



COMMITTEE OF ADJUSTMENT OF THE CITY OF OTTAWA

DECISION MINOR VARIANCE PERMISSION

(Section 45 of the *Planning Act*)

File No.: D08-02-22/A-00192
Owner(s): 1514947 Ontario Inc.
Location: 1500 Thomas Argue Road
Ward: 5 - West Carleton-March
Legal Description: Part Lots 12, 13, 14 And 15, Concession 3, Part Lots 13 And 14, Concession 4, Part of Road Allowance Between Concession 3 And 4, Former Township of Huntley
Zoning: T1B
Zoning By-law: 2008-250

Notice was given and a public hearing was held on **August 17, 2022**, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION:

The Owner has filed Applications for Consent (D08-01-22/B-00211 & D08-01-22/B-00224) which, if approved, will have the effect of creating two separate parcels of land. One of the proposed parcels, containing the former Carp Airport operations building and its associated parking lot and septic system will not be in conformity with the requirements of the Zoning By-law.

RELIEF REQUIRED:

The Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit the use of a lot that fronts on a private street, whereas the By-law states that no person shall develop or otherwise use any lot unless that land abuts an improved public street for a distance of at least 3.0 metres.
- b) To permit a severance where the severed lot fronts on a private street, whereas the By-law states that no person shall sever any land unless the land severed, and the land retained each abut to a street.

The application indicates that the Property is subject of the above-mentioned Consent Applications under the *Planning Act*.

PUBLIC HEARING:

The Panel Chair administered an oath to Ellen Potts, Agent for the Applicant, who confirmed that the statutory notice posting requirements were satisfied.

The Committee also heard from Brittany Moy of the Mississippi Valley Conservation Authority who stated no concerns with the application. She advised that any additional works associated with the watercourses within the subject property and proposed easement lands would require written permission from the MVCA.

Also in attendance was Stephan Kukkonen of the City's Planning, Real Estate and Economic Development Department.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED

The Committee considered any written and oral submissions relating to the application in making its Decision.

The Committee has the power to authorize a minor variance from the provisions of the Zoning By-law if, in its opinion, the application meets all four requirements under subsection 45(1) of the *Planning Act*. It requires consideration of whether the variance is minor, is desirable for the appropriate development or use of the land, building or structure, and whether the general intent and purpose of the Official Plan and the Zoning By-law are maintained.

Based on the evidence, the Committee is satisfied that the requested variances meet all four requirements under subsection 45(1) of the *Planning Act*.

The Committee notes that the City's planning report raises "no concerns" regarding the application, highlighting that "the continued use of this establish [sic] private roadway will provide sufficient access to the subject site without requiring the extension of municipal transportation infrastructure and future maintenance."

The Committee also notes that no evidence was presented that the requested variances would result in any unacceptable adverse impact on neighbouring properties.

Considering the circumstances, the Committee finds that, because the proposal fits well in the area, the requested variances are, 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. The Committee also finds that the requested variances maintain the general intent and purpose of the Official Plan because the proposal is appropriate for its location and will strengthen the rural economy by permitting a diversity of uses that support the local community. In addition, the Committee finds that the requested variances maintain the general intent and purpose

of the Zoning By-law because the proposal represents orderly development of the property that is compatible with the surrounding area. Moreover, the Committee finds that the requested variances are minor because they will not create any unacceptable adverse impact on abutting properties or the neighbourhood in general.

The Committee therefore authorizes the requested variances.

NOTICE OF RIGHT TO APPEAL:

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form along with payment must be received by the Secretary-Treasurer of the Committee of Adjustment by **September 15, 2022**, delivered by email at cofa@ottawa.ca and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the OLT website at <https://olt.gov.on.ca/>. The OLT has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application. 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. If you have any questions about the appeal process, please contact the Committee of Adjustment office by calling 613-580-2436 or by email at cofa@ottawa.ca.

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for consent to the OLT. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

Please note that there are no provisions for the Committee of Adjustment or the OLT 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.

DECISION SIGNATURE PAGE**PAGE DE SIGNATURE DE LA DÉCISION**

File No. / Dossier n°: D08-02-22/A-00192
Owner(s) / Propriétaire(s): 1514947 Ontario Inc.
Location / Emplacement: 1500 Thomas Argue Road

We, the undersigned, concur in the decision and reasons of the Committee of Adjustment.

Nous, soussignés, souscrivons à la décision et à la justification ci-devant rendues par le Comité de dérogation.

“Fabian Poulin”

**FABIAN POULIN
VICE-CHAIR / VICE-PRÉSIDENT**

Absent / Absent

**TERENCE OTTO
MEMBER / MEMBRE**

“Martin Vervoort”

**MARTIN VERVOORT
MEMBER / MEMBRE**

“Steven Lewis”

**STEVEN LEWIS
MEMBER / MEMBRE**


Absent/ Absente

**JOCELYN CHANDLER
MEMBER / MEMBRE**

This is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa.

Celle-ci est une copie conforme de la décision rendue par le Comité de dérogation de la Ville d'Ottawa.

**Date of Decision / Date de la décision
August 26, 2022 / 26 août 2022**



**Michel Bellemare
Secretary-Treasurer / Secrétaire-trésorier**