

February 17th, 2023

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON
K2G 5K7

Committee of Adjustment
Received | Reçu le
2023-02-22
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Michel Bellemare, Secretary Treasurer

Dear M. Bellemare:

**This document is presented in the language it was provided.
Ce document est présenté dans la langue dans laquelle il a été fourni.**

**Reference: 629 Windermere
Application for Minor Variance
Our File No 123003.**

Novatech has been retained by the owners of the property municipally known as 629 Windermere Avenue (the "Subject Property") to prepare and file an application for Minor Variance to facilitate an addition to an existing detached dwelling. The addition will create an entrance lobby area at the front of the house.

This letter describes the existing conditions of the site, the proposed development, and the rationale in support of the application.

Existing Conditions

The Subject site is located in the Bay ward of the City of Ottawa on the east side of Windermere Avenue. The Subject site is in a block bounded by Keenan Avenue to the north, Dovercourt Avenue to the south, Gainsborough Avenue to the west, and Mansfield Avenue to the east. The Subject site is an interior lot with 15.24 metres of frontage along Windermere Avenue and an area of 464.6 metres squared.

The Subject Property is legally known as lot 556 on Registered Plan 4M-29 in the City of Ottawa. It is zoned R1O under the City of Ottawa Zoning By-law 2008-250. An addition is proposed to the front wall of the existing detached dwelling.



Figure 1: Location of The Subject Site

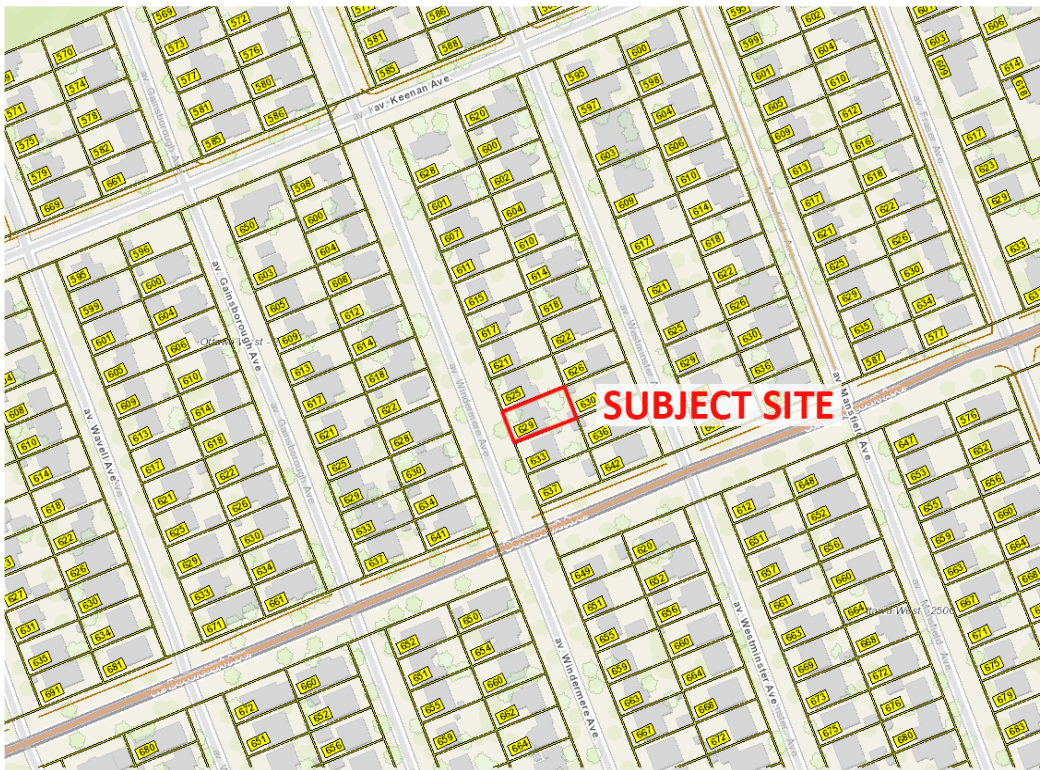


Figure 2: Surrounding Lot Fabric

Proposed Development

A Minor Variance application has been submitted to facilitate an addition to an existing detached dwelling at 629 Windermere Avenue for the purposes of creating a four-metre-wide main entrance lobby (Figure 3). A minor variance application has been submitted to request relief for front yard setback.

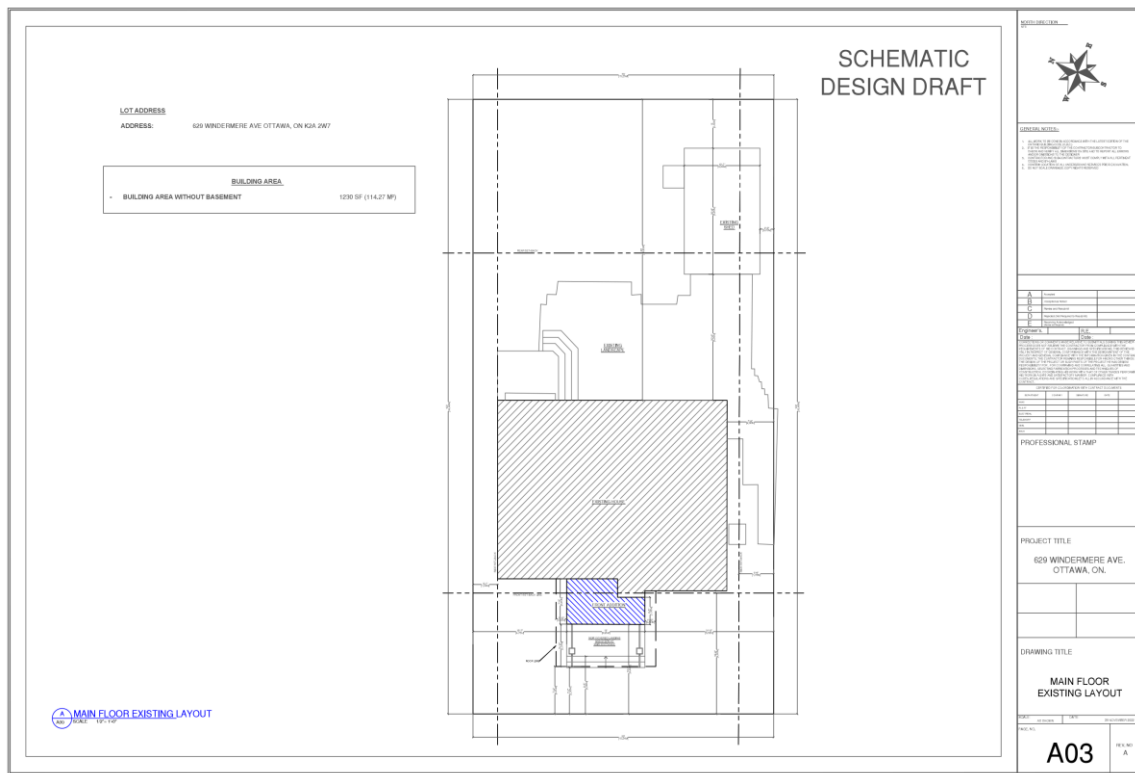


Figure 3: 629 Windermere Site Plan

Minor Variances

- a) To permit a minimum front yard setback of 4.4 metres; whereas the By-law requires a minimum front yard setback of 6 metres (Section 156, (9), Table 156A)

The minor variance listed above meets the four tests under Section 45(1) of the Planning Act.

The first test for minor variance is that the general intent and purpose of the Official Plan is maintained.

Official Plan (2021)

The Subject site is designated Neighbourhood on Schedule B2 of the City of Ottawa Official Plan (Figure 4).

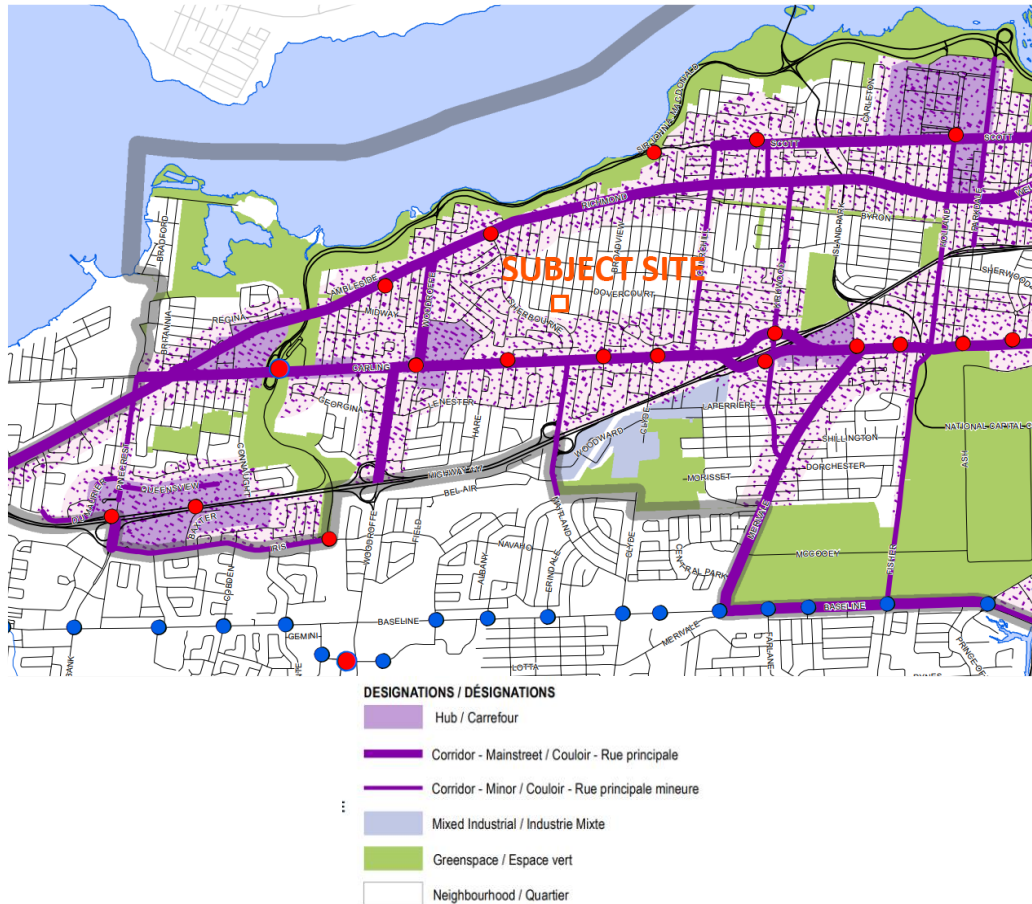


Figure 4: Official Plan Designation

The purpose of the Neighbourhood designation is to “Permit a mix of building forms and densities” and to facilitate “ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation”.

The proposed addition maintains the existing detached dwelling in a neighbourhood dominated by detached dwellings. The subject property maintains the existing character of the neighbourhood. The proposed addition maintains an existing, dominant land use.

The subject site is located within the Inner Urban Transect on Schedule A of the City of Ottawa Official Plan (Figure 5).

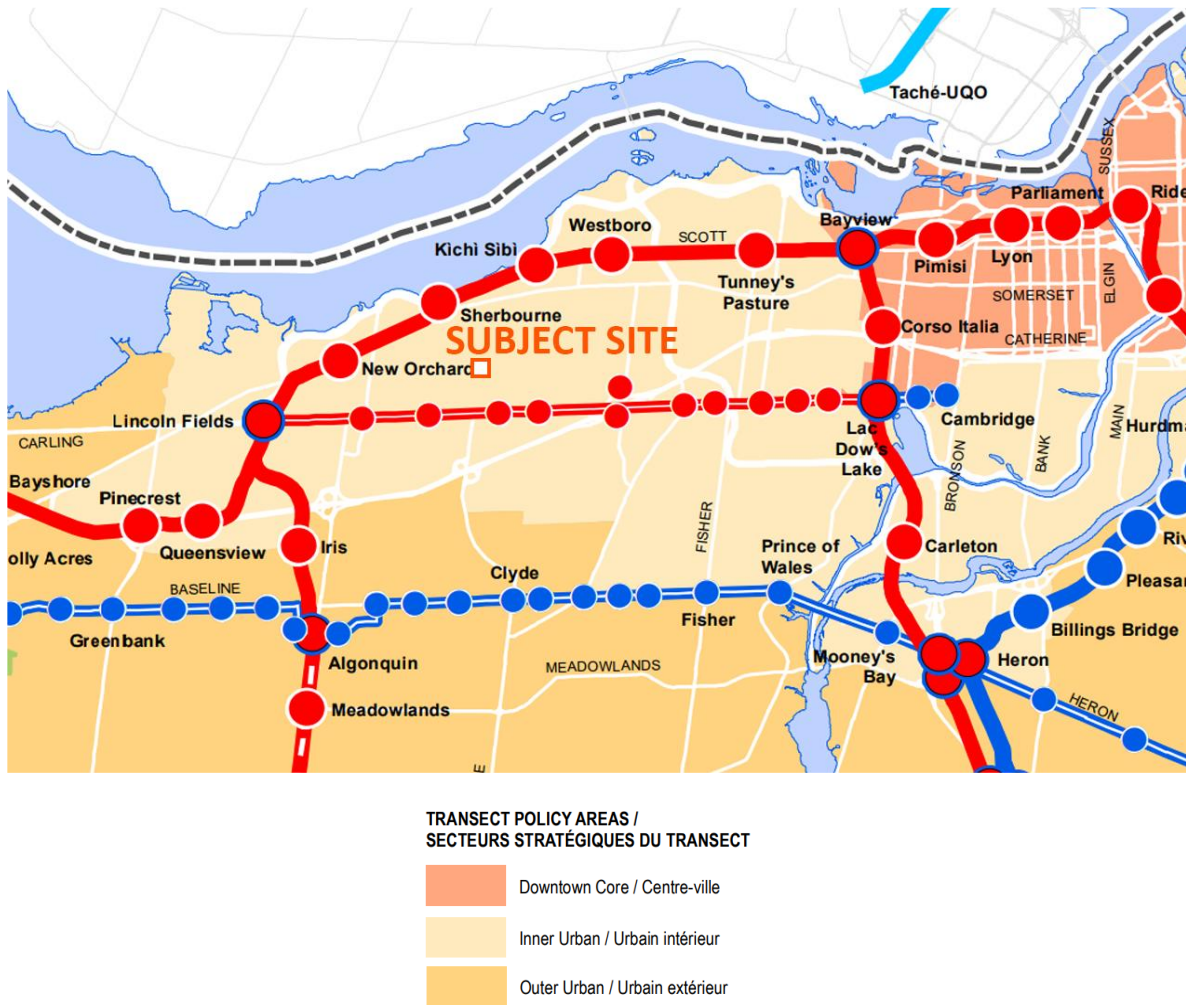


Figure 5: Official Plan Transect Policy Area

The purpose of the Inner Urban Transect is to “provide direction to the Neighbourhoods located within the Inner Urban Transect”. Section 6.3.1 of the Official Plan states that “Permitted building heights in Neighbourhoods shall be Low-rise, except:

- a) Where existing zoning or secondary plans allow for greater building heights; or
- b) In areas already characterized by taller buildings”

The Subject Property is zoned R10. The R10 subzone permits a maximum building height of eight metres. The requested relief will facilitate a proposed addition that will continue to comply with the height provisions in the zone, maintaining the low-rise pattern of the neighbourhood.

The Official Plan does not explicitly provide policies addressing Front Yard Setbacks applicable to the Subject Site.

The minor variance maintains the general intent and purpose of the Official Plan (2021).

The second test for minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Property is zoned R1O in the City of Ottawa Zoning By-law 2008-250.

ZONING PROVISIONS: Section 156 – R1 Subzones City of Ottawa By-Law 2008-250		
		Part 1
	Required	Provided
Minimum Front Yard Setback (m)	6	4.4

A Minor Variance is required for the minimum front yard setback.

The purpose of minimum front yard setbacks in section 156 of the Zoning By-law is to ensure the adequate provision of soft landscaping, provide adequate space for the planting of trees, and to ensure a suburban pattern of built form.

The third test for minor variance is that the minor variance is considered desirable for the use of land.

The requested minor variance seeks to permit a minimum front yard setback of 4.4m whereas the By-law requires a minimum rear yard setback of 6m. The requested variance will facilitate the addition of a front entrance lobby to the existing detached dwelling, spanning only 34% of the width of the front wall of the existing detached dwelling. The requested variance would improve an existing detached dwelling, increase the desirability of the Subject Property and create an opportunity to increase the aesthetic and functional quality of the existing detached dwelling.

This variance is considered desirable for the use of land as the existing detached dwelling will continue to provide for a form of development consistent with the surrounding mature neighbourhood. The requested variance will continue to have regard for existing uses, built form, and lot fabric.

The minor variance requested facilitates an addition to an existing detached dwelling appropriate in form and scale of development.

The minor variance is considered desirable for the use of land.

The fourth test for minor variance is that the variance is considered minor in nature.

The requested minor variance would permit a reduction in minimum front yard setback for the purpose of creating a four-metre-wide entrance lobby.

The existing detached dwelling is approximately 11.6 metres wide. The requested variance would permit a four-metre-wide addition to the existing detached dwelling. The requested variance would facilitate the create of an addition that is only 34% of the width of the front wall of the existing detached dwelling. The remainder of the wall will remain in conformity with the Zoning By-law. The overall impression of the building on the streetscape will remain as one that conforms with the Zoning By-law.

On the portion of Windermere Avenue bounded by Keenan Avenue and Dovercourt Avenue, 16 houses have front yard setbacks shorter than is required in the R1O zone. Five houses have front yard setbacks less than 4.4 metres, the amount being sought for the Subject Property. The requested variance would result in a detached dwelling with a front yard setback consistent with the neighbourhood.

The requested variance would continue to provide adequate space for soft landscaping and tree planting. The requested variance would result in a softly-landscaped front yard similar in size to other properties along Windermere Avenue.

The requested variances and proposed addition would result in a built form familiar to the neighbourhood.

The variance is considered minor in nature.

Conclusions

The requested variance for 629 Windermere Avenue maintains the general intent and purpose of the City of Ottawa Official Plan (2021) and the City of Ottawa Zoning By-law 2008-250. Furthermore, the requested variance is considered desirable for the use of the land and are minor in nature. All four tests under section 45(1) of the *Planning Act* have been met. The requested variance and proposed development represent good land use planning.

In support of the application for minor variance, please find enclosed:

- Minor Variance Application Form 1 (one original and one digital copy)
- Minor Variance Application Form 2 (one original and one digital copy)
- Minor Variance Sketch (one copy of 11x17, one reduced copy of 8.5x11, and one digital copy)
- Site Plan (one copy of 11x17, one reduced copy of 8.5x11, and one digital copy)
- Building Elevations (one copy of 11x17, one reduced copy of 8.5x11, and one digital copy)
- Property Survey (one copy of 11x17, one reduced copy of 8.5x11, and one digital copy)
- Tree Information Report (one original and 1 digital copy)
- One cheque

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

NOVATECH



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