

2024-06-18

Application for minor variance at 4093 Caracourt Drive, Osgoode, Ontario

Introduction

We are the LaBrash family of 4, with two busy, soon-to be teenagers. We are the only owners of our 2009 single story home, which we built as our starter home, but has evolved into a space that we can't imagine leaving. We are an active, outdoor family, choosing to spend as much of our personal time riding bikes, ATVs, swimming, sledding, skating, hiking ect. The small town and rural lifestyle in Vernon greatly facilitates these aspects of enjoyment for us. We love our home, our neighbourhood and the community connections we've developed in our 15 years residing here. We have every intention on making this our forever home, but are noticing as our children get older, we're outgrowing its footprint (1300 square feet above ground),and would greatly benefit from additional space in the form of a garage.

A garage would not only be used to store and maintain our two vehicles, but also as a workshop for the many projects we undertake, and necessary storage space for yard equipment, pool and seasonal toys, sports equipment, ATVs, ect. To this point, we've been managing this with only a small 10x10 garden shed, which is now overflowing with all of the "stuff" our lifestyle has acquired. An added loft space above the garage will also provide us with a flex space to be used for storage of our many tools, while also providing our children additional indoor space to utilize for their own hobbies and hang-out space, outside of our main home. Our home is the only home on the street that is without a garage, and we've finally reached the point where we are financially able to consider one (a long awaited and exciting milestone for us!)

Proposed Building

We've spent nearly a year researching and designing an ideal accessory structure (garage) for our future, and if permissible by the Committee of Adjustments, we'll construct a 2 car garage, with a 24' x 24' footprint and a loft space to allow for additional storage and workshop activities. For clarity, this loft space will not be considered a habitable space – it wont be finished or include any running water.

Variances Requested

There are two variances that the committee will be considering:

1. We are requesting approval to construct the structure slightly taller (5.2m or 17 feet) than the permitted height (4.5m or 14.8 feet, measured to the mid-point of the gable roof) allowing the loft space to have standard 8 foot ceilings;

2. Because of the inclusion of a loft space and the 10'x10' garden shed already located in the rear of our property, we are requesting approval to exceed the maximum cumulative floor area per the by-laws, with a cumulative floor area of 116.3 square meters (1252 square feet) that exceeds the maximum of 55 square meters (592 square feet).

Steps Taken To Date

Our building permit has received approval from the city with respect to grading – a grading plan is not required (see attached email confirmation). We have spoken with a City Planner regarding our proposal, and confirmed that our variance's requested do not cause concern, thus our application would be supported by the City. We have confirmed that our property is not located within the area impacted by the Tree Protection By-law, meaning a Tree Information Report is not required. We have spoken with adjacent neighbours that could potentially be impacted to ensure there are no concerns we could address in advance, without objection. We have notified our ward councilor, George Darouze, advising of our variance application, who has no concerns with our proposal. We have consulted with Rideau Valley Conservation and have subsequently reached out to South Nation Conservation on two occasions, but have not received a response to our inquiries.

Section 45 of the Planning Act, and related requirements

We understand the purpose of this section is to review the proposal using 4 tests:

1. Is the variance minor?
2. Is the variance desirable for the appropriate development or use of 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?

We will address each of these in detail:

Is the variance minor?

Yes, we are confident that the two variances we are requesting are minor:

On the height of the structure:

- In order to create a loft space where a standard amount of standing headroom can be included, the structure's height needs to be increased by 6% beyond the usually permitted maximum height. We believe this to be minor.

On the maximum cumulative floor area:

- When including the garage floor, the loft space and our current 10'x10' garden shed, the cumulative floor space total does amount to more than double the maximum, however, this total (116 square meters) still represents only 3.2% of our yard space the two structures are located in (3,550 square meters), and the footprint of the building does not increase. We believe this to be minor.

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

Simply put, yes, this is desirable for us now, and will be desirable for any future owner. At the time we constructed the home, it was always our intention to build a detached garage, eventually, to allow for an easier and even more appealing lifestyle that rural living provides. We weren't in a position financially to do that 15 years ago, but after many years of hard work and financial diligence, we're now there. We are very much looking forward to storing all of our tools/equipment/seasonal items in an appropriately sized, weatherproof area, while still having the ability to undertake minor projects, sheltered from the elements.

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

Our home is the only home on the street that does not have any kind of garage, attached or detached. There's a mixture of both kinds - the majority are 2 car - and some properties in the neighbourhood have *both* a garage and additional accessory structure/workshop. Our property is surrounded by forest on 3 sides, with several large trees in the front yard adjacent to the road. Although the garage will be visible from the road, it will most definitely look appropriate, with the exterior matched to the house itself, once complete. The driveway won't require alteration, and because of the forested area surrounding our property, side neighbours will not have line of sight to the structure and are not impacted in any way. We have no rear neighbours as the property is undeveloped, but if it were to be developed, there would still be no visibility through the forest that remains on our property.

Our requested height increase is unlikely to be noticeable by neighbours, as the increase is so minimal, and the structure's footprint falls within the allowed and permitted floor area for an accessory structure. Only as a result of our desire to include a workshop loft area (indistinguishable by someone looking at the garage from the road) does the variance permitting the increased floor area become a necessity, and for all of the practical reasons previously outlined, we truly feel it necessary to pursue the support of the committee on this to maximize the opportunity of the potential space for our current and future lifestyle.

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

The vision statement within the Official Plan for the village of Vernon:

The vision for the Vernon Village is for it to be a peaceful historic rural residential village, well connected to the City of Ottawa. The village will be an active community, with recreational opportunities and small businesses and services located along a vibrant mainstreet. The village will be a quiet place for residents who value a balanced lifestyle. Residential areas will be surrounded by a clean and well-protected natural environment.

Within that same document, Vernon has the following applicable goals and objectives:

- Protect and enhance the natural integrity of the surrounding environment, by limiting the development to areas that avoids areas that are environmentally sensitive, ecologically, historically or culturally significant, and to ensure that new development protects the integrity of the natural areas surrounding the village, mitigating impacts to quality and quantity of the village's groundwater.
- Foster a complete and growing small community by promoting low density residential development within the village boundary, reflecting the character and identity of the village.

Our project does not negatively impact the goals/objectives listed above, it doesn't affect sensitive areas, and has no impact on quantity or quality of groundwater. Lastly, we have reviewed the entirety of the consolidated villages secondary plan, including **Section 4.2 Villages Residential** and attest that our project maintains the general intent and purpose of the Plan as outlined within the document.

Many thanks to the committee for its consideration of our minor variance application, we are happy to address any additional questions that you may have.

Shane and Amy LaBrash
4093 Caracourt Drive