

March 25, 2025

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 CentrepoinTE Drive, Fourth Floor
Ottawa, ON K2G 5K7

RE: Application for Minor Variance
5833 Lancer Ave, Ottawa

Committee of Adjustment
Received | Reçu le

2025-03-27

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design (Fotenn) has been retained by Joey Theberge (the "Owner") to prepare a Planning Rationale in support of a Minor Variance application at 5833 Lancer Ave, Ottawa (the "subject property"). The Minor Variance application is required to permit a proposed detached dwelling that does not meet the zoning requirement for maximum lot coverage, as outlined in Table 226A – RR2 Subzone provisions, of the City of Ottawa Zoning By-law (2008-250).

The specific relief requested is as follows:

- / Increase the maximum lot coverage requirement as described in Table 226A RR2 Subzone Provisions from 8% to 9.5%.

Please find enclosed the following materials in support of the application:

- / Completed application forms;
- / This cover letter and Planning Rationale;
- / Plan of Survey, dated January 26, 2023, provided by H.A.Ken Shipman Surveying LTD.;
- / A note from the city forester stating that a Tree Information Report is not required; and
- / A cheque in the amount of \$3,731.00, made payable to the City of Ottawa.

Sincerely,



Kenneth Blouin, MPI
Planner



Scott Alain, MCIP RPP
Senior Planner

Ottawa

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Ottawa, ON K2P 2H7
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Kingston

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1.1 Application

- Increase the maximum lot coverage as described in Table 226A from 8% to 9.5%.



3.0

Four Tests of a Minor Variance

As per section 45(1) of the *Planning Act*, applications for Minor Variance must meet four (4) statutory tests to be deemed appropriate. These are described below. It is our professional opinion that the proposed development represents good planning and meets these tests.

3.1 Does the Minor Variance Maintain the General Intent and Purpose of the Official Plan?

As identified in Schedule B9 of the City of Ottawa Official Plan (OP) (Figure 3), the subject property is located within the Rural Transect and Rural Countryside Designation. Although it's stated that the Designation is intended to limit residential development, residential uses are permitted per Policy 9.2.2.1. The Official Plan acknowledges that Rural Countryside-designated lands contain clusters of low-density residential units and lot patterns which pre-date the plan, including the subdivision within which the subject property is located.

There are no policies within the Official Plan pertaining to lot coverage in the subject property's Transect or Designation. Primary concerns identified and addressed by the policy relate to lot fragmentation and preservation of rural character. Specifically, Policy 5.5.1.1 b) states that development outside villages, where permitted, shall be designed to maintain rural character, while subsection c) identifies trees and landscaping elements as important aspects of rural character to be maintained. Additionally, Policy 9.2.3 outlines means of limiting the fragmentation of rural lands by requiring minimum lot areas, prohibiting multi-unit residential developments, and setting procedural requirements for further subdivision or severance of parcels.

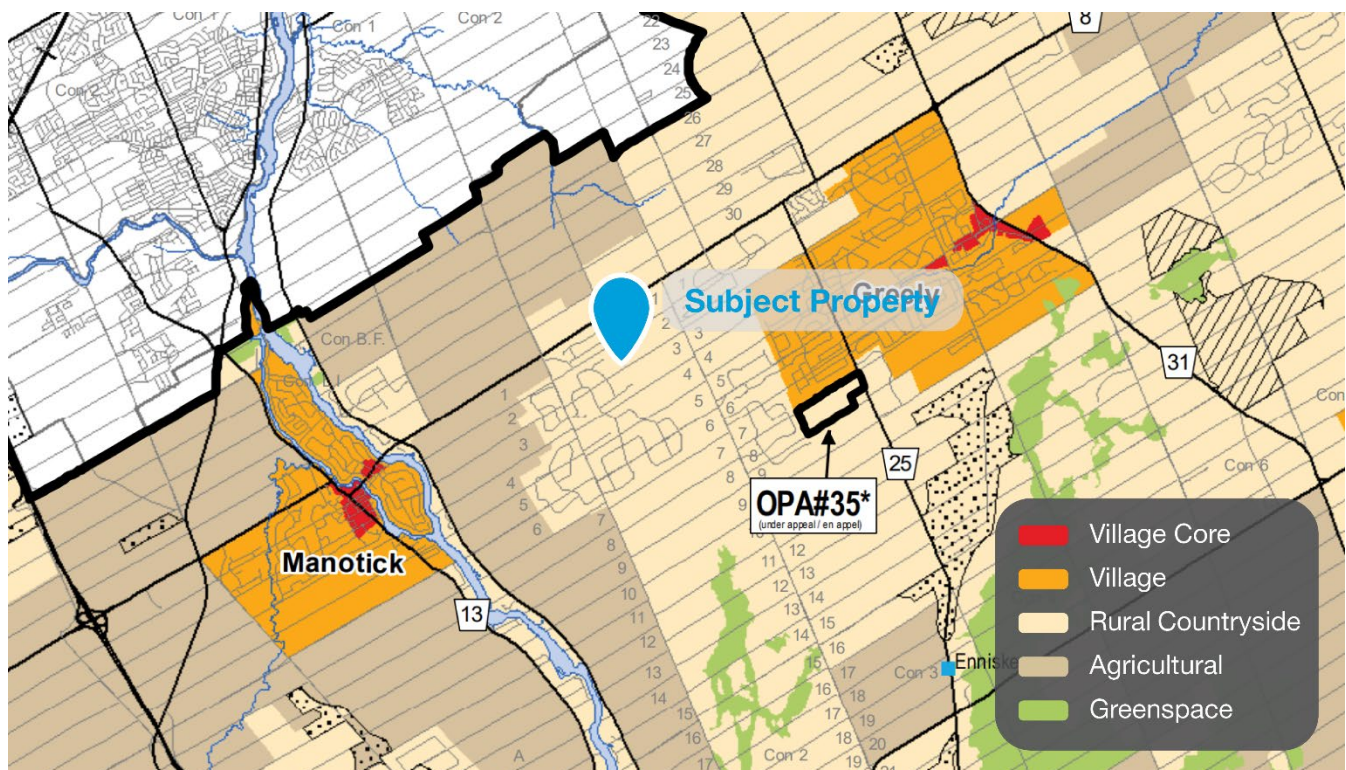


Figure 3: Schedule B9 – Rural Transect, City of Ottawa Official Plan.

As the Official Plan permits residential uses in the Rural Countryside Designation, the proposed development adheres to the general intent of the Official Plan. Policies regarding site design in the Rural Countryside address character and fragmentation of lands rather than lot coverage. An increase to the permitted lot coverage on the subject property will permit the construction of a ground-oriented detached dwelling with attached garages, clad in high-quality materials

that reflect its natural surroundings and features extensive landscaping. As such, it is an extension of the rural character of the neighbourhood, fulfilling the requirements of Official Plan Policy 5.5.1.1 b) and c).

The subject property and surrounding properties were created for residential purposes prior to the present Official Plan. To protect rural lands from further fragmentation, per Policy 9.2.3, no further subdivision or severance of land is proposed or being explored, and the proposed development largely precludes densification for the foreseeable future.

3.2 Do the Minor Variances Maintain the General Intent and Purpose of the Zoning By-law?

The subject property is located in the Rural Residential Zone, Subzone 2 – RR2, with rural exception 901r. The RR2 zone allows for limited residential uses including detached dwellings, additional dwelling units, group homes, and retirement homes, as well as bed and breakfasts, and home-based businesses. Rural exception 901r permits a reduced lot width of 42 metres and reduced lot area of 5,600 square metres. The purpose of the RR zone is as follows:

- / Recognize and permit large-lot residential development in planned subdivisions and to acknowledge existing smaller lot development in areas designated as General Rural Area or Rural Natural Features in the Official Plan;
- / Recognize clusters of existing residential development found in areas designated as Agricultural Resource Area or Greenbelt Rural in the Official Plan;
- / Permit residential-only uses as well as related and accessory uses; and
- / Regulate development in a manner that respects both the residential character of the area and the surrounding rural context.

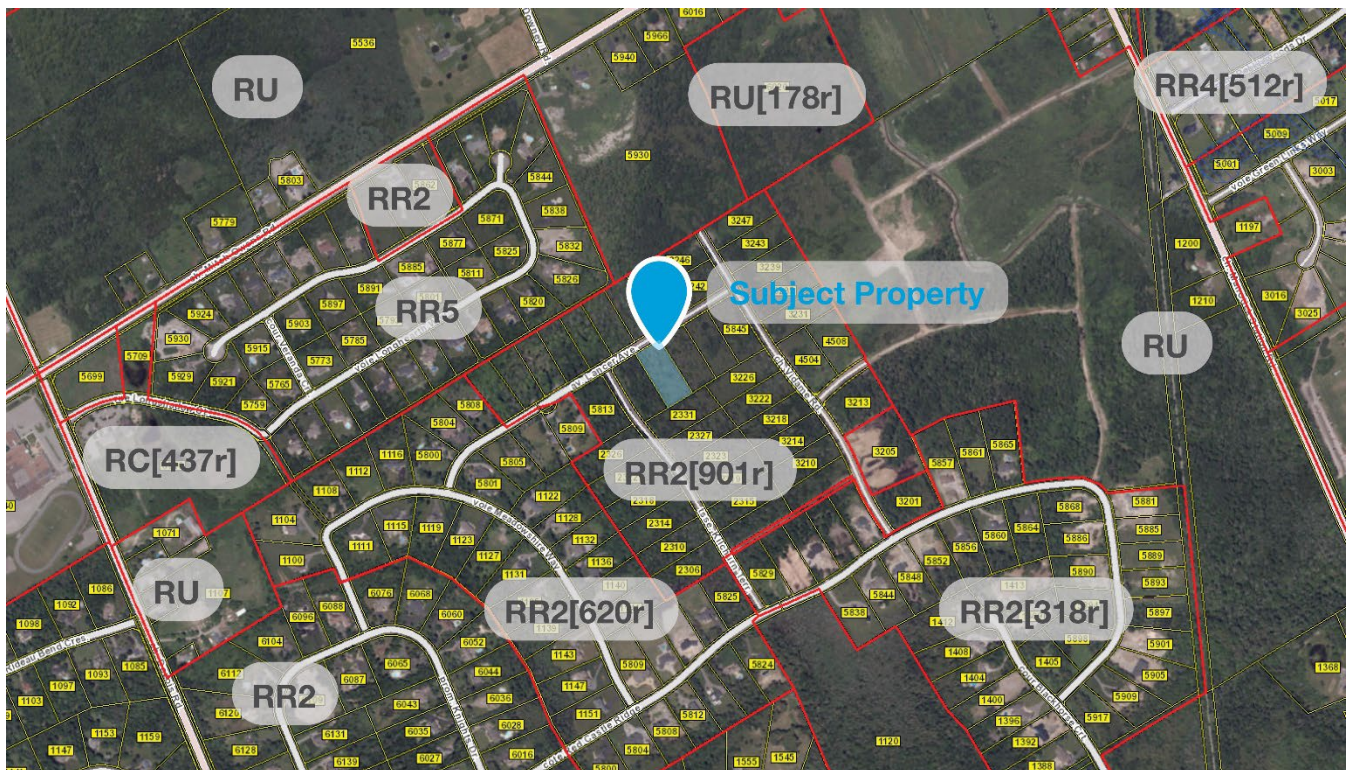


Figure 4: Zoning map of the subject property and surrounding area. Note nearby RR5 and RR4 subzones.

The following table outlines the relevant zoning provisions as they pertain to the subject property:

Table 1 Zoning provisions for the subject property, being in the RR2[901r] zone

| Provision | Required | Provided | Compliance |
|--|--------------------------|-----------------------------|------------|
| Minimum Lot Area [901r] | 5,600 square metres | 6,545 square metres | Yes |
| Minimum Lot Width [901r] | 42 metres | 54.1 metres | Yes |
| Minimum Front Yard Setback | 12 metres | 21.3 metres | Yes |
| Minimum Corner Side Yard Setback | 12 metres | N/A | Yes |
| Minimum Interior Side Yard Setback | 6 metres | 6.0 metres | Yes |
| Minimum Rear Yard Setback | 23 metres | 53.8 metres | Yes |
| Maximum Building Height | 11 metres | 8.45 metres | Yes |
| Maximum Lot Coverage | 8% = 523.6 square metres | 9.24% = 604.8 square metres | NO |
| Minimum Parking Spaces <i>Table 101 – Area C</i> | 1 per dwelling unit | 4 spaces | Yes |

As identified in the above zoning table (Table 1), the subject property is compliant with all relevant provisions of the RR2 [901r] zone in terms of built form and use, with the exception of the maximum lot coverage provision. The requested relief of an additional 1.5% will not prohibit the orderly contemplation of future development. It is worth noting that RR2 subzone has, by far, the most restrictive lot coverage provision among the Rural Residential parent zone, with all other subzones allowing lot coverage up to at least 15%, which far exceeds what is proposed for this development. Additionally, the proposed dwelling would comply with the Zoning By-law's lot coverage provision if it was located on a lot of at least 7,560 square metres, of which there are many located within the same subdivision.

The intent of rural lot coverage provision is in part to ensure proper and adequate private servicing in the form of well and septic systems. As such, the proposed development includes a plan for the drilling of a well and installation of septic bed per engineering plans. The suitability of the design of these systems will need to be adequately demonstrated as part of a building permit application.

The other element to the intent of the rural lot coverage provision is to maintain a rural character and scale of development. An uplift of 1.5% does not result in a material impact to this requirement. The proposed development is 2.55 metres below the maximum permitted building height and set back 10.3 metres further from the front lot line than required. The proposed development is suited to the surrounding context, and the additional lot coverage sought would not be perceptible to visitors or neighbours.

The Minor Variance application meets the general intent and purpose of the Zoning By-law by providing rural residential development in an area so characterized. The requested relief will facilitate a building that would be permitted if the lot was the size of many others located elsewhere in the same subdivision, or if it was located in the RR1, RR4, or RR5 zoning of several nearby lots; maintaining the general intent and purpose as reflected in nearby zones. In light of the proposed minor variance, the intent of the zoning to facilitate adequate private servicing and a rural scale can be comfortably achieved.

3.3 Is the Variance Desirable for the Appropriate Development or Use of the Land?

The requested Minor Variance is desirable, as it will allow for a well-designed detached dwelling within a registered Plan of Subdivision to be lawfully established. Allowing this variance will permit a detached dwelling with materiality, design features, and overall scale that respects, reflects, and builds upon the existing character of the neighbourhood. As illustrated in the submitted construction package, the proposed dwelling is designed and located to align with the existing character of the area, ensuring compatibility with the rural built form of residential development of the area.

In approving the variance to permit a lot coverage of 1.5% greater than that which is stated in the zoning provisions, the proposed dwelling can be constructed and the orderly development of the approved subdivision can proceed as originally planned. Despite the increased lot coverage, the attached site plan shows it is still possible to drill a well and install a septic bed.

3.4 Is the Variance Minor in Nature?

The requested Minor Variance does not inhibit the existing development from meeting all other applicable provisions within the Zoning By-law, including yard setbacks, and will continue to allow the subject property and neighbouring properties to develop in a manner that is consistent with the built form and planned uses of the surrounding area.

The general intent of regulating lot coverage in the rural area is to ensure adequate private servicing can be accommodated on the site, and to maintain rural character. The proposed development includes a plan for the drilling of a well and installation of a septic bed planned with engineering input. The adequacy of these services will be reviewed at the time of the application for a building permit and construction cannot proceed until this is granted.

The proposed Minor Variance seeks to slightly increase lot coverage to permit a detached dwelling in a neighbourhood that is characterized by similar nearby uses in the format of estate-style detached dwellings. Further, the increase in lot coverage of 1.5% would not be perceptible from the viewpoint of the street or of neighbouring lots, especially when considering that yard setbacks generally far exceed those required by the Zoning By-law.

A mathematically minor variance to the maximum lot coverage requirement in this area is not expected to reduce the protection afforded to surrounding areas or the enjoyment of space by residents and visitors. It will also continue to allow for the provision of private servicing, to be confirmed at the time of a building permit application. As the consideration of this test relates to undue adverse impact on adjacent properties, the minor reduction can be considered minor in nature.

4.0 Conclusion

The development that could be established by permitting the proposed Minor Variance, a detached dwelling on an estate lot in the Rural Residential Zone, adheres to the purpose intended for the lands by the City of Ottawa Official Plan and Zoning By-law (2008-250). The proposed Minor Variance is desirable, as it will permit the orderly development of the registered plan of subdivision within which it is located and effectively preclude lot fragmentation for the foreseeable future. The proposed Minor Variance is also minor in nature, as all other performance standards of the RR2 subzone are met, the increased lot coverage will not impede the development or privacy of neighbouring lots, the Variance is numerically minor, and it will not impede the provision of private servicing on the subject property or adjacent lots. **As such, the proposed Minor Variance meets the four statutory tests of Planning Act Section 45(1), and is supportable from a planning perspective.**

Should you have any questions related to the contents of this letter or the application, please do not hesitate to contact the undersigned.

Sincerely,



Kenneth Blouin, M.P.L.
Planner



Scott Alain, MCIP RPP
Senior Planner