



Committee of Adjustment Public Hearing Notice

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

**Wednesday, September 7, 2022
6:30 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*. To help stop the spread of COVID-19, the Committee of Adjustment will continue to hold online hearings until further notice.

The hearing can be viewed on the Committee of Adjustment [YouTube](#) page. For more information, visit Ottawa.ca/CommitteeofAdjustment

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

File No.: D08-01-22/B-00225 and D08-01-22/ B-00226
Owner(s): Theo and Leeanne Vanderburgt
Address: 285 and 287 York Street
Ward: 12-Rideau-Vanier
Legal Description: Part of Lot 16, South Clarence Street, Registered Plan 43586
Zoning: R5
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATION:

The subject property contains two existing townhouse dwelling units. The Owners want to subdivide their property into two parcels of land to establish separate ownership for each townhouse dwelling unit, as shown on plans filed with the Committee.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owners require the Consent of the Committee for Conveyances, a Grant of Easement/Right-of-Way and a Joint use and Maintenance Agreement. The property is shown as Parts 1, 2 and 3 on a Draft 4R-Plan filed with the applications, and the separate parcels will be as follows:

File No.	Frontage	Depth	Area	Parts	Municipal Address
B-00225	5.53 m	24.38 m	135.7 m ²	1 and 2	285 York Street
B-00226	4.50 m	24.38 m	109.7 m ²	3	287 York Street

It is proposed to establish an easement/right-of-way over Part 1, in favour of the owner of Part 3, for access to the rear yard. It is also proposed to establish reciprocal easements/rights-of-way over Parts 1 and 2 and over Part 3 for maintenance of the existing party wall and roof.

Approval of this application will have the effect of creating two separate parcels of land. The proposed parcels and existing townhouse dwelling units will not be in conformity with the requirements of the Zoning By-law, and therefore, Minor Variance Applications (D08-02-22/A-00215 & D08-02-22/A-00216) have been filed and will be heard concurrently with these applications.

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 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.

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 Ontario Land 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 Ontario Land 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 this application is available online at [Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment), by navigating to "Public Hearings" and selecting the Panel 2 agenda under the applicable Hearing date. The website also contains additional information about the mandate of the Committee and its processes.

DATED: August 23, 2022



Committee of Adjustment
City of Ottawa
101 CentrepoinTE Drive
Ottawa ON K2G 5K7
613-580-2436
[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)
cofa@ottawa.ca

Annex A - Public Participation Details

Remote Participation – Committee Members, Staff and General Public

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. For more information, visit Ottawa.ca/CommitteeofAdjustment

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.