

The Woodpark Community Association Inc.

491 Edgeworth Avenue
Ottawa, Ontario.
K2B 5L2

May 18, 2010

Committee of Adjustment
101 CentrepoinTE Drive
Ottawa, Ontario
K2G 5K7

Subject: Minor Variance Applications for 2290 Lawn Avenue
File Number: D08-02-10/A-00142 to D08-02-10/A-00145

Secretary-Treasurer and Members of Committee:

The Woodpark Community Association Board has reviewed the applications for variance and consent for the 2290 Lawn Avenue proposal. We have also discussed these applications with abutting and adjacent property owners and, on May 11, 2010 our association hosted a meeting with area homeowners, the applicant and representatives of the applicant's agent present. For the record, the Woodpark Community Association does not support the minor variance and consent applications for the proposed development at 2290 lawn Avenue. Our objections are based on our interpretation of this proposal meeting the requirement of the four tests for minor variance as set out in Section 45(1) of the Planning Act, R.S.O 1990,c. P.13:

Maintaining the General Intent of the Official Plan

Section 2.2.2., Policy 14 of the Official Plan states that "The interior portions of stable, low-rise residential neighbourhoods will continue to be characterized by low-rise buildings.. that [intensification] will enhance and complement its desirable characteristics and long-term renewal...[and that] new development, including redevelopment, proposed within the interior of established neighbourhoods will be designed to complement the area's pattern of built form and open spaces.

Further, Section 4.11 says "At the scale of neighbourhoods or individual properties, issues such as noise, spillover of light, accommodation of parking and access, shadowing, and micro-climatic conditions are prominent considerations when assessing the relationships between new and existing development. Often, to arrive at compatibility of scale and use will demand a careful design response, one that appropriately addresses the impact generated by infill or intensification. Consequently, the issue of 'context' is a dominant theme of this Plan where it speaks to compatibility and design."

Section 4.11, Policy 1 states that “In assessing new development / redevelopment proposals and public works, a key test the City will apply is whether the design takes advantage of opportunities for improving the character and quality of an area and the way it functions...” Policy 3.d also states that “The development should respect the privacy of outdoor amenity areas of adjacent residential units and minimize any undesirable impacts through the siting and design of the buildings and the use of screening, lighting, landscaping or other mitigative design measures.”

Finally, when considering infill developments like the 2290 Lawn Avenue proposal, Section 4.11 says that “development may be similar in use and size with adjacent uses, in which case it is generally straightforward to design the infill to be compatible with - or fit well with - its surroundings. Reference to City Council-approved design guidelines [*Urban Design Guidelines for Low-Medium Density Infill Housing*] addressing infill housing provide guidance in this regard.”

In our opinion, the proposal for 2290 Lawn Avenue fails to meet the requirements of the above referenced elements of the City of Ottawa’s Official Plan, as the scale and density are inappropriate; siting is problematic, in particular regarding the impact on mature vegetation on adjacent properties and on the city road allowance at 2290 Lawn; the proposal does not meet the need to respect outdoor amenity areas and privacy of adjacent properties; there is no reference to or conformity with Council approved design guidelines for infill developments; and, the proposal does not complement Woodpark’s pattern of built form and open spaces. The residential intensification provisions in the current city Official Plan can be satisfied if the applicant were to construct two single family dwellings at 2290 Lawn Avenue, not two semi-detached dwellings.

Maintaining the general intent of the Zoning By-law

The purpose of the R2 Zone in By-law 2008-250 is, in part, to “restrict the building form to detached and two principal unit buildings in areas designated as General Urban Area in the Official Plan; [and to] (4) regulate development in a manner is compatible with existing land use patterns so that the detached and two principle dwelling, residential character of a neighbourhood is maintained or enhanced...”

This proposal does not represent compatible development that respects our community’s predominant land use pattern and will enhance the low-rise low-density character of the Woodpark community. Why can’t the applicant build in compliance with the zoning by-law? There is no need for a variance as there is sufficient lot width and area to allow two single-family dwellings to be constructed on this R2 zoned lot.

Objectively appropriate for the use and development of the land

This proposal is a good example of overdevelopment of a site. The massing and scale are incompatible with the residential streetscape along Lawn Avenue and nearby intersecting streets. The orientation to the street does not match the existing pattern of homes sited parallel to a residential roadway. Shadow casting will be a problem for the abutting properties immediately east and west of 2290 Lawn Avenue. The right to the enjoyment of rear yard amenity areas for the abutting properties will be significantly

diminished and privacy in those rear yards will be negatively impacted. The proposal will create visual and physical intrusions for incumbent residents. Existing mature vegetation on the city roadway and on the abutting properties immediately east and west of 2290 Lawn will be at risk or will be removed due to site configuration. On street parking spill over is likely to occur on Lawn Avenue as the proposed units have limited vehicle storage in comparison to the rest of the housing stock on this block of the street. Snow storage will be an issue because of the lack of front yard amenity area for each of the four proposed units. In short the minor variances are not only not compatible, they are also not desirable from a planning and public interest point of view.

The variance is minor in nature

Relief from the zoning by-law provisions via the minor variance provisions in the Planning Act will result in unacceptable and unwarranted impacts on properties abutting and adjacent to 2290 Lawn Avenue. These applications for variances are, therefore, not minor in nature.

The Woodpark Community Association Inc. contends that the applications for variance for 2290 Lawn Avenue fail all four tests as set out in Section 45(1) of the Planning Act. Therefore, these applications as well as the associated Consent applications need to be dismissed by the Committee of Adjustment after careful and detailed analysis of the applications.

Please send the Woodpark Community Association a copy of the Decision and the Hearing Minutes when they become available.

Regards,



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