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March 28, 2024

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

Attention: Michel Bellemare, Secretary – Treasurer

**Reference: 4504 Caballero Avenue
Application for Minor Variance
Cover Letter
Our File No.: 124025**

Committee of Adjustment
Received | Reçu le

2024-04-03

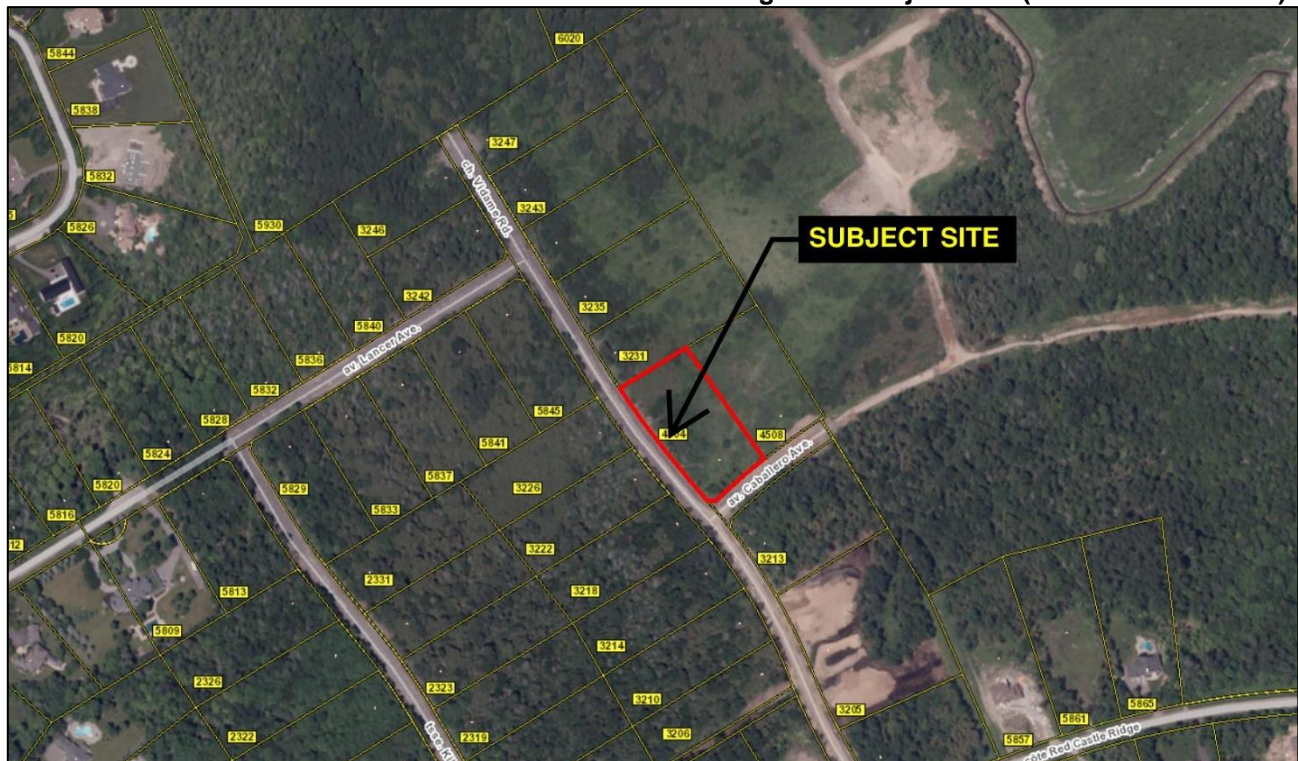
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Novatech has been retained by the owner of the property municipally known as 4504 Caballero Avenue (the “Subject Site”) to prepare and file a Minor Variance application in support of increased lot coverage. This letter describes the existing conditions of the Subject Site, the proposed minor variance, and provides a rationale in support of the minor variance application.

Existing Conditions

The Subject Site is located within a country lot estate subdivision in Manotick (Ward 20 – Osgoode). The country lot subdivision is Phase 9 of the draft approved plan of subdivision known as Rideau Forest – Phases 7-11. The Subject Site is on the northeast corner of Caballero Avenue and Vidame Road (see Figure 1).

Figure 1: Subject Site. (Source: GeoOttawa).



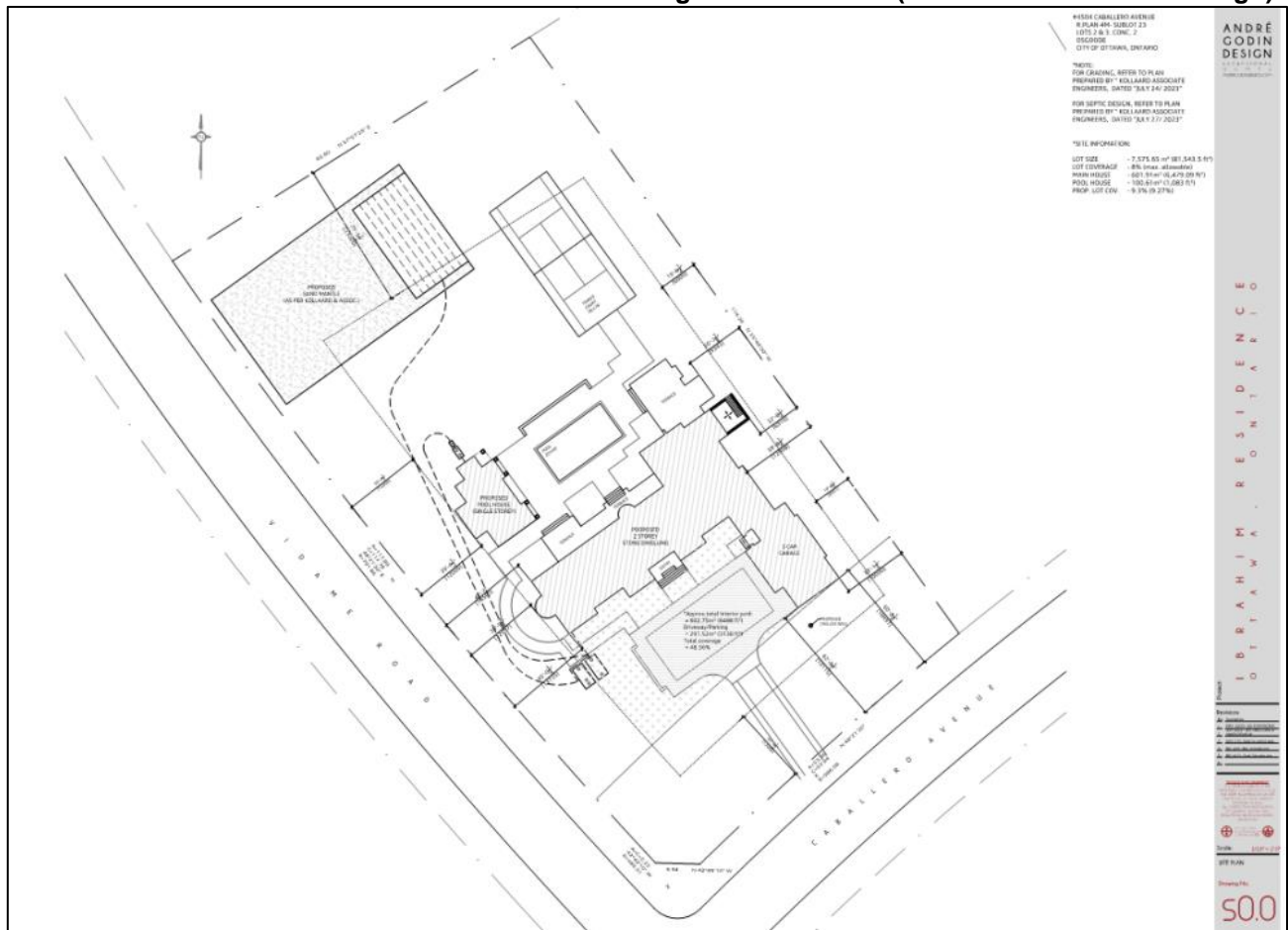
The Subject Site has approximately 53.96 metres of frontage along Caballero Avenue and 117.89 metres of frontage along Vidame Road. The Subject Site has a lot area of 7,575.65 square metres. The Subject Site is legally described as Lot 23, Plan 4M1721 Subject to an Easement over Parts 24 & 77, 4R35485 as in OC2612858 Subject to an Easement in Gross over Part 24, 4R35485 as in OC2612890 Subject to an Easement over Parts 24 & 77, 4R35485 as in OC2612911, City of Ottawa.

The Subject Site is designated Rural Countryside on Schedule B9 of the City of Ottawa Official Plan. The Subject Site is zoned RR2[901r] – Rural Residential Zone, Subzone 2, rural exception 901 in the City of Ottawa Zoning By-law 2008-250. The Subject Site is part of a country lot subdivision and is currently vacant.

Proposed Development

The Subject Site is proposed to be developed with a two-storey detached dwelling and a one-storey pool house. The detached dwelling and accessory building (pool house) result in a total building coverage of 702.6 square metres. The Subject Site has a lot area of 7,575.65 square metres. The detached dwelling has a floor area of 601.91 square metres (equivalent to a lot coverage of 8%) which meets the maximum permitted lot coverage of 8%. The pool house has a floor area of 100.61 square metres (equivalent to a lot coverage of 1.3%). While the dwelling itself complies with the maximum lot coverage, the inclusion of the pool house accessory building results in a total lot coverage of 9.3%.

Figure 2: Site Plan. (Source: Andre Godin Design).



Minor Variance Application

The proposed minor variance is as follows:

- a) To permit an increased maximum lot coverage of 9.3%, whereas the Zoning By-law permits a maximum lot coverage of 8%. (Section 226, Table 226A).

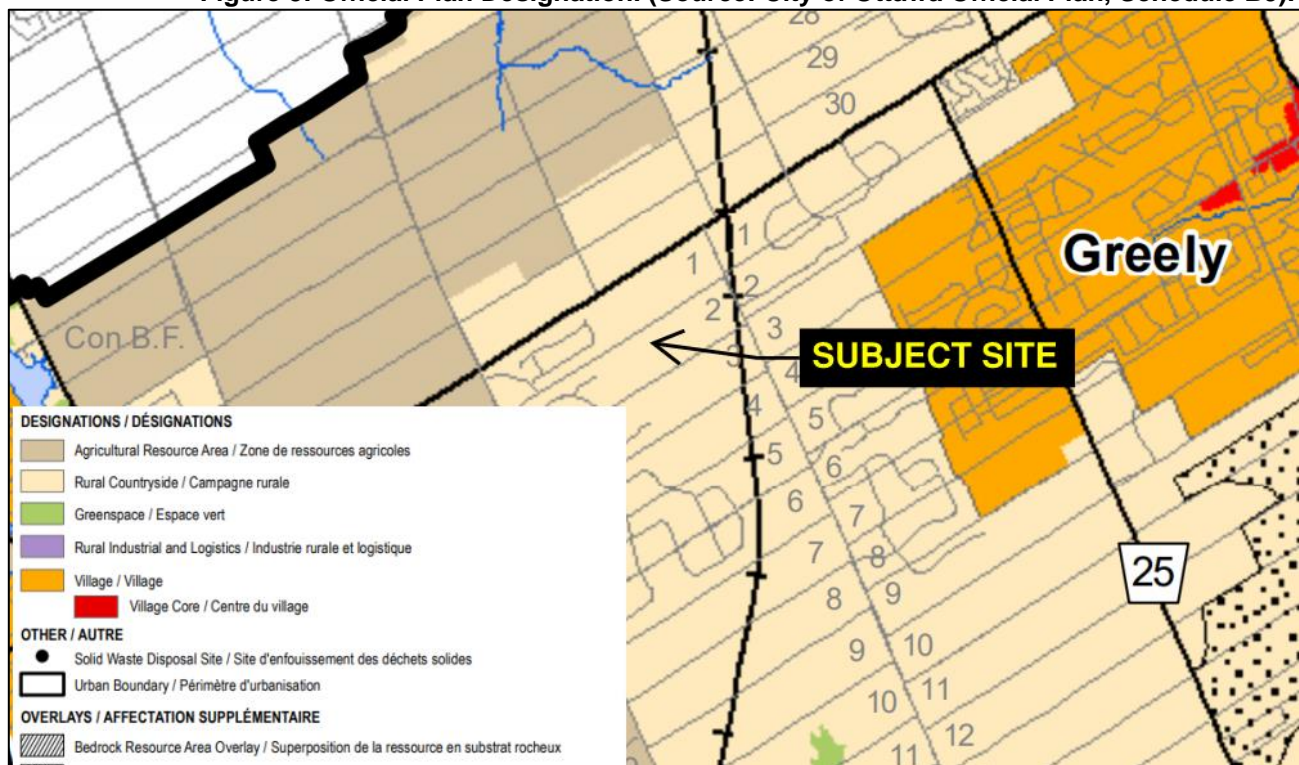
Minor Variance Rationale

This rationale will speak to the four tests for a minor variance set out in Section 45(1) of the Planning Act. The minor variance listed above meets the four tests for minor variance.

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 Rural Countryside within the Rural Transect in the City of Ottawa Official Plan, as shown in Figure 3.

Figure 3: Official Plan Designation. (Source: City of Ottawa Official Plan, Schedule B9).



The intent of the Rural Countryside designation is to protect and enhance the rural character. The Rural Countryside designation is where low density residential dwellings are located. The proposed variance supports the development of a vacant lot with a detached dwelling and pool house accessory building.

Policy 4 of Section 9.2.3 of the Official Plan states that:

4) Country lot estate subdivisions are prohibited except on those lands where an application for a plan of subdivision was received and deemed complete by December 31, 2009, or where the proposed subdivision meets the conditions established in Subsection 3.4, Policy 8).

The Subject Site is an existing vacant residential lot in Phase 9 of the draft approved plan of subdivision known as Rideau Forest – Phases 7-11. The original Plan of Subdivision and Zoning By-law Amendment applications for Rideau Forest – Phases 7-11 were filed prior to July 23, 2003 and were reviewed under the Regional Official Plan and the Township of Osgoode Official Plan. Residential development of the Subject Site with a detached dwelling and a pool house accessory building is permitted. The proposed lot coverage of 9.3%, whereas a maximum of 8% is permitted, supports the residential development of the Subject Site, which is permitted within a country lot estate subdivision.

The proposed lot coverage constitutes a very slight difference of 96.6 square metres. An increased lot coverage of 96.6 square metres will not appreciably impact landscaped areas on the Subject Site and does not result in overdevelopment of the site, which has a lot area of 7,575.65 square metres. Sufficient space is still provided on the Subject Site to accommodate private amenity space and private services, including a septic bed in the rear yard, despite the increased lot coverage.

The requested variance maintains the general intent and purpose of the Official Plan.

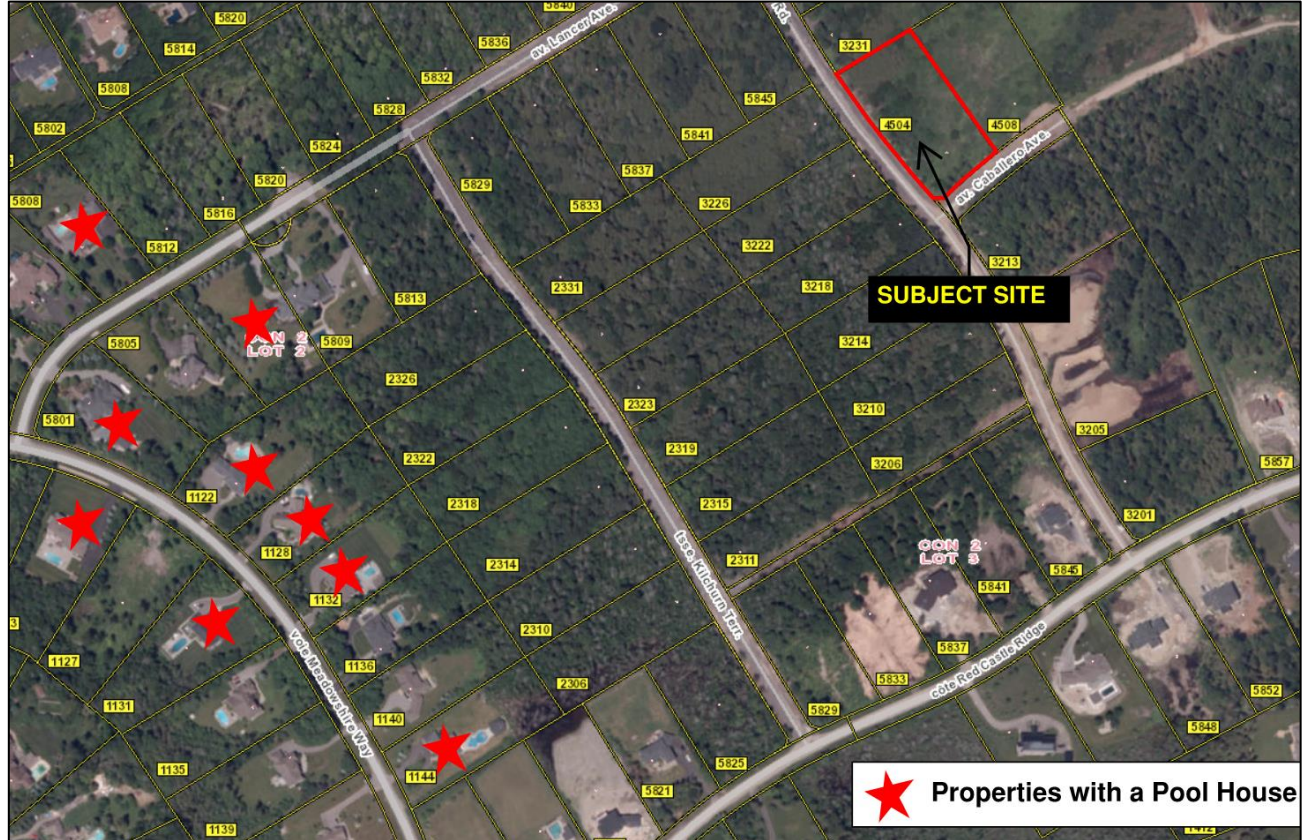
The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.

The Subject Site is zoned RR2[901r] – Rural Residential Zone, Subzone 2, rural exception 901r in the City of Ottawa Zoning By-law 2008-250. The purpose of the Rural Residential Zone is to:

- (1) recognize and permit large-lot residential development in planned subdivisions and to acknowledge existing smaller lot development in areas designated as General Rural Area or Rural Natural Features in the Official Plan;*
- (2) recognize clusters of existing residential development found in areas designated as Agricultural Resource Area or Greenbelt Rural in the Official Plan;*
- (3) permit residential-only uses as well as related and accessory uses;*
- (4) regulate development in a manner that respects both the residential character of the area and the surrounding rural context.*

The requested variance meets the intent and purpose of the Zoning By-law and the RR2[901r] Zone by supporting the construction of an accessory building (pool house) on the Subject Site. The proposed development with the requested variance to permit a lot coverage of 9.3% is consistent with the residential character of the area and the surrounding rural context. The increased lot coverage supports the construction of a pool house, which is a common accessory building in the immediate neighbourhood, as shown in Figure 4.

Figure 4: Properties with Pool Houses. (Source: GeoOttawa).



The proposed pool house fully complies with the zoning requirements for accessory buildings as prescribed in Section 55 of the Zoning By-law. For properties within the RR2 Subzone, Section 55, Table 55(6)(III)(c) of the Zoning By-law states that the aggregate of all accessory buildings is not to exceed 5% of the total lot area or 150 square metres, whichever is the greater. Five percent of the total lot area of the Subject Site is approximately 378.8 square metres. The proposed pool house has a floor area of 100.6 square metres, which is equivalent to a lot coverage of 1.3%. The area of the proposed pool house is significantly less than the maximum permitted lot coverage of 5% or 150 square metres.

The intent of the maximum lot coverage provision is to limit overdevelopment of the site. The proposed lot coverage is 9.3%, whereas a maximum of 8% is permitted. The proposed lot coverage constitutes a difference of 96.6 square metres. The additional 96.6 square metres on a lot that is 7,575.65 square metres does not result in overdevelopment of the site.

The requested variance meets the general intent and purpose of the Zoning By-law.

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

The requested variance is suitable and desirable for the appropriate use of the land. The proposed accessory building (pool house) provides amenity space for the property owners, which supports the residential use of the Subject Site. Pool houses are a common condition on other properties in the immediate neighbourhood and the proposed pool house does not significantly reduce the amount of

landscaped areas and outdoor amenity space on the Subject Site. Additionally, the accessory building does not adversely affect the ability for private services, including a septic bed, to be suitably accommodated on the property. The location of the pool house accessory building in the rear yard is appropriate and does not adversely impact neighbouring properties. The setback of the pool house from the interior lot line and from the rear lot line greatly exceeds the required setbacks of the RR2 zone. The proposed pool house complies with all of the performance standards for accessory buildings, including setbacks, size, and height requirements.

The requested variance is considered suitable and desirable for the appropriate use of land.

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

The proposed lot coverage of 9.3% (702.6 m²) whereas 8% (606 m²) is permitted is minor in nature. The intent of the lot coverage requirement in the RR2 subzone is to limit overdevelopment of the site and ensure that the development is regulated in a manner that respects the residential character of the area and the rural context. The proposed lot coverage constitutes a small difference of 96.6 square metres, compared to a lot area of 7,575.65 square metres. The additional 96.6 metres of lot coverage does not lead to overdevelopment of the Subject Site and is consistent with the rural residential context of the surrounding neighbourhood, where accessory structures, including pool houses, are common.

The proposed variance supports the construction of an accessory building (pool house) on the Subject Site, which provides amenity space for the property owners. The pool house has an area of 100.6 square metres, which complies with the size requirements for accessory buildings in Section 55, Table 55 of the Zoning By-law. As stated in Section 55, the maximum size of accessory buildings in the RR2 Zone is the greater of 5% of the lot area or 150 square metres. The pool house has a size equivalent to 1.3% of the lot area, which is significantly less than the permitted lot coverage of 5%. The proposed pool house accessory building is appropriately sized for the lot.

Furthermore, the pool house meets all other performance standards for accessory buildings. The pool house meets or exceeds the required setbacks for accessory buildings and complies with the maximum height requirement of 6 metres, ensuring that there is no adverse impact on neighbouring properties.

The variance is considered minor in nature.

Conclusion

The requested minor variance meets the four tests set out in Section 45(1) of the Planning Act. The proposed minor variance maintains the general purpose and intent of the City of Ottawa Official Plan and Zoning By-law. The proposed minor variance is a suitable and desirable use of the land and is considered minor in nature.

The proposed development represents good land use planning.

In support of the minor variance applications, please find enclosed:

- Cover Letter (this document) – One (1) copy;
- Complete Minor Variance Application Forms – One (1) copy;

- Survey Plan* – One 11 x 17 copy and one 8.5 x 11 copy;
- Site Plan – One 11 x 17 copy and one 8.5 x 11 copy;
- Elevation Drawings – One 11 x 17 copy and one 8.5 x 11 copy;
- Minor Variance Sketch – One 11 x 17 copy and one 8.5 x 11 copy; and
- Minor Variance Authorization Forms – One (1) copy.

*Plan 4R-35485, which is the Plan of Survey for Part of Lots 1 to 43 and Part of Blocks 44 and 45 on Registered Plan 4M-1721 (approved on April 20th, 2023) and which was received and deposited on May 25, 2023 has been provided as a Survey Plan for the Subject Site. Plan 4R-35485 and Plan 4M-1721 show the required information to establish the lot dimensions of the Subject Site, which is not currently associated with any buildings or structures.

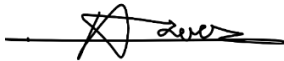
Should you have any questions regarding this application, please do not hesitate to contact the undersigned.

Yours truly,

NOVATECH

Prepared by:

Arjan Soor, M.PL.



Planner

Reviewed by:



Jordan Jackson, MCIP, RPP
Project Manager