

**DECISION  
MINOR VARIANCE**

<b>Date of Decision:</b>	November 15, 2024
<b>Panel:</b>	2 - Suburban
<b>File No.:</b>	D08-02-24/A-00249
<b>Application:</b>	Minor Variance under section 45 of the <i>Planning Act</i>
<b>Applicant:</b>	Costco Wholesale Canada LTD
<b>Property Address:</b>	415 West Hunt Club Road
<b>Ward:</b>	9 - Knoxdale-Merivale
<b>Legal Description:</b>	Part of Lot 29, Concession A, Rideau Front, Geographic Township of Nepean
<b>Zoning:</b>	AM10[1374]
<b>Zoning By-law:</b>	2008-250
<b>Heard:</b>	November 5, 2024, in person and by videoconference

**APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION**

- [1] The Applicant wants to construct an addition to the south side of the existing office building, as shown on the plans filed with the application.

**REQUESTED VARIANCES**

- [2] The Applicant requires the Committee's authorization for minor variances from the Zoning By-law as follows:
- a) To permit a reduced area of transparent glazing of 36% of the ground floor façade facing West Hunt Club Road, with no active customer entrance doors, whereas the By-law requires a minimum area transparent glazing of 50% of the ground floor façade with active customer entrance doors.
  - b) To permit a reduced area of transparent glazing of 43.0% of the ground floor façade facing Roydon Place, with no active customer entrance doors, whereas the By-law requires a minimum area of transparent glazing of 50% of the ground floor façade with active customer entrance doors.

- c) To permit a reduced number of non-residential active entrances facing a public street of 0, whereas the By-law requires a minimum of 1 non-residential active entrance facing a public street.
- d) ~~To permit a reduced landscaped area for a parking lot of 11.6% of the area of the parking lot, whereas the By-law requires a minimum of 15% of the area of any parking lot to be landscaped area.~~

## **PUBLIC HEARING**

### **Oral Submissions Summary**

- [3] Jasmine Paoloni, Agent for the Applicant, provided an overview of the application and stated that, based on an updated interpretation from the City regarding the method for calculating landscaped area, variance (d) is not required.
- [4] City Planner Penelope Horn agreed and stated that, with the removal of variance (d), the City had no concerns with the requested variances. With the agreement of all parties the application was amended accordingly.
- [5] Ms. Paoloni addressed the Scenic Entry Route designation for West Hunt Club Road, stating that the proposal would contribute to the intent of this designation by planting trees adjacent to the addition, bringing the building closer to the street, removing a section of the parking lot, and creating an improved visitor entrance and employee amenity space. She also highlighted that any concerns regarding streetscape would be addressed through site plan control process.
- [6] Following the public hearing, the Committee reserved its decision.

## **DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED AS AMENDED**

### **Application Must Satisfy Statutory Four-Part Test**

- [7] The Committee has the power to authorize a minor variance from the provisions of the Zoning By-law if, in its opinion, the application meets all four requirements under subsection 45(1) of the *Planning Act*. It requires consideration of whether the variance is minor, is desirable for the appropriate development or use of the land, building or structure, and whether the general intent and purpose of the Official Plan and the Zoning By-law are maintained.

### **Evidence**

- [8] 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 cover letter, plans, parcel register, tree information, photo of the posted sign, and a sign posting declaration.
- City Planning email received November 4, 2024, with no concerns; City Planning Report received October 31, 2024, with concerns
- Rideau Valley Conservation Authority email dated November 1, 2024, with no objections
- Hydro Ottawa email dated November 1, 2024, with no comments

### **Effect of Submissions on Decision**

- [9] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [10] Based on the evidence, the Committee is satisfied that the requested variance meets all four requirements under subsection 45(1) of the *Planning Act*.
- [11] The Committee notes that the City raised no concerns regarding the amended application.
- [12] The Committee also notes that no evidence was presented that the variance would result in any unacceptable adverse impact on neighbouring properties.
- [13] Considering the circumstances, the Committee finds that, because the proposal fits well in the area, the requested variances are, from a planning and public interest point of view, desirable for the appropriate development or use of the land, building or structure on the property, and relative to the neighbouring lands.
- [14] The Committee also finds that the requested variance maintains the general intent and purpose of the Official Plan because the proposal respects the character of the neighbourhood.
- [15] In addition, the Committee finds that the requested variance maintains the general intent and purpose of the Zoning By-law because the proposal represents orderly development that establishes a consistent built form along the street.
- [16] Moreover, the Committee finds that the requested variances, both individually and cumulatively, are minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.

[17] THE COMMITTEE OF ADJUSTMENT therefore authorizes the requested variances, **subject to** the location and size of the proposed construction being in accordance with the plans filed, Committee of Adjustment date stamped September 24, 2024, as they relate to the requested variances.

*"Fabian Poulin"*  
FABIAN POULIN  
VICE-CHAIR

*"Jay Baltz"*  
JAY BALTZ  
MEMBER

*"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 **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](mailto:cofa@ottawa.ca) and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,  
101 CentrepoinTE Drive, 4<sup>th</sup> 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](mailto: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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