

119 McConnell Lane
Woodlawn, ON
K0A 3M0
613-408-6447

Kimberley Hazen
Scott Dopking

June 16, 2023

Committee of Adjustment
City of Ottawa

REQUEST FOR MINOR VARIANCES – 119 McCONNELL LANE

- REF: A. BYLAWS: By-law 2008-462, section 123 and V1, V2, V3, section 55
B. Email correspondence with TAW Grading plans, dated 14 June 2023
C. House building permit #2208467
D. Accessory building permit ##2208469
E. Property Survey
F. Updated grading plan, June 2023
G. Structural review of accessory building, May 2023
H. Architectural drawings, Accessory Building, May 2023
I. House Architectural drawing for reference

Request.

1. We are requesting two minor variances for the height and set back of our accessory building (garage); the footprint will remain within the bylaw requirements. Our garage height is 5.28m, and the bylaw states 4.5, so we are asking for a 0.78m variance and a frontage setback variance from 9m to 5.28m. This position allows for the overhang, as advised by City of Ottawa.
- 2.

Issue.

3. After further physical review of the property post-construction of the main house located at 119 McConnell Lane (Ref C), it is the opinion of both the excavation and the grading firm, that a minor variance regarding the City setback is required to ensure safety of the house and the neighbouring accessory building (Ref B, D, F).
4. On 13 June 2023, a meeting with the excavation firm and the grading firm and ourselves was conducted to review the terrain elevations and soil compositions in coordination with the permit and proposed structure with the intent of moving the project forward (it should be noted that neither the terrain elevations nor soil composition have changed since the permit was issued by the City in 2022). The on-site meeting concluded that the current planned location of the accessory building may pose a risk to the main structure (house) and the neighbour's accessory building (a shed that has been rebuilt by the new owner in April 2022 on our property after we negotiated with the previous owner to move the building - Ref E), due to proximity and soil composition. Constance Bay is known to be largely sand terrain.
5. It was also noted that access to the garage via the exterior poses a high safety hazard then an interior staircase to the lower level.

Mitigation.

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6. We are requesting minor variances for the placement of the accessory building, moving the front wall forward 3 metres to 6m (with overhand 5.28m) and in toward the centre of the property 1 metre to mitigate these any safety concerns (Ref B, D).
7. Additionally, as the official plan does not take slope into account, we are requesting a minor height variance to all access to the garage from the upper level door is easily (Ref G, H). While the bylaw is at 4.5m, we are requesting a variance to allow a height of 5.28m.

Requirements for Minor Variance.

8. Both minor variance requests are within the intent of the Official Plan, amplify the safety and community appeal, and are within the setback requirements from on-site hydro lines. Further, the footprint of the building has not changed and conforms with the City land/space usage perimeters.
9. Assessment of this request against the 4 requirements for Minor Variance:
 - i. The requests are minor in variance;
 - ii. The requests are in line with desirable development in a residential community that will not impact neighbours, in fact enhance the safety. By proposing to move to our permitted accessory building, we are ensuring and openly recognizing the risk constructing our accessory building might have to our neighbour, now that she has constructed an accessory building partly on our property (without consent) (Ref E);
 - iii. The use of the structure will remain consistent of the currently approved accessory building (garage); and
 - iv. The variance requests are in line with the Official Plan for the region and the general intent of the Zoning by-law.

Summary.

In summary, the current planned accessory building roof-line remains lower than the house by more than a storey. The setback request is within the requirements for hydro setback of 5m, and is the safety plan for home and the neighbour's shed. The setback requirement for hydro are no less than 5m, thus this request within the allowable perimeters (Ref F). The building has been custom designed to match the house design and suitability for the Constance Bay region (garage plan grading scale and door access will be further updated if variances are approved (Ref D, G, H). The lower garage is vehicle storage and the upper portion for personal effects storage. The requests enhance the safety of the building and surrounding area, for example it will create an interior stairway to vehicle access rather than exterior icy stairway down a slope. There is neither septic nor electrical requested for this building. This property is not in a flood zone. The roof line of the garage will remain below that of the main house.

Respectfully requested,

K.A. Hazen

Kimberley Hazen
Co-owner

S. Dopking

Scott Dopking
Co-owner