

Introduction

In 2022 I was transferred to National Headquarters in Ottawa as an Inspector Adjudicator for the RCMP. This is intended to be my final transfer placing us in our forever home. My wife Cailin and I purchased our residence in August of that year and relocated here. My wife works as a respiratory therapist at the Queensway Carlton Hospital.

Our property is 1 acre lot, backing onto Torbolten forest with a single residence on it. Similarly, our neighbors are also spaced out onto staggered 1 acre lots. Constance Bay, is a small community located in the rural area north of Dunrobin and South of the Ottawa River. We have learned it was once a cottage area that gradual gained more permanent residences over the past 40+ years. As a result, outdoor activities such as boating, snowmobiling, fishing, and horseback riding take place within the community itself. The Torbolten trail system is meters away from the rear of our property line and the Ottawa river is a few streets away.

Our residence includes an attached garage that can accommodate one vehicle, however my wife and I have recognized the need for additional garage space to safely store vehicles and equipment. Having spent much in our lives serving in the northern areas of several provinces and two territories, outdoor activities make up much of our leisure activities. I also enjoy maintaining my own vehicles and presently do not have a suitable space to do so.

Proposed Building

We hired evergreen construction, a reputable contractor, to build a detached garage in a vacant portion of the rear of our property. The proposed building is a 34' x 30' single story garage without water or sewer on a cement foundation. That size is based on the ability to park 2 vehicles with space left inside for a lawn tractor, tools, equipment, ATV, etc. The style will be matched to that of our home in order to enhance the appeal of the property from the roadway and maintain a consistent theme.

Construction Permit

Detailed construction plans were created by the Evergreen Construction and submitted within a building permit application. That application has been approved with the exception of zoning. As Constance bay is officially part of the City of Ottawa Section 55 applies and a minor variance is required for the garage's height and overall size.

Steps taken

As part of preparing for this application I have referenced the check list provided as well as speaking to local residents who were successful in obtaining variances for similar projects. I have consulted with the Development Information Officer (DIO), City planner, Infill Forester, local community association, Hydro Ottawa, and my Ward councilor. I will attach documents for the relevance portions of those consultations. I further have obtained support from my neighbors. For greater clarity they support the project as an improvement to the property that will increase it's

value and have no negative effect on them. I have also measured to ensure the proposed setbacks exceed the requirements of the zoning regulations.

Section 45 Requirements

My research on the requirements has found the following 4 tests to be met;

1. Is the variance minor?
2. Is the variance desirable for the appropriate development or use of the land, building or structure?
3. Is the general intent and purpose of the Zoning By-law maintained?
4. Is the general intent and purpose of the Official Plan maintained?

I will address each item individually.

Is the variance minor?

I submit that it is.

- The privacy of the neighbouring properties is maintained as the structure will have virtually no effect on their own. This is due to the separation of the lots as well as those property's individual sight lines away from this building.
- The proposed structure is consistent with the style and intent of similar structures within the neighborhood.
- There is no effect on the tree canopy as no trees are in the vicinity of the proposed site area.
- The footprint of the proposed building represents only 29% of the size of the dwelling unit, well less than the limit prescribed, and would occupy less than 2% of the property as a whole (including right of ways).
- The proposed building is set back significantly from the roadway creating very little change to the appeal of the property from the roadway and no interference to drainage or right of ways.

Is the variance desirable for the use of the land, building or structure?

I submit that the proposed structure is very desirable.

- We own a wonderful home that we love, however the lack of garage space is a notable deficiency.
- The purpose and intent of a community like Constance Bay may not be the same as within a high-density urban area. The ability to engage in outdoor activities and the necessity to have equipment to maintain a 1 acre, forest adjacent, lot are considerations specific to the community. It also minimizes any potential effect on neighbors due to the degree of separation.
- The proposed project will increase the value of the home and the neighborhood as well as facilitating the ease of access to the activities the community provides.

Is the general intent and purpose of the Zoning By-law maintained

I submit that the intent and purpose of the By-law is maintained.

- The proposed building is located on the same lot as the principle building.
- It would aid in the use and function of the principle building due to the availability of storage, absence of any visible vehicles or equipment in the yard, and secure parking away from weather.
- The structure will not be used for habitation.
- The table 55 provisions (Setbacks and distance from buildings) will be adhered to.
- Though more than 55 m/sq, the proposed building is less than 30% of the principle building size and less than 2% of the property
- The maximum cumulative total gross floor area is roughly a third of that allowed for accessory buildings used to provide space for tools, equipment, materials and similar items, or for maintenance within other areas of the zoning bylaw. That provision is specific to mobile parks, however it could provide an example of how the proposed use of this structure is within the scope or intent of the bylaw.

Is the general intent and purpose of the Official Plan maintained?

My understanding of the intent and purpose of the official plan is that accessory buildings are supported as beneficial for the diversity and use of residential properties, however, criteria has been established to govern the appropriate integration of these buildings with the main dwellings and surrounding context. Under these criteria I submit the intent and purpose are maintained. The proposed structure will integrate perfectly in design and purpose to the dwelling unit and property. The Greater context is a community with many similar buildings and an overall purpose that supports the structure as an improvement. Under those considerations the official plan would be supported through the granting of this minor variance.

Thank you for your consideration,

Tyler Codling
311 Fireside Drive,
Woodlawn, ON, K0A 3M0
403-333-4174