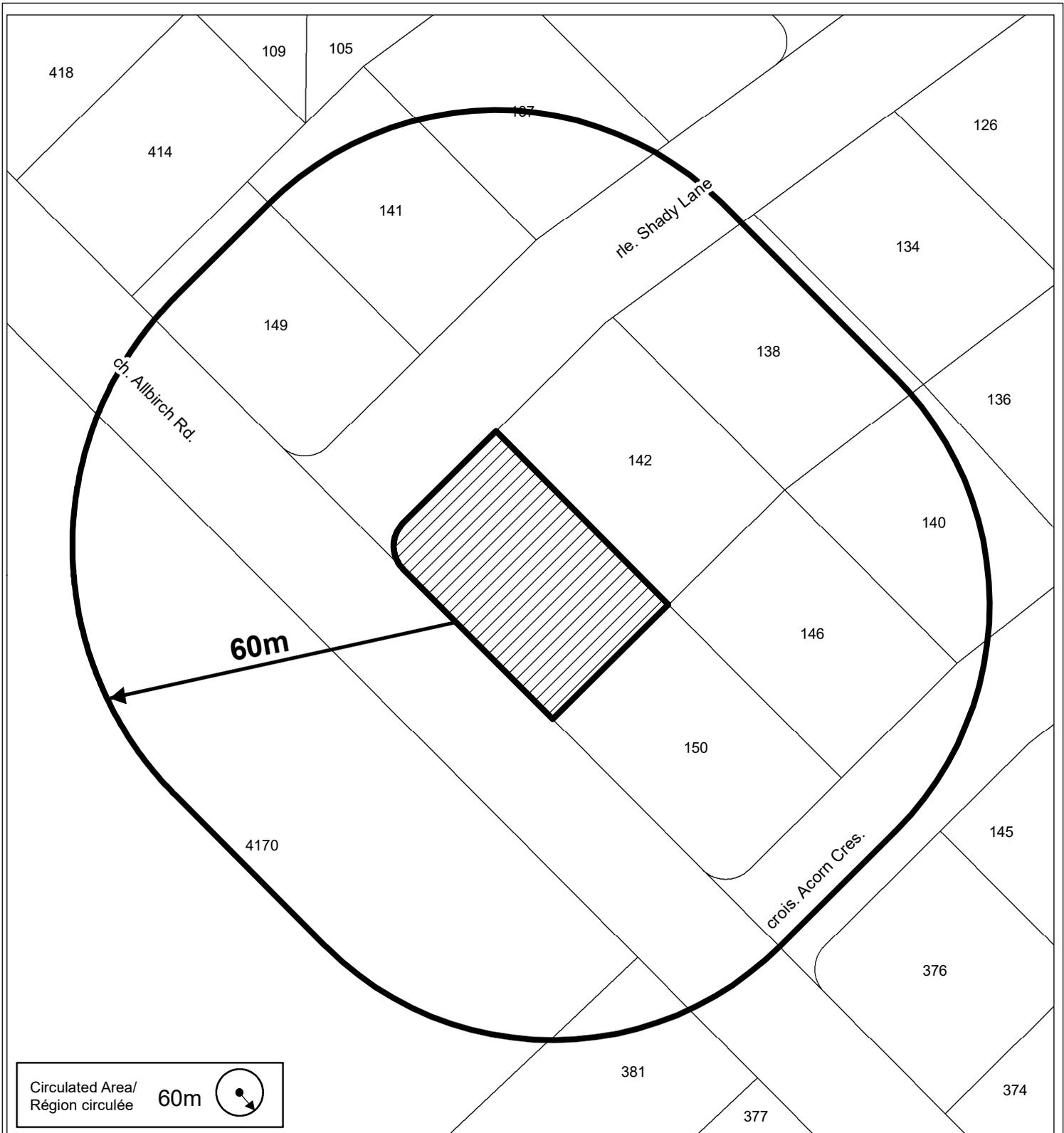
*This document is also available in English.*

**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)  
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 613-580-2436





Circulated Area/  
Région circulée 60m 

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

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

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sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE



**SUBJECT LAND / TERRE EN QUESTION**

**394 ch. Allbirch Road**



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

Committee of Adjustment

Received | Reçu le

15 - 07 - 2024

City of Ottawa | Ville d'Ottawa  
Comité de dérogation



JARVIS DESIGN FIRM

**Project Name:** New Detached Garage

**Project Address:** 394 Allbirch Road, Woodlawn, ON

**Architectural/Structural Contact:** Quinton Jarvis, Jarvis Design Firm

## 394 Allbirch Road - Application for Minor Variance Cover Letter

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

Attention Secretary-Treasurer:

### Introduction

We are writing to request a minor variance for the property located at 394 Allbirch Road, which currently does not include a garage. The property features a laneway off of Allbirch Road, and we are seeking approval to construct a new detached garage with new driveway to the left of the home, technically within the front yard. This location is optimal due to ability to be of an appropriate size for cars and additional yard storage. There is not much opportunity for the garage to be placed within the rear of side property lines without being directly in front of the house. There is also a septic field within the north side of the sites sideyard therefore the proposed garage location provides best opportunity for the clients desired size and access without impeding the view of the existing house.

Three variances are required for the garage proposal as listed below;

**Variance 1 - Accessory Structure in Front Yard to be 76m<sup>2</sup> opposed to 55m<sup>2</sup> max**

**By-law section: Section 55, Table 55 (6) Maximum Permitted Accessory Building Size**

**By-law requirement: Max. cumulative floor area of 55m<sup>2</sup> of the yard where they are located**

**Variance 2 - Accessory Structure to surpass front yard setback, 5.6m instead of 9m**

**By-law section: Section 55 - Accessory Uses, Buildings and Structures Setbacks**

**By-law requirement: Min. Front Yard Setback of Accessory Building is 9m**

**Variance 3 - Accessory Structure to surpass side yard setback, 3.5m instead of 9m**

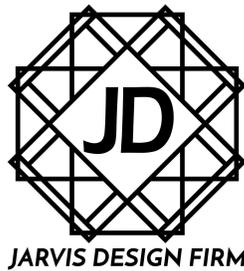
**By-law section: Section 55 - Accessory Uses, Buildings and Structures Setbacks**

**By-law requirement: Min. Front Yard Setback of Accessory Building is 9m**

### Are the variances minor?

In our opinion, the variances are minor for the following reasons:

- **Privacy:** The privacy of neighboring properties will be maintained, as the proposed structure will have virtually no effect on them.
- **Lot Coverage:** The existing house covers only 4% of the lot, and with the proposed garage, the total lot coverage would increase to 9%, which is still well below the maximum allowable coverage of 20%.



**Project Name:** New Detached Garage

**Project Address:** 394 Allbirch Road, Woodlawn, ON

**Architectural/Structural Contact:** Quinton Jarvis, Jarvis Design Firm

- **Accessory Building Size:** Although the garage exceeds the maximum accessory building size by 21m<sup>2</sup>, it is not expected to have any negative impact on the property or the surrounding area.
- **Optimal Location:** The proposed location of the garage is ideal due to its proximity to the house, its ability to accommodate the desired size, and the need to avoid the on-site septic field.

#### **Are the variances desirable for the appropriate development or use of the property?**

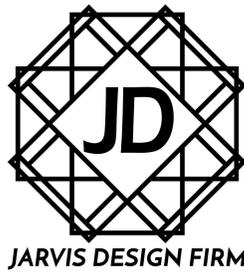
It is our opinion that the variances are desirable for the use of the property due to the following;

- **Home Functionality:** The home is beautiful and functions currently however the lack of garage space is a notable deficiency. The new garage will address this issue by providing much-needed storage and secure parking.
- **Community Fit:** Located at 394 Allbirch, directly across from a largely forested lot and surrounded by similar residential properties, the home benefits from the nature-centric character of the Constance Bay community. The emphasis on outdoor activities and the need to maintain a forest-adjacent lot make this garage particularly appropriate. Additionally, it leaves space for future expansion of the residential area, allowing for a potential connection to the garage if desired, or enabling both areas to remain separate. This flexibility further supports the location, functionality and value of the home.

#### **Is the general intent and purpose of the zoning by-law maintained?**

It is our opinion that the intent and purpose of the Zoning By-law are maintained for the following reasons:

- **Lot Location:** The proposed garage will be located on the same lot as the principal building, enhancing its use and function by providing additional storage, and offering secure parking.
- **Non-Habitation:** The garage will not be used for habitation.
- **Size and Location:** While the size and location require variances, the combined lot coverage of the primary dwelling and proposed garage totals 9%, well below the maximum allowable 20%. The chosen location is ideal for future expansion of the house, accommodates the desired garage size, and avoids the existing septic bed. Additionally, it allows for convenient frontal access from Shady Lane instead of Allbirch Road.



**Project Name:** New Detached Garage  
**Project Address:** 394 Allbirch Road, Woodlawn, ON  
**Architectural/Structural Contact:** Quinton Jarvis, Jarvis Design Firm

**Is the general intent and purpose of the official plan maintained?**

The Official Plan supports accessory buildings as beneficial for the diversity and use of residential properties, with established criteria for their integration. It is our opinion that the proposal respects and maintains the plan's intent and purpose for the following reasons:

- **Integration:** The proposed garage will integrate seamlessly in design and function with the dwelling unit and property.
- **Community Context:** The broader community includes many similar buildings, and the proposed garage enhances overall property functionality and value.
- **Support of Official Plan:** The variance aligns with the Official Plan's goals by improving the property while adhering to intent of the criteria for accessory buildings.

Please consider our proposal and feel free to contact our office if there are any questions.

Sincerely,

A handwritten signature in black ink that reads 'Q Jarvis'. The signature is fluid and cursive, with a large initial 'Q'.

Quinton Jarvis

Jarvis Design Firm

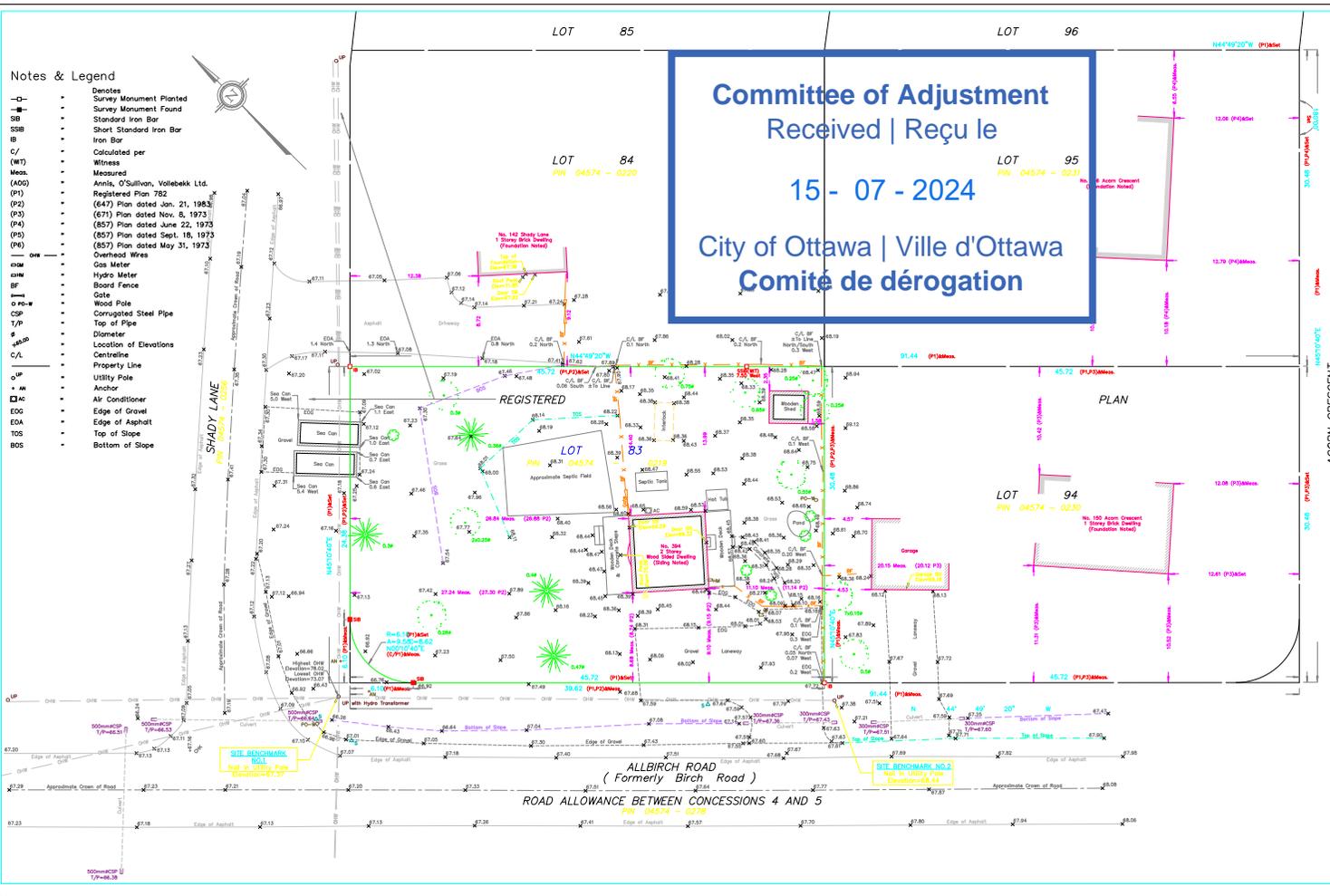
226-927-7979



- Notes & Legend**
- Denotes
  - Survey Monument Planted
  - Survey Monument Found
  - SB Standard Iron Bar
  - SBH Short Standard Iron Bar
  - IB Iron Bar
  - W Calculated per
  - (WT) Witness
  - Meas. Measured
  - (AOS) Anns, O'Sullivan, Vollebek Ltd.
  - (P1) Registered Plan 782
  - (P2) (647) Plan dated Jan. 21, 1983
  - (P3) (671) Plan dated Nov. 8, 1973
  - (P4) (857) Plan dated June 22, 1973
  - (P5) (857) Plan dated Sept. 18, 1973
  - (P6) (857) Plan dated May 31, 1973
  - OW Overhead Wires
  - GM Gas Meter
  - HM Hydro Meter
  - BF Board Fence
  - GL Gate
  - WSP Wood Pole
  - CSP Corrugated Steel Pipe
  - T/P Top of Pipe
  - Ø Diameter
  - Location of Elevations
  - C/L Centreline
  - Property Line
  - Utility Pole
  - Anchor
  - AC Air Conditioner
  - EOC Edge of Crawl
  - EOA Edge of Asphalt
  - TOS Top of Slope
  - BOS Bottom of Slope



**Committee of Adjustment**  
 Received | Reçu le  
**15 - 07 - 2024**  
 City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**



Bearings are grid, derived from Can-Net 2016 Real Time Network GPS observations, MTM Zone 9 ( 76°30' West Longitude )  
 NAD-83 (original)  
 For bearing comparisons, a rotation of 01°22' counter-clockwise was applied to bearings on P1.

**ELEVATION NOTES**  
 1. Elevations shown are geodetic and are referred to the CGVD25 geodetic datum.  
 2. It is the responsibility of the user of this information to verify that the job benchmark has not been altered or disturbed and that it's relative elevation and description agrees with the information shown on this drawing.  
**UTILITY NOTES**  
 1. 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.  
 2. Only visible surface utilities were located.  
 3. A field location of underground plant by the pertinent utility authority is mandatory before any work involving breaking ground, probing, excavating etc.

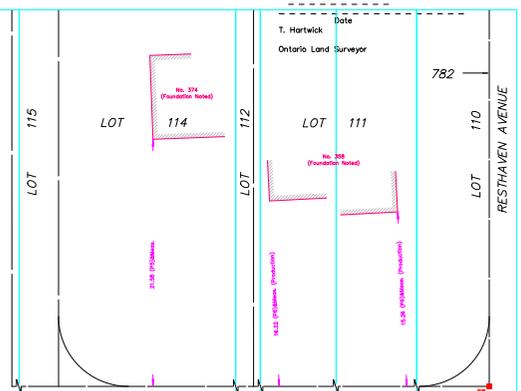
**TOPOGRAPHIC PLAN OF SURVEY OF**

**LOT 83**  
**REGISTERED PLAN 782**  
**CITY OF OTTAWA**

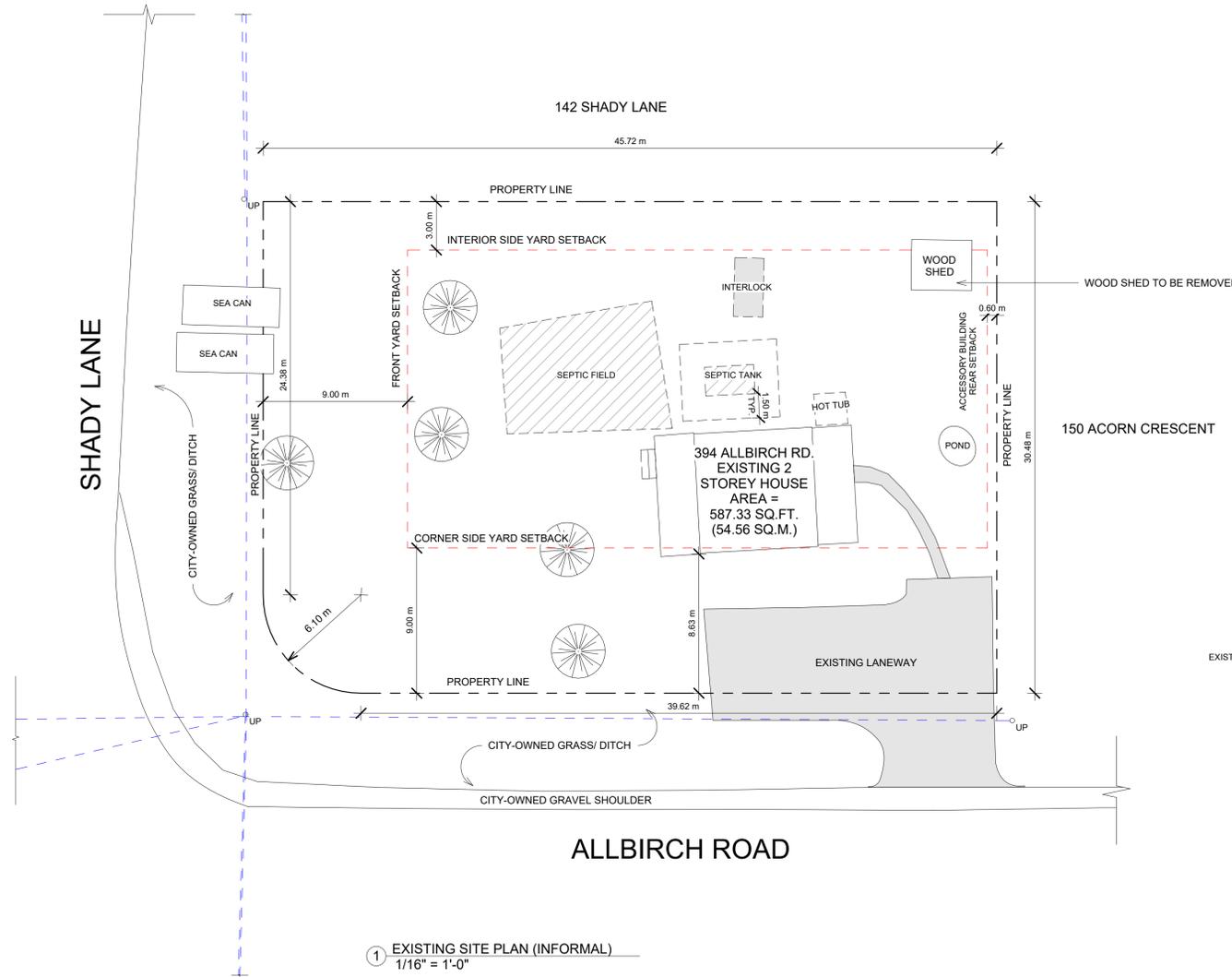
Surveyed by Anns, O'Sullivan,  
 Vollebek Ltd.  
 Scale 1 : 200

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

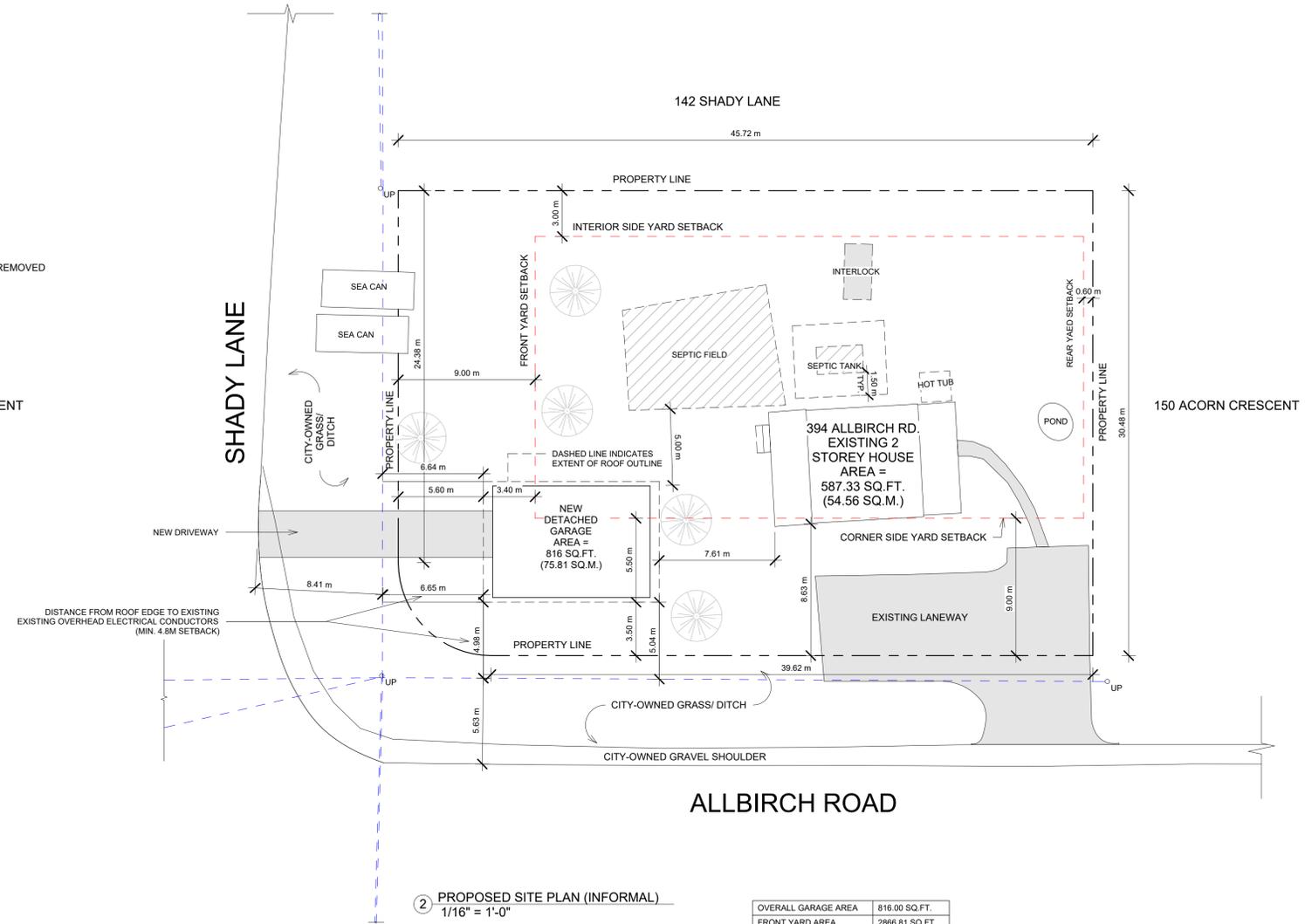
**Surveyor's Certificate**  
 I CERTIFY THAT:  
 1. This survey and plan are correct and in accordance with the Survey Act, the Surveyors Act and the regulations made under them.  
 2. The survey was completed on the 9th day of February, 2024.



**ASSOCIATION OF ONTARIO LAND SURVEYORS**  
**PLAN SUBMISSION FORM**  
 V-60514  
 THIS PLAN IS PROTECTED BY THE SURVEYORS ACT AND THE SURVEYORS REGULATIONS. IT IS AN UNLAWFUL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1006, SECTION 28 (3).  
 Anns, O'Sullivan, Vollebek Ltd. 2023 - THIS PLAN IS PROTECTED BY  
 ANNS, O'SULLIVAN, VOLLEBEK LTD.  
 14 Concourse Gate, Suite 500  
 Nepean, Ont. K2E 7S6  
 Phone: (613) 727-0850 / Fax: (613) 727-0850  
 Email: info@annsvl.com  
 License No. 28812-21, Annual License Fee T.F. 0261



1 EXISTING SITE PLAN (INFORMAL)  
1/16" = 1'-0"



2 PROPOSED SITE PLAN (INFORMAL)  
1/16" = 1'-0"

OVERALL GARAGE AREA	816.00 SQ.FT.
FRONT YARD AREA	2866.81 SQ.FT.
FRONT YARD COVERAGE	28.46%
CORNER YARD AREA	3557.26 SQ.FT.
CORNER YARD COVERAGE	22.94%



MUNICIPAL ADDRESS: 394 ALLBIRCH RD. WOODLAWN, ON.		
PROPERTY AREA	14914.05 SQ.FT. (1385.56 SQ.M.)	
NEW GARAGE AREA	816.00 SQ.FT. (75.81 SQ.M.)	
LOT COVERAGE (MAX. 20%)	EXISTING	PROPOSED
	~1,212 SQ.FT. (~8.13%)	~2,028 SQ.FT. (~13.6%)
CUMULATIVE FLOOR AREA	MAX.	PROPOSED
	55 SQ.M.	75.81 SQ.M.
BUILDING HEIGHT	14' - 9" (MAX. = 14'-9.5/32")	

LEGEND	
	SETBACK LINE
	OVERHEAD ELECTRICAL CONDUCTORS
	UTILITY POLE

NOTE:  
IT IS THE CONSTRUCTOR'S RESPONSIBILITY TO ENSURE THAT ALL CONSTRUCTION CONFORMS TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE. NOTATIONS MADE ON THESE DRAWINGS ARE FOR INFORMATION AND GUIDANCE ONLY AND DO NOT NECESSARILY ADDRESS ALL AREAS OF CONSTRUCTION. ALL CONSTRUCTION IS SUBJECT TO FIELD REVIEW AND APPROVAL.

ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE COMMENCING WORK.

ALL DRAWINGS REMAIN THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED OR REVISED WITHOUT THE CONSULTANT'S PERMISSION.

STAMP

NO.	ISSUED FOR	DATE
1	PERMIT	JUNE 21, 2024
2		
3		
4		
5		
6		
7		
8		
9		



NEW DETACHED GARAGE

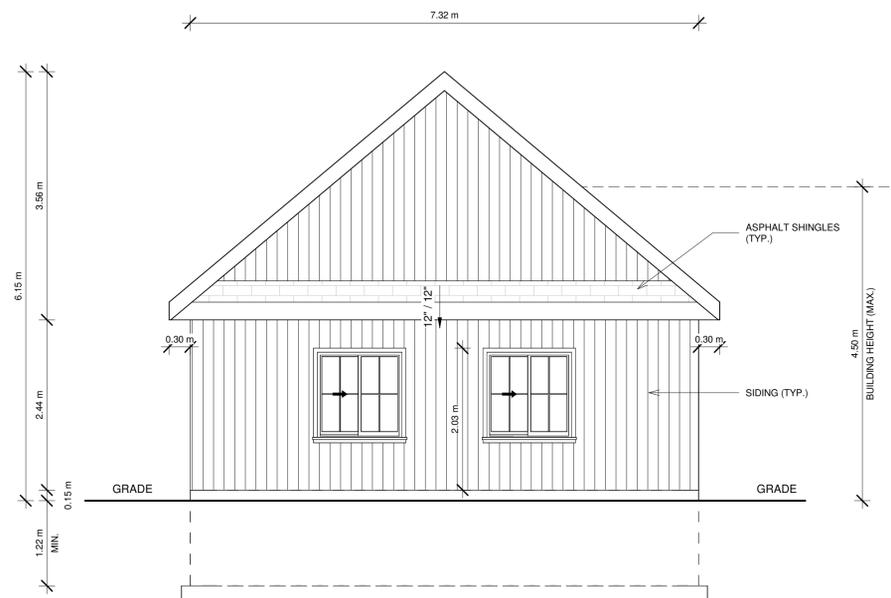
INFORMAL SITE PLANS

394 ALLBIRCH RD. WOODLAWN, ON.

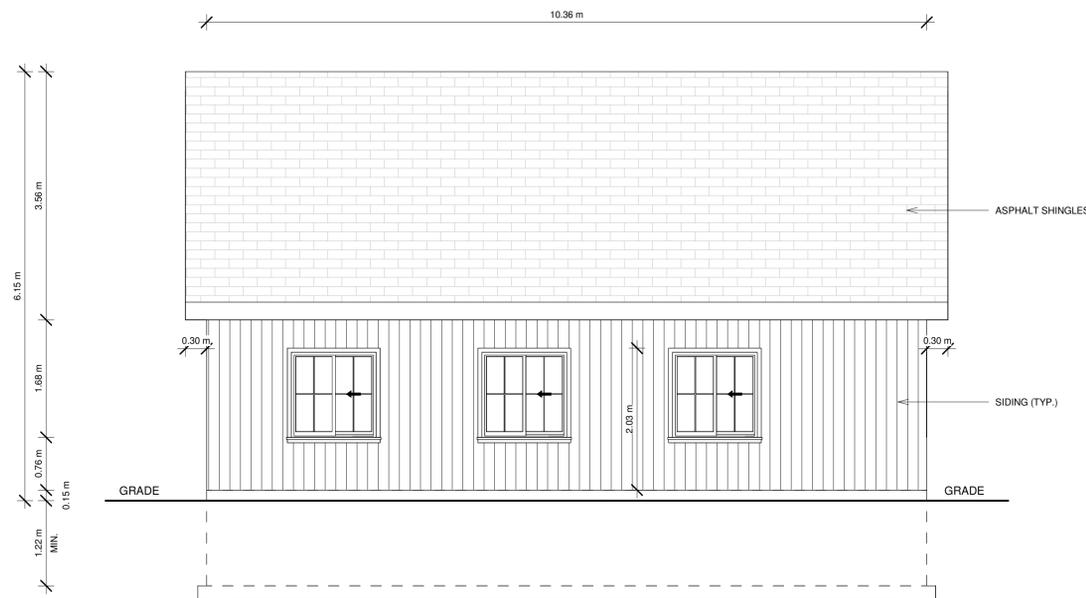
Project Number	N/A	Sheet No.	<b>A0.02</b>
Date	JUNE 21, 2024	Drawn by	LT
Checked by	QJ	Scale	As indicated

**GENERAL ELEVATION SPECIFICATIONS/NOTES:**

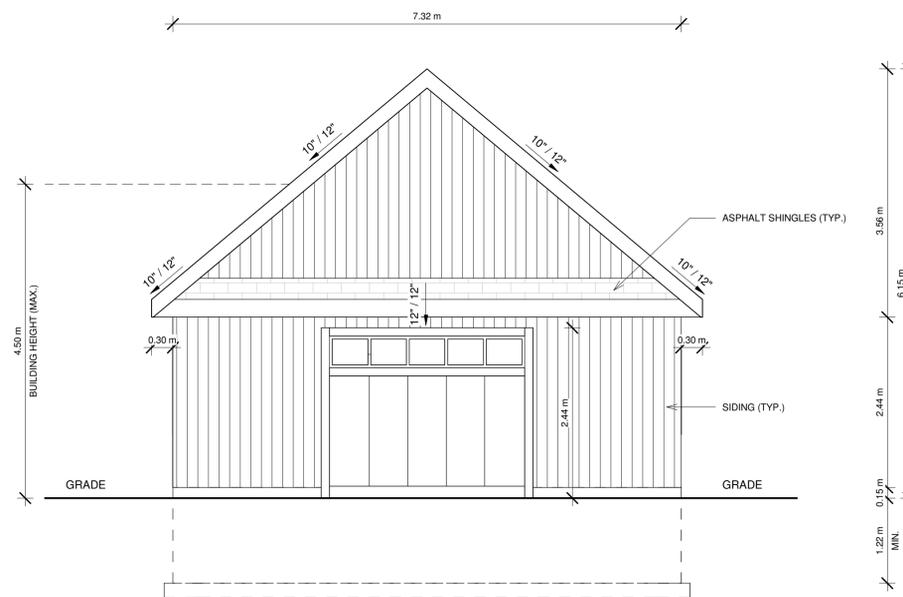
1. ALL EXTERIOR FINISHES DETAILS/ COLOURS/ STYLES & MANUFACTURER TO BE CONFIRMED BY HOME-OWNER
2. BUILDER / OWNER / SUPPLIER TO CONFIRM ALL WINDOW & DOOR SIZES & ROUGH STUD OPENINGS PRIOR TO ORDERING
3. WINDOW GRILLS PATTERN MAY VARY BASED ON WINDOW SUPPLIER. CONTRACTOR TO VERIFY.
4. THE WINDOW SUPPLIER IS TO PROVIDE ROUGH OPENING DIMENSIONS AND CONFIRM WINDOW TYPES WITH CONTRACTOR/OWNER. WINDOW SUPPLIER IS TO ENSURE ALL OPERABLE BEDROOM WINDOWS MEET EGRESS REQUIREMENTS.
5. ALL GUTTERS & DOWNSPOUTS PURPOSELY OMITTED FOR CLARITY.
6. CONTRACTOR TO VERIFY ALL EXISTING AND PROPOSED FINISHED GRADES ON-SITE. IF APPROVED GRADING PLAN IS PRESENT, GRADES TO MATCH SAID PLAN. FINISHED GRADE MUST SLOPE AWAY FROM HOUSE.
7. ALL OVERHANGS TO BE AS STATED, UNLESS OTHERWISE NOTED: ROOF OVERHANG - 12"
8. FLASHING AT INTERSECTION BETWEEN ROOFS WHERE THEY ABUT WALLS AS PER OBC 9.26.4
9. INSTALL GALVANIZED FLASHING OVER EXTERIOR DOOR AND WINDOW OPENING AS REQUIRED.
10. TOP OF WINDOWS AS NOTED ON ELEVATIONS



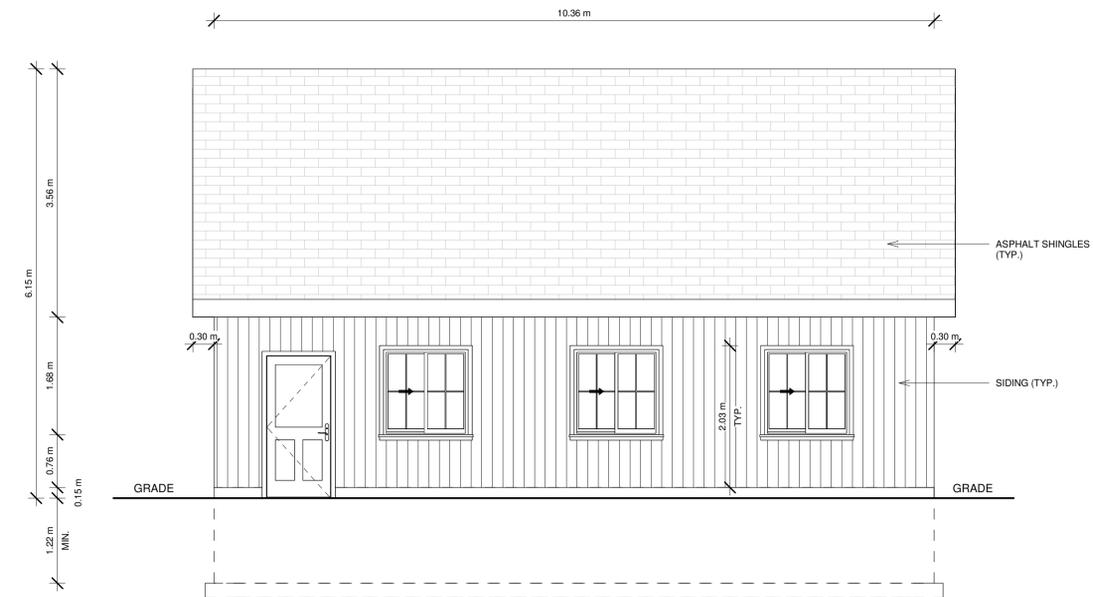
① FRONT ELEVATION  
1/4" = 1'-0"



② LEFT ELEVATION  
1/4" = 1'-0"



③ REAR ELEVATION  
1/4" = 1'-0"



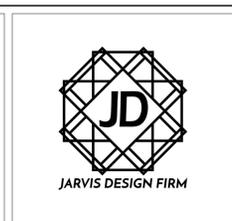
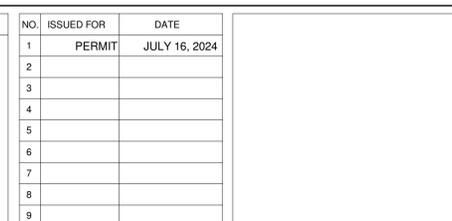
④ RIGHT ELEVATION  
1/4" = 1'-0"

**NOTE:**  
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NO.	ISSUED FOR	DATE
1	PERMIT	JULY 16, 2024
2		
3		
4		
5		
6		
7		
8		
9		



NEW DETACHED GARAGE

394 ALLBIRCH RD. WOODLAWN, ON.

ELEVATIONS

Project Number: N/A  
Date: JULY 16, 2024  
Drawn by: LT  
Checked by: QJ

Sheet No. **A1.01**  
Scale: 1/4" = 1'-0"



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 3  
PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 394 Allbirch Road  
Legal Description: Part of Lot 83, Registered Plan 782  
File No.: D08-02-24/A-00221  
Report Date: September 12, 2024  
Hearing Date: September 18, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Village, Village Residential  
Zoning: V1H[350r]

### DEPARTMENT COMMENTS

The Planning, Development and Building Services Department **has some 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 variances meet the “four tests”.

Staff are in agreement that the chosen site minimizes the potential impacts on trees and avoids the septic bed within the interior side yard. Staff do have some concerns with the proximity of the structure to the corner sight triangle and would prefer to see the driveway located further north on Shady Lane.

There are two “sea cans” identified on the plans submitted with the application. **These are not permitted on the City’s ROW unless a temporary construction permit has been granted. The applicant is encouraged to seek a permit or relocate the storage containers entirely onto the property.**

### 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 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 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.



---

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*

### Consent Application

Panel 3  
Tuesday, September 17, 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-00140  
**Application:** Consent under section 53 of the *Planning Act*  
**Applicants:** Jon and Mary Hegan  
**Property Address:** 4490 Donnelly Drive  
**Ward:** 21 – Rideau-Jock  
**Legal Description:** Part of Lot 26, Concession 1, Geographic Township of Marlborough  
**Zoning:** RU  
**Zoning By-law:** 2008-250

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

The Applicants wants to convey a portion of their property to the abutting property owners to the east, known municipally as 4472 Donnelly Drive.

### CONSENT IS REQUIRED FOR THE FOLLOWING:

The Applicants requires the Committee's consent for a lot line adjustment.

The severed land, shown on a sketch filed with the application as Part 1, will have frontage of 16.98 metres on Donnelly Drive, to an irregular depth of 45.85 metres and will contain an area of 947 square metres. This vacant land will be merged with the property to the east known as 4472 Donnelly Drive.

The retained land will have a frontage of 139.57 metres, to an irregular depth of 46.86 metres and will contain a lot area of 4.56 hectares. This parcel is known as 4490 Donnelly Drive.

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 30, 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 d'autorisation

**Groupe 3**  
**Mardi 17 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 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 :** D08-01-24/B-00140  
**Demande :** Autorisation en vertu de l'article 53 de la *Loi sur l'aménagement du territoire*  
**Requérants :** Jon et Mary Hegan  
**Adresse municipale :** 4490, promenade Donnelly  
**Quartier :** 21 – Rideau-Jock  
**Description officielle :** Partie du lot 26, concession 1, canton géographique de Marlborough  
**Zonage :** RU  
**Règlement de zonage :** n° 2008-250

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

Les requérants souhaitent céder une partie de leur bien-fonds aux propriétaires du bien-fonds voisin à l'est, situé au 4472, promenade Donnelly.

### AUTORISATION REQUISE :

Les requérants nécessitent l'autorisation du Comité en vue d'un redressement de ligne de lot.

Le terrain morcelé est représenté par la partie 1 sur un croquis joint à la demande. Il aura une façade de 16,98 mètres sur la promenade Donnelly, une profondeur irrégulière de 45,85 mètres et une superficie de 947 mètres carrés. Ce terrain vacant sera fusionné avec la propriété à l'est, située au 4472, promenade Donnelly.

Le terrain conservé aura une façade de 139,57 mètres, une profondeur irrégulière de 46,86 mètres et une superficie de 4,56 hectares. Cette parcelle est située au 4490, promenade Donnelly.

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'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 : 30 août 2024



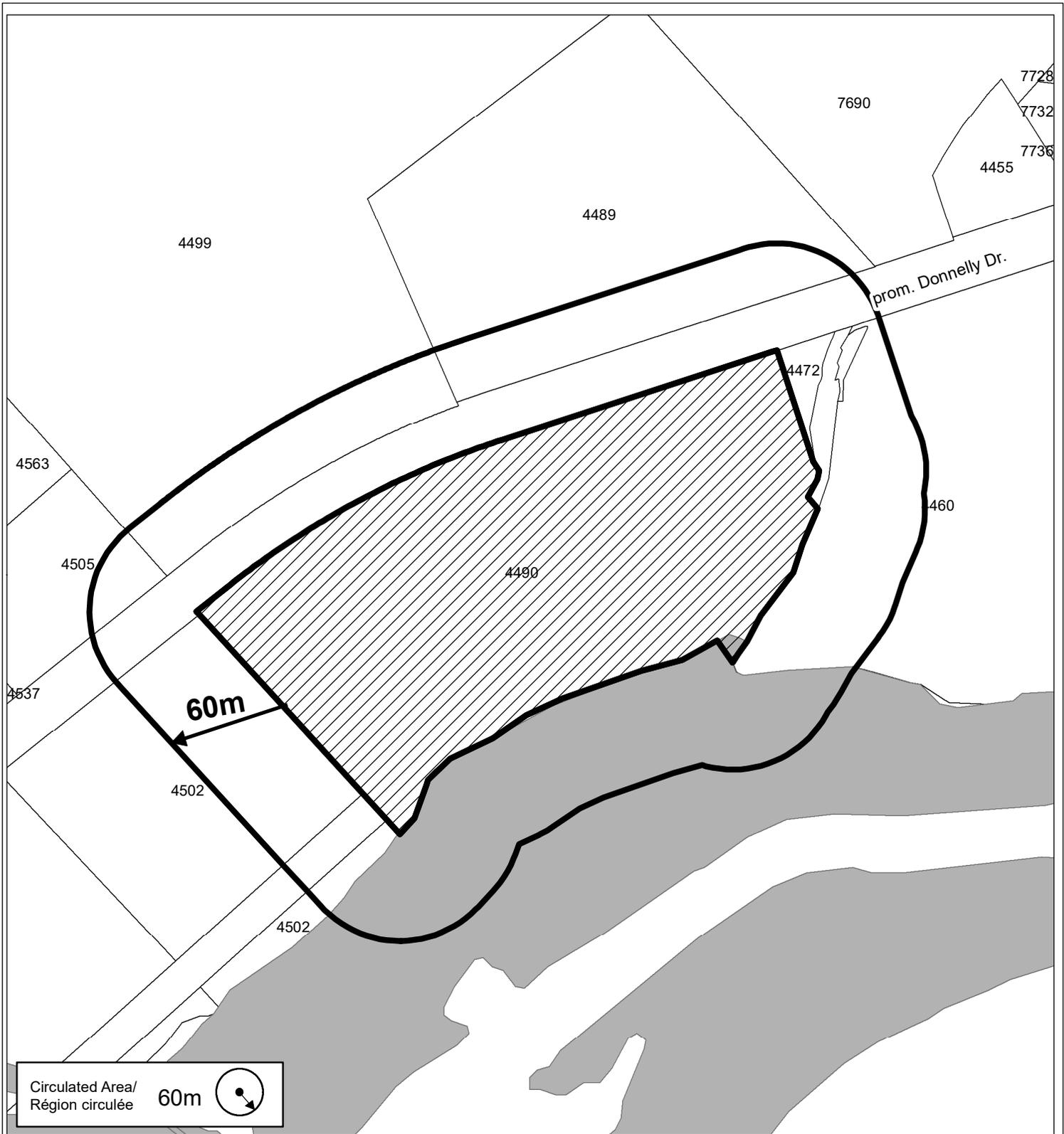
*This document is also available in English.*

**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)  
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 613-580-2436





Circulated Area/  
Région circulée 60m 

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

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

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**SUBJECT LAND / TERRE EN QUESTION**

**4490 prom. Donnelly Drive**



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

Committee of Adjustment

JUL 30 2024

City of Ottawa

30 July 2024

To the committee of adjustment.

The purpose of this application is to adjust my property by purchasing the 947 square meters from my neighbour.

 Buzz Conn  
Sharon Turner SHARON TURNER

The odd shape of property is because the neighbours who are selling the land wish to keep the wet land area to the south of the property.

  
Sharon Turner





## AREA CERTIFICATE

**Re:           Donnelly Drive Reference Plan**  
Part of Lot 26  
Concession 1  
Geographic Township of Mariboroug  
Now in the City of Ottawa

I hereby certify the area of Part 1 on the above noted plan to be 947 square metres.

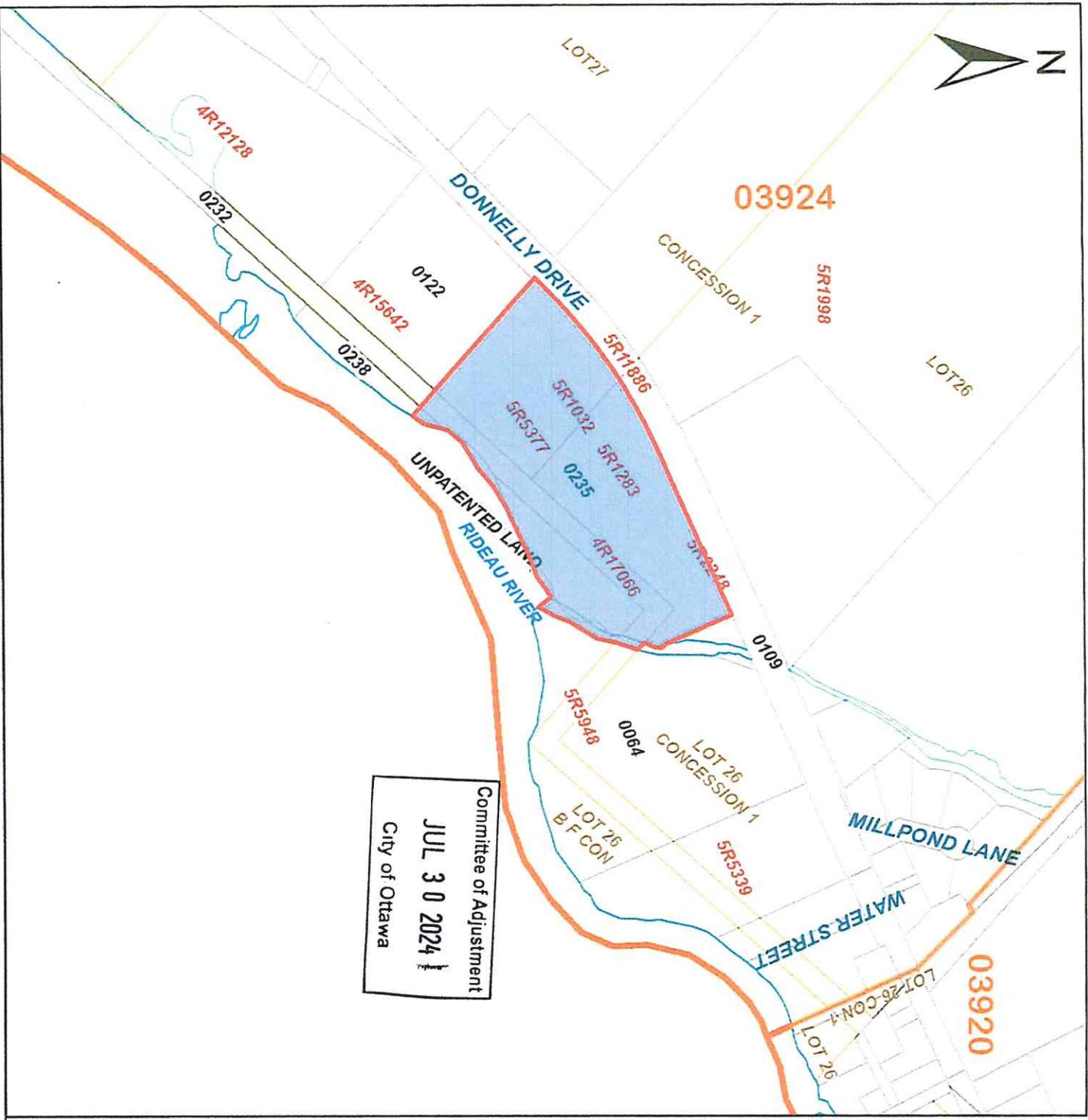
Committee of Adjustment  
JUL 30 2024  
City of Ottawa

Kemptville, Ontario                   Emmett  
Ketchum  
February 27, 2024                   Ontario Land  
Surveyor  
Ref: K-13583-24

ANNIS O'SULLIVAN \_\_\_\_\_  
VOLLEBEKK

ONTARIO LAND  
SURVEYORS  
T.J. Allison  
J.E. Anderson  
S.S. Bazar  
A.J. Broxham  
G.T. Hartwick  
E.H. Henveyer  
E.K. Ketchum  
V.A. Sheip  
D.R. Vollebakk





### ServiceOntario

PRINTED ON 31 MAY, 2024 AT 10:07:38  
FOR ACCOOLN01



SCALE

### PROPERTY INDEX MAP OTTAWA-CARLETON (No. 04)

#### LEGEND

- FREEHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER
- BLOCK NUMBER
- GEOGRAPHIC FABRIC
- EASEMENT

#### NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED

THIS IS NOT A PLAN OF SURVEY



2024-09-11



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 4490 Donnelly Drive  
Legal Description: Part of Lot 26, Concession 1, Geographic Township of Marlborough  
File No.: D08-01-24/B-00140  
Report Date: September 11, 2024  
Hearing Date: September 18, 2024  
Planner: Luke Teeft  
Official Plan Designation: Rural Transect; Rural Countryside; Flood Plain Overlay  
Zoning: RU, O1; Flood Plain Overlay

**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.

This lot line adjustment will result in the enlargement of 4472 Donnelly Drive, which is currently undersize for a property relying on a private well and septic system. The addition of land from 4490 Donnelly Dr. will improve the condition of 4472 Donnelly Dr.

**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 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 15 meters from the existing centerline of pavement/the abutting right-of-way along Donnelly Drive, 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.

2. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of **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 (arterial road, highway, airport, etc) and may therefore be subject to noise and other activities associated with that use”

The Agreement shall be to the satisfaction of the **Manager of the Development Review All Wards Branch, or their designate**. The Committee requires a copy of the Agreement and written confirmation from **City Legal Services** that it has been registered on title.



---

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**

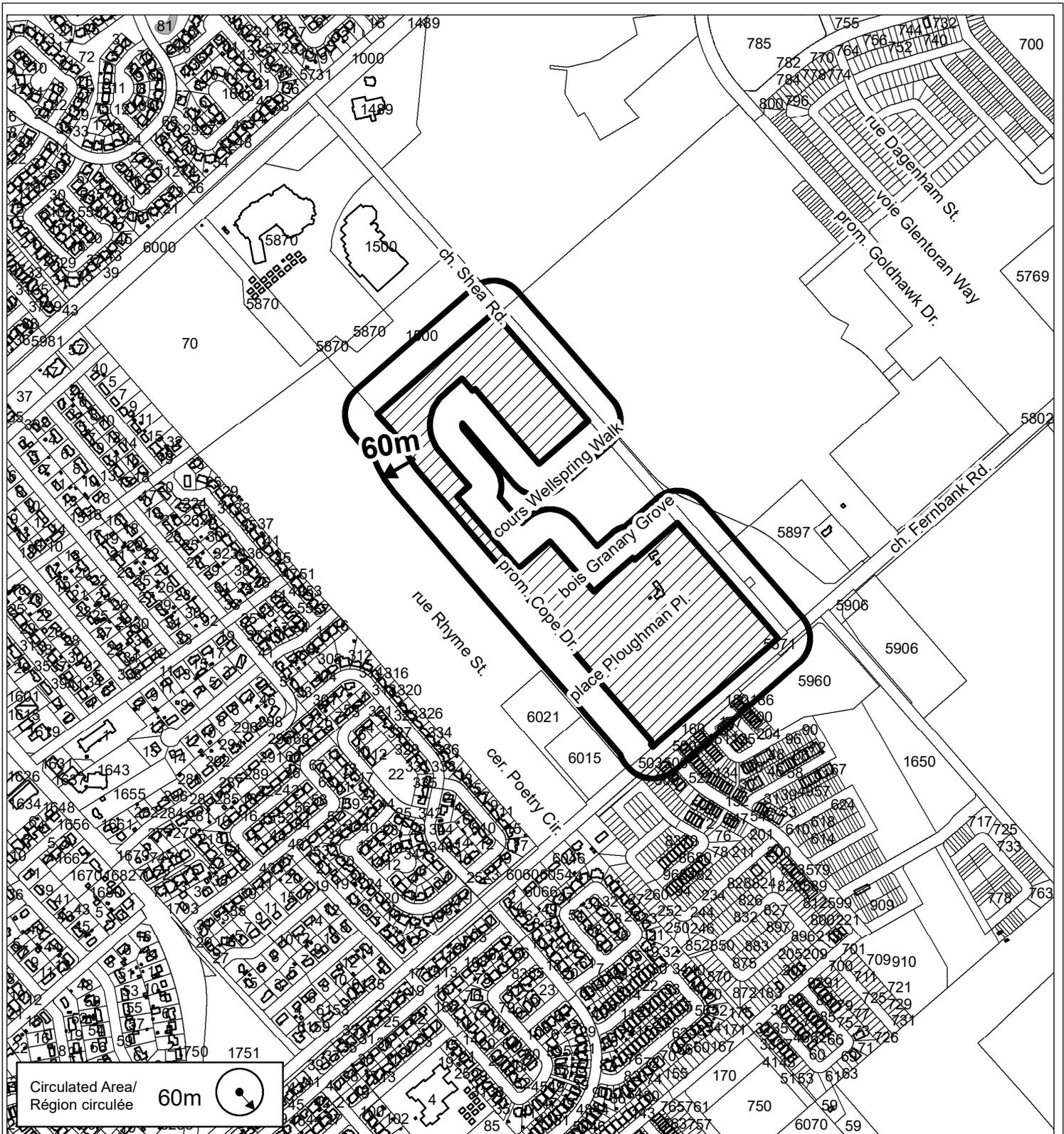
Ville d'Ottawa  
101, promenade Centrepointe  
Ottawa ON K2G 5K7

[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 CentrepoinTE 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.

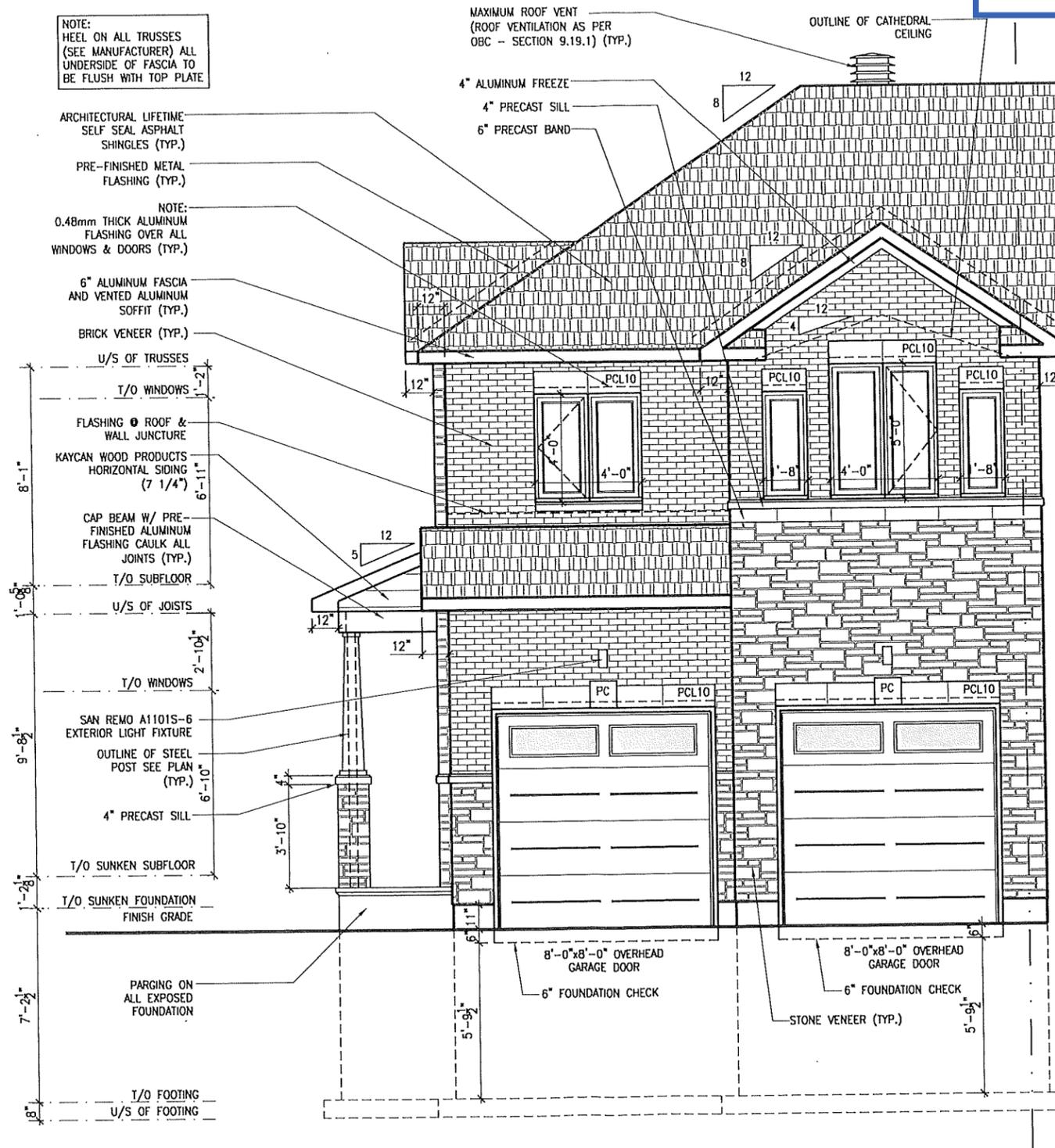
ALL CONTRACTORS SHALL PERFORM THEIR WORK WHETHER DESCRIBED OR NOT, ACCORDING TO THE APPLICABLE BUILDING CODE REQUIREMENTS AND MUNICIPAL REGULATIONS.

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



2012 O.B.C. DRAWINGS

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

DRAWING:  
**FRONT ELEVATION - END UNITS**

ADDRESS: xx SCALE: 3/16" = 1'-0" DATE: xx/xx/xxxx

170 - THE BASSETT  
 2022 - FOOTPRINT  
 (STANDARD DRAWINGS)

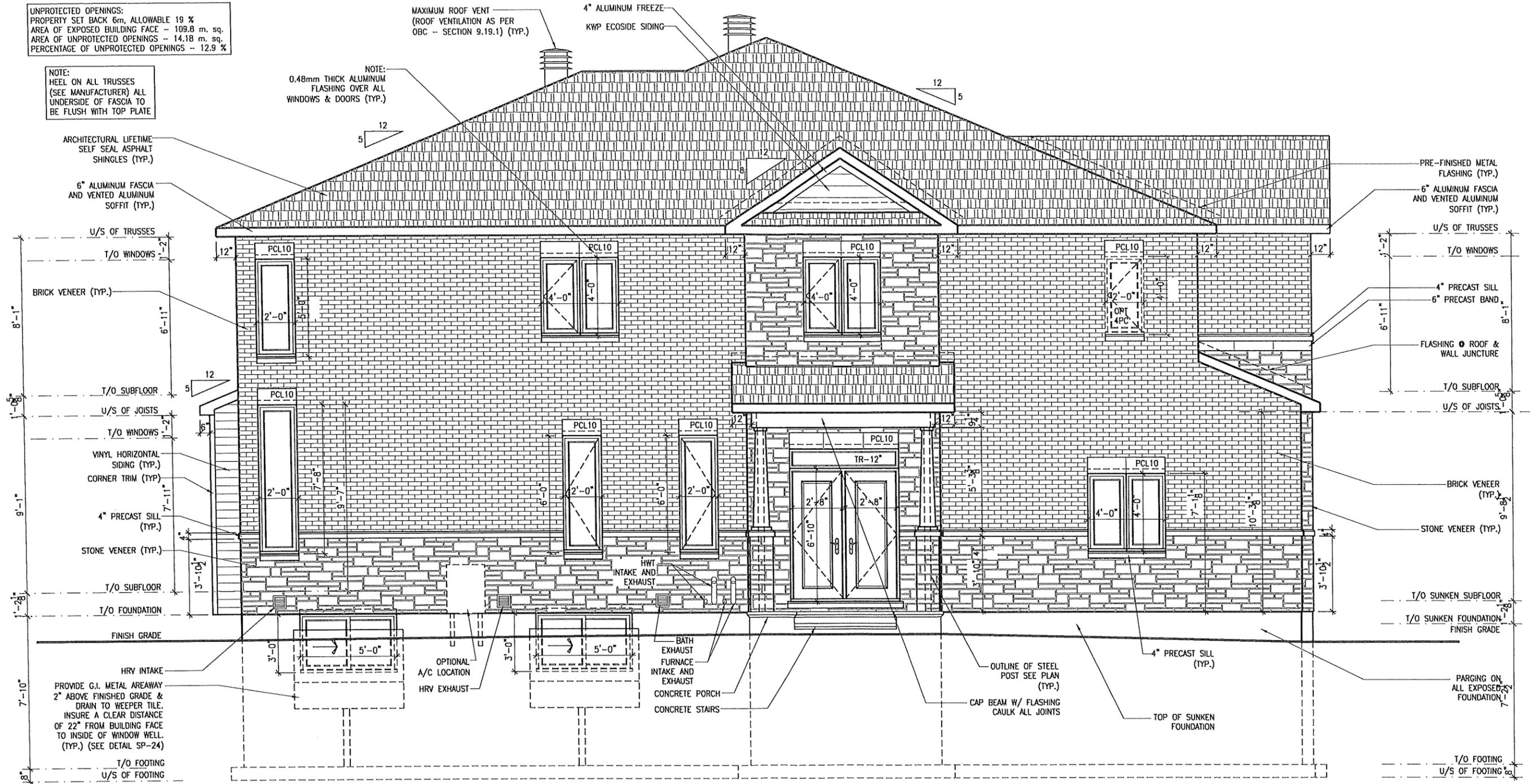
SHEET:  
**A.1**



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.	DESCRIPTION	DATE	BY
REV-1	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

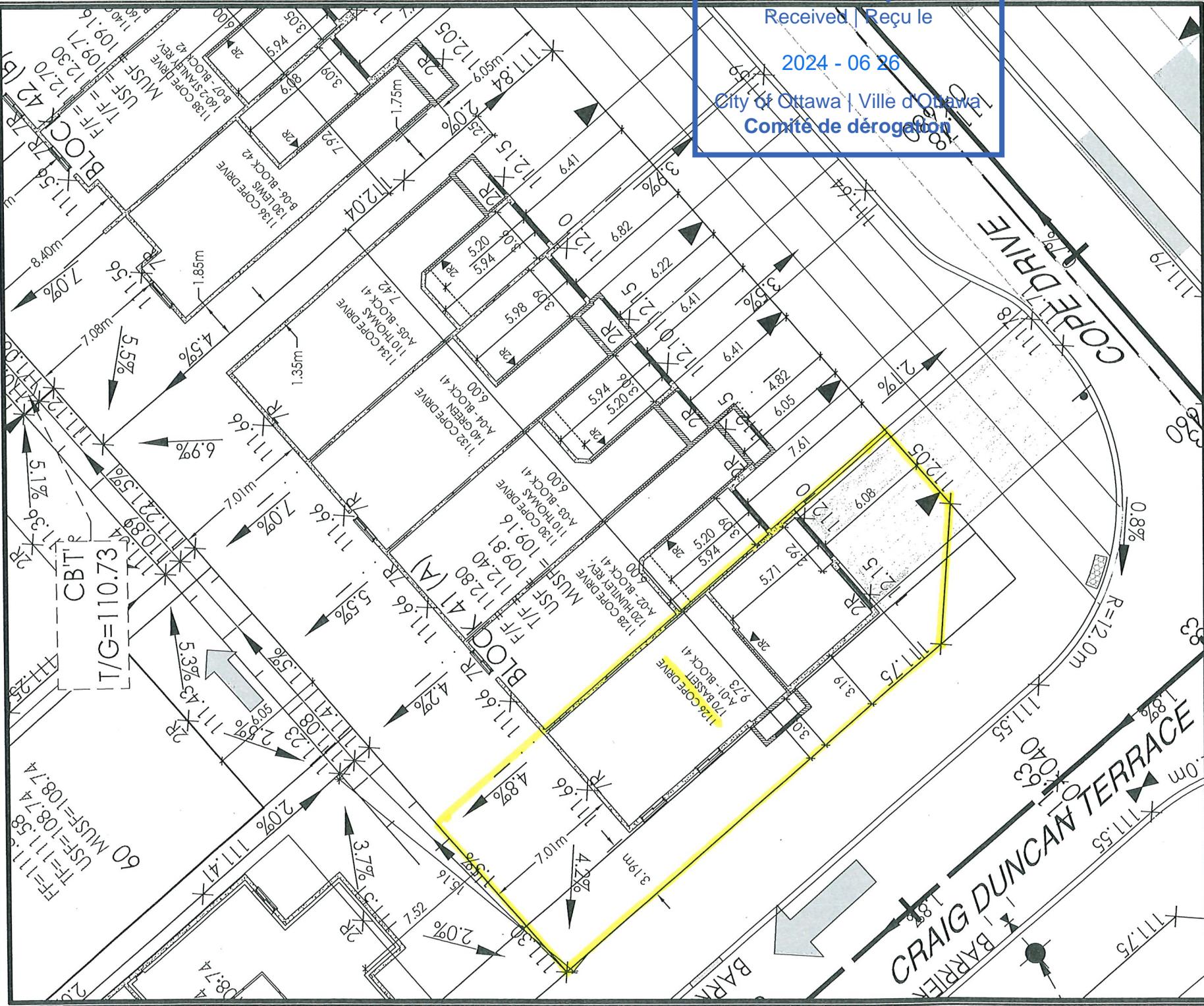
170 - THE BASSETT 2022 FOOTPRINT (STANDARD DRAWINGS) SHEET: A.2a

CONSTRUCTION SITES: SHEA VILLAGE



- 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

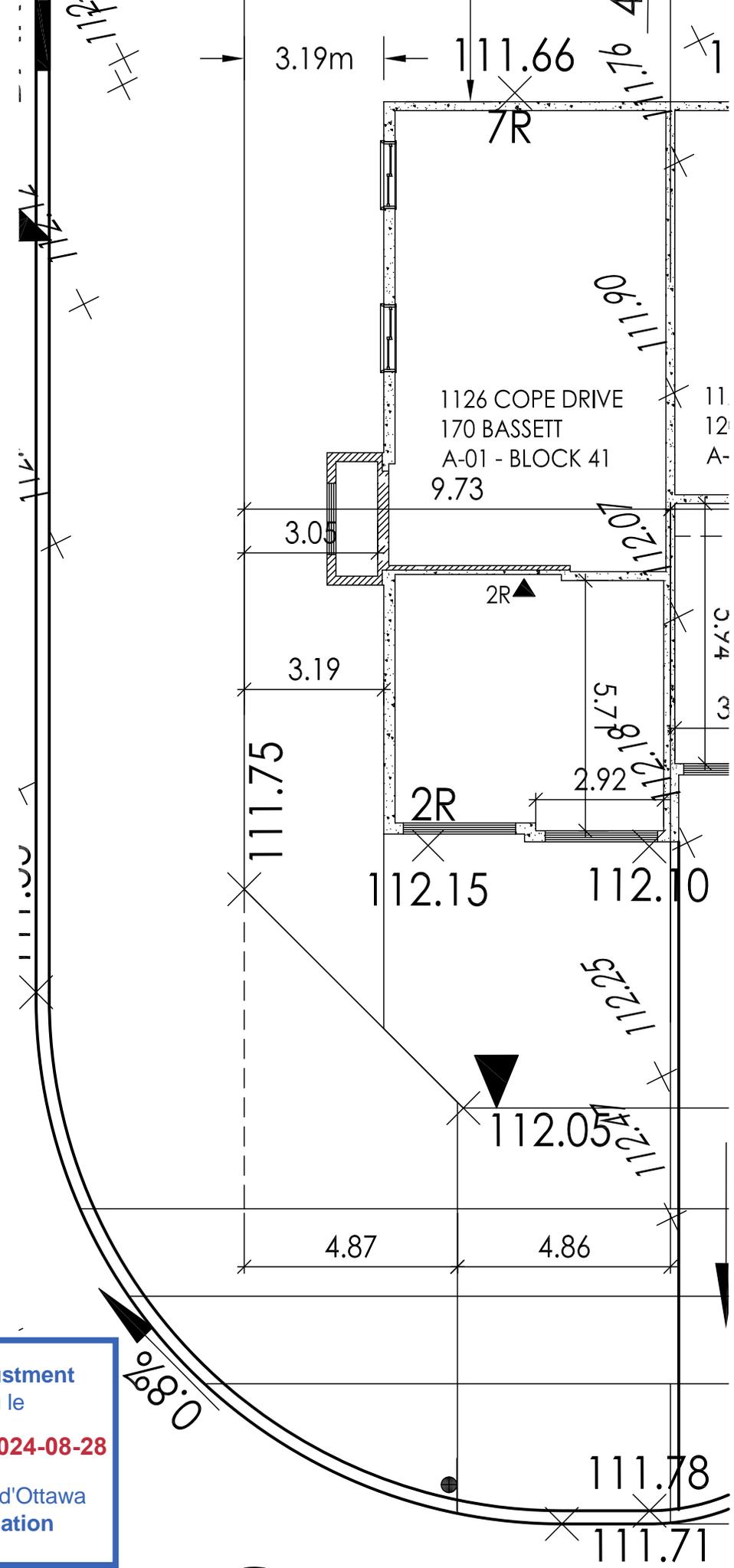
circ date: Works Division Approval Date:	circ date: Zoning Approval Date:	circ date: UPO Approval Date:
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Scale 1:250

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



2024-09-11



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

**PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

Site Address: 1126 Cope Drive  
Legal Description: Pt of Block 41, Plan 4M-1740  
File No.: D08-02-24/A-00173  
Report Date: September, 11 2024  
Hearing Date: September 17, 2024  
Planner: Elizabeth King  
Official Plan Designation: Suburban Transect, Neighbourhood  
Zoning: R3Z [2920]

**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”.

Section 107(3)(ii) of the Zoning By-law states that the area of a driveway is not to exceed the greater than 50% of the area the yard it is located in. 1126 Cope Drive is proposing a double-wide driveway that is 5.81 metres wide to accommodate the attached double garage of an end townhouse unit, resulting in occupying 60% of the area of the yard.

Staff received a revised site plan on September 3, 2024 and Right-of-Way Management Staff reviewed and support the revised site plan that shows the 6 metre setback from the intersection, in compliance with the Private Approach By-law. Staff have no further concerns with the proposal.

## ADDITIONAL COMMENTS

### Planning Forestry

This lot is part of an approved plan of subdivision. Through pre-consultation it was determined that the proposed driveway expansion is outside of the area proposed for tree planting in the approved Landscape Plan for the subdivision. There are no tree-related concerns with the minor variance.

### Right of Way Management

The new submitted plan (1126 Cope Drive – 090324 6m.pdf) by Valecraft on 03 September 2024, for 1126 Cope drive showing the private approach's required 6m setback from the intersection is supported by the ROW group.



---

Elizabeth King  
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