

**DECISION
PERMISSION**

Date of Decision: January 24, 2025
Panel: 2 - Suburban
File No.: D08-02-24/A-00307
Application: Permission under section 45 of the *Planning Act*
Applicant: 15330661 Canada Ltd.
Property Address: 2560 Mer Bleue Road
Ward: 19 - Orléans South-Navan
Legal Description: Part of Lot, 1 Concession 4 (Ottawa Front), Geographic Township of Gloucester
Zoning: DR
Zoning By-law: 2008-250
Hearing Date: January 14, 2025, in person and by videoconference

APPLICANT’S PROPOSAL AND PURPOSE OF THE APPLICATION

[1] The Applicant is reconstructing the legally non-complying detached dwelling, which was destroyed by fire, and wants to expand the footprint of the dwelling, as shown on plans filed with the Committee.

REQUESTED PERMISSION

[2] The Applicant seeks the permission of the Committee to expand a legal non-conforming dwelling located in the DR zone.

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

PUBLIC HEARING

Oral Submissions Summary

[4] Paul Robinson, Agent for the Applicant, and City Planner Nivethini Jekku Einkaran 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 cover letter, plans, tree information report, photo of the posted sign, and a sign posting declaration.
- City Planning Report received January 9, 2025, with no concerns.
- South Nation Conservation Authority email received January 8, 2025, with no comments.
- Ottawa Septic System Office email received January 14, 2025, with no objections; received January 8, 2025, requesting an adjournment.
- Hydro Ottawa email received January 13, 2025, with comments.
- Ontario Ministry of Transportation email received December 27, 2024, with no 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 application, highlighting that the proposal "replaces a previously existed dwelling and does not alter the character of the neighbourhood".

- [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, because the proposal fits well in the area, the requested permission 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.
- [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 ORDERS** that the application is granted and the extension or enlargement of the dwelling is permitted.

"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 **January 24, 2025**.



Michel Bellemare
Secretary-Treasurer

NOTICE OF RIGHT TO APPEAL

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form and the filing fee must be submitted via one of the below options and must be received no later than **3:00 p.m. on February 13, 2025**.

- **OLT E-FILE SERVICE** – An appeal can be filed online through the [E-File Portal](#) . First-time users will need to register for a My Ontario Account. Select [Ottawa (City): Committee of Adjustment] as the Approval Authority. To complete the appeal, fill in all the required fields and provide the filing fee by credit card.

- **BY EMAIL** - Appeal packages can be submitted by email to cofa@ottawa.ca. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). Please indicate on the appeal form that payment will be made by credit card.
- **IN PERSON** – Appeal packages can be delivered to the Secretary-Treasurer, Committee of Adjustment, 101 Centrepointe Drive, 4th floor, Ottawa, Ontario, K2G 5K7. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). In person 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.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of filing, the appeal must be filed with one of the other two options.

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.

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.

If you have any questions about the appeal process, please visit [File an Appeal | Ontario Land Tribunal](#)

Ce document est également offert en français.

Committee of Adjustment
City of Ottawa
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436