

2023-06-29



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 44 Woodpark Way
Legal Description: Part of Block 11, Plan 4M-795; Parts 15 and 16, Registered Plan 4R-9452
File No.: D08-02-23/A-00125
Report Date: June 29, 2023
Hearing Date: July 4, 2023
Official Plan Designation: Suburban Transect, Neighbourhood Designation
Zoning: R3Z [937]

PROPOSED MODIFICATIONS

~~Lot 15, Registered Plan 04596-0425; Part of Block 11 from Plan 4M-795; Parts 15 and 16, Registered Plan 4R-9452~~

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the application.

DISCUSSION AND RATIONALE

The subject property is on Woodpark Way, backing directly onto Longfields Drive. The property is approximately 423 square metres and has an existing townhouse dwelling which is part of a four-unit townhouse building. The applicant is proposing to build a 20.42 square metre sunroom addition onto the rear of the dwelling. The Official Plan designates the subject property Neighbourhood in the Suburban Transect. The policies pertaining to this designation and transect support low-rise density and ground-oriented dwellings. The applicants request would not alter the current residential use but allow an addition to the existing low-rise ground-oriented dwelling. Staff is of the opinion that the request adheres to the intent of the policies in the Official Plan.

The property is zoned *Residential Third Density, Subzone Z, Exception 937 (R3Z [937])*. The purpose of this zone is to allow a mix of residential building forms ranging from detached to townhouse dwellings. One of the provisions within *Exception 937* is a minimum rear yard setback of 9 metres. Staff has found that the subject property was

formerly zoned R5 in the City of Nepean Zoning By-law No. 100-2000 which also required a minimum rear yard setback of 9 metres. The provisions of the Nepean R5 zone were carried forward into the City of Ottawa Zoning By-law 2008-250 as *Exception 937*. Therefore, Staff is of the opinion the 9-metre rear yard setback was applied to the entire R5 zone and was not prescribed specifically to the subject property. Staff note most properties zoned R3Z have a rear yard setback of 6 metres. The intent of the rear yard setback is to maintain a buffer between adjacent properties and buildings.

As seen in the proposed plans and to accommodate the sunroom, the applicant is seeking relief to permit a rear yard setback of 4.77 metres. Staff note that the subject property has an irregular shape with a rear yard that is shallower than neighbouring properties. Additionally, the rear yard abuts onto Longfields Drive, therefore the sunroom would not encroach onto neighbouring properties. Given that the exception and its 9-metre rear yard setback provision was not created specifically for the subject property and that the proposed sunroom will not have adverse impacts on adjacent properties, Staff is satisfied that the intent of the setback is maintained and that the requested variance meets the “four tests” outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

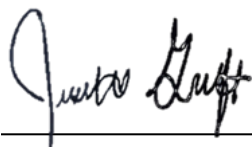
ADDITIONAL COMMENTS

Planning Forestry

There are no tree concerns associated with this application.

Right of Way

The Right-of-Way Management Department has **no concern** with the proposed Minor Variance Application, as there are no requested changes to the driveway/private approach.



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