

February 28, 2025

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

This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

**RE: Application for Consent & Minor Variance  
201 Rideau, Ottawa**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by 8887322 Canada Inc (the "Owner") to submit this enclosed Strata Consent to Sever and Minor Variance applications on their behalf for the property known municipally as 201 Rideau Street in the City of Ottawa ("the subject site").

A minor variance is being submitted to request relief to reduce the required drive aisle width in a parking garage from 6 metres to 4 metres in three specific locations.

This application is also seeking the consent of the Committee of Adjustment to implement a strata severance of the subject property and existing buildings in order to create two (2) separate entities and associated easements for the purpose of facilitating the management of the building (Residential and Hotel components).

To facilitate these applications, please find enclosed the following materials in support of the applications:

- / A cover letter/report explaining the nature of the applications;
- / The consent & minor variance application forms;
- / Draft R-Plan prepared
- / Parcel abstracts confirming the name of the registered owner of the properties; and,
- / Approved Site Plan prepared &
- / Applicant fee payment.

Sincerely,



Tim Beed, MCIP RPP  
Associate, Planning



Mark Ouseley, MES  
Planner

**Committee of Adjustment**  
Received | Reçu le

**Revised | Modifié le : 2025-02-28**

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**FOTENN**

# 1.0 Introduction

## 1.1 Previously Approved Development

A 24-storey hotel and residential building with 4-levels of underground parking accessed off Rideau Street received **Site Plan Control approval in 2020** and currently occupies the site. The tower portion of the building sits above the three storey podium. The operational and physical elements and areas of the building are integrated between the hotel and residential components and will run seamlessly once operational.

The building contains:

- 208 Hotel rooms;
- 95 residential units,
- 101 parking spaces.

**The building was constructed to comply with the applicable zoning by-law provisions and was considered “As-of-Right” at the time of building permit application. The building is substantially complete with occupancy anticipated imminently.**

## 1.2 Proposed Minor Variance

A minor variance from Ottawa Zoning By-law (2008-250) is requested to permit a reduced drive aisle width of 4.0 metres for a parking garage, whereas Section 107.(1)(c)(ii) of the By-law requires a minimum aisle width of 6.0 metres.

The reduced width occurs only in three specific and isolated locations in the northeast corner of P3, P2, and P1 (**dimensioned and highlighted in red below**) of the approved parking garage where the placement of mechanical equipment and protective bollards encroach briefly on the 6.0 metre width.

Signs/signalization will be installed to ensure seamless and safe traffic flow in the areas subject to the minor variance.

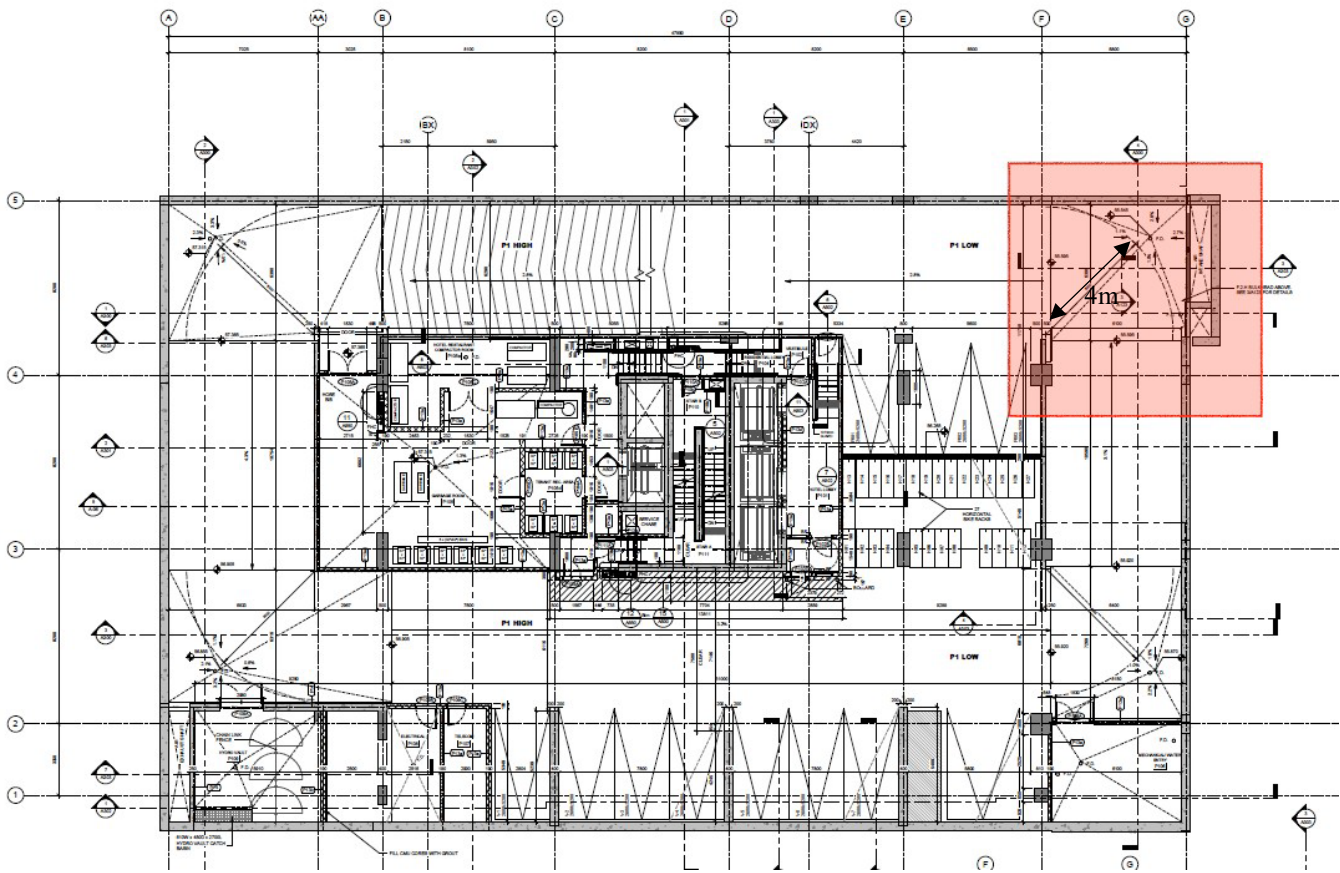


Figure 1 P1 floor plan with area requiring minor variance approval in red.

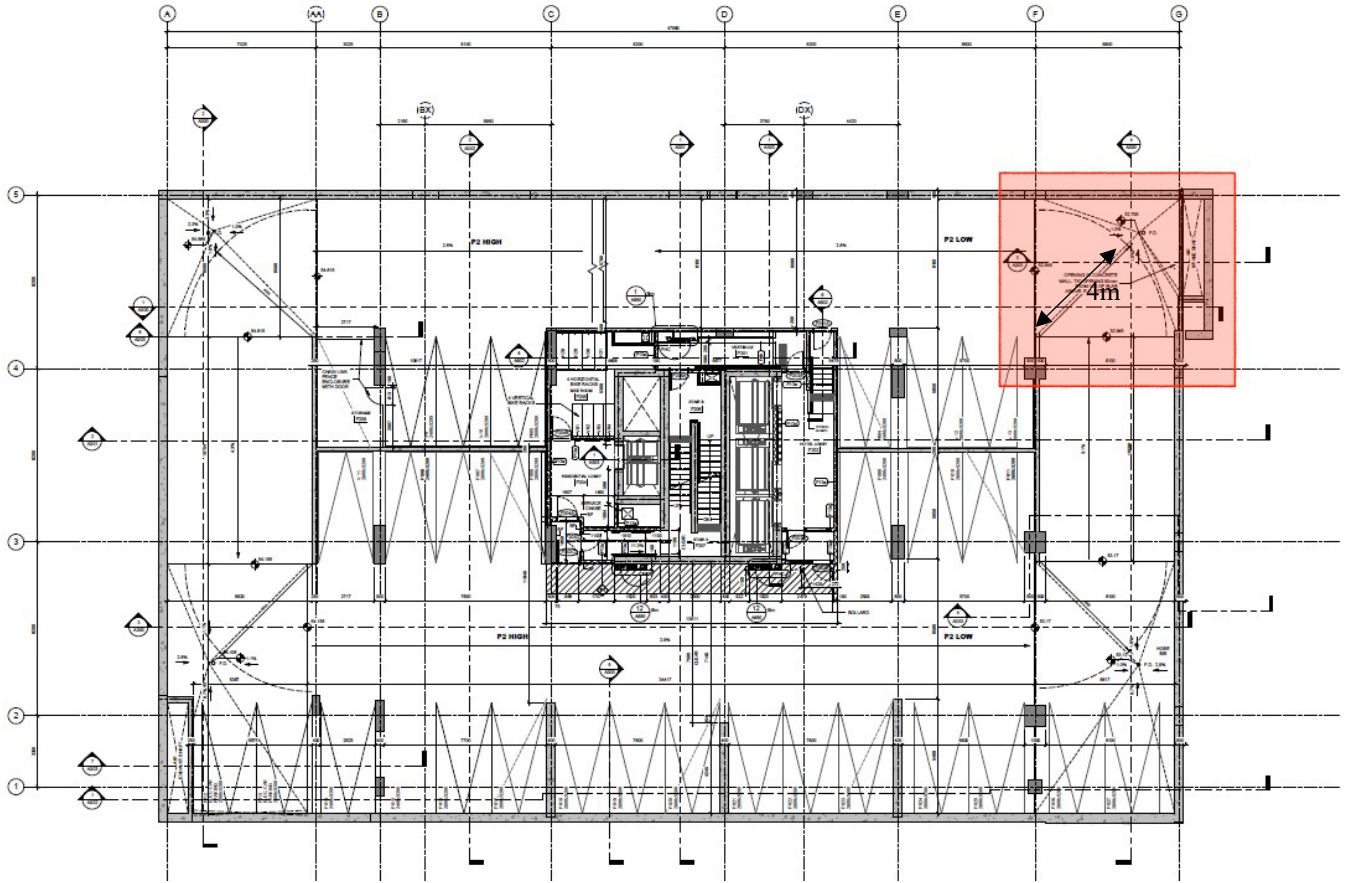


Figure 2 P2 floor plan with area requiring minor variance approval in red.

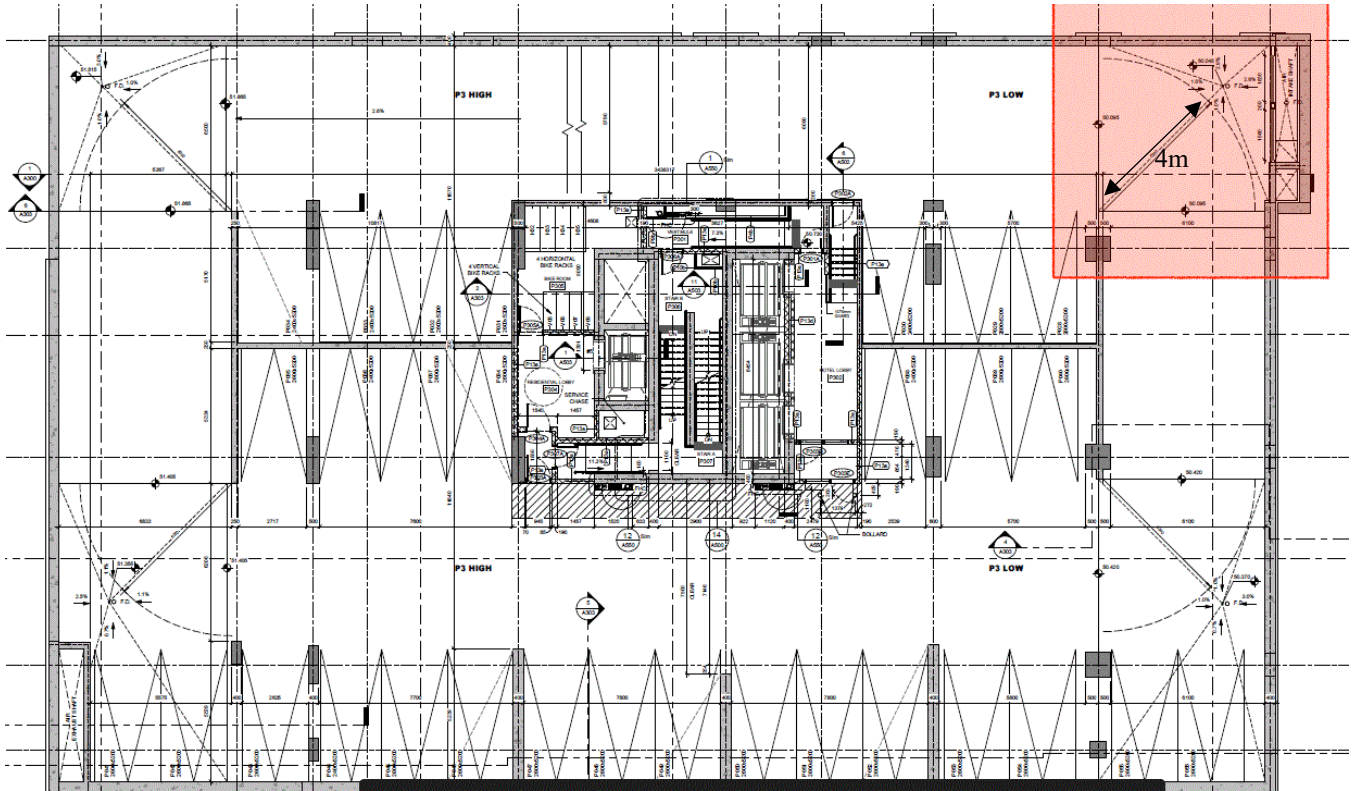


Figure 3 P3 floor plan with area requiring minor variance approval in red.

### 1.3 Proposed Severance

In order to facilitate the management of a hotel and residential rental facilities in the same building, the applicant requests the Committee's Approval of two (2) Strata Consent to Sever Applications

The purpose of the application is to create two separately conveyable entities for management/operational purposes as well as delineate the physical and effective separation of the hotel and residential components of the building through a strata severance plan. Multiple parts included with easements are required for building occupant use/access/connectivity, and servicing.

For reference, please refer to the submitted Strata Reference Plan and Part Summary Table for the proposed site severance. In general, the hotel use, associated parking and back-of house uses occupy the majority of the first 14-storeys, including the at-grade lobby, and parking levels 1, 2, & 3, whereas the residential component occupies a small portion of the lobby, the majority of P4, and tower storeys 15-24.

The mechanical penthouse, and roof above are fairly evenly split between the two entities.

Ownerships of the parts are not intended to be contiguous throughout the building. Some parts may not be connected with similarly owned parcels on certain levels and the easements are responsible for creating connectivity.

The requested Consents are summarized in the following table:

Table 1: Primary Consents Requested

<b>Application #1: Primary Consent for Hotel Property (shown in blue)</b>		
Consent Application #1	Retained	Severed
Parts on Plan 4R	1,2,3,4,7,8,14,19,20,21,22,23,25,26,27, 28,29, 30,31,32,33,34,35,37, 40	5,6,9,10,11,12,13,15,16,17,18,24,36,38, 39
Area (m <sup>2</sup> )	N/A	N/A
Frontage	N/A	N/A
<b>Required Easements</b>	<ul style="list-style-type: none"> <li>• Part 9: Roof top mechanical</li> <li>• Part 10: Service Elevator and Lobby</li> <li>• Part 11: Rental Lands – Bike Storage, Elevator, Residential Lobby/Suites, Garbage Chute etc.</li> <li>• Part 12: Drive Aisle Access to Sump Pits</li> <li>• Part 13: Drive Aisle Access to Sump Pits</li> <li>• Part 18: Walking Area from Stairwell B</li> <li>• Part 38: Corridor on 24<sup>th</sup> Floor</li> <li>• Part 39: Roof top mechanical</li> </ul>	
<b>Application #2: Primary Consent for Residential Property (shown in orange)</b>		
Consent Application #2	Retained	Severed
Parts on Plan 4R	5,6,9,10,11,12,13,15,16,17,18,24,36,38, 39,	1,2,3,4,7,8,14,19,20,21,22,23,25,26,27,28,29,30,31,32,33,34,35,37, 40
Area (m <sup>2</sup> )	N/A	N/A
Frontage	N/A	N/A
<b>Required Easements</b>	<ul style="list-style-type: none"> <li>• Part 1: Hotel Lands – Elevators, Corridors, Parking, Lobby Restaurant etc.</li> <li>• Part 2: Sump Pits</li> <li>• Part 7: Service Chase</li> <li>• Part 8: Stairwell A &amp; B, Vestibule and corridor</li> <li>• Part 14: Airwell</li> <li>• Part 19: Airwell</li> <li>• Part 20: Drive Aisle</li> <li>• Part 21: Drive Aisle</li> <li>• Part 22: Recycling and Garbage Room</li> <li>• Part 23: Recycling and Garbage Room</li> </ul>	

	<ul style="list-style-type: none"> <li>• Part 25: Hydro Vault</li> <li>• Part 26: Electrical Room</li> <li>• Part 27: Electrical Room</li> <li>• Part 28: Telecom Room</li> <li>• Part 29: Mechanical and Water Entry Room</li> <li>• Part 30: CACF Room</li> <li>• Part 31: Service Chase</li> <li>• Part 32: Amenities on Third Floor – Pool, Gym, Sauna etc.</li> <li>• Part 33: Roof Drains</li> <li>• Part 34: Service Chase</li> <li>• Part 37: Service Chase</li> <li>• Part 40: Mechanical and Electrical on the 25<sup>th</sup> Floor</li> </ul>
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The following table provides groupings for the proposed easements

Table 2: Groupings for proposed easements

<b>Grouping</b>	<b>Easement in favour of Hotel Property (Shown in Blue)</b>	<b>Easement in favour of Residential Property (Shown in Orange)</b>
Pedestrian access	<ul style="list-style-type: none"> <li>• Part 1: Hotel Lands – Elevators, Corridors, Parking, Lobby Restaurant etc.</li> <li>• Part 8: Stairwell A, Vestibule and Corridor</li> <li>• Part 22: Recycling and Garbage Room</li> <li>• Part 23: Recycling and Garbage Room</li> <li>• Part 32: Amenities on Third Floor – Pool, Gym, Sauna etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Part 9: Stairwell B, Vestibule and Corridor</li> <li>• Part 10: Service Elevator and Lobby</li> <li>• Part 11: Rental Lands – Bike Storage, Elevator, Residential Lobby/Suites, Garbage Chute etc.</li> <li>• Part 18: Walking Area from Stairwell B</li> <li>• Part 38: Corridor on 24<sup>th</sup> Floor</li> <li>• Part 39: Corridor on the 25<sup>th</sup> Floor</li> </ul>
Vehicular access	<ul style="list-style-type: none"> <li>• Part 20: Drive Aisle</li> <li>• Part 21: Drive Aisle</li> </ul>	
Servicing	<ul style="list-style-type: none"> <li>• Part 2: Sump Pits</li> <li>• Part 7: Service Chase</li> <li>• Part 25: Hydro Vault</li> <li>• Part 26: Electrical Room</li> </ul>	<ul style="list-style-type: none"> <li>• Part 12: Drive Aisle Access to Sump Pits</li> <li>• Part 13: Drive Aisle Access to Sump Pits</li> </ul>



	<ul style="list-style-type: none"> <li>• Part 27: Electrical Room</li> <li>• Part 28: Telecom Room</li> <li>• Part 29: Mechanical and Water Entry Room</li> <li>• Part 30: CACF Room</li> <li>• Part 40: Mechanical and Electrical on the 25<sup>th</sup> Floor</li> <li>•</li> </ul>	
Utilities	<ul style="list-style-type: none"> <li>• Part 14: Airwell</li> <li>• Part 19: Airwell</li> <li>• Part 31: Service Chase</li> <li>• Part 33: Roof Drains</li> <li>• Part 34: Service Chase</li> <li>• Part 37: Service Chase</li> </ul>	

Existing easements are presented in the following table

Table 3: Existing Easements

<b>Parts</b>	<b>Instrument</b>
1-40 (Inclusive)	Subject to easement, Inst. OC2376587.
4, 5, 12, 14, 15, 20, 22, 25 and 26	Subject to easement, Inst. OC2263858.
3 and 36	Subject to easement, Inst. N683553.
1, 2, 3, 6 to 11(Inclusive), 13, 16, 17, 18, 19, 21, 23, 24 and 27 to 40 (Inclusive)	comprise all of PIN 04214-0215.



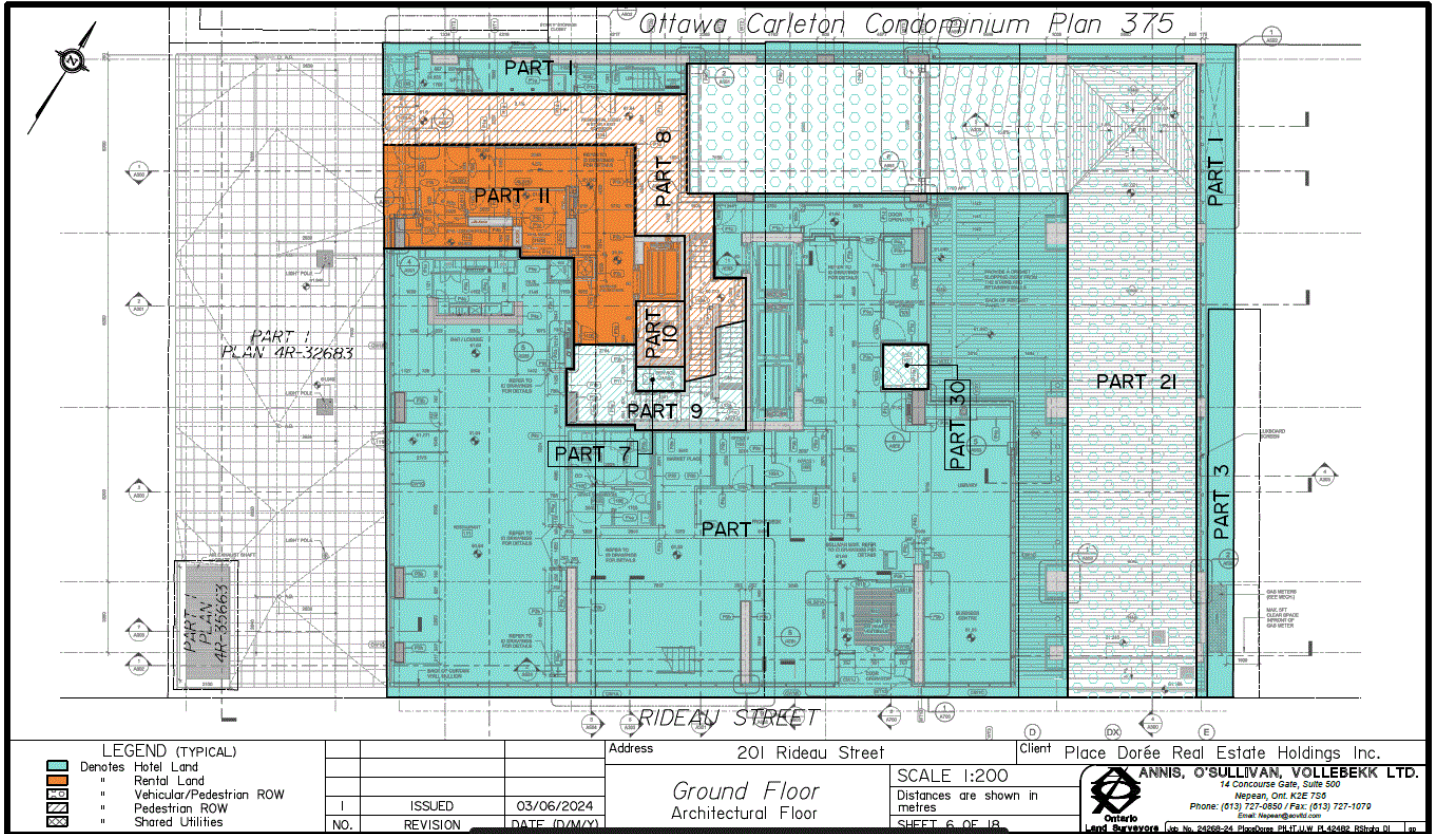


Figure 4 Ground floor colour coded severance plan.

## Site Context and Surrounding Area

### 2.1 Subject Site

The subject site, known municipally as 201 Rideau Street, is a rectangular lot, located in the Rideau-Vanier Ward (Ward 12). The site is located on the North side of Rideau Street between Dalhousie Street and Cumberland Street. The site features a frontage of approximately 39.97 metres along Rideau Street and a total area of approximately 1234.94 m<sup>2</sup>. The site is currently occupied by a 24-storey hotel and residential building with underground parking and a three (3) storey podium which is intended to commence operations imminently.

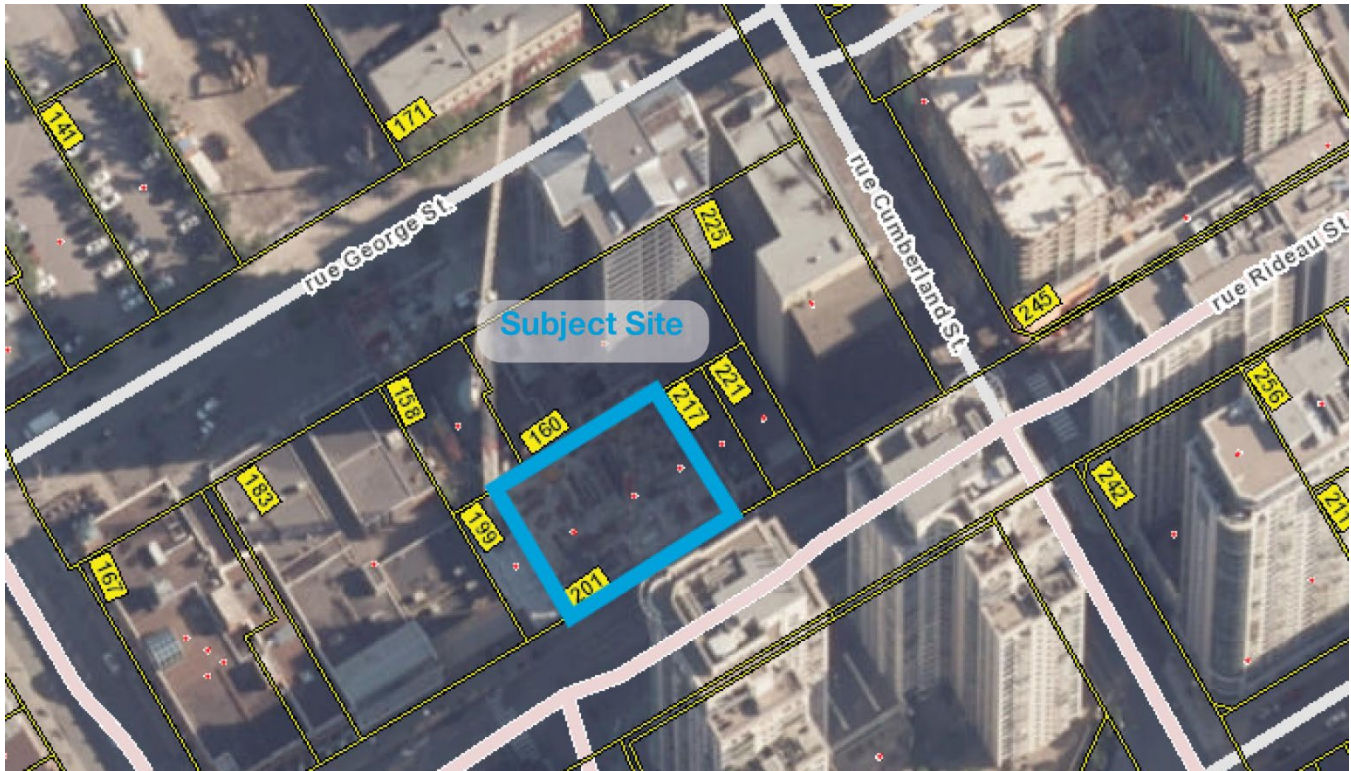


Figure 5: Aerial image of the subject site and surrounding area

The following is a description of the surrounding land uses:

**North** of the subject site along George Street is The St. George, a mixed-use 25-storey high-rise building with a two-storey podium extending from under the tower to the west. Further North across George Street is the Salvation Army Ottawa Booth Centre.

**East** of the subject site are two (2) two-storey commercial buildings along Rideau Street, followed by a 12-storey office/commercial building, the Department of National Defence's Cumberland Building. Further East along Rideau Street is the Claridge Royale which consists of a 26-storey condo tower, high-rise rental building and hotel.

**South** of the subject site across Rideau Street is the Claridge Plaza, a 25-storey development with two (2) hotel/residential towers and a single-storey podium with ground floor retail uses. Further to the South is the Sandy Hill neighbourhood featuring a mix of low-to-high rise residential and commercial uses.

West of the subject site are generally low-rise, mixed use buildings featuring retail at grade with offices, residential or commercial uses on upper floors. Further to the West are high-rise office and residential use buildings and the Rideau Centre and Château Laurier.

## 2.2 Road Network

The subject site fronts Rideau Street which is designated an Arterial Road on Schedule C5 of the City of Ottawa’s Official Plan (Figure 6). Arterial roads are intended to function as major corridors in the urban communities, accommodating multi-modal transit modes including vehicle, pedestrian, bicycle, and public transportation. Arterial roads are designed to meet the needs of these users through the provision, where appropriate, of sidewalks, cycling lanes, and transit stops.

The Waller Street Mall is located directly west of the subject site. This city owned land provides north-south pedestrian connectivity between Rideau and George Street.

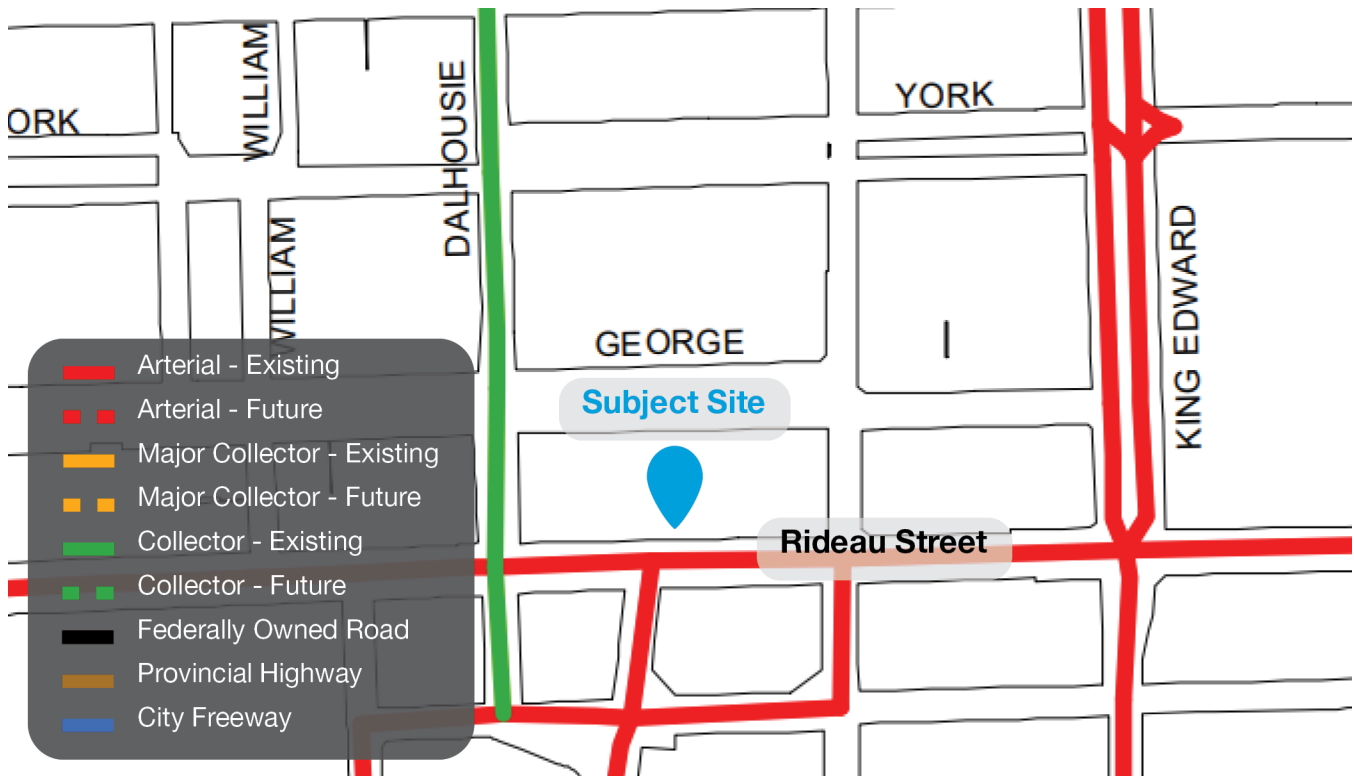


Figure 6: Schedule C5 - Downtown Core Road Network, City of Ottawa Official Plan

## 2.3 Transportation Network

The site is well serviced by transit, including several bus routes in proximity to the site along Rideau Street and Dalhousie Street. The site is approximately 400 metres East of the Rideau LRT station on the new Confederation Line.

OC Transpo serves the site with Routes 14, 12 and 7. Route 14 generally runs in an East-west direction in the Downtown Core then turns South on Elgin and Southeast past Charlotte Street. Route 12 runs in an East-west direction and travels past Tunney’s pasture West of Rideau Street and follows Montreal Road to the East. Route 7 runs in an East-west direction and turns South on Bank Street to the west and travels North to Beechwood Avenue to the East.



## 2.4 Neighbourhood Amenities

The site is located in an established area of the Byward Market with a wide range of uses listed below:

- / Retail, service commercial, and restaurant uses located primarily along Rideau Street, but also on George Street and other side streets within the Byward Market;
- / Major shopping and tourist destinations including the Rideau Centre, Chateau Laurier and the Byward Market;
- / Schools including the University of Ottawa, Francojeunesse Public Elementary School, York Street Public School and Sainte-Anne Catholic Elementary School; and
- / Community centres, parks and greenspaces including Major's Hill Park, Sir Wilfrid Laurier Park, Routhier Community Centre, Raphael Brunet Park, and the Sandy Hill Park and Community Centre.

## 3.0 Policy & Regulatory Review

### 3.1 Planning Act

The Planning Act is provincial legislation that empowers municipalities to engage in land use planning activities in Ontario. Sections 53(1), 53(12), and 51(24) of the Planning Act establish the criteria for the severance of land. As the proposal includes one severed lot and no public infrastructure, a plan of subdivision is not required for the orderly development of the lands. The proposed severance meets the criteria established in Section 51(24) of the Planning Act as follows:

**a) The effect of development of the proposed subdivision on matters of provincial interest**

The proposed Strata Consent application has regard for matters of provincial interest found in Section 2 of the Planning Act and is consistent with the policies of the Provincial Policy Statement (2024) by providing the operational requirements for both proposed uses within the urban area that will efficiently use the land, existing infrastructure, and public service facilities.

**b) Whether the proposed subdivision is premature or in the public interest;**

The building construction is nearly completed with hotel and residential occupancy imminent. The proposed Strata Consent allows the uses of the approved building to operate as intended in the urban area where municipal servicing is available. The building will be used for purposes established in the Official Plan and Zoning By-law, and the Strata Consent contributes to the housing & employment intensification goals of the City of Ottawa and the Government of Ontario. The hotel use supports the objectives of the By-ward Market Special District as a tourism destination for the city. The application is therefore not premature and is in the public interest.

**c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;**

The proposed Consent conforms with the policies of the City of Ottawa Official Plan (2022) and permits intensification within the Byward Market Special District designation within the Downtown Core Transect.

The Official Plan promotes concentrated growth in a pattern and density that supports transit, cyclist, and walking. The development will complement an existing mixed-use community and will support growth within the urban boundary where there is availability of existing infrastructure.

**d) The suitability of the land for proposes for which is to be subdivided;**

The Consent application proposes the severance for the purposes of current residential and employment development.

The existing Zoning and OP Designation permit a wide range of residential and non-residential uses on the site.

The building as constructed and intended to be operated has already received approval through the rigorous Site Plan Control review process.

- e) **The number, width, location and proposed grades and elevations of highways, and the adequacy of them;**  
The abutting roads are all publicly maintained and connected to the larger urban road network of the City of Ottawa. The building will have frontage on Rideau Street, George Street, and the Waller Street Mall.
- f) **The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the building and structures proposed to be erected on it and the restrictions, if any, on adjoining land;**  
The subject property is not subject to any easements or restrictive covenants that would restrict the proposed severance.
- g) **Conservation of natural resources and flood control;**  
The building has already been approved and built. The subject site is not located in a sensitive ecological area or in a floodplain. No adverse impacts are anticipated on natural resources and flood control.
- h) **The adequacy of utilities and municipal services;**  
The building has already been approved and built. The building will be serviced by existing Municipal services, including watermain and sanitary services as approved in the submitted site servicing plans and reports.
- i) **The adequacy of school sites;**  
The subject site is within proximity to existing public school sites.
- j) **The area of land, if any, within the proposed subdivision, exclusive of highways, is to be conveyed or dedicated for public purposes;**  
No land is proposed to be dedicated to the City.

**The proposed Consent satisfies the criteria in Section 51(24) of the Planning Act.**

### 3.2 Provincial Policy Statement (2024)

The Provincial Policy Statement (PPS- 2024) provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act, which includes the PPS.

The PPS came into effect October 20, 2024, and consolidates the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) into a more streamlined land-use planning policy for the Province of Ontario. The PPS provides policy direction for housing supply in the province, supporting development and alignment with infrastructure. It also provides policy direction on opportunities for job creation and economic development, increasing the supply of developable land, protections for the environment and natural resources, and protections for communities, resources, and properties from natural and man-made hazards.

The following PPS policies are applicable to the subject property, among others:

- 2.1.6 Planning authorities should support the achievement of complete communities by:
- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
  - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
  - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.
- 2.2.1 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:
- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
  - b) permitting and facilitating:
    1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
    2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
  - c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
  - d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.
- 2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:
- a) efficiently use land and resources;
  - b) optimize existing and planned infrastructure and public service facilities;
  - c) support active transportation;
  - d) are transit-supportive, as appropriate [...]
- 2.3.1.3 Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.
- 2.3.1.5 Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas
- 2.4.1.2 To support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned:
- a) to accommodate significant population and employment growth;
  - b) as focal areas for education, commercial, recreational, and cultural uses;

- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit [...]

2.4.1.3 Planning authorities should:

- c) permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;

2.4.2.2 Within major transit station areas on higher order transit corridors, planning authorities shall plan for a minimum density target of:

- b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit

2.8.1.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.

3.2.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

3.2.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

3.3.3 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.

**The proposed severance and minor variance to facilitate the development is consistent with the policies of the Provincial Policy Statement. It proposes an efficient, cost-effective pattern of development and capitalizes on an intensification opportunity within the City. This site possesses significant potential in an area where infrastructure, including new transit initiatives, and public service facilities are available and abundant.**

### 3.3 City of Ottawa Official Plan (2024)

The Official 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 how the city will accommodate this growth over time and set out the policies to guide the development and growth of the City.



### 3.3.1 Strategic Directions

The Official Plan proposes five (5) broad policy directions as the foundation to becoming the most liveable mid-sized city in North America over the next century. These moves include the following:

1. **Achieve, by the end of the planning period, more growth by intensification than by greenfield development.**  
Ottawa is projected to grow by 402,000 people by 2046, requiring 194,800 new households. The Official Plan assigns a 60 per cent share of future growth within Ottawa's existing built-up area by putting in place zoning and other mechanisms that avoid or delay further boundary expansions.
2. **By 2046, the majority of trips in the city will be made by sustainable transportation.**  
The mobility goal of the Official Plan is that by 2046, more than half of all trips will be made by sustainable transportation. 40 per cent of Ottawa's current greenhouse gas emissions are transportation related. Sustainable transportation options are fundamental to 15-minute neighbourhoods and vibrant communities.
3. **Improve our sophistication in urban and community design and put this knowledge to the service of good urbanism at all scales, from the largest to the very small.**  
A goal of the Official Plan is to contribute towards stronger, more inclusive and more vibrant neighbourhoods and Villages. The Official Plan introduces a transect approach to distinguish Ottawa's distinct neighbourhoods and rural Villages, resulting in policies that are better tailored to an area's context, age and function in the city.
4. **Embed environmental, climate and health resiliency and energy into the framework of our planning policies.**  
The Official Plan contains policies to encourage the evolution of neighbourhoods into healthy, inclusive and walkable 15-minute neighbourhoods with a diverse mix of land uses. It also includes policies to help the City achieve its target of 100 per cent greenhouse gas emissions reduction by 2050, its target of a 40 per cent urban forest canopy cover and to increase the City's resiliency to the effects of climate change.
5. **Embed economic development into the framework of our planning policies.**  
In the Official Plan, an economic development lens is taken to policies throughout. In the Plan, flexible land use designations are adaptable to changing economic conditions, new industries and ways of doing business. The Official Plan also supports a broad geographic distribution of employment so that people have the choice to work closer to where they live.

**The building was previously approved in alignment with the direction of Official Plan in place at the time. The building as constructed and intended to be used continues to promote the broader objectives of the newly approved Official Plan.**

### 3.3.2 Growth Management Framework

Ottawa's population is projected to grow by 40 per cent between 2018 and 2046. Much of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed. Within the Greenbelt, where most of the housing growth in the built-up area is expected to occur, new housing development will be both in the form of larger dwelling units and apartments.

Section 3 of the Official Plan outlines a growth management framework, which is premised on the ability to provide sufficient development opportunities and an appropriate range of choices, locating and designing growth to increase sustainable transportation mode shares and use existing infrastructure efficiently, while reducing greenhouse gas emissions.

The Official Plan notes that most growth will occur within the urban area of the City, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon. The City anticipates 93 percent of growth will be within the urban area, and 47 percent of that growth is to occur within the existing urban area as it existed on July 1, 2018 and 46 percent of that growth is within the greenfield portion of the urban area. Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located.

Policy 2 of Section 3.2 indicates that intensification may occur in a variety of built forms and height categories, from Low-rise to High-Rise buildings provided density requirements are met. Policy 3 continues this idea stating Residential

intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations. Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services.

**The approved and constructed building contains 208 Hotel rooms and 95 residential units in a high-rise built-form, supporting and aligning with the existing Official Plan direction here.**

### 3.3.3 Downtown Core Transect

Schedule A of the Official Plan divides the City into six (6) concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from the most urban (the Downtown Core) to least urban (Rural). The subject site is located in the Downtown Core Transect as shown on Schedule A.

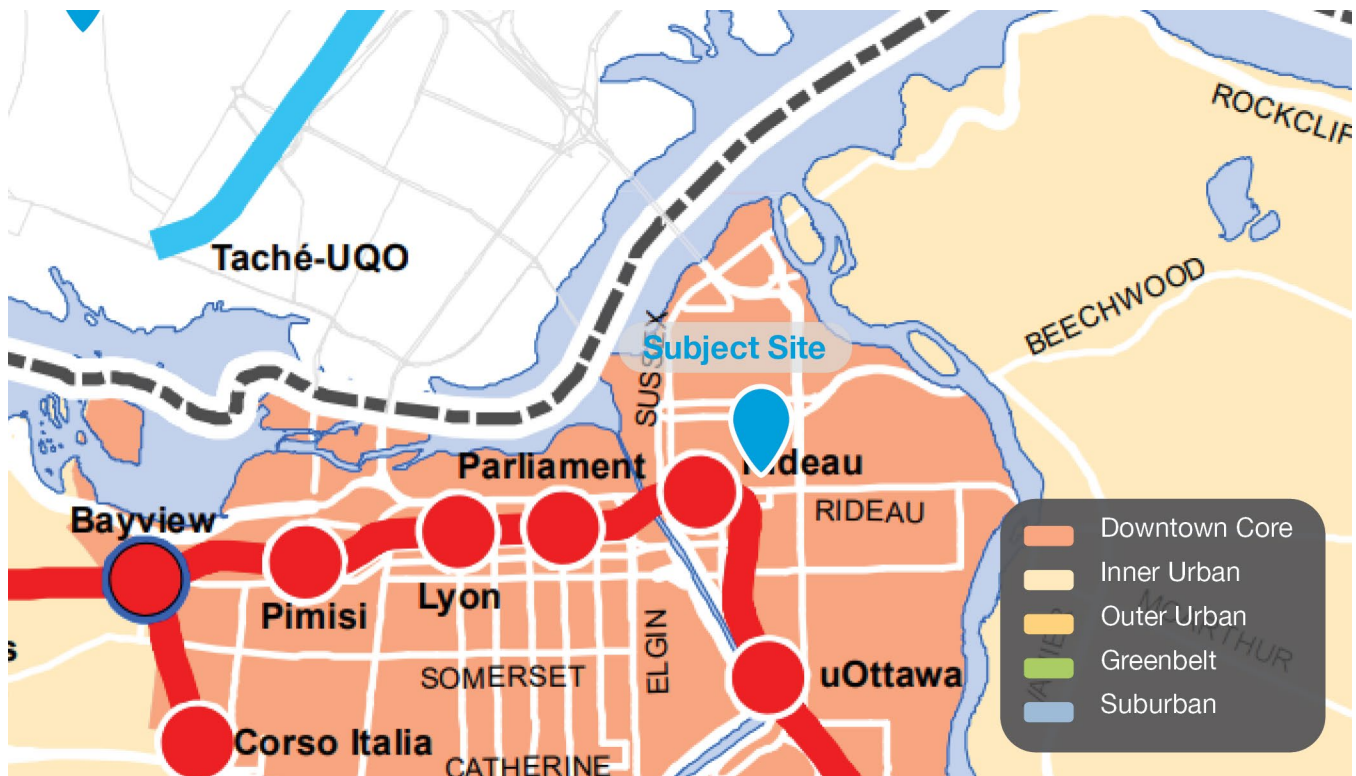


Figure 7: Schedule A - Transect Policy Areas, City of Ottawa Official Plan

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 shall continue to develop as a healthy 15-minute neighbourhoods within a highly mixed-use environment where hubs and a dense network of corridors provide a full range of services. The Downtown Core is planned for higher density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. The relevant designation policies speak to providing greater densities in line with the City's Growth Management Framework as well as permitting a range of uses in areas proximate to LRT stations.

**The proposed development is sensitively designed with respect to existing buildings in the area, including tower separation, urban features such as the Waller Mall, transit including the new Rideau LRT station, and proximity to urban commercial and tourist areas along Rideau Street and the ByWard Market.**

**The proposal strengthens the existing neighbourhood context and positively supports the local tourism economy, while also providing new housing on an underutilized site. The ground floor integrates with both Rideau Street and the Waller Mall to provide an improved pedestrian experience and a strong streetscape. Overall, the project meets the design objectives of the Downtown Core Transect of the Official Plan.**

### 3.3.4 By-ward Market Special District

The Official Plan denotes specific areas across the City which hold local, national, and international importance due to their historic, cultural, and design value. The policies of this section seek to protect and strengthen the identity of these spaces through area-specific policies directed towards new development, alterations, and public works project. The subject site is located in the ByWard Market Special District which is characterized by the historic and cultural importance as the oldest public market in Canada. The policies of this section pertain to the central market area, the early-Canadian housing found in the area, as well as the pedestrianized public realm by the district.

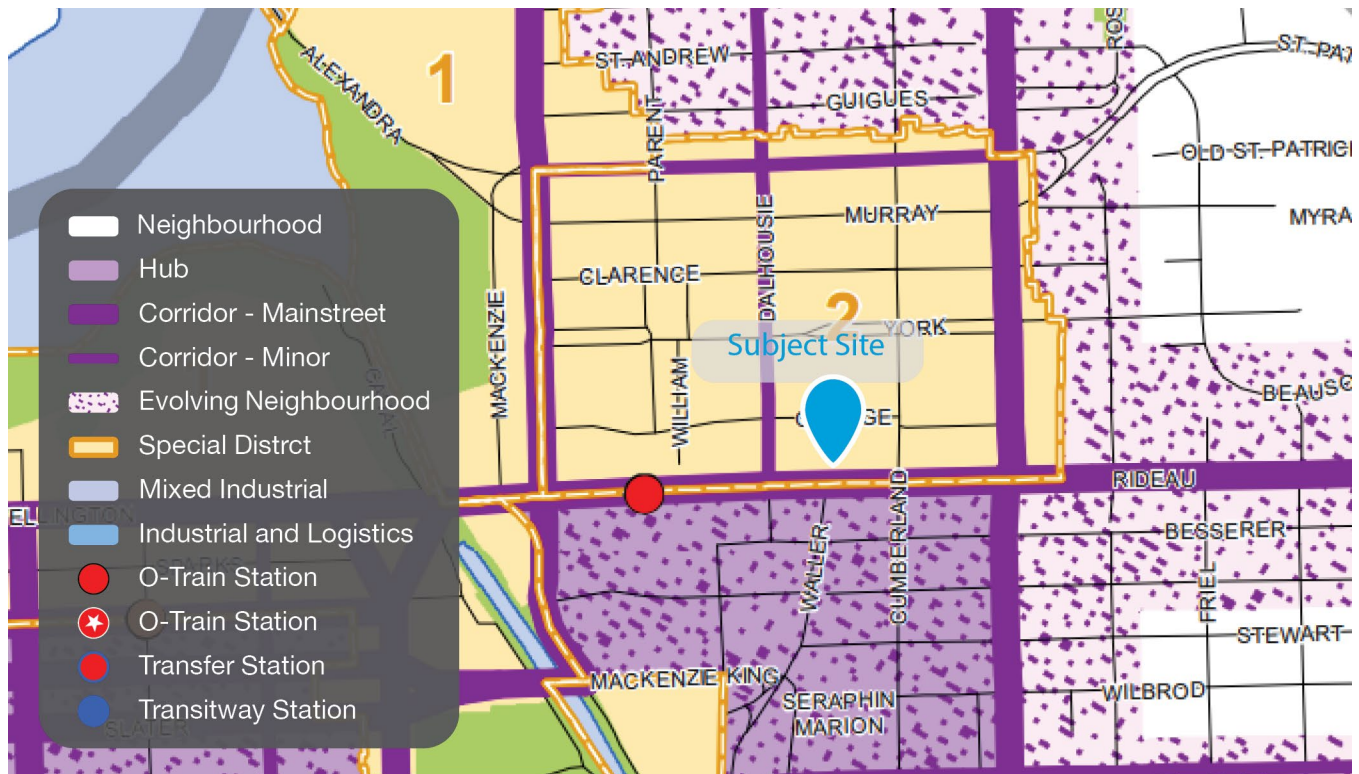


Figure 8 Site location within the ByWard Market Special District.,

The specific policies that relate to the development of the subject site are as follows:

- / 6.6.2.3(2) Transform the ByWard Market into a pedestrian first environment through the implementation of the Council-approved ByWard Market Public Realm Plan. In particular, the following aspects of the plan are to be implemented over time:
  - g) Promote tree planting and preservation to ensure the streets in the Market will have a leafy, green image.
- / 6.6.2.3(3)<sup>1</sup> Different parts of the ByWard Market Special District will express their character based on their roles and functions and the following policies, which are to be used to evaluate development applications:

<sup>1</sup> The City of Ottawa Official Plan, Volume 6, incorrectly denotes this policy as “6.6.2.3(2)” whereas it can more appropriately be numbered as “6.6.2.3(3)”.

- c) East of Dalhousie Street and south of St. Patrick Street, the planned function combines a higher density of development and buildings mainly focused on residential but welcoming mixed-land use with active frontages at the street level. Opportunities to extend the street animation and foot traffic generating uses eastward to King Edward Avenue will be pursued;
- / 6.6.2.3(4) Notwithstanding the Subsection 6.6.1, Policies 1 d) and e), the City shall maintain views of Parliament Hill and other national symbols, in accordance with Subsection 4.6.2, Policies 1) and 2) and in Schedules C6A, C6B and C6C.
- / 6.6.2.3(5) The conservation of cultural heritage resources will be supported in the following ways:
  - e) Development throughout the ByWard Market Special District within and outside of heritage conservation districts:
    - i) Will be sensitive to existing character through the use of architectural styles, expression and building materials that respect and reinforce the existing physical character, and may be the same as, and integrate with, those of the more prominent built elements of the Special District;
    - ii) Will have consistent front yard setbacks with the existing buildings within the associated streetscape; and,
    - iii) Should consider the articulation of the historic lot divisions in the façade of the new buildings be considered when development takes place across several property lines so that the buildings read as a combination of smaller elements.

**The building as approved and constructed adheres to the policy direction of the official plan, and the proposed severance and minor variance do not impact that.**

Policy 6 of Section 11.5 states that when considering an application, the Committee of Adjustment shall have due regard for the professional advice provided, including legal, planning, engineering, etc., and the Committee shall provide an explanation as to what effect the written and oral submissions it received had on the decision, if any.

**The proposed Strata Severance and Minor Variance applications conform with the policies of the City of Ottawa Official Plan, including the Special District designation and the policies in Section 11.5 which provide direction to the Committee of Adjustment.**

**The proposed development contributes to the vision of the Downtown Core Transect by providing context sensitive intensification that builds upon the existing neighbourhood context and contributes to the provision of housing intensification, expanding housing type and choice for future residents. The proposed variance will permit the operation of the uses proposed within the building making efficient use of land, resources and exiting infrastructure as directed by the Official Plan.**

### 3.4 Comprehensive Zoning By-law (2008-250)

The subject site is zoned Mixed-Use Downtown Zone, Schedule 82 (MD S82) in the City of Ottawa Comprehensive Zoning By-law 2008-250. The purpose of the MD zone is to support the Central Area designation as the central place in the region for employment and shopping while also allowing residential, cultural and entertainment uses. Under the MD zone, Rideau Street is intended to continue to serve as primary business or shopping areas with a distinct character. Development along Rideau Street is intended to be more intense, compatible and complementary to ensure the presence of an active, pedestrian-oriented environment at street level.

The MD zone permits a wide range of uses including hotel, and apartment dwelling mid to high-rise.

The building was constructed to be As-of-Right from a zoning conformance perspective. Aside from the minimum drive aisle width requiring relief, the existing development as constructed meets all the applicable performance standards as shown in the table below:

Table 4: Zoning Compliance

<b>Performance Standard</b>	<b>MD S82</b>	<b>Provided</b>	<b>Compliance</b>
<b>Minimum Lot Area</b> (Table 193)	No minimum	1234.94 m <sup>2</sup>	Yes
<b>Minimum Lot Width</b> (Table 193)	No minimum	39.97 m	Yes
<b>Minimum Front Yard Setback</b> (Table 193)	No minimum	0 m	Yes
<b>Minimum Interior Side Yard Setback</b> (Table 193)	No minimum	0 m	Yes
<b>Minimum Rear Yard Setback</b> (Table 193)	No minimum	0 m	Yes
<b>Maximum Building Height</b> (Schedule 82)	139.2-140 easl	Average Mean Grade: 61.9 easl	Yes
<b>Minimum Amenity Space</b> (Section 137)	6.0 metres per unit: 76 units x 6m = 456 m <sup>2</sup> Communal Area 50%: 228 m <sup>2</sup>	Private balconies: 392.8 m <sup>2</sup>  3 <sup>rd</sup> floor communal interior: 835 m <sup>2</sup>  3 <sup>rd</sup> floor exterior: 26 m <sup>2</sup>  Total: 1,253.8 m <sup>2</sup> Total communal: 861 m <sup>2</sup>	Yes
<b>Minimum Parking Spaces</b> (Section 101)	Area Z  Residential: 0 spaces (no parking required in Area Z) Visitor: 6 spaces (0.1 per dwelling unit, after the first 12 units.)  (76 units – 12 = 64 x 0.1 = 6.4 or 6 spaces)  Hotel: 0 spaces (no parking required in Area Z)	121 spaces provided  Visitor: 6 spaces  Hotel: 115 spaces	Yes
<b>Minimum Bicycle Parking</b> (Section 111)	Residential: 0.5 per residential unit = 38 spaces  Hotel: 1 space per 1,000 m <sup>2</sup> GFA = 9 spaces  Total: 47	99 interior + 10 exterior  Total: 109 spaces	Yes
<b>Minimum Drive Aisle Width</b>	6.0 metres	4.0 metres	<b>NO</b>



(Section 107)			
<b>Minimum Parking Space Dimensions</b> (Section 106)	Width: 2.6 metres  Length: 5.2 metres	Width: 2.6 metres  Length: 5.2 metres	Yes

## 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?

The following relief is required by way of minor variance permission from the Committee of Adjustmnet.

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?

As discussed above, the subject property is designated “ByWard Market Special District” on Schedule B1 (Downtown Core Transect) of the Official Plan. The Special District designation is intended to support low-rise housing and mid- to high-densities, promoted through compatible mixed-use environments.

#### **The proposed development adheres to and aligns with the policies and priorities set forth through the Official Plan.**

The relevant Special District policies do not outline specific drive aisle width permissions. However, the proposed development represents a compatible built form which facilitates additional densities in a manner which respects the overarching character of the ByWard Market Special District, including the surrounding heritage character and buildings.

The proposed development is also shown to align with the urban design policies of the Official Plan (Section 4.6). The proposed Severance & Minor Variance seek to allow for the development of a compatible high-rise apartment and hotel, of a similar character, massing, and height, to that of the surrounding area.

The front yard condition, building height, public realm interface, and landscaping conform to the policies of Section 4.6, representing a compatible form of intensification, while respecting the existing character and general form of infill development found within the City’s Downtown Core and Inner Urban Transects.

#### **The proposed Minor Variance and proposed use on the subject property seeks to facilitate the intensification of an existing serviced lot within the Downtown Core Transect in close proximity to a variety of services, transit, and employment.**

**The zoning relief is quite modest, impacting only very specific isolated areas within the parking garage and represents the establishment of a compatible and context-sensitive built form, recognizing the unique urban character of the ByWard Market and the accompanying Special District Policies.**

**The proposal was previously approved by the City of Ottawa through the rigorous Site Plan Control process, and as envisioned through the transect and designation policies, providing residential intensification and employment**

**opportunities in an area serviced by rapid transit and in close proximity to Hub and Corridor designations. The proposed Minor Variance therefore aligns with the goals and priorities of the Official Plan as it relates to facilitating increased densities in areas well-serviced by existing transit, amenities, and employment opportunities.**

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

As noted, the subject site is zoned Mixed-Use Downtown Zone, Schedule 82 (MD S82) in the City of Ottawa Comprehensive Zoning By-law 2008-250. Through providing for both residential and hotel uses, the proposal advances and aligns with the purpose of the MD zone as it supports the Official Plan designation as the central place in the region for employment, tourism, and shopping while also allowing residential, cultural and entertainment uses.

Under the MD zone, Rideau Street is intended to continue to serve as primary business or shopping areas with a distinct character. The proposed building along Rideau Street is intended to be more vibrant, compatible and complementary to ensure the presence of an active, pedestrian-oriented environment at street level.

The MD zone permits a wide range of uses including hotel, and apartment dwelling mid to high-rise.

**The requested relief from the drive-aisle width is minor. As discussed throughout, the By-law requires a minimum drive-aisle width of 6.0 metres, whereas, 4.0 metres is provided only in three isolated instances at the corner of the parking garage ramps leading to subsequent floors. Otherwise, the vast majority of the drive-aisle throughout the 4-stories of underground garage levels is fully compliant with the 6.0 minimum width required.**

**Efforts have been taken to reduce impacts of the reduced drive-aisle by proposing traffic control signage at each location.**

**The original site plan control approval was issued for this building under an as-of-right zoning framework and as such, all other zoning provisions are adhered to for this building including height, uses, setbacks, etc.**

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

The building is substantially complete and received Site Plan Control Approval in 2020. It will provide for much needed housing, employment, and tourism opportunities in this important hub of Ottawa.

The proposed development has already been approved through the appropriate planning application process and represents a mixed-use intensification of the lot aligning with direction of the PPS, Official Plan, and Zoning By-law. The mixed-use development will assist with the revitalization efforts on Rideau Street here and appropriately fit into the ongoing evolution of the area.

Further, policies within the Planning Act & 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;
- / Accommodating an appropriate range and mix of residential types;
- / 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 building is substantially completed and will be ready for occupancy in early 2025. The building received a full and thorough review and analysis during the site plan control process.**

**The proposed development makes efficient use of the land, and proposes a set of uses that is compatible with the existing character of the surrounding community, and positively contributes to provincial and municipal**



**intensification goals. The subject site's functionality will be increased for the current and future occupants. Overall, the proposed severance and minor variance is desirable for the development and use of the lands.**

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

The proposed development is consistent with all other provisions of the zoning by-law including the site's zoning, as well as other relevant provisions throughout the remainder of the by-law. Further, the requested reduction in drive aisle width applies only to three small, and isolated areas at the curve of the ramps interior to the parking garage while all other segments of the drive aisle throughout the four underground parking garage levels maintain a 6-meter width as required by the by-law.

**The proposed minimum drive aisle width decrease does not impact the ability to conform to the other provisions of the Zoning By-law and does not create any adverse impacts to adjacent properties and is appropriate for the neighbourhood.**

**Further, in discussions with the traffic engineer consultant for this site, signage for these three areas of reduced aisle width will be installed to direct traffic-flow and ensure any undue adverse impacts are mitigated or avoided altogether.**

**The non-compliance will be orderly and minor in nature.**

## 5.0 Conclusion

It is our professional planning opinion that the proposed Consent & Minor Variance Applications constitute good planning as follows:

- / They conform to the policies and objectives of the City of Ottawa's Official Plan;
- / They comply with the applicable zoning provisions of the City of Ottawa Comprehensive Zoning By-law; and,
- / They meet the criteria for approval of Minor Variance Applications as set out in the Planning Act.
- / They meet the criteria for approval of Consent Applications as set out in the Planning Act.

Should you have any questions related to the contents of this letter or the applications, please do not hesitate to contact the undersigned at: (613) 730-5709 ext. 243 or at [beed@fotenn.com](mailto:beed@fotenn.com).

Sincerely,



**Tim Beed, MCIP RPP**  
Associate, Planning



**Mark Ouseley, MES**  
Planner