

August 18, 2020

Elizabeth A. Maiden
Soloway Wright LLP
700 – Laurier Avenue West
Ottawa ON K1R 7Y2

Dear: Ms. Maiden

**Re: Notice Under Section 51(37) of the *Planning Act*
Byron Rental Properties
Draft Plan of Condominium (File No. D07-04-19-0030)
1489 Weyburn Street**

In accordance with Section 51(37) of the *Planning Act*, you are hereby notified that the Manager, Development Review, South, of the Planning, Infrastructure and Economic Development Department has approved the Draft Plan of Condominium submitted by Elizabeth A. Maiden on behalf of Byron Rental Properties subject to the conditions contained in the attached Delegated Authority Report.

NOTICE OF APPEAL

Pursuant to Section 51(39) of the *Planning Act*, as amended:

1. The applicant;
2. A public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority;
3. A person listed in subsection (48.3) who, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority;ⁱ and/or,
4. The Minister.

may, not later than 4:30 p.m. on September 7, 2020, appeal the decision by filing a notice of appeal with Kelby Lodoen Unseth the undersigned planner, at the address below. Such appeal must identify, in writing, the reasons for the appeal and be accompanied by a cheque in the amount of \$300.00 (payable to “The Minister of Finance, Province of Ontario”) to cover the Local Planning Appeal Tribunal’s prescribed fee.

If no notice of appeal is received on or before September 7, 2020, the Manager’s decision is final and the Draft Plan of Condominium will be approved on September 8, 2020.

Please note that any of the above-indicated persons or public bodies may, at any time before the approval of the final Plan of Condominium, appeal any of the conditions

imposed by the City to the Local Planning Appeal Tribunal by filing with the City a notice of appeal.

Only the individuals, corporations or public bodies specified above may appeal the decision of the City to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal of the decision of the City, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the City, made oral submissions at a public meeting or written submissions to City Council or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

NOTICE OF HEARING

Should this decision be appealed, persons or public bodies who wish to receive notice of the Local Planning Appeal Tribunal hearing can receive such notice by submitting a written request to the undersigned.

NOTICE OF CHANGED CONDITIONS AND DRAFT PLAN EXTENSION

Individuals, corporations, or public bodies are entitled to receive notice of any changes to the conditions of approval of the draft plan of condominium and/or notice of an extension of draft plan approval if a written request has been made to be notified of such changes.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

Should you require further clarification, please contact me at 613-580-2424, extension 12852 or by e-mail at Kelby.LodoenUnseth@ottawa.ca.

Yours truly,



Kelby Lodoen Unseth, Planner
Planning, Infrastructure and Economic Development Department

Attach.(s) Delegated authority report, draft conditions

c.c. Councillor Jean Cloutier, Ward Councillor
Christine Enta, Legal Counsel
Wendy Hickson, Development Agreement Officer
OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5

ⁱ For your reference, subsection 51(48.3) states:

(48.3) The following are listed for the purposes of paragraph 2.1 of subsection (39), paragraph 2.1 of subsection (43) and paragraph 2.1 of subsection (48):

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of condominium would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.
4. A company operating a natural gas utility in the local municipality or planning area to which the plan of condominium would apply.
5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of condominium would apply.
6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of condominium would apply.
7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of condominium would apply.
8. A company operating as a telecommunication infrastructure provider in the area to which the plan of condominium would apply. 2019, c. 9, Sched. 12, s. 14 (8).