

DECISION PERMISSION

Date of Decision:	May 30, 2025
Panel:	1 - Urban
File No.:	D08-02-25/A-00066
Application:	Permission under section 45 of the <i>Planning Act</i>
Applicant:	Maple Leaf Custom Homes
Property Address:	348 Olmstead Street, 220 Heritage Maple Way
Ward:	12 - Rideau-Vanier
Legal Description:	Lot 12, Block B, Registered Plan 381
Zoning:	R4UA-c
Zoning By-law:	2008-250
Heard:	May 21, 2025, in person and by videoconference

APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION

- [1] The Applicant wants to reconstruct the existing legal non-conforming detached dwelling and add a second-storey addition, to accommodate an additional dwelling unit, as shown on plans filed with the Committee. The property is a planned unit development that also contains a two-storey duplex dwelling, which will also be reconstructed with minor additions and an additional dwelling unit.
- [2] At its scheduled hearing on April 16, 2025, the Committee adjourned this application to allow the Applicant to revise the requested permission.

REQUESTED PERMISSION

- [3] The Applicant seeks the Committee's permission to enlarge or extend the legal non-conforming dwellings, to permit the second-storey addition and allow minor additions.
- [4] The property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING

Oral Submissions Summary

- [5] Responding to questions from the Committee, Christine McCuaig, agent for the Applicant, clarified that each detached dwelling will be reconstructed to contain an additional dwelling unit, for a total of six dwelling units. Ms. McCuaig expressed that there is no front yard parking on the property, and the existing parking spaces will remain. She also noted that the existing asphalt will be converted into soft landscaping.
- [6] City Planner Penelope Horn was also present.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

Application Must Satisfy Two-Part Test

- [7] 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

- [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, amendment to cover letter, plans, tree information report, photo of the posted sign, and a sign posting declaration.
 - City Planning Report received May 14, 2025, with no concerns; received April 10, 2025, with no concerns.
 - Rideau Valley Conservation Authority email dated May 20, 2025, with no objections; received April 10, 2025, with no objections.
 - Hydro Ottawa email dated May 29, 2025, with comments; received April 11, 2025, with comments; received April 4, 2025, with comments.
 - Ontario Ministry of Transportation email dated April 29, 2025, 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 permission meets the two-fold test relating to desirability and impact.
- [11] The Committee notes that the City's Planning Report raises "no concerns" regarding the application, highlighting that, "[s]taff do not anticipate adverse impacts to the public realm or abutting properties as a result of this application."
- [12] 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.
- [13] Considering the circumstances, the Committee finds that 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.
- [14] The Committee also finds that the proposal will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.
- [15] **THE COMMITTEE OF ADJUSTMENT** therefore permits the extension or enlargement of the dwellings, **subject to** the proposed construction being in accordance with the plans filed, Committee of Adjustment date stamped March 12, 2025, as they relate to the requested permission.

"Ann M. Tremblay"
ANN M. TREMBLAY
CHAIR

"John Blatherwick"
JOHN BLATHERWICK
ACTING PANEL CHAIR

Absent
SIMON COAKELEY
MEMBER

"Arto Keklikian"
ARTO KEKLIKIAN
MEMBER

"Sharon Lécuyer"
SHARON LÉCUYER
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **May 30, 2025**

“Matthew Garnett”

MATTHEW GARNETT

ACTING 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 June 19, 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.

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