

November 12, 2024

City of Ottawa,
Committee of Adjustments
101 Centrepoin Drive
Ottawa, ON K2G 5K7

Committee of Adjustment
Received | Reçu le

2024-11-27

City of Ottawa | Ville d'Ottawa
Comité de dérogation

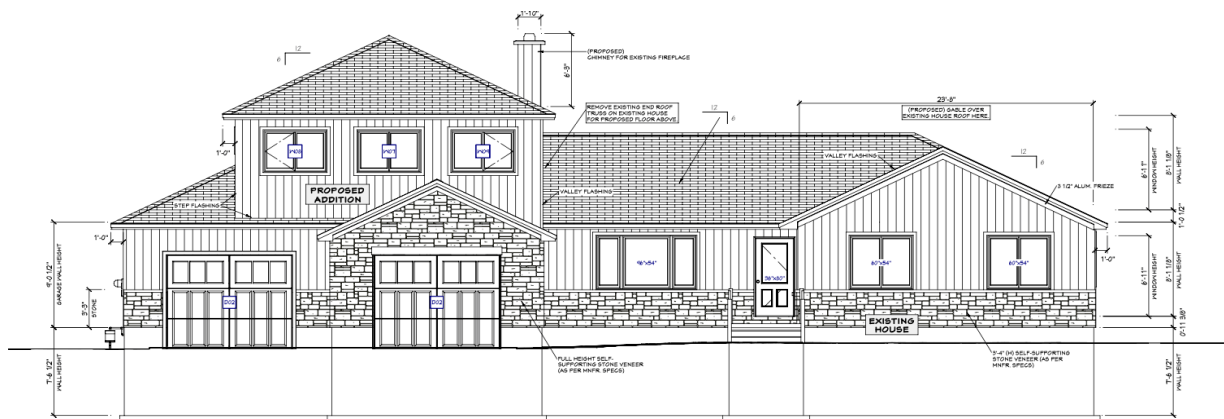
Re: Proposal for Minor Variance at 28 Gervin Street, Nepean ON, K2G 0J8 (Part Lot 24, Concession 1 (Rideau Front))

Proposed Renovation and Site Description:

The subject property has a total area of 2213.10 m², an average depth of 58m and a frontage of 39m along Gervin Street. The property is zoned R1-E in the City of Ottawa. A single storey detached dwelling is currently constructed on the property which was constructed in the 1950's. The current dwelling is shown below.



It is being proposed to renovate the existing one story detached dwelling by demolishing the existing attached garage to build a new attached garage with 2 bedrooms above the garage with a mudroom and sunroom behind the garage, as shown on the proposed front elevation below.



Proposed Minor Variance:

We are seeking a variance to the following bylaws:

139.3 Any garage or carport facing the front lot line or side lot line abutting a street is subject to the following:

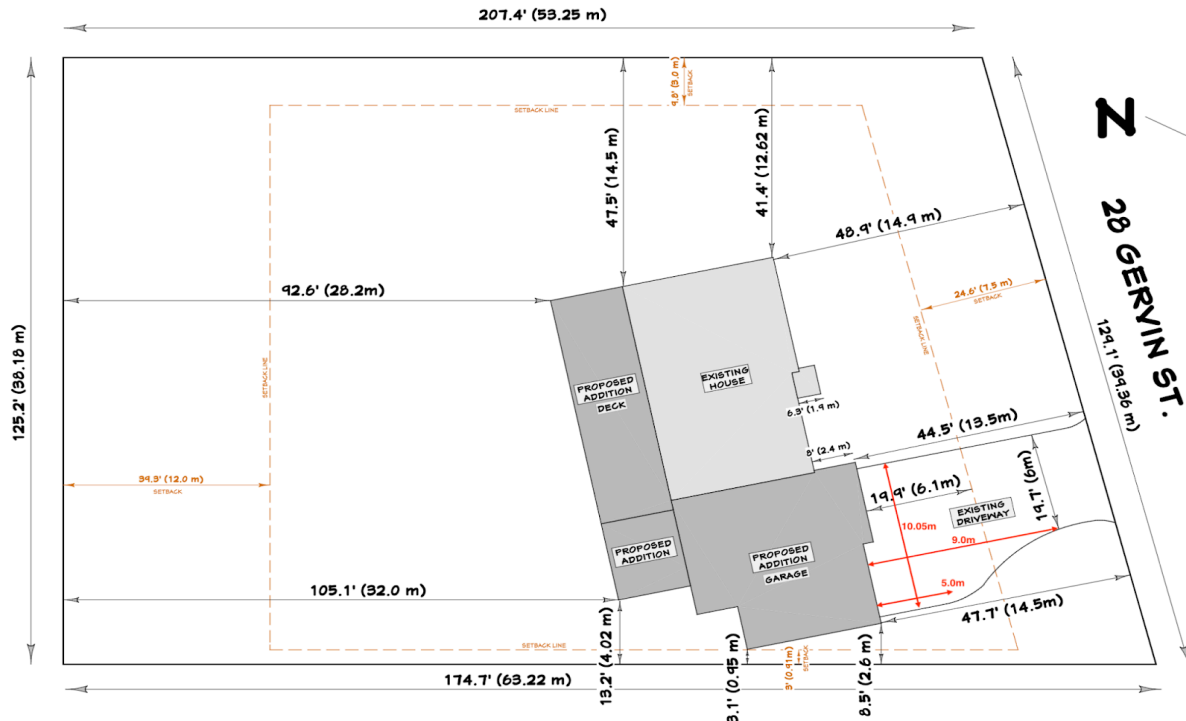
- a) the entrance to the garage or carport must be set back at least 0.6m further from the applicable lot line than either (i) the principal entrance; or (ii) The front edge of a landing or porch, giving access to the principal entrance, or the portion of a projecting landing or porch that does not fall within a required yard.
- b) Despite 139(3)(a)(ii), the garage or carport may not be more than 0.6m closer to the front lot line or side lot line abutting a street than is the principal entrance to the dwelling

AND

139.2 Lot widths or street frontage of 18m or greater are subject to a maximum width of a double-wide driveway of 6m.

With respect to the front facing garage, the proposed site plan currently requires the garage to be 2.4m closer to the front lot line than the principal entrance of the dwelling, whereas the by-law requires that a garage may not be more than 0.6m closer to the front lot line than the principal entrance to the dwelling. Additionally, the proposed site plan currently requires the front facing garage to be set forward 0.5m closer to the front lot line than the edge of the porch, whereas the by-law requires that the garage or carport must be set back at least 0.6m from the front lot line than the edge of a landing or porch giving access to the principal entrance.

With respect to the driveway width, the bylaw permits a maximum width of 6m at any point from the right-of-way to the house, whereas the proposed driveway is 10.05m at its widest point next to the garage and then narrows back down to the 6m requirement.



Evaluation of the Minor Variance:

We have considered the four statutory tests under Section 45 of the Planning Act noted below and believe that the proposed addition meets all of the requirements.

1) Does it maintain the general purpose and intent of the Official Plan

The property is designated a Neighbourhood in the Official Plan Outer Urban Transect. The Official Plan states that such "... neighbourhoods represent the classic suburban model ... and, are characterized by the separation of land uses, stand-alone buildings, generous setbacks and low-rise building forms."

The proposed minor variance to allow the extension of the garage closer to the front lot line still preserves the intent of the Official plan, as the proposed garage still preserves a significant setback (13.5m) from the front lot line. Additionally, the width of the lot of over 39m is such that it can proportionally support the additional driveway width, while still maintaining adequate softscaping and preserve the existing characterization of large treed lots in the neighbourhood. In our opinion, the general purpose and intent of the Official Plan is maintained.

2) Does it maintain the general purpose and intent of the Zoning By-law

The site is zoned R1E which is a Residential First Density Zone. The stated 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

The proposed addition is otherwise fully in compliance with the zoning by laws. These minor variances will allow the project to be in compliance. The minor variances that are being requested do not negatively impact the privacy, scale or streetscape character of the neighbourhood. In our opinion, the general purpose and intent of the zoning by-law is maintained.

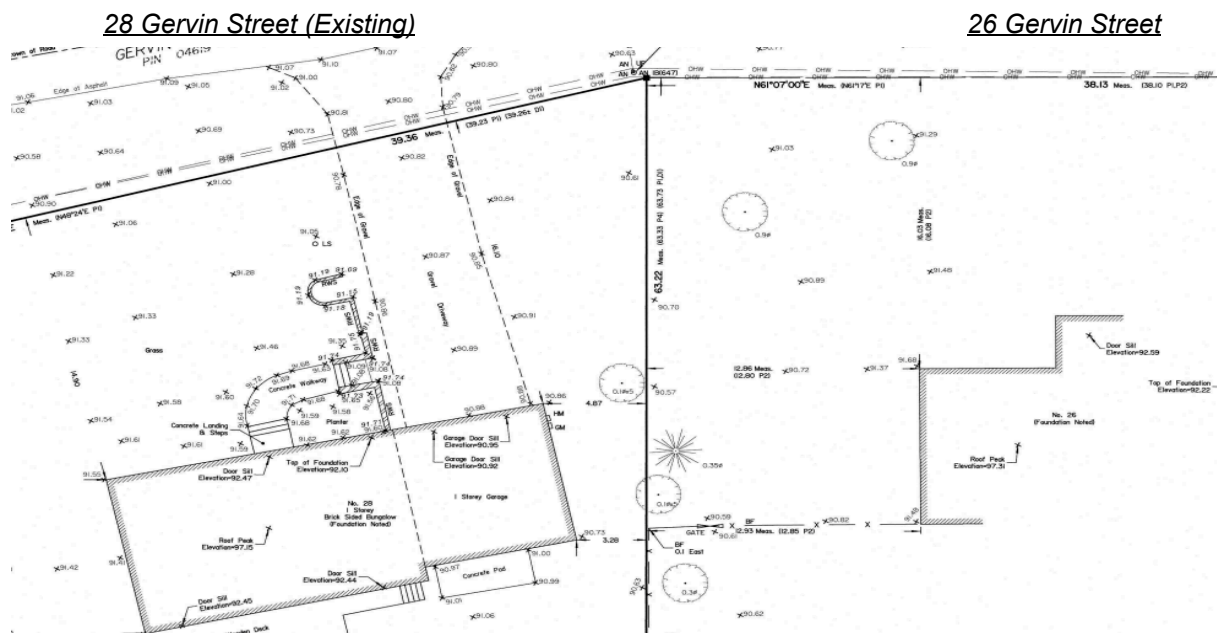
3) Is it desirable for the appropriate development or use of the land, building or structure

The proposed addition will be accompanied with a much needed renovation of the exterior of the house that will tie together both the new and existing components of the house. With respect to the driveway width, the immediate neighbourhood where we are located has multiple instances of driveways exceeding the 6m maximum, supporting the notion that the requested variance would not be out of character for the neighbourhood (See Exhibit A listing relevant addresses along with examples).

With respect to the front-facing garage, the immediate neighbourhood where we are located has multiple other instances of other fellow neighbours whereby the garage extends more than 0.6m closer to the front lot line than the principal entrance, supporting the notion that the requested variance would not be out of character for the neighbourhood (See Exhibit B listing relevant addresses along with examples).

Consideration was given in the design of the proposed addition to ensure that the sightlines from the front of the house of the closest neighbour would not be obscured. The orientation of the house of the closest neighbour in relation to the street is such that the extension of the garage forward will not impact any sightlines from the front of the neighbours house (see extract below). Additionally, the second garage bay is also recessed back to further ensure the impact to the adjacent neighbour is minimal. See below for an excerpt from the existing survey showing that an extension forward of the garage to 28 Gervin would have

minimal impact to any sight lines to 26 Gervin, given the orientation of 28 Gervin street to the lot line and due to the curvature of the road in front of the dwellings.



4) In the case of variances, are minor in nature

With respect to the front-facing garage, the proposed addition exceeds the by-law requirement by 1.8m. However, given the large scale of the lot where the addition is proposed, there is still ample distance from both the front of the lot line (13.5m). Additionally, if the existing precast concrete front porch is taken into consideration as the entrance to the dwelling (which is not proposed to be changed in the renovation), the variance is within the threshold set out in the bylaw. The existing concrete porch extends 1.9m out from the principal entrance, making the proposed garage extend only an incremental 0.5m past the front landing to the principal entrance. In the design phase, consideration was taken to ensure that the proposed garage was not extended so far forward, such that the visual appearance of the consolidated house would be unpleasant. Given the irregular lot line on the side of the proposed addition relative to the orientation of our house, the garage addition was required to be pushed forward (closer to the road) in order to accommodate the growing size of today's family-sized vehicles, while also being able to retain a mudroom off the back of the garage which is a modern requirement for today's household.

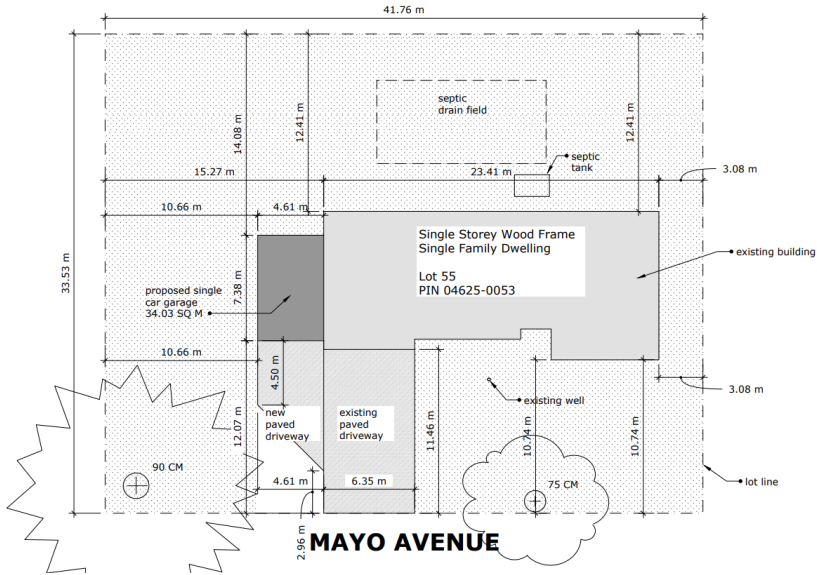
With respect to the driveway width, the proposed driveway exceeds the 6m maximum by 4.05m at its widest point. However, the driveway will taper back to the 6m width shortly after meeting the opening to the proposed garage. We understand that the zoning bylaw does not contemplate triple-wide equivalent driveways, which is why the proposed driveway tapers back to the 6m maximum to ensure that the visual impact of vehicles on the streetscape are minimized and that the maximum amount of softscaping on property can be preserved while also promoting reasonable access to the garage.

Thank you for considering our request for a minor variance.

Robert Cavanagh
28 Gervin Street, Nepean ON, K2G0J8

Exhibit A - Neighbourhood Examples of Similar Driveway Widths

9 Mayo Avenue (minor variance approved in July 2024)



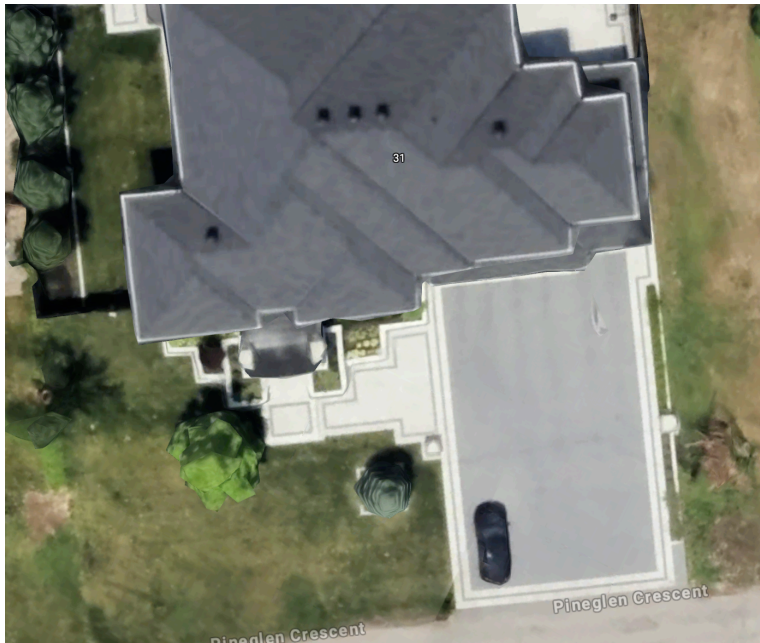
22 Gervin Street



21A Gervin



31 Pineglen



26 Mayo



Exhibit B - Neighbourhood Examples of Similar Front-Facing Garages

21 Gervin (minor variance approved in March 2022)



62 Pineglen



55 Pineglen



57 Pineglen

