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Committee of Adjustment
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Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Re: Application for Minor Variances – Proposed Residential Semi-Detached Development at 60 Hampton Avenue

Dear Members of the Committee of Adjustment,

I am submitting this letter to provide a comprehensive explanation of my application for minor variances in relation to the proposed semi-detached residential development at 60 Hampton Avenue.

The hearing of this application has been adjourned. I did not know that having a front-facing indoor garage required an independent minor variance. I believed it had its own process based on streetscape review. As a result, it was included in my site plan and elevation but was not previously listed as a separate minor variance.

The proposal involves constructing a semi-detached dwelling with indoor front-facing garages. The design accommodates two units to meet the growing demand for larger family homes, featuring modern amenities such as electric vehicle (EV) charging infrastructure. To allow for this design, the following minor variances from the Zoning By-law are requested:

1. **Lot width variance**
2. **Lot area variance**
3. **Rear yard setback variance**
4. **Rear yard lot area variance**
5. **Garage wall setback from front wall variance**
6. **Indoor front-facing garage variance**

This cover letter outlines the rationale for these variances and demonstrates how the proposal satisfies the four statutory tests under Section 45 of the Planning Act, ensuring that the development is consistent with the Zoning By-law, Official Plan, and surrounding neighborhood character.

Proposal Overview

The proposed development at 60 Hampton Avenue involves the construction of a semi-detached dwelling on a lot that will be subdivided into two parcels. Each unit will have an indoor front-facing garage, which is an important feature to accommodate modern vehicles and electric vehicle (EV) charging stations. The requested variances are necessary to allow the development of two units, providing larger living spaces suitable for growing families.

Requested Variances

1. **Lot Width Variance:** A reduction in the required lot width to allow for the subdivision of the property into two lots, each accommodating one unit. This variance is necessary to create two separate residential units on the property.
2. **Lot Area Variance:** A reduction in the required lot area to enable the subdivision into two lots, each designed to accommodate a semi-detached dwelling. The variance is necessary to facilitate the subdivision of the lot into two residential lots, in alignment with the City's goals of increasing housing density in established neighborhoods.
3. **Rear Yard Setback Variance:** A reduction in the required rear yard setback to increase the available interior space in each unit, providing ample living space for families. This change is consistent with similar properties in the area, including the immediate neighbor at 62 Hampton Avenue and the neighboring property at the back corner of my property, 47B Granville Avenue, both of which have smaller rear yards.
4. **Rear Yard Lot Area Variance:** This variance is requested to ensure that each unit has adequate internal space for families. The variance supports the creation of a layout that is consistent with the surrounding neighborhood, where properties with smaller backyards have been developed, such as the recent construction at 47B Granville Avenue (located at the back corner of my property), where a house was built in recent years with a smaller backyard than what the zoning requires.
5. **Garage Wall Setback Variance:** A reduction in the required garage wall setback from 0.6 meters to 0.3 meters is essential to achieve a functional and efficient garage design. This house has been designed for our growing family, and every foot of usable space is critical to meeting our needs. Moving the garage wall back by even one foot would require shifting multiple design elements throughout the layout, further shrinking the already tight space and compromising the functionality needed for our family. This variance ensures that the design remains practical and suitable for long-term use.
6. **Indoor Front-Facing Garage Variance:** A variance to permit the construction of an indoor front-facing garage. This design is consistent with multiple properties along Hampton Avenue that feature similar garages and aligns with the evolving needs of modern homeowners who require garage space for vehicles and EV charging stations.

Addressing the Statutory Tests Under Section 45 of the Planning Act

1. **Is the application minor in nature?**

Yes, the requested variances are minor in nature. The deviations from the zoning requirements are small, and the impacts on the surrounding area are minimal.

- The lot width and lot area variances are needed to subdivide the property into two lots to accommodate two units, allowing for an appropriate use of the land while still respecting the character of the neighborhood.
- The rear yard setback and rear yard lot area variances are requested to provide more interior living space for the units. The rear yard area will still allow for sufficient green space and landscaping, consistent with neighboring properties, including the immediate neighbor at 62 Hampton Avenue and the neighboring property at 47B Granville Avenue, located at the back corner of my property, where a house was built in recent years with a smaller backyard than the zoning requires.
- The garage wall setback variance is a small reduction, allowing for more space in the garage for larger vehicles and the required electric vehicle charging infrastructure.
- The indoor front-facing garage variance is consistent with similar approvals in the neighborhood, including 41 and 43 Hampton Avenue, where front-facing garages were permitted.

These minor changes will not alter the essential character of the neighborhood, and the impact on neighboring properties will be negligible.

2. Is the application desirable for the appropriate development of the lands in question?

Yes, the application is desirable for the appropriate development of the land. The requested variances will allow for the development of two semi-detached units designed to meet the needs of growing families.

- The rear yard setback and rear yard lot area variances are necessary to provide larger living areas inside the units, reflecting the increasing demand for spacious family homes.
- The garage wall setback variance supports the provision of adequate space for larger vehicles and EV chargers, contributing to the long-term sustainability and functionality of the development.
- The lot width and lot area variances are required to subdivide the property into two residential lots, enabling a more efficient use of the land and providing much-needed housing.
- The indoor front-facing garage is a feature that aligns with similar existing developments in the area, ensuring consistency in the neighborhood's streetscape.

3. Does the application conform to the general intent of the Zoning By-law?

Yes, the application conforms to the general intent of the Zoning By-law. The Zoning By-law aims to ensure that development is compatible with surrounding properties, provides adequate space for amenities, and maintains a reasonable scale of development. The variances requested will support these objectives:

- The lot width and lot area variances are consistent with the City's goals of increasing housing density. By allowing the property to be subdivided into two lots, the

development aligns with the City's objective of promoting the construction of additional housing within established urban neighborhoods.

- The rear yard setback and rear yard lot area variances will allow for a more efficient use of space while still maintaining a balance between living space and green space. The request is consistent with similar developments in the area, including the neighboring properties with smaller rear yards, such as 62 Hampton Avenue and 47B Granville Avenue (located at the back corner of my property), where a new house was built in recent years with a smaller backyard than the zoning requires.
- The garage wall setback variance ensures that the garage is adequately sized for larger vehicles and EV charging stations.
- The indoor front-facing garage variance ensures the design remains in line with the streetscape and character of the neighborhood.

4. **Does the application conform to the general intent of the Official Plan?**

Yes, the application conforms to the general intent of the Official Plan. The Official Plan encourages the development of sustainable housing options that meet the needs of modern families and fit within the context of the existing neighborhood. The requested variances support these goals:

- The indoor front-facing garage is a design feature that is consistent with the neighborhood's character. While five properties along part of Hampton Avenue feature front-facing garages, this design does not disrupt the streetscape and fits within the broader context of the street. In fact, the Committee of Adjustment has previously approved similar proposals for indoor front-facing garages at 41 and 43 Hampton Avenue, establishing a clear precedent for this type of development in the area.
- The rear yard setback and rear yard lot area variances ensure that the semi-detached units provide the necessary space for growing families, while still respecting the neighborhood's character.
- The garage wall setback variance helps accommodate larger vehicles and the inclusion of electric vehicle charging infrastructure, which is an important consideration for future-proofing the development.

Supporting Evidence

1. **Arborist Report:** The arborist's report confirms that the proposed changes to the rear yard setbacks will not negatively affect the viability of any significant trees on the property.
2. **Streetscape Analysis:** The streetscape analysis demonstrates that the design of the indoor front-facing garage aligns with the prevailing character of Hampton Avenue.
3. **Garage Design for EV Charging:** The design of the indoor front-facing garage includes provisions for electric vehicle charging infrastructure.
4. **Community Support:** The proposed plan has been discussed with neighbors, and they have expressed no objections to the development.

Conclusion

In conclusion, I respectfully request that the Committee of Adjustment approve the proposed minor variances for the development at 60 Hampton Avenue. The application meets all of the statutory tests under Section 45 of the Planning Act, and the requested variances will facilitate a development that is in keeping with the general intent of the Zoning By-law, the Official Plan, and the character of the surrounding neighborhood.

Thank you for your time and consideration. I am happy to provide any additional information or documentation as needed.

Sincerely,
Ali Tohidi