

# FOTENN

## 244 FOUNTAIN PLACE



November 11, 2019

Planning Rationale  
and Design Brief

Zoning By-law Amendment  
and Site Plan Control



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November 11, 2019

# 1.0 INTRODUCTION

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Fotenn Consultants Inc., acting as agents for TC United, is pleased to submit the enclosed Minor Zoning By-law Amendment and Site Plan applications for the lands municipally known as 244 Fountain Place in the City of Ottawa.

In response to comments from City of Ottawa staff and concerns from the community, the design of the proposed apartment building has changed significantly since the original submission in November 2016. This Planning Rationale and Design Brief has been updated accordingly, and Section 3 of this Rationale details the evolution of the concept.

## 2.0 SURROUNDING AREA AND SITE CONTEXT

The site municipally known as 244 Fountain Place (referred to herein as “the site”) is located at the east end of Sandy Hill, where Fountain Place branches off Rideau Street just before the Cummings Bridge. The site has a street frontage of 15.34m, a depth of 54.93m, and a total lot area of approximately 715.9m<sup>2</sup>. It is currently vacant and lightly wooded. There is a significant grade change from the lower front (east) lot line to the higher rear (west) lot line of the site.



Figure 1: Subject site and surrounding context.

**North** of the subject site is Besserer Park, beyond which lies the intersection of Fountain Place and Rideau Street and the western approach to Cummings Bridge. Further north is a continuation of the Rideau River shore, which is lined with diplomatic uses and high-and low-rise residential uses fronting on Wurtemberg Street. The Rideau Street corridor is also situated north-west of the subject site. The section of Rideau Street near the proposed development is currently in a state of transition, with numerous mid-rise mixed-use development projects underway.

**South** of the subject site is a planned unit development of three storey stacked townhouses at 250 Fountain Place. Further south are high-rise and mid-rise residential buildings situated on the Rideau River shoreline, with Strathcona Park just beyond.

**East** of the proposed development is the Rideau River and Cummings Bridge, which leads to the neighbourhood of Vanier.

**West** of the subject site are three-storey residential uses on Besserer Street, within the Sandy Hill neighbourhood, that are elevated 2-3 stories above the elevation of the site. Though Sandy Hill is largely residential in character, the built form is extremely varied, ranging from single-detached dwellings to duplexes, townhouses, and low, mid, and high-rise apartment buildings. Numerous embassies are also in evidence.

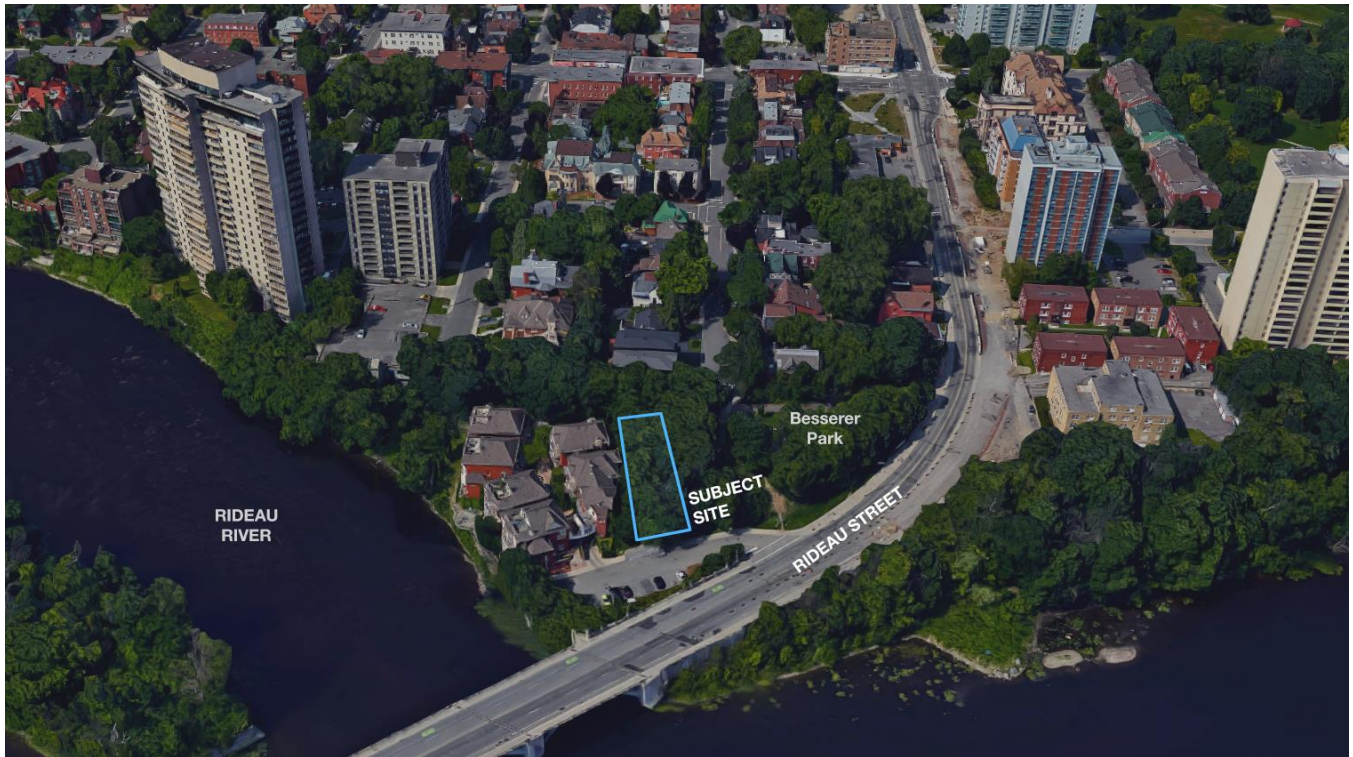


Figure 2. Subject site – viewed from the east.



Figure 3. North of the subject site – Fountain Place meets Rideau Street.



Figure 4. South of the subject site – neighbouring planned unit development.

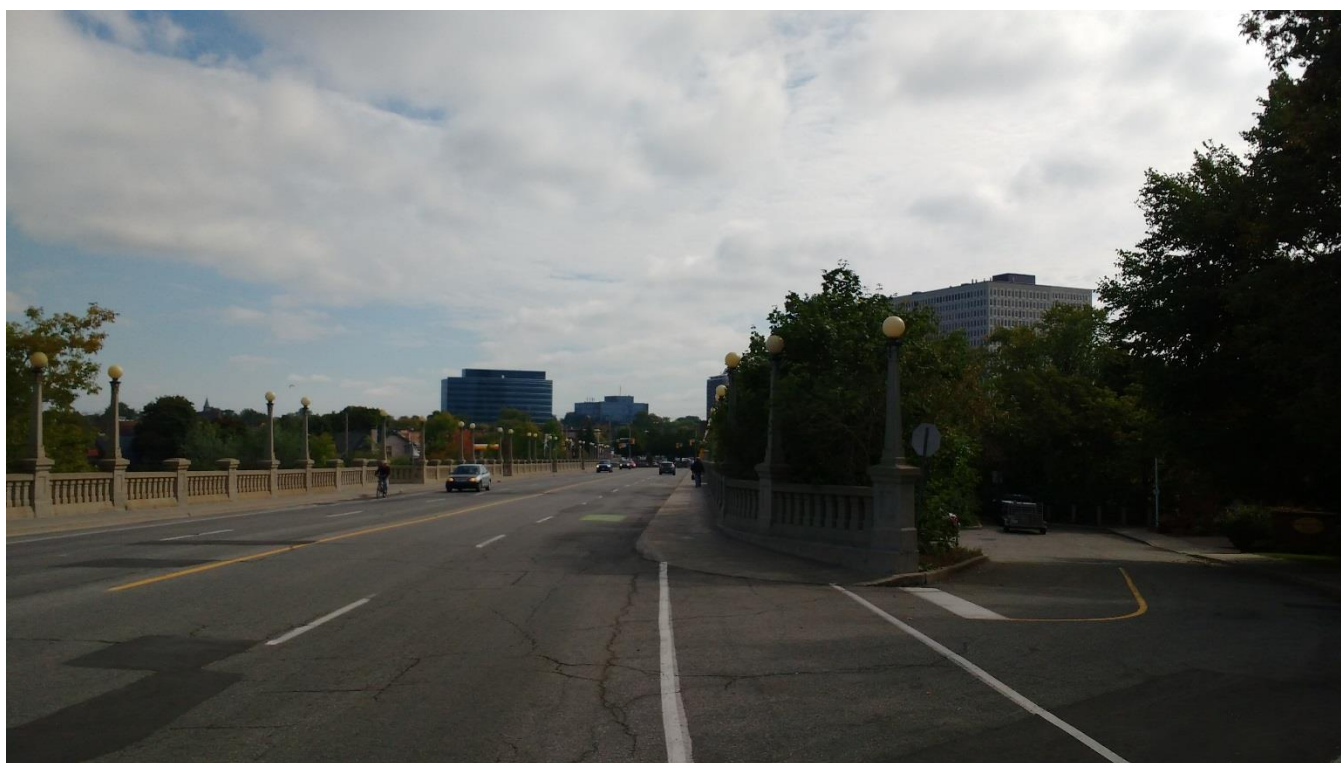


Figure 5. East of the subject site – Cummings Bridge and Vanier beyond. Fountain Place is at right.



Figure 6. West of the subject site – detached dwellings at the end of Besserer Street.

## 2.1 Community Amenities

The proposed development is near many community amenities, including retail and commercial uses in the Rideau Street corridor, the Rideau Branch of the Ottawa Public Library, and Ottawa Lowertown Community Centre and Pool. Numerous elementary and secondary schools are located within a kilometre of the proposed development. The site is immediately adjacent to Besserer Park and within 500m of MacDonald Gardens Park, Riverain Park, and Strathcona Park.

## 2.2 Road Network and Transit

The site is located on Fountain Place, which is a spur off Rideau Street. Rideau Street is an arterial road, as identified on Schedule F of the City of Ottawa Official Plan, responsible for carrying significant traffic, including buses in reserved lanes during peak periods. It connects Wellington Street in the west and Montreal Road in the east, and acts as a major commercial spine for the surrounding community.

As shown on Schedule C of the Official Plan, the site's area is well served by cycling infrastructure, with an on-road cycling route on Rideau Street connecting to Montreal Road in the east, numerous cycling routes through Sandy Hill on Wilbrod St. and Stewart St. and Laurier St., and multi-use pathways along the Rideau River. This site is within 200m of a bus stop on Rideau Street in service of OC Transpo Routes 12, 14 and 18. Rideau Street is a Transit Priority Corridor where buses travel in reserved lanes during peak periods.

# 3.0 PROPOSAL HISTORY

The proposal has been through several iterations since the initial application was made in November 2016.

The first submitted concept was for a pair of low-rise apartment buildings in a planned unit development with an internal parking courtyard (Figure 7). The intent of the design was to present a massing and site layout that would be similar to and compatible with the existing residential development adjacent to the site, which is also built around a central courtyard.



Figure 7. Concept for low-rise planned unit development, fall 2016.

The two-building proposal was met with objections from the residents of the neighbouring condominium over the potential for light pollution from cars in the courtyard, erosion in the rear yard, and privacy concerns. Attempts to further develop this concept with input from the community were frustrated by the neighbouring residents’ refusal to meet.

The project was redesigned around a single six-storey building to reduce lot coverage and simplify the required retaining wall by concentrating built form at the front of the site. Parking was to be included on the basement level of the proposed building. The design evolved throughout 2017 and early 2018, and has emerged as a proposal for a low-rise apartment building as detailed in Section 4 of this document.





Figure 8. Six-storey concept, summer 2017.



Figure 9. Revised six-storey concept, winter 2018.

# 4.0 PROPOSED DEVELOPMENT

The proposed development is a low-rise apartment building with a gross floor area (GFA) of 1,359m<sup>2</sup> and 20 dwelling units. Due to the steeply sloped subject site, the basement level is exposed at the front of the site. Terraces and retaining walls give the basement level access to sunlight and fresh air on the north side and rear of the building. Further terraces are cut into the slope at the rear of the subject site to provide outdoor amenity areas at grade.

While a single, significantly higher building would be permitted, the proposed development consists of a single low-rise building to minimize impact on neighbouring properties and to better integrate the building into the surrounding fabric. The neighbourhood of Sandy Hill is characterized by a diverse mix of architectural styles and typologies reflective of the changing nature and evolution of the area. In light of this, the proposed building relates appropriately to its context and fits within the range of development types, historic and otherwise, to be found in the surrounding area.

In order to comply with zoning requirements, five parking spaces are being proposed, as discussed with City of Ottawa staff and the Ward Councillor on July 16, 2019. Two parking spaces are accessible from Fountain Place, in a garage recessed from the front of the proposed building; three surface parking spaces are accessible from Besserer Street to the west, and are connected to the building via a walkway to the second floor.

Storage for garbage is provided indoors to mitigate impacts on neighbours.

The proposal was developed with regard for numerous design guidelines and policies, including:

- City of Ottawa Official Plan
  - Managing Growth policies (Section 2.2.2)
  - Building Liveable Communities policies (Section 2.5.1)
  - General Urban Area policies (Section 3.6.1)
  - Compatibility policies (Section 4.11)

- Sandy Hill Secondary Plan
- Official Plan Amendment 150
- Urban Design Guidelines for Low-Rise Infill Housing

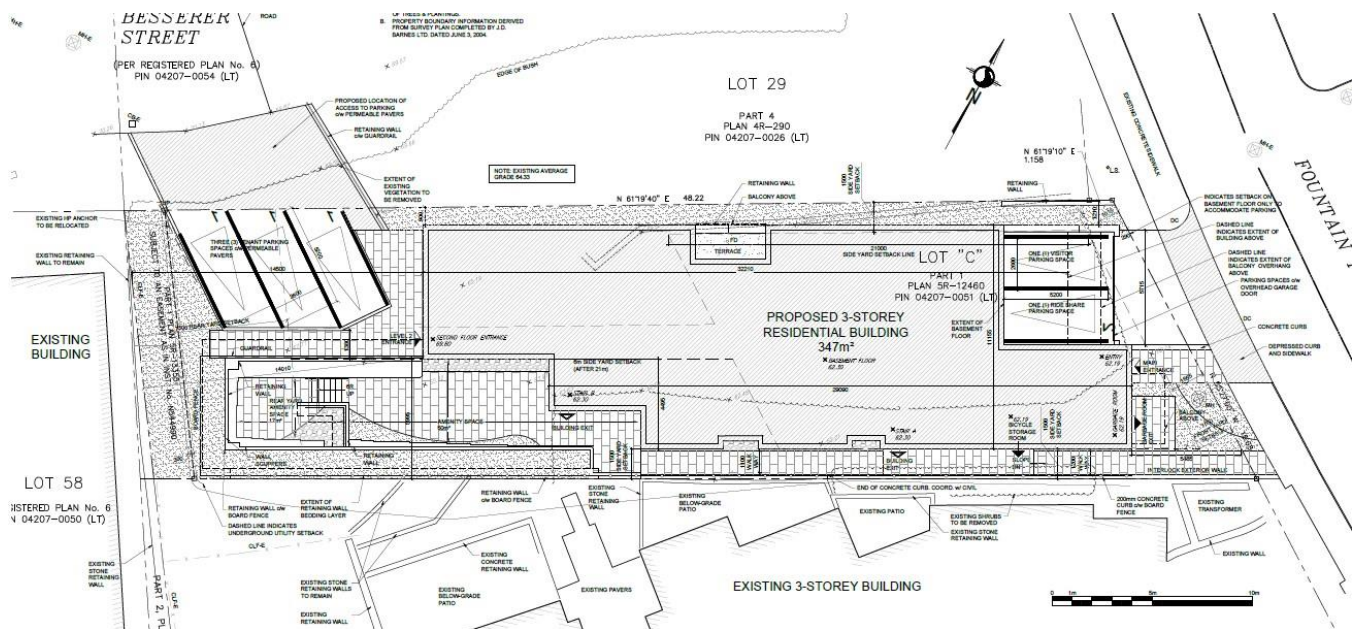


Figure 10. Site plan.



Figure 11. Frontal view of the proposed development.



Figure 12. Streetscape impact of the proposed development.



Figure 13. Amenity area of the proposed development.



Figure 14. Rear view of the proposed development.



Figure 15. North elevation.

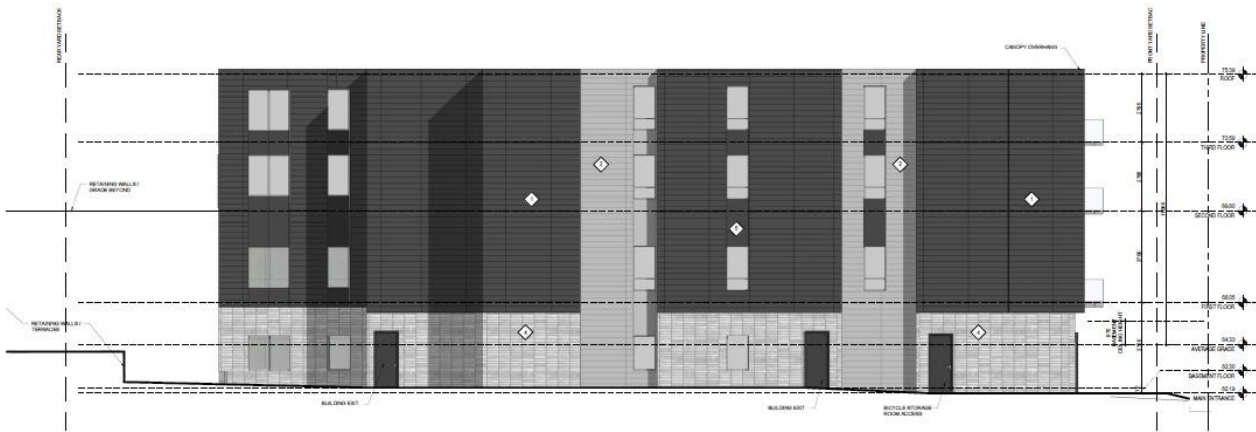


Figure 16. South elevation.

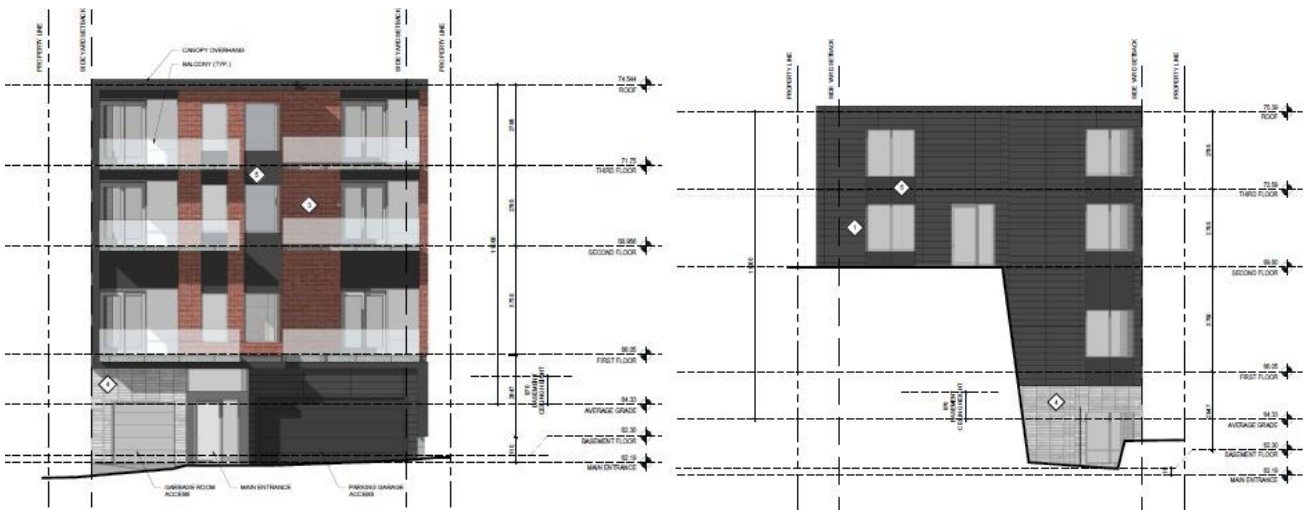


Figure 17. East (front) and west (rear) elevations.

## POLICY AND REGULATORY FRAMEWORK

### 5.1 Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act in April 2014. It 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.

The PPS emphasizes the intensification of built-up areas to promote the efficient use of land, existing infrastructure and public service facilities to avoid the need for unjustified and uneconomic expansion. Planning authorities must identify and promote opportunities for intensification and redevelopment [Policy 1.1.3.3]. In addition to furthering the PPS objective of concentrating growth within the built-up urban area, the proposed development meets the following Provincial Policy interests:

- / Promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term [Policy 1.1.1.a];
- / Promotes cost-effective development standards to minimize land consumption and servicing costs [Policy 1.1.1.e];
- / Efficiently uses the infrastructure and public service facilities which are planned or available [Policy 1.1.3.2a];
- / Is an opportunity for intensification and redevelopment where this can be accommodated taking into account existing building stock and areas [Policy 1.1.3.3];
- / Directs development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs [Policy 1.4.3.c];
- / Promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed [Policy 1.4.3.d];
- / Promotes land use patterns, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation [Policy 1.6.7.4];
- / Supports energy efficiency and improves air quality through land use and development patterns promoting the use of public transit and other alternative transportation modes and improving the mix of employment and housing uses to decrease transportation congestion [Policies 1.8.1.b and 1.8.1.c].

The proposed development is consistent with the Provincial Policy Statement, as it capitalizes on an opportunity for redevelopment and intensification within the City’s built-up area where services are readily available, promotes intensification and new housing in an area where public transit is easily available, and promotes densities that contribute to more sustainable land use patterns and contributes to the range and mix of residential housing types.

### 5.2 City of Ottawa Official Plan 2003, as amended

The City of Ottawa Official Plan is composed of eight sections, each addressing a different aspect of the planned function of the City as a whole. Section 2 of the Official Plan provides strategic direction for growth and development within the City.

Ottawa’s population is projected to grow by up to 30 percent by 2031. The City plans to meet this growth challenge by managing it in ways that support liveable communities and healthy environments. In other words, the City is striving to create ‘complete’ communities in which residents do not need to drive for everyday activities and where jobs, shopping, recreation and social activities lie within walking or cycling distance.

More specifically, the Plan pursues strategic directions in four key areas, two of which are relevant to the proposal:

#### Managing Growth

- / The City will manage growth by directing it to the urban area where services already exist or where they can be provided efficiently, including development on previously underutilized lots;
- / Growth in the urban area will be directed to areas where it can be accommodated in compact and mixed-use development, and served with quality transit, walking and cycling facilities.

#### Creating Liveable Communities

- / The City will provide opportunities to increase the supply of affordable housing throughout the rural and urban areas.
- / Growth will be managed in ways that create complete communities with a good balance of facilities and services to meet people's everyday needs, including schools, community facilities, parks, a variety of housing and places to work and shop;
- / Attention to design will help create attractive communities where buildings, open space, and transportation work well together;

These strategic directions are developed further in the policies of Section 2.2 (Managing Growth) and 2.5 (Building Liveable Communities), as discussed below.

#### 5.2.1 Managing Growth

Section 2.2.2 of the Official Plan deals specifically with the management of growth within the urban area and recognizes that intensification is generally the most cost-effective pattern of development for the provision of municipal services, transit, and other infrastructure. A more compact urban form is also identified as offering Ottawa's aging population greater accessibility and proximity to goods and services.

The Plan directs growth to locations with significant development potential, a pattern that can be described as a series of nodes and corridors including Traditional Mainstreets. By directing growth to specific land use designations, the stability of neighbourhoods within the General Urban Area designation is enhanced. Policy 1 of Section 2.2.2 identifies residential intensification as including infill and development on vacant lots within previously developed areas.

The proposed use for the site conforms to the intent of the Official Plan policies on managing growth within the City, where intensification in the General Urban Areas is to relate to the existing community character and contribute to a balance of housing types and tenures. As development in this area is presently characterized by a diversity of building heights, densities, and styles, the proposed low-rise apartments are complementary to this pattern of built form.

#### 5.2.2 Building Liveable Communities

In support of lively and complete mixed-use communities, the City's growth management strategy includes intensification of development in the urban area over the next 20 years. Compatible developments are developments that, although not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhance the established character of a community and coexist with existing development without causing undue adverse impact on surrounding properties.

The City influences the built environment through the use of design objectives set out in Section 2.5.1 that are broadly stated and intended to apply to new development.

The proposed development meets the following applicable objectives in Section 2.5.1 of the Official Plan:

- / Enhances the sense of community by creating and maintaining places with their own distinct identity;
- / Defines quality public and private spaces through development;

- / Creates places that are safe, accessible and easy to get to, and move through;
- / Ensures that new development respects the character of existing areas, and;
- / Considers adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.

The proposed development is sited on Fountain Place, a small distinctive pocket of residential uses accessed from busy Rideau Street. The only other existing residential use on the street is a three storey planned unit development on the river's edge that will be complemented by the proposed low-rise apartments which diversify the supply of residential units to accommodate a range of residents while fitting within the scale, massing and character established in the immediate area.

The proposed development will have links to public space, providing users with pedestrian access to Besserer Street and Besserer Park at the rear of the site.

### 5.2.3 Land Use Designation

The site is designated *General Urban Area* on Schedule B – Urban Policy Plan in the City of Ottawa Official Plan (Figure 16). The General Urban Area designation permits the development of a range and choice of housing types to meet the need of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses. The purpose of this designation is to facilitate the development of complete and sustainable communities.

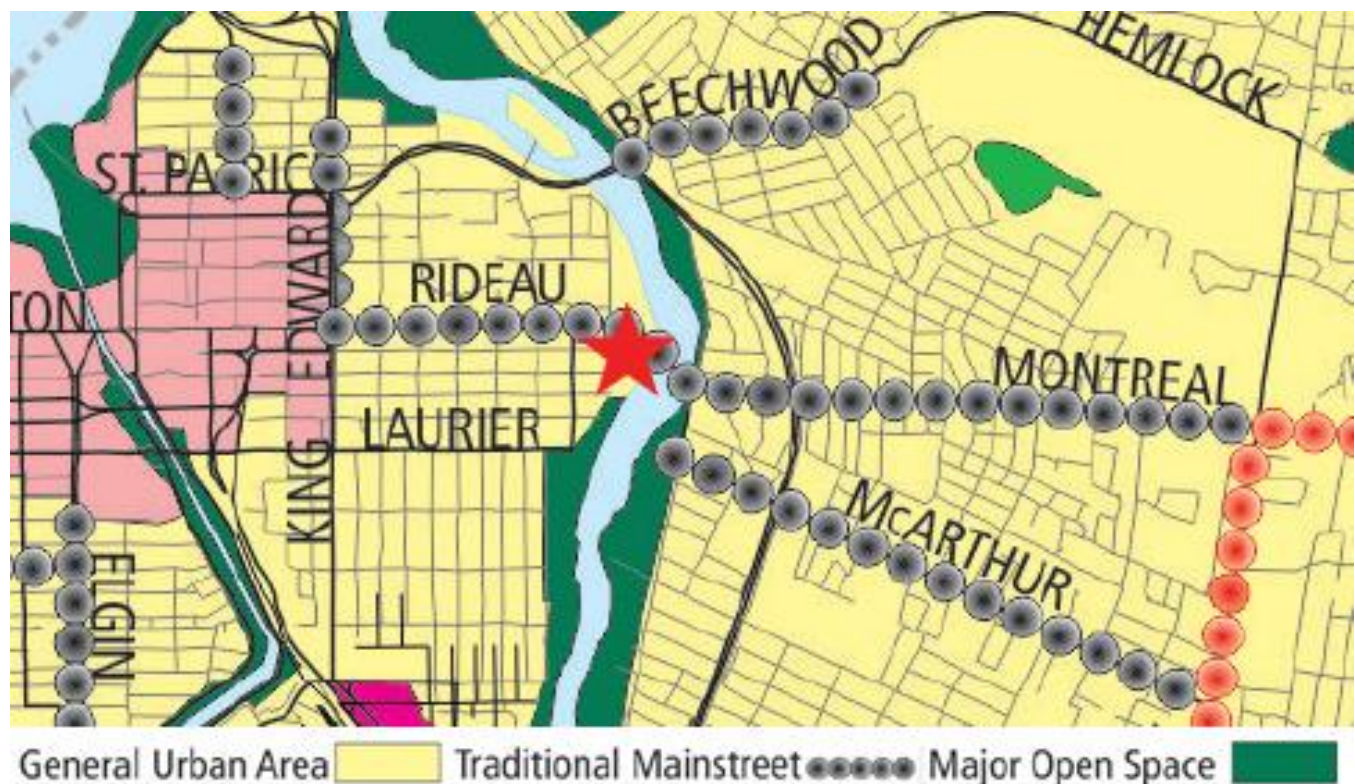


Figure 18: Official Plan Schedule B.

The Official Plan supports infill development within the General Urban Area. As per Section 3.6.1(3) of the Official Plan, when considering proposals for residential intensification through infill in the General Urban Area, the City is to:



- / Recognize the importance of new development relating to existing community character so that it enhances and builds upon desirable established patterns and built form;
- / Apply the policies of Section 2.5.1 (Compatibility and Community Design) and Section 4.11 (Compatibility);
- / Consider the development's contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing.
- / Assess ground-oriented multiple housing forms, such as duplex, triplex and fourplex, as one means of intensifying within established low-rise residential communities.

The proposed development is scaled to relate to the surrounding community, and contributes to the supply of rental housing in a neighbourhood where there is demonstrated and persistent demand for rental housing.

#### 5.2.4 Compatibility

Section 4.11 of the Official Plan sets out criteria which are used to evaluate the compatibility of proposed developments. These criteria include: traffic, vehicular access, parking requirements, outdoor amenity areas, loading areas, service areas and outdoor storage, lighting, noise and air quality, sunlight, microclimate, supporting neighbourhood services. Not all of these items apply to this particular proposal.

The most applicable compatibility criteria are discussed below:

**Table 1. Compliance with Section 4.11 of the Official Plan**

| <b>COMPATIBILITY CRITERIA</b>             | <b>PROPOSED DEVELOPMENT</b>  |
|---|--|
| <b>OUTDOOR AMENITY AREAS:</b>             | The proposed development will have terraced outdoor amenity area at the rear of the site and balconies for certain units. In addition, the building is immediately adjacent to Besserer Park and within walking distance of several other parks. As such, the proposed development has an abundance of outdoor amenity spaces available. |
| <b>NOISE AND AIR QUALITY:</b>             | No significant impacts related to noise or air quality are expected as a result of the proposed development.   |
| <b>SUNLIGHT:</b>                          | The proposed development is not anticipated to have significant shadow impact on surrounding properties. Shadowing will be limited to the parkland to the north and will have less impact than as-of-right development that could include a taller building.   |
| <b>MICROCLIMATE:</b>                      | No significant microclimate impacts are anticipated as a result of the proposed development.   |
| <b>SUPPORTING NEIGHBOURHOOD SERVICES:</b> | The proposed development is located in close proximity to several neighbourhood amenities including schools, parks, and a community centre. Rideau Street has a variety of commercial services available, while bus stops in close proximity to the site provide access to the rest of the city.   |

Where new proposals require amendments to the Zoning By-law regarding lot area and setbacks, the appropriateness of the proposal will be considered in light of the following measures under Policy 14 of Section 4.11:

- / Building height, massing and scale permitted by the zoning of adjacent residential properties as well as the prevailing patterns established in the immediate area; and
- / Prevailing patterns of rear and side yard setbacks and landscaped open space permitted by the zoning of adjacent residential properties as well as the prevailing patterns established in the immediate area.
- / The need to provide a transition between areas of different development intensity and scale.

The proposed building is located at the edge of a neighbourhood with a wide variety of buildings, ranging from two-storey detached homes to high-rise apartment buildings. The immediate area is characterized by an eclectic urban fabric with minimal side yard setbacks and varied relationships to the street edge.

The only adjacent residential property on Fountain Place shares the same zoning as the subject site, and is a planned unit development of similar massing and scale as the proposed development, with small setbacks and a minimal rear yard. The only other abutting residential land use is a three-storey detached dwelling that lies to the west, fronting onto Besserer Street. The grade level of the houses on Besserer is elevated two to three stories above the proposed three and four storey development, minimizing the impact of the proposed buildings on the existing houses there.

The proposed design maintains the neighbourhood character, and fits within the massing and scale range of surrounding properties.

### 5.3 City of Ottawa Official Plan Amendment 150

In 2013, the City of Ottawa reviewed its Official Plan resulting in numerous policy changes. Ottawa Council adopted Official Plan Amendment (OPA) 150 in December 2013, receiving Ministry of Municipal Affairs and Housing approval April 24, 2014. As OPA 150 is currently under appeal, the current policies of the City of Ottawa Official Plan 2003, consolidated May 2013 remain in full force and effect. Despite this, the relevant policies of OPA 150 have been considered below because this is a Council-approved document.

#### Sections 2.5.1 & 4.1.1

While Section 2.5.1 remains largely unchanged in OPA 150 except to provide more flexibility in how its objectives are addressed, Section 4.11 has been significantly modified. As such, Table 2 assesses the proposed development with regards to the relevant policies of the revised Section 4.11.

**Table 3. Compliance with revised Section 4.11 in OPA 150.**

| <b>COMPATIBILITY CRITERIA</b> | <b>PROPOSED DEVELOPMENT</b>   |
|-------------------------------|---|
| <b>VEWS</b>                   | The building will not impact any protected views. [Policies 2, 3, 4]  |
| <b>BUILDING DESIGN</b>        | The design of the development fits with the planned function of the surrounding neighbourhood as a residential area by adding residential infill in a low-rise format, with facades and materiality that complements its surroundings [Policy 5]; The principal facade is oriented to the street; windows are visible from the public realm [Policy 6]; |
| <b>MASSING AND SCALE</b>      | The proposed development fits within the height maximum envisioned in the Secondary Plan and is scaled appropriately for its area [Policy 9];   |
| <b>OUTDOOR AMENITY AREAS</b>  | Amenity areas for residents are being provided in the landscaped rear yard and on private terraces and balconies [Policy 16];   |

### 5.4 Sandy Hill Secondary Plan

The Sandy Hill Secondary Plan is intended to preserve and enhance Sandy Hill as an attractive residential neighbourhood, provide for a broad range of socio-economic groups, accommodate a modest increase in population, and maintain the functions of Sandy Hill locally (as a primarily residential neighbourhood) and over a wider area (the Rideau Street corridor and the University of Ottawa).

The height maximum for the subject site is given as “medium-profile” within the Sandy Hill Secondary Plan, which indicates development of five to nine stories is appropriate. However, using the full extent of the as-of-right permitted height would result in a significantly taller building that is out of scale relative to neighbouring structures. As a result, the present proposal is for a low-rise apartment building of three storeys plus exposed basement, which adds desirable residential density to the site while respecting the compatibility criteria in the Official Plan and OPA 150 and is better integrated with surrounding built form.

In Section 5.3.2 of the Secondary Plan, the pertinent policies on residential land use are:

- / To preserve and enhance the existing stock of good housing.
- / To distinguish among types of new housing on the basis of scale, and to locate the different types in areas appropriate to them.
- / To provide a wide variety of housing, including accommodation for low-income people, the elderly, the handicapped and others with special needs.

The proposed development meets the policies of the Secondary Plan by adding to the stock of good housing, being scaled appropriately for its area, and providing rental units that can accommodate a variety of potential residents.

In Section 5.3.6 of the Secondary Plan, the pertinent policies on site development are:

- / To ensure that the scale, form, proportion and spatial arrangement of new development cause minimal intrusion on the sunlight, air and aspect enjoyed by existing adjacent development. Wherever possible, such new development shall contribute to the overall physical environment.
- / To ensure that new development shall provide for internal and external on-site amenity areas.
- / To enhance development with landscaping, especially for parking and loading areas and as a buffer between dissimilar land uses.

The proposed development meets the policies of the Secondary Plan by being similar in massing and scale to the buildings around it. Any sun-shadowing will naturally be limited to lands that are north, east, and west. The lands to the north and east are a public park and the Rideau River respectively. The lands to the west are elevated two-three stories above the site and will therefore be protected from any such impacts. On-site amenity spaces, including a landscaped rear yard and balconies, are included.

## 5.5 Urban Design Guidelines for Low-Rise Infill Housing

The City of Ottawa Urban Design Guidelines for Low-rise Infill Housing were adopted in May 2012. In general, the aim of the guidelines is to help create infill development that will:

- / Enhance streetscapes
- / Support and extend established landscaping
- / Be a more compact urban form to consume less land and natural resources
- / Achieve a good fit into an existing neighbourhood, respecting its character, and its architectural and landscape heritage
- / Provide new housing designs that offer variety, quality and a sense of identity
- / Emphasize front doors and windows rather than garages
- / Include more soft landscaping and less asphalt in front yards
- / Create at grade living spaces that promote interaction with the street
- / Incorporate environmental innovation and sustainability

The proposal meets the overall intent of the guidelines, as well as many of the specific guidelines contained therein:

- / Contribute to an inviting, safe, and accessible streetscape by emphasizing the ground floor and street façade of infill buildings.
- / Reflect the desirable aspects of the established streetscape character.

- 
- / Landscaped front yard and right-of-way to blend with the landscape pattern and materials of the surrounding homes.
  - / Ensure new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street, contribute to the animation, safety and security of the street.
  - / Locate infill in a manner that reflects the existing or desirable planned neighbourhood pattern of development in terms of building height, elevation and the location of primary entrances, the elevation of the first floor, yard encroachments such as porches and stair projections, as well as front, rear, and side yard setbacks.
  - / Orient buildings so that their amenity spaces do not require sound attenuation walls and that noise impacts are minimized. Design amenity areas such as second floor balconies and roof top decks to respect the privacy of the surrounding homes.
  - / Contribute to the amenity, safety and enjoyment of open spaces by offering living spaces that face them.
  - / Design infill in a manner that contributes to the quality of the streetscape, and that considers the impacts of scale and mass on the adjacent surrounding homes.
  - / Provide primary building entrances that are inviting and visible from the street by:
    - o Using quality and eye-catching materials and features at the entry.
    - o Adding architectural elements such as porches which promote street-oriented interaction.
    - o Keeping front doors prominent and close to the ground to match the pattern of the doors on the street, and to minimize exterior stairs for accessibility, as well as to ease year-round maintenance.

The proposed infill improves the existing streetscape of Fountain Place in a number of important ways, including an emphasis on ground-level front doors and windows as well as soft landscaping in the front yard.

## 5.6 City of Ottawa Zoning By-law 2008-250

The site is zoned Residential, Fifth Density Zone, subzone B (R5B) in the City of Ottawa Zoning By-law. The R5B zone allows a wide mix of residential building forms, from single-detached dwellings to high-rise apartments, in areas designated as General Urban Area in the Official Plan. Low-rise apartment buildings are permitted in this zone.

The purpose of the R5 Zone is to:

1. 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;
2. allow a number of other residential uses to provide additional housing choices within the fifth density residential areas;
3. 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;
4. ensure that residential uses predominate in selected areas of the Central Area, while allowing limited commercial uses;
5. 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.

Subzone B identifies specific provisions for development, as in the following table:

Table 3: Zoning Conformity for Apartment, Low-Rise

| Provision                                    | Requirement  | Proposed                                     | Compliance |
|--|--|--|------------|
| Minimum Lot Width (m)                        | 18   | 13.9m  | ✗          |
| Minimum Lot Area (m <sup>2</sup> )           | 540  | 715.9m <sup>2</sup>                          | ✓          |
| Maximum Building Height (m)                  | 14.5m (for low-rise apartments)  | 11m  | ✓          |
| Minimum Front Yard Setback (m)               | 1.85m (per Section 139(3))   | 0.29m  | ✗          |
| Minimum Rear Yard Setback (m)                | 25% of lot depth and 25% of lot area, not exceeding 7.5m   | 14m and 36% of lot area                      | ✓          |
| Minimum Interior Side Yard Setback (m)       | Where the building wall is less than 11m in height: 1.5m for first 21m of lot depth; 6m thereafter   | North side 0.9m<br>No increase after 21m     | ✗<br>✗     |
|  |  | South side 1.5m<br>Increases to 6m after 29m | ✓<br>✗     |
| Amenity Area (Section 137)                   | Total Amenity Area: 15m <sup>2</sup> per dwelling unit up to 8 units, plus 6m <sup>2</sup> per unit in excess of 8. (168m <sup>2</sup> )<br>Communal Amenity Area: 100% of the amenity area required for the first 8 units. (120 m <sup>2</sup> ). | 129m <sup>2</sup> total                      | ✗          |
|  |  | 65m <sup>2</sup> communal                    | ✗          |
| Landscape Area (Section 163)                 | 30% of lot area  | 39.8%  | ✓          |
| Minimum Parking Space Rates (Section 101)    | Area X: 0 for the first 12 dwelling units; 0.5 per unit thereafter = 4 parking spaces  | 4  | ✓          |
| Minimum Visitor Parking Spaces (Section 102) | 0 for the first 12 dwelling units, 0.1 thereafter = 1 visitor parking space  | 1  | ✓          |
| Driveway Width (s.139(10))                   | Double driveways not permitted for lot widths between 8.25m and 14.99m   | 5.7m   | ✗          |
| Pathway Width (s.139(16))                    | No greater than 1.25m  | 1.61m  | ✗          |
| Bicycle Parking (Section 111)                | 0.5 spaces per dwelling unit (10 spaces)   | 16   | ✓          |
| Streetscape Character (Section 140)          | Character group...<br>Front/corner side yard: B<br>Access/parking: B<br>Location of front door: A  | Front/corner side yard: C(vi)                | ✗          |
|  |  | Access/parking: C(xiii)                      | ✗          |
|  |  | Location of front door: A(i)                 | ✓          |

Fotenn believes that the proposed low-rise apartment buildings maintain the general intent and purpose of the Zoning By-law. Low-rise apartment buildings are permitted in the current R5B zoning and this proposal generally achieves the criteria set out in the purpose of the R5 zone.

Relief from the By-law is being sought due to the constrained nature of the site and due to the numerous trade-offs that were made in the evolution of this project to better reflect its context and to satisfy concerns about parking at Fountain Place and overlook of abutting amenity areas. Whereas previous iterations of this proposal were more broadly compliant with the provisions of the Zoning By-law, the present proposal is the product of extended discussions with City of Ottawa staff and the Ward Councillor, and represents best efforts to develop site-planning and design solutions that satisfy concerns and conditions specific to this project.

### **Lot Width**

While the subject site does not satisfy lot width requirements for a low-rise apartment building, it exceeds lot area requirements by virtue of its length; the proposed design adapts to these conditions with a long and narrow building that provides a reasonable setback on the south side of the lot (where abutting another residential use) and biases building mass toward the north side of the lot (where abutting a public park) to minimize adverse impact on neighbours.

### **Front Yard Setback**

As the front lot line is at a steep angle relative to the front wall of the building, much of the building is set back from the street a distance equivalent to the abutting property's setback. The reported front yard setback of 0.29m represents just the northeast corner of the building, which was expanded to enclose two parking spaces inside a garage in an effort to minimize the impact of parking on the streetscape.

### **Side Yard Setbacks**

Reduced side yard setbacks are required, as follows:

- / A 0.9m interior side yard setback is proposed from the north lot line, whereas the By-law requires a 1.5m setback. This reduced setback is in the yard that abuts Besserer Park to the north. As a result, the reduced setback will have no adverse impact on neighbouring residential uses or private amenity spaces. Moreover, as the south edge of Besserer Park is densely wooded and slopes steeply down to the subject site, the proposed building cause minimal undue impact from overshadowing of the park.

The minimum side yard setback requirement increases to 6m at a point 21m from the front lot line.

- / On the north side, the proposed development does not provide an increased setback from the lot line. As previously mentioned, there are no adjacent private properties on the north side of the subject site, and therefore no impact on adjoining private amenity spaces.
- / On the south side, an increased setback (from 1.5m to 6.34m) is provided from the lot line at a point 29m from the front lot line in order to provide daylighting to amenity areas of the neighbouring property.

### **Amenity Space**

While previous iterations of the project met amenity space requirements, continued emphasis on meeting parking requirements has demanded a compromise solution that resulted in a loss of on-site amenity space. The impact of reduced amenity space should be minor considering the proposed development's immediate proximity to Besserer Park, other nearby greenspace, and the various services and amenities of the Rideau Traditional Mainstreet.

### **Pathway Width**

The proposed 1.61m walkway is appropriate to the scale of the development and does not have any adverse impact on the streetscape or neighbouring uses. The 1.25m maximum established in the Zoning By-law does

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not account for differences of scale and pedestrian volume in residential uses, and fails to distinguish between the sort of pathway appropriate to a 20-unit apartment building compared to that appropriate to (for example) a single-detached or townhouse dwelling.

**Driveway Width & Streetscape Character**

With regard to streetscape character (Section 140) and driveway width (Section 139(10)), it was necessary to deviate from desired characteristics in order to fulfil parking requirements & mitigate potential parking impacts which were identified as major functional concerns during the consultation process for this project.

In assessing the appropriateness of the Zoning By-law Amendment and Site Plan Control applications, it is Fotenn's professional opinion that the applications represent good land use planning, are appropriate for the site, and are in the public interest.

The proposed development is consistent with the objectives of the Provincial Policy Statement, such as the provision of a range of residential uses to meet current and projected needs, the efficient use of land, infrastructure and public service facilities that will meet the long-term needs of the community, and is proposed in a settlement area that is adjacent to existing built up areas and is accessible by existing active transportation and transit networks.

The proposed development conforms to the policies of the Official Plan with regards to achieving infill and intensification goals in the General Urban Area. The proposed development also conforms to urban design and compatibility policies in the Official Plan, and with the height, massing and scale called for in the Secondary Plan. The proposed development is in keeping with the provisions and general intent of the Zoning By-law, and the variance(s) that will be required for compliance are appropriate to accommodating the solutions that have been negotiated over the course of this project.

Overall, the proposed development advances several key policy objectives at the Provincial and Municipal levels, including optimizing the use of serviced lands within the existing urban boundary and promoting residential intensification within the urban boundary.

Based on the above analysis, it is our professional opinion that the proposed development represents good planning and is therefore in the public interest.

Sincerely,



Jeff Nadeau, MPL  
Planner  
**Fotenn Consultants Inc.**



Brian Casagrande, MCIP RPP  
Director, Planning and Development  
**Fotenn Consultants Inc.**