

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Validation of Title Application

#### Panel 2

Tuesday, November 14, 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.:** D08-04-23/T-0005  
**Application:** Validation of Title under section 57 of the Planning Act  
**Owner(s)/Applicant(s):** Stephen Norton & Emily Jamieson  
**Property Address:** 138 Acacia Avenue  
**Ward:** 13 - Rideau-Rockcliffe  
**Legal Description:** Parts of Lots 5, 6, 7 & 8 Registered Plan 4M-46  
**Zoning:** R1C [1260]  
**Zoning By-law:** 2008-250

#### APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATION:

The Application is seeking a Certificate of Validation of Title now to correct a title error which resulted in the current owners not having legal title to their property, which was discovered through applications for consent (D08-01-22/B-00360 & D08-01-22/B-00361) which were subsequently adjourned *sine die*.

The property and the adjacent property at 136 Acacia Avenue were two separate properties for planning purposes. In 1937, 138 Acacia was severed by an easement in perpetuity prior to the Planning Act becoming applicable to become part of the right of way for the Ottawa Electric Railway Company which cut across portions of Lots 5, 6, 7

and 8 on Plan M46. In 1959, the City of Ottawa, the new owner of the right of way lands, transferred the lands back to Mrs. Kemp. In 1961, 136 Acacia Avenue was transferred to the owner of the abutting property at 138 Acacia Avenue, Gordon Gale Crean. That Transfer contravened the Planning Act. The Validation of Title relates to the Property described as Part of Lots 5, 6, 7 & 8 Registered Plan 4M-46.

Stephen Norton and Emily Jamieson are now seeking to validate the title of the properties and an accompanying Validation of Title application (D08-04-23-0004) has been filed for 136 Acacia Avenue.

**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](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: October 31, 2023



*Ce document est également offert en français.*

**Committee of Adjustment**  
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