



**COMMITTEE OF ADJUSTMENT  
FOR THE CITY OF OTTAWA**

**COMITÉ DE DÉROGATION  
POUR LA VILLE D'OTTAWA**

**DECISION/DÉCISION  
MINOR VARIANCE/PERMISSION  
DEMANDE DE DÉROGATIONS MINEURES/PERMISSION**  
(Section 45 of the *Planning Act*)  
(Article 45 de la *Loi sur l'aménagement du territoire*)

**File No./Dossier n°:** D08-02-14/A-00220  
**Owner(s)/Propriétaire(s):** Grant Street Garage 1974 Ltd.  
**Location/Emplacement:** 1-3 Grant Street  
**Ward/Quartier:** 15 - Kitchissippi  
**Legal Description/  
Description officielle:** Lot 1 and Part of Lot 2 Reg. Plan 109  
**Zoning/Zonage:** R4H  
**Zoning By-law/ Règlement:** 2008-250

Notice was given and a Public Hearing was held on July 16, 2014, as required by the *Planning Act*.

**PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:**

The Owner wants to demolish the existing dwelling known municipally as 3 Grant Street and use this property to expand the number of parking spaces for the operation of the Grant Street Garage, an automotive service repair operation located at 1 Grant Street. The proposal is to add four additional spaces to the existing three parking spaces and to relocate the parking aisle and access for the parking. A parking layout plan has been filed with the Committee.

**RELIEF REQUIRED/DISPENSE REQUISE:**

In order to do this, the Owner requires the Permission of the Committee. The existing automotive service repair garage would appear to be a legal non-conforming use in the residential (R4H) zone. Permission is requested under Section 45 (2)(a)(ii) of the *Planning Act* for the expansion of the parking area for the garage operation. Section 45 (2)(a)(ii) of the *Act* states in part, that, where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, the Committee may permit,

(ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the Committee continued until the date of the application to the committee.

The Application indicates that the Property is not the subject of any other current application under the *Planning Act*.

**PUBLIC HEARING/AUDIENCE PUBLIQUE:**

The Committee heard from Ms. D. Belfie and Mr. J. Bell, Agents for the Owner. Mr. S. Shen of the City's Planning and Growth Management Department was also in attendance.

In response to question from the Committee, Mr. R. Briggs, the owner of the Grant Street Garage, advised that the property containing the dwelling has been owned in conjunction with the garage property since 1946 and was always operated as one property.

Mr. Shen confirmed that the expansion of the parking area for the garage will be subject to a Site Plan Control application where, at that time, landscaping and fencing can be addressed.

**DECISION AND REASONS OF THE COMMITTEE:      APPLICATION GRANTED  
DÉCISION ET MOTIFS DU COMITÉ:                      DEMANDE ACCORDÉE**

The Committee, having considered the evidence presented and having reviewed the plans and correspondence on file, is of the opinion that the expansion of the parking area for the Grant Street garage is similar to the use of the property for which it was used on the day the by-law was passed and therefore, the permission requested, in this instance, is reasonable.

**NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:**

To appeal this Decision to the Ontario Municipal Board, a letter, outlining the reasons for appeal, must be filed with the Secretary-Treasurer of the Committee of Adjustment by the **14<sup>th</sup> day of August, 2014**. The OMB has established a filing fee of \$125.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. A cheque payable to the Ontario Minister of Finance must accompany the Notice of Appeal. If you have any questions about the appeal process, please contact the Committee of Adjustment office.

Only individuals, corporations and public bodies who have an interest in this matter may appeal this Decision to the Ontario Municipal Board. 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.