



July 24, 2025

Ms. Krista Libman

Secretary-Treasurer  
Committee of Adjustment  
City of Ottawa  
101 CentrepoinTE Drive  
Ottawa, ON, K2G 5K7

Dear Ms. Libman,

Reference: Minor Variance Application for **122A Osgoode Street, Ottawa ON K1N 6S2**

Committee of Adjustment  
Received | Reçu le

**Revised | Modifié le : 2025-07-25**

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

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**Open Concept Home Design** has been retained to file application for a minor variance on behalf of **Nizar Ayoub**, the property owner, to facilitate the construction of a new 3-storey, residential addition to an existing mixed use building. As well, renovations to the existing building will create a total of 6 residential apartment units. The subject property is legally described as **Part of Lot 17, Registered Plan 25223** of the City of Ottawa. The property is located on the south side of Osgoode Street near King Edward Avenue within Rideau-Vanier Ward 12.

The subject property has a lot area of 251.23 m<sup>2</sup>, a depth of 33.53 m, and a frontage of 7.36 m along Osgoode Street. The property is designated as General Urban Area on Schedule B of the City of Ottawa Official Plan, and is zoned **LC1[2263]** in the City of Ottawa Comprehensive Zoning **By-law Sections 189-190 (Table 189-LC Zone), area A on schedule 342**. The immediate surrounding neighbourhood consists of low to mid density development in the form of varying residential and commercial buildings.

*\*Please note, this application was adjourned from the June 17, 2025 hearing as it was determined that new minor variances for front and side yards of the existing building are also required. The proposal is to keep the existing building and add an addition to the rear.*

## **Project Description**

The proposed project will convert the existing three-storey commercial / residential building to 2 residential apartments. The front façade of the existing worn down building will be restored, while the interior will be structurally reinforced and converted to 2 new residential apartment units. A proposed 3-storey addition at the rear of the existing building will incorporate 4 new apartment dwellings including a basement unit. The proposed building envelope will be comprised of four, 2 bedroom and two bachelor apartments for a total of 6 apartment units.

The building will be of standard wood framed construction with a restored brick veneer front elevation with the remaining elevations constructed with composite wood siding and exterior finishes tying into the original exterior details of the building.

## **Minor Variance Application**

The purpose of this application is to seek relief from provisions of Zoning By-law Sections 189-190 (Table 189-LC Zone), as they relate to the proposed 3-storey residential building to include the following variances:

### Minor Variance 1:

**By-law Section 189-190 (Table 189-190) Area A schedule 342**, to permit a reduced rear yard setback of **6.19m**, whereas the By-law requires a minimum rear yard of **7.5m**.

### *Minor Variance 2-4 of reduced front and side Yard Setbacks of the existing building:*

### Minor Variance 2:

**By-law Section 189-190 (Table 189-190) Area A schedule 342**, to permit a reduced interior side yard setback of **0.61m (left – east)**, whereas the By-law requires a minimum interior side yard of **1.2m**.

### Minor Variance 3:

**By-law Section 189-190 (Table 189-190) Area A schedule 342**, to permit a reduced interior side yard setback of **0.0m (right – west)**, whereas the By-law requires a minimum side yard of **1.2m**.

### Minor Variance 4:

**By-law Section 189-190 (Table 189-190) Area A schedule 342**, to permit a reduced front yard setback of **0.0m**, whereas the By-law requires a minimum front yard of **3.0m**.

Minor Variance 5:

**Heritage Overlay (Section 60)**, to permit a proposed building height of **10.66m**, whereas Section 60 of the Heritage Overlay requires that the roof height of the proposed addition does not exceed the roof height of the existing building measured from the mid point of the existing gable roof. This is a dimension of **9.09m**.

Minor Variance 6:

**Heritage Overlay (Section 60)**, to permit a projection of concrete steps on both interior side yards of the proposed addition allowing for entry and egress of the building.  
By-law 2020-289 (section 65) does permit these projections, however Heritage Overlay (Section 60) does not.

The existing mixed use, commercial / residential building at 122A Osgoode Street is currently vacant and in poor physical condition. There are existing staircases and ceiling heights within the building that do not meet current minimum building code standards. The proposed project will update the existing building envelope while adding the 3-storey residential addition to the rear.

The request for relief of the existing rear yard setback will allow for a design that includes 6 units within the 3-storey building envelope. The proposed apartment units all require a second means of egress and fire rated enclosed corridors and stairways. These measures require a greater footprint within the building. The extra length provided by the reduced rear yard setback will allow for these measures, as well as functioning floor plans of the apartment units.

The minor variances requested for the front and side yards is to simply allow for the conditions of the existing building (front and side yards) to remain.

The request for reduced building height conforms to the **Heritage Overlay**. The proposed flat roof of the addition is lower than the peak of the existing gable roof, however the measurement is required to be taken from the midpoint height of the existing roof, not the peak.

The proposed flat roof height is 1.84m lower than what the zoning By-law Section 189-190 (Table 189-190) allows for.

The minor variance request for steps into both interior side yards will allow for access to and from the building. While the zoning by-law allows for these projections, the Heritage Overlay (Section 60) does not.

Note: A heritage permit is not required for this project.

## **Minor Variance 4 Point Test:**

### **1. Are the variances minor?**

We believe that the above minor variance request is minor as it is a request for a single variance of reduced rear yard setback. The additional 1.31 meters of building length will allow for a total of 6 dwelling units within the proposed 3-storey building. These units will then have sufficient floor area and functioning design layouts.

We are requesting permission to allow the front and side walls of the existing building to remain. Our proposal is to restore the exterior of the existing building, while adding residential apartment units within the building as well as to the rear with a new addition.

### **2. Are the variances desirable for the appropriate development or use of the property?**

The proposed building is desirable for the appropriate development or use of the property in the LC1[2263] zone as it will improve the appearance and physical conditions of the existing building while providing living accommodations of 6 dwelling units.

The proposed residential building will be a vast improvement over the existing mixed-use building in several ways. The proposal has a smart design incorporating form and space with an abundance of natural light. With applied current building code standards the proposed building will be both structurally and architecturally sound.

The property is relatively long and narrow. Our design accommodates the required 1.2m side yard for both sides of the proposed addition. This will provide a less imposing structure while allowing for sufficient windows (unprotected openings) on all three elevations of the addition.

The proposed addition will barely be visible from Osgoode Street.

The installation of premium level insulation and vapour barrier, a quality window and door package and high efficient appliances will ensure a high grade energy efficiency for the building structure.

Allowing for the front and side elevations of the existing building to remain will ensure that the appearance of the building will remain. The proposal is to restore the existing front elevation.

### **3. Is the general intent and purpose of the Zoning By-law maintained?**

The proposal does meet the intent of the Zoning By-law as the design is being applied to the existing property. The proposed is a residential building of 3-storeys which shows an efficient land use and is compatible with similar developing land use patterns in the neighbourhood. The proposed building will consist of four, 2 bedroom apartment units and two bachelor style apartment units.

The property is in an area of the Rideau-Vanier ward which is a developing infill community in design and construction of new and renovated residential buildings.

The proposal for height of the building and projections into the interior side yards do meet the intent of the zoning by-law as well as the Heritage Overlay. The proposed rear addition and side entry steps will not be easily viewed from Osgoode Street.

#### **4. Is the general intent and purpose of the Official Plan maintained?**

Section 3.6.1 – General Urban Areas of the Official Master Plan speak to the versatility and malleability of housing typologies, dependant on occupant's evolving needs and lifestyles.

This proposal meets the intent of infill II as the proposed residential building is considerate of the surrounding environment, both natural and manmade as the architectural design is not imposing to the property. This will be achieved while at the same time meeting the cities needs of increasing intensification of properties in the neighbourhood.

While most of the proposed dwelling layouts are below 850 sq.ft. (78.9 m<sup>2</sup>) in size, the floor designs are efficient with an open concept design in mind.

As well, sufficient soft landscaping in the rear yard with the absence of vehicle parking on the property blends with official plan objectives.

Thank you for your consideration of this application. Please do not hesitate to contact me if you require any additional information.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Niels Luetge', with a stylized, cursive script.

Niels Luetge

Open Concept Home Design  
BCIN 36502

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