

## Max Laurin Professional Corporation

December 24, 2024

City of Ottawa Committee of Adjustment  
101 CentrepoinTE Drive, 4<sup>th</sup> Floor  
Ottawa, ON K2G 5K7

Committee of Adjustment  
Received | Reçu le

Revised | Modifié le : 2025-01-03

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**RE: Minor Variance Application for RJL Terra Plus Inc. at 1547 Lagan Way, Ottawa, ON K1B 3T1**

### Variance Sought

Our client, RJL Terra Plus Inc. ("RJL"), is seeking a minor variance to effectively reduce the required Front Yard Setback described in Section 203 of Part 11- Industrial Zones City of Ottawa Zoning By-Law 2008-250 Consolidation (the "By-Law") at the lands municipally known as 1547 Lagan Way, Ottawa, ON K1B 3T1 (the "Lands").

### Purpose

RJL carries on business as a construction and site service equipment rental service. RJL presently operates its business at the Lands. RJL seeks to construct new buildings upon the Lands to grow their business and employ additional workers in full-time employment in the City of Ottawa. If RJL does not obtain the minor variance described below, it will be unable to construct the planned square footage for the project, thereby losing significant revenue annually and reducing the opportunities to employ workers in the City of Ottawa.

### Analysis

The By-Law provides that there must be a front yard setback for a light industrial building of 7.5m from the front lot line of the Lands. The relevant front lot line for the relevant Part of the Lands can be found at Part 4 of the survey drawings enclosed herein. However, when a survey of the site was commissioned for the site plan approval process, it was discovered that Lagan Way encroaches upon the Lands significantly. The City of Ottawa has constructed Lagan Way on the Lands, with a cumulative encroachment of 236 square metres. As a result of this encroachment, RJL is unable to construct its preferred concept within the confines of the Front Yard Setback described by the By-Law.

Accordingly, RJL is seeking a minor variance such that the City will allow for a reduced front yard setback for the foremost building in the site plan drawing. RJL seeks to vary the front yard setback to 3.0m from the lot line at Part 4 of the survey drawings. If the City allows a 3.0m front yard setback, RJL can construct the building as intended. The 9.0m Right of Way protection will also be preserved.

With respect to the existing structures shown on the site plan drawing included in this application, the City of Ottawa has confirmed that these structures have legal non-conforming rights.

### **Site Concept Plan**

The intended use of the Lands is to store, and service construction and site service equipment, in accordance with RJL's business activities of a construction equipment rental service.

The existing building on the Lands is Building "B," which has legal non-conforming rights and which has been present on the Lands since at least 1976 according to Geo Ottawa aerial photography. The use of this building is to store and service the construction equipment RJL rents to its customers.

The proposed Building "C" is a new building whose use shall be as a warehouse, showroom and reception area. The building will also be used to service the construction equipment that RJL rents to its clients. There will be also be some administrative space on the second floor of this building.

The proposed Building "D" is a new building whose use shall be primarily as an office space for the RJL workers at the business location.

### **Discussion with the City of Ottawa in Support of this Proposal**

RJL has had significant discussions with the City of Ottawa in respect of this issue. Mr. Craig Hamilton and Ms. Penelope Horn of the Planning, Development, and Building Services Department have been instrumental in assisting RJL in determining the best course of action to obtain the variance RJL now seeks. Based on the survey drawings, and information provided to their office, RJL was advised that *"staff would likely support the reduced setback to allow the more intensive uses to be located at the rear of the site. The surrounding area is not characterized by sensitive uses, so a reduction to the front yard setback is not likely to cause negative impacts to the surrounding uses."*

The City Forester has reviewed the site plan submitted alongside this application and supports the reduced 3.0m setback. RJL has committed to ensuring that as many trees as possible are planted in the development.

The City of Ottawa staff asked during the pre-consultation phase as to why the foremost new Building illustrated on the site plan cannot be moved towards the rear elevation of the site. Outside of the commercial rationale presented above, the operation of the turning lanes around the site requires the foremost building to be constructed as proposed in the site plan

drawing. R/JL moves very large machinery around this area and the machines require the proposed space to operate under optimal safety conditions. Naturally, this is of the utmost importance to all stakeholders in the project.

### **Planning Act Reference**

The matters relating to this proposal are unaffected by the criteria enumerated at s.51(24) of the *Planning Act, R.S.O. 1990, c. P.13* and the Lands are not subject to a site plan control.

### **Enclosures**

- (a) Application Form
- (b) Tree Information Report, as required under the Tree Protection By-Law;
- (c) Draft Reference Plan, in metric, prepared by an Ontario Land Surveyor showing all existing structures and all trees protected under the Tree Protection By-Law;
- (d) survey drawing indicating the encroachment on the Lands;
- (e) survey drawing indicating the proposed reduced setback and building placement; and
- (f) Parcel Abstract

Respectfully submitted,

*Max Laurin*

Max Laurin

Principal

Max Laurin Professional Corporation

(613) 879-9372

[max.laurin@laurin.ca](mailto:max.laurin@laurin.ca)