

NOTICE OF HEARING

Pursuant to the Ontario *Planning Act*

Consent Application

Panel 1

Wednesday, October 16, 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.: D08-01-24/B-00127 & D08-01-24/B-00184
Application: Consent under section 53 of the *Planning Act*
Applicant: Minto (FIFTH + BANK) GP INC. and FIFTH + BANK LP
Property Address: 819 Bank Street & 99 Fifth Avenue
Ward: 17 - Capital
Legal Description: Lots 36 & 37 (North Fifth Avenue), Lots 18, 19, 20 and 21 (East Bank Street) Registered Plan 34756 and Lots 36 & 37 (South Fourth Avenue) Registered Plan 35085

Zoning: TM[2506] S387
Zoning By-law: 2008-250

APPLICANTS' PROPOSAL / PURPOSE OF THE APPLICATION:

The Applicants want to subdivide their property into two separate parcels of land to establish separate ownerships for the existing commercial and residential buildings, and to establish easements/rights of way for a shared ramp to the underground parking garage, internal access to the commercial garbage room, and balcony projections.

On August 21, 2024, the Committee adjourned this matter to allow the Applicants to submit an additional consent application for easements for existing balcony projections.

CONSENT IS REQUIRED FOR THE FOLLOWING:

The Applicants require the Committee’s consent to subdivide the property, to grant easements/rights of way, and for a joint-use and maintenance agreement. The property is shown as Parts 1 to 10 on a strata plan of survey filed with the application, and the separate parcels will be as follows:

Table 1 Proposed Parcels

File No.	Frontage	Depth	Area	Part No.	Municipal Address
B-00127	46.8 m (Fifth) 37.9 m (Fourth)	62.8 m	2,637.1 sq. m	1, 3, 4 and 5	99 Fifth Avenue (residential building)
B-00184	63.47 m (Bank)	63.47 m	1,048.30 sq. m	2, 6, 7, 8, 9 and 10	819 Bank Street (commercial building)

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

- Over Part 1 in favour of Parts 2, 6, 7, 8, 9 and 10 for access to underground parking (P1 level).
- Over Part 3 in favour of Parts 2, 6, 7, 8, 9 and 10 for access to underground parking (P1 level)
- Over Part 4 in favour of Parts 2, 6, 7, 8, 9 and 10 for internal access to a commercial garbage room (ground level)
- Over Parts 9 & 10 in favour of Parts 1, 3, 4 and 5 for balcony projection encroachments (floors 4 to 6).

The applications indicate that the property is subject to existing easements set out in Instruments OC2178596, OC 2354887 and OC2685864.

The subject property is not the subject of any other current application under the *Planning Act*.

FIND OUT MORE ABOUT THE APPLICATION(S)

For more information about this matter, contact the Committee of Adjustment at the address, email address, website or QR code below.

Visit **Ottawa.ca/CommitteeofAdjustment** and follow the link to **Next hearings** to view panel agendas and application documents, including **proposal cover letters, plans, tree information, hearing notices, circulation maps, and City planning reports**. Written decisions are also published once issued and translated.

If you don't participate in the hearing, you won't receive any further notification 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, send a written request to the Committee.

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.

ALL SUBMITTED INFORMATION BECOMES PUBLIC

Be aware that, in accordance with the *Planning Act*, the *Municipal Act* and the *Municipal Freedom of Information and Privacy Act*, all information presented 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 and during the hearing, 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, and potentially posted online and become searchable on the Internet.

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 consent to sever land and minor variances from the zoning requirements.

DATED: September 27, 2024



Ce document est également offert en français.

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