

DECISION MINOR VARIANCE

Date of Decision:	November 15, 2024
Panel:	3 - Rural
File No.:	D08-02-24/A-00246
Application:	Minor Variance under section 45 of the <i>Planning Act</i>
Applicant:	Manotick Tree Movers Inc.
Property Address:	6115 Prince of Wales
Ward:	21 - Rideau-Jock
Legal Description:	Part of Lot 12, Concession 2, Geographic Township of Rideau
Zoning:	AG2
Zoning By-law:	2008-250
Hearing Date:	November 5, 2024, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicant wants to subdivide their property into two separate parcels of land to create one new lot for surplus farm dwelling. The existing wooden building and steel building will remain.

REQUESTED VARIANCE

- [2] The Applicant requires the Committee's authorization for a minor variance from the Zoning By-law as follows:

A-00246: 6125 Prince of Wales Drive:

- a) To permit a reduced lot width of 6 metres, whereas the By-law requires a minimum lot width of 60 metres.

PUBLIC HEARING

Oral Submissions Summary

- [3] Arjan Soor and Murray Chown, Agents for the Applicant, and City Planner Luke Teeft were present.

- [4] 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(s) Must Satisfy Statutory Four-Part Test

- [5] 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

- [6] 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 abstract, photo of the posted sign, and a sign posting declaration.
- City Planning Report received October 30, 2024, with no concerns
- Hydro Ottawa email received November 1, 2024, with no comments.
- Rideau Valley Conservation Authority email dated November 1, 2024, with no comments
- Ontario Ministry of Transportation email received November 1, 2024, with comments.
- Hydro One email dated October 31, 2024, with no comments.

Effect of Submissions on Decision

- [7] The Committee considered all written and oral submissions relating to the application in making its decision and granted the application.
- [8] Based on the evidence, the Committee is satisfied that the requested variance meets all four requirements under subsection 45(1) of the *Planning Act*.
- [9] The Committee notes that the City's Planning Report raises "no concerns" regarding the application, highlighting that "the property itself is very large

and will be used for agricultural purposes. Staff have no concerns with the requested relief from a technical standpoint, as access will still be possible for farm equipment”.

- [10] The Committee also notes that no evidence was presented that the variance would result in any unacceptable adverse impact on neighbouring properties.
- [11] Considering the circumstances, the Committee finds that, because the proposal fits well in the area, the requested variance is, 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.
- [12] 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.
- [13] 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.
- [14] Moreover, the Committee finds that the requested variance is minor because it will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [15] THE COMMITTEE OF ADJUSTMENT therefore authorizes the requested variance.

Terence Otto
TERENCE OTTO
VICE-CHAIR

Gary Duncan
GARY DUNCAN
MEMBER

Absent
BETH HENDERSON
MEMBER

Martin Vervoort
MARTIN VERVOORT
MEMBER

Jocelyn Chandler
JOCELYN CHANDLER
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 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.

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