



2023-12-14

Committee of Adjustment
City of Ottawa, Rockcliffe Park

To the Committee of Adjustment,

Minor Variance Application for 582 Mariposa Avenue.

Committee of Adjustment
Received | Reçu le

2023-12-18

City of Ottawa | Ville d'Ottawa
Comité de dérogation

1.0 Introduction:

We are pleased to provide this cover letter in support of the application for two separate minor variances for the above noted property both related to the Urban Exception of the site UE [1259].

The proposed renovation to this existing single-family home on the subject lands is:

- a. to demolish the current east free standing single car garage, and to demolish the 1979 addition to the east end of the main residence (flat roofed two storey addition with garage at basement level and ground floor study above); and
- b. to add a new addition to the east end of the main residence, comprising of an attached double garage at basement grade with two storeys above the garage comprised of a study and bedroom.

With the exception of the two minor variances sought in this application , the above noted proposal conforms to the zoning by-laws and the planning intent of the Heritage Conservation Plan and the Rockcliffe Park Secondary Plan through careful consideration and response to:

- I. the topography,
- II. mature trees,
- III. improvement of the verge of an important village entry street (Mariposa Avenue),
- IV. provision of a more discreet parking access and garage apron area,
- V. improvement of existing heritage housing stock with a quality constructed addition with compatible massing and finishes.

1.1 Minor Variances Sought:

This application submission is for two Minor Variances for the property located at 582 Mariposa Avenue. The following outlines the required analysis of the Four Tests of Minor Variance set forth in Section 45(1) of the *Planning Act*: The application proposes the following two variances with regards to the City of Ottawa Urban Exception UE [1259.]



1. The first minor variance is to request an increased total **cumulative vehicular access width** from the current grandfathered 16.8 m cumulative access width to a new total accumulated access width of 17.5m.

2. The second variance is to request relief from the required **maximum width of a driveway** at the property line from 3.05 m to 4.5 m width for the proposed relocated garage driveway off Lakeview Ave. due to the angled approach of the driveway at the property line to avoid mature trees.

The proposal concept has been developed in response to the sloped, natural setting of the subject lands, resulting in the requirement of these two minor variances regarding access/driveway widths for the subject lands.

2.0 Analysis of Four Tests: The main consideration in determining whether a variance application is minor is determining the degree of adverse impact that will occur if the variance is granted. If the variance does not produce an unacceptable adverse impact on the neighbours, then it likely meets the test for minor. The following is an analysis of the Application for Minor Variance in relation to the four tests for Minor Variances

2.1 Cumulative Vehicular Access Width variance: is for the purpose of providing relief for total cumulative widths of all vehicular accesses to the property at the property line, increasing from 16.8m to 17.5m.

2.1.1. Is the requested variance minor in nature?

The requested variance would permit an increase in 4.2% of total cumulative vehicular access width. Of note, the relief being sought is largely to allow for the relocation of the existing garage driveway from Mariposa Ave. to Lakeview Ave., and for that relocated driveway to approach the property line at an angle to avoid mature trees. The increase in cumulative width would also allow for the maintenance of the already existing grandfathered circular drive off Mariposa Ave. which has not had any reported negative impacts on the surrounding lands. With all of this considered, the relief being sought is minor.

2.1.2. Is the requested variance desirable for the appropriate development or use of the land, building, or structure?

Relocation of the garage driveway from Mariposa Ave. to Lakeview Ave. will improve public and private vehicular accesses for the residents; and the relief is required to accommodate a relocated driveway that incurs additional width due to the fact it is angled to avoid mature trees on the site. The existing grandfathered circular driveway to remain, and the relocated garage driveway provide appropriate access and amenity for the residents of the subject house and lands in consideration of the large slope on the site from the front entrance to the garage. Therefore, the requested variance is appropriate for the development of the land.



2.1.3. Does the requested variance maintain the general intent and purposes of the By-law?

One of the intents and purposes of the Zoning By-law, Rockcliffe Secondary Plan, and Heritage Conservation District Plan with respect to the R1 zone is to facilitate the development and maintenance of the heritage, park-like setting of low-density residential uses. The proposed variance will provide necessary and improved access from the roads for the residents by removing a driveway access from Mariposa Ave., will improve street facing landscape on a main thoroughfare and will permit the improvement of an important classic single detached dwelling in the Village landscape.

2.1.4. Does the requested variance maintain the general intent and purpose of the Official Plan?

The general intent and purpose of the minor variance is in keeping with the Provincial Policy Statement 2014, The City of Ottawa Official Plan, Rockcliffe Secondary Plan, and the Rockcliffe Park Heritage Conservation District Plan by ensuring the development of this low-density residential use is compatible with the surrounding area. The requested variance will enhance the property's landscaping and street verge – by moving the existing garage driveway from Mariposa Ave. to Lakeview Ave. this will allow for the landscaped infill of the existing garage driveway and will improve the dominance of soft landscaping over hard landscaping as well as the street tree canopy. The new proposed garage driveway off Lakeview Ave. approaches the property line at an angle to preserve as much of the heritage landscape as possible and the landscaping plan provides for new planting of native species. The relief being sought will not result in any negative impacts on the surrounding properties, or the roads, and will minimize damage to the existing heritage landscape.

2.2 Maximum width of a driveway: is for the purpose of providing relief for the maximum width of a driveway at the property line from 3.05m to 4.5m

2.2.1 Is the requested variance minor in nature?

The requested variance would permit an increase in driveway access width from 3.05m to 4.5m. This relief is sought to have the new proposed garage driveway cross the property line at an angle to avoid the removal of mature trees and to maintain the natural landscape. The relief being sought aims to avoid negative impacts as much as possible to the natural landscape, and the proposed landscape plan provides for new planting of native species. There are no other anticipated adverse impacts to the adjacent properties. Therefor the relief sought is minor.

2.2.2. Is the requested variance desirable for the appropriate development or use of the land, building, or structure?

Relocation of the garage driveway from Mariposa Ave. will improve public and private vehicular accesses for the residents by eliminating a driveway on a sloped and busy main Village thoroughfare, and will relocate that driveway to Lakeview Ave. which is a quiet, dead-end street



that already serves 5 other private residential driveway accesses. The relief is required to accommodate a relocated driveway that incurs additional width due to the fact it is angled at the property line to avoid mature trees. The existing grandfathered circular driveway access to remain, and the relocated driveway access from Lakeview Ave. provide appropriate access and amenity for the residents of the subject building and lands in consideration of the large slope on the site from the front entrance to the garage. Therefore, the requested variance is appropriate for the development and use of the land.

2.2.3. Does the requested variance maintain the general intent and purposes of the By-law?

One of the intents and purposes of the Zoning By-law, Rockcliffe Secondary Plan, and Heritage Conservation District Plan with respect to the R1 zone is to facilitate the development and maintenance of the heritage park-like setting of low-density residential uses. The proposed minor variance will allow for increased width for a single vehicular access at the property line for the relocated garage driveway off Lakeview Ave. which incurs increased width due to the angled approach of the driveway to avoid mature trees on the site. Of note, the actual width of the relocated driveway is 3.4m, which is less than the 3.8m width of the existing driveway off Mariposa Ave. The relocated driveway is proposed to be of a porous material (refer to landscape plan) and would allow for the infill of the existing asphalt driveway off of Mariposa Ave. which would improve the overall ratio of soft landscaping to hard landscaping on the site.

2.2.4. Does the requested variance maintain the general intent and purpose of the Official Plan?

The general intent and purpose of the variance is in keeping with the Provincial Policy Statement 2014, The City of Ottawa Official Plan, Rockcliffe Secondary Plan, and the Rockcliffe Park Heritage Conservation District Plan. The requested variance will enhance the original heritage structure in keeping with the cultural landscape of the Village.

3.0 Conclusion:

This letter provides the planning justification for the approval of these two minor variances. As noted above, the Application complies with Section 45(1) of the *Planning Act*, as the variances are minor in nature, are appropriate for the development of the Subject Lands, and maintain the general intent and purpose of both the Zoning By-law and the Official Plan. The variances facilitate the creation of an improved building and residential lot within Rockcliffe Park.

Please contact me should you require further information,
Regards,
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