

2024-02-01



**PERMISSION APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 6244 Renaud Road
Legal Description: Part of West ½ of Lot 4, Concession 4
File No.: D08-02-23/A-00288
Report Date: February 01, 2024
Hearing Date: February 06, 2024
Planner: Jerrica Gilbert
Official Plan Designation: Suburban Transect, Neighbourhood Designation
Zoning: Development Reserve (DR)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

Staff have reviewed the subject permission application considering Section 45 (2) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Section 45(2) provides the Committee with the power to consider the enlargement or extension of a legal non-conforming building or structure. A legal non-conforming use or structure describes a use or building that was lawfully permitted at the time of its establishment. This status is derived from Section 34(9) of the *Planning Act*, which states that a zoning by-law cannot prohibit the use of land, a building, or structure that was lawfully commenced on the date the by-law was passed.

Aerial imagery dating back to 1965 indicates that the residence was built sometime during this time. The applicant has also supplied a survey from 1992 that shows the existing building. The lands at that time were zoned Rural General under the City of Gloucester's Zoning By-law 222-84. The residence became a legal non-conforming use with the adoption of the City of Ottawa's Zoning By-law 2008-250.

Staff have no issue with the applicant's request for an enlargement of the residence given the small size of the addition will have no adverse impact on the surrounding environment and community.

ADDITIONAL COMMENTS

Right-of-Way Management

The Right-of-Way Management Department has **no concerns** with the proposed application as there are no requested changes to private approaches

Planning Forestry

There are no tree-related impacts associated with this permission application. There are no protected trees in the side yard where the expansion of the non-conforming use is being proposed for an addition.

There are also no trees in the right-of-way of this property along Renaud Road or Glenlivet Avenue. The property owner should consider applying to the City's Trees in Trust program. Through this free program, the City would determine if a tree can be planted in the right-of-way (up to two for corner lots). The property owner is asked to water the tree for the first three years of its life to help it establish. The City takes ownership of and maintains the tree once it has established itself. The property owner can learn more about the program and find the application form through this link: <https://ottawa.ca/en/living-ottawa/environment-conservation-and-climate/trees-and-urban-forests/tree-planting#trees-trust>.



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