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**MIROCA DESIGN INCORPORATED**  
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**COMMITTEE OF ADJUSTMENT**

City of Ottawa  
101 Centrepoin Drive,  
Ottawa, Ontario K2G 5K7

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

**Committee of Adjustment**  
Received | Reçu le

**2025-07-04**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Re: **APPLICATION FOR MINOR VARIANCES FOR LANDS AT:**

35 St. Claire Avenue, Ottawa, ON. and  
Lots 1659 & 1660, Registered Plan 375,  
City of Ottawa

37 St. Claire Avenue, Ottawa, ON.  
Lots 1661 & 1662, Registered Plan 375,  
City of Ottawa

Ward 8, College  
Zoning R1FF[632], Zoning By-law 2008-250

Dear Mr. Bellemare,

Samantha Michela Di Petta, Kieran Mackinnon Stewart, and Maria Di Petta, have retained Miroca Design Consulting Services to act as agent on their behalf for the preparation of Minor Variance Applications for their lands known municipally as 35 St. Claire Avenue, Ottawa, Ontario.

Additionally, Maria Di Petta has retained Miroca Design Consulting Services to act as agent on her behalf for the preparation of Minor Variance Applications for her lands known municipally as 37 St. Claire Avenue, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. 1 copy of the completed Application Form
2. 1 copy of this cover letter prepared by Miroca Design Consultants Inc.
3. 1 full-sized copy and 1 reduced copy of the Surveyors Real Property Report, prepared by Farley, Smith & Denis Surveying Ltd., Ontario Land Surveyors
4. 1 copy of the Site Plan prepared by Miroca Design Consultants Inc.
5. 1 copy of the Elevation drawings prepared by Craft Group Ltd.
6. 1 copy of email confirmation that no TIR is required.
7. A cheque payable to the City of Ottawa, and a copy of the Parcel Register showing ownership.

## PURPOSE OF THE APPLICATION

Minor variances to permit reduced rear yard setback and rear yard area to accommodate the existing enclosed sunrooms.

## BACKGROUND

The owner has enclosed their covered rear decks as sunrooms. They were instructed to apply for building permits to legalise the sunrooms, and during the course of that review the zoning department requested that they obtain minor variances for reduced rear yard setback & area, as the enclosed sunrooms are considered part of the house.

## RELIEF REQUESTED

The owners require the Authority of the Committee for Minor Variances as follows:

### #35 St. Claire Avenue

- a) To permit a reduced rear yard setback of 20.71% of the lot depth (6.0 metres), whereas the By-law requires a minimum rear yard setback of 28% of the lot depth (8.11m metres.) [Sec. 144(3), Table 144B]
- b) To permit a reduced rear yard area of 20.71% of the area of the lot (91.29 square metres), whereas the By-law requires a minimum rear yard area of 25% of the area of the lot (110.19 square metres). [Sec. 144(3), Table 144B]

### #37 St. Claire Avenue

- a) To permit a reduced rear yard setback of 20.71% of the lot depth (6.0 metres), whereas the By-law requires a minimum rear yard setback of 28% of the lot depth (8.11m metres.) [Sec. 144(3), Table 144B]
- b) To permit a reduced rear yard area of 20.71% of the area of the lot (91.29 square metres), whereas the By-law requires a minimum rear yard area of 25% of the area of the lot (110.19 square metres). [Sec. 144(3), Table 144B]

## EXISTING CONDITIONS AND AREA OVERVIEW

Each property currently has a two-storey single-family dwelling. Access to the properties is provided from St. Claire Avenue which is a Local Road. All abutting lands are detached residential uses. Transit service is provided along Merivale Road to the East, and Baseline Road to the North. The area is well served by a range of commercial and community amenities principally along Merivale Road to the East. Algonquin College and College Square Shopping Centre are located to the west.

## NEIGHBOURHOOD CHARACTER

City View is a suburban residential neighbourhood initially developed from the late 1940s through the 1960s. Housing along St. Claire Avenue, and throughout the neighbourhood, is characterized by single family bungalows and 2-storey homes on wide lots. There are also countless examples throughout the neighbourhood of the replacement of these original homes by larger 2-storey detached dwellings, through dividing the existing wide lots in half. Many of these new dwellings utilize the maximum allowable building envelope and building height. This development has occurred frequently throughout the City View Neighborhood over the past 10 years, utilizing underdeveloped land, and creating a varied pattern of development in terms of lot fabric, and built form.

## FOUR TESTS

In support of the proposed applications, the four tests for minor variances as provided for in Section 45(1) of the Planning Act, have been reviewed as follows:

### ***1. GENERAL INTENT AND PURPOSE OF THE OFFICIAL PLAN IS MAINTAINED***

The Official Plan generally aims to ensure development is compatible with surrounding uses, supports quality of life, and maintains stable residential areas. The enclosed sunrooms are a low-impact residential accessory use that does not change the overall land use or function of the property. They respect neighbourhood character and support livability, which aligns with Official Plan goals for modest, context-sensitive home improvements.

### ***2. GENERAL INTENT AND PURPOSE OF THE ZONING BY-LAW IS MAINTAINED***

The purpose of the Zoning By-law's minimum required rear yard setback and rear yard area provisions is to ensure sufficient space for rear yard amenities, tree planting areas, soft landscaping to accommodate grading and drainage requirements, and access to light and air.

Trees have already been planted on site and are not impacted by the enclosure of the sunrooms. The total lot coverage including the sunrooms is 37.9% for #35 and 36.8% for #37, respecting the maximum permitted lot coverage of 40% in City View. The landscaping of the remaining rear yard comprises over 50% soft landscaping, well exceeding the minimum 15% required in the By-law. These factors demonstrate that the grading and drainage needs of the site have been addressed. Adequate space remains in the rear yard for outdoor amenity space and functional uses. The sunroom occupies a limited footprint and is single storey, minimizing shadowing and overlook.

### ***3. DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OR USE OF THE PROPERTY***

The enclosed sunrooms represent a modest and context-sensitive additions that support the continued residential use of the properties without constituting a major expansion or change in use. They replace an under-utilized deck with an enclosed space that can be used comfortably year-round.

Constructed on a pier foundation, the sunrooms preserve more permeable surface area than a full foundation, helping to maintain site drainage. The single-storey, low-profile design respects the scale and character of the existing dwelling and surrounding neighbourhood, and does not result in significant impacts related to privacy, overlook, or shadowing.

From a sustainability perspective, the sunrooms contribute to passive solar gain, reduce winter energy use, and help buffer the interior living space from temperature extremes. Overall, the sunrooms represent a desirable and appropriate improvement to the properties, with minimal impact on adjacent uses.

### ***4. THE VARIANCE IS MINOR***

The minor variances for reduced rear yard setback and area have minimal impact. The existing dwellings already feature generous side yards with plantings and ample space for yard access and amenities. The requested reductions are considered technical in nature, given how rear yard setbacks are calculated, there is no actual loss of yard area. The sunrooms were created by enclosing the existing approved covered rear decks; the rear yard's permeable area remains largely unchanged, the existing landscaping and tree plantings are maintained.

The sunrooms are modestly sized, and neighbouring properties are unaffected in terms of privacy, light, or yard enjoyment. The sunroom enclosures have no windows facing adjacent properties, ensuring privacy.

The assessment of whether a variance is minor hinges on whether it results in a minor change or causes any undue or adverse effects. In the case of the reduced rear yard setback and area, it is evident that this is a very minor deviation which will enhance future opportunities for the land, and there is no negative impact to either dwelling or any adjacent properties.

Given these considerations, we feel that the requested variances are minor.

## PRE-CONSULTATIONS

Pre-consultations with Planner 1 Elizabeth King indicated no concerns with the conversion of the existing decks to sunrooms as access is maintained in the rear yard. Ms. King noted that the artificial turf in the rear yard is not considered soft landscaping. Following these comments the rear yard landscaping was assessed, and it was determined that the river-wash border surrounding the artificial turf comprises over 50% of the rear yard area, which exceeds the minimum requirement of 15%. River wash is considered soft landscaping under the Zoning By-law.

It is also noted that while artificial turf is technically not considered soft landscaping under the By-law, the product that has been installed is fully permeable.

A letter explaining the application was provided to the City View Community Association for their review and comments.

## TREES

This application does not propose any work on site or any impact to the trees. Pre-consultations with Planning Forester Nancy Young confirmed that since no further work is proposed on site, no TIR is required.

## CONCLUSION

With respect to the Minor Variances, it is our opinion that the variances are desirable for the appropriate development or use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained, and the variances sought are minor.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,

Michael Segreto  
Miroca Design Consulting Services Inc.

Mary Beth DiSabato  
Miroca Design Consulting Services Inc.