

2023-06-15



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

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 4 Campbell Reid Court
Legal Description: Part of Lot 15, Concession 3, Geographic Township of March
File No.: D08-02-23/A-00112
Report Date: June 14, 2023
Hearing Date: June 20, 2023
Planner: Jack Graham
Official Plan Designation: Rural Countryside, Future Neighbourhoods Overlay
Zoning: RU – Rural Countryside Zone

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the application.

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c .P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have concerns with the proposed consent, as the application does not meet the current intent of the Official Plan.

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

The applicant is seeking relief from the minimum lot area requirement in the amount of 0.01 hectares, to permit a minimum lot area of 0.79 hectares instead of the required 0.80 hectares. Staff have no concerns with the requested variance. The applicant is also seeking relief from the minimum lot width requirement. The lot is a pie-shaped lot, with frontage on three public streets. Lot width is calculated from the shortest frontage. The shortest frontage is on Campbell Reid Court, in the amount of 25.84 metres. The minimum lot width is 50 metres. It is staff’s opinion that due to the irregularly-shaped lot, this request is appropriate and meets the test of meeting the intent of the zoning by-law, is minor in

nature, and is appropriate for the development of the lot. It does not meet the general intent of the Official Plan, due to the following policy issue.

The site is designated as Rural Countryside, with the Future Neighbourhoods Overlay designation. Official Plan Section 5.6.2.1 Policy 1 states that development may only receive draft or final approval once the Future Neighbourhoods Overlay has been removed through an Official Plan amendment. A site plan control application was submitted in September 2022, before Provincial approval of the new Official Plan. That application may proceed notwithstanding the above-noted policy. Through the site plan process it was discovered that two minor variances were required; variances for minimum lot area and minimum lot width are required. The applicant then submitted the Minor Variance application, after the new Official Plan with the Future Neighbourhoods Overlay was approved.

On May 3, 2023, the City of Ottawa Planning and Housing Committee carried a motion that staff examine the unique circumstances for the application at 4 Campbell Reid Court, propose any necessary policy amendments that would allow for the consideration of the Minor Variances at 4 Campbell Reid Court, and to report their findings to Planning and Housing Committee by July 6, 2023.

After internal staff discussions, City planning staff intend to bring forward policy amendments that would allow for the above Minor Variances to be considered notwithstanding Section 5.6.2.1 Policy 1 that would otherwise preclude approval. These amendments are expected to be presented to Planning and Housing Committee on July 5, 2023.

As the amendment has not yet been approved by Council, the application does not meet the intent of the Official Plan, and therefore cannot be supported by staff as it does not meet the four tests. Staff recommend that the application be adjourned to allow for the amendment to be presented and approved.



Jack Graham
Planner I, Development Review, Rural
Planning, Real Estate and Economic
Development Department



Cheryl McWilliams
Planner III, Development Review, Rural
Planning, Real Estate and Economic
Development Department