

**Subject: Street Closure – Road Allowance between Lots 10 and 11,  
Concession 4, Geographic Township of Torbolton, Former Township of West  
Carleton**

**File Number: ACS2025-PDB-PS-0048**

**Report to Agriculture and Rural Affairs Committee on 5 June 2025**

**Submitted on May 27, 2025 by Derrick Moodie, Director, Planning Services,  
Planning, Development and Building Services**

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**Ward: West Carleton-March (5)**

**Objet : Fermeture de rue – Emprise routière entre les lots 10 et 11,  
concession 4, canton géographique de Torbolton, anciennement le canton de  
West Carleton**

**Dossier : ACS2025-PDB-PS-0048**

**Rapport au Comité de l'agriculture et des affaires rurales**

**le 5 juin 2025**

**Soumis le 27 mai 2025 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale des services de la planification, de l'aménagement et du  
bâtiment**

**Personne ressource : Samantha Gatchene, Urbaniste II, Examen des demandes  
d'aménagement ruraux**

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**Quartier : West Carleton-March (5)**

## REPORT RECOMMENDATIONS

**That the Agriculture and Rural Affairs Committee approve a street closure application for the untravelled road allowance legally known as between Lots 10 and 11, Concession 4, Geographic Township of Torbolton, Former Township of West Carleton, as shown in Document 1, subject to the conditions in Document 3.**

## RECOMMANDATIONS DU RAPPORT

**Que le Comité de l'agriculture et des affaires rurales approuve une demande de fermeture de rue pour l'emprise routière non utilisée située officiellement entre les lots 10 et 11, concession 4, canton géographique de Torbolton, anciennement le canton de West Carleton, comme indiqué dans le document 1, sous réserve des conditions énoncées dans le document 3.**

## BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

### Site location

The untraveled road allowance measures approximately 1.5 kilometres in length and extends from Dunrobin Road in the west to another untraveled road allowance to the east that is approximately 100 metres east of Constance Creek, and as shown on Document 1.

### Owner

City of Ottawa

### Applicant

Budco Holdings Inc. c/o Gagan Panjhazari

### Description of site and surroundings

The site is a legally open and untravelled road allowance between Lots 10 and 11, Concession 4, Geographic Township of Torbolton, former Township of WestCarleton. The untravelled road allowance abuts municipal address 3776 Dunrobin Road to the south, in the hamlet of Woodlawn.

### Summary of proposed development

The applicant, the owner of 3776 Dunrobin Road, has applied to close the road allowance. Following the closure, the applicant wishes to purchase one-half of the lands abutting his property to enable the redevelopment of the existing gas station located at 3798 Dunrobin Road, which also abuts the road allowance.

Staff, through delegated authority, supported the application for the closure of the road allowance. However, the Ward Councillor objected to the closure and as such the decision has been referred to Agriculture and Rural Affairs Committee for a decision. It is noted that decision on this application rests with ARAC and does not rise to Council.

The applicant previously requested to close the road allowance through a Street Closure application submitted in February 2008 (D07-14-08-0003). The Planning Department approved the application, but the Ward Councillor objected. The Councillor had objected on the basis that the road allowance was utilized as a carpool parking lot, a local snowmobile route, and had been used in the past as a rural transit service stop. A local resident also noted concerns that the closure would have negative implications on the surrounding community and future development. Consequently, in September 2008, ARAC recommended that Council confirm the status of the above-noted land as an unopened road allowance and this recommendation was carried by Council.

The applicant applied to close the road allowance again in June 2014 (D07-14-14-0003). The ward councillor objected to the proposal for similar reasons as in 2008 with the additional concern that the road closure would displace the existing food truck business, Archie's Fries, whose customer parking is located on the road allowance. As a result, the applicant withdrew the application.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

Public notification was not a requirement; however, one comment was received from the operator of Archie's Fries indicating that he did not support the closure of the road allowance.

Archie's Fries has historically operated in this area based on a motion in 2000 from the former Township of West Carleton which permitted a chip wagon to operate on the unopened road allowance. However, it does not appear the operation is fully compliant

with the Zoning By-law, nor has a license of occupation been issued for use of the road allowance.

### **Official Plan policies**

The Official Plan does not designate the road allowance as either a proposed or conceptual public road on Schedule C9 (Rural Road Network) of the Official Plan.

Existing environmental constraints within the road allowance - inclusive of Constance Creek and its floodplain, provincially significant wetlands, and the Natural Heritage System Overlay - limit the viability of future road construction.

The entirety of the lands within the road allowance are designated Natural Heritage Systems Overlay (i.e Core Area and Linkage Area). The restrictive policies regulating these designations are likely to preclude future road construction.

### **Utilities and Access**

No utility installations have been identified over the subject lands.

In response to the concerns raised against application in 2008 and 2014, a carpool parking lot no longer exists on the road allowance and the area is not served by transit; the West Carleton Snowmobile Trails Association (WCSTA) was circulated but did not provide comments; the area is not serviced by transit; and an official license to occupy the road allowance has not been issued for the food truck business.

### **RURAL IMPLICATIONS**

The West Carleton Snowmobile Trails Association (WCSTA) currently uses the road allowance as part of its trail network, as shown in Document 2. This use of the road allowance by WCSTA is part of the Snowmobile Master Licence between the City and Upper Canada Snowmobile Region (UCSR), the regional snowmobile organization that includes WCSTA. The Master Licence does not prohibit the City's disposal of this parcel. However, should the road allowance be deemed as surplus, UCSR should be informed so they have the opportunity to submit an offer on the disposal, or make appropriate adjustments to their trail network. WCTSA was circulated as part of the application but did not provide comments.

As the road allowance is untravelled by vehicle and pedestrian traffic, the application is not anticipated to have any negative impacts on the surrounding rural area or neighbouring residents.

## COMMENTS BY THE WARD COUNCILLOR

Following consultations with community members, the CBCCA, as well as local business owners, I cannot support the closure of this City of Ottawa owned road allowance.

Basis for objection:

- 1) The applicant has stated that they wish to purchase half of the road allowance to “enable redevelopment of the existing gas station” This gas station and store have been successfully serving the community for over 40 years without owning the road allowance. If their concern is the maintenance of the space for use as a parking area for the two existing businesses, then they can potentially enter into an agreement with the City of Ottawa that would allow them to maintain the road allowance and the City of Ottawa could maintain possession of this valuable public asset.
- 2) This is a city-owned road allowance and while there are not any current plans for future use in the Official Plan, it does provide an important potential resource for the community in the future should it be required. Constance Bay currently has only one road in and out of the village, leaving many residents at risk if there is a natural disaster or other major emergency. I would point out that the only options for a second road in and out would include building over or through Provincially Significant Wetlands regardless of location. The other location identified as a possible location for a second road would require a bridge to be built spanning Buckham’s Bay on the Ottawa River. That option would also require enormous costs as well as building on sensitive land and for that reason, I do not see merit in the argument that the road allowance should be sold to a private business based on environmental constraints that the road allowance crosses.
- 3) While this area no longer functions as a carpool lot as it did for many years, transit options was an important topic of discussion at the 2024 Rural Summit. This was the first rural summit held in 16 years and a clear takeaway from the summit and workshops in each rural ward, was that rural wards need transit options and that transit hubs and places where people can park and or get dropped off to catch transit will be important. This public area has served this purpose in the past and could do so again in the future and based on the demonstrated need and desire for such a service, it would be shortsighted to get rid of this public asset.
- 4) The purchase of the road allowance by one of the abutting property/business owners would put at risk the survival of the other business, Archie’s. This is one

of the few spots in West Carleton-March to purchase prepared food and is both loved and frequented by many residents in the area and has rich history in the Woodlawn area. This is a business that the residents and greater community wish to see survive for many years to come.

For the reasons above I am not supportive of getting rid of this public asset nor do I believe selling it would benefit the community in any way.

### **LEGAL IMPLICATIONS**

There are no legal impediments to the adoption of the recommendation in this report.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications to this report.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no Asset Management Implications resulting from the recommendation of the report.

### **FINANCIAL IMPLICATIONS**

If approved, the City may sell the lands at current market value in accordance with the Disposal of Real Property Policy and Procedures. The applicant/purchaser(s) will be responsible for all costs of the street closure and sale.

### **ENVIRONMENTAL IMPLICATIONS**

There are environmental features within the road allowance. These features include Constance Creek and its floodplain, provincially significant wetlands and the Natural Heritage System Overlay (i.e Core Area and Linkage Area). The restrictive policies regulating these designations are likely to preclude future road construction. Future redevelopment of the existing gas station within these designations would be subject to further review as part of the development approvals process.

### **TERM OF COUNCIL PRIORITIES**

There are no impacts on the Term of Council Priorities.

### **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D07-14-25-0003) was not processed by the "On Time Decision Date" established for the processing of Street

Closure applications because an objection was received from the Ward Councillor, requiring it to be brought before the Agriculture and Rural Affairs Committee Meeting. The On Time Decision Date expired on May 22, 2025.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 WCSTA Snowmobile Trail Map

Document 3 Recommended Conditions of Approval

## **CONCLUSION**

The subject street closure will not adversely impact future rural transportation options, specifically for the use of a transit stop or carpool parking lot. The road allowance is not identified as a planned or conceptual road in the Official Plan. The environmental constraints within the road allowance, including floodplain, provincially significant wetlands, and the Natural System Heritage Overlay, are likely to preclude any future road construction.

The food truck business, with whose parking is located on the road allowance, does not appear to be fully compliant with the Zoning By-law, nor has a license of occupation been issued for use of the road allowance. The West Carleton Snowmobile Trails Association is aware of the application and can submit an offer on the disposal through the Upper Canada Snowmobile Region's master licensing agreement with the City of Ottawa.

The street closure is recommended for approval, subject to the conditions in Document 3.

## **DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the applicant, Budco Holdings Inc.;

Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

The Planning, Development and Building Services Department will prepare an implementing by-law and forward it to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

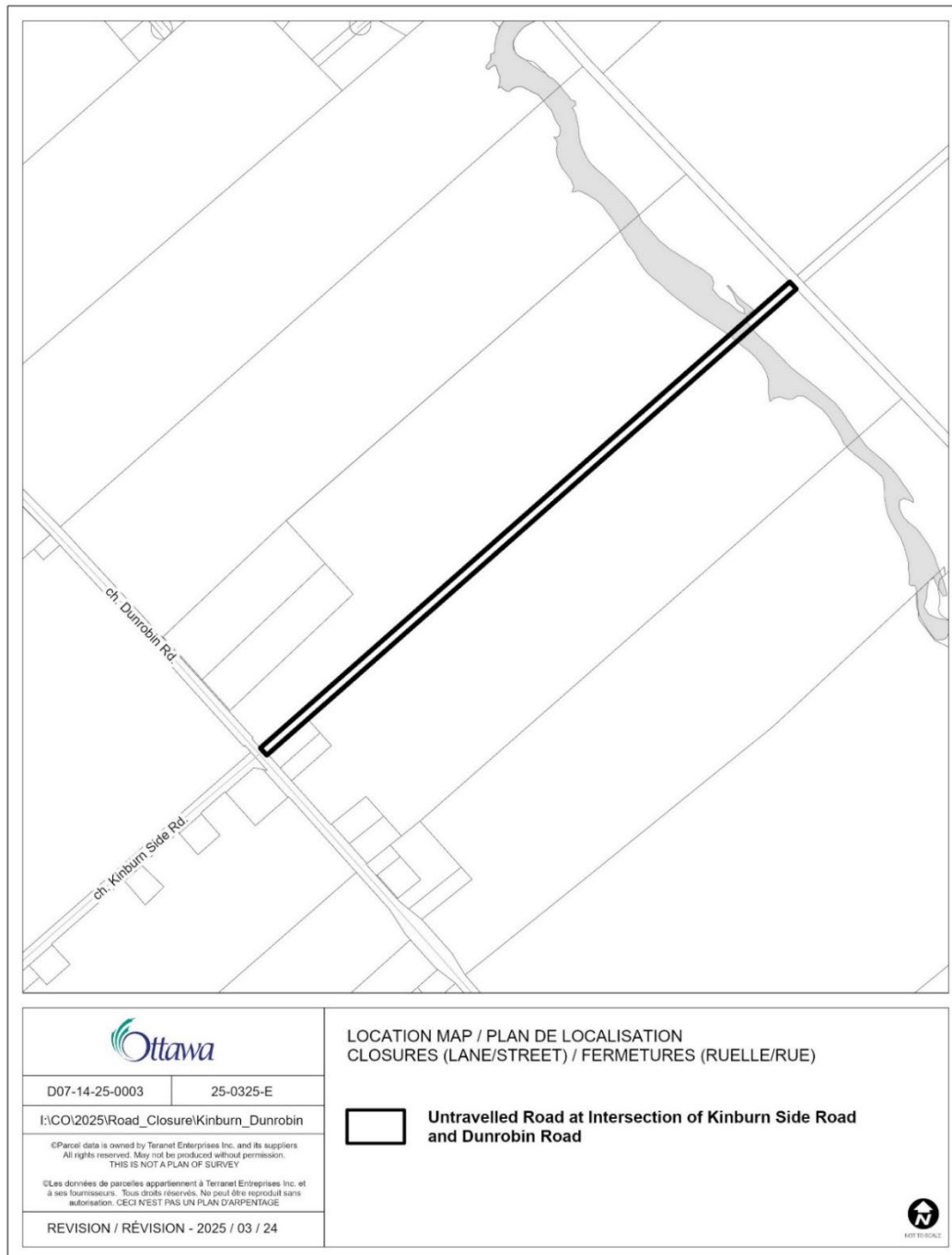
Planning Operations, Planning Services to undertake the statutory notification.



## Document 1 – Location Map

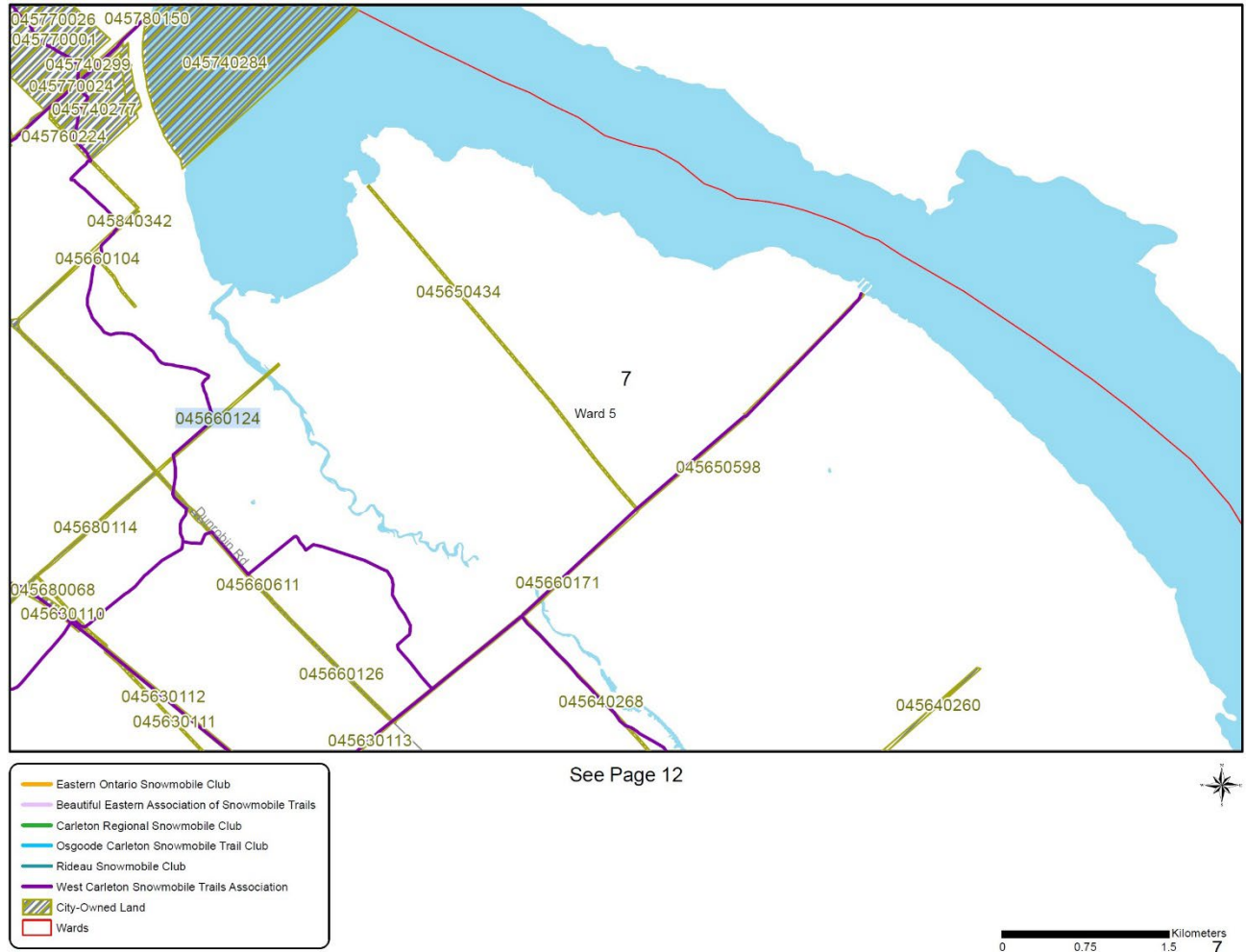
For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com/)

The subject road allowance is located in-between Dunrobin Road and an untraveled road allowance located approximately 1.5 kilometres east of Dunrobin Road.



## Document 2 – WCSTA Snowmobile Trail

The map shows where the West Carleton Snowmobile Trail Association's trail network (purple) crosses City owned lands (yellow). Where WCSTA's trail crosses the subject road allowance is labeled as 045660124.



### Document 3 – Recommended Conditions of Approval

It is recommended that the Street Closure application submitted by Budco Holdings Ltd., be approved, subject to the following conditions.

1. This approval shall not be in effect until Notice of the proposed closing is given in accordance with By-law no. 2011-122 as amended and any objections resulting thereof have been considered by the Agriculture and Rural Affairs Committee.
2. The street or lane closure shall be undertaken by enactment of a street or lane closure by-law.
3. When selling the closed road, the City is not legally obliged to offer for sale to an abutting owner all or a portion of a closed road.
4. A conveyance of a closed road shall be at current market value in accordance with the Disposal of Real Property Policy and Procedures approved by City Council on February 26, 2018.
5. The applicant/purchaser(s) will be responsible for all costs of the street or lane closure and sale including the application fee, the preparation of a survey/reference plan, appraisal (if any), removal of encumbrances (if any), registration of documents, land transfer tax and GST (if applicable).
6. Prior to enactment of the by-law (if the City is selling the closed road):
  - (a) The applicant/purchaser(s) shall have provided to the City Solicitor a plan of survey/reference plan, showing the road, or portion thereof, to be closed, the parcels of land therein to be conveyed to all parties, any existing or required utility easements and a registerable legal description of all such parcels of land, to the satisfaction of the City Solicitor and the City Surveyor;
  - (b) the applicant/purchaser(s) of all closed portions of the road being sold shall have provided to the City Solicitor written confirmation that any zoning violation which may result from the closing will be the applicant/purchaser(s) responsibility to remedy; and
  - (c) a binding Agreement(s) of Purchase and Sale shall have been entered into by the City and the applicant/purchaser(s) for the closed road.
7. Should the conditions in Paragraph 6 above not be fulfilled within one (1) year of the date of approval of the street or lane closure application, the approval of the street or lane closure application shall be null and void.
8. The *Municipal Act* provides that the closing by-law enacted by City Council does not take effect until registered on title. If the City is selling the closed road, the by-law will not be registered on title until such time as the conveyance of the closed road is to be completed pursuant to an Agreement of Purchase and Sale.