



Planning and Housing Committee

Agenda

Meeting #: 16
Date: Wednesday, October 4, 2023
Time: 9:30 am
Location: Champlain Room, 110 Laurier Avenue West, and by electronic participation
Members: Chair: Councillor Jeff Leiper, Vice-chair: Councillor Glen Gower, Councillor Riley Brockington, Councillor Cathy Curry, Councillor Laura Dudas, Councillor Laine Johnson, Councillor Theresa Kavanagh, Councillor Clarke Kelly, Councillor Catherine Kitts, Councillor Wilson Lo, Councillor Tim Tierney, Councillor Ariel Troster

Kelly Crozier, Committee Coordinator
(613) 580-2424, ext. 16875
Kelly.Crozier@ottawa.ca

1. Notices and meeting information for meeting participants and the public

Notices and meeting information are attached to the agenda and minutes, including: availability of simultaneous interpretation and accessibility accommodations; *in camera* meeting procedures; information items not subject to discussion; personal information disclaimer for correspondents and public speakers; notices regarding minutes; and remote participation details.

Accessible formats and communication supports are available, upon request.

Except where otherwise indicated, reports requiring Council consideration will be presented to Council on Wednesday, October 11, 2023, in Planning and Housing Committee Report 16.

The deadline to register by phone to speak, or submit written comments or visual presentations is 4 pm on Tuesday, October 3, and the deadline to register by email to speak is 8:30 am on Wednesday, October 4.

2. Declarations of Interest

3. Confirmation of Minutes

3.1 PHC Minutes 15 – Wednesday, September 6, 2023

4. Planning, Real Estate and Economic Development Department

4.1 Official Plan and Zoning By-law Amendment - 200 Clearview Avenue

ACS2023-PRE-PS-0115 – Kitchissippi (15)

Report recommendation(s)

1. That Planning Committee recommend Council approve the following:
 - a. An amendment to the Official Plan, Volume 2a, Scott Street/Westboro Secondary Plan, to permit a maximum permitted height of 80 metres (25 storeys) for the property municipally known as 200 Clearview Avenue, as detailed in Document 2;
 - b. An amendment to Zoning By-law 2008-250 for 200 Clearview Avenue to rezone from R5C H(28) S216, O1[313] S216 and O1 [313] to R5C [XXXX] S216 to permit a 25-storey residential high-rise building, as detailed in Documents 3 and 4.
2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of October 11, 2023," subject to submissions received between the publication of this report and the time of Council's decision.

4.2 Zoning By-Law Amendment – 12, 14, 16, 18, 20, 22 and 24 Hawthorne Avenue

ACS2023-PRE-PS-0122 - Capital (17)

Report recommendation(s)

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 12, 14, 16, 18, 20, 22 and 24 Hawthorne, as shown in Document 1, to permit a six-storey mixed-use, mid-rise building with site specific zoning exceptions, as detailed in Document 2.
2. That Planning and Housing Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled,

“Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of October 11, 2023, subject to submissions received between the publication of this report and the time of Council’s decision.

4.3 Zoning By-law Amendment – Aligning Zoning By-law 2008-250 with Bill 23 concerning Additional Dwelling Units

ACS2023-PRE-EDP-0039 - City Wide

Report recommendation(s)

1. That Planning and Housing Committee and Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 to permit up to 2 additional units on fully-serviced residential lots, in accordance with Provincial requirements under Bill 23, as shown in Document 1.
2. That Planning and Housing Committee and Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of July 12, 2023,” subject to submissions received between the publication of this report and the time of Council’s decision.

4.4 Ottawa Community Lands Development Corporation - 2022 Annual Report

ACS2023-PRE-CRO-0026 – Citywide

Report recommendation(s)

That Planning and Housing Committee recommend that Council:

1. Receive the 2022 Annual Report and audited financial statements of the Ottawa Community Lands Development Corporation attached as Document 1.

5. Office of the City Clerk

5.1 Status Update – Planning and Housing Committee Inquiries and Motions for the period ending September 15, 2023

ACS2023-OCC-CCS-0118 - City Wide

Report recommendation(s)

That the Planning and Housing Committee receive this report for information.

6. In Camera Items
7. Notices of Motions (For Consideration at Subsequent Meeting)
8. Inquiries
9. Other Business
10. Adjournment

Next Meeting

Wednesday, October 18, 2023.

Comité de la planification et du logement

Ordre du jour

N° de la réunion : 16
Date : le mercredi 4 octobre 2023
Heure : 09 h 30
Endroit : Salle Champlain, 110, avenue Laurier Ouest, et participation par voie électronique
Membres : Président : Jeff Leiper, conseiller , Vice-président : Glen Gower, conseiller, Riley Brockington, conseiller, Cathy Curry, conseillère, Laura Dudas, conseillère, Laine Johnson, conseillère, Theresa Kavanagh, conseillère, Clarke Kelly, conseiller, Catherine Kitts, conseillère, Wilson Lo, conseiller, Tim Tierney, conseiller, Ariel Troster, conseillère

Kelly Crozier, Coordinatrice de comité
613-580-2424, poste 16875
Kelly.Crozier@ottawa.ca

1. Avis et renseignements concernant la réunion à l'intention des participants à la réunion et du public

Les avis et renseignements concernant les réunions sont joints à l'ordre du jour et au procès-verbal, y compris : la disponibilité des services d'interprétation simultanée et des mesures d'accessibilité; les procédures relatives aux réunions à huis clos; les points d'information qui ne font pas l'objet de discussions; les avis de non-responsabilité relativement aux renseignements personnels pour les correspondants et les intervenants; les avis relatifs aux procès-verbaux; les détails sur la participation à distance.

Des formats accessibles et des soutiens à la communication sont offerts sur demande.

À moins d'avis contraire, les rapports nécessitant un examen par le Conseil municipal seront présentés au Conseil le 11 octobre 2023 dans le rapport 16 du Comité de la planification et du logement.

La date limite pour s'inscrire par téléphone, en vue de prendre la parole devant le comité, de

soumettre des commentaires par écrit ou de faire une présentation visuelle, est le mardi 3 octobre, à 16 h, et la date limite pour s'inscrire par courriel, en vue de prendre la parole devant le sous-comité, est le mercredi 4 octobre, à 8 h 30.

2. Déclarations d'intérêt

3. Adoption des procès-verbaux

3.1 Procès-verbal 15 du CPL - le 6 septembre 2023

4. Direction générale de la planification, de l'immobilier et du développement économique

4.1 Modification du Plan officiel et du Règlement de zonage – 200, avenue Clearview

ACS2023-PRE-PS-0115 – Kitchissippi (15)

Recommandation(s) du rapport

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver ce qui suit :
 - a. Une modification au Plan officiel, volume 2a, Plan secondaire du secteur de la rue Scott à Westboro, afin de permettre une hauteur maximale autorisée de 80 mètres (25 étages) sur le bien-fonds dont l'adresse municipale est le 200, avenue Clearview, comme l'expose en détail le document 2;
 - b. Une modification au Règlement de zonage 2008-250 visant le 200, avenue Clearview, afin de faire passer la désignation de R5C H(28) S216, O1[313] S216 et O1 [313] à R5C [XXXX] S216 et ainsi permettre la présence d'une tour résidentielle de 25 étages, comme l'exposent en détail les documents 3 et 4.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 11 octobre 2023 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

4.2 Modification du Règlement de zonage – 12, 14, 16, 18, 20, 22 et 24, avenue Hawthorne

Recommandation(s) du rapport

1. Que le Comité de la planification et du logement recommande au Conseil d'approuver une modification au Règlement de zonage (no 2008-250) pour les 12, 14, 16, 18, 20, 22 et 24, avenue Hawthorne, comme indiqué dans le document 1, afin de permettre la construction d'un bâtiment polyvalent de hauteur moyenne de six étages assorti d'exceptions de zonage propres à l'emplacement, comme décrit dans le document 2.
2. Que le Comité de la planification et du logement approuve que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire* à la réunion du Conseil municipal prévue le 11 octobre 2023 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

4.3 Modification du Règlement de zonage – Mise en concordance du Règlement de zonage (no 2008-250) avec le projet de loi 23 sur les logements supplémentaires

ACS2023-PRE-EDP-0039 - À l'échelle de la ville

Recommandation(s) du rapport

1. Que le Comité de la planification et du logement et le Comité de l'agriculture et des affaires rurales recommandent au Conseil municipal d'approuver la modification à apporter au Règlement de zonage (no 2008-250) afin d'autoriser la construction d'au plus deux logements supplémentaires sur les lots résidentiels entièrement viabilisés, conformément aux exigences édictées par le gouvernement provincial dans le projet de loi 23 selon les modalités reproduites dans la pièce 1.
2. Que le Comité de la planification et du logement approuve l'intégration de la section Détails de la consultation du rapport dans le cadre de la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la réunion que

tiendra le Conseil municipal le 12 juillet 2023 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.

4.4 Société d'aménagement des terrains communautaires d'Ottawa Rapport Annuel 2022

ACS2023-PRE-CRO-0026 - À l'échelle de la ville

Recommandation(s) du rapport

Que le Comité de la planification recommande au Conseil:

1. **Prenne connaissances des états financiers vérifiés de la Société d'aménagement des terrains communautaires d'Ottawa pour l'année 2022 compris dans le Rapport annuel joint en tant que document 1.**

5. Bureau du greffier municipal

5.1 Rapport de situation – demandes de renseignement et motions du Comité de la planification et du logement pour la période se terminant le 15 septembre 2023

ACS2023-OCC-CCS-0118 - À l'échelle de la ville

Recommandation(s) du rapport

Que le Comité de la planification et du logement prenne connaissance de ce rapport.

6. Points à huis clos
7. Avis de motions (pour examen lors d'une réunion subséquente)
8. Demandes de renseignements
9. Autres questions
10. Levée de la séance

Prochaine réunion

Le mercredi 18 octobre 2023.



Notices to the public and participants regarding committee proceedings

Updated: December 30, 2022

Public notices

- Simultaneous interpretation in both official languages is available for any specific agenda item by contacting the committee coordinator at least 72 hours before the meeting date. For requests made within 72 hours of the Committee meeting, staff will endeavour to arrange simultaneous interpretation requests whenever possible.
- Accessible formats and communication supports are available, upon request to the committee coordinator or by completing the [Accessible Formats and Communication Supports Request Form](#). The City shall, upon request and in consultation with the person making the request, provide or arrange to provide accessible formats and communication supports for persons with disabilities. Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's particular accessibility needs and at a cost that is no more than the regular cost charged to other persons, in accordance with the City's [Accessibility Policy](#) and its [Accessible Formats and Communication Supports Procedures](#).
- *In camera* items are not subject to public discussion or audience. Any person has a right to request an independent investigation of the propriety of dealing with matters in a closed session. A [Request for investigation of closed meeting form](#) may be obtained, without charge, online or in person from the Chair of the meeting. Requests are kept confidential pending any report by the Meetings Investigator and are conducted without charge to the Requestor.
- Items listed on the agenda under Communications and Information Previously Distributed do not form part of the regular agenda and will not be discussed by

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the Committee unless added to the agenda pursuant to Subsection 89(3) of the [Procedure By-law](#).

- **Information submitted to the Committee, including the full name of the correspondent/speaker, will form part of the public record and will be publicly accessible.** Correspondence, including personal and contact information, is distributed to the Members of the Committee, offices of Members of Council and relevant City officials and staff. The City posts audio of committee meetings online, including any oral submissions. For more information, contact the committee coordinator at the coordinates listed on the agenda.

Notices regarding minutes

- Underlining in the minutes indicates an amendment, approved by a committee, to recommendations or to a motion.
- Minutes are **draft** until confirmed by the Committee.

Hybrid meeting participation details

Meetings are held through a hybrid format with the option to participate in person or electronically in accordance with Section 238 of the *Municipal Act, 2001* as amended by the *COVID-19 Economic Recovery Act, 2020*.

Meetings in open session are open to the public and will in most cases be held at Ottawa City Hall (please refer to the agenda for the location of the meeting). Additionally, meetings will be hosted in [Zoom](#). Participants (such as Committee Members and registered speakers) may attend the meeting room, call a toll-free telephone number, or use Zoom software on a computer or mobile device.

Members of Committee and Council and required City staff

The committee coordinator will send a Zoom link and password prior to the meeting to Members of Committee and Council, and staff who are required to participate.

Other City staff, media and general public

Staff not participating in the meeting, the media and the general public must view the meeting on the [Ottawa City Council YouTube channel or on the City's agendas and minutes web portal \(eScribe\)](#). They may also attend the meeting in person in the public gallery.

In-room audience seating may have limited capacity and staff are asked to give priority to members of the media and public who wish to attend in person.

The City of Ottawa has implemented security measures to ensure a safe and secure environment for in-person Council and Committee meetings held in the City Hall Council Chambers – Andrew S. Haydon Hall. For more information visit [Ottawa.ca](https://ottawa.ca)

Submissions to Committee

Members of the public may provide either written or oral submissions (or both) to Committee meetings.

After the submission deadlines have passed, members of the public may submit comments to the appropriate standing committee (if applicable) and/or submit written comments to Council.

Comments received **after the submission deadlines have passed** will be acknowledged by the committee coordinator and provided to all Members of Council as soon as possible prior to Council's final consideration of the item (the Council date is noted on the Committee agenda), but may not be provided to the Committee prior to its meeting.

Written comments

Members of the public may submit written comments by email to the committee coordinator, or by calling the committee coordinator to have their comments transcribed.

Both written and oral comments are given equal consideration by the Committee.

To ensure that written comments can be provided to the Committee prior to the meeting, the deadline for submitting written comments is 4:00 PM on the business day before the meeting unless otherwise noted on the agenda.

Oral comments (public delegations)

Members of the public may register, by calling or emailing the committee coordinator, to provide oral comments during the meeting. They must include their name, telephone number and email address (if available). Registration is required so that the committee coordinator may provide Zoom meeting information to the speaker.

Neither a computer, nor a video sharing device, is required to participate in the Zoom meeting. Participants may join the Zoom meeting by calling a toll-free number.

Should you wish to speak for up to five minutes during the Committee meeting, you may register with the committee coordinator by phone prior to 4:00 PM on the business day before the meeting, or by email or in person no later than one hour prior to the start time set for the meeting, unless otherwise noted on the agenda.

Please note that screen-sharing will not be enabled for participants during this meeting. Those delegates who wish to provide a visual presentation (such as PowerPoint slides) are required to register to speak and provide those materials to the committee coordinator prior to 4:00 PM on the last business day prior to the meeting unless otherwise noted on the agenda.

The committee coordinator who is moderating the meeting will share your presentation from his/her screen as you speak.

More information

For more information, please visit the [Agendas, minutes and videos](#) page at ottawa.ca/agendas.

Avis à l'intention du public et des participants concernant les délibérations des comités

Mise à jour : Le 30 décembre 2022

Avis publics

- L'interprétation simultanée est offerte dans les deux langues officielles pour toute question à l'ordre du jour; il suffit de communiquer avec le coordonnateur de comité au moins 72 heures avant la réunion. Pour les demandes soumises dans les 72 heures avant la réunion du Comité, le personnel s'efforcera de faire le nécessaire pour répondre aux demandes d'interprétation simultanée.
- Des formats accessibles et des aides à la communication sont offerts après avoir effectué une demande auprès du coordonnateur de comité ou en remplissant la [Demande de documentation de la Ville d'Ottawa en formats accessibles](#). La Ville doit, sur demande et en consultation avec la personne qui présente la demande, fournir ou prendre des dispositions pour fournir des formats accessibles et des aides à la communication pour les personnes en situation de handicap. Des formats accessibles et des aides à la communication doivent être fournis en temps opportun, en tenant compte des besoins d'accessibilité particuliers de la personne et à un coût qui n'est pas plus élevé que le coût ordinairement demandé aux autres personnes, conformément à la [Politique sur l'accessibilité](#) de la Ville d'Ottawa et ses [Procédures concernant les formats accessibles et les aides à la communication](#).
- Le public ne peut pas assister aux discussions ni aux séances sur les points à l'ordre du jour débattus à huis clos. Toute personne a le droit de demander une enquête indépendante sur la légitimité de régler certaines questions à huis clos. Il est possible de se procurer sans frais une [Demande d'enquête sur le bien-fondé d'une réunion à huis clos](#) en ligne ou en personne auprès du président de la réunion en question. Les demandes d'enquête restent

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confidentielles tant que l'enquêteur n'a pas présenté son rapport et n'entraînent aucuns frais pour le demandeur.

- Les points énumérés à l'ordre du jour sous « Communications » et « Information distribuée auparavant » ne font pas partie de l'ordre du jour ordinaire et ne seront donc pas traités par le Comité, à moins qu'ils ne soient ajoutés à l'ordre du jour en vertu du paragraphe 89(3) du [Règlement de procédure](#).
- **L'information envoyée au Comité, y compris le nom complet des correspondants/présentateurs, sera versée aux dossiers publics et sera accessible au public.** La correspondance, coordonnées et renseignements personnels compris, est transmise aux membres du Comité, aux bureaux des membres du Conseil et aux cadres et employés de la Ville concernés. La Ville publie en ligne la version audio des réunions de comités, y compris les observations verbales. Pour en savoir plus, communiquez avec le coordonnateur de comité dont les coordonnées sont indiquées dans l'ordre du jour.

Avis relatifs aux procès-verbaux

- Le soulignement dans les procès-verbaux indique une modification, approuvée par un comité, de recommandations ou d'une motion.
- Les procès-verbaux sont **préliminaires** jusqu'à ce qu'ils soient approuvés par le Comité.

Participation aux réunions hybrides – détails

Les réunions se déroulent en format hybride, en vue d'offrir la possibilité aux participants d'y assister en personne ou par voie électronique, conformément à l'article 238 de la *Loi de 2001 sur les municipalités*, telle que modifiée par la *Loi de 2020 visant à favoriser la reprise économique face à la COVID-19*.

Les réunions en séance publique sont ouvertes à tous et se tiennent généralement à l'hôtel de ville d'Ottawa (veuillez consulter l'ordre du jour pour connaître le lieu exact de la réunion). La réunion est également présentée sur [Zoom](#). Les participants (tels que les membres des comités et les intervenants inscrits) peuvent y assister en personne, en téléphonant à un numéro sans frais ou en utilisant le logiciel Zoom sur un ordinateur ou un appareil mobile.

Membres du Comité et du Conseil, et personnel municipal tenu de participer à la réunion

Le coordonnateur de comité enverra un lien Zoom et un mot de passe avant la réunion aux membres du comité et aux membres du Conseil ainsi qu'au personnel municipal tenu de participer.

Autres employés municipaux, médias et public

Les employés qui ne participent pas à la réunion, les médias et le public peuvent suivre la réunion sur la [chaîne YouTube du Conseil municipal d'Ottawa](#) ou dans le [portail Web des ordres du jour et des procès-verbaux de la Ville \(eScribe\)](#). La participation en personne est également possible dans la galerie des spectateurs.

Les places assises peuvent être limitées. Nous prions donc le personnel de bien vouloir donner la priorité aux membres des médias et du public qui souhaitent assister à la réunion.

Pour les participants en personne, veuillez noter que la Ville d'Ottawa a mis en place des mesures de sécurité pour assurer un environnement sûr et sécuritaire pour les réunions en personne tenues dans la salle du Conseil de l'hôtel de ville - Salle Andrew S. Haydon. Pour plus d'informations, visitez Ottawa.ca.

Commentaires présentés au Comité

Le public peut formuler des commentaires par écrit ou de vive voix (ou les deux) lors des réunions du Comité.

Passé les échéances pour les soumissions, le public peut soumettre ses commentaires au comité permanent concerné (s'il y a lieu) ou au Conseil.

Les commentaires reçus **une fois les échéances passées pour les soumissions** seront traités par le coordonnateur du comité, puis transmis à tous les membres du Conseil dès que possible avant l'examen final du point par le Conseil (la date de la réunion du Conseil étant notée sur l'ordre du jour du comité), mais il se pourrait qu'ils ne soient pas communiqués au comité avant sa réunion.

Commentaires écrits

Les commentaires peuvent être envoyés au coordonnateur de comité par courriel ou en communiquant avec lui par téléphone pour que ces commentaires soient transcrits. **Les commentaires écrits et oraux reçoivent la même attention du Comité.**

Afin que les commentaires écrits puissent être communiqués au comité avant la réunion, l'échéance pour soumettre des commentaires par écrit est au plus tard à 16 h le jour ouvrable précédant la réunion, sauf indication contraire dans l'ordre du jour.

Commentaires oraux (intervenants du public)

Il est possible de s'inscrire auprès du coordonnateur de comité, par téléphone ou courriel, pour prendre la parole durant la réunion. Pour ce faire, l'intervenant doit fournir son nom, son numéro de téléphone et son adresse électronique (si possible).

L'inscription est requise pour recevoir les informations relatives à la réunion Zoom.

Il n'est pas obligatoire d'avoir un ordinateur ou un appareil de partage de vidéos pour participer à la réunion; il est possible de le faire en composant un numéro sans frais.

Si vous souhaitez prendre la parole (maximum de cinq minutes) pendant la réunion du comité, vous devez vous inscrire auprès du coordonnateur du comité, par téléphone, avant 16 h le dernier jour ouvrable précédant la réunion, ou par courriel ou en personne, au plus tard une heure avant le début de la réunion, sauf indication contraire dans l'ordre du jour.

Veillez prendre note que le partage d'écran ne sera pas autorisé pour les participants durant cette réunion. Les intervenants qui souhaitent faire une présentation visuelle (par exemple au moyen de PowerPoint) doivent s'inscrire pour prendre la parole et fournir cette présentation au coordonnateur du comité avant 16 h le dernier jour ouvrable précédant la réunion, sauf indication contraire dans l'ordre du jour.

Le coordonnateur du comité, qui anime la réunion, partagera la présentation à partir de son écran lors de l'intervention.

Pour en savoir plus

Pour obtenir de plus amples renseignements, veuillez consulter la page [Ordres du jour, procès-verbaux et vidéos](#).

Subject: Official Plan and Zoning By-law Amendment - 200 Clearview Avenue

File Number: ACS2023-PRE-PS-0115

Report to Planning and Housing Committee on 4 October 2023

and Council on 11 October 2023

**Submitted on September 21, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: John Bernier, Planner, Development Review Central

613-580-2424 ext.21576, john.bernier@ottawa.ca

Ward: Kitchissippi (15)

**Objet: Modification du Plan officiel et du Règlement de zonage – 200,
avenue Clearview**

Dossier : ACS2023-PRE-PS-0115

Rapport au Comité de la planification et du logement

le 4 octobre 2023

et au Conseil le 11 octobre 2023

**Soumis le 21 septembre 2023 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne-ressource: John Bernier, Urbaniste, Examen des demandes
d'aménagement centrale**

613-580-2424 ext.21576, john.bernier@ottawa.ca

Quartier: Kitchissippi (15)

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve the following:
 - a. An amendment to the Official Plan, Volume 2a, Scott Street/Westboro Secondary Plan, to permit a maximum permitted height of 80 metres (25 storeys) for the property municipally known as 200 Clearview Avenue, as detailed in Document 2;
 - b. An amendment to Zoning By-law 2008-250 for 200 Clearview Avenue to rezone from R5C H(28) S216, O1[313] S216 and O1 [313] to R5C [XXXX] S216 to permit a 25-storey residential high-rise building, as detailed in Documents 3 and 4.
2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of October 11, 2023," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver ce qui suit :
 - a. Une modification au Plan officiel, volume 2a, Plan secondaire du secteur de la rue Scott à Westboro, afin de permettre une hauteur maximale autorisée de 80 mètres (25 étages) sur le bien-fonds dont l'adresse municipale est le 200, avenue Clearview, comme l'expose en détail le document 2;
 - b. Une modification au Règlement de zonage 2008-250 visant le 200, avenue Clearview, afin de faire passer la désignation de R5C H(28) S216, O1[313] S216 et O1 [313] à R5C [XXXX] S216 et ainsi permettre la présence d'une tour résidentielle de 25 étages, comme l'exposent en détail les documents 3 et 4.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et

orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux ‘exigences d’explication’ aux termes de la Loi sur l’aménagement du territoire, à la réunion du Conseil municipal prévue le 11 octobre 2023 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Site location

200 and 210 Clearview Avenue

Owner

Homestead Land Holdings Limited

Applicant

Patricia Warren - Fotenn Consultants Inc.

Description of site and surroundings

The site, which spans approximately 11.7 hectares, is located south of Clearview Avenue. To the north lie environmental protection lands and a variety of residential use buildings ranging from low-rise to mid-rise. Lanark Avenue borders the site to the east, beyond which are three-storey, low-rise residential buildings. To the south is Ellendale Crescent along with a development consisting of three-storey townhomes abutting the 32-storey Minto Metropole residential high-rise building. To the west are institutional lands, presently in the form of an expansive two-storey school building (Centre Jules-Léger) set back approximately 60 metres from the site and separated by a surface parking area. Currently, the subject property features a 26-storey 226-unit residential building, with surface and underground parking options.

Summary of proposed development

The development plan aims to replace an existing surface parking lot with a 25-storey residential building, with a three- to four-storey podium. The proposal provides 184 dwelling units, a mix of one- and two-bedroom units. Parking requirements are accommodated via a 245-space underground facility, accessible via Clearview Avenue, which is intended to be shared between the new and existing residential buildings on site. Furthermore, the plan allocates 215 spaces for bicycle parking. Proposed common

amenity areas are located at-grade, on the roof of the podium structure, and on the top of the building.

Summary of requested Official Plan Amendment

The proposed amendment aims to amend the Richmond Road/Westboro Secondary Plan for the subject property and permit a maximum building height of 80 metres (25 storeys) on Schedule C – Maximum Building Height.

Summary of requested Zoning By-law Amendment

A Zoning By-law amendment is required to rezone from Residential Fifth Density, Subzone C, Maximum Height of 28 Metres, Schedule 216 (R5C H(28) S216, O1[313] S216) and Parks and Open Space Zone, Exception 313 (O1 [313]) to Residential Fifth Density, Subzone C, Exception XXXX, Amended Schedule 216 (R5C [XXXX] S216) to permit a 25-storey residential high-rise building, as detailed in Documents 3 and 4. Details of the recommended rezoning includes the following:

- Rezone the development area (western portion of the property) to R5C [XXXX] Schedule 216.
- Urban Exception “XXXX” will require minimum yard setbacks, minimum building setbacks and maximum building heights as defined in the amended Schedule 216 (Document 4).
- Amend Schedule 216 to identify the minimum yard setback, minimum building setbacks, and maximum building height as per the proposed development.
- Allow relief from permitted projections, and projections above the height limits (Section 64 & 65), for elements such as balconies and awnings and rooftop equipment.
- Increase the number of required bicycle parking spaces to a minimum of one per unit.
- Provide relief from Table 55 (8) to allow the outdoor amenity area to extend to the edge of the building, whereas a 1.5m setback is required.

DISCUSSION

Public Consultation

A virtual public information session, organized by the applicant together with Councillor Leiper, was held on December 15, 2022. Approximately 40 residents attended. The

applicant gave an overview of the development proposal, and attendees participated by sharing their comments and questions.

For this proposal's consultation details, see Document 6 of this report.

Official Plan designation(s) and policies

Per Schedule A of the Official Plan, the subject property is situated in the Inner Urban Transect policy area. Schedule B1 designates the property as within the Evolving Neighbourhood Overlay, a policy that is applied to areas near Hubs and Corridors. This overlay anticipates a gradual transformation over time, shifting in character to support intensification. It includes guidance for a transition from suburban to urban development, fostering the emergence of new architectural forms and a more varied utilization of land.

The property is also within the boundaries of the Richmond Road/Westboro Secondary Plan, within the Westboro Beach - Planning Sector 6, on Schedule A. This plan is meant to provide a framework for change as the neighbourhood experiences intensification.

Other applicable policies and guidelines

Richmond Road/Westboro Community Design Plan (CDP) formed the basis of the Secondary Plan under the same name. This CDP outlines a comprehensive framework for guiding future development in the Richmond Road and Westboro areas. It emphasizes sustainable growth, transit-oriented development, and community enhancement, aiming to balance new high-rise intensification areas with the preservation of existing neighborhood character. Should any new development be proposed, it must be compatible with the existing adjacent residential community.

[Urban Design Guidelines for High-rise Buildings](#) are applicable and look to ensure that taller buildings include appropriate setbacks and proper transitions in building heights, with the goal of minimizing the impact of tall structures on neighboring properties and public spaces. The guidelines also emphasize sustainable and climate-resilient design, pedestrian-friendliness, and the inclusion of amenities that contribute positively to the urban fabric.

[Transit-Oriented Development \(TOD\) Guidelines](#) prioritize development strategies that facilitate easy and convenient access to higher-order transit options. They promote higher-density residential buildings in close proximity to transit routes and stations to maximize ridership and reduce reliance on personal vehicles.

Planning rationale

Official Plan

The subject amendments align with the principles and policies of the Inner Urban Transect (Section 5.2.1) of Ottawa's Official Plan. As part of this transect, the proposed development is situated within an area characterized by a mix of residential, commercial, and institutional uses. Specifically, Policy 3 supports high-rise development within the Inner Urban Transect for sites within proximity and access to street or rapid transit. Building heights and massing are guided by any relevant secondary plan policies, along with tower separation and urban design policies contained in Section 4.6. Furthermore, any additional density should be supported by existing water, sewer and stormwater capacity. Plans and studies have been submitted to demonstrate that adequate servicing capacity is available to support the added density.

Section 5.2.2 (Prioritize walking, cycling and transit within, and to and from, the Inner Urban Transect) encourages developments within proximity to transit stations to provide minimal at-grade parking spaces. The proposed redevelopment would replace a 90-space surface parking lot with an apartment building and locate parking within an underground parking garage. Additionally, the new building will allocate parking at a rate of 0.67 spaces per residential unit, a strategy designed to support the use of public transit and other active transportation options.

Under the Neighbourhood designation of the Official Plan, the development seeks to enhance the local character and identity of the community by acknowledging the low-rise character of the area while complementing the existing high-rise nature of the immediate context. Section 6.3.1, Policy 2 asserts that the Neighbourhood designation will be predominately low-rise unless there is precedence in the area in the form of either pre-existing zoning relief for greater heights, or where the secondary plan allows for greater heights, or if the area is characterized by taller buildings. While the height is limited to low-rise in the Secondary Plan, in this instance, the site was previously zoned R5C H(28) S216 which allows a mid-rise apartment building to a maximum height of 28 metres, or approximately nine storeys. Additionally, the subject site has an existing 26-storey residential building, there is a 12- and 24-storey building immediately north of Clearview Avenue, and the 32-storey Minto Metropole building is 150 metres to the south of this property. Therefore, the development proposal is reasonable given the previous zoning and an established pattern of high-rise development in the immediate area.

The proposed 25-storey high-rise development aligns with the key urban design policies in Section 4.6.6 meant to guide mid- to high-rise development. It adds to an existing cluster of high-rises in the immediate area, contributing variation in height and fulfilling the mandates of Policy 3. The inclusion of multiple amenity areas at-grade, on the podium and inside the building responds directly to Policy 4, offering year-round utility for the residents. Policy 5 emphasizes walkability and sustainable modes of

transportation for large developments. The proposed walkways and large number of bicycle parking spaces fulfils this policy objective and will be further developed through a future site plan control application. Furthermore, the building's orientation and floorplate sizing adhere to Policy 8 and 9 by providing optimal tower separation distances and design that allows for future high-rise developments on adjacent lots, satisfying Policy 10. Overall, the development represents a well-considered, context-responsive approach to urban intensification.

Finally, Section 4.1.2 is a City-wide policy that supports 15-minute neighbourhoods. The site is well within walking distance to transit (Westboro Station) and is close to cycling routes (Ottawa River, Kichi Zībī Mīkan, and Scott Street multi-use paths). The proposal is supportive of these modes with a reduced parking rate and by providing a bicycle parking rate that exceeds the best-practice of a 1:1 ratio (units to spaces). Furthermore, the service and amenity rating for this site is a nine, the highest possible rank given to sites that have many options within a short walking distance. Specifically, Scott Street is approximately 300 metres away and Richmond Road 600 metres away, well within the 15-minute/900 metre radius.

The Richmond Road/Westboro Secondary Plan

This plan is generally supportive of compatible intensification in areas that can contribute to the urban fabric and support transit-oriented development, especially around future O-Train stations, such as Westboro Station.

Schedule C identifies the maximum building heights within this policy area. The greatest heights on this schedule are planned along key locations adjacent to the transit stations. Where this document does not specify heights, it is understood a maximum height of four storeys is permitted. Specifically, Policy 17 within Sector 6 states that the area shall be maintained as a low-rise neighbourhood. However, large lots, and site context, such as the subject site, provide opportunity for their ability to provide the necessary height transitions and proper angular plane to provide transition to low-rise developments (Sec 2.2, Policy 5).

This plan contains detailed guidance on factors such as compatibility with adjacent uses, transitions in building heights, design guidelines, sustainable and climate-resilient design, and measures to avoid creating a street canyon effect (Section 2.2), all aimed at preserving the character of the area while facilitating growth and intensification.

The proposed tower is appropriately located on the southern side of the development parcel closest to Westboro transit station, towards areas identified for greater heights. Transition to the north is achieved through a 45-degree angular plane and a three-storey podium expression that is consistent with the townhomes on the north side of

Clearview Avenue. A large part of the fourth storey portion of the podium is stepped back and glazed to minimize its appearance and dominance of the street.

The southern section of the podium is proposed to be three storeys, which is in-keeping with the existing heights of the townhomes to the south and will contribute to a more comfortable pedestrian environment at the street. Furthermore, the existing residential buildings to the south are oriented in an east-west fashion, in line with the proposed high-rise building, and therefore will not be impacted by shadows from the development.

Adequacy of Services

An Assessment of Adequacy of Public Services Report was submitted in support of the application. Staff have reviewed the report and are satisfied with the findings of the report.

Adequacy of Transportation Network

A Transportation Impact Assessment was also submitted in support of the application. Upon buildout, the development is anticipated to generate approximately 75 two-way vehicle trips during the AM peak hour and 74 two-way vehicle trips during the PM peak hour based on a 23 per cent and 28 per cent automobile modal share target. In summary, the proposed development is projected to have a minor impact on the surrounding road network and transit facilities. Transportation demand management measures such as: displaying local area maps with walking, cycling, and transit route information at all major entrances; providing multimodal travel option information packages to new residents; installing bike and car-share spaces; and, unbundling parking costs from the purchase or rental price, will be further considered and implemented through a future site plan control application.

Recommended Zoning Details

As detailed in Document 3, the proposed Zoning By-law Amendment has the effect of rezoning the site to Residential Fifth Density, Subzone C, subject to an amended height schedule (R5C, [XXXX] S216). The original R5C H(28) S216 site zoning is reflective of when the site was first developed in the early 1970s and a second mid-rise apartment building was anticipated but not built. The O1[313] S216 and O1[313] portions reflected lands that were to be protected for a Hydro One utility corridor, which is no longer needed.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications as a result of this proposal.

COMMENTS BY THE WARD COUNCILLOR

Councillor Jeff Leiper provided the following comment:

“I am supportive of this proposal given that it supports many of the goals and policies of the OP’s Growth Management framework and conforms with its policies to support intensification. It also helps the City meet address the increasing need – and achieve our targets - for more housing. The proposed density and height are appropriate given its site context and close proximity (within 350 m) to the future Westboro LRT station.

The building design – which incorporates a podium varying from 3 to 4 storeys as well as stepbacks on the higher levels – will help contribute to the pedestrian scale and reduce the massing on the adjacent residential area.

The nearby community has had an opportunity to be consulted, and I am hopeful that some of their concerns (i.e. around traffic management/access) will be addressed at the Site Plan review stage.

The car parking provided does exceed the minimum requirement and given its close proximity to the future LRT, I’d prefer to see a lower ratio. A high number of bicycle parking spaces are also being provided (215 bicycle parking spaces for 184 dwelling units).

Since Community Benefit Charges will apply to this site, I will be exploring ways to apply funds to improve the nearby pathway from Lanark Avenue to the future Westboro LRT station and/or a ward specific project in coordination with Staff.”

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management Implications associated with this report.

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. The Accessibility for Ontarians with Disabilities Act requirements for site design will also apply and will be reviewed through future development applications.

TERM OF COUNCIL PRIORITIES

This project addresses the following 2023-2026 Term of Council Priorities:

- A city that has affordable housing and is more liveable for all;
- A city that is more connected with reliable, safe and accessible mobility options;
- A city that is green and resilient;
- A city that has a diversified and prosperous economy.

APPLICATION PROCESS TIMELINE STATUS

These applications (Development Application Number: D01-01-22-0012 and D02-02-22-0099) were not processed by the "On Time Decision Date" established for the processing of Official Plan and Zoning By-law amendments due to the complexity of issues involved and scheduling conflicts.

SUPPORTING DOCUMENTATION

Document 1 – Zoning Key Map

Document 2 – Details of Recommended Official Plan Amendment

Document 3 – Details of Recommended Zoning

Document 4 – Zoning Schedule

Document 5 – Perspectives and Plans

Document 6 – Consultation Details

CONCLUSION

The proposed high-rise development conforms with the overall growth management intent of Ottawa's Official Plan and an amendment is required to Schedule C –

Maximum Building Height of the Richmond Road/Westboro Secondary Plan to permit the 25-storey building height. With its focus on pedestrian-friendly design and transit accessibility, the development is both a compatible and beneficial addition to the community.

The amendments required to implement the concept shown in Document 5 support building livable communities, intensification, and efficient development of serviced, underutilized lands located within settlement areas. The proposed amendments generally align the Richmond Road/Westboro Community Design Plan (CDP) and with the City's guidelines for Urban Design Guidelines for Transit Oriented Development and Urban Design Guidelines for High-Rise Buildings.

A site plan application will be required for staff approval prior to construction. The proposal represents good planning, and the Planning, Real Estate and Economic Development Department recommends that the proposed amendments to the Richmond Road/Westboro Secondary Plan within Volume 2A of the Official Plan and Zoning By law 2008-250 be approved.

DISPOSITION

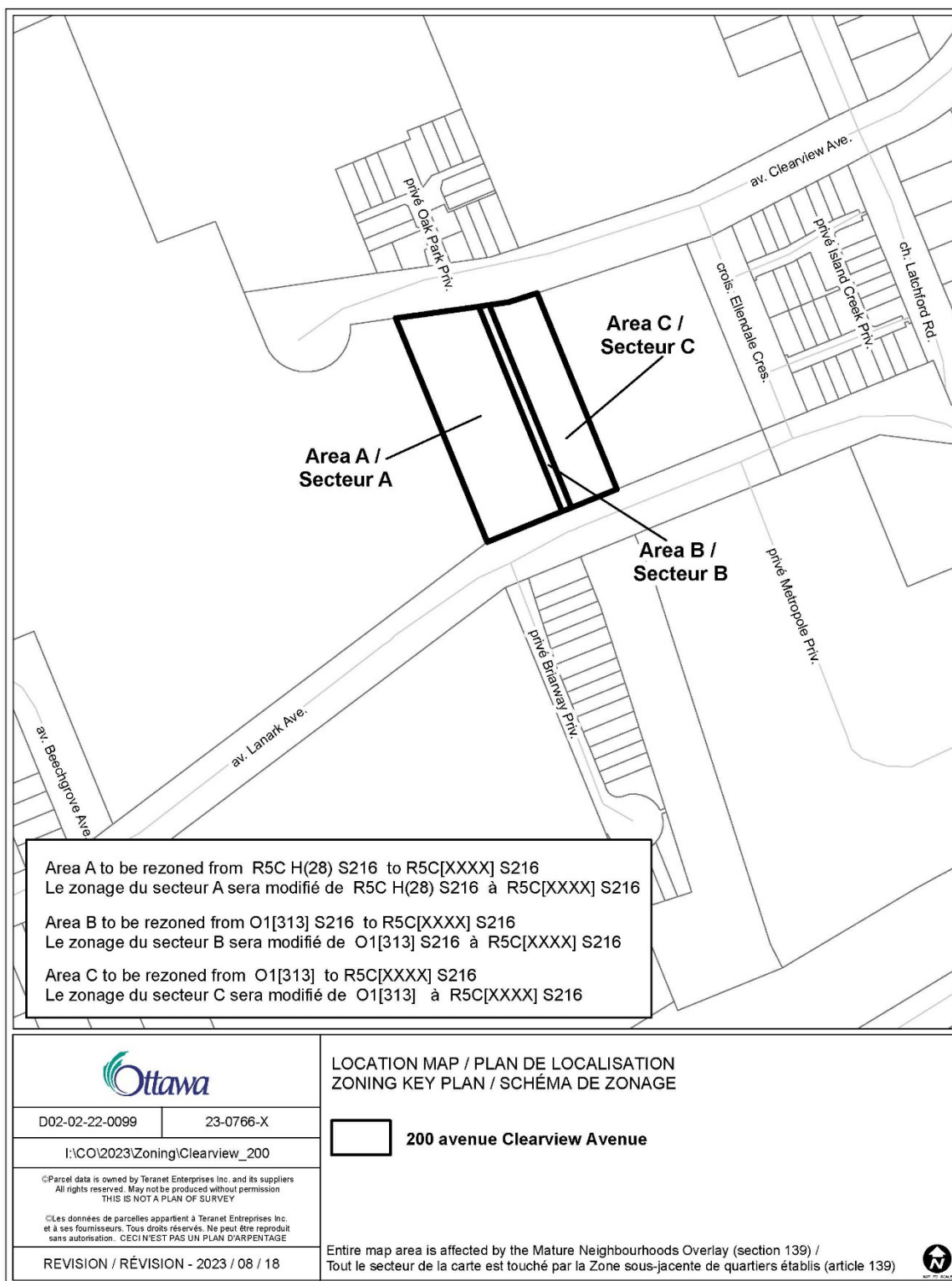
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Zoning Key Map



Document 2 – Details of Recommended Official Plan Amendment

**Official Plan Amendment XX to the
Official Plan for the
City of Ottawa**

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

PART A – THE PREAMBLE

Purpose

Location

Basis

Rationale

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART C – THE APPENDIX

Schedule 1 of Amendment XX – Official Plan for the City of Ottawa

PART A – THE PREAMBLE

1. Purpose

The purpose of this amendment is to amend the Official Plan – Volume 2A, Richmond Road/Westboro Secondary Plan, specific to 200 Clearview Avenue, by identifying the maximum building height. The summary of proposed amendments and changes to the Richmond Road/Westboro Secondary Plan made through this amendment are as follows:

- a. Increase the maximum building heights from unspecified to “Maximum 4 Storeys” and “10 or more Storeys”.
- b. Provide site specific policy for 200 Clearview Avenue to allow a high-rise apartment building up to 25 storeys.

2. Location

The subject lands are 200 Clearview Avenue, located on the northwest corner of Ellendale Crescent and Lanark Avenue, between Clearview Avenue and Lanark Avenue.

3. Basis

The amendment to the Official Plan was requested by the applicant in order to build a 25-storey, residential high-rise building.

4. Rationale

The proposed development generally aligns with the Official Plan, and will permit intensification consistent with the Official Plan policies of the Inner Urban Transect, as well as those related to Evolving Neighbourhoods and Urban Design. The amendment, increasing building height, supports a diverse range of housing options within an established neighbourhood. By situating the project in an area already supported by existing amenities and accessible through active transportation options, it minimizes its impact on the surrounding community. The thoughtful design approach, including strategic stepbacks and landscaping, ensures a harmonious integration with the existing urban fabric. Additionally, the project is consistent with the larger objectives of enhancing local character, intensifying residential offerings, and promoting sustainable development. Overall, the proposed amendments represent good planning.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text and the attached Schedule constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The City of Ottawa Official Plan, Volume 2a, Richmond Road/Westboro Secondary Plan, is hereby amended as follows:

2.1 by amending Schedule C –Maximum Building Height, by re-designating a portion of 200 Clearview Avenue from an unspecified height to “Maximum 4 Storeys” and “10 or more Storeys” as shown on Schedule 1 of this document, in Part C – The Appendix.

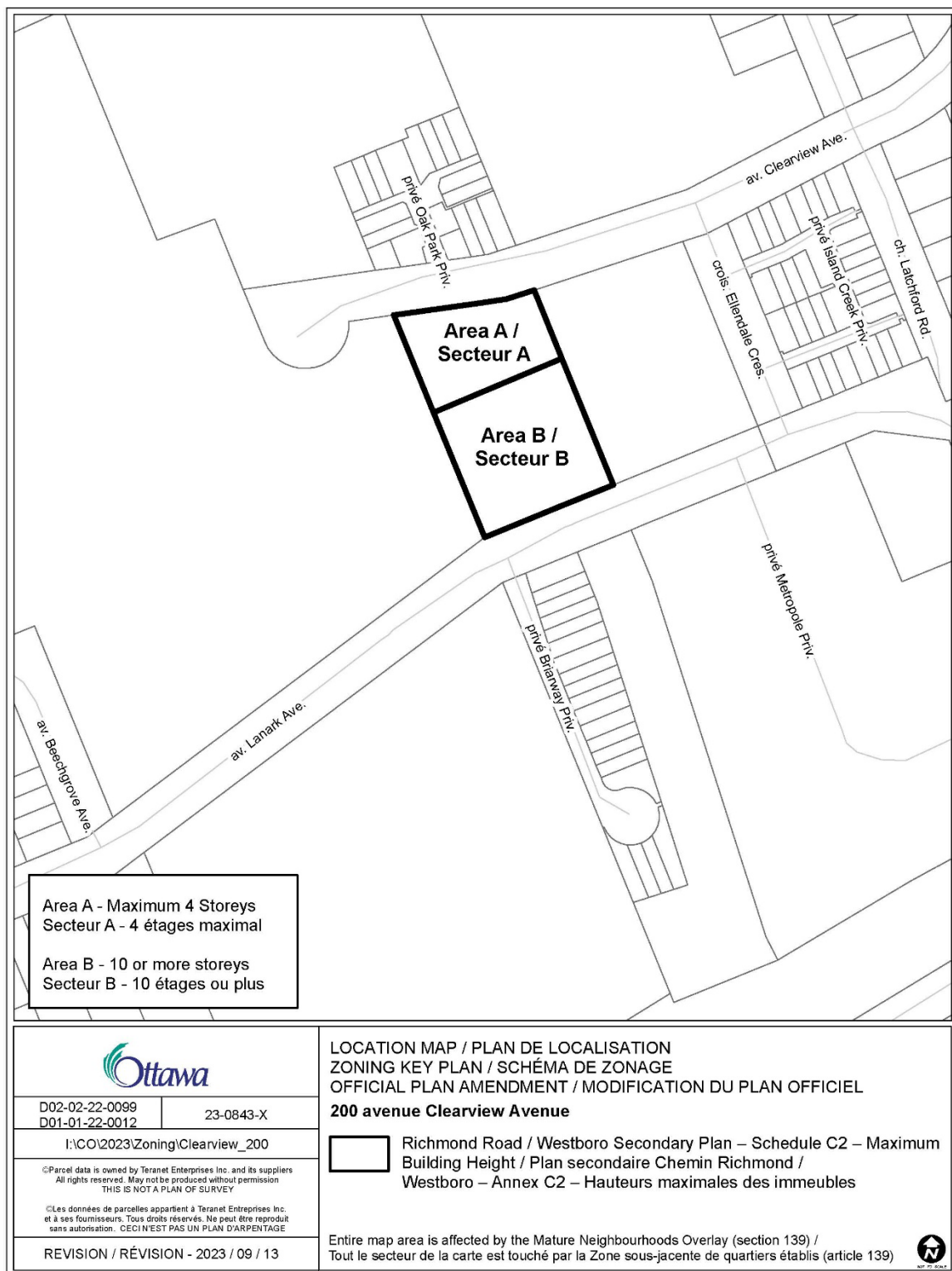
2.2 by adding a new policy in Section 5.7 Westboro Beach (Sector 6), as follows:

“For the property municipally known as 200 Clearview Avenue, despite Schedule C - Maximum Building Height for the portion of the property identified as 10 or more Storeys”, the maximum permitted height is 80 metres (25 storeys).”

3 Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

PART C – THE APPENDIX

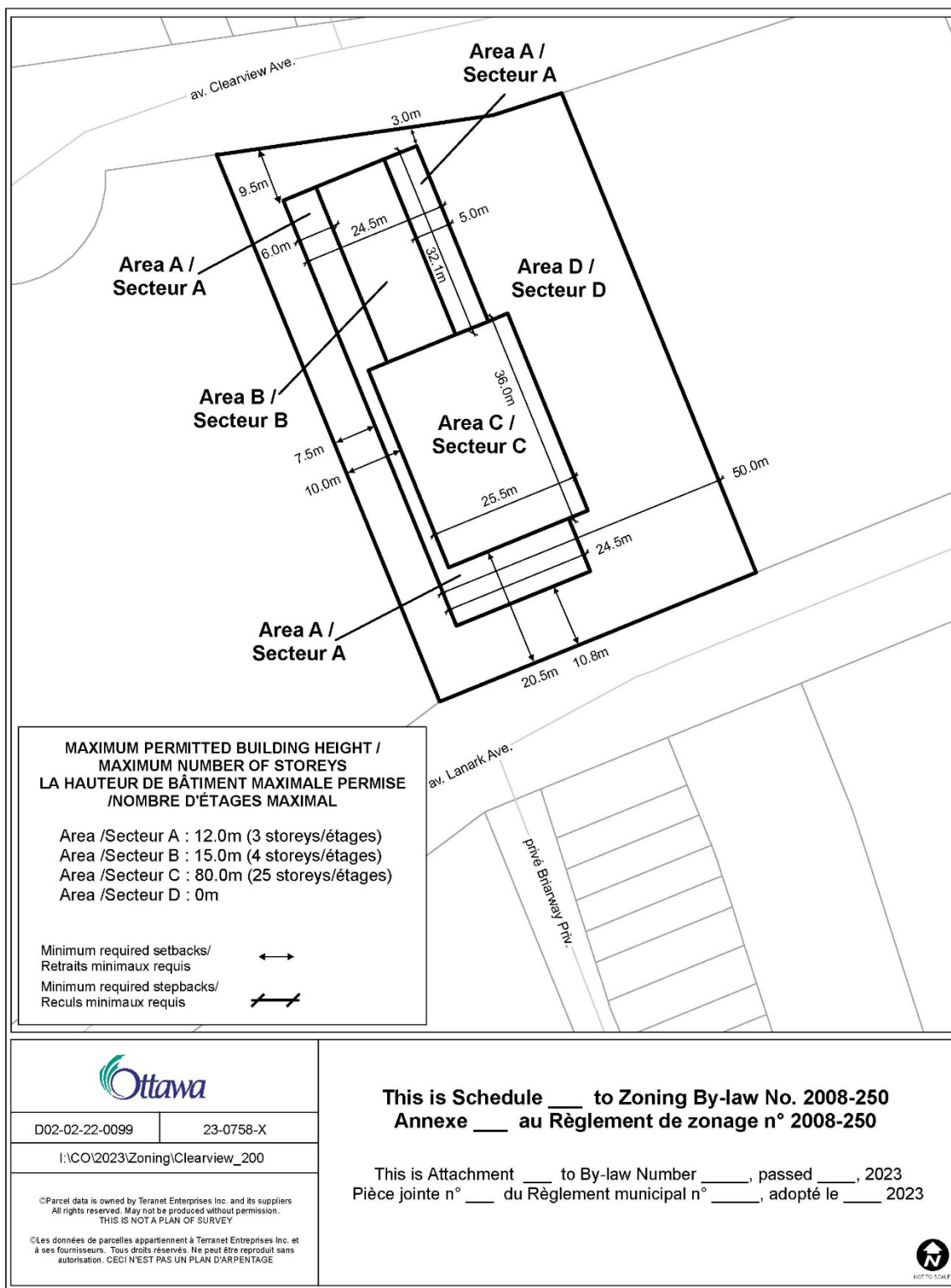


Document 3 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 200 Clearview Avenue are as follows:

1. Rezone the land as shown in Document 1.
2. Amend Section 239, Urban Exceptions, by deleting exception [313].
3. Replace Schedule '216' to Part 17 – Schedules with the amended Schedule 216 as shown in Document 4.
4. Add a new exception 'XXXX' to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text "R5C [XXXX] S216";
 - b. In Column V, Provisions, add the following text:
 - i. Maximum building heights and minimum building setbacks and stepbacks are as per Schedule 216
 - ii. The following provision apply to an Apartment Dwelling, High-Rise:
 - a. Permitted projections listed in Section 64 and 65 are not subject to the height limits identified on Schedule 216;
 - b. Minimum bicycle parking: 1 space per unit;
 - c. Table 55 (8) does not apply to Area A and B of Schedule 216.

Document 4 – Zoning Schedule



Document 5 – Perspectives and Plans

LOOKING NORTHWEST



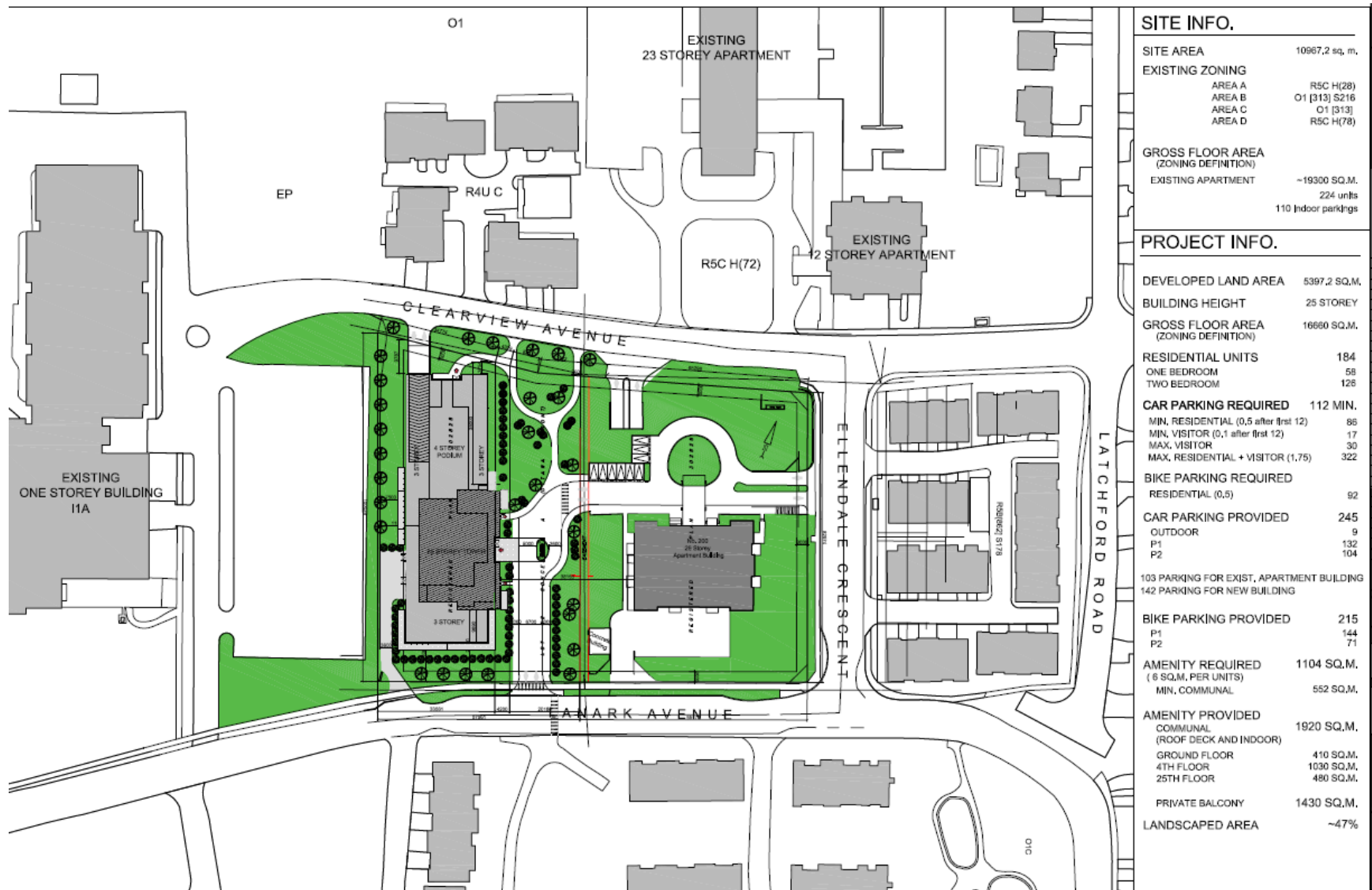
LOOKING NORTHEAST



LOOKING SOUTHEAST



LOOKING SOUTHWEST



Document 6 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Official Plan amendments. A community consultation session was also hosted by the Councillor virtually on December 15, 2022. Approximately 40 residents attended this meeting.

Comments in Support:

Comment:

1. A few residents expressed excitement of new development, and the need for housing options during a shortage.

General Concerns:

Comments:

1. Concerns that proposal may dictate property values of homes in nearby neighborhoods.
2. Concern regarding Homestead Management.

Response:

Property values and the performance of specific user groups is beyond the purview of the merits of a planning application.

Building Height and Design Concerns:

Comments:

1. Concern that proposed building is too tall, will create shadow impacts, wind impacts, loss of privacy and views will be lost. Desire to see a lower built form considered.
2. Desire to see the 210 Tower North, staggering the tower from 200 Clearview Avenue; this may significantly change the shadow analysis.
3. Concern that building is not consistent with the Westboro character; has no regard to architectural elements of the surrounding neighborhoods.

4. Concern regarding amenity spaces on 4th and 25 floor not being appropriate for children and families to enjoy the spaces. The applicant should focus on ground-floor recreational spaces.
5. Desire to see proposed garage exit to be moved west end of Clearview to share the existing Clearview garage exit or exit onto the planned throughway between Ellendale and Lanark.
6. Desire to see more landscaping features and a park for residents and community members to share.

Response:

Shadow and wind studies have been undertaken to evaluate these impacts and they have been deemed acceptable. Detailed architectural review will occur when a Site Plan Application is received, presently, the discussion is mainly focused on height and massing of the structure. The garage cannot be connected with the existing garage as there is a hydro easement that bisects the property and restricts development within this space both above and below grade. However, there will be two accesses, one for parking and one for loading and garbage removal, to lessen the impact on any one street. Finally, a detailed landscape plan will be provided during the Site Plan review. The proposed amenity space located throughout the site and within the building meets the Zoning By-law for size and location. Staff explored the potential for a park on site, but it was determined that the space was too small to accommodate this.

Traffic and Parking Concerns:

Comments:

1. Concern with increased traffic congestion; and the safety of pedestrians and cyclists.
2. Concern that the proposal is too “car-centric”.
3. Concern with number of parking, as the subject site is in close proximity to the Westboro Station and active transportation networks.
4. Concern with lack of parking that may increase street parking on local streets.
5. Concerns regarding increased cut-through traffic in local streets of Lanark, Ellendale and Clearview.

Response:

Traffic and parking are key concerns for many residents. To address this, staff required a traffic impact study to examine the impacts. While the new garage contains 248 spaces, only 158 parking spaces will be assigned to the new tenants and visitor parking, the remaining 90 spaces are replacements of the existing surface parking lot for the tenants of the existing high-rise building on site. Site-wide, there will be a total of 355 parking spaces (including visitor spaces) for the 410 residential units. The development is a transit-oriented and walkable design, with close proximity to Westboro Station. In terms of on-street parking, the development has ample resident and visitor parking spaces and therefore this is not anticipated to become an issue. Cut-through traffic is an existing situation that cannot be solved through this development.

Construction Concerns:

Comments:

1. Concern with construction; the increase of disruption, vibrations, safety, noise and decrease of quality of life.
2. Safety concerns regarding construction impacts on Centre Jules-Léger – a school for children with serious development disability.
3. Concerns regarding construction light forcing homeowners to cover up windows during night.

Response:

The construction of the proposed development is required to follow all applicable City and Provincial regulations and industry best practices relating to safety, noise, dust, blasting and construction. Construction activity must adhere to relevant City by-laws, including the Noise By-law, Traffic and Parking By-law and Encroachments on City Highways By-law. High-rise developers work with the City to prepare construction management plans, but specific construction details are not available at this time. Light spillage during construction is not something that can be controlled through a planning application. If issues are experienced during construction, a concerned citizen may contact 311 to report non-compliance with the by-laws.

Affordable Housing Comments:

Comments:

1. Desire to see more affordable housing units in the application.

Response:

Presently staff are not aware of plans for these units to be affordable. The Official Plan's objective is to increase housing affordability and choice; however, there are no enforceable tools that require affordable housing in this area.

Infrastructure and Engineering Comments:

Comments:

1. Concern regarding lack of infrastructure to accommodate a large development.
2. Concerns regarding engineering documents; are inaccurate to proceed with blasting and excavation; and lacks crucial information regarding services and infrastructure.

Response:

Infrastructure capacity is another focal point of the discussion. Necessary studies have been conducted to ensure that existing infrastructure can handle the increased demand. All final documentation has been deemed to be in-keeping with municipal and provincial regulation.

Homeowner and Community Association Comments:

Oaks of Island Park Homeowner Association

The homeowners of the Oaks of Island Park, situated adjacent to the proposed development, held a meeting on December 20, 2022, to discuss mutual concerns regarding this planning proposal. The following is a list of questions and comments from individual homeowners that the association would like addressed and answered by the proponents of this project.

Design Concept

1. What is the maximum height the proposed building? Will the new building ultimately be taller than 200 Clearview?
2. Whatever tower height is approved, the zoning approval should be 'shrink-wrapped' to specify that the tower be located at the south end as per the existing plans, to minimize shading of the Oaks properties.
3. What are the timelines for construction? When would it begin, how long would it take?
4. What will be required for site servicing? Is the current sewage system adequate to accommodate such a huge new building? We require more information on the

effects of the overland drainage from the proposed site. There currently are significant run-off issues already the existing parking lot, particularly in freeze/thaw cycles.

5. What is the path of the shade that will be cast; will it affect trees on our property? Several trees will be removed in the current surface parking lot. The proposed site plan appears to include a number of trees/shrubs. What assurances do we have that Homestead will in fact plant these trees? Is it part of the landscape plan? What types/ species?
6. What are the specific impacts to our property vis a vis the wind effect caused by the new building? Has this been addressed in the wind study? There are already four towers, including the Metropole, Minto town houses and single-family homes within a square kilometer of this project. As the area north of Scott doesn't have any commercial zoning, is there a limit to population density?
7. Is there any consideration for the potential negative impact on our property values during and after construction?
8. The existing entrance to underground parking at 200 Clearview should be modified to become the entrance to the new development underground parking as well. If the existing underground access cannot be used, the new underground access should be from Ellendale and Lanark, as is the case for the proposed surface parking. Clearview currently serves as an entry point to Riverside Terrace Park, so re-locating the parking garage entrance would help protect the many children, off-leash dog walkers and others who access the wooded park in the Clearview cul de sac.
9. The Planning Rationale suggests that a building setback of 10.9 metres is "sufficient transition and separation" from residential developments on Lanark, but suggests a mere 3.7 metres on the Clearview side (page 8), barely one-third of that on Lanark. The proposed setback on the western side, which faces only a large grassy area and a parking lot, is 7.5 metres. We consider this to be disproportionate, especially given that i) the podium proposed on the Clearview side is four storeys, as opposed to 3 on Lanark (page 9); ii) the land elevation on the north side of the property is approximately 1.5 metres higher than Clearview, whereas Lanark to the south is at grade; and iii) the townhomes directly to the south face away from the building, whereas the six units of the Oaks front directly onto the building. We therefore request that the building be shifted so that the setback on Clearview is equal to that on Lanark, at about 7.3 metres. This would allow for an approximately equal setback on all three sides."

10. The previous development application in 2001 called for a ten storey building, which included a specific shade study limiting the impact on the Oaks property. The current proposal does not address the impact of a 80 metres. Building height. We note that such consideration was requested by the Westboro Community Association at the October 2021 pre-application consultation.
11. Has the potential effect of light pollution on our property been studied or addressed? What are the results if this has been done and is integrated into the building design?
12. We request that there be residents/visitors-only permit parking on Clearview, with a priority given for Oaks residents.
13. A traffic study was done and included in the proposal documents, however the findings are based on outdated traffic counts. Our review of this document has outlined several assumptions that do not appear accurate when describing the existing traffic flows due to significant recent and ongoing neighbourhood developments. Traffic counts for pedestrian, intersection, cycling, and peak hour vehicle traffic are too low. What are the thoughts of re-working this analysis with fresh data? A proposal of this size with the added parking spaces will add to the already difficult traffic situation.
14. There appears to have been no study made of the noise impact of the development on the surrounding residential areas, including the Oaks; the study only evaluates the impact of external noise sources on the development itself. Is there a requirement for the former?
15. Can a compromise proposal considering using the podium design at four storeys with a tower of 10 or 12 or 15 floors might be an alternative that could be financially viable for the proponent?

Comments re: Construction Phase

1. How can the blasting work best be mitigated, given there appears to be bedrock at a depth of 3 - 5 metres under the site, and two levels of parking are planned? The geotechnical report (page 7) notes the blasting vibrations associated with construction could be “very disturbing” to nearby residents and recommends a survey be conducted. The Recommendations section of the report, however, makes no reference to such a survey. Does their developer plan to undertake such a survey and what can it best achieve in the way of mitigation of residents’ concerns to possible damage to their foundations?

2. The geotechnical report (page 21) suggests that neighbouring properties “are expected to be founded on the bedrock surface”. This is almost certainly untrue for the Oaks townhomes, which are built on concrete slabs without basements. We are concerned that the geotechnical report is therefore an inadequate basis for proceeding to plan construction activity, including blasting.
3. The excavation for the foundation would appear to involve the removal of many thousands of cubic feet of material. What are the plans for removal of this material? We are concerned that the road surface of Clearview Avenue is not adequate for heavy traffic of this sort, and request that consideration be given to removing it via Lanark instead.
4. Where will construction access to the site be?
5. Where will trucks and equipment be stored when not in use?
6. Parking on Clearview will be congested. Is there a plan to repave Clearview? The current condition of the road is poor.
7. There are no sidewalks on Clearview; we don’t want sidewalks on the north side. Putting in sidewalks could be a problem while the construction phase is occurring, but it could also be a problem for the long-term. Some service vehicles to the Oaks, ie. landscapers, are too large to park in the courtyard and currently use parking spots on Clearview, as do visitors and even homeowners’ owners during maintenance of the Oaks property.
8. Where will the 90 apartment residents, who currently park their cars in the surface parking lot, park their cars during construction?
9. Where will the construction site office be located?
10. What are the plans for noise mitigation to the Oaks? Can we advocate for set working hours?
11. Where is the proposed staging area to be located (i.e., where construction materials and heavy equipment are positioned and drawn against during construction)?
12. Can the developer strike an arrangement with Health Canada to use the empty field on the NE corner of the Graham Spry lot as the construction staging area and worker parking lot? This site is directly across Lanark Avenue from the construction site.

13. Where will construction workers park during their workday? It should not be on Clearview.
14. Where will porta potties be located? How many will there be?
15. Is there a risk of losing services during construction? If so, how will this be mitigated?

Westboro Beach Community Association

The purpose of this note is to contribute to the public consultation on the potential development of a 25 storey tower at 210 Clearview Avenue. We realize that the public consultation took place over the winter. We would like to add our community association perspective.

The Current Proposal:

The proposed development is for a 25 storey building consisting of a 21 tower sitting atop a four storey podium. The proposal shows that it will accommodate 177 units, 211 parking spaces, and 182 bike spaces. A small landscaped area will be located on the south side of the site fronting Lanark avenue. Communal amenity space is proposed to be provided indoors, and outdoors on the 4th and 25th floors.

What is Important to the Westboro Beach Community Association (WBCA)

As a community association, we look at the holistic impact of a construction project of this scope on the residents, the environment and the infrastructure. We need smart, sustainable development that takes into account the needs of current and future residents and facilitates social inclusion. We do not feel that the proposed project adequately address these issues.

Our Concerns:

Our community association shares many of the same concerns already expressed by immediate neighbours - noise, privacy, congestion, traffic problems, the potential loss of green spaces and habitat for birds and wildlife.

Traffic volume and congestion have increased over the last few years as a result of new high-rises and in-fill developments. The Traffic Impact Assessment notes that congestion is already an issue in the area, and we are concerned it will only get worse as more and more high-density developments get built. Mitigation measures need to be put in place to minimize the adverse impacts of increased vehicular traffic and congestion. In terms of noise, we note that the Noise Impact Study was unable to assess the noise impacts from the development on the neighbourhood because detailed

mechanical equipment information was not available at the time of the study. We are concerned about the impacts of noise pollution on the community.

As a neighbourhood, we are also concerned about the cumulative impact of multiple high rises and the stress that it will place on our limited green space and infrastructure (roads, sewers, power supplies). Quality of life components in our community includes quiet environments, green spaces, mixed demographics, public safety and access to recreation.

We care deeply about our green space and the birds and wildlife who live there. The proposed development will be very close to our green spaces - Westboro Beach, Selby Plains, Atlantis Woods, Kitchissippi Woods and NCC pathways. These spaces provide habitat for wildlife, and are breeding grounds to migratory birds. The WBCA is committed to the maintenance and restoration of these natural spaces. We would like details on how the green spaces will be maintained and protected as well as a review of the construction plans to determine how to minimize the impact on birds and wildlife.

What we like:

We like the fact that the developer is planning for family friendly apartments. Quality of life components in our community includes mixed demographics and the provision of a variety of housing choices. We feel that there are opportunities here to increase the variety of housing choices by providing family-oriented units that are affordable and accessible to a range of family types. We appreciate that the land for the proposed development is already owned by the developer. No houses or buildings will be demolished if the development is approved. We also like the fact that the developer will include bike parking and EV charging stations.

The WBCA would like to work with both the city and developer to ensure that these issues are discussed so that we are prepared to welcome new residents. Please forward this email to the developer, Homestead Land Holdings. We are looking forward to hearing from you and seeing up a time for discussion.

Response:

The proposed development is for the construction of a 25-storey building, which will stand approximately three metres taller than the existing 26-storey structure at 200 Clearview Avenue, excluding permitted projections. This discrepancy in height is attributed to the more considerable floor-to-ceiling heights common in contemporary buildings. To mitigate shading impacts, the tower will be situated at the southern end of the site, a stipulation indicated in the recommended zoning schedule documented in Document 4. Construction is slated to commence in the 2025/2026 period.

In regard to site servicing, studies have been conducted to assess both the capacity of the existing sewage system and potential drainage concerns. These investigations affirm that the current infrastructure is adequately equipped to accommodate the proposed development. Additionally, a sun-shadow study was conducted, illustrating that the shadows cast by the building will be slender and therefore not significantly detrimental to the neighbouring trees.

A landscape plan will be included in the forthcoming site plan control application. This will necessitate the provision of securities by the owners to guarantee the planting of the proposed trees. While the impact on property values is not a principal concern in the planning process, substantial evidence indicates that property values tend to increase in the vicinity of new developments.

Addressing the architectural dynamics, the setbacks proposed are deemed suitable, ensuring a seamless transition with the existing low-rise surroundings largely by aligning the podium heights. Notably, the portion fronting Clearview Avenue predominantly features a three-storey structure, with a considerable section of the fourth-floor indoor amenity space set back from the building's edge. Despite a minimum setback of 3.75 metres, it extends up to 9.78 metres, which includes a larger distance from the building to the street edge compared to the north of Clearview. Moreover, a 45-degree angular plane from the northern properties to the tower's summit has been maintained.

Light spillage will be a condition of approval at Site Plan. Detailed parking configurations will be examined at Site Plan. The existing Transportation Impact Assessment has undergone a meticulous review, incorporating feedback from the community, and has secured the approval of the Transportation Department as per prevailing policies and guidelines.

Regarding potential noise disturbances, the proposal excludes a dedicated noise study given that the development is not anticipated to generate considerable noise. The noise study submitted is for the protection of the users from outside noise impacts.

While many questions pertain to construction nuances, it is pertinent to note that several aspects fall outside the jurisdiction of planning. Consequently, the regulation of construction methodologies is not within our mandate. However, specific blasting conditions will be incorporated in the subsequent site plan agreement, including a mandatory pre-construction survey of adjacent properties and sustained monitoring to comply with provincial regulations.

To anticipate the potential ramifications on the neighbouring areas, a geotechnical report has been formulated, extrapolating the subsurface conditions based on samples obtained from the 200 Clearview Avenue site. This guides the mitigation strategies to

minimize disruptions in the transportation network through a comprehensive construction traffic management plan. Lastly, temporary relocation and reduction of parking for the existing building will be undertaken to facilitate the construction process, ensuring that any damage inflicted on city streets during this period will be duly repaired.

**Subject: Zoning By-Law Amendment – 12, 14, 16, 18, 20, 22 and 24 Hawthorne
Avenue**

File Number: ACS2023-PRE-PS-0122

**Report to Planning and Housing Committee on 4 October 2023
and Council on 11 October 2023**

**Submitted on September 21, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Eric Forhan, Planner II, Development Review Central

613-580-2424 ext.21891, eric.forhan@ottawa.ca

Ward: Capital (17)

**Objet: Modification du Règlement de zonage – 12, 14, 16, 18, 20, 22 et 24,
avenue Hawthorne**

Dossier : ACS2023-PRE-PS-0122

Rapport au Comité de la planification et du logement

le 4 octobre 2023

et au Conseil le 11 octobre 2023

**Soumis le 21 septembre 2023 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne ressource: Eric Forhan, Urbaniste II, Examen des demandes
d'aménagement centrale**

613-580-2424 ext.21891, eric.forhan@ottawa.ca

Quartier: Capitale (17)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 12, 14, 16, 18, 20, 22 and 24 Hawthorne, as shown in Document 1, to permit a six-storey mixed-use, mid-rise building with site specific zoning exceptions, as detailed in Document 2.
2. That Planning and Housing Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of October 11, 2023, subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de la planification et du logement recommande au Conseil d'approuver une modification au *Règlement de zonage* (n° 2008-250) pour les 12, 14, 16, 18, 20, 22 et 24, avenue Hawthorne, comme indiqué dans le document 1, afin de permettre la construction d'un bâtiment polyvalent de hauteur moyenne de six étages assorti d'exceptions de zonage propres à l'emplacement, comme décrit dans le document 2.
2. Que le Comité de la planification et du logement approuve que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux ‘exigences d'explication’ aux termes de la *Loi sur l'aménagement du territoire* à la réunion du Conseil municipal prévue le 11 octobre 2023 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Zoning By-Law Amendment for 12, 14, 16, 18, 20, 22 and 24 Hawthorne Avenue (the “subject lands”). This application for Zoning

By-Law Amendment covers 12-24 Hawthorne Avenue as contiguous lands under common ownership.

The Zoning By-Law Amendment application proposes to rezone the subject lands from “TM12 [1839] H(14.5)” to “TM12 [XXXX] SYYY” to introduce new site-specific zoning provisions to accommodate the proposed six-storey mixed-use, mid-rise building.

The Zoning By-Law Amendment applications proposes to add the following site-specific zoning exceptions:

- Maximum permitted building heights, minimum setbacks and minimum stepbacks are as per Schedule ‘YYY’, including:
 - A maximum building height of 20 metres, whereas a maximum building height of 14.5 metres is permitted.
 - A minimum front yard setback of 1.9 metres for the full width of 12-20 Hawthorne Avenue and a minimum front yard setback of 0.9 metres for the full width of 24 Hawthorne Avenue, whereas the minimum front yard setback is two metres.
 - An additional minimum front yard setback of 0.6 metres above the fourth storey and an additional minimum front yard setback of 1.25 metres above the fifth storey, whereas an additional front yard setback of two metres is required at and above the fourth storey or 15 metres whichever is the lesser
 - A decreased rear yard setback of 6.5 metres for a portion of the building at the east end of the site and an increased rear yard setback of 8.2 metres for a portion of the building at the west end of the site, whereas the minimum rear yard setback is 7.5 metres.
- A projection of 1.5 metres above average grade for any part of the underground parking garage in the rear yard, whereas the parking garage is only permitted below grade.
- Non-residential uses must occupy a minimum of 50 per cent of the total floor area on the ground floor, whereas there is currently no minimum requirement for non-residential uses.
- Office uses are not permitted on the ground floor.
- No projecting balconies along the front facade closest to Hawthorne Avenue, whereas balconies are considered permitted projections under Section 65.

- An increase to 67 bicycle parking spaces, whereas 34 bicycle parking spaces are required.

Staff support the proposed Zoning By-Law Amendment as discussed in this report.

Applicable Policies and Guidelines

The following policies and guidelines support this application:

Provincial Policy Statement (PPS) 2020

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

Official Plan

The proposed development is consistent with the Official Plan's strategic policies, growth management framework and urban design policies. The proposed development is mixed-use and represents an appropriate built form along a Mainstreet Corridor within the Inner Urban Policy Transect Area and Evolving Neighbourhood Overlay.

Old Ottawa East Secondary Plan

The proposed development is consistent with the policies of the Old Ottawa East Secondary Plan. The proposal is consistent with the Secondary Plan's built form transition and public realm policies and does not exceed six storeys in height.

Urban Design Guidelines for Development along Traditional Mainstreets

The Urban Design Guidelines for Development along Traditional Mainstreets have been reviewed for consistency. The proposed development is consistent with these guidelines.

The proposed development meets the applicable policies and guidelines, and the Zoning By-Law Amendment is therefore supported by Staff.

Heritage

12 Hawthorne Avenue contains a historic four-unit rowhouse and includes municipal addresses 12, 14, 16, and 18 Hawthorne Avenue. Council listed 12 Hawthorne Avenue on the municipal Heritage Register in 2017. The property is not designated under the *Ontario Heritage Act*. The applicant has met their requirements under *the Ontario Heritage Act* to proceed with the demolition of the existing buildings. A demolition control application has been submitted to the City for review and there are no further heritage related concerns with respect to the above noted addresses.

Urban Design Review Panel (UDRP)

The subject lands are within a Design Priority Area and the Zoning By-law Amendment application and Site Plan Control application were subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP on Friday June 2, 2023, at a formal review meeting. The recommendations from the formal UDRP meeting are provided in Document 4 and were successful in aiding the implementation of several design changes.

Asset Management Implications

Hawthorne Avenue is currently undergoing reconstruction to upgrade existing infrastructure and increase the size of the existing watermain and wastewater infrastructure to support the future redevelopment of the street. The servicing capacity requirements for the proposed development will be confirmed through the Site Plan Control approval process.

Public Consultation/Input

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Comments were received from approximately 30 residents within the community and the Old Ottawa East Community Association.

RÉSUMÉ

Recommandations du personnel

Le personnel de la Planification recommande d'approuver la modification au *Règlement de zonage* pour les 12, 14, 16, 18, 20, 22 et 24, avenue Hawthorne (les « terrains visés »). Cette demande de modification du *Règlement de zonage* couvre les propriétés du 12 au 24, avenue Hawthorne, en tant que terrains contigus appartenant au même propriétaire.

La demande de modification du *Règlement de zonage* propose de changer le zonage des terrains visés de « TM12 [1839] H(14.5) » à « TM12 [XXXX] SYYY » afin d'introduire de nouvelles dispositions de zonage propres à l'emplacement pour accommoder le bâtiment polyvalent de hauteur moyenne de six étages proposé.

La demande de modification du *Règlement de zonage* propose d'ajouter les exceptions de zonage propres à l'emplacement suivantes :

- Les hauteurs de bâtiment maximales permises, les retraits minimaux et les reculs minimaux sont conformes à l'annexe « YYY », notamment :

- Une hauteur de bâtiment maximale de 20 mètres, alors qu'une hauteur de bâtiment maximale de 14,5 mètres est permise.
 - Un retrait minimal de la cour avant de 1,9 mètre pour la pleine largeur des terrains du 12 au 20, avenue Hawthorne et un retrait minimal de la cour avant de 0,9 mètre pour la pleine largeur du 24, avenue Hawthorne, alors que le retrait minimal de la cour avant est de 2 mètres.
 - Un retrait minimal de la cour avant supplémentaire de 0,6 mètre au-dessus du quatrième étage et un retrait minimal de la cour avant supplémentaire de 1,25 mètre au-dessus du cinquième étage, alors qu'un retrait supplémentaire de 2 mètres est exigé à partir du quatrième étage ou de 15 mètres, selon la moins élevée de ces deux valeurs.
 - Une réduction du retrait de la cour arrière à 6,5 mètres pour une partie du bâtiment à l'extrémité est de l'emplacement, et une augmentation du retrait de la cour arrière à 8,2 mètres pour une partie du bâtiment à l'extrémité ouest de l'emplacement, alors que le retrait minimal de la cour arrière est de 7,5 mètres.
- Une projection de 1,5 mètre au-dessus du niveau moyen du sol pour toute partie du garage souterrain dans la cour arrière, alors que le garage de stationnement est uniquement autorisé sous le niveau du sol.
 - Les utilisations non résidentielles doivent occuper au moins 50 pour cent de la superficie totale du rez-de-chaussée, alors qu'il n'y a actuellement aucune exigence minimale pour les utilisations non résidentielles.
 - Les bureaux ne sont pas autorisés au rez-de-chaussée.
 - Aucun balcon en saillie le long de la façade avant la plus proche de l'avenue Hawthorne, alors que les balcons en saillie sont permis en vertu de l'article 65.
 - Augmentation à 67 espaces de stationnement pour vélos, alors que 34 espaces de stationnement pour vélos sont exigés.

Le personnel appuie la proposition de modification du *Règlement de zonage*, comme discuté dans le présent rapport.

Politiques et directives applicables

Les politiques et directives suivantes justifient cette demande :

Déclaration de principes provinciale (DPP) de 2020

Le personnel a examiné cette proposition et a déterminé qu'elle est conforme à la Déclaration de principes provinciale de 2020.

Plan officiel

L'aménagement proposé est conforme aux politiques stratégiques, au cadre de gestion de la croissance et aux politiques de conception urbaine du Plan officiel.

L'aménagement proposé est polyvalent et représente une forme bâtie appropriée le long d'un couloir de rue principale dans le secteur-cadre du transect du secteur urbain intérieur et la zone sous-jacente de quartiers évolutifs.

Plan secondaire du Vieil Ottawa-Est

L'aménagement proposé est conforme aux politiques du Plan secondaire du Vieil Ottawa-Est. La proposition est conforme à la transition de la forme bâtie du Plan secondaire et aux politiques du domaine public et ne dépasse pas six étages.

Directives d'esthétique urbaine pour l'aménagement des grandes rues traditionnelles

Les Directives d'esthétique urbaine pour l'aménagement des grandes rues traditionnelles ont été passées en revue pour en assurer l'uniformité. L'aménagement proposé est conforme à ces directives.

L'aménagement proposé respecte les politiques et les directives applicables, et la modification au *Règlement de zonage* est donc appuyée par le personnel.

Patrimoine

Le 12, avenue Hawthorne comporte une maison en rangée de 4 logements et comprend les adresses municipales 12, 14, 16 et 18, avenue Hawthorne. Le Conseil a inscrit 12, avenue Hawthorne sur le registre municipal du patrimoine en 2017. La propriété n'est pas désignée en vertu de la *Loi sur le patrimoine de l'Ontario*. Le requérant a satisfait à ses exigences en vertu de la *Loi sur le patrimoine de l'Ontario* pour procéder à la démolition des bâtiments existants. Une demande de réglementation de la démolition a été soumise à la Ville aux fins d'examen, et il n'y a plus de préoccupations liées au patrimoine concernant les adresses susmentionnées.

Comité d'examen du design urbain (CEDU)

Les terrains visés se trouvent dans un secteur prioritaire de conception, et la demande de modification du *Règlement de zonage* ainsi que la demande de réglementation du plan d'implantation ont été soumises au processus du Comité d'examen du design urbain (CEDU). Le requérant a présenté sa proposition au CEDU le vendredi 2 juin 2023, lors d'une réunion d'examen officielle. Les recommandations découlant de la

réunion officielle du CEDU sont indiquées dans le document 4 et ont permis la mise en œuvre de plusieurs modifications de conception.

Répercussions sur la gestion des actifs

L'avenue Hawthorne est actuellement en reconstruction afin de mettre à niveau l'infrastructure existante, d'augmenter la taille de la conduite d'eau principale et d'agrandir l'infrastructure des eaux usées pour appuyer le réaménagement futur de la rue. Les exigences en matière de capacité de viabilisation pour l'aménagement proposé seront confirmées par le biais du processus d'approbation des demandes de réglementation du plan d'implantation.

Consultation et commentaires du public

La notification et la consultation du public se sont déroulées conformément à la Politique sur les avis publics et sur la consultation publique approuvée par le Conseil municipal pour les modifications du *Règlement de zonage*. Environ 30 résidents de la communauté et de la Old Ottawa East Community Association ont fait des commentaires.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

12, 14, 16, 18, 20, 22 and 24 Hawthorne Avenue

Owner

JB Holdings Inc. (c/o John Bassi)

Applicant

Fotenn Planning + Design (c/o Scott Allain)

Architect

RLA Architecture (c/o Robert Verch)

Description of subject lands and surroundings

The subject lands are found on the south side of Hawthorne Avenue, between Colonel By Drive to the west and Main Street to the east, within the Old Ottawa East community. The subject lands are generally rectangular in shape and relatively flat. The subject lands have a frontage of approximately 50 metres along Hawthorne Avenue, an average lot depth of approximately 29 metres and a lot area of approximately 1,460 square metres. The existing hydro lines in front of the property are being buried as a part of the infrastructure improvements which are currently underway along Hawthorne Avenue. There are existing heritage buildings on a portion of the subject lands.

The area surrounding the subject lands is characterized by a mix of commercial, residential and institutional uses. Hawthorne Avenue, an arterial road and mainstreet corridor, is located to the north. Residential uses and the Old Town Hall Community Centre are located to the east. More residential uses and several schools are found to the south. Colonel By Drive, National Capital Commission (NCC) lands and the Rideau Canal, a UNESCO World Heritage Site, are found to the west. The subject lands score a 9 (the top score) on the 15-minute neighbourhood index as it relates to service and amenity access. This confirms that the subject lands reside within an established 15-minute neighbourhood. Hawthorne Avenue is being upgraded with below grade infrastructure and sidewalks. Finally, the subject lands are approximately 1km away from the Lees O-Train station.

Summary of proposed development

The proposed development consists of a six storey mixed-use building with approximately 67 dwelling units, 47 vehicle parking spaces, 72 bicycle parking spaces and 300 square metres of ground floor commercial space. The proposed amenity space total is approximately 750 square metres, including private balconies, a communal rooftop area, and at-grade amenity spaces in the rear yard. Parking, bicycle storage, waste storage and loading is mostly internalized within the building and in the underground parking garage, which is proposed to be accessed from Hawthorne Avenue, at the northeast corner of the proposed building.

Since the original proposal, the proposed development has evolved in response to Staff, UDRP and community comments. The applicant team has implemented the following main changes in response to the feedback provided:

- Increased the front yard setback.
- Additional building stepbacks at varying heights.
- Introduced ground floor commercial uses, whereas none was originally proposed.
- Increased number of two-bedroom and two-bedroom plus den dwelling units.

- Increased bicycle parking spaces, from 36 to 72 spaces.
- Relocated parking garage entrance to the northeast corner of the proposed building.
- Reduced regular and visitor vehicle parking spaces, from 50 to 47 spaces.
- Added tree plantings at the rear and along the site's frontage.
- Removed projecting balconies along the front façade to provide sufficient room in the front yard/ public right-of-way for tree canopy growth.
- Added fencing/ privacy screens to improve relationship with abutting properties.

Summary of requested Zoning By-law amendment

Planning staff recommend approval of the Zoning By-Law Amendment for 12, 14, 16, 18, 20, 22 and 24 Hawthorne Avenue (the "subject lands"). This application for Zoning By-Law Amendment covers 12-24 Hawthorne Avenue as contiguous lands under common ownership.

The Zoning By-Law Amendment application proposes to rezone the subject lands from "TM12 [1839] H(14.5)" to "TM12 [XXXX] SYYY" to introduce new site-specific zoning provisions to accommodate the proposed six-storey mixed-use, mid-rise building.

The Zoning By-Law Amendment applications proposes to add the following site-specific zoning exceptions:

- Maximum permitted building heights, minimum setbacks and minimum stepbacks are as per Schedule 'YYY', including:
 - A maximum building height of 20 metres, whereas a maximum building height of 14.5 metres is permitted.
 - A minimum front yard setback of 1.9 metres for the full width of 12-20 Hawthorne Avenue and a minimum front yard setback of 0.9 metres for the full width of 24 Hawthorne Avenue, whereas the minimum front yard setback is 2 metres.
 - An additional minimum front yard setback of 0.6 metres above the fourth storey and an additional minimum front yard setback of 1.25 metres above the fifth storey, whereas an additional front yard setback of 2 metres is required at and above the fourth storey or 15 metres whichever is the lesser.

- A decreased rear yard setback of 6.5 metres for a portion of the building at the east end of the site and an increased rear yard setback of 8.2 metres for a portion of the building at the west end of the site, whereas the minimum rear yard setback is 7.5 metres.
- A projection of 1.5 metres above average grade for any part of the underground parking garage in the rear yard, whereas the parking garage is only permitted below grade.
- Non-residential uses must occupy a minimum of 50 per cent of the total floor area on the ground floor, whereas there is currently no minimum requirement for non-residential uses.
- Office uses are not permitted on the ground floor.
- No projecting balconies along the front facade closest to Hawthorne Avenue, whereas balconies are considered permitted projections under Section 65.
- An increase to 67 bicycle parking spaces, whereas 34 bicycle parking spaces are required.

Staff support the proposed Zoning By-Law Amendment as discussed in this report.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Comments were received from approximately 30 residents within the community and the Old Ottawa East Community Association.

Public comments received helped to implement several design changes including, but not limited to, public realm improvements, an increased front yard setback, the provision of commercial uses on the ground floor and an increase in the bicycle parking rate to reduce automobile dependency.

For this proposal's consultation details, see Document 5 of this report.

Official Plan

Section 2 of the Official Plan provides the strategic direction for the City through a range of broad policies that prioritize intensification (urban redevelopment) over greenfield development to increase and diversify the supply of housing; sustainable modes of transportation over automobile reliance; the creation of healthy and inclusive urban communities; greater environmental resilience and sustainability; and an increased focus on economic development.

Section 3 of the Official Plan provides the growth management framework for the City and Section 4 of the Official Plan provides urban design policies. Section 3 supports intensification with policies that direct residential growth to focus within 15-minute neighbourhoods, such as Hubs and Corridors, where mixed-use development is the preference and sustainable modes of transportation are to be prioritized. Section 4 provides direction for development within Design Priority Areas, which includes Mainstreet Corridors such as Hawthorne Avenue. Mid-rise development along Mainstreet Corridors shall respond to context and transect area policies and should be consistent with the design standards of Section 4.6.6 of the Official Plan, which generally call for an appropriate built form transition and effective site design.

Section 5 of the Official Plan provides policies for the City's six concentric policy areas called transects. Schedule 'A' of the Official Plan shows the subject lands within the Inner Urban Transect Policy Area. This transect policy area consists of pre-World War II neighbourhoods that immediately surround the Downtown Core and the earliest post-World War II areas directly adjacent to them. This policy area reflects urban and suburban built form and site design characteristics. The intended development pattern is urban. The Inner Urban Transect Policy Area is generally planned for mid- to high-density development, especially within areas close to transit, mixed-use environments and on sites where built form and height transition can be logically achieved to ensure compatibility between different built forms and densities.

Section 6 of the Official Plan provides the urban designations with specific policy direction for permitted land uses. Schedule 'B2' of the Official Plan designates the subject lands as "Mainstreet Corridor", subject to an Evolving Neighbourhood Overlay. Mid-rise and high-rise building heights are permitted along Mainstreet Corridors within the Inner Urban Transect Policy Area, depending on right-of-way/road width and whether there is a sufficient lot size provided to achieve built form transition. Within the Inner Urban Transect Policy Area, the maximum building height is up to nine storeys for sites that front on segments of streets whose right-of-way is narrower than 30 metres and where a secondary plan or area-specific policy does not specify different building heights.

Old Ottawa East Secondary Plan

The subject lands are designated Mainstreet and are found in Policy Area 1 of the Old Ottawa East Secondary Plan. Section 2 of the Secondary Plan provides the General Land Designation and Design Policies, while Section 3.1 of the Old Ottawa East Secondary Plan provides the applicable policies for properties designated ‘Mainstreet’ within Policy Area 1.

As per Section 2.4, the intensification target for Policy Area 1 is 150 dwelling units.

The Secondary Plan does not provide a maximum building height schedule and Section 3.1 of the Secondary Plan does not prescribe a maximum building height for the Mainstreet designation within Policy Area 1. Rather, Section 2.1(2), which contains the General Land Designation and Design Policies, provides the policy direction for maximum building heights:

“Notwithstanding the provision for greater building heights set out in the Official Plan, no buildings will be allowed higher than six storeys and 20 metres within the area of this secondary plan, other than the height limits allowed within the policy areas referred to in Section 3.3 of this secondary plan.”

Despite the height allowance of nine (9) storeys for properties fronting along Mainstreet Corridors within the Inner Urban Transect Policy Area, the maximum building height is six (6) storeys as per the above-noted policy in the Secondary Plan.

Heritage

12 Hawthorne Avenue contains a historic four-unit rowhouse and includes municipal addresses 12, 14, 16, and 18 Hawthorne Avenue. Council listed 12 Hawthorne Avenue on the municipal Heritage Register in 2017. The property is not designated under the *Ontario Heritage Act*. The Ontario Heritage Act requires owners to provide 60 days’ notice, in writing, of their intention to demolish a building listed on the Heritage Register.

The *Ontario Heritage Act* requirement for 12 Hawthorne Avenue has been met; the 60-day notice of intention to demolish expired on April 18th, 2023. The applicant has therefore met their requirements under the Ontario Heritage Act to proceed with the demolition of the existing buildings. A demolition control application has been submitted to the City for review and there are no further heritage related concerns with respect to the above noted addresses.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application and Site Plan Control application were subject to the Urban Design Review

Panel (UDRP) process. The applicant presented their proposal to the UDRP on Friday June 2nd at a formal review meeting.

The recommendations from the formal UDRP meeting are provided in Document 4 and were successful in aiding the implementation of the following design changes:

- The introduction of a building setback above the fourth storey along the west side yard, to support the replicability of a mid-rise on the adjacent lot to the west.
- The removal of the projecting balconies along the north façade in favour of recessed Juliet / inset balconies to allow for more room for tree canopy growth in the front yard / public realm.
- Additional windows to incorporate enhanced natural lighting.
- Additional planting at the rear to create a more solid green barrier/ screening from the low-rise properties to the south.
- Materiality changes that relate better to the surrounding character and context.
- The introduction of a canopy above the main entrance to enhance visibility and readability of the building, its uses and the individual entrances.
- The mechanical penthouse has been reduced in size.

Staff are satisfied with the changes made in response to the UDRP recommendations.

Planning rationale

Official Plan

The proposed development is consistent with the strategic policies (Section 2) of the Official Plan that prioritize the intensification of existing land within the built-up urban area to meet the City's housing targets. The proposed development is also consistent with the City's transportation and economic objectives by prioritizing sustainable transportation with an increased bicycle parking rate of at least 1 space per dwelling unit and by providing commercial uses of at least 50 per cent of the total floor area on the ground floor, with active entrances facing Hawthorne Avenue.

The proposed development is consistent with the growth management framework policies as it focusses commercial and residential growth along a Mainstreet Corridor, within an established 15-minute neighbourhood and close to rapid transit, as discussed. The proposed development is also consistent with the City's urban design direction for Mainstreet Corridors, including the design policies that call for mid-rise built forms along

Corridors to respond to context and the policies of the relevant transect area. The proposed development provides an appropriate built form transition, an enhanced public realm and effective site design, consistent with the policy direction of Sections 3 and 4 of the Official Plan.

The proposed development is consistent with the policy direction for Mainstreet Corridors (Section 6) within the Inner Urban Transect Policy Area (Section 5). The proposed development provides a high-density built form that is mixed-use. The subject property is of sufficient size to accommodate built form transition and the proposed height of six-storeys is appropriate based on the width of the abutting right-of-way. The proposed podium heights are proportionate to Hawthorne Avenue and the proposed stepbacks and setbacks at the rear provide an appropriate transition to the low-rise residential uses to the south.

The proposal is therefore consistent with the policies of the Official Plan.

Old Ottawa East Secondary Plan

The proposed development is consistent with the policies of Section 2.1 of the Old Ottawa East Secondary Plan by providing transition through built form and by providing an improved public realm along the site's frontage. The proposal further provides sufficient room for tree planting with the proposed front yard setback.

The proposal will help to achieve the intensification target for Policy Area 1 of Section 2.4, being 150 dwelling units.

The proposed development is consistent with the policies of Section 3.1 by providing a stepped building envelope that generally conforms the Traditional Mainstreet (TM) zoning and is consistent with its requirements. The proposed Zoning By-Law Amendment details are considered minor deviations from the current TM zoning. Wider sidewalks will be achieved through road widening and conveyance, to be confirmed through the Site Plan Control approval process.

Furthermore, the proposal does not exceed the maximum building height of six-storeys and as previously mentioned, is consistent with the policies which guide development along Mainstreet Corridors within the Inner Urban Transect Policy Area.

The proposal is consistent with the policies of the Old Ottawa East Secondary Plan.

Urban Design Guidelines for Development along Traditional Mainstreets

The Urban Design Guidelines for Development along Traditional Mainstreets were reviewed for consistency. The proposed development is mixed-use and includes ground floor commercial with active entrances for each of the proposed commercial tenants and

the proposed residential use. The front façade provides a street wall with periodic breaks and minor variations in building setbacks and stepbacks. The proposal achieves a high-quality built form that is compatible with and complements its surroundings.

The proposal is consistent with the Urban Design Guidelines for Development along Traditional Mainstreets.

Details of the Zoning By-Law Amendment

- Maximum permitted building heights, minimum setbacks and minimum stepbacks as per Schedule 'YYY'

The proposed development seeks to establish maximum permitted building heights, minimum setbacks and minimum stepbacks as per Schedule 'YYY'. This request seeks to amend the maximum building height, the minimum front yard setback, the minimum front yard setback at and above the fourth storey and the minimum rear yard setback.

The proposal seeks to increase the maximum building height, from 14.5 metres to 20 metres. As previously mentioned, the proposed height of six storeys is supported by the applicable policies and guidelines and there is sufficient transition provided through the proposed built-form. Additionally, proximity to rapid transit and location within an established 15-minute neighbourhood both support intensification at this site. In Staff's opinion, the minor deviation from the 45-degree angular plane zoning provision of the TM Zone and the proposed height increase are appropriate.

The proposed front yard setback of 1.9 metres for most of the site's frontage is a slight decrease from the minimum front yard setback of 2 metres. The proposed front yard setback of 0.9 metres, at the site's east end, is due to lot configuration. Road widening/conveyance was already taken by the City for 24 Hawthorne Avenue. Since the original submission, the front yard setback has increased from 1.7 metres to 1.9 metres and from 0.7 metres to 0.9 metres in response to concerns raised by both Staff and the public. Although the existing zoning requires a minimum front yard setback of 2 metres, there is typically no minimum front yard setback as per the Traditional Mainstreet (TM) Zone. Staff are satisfied with the changes to the front yard setback and believe there is sufficient room to accommodate an improved public realm, including tree plantings in the City's right-of-way. Road widening/conveyance will be confirmed through the Site Plan approval process. In Staff's opinion, the proposed front yard setbacks are appropriate.

The proposal seeks to provide an additional minimum front yard setback of 0.6 metres above the fourth storey and an additional minimum front yard setback of 1.25 metres above the fifth storey, whereas an additional front yard setback of 2 metres is required

at and above the fourth storey or 15 metres whichever is the lesser. Together, the proposed stepbacks total 1.85 metres more than the provided front yard setback. The variation in stepbacks at various heights and the proposed building articulations are supported by the applicable design guidelines. The stepback reduction constitutes a minor deviation from the current zoning requirement. In Staff's opinion, the proposed additional front yard setbacks are appropriate.

Although the proposal seeks a reduction in the minimum rear yard setback for the most eastern part of the building, a significant portion of the proposed building meets or exceeds the minimum rear yard setback of 7.5 metres. Schedule 'YYY' includes an increased minimum rear yard setback of 8.2 metres to ensure separation between the most western part of the building and the rear lot line. The rear yard is landscaped with soft landscaped areas, trees and fencing, which all provide screening which will help to mitigate some privacy and overlook concerns. In Staff's opinion, the proposed rear yard setbacks are appropriate.

- Underground parking garage in the rear yard

The current zoning does not allow for an above grade parking garage. A small portion of the parking garage in the rear yard projects above the average grade. To mitigate overlook and privacy concerns, the top of the parking structure will be landscaped with trees/ shrubs and the edge of the parking structure closest to the rear lot line will be screened (e.g. fencing). Details will be confirmed prior to Site Plan approval. Staff are supportive of this request.

- Minimum requirement for non-residential uses

In response to Staff comments and public concerns, the applicant has agreed to add a minimum requirement for non-residential uses. The existing zoning permits residential uses to a maximum of 50 per cent of the ground floor area. This zoning by-law amendment provides clearer direction through a site-specific zoning exception which would require non-residential uses to be at least 50 per cent of the total floor area on the ground floor. Staff are supportive of the changes made to the proposal as well as the addition of a minimum requirement for ground floor commercial.

- No office uses permitted on the ground floor

The current zoning does not permit office uses on the ground floor. This zoning by-law amendment proposes to maintain this current zoning provision and Staff are supportive.

- Inset/ Juliet balconies along the front façade closest to Hawthorne Avenue

Staff, the UDRP and the community raised concerns with the front yard area. To provide better spacing from the front lot line to accommodate tree canopy growth, the applicant has revised their proposal to include no projecting balconies along the front façade. This zoning by-law amendment proposes to restrict projecting balconies accordingly and Staff are supportive.

- **Minimum Bicycle Parking Rate**

Staff and the community raised concerns with an automobile dependent development proposal. In response, the applicant has agreed to increase the bicycle parking rate through the proposed zoning by-law amendment, from 0.5 spaces per dwelling unit to 1 space per dwelling unit. Staff support the proposed increase in the bicycle parking rate.

Staff support the proposed Zoning By-Law Amendment.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Initially this application asked for an amendment to the zoning requirement for ground floor commercial. We were unhappy to see this, especially as the requirement for ground floor commercial was only added late last term of council. This was an initiative of our office that involved consultation with the community—who were overwhelmingly in favour of the zoning update. This was something our office had pursued after receiving feedback from the local community association that ground floor commercial had been envisaged for Hawthorne under the previous community development plan, and after discovering that the reason this did not find expression in the current zoning was more or less an oversight. Once the applicant was made aware of this context, they agreed to withdraw their ask to remove the requirement despite their concerns that the market for commercial tenants was more volatile. We are thankful that they were willing to do this. Old Ottawa East has a relative paucity of commercial amenities per capita when compared to other neighbourhoods in Capital Ward, and opportunities for such amenities on Hawthorne can help fill that gap.

Another significant concern for our office was the displacement of several tenants on site that would be needed to facilitate this application.

The units that existed at this site were being rented out far below the current market average thanks to rent control in Ontario. This is the often unspoken reality of urban intensification: low-density residential with affordable units are being replaced by higher density residential with units that are not at all affordable. Of course, there are major problems with Ontario's rent control provisions: not only do they not preserve rent prices when there is a turn over in a unit, the province has removed rent control altogether for anything built after 2018. Recent provincial changes to the municipal planning process to ostensibly solve the housing crisis through increased supply have happened alongside the province removing our ability to charge development charges for actual affordable housing (capital dollars for non-market housing), and removing our ability to develop a rental replacement bylaw. That and the end of rent control for new builds starting in 2018 tells us everything we need to know about the provincial government's commitment to solving the affordable housing crisis. As a city, we should be careful not to allow arguments for supply-side solutions to the affordability crisis to provide cover for gentrification.

For this application, we were fortunate enough to be working with a local developer—a resident of Capital Ward—that has a real stake in our communities. My office worked with the former tenants of this site and the applicant, and the latter agreed to voluntarily provide financial relief to the former who have since been displaced (\$12,000 per household). We are grateful for the applicant's willingness to provide assistance to our residents despite not being required to do so under the existing regulatory environment.

Tenant displacement protections, such as a rental replacement bylaw, are desperately needed if we are to stop losing 7 affordable housing units for every new unit added in Ottawa. Not every applicant is as willing as this one to voluntarily assist those impacted by their developments.

The current policy direction under the city's new Official Plan calls for up to 9 storeys on inner urban corridors like Hawthorne Avenue; despite this, a 6 storey is proposed here in acknowledgement of the low-rise residential to the south of the property, and in recognition of the existing secondary plan. As the first redevelopment on the Hawthorne Ave corridor in a generation, and the first since the adoption of the new OP, this application will set a good precedent for the street. We appreciate that an amendment to the OOESP was not sought here.

On setbacks, concerns have been partially addressed by the applicant. Increased and additional setbacks were introduced after feedback was received from the community. Those moves are appreciated despite them falling short of what the community had asked for. A row of trees, facilitated by a large planter, has also been proposed for the rear yard to help mitigate concerns related to rear yard setbacks, and to also replace

the two trees that will be lost in the rear yard as the result of the underground parking lot.

Parking was another point of contention on this application. Both our office and the local community wanted the proposed parking not to exceed the minimum requirement under zoning. The applicant has, in response, removed a few parking stalls, replacing them with more bike parking instead, and that is a welcome change; however, the number of parking stalls proposed still exceeds the minimum requirement, and we would have liked to see the parking on site further reduced.

The underground parking structure itself makes it difficult for large trees to be viable on this site. At the front lot line, the applicant was able to lower the ceiling of the underground parking structure through introducing a slant that would see the ceiling angled downward before meeting the wall at the front lot line. This will give more space for trees to thrive and to grow larger at the front. This solution worked with the proposed layout of the garage given the frontends of cars would still have the vertical space needed to pull up to the wall. We hoped a similar change could be made at the rear lot line, but unfortunately this is not feasible due to the space required by the parking garage ramp. This garage ramp itself was moved to the east of the building instead of the west, and further inset, after traffic concerns were raised.

All in all we have ended up with a positive application for 12-24 Hawthorne Ave, and I encourage my colleagues to support it. I want to thank both the applicant and residents for working hard on this application to get it to a better place.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

Hawthorne Avenue is currently undergoing reconstruction to upgrade existing infrastructure and increase the size of the existing watermain and wastewater infrastructure to support the future redevelopment of the street. At this time, the existing services do not have the capacity to support the proposed development. However, there will be sufficient capacity to support the proposed development following the renewal project which is expected to be completed within the short-term. The servicing capacity requirements will be confirmed through the Site Plan Control approval process.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Staff have been advised by the Accessibility Advisory Committee (AAC) regarding the potential accessibility impacts of the proposed development. As it relates to the details of the Zoning By-Law Amendment, Staff do not have any concerns. Accessibility requirements for the development will be met through the Site Plan approval process or at the time of building permit in accordance with the Ontario Building Code and applicable by-laws.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0096) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the need for multiple revisions to the development proposal.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Schedule 'YYY'

Document 4 Urban Design Review Panel (UDRP)

Document 5 Public Consultation Details

CONCLUSION

The Planning, Real Estate and Economic Development Department supports the application and the proposed Zoning By-law Amendment details.

The proposal is consistent with PPS 2020; is consistent with the applicable Official Plan and Secondary Plan policies; and aligns with the Urban Design Guidelines for Development along Traditional Mainstreets.

The proposal represents an appropriate mid-rise built form for a Mainstreet Corridor that is supported by policy and provides transition to the surrounding low-rise residential context. The proposed mixed-use component supports the vision of the Old Ottawa East Secondary Plan and responds to UDRP recommendations, Staff comments and the community feedback received.

The proposal represents good planning and, for the reasons stated above, Staff recommend approval of the Zoning By-law amendment.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

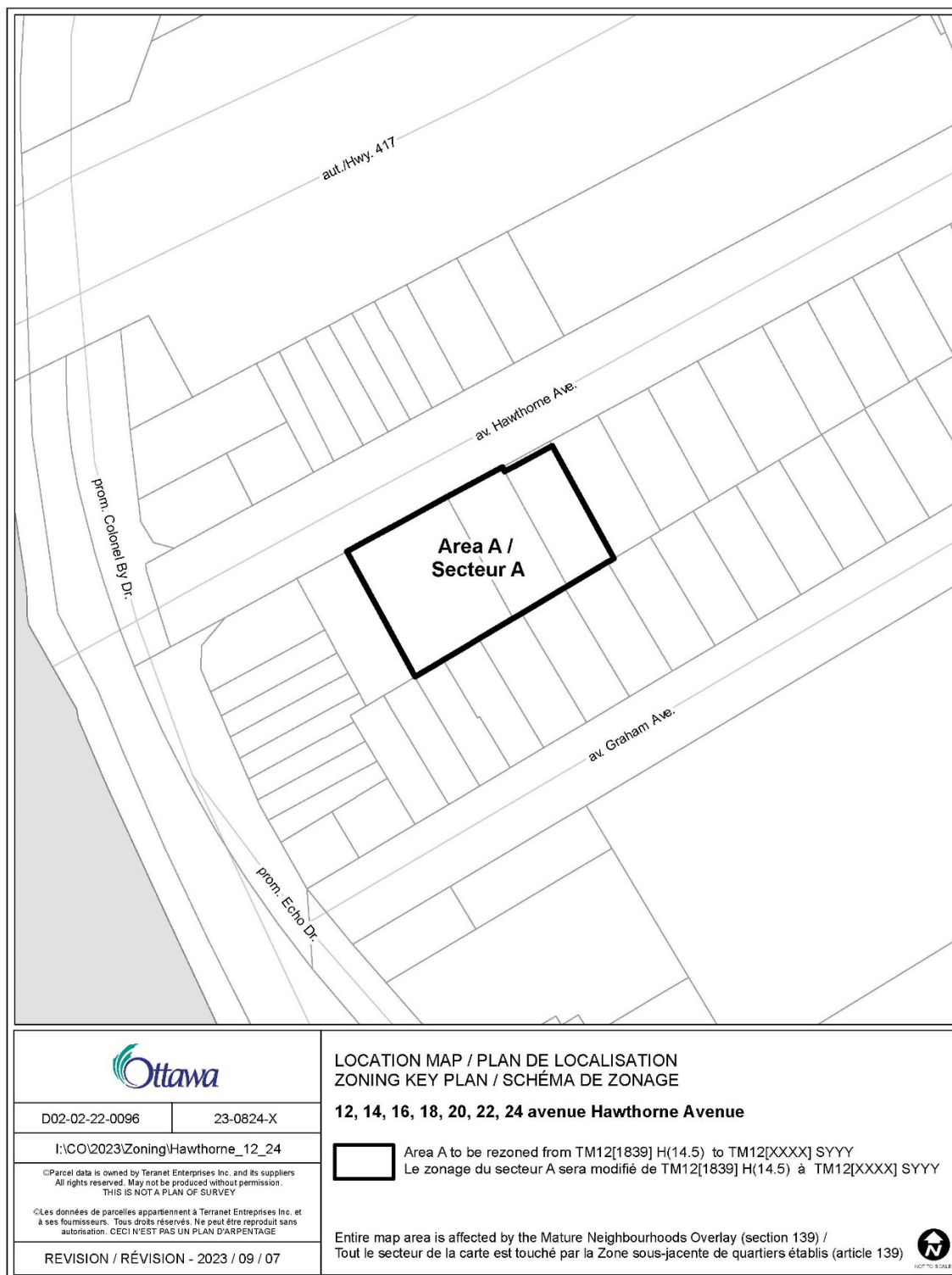
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Zoning Key Map

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.ca)



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 12, 14, 16, 18, 20, 22 and 24 Hawthorne Avenue.

1. Rezone lands as shown in Document 1.
2. Amend Section 239 – Urban Exception, by addition a new exception [xxxx], with provisions similar in effect to the following:
 - a. In Column II, add the text, “TM12[xxxx] S[YYY]”;
 - b. In Column V, add provisions similar in effect to the following:
 - i. Maximum building heights, minimum setbacks and minimum stepbacks are as per Schedule ‘YYY’.
 - ii. Section 197(12)(b) does not apply.
 - iii. Schedule ‘YYY’ does not apply to the portion of the underground parking garage in the rear yard that is permitted to project up to a maximum of 1.5 metres above grade.
 - iv. Non-residential uses must occupy a minimum of 50 per cent of the total floor area on the ground floor.
 - v. Office uses are not permitted on the ground floor.
 - vi. Balconies above the first floor along the front façade may not project beyond the setbacks in Schedule ‘YYY’.
 - vii. Minimum bicycle parking rate: 1 space per dwelling unit.



Document 4 – Urban Design Review Panel

18 Hawthorne Avenue | Formal Review | Zoning By-law Amendment & Site Plan Control Application | JB Holdings Inc., JBPA Developments Inc., Roderick Lahey Architect, Fotenn Planning + Design

Key Recommendations

- The Panel recommends introducing side-yard step-backs at the upper two floors on the east and west façades, allowing for more glazing and lighting at the top of the building.
 - The Panel recommends increasing the amount of glazing on the upper two floors and improving the aesthetic of the building as viewed from the Rideau Canal.
- The Panel recommends inset balcony nooks or Juliet balconies on the north façade facing Hawthorne Avenue.
 - The Panel recommends continuing the red brick material treatment to the ground level.
 - The Panel has concerns with the projected balconies on the north façade and the change in colouration of materials at the ground level.
- The Panel has concerns with the placement of the building and urges the proponent to consider aligning the north façade with the adjacent buildings on the street.
 - Currently, the proposed design sits slightly closer to the street than adjacent properties and the Panel recommends setting the façade back to give space for street trees and to align properly with the other buildings on the street (approx. 2.7 metres setback from property line).
 - Adjusting the alignment of the north façade along Hawthorne Avenue would reduce the Panel's concerns regarding the soil volume necessary to support street trees and the overhanging balconies interfering with them.

Site Design & Public Realm

- The Panel appreciates the challenging nature of accessing the underground parking on a shallow site.
- The Panel has concerns with the opaque wall facing neighbours' backyards in the rear.

- Consider design solutions to mitigate that overlook condition with the neighbours.
- The Panel appreciates the inclusion of commercial at-grade and the potential for a good mixed-use street along Hawthorne Avenue.
- The Panel suggests further investigation into the design at ground level is needed to best support the commercial uses.
 - Consider the importance of the pedestrian realm in supporting commercial activity.
- The Panel appreciates that the typology of the lots and the existing fabric is challenging.
- The Panel has concerns with the lack of a continuous street-wall and the potential issues that may create.
- The Panel has concerns with the rear-yard raised wall and the viability of the trees in raised planters.
 - Ensure trees will survive and thrive to help the overlook condition in rear-yard and to mitigate the heat island effect.

Sustainability

- The Panel suggests undertaking a larger future context study of all the soft development sites in the area would be beneficial for the City.

Built Form & Architecture

- The Panel recommends changing the cantilever balconies on the north façade to inset balconies or Juliet balconies. Consider how doing so would improve the condition/useability for residents, improve the condition for the street/sidewalk, and improve the building in terms of sustainability.
- The Panel appreciates the overall design of the building and the use of red brick and colour to help tie the building into the streetscape.
- The Panel recommends stepping the sidewalls back on the upper two floors to trim the bulk of the building and allow for unrestricted glazing, creating a lantern effect.
- The Panel appreciates that the area is undergoing a major transition and appreciates the proponents providing mixed-use with commercial at grade.

- The Panel recommends giving more consideration to the replicability of the development for other properties along Hawthorne Avenue.
 - Ensure that if more buildings of this type are developed next door, that there is sunlight coming through in a better way.
 - Consider stepping back on the east and west sides.
- The Panel has strong concerns with the shallow setbacks along Hawthorne Avenue, and the condition it creates for street trees and future pedestrian use.
 - The Panel recommends aligning the building façade to create a consistent street-wall line with adjacent buildings which setback further (consider the approx. 2.7 metre setback for adjacent heritage building façade).
 - The Panel recommends also introducing inset or Juliet balconies on the lower floors to improve the condition of the street and the relationship between the building and the pedestrian realm.
 - The Panel suggests the current proposal creates too much of a pinch between the building and the public realm on Hawthorne Avenue and recommends the condition be mitigated in some way to allow for better use of the sidewalk and relationship with the street.
- The Panel is supportive of the scale of the building for this area and context.
- The Panel recommends continuing the red brick to the ground level; a change in material is not necessary for the ground level.
- The Panel recommends providing more height at the main residential entrance to the building to distinguish it from commercial uses at-grade.
- The Panel recommends avoiding overhanging balconies on the lower floors to help highlight the entrance doorways and support the commercial activity.
- The Panel recommends reducing the size of the mechanical penthouse to be as small as possible and giving more of the rooftop space back to amenity space.

Document 5 – Public Notification

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Comments were received from approximately 30 residents within the community and the Old Ottawa East Community Association.

Comments Theme 1: Housing

Comments:

- Concerns with displacement and homelessness
- Concerns regarding the availability and affordability of housing, including rental options, in this neighbourhood.
- Concerns regarding the high number of one-bedroom apartment units being proposed as compared to the lack of larger/ family-sized apartment units.
- Concerns regarding the proliferation and trend of condo-type housing in this neighbourhood.

Responses:

- The developer has advanced individually with the tenants currently on the subject lands. Under supervision of the Ward Councillor, agreements have been signed in relation to their relocation to help mitigate the increased cost of living that existing tenants will face with the displacement resulting from the redevelopment of the subject lands.
- The proposal provides rental housing and adds to the local rental housing stock. To Staff's knowledge, the applicant is not proposing a plan of condominium.
- The applicant has revised their plans to address public concerns regarding the lack of larger/ family-sized units being provided through the proposed development. Almost 50 per cent of the units are two-bedroom and two-bedroom plus den. The total number of two-bedroom and two-bedroom plus den units have increased from 25 to 31 dwelling units in response to the feedback provided by both Staff and the public.

Comments Theme 2: Ground floor commercial

Comments:

- Concerns regarding the lack of ground floor commercial space in relationship to the traditional mainstreet character of Hawthorne Avenue.
- Comments in opposition to residential and other similar uses at the ground floor in favour of ground floor commercial uses that activate the adjacent street/ public realm and support the 15-minute neighbourhood.

Responses:

- In response to Staff and the many public comments received on this item, the developer has committed to provide ground floor commercial uses at a rate of at least 50 per cent of the total area of the ground floor. The proposed Zoning By-Law Amendment will include a site-specific zoning exception that requires ground floor commercial uses accordingly.
- To support the activation of the street/ public realm and the 15-minute neighbourhood concept, ground floor residential uses are proposed at the rear and no offices will be permitted on the ground floor. The proposed Zoning By-Law Amendment will prohibit office uses on the ground floor.

Comments Theme 3: Built Form

Comments:

- Concerns with the reduced building setbacks and step backs and the potential public realm, accessibility, and built-form transition impacts, including shadowing and privacy impacts.
- Concerns with the increased building height, from four to six storeys.
- Concerns with the added height/ size of the mechanical penthouse
- Concerns with the application of the 45-degree angular plane.
- Concerns with balconies proposed along the rear building façade.

Responses:

- The proposal is consistent with the policies of the Official Plan and the Old Ottawa East Secondary Plan, including the maximum building height of six-storeys.

- The shadowing studies have been prepared according to the City's Terms of Reference and Staff are satisfied with the results of this study.
- The proposed mechanical penthouse has reduced in size/ height since the original submission.
- The front yard setback has increased since the original submission, from 1.7 metres to 1.9 metres for most of the site's frontage and from 0.7 metres to 0.9 metres for a small portion of the site's frontage.
- A small portion of the subject lands, at the east end of the site, has already been dedicated because of road widening and is the primary reason why the proposed Zoning By-Law Amendment seeks to reduce the front yard setback in this area, from 2 metres to 0.9 metres. The minimum front yard setback for the remainder of the frontage will be a minimum 1.9 metres. ROW conveyance/ road widening for the remainder of the site's frontage will be confirmed through the Site Plan approval process.
- The proposed development will respect the 18-metre ROW protection by providing a dedication of 1.08 metres along Hawthorne Avenue as per Annex 1 of the Official Plan, to be confirmed through the Site Plan approval process. A primary objective of the City's ROW protection is to ensure that the City is able to secure sufficient space for vehicle use, active transportation and public realm amenities (e.g. trees). A sidewalk width of approximately 4 metres will be established because of this proposal, with roughly 5 metres total between the road edge and the building wall. The area to be conveyed is intended to be used for City sidewalks and trees, to be constructed in accordance with City standards.
- To mitigate the potential impacts of a reduced front yard setback on tree canopy growth, the proposal does not provide projecting balconies along the building's front façade. No projecting balconies will be permitted along the front façade facing Hawthorne Avenue, as per the proposed Zoning By-Law Amendment details.
- The reduced rear yard setback is appropriate based on the odd lot shape. Additionally, the proposed development mostly provides a minimum 7.5 metres rear yard setback, as required by the current zoning. This Zoning By-Law Amendment will require an increased rear yard setback at the most western part of the proposed building. To address the reduced rear yard setback, the rear yard has been revised to add more landscaping, screening and an improved tree canopy, where possible. All details will be confirmed through the Site Plan Approval process.

- The proposal incorporates stepbacks at varying heights and along each face of the building, including a stepback above the fourth floor in addition to a stepback above the fifth floor. The overall reduced additional front yard setback (stepback) distance is considered a minor reduction, given the variety in building heights and articulation.
- The current maximum building height for the site is 14.5 metres. This Zoning By-Law Amendment seeks to introduce maximum building heights as per schedule 'YYY' with the tallest height being 20 metres. In Staff's opinion, the proposal offers sufficient setbacks and stepbacks to provide an appropriate transition at the rear of the subject property and from the neighbouring low-rise residential uses to the south. The proposed deviation from the angular plane zoning provision is therefore considered minor.
- The balconies proposed at the rear of the building are considered permitted projections under Section 65 of Zoning By-law 2008-250. Nevertheless, at the rear, a stepback takes place at the fifth floor which has the outcome of setting back the building wall and balconies at this height. The rooftop amenity space is also setback generously from the rear edge of the building to avoid overlook onto the adjacent low-rise residential properties to the south.
- Trees and privacy screens (e.g. fences) are proposed along the rear property line which are intended to minimize privacy and overlook concerns. These details will be confirmed through the Site Plan Approval process.

Comments Theme 4: Environment, Trees and Landscaping

Comments:

- Concerns with tree loss resulting from the proposed development and the placement of the underground parking garage.
- Concerns with the proposed landscaping and screening.
- Concerns with the impacts of the development in relation to climate change.

Response:

- The Tree Conservation Report (TCR) meets the City's requirements and Staff are satisfied with the findings of the TCR report. TCR shows impacts to on-site and nearby trees. On the subject lands, seven trees are proposed to be replaced by 15 new trees.

- Several new trees are proposed within the front yard and the abutting public right-of-way to provide an improved public realm. As previously mentioned, the building has been designed to improve the chances of survival for trees proposed in the public realm.
- Several new trees are proposed along the rear property line which are intended to fulfill this need to offset the concerns with the trees proposed to be removed.
- Tree/ landscaping planters have also been added to the roof-top amenity space to green and cool the roof-top area and site.
- Regarding the tree planting approach and details: the landscape plan has been prepared by a qualified Landscape Architect, registered with the Ontario Association of Landscape Architects (OALA). Overall, the site is appropriately landscaped, and the landscape plan demonstrates the potential for tree growth in this area of the site and provides planting instructions (details) for each tree that should support tree growth and survival. The trees are proposed to be contained within a planter and the plans show that there should be sufficient room within the planter to accommodate tree growth. A buffer is also provided between the edge of the tree planting area and the rear property line. This should help to minimize any potential impacts on the landscaping features on the abutting properties. All details will be confirmed through the Site Plan approval process.
- The purpose of the fence is to provide screening and to ensure privacy. The proposed tree line further enhances the screening provided along the rear lot line, to mitigate privacy concerns.

Comments Theme 5: Parking, Traffic and Sightlines

Comments:

- Concerns with increased traffic resulting from the proposed development.
- Concerns with the high amount of vehicle parking being proposed.
- Concerns with sightlines and potential impacts resulting from the parking garage entrance proposed at the northwest corner of the site.
- Concerns with pedestrian safety.

Responses:

- The proposed development meets the minimum parking requirements of Zoning By-Law 2008-250. There are no maximum parking requirements which apply to

the site. The number of vehicle parking spaces provided has reduced since the original submission and is considered appropriate.

- Bicycle parking is being provided at a 1:1 ratio to offset the number of vehicle parking spaces provided and reduce automobile dependency.
- The Transportation Impact Assessment (TIA) was revised in response to staff and community feedback in reference to the original submission and Staff is satisfied with the report's findings. Details will be confirmed through the Site Plan approval process.
- Staff do not have any concerns with the increased density at this location in relation to the adjacent road network.
- The proposed garage access was relocated to the west end of the site to provide better visibility in relation to the original submission.
- A pedestrian sidewalk will be constructed to city standards along Hawthorne Avenue. As previously mentioned, this sidewalk area will be generous.

Comments Theme 6: Other

Comments:

- Concerns with construction, such as shoring and blasting.
- Concerns with accessibility, such as room for wheelchairs.
- Concerns vehicular traffic and pedestrian/ cycling safety.
- Concerns with Noise
- Concerns with lack of parkland
- Concerns with transit services

Response:

- The developer/ builder will be responsible for the preparation of the site and monitoring the construction of the site in accordance with all applicable City's by-laws. At the time of building permit review at Building Code Services, the developer will be required to submit shoring details and obtain the required construction permits. The Owner will be required to obtain permission from the neighbouring property owners if any portion of the shoring is located on the neighbouring property.

- The proposal will adhere to accessibility standards as outlined in the Ontario Building Code and sidewalks will be constructed to City standards.
- Cash-in-lieu of parkland will be confirmed at the time of Site Plan control.
- A Traffic Noise study was not required for the ZBLA but is being reviewed as a part of the Site Plan Control approval process.
- The subject lands are approximately 1km from the Lees O-Train Station and there are nearby bus routes.

Comments Theme 7: Positive Comments

- I am fine with the proposed height, as it makes sense to add more units to the neighbourhood.
- 50 parking spaces for a total of 67 units seems reasonable
- I love seeing this sort of mixed-use medium density development. We need more like this!
- The site is immediately adjacent to the 417, so not an attractive site for development to begin with. The entire street would benefit from projects of this type, or higher.
- The site is within walking distance of the major commercial buildings in the downtown core. People who live in the prospective development could walk to work, reducing traffic and the wear and tear on Ottawa roads.
- The site is within a ten-minute walk of the Lees LRT station.
- That the developer needs to ask for a zoning exception for a site within walking distance of the downtown core and walking distance to an LRT station is a clear sign that the area is severely under-zoned. Multi-density housing should be deemed to be automatically within zoning if within one thousand meters of an LRT station. Further, any place zoned single unit residential that is within one thousand meters of an LRT station should be subject to property taxes at a penalty rate, similar to how surface parking lots are subject to penalty tax rates as a way to encourage development. If we want our LRT to be a success and to have more of an LRT network, housing density around LRT stations needs to expand. Intensification will naturally result in more amenities - supermarkets, coffee shops, medical offices etc.

- Furthermore, if we want a city that has housing that all residents can afford, we need to approve the building of many more developments like this. There is an abundance of suitable sites. As a city, we should be facilitating their development, not making it more difficult.
- Writing as a resident of Old Ottawa East to express my support for the proposed development on Hawthorne Ave (i.e. a variety of zoning amendments).
- The proposed development is what's required in central areas of the city like Old Ottawa East, particularly as the city continues to welcome more and more residents. The development is close to public transit (Lees Station), is walkable to the Glebe and Centretown, and is on a main neighbourhood thoroughfare, justifying the proposed density.
- Ground floor commercial may be useful, but I don't feel this is mandatory for the zoning amendments to be made. Westboro/Wellington West has plenty of ground floor commercial in the buildings that have been built over the past few years, but they are not all occupied.
- I also wonder whether the proposed development could also be a net benefit to residents of Graham Ave, as a way to block noise from the Queensway.

Comments Theme 8: Old Ottawa East Community Association

Comments:

- **Failure to correctly provide 45° degree angular plane setbacks for the proposed fifth and six storeys, at the rear (south side) of the building.**
 - While we are very unhappy that the four storey limit of the existing zoning (something we fought long and hard for) is being exceeded by two storeys, we recognize that new provincial modifications to the Official Plan makes it very difficult to mount successful opposition to the two extra storeys.
 - However, if there are going to be the extra storeys over and above the current four storey height limit, then the front and rear setbacks must adhere to the Old Ottawa East Secondary Plan (OOESP) policies, the Old Ottawa East Community Design Plan (OOECDP) implementation strategies, and the Traditional Mainstreet Zoning By-laws (TMZBL). All of these documents require the additional two storeys to be stepped-back at the rear, adhering to a 45 degree angular plane. Please reference:

OOESP Section 2: Policy 3); OOESP Section 2: Policy 7); and OOESP Policy 4); and OOECDP Section 3.2; OOECDP Section 4.0; OOECDP Section 4.7; OOECDP Section 4.8; OOECDP Section 4.14 parts 1, 4 and 5; and TMZBL Section 197, Table 197, Zoning Mechanism (g) (ii) (2) and the referenced Illustration of TM Zone Building Envelope.

- The OOESP must be respected where it says, “Develop the south side of this corridor in accordance with the Traditional Mainstreet zoning. With lot depths ranging from 26 to 30 metres, the stepped building envelope massing is important to achieve compatibility with the low-rise neighbourhood on Graham Avenue to the south.” (Section 3.1, part 4). At the time of the CDP’s drafting, it was key to gain Graham Street residents’ support of the proposed greatly increased density on Hawthorne Avenue and this was achieved with the commitment to a “stepped building envelope massing.” Now, is the City going to simply ignore this commitment?
- **Failure to correctly provide the full 2 metre front yard setback from the property line, after the OP required Hawthorne Avenue right of way protection /widening has been acquired by the City**
 - Although the current proposal has apparently increased the front-yard setback somewhat from what was originally proposed, the proposed setback is still not a minimum of 2 metre for the entire front face of the building at the ground floor. The 2 meter setback provision that is in the Hawthorne and Main Street TM zoning was a key provision derived from the OOECDP and the ensuing OOESP.
 - As noted in our January letter, “If the requested ZBLA is approved, then the continuity of wide, safe, comfortable and animated sidewalks for all of Main and Hawthorne will be imperilled.” In order to provide an eventual complete street on Hawthorne Avenue, the full minimum 2 meter front yard setback must be provided.
 - Please reference:
OOESP Section 2: Policy 3); OOESP Section 2: Policy 6); OOESP Section 2: Policy 5); and OOECDP Section 2.1; OOECDP Section 3.2; OOECDP Section 4.1 (Note: “...In the TM7 zone along Main Street and Hawthorne Avenue the front yard setback shall be 2 metres...”); OOECDP Section 4.13; OOECDP Section 4.14 part 5.

- **Excessive underground parking / inadequate provision for canopy trees at rear**
 - We still do not support the proposed parking that exceeds the zoning requirement by 39 per cent. We strongly argue that the parking should be reduced to what's required (34 spots) or even less. The developer is proposing to build an underground parking garage that will go to the southern lot line. The consequence is that the two large existing trees will be removed and the roots of trees in neighbouring properties will be adversely affected. The developer's proposal for new trees in planters in no way satisfies the need for promoting the growth of large canopy trees in rear yards. The underground parking garage should allow enough space so that large canopy trees can grow beside it. It's also worth noting that a smaller parking garage will result in substantial savings in building costs, thus contributing to the affordability of units.

Responses:

- Staff have reviewed the applicable policies of the Old Ottawa East Secondary Plan and are satisfied that this proposal is consistent with the policies contained therein.
- The existing building height is 14.5 metres and the Old Ottawa East Secondary Plan does not prescribe a 45-degree angular plane. It is Staff's interpretation that the policy allows for some flexibility, provided that a stepped building envelope massing is provided. In Staff's opinion, the proposed development generally conforms to the Traditional Mainstreet (TM) Zoning and the provided setbacks and stepbacks allow for an appropriate transition in built-form at the rear of the site. Please also refer to responses provided above under **Theme 3**.
- The proposed front yard setback is 1.9 metres for most of the site frontage along Hawthorne Avenue. Staff must evaluate the zoning requirements for the site based on the existing lot boundaries. The front yard setback is only being reduced to 0.9 metres for a small portion of the site where road widening has already been conveyed through a previous development application. The plan has been revised since the original submission to increase the front yard setback. In Staff's opinion, the proposed front yard setbacks do not take away from the public realm possibilities along the south side of Hawthorne and would not set a bad precedent in this context. The City will still be able to achieve the desired public realm within the limits of the protected ROW, which is to be

confirmed through the Site Plan approval process. Please also refer to responses provided above under **Theme 3**.

- The proposed parking meets the minimum requirements of the zoning by-law. There are no maximum parking requirements which apply to this site. The parking structure will project only slightly above the average grade and a maximum height of this projection will be 1.5m above average grade as per the zoning by-law amendment details. The top of the structure will be landscaped and screened from adjacent properties via a fence structure, to be confirmed through the Site Plan Approval process. The landscape plan demonstrates that there will be sufficient room for trees in the proposed planter boxes. Please also refer to responses provided above under **Theme 4** and **Theme 5**.

**Subject: Zoning By-law Amendment – Aligning Zoning By-law 2008-250 with
Bill 23 concerning Additional Dwelling Units**

File Number: ACS2023-PRE-EDP-0039

**Report to Planning and Housing Committee on 4 October 2023
to Agriculture and Rural Affairs Committee on 5 October 2023
and Council 11 October 2023**

**Submitted on September 22, 2023 by David Wise, Director, Economic
Development and Long Range Planning, Planning, Real Estate and Economic
Development**

Contact Person: Robert Sandercott, Planner, Policy Planning

613-580-2424 ext.14270, Robert.Sandercott@ottawa.ca

Ward: City Wide

**Objet: Modification du Règlement de zonage – Mise en concordance du
Règlement de zonage (n° 2008-250) avec le projet de loi 23 sur les
logements supplémentaires**

Dossier : ACS2023-PRE-EDP-0039

**Rapport au Comité de la planification et du logement le 4 octobre 2023
au Comité de l'agriculture et des affaires rurales le 5 octobre 2023
et au Conseil le 11 octobre 2023**

**Soumis le 22 septembre 2023 par David Wise, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

Personne ressource: Robert Sandercott, Urbaniste, Politiques de la planification

613-580-2424 ext.14270, Robert.Sandercott@ottawa.ca

Quartier : À l'échelle de la ville

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee and Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 to permit up to 2 additional units on fully-serviced residential lots, in accordance with Provincial requirements under Bill 23, as shown in Document 1.
2. That Planning and Housing Committee and Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the Planning Act 'Explanation Requirements' at the City Council Meeting of July 12, 2023," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de la planification et du logement et le Comité de l'agriculture et des affaires rurales recommandent au Conseil municipal d'approuver la modification à apporter au *Règlement de zonage* (n° 2008-250) afin d'autoriser la construction d'au plus deux logements supplémentaires sur les lots résidentiels entièrement viabilisés, conformément aux exigences édictées par le gouvernement provincial dans le projet de loi 23 selon les modalités reproduites dans la pièce 1.
2. Que le Comité de la planification et du logement approuve l'intégration de la section Détails de la consultation du rapport dans le cadre de la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la réunion que tiendra le Conseil municipal le 12 juillet 2023 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.

EXECUTIVE SUMMARY

In November 2022, The Province of Ontario adopted Bill 23, the “*More Homes Built Faster Act*”. The Bill has widespread impacts on legislation across ten separate Acts, including the *Planning Act* and the *Development Charges Act*. A significant change introduced through this legislation is that a requirement to allow for up to three residential units, in the form of up to two *additional units* or a *coach house* and an *additional unit*, is now mandated Province-wide for all lands serviced by municipal services.

This revision to the *Planning Act* has triggered the need to modify the Zoning By-law to ensure it is consistent with the amendments in Bill 23. in line with this requirement to respond to critical issues of interpretation, to provide clarity for applicants and the general public. The immediate changes include the following:

- Creation of a new “additional dwelling units” section which will comprise both additional units within the principal building and additional units within coach houses;
- Elimination of maximum floor area limits for “additional units” within the principal building. Setback, size, and height provisions for coach houses are proposed to remain as-is; and
- Implementation of a maximum parking utilization ratio and minimum soft landscaped area for rear yards associated with low-rise residential development.

Staff are mindful that the change to up to three residential units per parcel has significant impacts across the Zoning By-law, and calls into question the regulatory differences between detached, duplex, semi-detached, triplex and smaller low-rise building forms. Staff are further mindful that changes to the *Development Charges Act* may be a significant incentive towards “Bill-23”-enabled development, and away from purpose built “missing-middle” development forms such as triplexes, fourplexes, sixplexes and low-rise apartments.

Staff Recommendation

Planning staff recommend approval of the proposed Zoning By-law amendments, which will give effect to the additional dwelling unit (ADU) regulations introduced to the *Planning Act* via Bill 23, and also implement directions previously given by Planning and Housing Committee at its meeting of September 6, 2023, with respect to other implications of ADUs permitted via this legislation.

Applicable Policy

Bill 23, More Homes Built Faster Act, 2022, included amendments to the *Planning Act* to allow up to three units as-of-right on any residential lot with access to water and wastewater services. These changes override regulations to the contrary contained in municipal by-laws.

This revision to the *Planning Act* has triggered the need to modify the Zoning By-law in line with this requirement to respond to critical issues of interpretation that are currently causing challenges for development review and building code staff, and to provide clarity for applicants, community associations, and the general public.

In the City's Official Plan, Policy 4.2.1.1 sets out, among other things, that the Zoning By-law shall provide for a range of context-sensitive housing options by "*primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology*". With this in mind, the proposed amendment aims to ensure consistent regulations apply across all typologies permitted to contain additional dwelling units.

Public Consultation/Input

As directed in the July 2023 motion, Staff consulted with representatives of the development industry, including the Greater Ottawa Home Builder's Association (GOHBA) and the Ottawa Small Landlord Association (OSLA), as well as representatives from the Federation of Citizens' Associations during July 2023.

A summary of public comments can be found in Document 2.

RÉSUMÉ

En novembre 2022, le gouvernement de l'Ontario a adopté le projet de loi 23 (« *Loi de 2022 visant à accélérer la construction de plus de logements* »). Ce projet de loi a des répercussions généralisées sur 10 lois distinctes, dont la *Loi sur l'aménagement du territoire* et la *Loi de 1997 sur les redevances d'aménagement*. D'après un changement important apporté dans le cadre de ce projet de loi, il est désormais obligatoire de prévoir dans toute la province, sur tous les terrains viabilisés grâce à des services municipaux, la construction d'au plus trois logements sous la forme d'au plus deux logements supplémentaires ou d'une annexe et d'un logement supplémentaire.

La révision ainsi apportée à la *Loi sur l'aménagement du territoire* oblige à modifier le **Règlement de zonage** pour s'assurer qu'il concorde avec les modifications du projet de loi 23, ce qui cadre avec cette obligation de donner suite aux problèmes critiques

d'interprétation, afin d'apporter des précisions aux requérants et au grand public. Les changements qui interviennent dans l'immédiat consistent entre autres à :

- créer un nouvel article consacré aux « logements supplémentaires » qui comprendra à la fois les logements supplémentaires de l'immeuble principal et les logements supplémentaires des annexes résidentielles;
- éliminer les limites de superficie maximums pour les « logements supplémentaires » dans l'immeuble principal. Nous proposons de ne pas modifier les dispositions relatives aux marges de retrait, à la superficie et à la hauteur des annexes résidentielles;
- mettre en œuvre un ratio maximum d'utilisation des places de stationnement et une superficie paysagée végétalisée minimum pour les cours arrière associées à des aménagements résidentiels de faible hauteur.

Le personnel sait que le changement qui prévoit la construction d'au plus trois logements par parcelle a des répercussions importantes sur l'ensemble du **Règlement de zonage** et remet en question les différences réglementaires entre les habitations individuelles, les duplex, les habitations jumelées, les triplex et les immeubles de faible hauteur. Le personnel sait aussi que les changements apportés à la *Loi de 1997 sur les redevances d'aménagement* peuvent constituer d'importants motifs d'incitation dans l'aménagement de logements que permet de construire le projet de loi 23 et qu'ils sont différents des formes d'aménagement des « logements intermédiaires manquants » construits à cette fin, dont les triplex, les quadruplex, les sixplex et les immeubles d'appartements de faible hauteur.

Recommandation du personnel

Le personnel des Services de planification recommande d'approuver les modifications qu'il propose d'apporter au **Règlement de zonage**, ce qui donnera effet aux règlements d'application sur les logements supplémentaires (LS), adoptés en vertu de la *Loi sur l'aménagement du territoire* par le truchement du projet de loi 23, en plus de mettre en œuvre les directives auparavant données, à sa réunion du 6 septembre 2023, par le Comité de la planification et du logement en ce qui a trait aux autres incidences des LS autorisés grâce à cette loi.

Politiques applicables

Le projet de loi 23 (*Loi de 2022 visant à accélérer la construction de plus de logements*) a eu pour effet de modifier la *Loi sur l'aménagement du territoire* afin d'autoriser l'aménagement d'au plus trois logements de plein droit sur les lots résidentiels viabilisés grâce aux services d'aqueduc et d'égout. Ces changements annulent et remplacent les

règlements d'application qui produisaient l'effet contraire et qui faisaient partie des règlements municipaux.

Cette révision de la *Loi sur l'aménagement du territoire* oblige à modifier le **Règlement de zonage** en fonction de cette obligation de donner suite aux problèmes critiques d'interprétation, qui causent actuellement des difficultés pour le personnel chargé de l'examen des demandes d'aménagement et de l'application du Code du bâtiment, de même que pour apporter des précisions aux requérants, aux associations communautaires et au grand public.

Dans le Plan officiel de la Ville, la politique 1) de la sous-section 4.2.1 dispose entre autres que le **Règlement de zonage** doit prévoir un ensemble d'options de logement adaptées au contexte « en réglementant principalement la densité, la forme bâtie, la hauteur, la volumétrie et la conception des aménagements résidentiels, au lieu de les réglementer en imposant des restrictions dans la typologie des bâtiments ». C'est pourquoi la modification proposée vise à s'assurer que les règlements d'application cohérents produisent leurs effets dans toutes les typologies qui peuvent comprendre des logements supplémentaires.

Consultation et avis du public

Conformément à la motion de juillet 2023, le personnel a consulté, en juillet 2023, les représentants de la profession des promoteurs, dont la Greater Ottawa Home Builders' Association (GOHBA) et l'Ottawa Small Landlords Association (OSLA), ainsi que les représentants de la Fédération des associations civiques d'Ottawa.

La lecteur trouvera dans la pièce 2 la synthèse des commentaires du public.

BACKGROUND

Summary of requested Zoning By-law amendment

Bill 23, More Homes Built Faster Act, 2022, was approved by the Provincial Legislature on November 28, 2022. The Bill implements extensive changes to a number of Acts and regulations including the Development Charges Act, Planning Act and Municipal Act. One key change to the Planning Act involves revisions that override municipal zoning by-laws to allow up to three units as-of-right on any residential lot with access to water and wastewater services.

This change through Bill 23 has triggered the need to amend the Zoning By-law to account for the requirement to permit three dwelling units.

Presently, the Zoning By-law permits the addition of one secondary dwelling unit or one coach house in accordance with the provisions of Sections 133 and 142 respectively, in

any zone where a detached dwelling, semi-detached dwelling, duplex, and/or townhouse dwelling is a permitted use. This is in accordance with previous Planning Act requirements to permit additional dwelling units on residential lots, prior to the introduction of Bill 23.

At the July 5, 2023 meeting of the Planning and Housing Committee, the Committee adopted the following motion the following motion which was subsequently approved by [City Council](#) on July 12, 2023:

That, with respect to IPD ACS2023-PRE-EDP-0033, Council approve the following:

1) Return to Council in September 2023 with options to amend the Zoning By-law in response to Bill 23;

a. Direct staff to consult with industry and members of the community prior to returning to Committee.

2) Direct that staff return to Council in Q4 2023 with proposed amendments to the Zoning By-law pursuant to Recommendation 1.

Staff consulted with representatives of the development industry, including the Greater Ottawa Home Builder's Association (GOHBA) and the Ottawa Small Landlord Association (OSLA), as well as representatives from the Federation of Citizens' Associations during July 2023. These comments were taken into consideration when setting out potential options for direction as per item 1 of the motion above.

The "options" report, as directed in item 1 of the aforementioned motion, was received by Planning and Housing Committee on September 6, 2023. The Committee directed Staff to prepare an amendment that includes the following:

- Remove existing maximum floor area and entranceway restrictions from Section 133 as part of this amendment; and
- Implement regulations addressing parking and landscaping in rear yards such that no more than 70 per cent of the rear yard area may be occupied by parking spaces, including any driveways and/or aisles providing access to parking spaces, plus a requirement to provide 15 per cent of the rear yard as soft landscaped area.

Amendments Required to Implement Provisions for Additional Dwelling Units as per Bill 23

Staff propose to merge Sections 133 (regarding secondary dwelling units) and Section 142 (regarding coach houses) into a single section relating to “additional dwelling units”, so that all scenarios respecting the additional units permitted via Bill 23 are addressed within a single section. This section will include the following:

- Permissions for up to two additional dwelling units (for a total of no more than three units) on a fully serviced residential lot containing a detached, semi-detached, duplex, or townhouse dwelling;
- Permissions for up to one additional dwelling unit on a residential lot without access to full municipal services. This is the same as is presently permitted in the Zoning By-law;
- Clarification that additional unit permissions apply to each principal unit of a semi-detached or townhouse dwelling, regardless of whether or not the principal units are severed for separate ownerships;
- Removal of maximum floor area limits on individual units within the principal building, where principal or secondary, whereas Section 133 currently requires any secondary unit not located entirely in the basement to be no more than 40% of the floor area of its principal dwelling unit;
- Retention of maximum limits on the number of bedrooms within a principal or additional dwelling unit in accordance with the definition of a “dwelling unit” in the Zoning By-law (i.e. 4 bedrooms), except in cases where “oversize” dwelling units are permitted. In no case is the total number of bedrooms across all units on a lot containing additional dwelling units permitted to exceed twelve;
- Clarification that the maximum number of principal plus additional dwelling units, where permitted, cannot exceed three (regardless of whether they are in the principal building or as a coach house), in accordance with Bill 23;
- Retention of the existing regulations on coach houses verbatim where possible, including restrictions on the size, height, and yard setback requirements of a building;
- Removal of prohibitions on separate entrances for additional units contained within the front wall of a building.

Additionally, it is necessary to amend other sections of the By-law where direct prohibitions on additional units exist to remove those prohibitions. In particular:

- Exceptions 1256-1262, which apply to the former Village of Rockcliffe Park, contain provisions prohibiting secondary dwelling units and coach houses. It is proposed to remove these prohibitions, as is required by Bill 23. All other elements of these exceptions will continue to apply, including requirements for maximum floor space index (FSI) which will apply to all coach houses in the same manner as they are applied to the principal building and accessory buildings. The definition of “gross floor area” specific to these exceptions is proposed to be amended in this regard, to clarify that it applies to both “accessory buildings” and “coach houses”.
- The requirement to permit up to three units on a residential lot is not intended to be extended to areas covered by the Flood Plain Overlay and governed by Section 58 of the Zoning By-law, given their increased flood risk. It is proposed to update the language in Section 58 to clarify that additional dwelling units partially or fully below grade are proposed to remain prohibited in the Flood Plain Overlay.
- Section 101 (Minimum Parking Space Rates) is proposed to be amended to eliminate requirements for additional parking in association with additional dwelling units in a duplex dwelling, as secondary/additional dwelling units do not require on-site parking in other scenarios in the By-law, and Bill 23 limits the extent to which on-site parking can be required for additional units.
- As the amendment will replace the term “secondary dwelling unit” with “additional dwelling unit”, a new definition which will include both additional uses within the principal building and coach houses, technical amendments will also be required to replace all instances of the term “secondary dwelling unit” in the Zoning By-law with “additional dwelling unit”.

The amendment also includes items not specifically required to address Bill 23’s additional dwelling unit requirements, but ensures that zoning requirements are in place to manage potential impacts associated with multi-unit development, specifically rear yard landscaping and associated parking areas.

Addressing parking and landscaping in rear yards

For properties located inside the Greenbelt, there currently exist requirements to provide an aggregated soft-landscaped area within the front yard. This was introduced as part of the Infill monitoring changes in 2020 in an effort to ensure sufficient

landscaping and permeable space is provided to support tree growth and retention, prior to the provision of other features such as driveways. These are presently specific to front yards, and no such regulations exist for rear yards city-wide for detached, semi-detached, duplex, or townhouse dwellings.

Staff recognize that it is possible that portions of rear yards may be converted for functional uses in support of multi-unit dwellings, such as space for parking and waste management, and that these functional uses can be provided in a compatible manner that avoids undue impacts on abutting lots. However, some of functional uses, notably parking, when provided in the rear yard can result in a significant portion of the lot being covered by impervious surfaces, that may not be conducive to vegetation or site drainage. Parking in particular represents a major concern as a significant amount of hard surfacing can be necessary to create rear yard parking spaces.

With this in mind, the following amendments are proposed to provide for regulations of the treatment of rear yards, as directed by Planning and Housing Committee at its meeting of September 6, 2023:

- **A maximum of 70 percent of the rear yard area may be occupied by parking spaces, driveways, and aisles.** This regulation places an upper limit on the amount of rear yard space that can be used for parking purposes, including access to all rear yard parking spaces on a lot.
- **At least 15 percent of the rear yard area must be softly landscaped.** This regulation ensures that there is a minimum soft landscaping requirement set out for all uses in residential zones, including in instances where parking or other hard surfaces are provided in rear yards. This provision combined with the aforementioned 70 percent limit on rear yard parking areas also ensures some space is available to be left over for other functions, including rear entrances/landings into buildings, storage or waste/recycling sheds, or rear yard porches or decks.

Staff propose that a transition clause be included in the amendment for applications filed prior to the date of adoption by Council, such that the rear yard landscaping rules would not apply to any already active building permit or development application provided a building permit is issued within one year of Council's adoption of this By-law.

Parking and landscaped areas - Urban Forest Tree Canopy and Stormwater Management

Zoning staff are working with Forestry staff and Infrastructure Planning staff to ensure a coordinated approach between teams on issues relating to the urban forest and

stormwater management. Specifically, staff in Forestry and Infrastructure Planning have been consulted and made aware of the interim amendments in this report concerning how much of a rear yard may be used for parking and the amount of yard set aside for soft landscaping.

The draft Infrastructure Master Plan will set policy that would require on-site stormwater management for development that is not subject to *Planning Act* processes (some smaller additions may be exempted). This requirement would be implemented through the Zoning By-law and would involve requirements for temporary storage of run-off on the property in order to mitigate the impact on the City's existing storm drainage systems. This would apply to intensification projects that involve a net increase in hard surface area for a property compared to existing conditions.

Zoning staff will continue to work with Forestry and Infrastructure staff as work on the new Zoning By-law progresses to coordinate zoning with policy directions for trees in the Official Plan and stormwater-related policies in the Infrastructure Master Plan. The Infrastructure Master Plan is scheduled to be considered by Council for approval in November 2023.

Staff are aware that the landscaped area provided for in this regulation is not sufficient on its own to provide for long-term and resilient tree retention and planting conditions. However, the introduction of a rear yard landscaping requirement in conjunction with limits on rear yard parking areas represents an interim improvement over the current lack of regulation at all. In this regard, staff will provide forestry staff additional tools in the interim to work with development on tree plantings relating to infill development. Zoning staff continue to work with Natural Systems and Forestry staff and will be coordinating zoning regulations with further directions relating to soil volume and tree planting requirements consistent with the Official Plan, the Urban Forest Management Plan, and the development of the Tree Planting Strategy.

DISCUSSION

Public consultation

This amendment was initially circulated for public comment in March 2023.

As directed in the July 2023 motion, Staff consulted with representatives of the development industry, including the Greater Ottawa Home Builder's Association (GOHBA) and the Ottawa Small Landlord Association (OSLA), as well as representatives from the Federation of Citizens' Associations during July 2023 with respect to the proposed amendments. This resulted in the recommendations presented in the September 2023 report.

For this proposal's consultation details, see Document 2 of this report.

Official Plan designation(s)

On November 28, 2022, The Province of Ontario approved Bill 23, the “*More Homes Built Faster Act*”. The Bill has widespread impacts on legislation across ten separate Acts. The *Planning Act*, which establishes the ability for municipalities to govern land use through tools such as Official Plans, and Zoning By-laws, was amended substantially, which this report seeks to address and stabilize.

A significant change introduced through this legislation is a requirement to allow for up to three residential units. These can come in the form of up to two additional units within the principal building, or a coach house and an additional unit within the principal building, and are now mandated Province-wide for all lands serviced by municipal services (water and sewer, or combinations of private and public services).

This revision to the *Planning Act* has triggered the need to modify the Zoning By-law in line with this requirement to respond to critical issues of interpretation that are currently causing challenges for development review and building code staff, and to provide clarity for applicants and community associations.

This report is primarily relevant to the “Neighbourhoods” designation of the Official Plan, and to a lesser extent certain rural villages within the “Village” designation of the Plan.

Section 6.3 of the Plan covers policies specific to Neighbourhoods and provides for “ongoing gradual, integrated, sustainable and context-sensitive development” with the general intent of allowing a range of housing forms in a compatible manner.

Section 6.3.2.2 of the Plan goes into further detail how zoning is intended to provide for such residential growth in Neighbourhoods:

“The City will establish form-based regulation through the Zoning By-law, Site Plan Control and other regulatory tools as appropriate, consistent with Transect direction. Such form-based regulation may include requirements for articulation, height, setbacks, massing, floor area, roofline, materiality and landscaped areas having regard for:

- a) Local context and character of existing development;
- b) Appropriate interfaces with the public realm, including features that occupy both public and private land such as trees;
- c) Appropriate interfaces between residential buildings, including provision of reasonable and appropriate soft landscaping and screening to support livability;

- d) Proximity to Hubs, Corridors and rapid-transit stations;
- e) Transition in building form to and from abutting designations;
- f) The intended density to be accommodated within the permitted building envelope; and
- g) The provisions of Subsection 4.2 Policy 1)(d)."

Policy 4.2.1.1 sets out, among other things, that the Zoning By-law shall provide for a range of context-sensitive housing options by "primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology".

Ultimately, it will be the intent of the new Comprehensive Zoning By-law to establish more permanent standards for a full range of Neighbourhood zones to address the requirements of the Official Plan, including the aforementioned policies of Section 6.3. However, since it is necessary to bring the current Zoning By-law 2008-250 into conformity with the three-unit requirement imposed by Bill 23 in the interim, the above policy provides a framework to which new zoning to accommodate additional units must conform.

While the aforementioned policy mentions Site Plan Control, Staff note that Bill 23 prohibits municipalities from imposing Site Plan Control on residential buildings containing ten dwelling units or less, and therefore this measure is not discussed nor proposed in this report.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

The amendment to the *Planning Act* by Bill 23 requires any "parcel of urban residential land" to permit at least three dwelling units (whether all three in the principal building or two in the principal building with a third unit in an ancillary building). A "parcel of urban residential land" under the *Planning Act* comprises any residentially-zoned parcel with access to full municipal water and wastewater services.

As residential lots in some villages within the city (e.g. certain lots within Carp, Manotick, and Richmond) do have access to both water and wastewater services, they would be subject to the requirement established under Bill 23 to permit three units. Thus, the ability to provide up to 2 additional units on a lot containing a detached, semi-

detached, duplex, or townhouse dwelling will apply to the V1, V2, and V3 village residential zones on lots with full services. Where access to full municipal water and/or wastewater is not present, permissions are not proposed to change (i.e. a maximum of one additional dwelling unit would be permitted).

COMMENTS BY THE WARD COUNCILLOR(S)

City-wide report.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

The report recommendations will help facilitate intensification in low-rise residential areas across the City. While infrastructure capacity exists to accommodate intensification in these areas, there are limits to available capacity and a focused program is required to manage the impacts of intensification on existing infrastructure. In particular and as discussed in this report, on-site stormwater management measures are needed in order to manage these impacts, which could have implications on the design of residential intensification projects. Strategies for servicing increased levels of intensification will be addressed in the Infrastructure Master Plan, which is scheduled to be considered by Council in Q4 2023.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the recommendations of the report.

ACCESSIBILITY IMPACTS

There are no direct accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more livable for all

SUPPORTING DOCUMENTATION

Document 1 Details of Recommended Zoning

Document 2 Consultation Details

CONCLUSION

The proposed zoning amendment is necessary to go forward to bring the current Zoning By-law 2008-250 in line with the Planning Act as amended by Bill 23 with respect to additional dwelling units. Where not strictly required to address Bill 23, the proposed amendments will address other implications of ADU permissions, including ensuring functionality of residential buildings containing ADUs and mitigating negative impacts on abutting properties, including with respect to parking and tree canopy.

DISPOSITION

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 are as follows:

Delete Section 133 (Secondary Dwelling Units) and Section 142 in its entirety and replace with wording similar in effect to the following:

Section 133 – Additional Dwelling Units and Coach Houses

General

- (1) (a) Subject to subsections (2) through (19), a coach house and/or additional dwelling units are permitted on a lot containing a detached dwelling, linked-detached dwelling, semi-detached dwelling, townhouse dwelling or duplex dwelling.
 (b) Despite (a), in Area D on Schedule 1, a phased development is permitted where a coach house may exist prior to the establishment of a dwelling type listed in (a), provided the servicing requirements of subsection (7) are met and that 133(1)(a) is satisfied upon the completion of all the phases of development.
- (2) An additional dwelling unit or coach house must be located on the same lot, or portion of a lot as its associated principal dwelling unit, whether or not that parcel is severed.
 (a) In the case of a semi-detached, linked-detached, or townhouse dwelling, the regulations of this section apply to each portion of a lot on which each principal dwelling unit is located, whether or not that parcel is to be severed.
- (3) (a) Where permitted, in no case may the sum of all principal dwelling units, additional dwelling units, and coach houses located on a lot, or portion of a lot associated with the principal dwelling unit where the lot is not severed, exceed three units.
 (b) Despite (a), no more than one unit is permitted as a coach house.
 (c) Despite (a) and (b), where a property is not serviced by municipal water, sewerage and drainage systems that have adequate capacity, a maximum of either one additional dwelling unit or one coach house is permitted.
 (d) Despite (a) and (b), where located in Area D on Schedule 1, a coach house is not permitted on a lot that is less than 0.4 hectares in area, and not serviced by both a public or communal water system and public or communal wastewater system.
- (4) Where an oversized dwelling unit is permitted on a lot containing additional dwelling units and/or coach houses:
 (a) the maximum cumulative number of bedrooms permitted in all principal and additional units on the lot is twelve.
 (b) despite (a), an oversize dwelling unit is not permitted within a coach house.
- (5) Parking and driveways serving an additional dwelling unit and/or coach house are subject to the following:
 (a) In the case of a corner lot, a new driveway may be created in a yard which abuts a street and which does not contain a driveway for the principal dwelling unit.

- (b) Except in the case of subsection (5)(a), and despite 100(5), a parking space for an additional dwelling unit or coach house must be located in a permitted driveway associated with the principal dwelling unit, and may be in tandem with the principal dwelling unit's parking space.

Coach Houses

- (6) A coach house must be located:
 - (a) in the rear yard for lots less than 0.4 hectares in area (By-law 2017-231) (By-law 2017-322)
 - (b) in the case of a lot with frontage on both a street and a travelled public lane, in the yard adjacent to the travelled public lane.
- (7) A coach house must be serviced:
 - (a) Within Areas A, B and C on Schedule 1, from the principal dwelling, and the principal dwelling must be serviced by a public or communal water and waste water system;
 - (b) Within Area D on Schedule 1,
 - (i) by sharing at least one of either the well or septic system servicing the principal dwelling, or
 - (ii) from the principal dwelling serviced by a private septic system, private well, communal water system or communal waste water system.
- (8) The maximum permitted height of a building containing a coach house:
 - (a) in the AG, EP, ME, MR, RC, RG, RH, RI, RR, RU, V1, V2, V3 and VM Zones, is the lesser of:
 - (i) the height of the principal dwelling; or
 - (ii) 4.5 metres.
 - (iii) despite (ii), where the building containing a coach house also includes a garage containing a parking space established in accordance with Part 4 of this by-law, the building may have a maximum height of 6.1 metres. (By-law 2017-231)
 - (b) in any other zone, is the lesser of:
 - (i) the height of the principal dwelling; or
 - (ii) 3.6 metres, except for a coach house with a flat roof, which has a maximum building height of 3.2 metres; (By-law 2017-231)
 - (c) section 64 (Permitted Projections Above the Height Limit) does not apply to a building containing a coach house, except with respect to:
 - (i) chimneys
 - (ii) flagpoles
 - (iii) ornamental domes, skylights or cupolas, provided that the cumulative horizontal area occupied by such features does not exceed 20% of the footprint of the coach house.
- (9) Required setbacks from lot lines for a coach house are as follows:
 - (a) from the front lot line, the minimum setback must be equal to or greater than the minimum required front yard setback for the principal dwelling.
 - (b) from the corner side lot line, the minimum setback must be equal to or greater than the minimum required corner side yard setback for the principal dwelling.

- (c) from the interior side lot line,
 - (i) Within Areas A, B, and C on Schedule 1, where the interior side lot line abuts a travelled lane or where no entrance or window faces the interior side lot line, the maximum permitted setback is 1 metre (By-law 2017-231)
 - (ii) in all other cases, the minimum required setback is 4 metres
- (d) from the rear lot line,
 - (i) where the rear lot line abuts a travelled lane or where no entrance or window faces the rear lot line, the maximum permitted setback is 1 metre
 - (ii) in all other cases, the minimum required setback is 4 metres.
- (e) Where an easement exists which prevents a coach house from complying with a maximum setback, the maximum setback may be increased only to such a point so as to accommodate the easement, and 0% fenestration is permitted on any wall less than 4 m from a property line that also faces that property line. (By-law 2021-215)
- (f) Despite the above, where located in Areas A, B or C of Schedule 1, where a wall of the coach house faces an interior side lot line or rear lot line that abuts a non-residential use, the minimum setback from the interior side lot line or rear lot line is 1.2 metres. (By-law 2022-103)
- (g) A coach house must be a distance of at least 1.2 m away from any other building located on the same lot.
- (10) The **footprint** of a building containing a coach house excluding an accessory use which services the primary dwelling and the coach house building, may not exceed the lesser of: (By-law 2017-231)
 - (a) 40 per cent of the **footprint** of the principal dwelling, or where the principal dwelling has a **footprint** of 125 square metres or less, 50 square metres;
 - (b) 40 per cent of the area of the yard in which it is located; or
 - (c) 80 square metres in Area A, B and C on Schedule 1, or 95 square metres in Area D on Schedule 1.
- (11) The total **footprint** of a building containing a coach house plus all accessory buildings and structures in a yard may not exceed:
 - (a) in the AG, EP, ME, MR, RC, RG, RH, RI, RR and RU Zones, 5 per cent of the area of the yard in which they are located, or
 - (b) in any other zone, 50 per cent of the area of the yard in which they are located.
- (12) A walkway must be provided from a driveway, public street or travelled lane to the coach house, and such walkway:
 - (a) must be at least 1.2 metres in width;
 - (b) must not exceed 1.5 metres in width;
 - (c) no person may park a vehicle on any part of a walkway under this subsection, other than that part of the walkway that encroaches on a permitted driveway.
- (14) A vehicle associated with a coach house may be parked in tandem in the driveway of the principal dwelling.
- (15) The roof of a building containing a coach house:

- (a) may not contain any rooftop garden, patio, terrace or other amenity area;
 - (b) despite (a), may contain a vegetative green roof provided it is not designed or equipped for use as an amenity area.
 - (c) when located on a property in Areas A, B or C on Schedule 1, must not be a shed style roof. (By-law 2017-231)
- (16) Where located entirely in the rear yard, all or part of an accessory building existing as of September 14, 2015 may be altered to contain a coach house in accordance with the following:
- (a) the building envelope may be enlarged in accordance with this subsection, and subsections (8)(a), (8)(b) and (9) do not apply except as set out in this subsection;
 - (b) the building including any enlargement must continue to be located entirely within the rear yard;
 - (c) no part of the building that is not located within the building envelope of the original accessory building as it existed on September 14, 2015, may exceed the applicable maximum permitted building height in subsection (8);
 - (d) no window or entrance is permitted on any wall facing and within 4 metres of a lot line.
- (17) Where not located entirely in the rear yard, all or part of an accessory building existing as of September 14, 2015 may be altered to contain a coach house in accordance with the following:
- (a) the building may not be enlarged beyond the building envelope of the accessory building as it existed on September 14, 2015;
 - (b) subsections (6), (8)(a), (8)(b), and (9) do not apply except as set out in this subsection; and
 - (c) no window or entrance is permitted on any wall facing and within 4 metres of a lot line.
- (18) Despite subsection (9), where an accessory building existing as of September 14, 2015 exceeds the permissible footprint in subsection (10), all or part of the accessory building may be altered to contain a coach house in accordance with subsections (16) or (17) provided that:
- (a) after the addition of the coach house, the building envelope has not been enlarged beyond the envelope existing on September 14, 2015; and
 - (b) the gross floor area of the coach house does not exceed 80 square metres, if located within Areas A, B or C on Schedule 1, or 95 square metres in Area D on Schedule 1. (By-law 2016-356)
- (19) Clause 3(1)(b) of Section 3 does not apply to a coach house.

Rear Yard Parking and Landscaping Directions

Amend Section 139 by adding the following as subsections (x1), through (x7):

(x1) No more than 70 per cent of the rear yard area may be occupied by parking spaces and driveways and aisles accessing parking.

(x2) At least 15 per cent of the rear yard area must be provided as soft landscaping.

(x3) No provisions of amending by-law 2023-XXX act to prevent the issuance of a building permit for which a completed application for Site Plan Control, Committee of Adjustment approval, Zoning Amendment or Building Permit was received by the City or for which a decision was rendered by the Ontario Land Tribunal before October XX, 2023 and such applications may be processed under the provisions in place prior to this amendment.

(x4) This subsection is repealed on October XX, 2024 (1 year after date of adoption by council).

New and Amended Definitions

Amend Section 54 (Definitions) as follows:

By deleting the definition of “secondary dwelling unit” and replacing it with the following definition for “additional dwelling unit”, as follows:

Additional dwelling unit means a separate dwelling unit located in the same building as an associated principal dwelling unit in a detached dwelling, linked-detached dwelling, semi-detached dwelling, duplex dwelling, or townhouse dwelling; and its creation does not result in the conversion of the existing residential use into a different residential use.

By amending the definition of “coach house” by replacing the reference to “separate dwelling unit” with “separate additional dwelling unit”, so that it reads as follows:

Coach House means a separate additional dwelling unit that is subsidiary to and located on the same lot as an associated principal dwelling unit, but is contained in its own building that may also contain uses accessory to the principal dwelling.

By amending the definition of “conversion” by replacing reference to secondary dwelling unit with “additional dwelling unit” as follows:

Conversion means the alteration of, but not demolition of a residential use building to increase the number of principal dwelling units or rooming units, resulting in the creation of a use which must be a permitted use in the zone and does not include the creation or addition of an additional dwelling unit, and the converted has a corresponding meaning.

Technical Amendments

Update “secondary dwelling unit” to “additional dwelling unit”

Amend Section 3 (Non-Conformity and Non-Compliance) as follows:

By amending section 3(1)(b) as follows: “no new dwelling units, oversize dwelling units, rooming units or additional dwelling units are created.”

By amending section 3(5)(d) to substitute secondary dwelling unit with “additional dwelling unit” as follows: “despite Section 3(1) in a V1, V2, V3 or VM zone an additional dwelling unit is permitted on a lot that is legally non-complying for lot width or lot area.”

Amend Section 55 (Accessory Uses, Buildings and Structures as follows:

By amending section 55(5) so that it reads: “An additional dwelling unit is not considered to be an accessory use and it is regulated by Section 133.”

Amend Part 5 – Residential Provisions preamble as follows:

By amending the preamble so that it reads: “This part contains provisions that apply specifically to residential dwellings located throughout the whole of the City, and includes regulations for uses including conversions, group homes, home-based businesses, and additional dwelling units.”

Amend Section 101 (Minimum Parking Space Rates) as follows:

By amending Column I of Row R24 of Table 101 to substitute “secondary dwelling unit” with “additional dwelling unit”.

By deleting Row R25 of Table 101.

Amend Section 121A (Short-Term Rental Provisions) as follows:

By deleting from section 121A(4) “secondary dwelling unit” and replacing with “additional dwelling unit” so that it reads:

“notwithstanding subsection (2) a short-term rental is only permitted in an additional dwelling unit or coach house where the additional dwelling unit or coach house is exclusively and separately occupied as a principal residence, and the short-term rental may only be operated by the exclusive resident of the additional dwelling unit or coach house.”

Amend Section 121B (Cottage Rental Provisions) as follows:

By deleting from section 121B(1) “secondary dwelling unit” and replacing with “additional dwelling unit” so that it reads:

“a cottage rental is permitted within an existing dwelling unit, oversized dwelling unit, additional dwelling unit or coach house in any AG, RU, RR, or RC zone, other than subzones AG4 to AG8, inclusive.”

Amend Section 127 (Home-Based Business) as follows:

By amending 127 to remove references to secondary dwelling unit and replacing with “additional dwelling unit” so that it reads as follows:

“(1) Home-based businesses are permitted in any dwelling unit, oversize dwelling unit, additional dwelling unit or rooming unit, in any zone that permits residential uses provided: (By-law 2018-206)

- a. they must not become a nuisance because of noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking generated;
- b. they must not become a fire or building hazard or health risk;
- c. they must not interfere with radio, television or other telecommunications transmissions;
- d. one or more residents may operate a business; and
- e. the operators of the home-based businesses must reside in the dwelling, oversize dwelling unit, additional dwelling unit or rooming unit from which the home-based business is conducted, including when the business is in operation.

(2) Any number of businesses may exist provided the cumulative maximum total gross floor area outlined in either subsection (9) or Section 128(3), as the case may be, is not exceeded.

(3) Despite the unlimited number of businesses permitted, a maximum of only one, on-site, non-resident employee is permitted per principal dwelling unit or oversized dwelling unit.

(4) On-site non-resident employees are prohibited in association with any home-based business located within an additional dwelling unit, rooming unit, or dwelling unit within an apartment dwelling, low rise or an apartment dwelling, mid rise or an apartment dwelling, high rise. (By-law 2014-292)

5. No client or customer may be attended or served on-site in the case of any home-based business located within an additional dwelling unit, rooming unit, or dwelling unit within an apartment dwelling, low rise or an apartment dwelling, mid rise or an apartment dwelling, high rise.

6. Where any parking is required for the home-based business, such space may be located in the driveway.

7. There is no visible display or indication of any home-based business from the street, other than the maximum of one sign for all home-based businesses on the lot, as provided for in an applicable Signs By-law.

8. Home-based businesses must not involve the use of the premises as a dispatching office or supply depot.

9. Any number of home-based businesses is permitted on a lot which permits a residential use, either within the dwelling unit, or oversized dwelling unit, rooming unit or additional dwelling unit, or within an attached garage on the lot, provided that:

a. if within a dwelling unit, oversized dwelling unit or additional dwelling unit, the cumulative size of all home-based businesses per dwelling unit or oversized dwelling unit or additional dwelling unit must not exceed 25 per cent of the unit's gross floor area or 28 square metres whichever is the greater;

b. if within an attached garage, the cumulative size of all home-based businesses must not exceed a maximum of 54m², and the required parking for the dwelling unit or oversized dwelling unit must continue to be legally provided on the lot; (By-law 2018-206)

c. if within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area within the building; and

d. In the case of subsections (a) and (b), the cumulative total is for all home-based businesses within the principal dwelling unit and attached garage combined, with a separate cumulative total applicable to the additional dwelling unit, and not for the principal dwelling unit, attached garage and additional dwelling unit combined. (By-law 2012-334)

10. The business of storing automobiles, buses, boats, recreation and any other types of vehicles is specifically prohibited.

(11) Outdoor storage is prohibited. (By-law 2012-334)

(12) Where a home-based business sells on the premises, it sells only those items that are made on the premises. Despite the foregoing, telemarketing and mail order sales are permitted provided that any merchandise purchased is delivered or mailed directly to the customer. (By-law 2012-334)

(13) Businesses that require a business, not professional, license under the City of Ottawa's Licensing By-laws are not permitted, except that the following businesses requiring licenses are permitted:

- a. plumbing contractors;
- b. taxi cab and limousine drivers, but not brokers, to a maximum of two taxis or limousines (By-law 2012-334)(By-law 2012-180) (By-law 2020-299)

(14) Nothing in subsection (13) prevents the administrative and indoor storage functions of such licensed businesses from being operated as a home-based business provided such functions comply with the provisions of subsections (1) through (12) inclusive.

(15) Section 126 sets out the regulations applicable to the parking of heavy vehicles.

Amend Section 128 as follows:

By amending 128(3) to delete the words "secondary dwelling unit" and replace them with "additional dwelling unit".

By amending 128(5) to delete the words "secondary dwelling unit" and replace them with "additional dwelling unit".

Amend Section 128A as follows:

By amending 128A(3) to delete the words "secondary dwelling unit" and replace them with "additional dwelling unit".

By amending 128A(4) to delete the words "secondary dwelling unit" and replace them with "additional dwelling unit".

Amend Section 132 as follows:

By deleting 132(5) and replacing it with the following:

"Despite (4), a building containing a rooming house may contain one additional dwelling unit."

Amend "Secondary Dwelling Unit" to "Additional Dwelling Unit" in permitted uses lists

Amend the permitted uses lists in Sections 155(1), 157(1), 159(1), 161(1), and 163(1) (R1-R5 Zones) by deleting the term "secondary dwelling unit" and replacing it with "additional dwelling unit".

Amend Section 188(29)(d)(iv) (GM29 Subzone) by deleting the term "secondary dwelling unit" and replacing it with "additional dwelling unit".

Amend Section 190(8)(c)(xii) (LC8 Subzone) by deleting the term "secondary dwelling unit" and replacing it with "additional dwelling unit".

Amend Section 194(4)(a)(ii) (MD4 Subzone) by deleting the term "secondary dwelling unit" and replacing it with "additional dwelling unit".

Amend Section 198(13)(a) (TM13 Subzone) by deleting the term "secondary dwelling unit" and replacing it with "additional dwelling unit".

Amend Section 211(1)(c) (AG Zone) by deleting the term "secondary dwelling unit" and replacing it with "additional dwelling unit".

Amend Section 212(3) (AG Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 225(1)(d) (RR Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 227(1)(d) (RU Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 228(1)(a) (RU1-RU4 Subzones) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 229(1) (VM Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 230(1) (VM1 Subzone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 230(2)(a)(i) (VM2 Subzone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 231(1) (V1 Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 233(1) (V2 Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Amend Section 235(1)(d) (V3 Zone) by deleting all references to “secondary dwelling unit” and replacing them with “additional dwelling unit”.

Amend Section 237(1) (DR Zone) by deleting the term “secondary dwelling unit” and replacing it with “additional dwelling unit”.

Exceptions

Amend Part 15 (Exceptions) as follows:

<p>1. Rockcliffe Park Exceptions (1256-1262)</p>	<p>By deleting “secondary dwelling unit” from Column IV of Exceptions 1256, 1257, 1258, 1259, 1260, 1261, and 1262 [Rockcliffe Park Special Exceptions].</p> <p>By amending the definition of “gross floor area” found in Column V of Exceptions 1256, 1257, 1258, 1259, 1260, 1261, and 1262 [Rockcliffe Park Special Exceptions] by adding the words “and coach houses” after the words “accessory buildings”, so that this definition reads:</p>
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	<p>“gross floor area, means the total area of each floor, measured from the exterior of outside walls, excluding a basement, and including:</p> <ol style="list-style-type: none"> 1. accessory buildings and coach houses; 2. potential floor area that is the area of a floor that is projected from an actual floor of a storey that is above the floor area of another storey or basement; and 3. attic, where the height above the floor area of the attic is a minimum of 2.3 metres over at least 75 per cent of the floor area with a clear height of 2.1 metres of any point over the floor area”
<p>2. Miscellaneous Exceptions – Exceptions 225, 303, 303, 630, 640, 731, 769, 1564, 1644, 1648, 1649, 1963, 1964, 2064, 2110</p>	<p>By deleting all instances of the term “secondary dwelling unit” from Column IV of Exceptions 225, 303, 630, 640, 731, 769, 1564, 1644, 1648, 1649, 1963, 1964, 2064, and 2110 and replacing them with the term “additional dwelling unit”.</p>

Amend Section 58 (Flood Plain Overlay) as follows:

By replacing the reference to “a secondary dwelling unit” in Section 58(2)(e) with “one additional dwelling unit”.

By amending Section 58(4) to delete the words “other than a coach house” and replace them with “other than an additional dwelling unit that is either partially or fully below grade, or is a coach house”.

Document 2 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Public Comments and Responses

Comment:

How many bedrooms would be permitted in a coach house?

Response:

Up to four bedrooms are permitted in a coach house, in accordance with the Zoning By-law definition of a “dwelling unit”. Note that the existing regulations with respect to maximum permitted height, yard setback and building footprint for coach houses are not proposed to be changed in this amendment.

Comment:

In the case of dwellings containing an oversized dwelling unit, the proposed amendment states that the maximum cumulative permitted number of bedrooms on the lot across the principal and additional dwelling units is twelve. How many bedrooms are permitted on a lot not containing an oversized dwelling unit?

Response:

By definition, a dwelling unit that is not oversized is not permitted to contain more than four bedrooms. The cumulative limit of twelve bedrooms on a lot containing an oversized dwelling unit was chosen to ensure a consistent cumulative limit on the number of bedrooms for any lot containing a single principal unit and two additional dwelling units. Since each non-oversized dwelling unit is limited to four bedrooms, a building or lot containing three dwelling units can by definition not contain more than twelve bedrooms total in any case.

Comment:

Current zoning regulations do not permit new parking to be created or driveway widening. Many tenants and homeowners rely on their vehicles and require driveway parking but this restriction forces occupants to park on streets or to rent parking spots from nearby homes. In order to support gentle intensification, the city should allow

driveway widening in the form of mixed permeable hardscapes for the extra parking spots, while retaining a minimum of 30% landscaped open space in the front yard.

Response:

It is not proposed to review regulations concerning permitted driveway widths or front yard parking at this time. Staff will undertake a more fulsome review of residential parking regulations, including parking in both front and rear yards, as part of the new Comprehensive Zoning By-law review.

With respect to the proposed directions for rear yard parking and landscaping, Staff are of the opinion that rear yard regulations are necessary to ensure that the entirety of a rear yard is not paved over for parking in conjunction with a development containing additional dwelling units, and that some area is left aside as landscaped area. As previously noted, these are intended to be interim regulations while the Comprehensive Zoning By-law is under development.

Community Organization Comments and Responses

Hintonburg Community Association

Comment:

The Hintonburg Community Association urges you to implement restrictions on rear yard parking to prevent these rear yards from being completely paved over during the next 2-3 years as the new Zoning By-Law is being written.

All levels of government talk about a “Climate Change Crisis”. Paving over entire yards does nothing to work towards any of the climate mitigation goals. Infrastructure management issues are being compounded as bigger buildings and asphalt replace permeable surfaces more and more often. Less than a month ago a rain storm caused major flooding.

Our suggestion is a new Option 6 – which would be a combination of staff’s recommended Option 5, which we support, plus Option 4 (a minimum 15m² soft landscaped area) plus a stipulation that the required 15m² soft landscaped area be provided as an aggregated rectangular area whose longer dimension is not more than twice its shorter dimension for the purposes of tree planting. During the R4UA-UD zoning and infill reviews – the minimum aggregated rectangular area required for a tree was set at 25 square metres – so is a 15 square metres rectangle big enough as is indicated in the report? This would be important to require IF a tree can actually survive and thrive in that small a footprint – we look to forestry for an answer to that.

We hope that we understand correctly that if the staff recommended Option 5 is passed by Planning Committee that these rules will actually apply to long semidetached buildings across the city!

A long semi-detached dwelling can now contain 6 dwelling units with a possible maximum total of 24 bedrooms. Currently long semis have not had to provide any rear yard soft landscaping. In Hintonburg most of these are on lots that are 300 square metres or less. Almost all long semis in our area have the entire rear yard paved with asphalt, from lot line to lot line. Any other building with 4 units or more in the R4U zone is prohibited from providing any parking on a lot that is under 450 square metres – but the long semis have been exempt from this requirement.

Any building with 3 units or more in the R4UA-UD zones must provide a minimum of 35 square metre soft landscaping in the rear yard AND ensure that there is a minimum aggregated rectangular area that is 25 square metres in a configuration that is twice as wide as it is long. We were told that this was the size required to support the growth of a tree. Yet long semis – with four units have been allowed to cover the entire rear yard in asphalt.

We believe that long semis should be considered for what they are – four or six unit apartments and they should conform to the landscaping requirements for the number of units they have in the associated zone.

This summer has shown us Climate Change. Properties with no trees or soft landscaping and no permeable surfaces in the rear will exacerbate the impacts.

Please vote for these interim measures and consider our suggestion to add at least an aggregated area sufficient for a tree to grow before rear yards are completely paved.

The new Zoning By-Law must ensure that long semis are required to follow the requirements of any other four or six unit building.

Response:

Staff recognize the concerns that have been raised with respect to the regulation of long semi-detached dwellings versus four to six unit low-rise apartment buildings in the R4UA-UD subzones. As noted in the comment, when these subzones were first introduced to R4 zones in the inner urban areas in 2020, they included a number of landscaping requirements in association with “low-rise apartment dwelling” uses. A long semi-detached dwelling is a distinct land use from a low-rise apartment dwelling, however as a result of Bill 23’s ADU permissions, can now potentially contain up to six dwelling units when factoring in that two ADUs are permitted per principal dwelling unit.

The proposed parking and landscaping regulations will apply to all permitted uses in all R1, R2, R3, R4, and R5 zones, including long semi-detached dwellings. The purpose of introducing these regulations is primarily to address the current lack of specific limitations on the ability to provide parking within a rear yard, outside of specific cases and typologies such as for low-rise apartment dwellings in the R4UA-UD subzones as is discussed in this comment.

As the new Zoning By-law will seek to move away from typology-specific restrictions in accordance with Official Plan regulations, Staff will seek in the new By-law to establish consistent landscaping regulations regardless of housing typology or unit count, to ensure that permeable space and space for adequate tree canopy is appropriately managed on residential lots.

Old Ottawa East Community Association

Comment:

We support the intent to limit the amount of rear-yard area occupied by parking spaces and access to those spaces, with the objective of ensuring that sufficient landscaping and permeable space is provided to support tree growth and retention (per provisions for front yards in the Infill monitoring changes in 2020). As a community association, we have consistently argued for protection of rear-yard setbacks to provide adequate access to sunlight, natural ventilation, privacy and, in particular, sufficient area and soil volume to allow trees to grow and thrive. This is critical to the 'liveability' of our communities, to the physical and mental health of our residents, and to our collective efforts to address climate change.

For this reason, we applaud the Official Plan's goal of a 40 per cent urban forest canopy in the City of Ottawa. Every effort must be made to achieve this target throughout the city, including in urban areas such as Old Ottawa East – i.e., trees in urban neighbours should not be sacrificed in the expectation that you can 'make up' the loss in more suburban or rural parts of the city. To reach the 40 per cent target, zoning by-laws and guidelines must stipulate strict adherence to adequate rear-yard setbacks. In our view, the requirement to provide 15 per cent of the rear yard as soft landscaped area will not always be sufficient; the required percentage will be influenced by lot size. Where lot sizes are small, 15 percent will be woefully inadequate for supporting trees that can thrive. Thus we recommend that the minimum percentage of soft landscaping area required be based on lot size, on some type of scale grounded in minimum soil volumes required to support a tree canopy.

We do not support PRED's recommendation to remove the restriction on the location of entrances from Section 133. Again, lot size should be a consideration in determining the

number and location of entrances to additional dwelling units. Where lots are small in Old Ottawa East, multiple entrance doors will have the undesired effect of damaging the character of the streetscape and neighbourhood. Discretion should be exercised based on lot size and neighbourhood character.

Response:

Staff acknowledge the comments with respect to the proposed rear yard parking and soft landscaping regulations. The proposal to use percentages for the parking and landscaping provisions are to ensure there is an applicable restriction on the amount of rear yard that may be used for parking regardless of lot size. The proposed restrictions are intended as an interim measure while the new Comprehensive Zoning By-law is under development, and the new Zoning By-law regulations will need to consider how to appropriately balance functional uses of rear and front yards (including parking) with space for soft landscaping, tree retention and planting.

With respect to the proposal to remove restrictions on the location of entrances for additional dwelling units, Staff respectfully disagree with the assertion that multiple entrances in the front wall or façade of a building represent a detriment to streetscape or neighbourhood character. In general, front doors facing the street are an appropriate feature as they allow residential buildings to directly connect with the street and pedestrian realm. Staff would further note that there more generally do not exist zoning restrictions on the maximum number of entrances in a front wall or façade in the case of any other housing typology, including in the case of a detached dwelling containing no additional dwelling units.

Greater Ottawa Home Builders Association (GOHBA)

Comment:

GOHBA supports the proposal to eliminate floor area and entranceway restrictions as staff's recommended option to implement zoning for ADUs.

Of the rear yard options presented, GOHBA's preference is to proceed only with the regulation for no more than 70 per cent of the rear yard area occupied by parking spaces, including any driveways and/or aisles within the rear yard providing access to parking spaces. Requiring a 15 per cent soft landscaped area in addition to this would leave only 15% of the rear yard for patios, pathways, bicycle storage and garbage storage. There may be many situations where this is insufficient space to accommodate these functions.

Response:

Staff acknowledge GOHBA's support for the maximum 70 per cent regulation for rear yard parking areas, and the proposal to remove existing maximum floor area and entranceway restrictions.

With respect to the landscaping requirement, Staff recognize that where rear yard parking is provided, some amount of space will need to be left over for other functions than parking and soft landscaping. However, given that there is no rear yard soft landscaping provision that applies generally across all existing R1-R5 zones city-wide, Staff are of the opinion that a rear yard landscaped requirement is necessary in conjunction with the proposed parking regulation. Staff have proposed to set this at 15 per cent to ensure that where the maximum permitted 70 per cent is used for parking, at least half of the remainder of the rear yard area is set aside for soft landscaping, leaving the remainder for other functions including garbage storage, bicycle storage, and patios.

Subject: Ottawa Community Lands Development Corporation - 2022 Annual Report

File Number: ACS2023-PRE-CRO-0026

Report to Planning and Housing Committee on 4 October 2023

and Report to Council 11 October 2023

**Submitted on September 22, 2023 by Wendy Stephanson
President and Chief Executive Officer of the Ottawa Community Lands
Development Corporation**

**Contact Person: Peter Radke
Secretary and Chief Operating Officer of The Ottawa Community Lands
Development Corporation**

613-580-2424, 12551, Peter.Radke@ottawa.ca

Ward: Citywide

**Objet: Société d'aménagement des terrains communautaires d'Ottawa
Rapport Annuel 2022**

Dossier : ACS2023-PRE-CRO-0026

Rapport présenté au Comité de la planification et du logement

Rapport soumis le 4 octobre 2023

et au Rapport et au Conseil le 11 octobre 2023

**Soumis le 22 septembre 2023 par Wendy Stephanson, Secrétaire et chef de
l'exploitation de La société d'aménagement des terrains communautaires
d'Ottawa**

**Personne ressource: Peter Radke, Secrétaire et chef de l'exploitation de La
société d'aménagement des terrains communautaires d'Ottawa**

613-580-2424, 12551, Peter.Radke@ottawa.ca

Quartier : À l'échelle de la ville

REPORT RECOMMENDATIONS

That Planning and Housing Committee recommend that Council:

1. Receive the 2022 Annual Report and audited financial statements of the Ottawa Community Lands Development Corporation attached as Document 1.

RECOMMANDATIONS DU RAPPORT

Que le Comité de la planification recommande au Conseil:

1. Prenne connaissances des états financiers vérifiés de la Société d'aménagement des terrains communautaires d'Ottawa pour l'année 2022 compris dans le Rapport annuel joint en tant que document 1.

BACKGROUND

On October 10, 2007, Council approved the establishment of the Ottawa Community Lands Development Corporation (OCLDC) for implementation of the Longfields Subdivision and CentrepoinTE Town Centre projects ([ACS2007-BTS-RPM-0008 - OCLDC Project Implementation Strategy](#)).

Council, at its meeting on January 28, 2009, approved recommendations to proceed with the incorporation of the Ottawa Community Lands Development Corporation to undertake City property development initiatives and transfer the control of the Longfields subdivision to the OCLDC ([ACS2008-COS-RPM-0063 - Development Corporation for City Owned Lands](#)). The OCLDC was incorporated under the *Corporations Act* (Ontario) (OCA). The City of Ottawa is the sole voting member.

The objectives for which the corporation is incorporated include the following:

- (a) To promote and undertake community improvement in the City of Ottawa by:
 - i. Planning, subdividing, and developing or redeveloping sites owned or held by the corporation for residential, industrial, commercial, institutional, public, recreational, religious, charitable or other use;
 - ii. acquiring, holding, selling, leasing or disposing of sites described in subparagraphs (i) above;
 - iii. undertaking or conducting studies, research and design work; and
 - iv. conducting public marketing and advertising for sale in connection with the activities set out in subparagraphs (i), (ii) and (iii) above.

- (b) To improve, beautify and maintain municipally-owned land, buildings and structures in the City of Ottawa as designated and approved by the City of Ottawa for the benefit of the community.
- (c) To undertake such other complementary activities not inconsistent with these objectives.

Based on the preceding, the mandate of the OCLDC is to promote responsible and innovative developments that enhance the City's ability to respond to changing market demands and further the City's public policy objectives by building strong neighbourhoods.

To achieve its mandate, the OCLDC uses the four pillars of sustainability approach: financial, social, environmental and cultural, when positioning underutilized surplus City property for development.

DISCUSSION

Under the by-laws for the OCLDC, the board is required to prepare an annual report and to hold an annual meeting to report on its activities for the year. The OCLDC, at its annual meeting held on September 14, 2023, accepted the Annual Report and Financial Statements for the year ending December 31, 2022.

The OCLDC had an exceptional year generating \$10,999,900 in land sales for the fiscal year ending 2022. \$1.8M of this was directed to the Affordable Housing Fund. The \$10.9M surpasses the annual revenue target of \$5.5M established by City Council for the land development corporation.

The OCLDC exceeded its goal of \$22 Million for the 2019-2022 term of Council and in fact produced \$24 million in gross revenues. Since its inception, the OCLDC has recorded total sales exceeding \$108 Million and these funds have been used to fund various City initiatives.

During the past year, both Legal Services and Corporate Finance Services have provided key support to the operations of OCLDC in fulfilling its mandate.

The objectives and mandate of the OCLDC are achieved through the primary support of the Corporate Real Estate Office. Staff of the Corporate Real Estate Office work in partnership with the OCLDC to complete projects directed by Council to the OCLDC.

The 2022-2026 Council Governance Review (ACS2022-OCC-GEN-0030) has directed OCLDC to establish a new mandate starting in 2023, with a focus of providing more opportunities for affordable housing. OCLDC staff and its legal counsel have been

working on revisions to the mandate and revised policies which will be tabled at a future committee and council meeting in Q4 of this year.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Public notification of this report will occur through normal notification process. Individual projects undertaken by the OCLDC follow the normal notification processes of the City in engaging the community.

LEGAL IMPLICATIONS

The presentation of the Annual Report together with audited financial statements and the auditor's report to City Council is required pursuant to OCLDC's By-laws and legislation governing corporate governance.

RISK MANAGEMENT IMPLICATIONS

There are no risk management impediments to implementing the recommendations in this report.

ASSET MANAGEMENT IMPLICATIONS

The sales of vacant parcels at 180 Kanata Avenue and 150 Kanata Avenue & 1200 Canadian Shield Way will reduce the City's Asset Management responsibilities with respect to maintenance and liability of these lands.

FINANCIAL IMPLICATIONS

There are no financial implications associated with receiving this report.

ACCESSIBILITY IMPACTS

There are no accessibility implications to implementing the recommendations set out in this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications with respect to implementing the recommendations set out in this report.

TERM OF COUNCIL PRIORITIES

The OCLDC mandate is to implement Council directions as spelled out in its Term of Council Priorities. These are embodied in the four pillars approach, which is to ensure that development or value being added to the City's real estate assets contributes to the overall financial, social, environmental and cultural objectives of Council.

The OCLDC achieved its goal of \$22 Million for the 2019-2022 term of Council and in fact produced \$24 million in gross revenues.

SUPPORTING DOCUMENTATION

Document 1 2022 Annual Report (including Audited Consolidated Financial Statements)
of the Ottawa Community Land Development Corporation

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION



2022 ANNUAL REPORT

180 Kanata Avenue



Message from the Chair

On behalf of the Ottawa Community Lands Development Corporation (OCLDC) and its Board of Directors, we are pleased to share the Annual Report for 2022 to our members, the City of Ottawa.

This annual report details the performance of the OCLDC for 2022. Part of the mandate is to divest of the City of Ottawa's surplus properties that are no longer needed for program requirements. As part of the divesting of these properties, the OCLDC continued to improve communities by enhancing municipally owned land through the four pillars, which are financial, social, environmental and cultural sustainability. Thus, also eliminating carrying costs, increasing the tax base for the City of Ottawa, supporting affordable housing and enabling efficient infill development.

It was a successful year for the OCLDC as it closed on two major real estate transactions which generated \$10,999,900 in sale proceeds for 2022.

I would like to take this opportunity to thank the former board members for their service during the 2019-2022 City Council term and welcome the new board members.

I look forward to another term as Chair and working on the new mandate of providing more opportunities for affordable housing and fulfilling Council's objective of creating a more inclusive City of Ottawa.

We continue to achieve the mandate of the corporation and to serve this Council and the City of Ottawa.

Sincerely



Pamela Sweet
Chair



Report to the Members

This Annual Report provides context for the evaluation and review of the Corporation's activities and progress in 2022. The report also supports the requirements of the Corporations Act (Ontario) for holding the 2022 Annual Members' Meeting of the Ottawa Community Lands Development Corporation (OCLDC) including receipt of Audited Financial Statements for 2022.

Mandate

On October 10, 2007, City Council approved the establishment of the Ottawa Community Lands Development Corporation (OCLDC) for implementation of the Longfields Subdivision and CentrepoinTE Town Centre projects (Report number ACS2007-BTS-RPM-0008). Staff undertook planning and engineering studies and held open house consultations with the community for the Longfields and CentrepoinTE Town Centre projects. An application for subdivision approval for the Longfields lands was initiated and draft subdivision approval was obtained for the establishment of a demonstration project.

In January 2009, City Council approved recommendations to proceed with the incorporation of the OCLDC to undertake City property development initiatives and transfer the control of the Longfields subdivision to the OCLDC (Report ACS2008-COS-RPM-0063).

In August 2009, the Letters of Patent were issued by the Ontario Ministry of Government Services establishing the Ottawa Community Lands Development Corporation/La Société d'Aménagement des Terrains Communautaires d'Ottawa for the purpose of promoting and undertaking community improvements in the City of Ottawa to improve, beautify and maintain municipally owned land, buildings and structures for the benefit of the community.

The objectives for which the corporation is incorporated include the following:

- (a) To promote and undertake community improvement in the City of Ottawa by:
 - i. planning, subdividing, and developing or redeveloping sites owned or held by the corporation for residential, industrial, commercial, institutional, public, recreational, religious, charitable or other use;
 - ii. acquiring, holding, selling, leasing or disposing of sites described in subparagraph (i) above;
 - iii. undertaking or conducting studies, research and design work; and
 - iv. conducting public marketing and advertising for sale in connection with the activities set out in subparagraphs (i), (ii) and (iii) above.
- (b) To improve, beautify and maintain municipally owned land, buildings and structures in the City of Ottawa as designated and approved by the City of Ottawa for the benefit of the community.

- (c) To undertake such other complementary activities not inconsistent with these objectives.

Strategic Directions

Based on the preceding, the goal of City Council in January 2009, in creating a development corporation was to achieve the following objectives:

- Obtain “optimal value” pertaining to financial and non-financial community investment;
- Maximize financial, social, environmental and cultural sustainability;
- Initiate a single point of accountability;
- Balance municipal objectives and guiding principles;
- Segregate duties between the approval bodies and the project;
- Address business issues related to the development;
- Enter into subdivision agreements;
- Engage in community consultation;
- Maintain a focused delivery; and
- Build on community objectives.

In addition to the above directions, Ottawa City Council also identifies how the services of the Corporate Real Estate Office (CREO) will be utilized in achieving the above noted goals and objectives.

OCLDC continues to achieve its mandate, which is to enhance communities by improving and enhancing municipally owned land through the four pillars, which are financial, social, environmental and cultural sustainability. As well, CREO is continually working to improve processes to ensure that OCLDC is efficient and effective in working to achieve its mandate.

Transfer of Assets from City to OCLDC

The core business of the OCLDC is unlocking value in the City of Ottawa’s real estate portfolio through strategic development. The focus of the OCLDC activities is to determine the development potential of these assets and to work with CREO on the due diligence and transfer processes to optimize that development potential. The OCLDC and CREO work collaboratively to identify opportunities within the City’s real estate portfolio for development and added value. To this end, the OCLDC has identified assets that have been earmarked for disposal or development and to market these assets to achieve the Corporations four pillars

The OCLDC and the City use a collaborative approach for the transfer of lands currently held by the City. This approach allows the OCLDC to pre-plan and implement development strategies for lands and proceed with actual transfers at a future date once

the City's disposal process is complete with respect to each parcel. This process entails circulation to relevant City Departments including the Housing Branch to determine if the parcels have corporate and or operational needs, before being declared surplus by City Council and transferred to the OCLDC. Properties that are no longer required for City programming or operating purposes are transferred to the OCLDC with development objectives approved by Council to achieve optimal value. The OCLDC also generates substantial community and financial value for the City of Ottawa through the sale of properties.

Sale Process for OCLDC Properties

The sale of properties under OCLDC complies with OCLDC's Disposals Policy. Properties are advertised for sale on the City's web site, through signage on the properties and notices that are distributed through mailing lists that include the home builders' associations, developers, and other interested parties. Successful purchasers are selected through a Request for Offer (RFO) process. Evaluation criteria are developed for each with specific requirements and are based on overall City of Ottawa Official Plan objectives and community input. Eligible proposals must meet the minimum requirements as established through the evaluation criteria. Successful proposals are based on achieving the highest score, i.e., achieving "optimal value" under the OCLDC Disposal Policy.

In accordance with the mandate for the Corporation, the activities of OCLDC resulted in several benefits to the City of Ottawa. These benefits are documented below.

Community Benefits

Over the past 14 years OCLDC projects have enhanced and provided significant benefits to the City of Ottawa and its communities as demonstrated below:

- Supporting the development of Institutional and community uses, such as providing sites for places of worship;
 - South Nepean Muslim Community Association (SNMC) Longfields; and
 - Qualicum Community Building – 48 Nanaimo Drive
- Development of a range of residential housing types catering to changing demographic, including the development of over 2,750 new residential units across the City;
- Providing lands for and supporting the development of affordable housing units;
 - Nepean Housing Corporation: Longfields
 - Multi-Faith Housing Initiative: Longfields
- Protecting over 17 hectares of Natural Environmental Area and parkland;
- Provision of parks and contribution to recreational facilities by reserving lands for these purposes prior to sale or requiring purchasers to contribute over and above the minimum statutory parkland dedication requirements;

- Environmental benefits through progressive sustainable development measures; like the Sustainability Checklist for new buildings;
- Job creation through spinoff opportunities in construction on these surplus sites and the businesses that occupy them;
- Increasing municipal tax base with the creation of additional residential and commercial units;
- Elimination of carrying costs for aging and surplus City assets;
- Promoting transit-oriented development;
- Promoting innovative transportation solutions like BRT stations, traffic roundabouts and traffic-calming; and,
- Supporting the construction of City infrastructure.

OCLDC Added Value

Some of the advantages of selling City lands through OCLDC include:

- Separating the City's land ownership/real estate development role from its planning authority role under Municipal and Planning Acts;
- Entering into Agreements with third party developers and imposing additional development control to ensure City objectives are met;
- Imposing positive covenants i.e. steps a future owner must take (e.g. installing services that benefit someone else – park or road);
- Requiring additional community benefit without having to pay the purchase or discount the price (i.e. satisfy special condition imposed in agreement);
- Acting like a private developer and entering into development agreements under Sections 41 and 51 of the Planning Act;
- Attracting targeted development/industries;
- Stimulating desirable employment;
- Promoting regeneration of neighbourhoods by steering development in a different direction;
- Advancing development opportunities;
- Generating a higher rate of return from sales; and,
- Rezoning lands to target a specific density or housing form.

OCLDC Sales in Fourteen Years of Incorporation

OCLDC has generated over \$110M in gross sales since its incorporation in 2009. Minimal expenses are realized through the Corporation. Disbursement expenses include legal fees, administrative costs, and general costs for a development corporation such as: engineering services, appraisals, insurance, licenses and permits, sale signs and audit fees. These do not include land acquisition costs.

Sales

In 2022, the OCLDC sold 180 Kanata Avenue, 150 Kanata Avenue, and 1200 Canadian Shield Way resulting in gross revenues of \$10,999,900. As per the City's Affordable Housing Land and Funding policy, 25% of net revenues are transferred to the City's Affordable Housing Reserve Fund. For 2022, the transfer amount was \$1,875,160. The other 75% of net revenues were transferred to the City's surplus land account to meet the 2022 budget requirements.

180 Kanata Avenue - Closed in May 2022 for \$1,924,900

The purchaser, Theberge Holdings Limited & Jay Patry Enterprises LLC, proposes to construct a six-storey mixed-use building comprised of 304 residential dwelling units as well as approximately 1,562 square metres of retail, café restaurant and public gym uses along Kanata Avenue and wrapping around the corner of a future public laneway. Shared amenity areas are proposed on the ground floor and open onto the interior courtyard which features a pool and landscaping elements. At the top of the building, a rooftop terrace overlooks the rear yard which features a community garden and south facing solar panels. Along the eastern portion of the building, a privately-owned public space (POPS) will animate the laneway, with street furniture and landscaping elements.

150 Kanata Avenue & 1200 Canadian Shield Way – Closed in July 2022 for \$9,075,000

The purchaser, Batimo Inc., proposes to develop a seven, nine and 11 storey building comprised of 351 residential units and retail space at grade facing Kanata Avenue.

Additional benefits from this OCLDC sale include:

- Provision of a mix of unit types to meet the Kanata Town Centre density goals and respond to housing demand in a growing and serviced community
- Implementation of revised Kanata Town Centre Concept Plan
- Greater control over how the development will address the Kanata Avenue frontage and interface with Bill Teron Park
- Final development of all City lands that make up the Kanata Town Centre

Marketing and Field Work

In 2022, in addition to the sale of 180 Kanata Avenue and 150 Kanata Avenue and 1200 Canadian Shield Way, OCLDC staff continued due diligence and field work on many properties that are on its long-range work plan and earmarked for future sale, including the following:

3169 Conroy Road:

- Explored potential for residential development with Planning staff
- Resolved issues with respect to berm abutting existing residential development
- Explored opportunity for joint marketing and development with lands to the north
- Assemble material in preparation for marketing in 2023

4160 Riverside Drive:

- Collaborated with Ottawa Airport Authority/Transport Canada.
- Commissioned servicing studies and resolve Official Plan and Zoning; and
- Negotiated with upstream landowners for access to servicing.

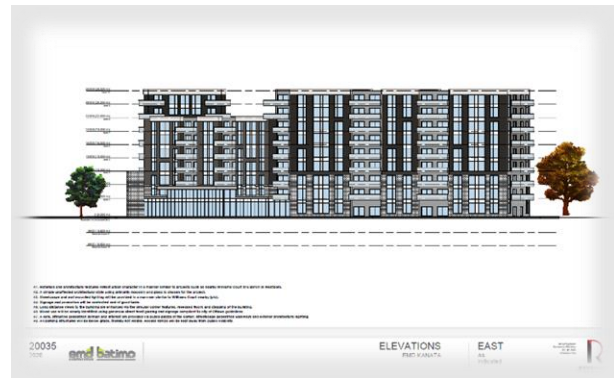
3071 Riverside Drive (Canoe Bay)

- Responded to purchasers request for modifications to Option to Repurchase Agreement due to restructuring plans approved by Courts
- Extensive consultations with legal counsel to ensure OCLDC interests are protected while Canoe Bay sought new partners to complete the development
- Liaise with Trustee overseeing restructuring and marketing plans to identify OCLDC requirements

1209 St. Laurent Boulevard

- Negotiated with purchaser of the property and new partners to ensure OCLDC profit-sharing and density participation obligations were protected
- Worked with legal counsel to prepare amendments to all agreements and secure future development concept

To further its social, cultural, environmental, and financial goals for the City of Ottawa, the OCLDC is continually examining strategic City properties that can be added to its portfolio. For the term of Council from 2023-2026, the OCLDC expects to successfully surpass its goals on all levels.



2022 Members of the Board of Directors

The OCLDC consists of the following members:



Pamela Sweet -
Chair



Kathleen Willis -
Vice-Chair



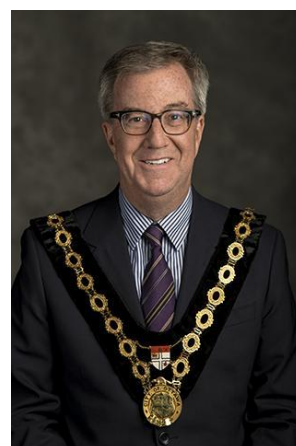
Laura Dudas -
Director



Riley Brockington -
Director



Rawlson King -
Director



Jim Watson -
Director

2022 Officers

The OCLDC consists of the following Officers:

Wendy Stephanson, President and Chief Executive Officer

Cyril Rogers, Treasurer and Chief Financial Officer

Peter Radke, Secretary and Chief Operating Officer

Financial Statements
Ottawa Community Lands
Development Corporation
December 31, 2022

Independent auditor's report

To the Board Members, Mayor and Members of Council of the
Ottawa Community Lands Development Corporation

Opinion

We have audited the financial statements of the Ottawa Community Lands Development Corporation [the "Corporation"], which comprise the statement of financial position as at December 31, 2021, and the statement of operations and statement of changes in net debt for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Corporation as at December 31, 2021, and its financial performance and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Corporation in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other information

Management is responsible for the other information. The other information comprises the information included in the Annual Report but does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of management and those charged with governance for the financial statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Corporation's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Corporation or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Corporation's financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Corporation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Corporation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Ernst & Young LLP

Ottawa, Canada
September 14, 2023

Chartered Professional Accountants
Licensed Public Accountants



A member firm of Ernst & Young Global Limited

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

STATEMENT OF FINANCIAL POSITION

As at December 31, 2022, with comparative information for 2021

Table 1: Statement of Financial Position - Assets

Assets

Financial assets	2022	2021
Accounts receivable	\$9,142	30,962
Taxes recoverable	6,578	17,510
Due from the City of Ottawa [note 5]	3,946,243	1,463,781
Total financial assets	3,961,963	1,512,253

Table 2: Statement of Financial Position - Liabilities

Liabilities	2022	2021
Accounts payable and accrued liabilities	2,923,959	243,853
Deposit agreements for future sales [note 3 and schedule 1]	0	550,000
Performance securities [note 6]	1,175,000	857,500
Total liabilities	4,098,959	1,651,353
Net debt	(136,996)	(139,100)

Table 3: Statement of Financial Position - Non-Financial Assets

Non-financial assets	2022	2021
Other assets [note 7]	136,996	139,100
Accumulated surplus	\$0	\$0

See accompanying notes

On behalf of the Board:

Director

Director

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

STATEMENT OF OPERATIONS

For the year ended December 31, 2022, with comparative information for 2021

Table 4: Statement of Operations - Revenue

Revenue [schedule 3]	2022	2021
Land sales	\$10,999,900	\$675,000
Contribution from the City of Ottawa [note 5 and schedule 3]	3,221,640	407,235
Total revenue	14,221,540	1,082,235

Table 5: Statement of Operations - Expenses

Expenses [schedule 2]	2022	2021
Land acquisition [note 4 and 5]	10,719,487	365,555
Development costs	2,720,045	179,203
Administrative expenses	483,297	353,985
Legal disbursements	298,711	183,492
Total expenses	14,221,540	1,082,235
Excess of revenue over expenses for the year	0	0
Accumulated surplus, beginning of year	0	0
Accumulated surplus, end of year	\$0	\$0

See accompanying notes

STATEMENT OF CHANGES IN NET DEBT

For the year ended December 31, 2022, with comparative information for 2021

Table 6: Statement of Changes in Net Debt

Statement of changes in net debt	2022	2021
Excess of revenue over expenses for the year	\$0	\$0
Decrease (increase) in other assets	2,104	83,102
Net debt at beginning of year	(139,100)	(222,202)
Net debt at end of year	\$(136,996)	\$(139,100)

See accompanying notes

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

NOTES TO THE FINANCIAL STATEMENTS

DECEMBER 31, 2022

1. NATURE OF BUSINESS

The Ottawa Community Lands Development Corporation [the “Corporation”] was incorporated on August 6, 2009 under the laws of the Province of Ontario as a corporation without share capital for the purpose of promoting and undertaking community improvements in the City of Ottawa by managing real property. The Corporation is controlled by the City of Ottawa.

2. BASIS OF PRESENTATION

The financial statements of the Corporation are prepared by management in accordance with accounting policies prescribed by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada.

Since a precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates, which have been made using careful judgment. Budget figures are not presented on the statements of operations and changes in net debt as no budget is prepared at the Corporation level.

Basis of accounting

Revenue and expenses are reported on the accrual basis of accounting. Revenue is recorded when earned and expenses are recorded when incurred.

Financial instruments

The Corporation’s financial instruments consist of accounts receivable, taxes recoverable, related party balances due from the City of Ottawa, accounts payable, performance securities and accrued liabilities and deposit agreement for future sale. Amounts recorded on the financial statements approximate the financial instruments’ fair value given the short-term nature of the balances.

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

NOTES TO THE FINANCIAL STATEMENTS

DECEMBER 31, 2022

Cash flow

The Corporation funds its cash requirements through the support of the City of Ottawa. The only cash transactions in fiscal 2022 were deposits totalling \$35,153 [2021 - \$17,250] representing land sale proceeds of \$0 [2021 - \$0], tax refund of \$17,535 [2021 - \$17,095], Accounts Receivable invoice \$17,445 [2021 - \$0] and other miscellaneous items totalling \$173 [2021 - \$155] that were subsequently transferred to the City of Ottawa. All other cash transactions from operating activities, including funds received for land sales, were processed through the City of Ottawa. The Corporation did not have cash movement from financing or investing activities during 2022 or 2021.

Use of estimates

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the amounts of assets and liabilities, the disclosure of contingent assets and liabilities and the amounts of revenue and expenses reported in the financial statements. These estimates are reviewed periodically and, as adjustments become necessary, they are reported in the period in which they become known. The most significant estimates used in preparing these financial statements are the amounts of accrued liabilities related to properties sold. Actual results could differ from those estimates by a material amount. The extent of measurement uncertainty cannot be reasonably estimated at this time.

3. *DEPOSIT AGREEMENTS FOR FUTURE SALES*

Deposit agreements for future sales represent deposits received pursuant to purchase and sale agreements. Sales revenue is recognized upon title of the property passing to the purchaser. The cash related to these deposits is held by the City of Ottawa and is reported on the statement of financial position as due from the City of Ottawa. For sales agreements terminated by the purchaser, non-refundable deposits are recorded as revenue and presented in other revenue.

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

NOTES TO THE FINANCIAL STATEMENTS

DECEMBER 31, 2022

4. LAND

Land inventory held for resale represents land held for future development. Capitalized costs include the purchase of land and development costs incurred related to unsold parcels. Land is accounted for at the lower of actual cost and net realizable value. The purchase price of land is the fair market value as at the projected date of sale. Fair value is the amount of the consideration that would be agreed upon in an arm's-length transaction between knowledgeable, willing parties who are under no compulsion to act. The cost of inventories comprises all costs of purchase, costs of conversion and other costs incurred in bringing the inventories to their present location and condition. Net realizable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale. Land inventory held for resale as at December 31, 2022 and 2021 was nil.

5. RELATED PARTY TRANSACTIONS

The City of Ottawa controls the Corporation and administers the cash disbursements on behalf of the Corporation. Any balance owing to the City of Ottawa is interest free and has no specified terms of repayment.

Related party transactions between the Corporation and the City of Ottawa include:

Table 7: Related Party Transactions

Related party transactions	2022	2021
Land acquisition	\$10,719,487	\$365,555
Legal and realty taxes disbursements	5,959	3,626
Administrative expenses	483,297	353,985
Contribution from the City of Ottawa	3,221,640	407,235

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

NOTES TO THE FINANCIAL STATEMENTS

DECEMBER 31, 2022

The contribution from the City of Ottawa represents funding revenue from the City of Ottawa to reimburse the Corporation for any excess expenses over land sale revenue.

Net purchase price of lands consists of \$10,719,487 [2021 - \$365,555] included in land acquisition costs on the statement of operations. Legal and realty taxes disbursements consist of \$799 [2021 - \$3,773] included in other assets on the statement of financial position and \$5,959 [2021 - \$3,626] included in legal disbursements on the statement of operations. Administrative expenses consist of \$483,297 [2021 - \$353,985] included in the administrative expenses on the statement of operations.

Change in due from the City of Ottawa comprises the following:

Table 8: Change in Due from the City of Ottawa

Change in due from the City of Ottawa	2022	2021
Opening balance of due from the City of Ottawa	\$1,463,781	\$913,440
Decrease in other assets	2,104	83,102
Decrease (increase) in accounts receivable	21,820	(30,962)
Decrease (increase) in taxes recoverable	10,932	(415)
Increase (decrease) in accounts payable and accrued liabilities	2,680,106	(1,384)
(Decrease) increase in deposit agreements for future sales	(550,000)	500,000
Increase in performance security	317,500	0
Net change	2,482,462	550,341
Closing balance of due from the City of Ottawa	\$3,946,243	\$1,463,781

6. PERFORMANCE SECURITIES

Performance securities are composed of refundable security deposits provided to the Corporation by purchasers of the properties. The amounts ensure development of the lands sold by the Corporation is in accordance with the Development Agreement. Reductions and releases are provided when directed by the Corporate Real Estate Office on behalf of the Corporation. As of December 31, 2022, the Corporation has \$1,175,000 [2021 - \$857,500] in performance and construction securities and \$2,781,000 [2021 - \$1,729,000] in letters of credit in the Corporation's favour for those properties sold in current and prior years.

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

NOTES TO THE FINANCIAL STATEMENTS

DECEMBER 31, 2022

7. OTHER ASSETS

Other non-financial assets consist of project development costs, other costs incurred to make a property ready to be listed for sale, and legal costs, which are stated at cost. Project development costs consist of direct costs relating to the commercial development of land by the Corporation as approved by City Council. These costs will be transferred to land inventory held- for-resale once the related property has been transferred to the Corporation. For projects that are abandoned, costs are immediately expensed.

8. CONTRACTUAL OBLIGATIONS

In accordance with the Cost Sharing Agreement signed on December 17, 2020, the Corporation is liable for completed and future works incurred by the contracting party upon the disposal of related properties. As of December 31, 2022, the Corporation has contractual obligations of \$300,733 [2021 - \$629,148] which will become payable upon the sale of the remaining property.

9. COMMITMENTS

As at December 31, 2022, the Corporation has outstanding commitments amounting to \$151,354 [2021 - nil].

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

SCHEDULE 1

SCHEDULE OF DEPOSIT AGREEMENTS FOR FUTURE SALES

As at December 31, 2022, with comparative information for 2021

Table 9: Schedule 1 - Schedule of Deposit Agreements for Future Sales

Land description	2022	2021
180 Kanata Avenue	\$0	\$50,000
150 Kanata Avenue 1200 Canadian Shield	0	500,000
Total deposit agreements for future sales	\$0	\$550,000

See accompanying notes

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

SCHEDULE 2

SCHEDULE OF EXPENSES

For the year ended December 31, 2022, with comparative information for 2021

Table 10: Schedule 2 - Schedule of Expenses

Expenses (recoveries)	2022	2021
Land acquisition [note 4 and note 5]	\$10,719,487	\$365,555
Development costs		
Servicing	2,675,640	103,981
Engineering services	2,127	35,587
Insurance, licenses and permits	33,719	33,158
Corporation tax return preparation and financial statement audit	6,971	5,922
For sale signs	1,588	555
Total development costs	2,720,045	179,203
Administrative expenses	483,297	353,985
Legal disbursements		
Legal fees, registration fees, execution certificates and land transfer tax	298,711	183,492
Total expenses	\$14,221,540	\$1,082,235
<i>See accompanying notes</i>		

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

SCHEDULE 3

SCHEDULE OF OPERATIONS BY PROPERTY

For the year ended December 31, 2022

Table 11: Schedule 3 - 2022 Schedule of Operations by Property

Property Description	Land Acquisition	Development costs and administrative expenses	Total expenses	Revenue	Contribution from the City	Total revenue
Other properties sold in prior years	\$0	\$2,692,917	\$2,692,917	\$0	\$2,692,917	\$2,692,917
150 Kanata and Canadian Shield	8,863,238	211,762	9,075,000	9,075,000	0	9,075,000
180 Kanata	1,856,249	68,651	1,924,900	1,924,900	0	1,924,900
Sub-total land parcels						
Sold	10,719,487	2,973,331	13,692,818	10,999,900	2,692,918	13,692,818
Common expenses to all properties	0	528,723	528,723	0	528,723	528,723
Total	\$10,719,487	\$3,502,053	\$14,221,540	\$10,999,900	\$3,221,640	\$14,221,540

OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

SCHEDULE 3

SCHEDULE OF OPERATIONS BY PROPERTY

For the year ended December 31, 2021

Table 12: Schedule 3 - 2021 Schedule of Operations by Property

Property Description	Land Acquisition	Development costs and administrative expenses	Total expenses	Revenue	Contribution from the City	Total revenue
Other properties sold in						
prior years	\$0	\$10,212	\$10,212	\$0	\$10,212	\$10,212
25 Khymer	125,395	74,605	200,000	200,000	0	200,000
3311 Greenbank	240,160	234,840	475,000	475,000	0	475,000
Sub-total land parcels						
Sold	365,555	319,657	685,212	675,000	10,212	685,212
Common expenses to all properties	0	397,023	397,023	0	397,023	397,023
Total	\$365,555	\$716,680	\$1,082,235	\$675,000	\$407,235	\$1,082,235

See accompanying notes

**Subject: Status Update – Planning and Housing Committee Inquiries and
Motions for the period ending September 15, 2023**

File Number ACS2023-OCC-CCS-0118

Report to Planning and Housing Committee on October 4, 2023

Submitted on September 22, 2023 by Kelly Crozier, Committee Coordinator

Contact Person: Kelly Crozier, Committee Coordinator, Office of the City Clerk

(613) 580-2424, ext. 16875, kelly.crozier@ottawa.ca

Ward: Citywide

**Objet : Rapport de situation – demandes de renseignement et motions du
Comité de la planification et du logement pour la période se
terminant le 15 septembre 2023**

Dossier : ACS2023-OCC-CCS-0118

Rapport au Comité de la planification et du logement 4 octobre 2023

Soumis le 22 septembre 2023 par Kelly Crozier, coordonnatrice du comité

**Personne-ressource : Kelly Crozier, coordonnatrice du comité, Bureau du greffier
municipal**

(613) 580-2424, poste 16875, kelly.crozier@ottawa.ca

Quartier : À l'échelle de la ville

REPORT RECOMMENDATION

That the Planning and Housing Committee receive this report for information.

RECOMMANDATION DU RAPPORT

**Que le Comité de la planification et du logement prenne connaissance de ce
rapport.**

BACKGROUND

On 11 June 2008, Council approved a process for tracking formal Inquiries and Motions submitted at Standing Committees and Council. Included in this process was the

requirement for Committees and Council to receive status updates every two months on these motions and inquiries. Accordingly, this report is being presented to Committee for information.

DISCUSSION

This report includes the status of any outstanding inquiries and integrates the status of outstanding motions and directions to staff, with the actions that will be taken to ensure that they are addressed appropriately.

Consistent with Council's direction, the tracking and reporting of formal motions and inquiries is undertaken by the Office of the City Clerk. Protocols have also been established within departments to ensure department-specific motions and inquiries are processed in a timely manner. In those instances where there may be a delay, Council will be provided with an explanation.

The list of outstanding inquiries is attached as Document 1.

The departmental list of outstanding motions and directions to staff is attached as Document 2.

FINANCIAL IMPLICATIONS

There are no financial implications associated with receiving this report for information.

LEGAL IMPLICATIONS

There are no legal implications associated with receiving this report for information.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

ADVISORY COMMITTEE(S) COMMENTS

No advisory committees were consulted in the preparation of this information report.

CONSULTATION

This report is administrative in nature and therefore no consultation was required.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no accessibility implications associated with this report.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

TERM OF COUNCIL PRIORITIES

This report has no direct impacts on the City's strategic priorities or directions identified for the current Term of Council.

SUPPORTING DOCUMENTATION

Document 1: List of Outstanding Inquiries

Document 2: Departmental List of Outstanding Motions and Directions.

DISPOSITION

This report is for information purposes. The Committee Coordinator will continue to track all motions and inquiries made at Committee and report every two months.

Document 1 – List of Outstanding Inquiries

Inquiry Number	Subject	Meeting Date	Raised by	Referred to
PC 02-21	Inquiry regarding road modification improvements through zoning reviews	8-Apr-21	M. Fleury	PIED/TSD
PC 01-22	Adherence of as-of-right residential infill to front yard setback averaging	27-Jan-22	J. Leiper (for C. McKenney)	PIED
PC 02-22	Investigating and collecting data on Building Code and By-Law compliance	24-Feb-22	A. Hubley	PRED/EPS

Document 2 – Departmental List of Outstanding Motions and Directions

Motion Number	Subject	Meeting Date	Moved by	Referred to
PHC 2023-12-02	That staff return to Council no later than September 2023 with options to amend the Zoning By-law in response to Bill 23, consult with industry and members of the community prior to returning to Committee, and return to Council in Q4 2023 with proposed amendments to the Zoning By-law.	5-Jul-23	C. Kitts	PRED
	That staff provide information on what are the costs and resource requirements to end chronic homelessness in 5 years rather than 10 years.	3-May-23	A. Troster	CSSD
PHC2023-4/01	<p>THEREFORE BE IT RESOLVED THAT, with respect to report ACS-2023-PRE-PS-0005, Planning and Housing Committee approve the following:</p> <p>Defer the report indefinitely until the Director of Planning Services deems the issues corrected; and</p> <p>That staff be authorized to publish a revised report in the agenda in a future Planning and Housing Committee.</p> <p>BE IT FURTHER RESOLVED THAT notice be provided prior to this item returning to the Planning and Housing Committee.</p>	27-Feb -23	G. Gower	PRED
PHC2023-3/2	Refer the FCA document “Guidance for the City’s Committee of Adjustment” to the Committee of Adjustment and to the City’s Planning, Real Estate & Economic Development Department (PRED) for their review and comment and direct PRED to report back to the Planning and Housing Committee with a summary by the end of Q3 2023.	15-Feb-23	L. Johnson	Planning, Real Estate and Economic Development

Motion Number	Subject	Moved by	Meeting Date	Referred to
	Planning committee to recommend that council instruct legal services to oppose the approval of the zoning and official plan amendments regarding 1186, 1188, 1194 Wellington West.	8-Sep-22	J. Leiper	Legal Services
	Investigation to amending zoning by-law regarding stepbacks within the Innes road Zoning review area.	8-Sep-22	L. Dudas	Planning, Real Estate and Economic Development
	Staff be directed to reievew the accumulated impact of major legislative and policy changes to anticipate the impact on land prices and market conditions and report back to commitee and council.	7-Jul-22	G. Gower	Planning, Real Estate and Economic Development
PLC-CPSC 2022-3/10	Staff to explore and evaluate additional offsets that could be implemented as part of the Inclusionary Zoning policy and regulations and report back to Council in 2023	16-Jun-22	C. Kitts	PRED
	Staff directed to review the scope and impact of tenant defense fund programs in other Ontario municipalities and report back on potential costs and logistics of implementing similar programs in Ottawa.	16-Jun-22	C. McKenney	PRED
Motion Number	Subject	Meeting Date	Moved by	Referred to
Direction to Staff (Joint PLC-CPSC)	Staff to convene a table of stakeholders from housing development sectors and city staff (PRED + FCSD) to review the subsequent steps of analysis and advise staff how to finalize a strategy to come to Council.	16-Jun-22	C.A. Meehan	PRED

PLC-CPSC 2022-3/9	Joint Committee recommend Council request the Mayor and Co-Chairs of Planning and CPSC write a joint letter to the Minister of Housing and Municipal affairs to request Inclusionary Zoning be expanded beyond PMTSAs.	16-Jun-22	G. Gower	PRED
	PRED Staff to examine ways to ask building permit applicants about impacts to tenants and provide that information to Housing Services.	16-Jun-22	K. Egli	PRED
PLC-CPSC 2022-3/11	Staff to prepare requirements for transition and condense time to report back to Council Q1 of 2023 with respect to ACS2022-PIE-EDP-0013, as part of development of the Implementation & Administration Framework for Inclusionary Zoning.	16-Jun-22	L. Dudas	PRED

Motion Number	Subject	Meeting Date	Moved by	Referred to
PLC-CPSC 2022-3/8	Staff to report back any tools available to the City to limit the use of "renovictions" for long-term rental units in particular. And, report back on the feasibility and impact of extending affordability period for purpose-built rental units.	16-Jun-22	L. Dudas	PRED
PLC-CPSC 2022-3/7	Staff to study how to include fully accessible units, and report back with recommendations as part of the IZ implementation guidelines.	16-Jun-22	L. Dudas	PRED
PLC-CPSC 2022-3/6	Staff to review each PMTSA and report back on the findings to change the set-aside rates shortly thereafter, and staff to consider the feasibility of a 20% set-aside rate for owner-occupied condominium units in line with the City's own definition of affordability and report back as part of the implementation report.	16-Jun-22	L. Dudas	PRED
PLC-CPSC 2022-3/2	Committee direct City legal department to review the submitted legal opinion RE: Municipal Powers to Regulate Against Renovictions to see if further action outlined in the opinion can be taken by the City of Ottawa to protect Tenants Rights issue a memo to City Council prior to the report Review of Tools to Prohibit or Prevent "Renovictions" be presented at Council.	16-Jun-22	M. Fleury	Legal Services

Motion Number	Subject	Meeting Date	Moved by	Referred to
PLC-CPSC 2022-3/5	Staff: 1) Consider min. set-aside rate of 10% ownership housing across all PMTSAs, 2) Consider set-aside rate of up to 10% for owner-built rentals in all PMTSAs, 3) Include unit mix requirements in the official plan, 4) consider opportunities to deepen affordability of rental and condominium units to maximize access down to 40th percentile income households, 5) Consider to allow off-site units only where units are to be assumed by non-profit housing provider, and report back to Council on these directions.	16-Jun-22	S. Menard	PRED
	Legal Services staff to assess the legality and feasibility of the City imposing tools to give specific relief to tenants such as: a) Having a requirement of a 1:1 ratio replacement of affordable rental units in the new development, b) Providing tenants temporary accommodations or a rental top up in similar unit with the same number of bedrooms during the construction of the new development so tenants are not temporarily displaced, c) Offering existing tenants the right of first refusal to the new units at the same rent and number of bedrooms	16-Jun-22	T. Kavanagh	ICSD
	Planning committee authorize staff to initiate a rezoning process to review high scheduled to property located at 30-48 chamberlain ave.	12-May-22	S. Menard	Planning, Real Estate and Economic Development

Motion Number	Subject	Meeting Date	Moved by	Referred to
	City to assist and/or provides guidance to archdiocese in its redevelopment planning efforts to reflect the importance of the Parliament and Confederation Boulevard Special District.	27-Jan-22	M. Fleury	Planning, Real Estate and Economic Development
	Recommend that Council direct staff to work with the applicant to form an application to ministry of transportation to re-locate the 417 directional signage from the eastbound Parkdale off-ramp	1-Oct-21	J. Leiper	Planning, Real Estate and Economic Development
PLC 2021-50/6 + PLC 2021-50/7	Staff to work with Ottawa Hospital on substantially reducing amount of surface parking around the site during future implementing site plan control applications. Direction to staff to work with Ottawa hospital to encourage a community transportation advisory group.	1-Oct-21	S. Menard	Planning, Real Estate and Economic Development
	Staff to provide a letter to Canadian Bank Note with staff's interpretation of when the environmental compliance needs to occur, and that the secondary plan 4.1.4.5 states new residential developments need to do the studies and implement mitigation.	25-Feb-21		Planning, Real Estate and Economic Development
PLC 2020-29/5	Planning committee to recommend to council that staff be directed to work with owners to make a plaque for 175 Main street to commemorate the chapel.	10-Sep-20	J. Leiper	Planning, Real Estate and Economic Development
	Staff be directed to examine the boundaries of the Sandy Hill Cultural Heritage Character Area.	10-Sep-20	M. Fleury	Planning, Real Estate and Economic Development
	Staff be directed to review the need for a character study of Vanier, after Low Rise Design Guidelines.	10-Sep-20	M. Fleury	Planning, Real Estate and Economic Development

Motion Number	Subject	Meeting Date	Moved by	Referred to
	Staff be directed to look for the earliest opportunity to review the Development Charge Bylaw to see where it might need update or clarification regarding credit allocation process	27-Aug-20		Planning, Real Estate and Economic Development
PLC 2020-25/2	Staff of Heritage Planning explore options to enhance protection of areas covered by Heritage Overlay on both Colonel By Drive and Queen Elizabeth Driveway	11-Jun-20	R. Brockington	Planning, Real Estate and Economic Development
	Staff be directed to work with applicant through site plan control to ensure property is developed in such way as to provide connectivity to development within Merivale Triangle. 1375 Clyde Ave.	12-Dec-19	J. Leiper	Planning, Real Estate and Economic Development
	Planning [and Housing] Committee recommend council to add the completion of an urban design analysis of the Merivale Triangle to the Planning, Infrastructure and Economic Development Department's multi-year workplan.	12-Dec-19	J. Leiper	Planning, Real Estate and Economic Development
PLC 2019-17/4	Staff to begin negotiations to enter into a front-ending or development agreement to fund the works required to complete Montreal road through Cardinal Creek.	28-Nov-19	S. Blais	Planning, Real Estate and Economic Development
PLC 2019-7/6	GMs of Transportation Services and Planning, Infrastructure and Economic Development be directed to review the division of growth as it relates to roads and services component of the Development Charge By-law.	9-May-19	Vice-Chair	Planning, Real Estate and Economic Development

Motion Number	Subject	Meeting Date	Moved by	Referred to
PLC 2019-7/5	Gm of Planning, Infrastructure and Economic Development be firected to review the categories into which non-residential lands are divided for development charge purposes.	9-May-19	Vice-Chair	Planning, Real Estate and Economic Development
	Staff directed to ensure that the zoning aligns with the Official Plan changes to Employment and Enterprise Areas flowing from the Employment Lands Study that will be brought forward through an Official Plan Amendment in Nov. 2016.	13-Sep-16		Planning, Real Estate and Economic Development