

**Cover Letter; 46 Shakespeare Ave. Committee of Adjustment Application. REV; June 4, 2025**

The neighbourhood of Chautauqua in NOTL is an absolutely unique example of urban design, not found anywhere else. I have included some of the research that I have completed about Chautauqua (*please see attachments*) with this letter.

This letter will discuss two issues; (a.) what variances are being requested and how they are features to the design of the additions, and, (b.) why construction of a portion of the proposed project proceeded a building permit.

**SUMMARY of PROPOSAL**

SITE AREA	- 15.24m x 23.77m	= 362.32sm
EXISTING HOUSE		= 111.00 sm = 30.64% Site Coverage
Proposed Garage Extension		= 12.67 sm = 3.49%
<b>Total Proposed House</b>		<b>= 123.67 sm = 34.13% Site Coverage</b>
Proposed Verandah		= 27.56 sm = 7.60%
Proposed Overhangs & Eaves		= 34.77 sm = 9.60%
<b>Total Proposed Verandah &amp; Eaves</b>		<b>= 62.33 sm = 17.20% Site Coverage</b>
TOTAL AREA PROPOSED		= 186.00 sm = 51.33% Site Coverage
<i>(Includes existing &amp; proposed)</i>		

**Variances Requested**

- 1.) Request lot coverage from 40%, as required in the Zoning By-law, to 51.5% for the proposed garage addition, covered porch and verandah. The request for additional site area coverage of 41.07sm (11.7%), consists entirely of open, single storey verandahs and overhangs.
  - 2.) Request 6.25m front-yard setback to proposed Garage addition (see DWG.#2a-REV)  
Allowable front-yard setback is 7.50m.
  - 3.) Request 3.28m front-yard setback to face of proposed roof extension overhang (see DWG.#6a).
  - 4.) Request *existing* (unenclosed and uncovered) step encroachment of 5.36m into a front yard. By-law allows 1.5m.
  - 5.) Request *existing* deck encroachment of 4.93m into front yard. By-law allows 1.5m.
  - 6.) Request 5.50m rear-yard setback to face of proposed rear-entrance overhang (see DWG.#6b).  
The existing rear-yard setback is 6.92m. Allowable rear-yard setback is 7.50m.
  - 7.) Request *existing* deck encroachment into rear yard to 7.5m. By-law allows 1.5m.
  - 8.) Request *existing* (unenclosed & uncovered) step encroachment into rear yard of 3.29m. By-law allows 1.5m encroachment.
  - 9.) Request 0.39m side-yard setback to proposed roof overhang of covered verandah. (as shown on DWG.#2a). The existing side-yard setback is 2.96m. Allowable side-yard setback is 1.22m.
  - 10.) Request deck encroachment into (south) side yard to 1.07m (existing fence is setback 0.15m).  
Allowable setback from property line to wood deck is 0.60m.
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**Consideration of the Requested Variances**

**(1.) Additional Site Coverage**

- There has been a considerable amount of effort to use the requested variances wisely and create a design that improves the existing house as well as the neighbourhood streetscape.
- The proposed South Verandah creates a low-profile and highly useable outdoor area, that had previously been an awkward 2.90m setback with no access from the house. This area had been previously used for seasonal storage.
- Verandahs and outdoor living areas are in keeping with the the Chautauqua “vibe”. The architectural design of the renovation is in the Queen Anne style, that is a dominant feature of Chautauqua.
- Traditional Chautauqua homes combine modest building mass with exceptional forms and features.



*46 Shakespeare Ave. c.2020*



*Proposed Addition @ 46 Shakespeare Ave.*



*23 Vincent Avenue. c:1888  
(Traditional Chautauqua House)*



*316 Orchard Ave  
(Traditional Chautauqua House)*

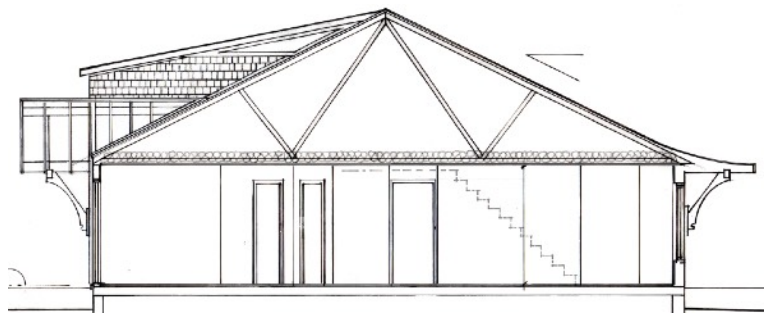
**(2.& 3.& 4.& 5.) Reduced Front-Yard Setback**

- The free-standing roof overhang covers the existing wood deck and serves as weather protection for the front door without posts and foundations.
- The curved support brackets and roof line provides an inviting and attractive feature to the existing house and is complimentary to the streetscape.



**(6.& 7.& 8.) Reduced Rear-Yard Setback**

- The free-standing overhang covers the existing rear entrance door and wood deck.
- The curved support brackets reduce the impact of the additional encroachment and provides an inviting and attractive feature to the existing house. (See DWG.#6b)



- In order to preserve the root structure of the mature trees immediately to the west of the property, the decision was made (years ago) to build a raised deck instead of a hardscape patio. The existing deck, that goes to the fence line, has rodent protection and provides a wonderful outdoor area without impacting the environment.

**(9.) Reduced Side-Yard Setback**

- The proposed verandah is a one-storey, low profile addition that will greatly enhance the use of the property, and adds an aesthetic feature that will improve the home's appearance and it's contribution to the streetscape.
- The existing setback, and southern exposure rendered this an inefficient and unattractive area of the property.
- The addition of the verandah and an access door from the house will greatly improve the function and appearance of the property.
- The encroachment to the setback at the rear of the verandah is due to construction error.



*East Elevation with as-built Verandah & Overhangs*



*As-built Verandah*

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**(10.) Construction of Wooden Deck to Fence-Line**

- In order to preserve the root structure of the mature trees immediately to the west of the property, the decision was made (years ago) to build a raised deck instead of a hardscape patio. The existing deck, that also partially extends to the fence line along the south property line, is proposed to be completed to form a continuous deck area. The existing and proposed deck is 0. has rodent protection and will increase a wonderful outdoor area without impacting the environment.
  - The existing wooden deck was extended to the property line as part of a landscaping project, which included the construction of the fence. The fence posts provide a convenient support for the deck joists.
  - The fence was built entirely on the 46 Shakespeare property, so therefore the deck stops 0.15m from the property line.
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**Construction that occurred prior to Building Permit Application**

**Background Information:**

Early in 2024, Wayne Patterson, the owner of 46 Shakespeare Ave., hired my office to provide a design as well as permit/construction documents to design an addition to the existing house. The addition was to include a small extension of the existing attached garage as well as roof overhangs to provide weather protection at the front and rear entrances to the house. Mr. Patterson was also looking for suggestions to modify the appearance of the property and find a use for the south side-yard.

We developed a design that included a small 2 storey addition (7.65m footprint - this area was later revised) to extend the existing garage. We also proposed roof overhangs at the east & west entry doors, and a verandah along the south side of the house.

The additions to the house was designed in the Queen Anne style, which is the predominant and original Chautauqua house style (see attachment). The additions are low in profile with traditional arts & crafts details. It is meant to be an enhancement to the existing streetscape.

At the beginning of the project, we did not have a survey, but the original survey (iron) bars along the east property line (at Shakespeare Ave.) were located. We knew the property dimensions from the original 1922 survey.

Based on this information, designs were undertaken, with the assumption that the existing house (c.1935) was square on the property, and that the south wall was parallel to the southern property line. The design for the verandah was to provide structural posts that were setback approx 1.40m from the property line with a 0.56m overhang. This would have created a minimum 0.85m setback to the face of the verandah overhang.

Mr. Patterson began extensive landscaping in the spring of 2024, which included a new fence along the south property line and additions to the existing wood deck.

At the time of the landscaping project. I advised the owner (in error), that since the deck was below 0.60m above grade, the proposed deck extension could go to the property line the same as the existing deck.

The deck is 0.25 to 0.56m above grade and compliments the low profile of the proposal. It has a complete rodent barrier at the perimeter. A 0.60m setback between the fence and deck would create a fall hazard, and would require a railing. This would again make the south side yard an awkward space... and not improve the project.

At this time, the contractors also installed five - 24" diameter x 4ft deep poured conc. foundations, for the future verandah posts. Their reason for doing this was that it had to be done prior to the deck construction.

I also advised the owner (in error) that roof extensions at the front and rear entry doors, which were completely cantilevered from the original house would not be included in the site coverage calculation. These front and rear overhangs have been constructed. The overhangs are free-standing and provide a very functional and attractive feature to the house.

When the survey was completed in July, 2024, we discovered that the house was not parallel to the property lines. Since the small garage addition by itself would not have required Committee of Adjustment, we decided to not build the verandah at this time, and make an application for Minor Variance at a later date. This was the intention of the original Building Permit application that was submitted in November 2024.

During this time, tradesmen were on site to complete landscape and siding improvements. In order to finish the siding on the South elevation, their decision was to erect the structure of the verandah to provide a platform to finish the work above. This work should not have proceeded and I halted this construction.

The permit documents were re-done to include the verandah, and resubmitted. Rather than remove the construction, it was my advice to the client to instead stop all construction and wait till we were required to make an application for a variance. Since the project was now on an extended timeline, Mr. Patterson

decided to increase the garage addition from 7.65sm to 12.67sm and include this additional area as part of the requested variances.

In summary, I believe that the proposed project at 46 Shakespeare Avenue will be an improvement to the streetscape and will not over-burden the site. The design is contextual and the forms and massing are elegant and unobtrusive.

The variances requested will not “over-burden” the property, the streetscape or the neighbourhood. The variances that are being requested in this application are designed to improve the property, the streetscape and the neighbourhood.

As a long-time advocate of contextual design and heritage architecture, as well as having made an in-depth study of the history, planning and architecture of Chautauqua, I have made every effort to design a sensitive and complimentary addition to the neighbourhood of Chautauqua.

Thank you for your attention,  
Regards,  
Victor Tarnoy OAA

*Attachments (to the email):*

- 1.) DWG.#2a REVISED June 4, 2025.*
- 2.) Chautauqua House Style (article)*
- 3.) Chautauqua Planning History (article)*