

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Consent and Minor Variance Applications

Panel 1

Wednesday, September 6, 2023

1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive

and by videoconference

**Owners within 60 metres of the property address below are receiving this notice in case they want to comment on the application(s) and/or participate at the hearing.**

The hearing can also be viewed on the Committee of Adjustment [YouTube](#) page. *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 72 hours before the hearing.*

**File Nos.:** D08-01-23/B-00174, D08-02-23/A-00162 and D08-02-23/A-00163

**Applications:** Consent under section 53 of the *Planning Act*  
Minor Variance under section 45 of the *Planning Act*

**Owner/Applicant:** Fares Elsabbagh under Agreement of Purchase and Sale

**Property Address:** 70 Havelock Street and 123 Harvey Street

**Ward:** 17 - Capital

**Legal Description:** Part of Lot 8, Registered Plan 48

**Zoning:** R4UD

**Zoning By-law:** 2008-250

### APPLICANT'S PROPOSAL AND PURPOSE OF THE APPLICATIONS:

The Owner wants to subdivide their property into two separate parcels of land. It is proposed to demolish the existing dwelling at 70 Havelock Street and construct two three storey, low-rise apartment buildings each containing eight units, with one building on each parcel.

### CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owner requires the Committee's consent to sever the land.

The land to be severed, shown on a survey plan filed with the applications, will have a frontage of 10.115 metres on Havelock Street, a depth of 30.29 metres, and a lot area of 306.29 square metres. This parcel will contain one of the proposed three-storey low-rise apartment buildings.

The land to be retained, shown on said plan, will have a frontage of 10.06 metres on Harvey Street, a depth of 30.29 metres, and a lot area of 305.39 square metres. This parcel will contain the other proposed three-storey low-rise apartment building.

Approval of these applications will have the effect of creating separate parcels of land that will not be in conformity with the requirements of the Zoning By-law and therefore, minor variance applications (File Nos. D08-02-23/A-00162 and A-00163) have been filed and will be heard concurrently with this application.

### **REQUESTED VARIANCES:**

The Owner/Applicant requires the Committee's authorization for minor variances from the Zoning By-law as follows:

#### A-00162: 123 Harvey, proposed three storey low-rise apartment:

- a) To permit a reduced interior side yard setback of 0.8 metres, whereas the By-law requires a minimum interior side yard setback of 1.5 metres.

#### A-00163: 70 Havelock Street, proposed three storey low-rise apartment

- b) To permit a reduced rear yard setback of 28.7% of the lot depth or 8.7 metres, whereas the By-law requires a minimum required rear yard setback of 30% of the lot depth, or 9.08 metres.
- c) To permit a reduced interior side yard setback of 0.8 metres, whereas the By-law requires a minimum interior side yard setback of 1.5 metres.

**IF YOU DO NOT PARTICIPATE** in the hearing, it may proceed in your absence, and you will not receive any further notice of the proceedings.

**IF YOU WANT TO BE NOTIFIED OF THE DECISION** following the hearing, and of any subsequent appeal to the Ontario Land Tribunal, submit a written request to the Committee.

**FOR MORE INFORMATION** about this matter, contact the Committee (see contact information below, including email address, telephone number, website and QR code).

### **ALL SUBMITTED INFORMATION BECOMES PUBLIC**

In accordance with the [Planning Act](#), the [Municipal Act](#) and the [Municipal Freedom of Information and Protection of Privacy Act](#), a written submission to the Committee of Adjustment is considered public information and can be shared with any interested individual. Information you choose to disclose in your correspondence, including your

personal information, will become part of the public record, and shared with Committee Members, the Applicant(s) or their agent, and any other interested individual.

## HOW TO PARTICIPATE

**Submit written or oral comments before the hearing:** Email your comments to [cofa@ottawa.ca](mailto:cofa@ottawa.ca) at least 24 hours before the hearing to ensure they are received by the panel adjudicators. You may also call the Coordinator at 613-580-2436 to have your comments transcribed.

**Register to Speak at the hearing at least 24 hours before** by contacting the Committee Coordinator at 613-580-2436 or at [cofa@ottawa.ca](mailto:cofa@ottawa.ca). You will receive details on how to participate by videoconference. If you want to share a visual presentation, the Coordinator can provide details on how to do so. Presentations are limited to five minutes, and any exceptions are at the discretion of the Chair.

Hearings are governed by the Committee of Adjustment's [Rules of Practice and Procedure](#) accessible online.

## COMMITTEE OF ADJUSTMENT

The Committee of Adjustment is the City of Ottawa's quasi-judicial tribunal created under the Ontario [Planning Act](#). Each year, it holds hearings on hundreds of applications under the *Planning Act* in accordance with the Ontario [Statutory Powers Procedure Act](#), including consents to sever land and minor variances from the zoning requirements.

DATED: August 22, 2023



*Ce document est également offert en français.*

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