



**Minor Variance**  
**COMMENTS TO THE COMMITTEE OF ADJUSTMENT**  
**Panel 2**

Site Address: 2243 Lawn Avenue  
Legal Description: Part of Lot 16,  
Plan No. 461  
File No.: D08-02-23 A-00065  
Date: April 28, 2023  
Planner: Alex Gatien  
Official Plan Designation: Inner  
Urban Transect, Neighbourhood  
Designation  
Zoning: R2F

Hearing Date: May 3, 2023

**Committee of Adjustment**  
Received | Reçu le  
**2023-04-28**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**DEPARTMENT COMMENTS**

The Planning, Real Estate and Economic Development Department **has concerns with** the application. Staff are not satisfied that it meets the intent of the Zoning By-law as the proposed accessory building has a considerably larger footprint than the main building on the property.

**DISCUSSION AND RATIONALE**

The subject property is located a 2243 Lawn Avenue in a R2F zone. There is a duplex on the property that was constructed in the mid-1950s. No changes are proposed to the main building on the property.

The applicant intends to construct an accessory structure at the rear of the property to store a recreational vehicle and for storage. The proposed accessory structure would have an area of 157 sq. m. and a height of 5.7 m. Staff do not have concerns about the additional height but do have concerns about the size of the proposed accessory building in relation to the main residential building on the property.

The main residential building has a footprint of approximately 139 sq. m., which is considerably smaller than the proposed accessory building. In residential zones, the maximum cumulative floor area for up to two accessory buildings is 55 sq. m.



and they cannot exceed 50% coverage of the yard they are located in.

While the proposed garage would occupy 26.8% of the rear yard, it would exceed the maximum area for accessory buildings by over 100 sq. m., and the area of the main building on the property by nearly 20 sq. m. It is the opinion of staff that the proposed garage does not meet the intent of the Zoning By-law for accessory buildings, which are intended to be accessory to a principal use.

Further, Planning Forestry staff has concerns with the proposed variance as the size of the garage would encroach on the critical root zone of two trees.

Reducing the size of the proposed accessory building could address staff concerns.

## **ADDITIONAL COMMENTS**

### Forester Comments

The proposed structure is well within the critical root zone of two neighbor owned trees. Based on the size of tree A (~70 cm multi stem tree), the minimum distance no root disturbance can take place is 2.13m from the edge of its trunk, as this could compromise the trees stability. The estimated distance to excavation is 2.35m, leaving a very small margin for error. Similarly, tree B is also multi-stemmed with an aggregated diameter of ~57 cm. The static root zone that cannot be disturbed for this tree is 2 m, and the planned distance to excavation is also about 2 m. Increasing the setback between the construction and the neighbors trees would reduce risks of instability and impacts to sinker and fine roots (responsible for water and nutrient absorption) for both adjacently owned trees.

Providing space for these trees is supported by Section 4.8.2 of the Official Plan policy where growth, development and intensification shall maintain the urban forest by preserving and provide space for mature, healthy trees on private and public property, including the provision of adequate volumes of high-quality soil as recommended by a Landscape Architect. The proposed accessory structure is over the cumulative maximum floor area as dictated by the zoning by-law by over 50%. Reducing the size of the accessory structure to be more in line with the zoning by-law will greatly benefit these neighbor owned trees.

### Right-of-way

No concerns.



Servicing

At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.

A handwritten signature in black ink that reads "Alex Gatién".

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Alex Gatién  
Planner I, Development Review, West

A handwritten signature in blue ink that reads "Lisa Stern".

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Lisa Stern, MCIP RPP  
Planner III, Development Review, West