

April 19, 2024

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centerpointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

RE: Permission Application
296 Metcalfe Street, Ottawa

Committee of Adjustment
Received | Reçu le

2024-04-22

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Juxta Architects ("the Client") to prepare a Planning Rationale for a Permission application to permit an addition to the existing building in the form of an accessible entrance, including an elevator and stairs, of 296 Metcalfe Street in the Centretown neighbourhood of the City of Ottawa.

Please find enclosed the following material in support of the application:

- / This cover letter and Planning Rationale;
- / Architectural Package dated April 4, 2024, prepared by Juxta Architects Inc.;
- / Arborist Report dated December 18, 2023, prepared by Ben Schultz Woodworks and Arborist Services; and
- / Plan of Survey dated April 5, 2023, prepared by Annis, O'Sullivan, Vollebakk Ltd. (AOV).

Please contact the undersigned at scollon@fotenn.com with any questions or requests for additional material.

Sincerely,



Jacob Bolduc, MCIP RPP
Associate



Gabi Scollon, MPI
Planner

Ottawa

396 Cooper Street, Suite 300
Ottawa, ON K2P 2H7
613.730.5709

Kingston

The Woolen Mill
4 Cataraqui Street, Suite 315
Kingston, ON K7K 1Z7
613.542.5454

Toronto

174 Spadina Avenue, Suite 304
Toronto, ON M5T 2C2
416.789.4530

fotenn.com

FOTENN

1.0 Background and Context

Fotenn Planning + Design (“Fotenn”) is pleased to submit this enclosed Permission application on behalf of Juxta Architects (“the client”) for 296 Metcalfe Street (“subject site”) in the Centretown neighbourhood of the City of Ottawa. The Permission application seeks to permit an addition to the existing legal non-conforming structure under City of Ottawa Zoning By-law 2008-250.

1.1 Subject Site

The subject site is located on a corner lot to the west of Metcalfe Street and south of Lewis Street. The subject site has an area of approximately 1,042.34 square metres, with 25.91 metres of frontage on Arlington Avenue and 40.23 metres along Lewis Street.

The site is developed with a three-storey single detached dwelling structure, converted to accommodate commercial uses. The main entrance to the building is located seven (7) stairs above the pathway connecting to the public sidewalk. The secondary entrance from Lewis Street also requires users to climb five (5) stairs. Level one and level two operate as a medical office while both the basement (unoccupied) and third floor have dwelling units. A rear yard parking area accessed from Lewis Street provides commercial and residential parking.

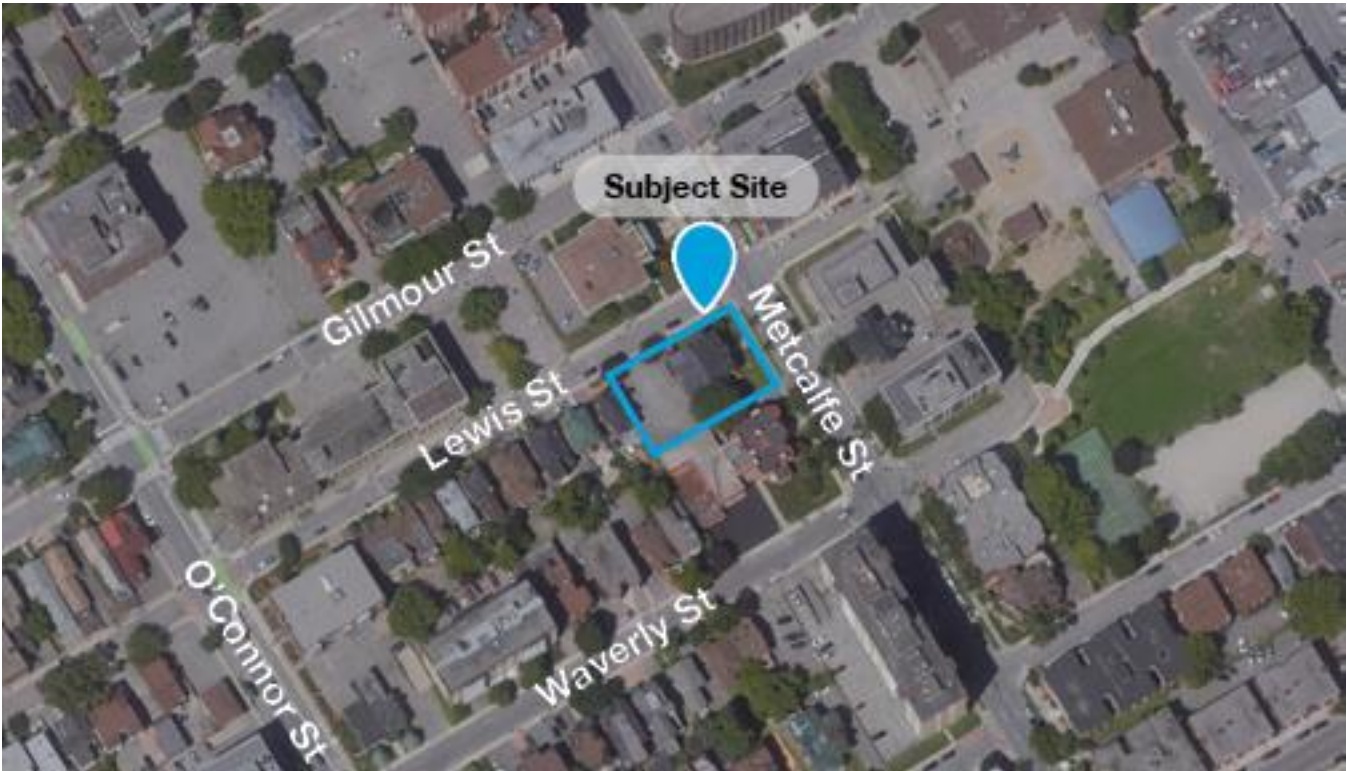


Figure 1: Site location in context

1.2 Surrounding Area

The subject site is located in the Centretown neighbourhood of Ottawa on Metcalfe Street. Surrounding uses include:

North: The subject site abuts Lewis Street to the north, a three-storey church occupies the single lot block between Lewis Street and Gilmour Street. Metcalfe Street to the north has a mixture of office buildings, apartment

buildings, and mixed use buildings between five (5) and twelve (12) stories in height. The broader Centretown neighbourhood to the north is characterized by a mixture of building typologies, generally increasing in height sites near Wellington Street. Metcalfe Street, an Arterial Road, running north-south.

- East:** Metcalfe Street abuts the subject site to the east. The Nigerian High Commission, a three-storey office building, occupies the intersection corner to the immediate east. The block between Metcalfe Street and Elgin Street is occupied by a variety of community centres, open spaces, and residential units. Elgin Street features a wide breadth of businesses from coffee shops and restaurants to service providers and community centres.
- South:** The Embassy of Hungarian, occupying a two-and-a-half (2 ½) storey building, is located immediately south of the subject site. Due to its unique architecture, this building is designated as a building with cultural heritage value or interest under the Ontario Heritage Act Part IV. An access ramp along the shared lot line with the subject site access a secondary entrance to the building.
- West:** A row of three and two-and-a-half (2 ½) storey single detached dwellings are located immediately west of the subject site along Lewis Street. A three-storey apartment building occupies half of the block between O'Connor Street and Metcalfe Street with frontage along the north side of Lewis Street. The broader neighbourhood to the west features a mix of housing typologies, including single and semi-detached dwellings, rowhouses, and low-rise apartment dwellings and commercial operations.

1.3 Application Overview

A Permission application is required to expand the legal non-conforming structure containing a legal confirming use. The structure operated as a legal non-conforming use as an audiologist office until 2022 when a previous Permission application was approved to alter the existing legal non-conforming use of an audiology clinic to a dental office and dental laboratory. An application for permit under the Ontario Heritage Act for the addition to a heritage building within the Centretown Heritage Conservation District shall be subsequently submitted.

1.4 Proposed Development

The owners of the site are seeking to develop a barrier-free entrance while maintaining the built heritage character of the building to meet the purpose of the Accessibility for Ontarians with Disabilities Act (AODA), 2005. The AODA's stated purpose is as follows:

Recognizing the history of discrimination against persons with disabilities in Ontario, the purpose of this Act is to benefit all Ontarians by:

- a) developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025; and,
- b) providing for the involvement of persons with disabilities, of the Government of Ontario and of representatives of industries and of various sectors of the economy in the development of the accessibility standards.

The proposed addition seeks to achieve the goals of the Act by providing barrier-free access to an essential health service. To achieve this, an addition in the interior side yard containing an elevator and secondary staircase is proposed. The new entrance will provide both front and rear entrances, both accessed by ramps and stairs, to enter from the Metcalfe Street frontage and directly from the rear parking area. The proposed development will reduce the existing interior yard setback to 3.68 metres.

A one-storey addition to the south side of the building, located approximately 4.25 metres from the property line, will be demolished in favour of the new accessible addition. The existing addition was utilized as storage and does not have any heritage value.



Figure 2: Proposed addition is shown in context with the existing building and the adjacent neighbouring buildings (Source: Juxta Architects)

The addition will be clad in a combination of charcoal brick and charred wood siding complimenting the existing red brick and black trim of the building, allowing the heritage features such as the red brickwork to continue to be a focal point of the building. Two-storey glazing will be utilized at the front and rear of the addition providing natural wayfinding from the front yard to the accessible entrance to the parking area.

The front yard will include soft landscaping with permeable paving for pathways and the main ramp. Situated between the existing main entrance staircase, and the addition, the 1-metre-wide ramp will offer a gentle slope with three switchbacks to reach the addition's new entrance. Planting beds within the switchbacks will add visual interest to the ramp without shielding the ramp from view. A new 1.4-metre pathway to the south of the new ramp shall connect the Metcalfe Street sidewalk to the front steps of the addition. The colocation of stairs and ramps provides equitable and flexible use by designing the entrance for all user's abilities and preferences.

15 parking spaces, inclusive of one accessible parking space, will continue to be provided in the rear yard with access from Lewis Street. Three (3) parking spaces are proposed to be removed from the existing parking area to provide extended softscaping for city trees. From the rear porch of the addition, a wood ramp will descend toward the interior lot line, accessing the accessible aisle adjacent to the accessible parking space. A bicycle rack will be provided along the wooden ramp for the use of the dental office and dwelling unit residents.

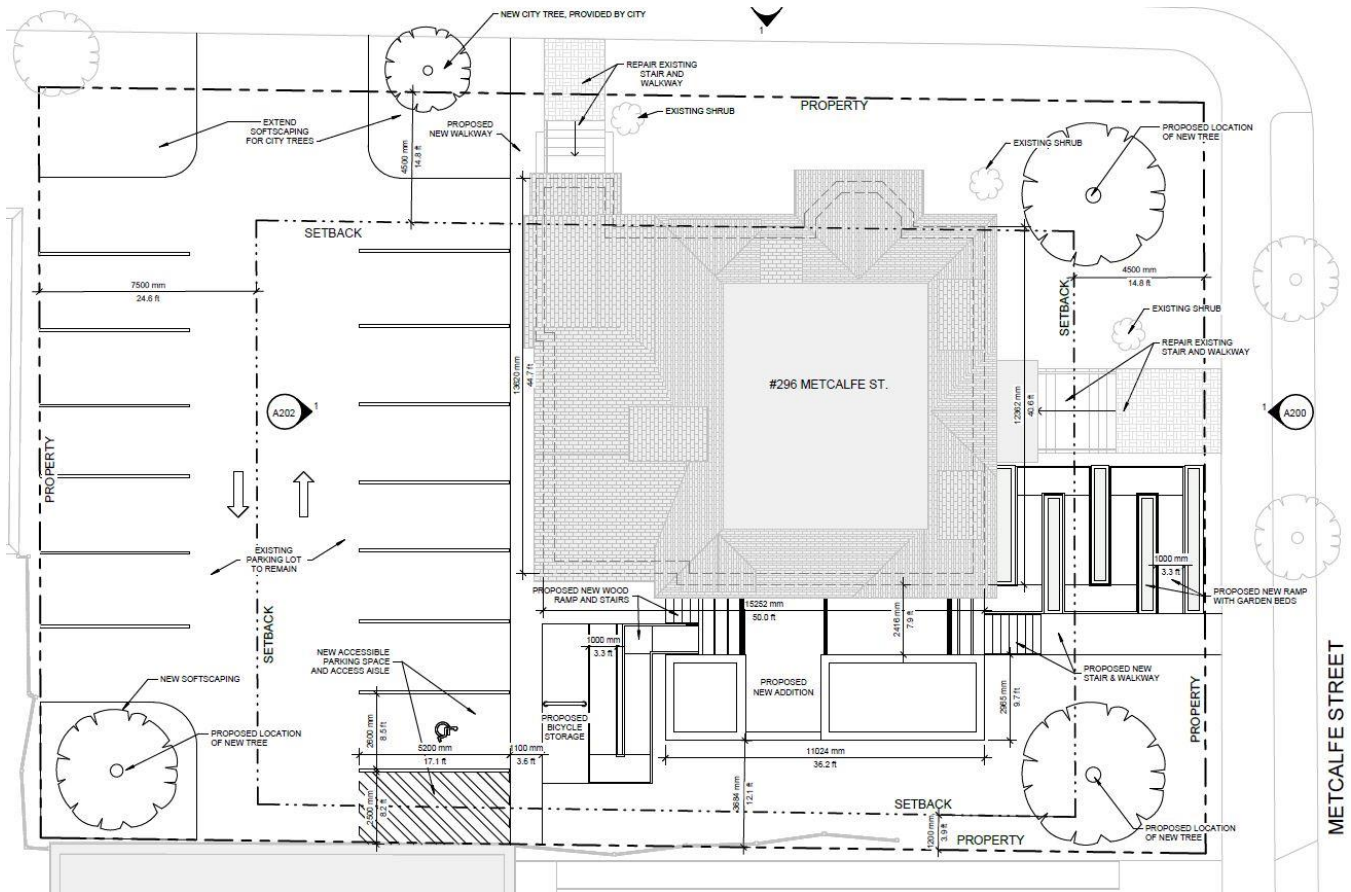


Figure 3: Site Plan (Source: Juxta Architects)

The interior redesign of the building will remove the existing basement dwelling unit as this unit does not conform to the Ontario Building Code. The basement of the building will be redesigned to accommodate a universally accessible washroom accessed from the elevator public vestibule. The remainder of the basement will comprise the clinic’s staff space including a staff room, storage, laundry, and a mechanical room.

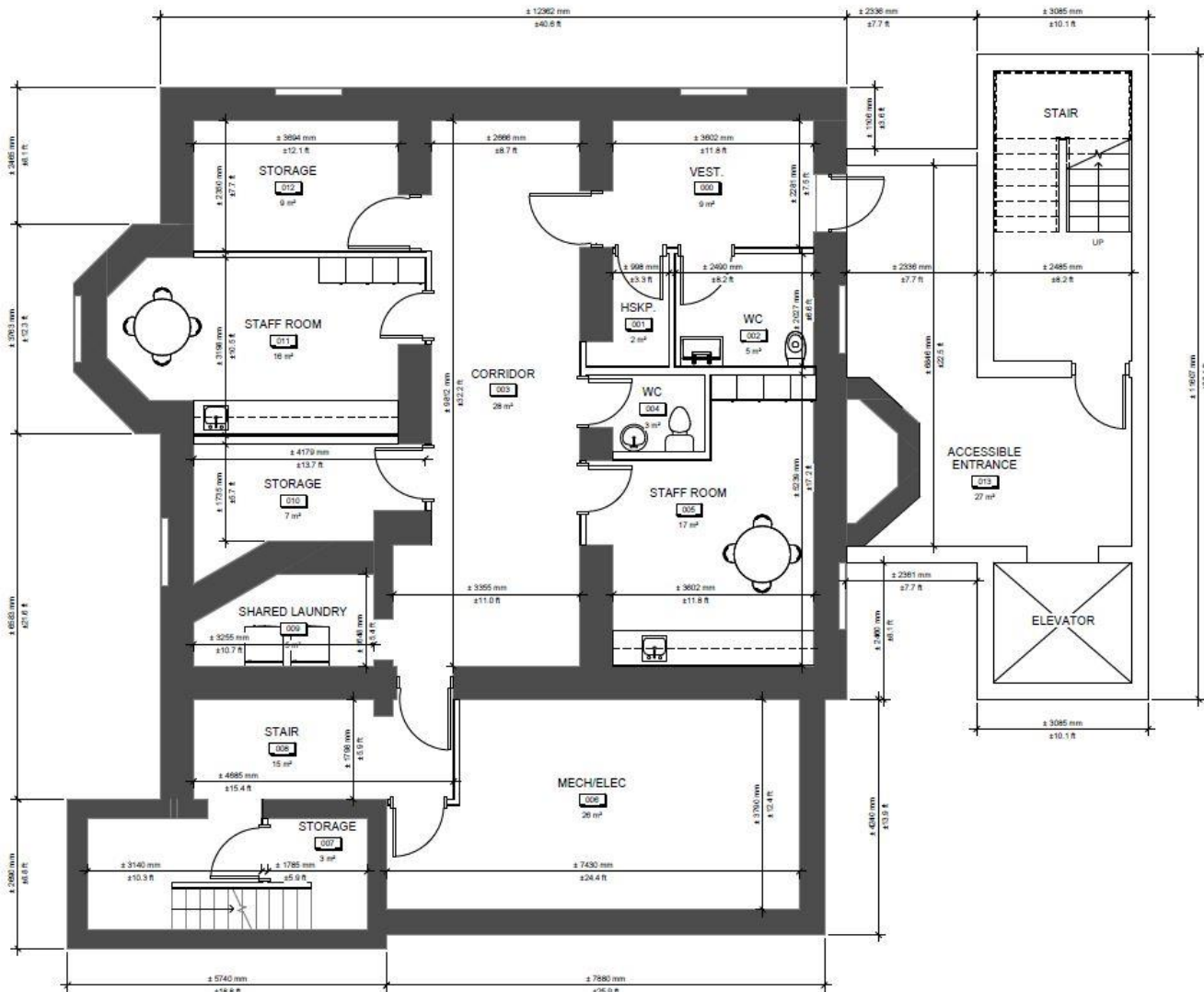


Figure 4: Basement Level Plan (Source: Juxta Architects)

Level one and level two of the building will operate as the main dental office area. The reception and waiting area will be accessed from the existing main entrance from Metcalfe or the new addition. An entrance from Lewis Street will continue to be available to access the dental office or the upper dwelling unit. The circulation of the dental office has consideration for 1.8 metre turning radii, providing universal accessibility throughout the office to those using mobility aids such as wheelchairs.

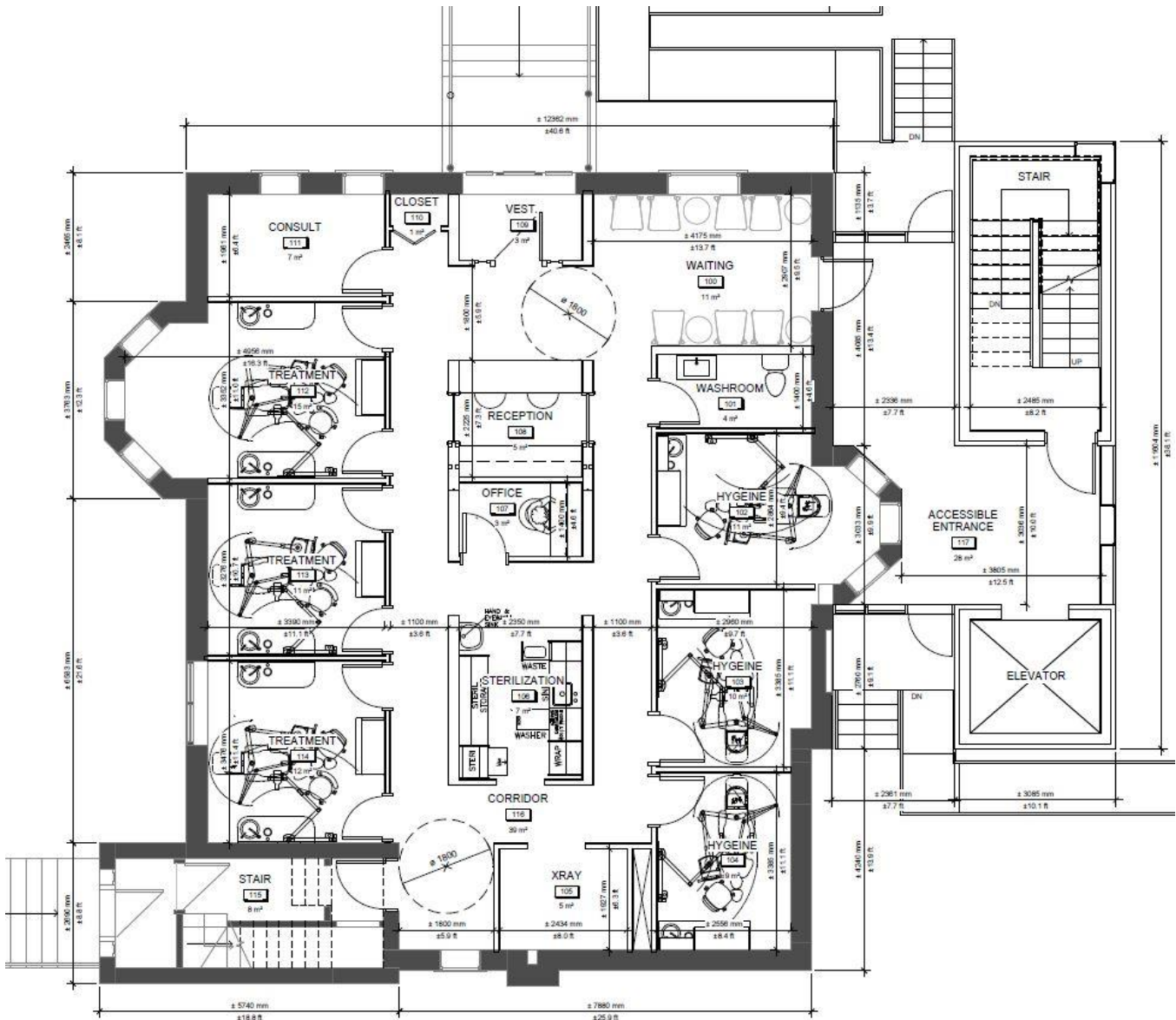


Figure 5: Level 1 Plan (Source: Juxta Architects)

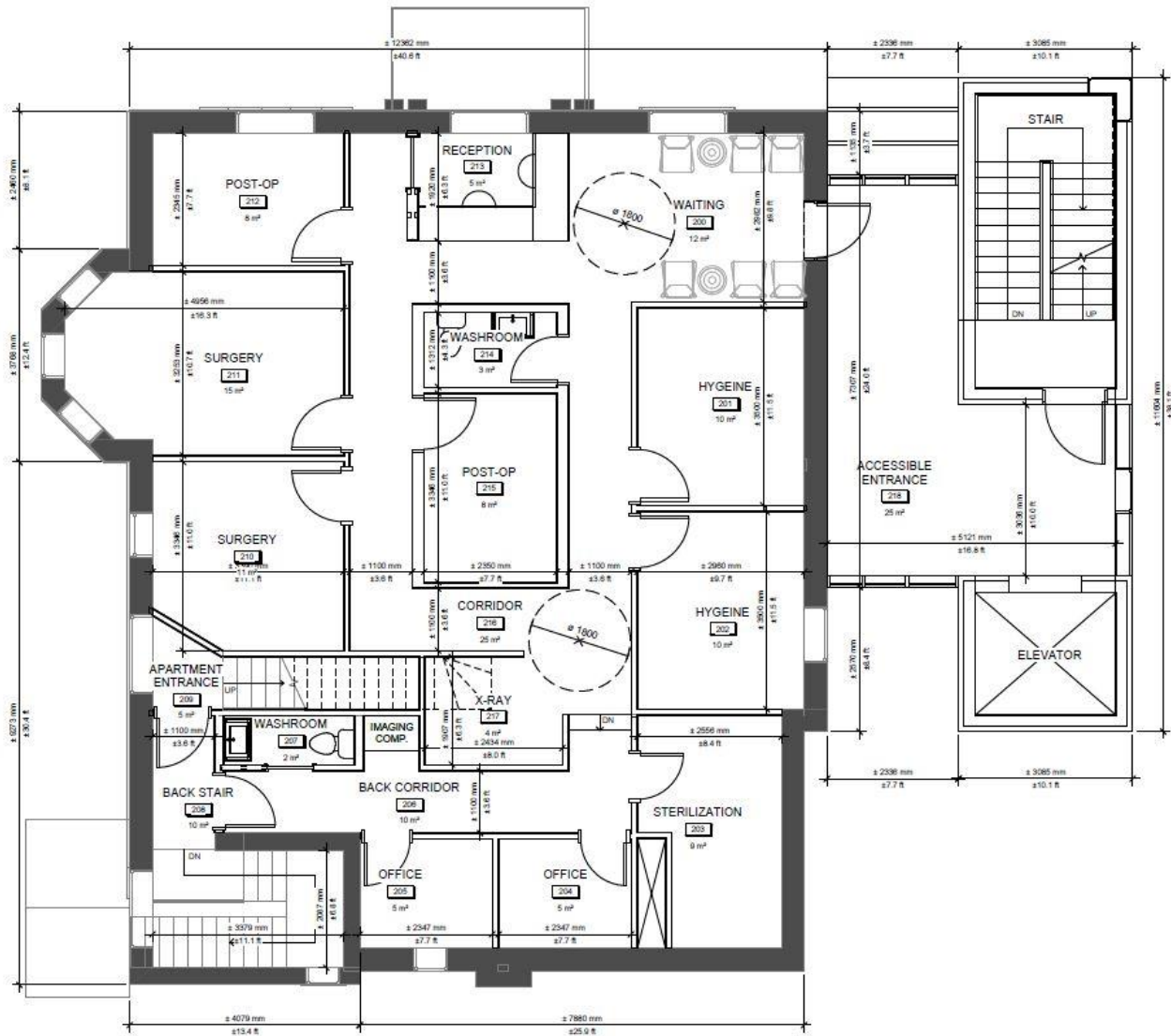


Figure 6: Level 2 Plan (Source: Juxta Architects)

The third level of the building is occupied by a three-bedroom, two-bathroom dwelling unit. The interior design of the dwelling unit will not be altered; however, the addition to the building will also access the third floor, providing a secondary ingress and egress to the unit via the new staircase. The elevator will not reach the third floor of the building. The rooftop of the addition will act as a third-floor access to the new staircase, and a new 36 square metre rooftop balcony for the dwelling unit. Presently, the secondary egress of the unit is by an exterior fire stair escape on the western and southern walls of the building, extending across the existing addition. This fire escape will be removed in favour of the new staircase, increasing the overall safety and access of the dwelling unit.

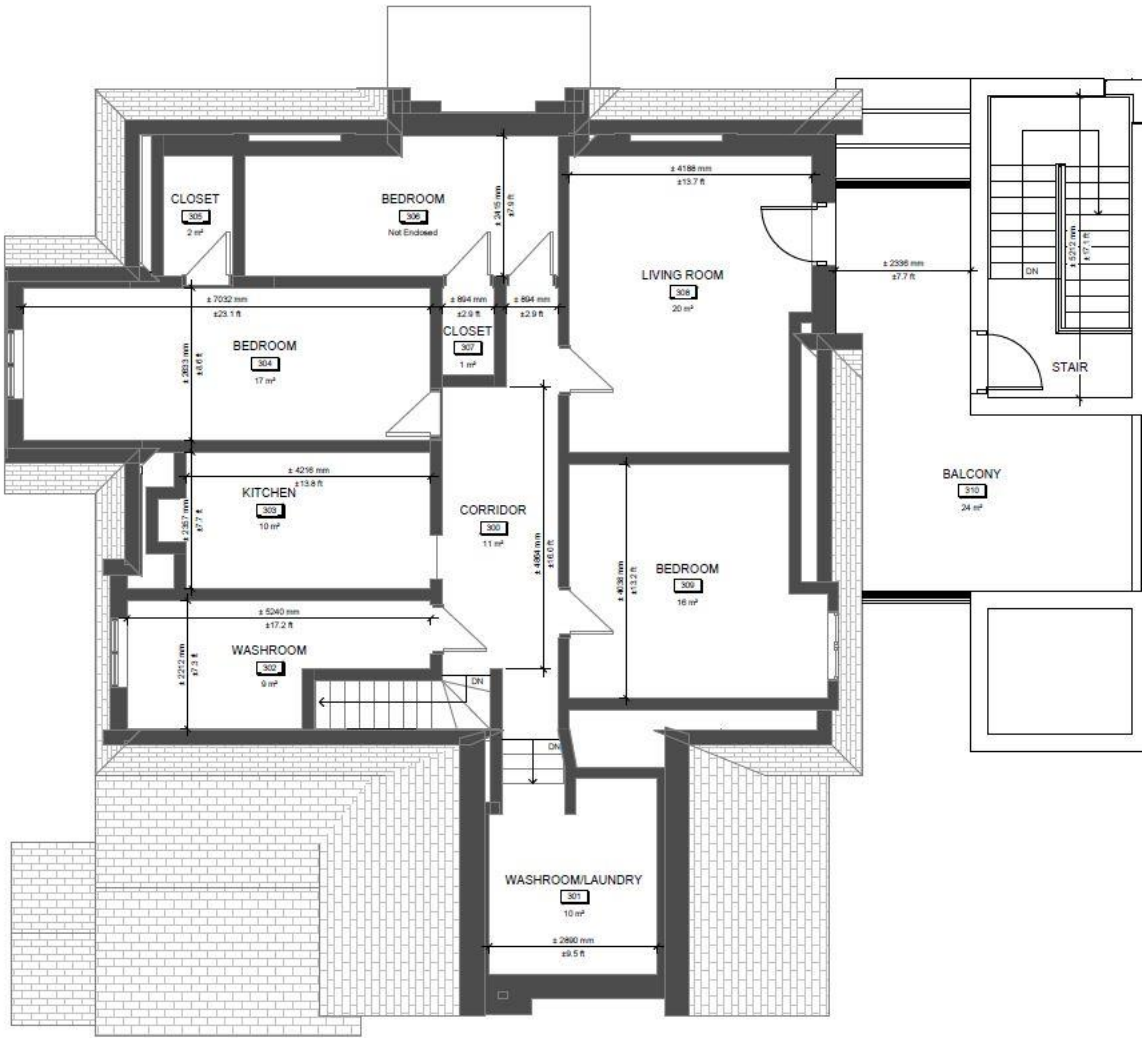


Figure 7: Level 3 Plan (Source: Juxta Architects)

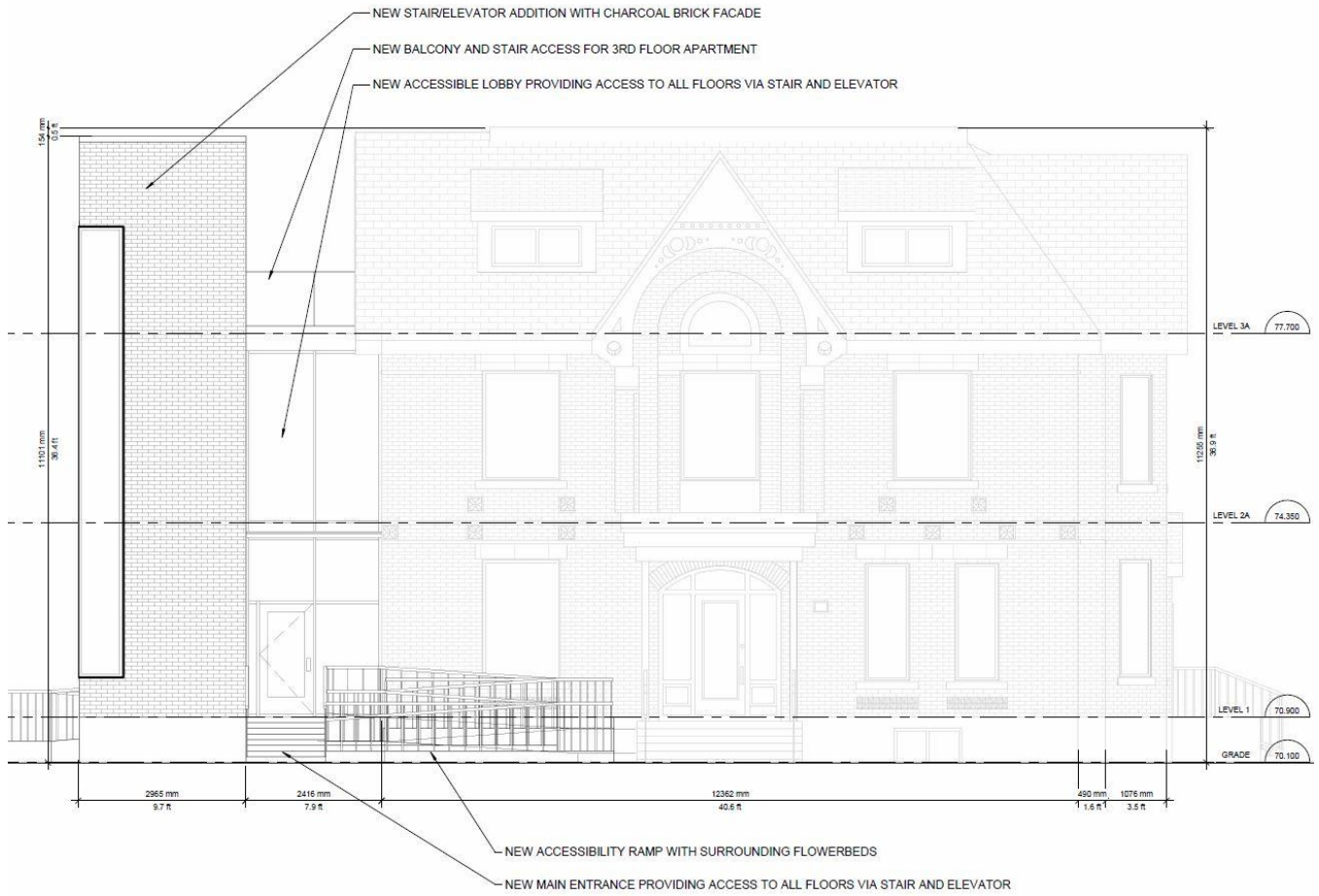


Figure 8: East Elevation (Source: Juxta Architects)



Figure 9: North Elevation (Source: Juxta Architects)

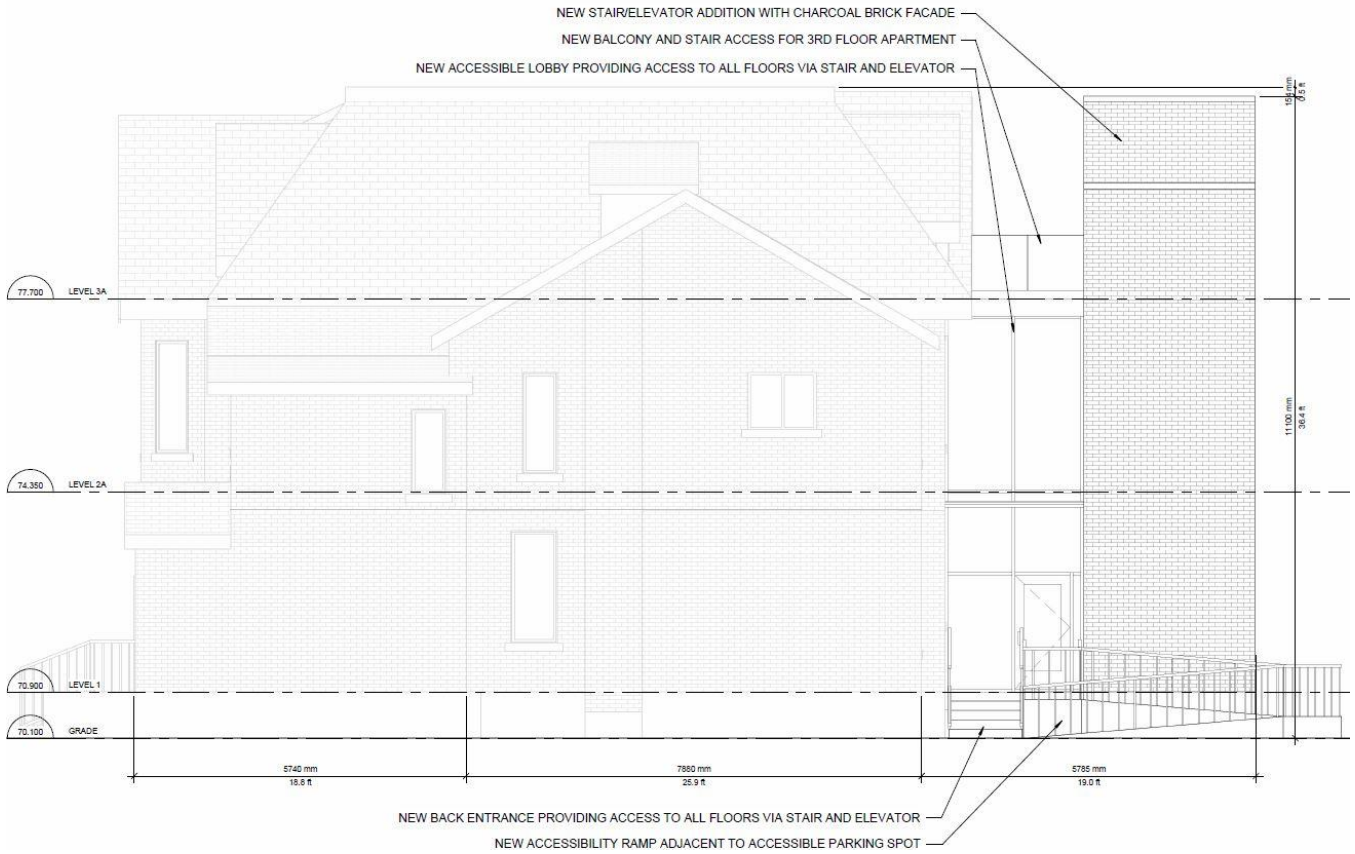


Figure 10: West Elevation (Source: Juxta Architects)

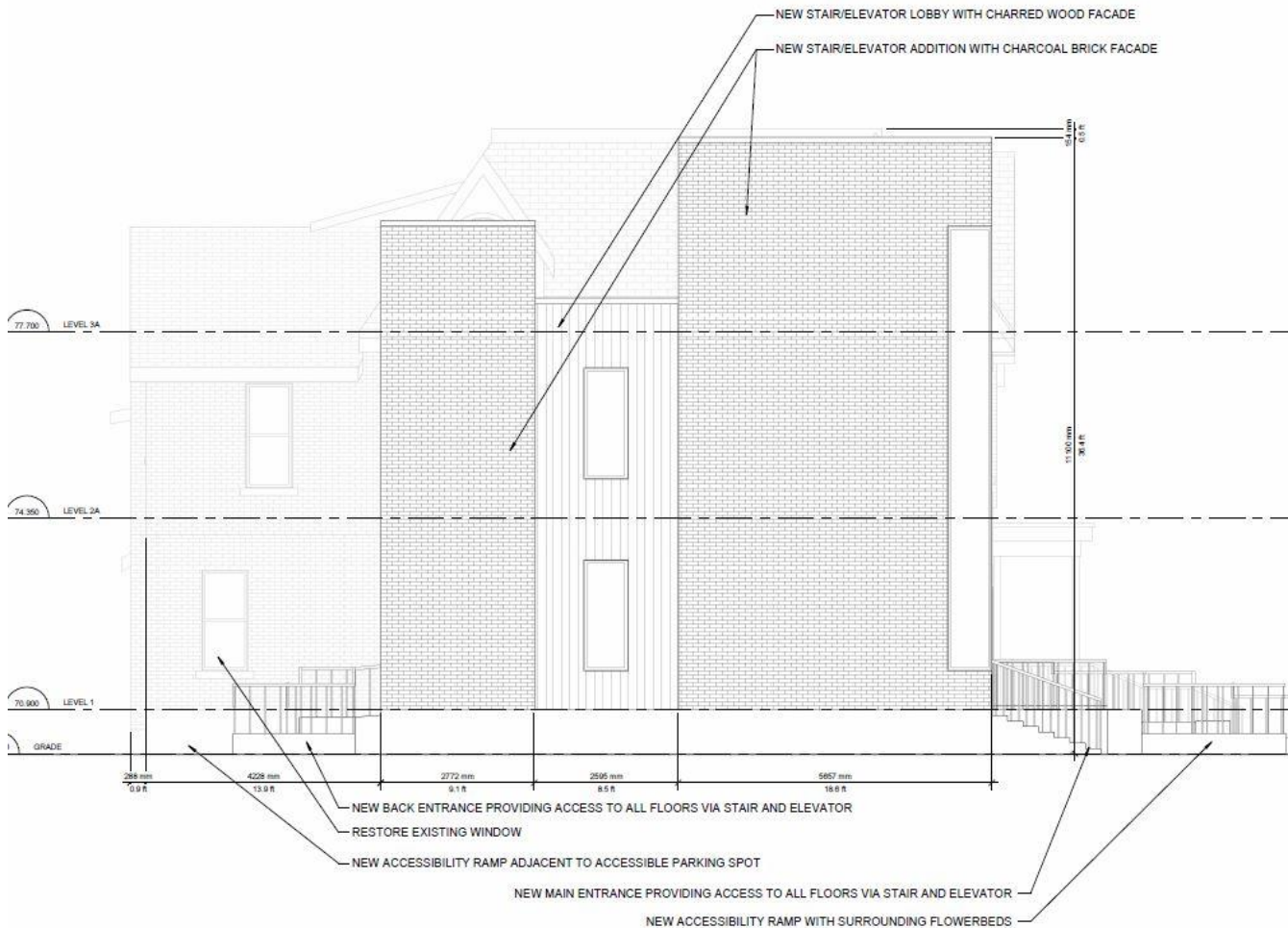


Figure 11: South Elevation (Source: Juxta Architects)

1.5 Tree Information Report

A Tree Information Report was conducted by Ben Schultz Woodworks and Arborist Services to assess the current health of the mature tree within the interior side yard and provide recommendations to balance the proposed development and tree protection. The interior side yard Norway Maple was found to be in good condition, approaching full maturity. The arborist estimated that it could be expected to show signs of declining health under normal circumstances in approximately 15 to 20 years. The critical root zone (CRZ) of the tree extends below the existing one-storey addition in the interior side yard, nearly to the main structure's exterior wall. As the proposed development shall reduce the interior yard setback from 5.9 metres to 3.6 metres, the tree's root system would be impacted by the construction of the addition. Moreover, the tree would be required to undergo pruning to accommodate the addition, reducing between an estimated one-quarter to one-third of the total canopy. The arborist concluded that the construction of the development would result in significant root loss within the CRZ that could trigger a premature decline in the health of the tree.

The applicant team, through an iterative process with staff, determined replacing the Norway Maple with three (3) new trees of high-quality planting that will become medium-to-large mature trees would be appropriate. A total of 52 square metres of asphalt are proposed to be removed at the northwest, northeast, and southwest corners of the existing parking area to provide new opportunities for tree planting and softscaping. The three (3) new trees shall be placed in the southwest, southeast, and northeast corners of the site. The two (2) tree aeras along Metcalfe Street will contribute to the

character of the streetscape and respond to the context of mature front yard trees on surrounding Metcalfe properties. In addition to the existing street tree (northwest corner), a new City tree is proposed within a new softscaped area adjacent to the east of the driveway, this shall replace an existing tree that has already died.

2.0 Policy and Regulatory Context

2.1 Provincial Policy Statement (PPS) (2020)

The Provincial Policy Statement (PPS) is a policy document issued under the Planning Act. It sets out a vision for land use planning in the Province of Ontario that encourages planning and development that is environmentally sound, economically strong and enhances quality of life. The PPS provides direction on matters of provincial interest related to land use planning and development. All decisions on planning matters “shall be consistent with” the PPS. Generally, the PPS recognizes that “land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs while achieving efficient development patterns...”. In order to respond to current and future needs, a range of housing options is encouraged through new development and intensification.

Policies for achieving the vision of the PPS address efficient development and land use patterns; accommodating an appropriate range and mix of residential types to meet long-term needs; promoting cost-effective development patterns; and supporting transit and active transportation. Furthermore, the policies direct development to locations that have been identified for intensification and redevelopment by the municipality.

The relevant policy interests to the subject application are as follows:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

1.1.3.1 Settlement areas shall be the focus of growth and development;

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.7.1 Long-term economic prosperity should be supported by:
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;

The proposed development is located within the urban boundary (settlement area), on a serviced lot, located near existing transit. The proposed development provides a barrier-free entrance to the building, increasing access to the building and the associated uses for persons with disabilities and seniors. The low-impact addition provides barrier-free access and improves the secondary egress of the dwelling unit. The proposed development compliments the existing built heritage of the structure, maintaining the unique character of the structure while improving accessibility.

2.2 City of Ottawa Official Plan (2022)

The City of Ottawa Official Plan provides a foundational growth framework for a 25-year time horizon (2021 to 2046). The new Official Plan was approved by City Council in November 2021 and the Ministry of Municipal Affairs and Housing in November 2022

2.2.1 Strategic Directions

The Official Plan proposes five broad policy directions as the platform for Ottawa to become the most liveable mid-sized city in North America over the next century. Building healthy and inclusive communities is a pillar of these policies, inclusive of designing spaces for people with disabilities.

Planning decisions shall support the development of equitable, inclusive, gender and age-friendly communities in ways that build the city's vibrancy and resiliency and foster community health and well-being. Plans and policies shall ensure that communities and places are designed to consider a diversity of experiences, including children, older adults, people with disabilities, women and gender-diverse persons, those identifying as 2SLGBTQQIA+ and people living with lower incomes. An equitable and inclusive community considers the needs of various cultural groups and seeks to reduce barriers and promote equity for people who are racialized. It integrates opportunities to advance reconciliation and engage with Indigenous peoples. Neighbourhoods designed to be inclusive help to ensure communities are built for everyone, meet needs across the lifespan and contribute to overall health and quality of life.

Providing universal design principles enhances accessibility to more vibrant areas with social interaction, cultural organizations, health services and community facilities, directly supporting the evolution of 15-minute communities.

The addition of a barrier-free entry to a dentist's office benefits the diverse population of the City, providing physical access to an important service within the populated Downtown core.

2.2.2 Transect, Designation, and Overlay

The subject site is located in the Downtown Core Transect, designated as Corridor – Minor, and subject to an Evolving Neighbourhood Overlay.

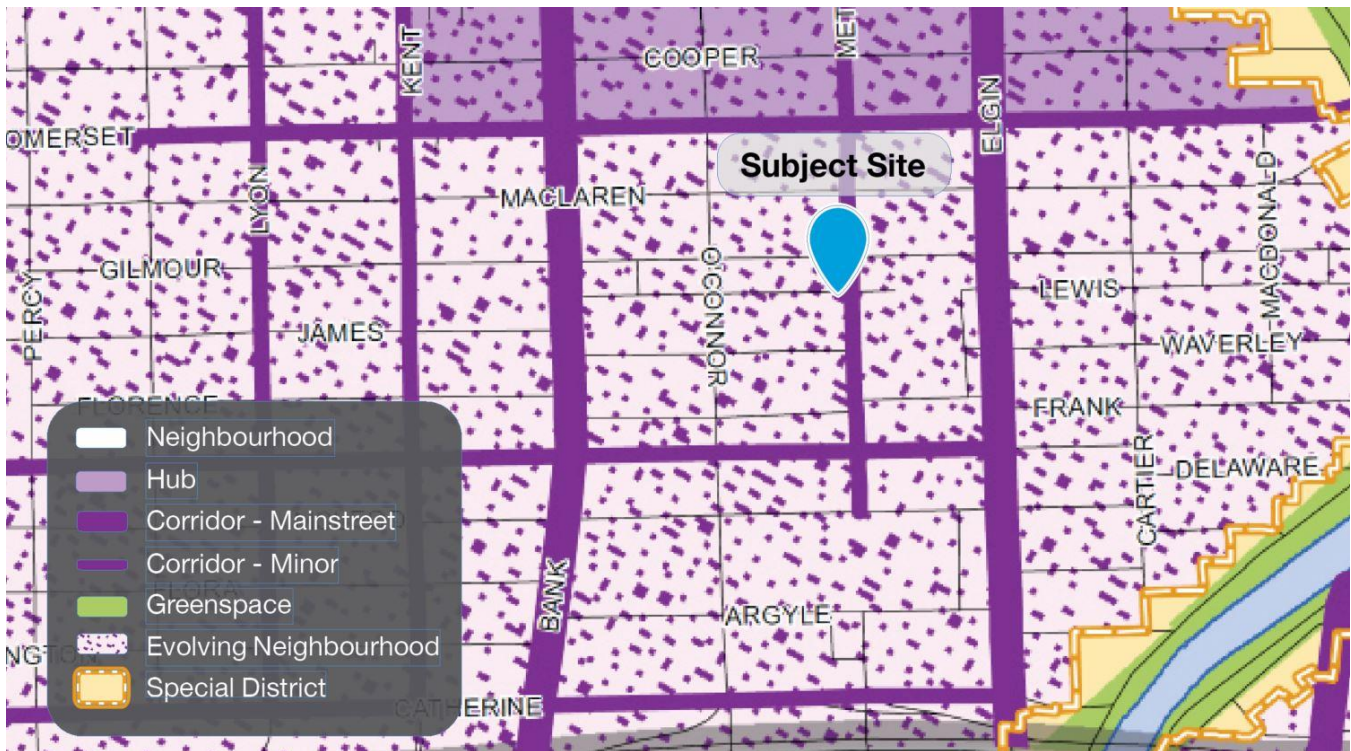


Figure 12: Schedule B1 - Downtown Core Transect (City of Ottawa Official Plan, 2022)

The Downtown Core is the historic, geographical, physical, cultural, symbolic and employment hub of the National Capital Region. The Downtown Core is a mature built environment whose urban characteristics of high-density, mixed uses and sustainable transportation orientation are to be maintained and enhanced. The Downtown Core's established and intended built form is urban. All development shall maintain and enhance the urban pattern of built form and site design. The Downtown Core shall continue to develop as healthy 15-minute neighbourhoods within a highly mixed-use environment, where hubs and a dense network of Corridors provide a full range of services; and residential densities are sufficient to support this full range of services.

The Downtown Core is planned for higher-density, urban development forms where either no onsite parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. Development applications may be required to reduce the number and/or width of private approaches on a site; re-use existing private approaches; or relocate and/or combine existing private approaches with no net increase in number or width. In the Downtown Core, the Zoning By-law shall prohibit new automobile-oriented land uses and development forms.

The transportation network for the Downtown Core shall prioritize walking and cycling for short trips, and cycling and transit for longer trips, such that convenience and safety for pedestrians, cyclists and transit users shall take priority over private motor vehicle access and movement in the Downtown Core.

On Downtown Core Minor Corridors, all buildings shall have active entrances facing the Minor Corridor, regardless of use. Minimum 2 storeys and maximum building heights are generally in the upper mid-rise range between 7 and 9 storeys, except where a secondary plan or area-specific policy permit greater or lower heights and are subject to appropriate height transitions and setbacks.

The proposed development introduces a barrier-free entrance, promoting 15-minute community principles of equal access. The redevelopment of the site shall improve upon the existing landscaping, which will improve the urban greening and stormwater retention and create an enjoyable front yard activating the connection to the public realm.

The **Corridor** designation applies to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs. The Corridor designation includes two sub-designations, Mainstreet Corridors (also referred to as Mainstreets) and Minor Corridors.

Corridors will generally permit residential uses and non-residential uses that integrate with a dense, mixed-use urban environment. The City may require through the Zoning By-law and/or development applications to amend the Zoning By-law:

- / Commercial and service uses on the ground floor of otherwise residential, office and institutional buildings with a strong emphasis on uses needed to contribute to 15-minute neighbourhoods;
- / Residential and/or office uses on the upper floors of otherwise commercial buildings.

The proposed development shall improve upon the functionality of an existing mixed-use building along a Minor Corridor. The inclusion of a barrier-free dentist's office contributes to a complete community, complimenting 15-minute community principles. The remaining third-floor residential dwelling unit efficiently utilizes the space to provide housing in a walkable area, serviced by transit and in close proximity to services and amenities.

The **Evolving Overlay** applies to areas that are in a location or at a stage of evolution that creates the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors. The Evolving Overlay is generally applied to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:

- / Guidance for a gradual change in character based on proximity to Hubs and Corridors,
- / Allowance for new building forms and typologies, such as missing middle housing;
- / Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals; and
- / Direction to govern the evaluation of development.

Where an Evolving overlay is applied the Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies.

In the Evolving Neighborhood Overlay, the City may support amendments to the Zoning By-law for intensification that proposes non-residential uses, provided the proposal demonstrates that the development achieves the objective(s) of the applicable overlay with regards to built form and site design and the applicable designation with regards to function and height permissions.

Where a property within an overlay is identified as a heritage resource or is within a Heritage Conservation District, the relevant heritage policies continue to apply.

The proposed development represents the gradual change envisioned in the Evolving Overlay. The previous Permission application established the non-residential use of the dental office and dental laboratory to be appropriate to the subject site.

2.2.3 Urban Design

Urban Design is the process of giving form and context to a city to create the theatre of public life. It concerns the design of both the built form and the public realm. Urban design plays an important role in supporting the City's objectives such as building healthy 15-minute neighbourhoods, growing the urban tree canopy and developing resilience to climate change. New development should be designed to make healthier, more environmentally sustainable living accessible for people of all ages, genders and social statuses. Section 4.6 of the Official Plan provides the framework to outline the City's urban design program. The proposed development meets the following Urban Design policies, which provide direction for development in Corridors:

- / Development in Hubs and along Corridors shall respond to context, transect area and overlay policies. The development should generally be located to frame the adjacent street, park or greenspace, and should provide an appropriate setback within the street context, with clearly visible main entrances from public sidewalks. Visual impacts associated with above grade utilities should be mitigated.
- / Development shall minimize conflict between vehicles and pedestrians and improve the attractiveness of the public realm by internalizing all servicing, loading areas, mechanical equipment and utilities into the design of the building, and by accommodating space on the site for trees, where possible. Shared service areas, and accesses should be used to limit interruptions along sidewalks. Where underground parking is not viable, surface parking must be visually screened from the public realm.
- / Development shall demonstrate universal accessibility, in accordance with the City's Accessibility Design Standards. Designing barrier-free places ensures that the built environment addresses the needs of diverse users and provides a healthy, equitable and inclusive environment.

Section 4.6.6 indicates that a goal is to enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all. To achieve this, policies include the following:

- / Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

The proposed development achieves multiple urban design goals, specifically demonstrating universal accessibility by providing a barrier-free entryway providing ramp access to both the front yard and rear yard parking.

The proposed development is contextual and responds to transect area policies. The design of the addition takes influence from the surrounding neighbourhood's heritage architectural details and has been designed to complement the surrounding context utilizing brick and not exceeding the existing building heights of adjacent properties. The addition does not deter from the heritage qualities of the existing building, rather complimenting the heritage value and providing a modern update to the building to permit universal access.

2.2.4 Cultural Heritage and Archaeology

Section 4.5 of the Official Plan outlines the City's approach to conserving cultural heritage resources and honouring diverse cultural communities as part of the City's planning and decision-making. Cultural heritage landscapes will be identified and evaluated to determine their significance and cultural heritage values, including in partnership with the National Capital Commission where appropriate.

Policy 4.5.2 provides direction on how to manage built and cultural heritage resources through the development process; policies include:

- / When reviewing development applications affecting lands and properties on, or adjacent to a designated property, the City will ensure that the proposal is compatible by respecting and conserving the cultural heritage value and attributes of the heritage property, streetscape or Heritage Conservation District as defined by the associated

designation bylaw or Heritage Conservation District Plan and having regard for the Standards and Guidelines for the Conservation of Historic Places in Canada.

- / Where development or an application under the *Ontario Heritage Act* is proposed on, adjacent to, across the street from or within 30 metres of a protected heritage property, the City will require a Heritage Impact Assessment, if there is potential to adversely impact the heritage resource. The HIA will be completed according to the Council approved guidelines for HIAs, as amended from time to time.
- / Heritage designation is, in part, intended to ensure contextually appropriate development and is not intended to discourage intensification or limit housing choice. Elements of the built form, including height, scale and massing, of such development shall ensure that the defined cultural heritage value and attributes of the property or HCD will be conserved, while balancing the intensification objectives outlined throughout this Plan.

Policy 4.5.3 notes that the city shall promote partnerships through leadership, community engagement and incentives, such as by:

- / The Property Standards By-law shall be used to prescribe minimum standards for the maintenance of the heritage attributes of an individual property designated under Part IV of the *Ontario Heritage Act* or a property located in a Heritage Conservation District designated under Part V of the *Ontario Heritage Act*.
- / The City shall ensure that development, and/or capital projects proposed by the City, involving or adjacent to properties designated under Part IV or Part V of the *Ontario Heritage Act*, shall maintain the integrity of the heritage property's cultural heritage value and attributes.

The proposed development is contextually appropriate and the design evolved through an iterative process between the applicant team and staff across various departments, including planning, urban design, heritage and forestry . The built form takes cues from the surrounding neighbourhood, such as incorporating charcoal brick to complement the existing red brick. The darker materials of the addition promote the vibrancy of the existing building's architectural features. The proposed development maintains the integrity of the broader Heritage Conservation District while also including modern materials and construction techniques, signalling that the building is of its own time and not mimicking the historic architectural styles.

A Heritage Impact Statement was confirmed not to be necessary by Heritage Planning staff.

2.3 Central and East Downtown Core Secondary Plan (2022)

The subject site is located within the boundaries of the Central and East Downtown Core Secondary Plan. The Plan provides the strategic planning direction to guide future development and redevelopment within the Central and East Downtown Core. This secondary plan consolidates several former secondary plans, including the Central Area, Sandy Hill, Centretown and Uptown Rideau Street Secondary Plans.

The subject site is designated as Corridor, is located in the Centertown Character Area. The secondary plan defers Corridor policies to Section 6.3 – Corridors of the Official Plan. These policies have already been reviewed and the proposed development was found to be in conformity to the Official Plan.

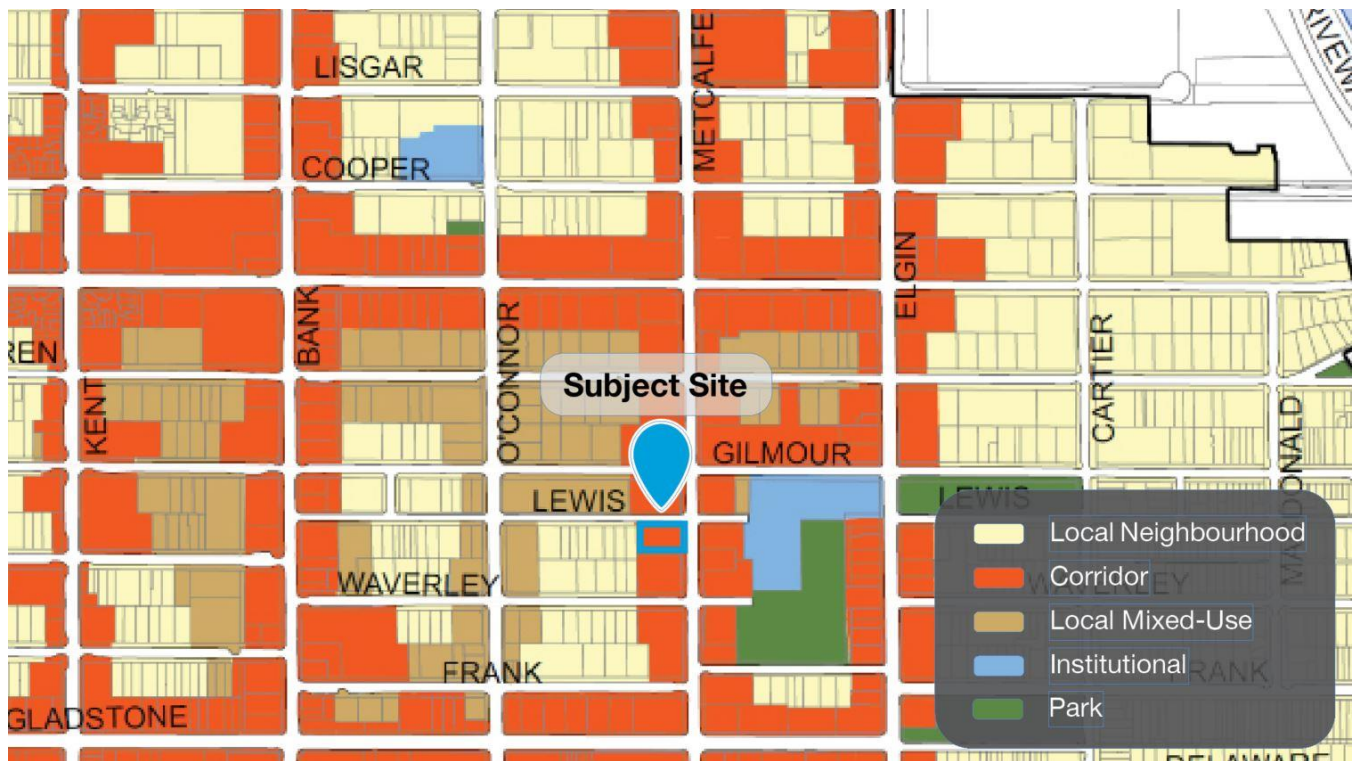


Figure 13: Schedule B – Designation Plan (Central and East Downtown Core Secondary Plan, 2022)

The Secondary Plan contains policies related to Built Form, Public Realm, Mobility, Heritage, and Urban Design; the Centretown Character Area also has its own policies.

2.3.1 Built Form

Development in the Central and East Downtown Core will contribute to an active street life and pedestrian convenience through its design, function, and activity. Development will contribute positively to the entire adjacent public realm. It should maximize the activity visible from the public realm and the activity easily accessible to it. Measures include but are not limited to:

- / Functional main entrances directly accessible from the public realm for each unit on the ground floor, including residential, retail, and commercial units.
- / Usable indoor and/or outdoor amenity areas where possible. These amenities are meant to encourage people to linger in or within view of the public realm. Examples include patios, porches, atria, stoops, etc.
- / Lower floor articulation with a high degree of transparency and functional permeability
- / Residential units at or near the ground floor and their private outdoor amenity spaces should provide a comfortable degree of privacy, while also accommodating easy interaction with the public realm.
- / A lack of blank walls or designs which do not contribute to the activity of the public realm.
- / Visual and functional variety from the sidewalk.
- / The inclusion of art in the public realm where possible.
- / Buildings must front onto all their adjacent streets.
- / Vehicular facilities must minimize all visual and functional impacts on the public realm.
- / Surface parking and surfaces likely to be used as surface parking in front of buildings are prohibited.
- / Increased setbacks in front of buildings occupying a large portion of a block should be provided. The setback will be dedicated to widened pedestrian and public realm facilities.

Development will provide a continuity of active frontages along the ground floor fronting all corridors. This includes functional main entrances that are directly accessible from the public realm for each unit on the ground floor. For further specification, this includes residential, retail, and commercial units.

The proposed development provides a front yard ramp to provide a barrier-free front entrance with an additional rear ramp to access the accessible parking. A private outdoor amenity area in the form of a patio is proposed for the dwelling unit, providing views to the front, interior, and rear yard. No blank walls face the public realm, and the design of the addition is visually pleasing, with a mix of complementary materials and glass link glazing. The building fronts onto Metcalfe Street with secondary frontage along Lewis Street.

2.3.2 Mobility

Streets will be designed to prioritize the safety, convenience, and comfort of pedestrians, followed by cycling and transit. Where motor vehicle traffic is permitted it will not be prioritized and its presence should be minimized. The City will ensure the provision of ample protected bicycle parking for residents, visitors, and commuters, which does not include outdoor spaces. Development will minimize the provision of motor vehicle parking. Alternatives should be prioritized over increases in the parking supply. The City will prohibit parking facilities in front of buildings, including front yard parking, or in any location which is highly visible from the public realm. Where they currently exist, the City will require their removal at the time of redevelopment or change of use.

All parking will be located in the rear yard, accessed from Lewis Street. Bicycle parking is proposed to be added in the rear yard.

2.3.3 Heritage

The Central and East Downtown Core is distinguished by its high concentration of heritage buildings, districts and landscapes, including those designated under Part IV and Part V of the *Ontario Heritage Act*. Development will respect the area's heritage character and where located on or adjacent to a built heritage resource, will be in accordance with the policies found in Section 4.5 – Cultural Heritage and Archaeology, of Volume 1 of the Official Plan.

Development on properties designated under Part V of the *Ontario Heritage Act*, including alterations to existing properties and new construction, shall be consistent with the policies and guidelines of the following Heritage Conservation District Plans, including the Centretown and Minto Park HCD Plan. Heritage applications will be required for any development on properties located within a Heritage Conservation District. A heritage impact assessment may be required as part of a complete application where development has the potential to adversely impact a designated cultural heritage resource and is located on a property that includes or is within 30 metres of the boundary of a heritage conservation district (Part V of the *Ontario Heritage Act*).

The addition has been carefully designed to maintain the heritage integrity of the building and surrounding buildings within the HCD. The location, scale, and materials of the addition respect the architectural cues from the existing and nearby buildings.

2.3.4 Centretown Character Area

The purpose of the Centretown Character Area subsection is to establish a comprehensive set of policies to guide future growth and change in Centretown. It is based on the Centretown Community Design Plan (CDP), translating many key aspects of the Centretown CDP into statutory policy. The Character Area specifically indicates that Metcalfe Street has been reinvented as an elegant green boulevard that gracefully connects the civic and federal realms.

Section 4.4.7 outlines policies related to heritage. The intent of the policies below is to ensure the most significant aspects of Centretown's heritage are protected, maintained and celebrated. Policies include:

- / The City shall encourage the rehabilitation and re-use of heritage buildings in Centretown and shall consider new financial incentives in the context of a Community Improvement Plan to further this objective.

The proposed addition increases the functionality of the building.

2.4 Comprehensive Zoning By-law (2008-250)

The subject site is zoned “Residential Fourth Density, Subzone UD, Urban Exception 478” (R4UD[478]) and is subject to a Heritage Overlay and a Mature Neighbourhoods Overlay.

The purpose of the R4 - Residential Fourth Density Zone is to:

- / allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as General Urban Area in the Official Plan;
- / allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
- / permit ancillary uses to the principal residential use to allow residents to work at home;
- / regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced: and
- / permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

Permitted uses include:

- | | |
|--|--|
| / apartment dwelling, low rise | / planned unit development |
| / bed and breakfast (maximum three (3) guest bedrooms) | / retirement home, converted |
| / detached dwelling | / retirement home |
| / diplomatic mission | / rooming house (maximum (7) rooming units, secondary dwelling unit not permitted) |
| / duplex dwelling | / secondary dwelling unit |
| / dwelling unit | / semi-detached dwelling |
| / group home | / stacked dwelling |
| / home-based business | / three-unit dwelling |
| / home-based daycare | / townhouse dwelling |
| / linked-detached dwelling | / urban agriculture |
| / park | |

Urban Exception 478 permits an additional land use: dwelling unit.

A decision by the Committee of Adjustment, under file number D08-02-22/A-00228, on September 21, 2022, granted permission to change the legally non-conforming audiologist offices to a dental office and dental laboratory use within the built form of a single detached dwelling.

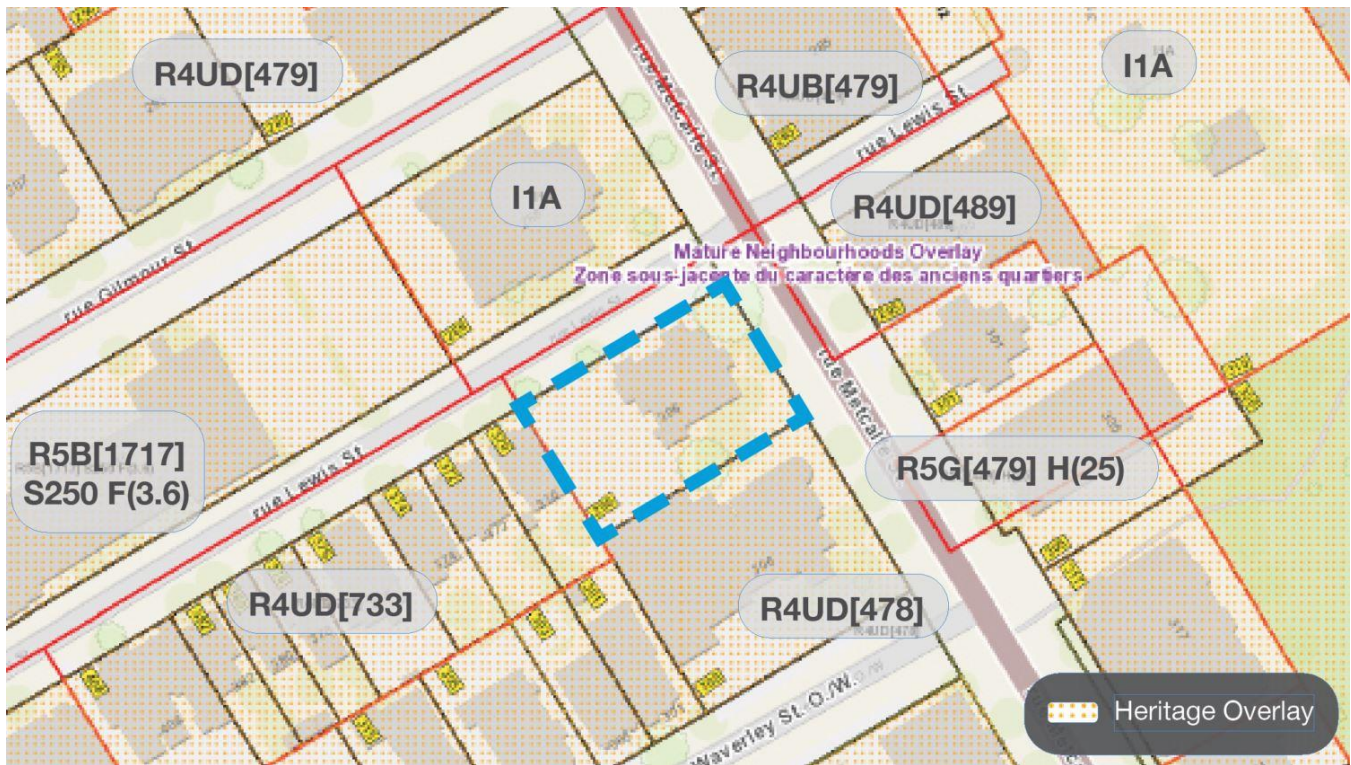


Figure 14: Zoning Map (City of Ottawa Zoning By-law 2008-250)

2.4.1 Heritage Overlay Analysis

The site is located within the Heritage Overlay. The intent of the overlay is to encourage the retention of existing heritage buildings by offering zoning incentives to reuse the buildings, and to limit the size and location of additions to preserve the heritage character of the original building:

- / Additions - Despite the provisions of the underlying zone, an addition to a building in an area to which an heritage overlay applies is permitted only if:
 - o the height of the walls and the height and slope of the roof of the addition do not exceed those of the building;
 - o In Areas A, B and C on Schedule 1,
 - o the side yard setback of the addition is at least 60 cm. greater than that of the wall of the building located closest to the side lot line, except in the case of shared lot lines between dwelling units that are permitted to be vertically attached where the required side yard setback is 0 metres,
 - o it is located entirely within the rear yard, or in the interior yard abutting the rear yard and complies with the rear yard setback of the underlying zone, except where the building has a non-complying rear yard setback the addition may be built to that rear yard setback, but in no case may be less than 3.0 metres; and
 - o it is not located within a front yard.

Despite Section 65, projections are not permitted into the front, corner side yard or side yard in an area to which a heritage overlay applies, except in the case of a ramp used for handicap access as long as that ramp does not exceed the minimal dimensions mentioned in the *Building Code* for a ramp in a barrier-free path of travel.

As the subject site is within Area B per Schedule 1 and the addition proposes to extend further into the interior side yard than the existing building, permission is required to permit the addition.

The wood rear yard ramp proposes to extend toward and then along the interior lot line to connect the parking accessible aisle to rear door of the addition. The purpose of the ramp as a barrier-free access mechanism meets the intent of the policy exception to permit the ramp's projection into the interior side yard.

2.4.2 Zone Performance Standards and Analysis

Areas of compliance are noted with a green checkmark (✓) and areas of non-compliance are noted with a red (✗) in the following table. As the building envelope is legal non-complying and contains a legal non-conforming use through the previous Permission application, this table is provided for guidance when comparing the proposal to the as-of-right development potential of the lot.

R4UD[478] Zone	Provision	Provided	Compliance?
Maximum building height s. 162, Table 162A	11 m	Existing building: 10.8m Addition: 7 m	✓
Minimum lot width s. 162, Table 162A	7.5 m	40.23 m	✓
Minimum lot area s. 162, Table 162A	225 m ²	1,042.34 m ²	✓
Minimum front yard setback s. 144(1), Table 162A	4.5 m	> 4.5 m, no change	✓
Minimum corner side yard setback s. 144(1), Table 162A	4.5 m	< 4.5 m, no change	✓
Minimum rear yard setback s. 144(4)(d), Table 144A	1.2 m	> 7.5 m, no change	✓
Minimum interior side yard setback s. 162, Table 162A	1.2 m	3.6 m	✓
Front yard landscaping s. 139, Table 139	40% minimum aggregated soft landscaped area of front and corner side yard = 167 m ²	59% 278.58 m ²	✓
Vehicle Parking Area Z on Schedule 1A s. 101(3)(a), Table 101	In the case of a building containing residential uses, no off-street motor vehicle parking is required to be provided under this section for the first twelve dwelling units	0 spaces	✓
	Medical facility: 2 spaces per 100 m ² of gross floor area = 10 spaces	15 spaces	✓
Parking Space Dimensions Table 106	2.6 m x 5.2m	2.6 m x 5.2m	✓

R4UD[478] Zone		Provision	Provided	Compliance?
Bicycle Parking Area A s. 111, Table 111A		0.50 per dwelling unit = 1 space	4 spaces	✓
Heritage Overlay	Additions s. 60(3)(b)	An addition to a building in an area to which an heritage overlay applies is permitted only if the side yard setback of the addition is at least 60 cm greater than that of the wall of the building located closest to the side lot line, except in the case of shared lot lines between dwelling units that are permitted to be vertically attached where the required side yard setback is 0 metres	3.6 m side yard setback ≈ 3.5 m	✗
	Projections s.60(4)(a)	projections are not permitted into the front, corner side yard or side yard in an area to which an heritage overlay applies, except in the case of a ramp used for handicap access as long as that ramp does not exceed the minimal dimensions mentioned in the Building Code for a ramp in a barrier-free path of travel	Ramp projects into interior side yard however ramp provides barrier-free path of travel	✓
	Parking prohibited in front or corner side yard s. 60(6)	A parking lot is prohibited in a front yard or corner side yard abutting a street in an area to which an heritage overlay applies.	Rear yard	✓
Principal entrance to ground-floor unit or common interior corridor or stairwell s. 161(15)(f)		At least one principal entrance to a ground-floor unit or to a common interior corridor or stairwell must be located on the facade and provide direct access to the street. In the case of a lot of 24 metres width or greater, one principal entrance is required for every 12 metres of lot width or part thereof.	Two entrances along Metcalfe Street, one entrance along Lewis Street	✓

The proposed development generally conforms to the performance standards of the Zoning By-law. A 1.2-metre interior side yard setback is permitted within the R4UD Zone. The addition's setback triples this by providing a setback of 3.5 metres. However, as the addition will reduce the interior yard setback of a heritage building within a Heritage Conservation District, permission is sought from Section 60(3)(b). This permission is technical in nature as the site plan has demonstrated the addition continues to meet the intention of the interior side yard on the site. While the legal non-conforming use of the site cannot rely upon the performance standards of the Zoning By-law as it is not a permitted use under R4UD, the 3.5 metre setback to a non-residential use is an appropriate site-specific development standard.

Multiple locations for the addition were discussed with staff, including locating the addition in the rear yard; however, to meet OBC and provide an accessible main entrance, the interior side yard was deemed to be the most appropriate location to expand the building.

Permission Discussion

In 2022, the subject site was granted a Permission Application to change the legally non-conforming audiologist offices to a dental office and dental laboratory. This permission granted the new owners of the subject site to create legal non-conforming dental office and dental laboratory. The present Permission application seeks to permit an addition to a legally non-complying structure.

Permission applications are assessed individually based on the desirability of the property in question and the impact of the development on the surrounding area.

The redevelopment of the subject site seeks to implement universal design standards to provide a barrier-free medical office. At present, the medical offices are accessed by seven (7) steps to the main entrance on Metcalfe Street or by five (5) steps at the secondary entrance from Lewis Street. These mandatory steps reduce or prohibit access to the site for persons with reduced mobility and users of mobility devices such as wheelchairs.

It is additionally desirable to add a barrier-free entrance as the subject site features on-site parking that will allow users of the site with reduced mobility to park in the rear yard accessible parking space and then enter the addition directly from the parking area without having to navigate accessible on-street parking.

The entirety of the proposed addition to the building is contained within the interior side yard. The interior side yard borders 302 Metcalfe Street, the Embassy of Hungary, which is not developed with residential or sensitive uses. Along the interior lot of the Embassy's property is an exterior wooden ramp to access a secondary entrance to the building. The addition maintains the front yard setback and maximum height established by the existing building, thus not introducing undue adverse impacts on neighbouring properties or the local heritage context.

The addition meets the intention of the PPS and Official Plan to provide barrier free built environments and services. The proposed development includes multiple stylistic, aesthetic, and functional design choices that seek to jointly improve the aesthetic and functional use of the site. Accessibility guided the floor and building layouts to introduce a barrier-free entrance and internally accessible dentist office. The building was therefore designed to respond to context and Plan policies and integrate architecturally to complement the surrounding context.

Preservation of cultural heritage resources and honouring diverse cultural communities is also highlighted in the Official Plan. The scale, massing, materiality, placement, and composition of the addition's elements also respect the cultural heritage value and attributes of the existing building and surrounding HCD.

It is our professional opinion that the proposed development constitutes good planning and meets the criteria of a Permission application. This type of contextually sensitive addition capitalizes on existing infrastructure, elevating an existing building into a barrier-free space to serve a more diverse population.

The Permission application will contribute to the construction of high-quality barrier-free design in Centretown. The inclusion of a barrier-free entryway is a highly desirable development. Further, the addition is not anticipated to impact surrounding properties or the use or enjoyment of their lands. This application represents good land use planning.

4.0 Conclusion

The proposed Permission application represents appropriate, orderly development, and improved accessibility of 296 Metcalfe Street providing equitable access to a health service provider. Upon the assessment of an arborist, one (1) tree is proposed to be removed from the interior side yard and replaced by three (3) new trees at the corners of the site.

It is our professional planning opinion that the proposed Permission application constitutes good planning as it provides desirable universal access to the property with minimal impact of the development on the surrounding area.

Sincerely,



Jacob Bolduc, MCIP RPP
Associate



Gabi Scollon, MPI
Planner