

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales**

**and Council  
et au Conseil**

**August 20, 2014  
20 août 2014**

**Submitted by  
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**Ward: RIDEAU-GOULBOURN (21)**

**File Number: ACS2014-PAI-PGM-0203**

**SUBJECT: Zoning By-law Amendment – 5557 Dickinson Street**

**OBJET: Modification au Règlement de zonage – 5557, rue Dickinson**

## REPORT RECOMMENDATION

That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5557 Dickinson Street to permit a reduction in the side yard setback, and to permit an increased projection of a roof eave, to reflect the existing garage addition, as detailed in Document 2.

## RECOMMANDATION DU RAPPORT

Que le comité de l'agriculture et des affaires rurales recommande au conseil d'approuver une modification au règlement de zonage 2008-250 relativement à la propriété située au 5557, rue Dickinson, afin de permettre une réduction du retrait de cour latérale et une saillie accrue d'un rebord de toit, afin de tenir compte du rajout/garage existant, comme le précise le document 2

## BACKGROUND

Learn more about [Zoning By-law amendments](#)

For all the supporting documents related to this application visit the [Development Application Search Tool](#).

### Site location

5557 Dickinson Street.

### Description of site and surroundings

The lot is rectangular shaped, sloping downward at the rear of the property. There is just over 20 metres of frontage along Dickinson Street, and the depth of the lot is 40.2 metres, with a total lot area of 809 square metres. The house is approximately 45 years old.

The property is located within an established residential neighbourhood of Manotick, located approximately 28 metres from the western shore of the Rideau River and just to the east of the village core. There is a diversity of housing vernacular in this area, with a mix of older heritage houses and contemporary homes. Low density, single unit detached housing represents the most prevalent housing type.

### Summary of requested Zoning By-law amendment proposal

The current zoning designation on the property is Village Residential, Subzone P (V1P). This Zoning By-law amendment would establish a property specific zoning exception, in

order to change the zoning from V1P to V1P[xxxxr]. The maximum permitted side yard setback in this zone is 3 metres. This proposed amendment will permit a reduced side yard setback of 0.44 metres. Section 65 of the Zoning By-law permits eaves, eave-troughs and gutters to project into the interior side yard setback, up to 0.3 metres from the property line. This proposed amendment would permit a projection of the eaves, eave-troughs and gutters up to 0.14 metres from the property line. This amendment is required in order to recognize an existing attached garage structure that was built in violation of the Zoning By-law, approximately four years ago.

### **Brief history of proposal**

The property to which the proposed Zoning By-law amendment applies was the subject of an application for a minor variance through the Committee of Adjustment (File number D08-02-11/A-00110). This request for a minor variance to recognize the as-built conditions on the property was denied on March 19, 2014. The decision made by the Committee of Adjustment was based on a determination that the request for a minor variance did not satisfy all four tests on which the Committee of Adjustment makes their decision, specifically, that the reduced side yard setback request was not considered minor.

## **DISCUSSION**

### **Public consultation**

For this proposal's consultation details, see Document 3 of this report.

### **Official Plan designation**

The property is located within the Village boundary of Manotick, and is subject to the policies of Section 3.7.1 - Villages. The Village designation intends to permit a variety of land uses to provide for the daily needs of the rural community and to ensure that villages remain distinctly rural in character and scale.

### **Other applicable policies and guidelines**

The property is subject to the Manotick Secondary Plan. The intensity and distribution of land uses within Manotick is to be determined through the Manotick Secondary Plan, which permits a range of housing forms to meet the needs of the village's population. According to Schedule 'A' of the Manotick Secondary Plan, this property is designated as 'single family (low density)'. The Manotick Secondary Plan addresses development within existing neighbourhoods in Section 3.7.2.5(2)(f), stating that redevelopment that

takes place in residential neighbourhoods outside of the village core shall be compatible with adjacent, existing housing with respect to lot size and configuration, and building size and setback.

Official Plan, Section 2.5.1 - Designing Ottawa, intends to ensure that new development is compatible with surrounding land uses resulting in a high quality of community design. Relevant objectives within this section of the Official Plan speak to ensuring that new development respects the character of existing areas, and the importance of considering adaptability and diversity by creating places that can adapt and evolve easily over time and are characterized by variety and choice.

### **Planning rationale**

Within the immediate neighbourhood, there are a wide variety of housing types, from historically significant houses, to more contemporary designs. There is also a wide variation in terms of side yard setbacks, with other houses in the area having less than the minimum required setback of three metres, with some houses or their accessory structures, abutting directly on the side property lines. The garage addition, with a reduced side yard setback and a reduced setback for the roof eave, does not detract from the character or scale of the immediate neighbourhood.

The reduced side yard setback does not pose a grading or drainage issue. A grading and drainage plan for this development was previously reviewed and approved by the Department. Despite the relatively short setback distance, the elevations on the subject lot roughly match those on the abutting property at 5561 Dickinson Street.

### **RURAL IMPLICATIONS**

The residential development on this property is typical of the village residential character found within Manotick, which is supported by the Manotick Secondary Plan.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Moffatt is aware of this application.

### **LEGAL IMPLICATIONS**

There are no legal impediments to adopting the recommendation outlined in this report.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this Zoning By-law Amendment.

**TECHNOLOGY IMPLICATIONS**

Information Technology and Planning and Growth Management have agreed that for Land Use reports from Development Review Services and Policy Development and Urban Design Branches, there is no technology component.

**TERM OF COUNCIL PRIORITIES**

There is no direct impact on the 2010-2014 Term of Council Priorities.

**APPLICATION PROCESS TIMELINE STATUS**

This application was processed by the On Time Decision Date established for the processing of Zoning By-law amendment applications.

**SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Overview Data Sheet

**CONCLUSION**

The garage addition, with a reduced side yard setback and a reduced setback for the roof eave, results in a development that is consistent in terms of the character and scale of the neighbourhood. Furthermore, the development does not result in any negative issues pertaining to grading or drainage on site. In terms of backyard access, staff is satisfied that the owner can avoid trespassing by accessing the backyard through the north side yard, or directly from the house.

**DISPOSITION**

City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, and Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

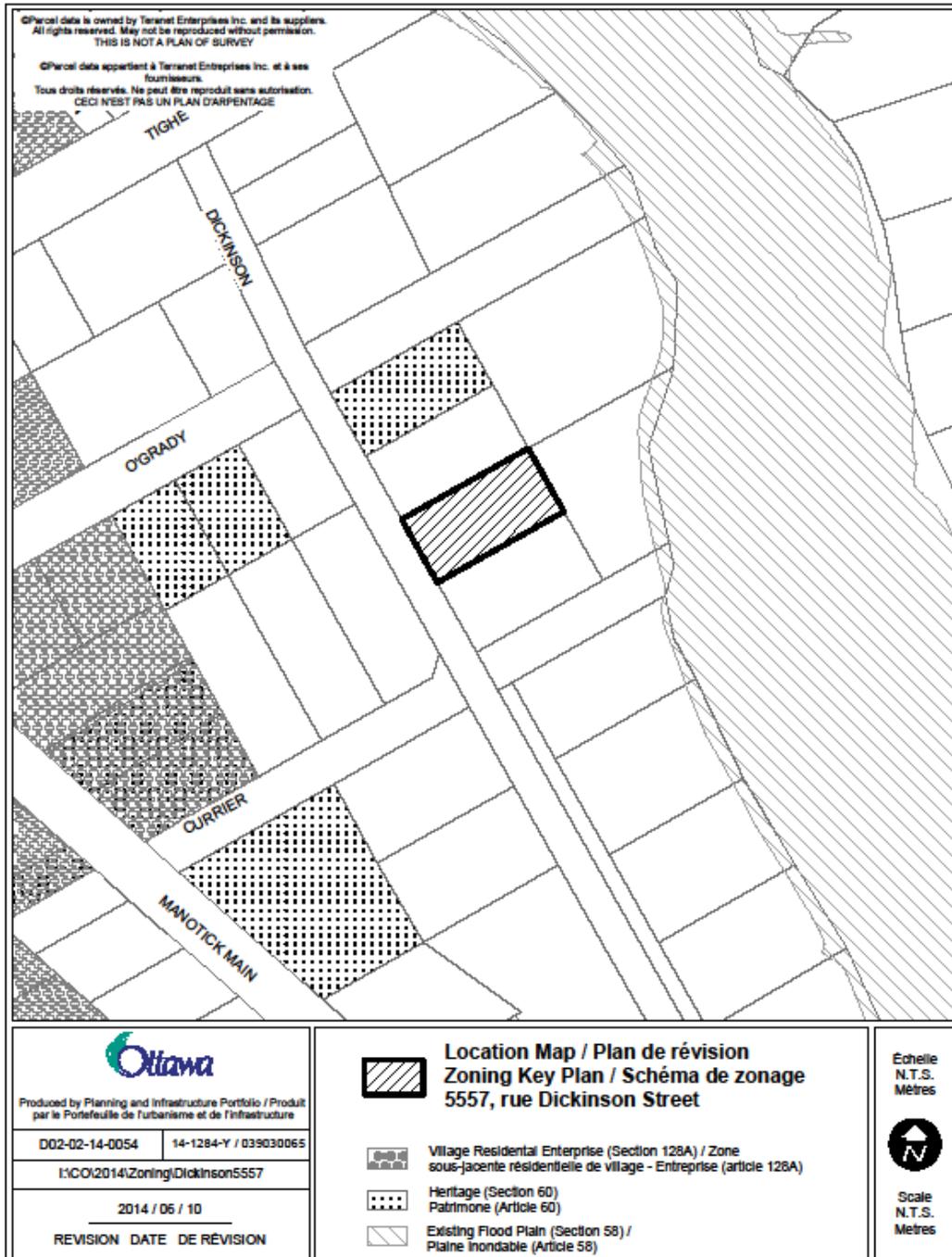
Planning and Growth Management Department to prepare implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

## Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)

The property is located at 5557 Dickinson Street, in Manotick.



**Document 2 – Details of Recommended Zoning**

Proposed changes to the Comprehensive Zoning By-law for 5557 Dickinson Street:

That the zoning be changed from V1P to V1P[xxxr] to add a new exception with provisions similar in effect to the following:

- 1) To permit a reduced minimum southern interior side yard setback of 0.44 metres.
- 2) To permit the projection of eaves, eave-troughs and gutters up to 1 metre into the required southern side yard, but no closer than 0.14 metres from the side yard lot line (southern interior lot line).

## Document 3 – Consultation Details

### Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

### Public Comments and Responses

1. Received by mail, July 10, 2014:

Concern about trespassing by the owners or maintenance crew of the subject property, due to the minimal side yard setback.

- The applicant has agreed to commit in writing to not trespass on the adjacent property. The movement of lawn maintenance machinery and general access to the back yard will occur through the north side of the house, as well as directly from the house when possible.

2. Received by email, July 11, 2014:

Over the past two years, improvements in landscaping, in conjunction with the garage addition, has brought the subject property more into conformity with the character of the surrounding streetscape.

- No response required

### Community Organization Comments and Responses

In an email dated July 10, 2014, The Manotick Village and Community Association expressed no concerns with this Zoning By-law amendment application.