



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 5689 Loggers Way
Legal Description: Part of Block F, Concession 6 & 7, Geographic Township of West Carleton
File No.: D08-02-23/A-00212
Report Date: September 28, 2023
Hearing Date: October 3, 2023
Planner: Jack Graham
Official Plan Designation: Rural Countryside
Zoning: RR5[343r] – Rural Residential Zone, Subzone 5, Exception 343r, Flood Plain Overlay

Committee of Adjustment
Received | Reçu le

2023-09-28

City of Ottawa | Ville d'Ottawa
Comité de dérogation

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the application.

DISCUSSION AND RATIONALE

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended. Staff are not satisfied that the requested minor variance meets the “four tests”.

The subject site is designated as Rural Countryside and zoned as RR5[343r] – Rural Residential Zone, Subzone 5, Exception 343r. The site is adjacent to the Ottawa River, and partially within the flood plain overlay. The applicant is requesting three variances to permit an addition to the detached garage.

Reduced Side Yard Setback

The applicant is requesting a side yard setback of 3.21 metres, from the required 4 metres. From aerial imagery, it appears that the accessory building is over the side yard lot line. The applicant must provide a survey showing the lot lines and existing distances between the buildings and lot lines. Staff are also concerned that the plans show second storey

windows on the western lot line, immediately next to the adjacent owner's property line and potential waterfront amenity area.

Increased Floor Area of an Accessory Building Within the Flood Plain

From aerial imagery and City mapping overlays, it does not appear that the structure is within the flood plain. Therefore, the variance must address Table 55 (5 & 6) of the Zoning By-law, which lay out the provisions for building height and size of accessory buildings. If, via survey, it is determined that the structure is within the flood plain, then Section 58 that relates to the Flood Plain Overlay must be addressed.

Increased Building Height

The applicant is requesting to allow increased building height to 6.6 metres from 6 metres. Staff have no concerns with the requested building height.

Staff also note that the proposal must address watercourse setback requirements in the Official Plan and the Zoning By-law. The proposed construction is within the limits and must be addressed on the Minor Variance application.

In summary, staff are not satisfied that the application meets the intent of the Zoning By-law and Official Plan. The application does not fully address the requirements of the Zoning By-law, and the applicant must demonstrate that the proposal dimensions are accurate and do not cross any lot lines.



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