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July 5, 2024

City of Ottawa  
Committee of Adjustment  
101 Centerpoint Drive  
Ottawa, ON K2G 0B5

Attention: Committee Members

**Re: A24-002809 – 53 Slade Crescent Minor Variance Application**

Dear Committee Members,

The Good Guys contracting is pleased to submit a Minor Variance Application on behalf of the owner, for the subject site known as 53 Slade Crescent to permit an increased building footprint containing a Gazebo.

Please find enclosed the application for a single variance to Section 55, Table 55(6) on this building permit, application no. A24-002809.

- Signed Minor Variance application form
- Tree Information Report prepared by Ottawa Tree Reports dated July 04, 2024
- Survey Plan prepared by Farley, Smith & Denis Surveying Ltd. June 18, 2024
- Site Plan and Elevation Drawings prepared by A-Zign Studio
- City of Ottawa Zoning Deficiency Letter dated May 22, 2024

## Introduction

This Application has been prepared and submitted to permit the construction of a 1-storey gazebo in the rear yard of a detached dwelling located at 53 Slade Crescent, Ottawa, Ontario.

The application is seeking relief to permit an increase in the total cumulative accessory building footprint. The proposed development consists of a 98 m<sup>2</sup> Gazebo with a kitchen, dining and seating area in the rear yard. And to increase the maximum number of accessory buildings permitted on a lot from 2 to 3.

## Site Context and Analysis

The Subject Site is located in the established Marchwood-Lakeside Neighborhood in Kanata North. The lot is zoned first density under current zoning by-law 2008-250, with a zone designation of R1J. The adjacent Properties consists of

- Adjacent to the North Side Property Line – Detached House at 55 Slade Crescent
- Adjacent to the South Sideline - City ROW pedestrian path to Walden Park
- Adjacent to the Rear Property Line – Walden Park (130 Walden Drive)



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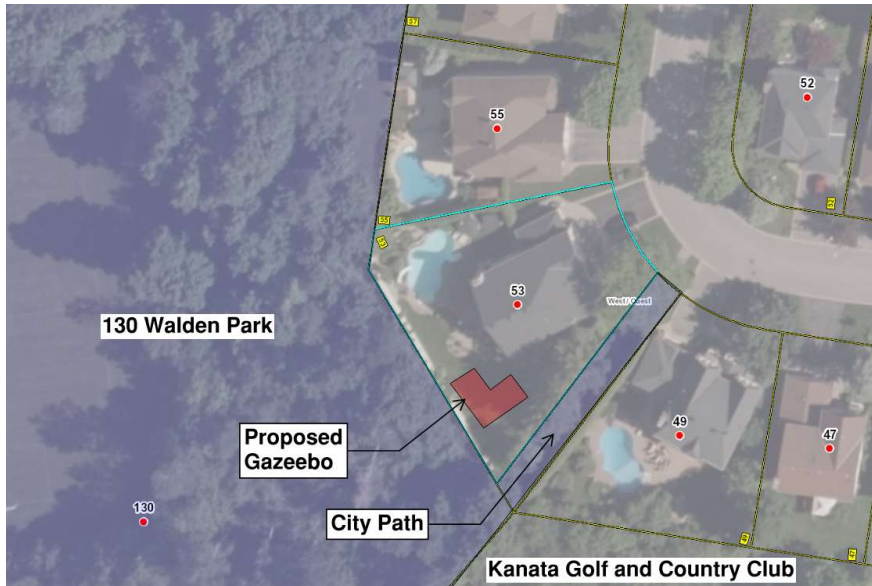


FIGURE 1: SITE LOCATION

53 Slade crescent has a lot area of 1245.8 m<sup>2</sup>. The back/rear Yard has an area of 537.7 m<sup>2</sup>. The backyard currently resides:

- An inground pool
- A small storage shed (5 m<sup>2</sup>)
- A small pool shed (7 m<sup>2</sup>)



FIGURE 2: PROPOSED GAZEBO LOCATION

## Zoning Requirements

The Subject property is designated residential First density (R1J) in the City of Ottawa by-law (2008-250). Correspondence with City of Ottawa Zoning Plane Examiner and Panel 2 Planners during the permit application process indicated the following zoning deficiency:

**As per Section 55, Table 55(6), in the R1 zone:**

*“The aggregate of all accessory buildings not to exceed a lot coverage of 50% of the yard in which they are located, with a maximum cumulative floor area of 55 m2 as measured from the exterior walls of the building”*

- Rear Yard Area = 537.7 m2 (100%)
- Proposed Gazebo = 98 m2 (18.2%)
- Existing Pool Shed = 7m2 (1.3%)
- Existing Storage Shed = 5 m2 (0.093%)
- Cumulative Proposed Area of Accessory buildings = 110 m2 (20.4%)

The following table summarizes the information relevant this deficiency and the minor variance request:

Requirement	Required	Provided	Compliance
Rear Yard Area	-	537.7 sqm	-
Maximum Rear yard Lot Coverage	50% (268.85 m2)	20.4% (110 m2)	Meets
Aggregate Area of Accessory buildings	55 m2	110 m2	Exceeds maximum area by 55m2
Maximum Number of Accessory Buildings Permitted on a lot	2	3	Exceeds by 1

The building height, property line setbacks, rear lot coverage were confirmed to be within the bylaw.

The proposed Gazebo meets the majority of the zoning provisions under R1J with two (2) exceptions. We seek a minor variance for the following:

**1. Aggregate area of Accessory buildings**

To permit an increase to the allowable aggregate area of accessory buildings to 110 m<sup>2</sup>, whereas the by-law limits the total aggregate area of accessory buildings to 55 m<sup>2</sup>.

**2. Maximum Number of Accessory Buildings Permitted on a lot**

To permit an increase to the allowable number of accessory buildings to 3, whereas the by-law limits the total aggregate area of accessory buildings to 2.

## Tree Protection

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The Subject site has four (4) identified distinctive trees. Consultation with City Forestry confirmed the need for a Tree Report (TIR) and recommendations to protect the identified trees. Ottawa tree reports was retained to complete a TIR for this project which has been included as an attachment to this application. In Summary:

- The proposed concrete slab encroaches upon the critical root zone (CRZ) of one of the identified trees (Tree 4). Approximately less than 10% of the roots will be injured for the proposed work and preconstruction root pruning is recommended.
- Plywood Tree Protection fencing has been recommended to protect the trees during construction.

## Hydro Ottawa

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No underground or overhead conflicts have been identified

## Rationale

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In summary it is our Opinion that the requested variances meet the four tests for the following reasons:

**1. The variance is minor**

- a. We find the requested variances to be minor considering the proposed height is below that of the surrounding dwellings and is not visible from any adjacent lots.
- b. We find the requested variances to be minor considering the lot area of the subject property is much greater than the average urban parcel.
- c. We find the requested variances minor as the 2 existing accessory buildings are small, not easily visible, and serve a specific purpose, and are beneficial to the neighboring properties

- i. One small shed conceals pool equipment and reduces noise generated by pool equipment to the benefit of the owners and neighbors.
- ii. One small shed serves as storage for outdoor equipment, gardening supplies, and furniture

**2. Is the variance desirable for the appropriate development or use of the property**

- a. We find the variances to be desirable and appropriate for the use of the property as we are maintaining the current function of the site while providing an area for the residents and their guests to fulfill their dreams of space that allows them to enjoy the outdoors while protected from the elements
- b. We find the variances to be desirable and appropriate for the use of the property as the proposed gazebo has solid walls parallel to the property lines and is located far from the nearest adjacent dwelling to minimize/eliminate noise and light nuisance to adjacent properties as while the owners and their guests to enjoy the outdoors.
- c. We find the variances to be desirable and appropriate for the use of the property as separate sheds (Accessory buildings) is desirable so that pool equipment and machinery is kept separate and is easily accessible from the storage of outdoor and gardening equipment. An increase from 2 to 3 allowable accessory buildings is required if the owners were to erect a any type of shade structure that would be sufficient to accommodate their family and guests while keeping the two (2) existing sheds.
  - i. If it is deemed not desirable by the council or community the owner will agree to combine the two sheds into one structure.
- d. We find the variances to be desirable and appropriate for the use of the property as the dwelling will continue to align with the character of the surrounding neighborhood and no major concerns are anticipated to arise as a result of the variance.
- e. We find the variances are deemed favorable, given the positioning and scale of the gazebo will not adversely affect neighboring properties. The inherent and designed site features ensure ample privacy.

**3. Is the variance maintaining the general intent and purpose of the zoning by-law**

- a. We find the variances maintain the general intent of the zoning by-law as proposed design meets the majority of the zoning provisions and is a permitted use within the R1 zone.

**4. Does the variance maintain the general intent and purpose of the Official Plan**

- a. The variances, in alignment with the general intent of the official plan ensure that the proposed development fosters the enjoyment of the outdoors, and the respect and awareness of minimizing noise and light nuisances to the community.
- b. The subject property is located in Neighbourhood designation and adheres to the general intent of the Official Plan by providing low-rise development, which includes a gazebo that is permitted and a compatible use, and characteristic of the surrounding community
- c. The proposed development is in alignment Big Policy Move 4 to embed environmental, climate and health resiliency. Increased very hot days, increased precipitation and shorter winters are expected going forward. This development will help increase the enjoyment of outdoor spaces as the environment and weather continues to change.
- d. The proposed development is in alignment with official plans culture polices as the owner's backyard will be an enjoyable and unique destination for family and community get togethers. The architectural design of the gazebo is also unique and will promote a new local designers' vision and art.

In summary we are of the opinion that the requested relief for the proposed development meets the four tests as established in the planning act.

**THE GOOD GUYS CONTRACTING**



Mazen Charaoui, M.Eng, P. Eng