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Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Project Number: 1474(08)

February 26, 2024
Committee of Adjustment
101 CentrepoinTE Drive
Ottawa, ON
K2G 5K7

Attention: Secretary-Treasurer

Subject: Application for Minor Variance for 338 Peninsula Road

Barrhaven Conservancy Development Corporation is submitting the accompanying application and supporting documents to the Committee of Adjustment under Section 45(1) of the Planning Act to request a:

- Minor Variance

Location of Project

The property is municipally known as 338 Peninsula Road and is located in the Barrhaven West Ward of the City of Ottawa. The property is legally described as Lot 134 on Plan 4M-1736. The property is a rectangular shaped lot with a total area of 268.8 square metres and a frontage on Peninsula Road. **Figure 1** shows the location of the lot within The Conservancy Subdivision and is underlaid by 2022 aerial imagery from GeoOttawa.

Figure 1: Location of lot 134 in the Conservancy Subdivision



Project Description

338 Peninsula Road is a serviced and registered lot within the Conservancy Subdivision. The subdivision received draft approval in 2021 (D07-16-20-0021) and this part of the subdivision has been registered and the PINs created as of January 18, 2024. Zoning (R3YY[2766]) on the site was approved in 2022(D02-02-21-0143).

This application is seeking one minor variance which will aid in the orderly development of the property.

Supporting Information

Zoning

338 Peninsula Road is in the R3YY[2766] – Residential Third Density zone.

There are provisions in the exception zone written to allow flexibility of design for newer housing types. For example, the minimum rear yard setback is 6 meters, but the zone allows it to be reduced to 4.5 metres for up to 50% of the lot width. Care is taken to ensure adequate yard area is maintained. This is written as below:

Minimum rear yard setback may be reduced to 4.5 m width for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 54 m².

The requested minor variance would permit this reduced rear yard setback width to be 55% of the lot width and will maintain a rear yard area larger than the required 54m².

Minor Variance

The Application proposes the following variance:

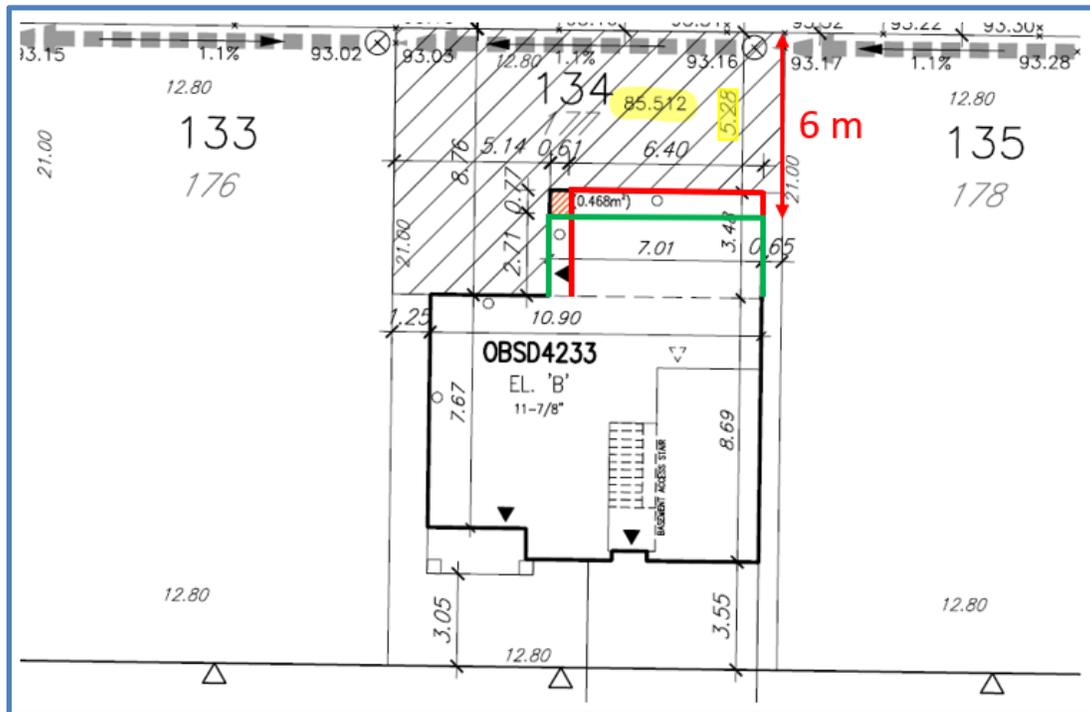
1. **Permit that the minimum rear yard setback may be reduced to 4.5 m width for a maximum of 55% of the lot width, the total area of the rear yard must not be less than 54 m², whereas the by-law permits minimum rear yard setback may be reduced to 4.5 m width for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 54 m².**

Four Tests of Minor Variance

Is the proposed minor variance minor?

The requested variance is minor in nature. The increased width of the intrusion into the rear yard setback is small in absolute terms, being an increase of 5%, or approximately 0.5 m² more. Approximately 85.5 m² of rear yard space is maintained with the requested variance, which is 31.5 m² larger than what is required. Therefore, the requested variance will not have an impact on the enjoyment of the amenity space or the surrounding neighbours. The red lines show what is currently allowed, and the green lines show what is proposed. **Figure 2** shows the area of the requested variance. The orange hatched square shows the area where the building projects into the rear yard setback beyond the permitted 50% of the lot width.

Figure 2: Intrusion into the Rear Yard Setback of 55% Lot Width



There are no anticipated adverse impacts to neighbouring properties that would result from the proposed variance.

Are the requested variances desirable for the appropriate development or use of the land, building, or structure?

The requested variance is desirable because it allows for the orderly development of the property in an economically reasonable manner to allow an alternative desired by a purchaser. The property is located within a new neighbourhood, and the requested variance would allow for the construction of a home that fits with the expected design environment of the surrounding developing subdivision.

Does the application conform to the general intent and purpose of the Zoning By-law?

The intent of the Zoning By-law is to prevent adverse impacts on adjacent lands. The Zoning By-law requires a minimum rear yard area of 54 m². This provision is intended to maintain adequate amenity space in the rear yard. The R3 – Residential Third Density zone is intended to “*regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced*”. The proposed rear yard projection is consistent with the construction of detached homes and will maintain the R3 typology. It will maintain adequate amenity space for the proposed yard and conform with the residential character of the neighbourhood.

Does the application conform to the general intent and purpose of the Official Plan?

The requested variance conforms with the general intent and purpose of the Official Plan. 338 Peninsula Road is located within the Suburban Transect and is part of the “Evolving Neighbourhood” overlay as part of Schedule B6 – Suburban (Southwest) Transect in the City of Ottawa Official Plan. The Suburban Transect is characterized by the separation of land uses, detached buildings, generous setbacks, and low-rise building forms. The built form and site design of the residential structure and lot are consistent with and fit well into the neighbourhood context while also including many suburban characteristics mentioned in Table 6 of the Official Plan.

Despite the increased rear yard setback intrusion, the proposed dwelling and backyard at 338 Peninsula Road will be generally consistent with the built form of the neighbouring properties and generally indiscernible. Further, the proposed variance will not significantly alter the massing and scale of the building and will have no impact on the streetscape. Therefore, the general intent and purpose of the Official Plan is maintained.

Consultation

Consultation with development review staff was undertaken in January 2024 (Justin Grift, Planner, Development Review South).

Supporting Documents

- Plan of Survey of Lot 134 Registered Plan 4M-1737; CITY OF OTTAWA
- Parcel Abstract Page (PIN # 04595-5066)
- Site Plan prepared by Q4 Architects.
- Elevation Drawings prepared by Q4 Architects.
- Committee of Adjustment Minor Variance Application Form

Summary

The proposed development of 338 Peninsula Road maintains the intent and purpose of the City of Ottawa Official Plan (2022) and the Zoning By-law 2008-250 by providing a family-sized dwelling unit that fits into the context of a new subdivision. The proposed variance is minor in nature and will not cause any adverse impact on surrounding properties.

Yours truly,

JFSA Canada Inc.

Brennan Thomas, B.A.
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Reviewed by:

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