

December 6, 2024

Re: Minor Variance Application

21 Coldstream Ct.

Munster, On. K0A 3P0

Committee of Adjustment
Received | Reçu le

Revised | Modifié le : 2025-01-22

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Proposal

To construct a secondary (coach house) dwelling on a 'Village residential first density' (V1C) zoned property where the 'interior side yard' and 'rear yard' property lines run at angles to a proposed Coach house location on property.

We have been told a minor variance approval is required because the closest corners of the Coach House to property lines is less than 4m, which is the minimum setback for walls with windows according to Section 133 (9) (c)(d)

There are two variances being requested. The details are as follows:

1. To permit a reduced rear yard setback of 3.64m, whereas the By-law states that the minimum required rear yard setback is 4m.
2. To permit a reduced (east) interior side yard setback of 2.41m, whereas the By-law requires a minimum interior side yard setback of 4m.

Since the property line/Coach house are angled to each other, a greater than 4m distance is the result at the opposite corners

Where the windows are specifically located in the walls, there is a greater than 4 m distance to the respective property lines, the 'North elevation' window begins at 4.1m, and the 'East elevation' window begins at 4.5m,

Therefore, the intent of the secondary dwelling setback rule is satisfied

4-TESTS

Is variance considered minor?

Yes, the variance is considered minor because of the windows being located at a distance of 4.1m and 4.5m from the property lines keeps with the intent of the setback rules.

See Tab A, Section 133 (9) (c)(d) state that Coach houses can be positioned as close as 1 m to the property line, but if the wall has windows, it must be located at a distance of 4 m.

We have been told to apply for a minor variance because the closest corners of the Coach home are located less than 4 m from their respective (side/rear) property lines, however, since the property lines angle away from the building, it creates a greater than 4 m distance where the windows are located, in keeping with the intent of the setback rules, therefore minor in nature.

Is the variance desirable for the development of the property?

The variance is desirable for the development of the property because it allows for development to happen

In order to keep safe distances between the existing primary dwelling and in-ground pool, the Coach House was placed as far away (from property lines) as possible. **See Tab B**

Does the variance uphold the intent of the Zoning By-law?

The variance upholds the intent of the zoning bylaw because the zoning bylaw allows for detached secondary dwelling to be developed

See Section 133 (1) (a) **See Tab C**

Does the variance uphold the intent of the Official Plan?.

Excerpt from city of OTTAWA planning document:

The new official plan outlines a comprehensive land use policy framework to guide growth and development within the city to the year 2046

The variance upholds the intent of the official plan because the existing zoning of 21 Coldstream Ct. permits for a detached secondary dwelling to be developed keeping with the land use policy framework of the official plan

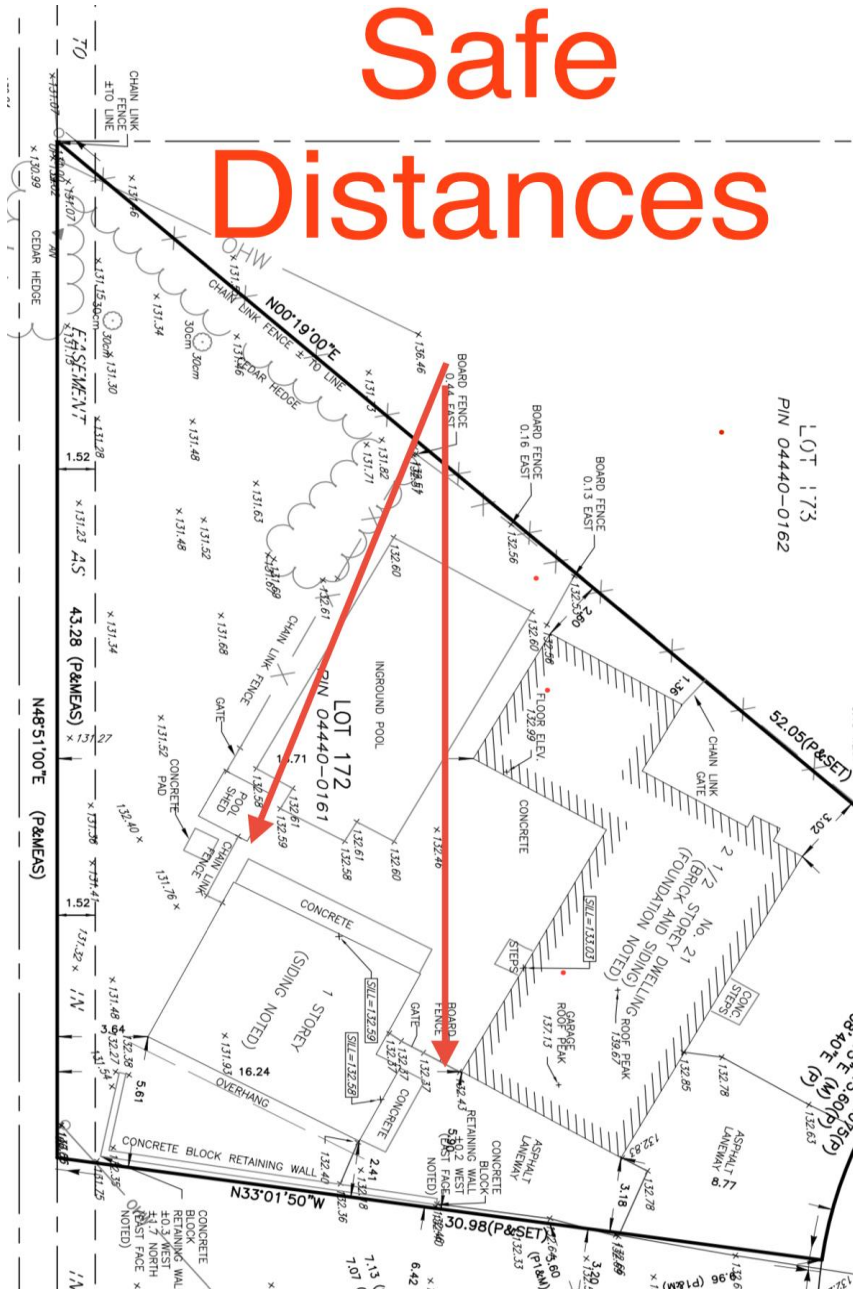
See Tab D

TAB A

- (9) Required setbacks from lot lines for a coach house are as follows:
- (a) from the front lot line, the minimum setback must be equal to or greater than the minimum required front yard setback for the principal dwelling.
 - (b) from the corner side lot line, the minimum setback must be equal to or greater than the minimum required corner side yard setback for the principal dwelling.
 - (c) from the interior side lot line,
 - (i) Within Areas A, B, and C on Schedule 1, where the interior side lot line abuts a travelled lane or where no entrance or window faces the interior side lot line, the maximum permitted setback is 1 metre (By-law 2017-231)
 - (ii) in all other cases, the minimum required setback is 4 metres
 - (d) from the rear lot line,
 - (i) where the rear lot line abuts a travelled lane or where no entrance or window faces the rear lot line, the maximum permitted setback is 1 metre
 - (ii) in all other cases, the minimum required setback is 4 metres.
 - (e) Where an easement exists which prevents a coach house from complying with a maximum setback, the maximum setback may be increased only to such a point so as to accommodate the easement, and 0% fenestration is permitted on any wall less than 4 m from a property line that also faces that property line. (By-law 2021-215)

TAB B

Safe Distances



TAB C

Additional Dwelling Units and coach Houses (Section 133)

(By-law 2023-435)

- 133.** (1) (a) Subject to subsections (2) through (19), a coach house and/or additional dwelling units are permitted on a lot containing a detached dwelling, linked-detached dwelling, semi-detached dwelling, townhouse dwelling or duplex dwelling.
- (b) Despite (a), in Area D on Schedule 1, a phased development is permitted where a coach house may exist prior to the establishment of a dwelling type listed in (a), provided the servicing requirements of subsection (7) are met and that 133(1)(a) is satisfied upon the completion of all the phases of development.
- (2) An additional dwelling unit or coach house must be located on the same lot, or portion of a lot as its associated principal dwelling unit, whether or not that parcel is severed.
- (a) In the case of a semi-detached, linked-detached, or townhouse dwelling, the regulations of this section apply to each portion of a lot on which each principal dwelling unit is located, whether that parcel is to be severed.
- (3) (a) Where permitted, in no case may the sum of all principal dwelling units, additional dwelling units, and coach houses located on a lot, or portion of a lot associated with the principal dwelling unit where the lot is not severed, exceed three units.
- (b) Despite (a), no more than one unit is permitted as a coach house.
- (c) Despite (a) and (b), where a property is not serviced by municipal water, sewerage and drainage systems that have adequate capacity, a maximum of either one additional dwelling unit or one coach house is permitted.
- (d) Despite (a) and (b), where located in Area D on Schedule 1, a coach house is not permitted on a lot that is less than 0.4 hectares in area, and not serviced by both a public or communal water system and public or communal wastewater system.
- (4) Where an oversized dwelling unit is permitted on a lot containing additional dwelling units and/or coach houses:
- (a) the maximum cumulative number of bedrooms permitted in all principal and additional units on the lot is twelve.
- (b) despite (a), an oversize dwelling unit is not permitted within a coach house.
- (5) Parking and driveways serving an additional dwelling unit and/or coach house are subject to the following:
- (a) In the case of a corner lot, a new driveway may be created in a yard which abuts a street and which does not contain a driveway for the principal dwelling unit.
- (b) Except in the case of subsection (5)(a), and despite 100(5), a parking space for an additional dwelling unit or coach house must be located in a permitted driveway associated with the principal dwelling unit and may be in tandem with the principal dwelling unit's parking space.

TAB D

Menu ▼



Purpose and Effect of the Official Plan

The approval of City of Ottawa's new official plan, as modified, repeals and replaces the in-effect official plan adopted by the city in 2003 and all amendments thereto. The new official plan outlines a comprehensive land use policy framework to guide growth and development within the city to the year 2046, including policies and schedules that address housing and growth management; long-term planning for employment and infrastructure; protect water resources, natural heritage and agricultural areas; manage non-renewable resources; plan for climate change; and safeguard public health and safety.