

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

August 8, 2024

To: **Committee of Adjustment**
City of Ottawa
101 Centrepointe Drive,
Ottawa, Ontario K2G 5K7

Attention: **Mr. Michel Bellemare**
Secretary Treasurer
And Committee Members

Re: **Application for Minor Variance for lands at 37 Tower Road, Ottawa, ON.**
Lots 914, 915, 916 & 917, and part of lane
Registered Plan 375
Ward 8, College
Zoning R1FF [632]
Zoning By-law 2008-250

Committee of Adjustment
Received | Reçu le

2024-08-15

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

I, Antonio Spadaccini, the owner of 37 Tower Road, am applying for minor variances to legalize several existing hardscaping features on my property.

Following completion of the landscaping around my new home, I received a Notice of Violation from Ottawa By-law stating that the ditch has been filled without appropriate approvals and that the private approach from Pender Street is not permitted.

I am making this application to the Committee of Adjustment in order to submit the enclosed revised Lot Grading Plan prepared by EAU Structural Environmental Services for review and approval.

The corner side yard parking spaces and surrounding hardscaping are required to provide accessible parking, as well as accessible paved pathways for access to the house for my elderly parents. I wish to apply for the following minor variances to legalize the existing hard landscaping and parking on the property. We can demonstrate with the enclosed Lot Grading Plan that this hardscaping allows for proper drainage of the lot and will meet the City's Care and Use of Roads By-law.

Enclosed please find:

1. Application Form
2. Covering Letter
3. Existing Site Plan
4. Revised Lot Grading Plan prepared by EAU Structural Environmental Services
5. Originally Approved Lot Grading Plan prepared by T.L. Mak Engineering Consultants Ltd.
6. Copy of Notice of Violation
7. Copy of Reinstatement Letter & Site Plan

Relief Requested

Requesting the Authority of the Committee for the following Minor Variances:

- A. To permit 2 vehicle parking spaces in the corner side yard, whereas the By-law prohibits parking abutting a street in a required and provide corner side yard. [Zoning By-law 2008-250, Sec. 109 (3)]
- B. To permit a reduced soft landscape area of 10.7% of the corner side yard fronting on Pender Street, whereas the By-law requires a minimum soft landscape area of 40%. [Zoning By-law 2008-250, Sec. 139, Table 139(1)]
- C. To permit a reduced soft landscape area of 32.3% of the front yard fronting on Tower Road, whereas the By-law requires a minimum soft landscape area of 40%. [Zoning By-law 2008-250, Sec. 139, Table 139(1)]
- D. To permit a driveway width of 7.60m fronting on Tower Road, whereas the By-law permits a maximum driveway width of 5.5 metres. [Zoning By-law 2008-250, Sec. 139, Table 139(3)(v)]
- E. To permit a driveway width of 6.71m fronting on Pender Street, whereas the By-law permits a maximum driveway width of 6.0 metres. [Zoning By-law 2008-250, Sec. 139, Table 139(3)(vi)]
- F. To permit the walkways fronting on Pender Street to have no separation from the driveway, whereas the By-law requires the walkway to be separated by at least 0.6m of soft landscaping. [Zoning By-law 2008-250, Sec. 139 (4)(b)]
- G. To permit a 2.50m wide walkway fronting on Pender Street, whereas the By-law permits a maximum width of 1.2m. [Zoning By-law 2008-250, Sec. 139 (4)(c)]
- H. To permit a 7.47m wide walkway fronting on Pender Street, whereas the By-law permits a maximum width of 1.2m. [Zoning By-law 2008-250, Sec. 139 (4)(c)]
- I. To permit a 2.44m wide walkway facing Tower Road, whereas the By-law permits a maximum width of 1.2m. [Zoning By-law 2008-250, Sec. 139 (4)(c)]
- J. To permit a 16.68m wide (57.6% of frontage) private approach fronting on Pender Street, whereas the By-law permits a maximum width of 9.0m, and in no case shall exceed 50% of the frontage on which the approach is located. [Private Approach By-law 2003-447, Sec. 10 & Sec. 26]

Four Tests

1. General Intent and Purpose of the Official Plan is Maintained

The official plan speaks of providing diverse and accessible housing options for different tenures and family needs. This is a multi-generational home, designed with accessible access features in keeping with the direction of the official plan. This is a low-rise residential use that is encouraged under the neighborhood designation of the official plan.

2. General Intent and Purpose of the Zoning By-law is Maintained

The intent of this zone is to limit development to detached dwellings, which this home is. The intent of the regulations for parking widths, walkway widths, culverts, and soft landscaping are to ensure that the lot has proper drainage and does not negatively impact adjacent properties or roads. It is demonstrated with the attached Lot Grading Plan that this site is properly drained following recommendations from a professional engineer.

3. Desirable for the appropriate development and use of the property

This is an accessible multi-generational family home, which is desirable for the needs of the family and the City's housing stock.

4. The variance is minor

There are several examples of similar corner lots with private approach access from both streets. See enclosed examples. The private approach on Pender Street was already existing prior to construction, maintaining its use has no adverse impacts and is a minor variance.

The variances for increased hardscape and driveway widths are minor because they do not have any adverse impact on the adjacent neighbours, and it is demonstrated on the attached revised Lot Grading Plan that they are appropriate for the City's Care and Use of Roads By-law.

Conclusion

In conclusion, I feel that the requested minor variances, which would allow me to retain the accessible parking spaces and hardscaping already installed around my home, are appropriate.

I feel it is in keeping with the City's official plan and zoning by-law intentions, is desirable for the use of the property, and the variances are minor in nature.

I hope that the Committee will agree to support these minor variances, and will approve the enclosed revised Lot Grading Plan.

Sincerely,

Antonio Spadaccini