

P. H. Robinson Consulting  
Urban Planning, Consulting and Project Management

City of Ottawa  
101 Centrepointe Drive, 4th Floor  
Ottawa, Ontario  
K2G 5K7

April 27th 2023

**Committee of Adjustment**

Received | Reçu le

2023-04-28

City of Ottawa | Ville d'Ottawa

**Comité de dérogation**

Attn: Mr. Michel Bellemare  
Secretary-Treasurer - Committee of Adjustment

Re: 3954 Shirley Ave - Minor Variance Application - New house  
Owners - Yang Liu and Ran Hao  
Part of Lot 15, Concession 1 (Rideau Front)  
Geographic Township of Gloucester, City of Ottawa

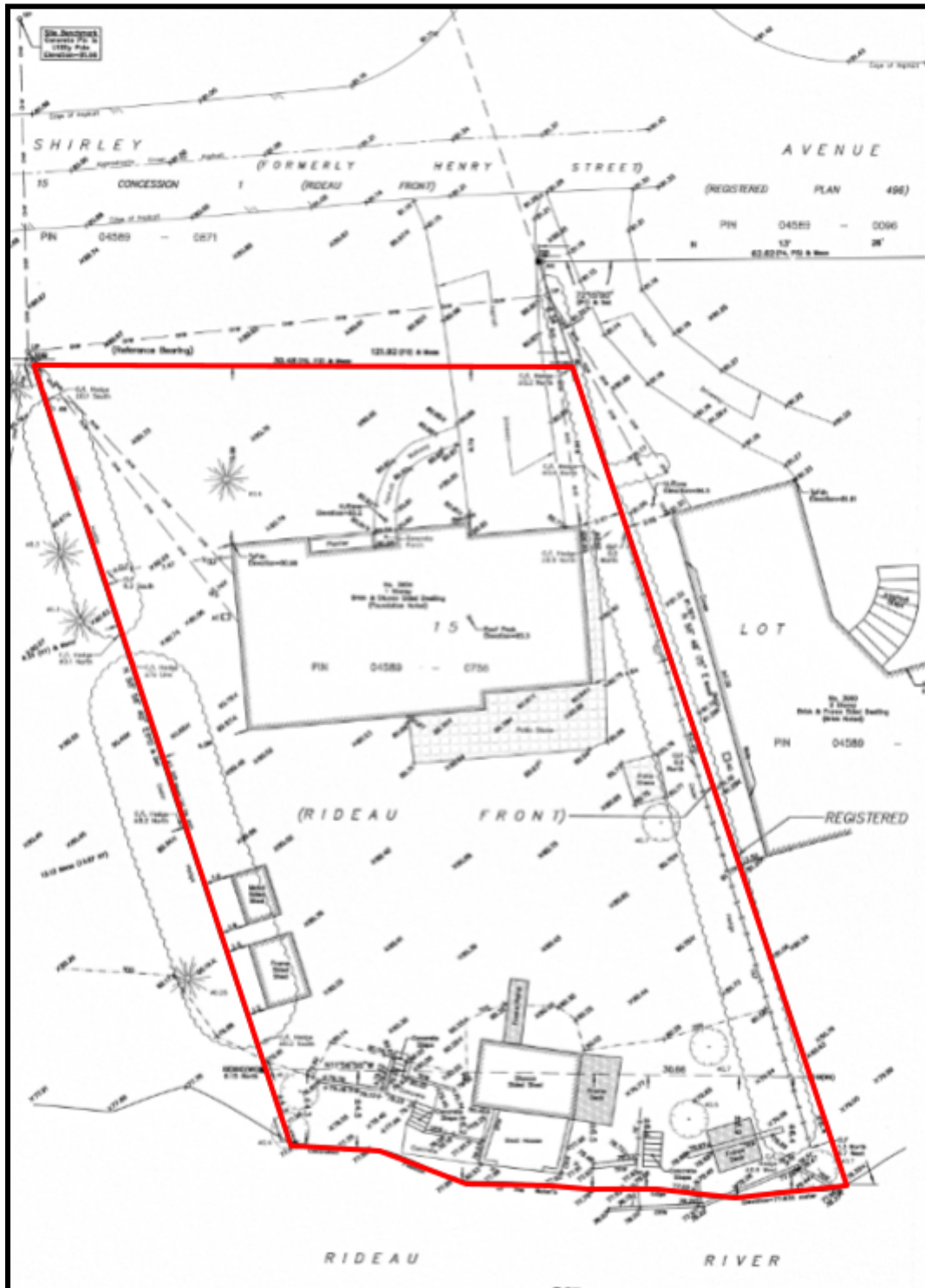
On behalf of our client, we are pleased to submit a Minor Variance application for their property at 3954 Shirley Ave. The proposal for this property is to remove the existing dwelling and construct a new detached dwelling. This development will require relief from one or more variances.

The property is in the Suburban (southwest) transect in the provincially approved Official Plan, and is zoned R1AA in the City of Ottawa Zoning By-Law 2008-250, as amended. The following variances are needed to approve the proposed development at 3954 Shirley Ave.:

- A) **To permit a reduced setback to the normal high water mark of 21.07 m (to the Rideau River). Whereas the By-Law requires a setback to the normal highwater mark of 30m.**

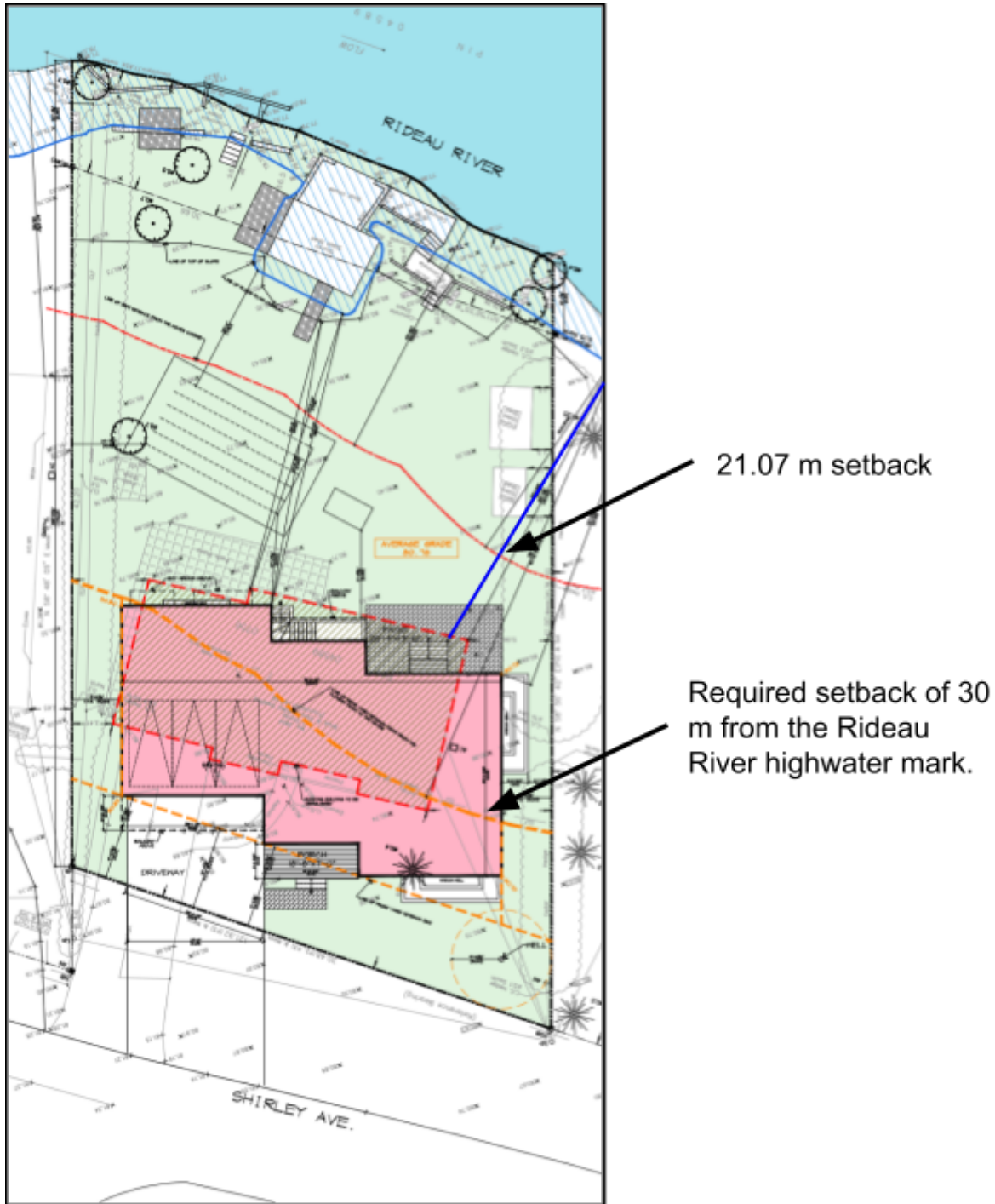
As per the filed plans, the setback from the closest point of the proposed development (stairs) and the highwater mark of the Rideau River is 21.07m. It should be noted that the existing house is set back 20.4m from the Rideau River highwater mark. A slope stability report has been done and will be filed with this application.

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Survey Plan showing the existing dwelling at 3954 Shirley Ave.

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Site Plan of 3954 Shirley Ave. showing the **required setback** and the **provided setback** from the Rideau River highwater mark.



**Front view of 3954 Shirley Ave.**



**Rear view of 3954 Shirley Ave.**



**Existing shoreline conditions of 3954 Shirley Ave. observed to be in fair condition but recommended that the timber retaining wall be replaced. Existing boathouse to be renovated.**

The four tests of a Minor Variance application from Section 45 (1) of the Planning Act are that the variances are minor in nature, the proposal maintains the general intent and purpose of the Official Plan and the Zoning By-law, and is desirable for the appropriate development or use of the land and building.

1. The variances are minor in nature.

It is our opinion that the variances are minor in nature. The setback to the Rideau River is an improvement on existing conditions by expressing a 21.07 m setback compared to the previous 20.4 m setback. The building area within the required setback is currently 117 m<sup>2</sup> whereas we are proposing 110.55 m<sup>2</sup> of the proposed dwelling's building area is within the required setback. Additionally, neighbouring properties 3960 and 3948 Shirley Ave. are mostly located within the watercourse setback requirement as shown below.



Required setback of  
30 m from the Rideau  
River highwater mark.

**Image showing 3948 - 3960 Shirley Ave in relation to the required 30 m setback.**

2. The proposal is desirable for the appropriate development or use of the land and building.

The proposal features a detached dwelling in the general location of the existing dwelling. This is a land use permitted by the Official Plan and in the R1AA zone. It is not located within a floodplain overlay and it will not have significant negative environmental consequences. For these reasons we believe the proposal is desirable and appropriate for the land.

3. The proposal maintains the general intent of the Official Plan.

The suburban transect comprises neighbourhoods within the urban boundary but outside the greenbelt. It is categorised by its residential development. Section 5.4.1 sentence (2) states that the Suburban Transect is generally characterised by Low- to Mid-density development and development shall be low-rise within Neighbourhoods. The proposed development is generally in the same location as the existing home, but is further away from the shoreline. This policy area allows for low-rise residential development and is therefore in conformity with the Provincially-approved Official Plan.

4. The proposal maintains the general intent of the Zoning By-Law.

The purpose of the R1 - Residential First Density zone is to:

1. restrict the building form to detached dwellings in areas designated as General Urban Area in the Official Plan;
2. regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced;

The proposal is to construct a detached dwelling which is a low-density development and is permitted in this zone. The variance requested pertains to the rear yard setback from the Rideau River. The properties along Shirley Ave that back onto the Rideau River frequently encroach into the 30 m required setback. The proposed setback to the Rideau River is 21.07 m compared to the existing setback of 20.4 m. This represents an improvement of 1.03 m. Additionally, the area of the proposed building within the required setback is 110.55 m<sup>2</sup> whereas the existing building has 117 m<sup>2</sup> within the setback. This represents an improvement of 6.45 m<sup>2</sup>.

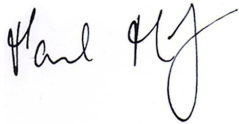
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As per the submission requirements for this application we are filing the following documents:

- Completed application form and applicable fees
- Owner's authorization
- Survey plan showing the existing dwelling
- Site plan showing setbacks that are subject to the variance request
- Architectural elevations
- An Environmental Impact Statement
- A Tree Information Report

Should you have any questions or require anything further, please do not hesitate to contact the undersigned at (613) 599 9216 or via email at [probinson@probinsonconsulting.com](mailto:probinson@probinsonconsulting.com)

**P H Robinson Consulting**



Paul Robinson RPP