



35 MacKay Street & 71 Thomas Street

Planning Rationale
Zoning By-law Amendment + Lifting of Part Lot Control
December 3, 2024



Prepared for Big Rock Management

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1.0 Introduction

Fotenn Planning + Design (“Fotenn”) has been retained by 35 MacKay Inc. to prepare this Planning Rationale in support of a Minor Zoning By-law Amendment, Lifting of Part Lot Control Application, and Heritage Permit for the site at 35 MacKay Street and 71 Thomas Street in the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed development against the applicable policy and regulatory framework and determine if the development is appropriate for the site and compatible with adjacent development and the surrounding community.

1.1 Application History

The building standing at 35 MacKay Street, known as the “Allen House”, is a heritage home constructed in 1864. There is no known previous application history for the property. In preparation for this application, formal regular and heritage pre-consultations with City staff were conducted on June 28th and August 23rd respectively. Comments raised during these meetings have been addressed in this Planning Rationale.

1.2 Purpose of the Application

A Lifting of Part Lot Control application is proposed, as per the Planning Act, Section 50(5) & 50(7), to legally divide lots within a registered plan of subdivision for the purpose of sale, allowing for the severance of the parcel into three lots, dividing the existing structure, and permitting the development of a new dwelling in the southern part of the site.

The proposed parts and draft 4R plan are included in this application and within this report.

A Minor Zoning By-law amendment is also required to permit the following changes:

- / The reduction of minimum lot size for the property at 69 Thomas Street from 225 square metres for a detached dwelling to 192 square metres.
- / The reduction of minimum required driveway width for 71 Thomas Street and 35 MacKay Street, from 2.6 metres to 2.4 metres.
- / To reduce the minimum required rear lot area for 35 MacKay Street, from 25% of total lot area to 32 square metres or 14%.
- / Relief from Section 60(1), allowing for 69 Thomas Street to be rebuilt with a different scale and character than the existing detached garage.
- / To permit a front facing attached garage for the property at 69 Thomas Street, as per the results of the Streetscape Character Analysis.

Subject Site and Surrounding Context

2.1 Subject Site

The subject site, a level, 632.57-square-metre parcel legally described as Lot 4 and Part of Lot 5, Block 5, is on the south-east corner of Thomas Street and MacKay Street in Ward 13 (Rideau-Rockliffe) in Ottawa. There is currently a heritage-designated building (the Allen House, dating from 1864) containing two semi-detached units with entrances facing different streets, one unpaved driveway without a curb cut on MacKay, and one 2-car garage facing Thomas Street.



Figure 1: Site context map



Figure 2: Street view image of the subject site from the corner of MacKay Street and Thomas Street (May 2023)

2.2 Surrounding Context

The subject site is located to the north-east of Ottawa's downtown core, in the New Edinburgh Heritage Conservation District of Ottawa which is bound by the Ottawa and Rideau Rivers, the Sir-George-Étienne-Cartier Parkway lands, Rockliffe Park, and Beechwood Avenue. The surrounding area has a healthy tree canopy and includes notable land uses such as the Prime Minister's Residence and Rideau Hall, as well as numerous embassies, federal offices, and parks. The New Edinburgh neighbourhood interior is primarily zoned R4UD, characterised by a mix of low- to mid-rise residential buildings on relatively small lots with some complementary institutional and commercial uses interspersed.

The following identifies the land uses that surround the site:

North: Across MacKay Street from the site lies the Rideau Hall Grounds, the Governor General's residence and a popular tourist destination. The South African High Commission is across Thomas Street from the Rideau Hall Grounds, fronting on Sussex Drive. North of this is a roundabout marking the transition from Sussex Drive to the Parkway, beyond which a vegetated escarpment descends to the Ottawa River's Governor Bay. The Sir-George-Étienne-Cartier Parkway, surrounded by park lands and passing by numerous attractions, borders the Grounds to the north. It follows the Ottawa River, eventually heading east until its terminus at St Joseph Boulevard in the eastern arm of the Greenbelt.

East: MacKay Street leads south-east from the site, lined with a mix of low-mid rise residential and neighbourhood commercial buildings, reaching its terminus at Beechwood Avenue, the neighbourhood's commercial main street and border with Ward 12, Rideau-Vanier. Beechwood Avenue continues north-east to the primarily residential, low-density neighbourhoods of Rockliffe Park and Manor Park. South of this, Montreal Road is a commercial arterial road bisecting Vanier, eventually heading through Beacon Hill, the Greenbelt, and Orléans alongside Highway 17.

South: The subject site, being at the northern edge of the New Edinburgh neighbourhood, is surrounded to the south by similarly aged low-density uses, many of which are within a floodplain. The Rideau River marks the southern boundary of this neighbourhood, lined by Stanley Avenue on the north side, and the neighbourhood of Lower Town to the south. From west to east, Green Island, Maple Island, Bordeleau Park, Stanley Park, and Porter Island are located along this section of the river. Lower Town contains a similar, but slightly more dense, mix of residential and commercial uses. It is bound to the south by the Byward Market, beyond which lies the neighbourhoods of Sandy Hill, Golden Triangle, Centretown, and the central business district, as well as the Rideau Canal, and Highway 417.

West: Across Thomas Street from the site lies a block of GM1-zoned land, which is roughly half-occupied by a mix of residential uses, separating it from Sussex Drive. From north to south, the Prime Minister's residence, the French Embassy, and Rideau Falls Park line the west side of the Sussex Drive, while two more, largely vacant blocks occupy the east side. The Rideau River terminates at Rideau Falls, where it spills into the Ottawa River which forms the provincial border. Gatineau, Québec, reached by the Macdonald-Cartier Bridge, abuts the border to the west. Access to and from the bridge is provided by Sussex Drive, King Edward Avenue, and Dalhousie Street south of the large publicly-owned offices south of the Rideau River.

2.3 Transportation Network

The subject site is well serviced with respect to the existing road network. MacKay Street and Thomas Street are both classified as local roads, with the former leading to the nearby arterial road Sussex Drive, and the latter leading to collector road Crichton Street. The neighbourhood commercial arterial road is approximately 1.3 km away via Crichton Street, and the Byward Market is about 1.8 km from the site via the Union Street bridge over the Rideau River.

Both the Rideau and Ottawa Rivers are lined with significant active transportation routes – the Rideau River Eastern Pathway and Ottawa River Pathway respectively – which are central to Ottawa's active transportation network, comprised of over 200km of off-road multi-use pathways. Additionally, on-road bike lanes follow Sussex Drive and Beechwood Avenue, and separated cycling facilities are available on all nearby bridges over the Ottawa River.

There is a bus stop served by OC Transpo route 9 within 100m of the site, connecting to O-Train Line 1 at both Rideau and Hurdman stations, passing through the neighbourhoods of Lower Town and the Byward Market en route to the former, and the west side of Vanier on its way to the latter. The site's proximity to the downtown core, nationally important sites, and government-owned offices makes it highly likely that it will continue to be well serviced indefinitely.

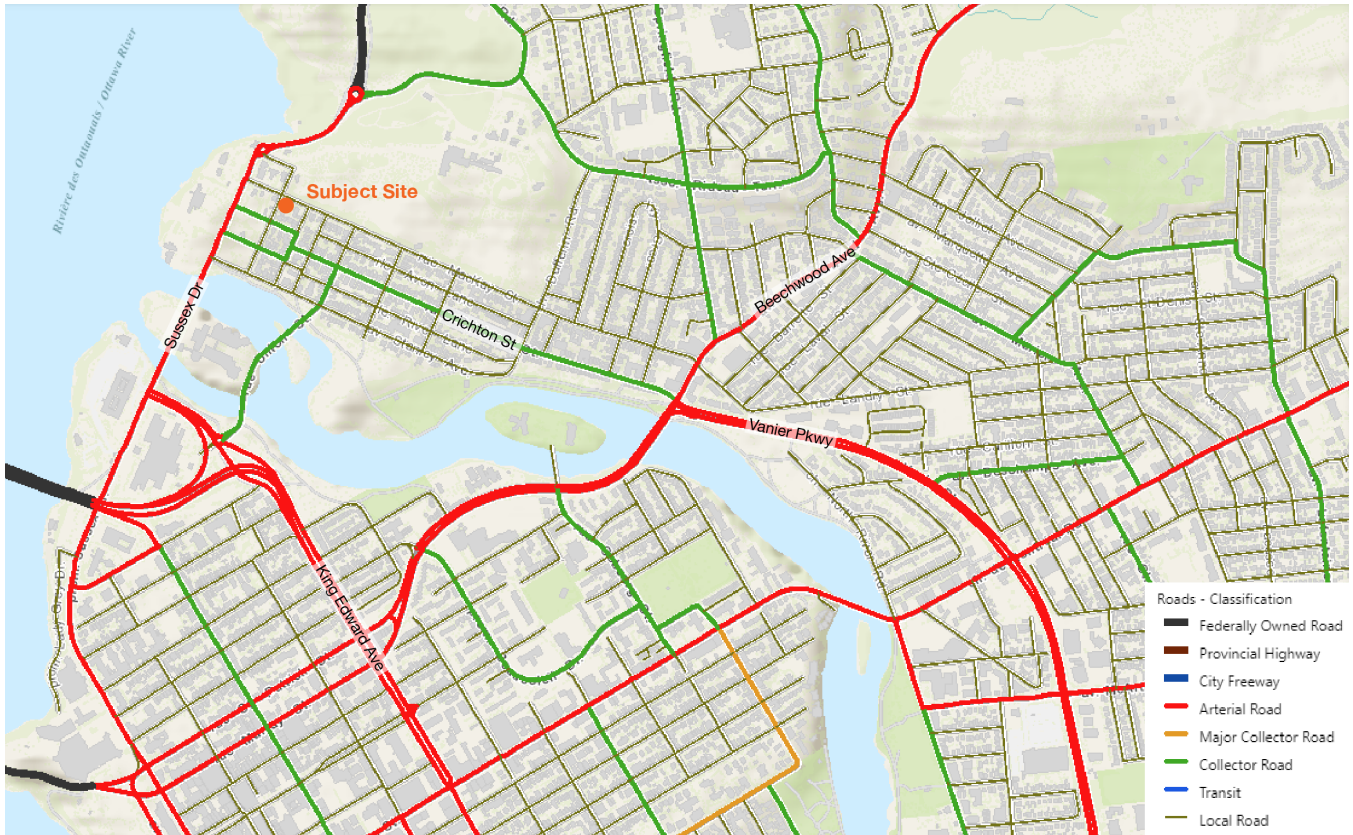


Figure 3: Road network map

3.0 Proposed Development



Figure 4: Proposed development viewed from the corner of MacKay Street and Thomas Street.

The applicant is proposing both a part lot control and a new detached dwelling requiring a Zoning By-law Amendment. The former is to divide the existing semi-detached dwelling, allowing for individual ownership, and to create a new lot at the south end of the site for the development of the new dwelling. The Zoning By-law Amendment is to ensure By-law conformity for the existing dwelling following the subdivision of land, and conformity for the proposed detached dwelling. There are no proposed changes to the existing dwelling.



Figure 5: Proposed development viewed from Thomas Street.

The proposed dwelling has a gross floor area of 193 m² on a floorplate of 95.8 m², consisting of three bedrooms and three bathrooms over two-and-a-half floors with an attached single-car garage fronting on Thomas Street. It is similar in scale, form, setback, and lot size to the neighbouring dwelling at 67 Thomas Street and conforms to neighbourhood character as demonstrated through a Streetscape Character Analysis and its adherence to the Heritage Conservation District Plan. However, the proposed subdivision results in a lot slightly smaller than the existing minimum lot size as per the Zoning By-law. Dividing this lot also impacts the rear yard area of 35 MacKay, though this is mitigated through building form as described in section 4.3 of this document.



Figure 6: Proposed development viewed from the south, along Thomas Street, highlighting similarities to the neighbouring dwelling.

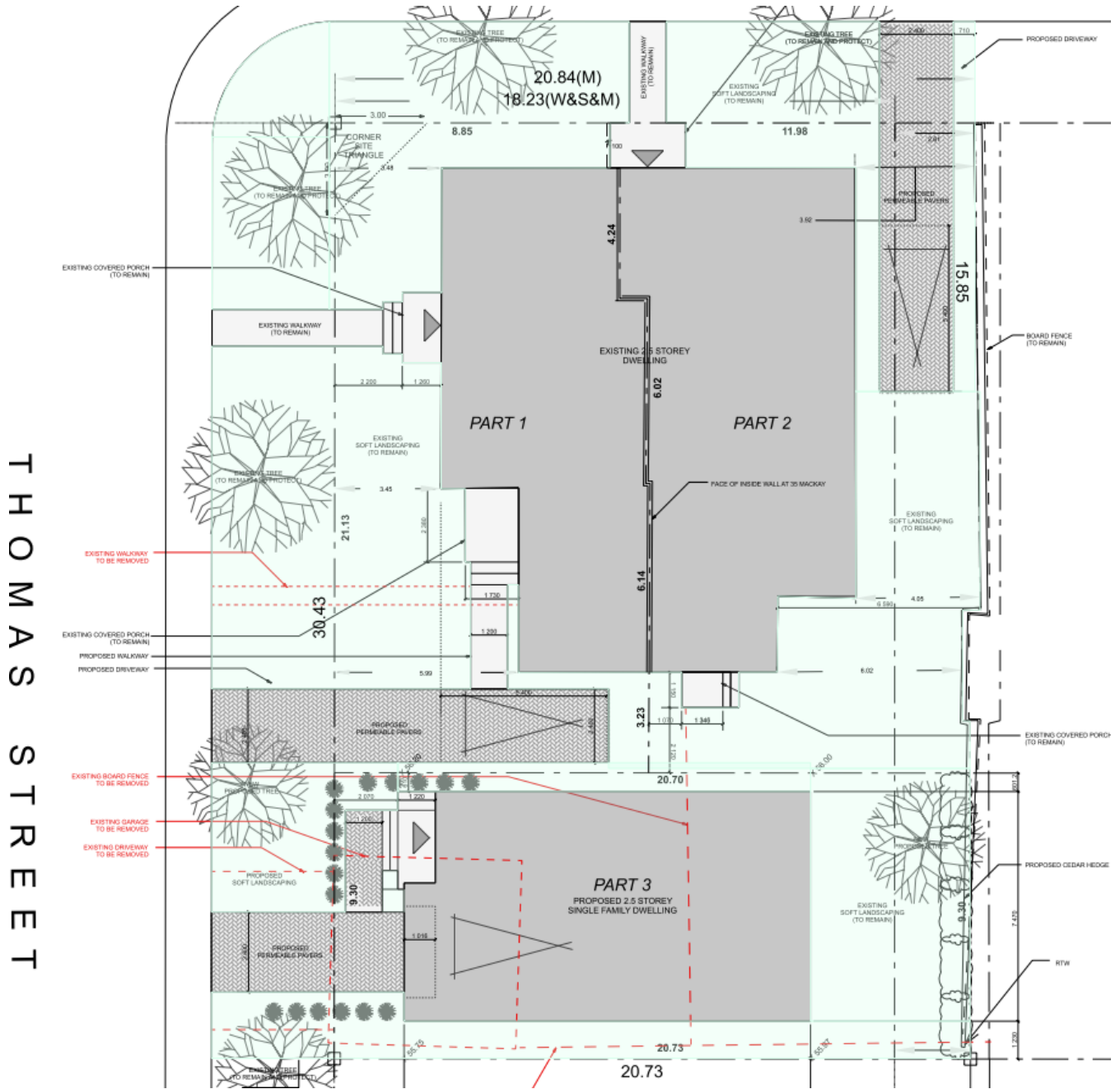


Figure 7: Concept Plan including proposed lot lines. Note the location of the existing detached garage and the increased setback of the new proposed dwelling on Part 2, as well as the interior yard of Part 1.

4.0 Policy and Regulatory Framework

4.1 Ontario Planning Act

A Lifting of Part Lot Control application is proposed, as per the Planning Act, Section 50(5) and 50(7), to legally divide lots within a registered plan of subdivision for the purpose of sale.

Part VI, Section 50 of the Ontario Planning act pertains to subdivision of Land. Section 51(24) of the Planning Act sets forth the criteria for considering plans of severance with regards to the “health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality.” Therefore, the following criteria from Section 51(24) of the Planning Act will be used to provide guidance in determining the appropriateness of the application for the subject site.

Although not explicitly applied to Lifting of Part lot Control in the Planning Act, in our professional opinion, the following criteria should be considered in regard to the Lifting Part-Lot Control Application:

/ The effect of development of the proposed subdivision on matters of provincial interest (as referred to in Section 2).

Overall, the re-development is consistent with the Province of Ontario’s Provincial Policy Statement (2020). The proposed Part-Lot Control is consistent with provincial interests as it creates a new parcel for intensification of residential uses within an established residential neighbourhood.

/ Whether the proposed subdivision is premature or in the public interest.

The Part-Lot Control Application is in the public interest as it will enable the redevelopment of an underutilized portion of the lot and facilitate increased residential redevelopment of the site. The site is in close proximity to numerous institutional, commercial, and employment opportunities. Therefore, the proposed Part-Lot Control Application is not premature and is in the public interest.

/ Whether the plan conforms to the official plan and adjacent plans of subdivision, if any.

The subject property is designated Neighbourhood the Official Plan. This designation permits a wide range of residential uses and densities, as well as other compatible uses, to facilitate the development of, complete and sustainable communities.

The Official Plan supports concentrated growth in a pattern and density that supports transit, cyclist, and walking. The lands will complement an existing community and will support growth within the urban boundary where there is availability of existing infrastructure.

/ The suitability of the land for the purposes for which it is to be subdivided.

The purpose of the Part-Lot Control Application is to create three (3) parcels to accommodate residential intensification on the site. The existing Neighbourhood Designation permits a wide range of residential on the site.

/ The dimensions and shapes of the proposed lots.

Allow minor relief for lot size is required, the lot has ample width and depth to accommodate the proposed development. Lot size and orientation in the immediate area is diverse and varied. Within a 100 metre radius lot sizes for single-detached and multi-unit buildings range in size greatly.

/ The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land.

The subject property is currently zoned Residential Fourth Density, Subzone UD, Exception 900 (R4UD[900]) in the City of Ottawa Zoning By-law.

Should the Part-Lot Control Application be granted, the site development will meet the majority of the provisions of the zone. A Minor Zoning By-law Amendment Application has been submitted as part of this package to address certain zoning deficiencies, including seeking relief from the minimum lot area provision.

Additionally, there are no existing easements on the subject lands that would restrict development, and the development will be setback to sufficiently address the standard setback requirements.

/ The adequacy of utilities and municipal services.

The subject site is located within an area that offers full public services. The existing building onsite is connected to public services. The newly proposed building will be subject to civil servicing plans approved through City review.

The subject property is well served by community amenities and transportation infrastructure to adequately accommodate intensification in the area.

4.2 Provincial Policy Statement (2024)

Adopted on October 20, 2024, the Provincial Planning Statement (PPS) is a policy document issued under the Planning Act which provides direction on matters of provincial interest related to land use planning and development. All decisions on planning matters “shall be consistent with” the PPS. Generally, the PPS recognizes that “land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns”.

Policy 4 of Section 2.1 (Planning for People and Homes) requires planning authorities to support the achievement of complete communities by, among other things, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, and parks and open spaces.

Section 2.2 (Housing) expands on this direction, requiring planning authorities to provide for a range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by, among others:

- / Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents;
- / Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation;
- / Requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors.

Section 2.3 continues the previous PPS policy that settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in “strategic growth areas,” which include lands along transit

corridors. Within settlement areas generally, land use patterns should be based on densities and a mix of land uses which:

- / Efficiently use land and resources;
- / Optimize existing and planned infrastructure and public service facilities;
- / Support active transportation; and
- / Are transit-supportive.

Policy 2 of Section 3.6 states that municipal water and sanitary servicing are the preferred form of servicing for settlement areas, continuing the policy direction from the current PPS. Policy 8 states that stormwater management shall be integrated with planning for sewage and water services and ensure that systems are optimized.

Section 3.9 contains policies for public spaces, recreation, parks, trails and open space. Healthy, active, and inclusive communities should be promoted by, among others:

- / Planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- / Planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources; and
- / Providing opportunities for public access to shorelines.

Section 4.6 of Cultural Heritage and Archaeology states that:

- Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
- Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.

The proposed development is consistent with the above noted policies of the PPS (2024). More specifically, the proposal seeks to redevelop an area that is located within the City of Ottawa’s Urban Area, within an existing built-up area and existing public and active transportation infrastructure. The proposal provides for new housing options which are consistent with the surrounding established community. The proposal retains and supports the heritage character of the existing building and neighbourhood through context sensitive design.

4.3 City of Ottawa Official Plan

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 (OP) 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 strategic directions of this plan are referred to as “Big Policy Moves”, including:

1. Achieve, by the end of the planning period, more growth by intensification than by greenfield development.
3. Improve our sophistication in urban and community design and put this knowledge to the service of good urbanism at all scales, from the largest to the very small.

The proposed development contributes to good urbanism through “gentle density”, lightly increasing activity in an established inner urban area without the potential negative impact of larger developments.

The OP also recognizes the interconnectedness of these policy goals, referring to them as cross cutting issues. The proposed development supports subsections:

2.2.1 Intensification and Diversifying Housing Options, which aims to:

- / “direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods”; and
- / “provide housing options for larger households”,

2.2.3 Energy and Climate Change, which aims to “Plan a compact and connected city”; and

2.2.4 Healthy and Inclusive Communities, which aims to “Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities”

These objectives are supported by this development, a 3-bedroom infill unit in an established, walkable neighbourhood with transit access, contributing to the City’s goal of “becoming the most liveable mid-sized city in North America.”

Section 3 of the OP is the City’s Growth Management Framework. Subsection 3.2 divides expected growth by area and aims to support intensification, increasing the proportion of residential growth occurring within the built-up portion of the urban area year-over-year. Paragraph 2) recognizes the variety of built forms and height categories that may comprise intensification, including low-rise developments like the proposed. Paragraph 8) identifies the need for a mix of dwelling types, including “large-household dwellings” with 3 or more bedrooms, like the proposed. There is a target of 50% “large-household dwellings” in low-rise developments within the Inner Urban Transect where the site is located. Paragraph 13) relates more specifically to neighbourhoods like New Edinburgh:

Where development occurs on properties designated under the Ontario Heritage Act, intensification targets and minimum density requirements are encouraged to be met through context-sensitive infill that conserves cultural heritage attributes. This development shall respect Statements of Cultural Heritage Value and be consistent with applicable Heritage Conservation District guidelines.

The proposed development supports the City’s intensification goals by targeting development within the built-up urban area through infill and the provision of a dwelling unit suitable for a family. The proposed infill development is context-sensitive, as demonstrated through adherence to the New Edinburgh Heritage Conservation District Plan and Streetscape Character Analysis.

Section 4.2 of the OP, city-wide policies for housing, discusses the importance of providing a range of housing and increasing supply.

- 4.2.1 Enable greater flexibility and an adequate supply and diversity of housing options throughout the city
1. A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by:
 - a. Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology;
 - b. Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;
 - c. Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure; and
 - d. Establishing development standards for residential uses, appropriately balancing the value to the public interest of new policies or development application requirements against the impacts to housing affordability.
 2. The City shall support the production of a missing middle housing range of mid-density, low-rise multi-unit housing, in order to support the evolution of healthy walkable 15-minute neighbourhoods by:

- a. Allowing housing forms which are denser, small-scale, of generally three or more units per lot in appropriate locations, with lot configurations that depart from the traditional lot division and put the emphasis on the built form and the public realm, as-of-right within the Zoning By-law.

The proposed development is consistent with these policies, in that it is a context-sensitive intensification that promotes walkability, by creating one additional dwelling unit for a total of three on one existing lot.

Reference to cultural heritage is found in Section 4.5, with development policies specifically referenced under:

4.5.2 Manage built and cultural heritage resources through the development process

1. When reviewing development applications affecting lands and properties on, or adjacent to a designated property, the City will ensure that the proposal is compatible by respecting and conserving the cultural heritage value and attributes of the heritage property, streetscape or Heritage Conservation District as defined by the associated designation bylaw or Heritage Conservation District Plan and having regard for the Standards and Guidelines for the Conservation of Historic Places in Canada.
2. Where development or an application under the Ontario Heritage Act is proposed on, adjacent to, across the street from or within 30 metres of a protected heritage property, the City will require a Heritage Impact Assessment, if there is potential to adversely impact the heritage resource. The HIA will be completed according to the Council approved guidelines for HIAs, as amended from time to time.
3. Heritage designation is, in part, intended to ensure contextually appropriate development and is not intended to discourage intensification or limit housing choice. Elements of the built form, including height, scale and massing, of such development shall ensure that the defined cultural heritage value and attributes of the property or HCD will be conserved, while balancing the intensification objectives outlined throughout this Plan.
8. To assist with the objective of conserving the city's cultural heritage, the Zoning By-law may provide appropriate development standards for properties containing, or adjacent to designated cultural heritage resources.

The proposed development retains the existing heritage-designated building, and a Heritage Impact Assessment has been undertaken by Commonwealth Heritage Consultants to ensure there will be no negative consequences as a result of the demolition of the existing garage or the erection of the new dwelling. Section 60(1) of the Zoning By-law poses a barrier to the improvement of the neighbourhood, requiring a demolished building to be rebuilt in a similar character, scale, and massing, while the proposed development is a context-sensitive light intensification that is supported by Section 4.5.2.8 of the OP and attached studies.

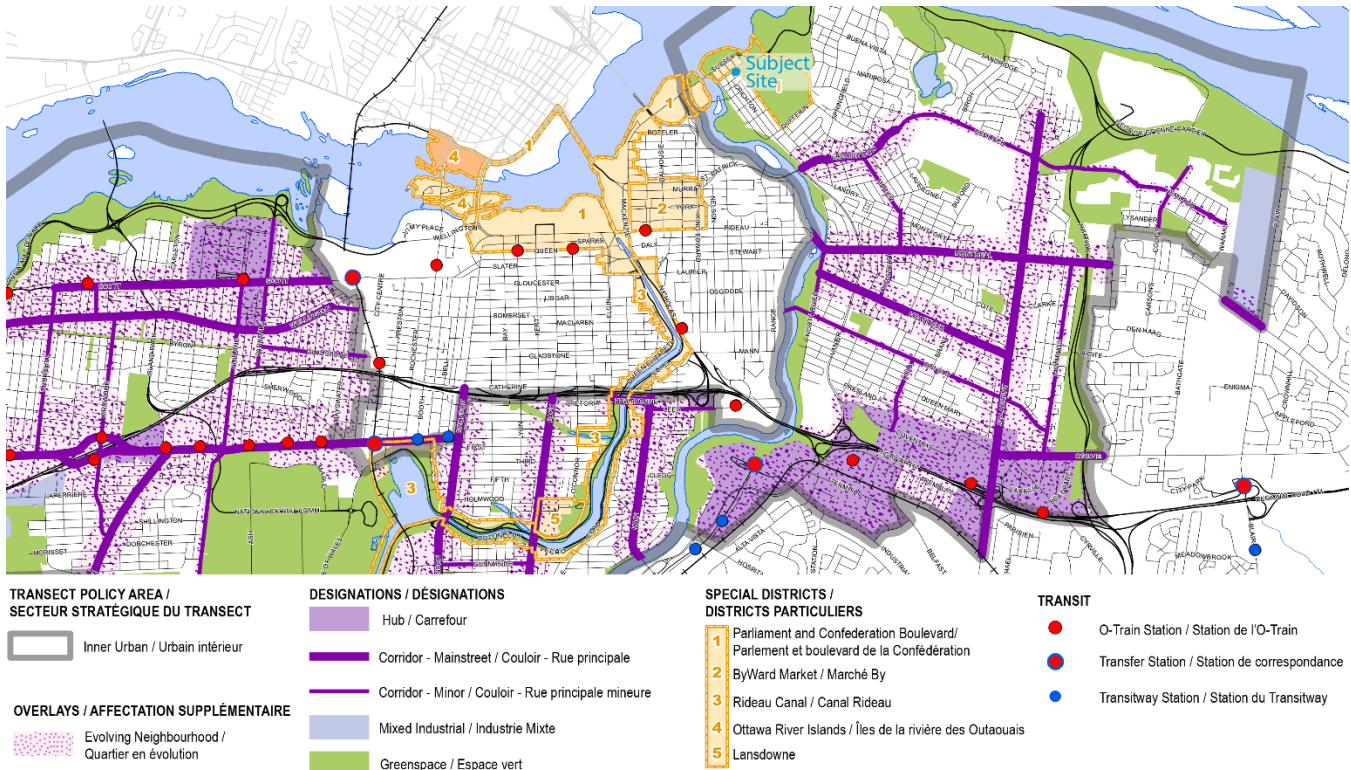


Figure 8: Official Plan Schedule B2 – Inner Urban Transect

The subject site is within the Neighbourhood designation of the Inner Urban transect, as noted in Schedule B2 (above). Subsection 5.2.4(1) describes this as primarily low-rise, with a minimum of 2 storeys, generally permitting 3 storeys. Section 6.3 goes further in-depth about development within Neighbourhoods, including:

6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan

- The Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:
 - Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b.
- The Zoning By-law will distribute permitted densities in the Neighbourhood by:
 - Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities.

6.3.2 Guide the evolution of neighbourhoods based on their context, location, age, maturity and needs, generally towards the model of 15-minute neighbourhoods.

- Form-based regulation will provide for built form and site development characteristics that:
 - may provide for a mix of urban and suburban characteristics, provided that such development does not unreasonably preclude evolution to more urban character over the life of this Plan.

The proposed development represents context-sensitive intensification, respecting the setbacks and massing of nearby dwellings, while gently increasing density within walking distance of amenities and transit.

4.4 City of Ottawa Comprehensive Zoning By-law (2008-250)

The subject site is currently zoned Residential Fourth Density, Subzone UD, Exception 900 (R4UD[900]), as per By-law 2008-250. The R4 Zone is intended to permit “a wide mix of residential building forms ranging from detached to low rise apartment dwellings” as well as “a number of other residential uses to provide additional housing choices”.

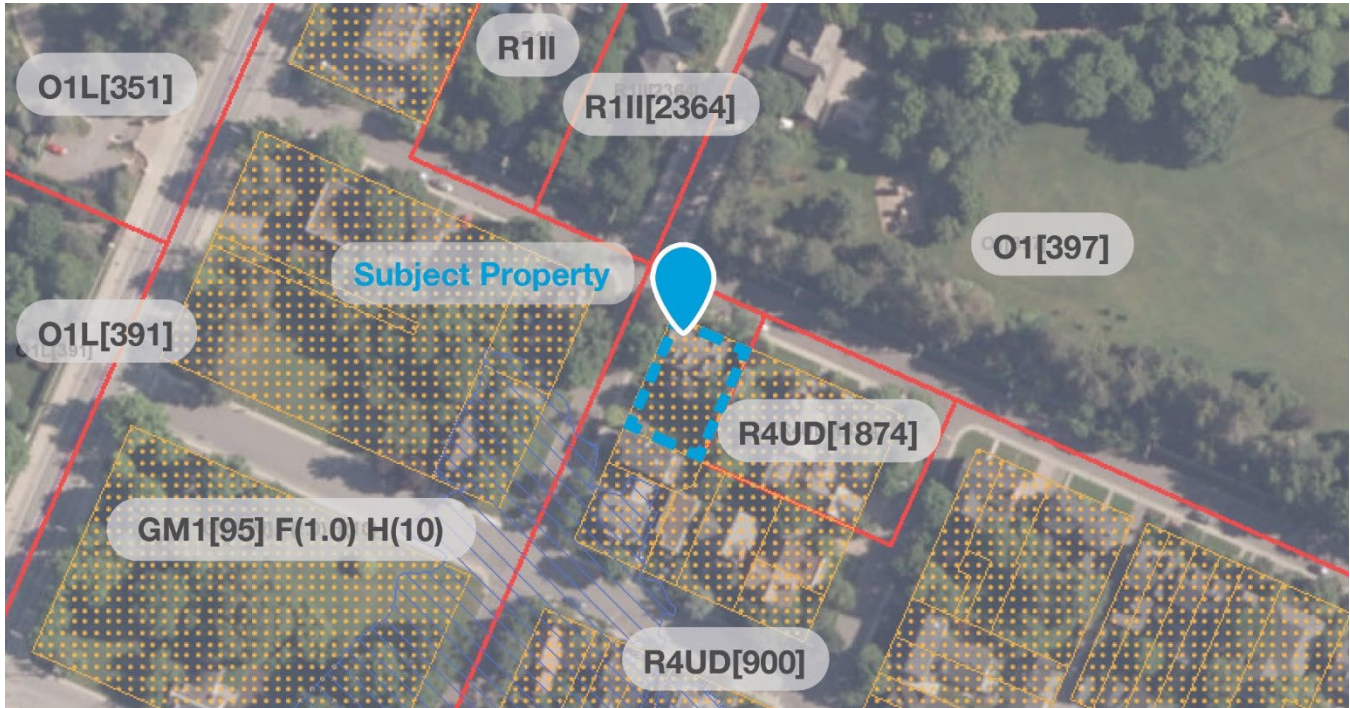


Figure 9: Zoning context of Subject Site. Note the Heritage Overlay marked by yellow dots.

As a low-rise urban residential development within the Greenbelt, yard setbacks applicable to the subject site are subject to Part V, Section 144 – Alternative Yard Setbacks. These dictate that the minimum front and corner side yard setbacks must align with the average of the abutting lots’ corresponding yard setback abutting the street(s). The proposed front yard setback of 69 Thomas Street is 2.28 metres, as this is near the average between the 1.1-metre front yard setback of 67 Thomas Street and the 3.4-metre setback of 71 Thomas Street.

Rear yard requirements for the three dwellings vary. Subsection 3(a)(i) applies to interior lots, including 35 MacKay Street and 69 Thomas Street, requiring their rear yards to consist of 25% of the total lot area, resulting in requirements of 57.6 m² and 48.15 m² respectively. As per subsection 5(b), the rear yard setback of a building on a corner lot with multiple principle dwelling units is 1.2 metres and an interior yard to the specifications of subsection 6 is required. However, as the abutting lot at 55 MacKay Street fronts on Charles Street and there are no similar lots nearby, the depth of the required interior yard cannot be calculated, but the width of said yard is over the required 30% of total lot width, and the interior side yard setback is well over the minimum required, providing additional outdoor amenity area.

Due to its location within the Heritage Overlay, Section 60 applies to the Subject Property. Most notably, Provision 60(1) states that where a building in an area to which a heritage overlay applies is removed or destroyed it must be rebuilt with the same character and at the same scale, massing, volume, floor area and in the same location as existed prior to its removal or destruction. This applies to the detached garage to be demolished in favour of a new detached dwelling at 69 Thomas Street.

Table 1: Conformity to R4UD zoning for semi-detached dwelling at 35 MacKay Street (Part 2)

Mechanism	Requirement	Plan	Conforming?
Minimum lot width	6 m	11.98 m	Yes
Minimum lot area	180 m ²	230.4 m ²	Yes
Maximum building height	10 m	~11 m	existing
Minimum front yard setback	Align with neighbouring lot	1.65 m	existing
Minimum rear yard setback	1.2 m	3.23 m	Yes
Minimum interior side yard setback	1.2 m	3.92 m	existing
Minimum rear yard area	25% of lot area = 57.6 m ²	32.9 m ² or 14%	No
Required interior yard width	30% of lot width = 6.25 m	6.59 m	Yes
Required interior yard depth	Align with neighbouring lot	N/A	N/A
Minimum parking rate	1 space	1 space	Yes
Minimum driveway width	2.6 m	2.4 m	No

Table 2: Conformity to R4UD zoning for semi-detached dwelling at 71 Thomas Street (Part 1)

Mechanism	Requirement	Plan	Conforming?
Minimum lot width	6 m	8.85 m	Yes
Minimum lot area	180 m ²	209.8 m ²	Yes
Maximum building height	10 m	~11 m	existing
Minimum front yard setback	Align with neighbouring lot	1.65	existing
Minimum corner side yard setback	Align with neighbouring lot	3.45	existing
Minimum rear yard setback	1.2 m	3.23	Yes
Minimum parking rate	1 space	1 space	Yes
Minimum driveway width	2.6 m	2.4 m	No

Table 3: Conformity to R4UD zoning for proposed detached dwelling, "69 Thomas Street" (Part 3)

Mechanism	Requirement	Plan	Conforming?
Minimum lot width	7.5 m	9.3 m	Yes
Minimum lot area	225 m ²	192.6 m ²	No
Maximum building height	11 m	10.27 m	Yes
Minimum front yard setback	Align with neighbouring lot	2.28 m	Yes
Minimum rear yard setback	5.18 m (25%)	5.21 m	Yes
Minimum rear yard area	25% of lot area = 48.15 m ²	48.45 m ²	Yes
Minimum interior side yard setback	1.2/0.6	1.23 / 0.60 m	Yes
Minimum parking rate	1 space	1 space	Yes
Minimum driveway width	2.6 m	2.6 m	Yes

The proposed reduction in minimum lot area for 69 Thomas Street is minor and would be permitted if the proposed dwelling was of a different typology. The proposed dwelling adheres to all other zoning provisions, and provides a high-quality, livable space despite the reduced lot size. Relief from Provision 60(1) is required to build anything other than a detached garage similar to that which is currently on the lot. The proposed dwelling is a significant improvement, and notably more consistent with neighbourhood character of the New Edinburgh HCD.

The rear yard area of 35 MacKay Street is less than required, and the depth of the required interior yard cannot be determined due to lot fabric, but the staggered rear building wall provides a sizeable outdoor amenity space, and the site has access to Rideau Hall Grounds, Rideau Falls Park, and Stanley Park within a short 300 metre walk.

Driveway widths for the existing building were reduced following recommendation during pre-consultation by City staff to maximize soft landscaping. The width of proposed parking spaces adhere to the provisions for compact car spaces of Subsection 106(3), and therefore should not be considered significantly undersized.

4.4.1 Mature Neighbourhood Overlay and Streetscape Character Analysis

As this proposal is for a low-rise infill development within the Mature Neighbourhood Overlay, characteristics regarding garages, driveways, and entrances are required to be cohesive with the surrounding lots. As driveways for all three dwellings are proposed, three Streetscape Character Analyses are required to be conducted to determine the dominant attributes of these elements within the neighbourhood. This analysis is required to examine a maximum of 21 lots on the block of the subject site and adjacent blocks. Lots to be documented are selected depending on street layout and the frontage of the subject site.

The dwellings at 69 and 71 Thomas Street share a frontage, and therefore also share a pattern of lots to be documented (as described under subsection 140(6)(e) and 140(6)(f)) and the same analysis applies to both. 35 MacKay Street is subject to the analysis pattern described in subsection 140(6)(h). Both analyses result in a study of 7 lots, and the full extent can be found attached to this submission. Below are the findings of both studies in two tables showing the compatibility of the proposed development. Dominant attributes are highlighted in blue, and incompatibilities are highlighted in orange. It should be noted that, as per Table 140B of the Zoning By-law, where double-wide driveways are the dominant attribute in the Access and Parking Character Group, single-wide driveways are also permitted.

Table 4: Streetscape Character Analysis Findings for 69 & 71 Thomas Street

Attached Garages and Carports Character Group	Number of lots	69 Thomas St	71 Thomas St
A. No front-facing attached garage or carport	4		X
B. Front-facing attached garage or carport	3	X	
Access and Parking Character Group			
A. No driveways along lot lines abutting a street	1		
B. Individual single-wide driveways	2	X	X
C. Individual double-wide driveways	3		
D. Legally-established front yard parking	1		
Main Door Character Group			
A. Main door faces front lot line	7	X	X
B. Main door does not face front lot line	0		

Table 5: Streetscape Character Analysis Findings for 35 MacKay Street

Attached Garages and Carports Character Group	Number of lots	35 MacKay Street
A. No front-facing attached garage or carport	7	X
B. Front-facing attached garage or carport	0	
Access and Parking Character		
A. No driveways along lot lines abutting a street	0	
B. Individual single-wide driveways	3	X
C. Individual double-wide driveways	4	
D. Legally-established front yard parking	0	
Main Door Character		
A. Main door faces front lot line	7	X
B. Main door does not face front lot line	0	

As per this analysis, the three proposed driveways and main doors are compatible with neighbourhood character, but the front-facing attached garage of the proposed dwelling at 69 Thomas Street is not representative of the dominant attribute found through the analysis. However, this site proposes a unique challenge. As the neighbourhood block fabric is very fine, some nearby lots are comparatively very large, and the Rideau Hall Grounds – a large open space – are located across MacKay Street from the site, only 7 lots could be examined within the policy framework and many nearby lots are not subject to the same requirement. Additionally, there is only a difference of one lot between those with and without front-facing attached garages. It is not significantly out-of-character to have a front-facing attached garage, and the proposed development is an aesthetic improvement over the existing detached garage on the site that is supported by the local community association – the New Edinburgh Community Alliance.

Many properties without front-facing garages are larger corner lots with driveways or detached garages facing the side street – a solution not possible on a small interior lot like the subject site. Considering lot dimensions and the lack of alternative access (via adjacent street or rear lane characteristic of blocks east of Charles Street), the only other way to accommodate parking on the property while maintaining a practical building footprint would be to place it in the front yard, which is not a dominant parking attribute of the neighbourhood and heavily discouraged in both the Official Plan and Zoning By-law. Additionally, the garage is tastefully integrated; a reflection of nearby dwellings like 67 Thomas Street and 36 Alexander Street.

4.5 New Edinburgh Heritage Conservation District Plan

Heritage Conservation District (HCD) Plans are established to preserve the character of designated established neighbourhoods in accordance with the requirements of the Ontario Heritage Act. The New Edinburgh HCD Plan is regulated by the Part V, Section 2.6 of the PPS, Section 2.5.5 of the City of Ottawa OP, and Section 41 of the Ontario Heritage Act. The latter states that, in the case of a conflict between the HCD Plan and a municipal by-law, the Plan prevails to the extent of the conflict but in all other respects the by-law remains in full force.

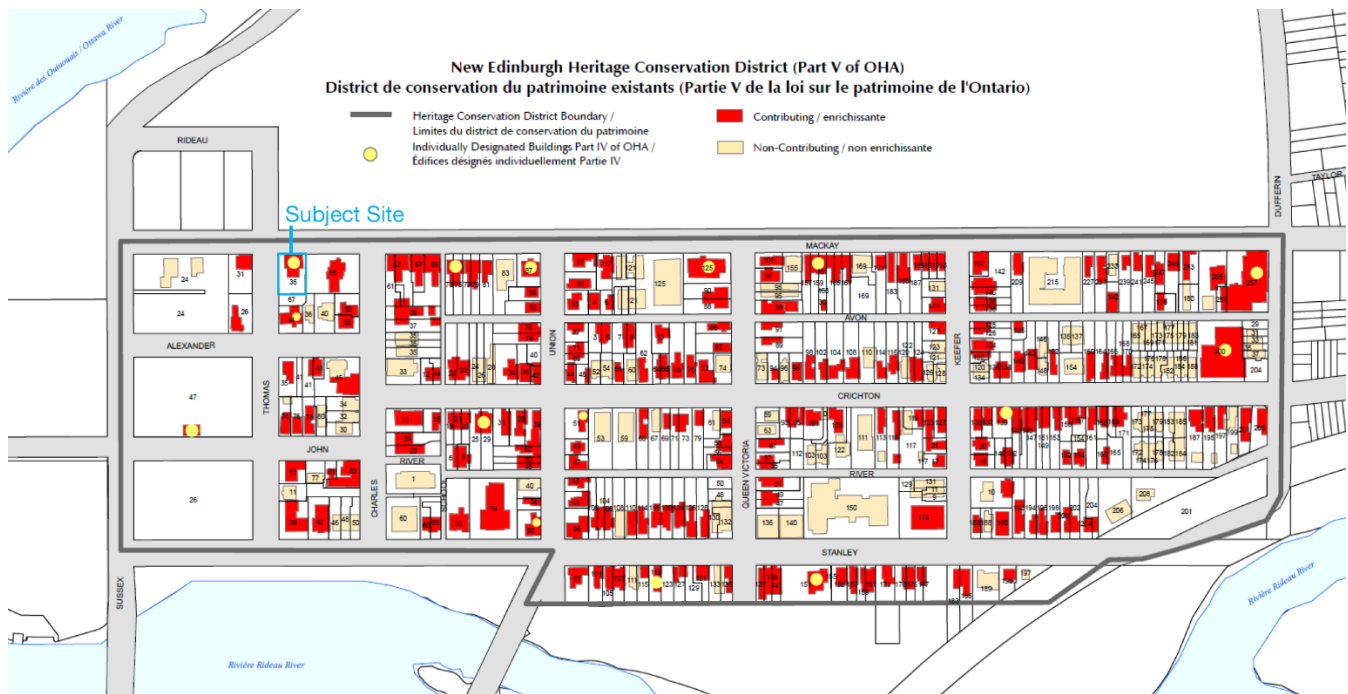


Figure 11: Subject Site within the New Edinburgh Heritage Conservation District

35 MacKay Street is identified as a designated building within the HCD Plan. Section 7.2 states the following objectives for existing buildings:

- To ensure the retention and conservation of buildings to protect the integrity and character of the HCD.
- To promote the conservation of historic details such as porches, decorative brickwork, and bargeboard.
- To promote appropriate restoration, repair, and ongoing maintenance of all buildings within the heritage conservation district.
- To prioritize the reuse of existing buildings as an alternative to demolition including the renovation and improvement of non-contributing properties to enhance the character of the HCD.
- To ensure that additions to existing buildings are compatible with the character of the HCD.

The proposed severance is part of the process to preserve the existing heritage building. None of the variances sought through this application will impact the conservation of the building.

Section 7.3 states objectives for new development, including:

- i. To ensure that any infill or new construction respects and is compatible with the architectural character of the HCD and respects the scale and massing of existing adjacent buildings and the broader streetscape.
- ii. To ensure that any new construction retains existing trees and green spaces.
- iii. To ensure the 19th century pattern of lot development is maintained and respected.

The proposed building respects the architectural character of nearby buildings, mirroring the adjacent building at 67 Thomas Street. The existing garage is non-contributing and degraded beyond repair, and this proposal represents an improvement to the property and streetscape. The proposed lots are regular in form and similar in scale to others within the HCD.

Section 8.5.4 sets out guidelines for new buildings, including:

1. Property owners are encouraged to retain an architect, designer and/or heritage professional when designing a new building in the HCD.
2. New buildings shall contribute to and not detract from the heritage character of the HCD as outlined in the Statement of Cultural Heritage Value and list of Heritage Attributes.
3. Construction of new buildings will only be approved when the siting, mass, height, and materials are compatible with and contribute to the surrounding properties and the cultural heritage landscape.
4. New buildings should be of their own time and are not required to replicate an historical architectural style. If a property owner wishes to recreate a historical style, care shall be taken to ensure that the proposed building is an accurate interpretation in terms of scale, massing, and historical materials.
5. Most buildings in New Edinburgh feature front entrances either at grade or one to four steps up. New buildings in the HCD shall respect this heritage attribute.
6. Existing grades shall be maintained.
7. Cladding materials shall be continuous on all building elevations. The use of brick or stone on the front facade only is not appropriate in the HCD.
8. Construction of new buildings will only be approved when the height, mass, and materials of the new building respects and is compatible with the existing buildings in the associated streetscape.
9. Windows may be wood, metal clad wood, steel or other materials as appropriate. Multi-paned windows should have appropriate muntin bars.
10. The use of natural materials, such as stone, real stucco, brick and wood is an important attribute of the HCD, and the use of materials such as vinyl siding, aluminium soffits, and manufactured stone will not be supported.
11. The use of modern materials such as plastic or fibreglass to replicate architectural details such as columns, balusters or bargeboard is not acceptable and will not be permitted.
12. Parking, garages and driveway access shall be consistent with the character of the heritage conservation district. Integrated garages, below grade garages and reverse sloped driveways are not consistent with the historic character of New Edinburgh.
13. Rooftop terraces are not typical in the HCD however, terraces on the top storey may be permitted if they are set back from the roof edge and not visible from the street at the grade of the house.

The property owner has retained Ardington Associates + Design to ensure the proposed building respects the architectural character of nearby buildings. The New Edinburgh Community Alliance and City Heritage Staff

have been consulted and are supportive of the proposed development. A Council-level Heritage Permit will be obtained to ensure cohesion with the neighbourhood.

Guidelines for landscape and public realm are located in Section 8.5.5. Most notably, it is stated that:

3. The creation of new front yard parking spaces is strongly discouraged. The removal of existing front yard parking spaces is encouraged.

All proposed parking spaces are located in the interior side yard or a garage. Driveway widths are at the minimum practical dimensions to reduce visual impact.

5.0 Conclusion

It is our professional opinion that the proposed Zoning By-law Amendment and lifting of Part Lot Control are appropriate, represent good planning, and are in the public interest.

- / The proposed development is consistent with the Provincial Policy Statement (PPS) by retaining an existing heritage structure, providing efficient and appropriate development on lands within the urban boundary, in an intensification target area, contributing to the range of housing options available in the community.
- / The proposed development conforms to the Official Plan's vision for managing growth in the urban area and meets the policies for infill, intensification, and built form in the Neighbourhood designation of the Inner Urban Transect.
- / The proposed development meets the requirements of development within the New Edinburgh Heritage Conservation District and is supported by the attached Heritage Impact Assessment and Streetscape Character Analyses.
- / The proposed lifting of part lot control will allow for freehold ownership of the two existing dwellings, aiding to ensure their preservation. The creation of the third proposed lot will enable gentle intensification through the construction of one (1) infill dwelling, contributing to the City's goals regarding the context-appropriate densification of existing inner urban neighbourhoods.
- / The proposed Zoning By-law Amendments are a minor deviation from the existing policy, allowing for a built form and placement that is consistent with the character of the neighbourhood, providing an improvement to the existing condition, and representative of good planning and development.

Should you have any questions related to the contents of this letter or the application, please do not hesitate to contact the undersigned.

Sincerely,



Kenneth Blouin, M.PL.
Planner



Timothy Beed, MCIP RPP
Associate