

City of Ottawa – Minor Variance Application
Section 2: Submission requirements- Detailed cover Letter

January 4, 2023

Committee of Adjustment, City of Ottawa
101 Centrepointhe Drive
Ottawa, Ontario
K2G 5K7

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2024-01-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Panel 3 of the Committee of Adjustment Planners

**Re: Application for Minor Variance for 157 Timber Lane, Fitzroy Harbour, ON
Part Lot D, Concession Gore on Chaudiere Lake, Parts 1-3 on Plan 5R5174**

Dear Panel 3 of the Committee of Adjustment Planners,

We, Shane and Nellie (Ellen) Ottens, property owners of 157 Timber Lane, would like to request a minor variance to construct a residence within the 30m setback from the Ottawa River, but outside of the 8m limit of hazard setback recommended by Paterson Engineering based on their slope stability assessment report (file PG6829-1 – Limit of Hazard Lands, plan and file enclosed).

We are asking to build to 25.37m from the high water mark, instead of the required 30m.

The following documents have been enclosed in support of the application:

1. 1 copy of the completed Application Form
- 2a. 1 copy of this cover letter, and the following planning evidence to support this application:
 - 2b. 1 copy of the Slope Stability Study Assessment prepared by Paterson Engineering
 - 2c. 1 copy of the Mississippi Valley Conservation Authority email of support to the City Planner
3. 1 copy of the written confirmation that a Tree Information Report is not necessary
4. 1 full-sized copy and 1 reduced copy of the property Survey of 157 Timber Lane prepared by J.D. Barnes Ltd.
5. 1 full-sized copy and 1 reduced copy of the Site Plan of 157 Timber Lane prepared by Jonathan Vandermeer in conjunction with J.D. Barnes Ltd.
6. 1 full sized copy and 1 reduced copy of the Elevation Drawings of the proposed residence, prepared by Jonathan Vandermeer and AMP Engineering Services
7. the application fee.

Purpose of the Application

We would like to construct a new residence up to 25.37m from the high water mark. A portion of the residence would therefore be situated within the 30m setback from the Ottawa River, as per the enclosed plans. Please note that the majority of the existing residence currently lies within the 30m setback, and that, by removing it and constructing a new residence, the amount of building within the 30m setback will hereby be reduced.

Paterson Engineering of Ottawa has completed a Slope Stability Assessment, the conclusion of which supports that the residence can be built outside of the 8m limit of hazard and that there is therefore no geological or environmental cause for concern to our proposal. It states that “the western slope at the subject site is considered to be stable under static and seismic conditions, with an 8m limit of hazard lands setback from the geotechnical top of slope recommended for permanent structures.” ((PG6829-1, Pg 4)

Having reviewed this report, the Mississippi Valley Conservation Authority (MVCA), in turn, also supports our plan (letter enclosed).

We believe that this request meets the four tests, as per section 45 of the Planning Act,

- (i) is minor in nature –
The proposed residence will decrease the amount of building area within the 30m setback from the existing amount, thereby being beneficial to the area, overall
- (ii) is appropriate for the use and development of the land, building or structure --
The use of the land remains residential, in keeping with the surrounding land use, and the design of the building is in character with the existing homes on the lane
- (iii) adheres to the intent of the official plan; and
- (iv) adheres to the intent of the zoning by-law.

Based on the above and the attached supporting information, we feel that the Minor Variance is desirable for the proposed residence at 157 Timber Lane, that the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variance sought is minor.

We trust the enclosed information is satisfactory. Please do not hesitate to contact us if you require further information.

Kind regards,
Shane and Nellie (Ellen) Ottens