

DECISION
MINOR VARIANCE / PERMISSION

Date of Decision:	February 16, 2024
Panel:	2 - Suburban
File No.:	D08-02-23/A-00288
Application:	Permission under section 45 of the <i>Planning Act</i>
Owners/Applicants:	Nicole and Jean Beaudin
Property Address:	6244 Renaud Road
Ward:	19 – Orléans South-Navan
Legal Description:	Part of West ½ of Lot 4, Concession 4 (Ottawa Front) Geographic Township of Gloucester
Zoning:	DR
Zoning By-law:	2008-250
Hearing Date:	February 6, 2024, in person and by videoconference

APPLICANTS' PROPOSAL AND PURPOSE OF THE APPLICATION:

- [1] The Owners want to construct a sunroom at the front of the existing dwelling, as shown on the plans filed with the application.

REQUESTED PERMISSION:

- [2] The Owners/Applicants require the Permission of the Committee to expand a legal non-conforming dwelling in the DR zone, to permit the construction of a sunroom.

PUBLIC HEARING

Oral Submissions Summary

- [3] There were no objections to granting this unopposed application as part of the Panel's fast-track consent agenda.
- [4] Shivani Khapare, Agent for the Applicant, was present.
- [5] City Planner Jerrica Gilbert was also present and confirmed that approval of the application should be tied to the plans filed.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

Application Must Satisfy Two-Part Test

- [6] 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.

Evidence

- [7] Evidence considered by the Committee included any oral submissions made at the hearing, as highlighted above, and the following written submissions held on file with the Secretary-Treasurer and available from the Committee Coordinator upon request:

- Application and supporting documents, including cover letter, plans, tree information, photo of the posted sign, and a sign posting declaration.
- City Planning Report received February 1, 2024, with no concerns.
- Rideau Valley Conservation Authority email received January 31, 2024, with no objections.
- Hydro Ottawa email received January 30, 2024, with no comments.
- Ministry of Transportation email received February 2, 2024, with no comments.

Effect of Submissions on Decision

- [8] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [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 "no concerns" regarding the application, highlighting that, "the small size of the addition will have no adverse impact on the surrounding environment and community."
- [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 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 extension or enlargement of the dwelling, **subject to** the proposed construction being in accordance with the plans filed, Committee of Adjustment date-stamped **NOVEMBER 29, 2024**, as they relate to the requested permission.

Absent
FABIAN POULIN
VICE-CHAIR

"Jay Baltz"
JAY BALTZ
ACTING PANEL CHAIR

"George Barrett"
GEORGE BARRETT
MEMBER

"Heather MacLean"
HEATHER MACLEAN
MEMBER

"Julianne Wright"
JULIANNE WRIGHT
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **FEBRUARY 16, 2024**



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 7, 2024**, 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.

Committee of Adjustment
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