

2026-02-25

City of Ottawa | Ville d'Ottawa
Comité de dérogation

February 18, 2026

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

**RE: Application for a Minor Variance
85 Gemini Way**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by the Owner of the above noted property to prepare a Planning Rationale for a **Minor Variance** application to increase the maximum permitted Floor Space Index (FSI) as noted below:

- / Increase the maximum permitted Floor Space Index to 3.5, where as the Zoning By-law associated with the subject property currently permits a maximum Floor Space Index of 2.0

The requested Minor Variance is to seek relief for development associated with an active Site Plan Control application (D07-12-25-0125).

In addition to this Cover Letter and Planning Rationale, the following materials have been included as part of this submission:

- / Completed application forms;
- / Plan of Survey
- / Parcel abstract page (PIN);
- / Site Plan;
- / Stormwater Management Report and Servicing Brief;
- / Tree Information Report; and
- / A cheque in the amount of \$3,754.00, made out to the City of Ottawa

For your consideration,



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1.0 Introduction

Fotenn Planning & Design, acting as agents on behalf of the Owners of the subject property are pleased to submit this Planning Rationale in support of the enclosed Minor Variance application for the lands located at 85 Gemini Way in the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Minor Variance application against the applicable policy and regulatory framework and to demonstrate how the proposed relief is appropriate for the subject property, proposed development, and compatible with surrounding land uses and existing infrastructure.

1.1 Application History

1.1.1 Committee of Adjustment

The lands municipally known as 1 Centrepoint Drive were part of three Committee of Adjustment applications in 2024. The following outlines the outcome of each application.

65 Gemini Way (Consent – Severance)

Approved on 26 January 2024 (D08-01-23/B-00293), the lands municipally known as 1 Centrepoint Drive were severed to create a parcel at the corner of Centrepoint Drive and Gemini Way, subsequently addressed 65 Gemini Way. The purpose of the application was to create a parcel of sufficient size to accommodate future development while maintaining adequate lands to continue to provide the required parking for the office building located on the retained – 1 Centrepoint Drive, parcel.

85 Gemini Way (Consent – Severance)

Approved on 14 June 2024 (D08-01-24/B-00078), the lands were severed from the remainder of the 1 Centrepoint Drive parcel. The purpose of the application was to create a new lot for financing purpose and create a lot of sufficient size to develop a mid-rise wood framed residential building while continuing to provide zoning compliant parking for the office building associated with the retained parcel, 1 Centrepoint Drive.

85 Gemini Way (Consent – Lot Line Adjustment)

Following the severance of what is now 85 Gemini Way, a Lot Line Adjustment application (D08-01-24/B-00108) was submitted and ultimately approved on 26 July 2024. The Lot Line Adjustment conveyed a portion of the lands to the abutting property, 2140 Baseline Road. The owners of 2140 Baseline Road filed a related consent application (D08-01-24/B-00107) as part of a mutual land exchange. The exchange of land was undertaken to account for development primarily on 2140 Baseline Road that mistakenly occurred on 85 Gemini Way lands.

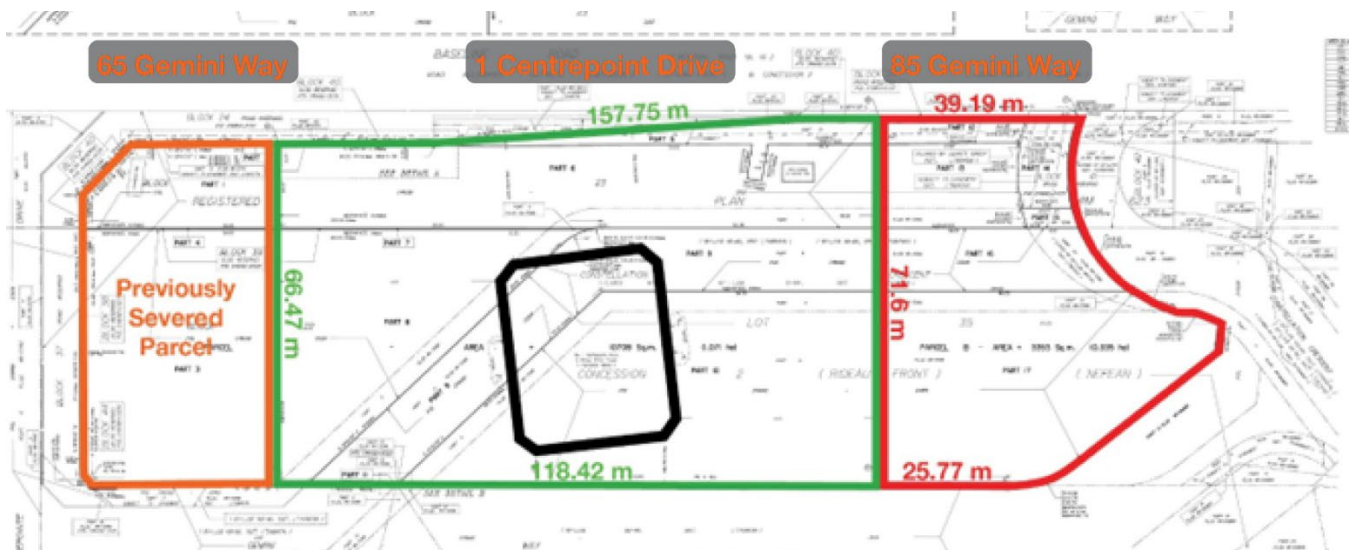


Figure 1: Survey of original 1 Centrepoint Drive parcel with an overlay of the newly created parcels.

1.1.2 Site Plan Control

A Site Plan Control application was submitted and deemed complete effective 26 November 2025 (**D07-12-25-0125**). The proposed development contemplates the construction of a six-storey residential building, which provides 161 dwelling units and 132 sub-grade parking spaces. The proposal is zoning compliant with respect to all zoning provisions, except for the maximum permitted Floor Space Index of 2.0.

The Site Plan Control application was submitted to City staff with the expectation that relief would be sought to the Floor Space Index through either a Minor Zoning By-law Amendment or Minor Variance. The first resubmission of plans and studies, following the initial technical circulation review, has been provided to City staff. It is anticipated that all outstanding concerns will be resolved through the resubmission, making the Minor Variance required to provide a zoning compliant proposal.

1.1.2.1 Proposed Development

The proposed development contemplates a six-story apartment building situated near Algonquin College. Designed to provide quality and affordable housing, the development aims to serve a diverse range of residents in the area, not limited to students. The building's U-shaped massing is carefully planned to maximize street frontage on both the front and rear, taking advantage of its location along two streets. This design not only enhances the building's visual presence but also fosters a stronger connection to the surrounding neighborhood.



Figure 2: Rendered image of the proposed development, looking north on Gemini Way.

At the heart of the development is a central courtyard, which serves as a private outdoor space for residents. This feature enhances the living experience by offering a communal green space that encourages interaction while also providing a quiet retreat from the urban environment. On the ground floor, thoughtfully designed amenity spaces will further enrich the community atmosphere, giving residents access to shared facilities that support convenience, social engagement, and overall well-being.

1.2 Application – Minor Variance

The Owner of the subject property is seeking relief to the following zoning provision through a Minor Variance application:

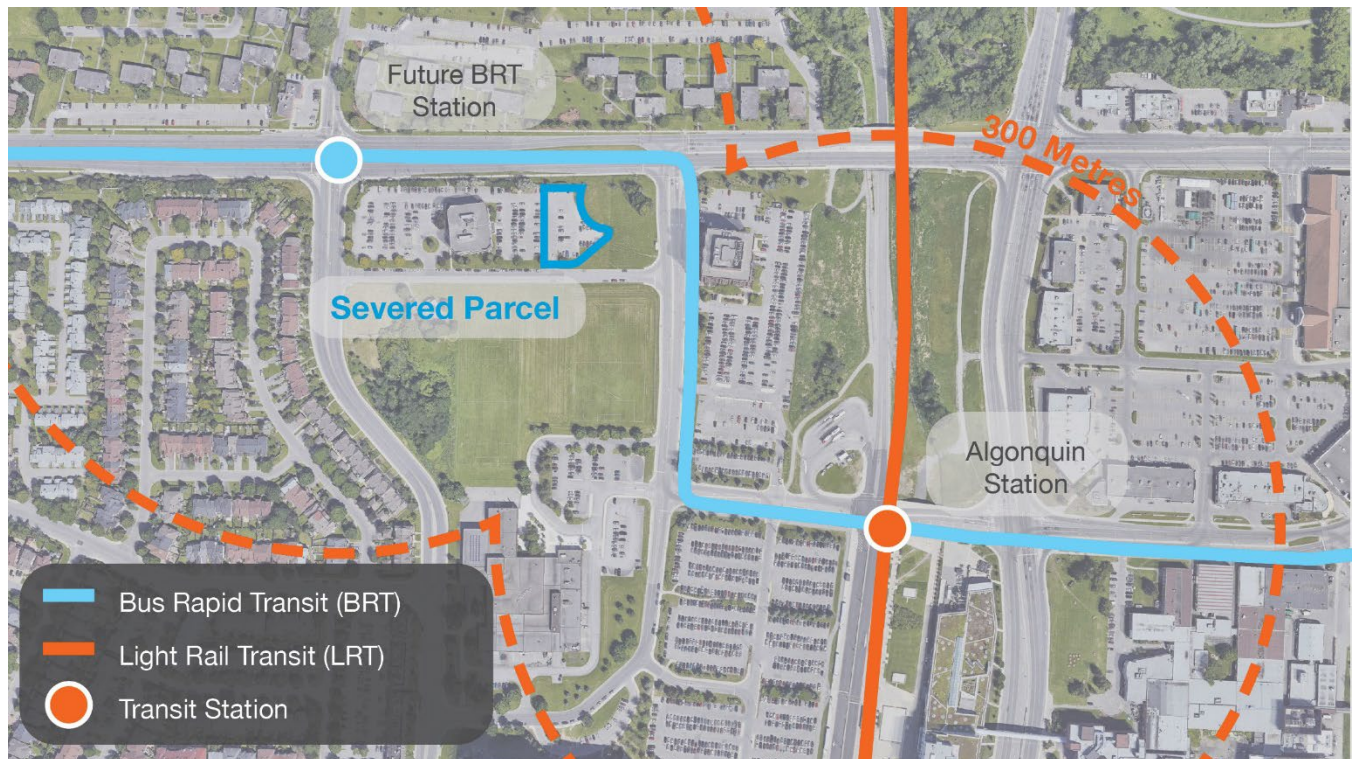
- / Increase the maximum permitted Floor Space Index for the subject property to 3.5, whereas the existing zoning of the subject property permits a maximum Floor Space Index of 2.0.

2.0 Site, Context, and Surrounding Area

2.1 Subject Property

The subject property is located on the south-west corner of Centrepointhe Drive and Baseline Road and are an irregularly shaped property that is comprised of seven (7) consolidated parcels. The parcel information numbers are 04692-0455 (LT), 04692-0025 (LT), 04692-0018 (LT), 04692-0020 (LT), 04692-0024 (LT), 04692-0477 (LT), and 04692-1250 (LT).

The subject property has an area of 3222.6 square metres, and a width along the north frontage of Gemini Way of 49.1 metres. The property is presently used as a surface parking lot associated with the office buildings on the property abutting 85 Gemini Way to the west, 1 Centrepointhe Drive.



2.2 Surrounding Area and Uses

The following generally describes the context surrounding the subject properties:

North: North of the subject Lands is Parkway Park, a low-rise neighbourhood consisting of low-rise rental apartments managed by CLV group. Further north is a low-rise residential neighbourhood made up predominantly of detached dwellings. Approximately 750 metres north of the subject site is the future Iris LRT station.

East: Immediately adjacent the subject lands, a 14-storey student residence has recently been occupied at 2140 Baseline Road. The Woodline Building east of Constellation Drive is a government office building standing at 8-storeys with associated parking lots. On the east side of Woodroffe Avenue is Algonquin College and a large commercial plaza known as College Square.

South: Immediately south of the subject lands at 19 Centrepointhe Drive there is a recently completed development consisting of a 22-storey high-rise apartment building, a 24-storey high-rise apartment, and a shared five-storey podium. Adjacent to this site is Sir Guy Carleton Secondary School with associated surface parking and a sports field. Beyond this is the Provincial Courthouse and the Ben Franklin Place Library and Client Service Centre of the City of Ottawa. Further still are commercial and restaurant uses that are located adjacent to the Peter D. Clark Long Term Care Centre and the retirement

community surrounding it. West of Centrepointhe Drive and south of the subject lands is a large pocket of low-rise residential and commercial dwellings accessible from Centrepointhe Drive via Hemmingwood Way. Centrepointhe Park and linkages to the greater multi-use pathway network are located just beyond this neighborhood.

West: To the west of the subject lands, are a low-rise residential neighbourhood consisting of predominantly townhouse dwellings. North of this neighbourhood is the Pinecrest Recreation complex, which includes a community centre and 12-hectare park.



Figure 5: Aerial image of the subject property and highlighted surrounding uses.

2.3 Transportation Context

2.3.1 Transit Network

The subject lands are well positioned with regard to current and future transit connectivity. The subject property will front onto the forthcoming Centrepointhe Road Bus Rapid Transit Station (BRT) that will form part of a Rapid Transit Corridor running east-west along Baseline Road. The subject property currently has access to local transit Route 88 with both eastbound and westbound stops. The subject lands are also within close proximity to the existing transitway station at Algonquin college which is currently under construction to become an LRT station. Finally, the subject property is located within a Protected Major Transit Station Area (PMTSA). PMTSAs are areas in close proximity to rapid transit stations which look to direct greater levels of intensification than elsewhere in the City of Ottawa.

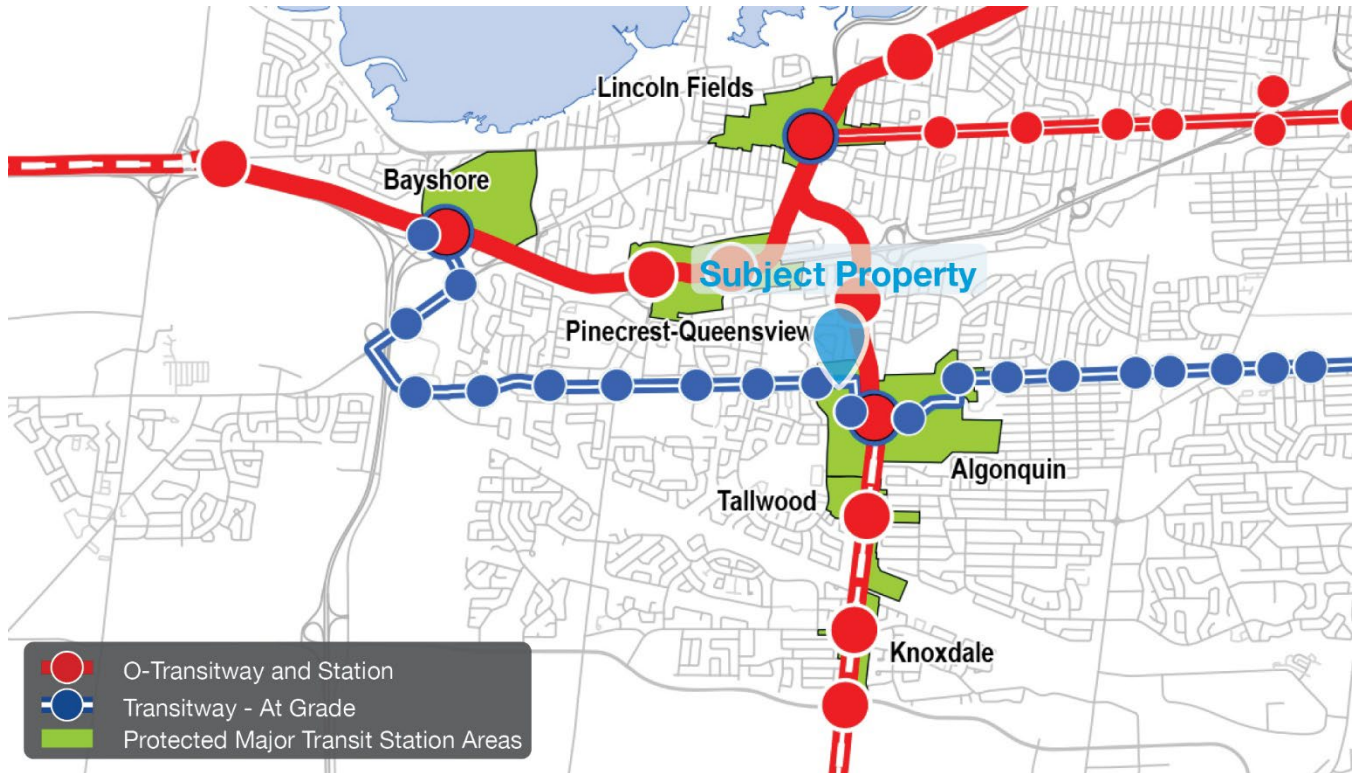


Figure 6: Schedule C1 – Protected Major Transit Station Areas (PMTSA), City of Ottawa Official Plan.

2.3.2 Road Network

The subject lands are located on Baseline Road, an arterial road identified on Schedule C4 – Urban Road Network of the City of Ottawa Official Plan. Arterial Roads are those within the City which are intended to carry higher volumes of traffic to local and regional destinations. These roadways function as major public and infrastructure corridors that are intended to accommodate not only vehicular traffic but also pedestrians, public utilities, cyclists and public transit as well. Due to their ability to accommodate increased capacity, Arterial Roads are generally best suited for increased activity stimulated by residential and commercial intensification.

Centrepointe Drive is identified as a major collector and Gemini Way is identified as a collector. Major collectors and collectors provide connections between arterials and local roads. They are typically shorter, carry lower volumes of traffic, and have reduced speeds compared to arterials. Generally vehicular access to collectors is preferred to access onto an arterial road.

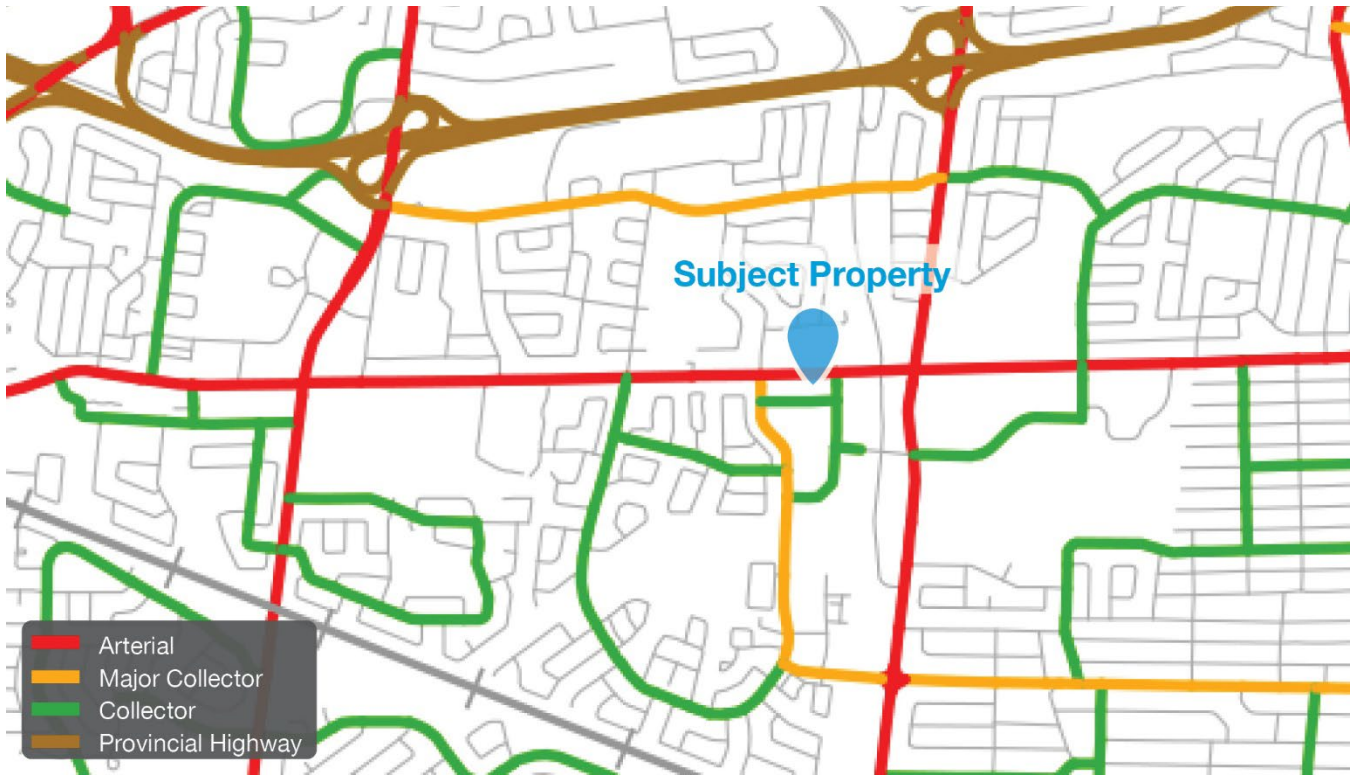


Figure 7: Schedule C4 – Urban Road Network, City of Ottawa Official Plan.

3.0 Policy and Regulatory Review

3.1 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) sets out a vision for land use planning in the Province of Ontario that encourages planning and development that is environmentally-sound, economically strong and that enhances quality of life. The PPS promotes intensification of built-up areas to efficiently use land where existing infrastructure and public service facilities are readily available to avoid unjustified and uneconomic expansions. Planning authorities must identify appropriate locations and promote opportunities for intensification and redevelopment. The relevant policy interests to the subject application are as follows:

2.1 Planning for People and Homes

2.1.4 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
- b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

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, longterm 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 Housing

2.2.1 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) Establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
- b) Permitting and facilitating:
 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential

use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

- c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation;

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement 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.

2.4 Strategic Growth Areas

2.4.1 General Policies for Strategic Growth Areas

2.4.1.1 Planning authorities are encouraged to identify and focus growth and development in strategic growth areas.

2.4.1.2 To support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned:

- a) to accommodate significant population and employment growth;
- b) as focal areas for education, commercial, recreational, and cultural uses;
- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
- d) to support affordable, accessible, and equitable housing.

2.4.1.3 Planning authorities should:

- a) prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;
- b) identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;
- c) permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;
- d) consider a student housing strategy when planning for strategic growth areas; and
- e) support redevelopment of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

The proposed Minor Variance would provide zoning compliance to the proposed development noted in Section 1.1.2 presently proceeding through Site Plan Control. The proposal is consistent with Provincial Planning Statement as the subject property is in a built-up area with existing infrastructure and public service facilities. The proposed intensification of the subject property will help optimize the existing infrastructure, service facilities, and public transit. The proposed development will intensify lands in a built-up area and optimize the long-term availability and use of land and resources. The proposed development also contributes to the diversity of housing options in the surrounding area.

3.2 City of Ottawa Official Plan (2022, as amended)

The Official Plan for the City of Ottawa was approved 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.

3.2.1 Transect Policies

The Official Plan divides the City into six 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). Throughout the Transect policies, references are made to urban and suburban built form and site design. Transect Policies provide direction on minimum and maximum height based on context through the type of Transect and designation.



Figure 8: Schedule A – Transect Policy Areas, City of Ottawa Official Plan.

As identified on Schedule A (Figure 8), the subject property is located in the **Outer Urban Transect**. The Outer Urban Transect comprises neighbourhoods inside the Greenbelt built in the last third of the twentieth century. The neighbourhoods represent the classic suburban model and are characterized by the separation of land uses, standalone buildings, generous setbacks and low-rise building forms. The planning challenge is to introduce more viable public transit and active mobility options, help functional local hubs and corridors to emerge and develop, and encourage more diverse housing forms to meet the changing needs of an evolving demographic. Intensification within the Outer Urban Transect is directed to Hubs and Corridors that are serviced by rapid transit.

The proposed development meets the following Inner Urban Transect policies outlined in **Section 5.3**, among others: **Policy 5.3.1.2** states that the Outer Urban Transect is generally characterized by low- to mid-density development. Development shall be:

- a) Low-rise within Neighbourhoods and along Minor Corridors;
- b) Generally Mid- or High-rise along Mainstreet Corridors, except where the lot is too small to provide a suitable transition to abutting low-rise areas, in which case only low-rise development shall be permitted; and

- c) Mid- or High-rise in Hubs.

Policy 5.3.1.3 states that in the Outer Urban Transect, the City shall support the rapid transit system and begin to introduce urban environments through the designation and overlay policies of the Official Plan, by:

- a) Supporting the introduction of mixed-use urban developments at strategic locations close to rapid transit stations; and
- b) Targeting Hubs as selected segments of Mainstreets for mid-density and mixed-use development to reinforce or establish an urban pattern.

Policy 5.3.1.4 states that in the Outer Urban Transect, the Zoning By-law shall provide for a range of dwelling unit sizes in:

- a) Multi-unit dwellings in Hubs and on Corridors;
- b) Predominantly ground oriented forms in Neighbourhoods located away from frequent street transit and Corridors, with Low-rise multi-unit dwelling permitted near rapid transit and frequent street transit routes; and
- c) In Hubs, a range of housing types to accommodate individuals not forming part of a household.

Policy 5.3.3.1 states that within Hubs, except where a secondary plan or area-specific policy specifies different heights, permitted building heights are as follows:

- a) Up to 300 metre radius or 400 metres walking distance of an existing or planned rapid transit station, whichever is greatest, at least 3 storeys and up to High-rise; and
- b) Outside the area described by Policy a), up to High-rise where the parcel is of sufficient size to allow for a transition in built form massing.

Policy 5.3.3.2 states that parking in Outer Urban Hubs shall be managed as follows:

- a) Minimum parking requirements may be reduced or eliminated; and
- b) Surface parking within 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned rapid transit station, shall be located in the interior of the block, behind or beside the building and if located beside, shall not introduce a built-edge gap along the street that is wider than the widest building along the same frontage on the same site

The requested Minor Variance will provide the proposed development zoning compliance with respect to the on-going Site Plan Control application. It is strategically located in close proximity to major employment hubs, frequent transit routes, active transportation, and a wide range of amenities and services. Redevelopment of this underutilized site represents an opportunity to deliver critical density in a contextually appropriate location, advancing the Official Plan's objectives related to intensification, sustainable mobility, and the creation of complete communities.

3.2.2 Designation Policies

As identified on Schedule B3 (Figure 9) of the Official Plan, the subject property is designated **Mainstreet Corridor** and located within a **Hub**. The Corridor designation applies to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs. Where Corridors intersect or overlap with Hubs, the building height policies governing Hubs shall prevail, however the other policies of the Corridor are applicable (Policy 6.1.1.6). Further, the Corridor designation includes two sub-designations, Mainstreet Corridors (also referred to as Mainstreets) and Minor Corridors. Development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building stepbacks where appropriate.



Figure 9: Schedule B3 – Outer Urban Transect, City of Ottawa Official Plan.

Section 6.2 of the Official Plan establishes policies that guide development on lands designated Corridor. Development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building setbacks, where appropriate. Development shall ensure appropriate transitions in height, use of land, site design and development character through the site, to where the Corridor designation meets abutting designations.

Corridors will generally permit residential uses and such non-residential uses that integrate with a dense, mixed use urban environment. The City may require:

- / Commercial and service uses on the ground floor of otherwise residential, office and institutional buildings, with a strong emphasis on uses needed to contribute to 15-minute neighbourhoods;
- / Residential and/or office uses on the upper floors of otherwise commercial buildings; and/or
- / Minimum building heights in terms of number of storeys to ensure multi-storey structures where uses can be mixed vertically within the building.

Policy 6.1.1.6 states that where Corridors intersect or overlap with Hubs, the building height policies governing Hubs shall prevail.

The proposed development conforms to the Outer Urban Transect and Mainstreet Corridor designation which encourages a diversity of functions, a higher density of development and a greater degree of mixed uses within proximity to frequent transit. The proposed development conforms to the Outer Urban Transect and Corridor policies which support infill development in a variety of uses and levels of intensification.

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

The subject property is zoned Mixed Use Centre, with a maximum permitted Floor Space Index (FSI) of 2.0 and a maximum permitted building height of 34 metres – **MC F(2.0) H(34)**. The intent of the MC zone is to implement the Mixed Use Centre Designation of the City of Ottawa Official Plan (2003).

The purpose of the Mixed-Use Centre - MC zone is to:

- / Accommodate a combination of transit-supportive uses such as offices, secondary and post secondary schools, hotels, hospitals, large institutional buildings, community recreation and leisure centres, day care centres, retail uses, entertainment uses, service uses such as restaurants and personal service businesses, and high- and medium-density residential uses;
- / Allow the permitted uses in a compact and pedestrian-oriented built form in mixed-use buildings or side by side in separate buildings; and
- / Impose development standards that ensure medium to high profile development while minimizing its impact on surrounding residential areas.



Figure 10: Zoning Map of the subject property and surrounding area.

The following table summarizes the proposed development’s compliance with the R5B zoning. Areas of non-compliance are noted with an “X”.

Zoning Mechanism	Zoning Provision	Provided	Compliance
Principal Land Use(s)	Residential	Residential	Y
Lot Width	No minimum	49.1	Y
Lot Area	No minimum	3,222.6 square metres	Y
Front Yard Set Back	No minimum	0.062 metres	Y

Interior Side Yard Setback	No minimum	1.5 metres	Y
Rear Yard Setback	2.0 metres	8.4 metres	Y
Lot Coverage Floor Space Index (F.S.I.)	2.0	3.5*	X
Building Height	34 metres	21.6 metres	Y
Resident Parking Spaces	0 / dwelling unit (area Z)	119	Y
Visitor Parking Spaces	0.1 / dwelling (16)	16	Y
Size of Parking Space	5.2 x 2.6 m	5.2 x 2.6 metres	Y
Driveway Width	6 metres	6 metres	Y
Aisle Width	6 metres	6 metres	Y
Bicycle Parking Rate	0.5 / dwelling (81)	98	Y
Amenity Space	3 square metres / dwelling (486 square metres communal)	657 square metres	Y

**** Section 4.2 of this report contemplates the appropriateness of the requested Minor Variance, to increase the permitted FSI of the subject property, relative to the intent of the zoning by-law.***

4.0 Four Tests of a Minor Variance

As per section 45(1) of the *Planning Act*, it is our professional opinion that the proposed development represents good planning and meets the four tests as discussed below.

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

As noted in Section 3.2 of this report, the subject property is located in the **Outer Urban Transect** and designated **Mainstreet Corridor**. The proposed development contemplates a six-storey residential building on lands where the existing use is a surface parking lot. The proposed mid-rise built form adheres to the Official Plan's policies for the Outer Urban Transect to locate mid-rise buildings along Mainstreet Corridors (**§5.3.1.2**). Further, locating mid-rise development within 300 metres of a rapid transit station is appropriate, given the requirement to provide at least three-storeys in height within 300 metres of a rapid transit station (**§5.3.3.1**).

With respect to the proposed development's compliance to the Mainstreet Corridor policies, the development provides a residential use that actively addresses the Mainstreet, meets the minimum height and density requirements, and provides adequate transition from taller buildings.

The proposal 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 property is zoned Mixed Use Centre, with a maximum permitted Floor Space Index (FSI) of 2.0 and a maximum permitted building height of 34 metres – **MC F(2.0) H(34)**. The purpose of the MC zone is to:

- / Accommodate a combination of transit-supportive uses such as offices, secondary and post secondary schools, hotels, hospitals, large institutional buildings, community recreation and leisure centres, day care centres, retail uses, entertainment uses, service uses such as restaurants and personal service businesses, and high- and medium-density residential uses;
- / Allow the permitted uses in a compact and pedestrian-oriented built form in mixed-use buildings or side by side in separate buildings; and
- / Impose development standards that ensure medium to high profile development while minimizing its impact on surrounding residential areas.

As identified in the zoning table, found in Section 3.3 of this report, the subject property is compliant with all relevant zoning provisions of the R2F zone, with regards to built form, parking, and amenity space. The requested Minor Variance is seeking relief to increase the Floor Space Index to reflect the level of intensification that is contemplated as part of the active Site Plan Control application.

Speaking specifically to the requested relief:

- / **Increase Floor Space Index to 3.5**
 - The requested relief to the existing Floor Space Index maximum is appropriate, given that limiting FSI is primarily done to limit development where servicing capacity limitations have been identified. As noted in the accompanying Stormwater Management Report and Servicing Brief, there are no deficiencies with respect to servicing capacity.
 - The recently approved Zoning By-law (2026-50), has rezoned the property to Hub Zone 2, Maximum Height 34 metres – **H2 H(34)**, removing the Floor Space Index provision entirely from the zoning. The requested Minor Variance reflects the intent and stated provisions of the forthcoming Zoning By-law.

The Minor Variance application meets the general intent and purpose of the Zoning By-law, by providing a residential development in a built form that meets that provisions of the Zoning By-law. The requested relief is to accommodate intensification at a level that is consistent with the intent of the Transect and Designation articulated in Section 4.1 of

this report. FSI is typically understood to provision a limit on development due to servicing constraints. However, it has been established that no such constraints exist. Finally, the new Zoning By-law has removed the FSI provision from the subject property's zoning.

The proposed development meets the intent of the Zoning By-law.

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

The requested Minor Variance is desirable, as it will allow for the development of mid-rise residential development within close proximity to a rapid transit station. The proposed level of intensification meets the requirement identified in Table 3a of the Official Plan. Further, the proposed development is presently under review as part of an on-going Site Plan Control application. Through the technical circulation and commenting process, City departments and associate agencies have the opportunity to provide comments, require plans and studies, and receive public comments. City staff have identified no issue with respect to the appropriateness of the development or the requested use, nor have any public comments been provided that speak against the development.

The proposed Minor Variance represents appropriate development in a built form and level of intensification identified in the Official Plan. Additionally, the location of the proposed development is aligned with the Provincial Planning Policy to direct development within close proximity to high order development.

The proposed development is appropriate.

4.4 Is the Proposal Minor in Nature

The requested Minor Variance does not inhibit the existing development from meeting all other provisions within the Zoning By-law and will continue to allow the subject property and neighbouring properties to develop in a manner that is consistent with the built form and planned uses of the surrounding area.

The general intent of maximum Floor Space Index is to regulate intensification relative to servicing capacity constraints. Given that the servicing capacity of the subject property can accommodate the proposed development the proposed increase to the FSI represents a minor alteration to the Zoning By-law. Further, the requested variance is minor, by nature of not affecting the built form or general experience for residents, abutting property residents, or pedestrians as they pass the property. Finally, the variance is minor, as it seeks relief to a provision that is not present in the forthcoming Zoning By-law (2026-50).

Therefore, the proposed Minor Variance is minor in nature.

5.0 Conclusion

It is our professional opinion that the requested relief included in the proposed Minor Variance is appropriate and meets the four tests for a Minor Variance, as outlined in the *Planning Act*.

Specifically,

- / The proposed Minor Variance maintains the intent of the Official Plan by providing a mid-rise built residential building in an area designated Mainstreet Corridor, within 300 metres of a rapid transit station;
- / The Minor Variance meets the intent of the Zoning By-law by providing a built form that is consistent with the underlying MC zone and requires no relief from setbacks, maximum building height, parking, or amenity space;
- / The proposed Minor Variance represents appropriate development as it is necessary to provide zoning compliance with the on-going Site Plan Control application, which has not identified any fundamental issues that would characterize the development as not appropriate for the subject property; and
- / The requested Minor Variance is minor in nature as the requested increase in FSI does not inhibit development on abutting properties nor does it create any servicing capacity issues for the surrounding neighbourhood.

For your consideration



Tyler Yakichuk, MCIP RPP
Senior Planner