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June 21, 2024

Committee of Adjustment  
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Committee of Adjustment  
Received | Reçu le  
Revised | Modifié le : 2024-06-25  
City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**Attention: Michel Bellemare, Secretary - Treasurer**

**Reference: Carp Airport, 1500 Thomas Argue Road, Ottawa, Ontario  
Applications for Consent ("Helicopter Transport")  
Novatech File No. 102085-15**

Novatech has been retained by 1514947 Ontario Inc. (c/o WCD, the "Owner") to file Consent and Minor Variance applications for the proposed severance of their property known municipally as 1500 Thomas Argue Road (the "Subject Site") to create a new lot for an existing building with frontage on Huisson Road at the Carp Airport (PIN 04538-1085). In order to establish frontage on Huisson Road, a second consent for lot line adjustment is required for a portion of Part 2, Plan 4R-27607 (PIN 04538-0580) that is owned by WCD Reserve Corporation (the "Part 2 lands").

The Owner wishes to sell the existing building and therefore requires the following:

- Consent to sever and convey through a lot line adjustment a portion of Part 2, Plan 4R-27607 in order to establish frontage on Huisson Road;
- Consent to sever a lot from the Subject Site containing the existing building, driveway, parking lot, and private services; and
- Minor variances to the following sections of the Zoning By-law 2008-250:
  - Section 59(1) and 59(2) to permit the severance of a lot with frontage on a private street.
  - Section 208(3) to recognize existing separation distances for buildings on the same lot and a reduced interior side yard setback for an accessory building.

The proposed severed lot will be sold to Helicopter Transport Services Canada, which owns the property immediately north at 5 Huisson Road.

The proposed consents were discussed with City of Ottawa Planning Staff by email on February 7 and February 20, 2024, and included the enclosed letter prepared by Novatech dated February 6, 2024 discussing the purpose of Part 4, Plan 4R-20588 (the "reserve" block). The letter refers to Part 4, Plan 4R-20588 which was later superseded by Part 2, Plan 4R-27607. As outlined in letter, the Part 2 lands are not a 30-centimetre reserve and can be severed from the core Carp Airport Lands through an application for Consent under the *Planning Act*.

The following letter summarizes the existing conditions of the Subject Site and surrounding lands, describes the proposed consents, and demonstrates that the proposed consents have regard to matters under subsection 51(24) of the *Planning Act*.

## Existing Conditions and Surrounding Context

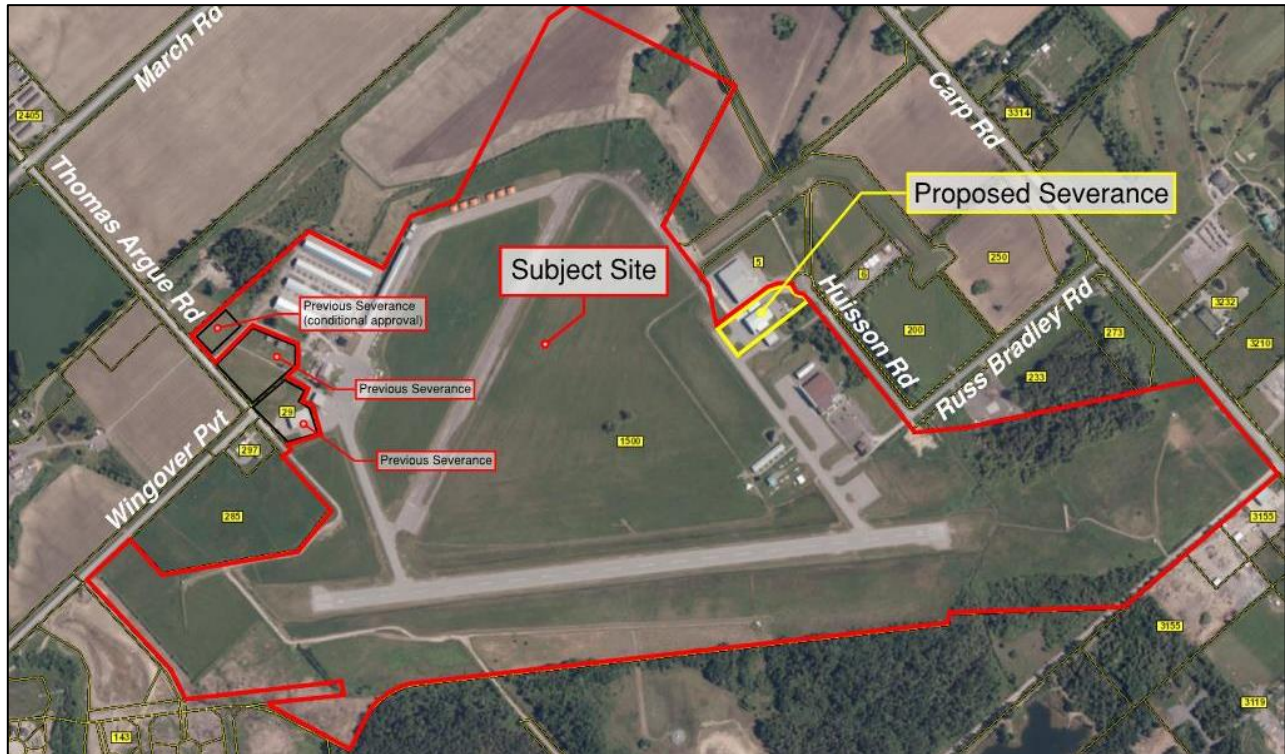


Figure 1: Subject Site Location (image base: GeoOttawa, 2021)

The overall Subject Site is in Ward 5 – West Carleton in the City of Ottawa, approximately 2 kilometres southwest of the Village of Carp. It is legally described as:

*PART LOTS 12, 13, 14 AND 15, CONCESSION 3, HUNTLEY, PART LOTS 13 AND 14, CONCESSION 4, HUNTLEY, PART OF THE ROAD ALLOWANCE BETWEEN CONCESSION 3 AND 4, (AS CLOSED), HUNTLEY SUBJECT TO AN EASEMENT OVER PART 9, PLAN 4R-30836 IN FAVOUR OF OCCP1043 AS IN OC2117895 TOGETHER WITH AN EASEMENT OVER PART BLOCK 16, 4M-1511, PARTS 12 AND 14, PLAN 4R-33191 AS IN OC2343117 TOGETHER WITH AN EASEMENT OVER BLOCK 9, PLAN 4M1511 AS IN OC2345053 TOGETHER WITH AN EASEMENT OVER PART BLOCK 15, PLAN 4M-1511, PART 9, PLAN 4R-33191 AND PART BLOCK 16, PLAN 4M-1511, PART 10, PLAN 4R-33191 AS IN OC2374821 SUBJECT TO AN EASEMENT OVER PART 9, PLAN 4R-30836 IN FAVOUR OF OCCP1093 AS IN OC2534676 SUBJECT TO AN EASEMENT OVER PART 2, PLAN 34R-34929 IN FAVOUR OF PART LOT 14, CONCESSION 3, HUNTLEY, PARTS 1 AND 3, PLAN 4R-34929 AS IN OC2573214 SUBJECT TO AN EASEMENT OVER PART 9, PLAN 4R-30836 IN FAVOUR OF OCCP1100 AS IN OC2622174 CITY OF OTTAWA*

The overall Subject Site contains the Carp Airport lands and includes several buildings and hangars, and three runways, as shown in **Figure 1**. The lands are irregularly shaped with an area of approximately 132 hectares and approximate frontages of 126 metres on Thomas Argue Road, 114 metres on Wingover Private, and 232 metres on Carp Road. There is approximately 357 metres of access from Huisson Road.

The Part 2 lands are held under separate ownership by “WCD Reserve Corporation” and are part of a block that surrounds the core Carp Airport lands. The enclosed *Part 4* letter prepared by Novatech dated February 6, 2024 provides additional detail on the Part 2 lands.

Land uses surrounding the Subject Site include:

- to the north, future Carp Airport business park lands, agricultural fields, and a self storage facility;
- to the east, future Carp Airport business park lands, and various land uses along Carp Road including a golf course, an office building, a landscaping product sales centre, and agricultural lands;
- to the south, mineral extraction, agricultural lands, and future development lands; and
- to the west, agricultural lands, and the developing Carp Airport residential community.

The portion of the Subject Site proposed for severance is located immediately south of the Helicopter Transport Services Canada building at 5 Huisson Road and has an existing hangar with offices, a detached garage and parking lot. There is an existing well and septic system on the proposed lot. The septic system is proposed to be replaced, while the existing well will be retained.

### Proposed Consents

First, it is proposed to sever and convey through a lot line adjustment a portion of Part 2, Plan 4R-27607 (the "Part 2 lands") to establish frontage for the proposed severed lot. This portion is shown on the Part 2 Lot Line Adjustment Sketch in Figure 2 below, and as Part 2 on the Draft Reference Plan prepared by Fairhall, Moffat and Woodland dated May 28, 2024. As outlined in the enclosed letter prepared by Novatech dated February 6, 2024, the Part 2 lands are not a 30-centimetre reserve and can be severed from the core Airport Lands through an application for Consent under the Planning Act, as the resulting severance will create a separate legal boundary that supports the intent of the Part 2 lands. Part 2 on the draft reference plan will have an area of approximately 64 square metres and a frontage of approximately 45.56 metres, per the enclosed Draft Reference Plan.

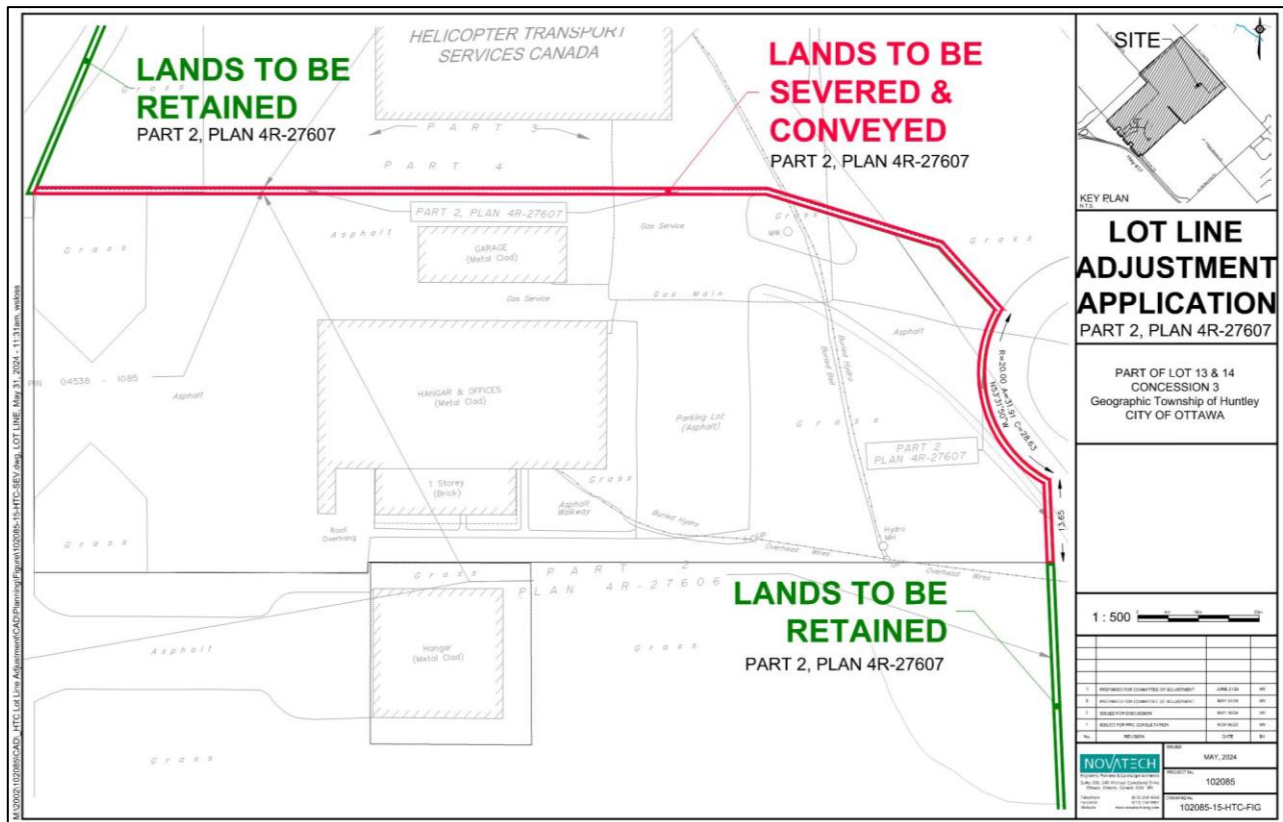


Figure 2: Excerpt of the Lot Line Adjustment Application Sketch for Part 2, Plan 4R-27607 prepared by Novatech dated June 21, 2024.

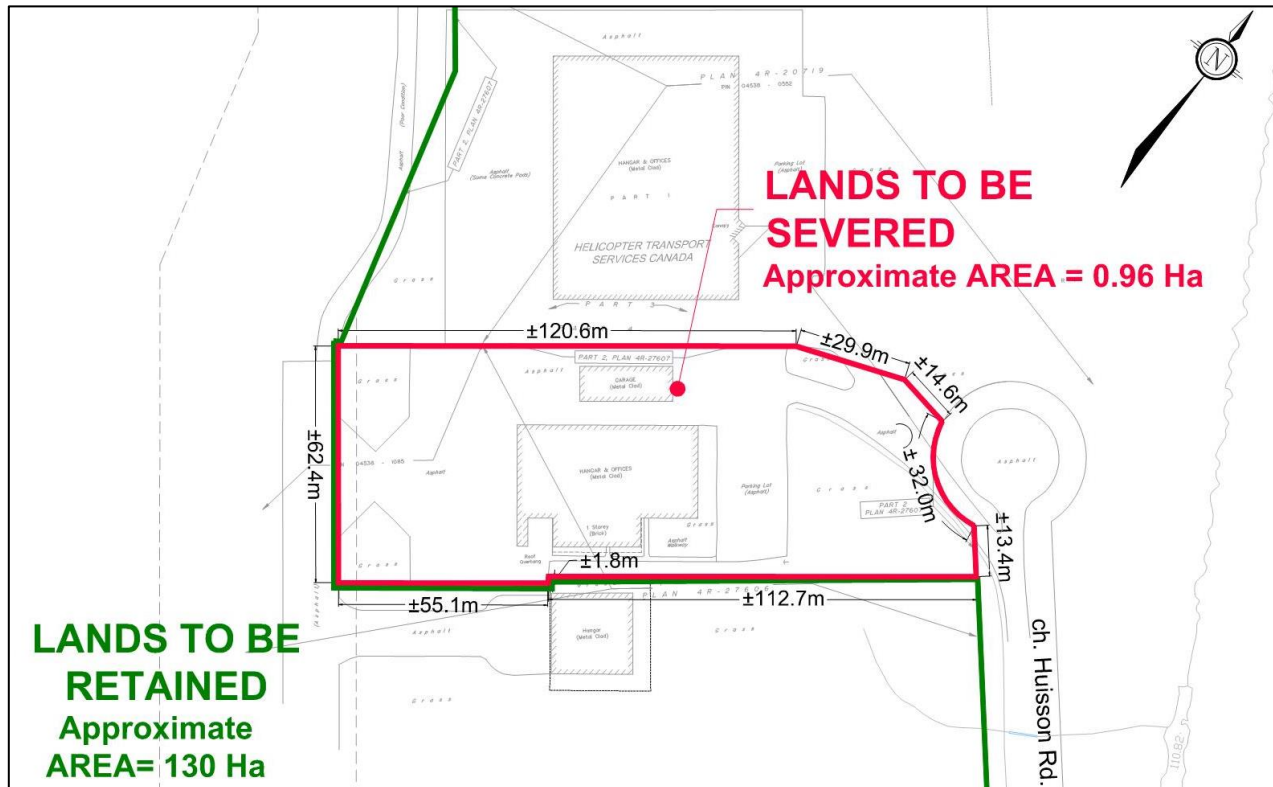


Figure 3: Excerpt of the Consent Application sketch for Helicopter Transport Services Canada prepared by Novatech dated May 31, 2024.

Second, it is proposed to sever the Subject Site to create a new parcel of land for an existing industrial building with offices and hangars, a detached garage and parking lot, as shown in the Helicopter Transport Consent Sketch and in Figure 3 below. The severed parcel will continue to be used for commercial / industrial purposes and the retained parcel will continue to function as the core Carp Airport lands. The severed parcel, described as Part 1 on the enclosed Draft Reference Plan, will have an area of approximately 9,575 square metres (0.958 hectares).

It is necessary to sever and convey through a lot line adjustment the Part 2 lands in order to establish frontage on Huisson Road for the proposed severed lot. Following both the severances, Parts 1 and 2 on the draft reference plan will be consolidated as a condition of approval. The final severed lot will have a frontage of approximately 45.56 metres and an area of approximately 9,639 square metres (0.964 ha).

As shown in Figure 4 and on the Retained Lands – Core Airport sketch prepared by Novatech dated May 29, 2024, the retained lands will have frontages of approximately 126 metres on Thomas Argue Road, 114 metres on Wingover Private, and 232 metres on Carp Road, and will have an area of approximately 131 hectares. Approximately 316 metres of access will remain on Huisson Road.

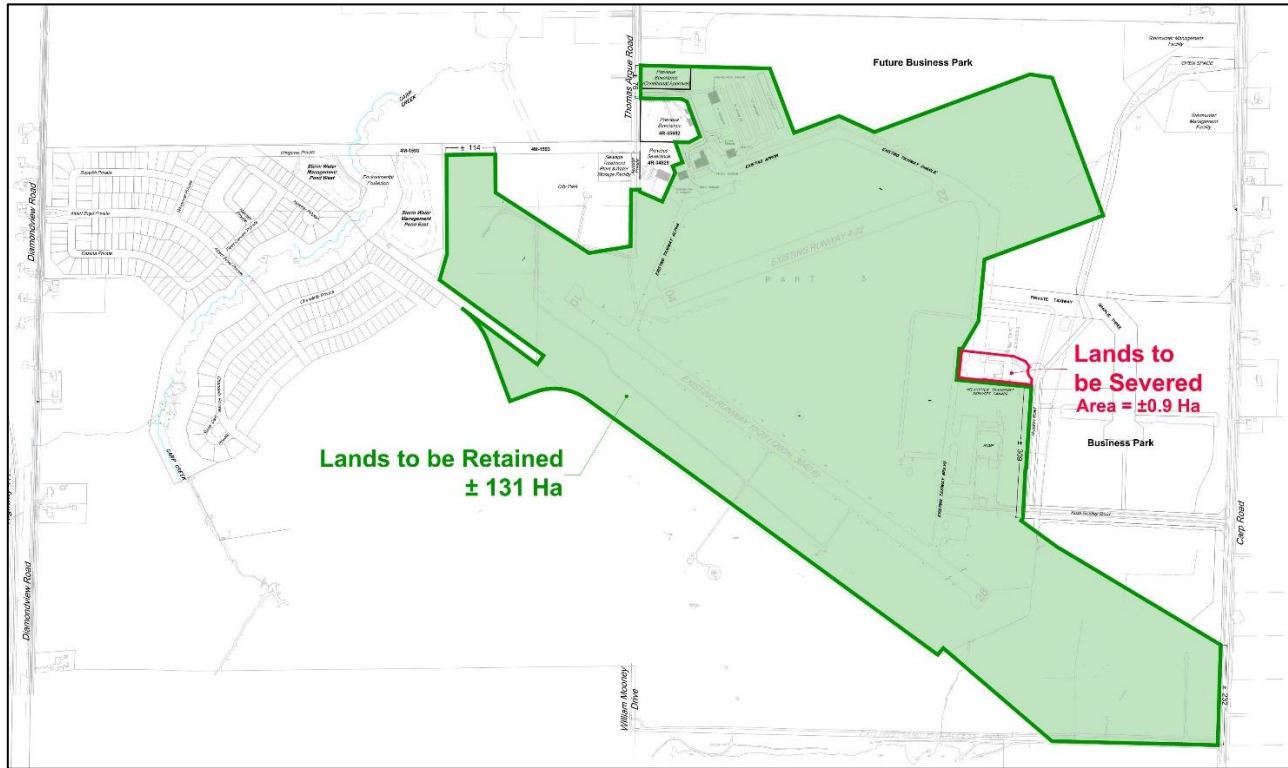


Figure 4: Excerpt of the Retained Lands - Core Airport Sketch prepared by Novatech dated May 31, 2024.

## Proposed Minor Variances

The purpose of the Minor Variance application is to seek relief from Sections 59(1), 59(2) and 208(3) of Zoning By-Law 2008-250 for the proposed severed lot, as described below and as shown in the Minor Variance Sketch submitted with this application (Figure 5).

*Section 59(1)* states that “no person shall develop or otherwise use any lot unless that land abuts an improved public street for a distance of at least 3.0 metres” and likewise, *Section 59(2)* states that “no person shall sever any land unless the land severed and the land retained each abut to a street, in accordance with subsection (1)”. The proposed severed lot will have approximately 45.56 metres of frontage on Huisson Road, which is a private street owned by a condominium corporation and maintained by the City of Ottawa. The existing access for the buildings on the proposed severed lot is from Huisson Road. Helicopter Transport Services Canada has an existing easement over Huisson Road that grants access to their property at 5 Huisson Road. An access easement over Huisson Road will be granted by the condominium corporation for the proposed severed lot.

*Section 208(3), Provision b)* requires a minimum interior yard setback of 12.0 metres for accessory buildings, whereas the detached garage is proposed to have an interior yard setback of approximately 5.53 metres. This minor variance recognizes an existing condition of the buildings that will be rendered non-compliant due to the creation of a new lot. The current setback is approximately 5.2 metres from the existing lot line for the Part 2 lands. The proposed consents will increase the setback to approximately 5.53 metres.

Section 208(3), Provision e) requires a minimum separation distance of 10.0 m between the principal and accessory buildings, whereas the existing building and detached garage have a minimum separation distance of approximately 6.28 m. This minor variance recognizes an existing condition of the buildings that will be rendered non-compliant due to the creation of a new lot for the buildings.

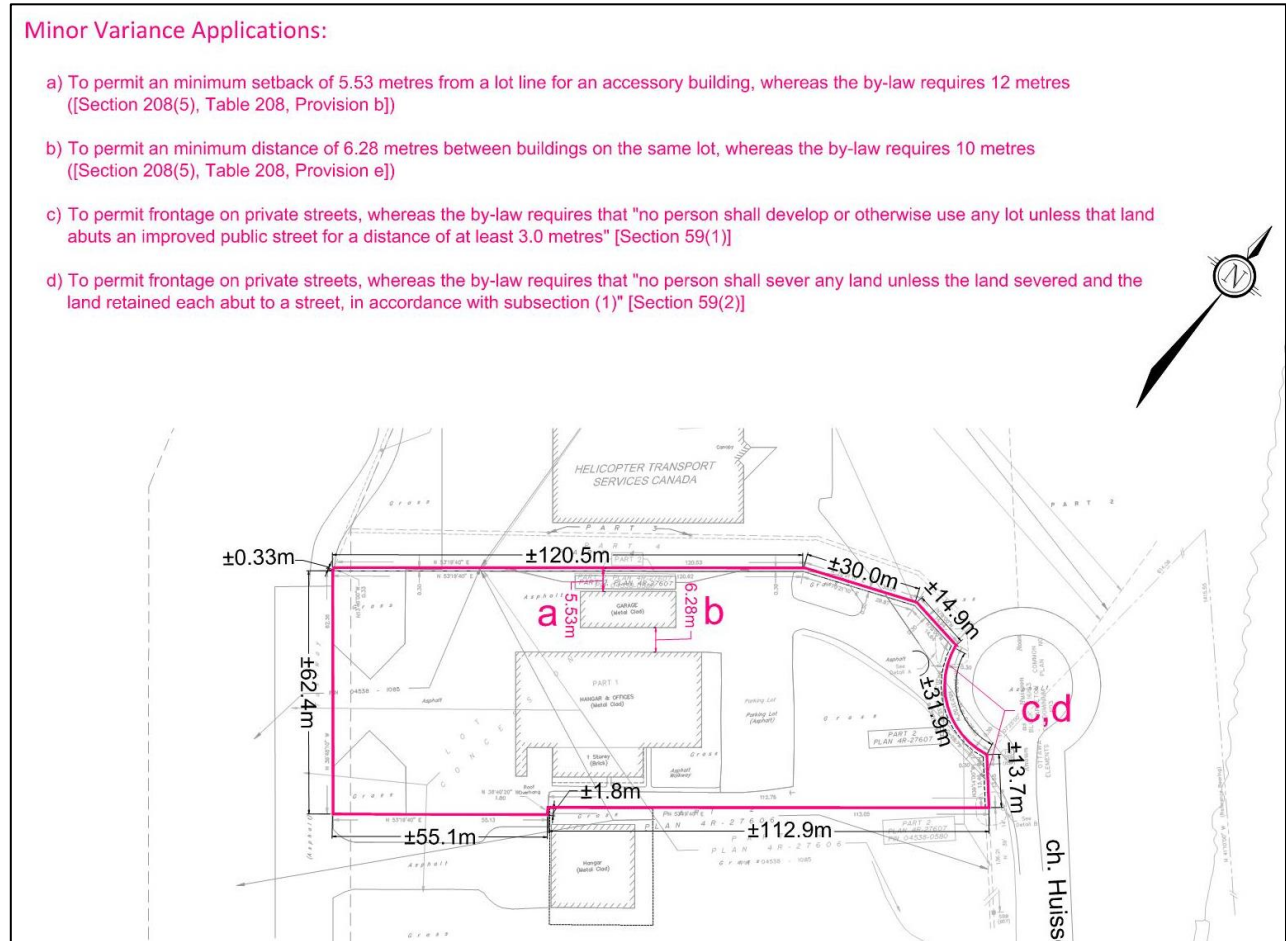


Figure 5: Excerpt of the Minor Variance sketch prepared by Novatech dated May 31, 2024.

## Consent Rationale

The following rationale demonstrates the appropriateness of the consent application to facilitate the proposed severance.

Subsection 53(1) of the Planning Act states:

*53. (1) An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).*

A plan of subdivision is not necessary for the creation of a commercial / industrial lot around an existing building that will have frontage on an improved publicly maintained road and will be privately serviced.

Subsection 53(12) of the Planning Act states:

*53. (12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.*

Accordingly, the following rationale will address the criteria outlined in subsection 51(24) of the *Planning Act* below.

*51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

**(a)** *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposed severance has regard for the following matters of provincial interest:

- *the protection of ecological systems, including natural areas, features and functions;*
- *the protection of the agricultural resources of the Province;*
- *the conservation and management of natural resources and the mineral resource base;*
- *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- *the adequate provision of employment opportunities; and*
- *the appropriate location of growth and development.*
- Per Schedules *B9 – Rural Transect* and *C11-A – Natural Heritage System (West)* of the *Official Plan*, the Subject Site is not located within or adjacent to Agricultural Resource Areas, mineral resources, or natural areas or features.
- The proposed severed lot has frontage on an improved publicly maintained private street (Huisson Road). The buildings are served by an existing private well and existing septic services. The existing septic system is proposed to be replaced, and the new system will be located and sized appropriately based on the recommendations of the Hydrogeological Report anticipated as a condition of approval.
- A new lot for an existing commercial/industrial use will continue to support employment opportunities.
- *Official Plan Area-Specific Policy 8.6* for the “Carp Airport Area” permits a range of uses including professional offices, light industrial and convenience commercial. This location is appropriate for the creation of a new lot for continued commercial / industrial uses.

**(b)** *whether the proposed subdivision is premature or in the public interest;*

The proposed consents are permitted by the *Official Plan* and in the public interest as outlined in point (a) above.

*(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The Subject Site is designated as “Carp Airport Area” on *Schedule 8.A* in *Volume 2C*. Area Specific Policy 8.6 states that, for the Carp Airport Area, the Rural Countryside designation on *Schedule B9* of *Volume 1* does not apply and that severances are permitted in accordance with Item 7.11 of the *Municipal Capital Facility Development Agreement (MCFDA)* (June 9, 2021) and the policies of the *Official Plan*. *Area-Specific Policy 8.6* further outlines permitted uses for the Carp Airport Area including, among others, professional offices, light industrial, and convenience commercial. The proposed lot supports an existing commercial/industrial use.

Item 7.11 of the MCFDA requires that where lands are proposed to be severed from the core airport, these lands must be considered surplus to operational requirements and the removal of such lands shall not affect the viability of the air transportation network. The proposed severed parcel contains offices and a hangar, a detached garage and a parking lot leased to a separate party. The property owner has no plans to expand operations to the lands and buildings proposed for severance. The proposed severance is on lands considered surplus to the core airport and the severance of these lands are not anticipated to affect the viability of the air transportation network. The proposed severance is thereby in accordance with Item 7.11 of the MCFDA.

The proposed lot has sufficient area to accommodate the existing private water service. A Hydrogeological Report completed as a condition of approval will confirm that the lot can be developed with adequate private septic services.

Per Policy 8 of Section 11.5, lot line adjustments are permitted in any designation for legal or technical reasons. The proposed lot line adjustment is to provide frontage and safe access for a proposed severed lot to an existing improved and publicly maintained private road (Huisson Road). The proposed consents do not require the extension or opening of any transportation infrastructure. The proposed lot is not within or adjacent to natural resource areas, watercourses, or environmental constraints.

The proposed consents conform to the *Official Plan*.

*(d) the suitability of the land for the purposes for which it is to be subdivided;*

The proposed severed lot has an existing private water service that will be retained. The existing private sanitary services will be replaced with an appropriately sized and located septic system. The subsequent Hydrogeological Report completed as a condition of approval will confirm that the lot can be developed with adequate private services.

Per *Official Plan Schedule C15 – Environmental Constraints*, the land for the proposed severance is not affected by any environmental constraints.

*(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Not applicable. No affordable housing units are proposed.



**(e)** *the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

Through the proposed lot line adjustment, the proposed severed lot will have frontage on Huisson Road. Huisson Road intersects with Russ Bradley Road approximately 270 m south of the proposed lot, which then intersects with Carp Road approximately 450 metres to the west. Access to Highway 417 is approximately 4.5 kilometres east of the Subject Site. The existing road infrastructure adequately serves the proposed lot.

*Official Plan Schedule C16 – Right-of-Way Protections* applies to public streets. As Huisson Road is an existing private street, no road widening is required.

**(f)** *the dimensions and shapes of the proposed lots;*

The proposed severed lot is irregularly shaped with an area of approximately 9,639 square metres (0.964 hectares). The size and shape of the severed lot meets the provisions of the T1B (Air Transportation Facility Zone, Carp Airport) zone, and has sufficient area to accommodate the existing buildings, parking lot, and well. The septic system will be replaced, and will be located and sized appropriately based on the recommendations of the Hydrogeological Report anticipated as a condition of approval.

The proposed retained lands are irregularly shaped with an area of approximately 131 hectares and will meet the provisions of the T1B zone as well.

**(g)** *the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

Following approval of the applications, a blanket drainage easement will be established over the proposed severed lot.

The access for 5 Huisson Road to the north is located on the proposed severed lot. As the proposed severed lot will be sold to the owner of 5 Huisson Road (Helicopter Transport Services Canada), an access easement is not required. If the ownership changes in future, the owner may arrange for either the construction of a new site access from Huisson Road or the establishment of an easement over the severed lot, as necessary.

Helicopter Transport Services Canada has an existing easement over Huisson Road that grants access to their property at 5 Huisson Road. An access easement over Huisson Road will be granted by the condominium corporation for the proposed severed lot.

**(h)** *conservation of natural resources and flood control;*

The proposed lot is not within or adjacent to natural resource areas or watercourses.

**(i)** *the adequacy of utilities and municipal services;*

No new demand for utilities or municipal services is required. The proposed lot is serviced by existing private well and private sanitary services. As discussed previously, the septic system will be replaced,

and the new system will be located and sized appropriately based on the recommendations of the Hydrogeological Report anticipated as a condition of approval.

The buildings have existing connections to gas, hydro and cable services located within Huisson Road, as shown on the enclosed consent sketches.

*(j) the adequacy of school sites;*

Not applicable. Demand for school sites will not be generated through the proposed severance.

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

Not applicable. No land is to be dedicated or conveyed for public purposes. The payment of cash-in-lieu of parkland dedication is anticipated as a condition of approval.

*(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

A new lot to support an existing commercial/industrial use may permit efficient use of existing transportation infrastructure and services.

*(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Not applicable.

## **Minor Variance Rationale**

Per Section 45(1) of the Planning Act, the proposed minor variances must meet the following four tests:

*1. Is the general intent and purpose of the Official Plan maintained?*

The proposed minor variances allow for the creation of a lot that has access to a public road and which is adequately sized to accommodate the existing buildings, parking lot, and private services, avoids the unnecessary extension of municipal transportation infrastructure, and supports airport-related commercial and industrial uses intended for the Subject Site.

The proposed variances maintain the general intent and purpose of the Official Plan.

*2. Is the general intent and purpose of the Zoning By-law maintained?*

The intent of Section 59 of the Zoning By-law 2008-250 is to ensure that lots have safe access to a public street. The proposed minor variances allow for the creation of a lot around an existing building that has an existing access to a network of private streets which connect to an improved public street.

The purpose of the T1-Air Transportation Facility Zone is to:

*(1) permit air transportation facilities and aviation-related uses in areas designated as Ottawa Macdonald-Cartier International Airport and Carp Airport in the Official Plan, and*

*(2) permit a range of employment uses and airport-related commercial and industrial uses at the Ottawa Macdonald-Cartier International Airport.*

The T1B – Air Transportation Facility Zone, Carp Airport Subzone provides specific direction to the development of the Subject Site. Based on aerial imagery from GeoOttawa, the existing buildings have been in place since the 1970s and pre-date the Zoning By-law 2008-250. The proposed minor variances for minimum separation distances between buildings and minimum setbacks from lot lines for accessory structure recognize existing conditions which are rendered non-compliant due to the creation of a new lot.

The proposed variances maintain the general intent and purpose of the Zoning By-law.

*3. Are the variances desirable for the appropriate development or use of the land, building or structure?*

By providing relief from the requirement to front onto a public street, the proposed variances allow the severance of the existing buildings to proceed with frontage on a private street so that the buildings can be purchased and occupied, and the existing infrastructure used.

The proposed minor variances for minimum separation distances between buildings and minimum setbacks from lot lines for accessory structures recognize existing conditions which are rendered non-compliant due to the creation of a new lot.

The variances avoid the unnecessary expansion of the proposed lot beyond the size needed to accommodate the existing building, parking lot, and private services, thereby representing an efficient use of land.

The proposed variances are desirable for the appropriate and efficient use of the land and existing building.

*4. The variances are minor in nature.*

The proposed variances have no impact on the adjacent properties or land uses and do not affect the ability of the proposed lot to meet the other provisions of the T1B zone. The proposed variances provide a technical remedy to allow a lot to be created around existing buildings with reduced separation distances, reduced setbacks to existing lot lines, in a location that has adequate and safe access but that does not front onto a public road.

The proposed variances are minor in nature.

## **Conclusion**

Based on the foregoing, the proposed consents and minor variances represent good planning.

In support of the applications, please find enclosed the following:

- Application fee (Cheque)
- Consent Application Form 1 – Lot Line Adjustment for Part 2 Lands
- Consent Application Form 2 – Severance of Existing Buildings
- Minor Variance Application Form 1 – Existing Buildings
- Lot Line Adjustment Sketch – Part 2, Plan 4R-27607 prepared by Novatech, dated June 21, 2024
- Consent Sketch – Helicopter Transport prepared by Novatech, dated May 31, 2024
- Minor Variance prepared by Novatech, dated May 31, 2024
- Retained Lands – Core Airport, Drawing No. 102085-CoreAirport prepared by Novatech, dated May 31, 2024
- Draft Reference Plan prepared by Fairhall, Moffatt, and Woodland, dated May 29, 2024
- Purpose of Part 4 Registered Plan 4R-20588, letter prepared by Novatech, dated February 6, 2024
- Parcel Abstract PIN (PIN 04538-1085)
- Parcel Abstract PIN (PIN 04538-0580)

Should you have any questions regarding these applications, please do not hesitate to contact us.

Sincerely,

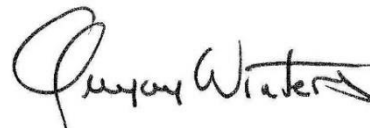
**NOVATECH**

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