

# Application for Minor Variance 100 Glebe Avenue

August 7, 2024

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

Committee of Adjustment  
Received | Reçu le

2024-08-09

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**RE: Application for Minor Variance  
100 Glebe Avenue**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by John Bassi ("the Client") to prepare a Planning Rationale for a Minor Variance application to permit a 2-storey accessory building at 100 Glebe Avenue ("subject site") in the City of Ottawa. The building will function as a two-vehicle garage at the base level, with additional amenity area on the second storey. This existing garage building will be removed to accommodate the newly proposed garage/accessory building.

Two (2) Minor Variances are proposed to increase the permitted maximum accessory building height and to permit an increased maximum floor area for the proposed accessory building. These variances have been assessed against the Four Tests of the Planning Act, and our determination is that the variances can satisfy these tests and are therefore appropriate and in the public interest.

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

- / This Cover Letter explaining the nature of the application;
- / Minor Variance application form;
- / Survey Plan, prepared by AOV Ltd., dated June 27, 2024;
- / Building Elevation Drawings, prepared by Walker Home Design, dated May 29, 2024;
- / Site Plan, prepared by Walker Home Design, dated May 29, 2024;
- / Floor Plan, prepared by Walker Home Design, dated May 29, 2024; and,
- / Tree Information Report, prepared by IFS Associates, dated July 31, 2024.

Please contact the undersigned with any questions or requests for additional material.

Sincerely,



Scott Alain, MCIP RPP  
Senior Planner



Genessa Bates, M.PL  
Planner

## Background and Context

Fotenn Planning + Design (“Fotenn”) has been engaged by John Bassi (“the Client”) to prepare this Planning Rationale in support of a Minor Variance application for the subject site, municipally known as 100 Glebe Avenue in the City of Ottawa.

The subject site is located on the south side of Glebe Avenue between O’Connor Street to the east and Bank Street to the west in Capital Ward (Ward 17). The subject site is a rectangular lot with a total area of 622.04 square metres, a depth of 40.80 metres and a frontage of 15.25 metres. The subject site is currently occupied by a three-storey residential building with a garage located in the rear lot, along the west lot line and a paving stone driveway along the western portion of the lot. The existing garage is an aged state and requires replacement. Two trees are identified in the front yard, and one tree is located in the rear yard. A fence is located along the eastern, southern and western property lines between the subject site and the adjacent properties.



Figure 1: Subject site and surrounding context.

This section of Glebe Avenue is a one-way east bound road with street parking on the right side and a designated bike lane. There is a sidewalk along the south side of Glebe Avenue.

### 1.1 Surrounding Area

**North:** Immediately north of the subject site are single detached dwellings fronting on Glebe Avenue and the Vietnam Ambassador’s Official Residence. Further north of the subject site is Central Park and the Glebe neighbourhood, characterized by low-rise buildings, including two- to three-storey detached dwellings, semi-detached dwellings, converted multi-unit buildings, and commercial and institutional buildings. Further north is the Trans-Canada Highway and Centretown neighbourhood.

**East:** Immediately east are detached and semi-detached dwellings fronting onto Glebe Avenue. Further east, on the east side of O'Connor Street is First Avenue Public School, an elementary school. Glebe Avenue terminates on O'Connor Street and a pedestrian pathway continues east along Patterson Creek Park to the Rideau Canal.



Figure 2: View from the subject site on Glebe Avenue facing east towards O'Connor Street. The existing garage is visible behind the dwelling on the right edge of the photo.

**South:** Directly south of the subject site is a detached residential building with an asphalt driveway along the side of the lot leading to a garage in the rear yard. Further south are low-rise residential buildings including detached dwellings, semi-detached dwellings, and multi-unit residential buildings.

**West:** Immediately west of the subject site is a three-storey residential dwelling with an asphalt driveway on a portion of the front, side and rear yards. Further west along Glebe Avenue are detached dwellings and multi-unit residential buildings with low-rise commercial buildings on the north and south corners of the Glebe Avenue and Bank Street intersection. Bank Street is an arterial road with a wide range of uses including retail, restaurants and cafes, personal services, and banks. West of Bank Street is St. Matthew's Anglican Church and the Glebe neighbourhood with primarily low-rise detached residential dwellings.



Figure 3: View from Glebe Avenue of the subject site (left side of the photo) facing west towards Bank Street. On-street and front yard parking on surrounding lots is visible.

# Overview of Application

## 2.1 Proposed Development

The applicant is proposing the demolition of the existing garage located on the lands and the construction of a two-storey garage and accessory building relocated into the rear yard. The proposed development would preserve a significant portion of the soft landscaping in the rear yard while reducing the visual impact of the garage from the street.

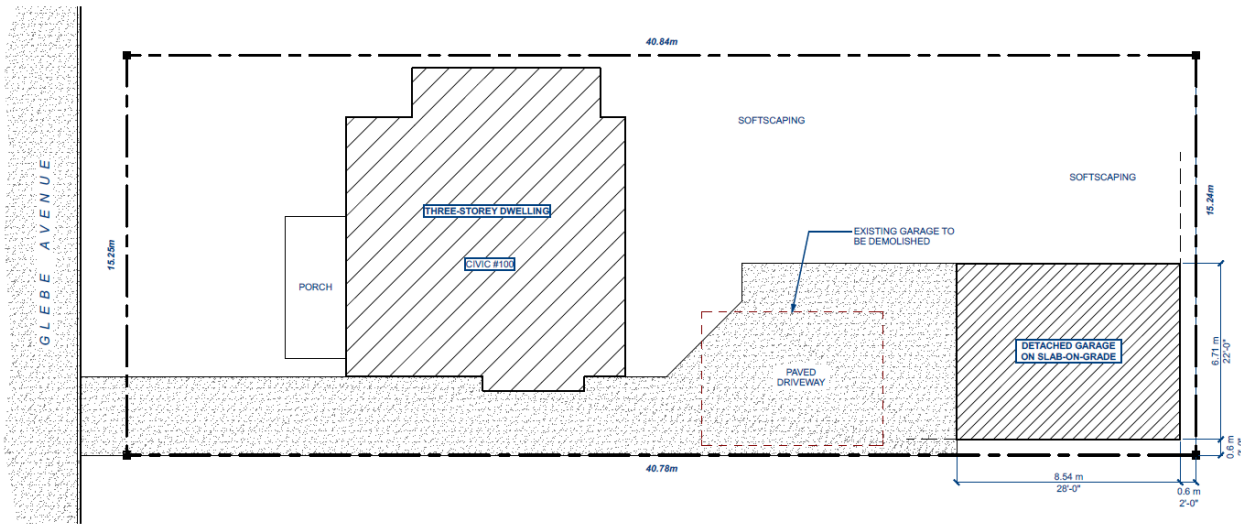


Figure 4: Site plan of proposed development.

The proposed at-grade two-storey accessory building will accommodate two (2) indoor vehicular parking stalls on the ground floor and storage or personal amenity space on the second floor. As shown above in Figure 4, the proposed structure meets the required setbacks from the interior and rear lot lines. The existing garage will be demolished and the driveway will be extended to the new structure.

Figure 5 and Figure 6 below show the proposed building elevation drawings. The structure will face north to Glebe Avenue with a two-door vehicle entrance to the garage and a doorway on the frontage. An overhang covers the width of the front wall. There is a window on the second floor facing Glebe Avenue. The south and west elevation of the structure consist of blank walls to ensure privacy to adjacent lots, with a doorway on the east elevation providing access to the rear yard. There is lighting planned to be located beside the doorway entrances to the structure.

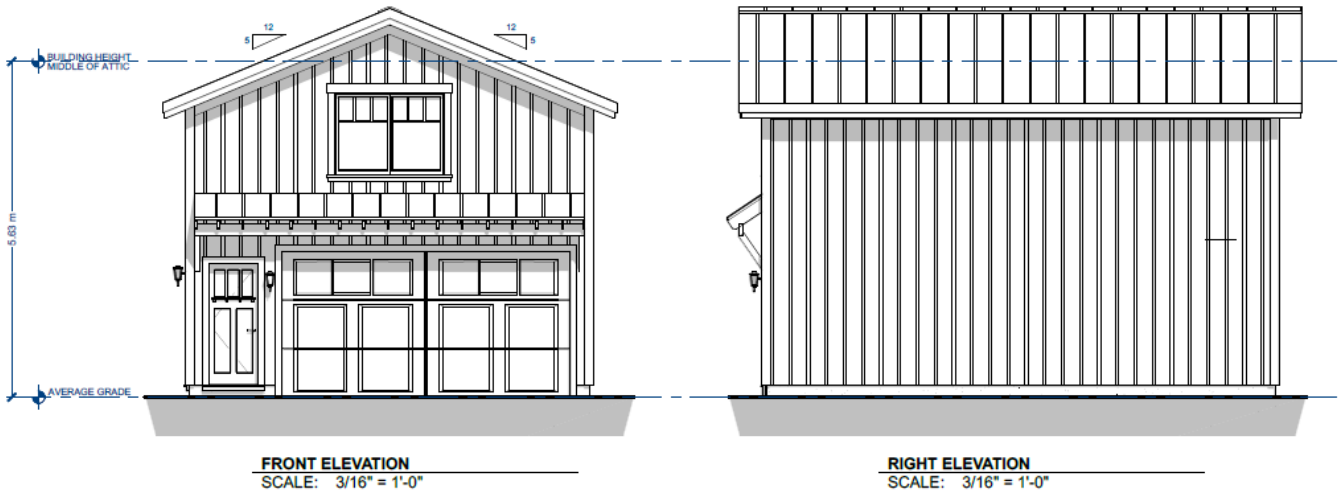


Figure 5: Front and right elevation of proposed structure.

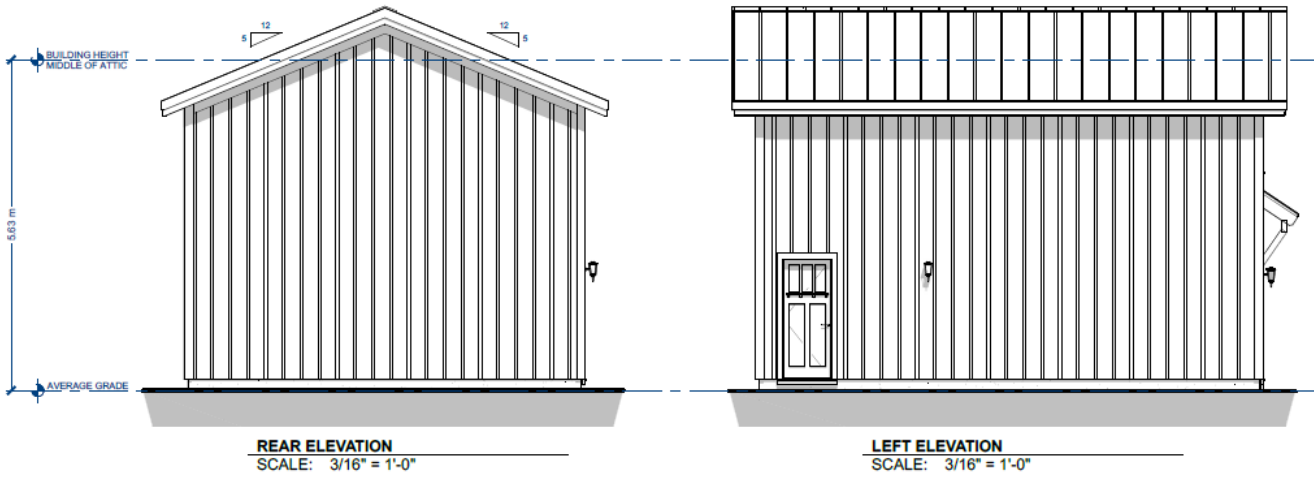
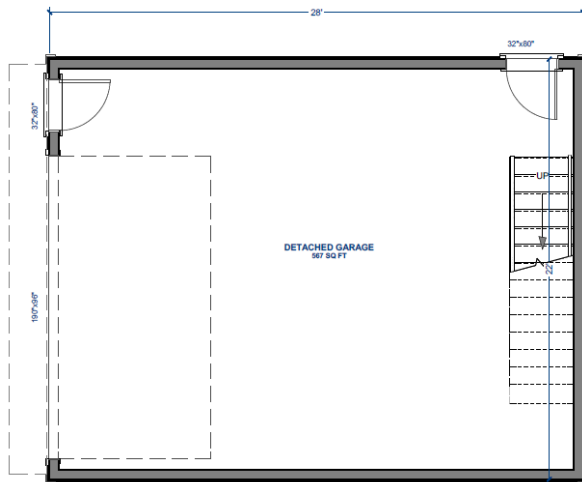
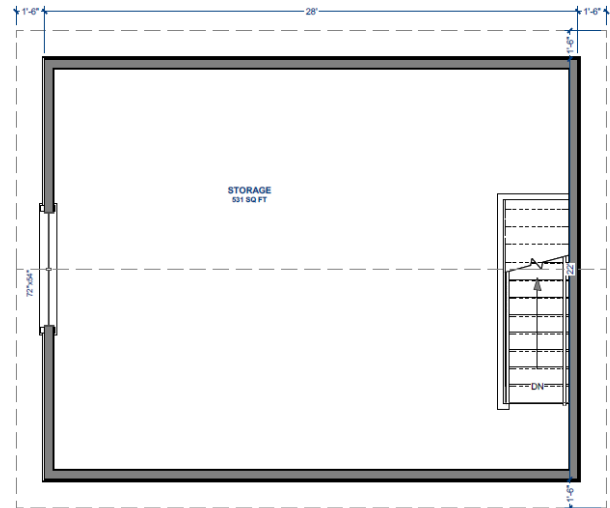


Figure 6: Rear and left elevation of proposed structure.

The structure footprint (measured from the exterior walls) is 52.7 square metres (567 square feet). The total gross floor area is 102 square metres (see Figure 7 below).



**MAIN FLOOR PLAN**  
SCALE: 3/16" = 1'-0"



**SECOND FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

Figure 7: Floor plan of proposed structure.

### 2.1.1 Tree Considerations

A Tree Information Report (TIR) was undertaken by IFS Associates in support of this application. The TIR identifies five (5) trees on-site and/or within proximity to the proposed development. The TIR notes that all trees under consideration are to be preserved and protected, and that no tree removal is applicable as part of this proposal.

## 2.2 Proposed Minor Variances

The property is located within the Residential Third Density zone, Subzone G (R3G). While broadly complying with the applicable provisions, in order to proceed with the development, the following minor variances are required:

- / To permit a maximum height of 5.63 metres for accessory buildings, whereas the By-law requires a maximum height of 3.6 metres, with the height of the exterior walls not exceeding 3.2 metres for accessory uses, buildings and structures, per Section 55 of the City of Ottawa's Comprehensive Zoning By-law (2008-250).
- / To permit a maximum permitted size of 102 square metres for accessory buildings, whereas the By-law requires a maximum cumulative floor area of 55 square metres as measured from the exterior walls of accessory buildings, per Section 55 of the City of Ottawa's Comprehensive Zoning By-law (2008-250).

An assessment of these variances in relation to the Four Tests of the Planning Act is provided below, following the policy and regulatory overview.

## 3.0 Policy and Regulatory Review

### 3.1 Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) establishes the high-level planning policies for land use planning in Ontario. The PPS is issued under Section 3 of the Planning Act and requires that all planning matters are consistent with the PPS, including decisions made by municipalities. Applicable policies for the proposed Minor Variance application include:

- / 1.1.1: Healthy, liveable and safe communities are sustained by:
  - a) Promoting efficient development and land use patterns;
  - 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);
  - 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.
  
- / 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
  - a) Efficiently use land and resources;
  - b) Are appropriate for, and efficiently use, the infrastructure which are available;
  
- / 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.

**The proposal constitutes an efficient use of land as it plans for an increase in useable space on the lot. The Minor Variance application to permit a two-story accessory building minimizes land consumption on the lot and maintains the viability of an existing housing resource in the neighbourhood while addressing needs of the current and future residents. The proposed development is therefore consistent with the Provincial Policy Statement, 2020.**



### 3.2 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved by the Ministry of Municipal Affairs and Housing (MMAH) on November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046 when it is expected that the City’s population will surpass 1.4 million people. The Official Plan directs the manner that the City will accommodate this growth over time and set out the policies to guide the development and growth of the City.

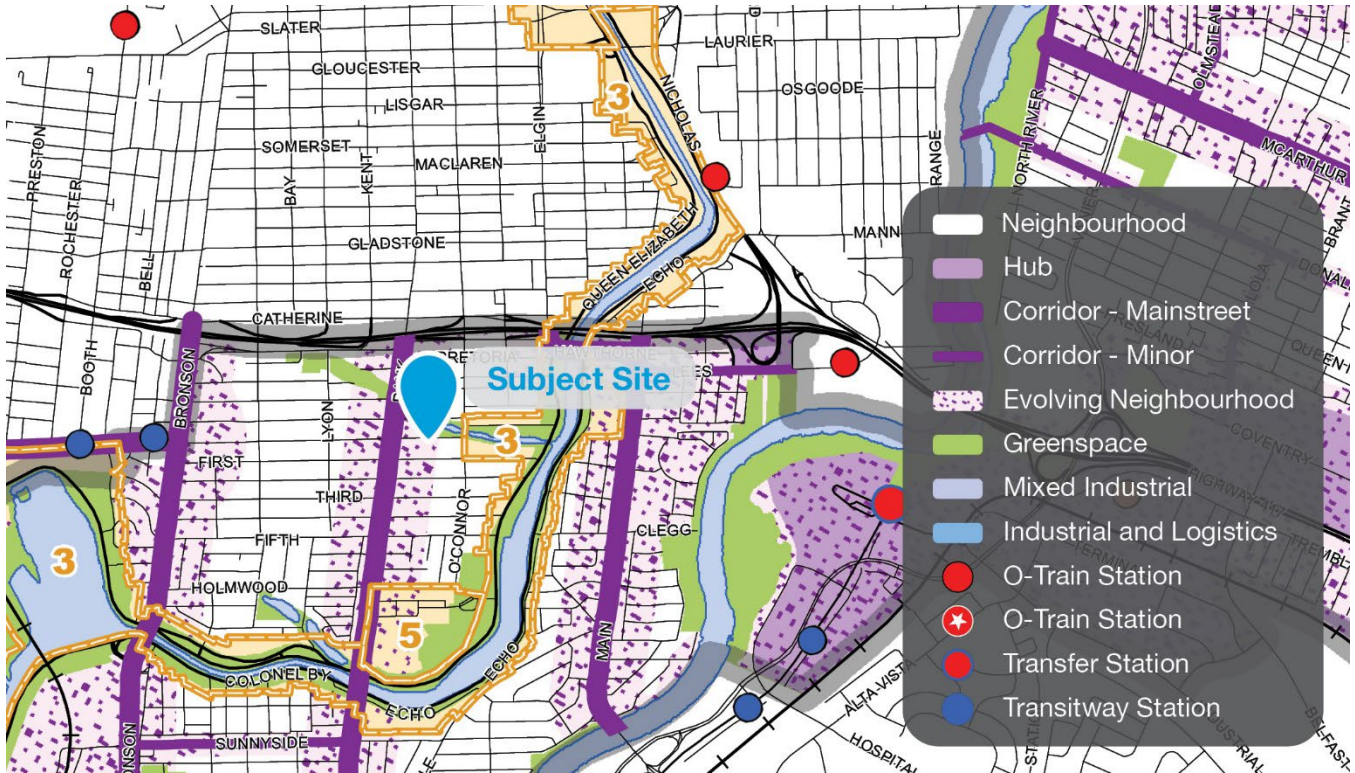


Figure 8: Schedule B2– Inner Urban Transect, City of Ottawa Official Plan, Subject Site indicated.

The Official Plan provides guidance for development across the Ottawa region, highlighting specific desired features, such as 15-minute neighbourhoods, and other intensification targets aimed at improving the walkability and sustainability of existing built-up areas. The Official Plan encourages infill and intensification through the development of various housing types, such as missing middle housing, within existing neighbourhoods in the City’s urban areas.

#### 3.2.1 Inner Urban Transect

The subject site is located within the Inner Urban Transect of the Official Plan (Figure 8), which includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them.

- / Per Section 5.2.1.1, the Inner Urban Transect’s built form and site design includes both urban and suburban characteristics as described in Table 6. Its intended pattern is urban.

#### 3.2.2 Neighbourhood Designation

The subject site is designated “Neighbourhood” in the Official Plan. Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities.

- / Per Section 5.2.4.1, neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:
  - a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;
  - c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;
  
- / Per section 6.3.1.2, permitted building heights in Neighbourhoods shall be Low-rise, except:
  - a) Where existing zoning or secondary plans allow for greater building heights; or
  - b) In areas already characterized by taller buildings.
  
- / Per Section 6.3.2.2, the City will establish form-based regulation through the Zoning By-law, Site Plan Control and other regulatory tools as appropriate, consistent with Transect direction. Such form-based regulation may include requirements for articulation, height, setbacks, massing, floor area, roofline, materiality and landscaped areas having regard for:
  - a) Local context and character of existing development;
  - b) Appropriate interfaces with the public realm, including features that occupy both public and private land such as trees;
  - c) Appropriate interfaces between residential buildings, including provision of reasonable and appropriate soft landscaping and screening to support livability;

**The proposed development represents a compatible, low-rise accessory building which is characteristic of the urban area. It has regard for the local context and is intended to be subservient to the primary building on-site by being located beyond the rear building wall. It allows for covered parking and an increase in site amenity in a manner that does not impact the existing building on-site by generating an addition which could accordingly impact neighbourhood character.**

### 3.2.3 Evolving Neighbourhood Overlay

An Evolving Neighbourhood Overlay is applied to the subject site and surrounding area. The area shall evolve to create the opportunity to achieve an urban form in terms of use, density, built form and site design. 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.

- / Per Section 5.6.1, the Evolving Neighbourhood Overlay is applied to areas of the Neighbourhood Designation in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land. The intent is to identify areas that may gradually evolve through intensification to a more urban than suburban built form.
- / Per Section 5.6.1.5, 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 Evolving Neighbourhood Overlay is applied to the subject site and indicates the area is subject to gradual change in both built form and density, such as that proposed herein.**

**The proposed minor variances maintain the general intent and purpose of the Official Plan. The proposed development is within the height range of the Neighbourhood designation and has been designed in a**

manner which intensifies the site with consideration for the adjacent properties. The design of the proposed building will architecturally integrate with and complement the surrounding context.

### 3.3 City of Ottawa Zoning By-law (2008-250)

The site is zoned Residential Third Density, Subzone G (R3G) in the City of Ottawa's Comprehensive Zoning By-law (2008-250) as shown on Figure 9. The purpose of this zone is to:

- / allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)
- / allow a number of other residential uses to provide additional housing choices within the third density residential areas;
- / allow 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 dwelling, 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.

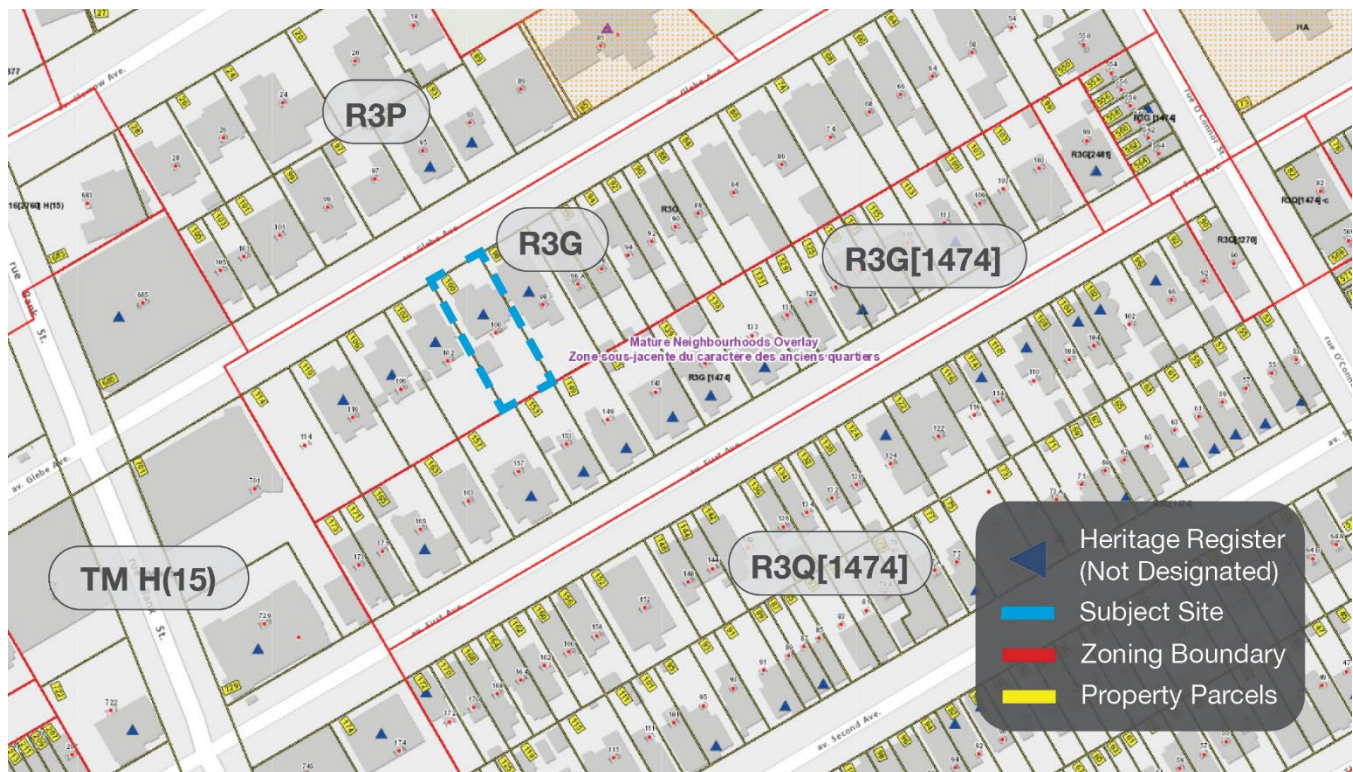


Figure 9: Zoning map of the subject site and surrounding context.

Per Section 55(1) of the Zoning By-law on Accessory Uses, Buildings and Structures, an accessory use is permitted in any zone if:

- / An accessory use is permitted in any zone if:
  - a) it is on the same lot as the principal use to which it is accessory; and
  - b) it exists to aid and contribute to the principal use to carry out the function of that principal use.

Per Section 54 of the Zoning-Bylaw accessory means aiding or contributing in a secondary way to a principal use to carry out its function, and having regard to this definition:

- a) an accessory use is a land use that is accessory to a principal use;
- b) an accessory building is a building that houses an accessory use;
- c) an accessory structure is a structure, that is not a land use, but is accessory to a principal use and this definition is broadened to include tower antennas and satellite dishes.

**An accessory building is permitted on the subject site and follows the intention of the R3G zone.**

<b>Accessory Uses Zoning Provisions (Section 55)</b>	<b>Requirement</b>	<b>Provided</b>
<b>Minimum Required Setback from an Interior Side Lot Line or Rear Lot Line not abutting a street</b> Table 55 (3)(e)(ii)	0.6m	<b>0.6m</b>
<b>Required distance from any other building on the same lot</b> Table 55 (4)	1.2m	<b>&gt;1.2m</b>
<b>Maximum Permitted Height</b> Table 55 (5)	3.6m, with the height of the exterior walls not to exceed 3.2m	<b>5.63m</b>
<b>Maximum Permitted Size</b> Table 55 (6)	Max 50% of the yard, with a maximum cumulative floor area of 55m <sup>2</sup> as measured from the exterior walls of the building	<b>Total GFA 102.01 m<sup>2</sup></b> <b>52.68m<sup>2</sup> + 49.33 m<sup>2</sup></b>
<b>Maximum Number of Accessory Buildings per Lot</b>	2	<b>1</b>

**As noted above, the Accessory Building would comply with the applicable zoning provisions for Accessory Buildings, aside from the maximum permitted height and the maximum permitted size. These compliance considerations are addressed in the following section with reference to the Four Tests.**

## 4.0

# The Four Tests of the Planning Act

Section 45 of the Planning Act, R.S.O. 1990 provides the Committee of Adjustment with the ability to grant minor variances by weighing their appropriateness on the basis of Four Tests. It is required to be demonstrated that a proposed variance satisfy the following tests:

1. Is it in keeping with the general intent and purpose of the Official Plan?
2. Is it in keeping with the general intent and purpose of the Zoning By-law?
3. Is it desirable for the appropriate development or use of the land, building or structure?
4. Is the application minor in nature?

It is our professional planning opinion that the application meets the “Four Tests” as follows:

### 4.1 Does the Proposal Maintain the General Intent and Purpose of the Official Plan?

The subject site is designated “Neighbourhood” on Schedule B2 (Inner Urban Transect) of the Official Plan and subject to an “Evolving Neighbourhood” overlay. The Neighbourhood designation is intended to support housing in a compact, mixed-use environment. The minimum permitted building height is 2 storeys and up to 4 storeys to accommodate higher-density low-rise residential development. The Official Plan also provides policy direction for appropriate interfaces with the public realm and between residential buildings, including features such as trees, soft landscaping, and screening. The Evolving Neighborhood overlay includes guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

**The proposal maintains the intended form, uses and context of the Neighborhood designation of the Official Plan. The proposed minor variances would facilitate the development of an accessory building which supports the existing residential use on the property and is compatible with the wider neighbourhood. The two-storey height upholds the intent of the Official Plan to maintain a low-rise built form. The pitched roof character of the structure reflects the existing development and broader character of the Glebe. The pitched roof also softens the transition to adjacent properties. Mature trees located on the subject property and surrounding lots help to mitigate visual impact of the structure on abutting properties. The proposed increased floor area aligns with the intent of the Official Plan by optimizing the utility and function of the lot while preserving soft landscaping and maintaining the existing neighbourhood form.**

### 4.2 Does the Proposal Maintain the General Intent and Purpose of the Zoning By-law?

The subject site is zoned **Residential Third Density, Subzone G (R3G)** in the City of Ottawa’s Comprehensive Zoning By-law. Per Section 55(1) of the zoning by-law, accessory buildings are permitted in the R3G provided they are on the same lot as the principal use to which they are accessory. These provisions serve to allow supporting structures that serve the principal use and support its functionality. To facilitate the proposed accessory building, the proposal requires a relief from the maximum building height zoning provision of 3.6 metres to permit a height of 5.63 metres as well as relief from the maximum permitted size provisions from 55 square metres to 102.01 square metres.

**The proposed two-storey accessory building will increase the use potential of the site with the addition of space for accessory uses on the second floor. The general intent of the maximum building height provision is to provide an appropriate transition between other buildings, ensure the structure is secondary to the primary dwelling, and maintain the surrounding built form. The maximum permitted area provisions ensure the preservation of yard space and green space, restricting the yard coverage to a maximum of 50 percent.**

**Accessory buildings are intended to be secondary to the primary building. The primary dwelling on the subject site is three storeys, as are the neighbouring dwellings. The proposed building floor plate is 52.68 square metres, which is below the maximum permitted floor area for an accessory building, and as the additional floor area is provided on the building’s second storey, the impact on the yard area is minimal.**

**With consideration to privacy, the building walls which interface with the interior and rear lot lines are unwindowed, eliminating the possibility of overlook. The proposed two storey accessory building aligns with the form of the neighbourhood and general intent of the zoning by-law provisions.**

#### 4.3 Is the Proposal Desirable for the Appropriate Development or Use of the Land?

The proposed development consists of the removal of an existing, aging garage and replacing it with a two-storey accessory building in the rear yard with two (2) stalls for indoor parking and additional floor space for accessory uses. The proposal is consistent with the intended function of the R3G zone and Section 55 of the Zoning By-law. The policies of the Inner Urban Transect and Neighbourhood designation encourage appropriate interfaces with the public realm and between residential buildings, and supports a variety of housing types. Further, policies within the PPS support the proposed development by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / 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; and
- / ensure the appropriate range and mix of housing options and densities are provided for to meet the needs of current and future residents.

**The increased separation of the accessory building relative to the existing structure will further screen vehicles from the public realm and the proposed form reflects that of surrounding residential buildings. The proposed development makes efficient use of the land, proposing amenity and parking in a format that is that is compatible with the existing residential dwelling and the surrounding community; increasing the use potential on the site while preserving soft landscaping. The subject site is presently on the City's Heritage Register and as such, the proposed accessory building increases the indoor useable space on the site without renovation or alterations to the primary building. The subject site functionality will therefore be increased to ensure viability for current and future tenants. The proposal does not intend to alter any existing trees, as confirmed by the provided Tree Information Report. Existing tree canopy on the subject site and neighbouring lots provide screening for the accessory building, further reducing its visual impact. Overall, the proposal is desirable for the development and use of the lands.**

#### 4.4 Is the Proposal Minor in Nature?

The proposed development is generally consistent with the provisions of Section 55 of the Zoning By-law and the R3G zone. The proposed maximum building height increase and permitted size are to accommodate an increase in useable floor space on the site and not impact the ability to conform to the other provisions of the Zoning By-law. The increased building height and size are not anticipated to create any adverse impacts to adjacent properties and is appropriate for the neighbourhood.

**The proposed building height does not overwhelm the surrounding built form; many surrounding residential dwellings are three-storey structures with front or side yard parking and on-street parking. There are accessory buildings present in the rear yards of surrounding lots in the nearby neighbourhood, which function without impact in a similar manner to that proposed. The proposed accessory building will be set back further than the existing accessory structure on the lot, reducing its visual impact on the street. The proposed variances are therefore minor in nature.**

## 5.0 Conclusion

It is our professional opinion that the Minor Variances described herein meet the Four Tests of the Planning Act and result in a development proposal which represents good planning principles and is in the public interest. The variances allow for the establishment of an accessory building that improves the viability and functionality of the existing housing stock on-site without impacting the public realm or neighbouring development. This report recognizes the following:

- / The proposal conforms to the direction of the Provincial Policy Statement (2020);
- / The proposal conforms to the policies and objectives of the "Neighbourhood" Official Plan designation;
- / The proposal meets the intent of the City of Ottawa Comprehensive Zoning By-law (2008-250); and
- / The proposed minor variances meet the four tests, as set out in the Planning Act.

Should you have any further comments, please do not hesitate to contact the undersigned.

Sincerely,



Scott Alain, MCIP RPP  
Senior Planner



Genessa Bates, M.PL  
Planner