

Phu Nguyen and Bich Truong
324 Tucana Way, Nepean, ON K2J 0Z2

Committee of Adjustment
101 Centrepoin Drive, 4th Floor
Ottawa, ON K2G 5K7

April 7, 2025

Committee of Adjustment
Received | Reçu le
Revised | Modifié le : 2025-04-07
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Members of the Committee of Adjustment,

RE: Minor Variance Application for Garage Conversion at 324 Tucana Way

I am writing to you on behalf of my parents Phu Nguyen and Bich Truong to formally submit an application for minor variances to permit our contractor, Maverick Home Builders, to convert our garage, in order to extend our living space at 324 Tucana Way. We have been made aware of the fact that in converting the garage, we would be creating front-yard parking, which would encroach 0.73 m onto City Right of Way and is in contravention of the zoning by-law. The provisions that apply to this case are Zoning By-law 2008-250, sections

- 106(1)(c): requires a parking space to be 5.20 m
- 107(3)(b)(i): prohibits the driveway from being in front of the residential use building
- 109(3)(a): prohibits front-yard parking

In particular, we are seeking minor variances to replace the parking space in the attached garage with parking space in the existing driveway and to render our case of front-yard parking and encroachment of 0.73 m onto City Right of Way acceptable.

Proposal Overview

Our renovation calls for Maverick Home builders to apply the proper insulation, heating, flooring, and aesthetic touches (such as paint), to turn the existing garage into liveable space for our family, enhancing the usability and enjoyment of our home while maintaining the aesthetic and structural integrity of the property. We will not be undertaking any exterior landscaping or site changes. The driveway will remain the same. The contractor's obtainment of the necessary authorized Building Permits will guarantee adherence to all City requirements. We have confirmed with Forestry that a Tree Information Report is not required. We also have the support of all of our neighbours living within a 60 m radius of us.

Statutory Tests Under Section 45 of the Planning Act

Our project meets the four tests, the criteria by which this Committee is authorized to grant minor variances, in the following manner:

1. The variances are minor.

The requested variances are minor in nature. Our project consists of a small renovation to convert our garage currently used to store junk into a living space with sunlight for my parents. They have made the ultimate sacrifice in allowing me to move home with my partner and granting us an affordable space to one day raise our own kids where I grew up. We are not seeking change to the foundation or footprint of the residence. The contractor will replace the existing garage door with windows and an entry-door that use similar materials and colors to the existing house. Repurposing our garage will not alter the character of the neighbourhood.

Additionally, we will continue to park our two cars on our driveway, as we have always done and as most of our neighbours do too. Our property's survey plan indicates that our property length from the house to the property line is 4.47 m of our total driveway which extends 9.40 m to the street. Our two compact cars can be parked within 4.60 m of the front of our home, which is the acceptable length for parking spaces inside parking lots and parking garages. The encroachment of our cars onto City Right of Way, if the length requirement of 4.60 m were to apply to our property, would simply be 0.13 m/13 cm, representing just the length of an iPhone! Even with parking by-law requiring our designated parking spaces to extend 5.20 m, the encroachment of our parking space (which includes unused and unnecessary space for our cars) would represent merely 0.73 m/73 cm, which is the width of an average computer monitor. After the allotment of our parking space, the City Right of Way would still consist of a total length of 4.20 m.

2. The variances are desirable for the appropriate development or use of the property.

The proposed garage conversion represents a simple and desirable reconfiguration of the space within our property, enhancing the functionality of our home and all of our family members' quality of life, without compromising the use and enjoyment of surrounding properties for our neighbours. To reiterate, we already use our driveway for parking space, as do the majority of our neighbours.

3. The variances maintain the general intent and purpose of the Zoning By-law.

Zoning by-law exists to regulate the development and use of land in a manner that is transparent and fair for residents, while enabling City services and preserving nature to the extent possible. Residents are granted minor variances to carry out renovation projects that although are in contravention with by-law, do not negatively impact their community or surrounding nature. Relevant to our case, the Zoning By-law governs the location of parking allowed on private property. Front-yard parking, defined by parking ahead of the front walls of a building, and parking on City Right of Way, City property varying according to each lot, are not allowed to prevent cars from damaging city-owned trees, infrastructure under the lawn, and disrupting street traffic and maintenance where parking would become increased.

The garage door attached to our home prevents the technicality of the use of our driveway as front-yard parking, but the conversion of our garage will not change our use of the driveway. We will not be parking on our lawn, which guarantees the respect of the city tree, nor will we be parking in or near the streets, impeding street-maintenance or the flow of traffic. To reiterate, we will simply continue to park on our driveway.

Additionally, City planning staff brought the new Zoning By-law Draft 1 to our attention, since Subsection 604(4) will allow for one front yard parking space on a lot and Subsection 604(8) will allow for a parking space in the front yard in the case of garage conversions. The direction of the new by-law aligns with City residents' need for parking flexibility and more affordable housing.

4. The variances maintain the general intent and purpose of the Official Plan.

The New Official Plan embraces the concept of Intensification, in which the City includes the redevelopment of a property at a higher density than currently exists through the conversion of existing buildings “to renew and inject new life into existing areas of the city, allowing new generations of residents to inhabit existing neighbourhoods”. Our proposal explicitly facilitates multigenerational living and contributes to the City achieving its goal of a 60 percent intensification target by 2046.

I grew up in the home for which we are applying for the minor variances. The high cost of living has recently forced my partner and I to move back in with my parents in our mid 20s. We are both educated and have jobs that contribute positively to our communities, as a federal public servant and an adult French teacher, yet we cannot afford our own home. The economic reality presents us with no other choice, but we intend to embrace it and make the most of it through our multigenerational home. As previously mentioned, my parents have been selfless enough to welcome us back. We are currently occupying the majority of the main floor, as well as the second floor in its entirety, which has resulted in my parents spending the majority of their time in the basement, which lacks sunlight, and if continued, will have a significant impact on their physical and mental health. The allocation of space was discussed within our family to allow my partner and I sufficient space to have kids in the upcoming years and to avoid disrupting my parents' living arrangement by forcing them to undertake a big move again, albeit in their home (as was the case this year when we moved in). The allocation of space within our one home is necessary for our two couples to coexist, while maintaining healthy boundaries. The conversion of the garage will simply allow for the allocation to be more equitable, by providing more space and better living conditions (including access to sunlight) for my parents.

Furthermore, our renovation proposal is in line with the City's desire for Intensification to “promote social and physical health and sustainable neighbourhoods” by allowing our future kids to grow up in proximity to their grandparents and various amenities, such as: schools, activities, stores, and public transit, which are all within walking-distance. The location of our home allows us to access the majority of our amenities by foot or through public

transportation. The fact that our home is multigenerational allows us to share cars when farther travel is needed, which reduces our carbon footprint. Further, our kids are apt to be well-brought up, looked after by their parents and grandparents, and surrounded by opportunities to be active participants in their community. Our kids will in turn keep my parents young. The multigenerational home is also sustainable in its capacity to allow my parents to maintain their independence as they age, through access to the aforementioned amenities, while being kept in my partner's and my own care. We strive for my parents to never have to move into a retirement home, as they cannot afford it and would be taking space away from seniors who have no other choice. The converted garage, completed to Building Code, will be used as a bedroom when my parents are no longer able to use the basement stairs. As a hairstylist, my mom has worked on her feet for 8-hour periods 5-6 days a week for the past 35 years. She has suffered from long-term back and knee pain before, and thus, the converted garage represents necessary future planning for the entire family, in addition to an immediate necessity for my parents' wellbeing. To keep with the spirit of sustainability, my kids could one day take over my partner's and my living space, while we in turn enjoy what was once my parents' space. In essence, as the City strives for, our project increases housing options, affordability, and efficient use of existing infrastructure. (See City of Ottawa documents on Intensification and the Residential Growth Management)

Planning Evidence

- Compatibility with neighbourhood: The proposed renovation is consistent with the scale and character of the homes in our neighbourhood. Several families are choosing multigenerational living or creating changes to their homes to allow for rental opportunities and secondary incomes (e.g., Airbnbs), proving that the variances are in line with the established pattern of development.
- No adverse impact: The renovation's avoidance of change to the site and landscape guarantees there will be no adverse impact on neighbouring homes, nor nature, including trees. As alluded to early in the cover letter, we visited all neighbours within a 60 m radius of us to inform them of and obtain their support in regards to our renovation project. Please see **Appendix A** for the information we presented our neighbours, names and signatures, and properties visited.
- Precedent and justification: Similar variances, such as the application and Committee's approvals of 1880 Kilborn (November 19, 2024) and 290 Smyth (March 15, 2023), have been granted in the City, maintaining that our proposed renovation is reasonable and justified. The fact that similar variances have been granted also proves that the use and development of our property is in line with the City's and its communities' vision for a future Ottawa.

In conclusion, the proposed variances meet all statutory test under Section 45 of the Planning Act. We seek minor and desirable adjustments that respect the general intent of zoning by-law and the Official Plan.

We respectfully request the Committee's favorable consideration of this application.
Thank you for your time and consideration. Please contact us if you require additional
information or clarification.

Sincerely,
Charissa Nguyen, Maverick Home Builders, Le Truong and Phu Nguyen

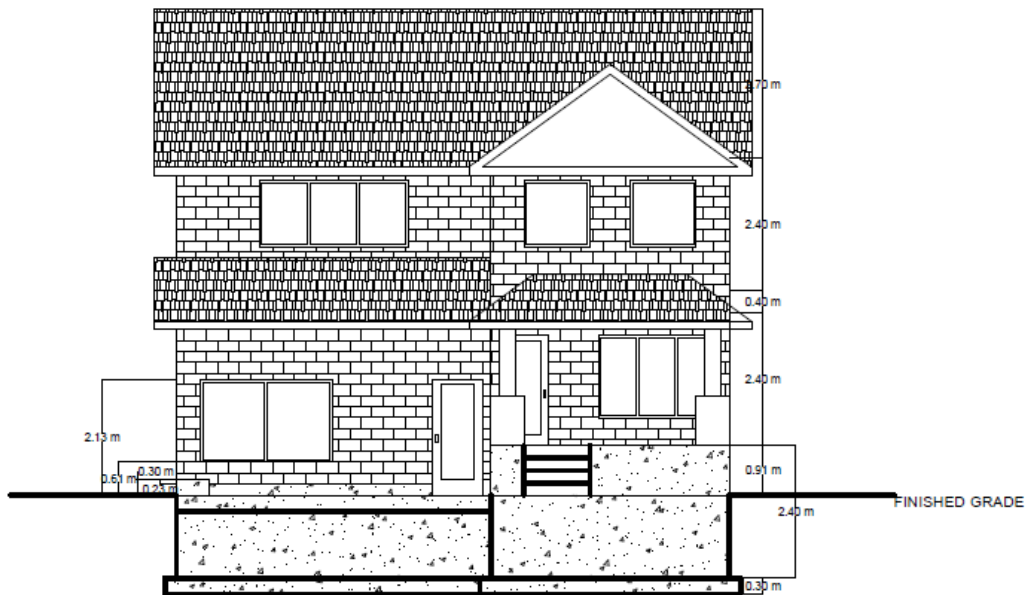
Appendix A: Neighbour Consultation

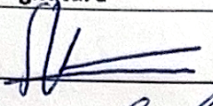
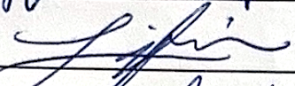
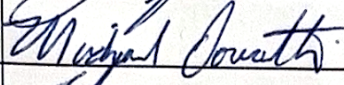
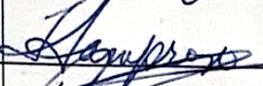


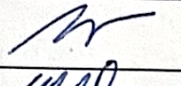
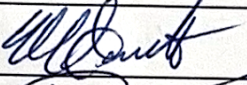
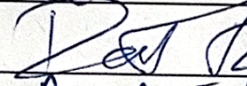
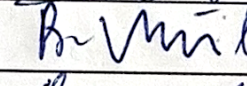
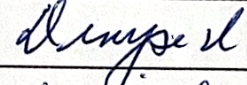
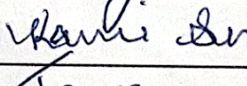
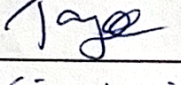
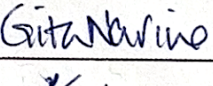
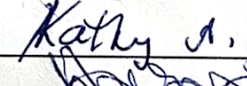
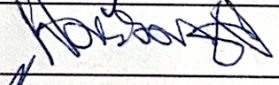
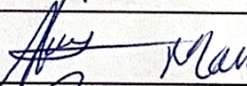
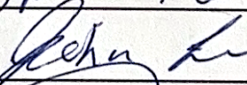
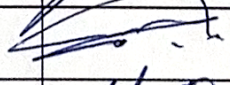
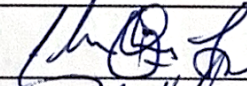
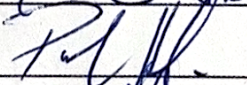

Dear Neighbours,

My name is Charissa Nguyen. I live with my parents at 324 Tucana Way. I have recently moved home. My parents, my boyfriend, and I would like to convert our garage to enhance the usability of our multigenerational home. Without converting the garage, my parents are living primarily in the basement and have very little access to sunlight. We will continue to park our two cars on our driveway, as we have always done. Our professional contractor is acquiring all the necessary permits with the City. He will not be undertaking any structural or landscape changes to our property, to maintain the character of the neighborhood. Your support helps up obtain City permits more quickly, ultimately providing my parents with sunlight and allowing my family to return to normalcy sooner.

Thank you very much,

Charissa Nguyen, Phu Nguyen, Bich Truong, and Valentin Desnoyers



Neighbour residing at (address):	Signature
316 Tucana Way	 NHU LE
318 Tucana Way	 Tran Li
320 Tucana Way	 MICHAEL DOUCETTE
322 Tucana Way	 Francine Lampron
326 Tucana Way	 Nikhil Kunchur.
328 Tucana Way	 AMIT JAITLEY
330 Tucana Way	 Wang (Xiaoxie Wang)
332 Tucana Way	 Marshall Gouett
701 Triton Place	 Dan Theoret
2620 Half Moon Bay Road	 BARBARA MULDER
2622 Half Moon Bay Road	 Denyse I Lewis
2624 Half Moon Bay Road	 Karrie Simcox
2626 Half Moon Bay Road	 Tanya Mattan
2628 Half Moon Bay Road	 Gitawino
2630 Half Moon Bay Road	 Kathy A. Blakey
2632 Half Moon Bay Road	 Norman's Hobson
2634 Half Moon Bay Road	 Manna
2636 Half Moon Bay Road	 JOTHU LEE
2638 Half Moon Bay Road	 Nabih Mariani
2640 Half Moon Bay Road	 Christian Lundy
2642 Half Moon Bay Road	 PAUL HARDING
2644 Half Moon Bay Road	 Hana Zoghlo-mi

Source: [geoOttawa](#)