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City of Ottawa | Ville d'Ottawa
Comité de dérogation

04 19, 2023
~~July 07, 2023~~

City Clerk
Committee of Adjustment
101 CentrepoinTE Dr
Ottawa, Ontario
K2G 5K7

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Ce document est présenté dans la langue dans laquelle il a été fourni.

Dear City Clerk:

RE: *Application was adjourned sine-die on October 18, 2023 to allow time for additional minor variance to be added (as indicated on newer application)*
Minor variance application to build an attached garage at 23 Strathcona Ave, Ottawa, Ontario

In communications with the city Planner Ms. Margot Linker I have been informed I am not allowed a driveway or garage on the property. I purchased the property in 2021 from the real estate agent. No one at that time informed me that I could not build a driveway or garage on the property. I thought everyone is allowed for parking and garage anywhere in Ottawa since most families have at least one car.

The house is in very poor condition and as you can see from the pictures it did have a dirt driveway that the previous owner used. But the existing size of the house took up the majority of the 36ft wide lot width that a garage access in the rear is not possible. I hired a designer to design a house similar to my existing house for this property which is at 161 Strathcona. I did check the zoning for my property, but these character group restrictions were deemed after I provided the street scape analysis.

I have included pictures of houses on the street who have garages either attached or behind the houses.

I was informed the mature neighbourhood zoning By Law 2020-239 section 140 has separated the zones into blocks A B and C. It turns out I am in Zone A as per table 140A. This is the most restrictive of the character groups and does not allow parking or garages. If a laneway access is at the rear, then parking can be used at the rear. There is no lane at the rear of my property. No access is available to anyone in the block.

The zone rule for my house requires that one compares the nearest 21 houses on same block and onto the next block on either side of the street on both sides of the street. Then the house across the street and the nearest 10 houses to be compared as well. As it turns out, approx. 50% of the properties across the street are all garages used by the property owners whose houses face Patterson, and the majority of neighbours have a driveway for parking.

I've attached a 4-point report that goes more in-depth on the streetscape, site conditions, and proposal for the new house.

Sincerely,


-John Falbo

161 Strathcona Ave

Report for Minor Variance at 23 Strathcona Ave

I, John Falbo, am intending to construct a single-family, 3-storey detached dwelling at **23 Strathcona Ave** for personal residence, as shown on plans provided to the city and filed with this report.

The existing dwelling on the property is approx. 90 years old and in poor condition, not suited to be lived-in. The existing foundation is deteriorating and various aspects of the house are not to code, such as outdated wiring, as well as steep and narrow stairs that would be a danger to my family. The sale of the house was on the basis of being a tear-down. There is an existing dirt-road style driveway that has been used for parking on the front yard.

The new proposed house is intended to have an attached garage which faces the front property line/ Strathcona Ave, with a driveway leading to the garage door. The principal entrance will face Strathcona, recessed 0.6m (2 ft) behind the front wall of the garage. The proposed house is intended to sit at 3.62m from the front property line, while the front of garage sits at 3.73m.

I have contacted Capital Ward City Councilor Shawn Menard, who, in-respect of the design of the building had no objections. *See Appendix A*

I have also contacted neighbours of Strathcona Ave. who have signed a letter stating that they have no objections to this new house having a garage and driveway, in fact they were happy to be rid of the derelict existing house. *See Appendix B*

In accordance with the four tests of the Planning Act, which are as follows:

- The variance is minor:

I believe these variances to be minor. The issues in question are in relation to character group by-laws rather than major changes to the zoning. Upon closer inspection of the streetscape I believe the proposed building shares commonalities with the surrounding areas. In terms of the front yard setback, we are bringing the new house closer in line to the Neighbouring properties.

- The variance is desirable for the appropriate development or use of the property:

The variances would be desirable to the development of the land in question, as issues such as street parking will be relieved and placed on the property rather than congesting the road. As mentioned above, the current house is in disrepair and the proposed building would be an improvement to the streetscape. At a personal level, for the use of the property, these proposed elements would help the living situation of my family, as a car is necessary for my work.

- The general intent and purpose of the Zoning By-law is maintained

Being that the general intent of the Zoning By-law for this area is R3, a residential-focused zone, I feel none of these changes are in conflict with the character traits of a standard residential neighborhood.

- The general intent and purpose of the Official Plan is maintained

In regards to intent the Official Plan, the property falls within the “Neighbourhood” designation in the Inner Urban Transect. The proposed dwelling does not conflict with restrictions such as height [Official Plan Policy Reference: 5.3.4(1)], requirements for shallow front yards (proposed building is closer to front property line than the existing) and small, functional side yards. The proposed garage and parking is minimal as the driveway is narrow, and the garage will only house one vehicle. Being that concealed parking is one goal of The Official Plan, and that we do own a car, parking on the street seems to be the most conflicting with The Plan.

1. Attached Garage: (See Appendix 1 for reference images)

The proposed building has been classified as Character Group A under Section 40- Low-Rise Residential Development within the Mature Neighbourhoods Overlay, Table 140A, restricting the proposed front-facing attached garage.

The streetscape of Strathcona Ave, between Queen Elizabeth Dr. and O'Connor St, features attached garages at 54 Strathcona, 77 Strathcona, 115 Strathcona, 220 Queen Elizabeth Dr (a corner lot in which the garage is facing Strathcona).

Directly across the street from the proposed construction, several attached and detached garages are facing Strathcona. These are garages in the rear yards of properties on Patterson, thus the street-scape directly around 23 Strathcona consists of many garages facing the street.

Being that this block of Strathcona does not feature a laneway at the rear yard (as opposed to the block of Strathcona between O'Connor St and Metcalfe St), a garage facing the rear yard would not be feasible, and the lot is too narrow for a garage facing an interior lot line.

If the appearance of a garage door is deemed problematic for the streetscape, I will propose a realistically painted mural on the garage door that would give the appearance of a window, in combination with two real windows at each side of the painted garage door. See Appendix 1 for attached sketch of the proposed front view

2. Driveway: *(See Appendix 2 for reference images)*

The proposed building has been classified as Character Group A under Section 40- Low-Rise Residential Development within the Mature Neighbourhoods Overlay, Table 140B, restricting the proposed paved asphalt driveway, 3.0m wide.

The existing dwelling at 23 Strathcona features a dirt-road style parking space on the front yard.

Neighbouring 23 Strathcona is a multi-unit building (19 Strathcona) that features a long driveway that reaches the rear of the lot. Neighbouring on the other side of the dwelling is a semi-detached house (25,27 Strathcona) with each unit having their own parking spots directly on the front yard made of paving stones.

If a paved asphalt driveway is deemed incompatible, I will propose using permeable interlocking paver stones for the driveway surface (ie: Turfstone which is eco-friendly and produces less heat than asphalt). These have been approved by the city on many properties where the lot is small and parking is provided. This allows the rainwater to be absorbed on the property.

3. Principal Entrance: *(See Appendix 3 for reference images)*

The proposed building has been classified as Character Group A under Section 40- Low-Rise Residential Development within the Mature Neighbourhoods Overlay, 140C is no longer applicable as per Ms. Margot Linker City Planner.

The existing design proposal features the front door facing Strathcona, though it is recessed to give way to a front porch.

The recessed front door is similar to several existing houses on the same block which feature the front door recessed behind large bay windows. This series of 8 houses spans from 47 Strathcona to 33 Strathcona. Further down the block, 3 dwellings from 59 to 55 Strathcona feature the front door recessed from the front façade.

This minor variance sect 139(3) we are requesting is the garage to be 0.3m set back from the front edge of porch which the requirement is to be 0.6m. The difference is 0.3 m.

If this is deemed problematic, I will propose an entry vestibule that would bring the principal entrance in-line with the front-most façade of the building. This would still be within the allowable front yard setback. A porch and stairs, without living area below, would be needed to access, and would project into the setback. See attached plan view of revised front entrance at the ground floor level.

4. Front Yard Setback:

The property at 23 Strathcona is subject to Urban Exception 1474, which deems that the the minimum front yard setback is 1.5 m, and there is a maximum front yard setback of 3.0 m.

The existing dwelling on site, which was built pre-1940, has been grandfathered-in and sits at 4.2m from the front property line, further back than the max. setback of 3.0m. The neighbouring dwellings of 25 Strathcona and 19 Strathcona sit at 3.44m and 2.48m from front property line, respectively.

The new proposed house for 23 Strathcona is intended to sit at 3.62m (to the upper floor levels which are closest to the front property lines) and 3.73 to the front wall of garage. This would bring the house much closer to the 3.0m setback mark than what is existing, but also place the house almost directly in line with 25 Strathcona, the neighbour. The front of steps leading up to the front porch will fall at 2.46m which falls between the 1.5m to 3.0m requirement.

The setback at 3.73m to front wall of garage would also allow better parking space in the proposed driveway, keeping any vehicles away from the sidewalk, and relieve parking from congesting the narrow street.