



**Committee of Adjustment
Public Hearing Notice**

**Consent Applications
Section 53 of the *Planning Act***

**Wednesday, August 19, 2020
1:00 p.m.**

**613-580-2436
cofa@ottawa.ca**

By Electronic Participation

This hearing will be held through electronic participation in accordance with the *Statutory Powers Procedure Act*. The City of Ottawa remains in a State of Emergency to help stop the spread of COVID-19. The Committee of Adjustment will hold online hearings until further notice.

This hearing may be viewed online on the Committee of Adjustment YouTube Channel <https://www.youtube.com/channel/UCZ9Z3-VJcSMSqrWRORMIRjQ>

Simultaneous interpretation in both official languages, accessible formats and communication supports are available for any specific agenda item by calling the Committee information number at least 48 hours in advance of the hearing.

File Nos.: D08-01-20/B-00143, B-00145, B-00146
Owner(s): Riocan Holdings Inc.
Location: 1309 Carling Avenue
Ward: 15 - Kitchissippi
Legal Description: Part of Lot 33, Concession 1 (O.F.)
Zoning: AM10[2393] S368
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATIONS:

The Owner wants to subdivide its property into three separate parcels of land for Phase 1 of the site that is currently occupied by a large-format retail shopping centre and surface parking. The stand-alone restaurant (Monkey Joe's) at the corner of Merivale Road and Carling Avenue has been demolished as part of Phase 1 of the Westgate Mall redevelopment.

CONSENT IS REQUIRED FOR THE FOLLOWING:

In order to do this, the Owner requires the Consent of the Committee for a Conveyance, Grant of Easements/Right-of-Ways and Mortgage/Charge. The property is shown as Parts 1-7, 9-11 and 13-17 on a Draft 4R-Plan filed with the applications and the separate parcels and access/egress and maintenance agreements will be as follows:

B-00143

The vacant land to be severed, shown as Parts 1-7, will have frontages of 74.99 metres on Merivale Road and 71.24 metres on Carling Avenue to a depth of 79.92 and will contain a lot area of 6,038.25 square metres. This parcel of land will accommodate a mixed use building at the corner of Merivale Road and Carling Avenue (currently under construction).

B-00145

The Application indicates that Parts 9-11 and 13, forming part of the retained lands will have frontage of 14.68 metres and an area of 1,871.21 square metres and will be for access and maintenance agreement in favour of the severed parcel over the retained parcel.

B-00146

The Application further indicates that Parts 5-7 will have frontage of 2.91 metres and will have an area of 345 square metres and will be for access and maintenance agreement in favour of the retained parcel over the severed parcel. These easements are required to account for servicing laterals and existing catch basin manholes connected to the storm sewer in the drive aisle.

The retained lands (Parts 9-11 and 13-17) would have a total area of 30,049.57 square metres and contains the existing Westgate Shopping Centre and surface parking. The retained lands will maintain approximately 184.54 metres of frontage on Merivale Road and approximately 150.56 metres of frontage on Carling Avenue.

The Applications indicate that the lands are currently subject to Instrument CR334034; Parts 2, 6, 10 and 16 on the Draft 4R-Plan.

THE APPLICATIONS indicate that the Property is not the subject of any other current application under the *Planning Act*.

YOU ARE ENTITLED TO PARTICIPATE in the Committee of Adjustment Public Hearing concerning these applications because you are an assessed owner of one of the neighbouring properties. See Annex A – Public Participation Details on providing written submissions or verbal comments in advance of the hearing, and how to register to speak at the hearing. The Committee asks that any presentations be limited to five minutes or less, and any exceptions will be at the discretion of the Committee Chair. You may require the Committee to hold the hearing as an oral (in person) hearing if you

satisfy the Committee that holding the hearing as an electronic hearing is likely to cause you significant prejudice. To do so, you must provide written submissions to the Committee at least 48 hours in advance of the hearing.

IF YOU DO NOT PARTICIPATE in this Public Hearing, it may proceed in your absence and, except as otherwise provided in the *Planning Act*, you will not be entitled to any further notice in the proceedings. If you have specific comments regarding these applications, you may submit a letter to the Secretary-Treasurer of the Committee at the address shown below, and such written submissions shall be available for inspection by any interested person. Information you choose to disclose in your correspondence, including your personal information, will be used to receive your views on the relevant issues to enable the Committee to make its decision on this matter. The information provided will become part of the public record. Every attempt should be made to file your submission five days prior to the Public Hearing date.

IF YOU WISH TO BE NOTIFIED of the Decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment at the address shown below. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal Hearing. Even if you are the successful party, you should request a copy of the Decision since the Committee of Adjustment's Decision may be appealed to the Local Planning Appeal Tribunal by the Applicant or another member of the public.

IF A PERSON OR PUBLIC BODY THAT FILES AN APPEAL against a decision of the Committee of Adjustment in respect of the proposed consent has not made a written submission to the Committee of Adjustment before it gives or refuses to give consent, the Local Planning Appeal Tribunal may dismiss the appeal.

ADDITIONAL INFORMATION regarding these applications is available online at www.ottawa.ca/cofa, by navigating to "Public Hearings" and selecting the Panel 1 agenda under the applicable Hearing date. The website also contains additional information about the mandate of the Committee and its processes.

DATED: August 3, 2020

Committee of Adjustment

City of Ottawa

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Annex A - Public Participation Details

Remote Participation – Committee Members, Staff and General Public

City facilities are temporarily closed to help stop the spread of COVID-19. Although in-person Committee of Adjustment hearings have been postponed until further notice, there are several ways in which the general public can participate in this electronic hearing.

The chosen technology for this hearing is Zoom (<https://zoom.us/>) which allows for participation by computers and mobile devices. To reduce the number of participants in the electronic hearing and to allow for a more efficient process, the general public will be asked to participate by viewing the webcast via the Committee of Adjustment YouTube channel at <https://www.youtube.com/channel/UCZ9Z3-VJcSMSqrWRORMIRjQ>. You can also contact cofa@ottawa.ca to obtain the link.

Submit comments in writing: submit comments in writing, by email, to cofa@ottawa.ca. Comments received **by noon (12 p.m.) the Monday before the hearing** will be provided to Committee Members prior to the hearing. Comments received after this time will be forwarded to Committee Members as soon as possible but may not be received by Committee Members prior to the hearing.

Submit verbal comments in advance of the hearing (Prior to noon (12 p.m.) the Monday before the hearing) you may call the Coordinator to have comments transcribed (contact details below).

Register to Speak at the Committee Hearing prior to 4 p.m. the Monday before the hearing, by phone or e-mail by contacting the Coordinator (contact details below). Details for those wishing to make visual presentations to the Committee can be provided to you upon request, by email.

Upon receipt of your registration to speak at the hearing, delegates will be provided the Zoom hearing details and password prior to the hearing.

For more information, please contact the Coordinator by e-mail at cofa@ottawa.ca or (613) 580-2436.