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Committee of Adjustment
 MAY 31 2023
 City of Ottawa

May 26th, 2023

Committee of Adjustment
 Application for Minor Variance - **248-250 Bayswater Ave., Ottawa, ON K1Y 2G8**

To whom whom it may concern,

We, Edward Linde and Tessa Linde (referred to herein as the "owners") are requesting permission for three minor variances for the property municipalities known as 248 - 250 Bayswater Avenue, in the City of Ottawa.

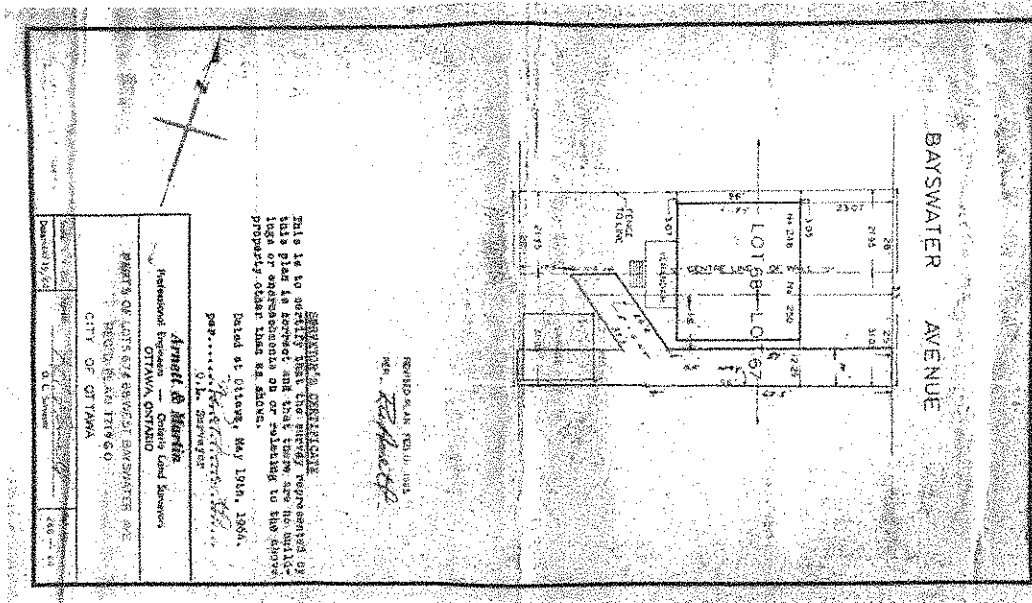


Existing Conditions

The semi detached residential properties at 248 & 250 Bayswater Avenue (referred herein as "the site") is located in the Ottawa Kitchissippi Ward's Civic Hospital neighbourhood, near the intersection of Bayswater Avenue and Beech Street and is zoned R2R under the City of Ottawa zoning By-law 2008-250. The 2 story semi-detached residential brick building includes two side by side single family homes. The building was built in 1938 and has been owner occupied by the Linde family since 1964.

						1B 2B 3A	1A 2B 3A	1A 2B 3A	1B 2B 3A				
#175 (School)						#237	#239	#241	#245				
Bayswater Ave.													
#236	#234	Oakvale Ave.	#242	#244	#246	#248	#250	#252	Beech St.	#256	#258	#260	#262
1B 2B 3A	1B 2B 3A		1B 2B 3A	1B 2B 3A	1B 2B 3A	1B 2B 3A	1B 2B 3A	1B 2B 3A		1B 2C 3A	1B 2B 3A	1B 2B 3A	1A 2? 3A
						★	★						

The site is legally known as PT LT 67 171960 (248 Bayswater) and PT LTS 67 & 68 (250 Bayswater) Plan 171960. The property 248 Bayswater has a street frontage of 6.69 meters (21.95') and 250 Bayswater a street frontage of 9.46 meters (31.05') for a combined 16.15 meters (53.0') of street frontage.



The lot area of 248 Bayswater is 195.77 meters squared (2107.2 Sq. Ft.) and the lot area of 250 Bayswater is 276.93 meters squared (2980.8 Sq. Ft.) for a combined lot area of 472.7 square meters (5087.2 Sq. Ft.)

Proposal

The purpose of our minor variance application is to facilitate a 2 storey rear addition serving both dwelling units that will accommodate a second means of egress from the basements, an increase to the existing ground floor kitchen spaces and an increase to the second floor bathroom spaces. The proposal also includes a new covered front entrance porch addition serving both dwellings and increased soft landscaping at the front, side and rear surfaces of the site.

The proposed project is in response to necessary urgent upgrades to the original building's failing plumbing, electrical and HVAC systems, which have not been fully addressed since 1938 when the original building was built. Upgrades to the energy efficiency of the the building is also being proposed as part of this project to deal with building envelop insulation deficiencies. As well, the project plans to include new separate independent front entrances for each dwelling unit as part of the overall improved code compliant upgrades to the existing continuous party wall separation between each dwelling.

The evasiveness nature of the anticipated interior upgrade work will provide an opportunity to take advantage of the existing front and rear structures' footprints for a new covered front porch and 2 storey rear addition.

The 248 Bayswater Ave. dwelling unit currently does not include a legal parking space, therefore one is being proposed as part of this project to increase the marketability of the home for future rent or sale. The new parking space has been designed to meet the City of Ottawa Zoning By-law 2008-250 Consolidation Part 4 - Parking, Queuing and Loading Provisions Location of Parking (Section 109 (5), Special Circumstances Where Parking Abutting a Street is Permitted in Residential Zones.

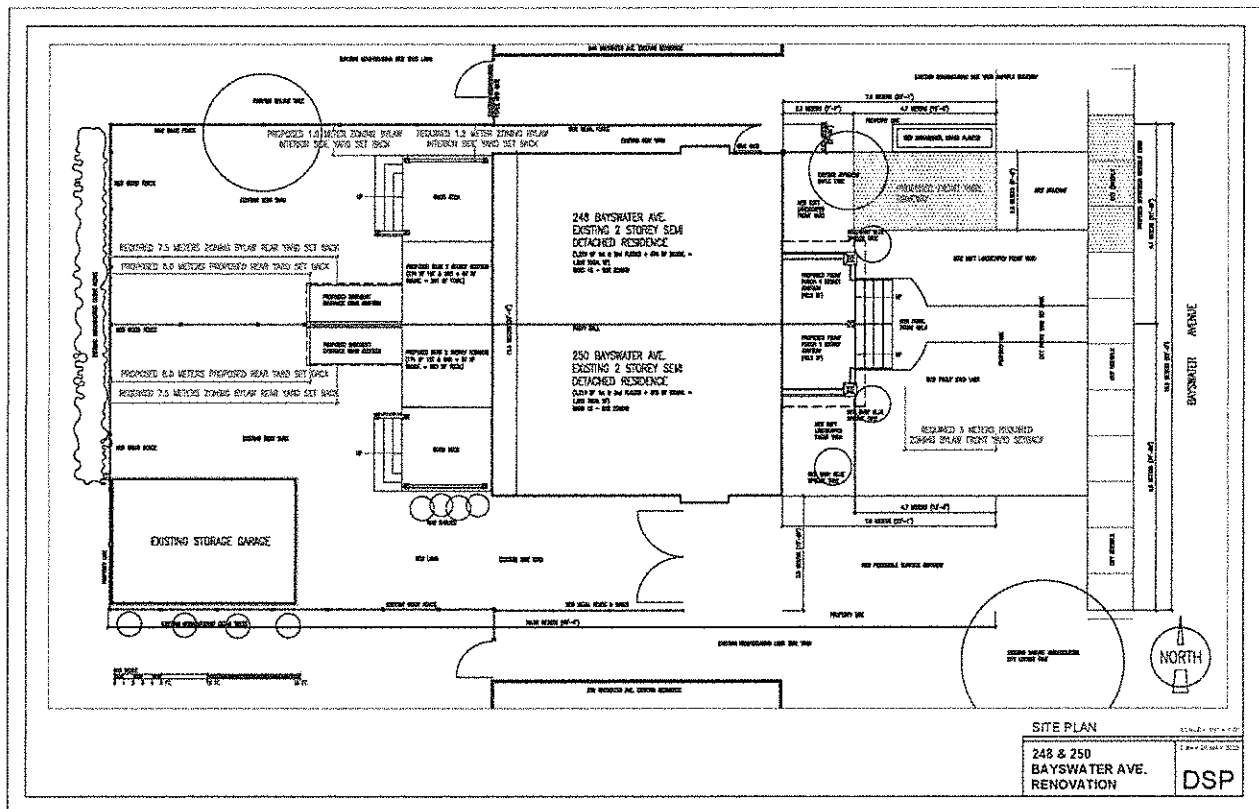
The site is located in an R2 Mature Neighbourhood Overlay therefore has undergone the City of Ottawa Streetscape Character Analysis review and it has been determined the dominant character of the site's street is ABA which regulates, (A) garages and carports are not permitted to face the street, regulates (B) a single driveway or shared driveway is permitted and, regulates (A) principal entranceway face the street.

The proposed project included for this application has met all the above noted regulations.

In order to achieve the needed upgrades and proposed additions we are requesting 3 variances:

1. We are requesting that the rear yard setback for 248 and 250 Bayswater be reduced to 6.6 meters from the required 7.5 meters (per By-law 202-288 Section 158-R2 Sub-zones, Table 158 - R2 Sub-zone Provisions) to allow for the proposed new rear 2 storey addition proposed.
2. We are requesting that an interior side yard set back along the 248 Bayswater Avenue's Northerly property line be reduced to 1 meters from the required 1.2 meters (per By-law 202-288 Section 158-R2 Sub-zones, Table 158 - R2 Sub-zone Provisions) to permit a rear entrance deck.
3. We are requesting a front yard driveway be permitted for 248 Bayswater Avenue (per By-law Section 140, 7(b), Table 140B Character Group B).

Proposed Site Plan



Rational

Below find information that addresses the four points (four tests):

- Test 1 - the variance is minor.
- Test 2 - the variance is desirable for the appropriate development or use of the property.
- Test 3 - the general intent and purpose of the Zoning By-law is maintained.
- Test 4 - the general intent and purpose of the Official Plan is maintained.

The Variance is minor (Test 1). The proposed 2 storey rear addition is minor and the requested variances are necessary to accommodate the structure's interior functionality. The rear addition is planned approximately on the same foot print as the existing three season enclosed porch (verandah), with the exception of the proposed basement second means of egress stair portion which is intended to only be 1 storey from finished grade. Also a new front yard driveway is being requested for 248 Bayswater Avenue that is not currently provided.

The variance is desirable for the appropriate development or use of the property (Test 2). The proposed addition is compatible with the established built form and character of the neighbourhood and serves to improve the overall building appearance amongst the neighbouring homes.

The general intent and purpose of the Zoning By-law is maintained (Test 3). The extent of the proposed addition's impact on neighbouring properties and the neighbourhood as a whole are minor due to the requested setback variances being contained to the rear portion of the building. The addition would not create any negative impacts related to access, trees, parking, traffic or noise.

The general intent and purpose of the Official Plan is maintained (Test 4). The requested variance for the 248-250 Bayswater Avenue property maintains the general intent and purpose of the City of Ottawa Official Plan and does not risk the current nuances to the neighbourhood's residential use. Further more the requested variance is considered desirable for the use of land and are minor in nature.

Conclusions

The requested variance for the 248-250 Bayswater Avenue property maintains the general intent and purpose of the City of Ottawa Official Plan and City of Ottawa Zoning By-law 2008-250. All 4 tests under section 45(1) of the Planning Act have been met. The requested variances and proposed development represent good land use.

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

- Minor Variance Application Form 1
- Minor Variance Application Form 2
- Site Plan
- Property Survey
- Building Design Plans and Elevations Drawings..

Regards,
Edward Linde (Owner)