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N45 ARCHITECTURE INC.

January 28, 2026

City of Ottawa
Committee of Adjustment
4th Floor, 101 Centrepoint Drive
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Committee of Adjustment
Received | Reçu le

2026-02-05

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: **Kendra Becking**

**Re. Minor Variance Application - 5431 Fernbank Road
(SAP Application in progress D07-12-25-0141)**

Dear Mrs Becking,

As per the latest comments from the City staff, we are submitting for a Minor Variance for the reduction of the front yard setback for the above-noted project.

	Drawing/Document/Report Name	Date
01	Application Form	27.01.2026
02	Cover Letter	28.01.2026
03	Tree Conservation Report	27.11.2025
04	Topographic Survey Plan	13.07.2023
05	Architectural Site Plan (Dwg A001)	28.11.2025
06	Architectural Elevations (Dwg 201)	25.11.2025
07	Application Fee (has been paid)	

Planning Rationale – Minor Variance Application

Property: 5431 Fernbank Road, Ottawa

Proposal: Minor variance to permit reduced front yard setback for upper storeys of proposed secondary school building

PARTNERS:

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Introduction

The Applicant is seeking relief under Section 45(1) of the *Ontario Planning Act* to permit a localized reduction in the required front yard setback for a proposed secondary school at 5431 Fernbank Road. The zoning by-law requires a minimum front yard setback of **7.5 metres**.

The proposed school building fully complies with the required setback at grade. However, an architectural feature forming part of the building's corner articulation projects into the required setback at the second and third storeys, resulting in a reduced setback of **4.75 metres**. The encroachment is limited in scope and represents approximately **14 m²** of gross floor area, or approximately **0.1% of the total building gross floor area of 14,730 m²**. The requested relief satisfies the four tests of Section 45(1) of the *Planning Act*, as outlined below.

Test 1 – Is the Variance Minor?

The requested variance is considered minor in both quantitative and qualitative terms.

Quantitative Minor Nature

The encroachment:

- Is limited to **14 m²** of floor area;
- Represents approximately **0.1% of the total building gross floor area**;
- Occurs only at the second and third storeys;
- Maintains full compliance with setback requirements at grade.

The limited magnitude of the projection results in a negligible change to overall building massing and does not materially affect the streetscape or spatial separation from Fernbank Road.

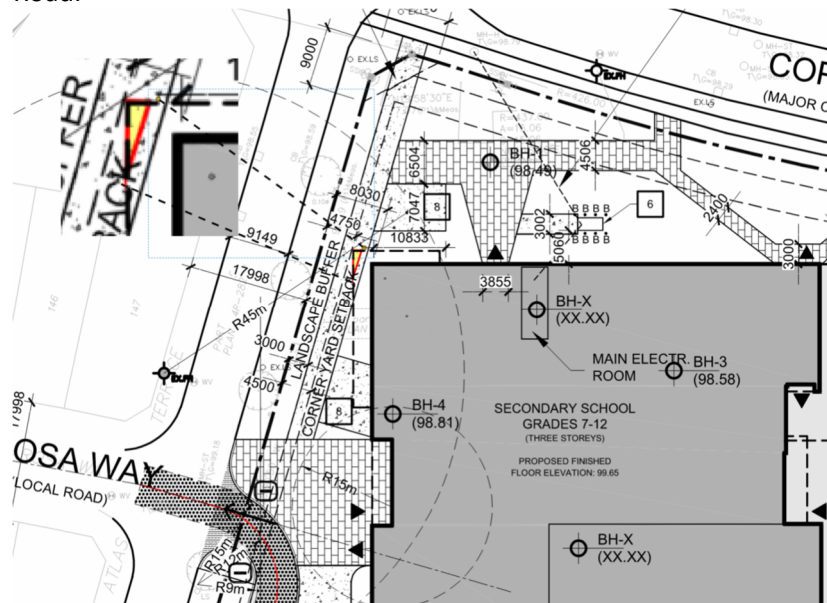


Figure 1

Qualitative Minor Nature

The variance does not:

- Impact pedestrian safety or vehicular sightlines;
- Affect functional school operations;

- Create overlook or privacy concerns;
- Affect access, servicing, or emergency operations.

The building continues to maintain a strong and consistent street presence that aligns with the intended urban design character of institutional development along Fernbank Road. Accordingly, the requested relief is minor in nature.

Test 2 – Is the Variance Desirable for the Appropriate Development or Use of the Land?

The variance is desirable as it facilitates high-quality institutional design while supporting the functional and architectural objectives of the proposed school.

Architectural Articulation and Urban Design

The upper-storey projection forms part of a deliberate architectural feature marking a prominent corner of the building. The articulation:

- Breaks down the perceived massing of a large institutional building;
- Creates visual interest and improved building identity;
- Enhances wayfinding and entry definition;
- Supports a pedestrian-scaled streetscape presence.

Functional Design Benefits

The architectural feature contributes to internal programmatic efficiency and allows the building to achieve:

- Optimized internal circulation and classroom layout;
- Efficient use of building area while minimizing building footprint;
- Improved student experience through enhanced spatial organization.

Site Planning Considerations

Maintaining the full setback at grade preserves:

- Landscape buffering;
- Streetscape continuity;
- Safe pedestrian and vehicle interface;
- Opportunities for site planting and stormwater management.
-

The variance therefore supports appropriate and desirable institutional development.

Test 3 – Does the Variance Maintain the General Intent and Purpose of the Zoning By-law?

The general intent of the front yard setback provisions is to:

- Ensure adequate spatial separation between buildings and the public right-of-way;
- Maintain consistent streetscape character;
- Provide opportunities for landscaping and buffering;
- Protect public safety and sightlines.

The proposal maintains these objectives because:

- The required setback is fully maintained at grade level;

- Landscaping and buffering opportunities remain intact;
- The encroachment is limited to upper floors and does not alter pedestrian or vehicular interface with the street;
- The majority of the building mass respects the zoning envelope.

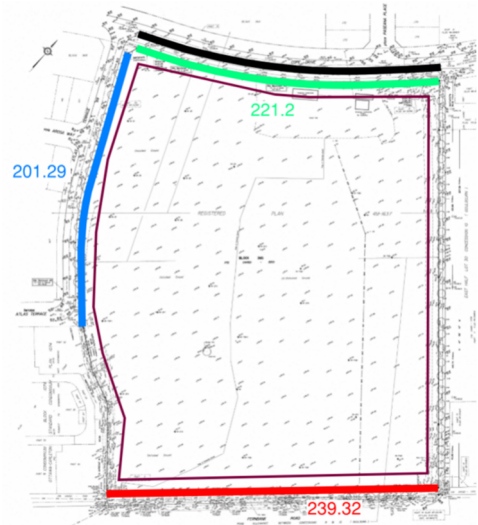


Figure 2

Based on the interpretation of the above noted definitions, Figure 2 represents the layout of the required yards. The required yard setbacks for this I1A zoned property are as follows:

Front Yard	7.5m
Corner Yard	4.5m
Interior Side Yard	7.5m
Rear Yard	7.5m

Lot line configuration for this property is complex and the layout that is presented above is valid from the strict interpretation of the zoning by-law. However, we feel that the spirit and the intent of the by-law is to look at the overall geometry of the site. The rectangular shape of the property certainly presents Cope Drive and Fernbank Road as the “shortest” lot lines and therefore we feel that Cope Drive should be considered as the front lot line



The zoning intent of providing separation and maintaining streetscape consistency is preserved. The proposal represents a localized and minimal adjustment that does not undermine the zoning framework.

Test 4 – Does the Variance Maintain the General Intent and Purpose of the Official Plan?

The Official Plan supports:

- Development of community-serving institutional facilities;
- High-quality architectural design;
- Efficient use of land and infrastructure;
- Creation of attractive, pedestrian-oriented environments.

The proposed school advances these objectives by:

- Delivering a needed educational facility serving the growing community;
- Incorporating architectural articulation that enhances building quality and visual interest;
- Supporting compact and efficient site planning;
- Maintaining a landscaped and pedestrian-friendly interface with Fernbank Road.

The minor projection at upper storeys represents thoughtful architectural design rather than expansion of building footprint or intensification of land use. The proposal therefore conforms to the policy direction of the Official Plan.

Conclusion

The requested minor variance meets all four tests of Section 45(1) of the *Planning Act*:

- The variance is minor in scale and impact;
- The variance is desirable for the appropriate development of the land;
- The variance maintains the general intent and purpose of the zoning by-law;
- The variance maintains the general intent and purpose of the Official Plan.

The proposal represents a well-designed, community-serving institutional development that contributes positively to the built environment along Fernbank Road. For these reasons, approval of the requested minor variance is appropriate and represents good planning.

I trust this responds to all your concerns. Please do not hesitate to contact us if you have any further questions.

Regards,

Vladimir Popovic
Partner

