

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Consent and Minor Variance Applications

Panel 1

Wednesday, November 15, 2023

1 p.m.

Ben Franklin Place, Main Floor Chamber, 101 Centrepointe Drive
and by videoconference

Owners of neighbouring properties 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-00263 to 265
D08-02-23/A-00255 to 257

Application(s): Consent under section 53 of the *Planning Act*
Minor Variance under section 45 of the *Planning Act*

Owner(s)/Applicant(s): 10947342 Canada Inc.

Property Address: 49 Fairmont Avenue

Ward: 15 - Kitchissippi

Legal Description: Lot 12 & Part of Lot 11, (in Block 1) East Fairmont Avenue,
Registered Plan 111

Zoning: R4UB

Zoning By-law: 2008-250

APPLICANTS PROPOSAL / PURPOSE OF THE APPLICATION(S):

The Owner wants to subdivide their property into three separate parcels of land to create two new lots for the construction of three long semi-detached dwellings all with two primary and two secondary units. The existing dwelling will be demolished.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Owner requires the Committee's consent to sever land, grants of easements/rights of way and Joint Use and Maintenance agreement. The property is shown as Parts 1 to 9 on a Draft 4R-Plan filed with the applications, the separate parcels will be as follows:

Table 1 Proposed Parcels

File No.	Frontage	Depth	Area	Part No.	Municipal Address
B-00263	7.10 m	29.76 m	211.30 sq. m	1 & 2	47A & 47B Fairmont Ave.
B-00264	6.49 m	29.76 m	193.10 sq. m	3 to 7	49A & 49B Fairmont Ave.
B-00265	7.14 m	29.76 m	212.40 sq. m	8 & 9	51A & 51B Fairmont Ave.

It is proposed to establish easements/rights-of-way as follows:

- Easement over Part 2 in favor of Parts 3 to 7, for access and maintenance
- Easement over Parts 3 & 4 in favor of Parts 1 & 2, for access and maintenance
- Easement over Parts 6 & 7 in favor of Parts 8 & 9, for access and maintenance
- Easement over Part 8 in favor of Parts 3 to 7, for access and maintenance

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-00255 to 257) have been filed and will be heard concurrently with these applications.

REQUESTED VARIANCES:

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

A-00255: 47A & 47B Fairmont, Part 1 & 2 on 4R-Draft:

- a) To permit a reduced lot width of 7.10 metres, whereas the By-law requires a minimum lot width of 10.0 metres.

- b) To permit a reduced lot area of 211.3 square metres, whereas the By-law requires a minimum lot area of 300.0 square metres.
- c) To permit a reduced rear yard setback of 28% of the lot depth or 8.33 metres, whereas the By-law requires a minimum rear yard setback of 30% of the lot depth, or 8.93 metres in this case.
- d) To permit a principal entrance to be located on the side façade of the dwelling unit not facing the street, whereas the By-law states at least one principal entrance must be located on the front façade of the dwelling unit and facing the street, as per the outcome of the Streetscape Character Analysis.
- e) To permit an entrance on the front wall for a secondary dwelling unit, whereas the By-law states the creation of a secondary dwelling unit must not result in any new entrance added to the front wall.
- f) To permit a canopy to project 0.0 metres to the interior side lot line, whereas the By-law states a canopy can project no closer than 0.6 metres to a lot line.

A-00256: 49A & 49B Fairmont, Part 3 to 7 on 4R-Draft:

- g) To permit a reduced lot width of 6.49 metres, whereas the By-law requires a minimum lot width of 10.0 metres.
- h) To permit a reduced lot area of 193.1 square metres, whereas the By-law requires a minimum lot area of 300.0 square metres.
- i) To permit a reduced rear yard setback of 28% of the lot depth or 8.33 metres, whereas the By-law requires a minimum rear yard setback of 30% of the lot depth, or 8.93 metres in this case.
- j) To permit reduced interior yard setbacks of 0.6 metres on both side lot lines, whereas the By-law requires a minimum interior side yard setback of 1.2 metres on one side and 0.6 metres on the other.
- k) To permit a principal entrance to be located on the side façade of the dwelling unit not facing the street, whereas the By-law states at least one principal entrance must be located on the front façade of the dwelling unit and facing the street, as per the outcome of the Streetscape Character Analysis.
- l) To permit an entrance on the front wall for a secondary dwelling unit, whereas the By-law states the creation of a secondary dwelling unit must not result in any new entrance added to the front wall.
- m) To permit a canopy to project 0.0 metres to the interior side lot line, whereas the By-law states a canopy can project no closer than 0.6 metres to a lot line.

- n) To permit a reduced setback of 0.0 metres to the rear lot line for an accessory building, whereas the By-law requires a minimum setback of 0.6 metres for an accessory building to a lot line.
- o) To permit a bay window to project 0.0 metres to the interior side lot line, whereas the By-law permits a bay window to project no closer than 1.2 metres to any lot line.

A-00257: 51A & 51B Fairmont, Part 8 to 9 on 4R-Draft:

- p) To permit a reduced lot width of 7.14 metres, whereas the By-law requires a minimum lot width of 10.0 metres.
- q) To permit a reduced lot area of 212.4 square metres, whereas the By-law requires a minimum lot area of 300.0 square metres.
- r) To permit a reduced rear yard setback of 28% of the lot depth or 8.33 metres, whereas the By-law requires a minimum rear yard setback of 30% of the lot depth, or 8.93 metres in this case.
- s) To permit a principal entrance to be located on the side façade of the dwelling unit not facing the street, whereas the By-law states at least one principal entrance must be located on the front façade of the dwelling unit and facing the street, as per the outcome of the Streetscape Character Analysis.
- t) To permit an entrance on the front wall for a secondary dwelling unit, whereas the By-law states the creation of a secondary dwelling unit must not result in any new entrance added to the front wall.
- u) To permit a canopy to project 0.0 metres to the interior side lot line, whereas the By-law states a canopy can project no closer than 0.6 metres to a lot line.

THE APPLICATION also indicates that the Property is not the subject of any other current application under the *Planning Act*.

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 of Adjustment at the address, email address, website or QR code below.

ALL SUBMITTED INFORMATION BECOMES PUBLIC

In accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and 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 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. 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: October, 31, 2023



Ce document est également offert en français.

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa ON K2G 5K7
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
101, promenade Centrepointe
Ottawa ON K2G 5K7
Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436