

April 9, 2025

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

Committee of Adjustment
Received | Reçu le

2025-04-09

City of Ottawa | Ville d'Ottawa
Comité de dérogation

1

RE: Application for Minor Variance
121 James Cummings Avenue, Ottawa

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Mark Van Dalen ("the applicant") to prepare a Planning Rationale for a Minor Variance application to permit a single detached dwelling at 121 James Cummings Avenue ("subject site") in the City of Ottawa.

The subject site is currently vacant. It was previously occupied by a one-storey single-detached dwelling and a small accessory building (shed). The proposed Minor Variance is required to reduce the minimum required front yard setback to facilitate the proposed development. The variance has been assessed against the Four Tests of the Planning Act, and our professional determination is that the variance can satisfy these tests and is, therefore, appropriate and in the public interest.

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

- / This cover letter explaining the nature of the application;
- / Minor Variance application form;
- / Site Plan, dated March 6, 2025;
- / Draft Floor Plans and Elevations, dated March 6, 2025;
- / Survey Plan, prepared by Annis, O'Sullivan, Vollebakk Ltd., dated December 12, 2022;
- / Tree Planting Plan, prepared by Dendron Forestry Services, dated March 12, 2025; and,
- / Cheque in the amount of \$3,446.00 for the application fees.

Please contact the undersigned with any questions or requests for additional material.

Sincerely,



Gabi Amos, MCIP RPP
Planner



Tim Beed, MCIP RPP
Associate

1.0 Background and Context

Fotenn Planning + Design (“Fotenn”) has been engaged by Mark Van Dalen (“the Client”) to prepare this Planning Rationale in support of a Minor Variance application for the subject site, municipally known as 121 James Cummings Avenue in the City of Ottawa.

The subject site is located on the north side of James Cummings Avenue, in the Bay Ward (Ward 7) of the City of Ottawa. The subject site is a riverfront lot along the Ottawa River. It is generally rectangular in shape with a total area of 1371 square metres, a frontage of 27.5 metres, and a water frontage of 38.1 m (per the survey). The subject site is currently vacant without tree coverage. It was previously occupied by a single-storey dwelling. Fencing along the interior side yards provides visual and physical separation to the adjacent residential properties. Elevated hydro distribution lines are present in the public right-of-way along the north side of James Cummings Avenue.

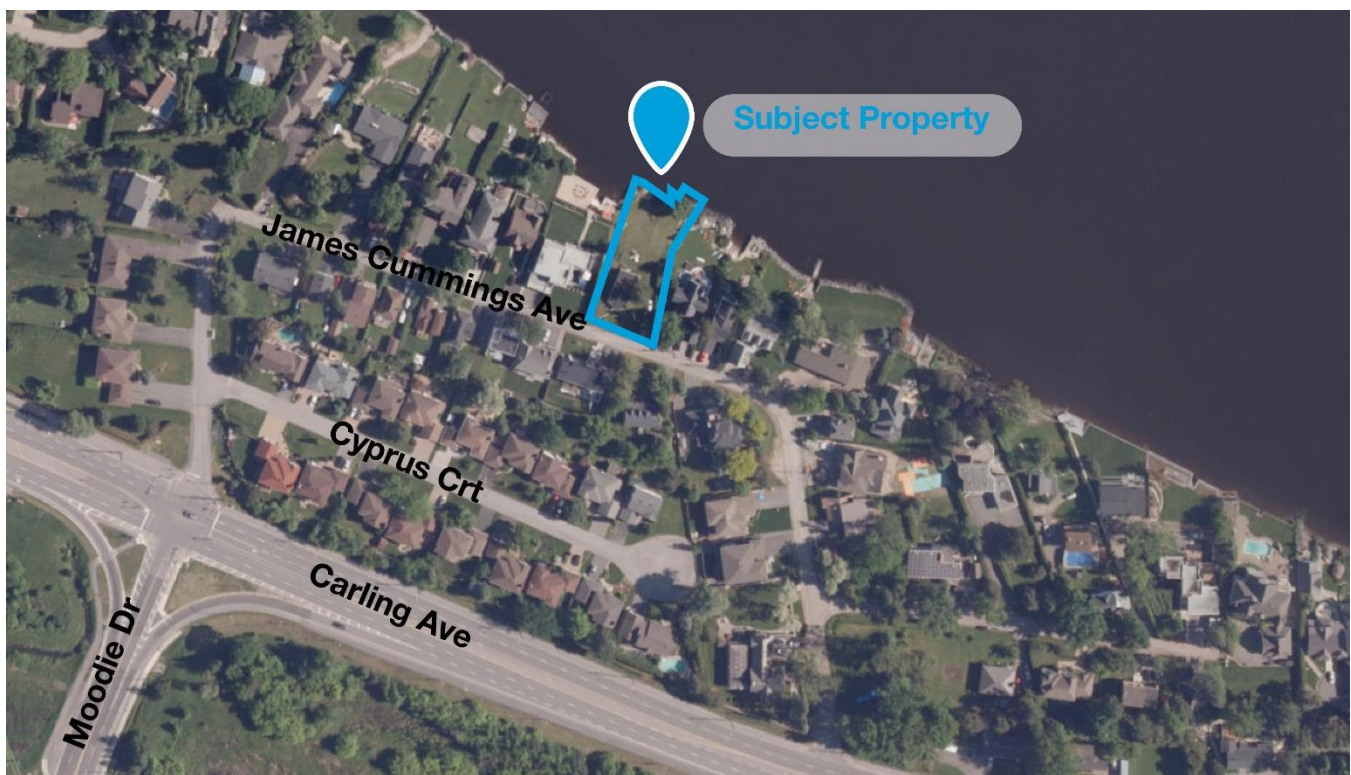


Figure 1: Subject Site and surrounding context.

The subject site located is approximately 240 metres walking distance from the nearest transit stop along Carling Avenue. Waterfront dwellings are oriented to James Cummings Avenue in order to provide a more significant setback to the high water mark of the Ottawa River.

1.1 Surrounding Area

The subject site is located in the Crystal Bay—Lakeview Park neighbourhood, which is characterized by low-density, low-rise single-detached dwellings to the west, east, and south of the subject site

North: To the immediate north, the Ottawa River abuts the subject site along a portion of the river known as Crystal Bay.

East: Immediately east of the subject site are two-storey residential dwellings characterized by garages placed closest to the right-of-way.

South: James Cummings Avenue abuts the site immediately to the south. A two-and-a-half storey single detached dwelling is located across the right-of-way.

West: Immediately west of the site is a two-storey single detached dwelling oriented away from the river.

As demonstrated in Figure 2, all buildings constructed along James Cummings Avenue within 7.5 metres of the front yard setback are shown outlined in purple. The established neighbourhood's development pattern consistently utilized a front yard setback of less than the 7.5 metres required by the Zoning By-law. The majority of these identified buildings are placed between 4.5 metres and 6 metres of the front yard. The neighbourhood is characterized by buildings framing the right-of-way as is proposed to be reproduced by the applicant.



Figure 2: Front Yard Setbacks on James Cumming Avenue

1.2 Road Network

The subject site is located along James Cummings Avenue, which is designated a local road on Schedule C4 - Urban Road Network of the City of Ottawa Official Plan. Local roads are intended to be low traffic rights-of-way, primarily carrying traffic related to the residence of the local road. The site is also located 250 metres from Carling Avenue, which is an east-west Arterial road providing connectivity to the urban core of the City of Ottawa and Kanata.

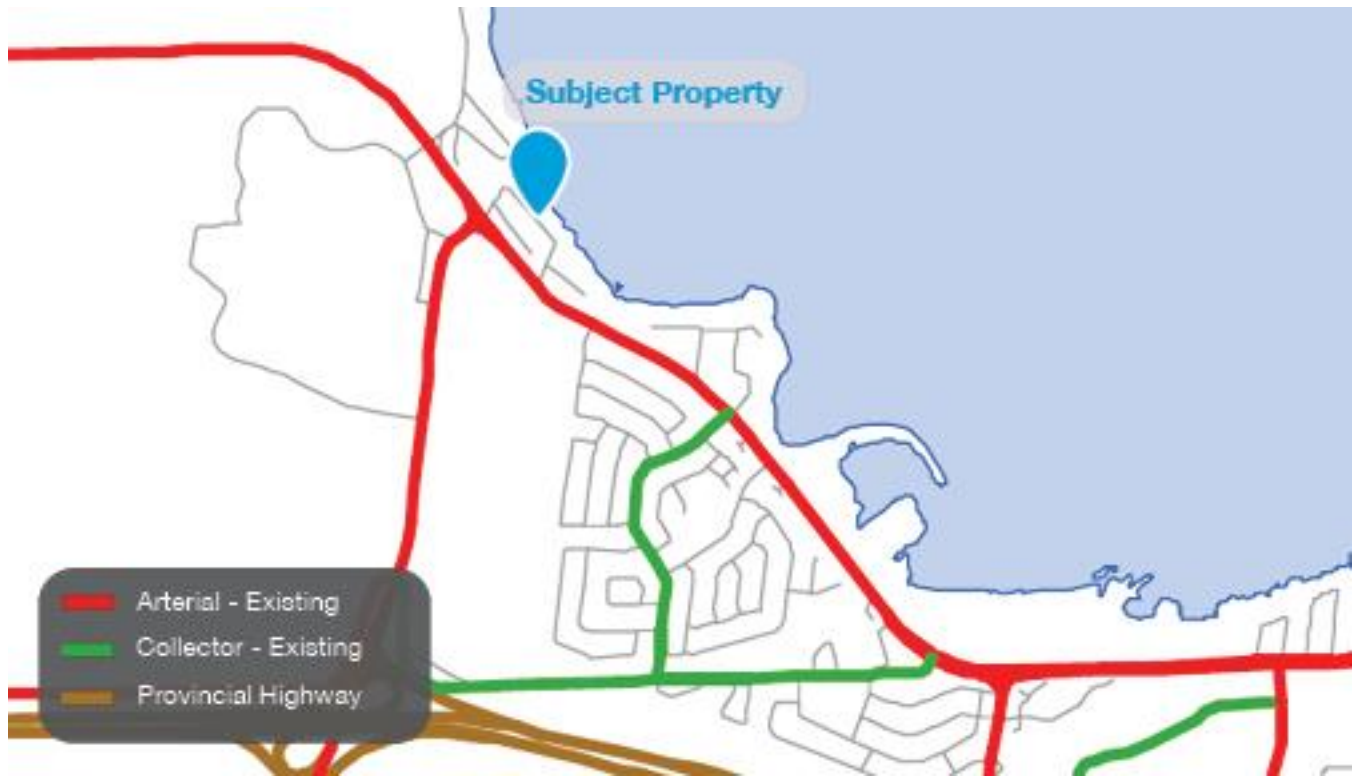


Figure 3: Road Network (Excerpt of Schedule C4 – Urban Road Network, City of Ottawa Official Plan)

2.0

Overview of Application

2.1 Proposed Development

The applicant is proposing to construct a single-detached dwelling with frontage along James Cummings Avenue. The proposed development is oriented toward James Cummings Avenue, shifting the building footprint away from the waterfront and subsequently the restricted floodplain and high-way maker setback. The front yard shall incorporate soft landscaping with vehicular access into the attached garage via the asphalt driveway along the west side of the site. A paver walkway shall link the paved driveway and the covered porch main entrance. The interior side yards shall maintain the existing privacy fencing and shrubs separating the subject site from the neighbouring dwellings. The east side of the site will feature an interior side yard setback of a minimum of 2.01 metres. This setback will provide exterior access to the rear yard. No vehicular access to the rear yard is proposed. The rear yard shall retain the existing septic system installed in 2024.

The dwelling's footprint is proposed to be 339.95 square metres, with 254.9 square metres of liveable area. The home will feature an elevator, permitting barrier-free access between the ground floor and the basement. This accessible feature promotes the ideals of aging-in-place, designing dwellings for long-term occupation.

As shown on the architectural elevations in Figures 5, 6, and 7 the proposed exterior design features large windows on the front and rear façades, which offers natural daylight into the liveable areas and a well-lit public realm at night. The rear windows frame views toward the Ottawa River. An overhang covers the front entrance from the elements and highlights the principal entryway. A variety of siding materials are proposed for the façades to provide variety and interest and complement the existing design character of the neighbourhood. Windows along the sides of the building are much smaller in size to improve privacy and minimize overlook to adjacent development.



Figure 4: Site Plan of proposed development.



Figure 5: Streetscape front elevation.



Figure 6: Draft front elevation of proposed building.



Figure 7: Draft rear elevation of proposed building.

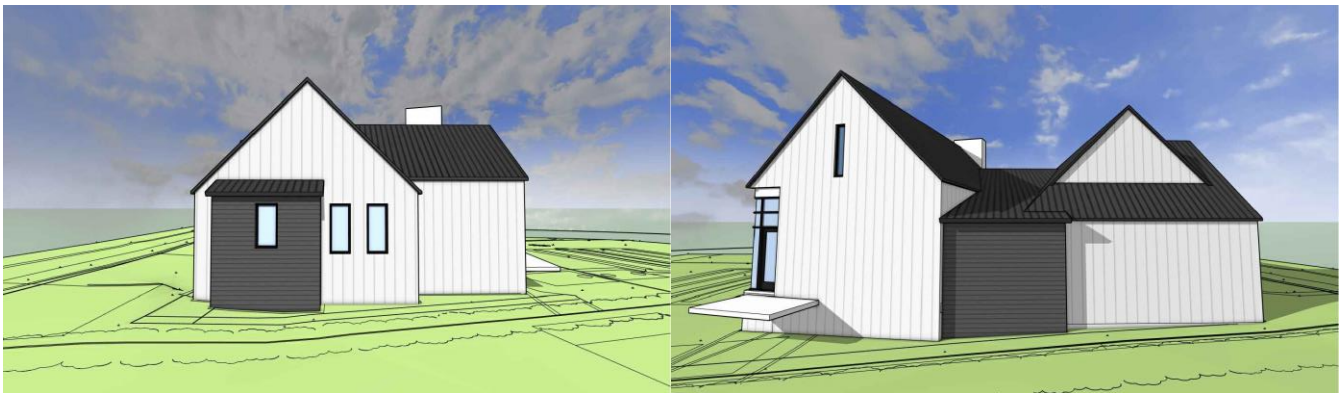


Figure 8: Draft east looking (left) and west looking (right) elevations of proposed building.

Prior to acquisition of the site by the applicant, trees were removed during the demolition of the previous dwelling. The applicant now seeks to replace these trees on site, proposing to plant six (6) new trees. The Tree Planting Plan (Figure 9), prepared by Dendron Forestry Services, demonstrates the proposed locations and species of these trees. Two (2) small trees shall be featured in the front yard oriented to James Cummings Avenue to frame the right-of-way without impeding the overhead wires. Four (4) trees will be placed in the west rear yard. There trees shall be in full light exposure. The new trees will be complimented by the renaturalization of the rear yard.

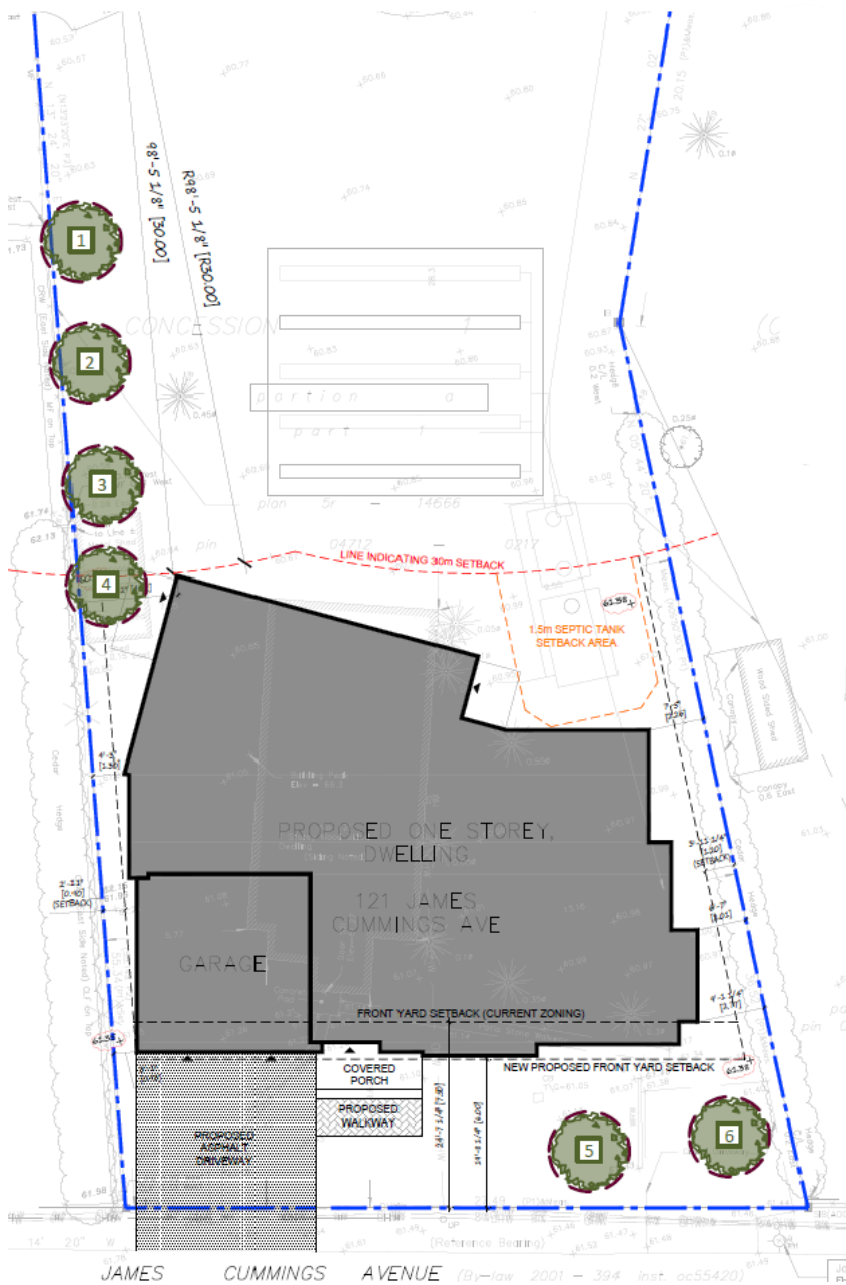


Figure 2: Tree Planting Plan.

Concurrent on-site work is being completed with the Rideau Valley Conservation Authority to stabilize the water frontage. The work includes the replacement of the retaining wall along the river's edge following the replacement of the waterfront stairs by the previous owner. The conservation authority is aware of the redevelopment of the subject site and has not expressed reservations or concerns.

2.2 Required Application

To facilitate the proposed development, a Minor Variance application is being submitted. The Minor Variance application will address the request for a reduced front yard setback. All other provisions of the Ottawa Zoning By-law (2008-250) are met.

The property is located within the “Residential First Density, Subzone E” (R1E) zone in the current City of Ottawa Zoning By-law 2008-250. While complying with all but one of the applicable provisions, in order to proceed with the development, the following minor variance is required:

- / To permit a reduced front yard setback of 6 metres, whereas the By-law requires a minimum front yard setback of 6.3 metres as per Section 123. (1) of City of Ottawa’s Comprehensive Zoning By-law (2008-250).

An assessment of this variance in relation to the Four Tests of the Planning Act is provided below, following the policy and regulatory overview.

4.0

Policy Framework

4.1 Provincial Planning Statement, 2024

The Province of Ontario enacted a new Provincial Planning Statement (PPS) on October 20, 2024, which represents the consolidation of the previous PPS (2020) and the *Growth Plan* (2019) into a single comprehensive policy document. Included as part of the consolidation are several updates to the previous sets of policies, with a specific emphasis on growth targets and urban boundary expansion related to the provision of greater opportunities for housing across the province. All municipal development policies, documents and decisions must be consistent with the PPS, read in full, as of the date of enactment.

Policies that support the development and intensification of the subject property include:

- / Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:
 - permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities.
- / Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
- / Partial services shall be permitted within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The Minor Variance application, and the resulting proposed development on the subject property is consistent with the Provincial Planning Statement (2024) in that it achieves its vision in addressing efficient development and land use patterns on existing partial municipal services and in proximity to a range of planned public transit. The application supports compatible development within the context of the surrounding community. The proposed development is aligned with the policies of the PPS in that the applications provide the opportunity for compatible development within the partially serviced, urban area, contributing to the ongoing evolution and creation healthy communities.

The application follows the direction of the PPS as it proposed and directs development away from areas of natural or human-made hazards, including those with high ecological value like riparian areas, to protect public health, safety, and property.

4.2 City of Ottawa Official Plan, 2022

. The Official Plan of Ottawa (2022) provides a framework for the way that the City will develop until 2046 when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs the manner that the City will accommodate this growth over time and set out the policies to guide the development and growth of the City.

The subject property is located within the "Outer Urban Transect" and designated a "Neighbourhood" as shown in Schedule A and B3 of the New Official Plan.

4.1.1.1 Outer Urban Transect Area

The subject site is located within the Outer Urban Transect of the Official Plan (Figure 10). This area is characterized by low-rise residential uses with generous setbacks and the separation of land uses. These neighbourhoods were designed around automobile travel, the Official Plan envisions these areas evolving towards an urban 15-minute community model promoting increased densities of ground-oriented residential, transit connectivity, and residential commercial uses.

Section 5.3.1 recognizes the urban pattern of built form and site design. Policy 2 states the Outer Urban Transect is planned for low-rise residential development within the Neighbourhood designation, Policy 4 adds that residential developments should be ground-oriented in these areas.

The site is within an automobile-dependent neighbourhood, supportive of future low-density ground-orientated housing. This style of development is compatible with the surrounding existing built forms along James Cummings Avenue.

Section 5.3.4 policies provide direction to Neighbourhoods located within the Outer Urban Transect guiding residential growth. The following development standards apply:

- / Allow and support 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 the Official Plan;
- / Generally provides for up to 3 storeys height permission, and where appropriate 4 storeys height permission to allow for ground-oriented higher-density low-rise residential development;
- / Provides an emphasis on regulating the maximum built form envelope that frames the public right of way; In appropriate locations, to support the production of missing middle housing, prohibit lower-density typologies.



Figure 10: Excerpt of Schedule B3 – Outer Urban Transect, City of Ottawa Official Plan.

The Official Plan is supportive of low-density developments where the parcel is of sufficient size to allow for sufficient setbacks to maintain the context of the neighbourhood. The proposed dwelling shall continue the pattern of established development in the neighbourhood in massing, height, and setback from James Cummings Avenue.

4.2.1 Neighbourhood Designation

The subject site is designated “Neighbourhood” in the Official Plan. Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities.

Residential built forms permitted within Neighbourhoods, pending the provisions of the Zoning By-law, are described in Policy 4 of Section 6.3.1, which state the following is permitted:

- / A full range of Low-rise housing; and,
- / Housing options with the predominant new building form being missing middle housing.

The proposed built form meets the character of the established neighbourhood as a low-rise single detached dwelling.

Section 6.3.2 builds upon Section 6.3.1 providing a vision for the future of Neighbourhoods to move towards the models of 15-minute communities. Policy 2 states the City will establish form-based regulation through the Zoning By-law, Site Plan Control and other regulatory tools as appropriate, consistent with Transect direction. Such form-based regulation may include requirements for articulation, height, setbacks, massing, floor area, roofline, materiality and landscaped areas having regard for:

- / Local context and character of existing development;
- / Appropriate interfaces with the public realm, including features that occupy both public and private such as trees;
- / Appropriate interfaces between residential buildings, including provision of reasonable and appropriate soft landscaping and screening to support livability;
- / Proximity to Hubs, Corridors and rapid-transit stations;
- / Transition in building form to and from abutting designations; and,
- / The intended density to be accommodated within the permitted building envelope.

The proposed development shall continue the existing neighbourhood's established built form and style. The height of the structure and roofline respect the views toward the Ottawa River for neighbouring properties, offering appropriate transition to existing development. The application does not seek to introduce a new built form or increase the density of the site. Through the redevelopment of the site, the applicant shall provide soft landscaping and incorporate six new trees on site.

The proposed minor variance maintains the general intent and purpose of the Official Plan. The proposed development is within the height range of the Neighbourhood designation and has been designed in a compatible manner to the established neighbourhood with consideration to adjacent uses.

4.2.2 Urban Design

The Official Plan establishes a set of urban design strategies aimed at encouraging excellence in the design of both new developments and the public realm, contributing to the overarching vision of this Plan. Specific policies related to low-rise development highlight context-sensitivity, amenity space provisions, accessibility, and the development's relationship to the public realm. The Plan's overall aim of creating 15-minute neighbourhoods is encouraged through the intensification of existing residential areas along Corridors and within Hubs, acknowledging the role of good urban design in making these spaces walkable, inviting, and supportive of growing communities.

The applicable provisions of this plan, as they relate to urban design, are outlined below:

- / To minimize impacts on neighbouring properties and on the public realm, transition in building heights shall be designed in accordance with applicable design guidelines; and,
- / 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 modern architecture style, including the main entrance at-grade with a covered porch, meet the existing design style of other redeveloped properties in the neighbourhood while also respecting the height of all surrounding existing dwellings. The development of the site, as proposed, shall complement the neighbourhood character.

4.2.2.1 Servicing

Section 4.7.2 provides policy concerning the affordable and sustainable pattern of infrastructure development with respect to municipal and private servicing. Policy 6 states that partial services may be considered within the Urban area where development on partial services already exists and the proposal constitutes minor infill or minor rounding out provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The development of one replacement dwelling unit on the subject site maintains the servicing standard of the area. The development shall utilize the new septic system installed following the demolition of the previous dwelling.

4.2.3 Water Resources

Section 4.9.3 restricts or limits development near surface water features. The following development standards apply in regards to developments along the Ottawa River frontage:

- / The minimum setback from surface water features shall be the development limits as established by a Council-approved watershed, sub-watershed or environmental management plan.
- / Lands within the minimum setback shall remain in a naturally vegetated condition to protect the ecological function of surface water features from adjacent land-use impacts, subject to the exceptions in Policies 6) and 7). Any natural vegetation that is disturbed due to development or site alteration activities shall be restored and enhanced, to the greatest extent possible, with native species and shall avoid non-native invasive species. Burial or complete encasement of a permanent surface water feature shall not be allowed.

In consultation with the Rideau Valley Conservation Authority, it was determined that a 30 metre setback to the proposed dwelling was appropriate for the subject site. The dwelling was thoughtfully designed to respect the established 30 metre setback from the normal high water mark of the site. Only the northwest corner of the proposed dwelling abuts the 30 metre setback at the minimum distance, while the remainder of the dwelling is additionally setback from the water. The orientation of the dwelling away from the river setback protects the sensitive ecological features of the shoreline and river.

4.3 City of Ottawa Zoning By-Law (2008-250)

The subject site is zoned “Residential First Density, Subzone E” (R1E) in the City of Ottawa’s Comprehensive Zoning By-Law (2008-250) as shown on Figure 10. The purpose of this zone is to:

- / restrict the building form to detached dwellings in areas designated as General Urban Area in the Official Plan;
- / allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;
- / permit ancillary uses to the principal residential use to allow residents to work at home; and.
- / 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.

A detached dwelling building is permitted within and follows the intent of the applicable R1E zoning.

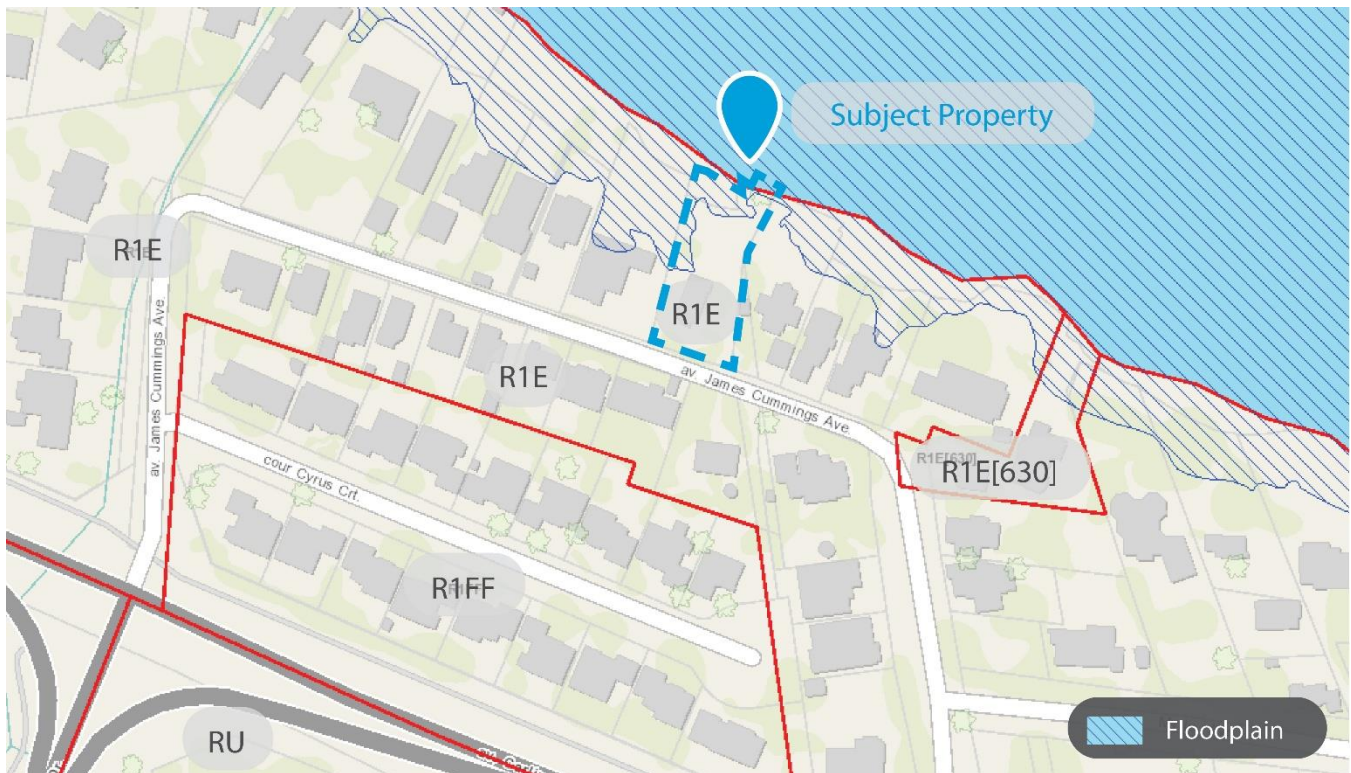


Figure 3: Zoning map of the Subject Site and surrounding context.

The proposed detached dwelling is a permitted uses within the R1E zone.

Table 1 below evaluates the proposed development against the applicable zoning provisions, confirming that the subject site can adequately accommodate the development. Areas of compliance are noted with a green checkmark (✓) and areas of non-compliance are noted with a red 'x' (✗).

Table 1: Zoning Provisions

R1E Provision	Required	Provided	Compliance
Minimum Lot Width [Table 156A]	19.8 metres	27.5 metres	✓
Minimum Lot Area [Table 156B]	930 square metres	1371 square metres	✓
Minimum Front Yard Setback [Table 156A]	7.5 metres	6 metres	✗
Front Yard Setback Reductions [Section 123.1]	Where the front yard setback of at least one of the residentially zoned lots on either side of another residentially zoned lot is less than the required front yard setback for the zone but was lawfully established, the front yard setback for the middle residentially zoned lot may be reduced to the greater of, (a) 1.5 metres, or	6 metres	✗

R1E Provision	Required	Provided	Compliance
	(b) the average of the two front yard setbacks of the other two lots. = 6.3 metres		
Minimum Interior Side Yard Setback [Table 156A]	0.9 metres on one side and 1.2 metres on the other	0.9 metres (west) 2 metres (east)	✓
Minimum Rear Yard Setback [Section 144.3]	30% of lot depth = 15.75 metres	30 metres	✓
Minimum Setback from Watercourses [Section 69.2]	30 metres to the normal highwater mark	30 metres	✓
Maximum Building Height [Table 156B]	8.5 metres	8 metres	✓
Maximum Lot Coverage [Table 156B]	25%	24.7%	✓
Permitted Projections Into Yards [Table 65.6]	Covered or uncovered balcony, porch, deck, platform and verandah, with a maximum of two enclosed sides, excluding those covered by canopies and awnings: minimum setback of 2 metres, but no closer than 1 metre from any lot line.	4.7 metres	✓

4.3.1 Watercourse Setback (S. 69)

In Ottawa's zoning bylaw, Section 69 outlines the minimum setbacks required from watercourses and waterbodies to ensure safety from flooding and unstable slopes, and to protect the environment.

Section 69 states that despite the provisions of the underlying zone, the minimum setbacks of this section of the by-law must be provided as they relate to a nearby watercourse. The provisions establishes that the minimum setback is 15 meters from the top of the bank of any watercourse or waterbody, or 30 metres from the normal high-water mark, whichever is greater.

The proposed development adheres to the required setback from the Rideau River.

4.3.2 Flood Plain Hazard Overlay (Section 58)

Flood plain mapping and the resulting flood plain hazard overlay of Section 58 of the zoning by-law identifies areas that may experience flooding due to rising water levels in a watercourse such as the Rideau River.

This mapping is critical for the effective management of flood risks through prevention/mitigation of risks, protection of people and property, and emergency preparedness and response planning. Effective hazard and risk management will often involve a combination of measures. Importantly, the provisions of Section 58 take precedence over the provisions of the underlying R1E zone and establish that development is prohibited within any area subject to a floodplain overlay.

As indicated on the submitted site plan, the proposed redevelopment is located wholly outside of the overlay.

4.3.3 Front Yard Setback Reductions (Section 123)

In Ottawa's zoning bylaw, Section 123 allows for reduced front yard setbacks (reduction for the minimum of the existing R1E Zone) for a residentially zoned lot if the adjacent lots have lawfully established setbacks less than the required minimum of the zone. The new minimum front yard setback is determined as an average distance of the two neighbouring lots, but the reduction cannot be to less than 1.5 meters. The subject site is situated between 123 James Cumming Avenue to the west and 119 James Cumming Avenue to the east. In 2016, 123 James Cumming Avenue was granted a Minor Variance to reduce their front yard setback from 7.5 metres to 6.5 metres. 119 James Cumming Avenue has a detached garage with a 6.1 metre front yard setback to their detached garage. This detached dwelling and detached garage were built prior to the introduction of Zoning By-law 2008-150.

Based on measurements of the existing building form on either side of the subject property, the minimum front yard setback is 6.3 metres.

5.0

The Four Tests of the Planning Act

Section 45 of the *Planning Act, R.S.O. 1990* provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness on the basis of Four Tests. It is required to be demonstrated that a proposed variance satisfy the following tests:

- / Is it in keeping with the general intent and purpose of the Official Plan?
- / Is it in keeping with the general intent and purpose of the Zoning By-law?
- / Is it desirable for the appropriate development or use of the land, building or structure?
- / Is the application minor in nature?

5.1 Does the Proposal Maintain the General Intent and Purpose of the Official Plan?

The subject site is designated “Neighbourhood” on Schedule B3 (Outer Urban Transect) of the Official Plan. Development within this designation and transect is planned for ground-oriented low-rise residential development. Policies of the Official Plan focus on maintaining the existing character of established neighbourhoods by continuing patterns of maximum building heights and setbacks. The intent of this designation is to ensure new development is functionally and aesthetically compatible. In instances of waterfront parcels, the Official Plan restricts development within a conservation authority-approved setback, keeping the setback area naturalized.

The proposal maintains the low-rise intended form, residential uses, and established context of the Neighbourhood designation of the Official Plan. The proposed variance supports the compact and urban form of development intended for the site while prioritizing and adhering to the setback to the Ottawa River and established flood plain mapping. The development shall maintain the previous built form of a single detached dwelling with a similar front yard setback utilized by neighbouring residential properties.

5.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject site is zoned Residential First Density, Subzone E” (R1E) in the City of Ottawa’s Comprehensive Zoning By-Law. The purpose of the R1E zone is to restrict the built form to low-rise single detached dwellings to maintain the existing land use patterns and character of a neighbourhood. In order to facilitate the detached dwelling on site as proposed, the proposal requires 0.3 metres of relief from the required minimum front yard setback of 6.3 metres as per Section 123. (1).

The variance requested to reduce the minimum front yard setback to 6 metres meets the general intent and purpose of the Zoning By-law, as it permits the functional use of the front yard including a driveway and continues an established building standard along James Cummings Avenue. The placement of the dwelling closer to the right-of-way permits the structure to provide a 30 metre setback from the normal high water mark and avoiding the established floodplain hazard boundaries. By reducing the front yard setback, the proposed built form can be accommodated while respecting the more sensitive rear yard setback to the Ottawa River. The reduced front yard setback does not preclude the development from meeting any other provision of the Zoning By-law such as lot coverage or interior side yard setbacks. The proposed front yard setback will contribute to a streetscape consistent with the prevailing character of the area, which features dwellings on the north and south side of James Cummings oriented to the right-of-way, many featuring setbacks less than the current R1E zoning prescribes.

5.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The proposed development consists of the establishment of a single-storey detached dwelling. As noted previously, the project is consistent with the intended function of the R1E zone and conforms to the policies of development within the Outer Urban Transect per the Official Plan. The policies of the Outer Urban Transect of the Official Plan promote compatible development, encouraging low-rise residential dwellings where they can be accommodated and fit within the local context. Further, policies within the PPS support the proposed development by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; and,
- / developing away from surface water features.

The building footprint is deliberately placed within the R1E front yard setback in order to achieve a minimum 30 metre setback from the normal high water mark of the Ottawa River and avoid the established flood plain. By respecting the more sensitive rear yard and minimizing the front yard setback, the variance recognizes the unique site conditions of the subject site. Furthermore, a six metre front yard setback is a compatible design within the existing context of the surrounding community on James Cummings Avenue. Overall, the proposal is desirable for the development and use of the lands.

5.4 Is the Proposal Minor in Nature?

The reduction in front yard setback does not preclude the ability of the proposed dwelling to meet other yard setbacks or lot coverage requirements in the Zoning By-law and continues to allow the lot to develop in a manner consistent with the built form of the surrounding area. The proposed development is generally consistent with the provisions under the R1E zone; therefore, the reduced front yard setback does not create any adverse impacts to adjacent properties and is appropriate for the neighbourhood.

As demonstrated in Figure 2, there is a well-established development standard of R1E zoned properties on this street, with front yard setbacks of less than 7.5 metres. The proposed development does not introduce a new development standard in the neighbourhood, thus will be a minor deviation from the Zoning By-law. Further, with the permissions of the reduced front yard setback of Zoning By-law Section 123 applied, the requested relief is approximately 0.3 metres in total.

The variance to reduce the minimum front yard setback is therefore considered minor.

6.0 Conclusion

It is our professional opinion that the Minor Variance described herein meets the Four Tests of the Planning Act and results in a development proposal which represents good planning principles and is in the public interest. The variance allows for the establishment of a compatible, single-detached dwelling form that contributes positively to the housing supply, the public realm and protects the Ottawa River water frontage. This report recognizes the following:

- / The proposal conforms to the policies and objectives of the “Neighbourhood” Official Plan designation;
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law; and
- / The proposed minor variance meets the four tests, as set out in the Planning Act.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,

A stylized, handwritten signature in black ink, appearing to read 'Gabi Amos'.

Gabi Amos, MCIP RPP
Planner

A handwritten signature in black ink that reads 'Tim Beed'.

Tim Beed, MCIP RPP
Associate