



## **Committee of Adjustment Public Hearing Notice**

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

**Wednesday, January 13, 2021  
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 Nos.:** D08-02-20/A-00277 to D08-02-20/A-00279  
**Owner(s):** Annette Bateman  
**Location:** 377A, 377B Sunnyside Avenue & 79 Rosedale Avenue  
**Ward:** 17 - Capital  
**Legal Description:** Part Lot 7, Block E, Part of Sunnyside Ave., Reg. Plan 115  
**Zoning:** R3Q [487]  
**Zoning By-law:** 2008-250

### **PURPOSE OF THE APPLICATIONS:**

At its hearing on November 18, 2020, the Committee of Adjustment adjourned the Consent Applications and these Minor Variance applications in order to allow the Owner time to revise their proposal and to file additional minor variance requests.

The Owner has filed Applications for Consent (D08-01-20/B-00303 to D08-01-20/B-00306) which, if approved, will have the effect of creating three separate parcels of land. The existing townhouse dwelling ("Rosedale Place") will remain. As a result, the proposed parcels and existing townhouse dwelling will not be in conformity with the requirements of the Zoning By-law.

**RELIEF REQUIRED:**

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

A-00277: 79 Rosedale Ave., Parts 1, 2, 7 & 8 on Draft 4R-Plan, existing townhouse dwelling

- a) To permit a reduced lot area of 70.4 square metres, whereas the By-law requires a minimum lot area of 110 square metres.
- b) To permit a reduced front yard setback of 0 metres, whereas the By-law requires the minimum front yard setback for a corner lot to be aligned with the abutting residential lot facing the same street which, in this case, is 3.03 metres.
- c) To permit a reduced rear yard setback of 0 metres, whereas the By-law requires a minimum rear yard setback of 1.2 metres.
- d) To permit a reduced rear yard area of 0% of the lot area by 0% of the lot width (0 square metres), whereas the By-law requires a rear yard area equal to 25 percent of the lot area by 30 percent of the lot width which, in this case, is 87.3 square metres.
- e) To permit eaves to project to 0.3 metres from the corner side lot line, whereas the By-law permits eaves to be no closer than 1.0 metre from the lot line.
- f) To permit an awning to project to 0.1 metres from the corner side lot line, whereas the By-law permits awnings to project no closer than 0.6 metres from the lot line.

A-00278: 377B Sunnyside Ave., Parts 3, 4 & 9 on Draft 4R-Plan, existing townhouse dwelling

- g) To permit a reduced lot area of 63.9 square metres, whereas the By-law requires a minimum lot area of 110 square metres.
- h) To permit a reduced front yard setback of 0 metres, whereas the By-law requires the minimum front yard setback for a corner lot to be aligned with the abutting residential lot facing the same street which, in this case, is 3.03 metres.
- i) To permit a reduced rear yard setback of 13% of the lot depth (1.72 metres), whereas the By-law requires a minimum rear yard setback of 25% of the lot depth which, in this case, is 2.90 metres.
- j) To permit a reduced rear yard Area of 10% of the area of the lot (8.76 square metres), whereas the By-law requires a rear yard area equal to 25% of the area of the lot which, in this case, is 15.98 square metres.
- k) To permit stairs to project to 0 metres from the front lot line, whereas the By-law permits stairs to project no closer than 1 metre from the lot line.

A-00279: 377A Sunnyside Ave., Parts 5 & 6 on Draft 4R-Plan, existing townhouse dwelling

- l) To permit a reduced lot area of 67.2 square metres, whereas the By-law requires a minimum lot area of 110 square metres.
- m) To permit a reduced front yard setback of 0 metres, whereas the By-law requires the minimum front yard setback for a corner lot to be aligned with the abutting residential lot facing the same street which, in this case, is 3.03 metres.
- n) To permit a reduced rear yard setback of 16% of the lot depth (1.88 metres), whereas the By-law requires a minimum rear yard setback of 25% of the lot depth which, in this case, is 2.90 metres.
- o) To permit a reduced rear yard Area of 14% of the area of the lot (10.11 square metres), whereas the By-law requires a rear yard area equal to 25% of the lot area which, in this case, is 16.8 square metres.
- p) To permit a reduced interior side yard setback of 0.2 metres, whereas the By-law requires a minimum interior side yard setback of 1.2 metres.
- q) To permit stairs to project to 0 metres from the front lot line, whereas the By-law permits stairs to project no closer than 1 metre from the lot line.

**THE APPLICATIONS** indicate that the Property is the subject of the above noted Consent applications 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* 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 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.

**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 these applications 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: December 24, 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-VJcSMSgrWRORMIRiQ>. You can also contact [cofa@ottawa.ca](mailto:cofa@ottawa.ca) to obtain the link.

**Submit comments in writing:** submit comments in writing, by email, to [cofa@ottawa.ca](mailto: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](mailto:cofa@ottawa.ca) or (613) 580-2436.