

**DECISION
PERMISSION**

Date of Decision: November 15, 2024
Panel: 1 - Urban
File No(s): D08-02-24/A-00248
Application: Permission under section 45 of the *Planning*
Applicant(s): Maplered Property Management
Property Address: 448 Bronson Avenue
Ward: 14 - Somerset
Legal Description: Part of Lot 138, All of Lots 139 & 140, Registered Plan 3459
Zoning: TM
Zoning By-law: 2008-250
Heard: November 6, 2024, in person and by videoconference

APPLICANT’S PROPOSAL AND PURPOSE OF THE APPLICATION

[1] The Applicant wants to construct an addition on the north side as well as an enclosed exterior storage area at the rear of the existing automotive repair garage, as shown on plans filed with the Committee.

REQUESTED PERMISSION

[2] The Applicant requires the Permission of the Committee to expand a legal non-conforming automotive repair garage in the TM zone, to permit the construction of an addition on the north side and an enclosed exterior storage area at the rear of the existing building.

[3] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

Oral Submissions Summary

[4] Dextor Edwards, Agent for the Applicant, and City Planner Penelope Horn were present.

- [5] There were no objections to granting this unopposed application as part of the Panel's fast-track consent agenda.

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 all 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 revised cover letter, revised tree information, photo of the posted sign, and a sign posting declaration.
- City Planning Report received October 31, 2024, with no concerns
- Rideau Valley Conservation Authority email dated November 1, 2024, with no objections
- Hydro Ottawa email dated November 1, 2024, with comments
- Ontario Ministry of Transportation email dated October 18, 2024, with comments.
- Ottawa-Carleton District School Board email dated October 23, 2024, with 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 applications, highlighting that, "[t]he expansion would be used for

indoor storage, no negative impacts to the adjacent residential uses are expected as a result of the proposed indoor storage.”

- [11] The Committee also 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 requested enlargement or extension of the building, **subject to** the proposed construction being in accordance with the site plan filed, Committee of Adjustment date stamped **September 24, 2024**, and the elevations filed, Committee of Adjustment date stamped **September 23, 2024**, as they relate to the requested permission.

"Ann M. Tremblay"
ANN M. TREMBLAY
CHAIR

"John Blatherwick"
JOHN BLATHERWICK
ACTING PANEL CHAIR

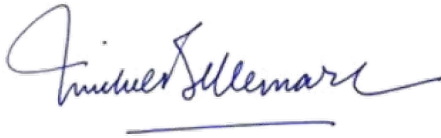
"Simon Coakeley"
SIMON COAKELEY
MEMBER

"Arto Keklikian"
ARTO KEKLIKIAN
MEMBER

ABSENT
SHARON LÉCUYER
MEMBER

"Heather Maclean"
HEATHER MACLEAN
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **November 15, 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 **December 5, 2024**, delivered by email at cofa@ottawa.ca and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 Centrepointhe 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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