

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

Date of Decision:	March 10, 2023
File No(s):	D08-02-22A-00263
Owner(s):	Jean Lamarche
Location:	2687 Pagé Road
Ward:	2 - Orléans West-Innes
Legal Description:	Part of Lot 5, Concession 3 (Ottawa Front), Geographic Township of Gloucester
Zoning:	DR
Zoning By-law:	2008-250
Hearing Date:	March 1, 2023

PURPOSE OF THE APPLICATION

- [1] The Owner wants to construct a new coach house to the rear (north-east) of the existing two-storey detached dwelling, as shown on plans filed with the Committee.

PERMISSION REQUIRED

- [2] The subject property contains a legally non-conforming residential use in a Development Reserve Zone. The Owner has applied for Permission to expand the legally non-conforming use for the construction of a 74 square metre coach house with a footprint of 50.85% of the primary dwelling.
- [3] The application indicates that the Property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

- [4] The Acting Panel Chair administered an oath to Alain Bisson, Agent for the Applicant, who confirmed that the statutory notice posting requirements were satisfied.
- [5] In response to questions from the Committee, Mr. Bisson confirmed that the proposal is a one-bedroom coach house.

- [6] City Planner Cass Sclauzero responded to the Committee's questions, highlighting that the current DR (Development Reserve) Zone is appropriate for the area and at this time there are no plans to rezone the area. It was Ms. Sclauzero's submission that rezoning the subject property would not be appropriate because the lot size is a small-scale residential lot. She further noted that servicing is available along Pagé Road. Ms. Sclauzero also confirmed that her concerns with the application, as outlined in her report, relate to the size and location of the coach house.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

- [7] The Committee considered all written and oral submissions relating to the application in making its Decision.
- [8] The Committee has the power to permit an extension of a legal non-conforming use under subsection 45(2) of the *Planning Act* based upon both the desirability for development of the property in question and the impact on the surrounding area.
- [9] Based on the evidence, the Committee is satisfied that the requested permission meets the two-fold test relating to desirability and impact.
- [10] The Committee notes that the City's Planning Report raises "some concerns" with the proposal of a coach house with a footprint of 74 square metres, which results in a dwelling that exceeds the footprint of several of the existing detached dwellings along Pagé Road, and that is nearly double the footprint of individual townhouse dwelling units on the abutting lot to the south. Nevertheless, the report highlights policy 5.6.1.1 of the Official Plan "supports low-rise intensification that moves beyond the development standards of the underlying zone provided the development achieves the objectives of the underlying transect". The report further states: "The addition of a coach house dwelling, which creates one additional dwelling unit, aligns with this policy direction. The intent of the DR Zone is to limit permitted uses to those that do not preclude future development, and that ensure a low scale of development reflecting existing land uses. A coach house is, therefore, an appropriate expansion of the existing legal non-conforming use."
- [11] The Committee further notes that no evidence was presented that the proposal would create any unacceptable impact on abutting properties or the neighbourhood in general.
- [12] Considering the circumstances, the Committee finds that, because the proposal fits well within the area, the requested permission is, from a planning and public interest point of view, desirable for the appropriate use of the land, building or structure on the property, and relative to the neighbouring lands.
- [13] The Committee also finds that the proposal will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [14] THE COMMITTEE OF ADJUSTMENT therefore permits the expanded use, **subject to** the proposed construction being in accordance with the site plan

filed, Committee of Adjustment date stamped February 9, 2023, and the elevations filed, Committee of Adjustment date stamped September 2, 2022, as they relate to the requested permission.

Absent
ANN M. TREMBLAY
CHAIR


"Kathleen Willis"
KATHLEEN WILLIS
MEMBER

"Scott Hindle"
SCOTT HINDLE
ACTING CHAIR

"Colin White"
COLIN WHITE
MEMBER

"Julia Markovich"
JULIA MARKOVICH
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **March 10, 2023**.



Michel Bellemare
Secretary-Treasurer

NOTICE OF RIGHT TO APPEAL

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form along with payment must be received by the Secretary-Treasurer of the Committee of Adjustment by **March 30, 2023**, delivered by email at cofa@ottawa.ca and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the OLT website at <https://olt.gov.on.ca/>. The Ontario Land Tribunal has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application. Payment can be made by certified cheque or money order made payable to the Ontario Minister of Finance, or by credit card. Please indicate on the Appeal Form if you wish to pay by credit card. If you have any questions about the appeal process, please contact the Committee of Adjustment office by calling 613-580-2436 or by email at cofa@ottawa.ca.

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A “specified person” does not include an individual or a community association.

There are no provisions for the Committee of Adjustment or the Ontario Land Tribunal to extend the statutory deadline to file an appeal. If the deadline is not met, the OLT does not have the authority to hold a hearing to consider your appeal.

Ce document est également offert en français.

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