

November 20, 2025

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

**RE: Application for Minor Variance
100 Argyle Avenue, Ottawa**

Committee of Adjustment
Received | Reçu le

2025-11-21

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Colonnade Bridgeport ("the Owner") has retained Fotenn Planning + Design ("Fotenn") to prepare and submit this Minor Variance application for the property municipally known as 100 Argyle Avenue in the City of Ottawa (the "subject site").

The intent of the Minor Variance application is to seek relief from the site-specific height limit, which establishes a maximum building height of 38 metres, whereas the building in question is 38.1 metres in building height. As well, the Owner wishes to add indoor amenity space and a washroom to the rooftop of the building to complement the existing outdoor amenity space and provide year-round amenity space for residents, despite the definition of a "storey" in the Zoning By-law.

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

- / Application Form;
- / This cover letter explaining the nature of the application (1 copy);
- / Architectural materials:
 - Site Plan;
 - Elevations;
 - Roof Plans;
- / In lieu of a Tree Information Report (TIR):
 - Tree Conservation Report prepared by GJA Inc., dated December 22, 2021;
- / Survey: Surveyor's Real Property Report: Part 1, Plan of Lot 3 and Part of Lot 4, Registered Plan 30, City of Ottawa, prepared by Annis, O'Sullivan, Vollebakk Ltd. (AOV) dated July 24, 2018.

Please contact the undersigned at nahal@fotenn.com with any questions or requests for additional material.

Sincerely,



Tamara Nahal, MCIP RPP
Planner



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FOTENN

1.0 Introduction

Fotenn Planning + Design (“Fotenn”) has been retained by Colonnade Bridgeport (“the Owner”) to prepare a Planning Rationale in support of a Minor Variance for the property municipally known as 100 Argyle Avenue (the “subject site”).

The intent of the Minor Variance is to permit an increase in the maximum building height in metres, as indicated by the site-specific height limit and to permit indoor rooftop amenity space and associated accessible washroom.

The height increase is required to rectify an issue discovered during construction, whereby the site’s re-grading for construction raised the average grade, and resulted in a building height with a total of 38.1 metres, whereas the maximum permitted height is 38 metres. A minor variance is requested to increase the maximum permitted building height from 38 to 38.3 metres. The additional 20 centimetres is being requested out of an abundance of caution for any unknown issues, such as but not limited to, further refinement of building grading, materiality that may increase the building height, etc, in an effort to avoid any future required Minor Variances.

The rooftop indoor space will include only communal space; no private or residential spaces are proposed. Due to the zoning by-law definition of a storey, any enclosed indoor space is considered a “storey”. Out of an abundance of caution, we are seeking a minor variance to permit 54 square metres of communal indoor amenity space and 11 square metres for a communal washroom. Due to the definition of “amenity”, the washroom would not be considered amenity space. The indoor rooftop amenity space will enable the amenity space to be usable year-round, as compared to the outdoor rooftop amenity space. The washroom will support both the outdoor and indoor amenity space.

1.1 Application History

The subject site is subject to the following previous applications, which were approved at City Council on April 14, 2021:

- / Official Plan Amendment (OPA) #252, file # D01-01-18-0011, implemented with By-law 2021-121;
- / Zoning By-law Amendment (ZBLA), file # D02-02-18-0103, implemented with By-law 2021-122, confirmed in full force and effect May 12, 2021; and
- / Application to Alter 100 Argyle Avenue, a Property Designated Under Part V of the Ontario Heritage Act, considered at Built Heritage Sub-committee (BHSC) on January 20, 2021, and subject to a Heritage Permit dated February 24, 2021.

1.2 Subject Site

The subject site is an interior lot located on the south side of Argyle Avenue between Metcalfe Street and Elgin Street in the Centretown neighbourhood of Ottawa. The site has an area of 1,560 square metres, with 33.6 metres of frontage on Argyle Avenue, and a lot depth of 46.4 metres. The subject site is currently under construction to redevelop it with the approved high-rise building.

Directly across from the site is the Museum of Nature. The Museum, constructed in 1912, is a National Historic Site designed in the Gothic Revival/Scottish Baronial style.

A high-rise building, per the previously-approved ZBLA, is currently under construction. The site was previously occupied by a 2.5-storey office building that was originally constructed between 1949 and 1956. The building has been identified as a ‘Contributing’ heritage building and is part of the Centretown Heritage Conservation District (HCD). The building is not a designated heritage structure under Part IV of the *Heritage Act*. While portions of the existing building were approved for removal upon redevelopment, the front façade is being preserved and incorporated as a defining element for the street frontage.



Figure 1: 3D mapping of Site Context (Google Earth)



Figure 2: Subject Site, dated May 2021, retrieved from Google Streetview

The site is presently accessed through a right-in/right-out access on Argyle Avenue, currently a one-way street. Argyle Avenue is identified in Schedule C5 as an Arterial Road. According to Schedule C16, there is no prescribed minimum protected right of way (ROW) for existing Arterial Roads. The previous Official Plan identified the protected ROW as 20 metres in Annex 1. The ROW has been previously widened and therefore no further widenings will affect this property.



Figure 3: Site Context and Surrounding Area

The site is proximate to multiple cycling routes, including the Rideau Canal Multi-Use Path (MUP) and the O'Connor Cycle Tracks. Bike lanes have also been installed on Elgin Street underneath Highway 417 to provide a connection to the east side of the Rideau Canal and Main Street Cycle tracks.

The site is served by multiple bus routes, including five (5) Frequent Routes and one (1) Local Route. OC Transpo defines Frequent Routes as providing service every 15 minutes or less on weekdays between 0:600 and 18:00 and operating seven (7) days a week, while Local Routes provide custom routing to local destinations.

Sidewalks are provided on both sides of Argyle Avenue, and the site is within walking distance of multiple grocery stores and other shops and services.

3.0 Policy and Regulatory Framework

3.1 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) 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 following PPS policies are applicable to the subject site, 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:
 - c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- 2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.
- 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;
- 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.

The proposed development proposes a new housing option, a high-rise building, in an area characterised by a variety of housing typologies ranging from low, mid, to high-rise dwellings. The high-rise building format is a typology that efficiently uses the land and resources. Additional density is proposed within a settlement area. The minor variance to provide additional amenity space and increase the building height to accommodate issues resulting from the site’s re-grading are both consistent with the intent and direction of the PPS.

3.2 City of Ottawa Official Plan (2022)

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

The subject site is located in the Downtown Core Transect, is designated Neighbourhood, and is subject to the Evolving Neighbourhood Overlay.

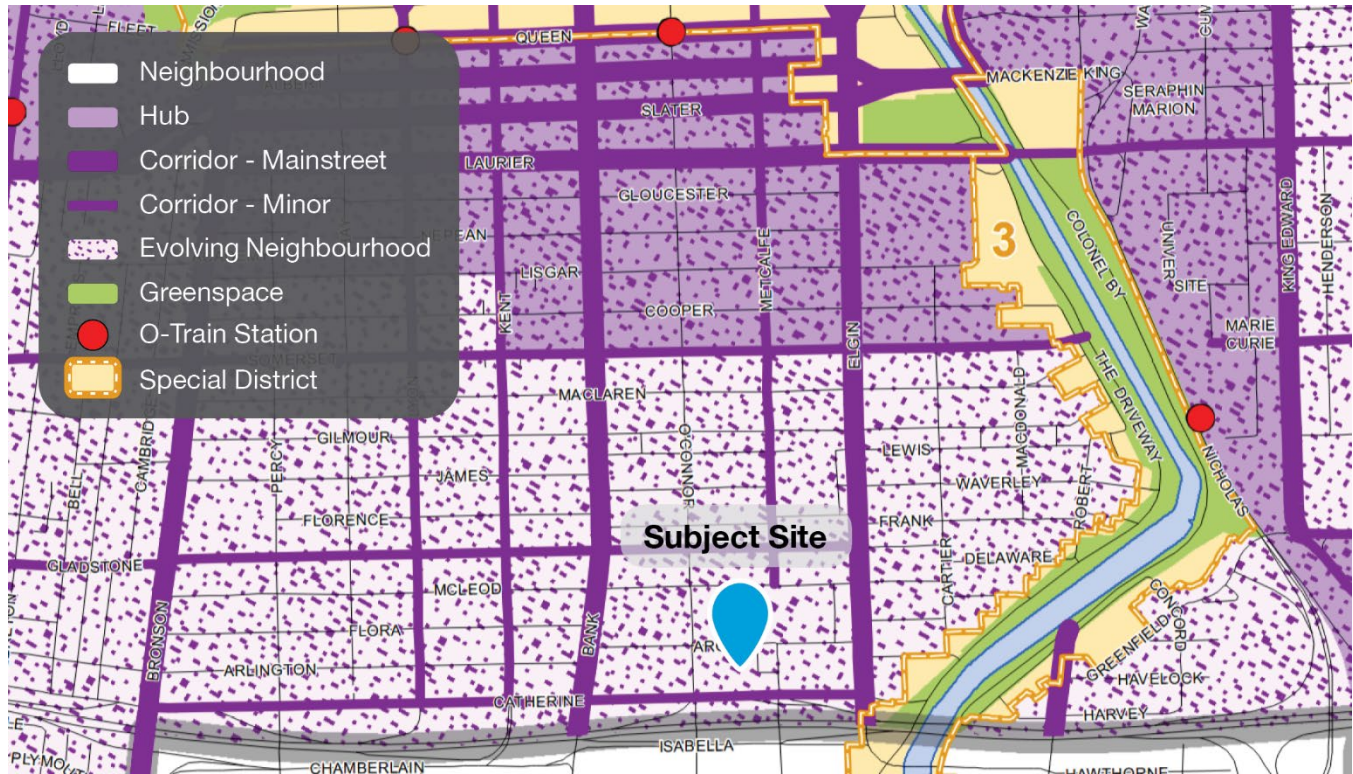


Figure 5: Schedule B1 - Downtown Core Transect, with the subject site identified, City of Ottawa Official Plan, 2022

3.2.1 Urban Design

Section 4.6 provides policies on Urban Design. Relevant policies include:

- 4.6.6 Enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all
1. To minimize impacts on neighbouring properties and on the public realm, transition in building heights shall be designed in accordance with applicable design guidelines. In addition, the Zoning By-law shall include transition requirements for Mid-rise and High-rise buildings, as follows:
 - a) Between existing buildings of different heights;
 - b) Where the planned context anticipates the adjacency of buildings of different heights;
 - c) Within a designation that is the target for intensification, specifically:
 - i) Built form transition between a Hub and a surrounding Low-rise area should occur within the Hub; and
 - ii) Built form transition between a Corridor and a surrounding Low-rise area should occur within the Corridor.

The proposed development provides a height transition from the anticipated high-rise context of Catherine Street and the surrounding neighbourhood. The proposed indoor rooftop amenity space will not read as an additional storey due to its location within the already-approved mechanical penthouse footprint.

4. Amenity areas shall be provided in residential development in accordance with the Zoning By-law and applicable design guidelines. These areas should serve the needs of all age groups, and consider all four seasons, taking into account future climate conditions. The following amenity area requirements apply for mid-rise and high-rise residential
 - a) Provide protection from heat, wind, extreme weather, noise and air pollution; and
 - b) With respect to indoor amenity areas, be multi-functional spaces, including some with access to natural light and also designed to support residents during extreme heat events, power outages or other emergencies.

The proposed indoor rooftop amenity space introduces amenity space that can be used in all four seasons, providing protection from heat, wind, weather, noise, and air pollution. The proposed rooftop accessible washroom will make them useable for all age groups and abilities. Functionally, this will also mean that residents and their guests using the rooftop amenity space will not be required to return to the resident's unit to use the washroom. This will therefore make the amenity space more functional.

8. High-rise buildings shall be designed to respond to context and transect area policies, and should be composed of a well-defined base, middle and top. Floorplate size should generally be limited to 750 square metres for residential buildings and 2000 square metres for commercial buildings with larger floorplates permitted with increased separation distances. Space at-grade should be provided for soft landscaping and trees.
9. High-rise buildings shall require separation distances between towers to ensure privacy, light and sky views for residents and workers. Responsibilities for providing separation distances shall be shared equally between owners of all properties where High-rise buildings are permitted. Maximum separation distances shall be achieved through appropriate floorplate sizes and tower orientation, with a 23-metre separation distance desired, however less distance may be permitted in accordance with Council approved design guidelines.

The rooftop amenity space will not be perceived from the street as an additional storey and will not have any undue, adverse impacts on the building's relationship to the street. Including the rooftop amenity area, all tower floors are under the maximum 750 square metre tower floorplate, with the rooftop amenity having a total GFA of 54 square metres plus 11 square metres for the communal washroom (communal washrooms do not count toward GFA calculations per the zoning by-law definition). Finally, the building massing was previously approved per a ZBLA, including the tower setback. The separation distance was previously approved and is not proposed to change.

3.2.2 Downtown Core Transect

Schedule A 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 most urban (the Downtown Core) to least urban (Rural). Section 5.1 provides direction for properties located within the Inner Urban Transect.

Relevant policies include:

5.1.1 Maintain and enhance an urban pattern of built form, site design and mix of uses

1. The Downtown Core's established and intended built form is urban as defined by Table 6. All development shall maintain and enhance the urban pattern of built form and site design.

The proposed development's built form is permitted per the approved OPA and contributes to the urban development of the Downtown Core Transect.

- 5.1.3 Locate the tallest buildings and greatest densities in the Downtown Core Transect
2. The Zoning By-law shall set out permissions, maximum building heights and appropriate density thresholds within Neighbourhoods to allow:
 - c) Building types that provide for high-density development while maintaining a low-rise form from a minimum of 2 storeys to a maximum of 4 storeys; and
 - d) New built forms on collector streets that accommodate additional housing units and are of a larger scale, provided those built forms include a mix of complementary non-residential uses, as permitted in Subsection 6.3.1, Policy 4), and regulate the extent to which large dwelling units shall be integrated to meet the objectives of Subsection 3.2, Policies 10) through 12) and Table 3
- 5.1.5 Provide direction to the Neighbourhoods located within the Downtown Core Transect
1. Neighbourhoods located in the Downtown Core shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the following:
 - a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan
 - d) Building on Table 6, provides an emphasis on regulating the maximum built form envelope that frames the public right of way; and

The proposed development provides for high-density development, per the previously-approved OPA and ZBLA, and therefore contributes to the city meeting its residential growth targets per the Growth Management Framework. The proposed development and the proposed Minor Variance will continue to frame the public right of way.

3.2.3 Neighbourhood Designation

Section 6.3 of the Official Plan provides policy direction for lands designated Neighbourhood. 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.

Relevant policies include:

- 6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan
3. Development in the Neighbourhood designation which seeks additional height beyond 4 storeys:
 - a) May be evaluated through a Zoning By-law amendment, without the need to amend this Plan, in cases that fall under the provisions of Subsection 6.3.1 Policy 2) but where the zoning does not provide corresponding permissions; and
 - b) In all other cases, require an area-specific policy through an amendment to this Plan
 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;
 - b) Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and
 - c) Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).

The additional height was previously evaluated through an approved OPA and ZBLA. The approved high-rise building is proximate to Catherine Street, which is designated Minor Corridor.

3.2.4 Evolving Neighbourhood Overlay

Section 5.6.1 of the Official Plan provides direction on the Evolving Neighbourhood Overlay. The Evolving Neighbourhood Overlay is applied to areas of the Neighbourhood Designation in close proximity to Hubs and Corridors to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

5.6.1 Evolving Neighbourhood Overlay

1. The Evolving Neighborhood Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. The Evolving Neighborhood Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing
 - a) Guidance for a gradual change in character based on proximity to Hubs and Corridors,
 - b) Allowance for new building forms and typologies, such as missing middle housing;
 - c) Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals; and
 - d) Direction to govern the evaluation of development.
2. Where an Evolving Neighborhood Overlay is applied:
 - a) 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; and
 - b) The Zoning By-law shall include minimum-density requirements as identified in Table 3a, and permissions to meet or exceed the density targets of Table 3b.

The previously-approved OPA and ZBLA introduce change in character in proximity to a Corridor, introduce new building forms and typologies, and contribute to the urban built form pattern. As the development was approved under the previous Official Plan, the Evolving Neighbourhood Overlay was not in effect at the time. Out of an abundance of caution, this policy has been reviewed. The proposed changes to the building – the addition of rooftop indoor amenity space and an addition 30 centimetres in height – are not inconsistent with the above noted policies.

The subject site is located in the Central and East Downtown Core Secondary Plan. It is designated Local Mixed-Use Zone and located in the South Character Area.

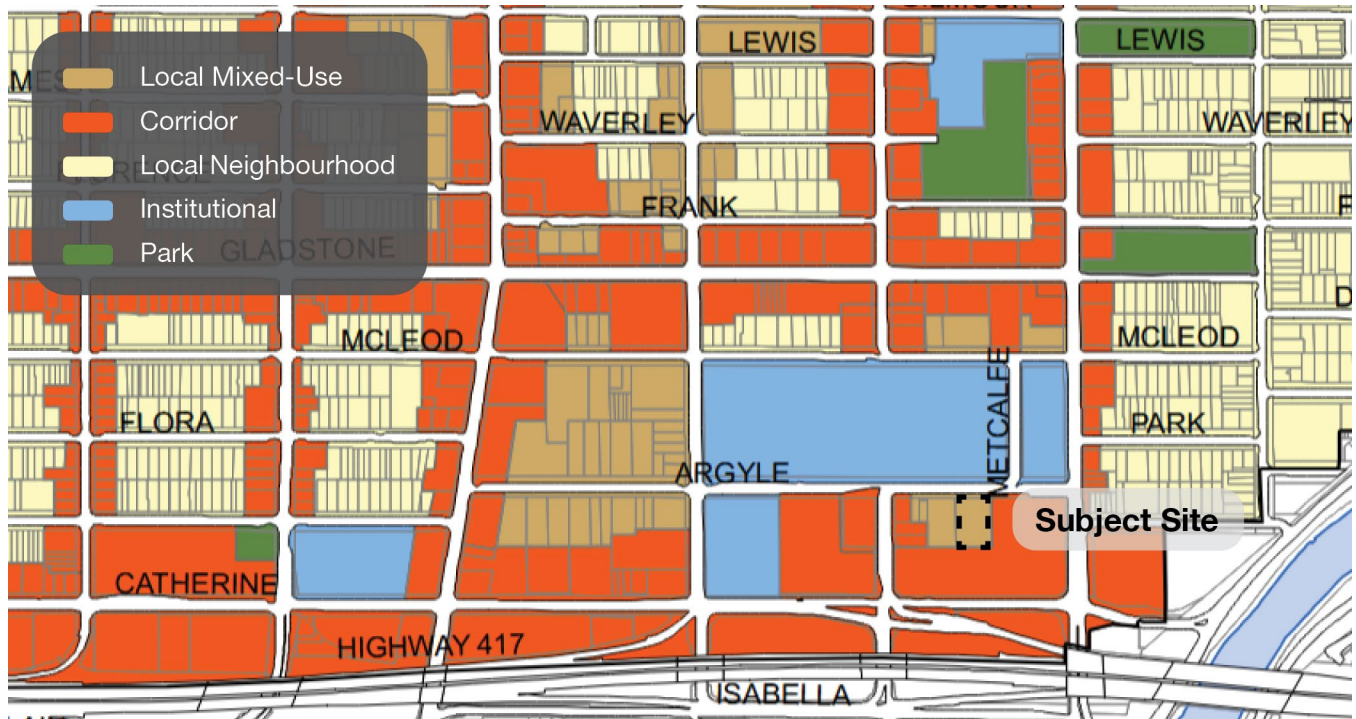


Figure 6: Schedule B – Designation Plan, Central and East Downtown Core Secondary Plan

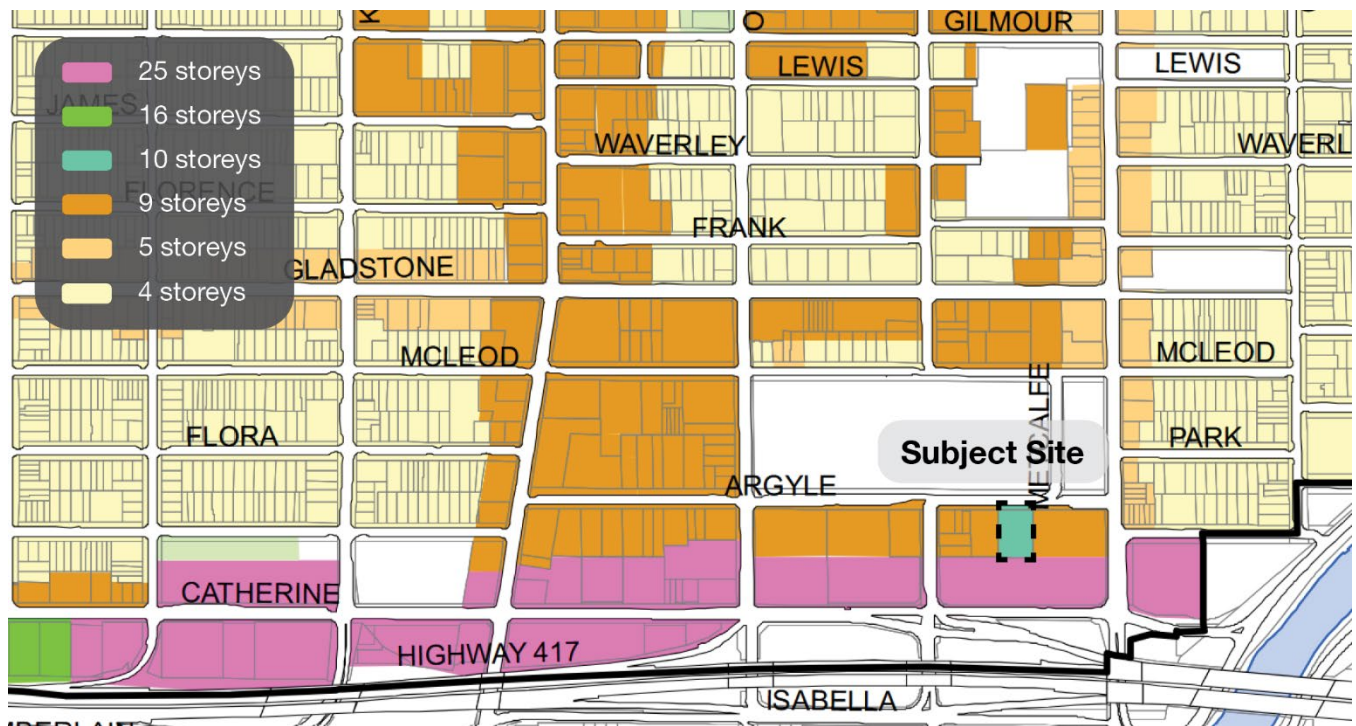


Figure 7: Schedule C – Maximum Building Heights, Central and East Downtown Core Secondary Plan

3.3.1 General Policies

Section 3 of the Secondary Plan provides General Policies. Relevant policies include:

3.1 Built Form

1. Development will contribute positively to the entire adjacent public realm. It should maximize the activity visible from the public realm and the activity easily accessible to it. Measures include but are not limited to:
 - a) Functional main entrances directly accessible from the public realm for each unit on the ground floor. For further specification, this includes residential, retail and commercial units.
 - b) Usable indoor and/or outdoor amenity areas where possible. These amenities are meant to encourage people to linger in or within view of the public realm. Examples include patios, porches, atria, stoops, etc.
 - c) Lower floor articulation with a high degree of transparency and functional permeability.
 - d) Notwithstanding Section 3.1 – Built Form, Policies 1) b) and f), residential units at or near the ground floor and their private outdoor amenity spaces should provide a comfortable degree of privacy, while also accommodating easy interaction with the public realm.
 - h) Buildings must front onto all their adjacent streets.
2. Development will provide a continuity of active frontages along the ground floor fronting all corridors. This includes functional main entrances that are directly accessible from the public realm for each unit on the ground floor. For further specification, this includes residential, retail and commercial units.

The proposed development will continue to contribute to the adjacent public realm, as no changes at the pedestrian level are requested. Functional main entrances will remain unchanged. The amount of usable indoor amenity space is proposed to be increased through this minor variance application.

3.4 Heritage

21. Development will respect the area's heritage character and where located on or adjacent to a built heritage resource, will be in accordance with the policies found in Section 4.5 – Cultural Heritage and Archaeology, of Volume 1 of the Official Plan.

The requested minor variance is not anticipated to generate any undue, adverse impacts on any of the heritage designated properties, including the subject site itself, the Museum of Nature, or its associated park to the east. Functionally, the building height will not read as any taller since the requested indoor amenity space is located within the footprint of the approved mechanical penthouse and the additional 10-centimetre height increase will not be perceived at grade or when looking south from within the Museum of Nature.

3.5 Urban Design

26. All development within areas identified as Design Priority Areas on Schedule C7A of the Official Plan will be subject to Design Review by the City's Urban Design Review Panel, including the process and exemptions identified for the panel.
27. Official Plan Amendments, Zoning By-law Amendments, and Site Plan Control applications associated with mid-rise, high-rise, and high-rise 41+ buildings within the boundaries of the Secondary Plan will be reviewed by the Urban Design Review Panel until the completion of an updated UDRP Terms of Reference which may provide more specific guidance on the role of the Panel in this area.

The proposed development is not located within a Design Priority Area on Schedule C7A; however, it does fall under the criteria in policy 27. The project was previously presented at the UDRP as part of the pre-consultation process on February 1, 2019.

3.3.2 Centretown Character Area

The Secondary Plan provides policies related to the Centretown Character Area, which are further subdivided thematically into additional sub-policy areas. Relevant policies include:

4.4.7 Heritage

29. The City shall encourage the rehabilitation and re-use of heritage buildings in Centretown and shall consider new financial incentives in the context of a Community Improvement Plan to further this objective.
30. In addition to being subject to design guidelines in the CHCD Plan, where applicable, new development adjacent to heritage buildings and streetscapes shall respect the guidelines in Section 6.5 of the Centretown CDP.

The proposed development re-uses the heritage-designated building as part of its design. No changes to the heritage portion of the building are proposed as part of this minor variance application.

4.4.9 Land Use and Site Development Centretown Central Character Area

44. Consistent with the eclectic nature of the Central Character Area, it comprises several land use designations, as identified on Schedule B - Designation Plan, including the following mixed-use designations:
 - c) Local Mixed-Use – This applies to portions of the Centretown Central Character Area historically occupied by houses and other low-rise housing forms that have been partially converted to commercial uses and to adjacent neighbouring properties where such conversions are appropriate. Non-residential uses shall be restricted to small-scale commercial uses such as personal services, medical facilities, offices and small-scale institutional uses, such as licensed childcare centres. Uses such as restaurants, retail stores and retail food stores, more appropriately located on a Corridor, will not be permitted, except within landmark buildings. Permitted non-residential uses shall be restricted to the first two floors and the basement and shall not occupy more than 50 per cent of the gross floor area of the building, with the exception of those existing buildings containing legally established non-residential uses existing at the date of adoption of the Official Plan. The expansion of legally established non-residential uses shall be subject to appropriate limits. The Local Mixed-Use designation also permits low-rise residential buildings and apartment buildings that do not contain non-residential uses.
46. A variety of mid-rise and low-rise buildings shall be encouraged in the Centretown Central Character Area. Schedule C - Maximum Building Heights identifies maximum heights of up to nine storeys as permitted. Where a building greater than six storeys is proposed adjacent to a property where the maximum height is four storeys or adjacent to built heritage resources, a stepping of heights or increased setbacks should be provided to achieve an appropriate transition. Buildings shall be restricted to five storeys along Elgin Street.
47. Proposals for development in the Centretown Central Character Area shall be guided by the Built Form Guidelines in the Centretown CDP. The guidelines are meant to be general and may not apply equally in all circumstances. The site context of the provision of a public benefit may inform the application of, and the emphasis on, the various guidelines. Where a high-rise building is introduced in

the Centretown Central Character Area, provisions described in Section 4.4.9.3, Policy 43) and Section 4.4.9.4, Policy 46) of this subsection shall apply.

49. Despite Policy 46) above, the property at 100 Argyle Avenue is permitted a maximum building height of 10 storeys pursuant to Section 37 of the Planning Act where one or more community benefits are secured through and agreement with the City which will be provided at the time of development.

Per policy 49 and as established through the OPA, a high-rise building is permitted on the subject site.

3.4 Centretown Heritage Conservation District (HCD)

The subject site is located in the Centretown HCD and is identified as a Contributing building. The purpose of the HCD Plan is to provide guidance on the conservation of the Centretown and Minto Park Heritage Conservation Districts' cultural heritage value. Contributing properties are considered to have design, historic and/or associative value or contextual value, as determined through the inventory. For the purposes of this Plan Contributing properties are those classified as Significant Resources, Character-Defining Resources and Character-Supporting Resources and are intended to be retained and conserved. These properties were determined to contribute to the Districts' heritage character. There may be instances when a property classified as a Character-Supporting Resource may be considered for demolition as part of a project that meets other city-building goals.



Figure 8: Map of Contributing/ Non-contributing/ Part IV properties within the HCDs, Centretown and Minto Park Heritage Conservation Districts

Relevant policies include:

4.1 General Policies

- 2. Demolition of Contributing buildings as defined in Section 3.5 will not normally be supported. In order to be considered, applications must meet the prescribed criteria as outlined in Section 5.
- 3. Repair and restoration of heritage attributes of individual buildings will be considered before replacement.
- 7. When a proposed change in the HCDs has the potential to adversely affect the cultural heritage value of the HCDs as defined in the Statement of Cultural Heritage Value, the City may require a Heritage Impact Assessment.

The development is presently under construction. The long-term plan for the existing heritage building is deconstruction, reassembly, and integration into the development, as was previously-approved.

3.5 City of Ottawa Zoning By-law (2008-250)

The subject site is zoned General Mixed Use, subzone 5, Urban Exception 2694, height limit 38 metres (GM5[2694] H(38)). The subject site was rezoned with a Zoning By-law Amendment on April 14, 2021 and the ZBLA is presently in full force and effect.

The purpose of the R5 - Residential Fifth Density Zone is to:

- / allow a wide mix of residential building forms ranging from detached to mid-high rise apartment dwellings in areas designated as General Urban Area, Mixed Use Centre or Central Area in the Official Plan;
- / allow a number of other residential uses to provide additional housing choices within the fifth density residential areas;
- / permit ancillary uses to the principal residential use to allow residents to work at home and to accommodate convenience retail and service uses of limited size;
- / ensure that residential uses predominate in selected areas of the Central Area, while allowing limited commercial uses;
- / 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; and
- / permit different development standards identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

Permitted residential uses include:

- / apartment dwelling, low rise
- / apartment dwelling, mid rise
- / apartment dwelling, high rise
- / bed and breakfast
- / dwelling unit
- / group home
- / planned unit development
- / retirement home
- / retirement home, converted
- / rooming house
- / stacked dwelling
- / townhouse dwelling

Permitted non-residential uses include:

- / artist studio
- / bed and breakfast
- / community centre
- / community health and resource centre
- / diplomatic mission
- / drive-through facility
- / hotel
- / instructional facility
- / medical facility
- / office
- / personal service business
- / place of assembly
- / place of worship
- / recreational and athletic facility
- / restaurant
- / retail store
- / urban agriculture

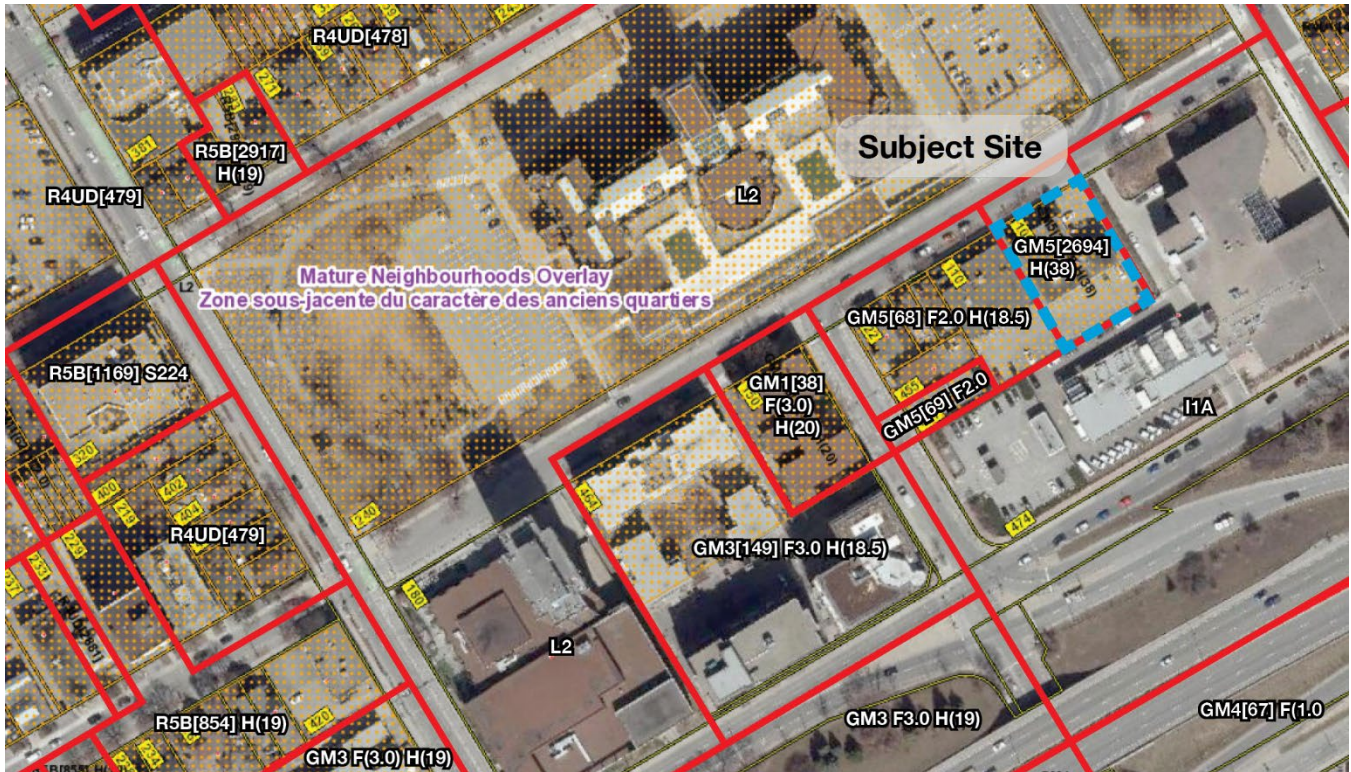


Figure 9: Subject site's zoning, screenshot retrieved from GeoOttawa, City of Ottawa Zoning By-law 2008-250

Table 1, below, evaluates the proposed development against the applicable zoning performance standards. Areas of compliance are noted with a green checkmark (✓) and areas of non-compliance are noted with a red 'x' (✗).

Table 1: Zoning Performance Standards

GM5[2694] H(38)	Required	Provided	Compliance?
Min. lot area Table 187	No minimum	1,554.6 m ²	✓
Min. lot width Table 187	No minimum		✓
Min. Front Yard Setback [2694]	3 m	6.04 m	✓
Min. Interior Side Yard Setback [2694]	West ISY: Residential building > 11 m: 1.7 m	1.79 m	✓
	East ISY: Residential building > 11 m: 3.4 m	3.4 m	✓
Min. Rear Yard Setback [2694]	1.6 m	1.64 m	✓
Max. Building Height H(38)	38 m	38.3 m	✗
Max. Floor Space Index [2694]	Does not apply	--	n/a

GM5[2694] H(38)	Required	Provided	Compliance?
Min. Width of Landscaped Area abutting a Residential or Institutional Zone [2694]	0 m	1.977 m	✓
Storage Location Table 187	Must be completely enclosed within a building	Enclosed	✓
Amenity Space			
Min. Required Amenity Area	6m ² per dwelling unit: 762 m ²	1,040 m ²	✓
Min. Communal Amenity Space	A minimum of 50% of the required total amenity area: 381 m ²	521 m ²	✓
Layout of Communal Amenity Area	Aggregated into areas up to 54 m ² , and where more than one aggregated area is provided, at least one must be a minimum of 54 m ²	Ground floor lobby/ co-working space: 122 m ² Rooftop exterior amenity space: 262 m ²	✓
Parking Provisions			
Min. Required Resident Parking Area X in Schedule 1A	0.5 per dwelling unit, less the first 12 dwelling units, less underground reduction (10% or 20 parking spaces, whichever is lesser): $[(127-12)*0.5]-10\%=56-5.6=50$ resident parking spaces	53 resident parking spaces	✓
Min. Required Visitor Parking	0.1 per dwelling unit, less the first 12 dwelling units, max 30 per building: $(127-12)*0.1=12$ visitor parking spaces	12 visitor parking spaces	✓
Min. Parking Space Dimensions	Width: 2.6 m Length: 5.2 m	2.6 x 5.2 m for 40 parking spaces (2 accessible parking spaces also provided)	✓
Max. Number of Resident Compact Parking Spaces Permitted	Max. 50% of required resident spaces: 25 compact spaces permitted	23 compact parking spaces	✓
Min. Compact Parking Spaces Dimensions	Width: 2.4 m Length: 4.6 m	2.4 x 4.6 m	✓

GM5[2694] H(38)	Required	Provided	Compliance?												
Compact Parking Space Provisions	/ Is visibly identified as being for a compact car / Is not a visitor parking space required under Section 102 Is not abutting or near a wall, column or similar surface that obstructs the opening of the doors of a parked vehicle or limits access to a parking space, in which case the minimum width is 2.6 metres.	/ Is visibly identified as being for a compact car / Is not a required visitor parking space / Is not abutting or near a wall, column or similar surface that obstructs the opening of the doors of a parked vehicle or limits access to a parking space, in which case the minimum width is 2.6 metres.	✓												
Min. Driveway Width	Single traffic lane: 3 m Double traffic lane: 6 m	6.218 m	✓												
Max. Driveway Width	6.7 m		✓												
Min. Aisle Width	Parking garage for residential uses where parking spaces are between 6 and 90°: 6 m	6 m	✓												
Min. Required Bicycle Parking Spaces	0.5 per dwelling unit: $127 \times 0.5 = 64$ bicycle parking spaces	80 bicycle parking spaces	✓												
Min. Parking Space Dimensions	<table border="1"> <thead> <tr> <th></th> <th>Width</th> <th>Length</th> </tr> </thead> <tbody> <tr> <td>Horizontal</td> <td>0.6 m</td> <td>1.8 m</td> </tr> <tr> <td>Vertical</td> <td>0.5 m</td> <td>1.8 m</td> </tr> <tr> <td>Stacked</td> <td>0.37 m</td> <td>1.5 m</td> </tr> </tbody> </table>		Width	Length	Horizontal	0.6 m	1.8 m	Vertical	0.5 m	1.8 m	Stacked	0.37 m	1.5 m	Horizontal: 53, 0.6 x 1.8 m Vertical: 27, 0.5 x 1.8 m Stacked: 0	✓
	Width	Length													
Horizontal	0.6 m	1.8 m													
Vertical	0.5 m	1.8 m													
Stacked	0.37 m	1.5 m													
Min. Width Aisle Accessing Bicycle Parking	1.5 m	1.5 m	✓												
Min. Required Horizontal Spaces	50%: 32 horizontal bicycle parking spaces	66.25%	✓												

The proposed development is compliant with the applicable zoning aside from the relief being sought through this application.

3.6 Draft Proposed New City of Ottawa Zoning By-law (2026-50)

The subject site is proposed to be zoned Neighbourhood Mixed-Use Zone, Urban Exception 2694, height limit 38 metres (NMU[2694] H(38)).

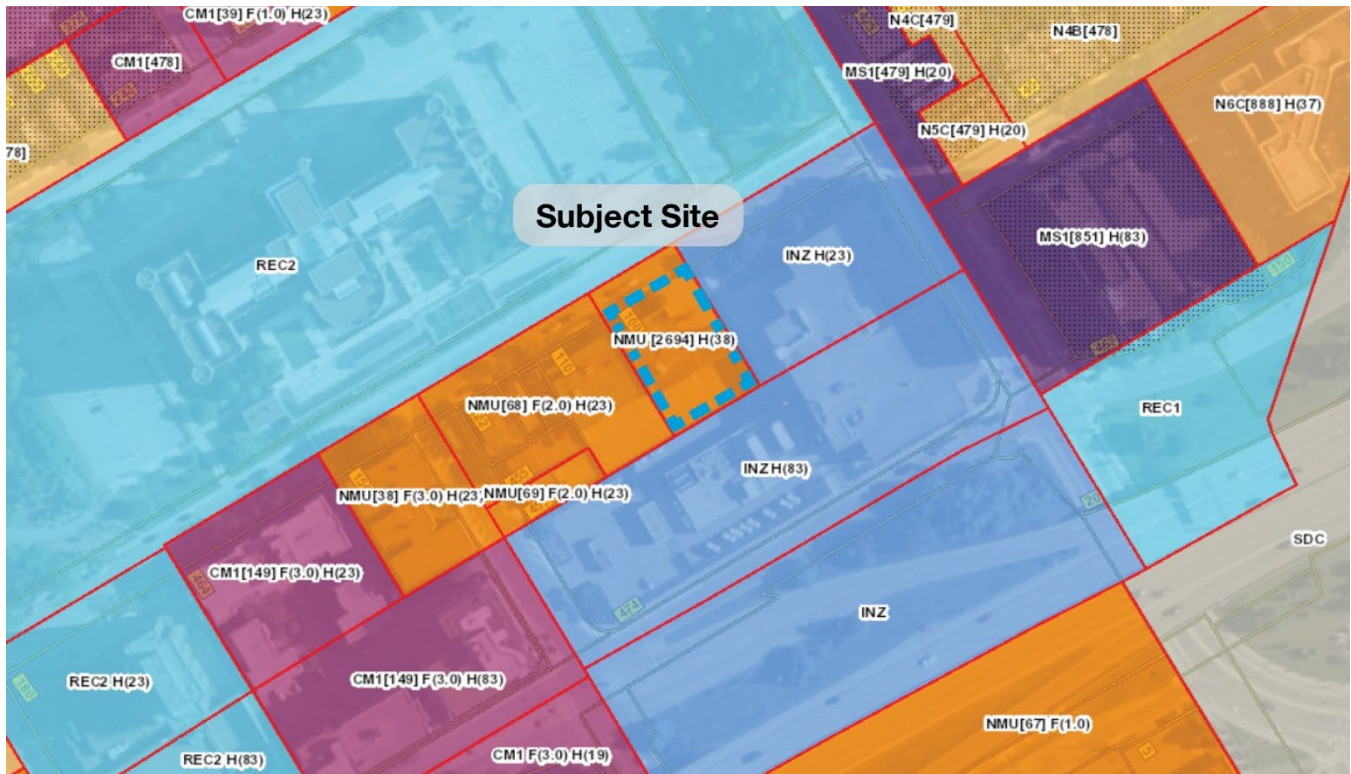


Figure 10: Draft proposed Zoning, retrieved from GeoOttawa, Draft Proposed New City of Ottawa Zoning By-law (2026-50)

Per section 109 of the draft new Zoning By-law, a minor variance application that has been deemed complete prior to the passing of the new zoning by-law has five (5) years before lapsing. As construction is presently ongoing, we do not foresee any issues obtaining a Building Permit prior to the lapse date.

Per section 203, indoor amenity space is considered a permitted projection, with the following provisions:

- / maximum floor area: 50% of the area of the roof, but in no case greater than 300 square metres;
- / maximum projection: 5 metres above the height limit; and
- / minimum setback from an exterior wall: 2 metres.

Proposed Minor Variance

Three Minor Variances are proposed through this application:

- 1 Increase the Maximum Permitted Height**
 An increase in the maximum permitted height, from 38 metres to 38.3 metres, despite the subject site's zoning, GM5[2694] H(38).
- 2 Permit Rooftop Enclosed Spaces despite "Permitted Projection"**
 Permit enclosed rooftop space as a permitted projection, despite the definition of a "permitted projection", including 54 square metres of indoor amenity space and 11 square metres for a communal washroom
- 3 Permit Rooftop Enclosed Spaces despite definition of a "Storey"**
 Permit enclosed rooftop space, despite the definition of a "storey", which is as follows: "storey means a level of a building included between the surface of a floor and the ceiling or roof immediately above it, and includes a mezzanine but does not include a basement." Permit this including 54 square metres of indoor amenity space and 11 square metres for a communal washroom, without it constituting a "storey"

Figure 11 and Figure 12, below, visually demonstrate the requested minor variances:

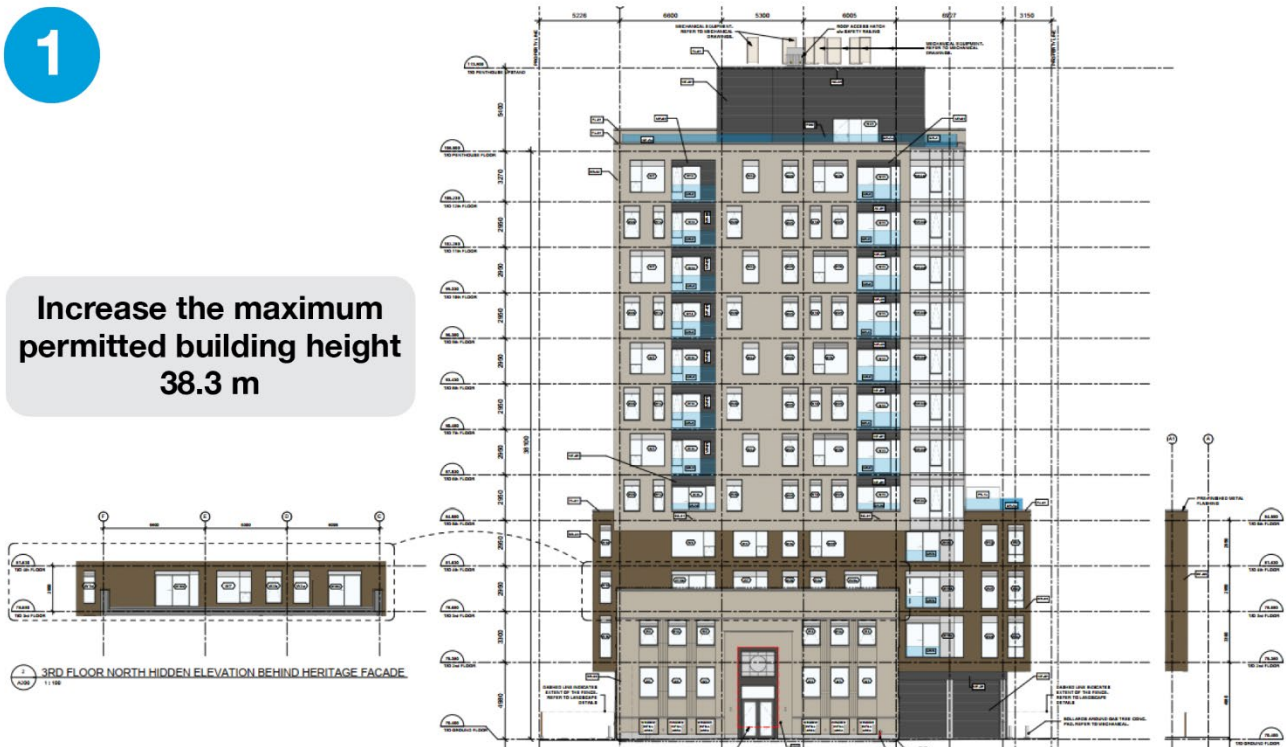


Figure 11: North Elevation marked up to show the total building height, originally prepared by RLA Architecture

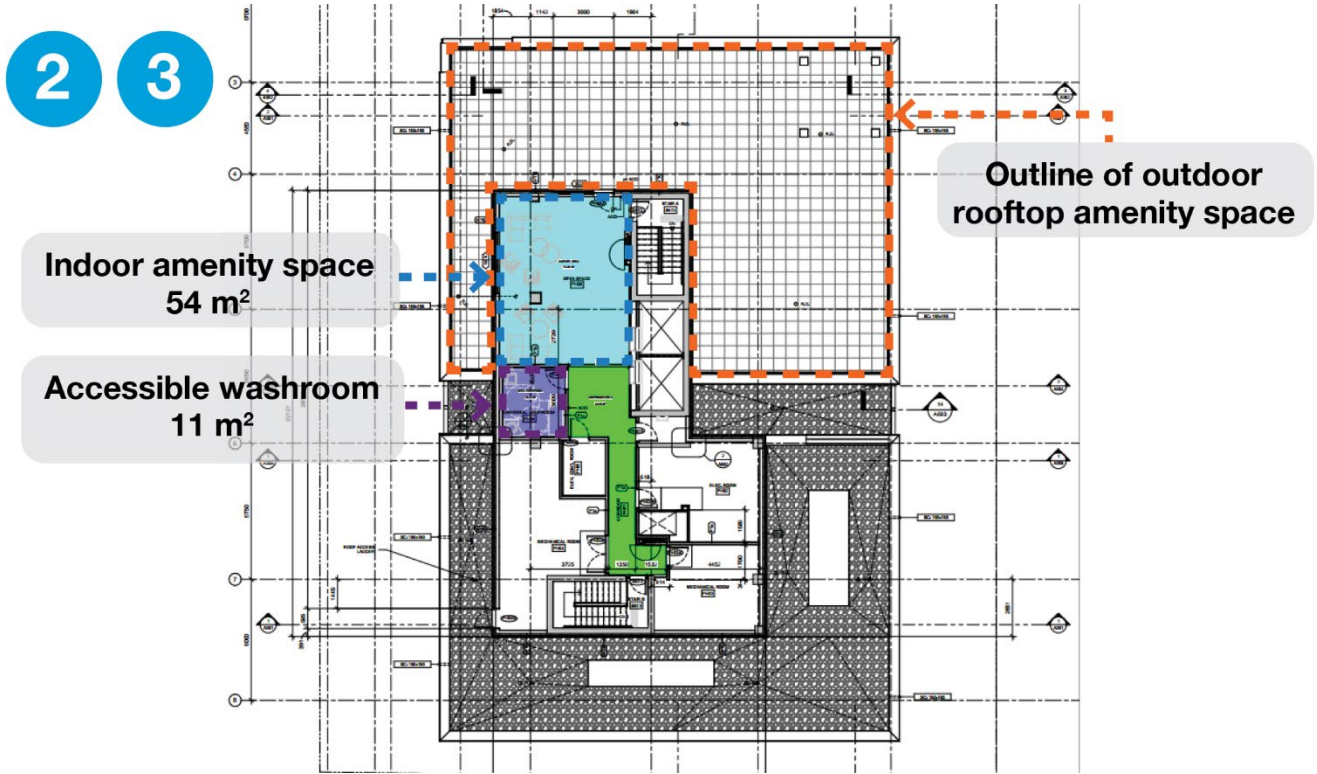


Figure 12: Marked up Rooftop Plan, originally prepared by RLA Architecture

5.0

Minor Variance Application: The Four Tests

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

The subject site is located in the Downtown Core Transect and is designated Neighbourhood in the City of Ottawa Official Plan. The minor variance application conforms with the policies related to the transect and designation; as well as mobility, growth management framework, and urban design.

The Urban Design section of the Official Plan provides direction for development, such as minimizing impacts to surrounding properties and the public realm, providing transition in building heights, providing amenity area, designing high-rise buildings to respond to context, and providing tower separation for high-rise buildings. The proposed changes to the development will not have a perceivable impact to the public realm, ability to provide transition or setback, or ability to respond to the surrounding context. Further, the proposed minor variance provided the opportunity to introduce additional amenity space and make the existing approved amenity space more usable, which will provide year-round benefits to future residents.

The subject site is designated Local Mixed-Use Zone and located in the South Character Area in the Central and East Downtown Core Secondary Plan. The previous OPA established a new site-specific policy that permits the high-rise form. Although the Secondary Plan establishes a maximum of 10 storeys for the subject site, as the detailed design progressed, it was discovered that the maximum permitted height of 38 metres could support 12 storeys.

The additional enclosed rooftop amenity area is located away from the front, side, and rear property lines. Further, it is fully enclosed within the mechanical penthouse footprint. Therefore, the perception of additional, increased height will be minimal. The total amount of enclosed area is 64.06 square metres, far below the recommended tower floorplate area of 750 square metres.

The proposed variance to permit an increase to the total building height and introduce new enclosed rooftop amenity space maintains the general intent and purpose of the Official Plan.

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

The subject site is zoned General Mixed Use, subzone 5, Urban Exception 2694, height limit 38 metres (GM5[2694] H(38)) under the City of Ottawa Comprehensive Zoning By-law (2008-250). The subject site was rezoned with a Zoning By-law Amendment on April 14, 2021, and the ZBLA is presently in full force and effect.

The proposed height increase is requested to adjust the maximum permitted height due to issues discovered through the grading process and impact to the average grade and to permit enhanced and improved accessible indoor rooftop amenity space for future residents. The increase of 0.1 metres does not allow for any additional units or building floors beyond the existing zoning.

The requested variances do not preclude the ability of the proposed development to meet other zoning requirements.

The proposed variance to increase the maximum permitted height and permit enclosed rooftop space maintains the general intent and purpose of the Zoning By-law.

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

The proposed development is seeking relief to a previously-approved high-rise residential building within the urban boundary, in a location that efficiently uses existing and planned infrastructure and services, including water, wastewater, and stormwater facilities, and existing and planned public transit improvements.

The requested variances will accommodate changes due to the average grade and allow for the addition of high-quality amenity space, which will help to create a liveable space for future residents.

The proposed minor variance will allow for enhancements to the approved high-rise building. The proposed variance, which conforms to provincial and municipal policy direction, is desirable for the appropriate development of the land.

5.4 Is the Proposal Minor in Nature?

The proposed height increase will not cause any undue adverse impacts to adjacent properties, which are presently occupied by an office building to the west and the Ottawa Police Service (OPS) headquarters to the east and south and zoned General Mixed Use and Institutional.

The proposed Minor Variance seeks to increase the maximum permitted height, from 38 metres to 38.3 metres, which is mathematically minor.

Further, under the Draft Proposed New Zoning By-law (2026-50), indoor amenity space is considered a permitted projection when it is less than or equal to 300 square metres. The proposed amenity area and washroom will be located in a permitted penthouse footprint and envelope for which additional free space was identified upon final development of the rooftop mechanical design. It therefore efficiently uses existing space to add quality of life improvements for the tenants.

The proposed variances are minor in nature and is not expected to generate any undue adverse impacts on neighbouring properties. It will not provide any meaningful impact on building shadowing or overlook relative to the existing permitted envelope.

Conclusion

It is our professional planning opinion that the proposed Minor Variance represents good planning and is in the public interest for the following reasons:

- / The proposed development is consistent with the Provincial Planning Statement (2024), which promotes efficient land use development on serviced lands;
- / The proposed development conforms to the policies of the City of Ottawa Official Plan as it implements the City's urban design objectives, and is consistent with policies for the Downtown Core Transect and Neighbourhood designation;
- / The proposed development conforms to the policies of the Central and East Downtown Core Secondary Plan.
- / The proposed development responds to the policies outlined in the Centretown HCD;
- / The proposed development complies with the general intent of the Zoning By-law (2008-250);
- / The proposed increase in building height will rectify the issue with the average grade;
- / The proposed minor variance to permit the inclusion of year-round amenity space on the roof and make the approved and proposed amenity space more useable with the inclusion of an accessible rooftop washroom, for the enjoyment of all residents; and
- / The proposed minor variances meet the four tests, as set out in the *Planning Act*.

Sincerely,



Tamara Nahal, MCIP RPP
Planner



Scott Alain, MCIP RPP
Senior Planner