

**DECISION  
PERMISSION**

**Date of Decision:** August 1, 2025  
**Panel:** 1 - Urban  
**File No.:** D08-02-25/A-00156  
**Application:** Permission under section 45 of the *Planning Act*  
**Applicant:** Suncor Energy Inc.  
**Property Address:** 470 Bronson Avenue  
**Ward:** 14 - Somerset  
**Legal Description:** Lots 1 and 2 & Part of Lots 3 and 4, Registered Plan 31  
**Zoning:** TM  
**Zoning By-law:** 2008-250  
**Heard:** July 23, 2025, in person and by videoconference

**APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATION**

- [1] The Applicant wants to renovate the interior of the existing convenience store to add a take-out restaurant. The existing gas bar will remain.

**REQUESTED PERMISSION**

- [2] The Applicant seeks the Permission of the Committee to expand on the existing gas bar use, which is legal non-confirming in the TM zone, to permit a take-out restaurant inside the existing convenience store.
- [3] The property is not the subject of any other current application under *the Planning Act*.

**PUBLIC HEARING**

**Oral Submissions Summary**

- [4] Guillaume Perreault, agent for the Applicant, provided a slide presentation, a copy of which is on file with the Secretary-Treasurer and available from the Committee Coordinator upon request.

- [5] Responding to the Committee's questions, Mr. Perreault confirmed that the proposed change would result in more traffic to the site than what currently exists, however he could not confirm the impact of the additional traffic on the neighbourhood.
- [6] City Planner Penelope Horn explained that a traffic impact assessment was not requested because the proposal does not meet the threshold for a site plan control application, or the threshold for such an assessment. She further noted that the Applicant must apply for a Ministry of Transportation permit, which may include an assessment depending on how the Ministry views the scale of the development relative to its proximity to Highway 417.
- [7] City Planner Erin O'Connell advised that the minimum threshold for a traffic impact assessment to be required would be 50 vehicle trips per hour and a combination of additional factors, including the land use. She further advised that, even if a site plan control application was required, the change in land use would not trigger a traffic impact assessment because the impacts and scale of the proposal are deemed to be minimal from a transportation perspective.
- [8] Following the public hearing, the Committee reserved its decision.

## **DECISION AND REASONS OF THE COMMITTEE: APPLICATION REFUSED**

### **Application Must Satisfy Two-Part Test**

- [9] 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**

- [10] 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, photo of the posted sign, and a sign posting declaration.
  - City Planning Report received July 17, 2025, with no concerns.
  - Rideau Valley Conservation Authority email received July 21, 2025, with no objections.
  - Hydro Ottawa email received July 14, 2025, with comments.

- Ontario Ministry of Transportation email received July 9, 2025, with comments
- Ottawa International Airport Authority email received July 4, 2025, with no comments.

### **Effect of Submissions on Decision**

- [11] The Committee considered all written and oral submissions relating to the application in making its decision and refused the application.
- [12] Based on the evidence, the majority of the Committee (Chair Tremblay and Member Lecuyer dissenting) is not satisfied that the requested permission meets the two-fold test relating to desirability and impact.
- [13] The Committee notes that the City's Planning Report raises "no concerns" regarding the application, highlighting that "no negative impacts to the neighbouring properties are anticipated as a result of the addition of a fast-food restaurant".
- [14] Considering the circumstances, the majority of the Committee is not satisfied that sufficient evidence, including a traffic impact analysis and associated findings, was presented to conclude that, from a planning and public interest point of view, the requested permission is desirable for the appropriate development or use of the land, building or structure on the property, and relative to neighbouring lands and the surrounding area, including the immediately adjacent Bronson Avenue and Somerset Street West arterial road intersection.
- [15] Additionally, the Committee finds that, because of the lack of any traffic impact assessment/analysis the requested permission would create an unacceptable adverse impact on the neighbourhood because no evidence in the form of a traffic impact assessment was presented.
- [16] Failing the two tests, the Committee is unable to grant the application
- [17] **THE COMMITTEE OF ADJUSTMENT** therefore does not authorize the requested permission.

*Dissent*  
ANN M. TREMBLAY  
CHAIR

*"John Blatherwick"*  
JOHN BLATHERWICK  
ACTING PANEL CHAIR

*"Colin Haskin"*  
COLIN HASKIN  
MEMBER

*"Arto Keklikian"*  
ARTO KEKLIKIAN  
MEMBER

*Dissent*  
SHARON LÉCUYER  
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **August 1, 2025**.

*"Cheryl Williams"*  
CHERYL WILLIAMS  
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 August 21, 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](mailto: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, 4<sup>th</sup> 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**  
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