

## NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

### Minor Variance Application

Panel 1

Wednesday, August 21, 2024

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 No.:** D08-02-24/A-00064  
**Application:** Minor Variance under section 45 of the *Planning Act*  
**Owner/Applicant:** Sabrina Mtanos  
**Property Address:** 482 Preston Street  
**Ward:** 14 – Somerset  
**Legal Description:** Part of Lot 1541, Registered Plan 38  
**Zoning:** TM [86]  
**Zoning By-law:** 2008-250

### APPLICANT'S PROPOSAL / PURPOSE OF THE APPLICATION:

At its hearing on May 1, 2024, the Committee adjourned this application to allow the Owner time to consult with the community.

The Owner wants to provide amplified sound on an outdoor, rooftop, commercial patio, as shown on plans filed with the Committee.

In April of 2022, the Committee granted minor variance application (D08-02-21/A-00083) to permit the outdoor, rooftop, commercial patio. The Owner/Applicant is now requesting further relief to add amplified sound on the patio.

### **REQUESTED VARIANCES:**

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

- a) To permit outdoor commercial patio with a 1.72 metre-high screen facing the residential zone, whereas the Zoning By-law requires that commercial patios within 30 metres of residential zones must be screened from that zone by a structure, screen or wall that is at least 2 metres in height.
- b) To permit an outdoor commercial patio to be located 5.21 metres above the existing grade, whereas the By-law requires outdoor commercial patios to be no higher than 2 metres above ground level.
- c) To permit amplified sound on a commercial patio within 14.1 metres of a residential zone, whereas the Zoning By-law does not permit amplified sound on a commercial patio within 30 metres of a residential zone.

**THE APPLICATION** indicates the property isn't subject to 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: August 2, 2024



*Ce document est également offert en français.*

**Committee of Adjustment**  
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