



City of Ottawa Committee of Adjustment
101 Centrepointhe Drive, 4th Floor
Ottawa, ON, K2G 5K7

Attn: Mr Michel Bellemare
Secretary Treasurer

Re: 2019 King's Grove Cres. (Minor Variance application)
Karine Lortie
Lot 483, Registered Plan 828, City of Ottawa

July 19th, 2024

Committee of Adjustment
Received | Reçu le

2024-07-22

City of Ottawa | Ville d'Ottawa
Comité de dérogation

On behalf of our clients, we are submitting the enclosed Minor Variance for the proposed development at 2019 King's Grove Cres. The proposed development includes the removal of the existing garage and shed and the construction of a dwelling addition for an additional bedroom and a new garage. No trees are proposed to be removed as a result of this proposal. The property is zoned R1WW [637] in the City of Ottawa Zoning By-Law and it is designated as a Neighbourhood in the Outer Urban transect as per the Official Plan (2022).

The proposal requires the following variances:

- a) Corner side yard setback. The minimum corner side yard setback is 5m, and we are required to legalise the existing corner side yard setback of 4.61m (Table 156A, VI, Zoning By-Law 2008-250, as amended).
- b) Rear yard setback. The minimum rear yard setback is 28% of the lot depth (8.62m), and we are proposing a rear yard setback of 15.2% of the lot depth (4.68m) (Table 144B, (iii), Zoning By-Law 2008-250, as amended) in a portion of the rear yard.
- c) Rear yard area. The minimum rear yard area is 25% of the lot area (175.75m²), and we are providing a rear yard area of 17.1% of the lot area (118.42m²) (S. 144, (3) (a), Zoning By-Law 2008-250, as amended).
- d) Maximum projection of a deck. The maximum allowable projection for a deck is 50% of the yard in which it's located to a maximum of 1m to any lot line. We are required to legalise the existing deck that projects 94% into the yard in which it's located and 0.3m to the lot line (Table 65, (6) (a) (ii), Zoning By-Law 2008-250, as amended).
- e) Projection of a garage. The maximum allowable projection for a garage is 0.6m from the principal entrance, and we are proposing a garage projection of 1.52m

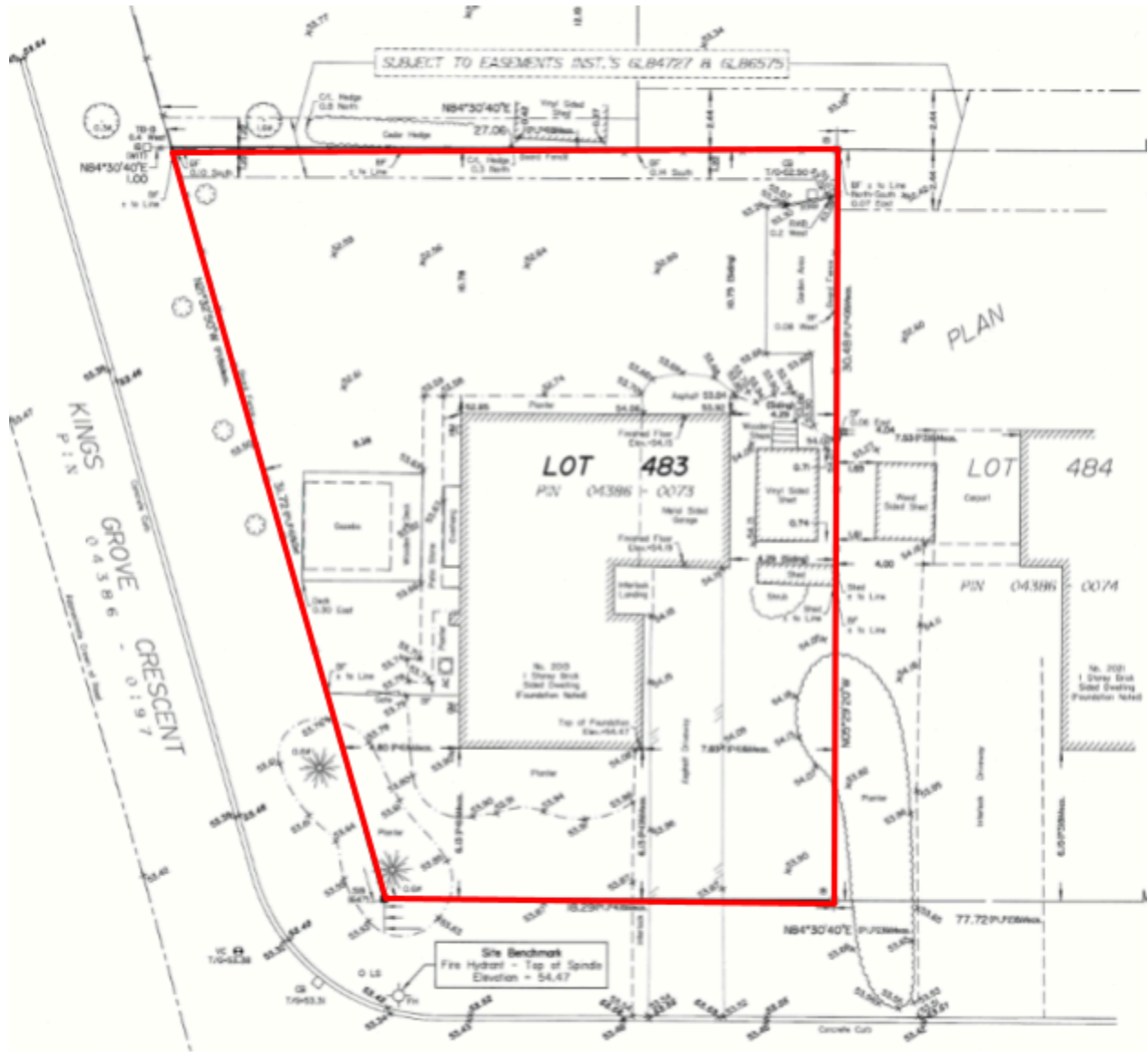
from the principal entrance (S. 139, (3) (b), Zoning By-Law 2008-250, as amended).

- f) Setback of a garage. The minimum setback for a garage from the front edge of a porch is 0.6m, and we are proposing a 0m setback from the front edge of a porch to the garage (S. 139, (3) (a) (ii), Zoning By-Law 2008-250, as amended).

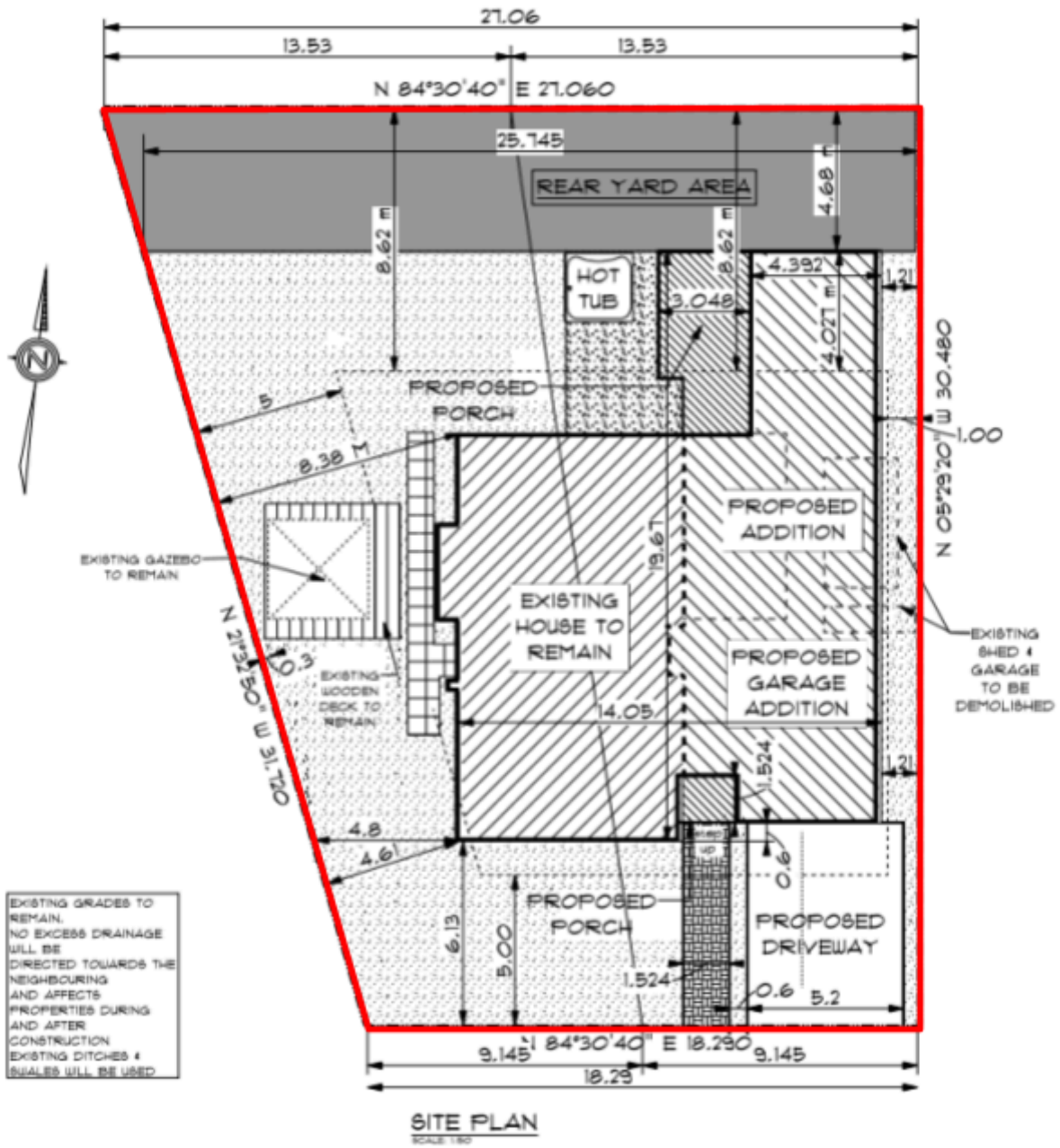
All other zoning requirements such as height, parking, driveway, front yard setback, and interior side yard setback are met by this proposal.



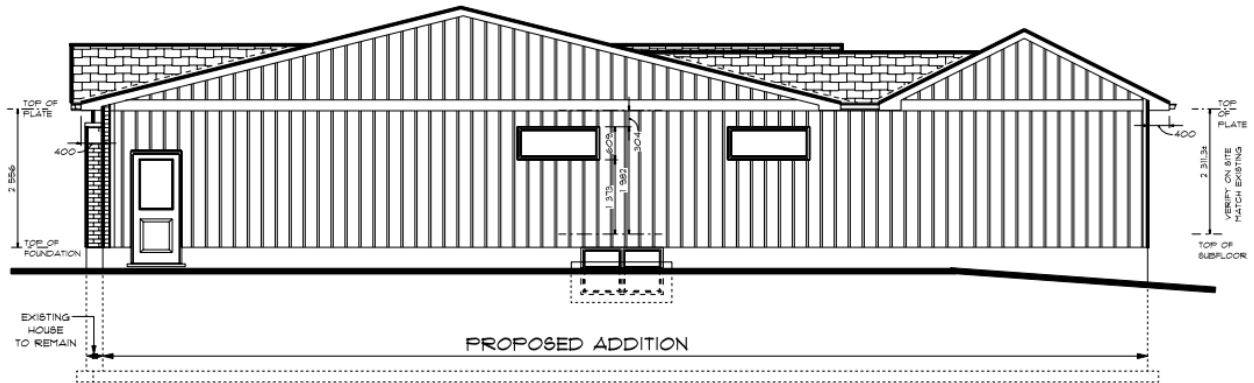
2019 King's Grove Cres showing the **approximate lot boundary**.



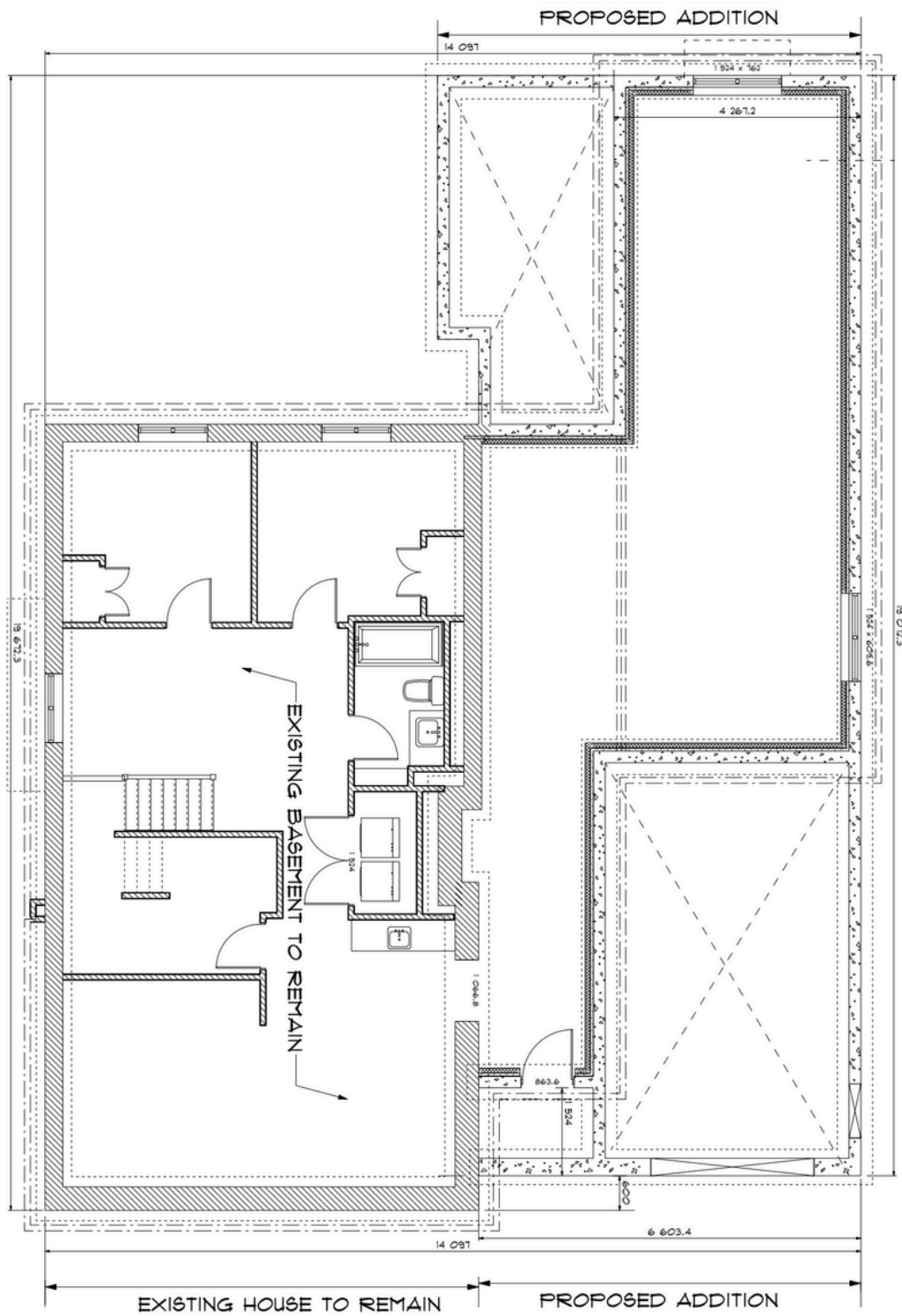
Survey plan showing the **approximate lot boundary**.



Site plan showing the lot boundary.



East elevation (facing 2021 King's Grove)



Basement plan (for illustration purposes only)



The four tests of a Minor Variance application from Section 45 (1) of the Planning Act are that the variances are minor in nature, are desirable for the appropriate development or use of the land and building, and are to maintain the general intent and purpose of the Official Plan and the Zoning By-law.

1. The application is minor in nature.

It is our opinion that the variances required to permit this development are minor. Two of the six variances represent existing conditions (corner side yard setback and deck projection), two of the six represent rear yard variances, and the final two variances are related to the garage door position.

The existing **corner side yard** condition (variance a) of 4.61m is an existing condition that is not exaggerated by this proposal. The requirement to include it in this application is because it was not established legally and therefore does not enjoy legal non-conforming rights. The proposed decrease from 5m to 4.61m represents a 0.39m or 8% reduction and will not impact the ability to screen the public street or impede sightlines around the street corner. Additionally, the building area encroaching into the 5m setback is approximately 0.5m² and represents 0.2% of the overall building area.

The existing **deck projection** (variance d) is an existing condition that is not exaggerated by this proposal. The deck was established illegally by a previous owner and does not enjoy legal non-conforming rights. The deck projects into the side yard 94% of the yard's depth and is 0.3m from the corner side lot line. The maximum permitted projection is 50% of the yard's depth to a maximum of 1m to any lot line. The deck is screened and will continue to be screened by a 1.8m high wood privacy fence. The deck is therefore not visible from the street. The use of this space will not be altered as a result of this proposal.

The proposed **rear yard setback** (variance b) of 4.68m from 8.708m only applies to a 4.39m wide portion of the building. The remaining building width of 9.77m is setback 10.8m. The small bump out subject to this variance will not contain any rear-facing windows and is setback far enough to provide space for planting between the building wall and the lot line. The non-compliant floor area in the rear yard is 16.6m² and represents 7.8% of the overall building floor area.

The proposed **rear yard area** (variance c) is a function of the rear yard setback. The reduced rear yard setback, by definition, also reduces what is technically known as the

rear yard area. The proposed rear yard area as per the Zoning By-Law definition is 118.42m² whereas the required area is 172.75m². A much larger area is provided in the backyard that is technically outside of the Zoning By-Law defined rear yard. The actual usable yard space in the backyard of this property is approximately 244m² and contains a porch, hot tub, and sod. This area is applicable as a private amenity area and is larger than the required rear yard area. Additionally, no trees are proposed to be removed to accommodate the smaller rear yard area or setback, the yard is fully fenced (the rear lot line fence is on the property line in places and up to 0.14 m within the subject property in other places) and there is ample space for planting in the rear yard.



Rear yard of the subject property showing the proposed rear yard addition, resulting technical rear yard area, and approximate lot line location.

The proposed garage position triggers two variances (variance e and f). The garage is situated flush with the front edge of the front porch and is 1.524m proud of the front

entranceway. Despite the garage being flush with the front edge of the front porch, the garage is setback 0.6m from the outermost building wall. The deeper than permitted porch area is an intentional design direction to allow for a more spacious covered area before entering the house. This condition is an improvement on existing conditions as the current front door faced the interior side yard and not the front yard. The front door is also currently located quite deep into the lot. This development proposes to bring the front door closer to the street and be more visible from the street.

2. The application is desirable for the appropriate development of the lands in question.

The proposed development follows many key guidelines from the City of Ottawa's Urban Design Guidelines for Low-rise Infill Housing (2022). This design guideline document will be applied to all infill development in the Downtown Core-, Inner Urban-, Outer Urban- and Suburban Transects, as identified on Schedule B of the Official Plan. This infill may include the following residential types: single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments (four units and more) and other forms of ground-oriented housing typologies that may emerge. Those key guidelines and the proposal's *responses* are as follows:

1.0 Streetscapes

1.1 Contribute to an inviting, safe, and accessible streetscape by emphasising the ground floor and street façade of infill buildings. Locate principal entries, windows, porches and key internal uses at street level. *The proposed development is a single storey and the ground level is proposed to be 0.91m above the average grade resulting in the need for 3 steps at the primary entrance. The primary entrance is therefore located at street level alongside the garage, windows, and front porch.*

2.0 Landscape

2.1 Landscape the front yard and right-of-way to emphasise aggregated soft landscaping as much as possible and provide adequate soil volume for the planting of large sized trees. *Landscaping in the front yard is to be maintained. The existing conditions include 2 large pine trees in the southwest corner of the property/City ROW, and a small lilac tree southeast of the property in the City ROW that will be retained.*

2.3 Design buildings and parking solutions to retain established trees located in the right-of-way, on adjacent properties and on the infill site. To ensure their survival, trenching for services and foundations must take into account the extent of the tree's



critical root zone. Replace trees with new ones if removal is justifiable. *No trees are proposed to be removed as a result of the proposed development. The pine and lilac trees mentioned above will be maintained in the front/corner yard areas, and the two maple trees north of the subject property are also to be retained. Therefore, no replacement trees are required.*

3.0 Building Design

3.1.1 Ensure that new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street contribute to the animation, safety and security of the street. *The front facade will feature the existing building (west) and the proposed addition (east). The facade will contain two large windows looking in on the kitchen/living space, a principal entrance with two sidelights, a covered porch, and a single car garage. The presence of large windows and a principal entrance facing the street will provide safety and security, while the adjusted roofline and new front porch will animate the streetscape.*

3.1.2 Locate and build infill in a manner that reflects the desirable planned neighbourhood pattern of development in terms of building height, elevation and the location of primary entrances, the elevation of the first floor, yard encroachments such as porches and stair projections, as well as front, rear, and side yard setbacks. *The general character of the neighbourhood is single storey dwellings with large planting and front yard setbacks. The neighbourhood characteristics for principal entrances vary between facing the street and facing the interior side yard. The proposed development will retain approximately 50% of the existing dwelling and its streetscape presence. The addition will bring the dwelling to align more closely with the goals of this design guideline document, the Official Plan, and the Zoning By-Law by creating a consistent front yard setback across the width of the property.*

3.1.5 In cases where there is a uniform setback along a street, match this setback in order to fit into the neighbourhood pattern and create a continuous, legible edge to the public street. In cases where there is no uniform setback, locate the infill building at roughly the same distance from the property line as the buildings along the abutting lots. *The existing front yard setback only applies to half of the building frontage as the current garage and entrance are setback much further into the property. This development proposes to align the garage and entrance with the existing front building wall to create a more uniform front yard setback.*

3.1.8 Determine appropriate side and rear separation distances between existing homes and new infill homes/housing blocks to ensure appropriate space for landscaped area and privacy. Consider how building height, site orientation and the location of windows affect views, sunlight and privacy. *The corner side yard contains sufficient soft landscaping and fencing to provide a buffer between the dwelling and the street. The interior side yard setback is large enough to accommodate a walkway from the front yard to the rear yard and is larger than the minimum required setback. The rear yard setback reduction still allows for adequate planting/fencing to provide privacy for the neighbouring lot, and the distance between the building to the north and the subject building is almost 17m.*

3.1.9 Maintain rear yard amenity space that is generally consistent with the pattern of the neighbouring homes. Limit disruption to an existing neighbourhood pattern of green rear yards caused by reducing required rear yard setbacks. *Due to the age of this neighbourhood, there is a large variety of building footprint sizes and locations and therefore a consistent pattern of rear yard amenity is difficult to determine. The area available for amenity space in the rear yard is very similar to the current conditions. The only portion of the addition being introduced into the rear yard is only 25m², the remaining area is maintained as amenity space.*

3.2.1 Design infill in a manner that contributes to the quality of the streetscape considers the impacts of scale and mass on the adjacent surrounding homes. *The general scale and mass of this project is maintained. The proposed building will generally maintain the existing building height, corner side yard condition, and half of the front yard condition. The net gain in building mass is 78m² which is represented by a wider building at the front and a small protrusion at the rear.*

3.3.3 Provide primary building entrances that are inviting and visible from the street by:

- Using quality and eye-catching materials and features at the entry;
- Adding architectural elements such as porches which promote street-oriented interaction;
- Keeping front doors prominent and close to the ground to match the pattern of the doors on the street and to minimise exterior stairs for accessibility, as well as to ease year-round maintenance; *The principal entrance condition will be improved by this development because it proposed to bring the entrance to face the street and be more in-line with the front building wall. The entrance will feature a sidelight on either side of the door making it a focal point on the facade.*

3. It conforms to the general intent of the Official Plan.

The Official Plan (2022) designates this property as a Neighbourhood in the Outer Urban transect. The property is located in Rothwell Village which is classified as a classic suburban neighbourhood being built within the greenbelt prior to the 1980's. The following sections are applicable Official Plan policies and the proposal's responses:

2.2.1 Intensification and Diversifying Housing Options

- i) Direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods *The subject property is located in an established neighbourhood within the urban area containing a variety of land uses and transit options. The proposed development does not include additional dwelling units, however it does propose to expand the current dwelling on the property.*

- ii) Provide housing options for larger households *The proposed addition contains a new garage, mudroom with laundry, primary bedroom, and ensuite. This adds one bedroom to the unit which previously contained 3 bedrooms, making the new house a 4 bedroom family home.*

4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city

- 1) A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by:
 - a) Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology;
 - b) Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;
 - c) Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure;
 - d) Establishing development standards for residential uses, appropriately balancing the value to the public interest of new policies or development application requirements against the impacts to housing affordability;

The proposal is expanding to include more bedrooms and functional space for larger families or possibly multi-generational families; therefore making it more flexible. The use of the land remains as a detached dwelling with no additional dwelling units making it a context-sensitive development. The proposed density is unchanged and the proposed form, height, massing, and design are compatible with the existing portion to remain as well as the neighbouring properties.

4.6.5 Ensure effective site planning that supports the objectives of Corridors, Hubs, Neighbourhoods and the character of our villages and rural landscapes

- 1) Development throughout the City shall demonstrate that the intent of applicable Council-approved plans and design guidelines are met.

As demonstrated in test 2 - The application is desirable for the appropriate development of the lands in question, this proposal aligns with the applicable approved design guidelines. The subject property is not included in any Secondary or Community Design Plan.

4.6.6 Enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all

- 6) Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

The proposed development responds to the context of the existing dwelling on the property as well as the streetscape character of the neighbourhood. The front yard soft landscaping remains virtually unchanged with the exception of a slightly wider driveway and a new walkway leading from the street to the principal entrance. The entrance remains at grade level and is proposed to be relocated to face the street. The proposal also includes a covered landing acting as a front porch in-line with the garage door. Balconies are not appropriate in this context because the dwelling is a single storey. Instead, the proposal will retain the existing deck in the corner side yard and include a new deck into the interior yard.

5.3.1 Recognize a suburban pattern of built form and site design

- 1) The Outer Urban Transects established pattern of built form and site design is suburban as described in Table 8, above and is predominantly reflective of the classic suburban model, and in some areas the conventional suburban model. Over the medium- to long-term, this area will evolve toward an urban (15-minute) model as outlined in Table 8. This Plan allows for this evolution to happen gradually.

Table 8: Suburban Built Form and Land-use Characteristics:

Classic (Post-war to 1980)	Conventional (1980 to present)	15-Minute (Beyond 2020)
Soft landscaping are prominent, buildings are secondary	Buildings and infrastructure, including highly programmed parks dominate the built landscape	Nature, buildings and infrastructure are harmonized with a continued emphasis on park amenity as part of an integrated urban fabric
Detached houses are dominant residential typology	Detached houses are the majority typology with a significant amount of semi-detached, townhouses and some low-rise apartments added to the housing mix	Smaller proportion of detached housing. Replaced with higher-density ground-oriented housing, with some mid- and high-rise buildings within transit hubs
Separated residential and non-residential land uses and moderate street connectivity	Isolated commercial centres, civic and institutional uses and residential uses with low to moderate street connectivity	Highly integrated commercial, civic and institutional uses with residential areas creating highly connected 15-minute neighbourhoods
Auto-oriented land-use patterns and site designs with little consideration for active transportation users	Auto-oriented land-use pattern with some integration of local transit, cycling and pedestrian infrastructure	Land-use patterns that focus on transit and connectivity, and a built environment that prioritizes the safety and convenience of active transportation

Table 8 from the City of Ottawa Official Plan (2022)

- 2) The Outer Urban Transect is generally characterised by low- to mid-density development. Development shall be:
 - a) Low-rise within Neighbourhoods and along Minor Corridors;
- 4) In the Outer Urban Transect, the Zoning By-law shall provide for a range of dwelling unit sizes in:
 - b) Predominantly ground-oriented forms in Neighbourhoods located away from frequent street transit and Corridors, with Low-rise multi-unit dwellings permitted near rapid transit and frequent street transit routes;

The proposal contains a prominent front yard and detached house in a primarily residential neighbourhood. The proposal also contains a private garage and driveway for the owner's private vehicle because the neighbourhood is auto-oriented. The proposed development is designated as a Neighbourhood and is a low-rise building containing a single storey. The dwelling unit currently is, and remains to be, a ground-oriented dwelling. Additionally, the property is about

2 km (walking distance) from Montreal Rd which is a Mainstreet Corridor with frequent street transit.

5.3.4 Provide direction to Neighbourhoods located within the Outer Urban Transect

- 1) Neighbourhoods located in the Outer Urban area shall accommodate residential growth to meet the Growth Management Strategy as outlined in Section 3. The Zoning By-law shall implement development standards that transition away from a suburban model and move towards urban built forms as described in Table 6 as applicable and that:

- a) Allows and supports a wide variety of housing types with a focus on lower density missing-middle housing which generally reflects the existing built form context of the neighbourhood, which may include new housing types that are currently not contemplated in this Plan;

Section 3 of the Official Plan details a target density of 40-60 units per hectare and 50% of units to be for large households in the Outer Urban transect Neighbourhoods. The subject property is 691.25m² and so the target density is 2-4 units with 50% being for large households. The proposal's density is 0.07 units per hectare because only one unit is proposed. However, that unit is designed for large households and there is room to expand for additional units on upper and lower floors in the future.

6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan

- 2) Permitted building heights in Neighbourhoods shall be Low-rise.
The proposed dwelling is low-rise being a single storey.

4. It conforms to the general intent of the Zoning By-law.

The purpose of the R1 zone is to:

- 1) *restrict the building form to detached dwellings in areas designated as General Urban Area in the Official Plan;*
- 2) *allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;*
- 3) *permit ancillary uses to the principal residential use to allow residents to work at home;*
- 4) *regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced; and*

- 5) *permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches*

The intent of this zone is to regulate residential development in a way that improves or maintains the existing character of the neighbourhood to ensure new development is compatible with existing development. Specifically, the [637] exception permits a larger lot area of 555m² which is more inline with the neighbourhood standard as opposed to the permitted 450m² as per the parent zoning.

The intent of the corner side yard setback is to ensure that development is adequately distanced from the street. Rather than contain development, corner side yards are intended to be softly landscaped to allow for added drainage and amenity space. The existing corner side yard only encroaches into the setback by 0.39m at its most and the remaining land is softly landscaped and used as an amenity area for the residents. The area of the existing building within the corner side yard setback is 0.5m² for a distance of 1.8m. The remaining building wall of 11.8m is outside of the 5m required setback.

The intent of the rear yard setback and area are to ensure residents have equal access to private amenity space. The rear yard setback variance does not reduce the usable private amenity space for residents because the portion of the building encroaching into the setback is only 16.6m² for a width of 4.39m. The remaining length of the building (9.77m) respects the minimum required rear yard setback and even provides an internal yard larger than the minimum required rear yard area.

The intent of the maximum deck projection is to ensure that adequate privacy can be accommodated between a deck and an abutting property. This protects existing land owners from privacy issues due to potential future development. In the case of this project, the deck is an existing condition that abuts the street, not another property. Also, the deck is currently screened by a 1.8m wood privacy fence to prevent people from the street looking in on the property. This section of the corner side yard has been treated as if it is an extension of the rear yard and represents usable amenity space for the residents. No changes are proposed here.

The intent of the garage projection and setback requirements is to ensure that the primary entrance remains a prominent feature on the front facade and to avoid the garage becoming a prominent feature on the front facade. The proposed development includes a single-width garage that is setback 0.6m from the outermost wall of the



building. The outermost wall of the building is an existing condition and is not proposed to change. The garage is a new feature that will be brought closer to the street to allow more of the lot to be developed as habitable space. A consequence of bringing the garage closer to the street is that the front door is also brought closer to the street. Previously, the front door was hidden, facing the interior side yard rather than the front yard. The front door and garage are now side-by-side. The additional depth of the porch is to allow for a deeper covered area before entering the house. This is especially useful when it rains or snows. The primary entrance will still be a prominent feature on the front elevation because of the door and sidelight articulation.

At this time we are also submitting the following in support of the application:

- Completed application form (1 original)
- Application fees
- Site plan
- Location of variances diagram
- Architectural elevation plans of the proposed building from all four sides
- Survey plan of the entire property
- Tree Information Report

We request the Committee of Adjustment authorise the requested variances in accordance with the plans filed as they relate to the variances being requested.

When the notification signs are ready for this application please email the undersigned and I will arrange for their installation on the property.

Should you have any questions or require anything further, please do not hesitate to contact the undersigned at 613-851-9731 or via email at luclavoie@lavoiedesign.ca.

A handwritten signature in black ink, appearing to read "Luc Lavoie", is written over a light blue horizontal line.

Luc Lavoie,

Principal, BCIN