

May 22, 2025

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

**RE: Application for Minor Variance**  
**531 Gilmour Street, Ottawa**

**Committee of Adjustment**  
Received | Reçu le

**Revised | Modifié le : 2025-05-22**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained to act as agent on behalf of the property owner of 531 Gilmour Street to submit the enclosed Minor Variance application to the Committee of Adjustment.

The subject site is currently occupied by a three-storey single-detached residential building. The proposed Minor Variance is required to vary Section 60 – Heritage Overlay to permit a vertical addition to the existing dwelling. While Section 60 prescribes that additions cannot exceed the height of the existing building or roof, this application seeks to exceed the height of the existing roof by 0.56 m. The variance has been assessed against the four tests of the Planning Act, and our determination is that it satisfies these tests and is therefore appropriate and in the public interest.

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

- / This cover letter rationalizing and explaining the application (1 copy);
- / Minor Variance application form (1 copy);
- / Site Plan and Building Elevation Drawings, prepared by Walker Home Design, dated May 13, 2025 full-sized and 1 reduced copy);
- / Survey Plan, prepared by Monument-Urso Surveying Ltd., dated May 5, 2025 (1 full-sized and 1 reduced copy);
- / Memo re: Tree Conservation, prepared by Fotenn Planning + Design, dated May 1, 2025 (1 copy); and,
- / Cheque in the amount of \$3,446.00 for the Minor Variance application fee.

Please contact the undersigned at [simpson@fotenn.com](mailto:simpson@fotenn.com) or with any questions or requests for additional material.

Sincerely,



Jillian Simpson, MCIP RPP  
Planner



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# 1.0 Background and Context

Fotenn Planning + Design (“Fotenn”) has been retained by the owner (the “Owner”) to prepare this Cover Letter in support of the Minor Variance applications for the subject site municipally known as 531 Gilmour Street in the City of Ottawa.

## 1.1 Subject Site

The subject site, municipally known as 531 Gilmour Street, is in the Somerset ward in the City of Ottawa, fronting onto Gilmour Street (Figure 1). The subject site has an area of approximately 190.94 square metres with approximately 8.23 metres of frontage along Gilmour Street, with an average lot depth of 23.18 metres. The subject site currently contains a three-storey single-detached dwelling, with a parking space and drive aisle to the rear and along the western side of the property, respectfully. The front yard is landscaped with raised planters and a small patio, with one small tree located on the property. The entrance to the building is accessible via Gilmour Street.



Figure 1: 531 Gilmour Street, subject site indicated.

Sidewalks are located on both sides of Gilmour Street, with street parking provided on the south side of the street. Elevated hydro distribution lines are present in the public right-of-way along the north side of Gilmour Street. The subject site is located approximately 900 metres to the Lyon Light Rail Transit (LRT) station to the north, and 600 metres to Trans-Canada Highway 417 to the south (on-ramp at Lyon Street currently closed for construction).

## 1.2 Surrounding Context



Figure 2: Site Context (clockwise from top left): Looking north on Gilmour Street towards subject site; Looking south on Gilmour Street; Looking west to intersection of Gilmour Street and Lyon Street North; Looking east down Gilmour Street.

**North:** Immediately north of the site is the rear yard of a residential unit with frontage on Lyon Street North. Further north is MacLaren Street, characterized by low-rise single- and semi-detached dwellings. This condition continues north to the intersection of Kent Street and Somerset Street West, across of which introduces mid- to high-rise building typologies that further north into the Downtown Core.

**East:** Immediately east of the site is a three-storey duplex. The low-rise condition continues east along Gilmour Street to Kent Street, across of which introduces mid-rise commercial buildings.

**South:** Immediately south of the site across Gilmour Street is a single-detached dwelling and the corner side yard of a low-rise townhouse dwelling fronting onto Lyon Street. This low-rise condition continues further south along Lyon Street to the Highway 417 on-ramp. The Glebe neighbourhood is located further south and comprised of a mix of residential and commercial uses.

**West:** West of the subject site is a converted low-rise apartment building with frontage on Gilmour and Lyon Streets. A low-rise residential condition continues west to Bronson Avenue. Further northwest, at the intersection of Bronson Avenue and Somerset Street West marks the beginning of Ottawa's Chinatown neighbourhood, a vibrant area characterized by a mix of residential, commercial and institutional uses.

## 2.0 Overview of Application

### 2.1 Proposed Development

The subject site is currently occupied by a three-storey residential building fronting onto the north side of Gilmour Street (Figure 3). The western side of the property features a parking space and drive aisle extending to the rear, with main building access from Gilmour Street. The front yard includes raised planters, a small patio, and one (1) small City-owned tree.

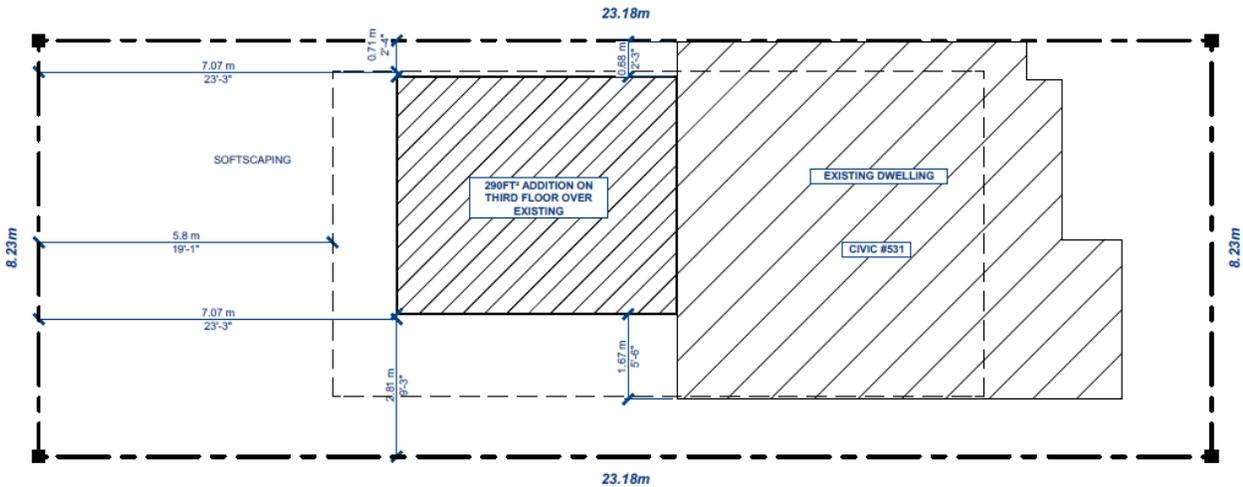


Figure 3: 531 Gilmour Street - Existing Condition

Per the below site plan (Figure 4), the proposed development includes the construction of a third-storey vertical addition to the rear of the building, with no change to the building footprint.

#### 2.1.1 Parking and Access

Parking and access will remain from Gilmour Street, with a single-lane driveway located along the western side yard and into the rear yard. A landscaped walkway extends from the sidewalk and up to the front stairs. The remainder of the front yard is landscaped with soft and hardscaping and raised planters.



**PROPOSED SITE PLAN**  
SCALE: 1:100



Figure 4: Site Plan of Proposed Development

**2.1.2 Built Form**

The addition is proposed at 2.78 metres, which will result in a three-storey built form and a total building height of 10.54 metres (Figure 5 & Figure 6, below). This addition is proposed in the rear portion of the existing building, above and within the footprint of the existing second storey such that it will be behind and set in from the existing pitched roof of the front portion of the dwelling which will remain unchanged and obscure the addition from view from the front. The exterior finishes will complement the existing built architecture, with aluminum fascia and composite siding proposed for the vertical addition, complimenting the existing red brick masonry veneer. The design of the addition incorporates large windows along the left and rear elevations to maximize natural sunlight within the interior spaces; in consideration of privacy, no windows are proposed along the right elevation.

**2.1.3 Landscaping and Tree Conservation**

There are no works or staging proposed in the front yard, and only temporary work in the rear yard for the construction of the addition. As such, the current landscaping conditions will remain.

There is one (1) City-owned tree located in the front yard. Per discussions with City of Ottawa Forestry staff, a Tree Information Report and Preservation Plan is not required as there are no trees located in the rear yard. A confirmation letter has been included in the submission package which supports this.

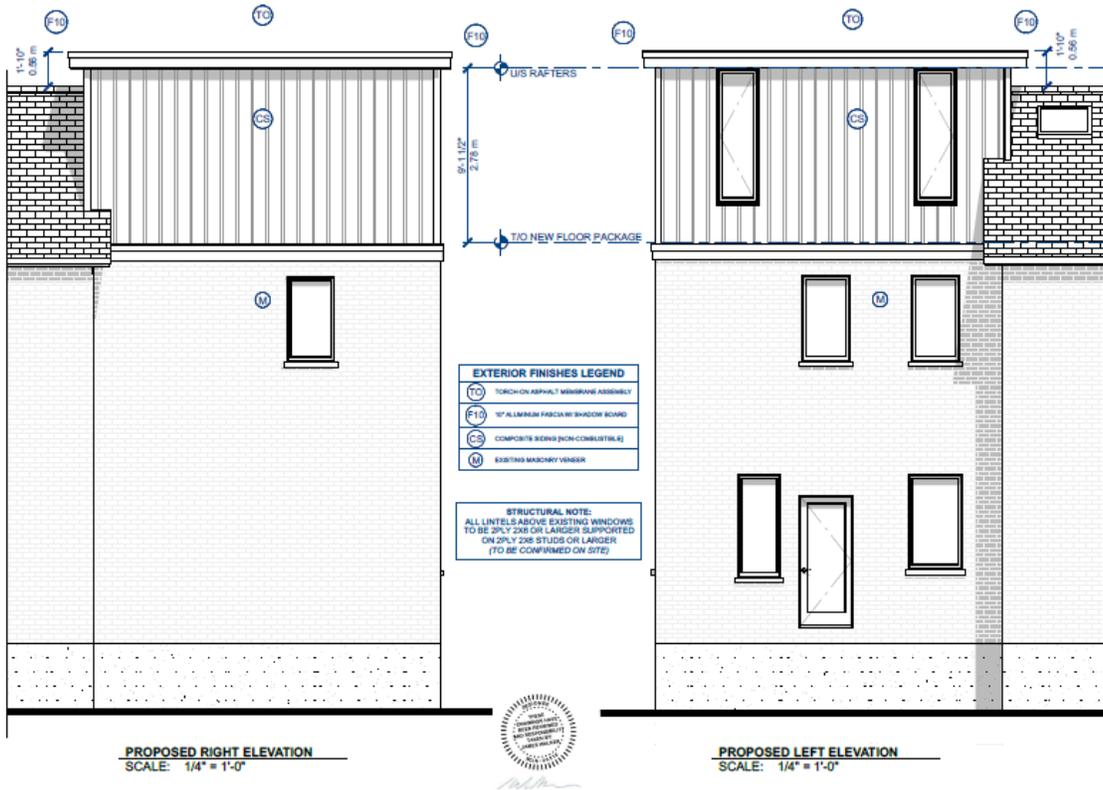


Figure 5: Proposed Right and Left Elevations

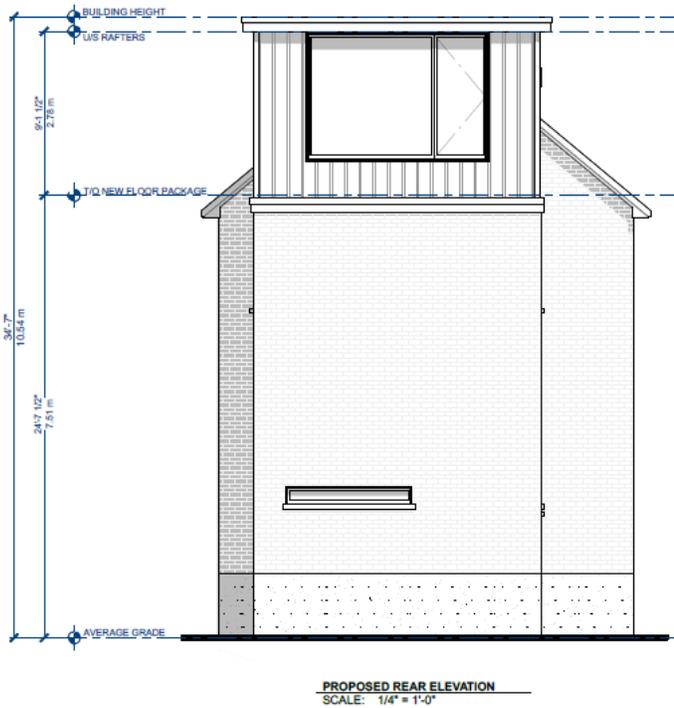


Figure 6: Proposed Rear Elevation

## 2.2 Proposed Minor Variance

The property is currently zoned “Residential Fourth Density Zone, Exception 733” (R4UD[733]). While complying with the applicable provisions of the R4UD zone, in order to proceed with the development, the following minor variance is required:

- / To permit the height of a rear addition within a Heritage Overlay to exceed the height of the existing roof by 0.56 m whereas Section 60 (3) (a) states that an addition to a building in an area to which a heritage overlay applies is permitted only if the height of the walls and the height and slope of the roof of the addition do not exceed those of the building.

An assessment of this variance 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 Planning Statement (October 2024)

Adopted on October 20, 2024, the Provincial Planning Statement (PPS) is a policy document issued under the Planning Act which 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”.

Policy 6 of Section 2.1 (Planning for People and Homes) requires planning authorities to support the achievement of complete communities by, among others, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open spaces, and other uses to meet long-term needs.

Policy 1 of Section 2.2 (Housing) expands on this direction, requiring planning authorities to provide for a range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by, among others:

- / Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents;
- / Permitting and facilitating all types of residential intensification, including redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
- / Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.
- / Requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors.

Policy 1 of Section 2.3.1 continues the previous PPS policy that settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in “strategic growth areas,” which include lands along corridors with frequent transit service. Within settlement areas generally, land use patterns should be based on densities and a mix of land uses which:

- / Efficiently use land and resources;
- / Optimize existing and planned infrastructure and public service facilities;
- / Support active transportation; and
- / Are transit-supportive.

Policy 1 of Section 2.4.3 (Frequent Transit Corridors) requires that planning authorities plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.

Policy 2 of Section 3.6 states that municipal water and sanitary servicing are the preferred form of servicing for settlement areas, continuing the policy direction from the current PPS. Policy 8 states that stormwater management shall be integrated with planning for sewage and water services and ensure that systems are optimized.

**The proposal, a vertical addition to an existing residential dwelling, is consistent with the above noted policies of the PPS (2024). More specifically, the proposal seeks to modestly expand an existing residential dwelling located within the City of Ottawa’s urban area, adjacent to a Minor Corridor (Lyon Street), allowing for the logical and efficient use of existing services and roads.**

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

The Official Plan for the City of Ottawa came into effect on November 4, 2022. The Plan provides a framework for development in the City 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 sets out the policies to guide the development and growth of the City.

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.

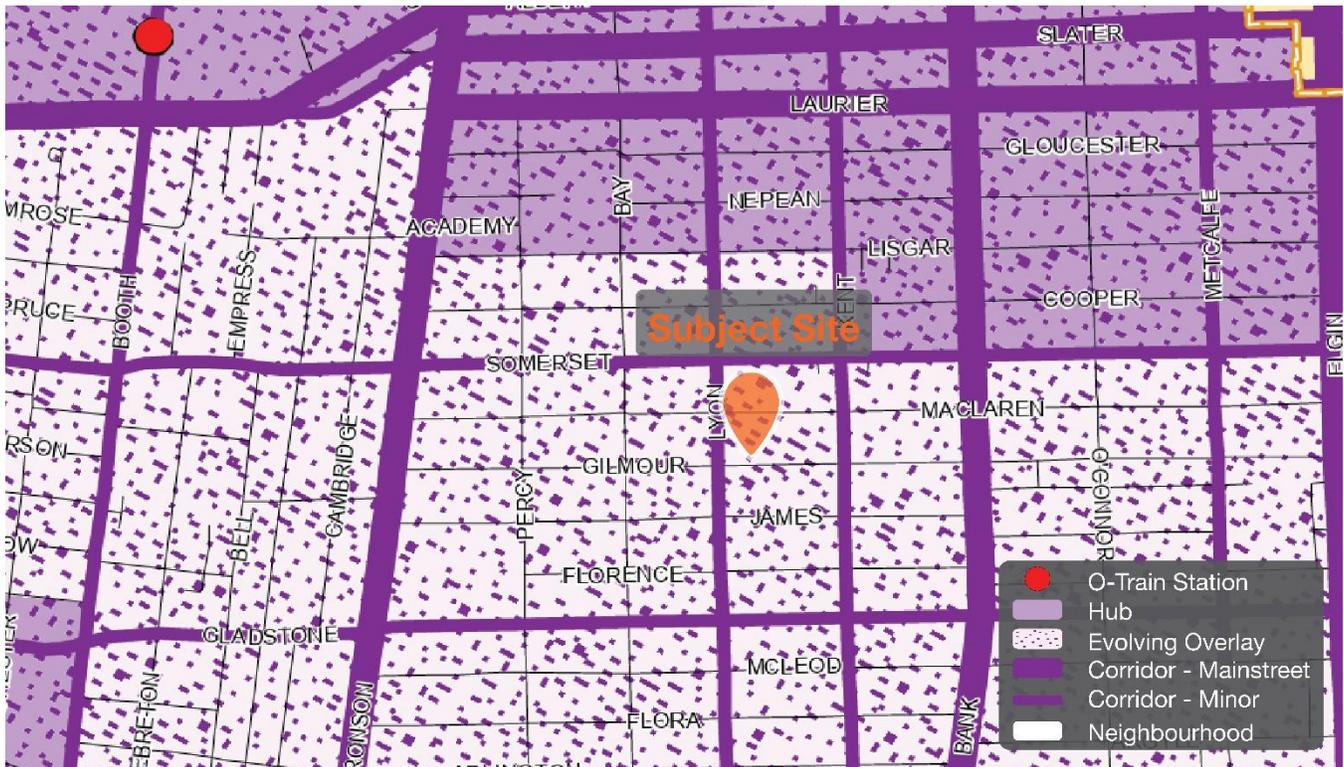


Figure 7: Schedule B2– Downtown Core Transect, City of Ottawa Official Plan, subject site indicated.

#### 3.2.1 Downtown Core Transect

The subject site is located within the Downtown Core Transect of the Official Plan (Figure 7), which includes a mature built environment whose urban characteristics of high-density, mixed uses and sustainable transportation orientation are to be maintained and enhanced.

- / As identified in Policy 1 of Section 5.1.1 of the Official Plan, the City supports the continued development of the Downtown Core as healthy 15-minute neighbourhoods within a highly mixed-use environment, where:
  - o Hubs and Corridors provide a full range of services;
  - o Existing and new cultural assets are supported; and,
  - o Residential densities are sufficient to support the full range of services.
  
- / In addition, 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 garage. Policy 5.1.2.3

prohibits new automobile-oriented land uses and development forms (i.e. automobile service stations, dealerships, surface parking lots as a main use of land).

### 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 5.1.5, Neighbourhoods located in the Downtown Core shall accommodate residential growth to meet the Growth Management Framework. The Zoning By-law shall implement the density thresholds in a manner which adheres to the following:
  - a) Permitting 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 6.3.1.5, the Zoning By-law will distribute permitted densities in the Neighbourhood by:
  - a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;

### 3.2.3 Evolving Overlay

An Evolving 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.

**The proposed minor variance maintains the general intent and purpose of the Official Plan. The proposed vertical addition would increase the height of a portion of the building to three (3) storeys; this is within the envisioned maximum height range of the Neighbourhood designation of four (4) storeys. The addition has been designed in a compatible manner which intensifies the site while considering impacts to adjacent uses. The Evolving Overlay is applied to the subject site, indicating the area is subject to gradual change in both built form and density, such as that proposed herein.**

## 3.3 Central and East Downtown Core Secondary Plan (2022)

The Central and East Downtown Core Secondary 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.

### 3.3.1 Section 2 – Land Use Designation

The subject site is designated as “Local Neighbourhood” on Schedule B – Land Use Plan of the Central and East Downtown Core Secondary Plan (Figure 8). Local Neighbourhoods are primarily residential. They may include small-scale commercial and institutional uses that are meant primarily to support local residents’ everyday needs. The maximum building height for the subject site is low-rise (4 storeys).

**The proposed residential use is in keeping with the Secondary Plan’s land use designation of ‘Local Neighbourhood’ for the subject site. The proposed vertical addition to the existing three (3) storey residential building will result in a partial three (3) storey-built form; this is consistent with the maximum building height of four (4) storey for the subject site. The residential use and three-storey building height are also similar to those of nearby existing and proposed developments in all cardinal directions.**



Figure 8: Schedule B – Designation Plan, Central and East Downtown Core Secondary Plan, subject site indicated.

#### ***Heritage (Section 4.4.7)***

The intent of the heritage policies for the Centretown Character area is to ensure the most significant aspects of Centretown's heritage are protected, maintained and celebrated. They aim to ensure that, where redevelopment occurs, the design and landscaping of new buildings will be sensitive and complementary to the character of neighbouring heritage assets and consistent with existing heritage plans and policies.

**The proposed redevelopment includes the construction of a vertical addition to the existing single-detached dwelling. The addition, proposed at the rear of the building, is sensitive to the existing neighbourhood character by framing the addition behind the projection of the roof, minimizing its presence along the public realm. A review of existing neighbourhood character also indicates there are several similar vertical additions in the general vicinity of the subject site.**

Notwithstanding the above comments, it is important to note that despite the Heritage Overlay Zoning Provisions that are sought to be varied by this application, lands that are subject to this overlay do not have any heritage attributes that result in protection under the Ontario Heritage Act unless they have been designated under Parts IV or V of the act. It is for this reason that the new City of Ottawa Zoning By-law will not include a replication of the existing Heritage Overlay zoning.

#### ***Housing (Section 4.4.8)***

The population of Centretown is expected to rise in the decades ahead, and a key objective of this Character Area Sub-section is to ensure there is a broad range of housing choices for existing and future residents.

**The proposed addition to the existing single-detached dwelling will allow the residential use to continue on site.**

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

The subject site is currently zoned “Residential Fourth Density Zone, Subzone UD, Urban Exception 733” (R4UD[733]) in the City’s Comprehensive Zoning By-law (2008-250) (Figure 9). Residential Fourth Density zoning is intended 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;
- / 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; and,
- / 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.

**A low-rise residential building of under four storeys is permitted within and follows the intent of the applicable R4UD zoning.**



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

Zoning By-law Exception 733, applicable to the subject site, permits an additional use of a dwelling unit, and prohibits a rooming house. Further, a bed and breakfast is limited to a maximum of three (3) guest bedrooms.

The Mature Neighbourhoods Overlay applies to the subject site. The Overlay includes zone provisions intended to ensure that new infill development complements and reinforces the established neighbourhood character as seen along each street. As per Section 140 of the By-Law, the Mature Neighbourhoods Overlay generally regulates

development or additions within the front or corner side yard through the completion of a Streetscape Character Analysis. Pursuant to Section 140 (3b), the proposed addition to the existing residential building is not subject to a Streetscape Character Analysis, as the addition is vertical in nature and does not abut the front yard or corner side yard.

The Heritage Overlay also applies to the subject site. This Overlay includes zoning provisions intended 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.

Section 60 of the Zoning By-law addresses Additions within the Heritage Overlay:

(3) 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:

(a) the height of the walls and the height and slope of the roof of the addition do not exceed those of the building.

The Minor Variance application intends to vary the Heritage Overlay provision noted above for the subject site to permit the vertical addition as proposed. As noted above, recent amendments to the Ontario Heritage Act are such that the Heritage Overlay has effectively been determined not to have regulatory significance as the City of Ottawa has instead been required to expand the range and scope of individual designations in order to provide protection under the Act. As a result, the draft City of Ottawa Zoning By-law will cease to continue the Heritage Overlay.

Table 1 below evaluates the proposed development against the applicable zoning provisions, confirming that the subject site can adequately accommodate the development.

Table 1: Zoning Provisions

<b>R4-UD Provision</b> (Detached Dwelling)	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
<b>Minimum Lot Width</b> [Table 162A]	7.5 metres	8.23 metres	<b>Yes</b>
<b>Minimum Lot Area</b> [Table 162A]	225 square metres	190.84 square metres	<b>Legally non-conforming</b>
<b>Minimum Front Yard Setback</b> [S.144(1)(a);(d)]	Front yard setback must align with the average of the abutting lots' corresponding yard setback abutting the street but need not exceed minimum required in the ZBL.  Average Setback: ~3.4 metres R4-UD Min.: 4.5 metres	2.29 metres	<b>Legally non-conforming</b>
<b>Minimum Interior Side Yard Setback</b> [S.144(2)(a)]	1.2 metres total / 0.6 metres one side	2.71 metres (west) / 0.62 metres (east)	<b>Yes</b>
<b>Minimum Rear Yard Setback</b> [Table 144A(i)]	Lot depth 23.5 metres or less = 25% of lot depth  23.18m x 25% = 5.79 metres	5.8 metres	<b>Yes</b>
<b>Minimum Rear Yard Area</b> [S.144(3)(a)]	Must comprise at least 25% of the lot area	Complies	<b>Yes</b>

<b>R4-UD Provision</b> (Detached Dwelling)	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
	Total lot area: 190.84m <sup>2</sup> Minimum rear yard area: 190.84m <sup>2</sup> x 25% = 47.71m <sup>2</sup>		
<b>Maximum Building Height</b> [Table 162A]	11 metres	10.84 metres	<b>Yes</b>
<b>Section 60 – Additions</b> [S.60(3)(a)]	<p>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:</p> <p>(a) the height of the walls and the height and slope of the roof of the addition do not exceed those of the building;</p> <p>(b) In Areas A, B, and C on Sched. 1,</p> <p>(i) The side yard setback of the addition is at least 60 m greater than the of the wall of the existing building located closest to the side lot line</p> <p>(ii) It is located entirely within the rear yard, or in the interior yard abutting the rear yard setback</p> <p>(c) it is not located within a front yard.</p>	<p>Addition exceeds height of existing roof by 0.56 metres.</p> <p>Addition is setback 0.7 m from the existing building at the nearest side</p> <p>Addition is located in rear yard.</p> <p>Addition is located in rear yard.</p>	<p><b>No – Variance is required</b></p> <p><b>Yes</b></p> <p><b>Yes</b></p> <p><b>Yes</b></p>
<b>Parking Requirements</b> (Area X) [S.101(3)(a)]	No parking required.	Complies	<b>Yes</b>
<b>Landscaping Requirements</b> [S.161(8)]	Lot of less than 450 square metres in area: Not required	Complies	<b>Yes</b>

The proposed addition would not comply with the following provisions of the Zoning By-law:

- / the height of the walls and the height and slope of the roof of the addition exceeds those of the existing building by 0.56 metres.

For this reason, a Minor Variance application is submitted to seek relief from this provision. A detailed discussion of the proposed variances and how they meet the four (4) tests of a Minor Variance under Section 45(1) of the Planning Act is included in Section 4 of this Cover Letter.

## 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:

- / Is it in keeping with the general intent and purpose of the Official Plan?
- / Is it in keeping with the general intent and purpose of the Zoning By-law?
- / Is it desirable for the appropriate development or use of the land, building or structure?
- / 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” with an Evolving Overlay on Schedule B1, Downtown Core Transect, of the City of Ottawa’s Official Plan. The Neighbourhood designation is intended to support housing in a compact, mixed-use environment. The minimum permitted built height is 2 storeys and up to 4 storeys to accommodate higher-density low-rise residential development. The intent of this designation is to ensure new infill is functionally and aesthetically compatible and contributes to the towards the reduction of reliance on private vehicles while furthering the establishment of 15-minute neighbourhoods. The Neighbourhood designation directs denser low-rise uses to areas that are supported by transit, well-served by community amenities, and located within the Evolving Neighbourhood Overlay. Further, the subject site is designated “Local Neighbourhood” on Schedule B, Designation Plan, of the Central and East Downtown Core Secondary Plan, with a maximum permitted height of four (4) storeys and as discussed above, the heritage policies do not apply to the subject lands given recent amendments to the Ontario Heritage act.

**The request to vary a provision within the Heritage Overlay would allow for the proposed 0.56 metre vertical addition, which adheres to the form and context contemplated in both “Neighbourhood” and “Local Neighbourhood” designations within the Official Plan and Central and East Downtown Core Secondary Plan, respectively. Both designations aim to ensure new infill is functionally and aesthetically compatible. The proposed 3-storey height of the rear portion of the residential building upholds the intent of the Official Plan and Secondary Plan to maintain a low-rise built form.**

**Through the vertical addition to the existing building, no additional parking is proposed to be added, with only one (1) vehicle parking space to remain in the current condition, as supported by the Official Plan. The applicable Evolving Overlay anticipates higher density forms of infill being introduced into this neighbourhood over time, such as that currently proposed.**

**The proposed minor variance maintains the general intent and purpose of the Official Plan.**

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

The subject site is zoned “**Residential Fourth Density Zone, Subzone UD, Urban Exception 733**” (R4UD[733]) in the City of Ottawa’s Comprehensive Zoning By-Law. The purpose of the R4UD zone is to allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings. In order to facilitate the vertical addition as proposed, the proposal requires relief from a provision within Section 60 – Heritage Overlay, which requires the height of the walls and the height and slope of the roof of the addition does not exceed those of the existing building.

The intent of the Heritage Overlay is to provide an additional layer of protection for the property and character of the area, setting out a variety of requirements for new additions and new construction in heritage areas. However, as discussed, this section of the Zoning By-law is no longer grounded in any official legal authority given recent amendments to the Ontario Heritage Act. The requested variance would allow for the construction of a third-storey vertical addition to the existing single-detached dwelling, where wall heights and the height and slope of the roof will surpass the peak of the existing roof by 0.56 metres, for a total building height of 10.54 metres, which falls well within the maximum height of 11 metres for the subject site. The proposed development will not require relief from any other By-law provisions as the functional building footprint will not be changed resulting from this proposal. Notwithstanding the facts relative to the Ontario Heritage Act, the efforts to locate the addition in the rear portion of the existing dwelling where it is set in from the side walls and partially obscured from view lines from the streetfront, where similar building heights and designs are present, is such that it can be said to fulfill the general intent and purpose of the Zoning By-law.

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

The proposed development consists of the construction of a vertical addition of XX metres to the existing single-detached dwelling to permit a three (3) storey low-rise built form in the rear half of the building. As noted previously, the project is consistent with the intended function of the R4UD zone. The policies of the Downtown Core Transect of the Official Plan and “Local Neighbourhood” designation of the Central and East Downtown Core Secondary Plan promote intensification and encourage low-rise residential dwellings where they can be accommodated and fit within the local context. 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;
- / accommodating an appropriate affordable and market-based 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
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

**The proposed development makes more efficient use of the land in a functional site layout. The continued residential use is compatible with the existing neighbourhood context, capitalizing on existing municipal infrastructure and services, and positively contributing to provincial and municipal intensification goals. The variance to permit the vertical addition 0.56 metres above the existing building will not generate undue impacts on the broader neighbourhood. Overall, the proposal is desirable for the development and use of the lands.**

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

The request to vary Section 60 – Heritage Overlay for the subject site does not preclude the ability of the proposal to meet all other requirements in the Zoning By-law, allowing the lot to develop in a manner consistent with the built form of the surrounding neighbourhood. The streetfront images on pages 4 and 5 illustrate that the apartment to the west and the dwelling across the street to the south both exhibit similar heights and roofline characteristics where flat roof third storey elements exist behind two-storey pitched roof front sections. Adhering to all other provisions under the R4UD zone, the request to vary the Heritage Overlay to permit the vertical addition to extend only 0.56 m beyond the existing roof while being set in from the sides of the existing building is such that it will be very difficult to perceive from the street and does not create any undue adverse impacts to adjacent properties.

**The variance to portion of Section 60 – Heritage Overlay is therefore considered minor.**

## 5.0 Conclusion

It is our professional opinion that the Minor Variance described herein meets the Four Tests under Section 45 (1) of the Planning Act and result in a development proposal which represents good planning principles and is in the public interest. The variance allows for the expansion of a compatible, low-rise residential form that contributes positively to the housing supply and the public realm. This report recognizes the following:

- / The proposal is consistent with the Provincial Planning Statement (2024);
- / The proposal conforms to the policies and objectives of the “Downtown Core Transect” and “Neighbourhood” designation within the City of Ottawa Official Plan;
- / The proposal conforms to the policies and objectives of the “Local Neighbourhood” designation within the Central and East Downtown Core Secondary Plan; and,
- / The requested Minor Variance satisfies the tests for Minor Variances established in Section 45(1) of the Planning Act.

Should you have any questions or comments, please do not hesitate to contact the undersigned.  
Sincerely,



Jillian Simpson, MCIP RPP  
Planner



Brian Casagrande, MCIP RPP  
Partner