



**Committee of Adjustment
Public Hearing Notice**

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

**Wednesday, October 21, 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 No.: D08-02-20/A-00169
Owner(s): Rafic Hokayem
Location: 124 Boteler Street
Ward: 12-Rideau-Vanier
Legal Description: Part of Lots 14 & 15, Reg. Plan 3
Zoning: R4S
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATION:

The Owner wants to construct a covered porch addition at the front of the existing two-storey detached dwelling, as well as create a larger dormer by filling in between two existing dormers located on the west side of the property, as shown on plans filed with the Committee. Previous Minor Variance Applications (D08-02-19/A-00252 & D08-02-19/A-00350) for relief from the Heritage Overlay provisions of the Zoning By-law were approved in 2019 and earlier in 2020.

RELIEF REQUIRED:

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

The following variances are requested and were previously approved in September 2019_(D08-02-19/A-00256):

- a) To permit a reduced easterly interior side yard setback of 1.07 metres in line with the east wall, whereas the By-law requires the side yard setback of the addition to be at least 60 centimetres greater than that of the wall of the building located closest to the side lot line which, in this case, is 1.67 metres.
- b) To permit an increased building height of 9.45 metres, whereas the By-law states that the height of the walls and the height and slope of the roof of the addition must not exceed those of the existing building. In this case, the existing building height is 8.25 metres.
- c) To permit a projection into the front yard, whereas the By-law states that projections are not permitted into the front yard in an area to which a heritage overlay applies.
- d) To permit a covered porch to project to 0 metres from the front lot line, whereas the By-law states that a covered porch is permitted to project 2 metres into a required setback but no closer than 1 metre from any lot line.

The following variances are requested and were previously approved in January 2020 (D08-02-1920/A-00350):

- e) To permit a reduced east side yard setback of 1.07 metres (to align with existing building), whereas the By-law requires a minimum east side yard setback of 1.67 metres.
- f) To permit an increased building height for the dormer wall to be 7.49 metres, whereas the By-law requires that the building height does not exceed the height of the existing dwelling, in this case 6.02 metres.

New Variances requested:

- g) To permit a setback for an addition that is 0 metres greater than the wall located closest to the side lot line, whereas the By-law requires a side yard setback of at least 60 centimetres greater than the wall of the heritage building located closest to the side lot line.
- h) To permit an addition in a heritage overlay to be located in the interior side yard, whereas the By-law requires that an addition be located entirely within the rear yard or interior yard abutting the rear yard and comply with the rear yard setback of the underlying zone.

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: October 5, 2020

Committee of Adjustment

City of Ottawa

101 CentrepoinTE Drive

Ottawa, ON K2G 5K7

613-580-2436

cofa@ottawa.ca

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.