



**Committee of Adjustment
Public Hearing Notice**

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

**Wednesday, March 1, 2023
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-00229
Owner(s): James Kubina
Address: 91 Anderson Street
Ward: 14-Somerset
Legal Description: Part of Lot 6, Registered Plan 51; City of Ottawa
Zoning: R4UB
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATION:

At its Hearing on October 19, 2022, the Committee adjourned this application to allow the Owner time to revise the requested minor variances based on comments from the City's Planning, Real Estate and Economic Development Department. The Owner now wants to proceed with the application.

The Owner wants to establish a secondary dwelling unit on the second floor of the existing 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 secondary dwelling unit on a lot that is legally non-complying with respect to lot area (107 square metres), whereas the By-law states that a secondary dwelling unit is not permitted on a lot that is legally non-complying with respect to lot area. In this case, the minimum lot area is 225 square metres.
- b) To permit a secondary dwelling unit at or above grade with a floor area equal to 58% of the gross floor area of the principal dwelling, whereas By-law states that a secondary dwelling unit must not be greater in size than an amount equal to 40% of the gross floor area of the principal dwelling unit.
- c) To permit a secondary dwelling unit on a lot that is legally non-complying with respect to lot width (7.16 metres), whereas the By-law states that a secondary dwelling unit is not permitted on a lot that is legally non-complying with respect to lot width. In this case, the minimum lot width is 7.5 metres.
- d) To permit a reduced front yard setback of 2.58 metres, whereas the By-law requires a minimum front yard setback of 4.5 metres.
- e) To permit a reduced rear yard setback of 1.27 metres, whereas the By-law requires a minimum rear yard setback of 4 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 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.

IF YOU WISH TO BE NOTIFIED of the Committee’s decision, you must make a written request to the Secretary-Treasurer at the address below. Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A “specified person” does not include an individual or a community association.

ADDITIONAL INFORMATION regarding these applications 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: February 14, 2023



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

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](https://www.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.