



**Committee of Adjustment
Public Hearing Notice**

**Minor Variance Application
Section 45 of the *Planning Act***

**Wednesday, October 7, 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-VJcSMSqrWRORMIRiQ>

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 No.: D08-02-20/A-00207
Owner(s): Jonatan Bedard & Marie-Eve Robinson
Location: 512 Cooper Street
Ward: 14-Somerset
Legal Description: Lot 18 South side Cooper St., Reg. Plan 15061
Zoning: R4T
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATION:

The Owner wants to construct a new detached single-car carport, a secondary basement dwelling unit with a new front facing entrance, a second-floor expansion and a new third floor office addition with a roof-top terrace, as shown on plans filed on file with the Committee.

RELIEF REQUIRED:

In order to proceed, the Owners require the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced yard abutting a street of 0 meters, whereas the By-law requires the setback for a yard abutting a street be the average of the existing setbacks of the dwellings, facing the same street and abutting the affected lot, in this case 2.64 metres.
- b) To permit an accessory structure (proposed carport and garbage enclosure) to be located 0.025 metres from the easterly interior lot line, whereas the By-law the requires the minimum setback to be 1.2 metres which is the same as the principal building's setback.
- c) To permit the entrance for the proposed secondary dwelling unit to be located on the front wall of the dwelling, whereas the By-law states that the creation of a secondary dwelling unit must not result in a front wall entrance.
- d) To permit a secondary dwelling entrance to be located at the basement level, whereas the By-law states that the entrance for a secondary dwelling unit is limited to the ground floor level.
- e) To permit an addition to a building in an area to which a heritage overlay applies to exceed the height of the walls and height and slope of the building, whereas the By-law states that the height of the walls and the slope of the roof of the proposed addition to a building, where a heritage overlay applies, must not exceed those of the existing building.
- f) To permit a building height of 11 metres, whereas the By-law states that the maximum building height for a detached dwelling is 10 metres.
- g) To permit an accessory structure to be located 0.265 metres from another building located on the same lot, whereas the By-law requires a minimum setback of 1.2 metres from accessory structure to another building on the same lot.
- h) To permit the west side yard setback of the proposed addition to be the same as the closest west wall of the existing building whereas the By-law states that an addition to building in an area to which a Heritage Overlay applies is permitted only if the side yard setback of the addition is at least 60 centimetres greater than that of the wall of the building located closest to the side lot line.
- i) To permit the second-floor roof to project into the west side yard, whereas the By-law states that projections are not permitted into the front, corner side yard or side yard in an area to which a Heritage Overlay applies.

- j) To permit a deck and stairs to project into the east side yard and a balcony to project into the front yard, whereas the By-law states that projections are not permitted into the front, corner side yard or side yard in an area to which a Heritage Overlay applies.
- k) To permit a balcony to project to 0 metres from the property line, whereas the By-law states that a Covered/Uncovered balcony higher than 0.6 metres above the adjacent grade, project 2 metres, but no closer than 1.0 metre from any lot line.
- l) To permit a roof-top terrace, which is not located on the uppermost storey, to exceed an area equivalent to 25 percent of the gross floor area of the 3rd floor addition by 11.6 sq. metres, whereas the By-law states where a roof-top terrace is not located on the roof of the uppermost storey should not exceed 25 percent of the gross floor of the storey it is adjacent to and most equal in height.
- m) To permit a 0 setback from the exterior walls for a roof-top terrace that is not located on the roof of the uppermost storey, whereas the By-law states that where a roof-top terrace, not located on the roof of the uppermost storey is abutting a rear yard and within 1.5 metres from an exterior side wall or an interior side lot line, a 1.5 metre high opaque screen is to be provided facing the interior side yard or interior side lot line.
- n) To not provide a 1.5 metre high opaque screen facing the easterly side lot line at the roof-top terrace level, whereas the By-law states that where a roof-top terrace, not located on the roof of the uppermost storey is abutting a rear yard and within 1.5 metres from an exterior side wall or interior side lot line, a 1.5 metre opaque screen is to be provided facing the interior side yard or interior side lot line.
- o) To permit the 3rd floor addition not be located in the rear yard, whereas the By-law states that despite the provisions of the underlying zone, an addition to area any building in an area to which a Heritage Overlay applies is permitted only if it is located entirely in the rear yard.
- p) To permit a 2.15 metre rear yard setback for the proposed 2nd floor addition, whereas the By-law states that despite the provisions of the underlying zone, an addition to a building in an area to which a Heritage Overlay applies is permitted only if it is located entirely within the rear yard, or in the interior yard abutting the rear yard and complies with the rear yard setback of the underlying zone, except where the building has a non-complying rear yard setback then the addition may be built to that rear yard setback , but in no case may be less than 3.0 metres.

THE APPLICATION indicates 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 this application because you are an assessed owner of one of the neighbouring properties. See *Annex A – Public Participation Details* below 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 this application, 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.

A COPY OF THE DECISION of the Committee will be sent to the applicant/agent, and to each person who appeared in person or who was represented at the Public Hearing AND who filed with the Secretary Treasurer a written request to receive the decision. 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.

ADDITIONAL INFORMATION regarding this application is available online at <https://ottawa.ca/en/planning-development-and-construction/committee-adjustment>, 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: September 21, 2020

Committee of Adjustment

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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-VJcSMSqrWRORMIRiQ>. 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.