

*APPLICATION to the
COMMITTEE of ADJUSTMENT
for RELIEF from ByLaw 2008-250
125 CLARENDON AVENUE
Ottawa, Ontario*



*Don Brown, B.Arch., BCIN
Brown Custom Design*

October 2021

*APPLICATION to the COMMITTEE of ADJUSTMENT
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- Cover Letter -

125 CLARENDON AVENUE

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As Agent on behalf of the Owners of 125 Clarendon Avenue, a single family residence constructed circa 1928, we are requesting the consideration and acceptance of the Committee in relation to 4 Minor Variances that will permit them to construct an attached garage to the side, and a 2nd storey Master Bedroom suite atop their existing 1980 constructed 1 storey rear Family Room. (2 stars as below)

We propose that these Minor Variances are both reasonable and appropriate in the context of this project and location, and also meet the intent of the 4 Tests in the Planning Act.

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--- as existing ---



--- existing building forms emulated in the new ---

Merits and appropriateness of the requested Variances:

Neighbourhood: *Hampton Park (1920 development)*

The Property:

The typical property size in this neighbourhood for near all lots, is 50ft x 100ft (15.25m x 30.5m) ... by exception however, this property and others akin nearby had 15ft (4.57m) taken at the rear by the City of Ottawa for Storm Sewer main purposes in the 1920's.

Materials and Building massing forms:

It is most appropriate to incorporate the vernacular of the existing residence into the new Garage and 2nd storey Master Bedroom suite additions. Both will borrow from the existing gambrel roof plane angles and geometry, with the new full width rear gambrel being at 90 degrees to the main roof, akin to the front dormer. Finish is latex acrylic to match existing.

Variance A

Reduce rear side yard to 6.93 meters

Bylaw is 30 Percent which is 7.77 meters.

Variance B

To permit one storey garage due to Mature neighbourhood

Section 104A character Group A

Variance C

Reduction of side yard to 0.8 Meters

Bylaw is 1.2 Meters

Variance D

Permit Garage to be closer to street than principal entrance by 1.3 meters

Bylaw is 0.6 meters.

Summary of the 4 Minor Variances being sought:

1. - Variance a):

→ for relief from required Rear Yard Setback being 30% of lot depth (9.15m), to permit it to be 26.7% of lot depth (6.92m,) arose as a consequence of the historic loss of rearmost 4.57m to the City for a storm sewer line. Nearly all other properties in this neighbourhood still retain the development capabilities of their 30.48m x 15.24m lot pattern size..

In like kind, Infill Bylaws in recent years have also changed the percentage factor from a longstanding 25% of lot depth, to be now the current 30% of lot depth.

- the proposed works are in keeping with the established small residence and not for a build-to-the-max Infill project.

- Owners as likely since the 1920's, have continued to make use of the City-owned severed-away 4.57m deep parcel as if this property was still the historic full 30.48m in depth. In spite of, the house is not adversely pinched up to the rear lot line

- the (otherwise) abutting rear lot is side-on from the side street and their abutting use is the driveway

- these properties are separated by a tall mature hedgerow so privacy separation is very good

- the request for what is 3.3% of lot depth represents but

> this request is minor and has worthy rationale

2. - Variance b):

→ - to permit (at all) the construction of a new single car small-scale Garage as to be constructed in line with, and mostly atop the existing 3m wide hard surfaced driveway → whereas the Streetscape Character Analysis (SCA) accepts the driveway as a 'dominant characteristic' but, given the 1920's nature of the housing here, not so the existence of street-facing attached garages

> cars can park in open-to-the-eye street sightlines but it is contrary to shroud them ... one can debate the merits of both ? If the concept is one of gentrification and a walking neighbourhood, then 'not seeing the cars' would seem to be the more in keeping with the City's intent. (thus support for a having a Garage)

- 5 of 21 lots have attached street-facing garages
- 6 more are attached, but are from the side street
 - i.e. 11 of 21 do have attached garages (majority)
- including rear yard garages, 16 of 21 have garages
- 21 of 21 have driveways - this is a car centric area
- as proposed, the Garage is low and small and as well will be borrowing its form and materials / colour tones from the existing residence vernacular ... as such the new garage should be a welcomed addition to the 'streetscape' and in keeping with the existing residence
- > this request is considered minor and has worthy rationale

3. - Variance c):

- to permit the new Garage to encroach into the Northerly side yard by 0.4m to result in an Interior Side Yard of 0.8m, whereas the ByLaw requires 1.2m
- the Southerly side yard is 2.94m which still provides for reasonable rear yard accessibility
- interior parking width would otherwise be notably compromised by the projection of the existing chimney foundation and a 0.6m stepping out of the house wall in close proximity to the nose of a parked car there
- > this request is considered minor and has worthy rationale

4. - Variance d): (further to Oct 2021 Infill III newer reg's)

- to permit the new Garage 'facing wall' to be 1.3m closer to the street than the Principal Door wall, whereas the ByLaw states to be no greater than 0.6m, given that the residence has a ByLaw compliant Front Porch that does not encroach into the Front Yard.
- > this request is considered minor and has worthy rationale

The appended documentation presents and notes in greater detail the ByLaw Clauses and specifics that are applicable in each instance. In addition, the following are also included:

- Minor Variance Application ... and fees
- Streetscape Character Analysis (SCA) Report
- Tree Information Report > no issues, just protect CRZ
- Site survey and Surveyor's real Property Report
- Simplified Site Plan noting Variance 'locations', etc
- more detailed Site Plan with Variance 'characteristics'

Satisfying the Planning Act 4 Tests:

- with reference also to the notes above ... -

Test #1 : - Are Requested Variances 'Minor' ? YES, for all

- Variance a) - the existing Family Room over which the new Master Suite is to be placed, was constructed then in compliance, in 1980. Recent increasing of the required rear yard setback is / was meant to regulate more so construction of looming new structures -- this is not such a circumstance. Also, the 'technical' depth of this properly is affected by the City's Sewer land purchase, not by separation.
- Variance b) - all is being put forward to have the new Garage be in keeping with both the existing residence and the neighbourhood. The garage door may be toned to match the Principal Entry door for parity. In addition, it will not loom over nor impinge itself upon the abutting property, which coincidentally between them, has one of the widest separation between structures.
- Variance c) - reasonable and appropriate so as to be able egress the cars within the new garage and walk past to the rear storage section within / 0.6m inward check of main residence further supports value of the garage being 0.4m wider inside. Casual observers from the street will not relate the side wall to
- Variance d) - the front porch, being some 2.4m deep plus overhangs etc, lives in shadow much of the day and as such is more dominant to the 'streetscape' than is the front door. The Garage wall will still be more than 1.1m behind the line of the Porch pillars and railings,

and provide a visually pleasant & comfortable offset.

Test #2 : - Are the Requested Variances desirable for the appropriate development of the lands in question ?
- YES - for all

- All of the items being varied relate to changes brought forward in recent years to address retention of frontal landscaping, overseeing rear yards and grossly out of scale infill development. → the works here proposed do not adversely change nor affect the general stature and visual realm of the neighbourhood

Test #3 : - Do the Requested Variances conform to the general intent of the Zoning Bylaw ? - YES - for all
- *in kind with the remarks made above for Test #2.*

Test #4: - Do the Requested Variances conform to the general intent of the Official Plan ? - YES - for all
- *The subject property fully complies with the intent of the Official Plan's "General Urban Area" land use designation (Residential). The new Draft study presentations for the upcoming revisions to the City Official Plan shows no change here to the land use nor density provisions, from those as currently in place.*

On behalf of the Owners, we are seeking hereby your concurrence and approval of these 4 Minor Variances, as presented within the Application.

Don Brown, B.Arch., BCIN







125 CLARENDON AVENUE, OTTAWA SITE PHOTOGRAPHS



Legend

Facing pages *Pocket inserts* *-Including full survey*
-Site photographs

Cover Letter *Pg 1* *-Merits of Requested Variances*
Pg 2 *-Summary of the 4Minor variances*
Pg 2A *-Zoning requirements*
Pgs 3-5 *-Summary of the 4 Minor Variances*
Pgs 6-7 *-Plan act 4 test -Met.*
Pg 8 *-Location of the four minor variances*
Pg 10 *-Delineation of the Minor Variances*
A1-A7 *-Minor variances Application Form*

Streetscape Character Analysis (SCA)

Pg 1 *-Traits character groups (sect. 140)*
Pg 2 *-C of A Planner note.*
Relevant clauses from section 139
Pg 3 *-Summary of analysis using building and*
Street toned overlay.
Pg 4 *SCA pattern matrix & summaries*
Pg 5 *General plan of siting components*
Pgs 6-14 *-SCA annotated supporting photos.*

Arborists “Tree information reports”

Survey Information *-reduced survey and property report*

-Core area of lot survey 11x17

Elevations *-11x17 exterior elevations*

-8x11 exterior elevations

105 Clarendon Avenue - Character Analysis Traits: Existing and as being Proposed:
>>> as further to ByLaw 2008-250, Section 140.



Garage: --- as per Table 140 A : - refer to the appended annotated and toned

street property mapping for specifics, in lieu of ByLaw's 'grid' NOTE: > "technically", only 5 of the 21 analyzed properties have attached

garages that FACE the subject street (Clarendon) (additionally one other is to a side street but this house had to be 'discounted' given Entry being also to the side and house being behind high hedges abutting the Subject Street)

> including for all residences having 'access to' use a garage, whether detached or attached, street facing or rear yard, then 16 of 21 do

> MINOR VARIANCE IS BEING SOUGHT TO PERMIT AN ATTACHED GARAGE FACING THE SUBJECT STREET, and to be more than 0.6 ahead of the Principal Entry door (it is compliant vs Porch, being greater than 0.6m rearward)

Driveway: --- as per Table 140 B :

> existing, Character Groups A and B are tied - existing single width min. +/- 3m
> currently, 14 of the 21 analyzed properties (plus the Subject Residence) are now serviced by driveways as accessed from Clarendon Ave.

> # 125 Clarendon currently has an existing 3m wide hard surfaced driveway
> BYLAW IS ALREADY SATISFIED, given being tied

Principal Entry: --- as per Table 140 C :

> the Principal Entry at 125 Clarendon Avenue is on the front wall and thus the existing predominant Character Group is A

Rema as received from Craig Hamilton, assi ed CoFA Planner for #125 Clarendon A onne
Applications, further to initial review of SCA documentation :

Hamilton, Craig <craig.hamilton@ottawa.ca>

To: 'DON BROWN'

Fri., Aug. 6 at 12:36 p.m.

Good afternoon Mr. Brown,

I would agree that the properties captured within your SCA are the correct properties to use. The graphic provided also suffices as a matrix of the street. If accompanied by photographs and the form, it appears you have a complete submission prepared.

Summary of relevant Clauses from Section 139. (Mature Neighbourhood Overlay Reqmts.)

--- as related more specifically to 125 Clarendon Avenue:

> if an item is not noted, it does not apply to 125 Clarendon:

139.(1). Table 139.1 > existing & proposed 54% is compliant with 40% landscaped area 139.(2).

(a). - existing 3.0m hard surface driveway is compliant

- with respect to accessing the proposed new Garage, it shall remain

compliant following CoFA approval of permitting the proposed Garage

(c) - is currently compliant and shall remain so

> Table 139.(c) lot width 15.2m - existing and proposed driveway 3m compliant

139.(3)(c) is subject to the **CoFA requested Variance** to permit this proposed Garage

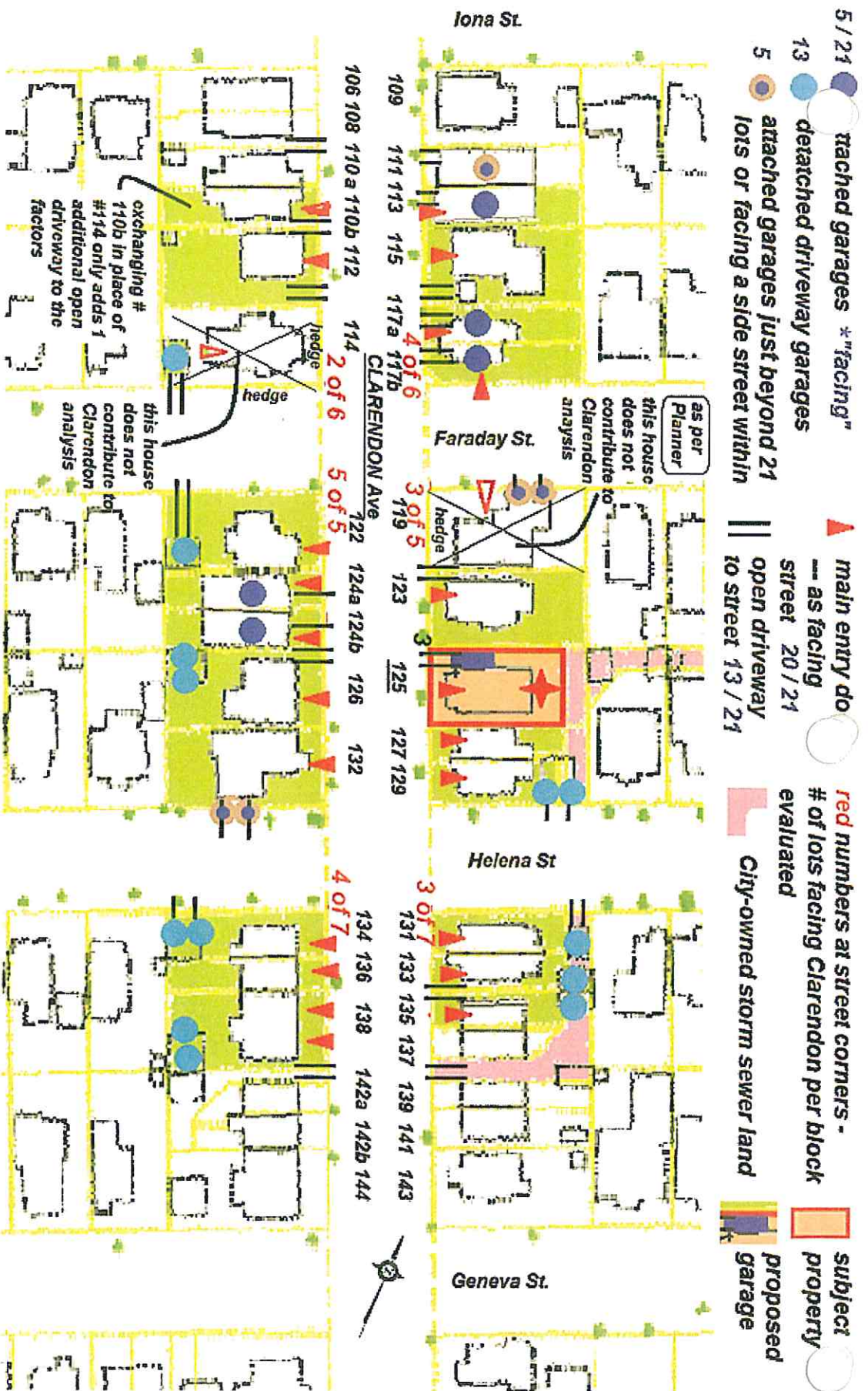
139.(3)(a)(i) N/A

139.(3)(a)(ii) compliant

139.(3)(b) Subject to a Minor Variance permitting the Garage to be located

rearward from the Porch face but 1.3 m forward of the Principal Entry

>>> existing front walkway is compliant / building height is compliant to average grade



When a driveway exists already ... how does perpetuating open car parking in driveways as view line down the streetscape ... which is essentially front yard parking .. make it in any way better than NOT permitting a discretely placed and sympathetically designed attached garage ??? Especially when the trending development theme is currently to larger singles & / or semi-detached dwellings, of much greater massing?

STREETSCAPE CHARACTER ANALYSIS >>> GARAGES - PLAN & IMAGES:

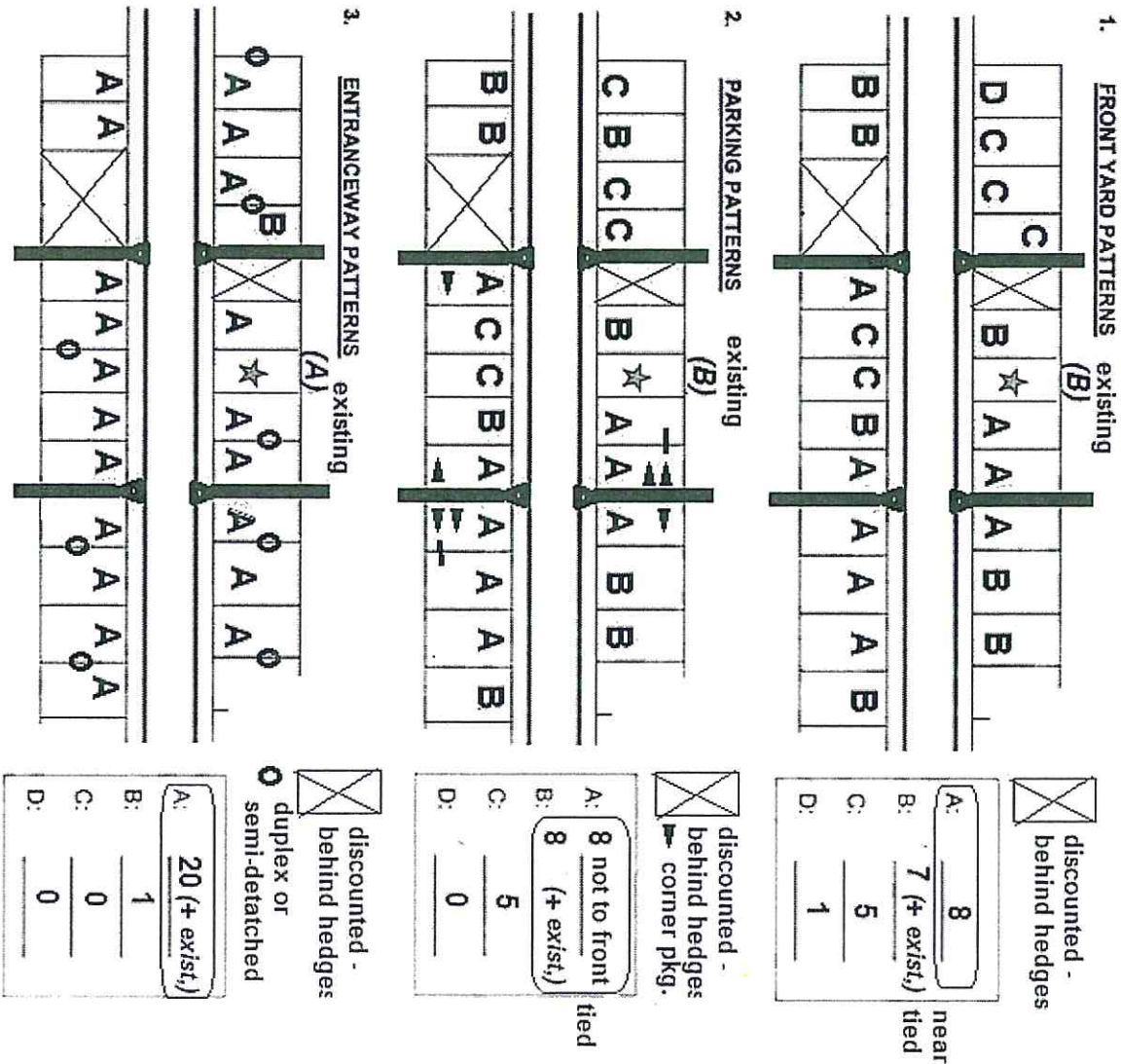
>>> **16 of 21** now have use of a garage → 5 facing + 6 around the corner + 5 in rear yard (+ 2 discounted)

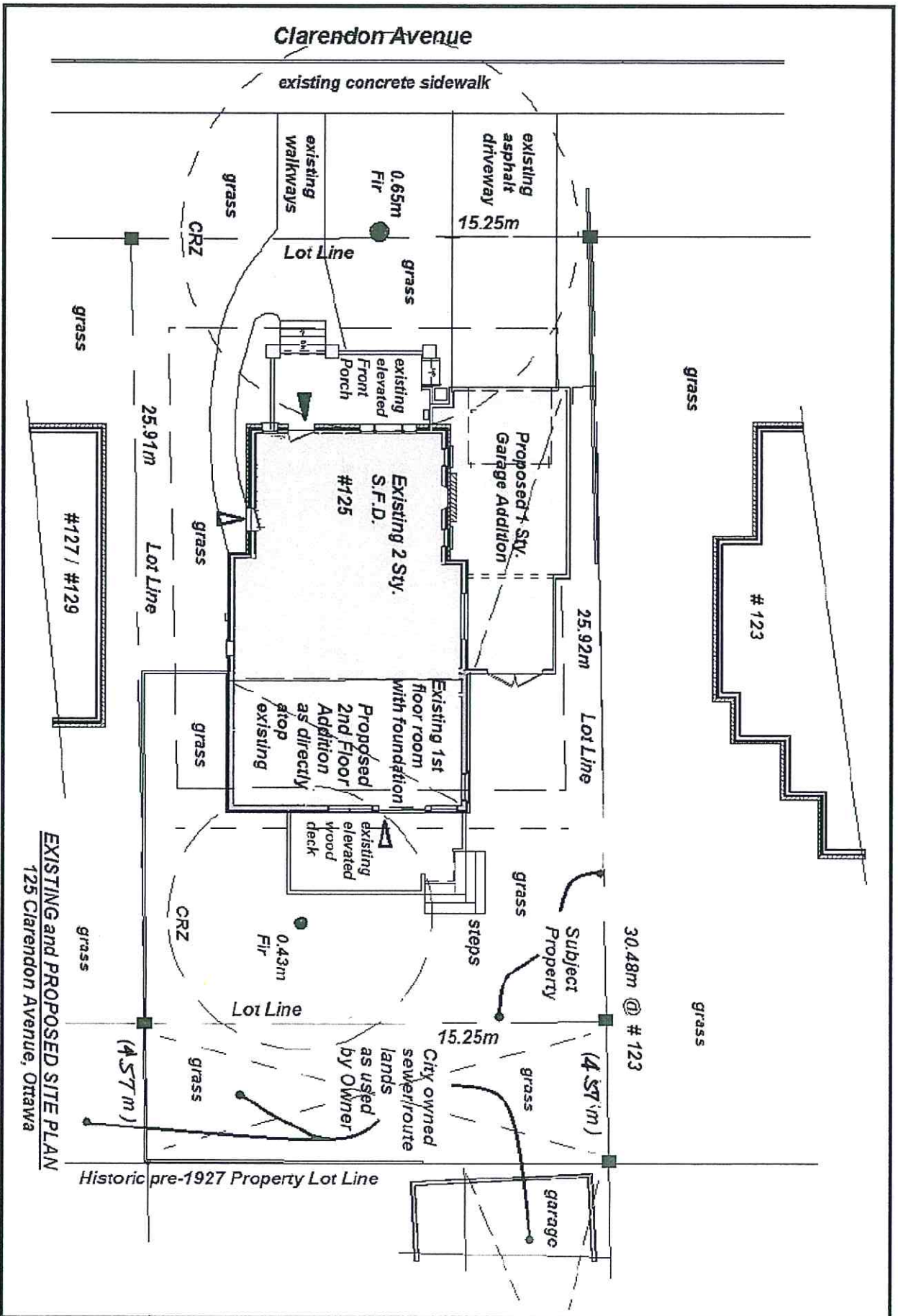
125 CLARENDON AVENUE ANALYSIS LOT MATRIX

>>> refer also to detailed coloured and noted summary page

★ Subject Existing Residence > being retained

STREETSCAPE CHARACTER ANALYSIS - SUMMARY





EXISTING and PROPOSED SITE PLAN
 125 Clarendon Avenue, Ottawa



111 CLARENDON
- semi-detached

113 CLARENDON

EAST

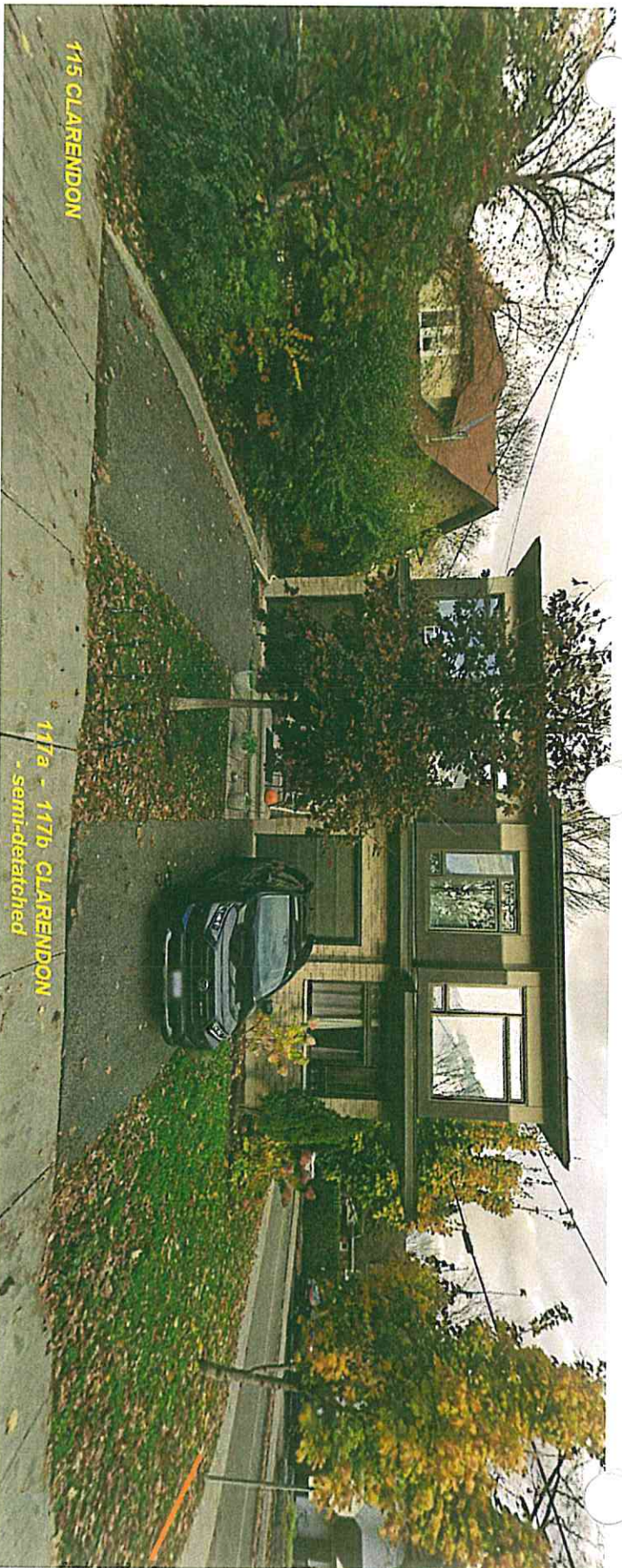


112 CLARENDON

113a CLARENDON
- semi-detached

114 CLARENDON - discounted
> side on & hedgrow - has garage

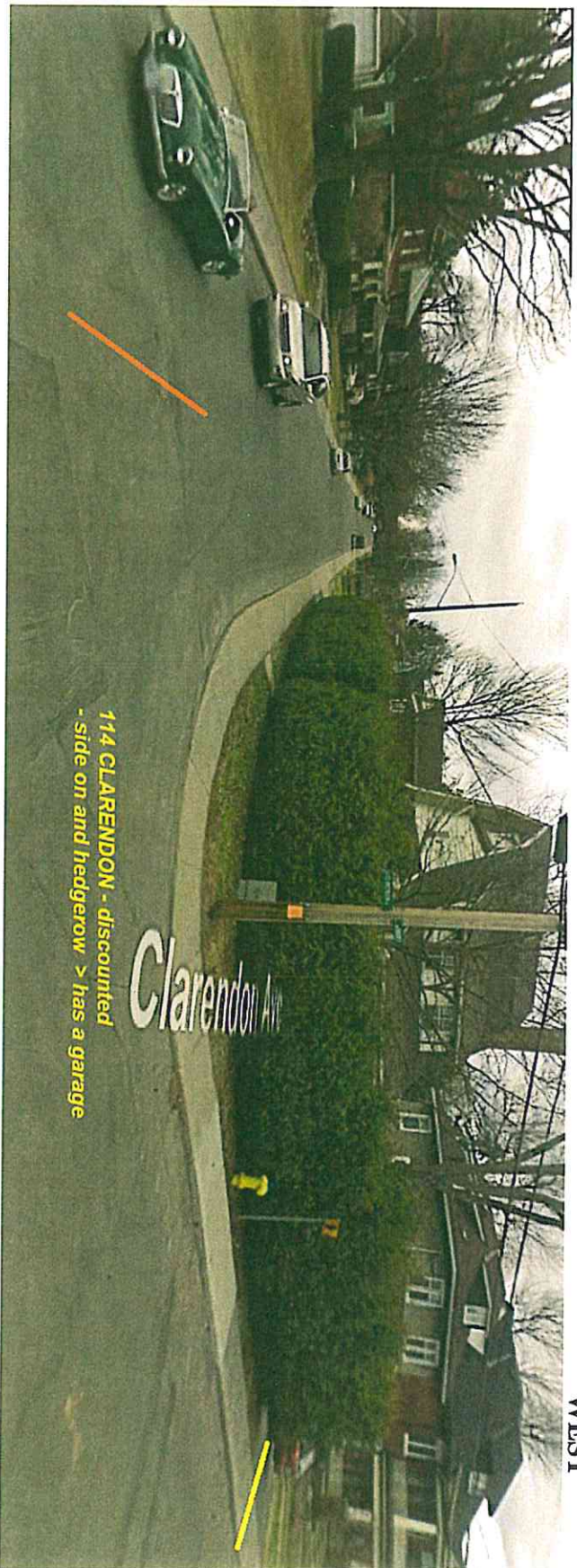
WEST



115 CLARENDON

117a - 117b CLARENDON
- semi-detached

EAST



114 CLARENDON - discounted
- side on and hedgerow -> has a garage

Clarendon Ave

WEST

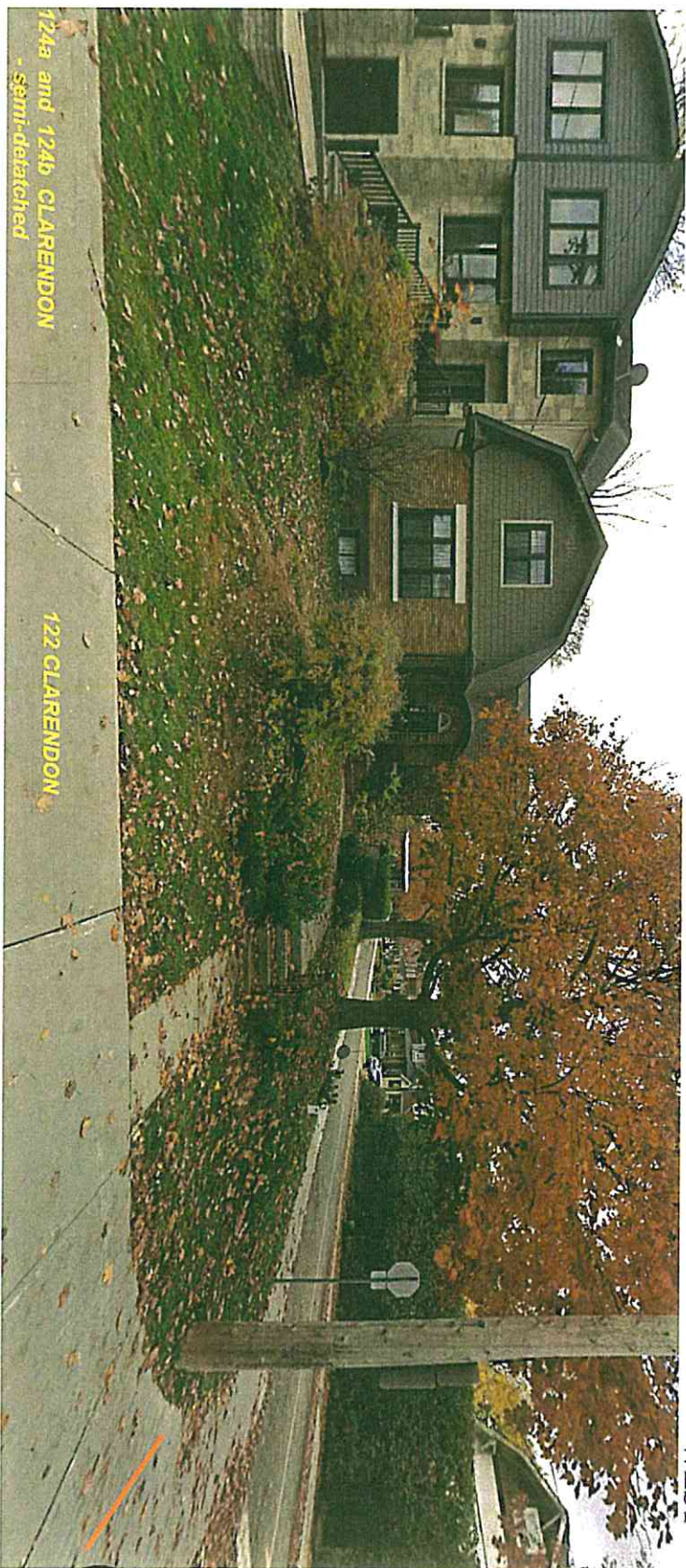


CONTINUES

(With a 2 car Garage) DISCOUNTED - SIDE FACING
and HEDGEROW

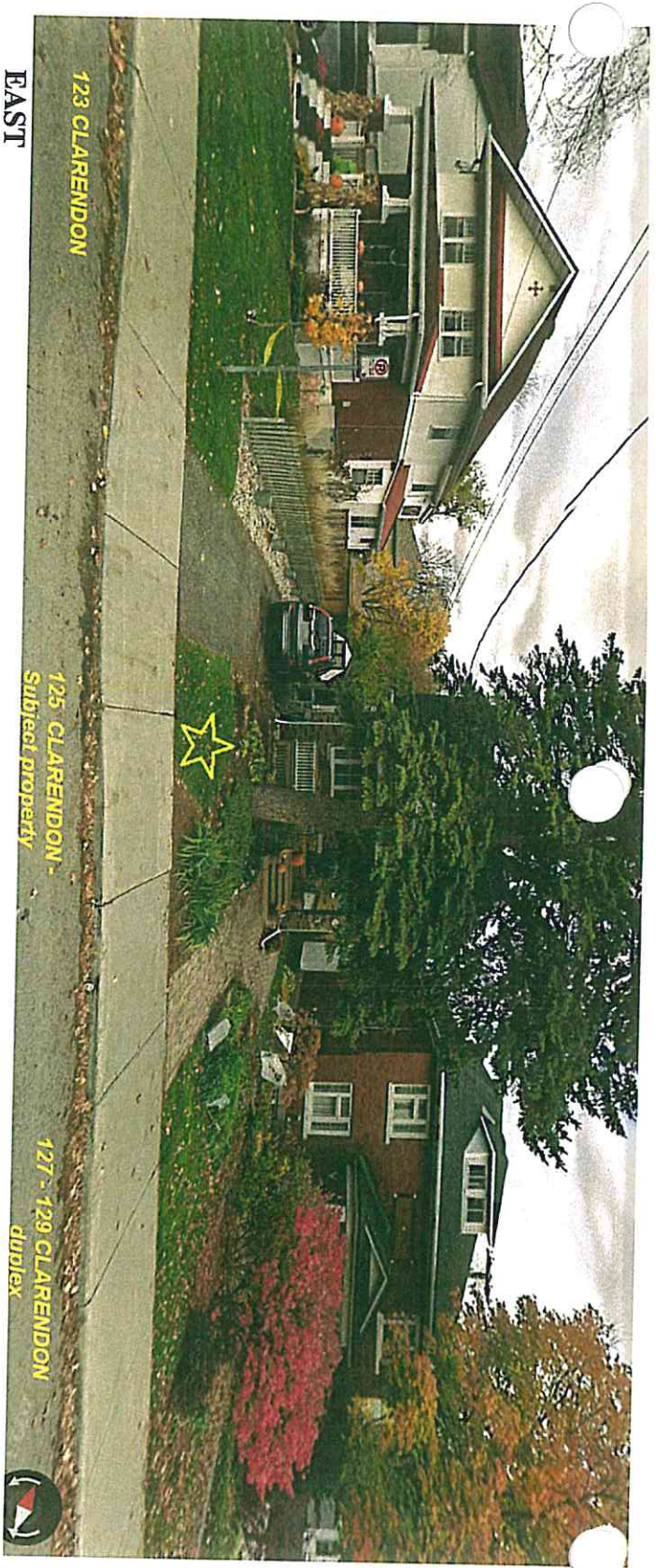
EAST

WEST



124a and 124b CLARENDON
- Semi-detached

122 CLARENDON

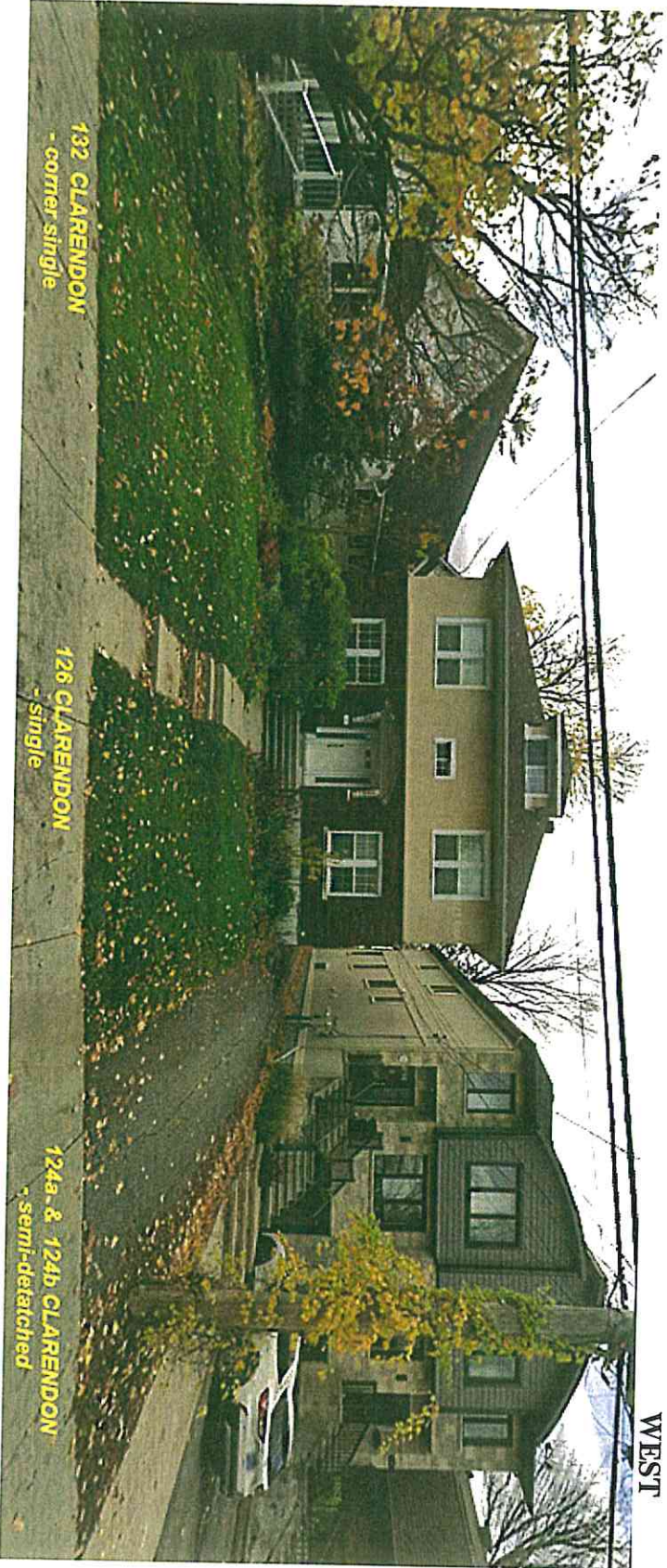


123 CLARENDON

EAST

125 CLARENDON -
Subject property

127 - 129 CLARENDON
duplex

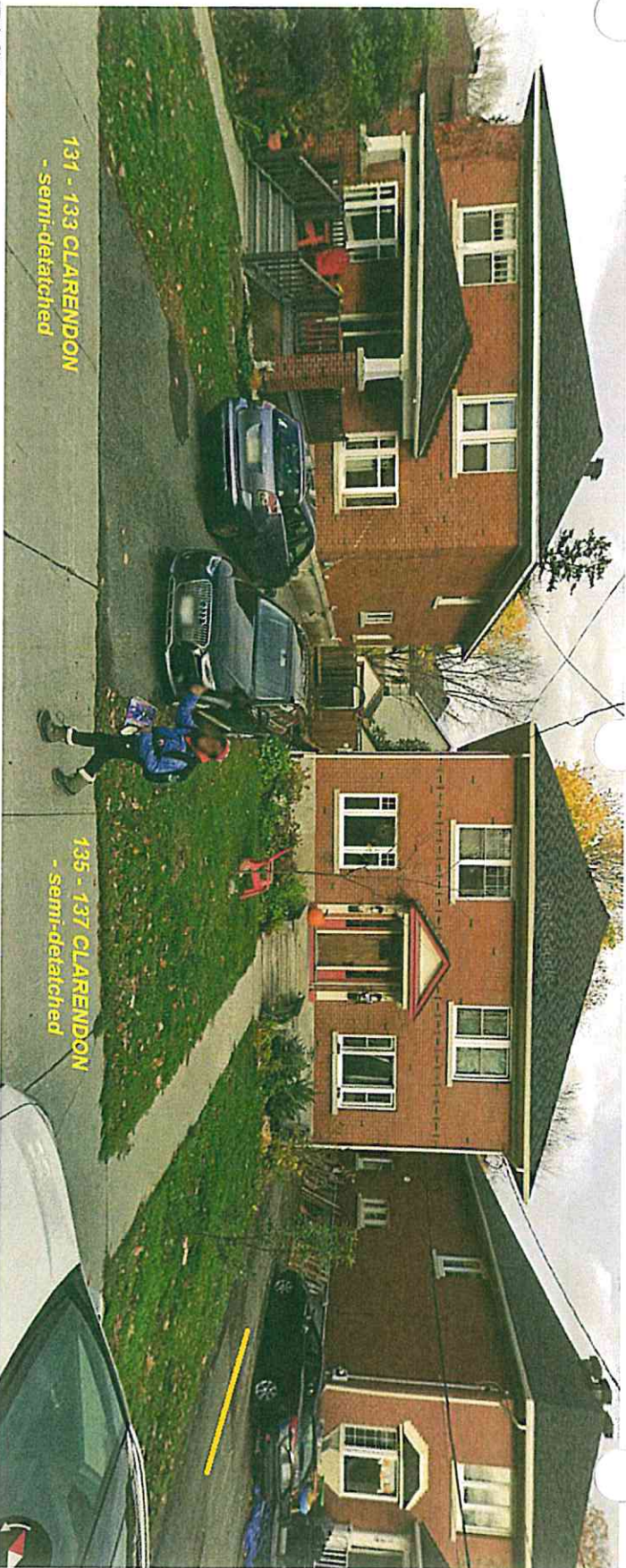


132 CLARENDON
- corner single

126 CLARENDON
- single

124a - & 124b CLARENDON
- semi-detached

WEST



131 - 133 CLARENDON
- semi-detached

135 - 137 CLARENDON
- semi-detached

EAST



140 - 138 CLARENDON
- semi-detached

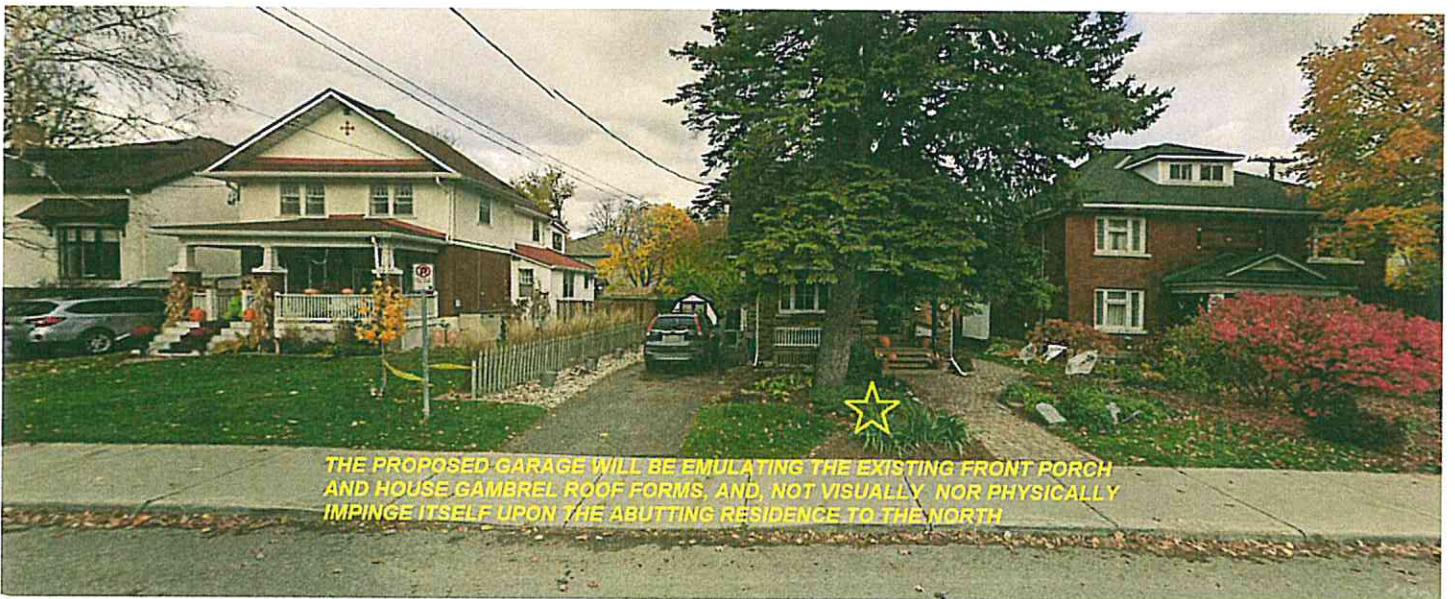
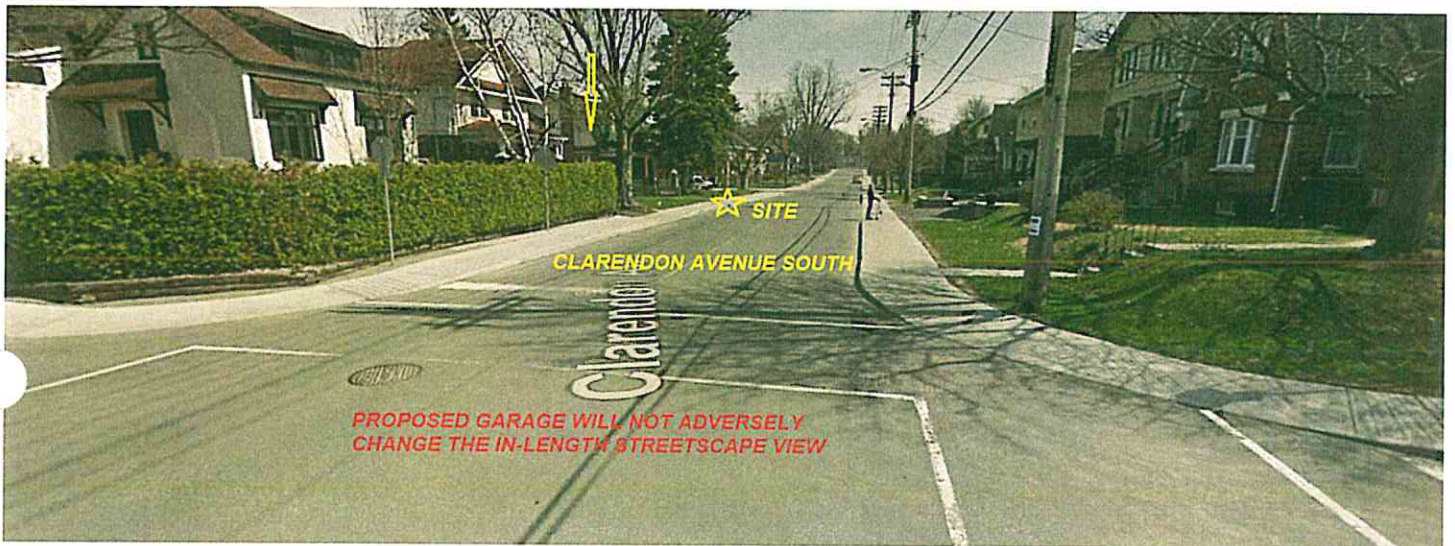
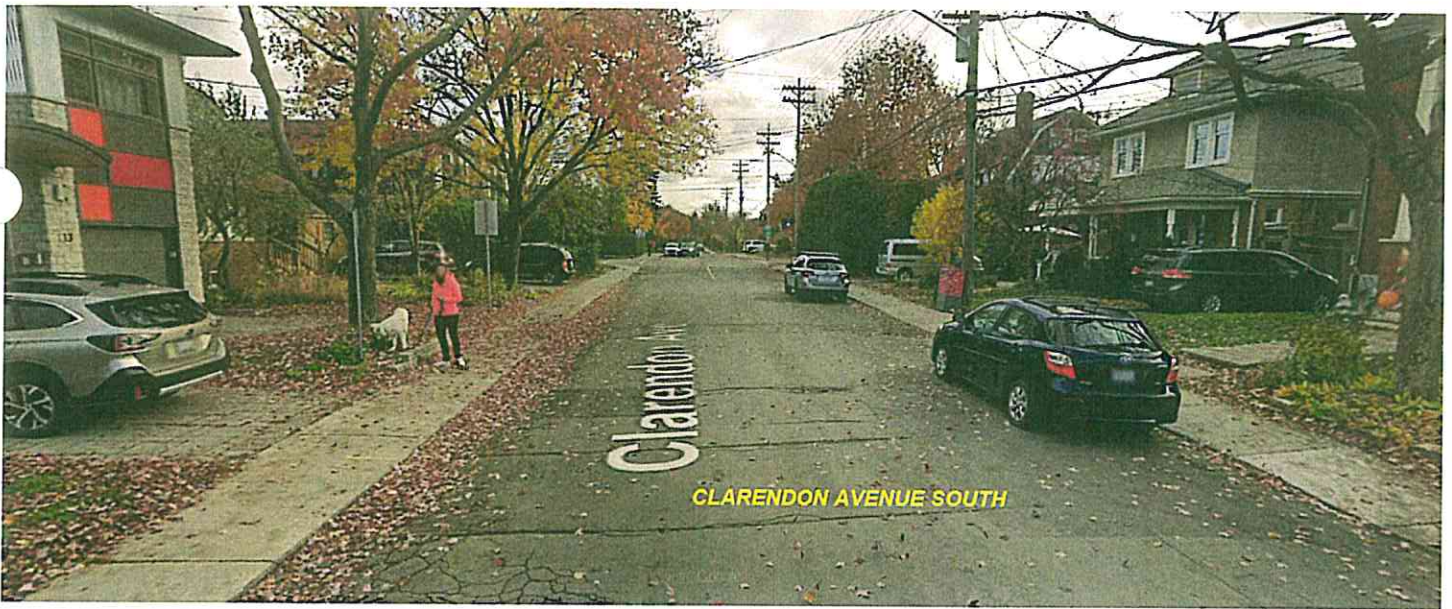
136 - 134 CLARENDON
- semi-detached

WEST



**Longitudinal Street Views as near # 125 Clarendon Avenue, Ottawa.
The Proposed new Garage will not be overly evident when viewed down the street.**





Proposed Garage @ #125 Clarendon Avenue will be emulating the Existing Front Porch shed & House gambrel roof forms and will not visually nor physically impinge upon / over-shadow the abutting residence to the North.