

This document is presented in the language it was provided.
Ce document est présenté dans la langue dans laquelle il a été fourni.

Variance Rational
Chris Jalkotzy
Modulink, Planning & Design
10 July 2024

Contents:

1.0 INTRODUCTION and PROJECT OVERVIEW:	Page 2
2.0 SITE OVERVIEW & COMMUNITY CONTEXT:	Page 2
3.0 DEVELOPMENT PROPOSAL	Page 5
4.0 POLICY AND REGULATORY FRAMEWORK:	Page 6
5.0 CONCLUSION:	Page 8

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2024-07-11

City of Ottawa | Ville d'Ottawa
Comité de dérogation

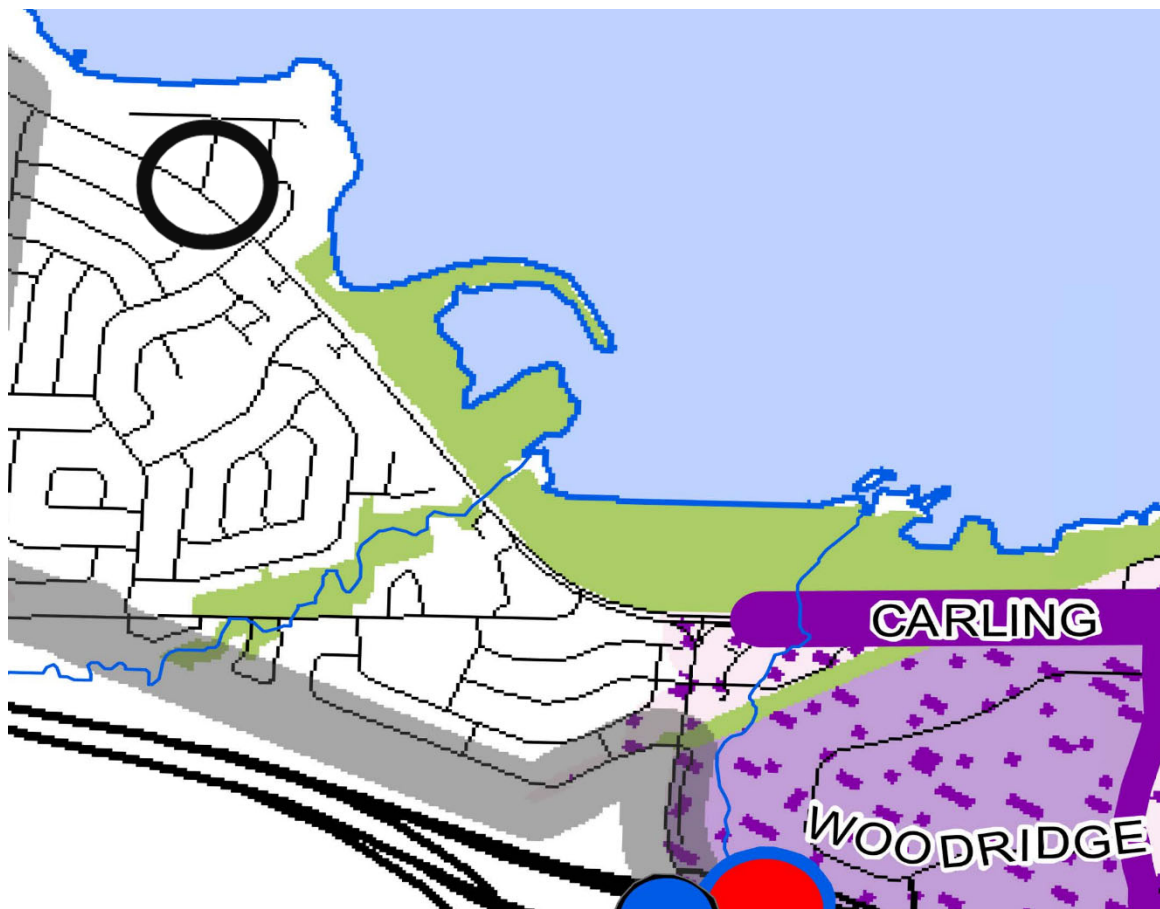
1.0 INTRODUCTION and PROJECT OVERVIEW:

This report has been prepared in support of the application for variances to rectify a small encroachment on the rear yard of a detached dwelling under construction and permit the construction of a detached double car garage and other accessory buildings on a lot located at 1 Sunny Brae. The variances requested are for rear yard setback, aggregated area of accessory buildings, driveway width and location of a detached garage.

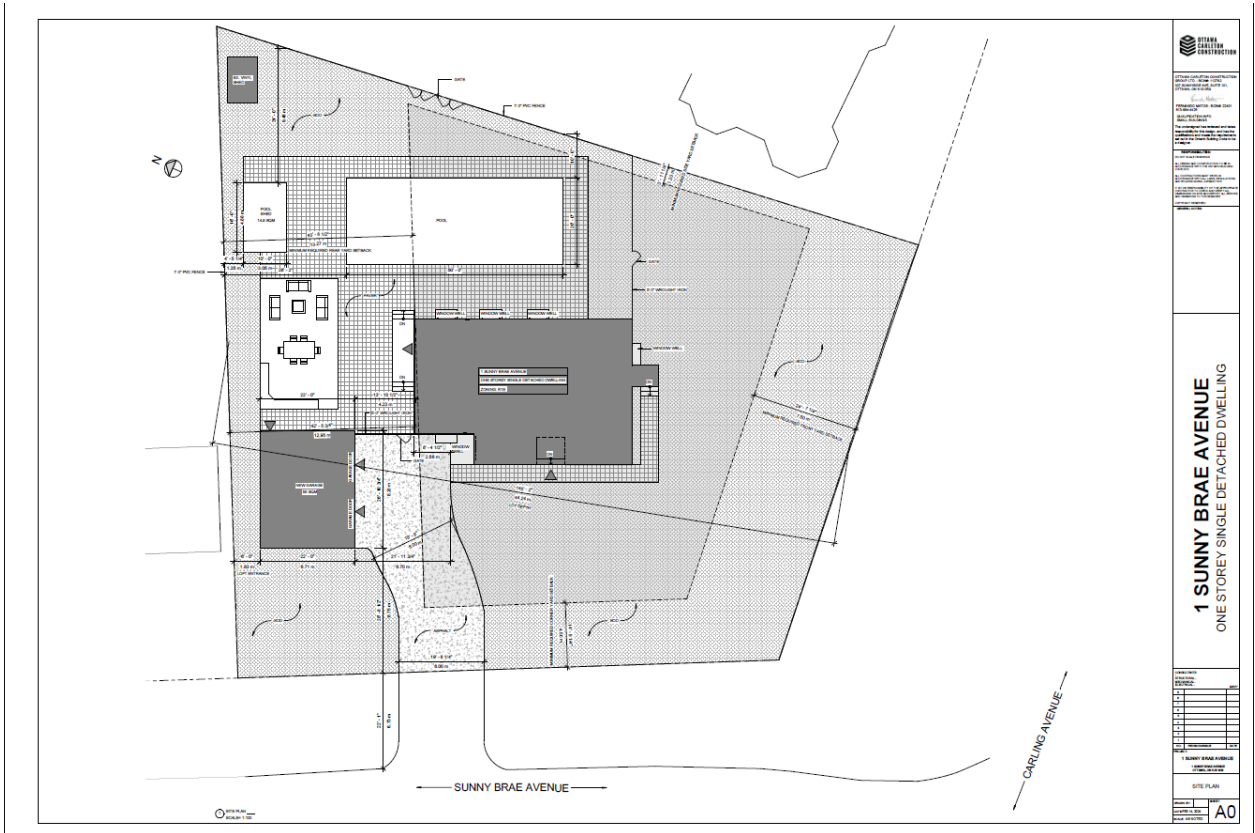
2.0 SITE OVERVIEW & COMMUNITY CONTEXT:

The property is currently occupied by a partially constructed 2 storey detached dwelling constructed in 2023. The property is in the City of Ottawa. It has a street frontage width of 23.61m (east/west) and a depth of 38.06m (north/south). It has a lot area of 1660.10 m². The zoning is R1E.

It is located in the Schedule B3 Outer Urban Transect on corner of Sunny Brae Ave and Carling Ave. The site is in a designated neighbourhood.



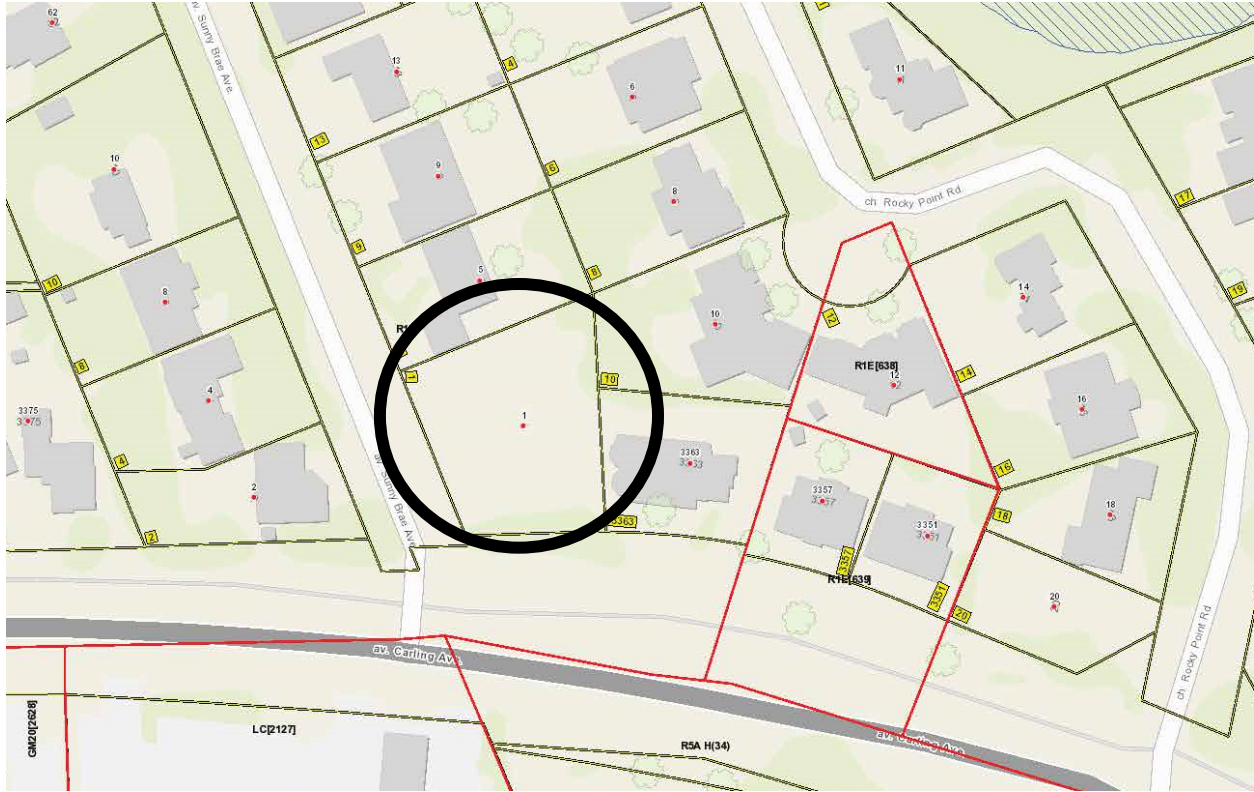
On Schedule C4 - Urban Road Network, Sunny Brae is classified as a local road and Carling Ave is a Collector



Subject Site

Surrounding Land Uses:

The property is bounded by detached dwellings on the North, East and West. Carling Avenue south side.



1) Subject Property



3.0 DEVELOPMENT PROPOSAL AND VARIANCES

The application requests four variances

- 1) The proposal is to permit a variance in the rear yard setback requirement for a small corner of the detached dwelling currently under construction. An error was made in siting the building. The northwest corner of the building is 12.95m from the rear property line, whereas the bylaw requires 13.27m. (Section 144(4)(a))

The variance should be considered minor as only part of the rear of the building requires the variance and that the northeast corner of the building almost complies.

The next 3 variances requested relate to the size and location of a proposed 2 car detached garage and a pools house

- 2) Variance to permit an aggregated building area of 69.9 sqm of accessory structures whereas the bylaw only permits a max aggregated area of 55 sqm (TABLE 55 – PROVISIONS FOR ACCESSORY USES, BUILDINGS OR STRUCTURES-: (6) (a))

The variance should be considered minor. For the aggregate size of the accessory buildings, pool house and garage, (Table 55 (6)), their total area proposed is 69.9 sqm vs the max permitted of 55 sqm. The garage by itself would comply as it is 55 sqm in size. The rear yard is approx. 500 sqm. The aggregate area of the accessory buildings is 14% of the rear yard which is considerable less than the 50% permitted in smaller rear yards.

- 3) Variance to permit an entrance to a garage to be 6.0 metres closer to the side lot line than the principal entrance to the dwelling, whereas the By-law requires an entrance to a garage to be set back at least 0.6 metres further from the lot line than the [principal entrance to the dwelling. ((Section 139, (3)(a)), this variance is not required if the garage is deemed not a front facing

The variance should be considered minor as it permits the garage doors to not face the corner side yard street and be directly adjacent to the existing detached garage on the adjacent northly lot.

- 4) Permit a driveway width in the corner side yard of 7.8m, whereas the bylaw permits a max driveway width of 6.0m (Table 139(3) Driveway Regulations (Vi), this variance not required if the driveway width is only calculated up to the min corner side yard, in this case 4.5m

The variance should be considered minor as it permits the garage doors to not face the corner side yard street.

4.0 POLICY AND REGULATORY FRAMEWORK:

Provincial Policy Statement (2020)

The Provincial Policy Statement is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Under the PPS, settlement areas are intended to be the primary focus of growth in the province.

Policy 1.1.1. Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

h) promoting development and land use patterns that conserve biodiversity;

and

i) preparing for the regional and local impacts of a changing climate.

The subject lands are situated within the urban boundary of the City of Ottawa and constitute a settlement area. Within settlement areas, the PPS encourages land use patterns that make efficient use of land, effective use of infrastructure and public services, support active modes of transportation and are transit-supportive (Policy 1.1.1).

City of Ottawa Official Plan

The Ottawa Official Plan has been reviewed. The site is designated General Urban Area on Schedule B of the City of Ottawa Official Plan. Lands within this designation are meant to provide a full range and choice of housing options in combination with conveniently located employment, retail, service, entertainment and institutional uses. The project site does not fall within any of Schedule C7-A - Design Priority Areas – Urban. It is classified as “Neighbourhood” under Schedule B3 Outer Transet

The Proposal sensitive redevelopment of a property by not having front facing garages

City of Ottawa Comprehensive Zoning By-law 2008-250:

Purpose of the Zone

The property is currently R1E

Purpose of the Zone

The purpose of the R1 - Residential First Density Zone is to permit single detached dwelling units:

5.0 CONCLUSION:

The proposed development has been designed to meet the current planning framework. It is consistent with the Provincial Policy Statement and conforms to the City of Ottawa Official Plan.

The proposed variance should be considered minor for the following reasons:

1. They are minor and desirable.
 - a. They reflect the current character of the neighbourhood with a detached building on a large lot with accessory building in scale with the lot size.
2. The general intent and purpose of the Zoning By-law is maintained
 - a. the intent of the bylaw is to permit the single detached buildings with accessory buildings.
3. The general intent and purpose of the Official Plan is maintained;
 - a. The official plan supports property uses and scale of building in keeping with the existing lot fabric.
4. The Ontario Planning Act supports intensification in residential urban areas