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December 14, 2023

Committee of Adjustment
City of Ottawa
101 Centrepointe Drive
Ottawa, ON, K2G 5K7

Attention: Michel Bellemare, Secretary - Treasurer
Reference: 288 Clemow Avenue
Application for Minor Variance
Our File No 123067

Committee of Adjustment
Received | Reçu le
2023-12-18
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Novatech has been retained by the owners of the property municipally known as 288 Clemow Avenue (the "Subject Site") to prepare and file an application for Minor Variances to facilitate the construction of a single-storey addition in the rear yard of the existing dwelling.

This letter describes the existing conditions of the site and its surrounding context, the proposed development, and the rationale in support of the application.

Figure 1: Location of the Subject Property. (Source: GeoOttawa).



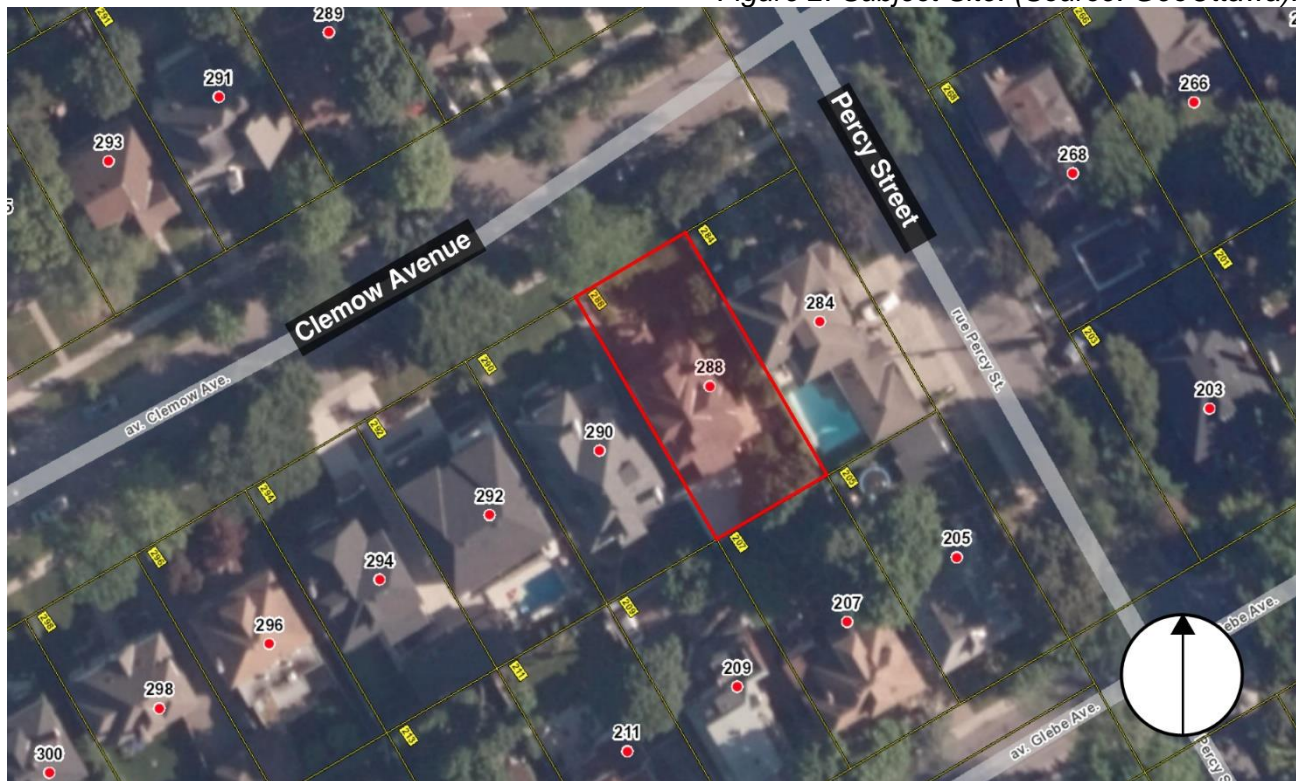
Site and Context

Site

The Subject Site is located in the Glebe neighbourhood within the City of Ottawa's Capital Ward (Ward 17). The property is an interior lot located on the south side of Clemow Avenue. The Subject Site is in an area bounded by Percy Street to the east, Glebe Avenue to the south, Bronson Avenue to the west, and Powell Avenue to the north. The Subject Site has a frontage of 15.24 metres along Clemow Avenue, a lot depth of 33.53 metres, and a lot area of 511 square metres.

The Subject Site is legally known as Lot 71 (South Clemow Avenue) Registered Plan M-11, City of Ottawa.

Figure 2: Subject Site. (Source: GeoOttawa).



The Subject Site is zoned R1MM H(10) – Residential First Density, Subzone MM with a height exception of 10 metres in the City of Ottawa Zoning By-law 2008-250. The site is subject to the Mature Neighbourhoods Overlay of the Zoning By-law. The site is not subject to the Floodplain Overlay or the Heritage Overlay. The Subject Site is designated Neighbourhood within the Inner Urban Transect in the City of Ottawa Official Plan. The Subject Site is part of the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District.

The Subject Site is currently developed with a 2.5-storey detached dwelling. There is a detached garage in the rear yard which is shared with the abutting property at 290 Clemow Avenue. A shared driveway access is provided to the detached garage from Clemow Avenue. Detached dwellings abut the Subject Site to the east and west. The neighbouring lots are similar in size to the Subject Site and are generally developed with detached dwellings.

Figure 3: Existing Building on the Subject Site. (Source: Google Maps).



Surrounding Context

The Subject Site is surrounded by other low-rise residential uses. The neighbouring residential uses are primarily single-detached dwellings. Building heights along Clemow Avenue between Bronson Avenue and Bank Street generally range from 2 to 2.5 storeys. The dwellings along Clemow Avenue have a variety of architectural features and are constructed from a range of materials including brick masonry, stone, and stucco. The Subject Site is located close to the intersection of Clemow Avenue and Percy Street. Clemow Avenue runs in an east-west direction between Cambridge Street South and O'Connor Street. Percy Street runs in a north-south direction from Laurier Avenue to Fifth Avenue.

Proposed Development

The proposed Minor Variance application will facilitate the development of a one-storey addition to the existing detached dwelling on the Subject Site. The proposed addition will be in the rear yard of the property and will have a rooftop terrace. A deck connecting to the addition is proposed in the interior side yard. The addition will replace an existing deck in the rear yard, providing a year-round amenity space for the current homeowners.

The proposed development will provide additional living area and amenity space for the current homeowners. The development is designed to accommodate the needs of the homeowners on the site while not adversely impacting adjacent homes.

Figure 4: Site Plan Excerpt for Proposed Development. (Source: O'Keefe-Fiorenza Design Group).

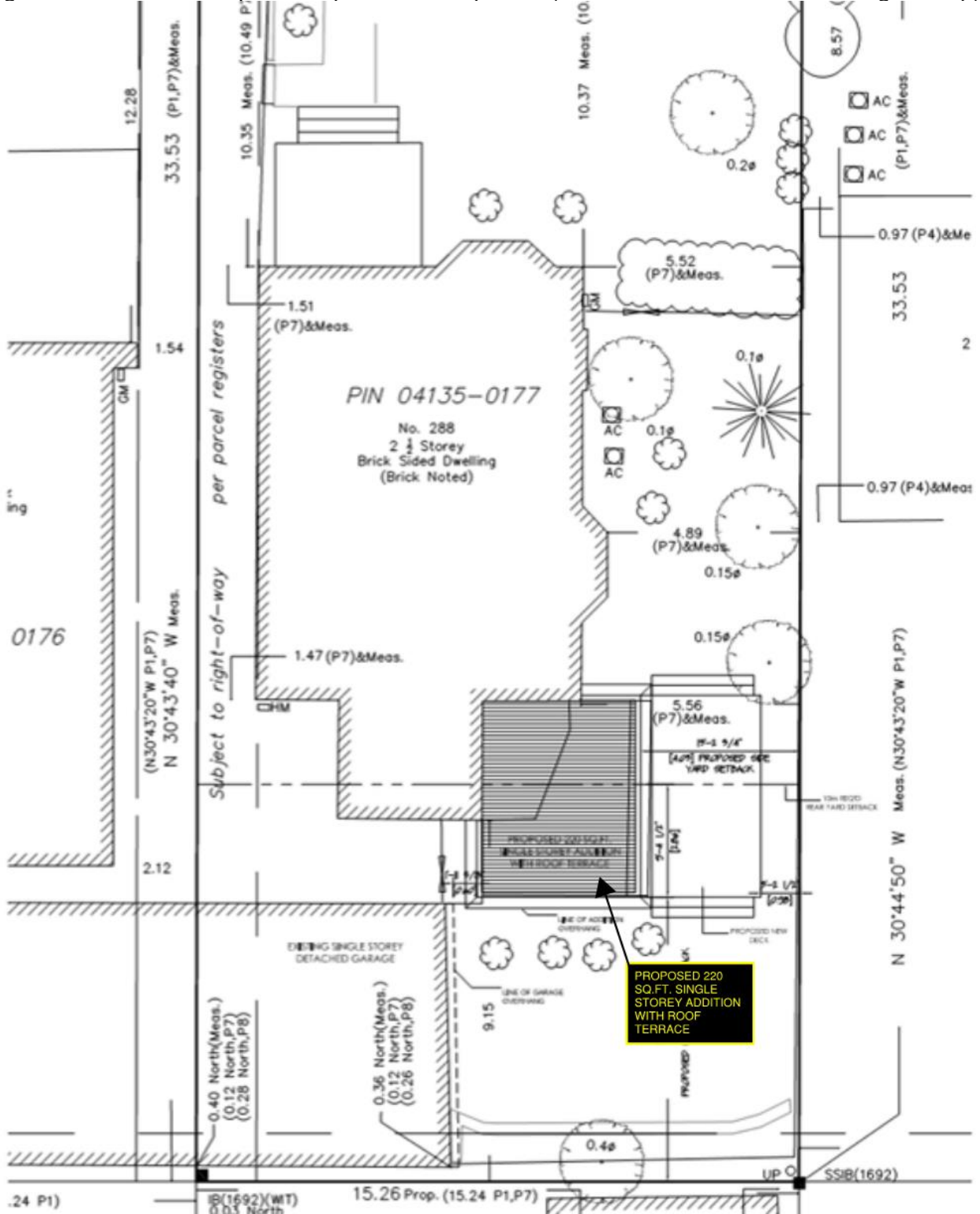


Figure 5: Proposed Rear Elevation. (Source: O'Keefe-Fiorenza Design Group).



Figure 6: Proposed Right Elevation. (Source: O'Keefe-Fiorenza Design Group).



Figure 7: Proposed Left Elevation. (Source: O'Keefe-Fiorenza Design Group).



Minor Variance Application

The proposed minor variances are listed below:

- To permit a reduced rear yard setback equal to 21.4% of lot depth (7.2 meters) whereas the Zoning By-law requires a minimum rear yard setback equal to 30% of lot depth (10.06 meters) (Section 144, Table 144A(iii)).
- To permit a reduced rear yard area equal to 21.4% of the lot area (109.7 square metres) whereas the Zoning By-law requires a minimum rear yard area equal to 25% of the lot area (127.8 square metres) (Section 144(3)(a)).
- To permit a reduced distance between an accessory structure (detached garage) from any other building on the lot (detached dwelling) of 0.6 metres whereas the Zoning By-law requires a minimum distance between an accessory structure and any other building on the same lot of 1.2 metres (Section 55, Table 55(4)).

Note: All requested minor variances have been rounded to the nearest tenths decimal place, as instructed by the Committee of Adjustment.

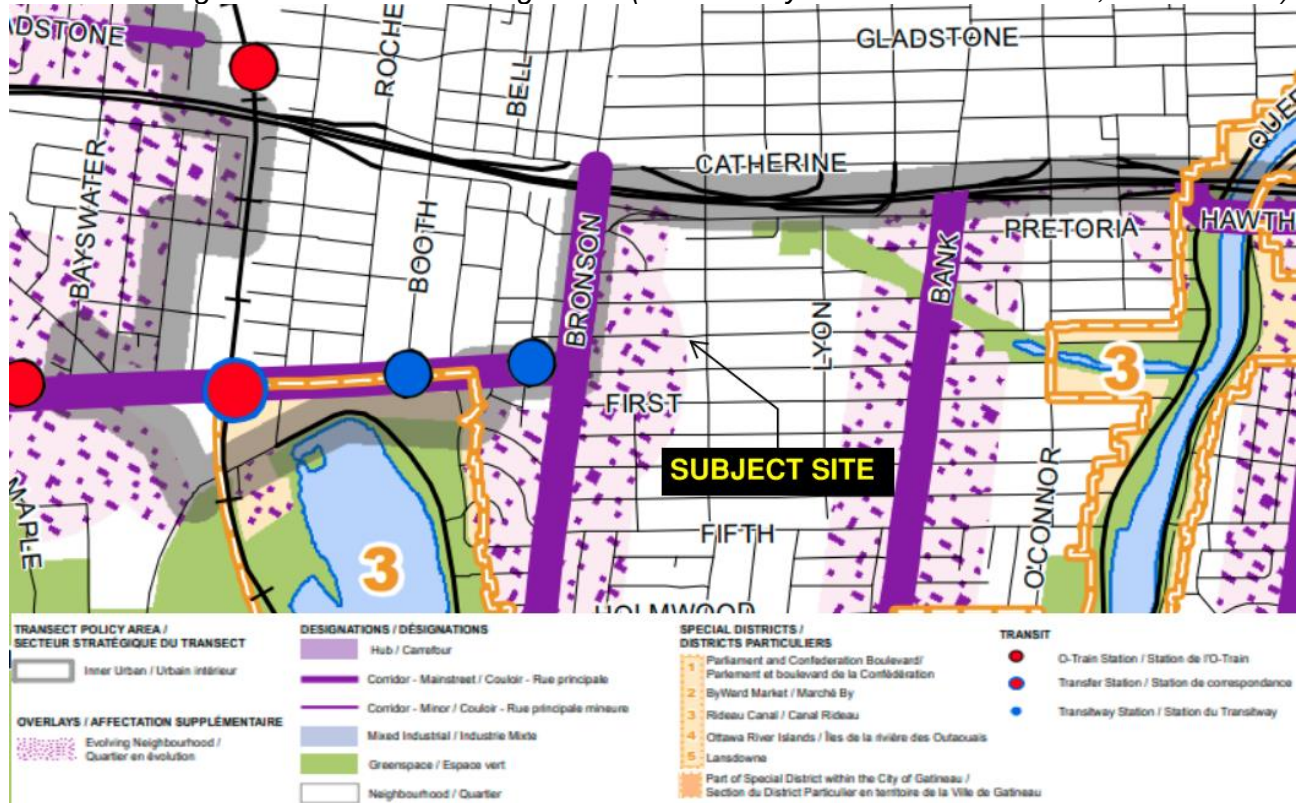
Minor Variance Rationale

Section 45(1) of the Planning Act sets the four tests that a minor variance is required to meet in order to be permitted.

The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.

The Subject Site is designated Neighbourhood within the Inner Urban Transect in the City of Ottawa Official Plan.

Figure 8: Official Plan Designation. (Source: City of Ottawa Official Plan, Schedule B2).



Inner Urban Transect:

The Inner Urban Transect is characterized by a mix of pre-World War II and post-World War II neighbourhoods with a mix of urban and suburban built forms and character. The intent of the Inner Urban Transect is to enhance or establish an urban pattern of built form, site design, and mix of uses.

Policy 1 of Section 5.2.1 states:

“The Inner Urban Transect’s built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban.”

The proposed rear addition is designed to integrate well into the existing dwelling and contributes to the urban characteristics and site design of the existing home. The proposed development accommodates additional living space and amenity area while continuing to ensure that adequate soft landscaping is provided in the rear yard.

Policy 1 of Section 5.2.4 states:

“Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:

- a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;*
- b) The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;*
- c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;*
- d) Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and*
- e) In appropriate locations, to support the production of missing middle housing, lower density typologies may be prohibited.”*

The proposed development accommodates additional living space and amenity area within the existing detached dwelling on the Subject Site. The development improves the existing home for the current homeowners, enhancing the permitted residential use of the site. The proposed addition will be one storey in height and is located in the rear yard where there is currently a deck. The addition will not visually impact the streetscape and supports the existing neighbourhood context.

Neighbourhood Designation:

Neighbourhoods are contiguous urban areas that constitute the heart of communities. The intent of the Official Plan is to permit a mix of building forms and densities in Neighbourhoods and guide their evolution based on their context, location, age, maturity, and needs towards the model of 15-minute communities. Neighbourhoods are planned for ongoing gradual, integrated, sustainable, and context-sensitive development.

Policy 4(a) and 4(b) of Section 6.3.1 state:

“The Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:

- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;*
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);”*

Policy 2 of Section 6.3.2 states:

“The City will establish form-based regulation through the Zoning By-law, Site Plan Control and other regulatory tools as appropriate, consistent with Transect direction. Such form-based regulation may include requirements for articulation, height, setbacks, massing, floor area, roofline, materiality and landscaped areas having regard for:

- a) Local context and character of existing development;*

- b) *Appropriate interfaces with the public realm, including features that occupy both public and private land such as trees;*
- c) *Appropriate interfaces between residential buildings, including provision of reasonable and appropriate soft landscaping and screening to support livability;*
- d) *Proximity to Hubs, Corridors and rapid-transit stations;*
- e) *Transition in building form to and from abutting designations;*
- f) *The intended density to be accommodated within the permitted building envelope; and*
- g) *The provisions of Subsection 4.2 Policy 1)(d)."*

The proposed development enhances the existing use of the property as a detached dwelling, supporting the continued residential use of the site. The addition respects the two-storey height and overall form of the existing dwelling. The development is designed to minimize visual impact on the streetscape and aligns with the existing built form context along Clemow Avenue. It results in an improved amenity space that can be used year-round within the footprint of the existing deck, ensuring that the amount of space in the rear yard is similar to the existing condition. Existing landscaping on the site and the large front yard will ensure that the addition is adequately screened from the streetscape.

Heritage Designation:

The Subject Site is part of the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District and is designated under Part V of the Ontario Heritage Act.

Policy 1 of Section 4.5.2 states:

"When reviewing development applications affecting lands and properties on, or adjacent to a designated property, the City will ensure that the proposal is compatible by respecting and conserving the cultural heritage value and attributes of the heritage property, streetscape or Heritage Conservation District as defined by the associated designation bylaw or Heritage Conservation District Plan and having regard for the Standards and Guidelines for the Conservation of Historic Places in Canada."

The Subject Site is identified as a Contributing Property in the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan. The Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan lists attributes of the plan area and each street, including a consistent 10-metre front yard setback, mature tree canopy, prevalent use of brick materials, and decorative architectural elements.

Contributing properties are identified as having design, historic, and/or associative value, or contextual value which contributes to the area's heritage character.

Section 3.5 provides the objectives of the HCD Plan, including ensuring that "new construction, additions and alterations within the District conserve its cultural heritage value, particularly with respect to the public realm, historic scale, and the general pattern of the built form."

Section 7.0 provides direction for new elements and additions to existing buildings within the Heritage Conservation District. Section 7.5 provides specific policies for additions to existing properties. Section 7.5 provides the following policies:

1. *New additions will be compatible with, subordinate to, and distinguishable from the existing contributing property.*
2. *New additions will be designed to be compatible with surrounding contributing properties of the district. They will consider:*
 - *scale, form, proportions and massing, height, and location on the lot;*
 - *materials and architectural characteristics of the surrounding buildings such as the design and alignment of windows and doors, roof and other vertical or horizontal reference points; and*
 - *how they contribute to and do not detract from the defined cultural heritage value and attributes the district.*
3. *The rooflines and roof profile of historic contributing buildings will be maintained and conserved.*
4. *Conserve heritage attributes that are visible from the street.*

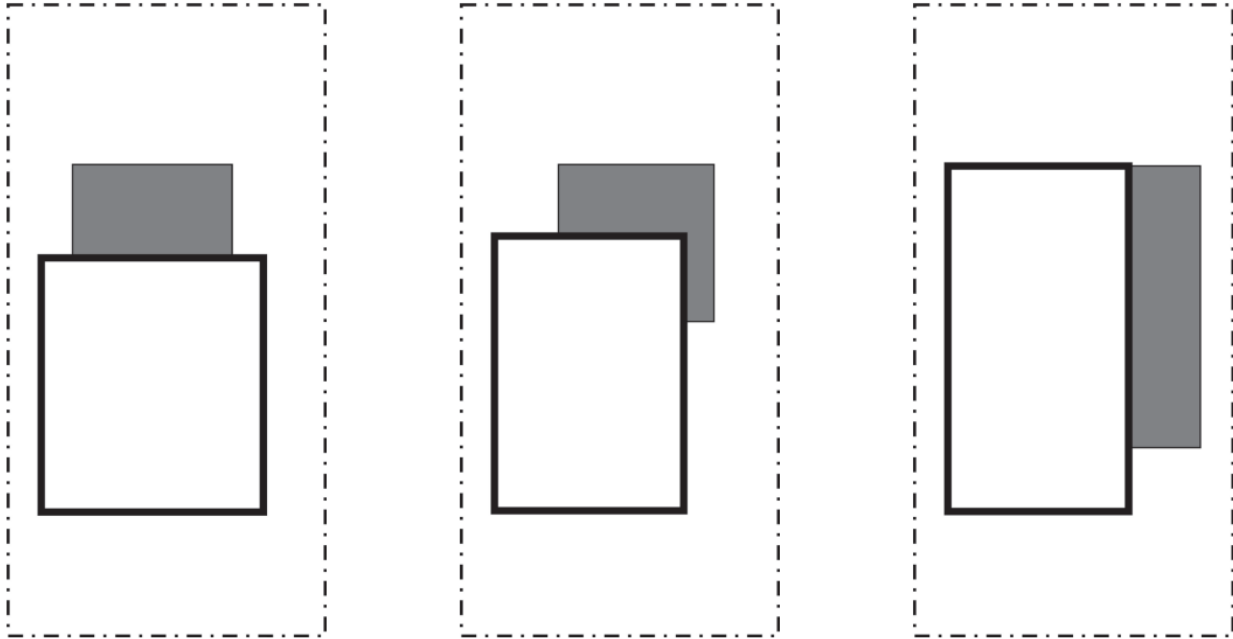
The proposed addition is compatible in height, size, materials, and architectural elements with the existing dwelling. The proposed addition is a single storey in height and is located in the rear yard. The overall footprint of the addition is 220 square feet, which is less than 25% of the gross floor area of the ground floor of the existing dwelling. The addition is proposed to be constructed generally within the footprint of an existing rear deck. The materials used for the addition along with its roof design, windows, and rooftop screen result in a compatible addition that is distinguishable from the existing home. The addition is located in the rear yard. A limited portion of the addition is visible from the interior yard and is buffered from view in the front yard and at the street by a hedge located in the interior yard. The overall scale of the addition is limited and subordinate to the existing dwelling. The roof profile of the existing dwelling is maintained and no heritage attributes are adversely affected by the proposed addition.

Section 7.5 provides the following guidelines:

- a) *Property owners are encouraged to retain an architect, designer and/or heritage professional when designing an addition to a building in the HCD.*
- b) *The height of additions should be lower than the existing building.*
- c) *Flat-roofed additions should not exceed the height of the existing building as measured from the mid-point of the slope of its existing roof.*
- d) *Most additions should be located in the rear yard. In cases where a side addition is proposed, it should be set back from its front façade; additions that are visible from the street, particularly those on corner lots should be carefully considered for their impact on both streets.*
- e) *New additions to contributing buildings should aim to be an appropriate balance between imitation of historic character and pointed contrast, in order to complement and respect the cultural heritage value of the HCD.*
- f) *If a property owner wishes to evoke a historical style for a new addition, care needs to be taken to ensure that the proposed building is an accurate interpretation in terms of scale, massing, and historic materials; upon close inspection, it should be discernable as new construction.*
- g) *Windows in additions should be compatible with the original building's windows in size, shape, and divisions. Contemporary window forms and materials that are not visible from the street may be appropriate.*
- h) *Cladding materials for additions should be sympathetic to the existing building and its neighbours. Natural materials and/or those that are commonly found in the district (i.e*

brick, stucco, stone, horizontal or vertical wood cladding) the most appropriate, however other materials may be supported.

Figure 9: Examples of appropriate locations for additions. (Source: Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan).



The height of the proposed addition is limited to a single storey, which is lower than the existing building. The addition is located in the rear yard with a small portion visible from the interior yard. The addition incorporates the roof style of the existing dwelling and features window designs that are compatible with the existing dwelling. The proposed cladding material is sympathetic to the existing building while ensuring that the addition is visually distinguishable.

The minor variances maintain the intent and purpose of the City of Ottawa Official Plan.

The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Property is zoned R1MM H(10) – Residential First Density, Subzone MM with a height exception of 10 metres in the City of Ottawa Zoning By-law 2008-250.

The intent of the R1 Zone is to:

- (1) *restrict the building form to detached dwellings in areas designated as General Urban Area in the Official Plan;*
- (2) *allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;*
- (3) *permit ancillary uses to the principal residential use to allow residents to work at home;*
- (4) *regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced;*
and

(5) permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

The following uses are permitted in the R1 zone, as per Section 155 of the Zoning By-law:

- bed and breakfast**, see Part 5, Section 121 detached **dwelling**
- diplomatic mission**, see Part 3, Section 88
- group home**, see Part 5, Section 125
- home-based business**, see Part 5, Section 127
- home-based daycare, see Part 5, Section 129
- park**
- retirement home, converted** see Part 5, Section 122
- secondary dwelling unit**, see Part 5, Section 133
- urban agriculture**, see Part 3, Section 82 (By-law 2017-148)

A detached dwelling is a permitted use in the R1 Zone.

The zoning provisions that apply to the Subject Site can be found in the table below.

Table 1: Zoning Provisions for the Subject Site.

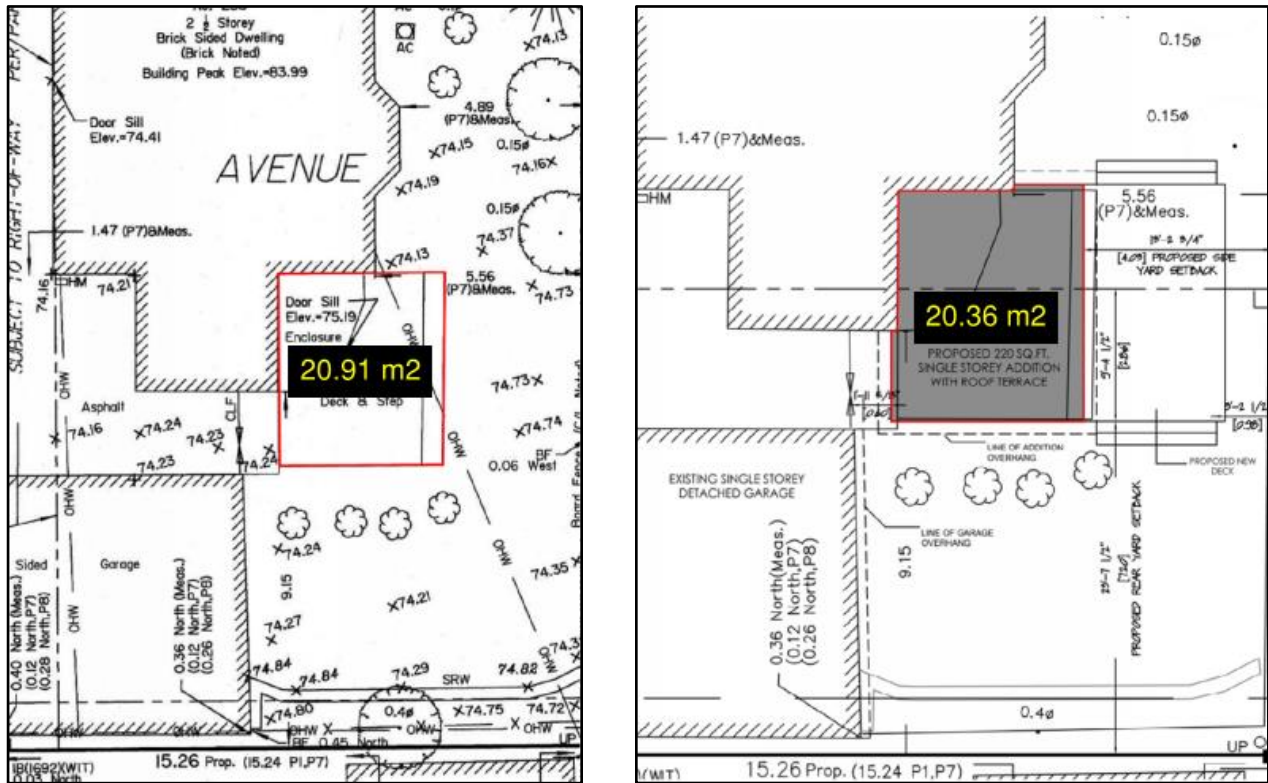
Zoning Provision	Required	Provided
Minimum Lot Width (m)	15 m	15.24 m
Minimum Lot Area (m ²)	450 m ²	511 m ²
Maximum Building Height (m)	10 m	2.5 storeys
Minimum Front Yard Setback (m)	3 m	10.35 m
Minimum Corner Side Yard Setback (m)	3 m	N/A
Minimum Rear Yard Setback (m)	Where minimum front yard setback is 4.5 m or less and the lot depth is greater than 25 m: 30% of the lot depth (10.06 m)	7.2 m (21.4% of lot depth)
Minimum Rear Yard Area (m ²)	25% of the lot area (127.8 m ²)	109.7 m ² (21.4% of lot area)
Minimum Interior Side Yard Setback (m)	1.2 m	1.47 m (west side) & 4.03 m (east side)
Minimum Aggregate Front Yard Soft Landscaping	Where the front yard setback is 3 m+ and where the lot width is 12 m or more: 40% (63.3 m ²)	> 63.3 m ²
Minimum Required Distance Between Accessory Building and Other Building on Same Lot	1.2 m	0.6 m
Maximum Interior Yard Deck Projection	Where the walking surface is not higher than 0.6 m above	0.98 m from the interior lot line

	adjacent grade: In the interior side yard: no limit	
Rooftop Terraces	Where a roof-top terrace is not located on the roof of the uppermost storey, and not exceeding an area equivalent to 25 per cent of the gross floor area of the storey it is adjacent to and most equal to in height, no setback is required.	No setback required.

Variations for a reduced rear yard setback, a reduced rear yard area, and a reduced distance between an accessory building and another building on the same lot are required to facilitate the development of the proposed addition.

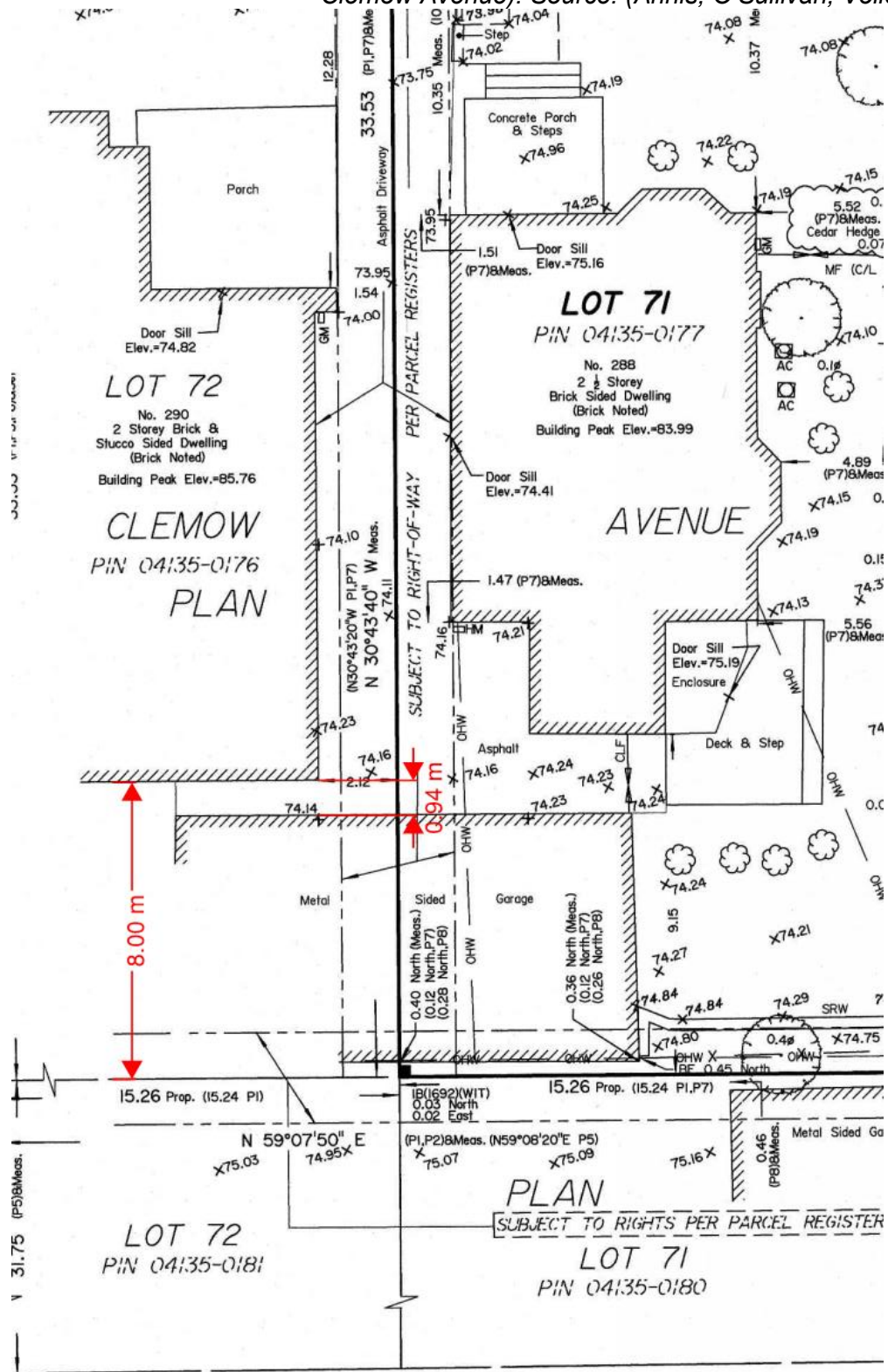
Variance a) requests a reduced minimum rear yard setback of 7.2 metres, which is equivalent to 21.4% of the lot depth. The Zoning By-law requires a minimum rear yard setback equivalent to 30% of the lot depth, which is 10.06 metres. The intent of the rear yard setback provision is to ensure that adequate separation from rear neighbours is provided and to support the provision of sufficient amenity area for residents. The proposed addition establishes a year-round amenity space in the rear yard, allowing the current homeowners to use their rear yard space in all seasons. The addition is located largely within the footprint of an existing deck and does not significantly impact the amount of soft landscaping in the rear yard (see Figure 10). Furthermore, since the addition is limited to one storey, it will not result in adverse shadowing impacts or overlook/loss of privacy on rear neighbours. The Tree Information Report identifies a Norway Maple Tree in the rear yard which is proposed to be retained. The tree will further mitigate any potential impacts from the construction of the addition, ensuring that the existing level of privacy is maintained.

Figure 10: Approximate area of rear deck (left) and proposed rear addition (right). (Source: Annis, O'Sullivan, Vollebakk Ltd; O'Keefe & Fiorenza Design Group Inc.)



It should be noted that the existing dwelling, which was constructed in 1911 (according to the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan) is located 9.15 metres from the rear lot line and does not comply with the rear yard setback requirement of 10.06 metres. The abutting dwelling to the west (290 Clemow Avenue) has a rear yard setback of 8.0 metres which does not comply with the rear yard requirement of 10.06 metres. The proposed addition increases this non-compliant condition on the Subject Site by approximately 1.95 metres. The proposed addition will be 0.8 metres closer to the rear lot line than the abutting dwelling to the west. The addition does not represent a significant departure from the rear yard setback characteristics of other dwellings in the area and will not be significantly more impactful than the existing condition.

Figure 11: Rear yard setback and separation between buildings on the abutting lot to the west (290 Clemow Avenue). Source: (Annis, O'Sullivan, Vollebakk Ltd).



The existing dwelling and other homes in the area have large front yard setbacks, which contribute to the heritage character of Clemow Avenue within the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan. By locating the proposed addition in the rear yard, the development will still provide more amenity area within a heritage building for the current homeowners without impacting the front yard setback character or the front façade of the existing home.

Variance b) requests a reduced minimum rear yard area of 109.7 square metres, which is equivalent to 21.4% of the lot area. The Zoning By-law requires a minimum rear yard area equal to 25% of the lot area, which is 127.8 square metres. The intent of the rear yard area provision is to ensure that adequate space is provided in the rear yard. The proposed addition meets this intent as the proposed 109.7-square metre rear yard area is only 18.1 square metres less than the required 127.8 square metres. The proposed addition will largely be constructed where there is an existing deck and does not significantly reduce the size of the rear yard from a soft landscaping perspective. As identified in the Tree Information Report, the existing significant tree will not be removed as a result of the development, ensuring that the rear yard area provided is sufficient to retain the existing tree.

Variance c) requests a reduced minimum separation between an accessory building and other buildings on the lot of 0.6 metres. The Zoning By-law requires the minimum required distance between an accessory building and any other building on the same lot to be 1.2 metres. The intent of this provision is to ensure that buildings are adequately spaced for unimpeded access between buildings. The proposed addition meets this intent as sufficient space is still provided to move between the detached garage and the proposed addition. The distance between the garage and the proposed addition is 0.6 metres for zoning purposes, as the eave of the detached garage is not considered a permitted projection. The distance between the buildings is therefore calculated from the eave of the detached garage to the addition. The functional distance between the two buildings (which excludes the eave projection) is 0.8 metres. The proposed distance is similar to the distance between the detached garage and the dwelling on the abutting property to the west and will no more impede the function of the site than the neighbouring condition.

It should be noted that the interior side yard setback requirement of 1.2 metres is exceeded on both the westerly interior side yard (1.47 metres) and the easterly interior side yard (4.03 metres), ensuring that access between the front and rear yards and between buildings is maintained.

The minor variances maintain the general intent and purpose of the Zoning By-law 2008-250.

The third test for a minor variance is that the minor variance is considered desirable for the use of land.

The proposed addition with the requested minor variances is suitable and desirable for the use of land. The addition results in improved amenity space for the existing homeowners. It replaces the existing rear deck with an amenity area that can be used in all seasons. The proposal accommodates the needs of the owners within their existing home. The addition improves the existing dwelling and aligns with the heritage character of the home. The addition will not affect the heritage attributes of the home and will be located in the rear yard (which is an appropriate location according to the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan), ensuring that there will be no impacts on the views along Clemow Avenue. The addition will be one-storey in height, ensuring that it will not result in intrusive overlook or shadowing impact. The addition is designed to

be compatible with the existing home while being distinguishable and fits well into the neighbourhood context.

The minor variances are considered desirable for the use of land.

The fourth test for a minor variance is that the variance is considered minor in nature.

The proposed development requires variances for a reduced rear yard setback, a reduced rear yard area, and a reduced distance between an accessory structure and another building on the lot.

Variance a) requests a reduced minimum rear yard setback of 7.2 metres, which is equivalent to 21.4% of the lot depth. The Zoning By-law requires a minimum rear yard setback equivalent to 30% of the lot depth, which is 10.06 metres. The requested variance constitutes a 1.95-metre reduction of the existing rear yard setback, which does not comply with the zoning requirement of 10.06 metres. The abutting dwelling to the west has a rear yard setback of approximately 8 metres, while the abutting dwelling to the east, which is a corner lot, has a rear yard setback of approximately 1 metre. The proposed rear yard will fit into the rear yard character of the abutting dwellings and will still have adequate separation from the rear yards of neighbouring properties. The addition will be limited to one storey, ensuring that no shadowing or overlook onto neighbouring rear yards is generated.

Variance b) requests a reduced minimum rear yard area of 109.7 square metres, which is equivalent to 21.4% of the lot area. The Zoning By-law requires a minimum rear yard area equal to 25% of the lot area, which is 127.8 square metres. The requested variance results in a slight reduction of 18.1 square metres (3.6%) from the required 127.8 square metres. The proposed addition will be constructed largely within the footprint of the existing deck in the rear yard, ensuring that the amount of soft landscaping lost as a result of the development is minimal. As identified in the Tree Information Report, adequate space is still provided in the rear yard to accommodate the existing tree with sufficient space for additional plantings.

Variance c) requests a reduced minimum separation between an accessory building and other buildings on the lot of 0.6 metres. The Zoning By-law requires the minimum required distance between an accessory building and any other building on the same lot to be 1.2 metres. The separation distance is measured from the eave of the detached garage to the wall of the principal dwelling for zoning purposes. The functional distance between the detached garage and the addition will be 0.8 metres, which provides adequate space between the buildings for access. Access between the buildings will not be impeded by the proposed addition. The impact of the addition is minor.

The variances are considered minor in nature.

Conclusion

The proposed development at 288 Clemow Avenue is to construct a one-storey addition in the rear yard of the existing dwelling. The addition will be 220 square feet in area and feature a rooftop terrace. It is proposed to be constructed largely within the footprint of an existing deck in the rear yard. The proposed addition will provide a year-round amenity space that allows the existing homeowners to enjoy their rear yard in all seasons.

In support of the proposed development, three minor variances are required. The proposed development requires variances to the minimum rear yard setback, the minimum rear yard area, and the minimum separation distance between an accessory structure and another building on the same

lot. The proposed development with the requested variances maintains the general intent and purpose of the City of Ottawa Official Plan by aligning with the planned height context for Neighbourhoods within the Inner Urban Area and supporting an urban site design and development pattern. The development aligns with the policies of the Clemow-Monkland Driveway and Linden Terrace Heritage Conservation District Plan and meets the heritage policies in the Official Plan.

The development with the requested variances meets the intent and purpose of Zoning By-law 2008-250, providing additional living space and amenity area for the current residents within their home. The reduced rear yard setback and reduced rear yard area meet the intent of providing sufficient amenity area in the rear yard. Adequate soft landscaping is maintained by the proposed addition and the development still provides sufficient space to maintain the existing mature trees. The reduced space between the accessory building and the addition maintains the intent of providing adequate space for unimpeded through access between buildings.

The proposed development is a suitable and desirable use of the Subject Site as it provides more living space and amenity area for the existing homeowners. It results in a well-designed rear addition that is compatible with the heritage dwelling on the site and does not adversely impact the heritage attributes of the property. The reduced rear yard setback and reduced rear yard area are consistent with the abutting dwellings. No adverse shadowing or overlook impacts are generated from the reduced rear yard setback and reduced rear yard area. Sufficient amenity area is still provided along with adequate space for tree plantings. The requested variances are minor in nature.

The proposed variances meet all four tests under Section 45(1) of the Planning Act. The proposed development with the requested variances represents good land use planning.

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

- Cover Letter (one copy)
- Complete Minor Variance Application Form (one original copy)
- Complete Minor Variance Authorization Form (one original copy)
- Survey Plan (one 8.5x11 copy and one 11x17 copy)
- Site Plan (one 8.5x11 copy and one 11x17 copy)
- Elevation Drawing (one 8.5x11 copy and one 11x17 copy)
- Tree Information Report (one copy)

Should you have any questions regarding this application, please do not hesitate to contact the undersigned.

Yours truly,

NOVATECH



Arjan Soor, M.PL
Planner