



**Committee of Adjustment
Public Hearing Notice**

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

**Wednesday, November 2, 2022
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*. 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.: D08-02-22/A-00198
Owner(s): Subhir Uppal
Address: 112 Mailes Avenue
Ward: 15 - Kitchissippi
Legal Description: Lot 74, Registered Plan 400
Zoning: R1S
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATION:

At its hearing on August 3, 2022, the Committee adjourned this application *sine die* to allow the Owner time to address concerns raised by City Planning and Forestry staff related to a proposed new dwelling and its impact on the tree canopy. The Owner now wants to proceed with this revised Minor Variance Application.

The Owner wants to demolish the existing dwelling and to construct a new two-storey detached dwelling, as shown on plans filed with the Committee.

RELIEF REQUIRED:

The Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced lot width of 11.89 metres, whereas the Zoning By-law requires a minimum lot width of 12 metres.
- b) ~~To permit a reduced front yard setback of 1.85 metres, whereas the Zoning By-law requires a minimum front yard setback of 3.0 metres. (deleted)~~
- c) To permit a reduced corner side yard setback of 2.71 metres, whereas the Zoning By-law requires a minimum corner side yard setback of 3.89 metres. **(revised)**
- d) ~~To permit a double wide (5.24) driveway on a lot measuring 11.89 metres in width, whereas the Zoning By-law requires a minimum lot width of 15 metres for a double wide driveway. (deleted)~~
- e) To permit a reduced rear yard setback of 20.29% of the lot depth (6.20 metres), whereas the By-law requires a minimum rear yard setback of 25% of the lot depth. **(new)**
- f) To permit a reduced rear yard area of 23.34% of the lot area (102.52 square metres), whereas the By-law requires a minimum rear yard area of 25% of the lot area. **(new)**
- g) To permit a front facing attached garage, whereas the Zoning By-law states that a front-facing attached garage is not permitted where it is not determined to be a dominant characteristic by a Streetscape Character Analysis.

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 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 Local Planning Appeal Tribunal by the Applicant or another member of the public.

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 1 agenda under the applicable Hearing date. The website also contains additional information about the mandate of the Committee and its processes.

DATED: October 18, 2022



Committee of Adjustment

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[Ottawa.ca/CommitteeofAdjustment](https://ottawa.ca/CommitteeofAdjustment)
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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. 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.