

1) Introduction

The application is a request for a variance to permit the construction of a detached single family dwelling

Committee of Adjustment
Received | Reçu le
2023-07-28
City of Ottawa | Ville d'Ottawa
Comité de dérogation

The zoning for the property is V1E in the City of Ottawa.

The neighbourhood is characterized by detached single-family homes. It fronts on Manse Road which is dead end at this location. The property has Village Residential Enterprise overlay to the west and south. The Ottawa River is to the north and a detached single-family home is to the East. Manse Road connects to Cameron Street which leads south to Regional Road 174 and north ending at the Cumberland Ferry. The property is serviced by private well and septic bed. It is located in Ward 1 in the community of Cumberland. There have been extensive discussions with Rideau Valley Conservation Authorities which have now approved the proposed Septic Bed (see RVCA Letter of Permission) and 3) 2) of this report.



Neighbourhood



Property

2) Requests

The property has a small, detached dwelling that is to be demolished. A new 2 storey single family dwelling is proposed.

The Variances requested are:

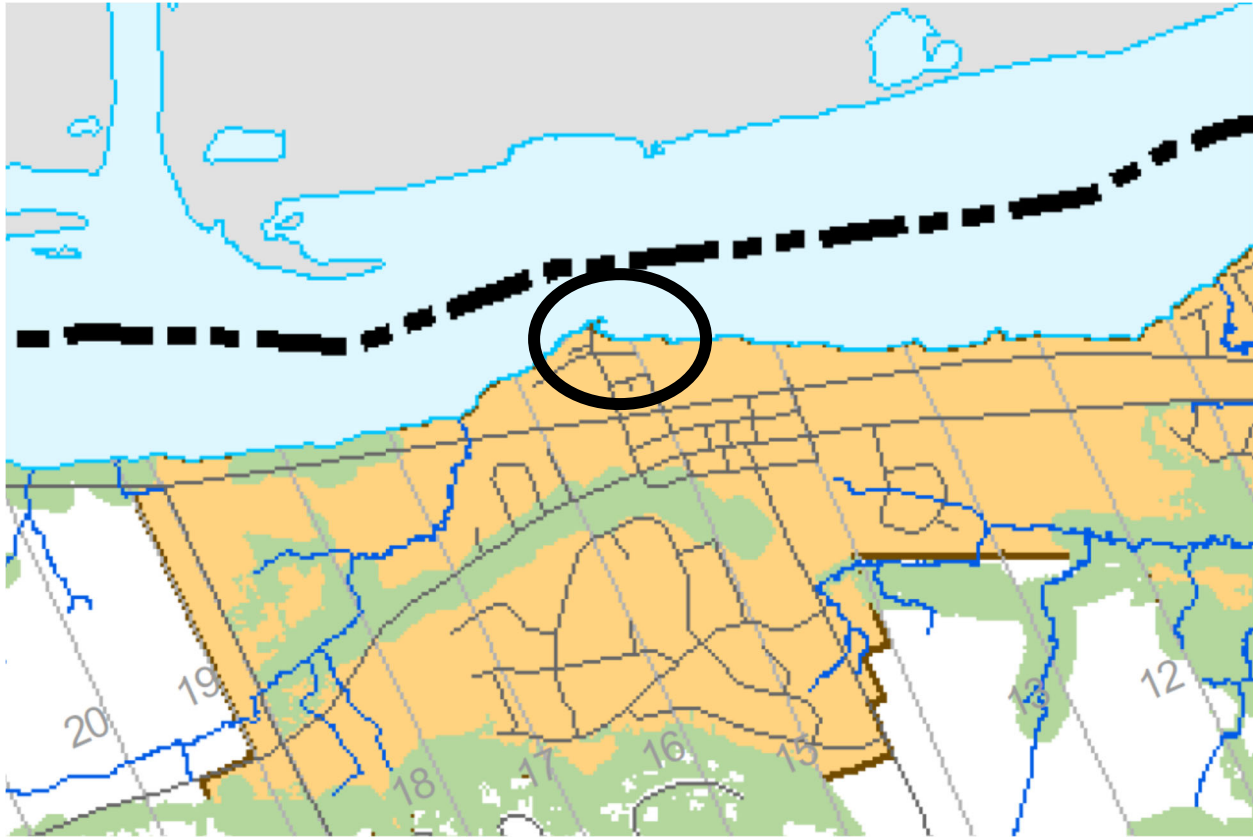
- 1) to permit part of the building and structure, including any part of a sewage system to be 7.94m from the top of the bank of any watercourse or waterbody whereas the bylaw requires that any part of the building and structure, including any part of a sewage system to be 15 m from the top of the bank of any watercourse or waterbody
- 2) to permit part of the building and structure, including any part of a sewage system to be 19.93m from the normal high-water mark of any watercourse or waterbody whereas the bylaw requires that part of the building and structure, including any part of a sewage system to be 30m from the normal high-water mark of any watercourse or waterbody

The proposed variances should be considered minor for the following reasons.

- 1) As per the Official Plan Section 4.9.3 Restrict or limit development and site alteration near surface water features, Section 4.9.3. 7) Exceptions, see 3)2) below.
- 2) The proposed single family detached dwelling full complies with all other aspects of the zoning bylaw.

3) New Official Plan

- 1) While the property has its rear property line on the Ottawa River, it is classified as Village on Schedule C11-C, Natural Heritage System (East) and therefore does not trigger the requirement for an Environmental Impact Study Requirement



OTHER / AUTRE

- Watercourse / Cours d'eau
- 18 Road # / Route #
- Greenbelt / Ceinture de verdure

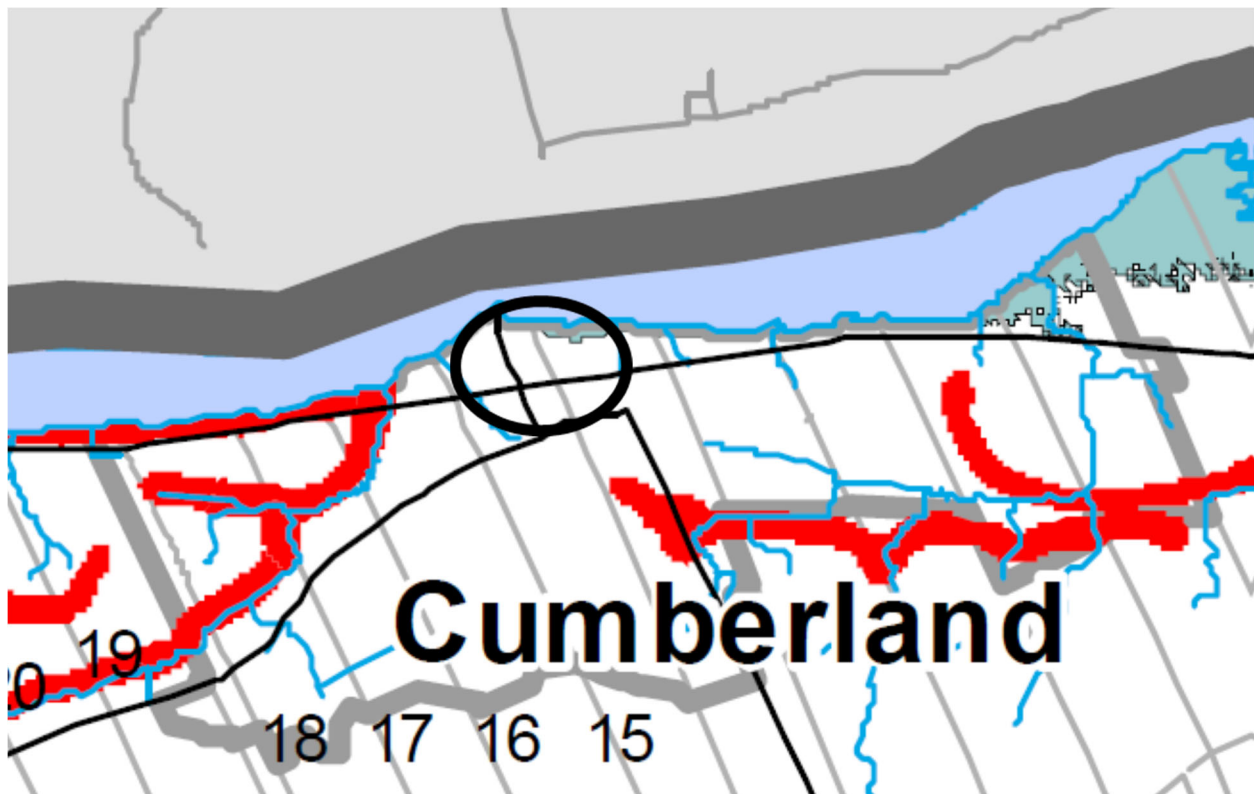
- Urban Area / Secteur urbain
- Village / Village

- 2) The proposed development fully complies with Section 4.9.3 Restrict or limit development and site alteration near surface water features. The owner has consulted with the Rideau Valley Conservation and the City of Ottawa and completed a grading plan, septic system design, slope stability memo and received a letter of permission based on those designs and memo.

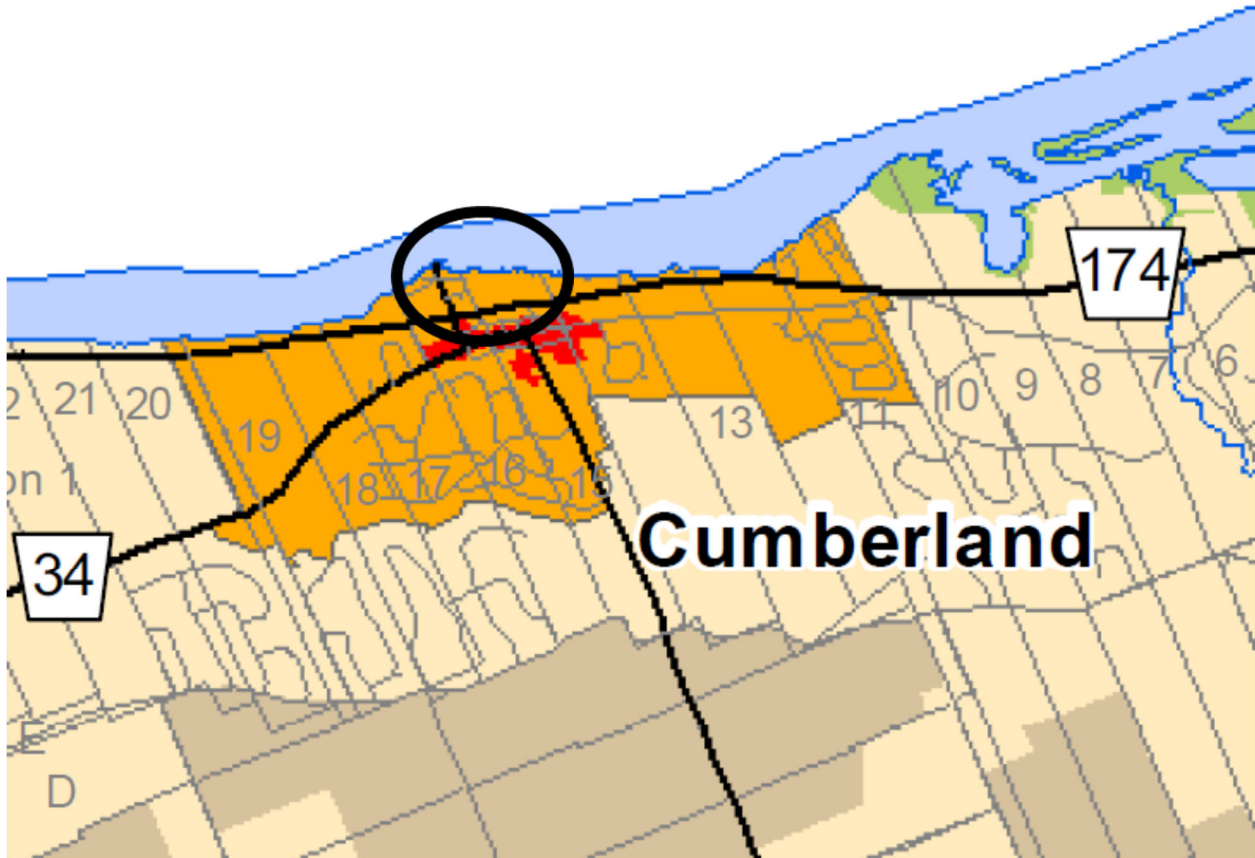
The Section 4.9.3. 7) *Exceptions to the setbacks in Policy 2) shall be considered by the City in consultation with the conservation authority in situations where development is proposed on existing lots where, due to the historical development in the area, it is impossible to achieve the minimum setback because of the size or location of the lot, approved or existing use on the lot or other physical constraint, providing the following conditions are met to the City's satisfaction:*

- a) The ecological function of the site is restored and enhanced, to the greatest extent possible, through naturalization with native, non-invasive vegetation and bioengineering techniques to mitigate erosion and stabilize soils; and*
- b) Buildings and structures are located, or relocated, to an area within the existing lot that improves the existing setback, to the greatest extent possible, and does not encroach closer to the surface water feature.*

- 3) The property also does not fall under any of the environmental constraints as identified in Schedule C15 - Environmental Constraints



4) The property is classified as Village in Schedule B9 - Rural Transect.



Section 5.5.1 requires development to *Recognize a rural pattern of built form and site design and*

a) Within Villages, development will be context sensitive and characteristic of the Rural area. Secondary plans will guide the evolution of Villages to become 15-minute neighbourhoods with vibrant core areas. Within Villages, secondary plans will generally support urban built form development within the Village Cores, as described in Table 6, and both urban and sustainable suburban forms elsewhere, in accordance with context;

The proposed detached residential dwelling will replace a smaller detached dwelling with additional living space within the Village of Cumberland.

4) Zoning Bylaw

The property is zoned is V1E. The purpose of the V1 zone is:

Village Residential First Density Zone is to,

- (1) permit detached dwellings in areas designated as Village in the Official Plan, and historically zoned for such low density use;*
- (2) allow a limited range of compatible uses, and*
- (3) regulate development in a manner that adopts existing land use patterns so that the low density, low profile form of a neighbourhood is maintained and enhanced.*

The proposed detached dwelling is not intensification, but rather an appropriate increase in the usability of the property as a detached dwelling. The detached dwelling is a permitted use. Other than the variances requested from the waterways the location and scale of the proposed building fully comply with the zoning bylaw.

5) Under the current zoning bylaw and official plan the variances requested are minor for the following reasons:

- They are minor and desirable.
 - They reflect the current character of the neighbourhood
- The general intent and purpose of the Zoning By-law is maintained
 - the intent of the bylaw is to permit the single-family detached dwellings.
 - The intent of the bylaw that the new infill properties respect the existing character of the neighbourhood.
- The general intent and purpose of the Official Plan is maintained;
 - The official plan permits development with the setbacks from waterways where it can be demonstrated that there will be no adverse impact on the natural environment or natural heritage features .
- The Ontario Planning Act supports development in residential urban areas

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