

- | |
|--|
| <p>1. COMPREHENSIVE ZONING BY-LAW 2008-250: ANOMALY REPORT Q1 2018 AFFECTING LANDS WITHIN THE GENERAL URBAN AREA</p> <p>RÈGLEMENT DE ZONAGE GÉNÉRAL NO 2008-250 : RAPPORT SUR LES ANOMALIES DU PREMIER TRIMESTRE DE 2018 CONCERNANT DES TERRAINS SITUÉS DANS LE SECTEUR URBAIN GÉNÉRAL</p> |
|--|

COMMITTEE RECOMMENDATION AS AMENDED

That Council approve amendments to Zoning By-law 2008-250, as shown in Document 1, as amended by the replacement map for the property municipally known as 2599 Carling Avenue, and detailed in Document 2, and that there be no further notice pursuant to Sub-section 34 (17) of the Planning Act.

RECOMMANDATION DU COMITÉ, TEL QUE MODIFIÉE

Que le Conseil approuve des modifications au Règlement de zonage no 2008-250 comme elles sont illustrées dans le document 1, modifié par la carte de remplacement pour la propriété portant l'adresse municipale 2599, avenue Carling, et décrites en détail dans le document 2, et qu'en vertu du paragraphe 34(17) de la Loi sur l'aménagement du territoire, qu'aucun autre avis ne soit donné.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development department, dated 30 January 2018 (ACS2018-PIE-EDP-0004)

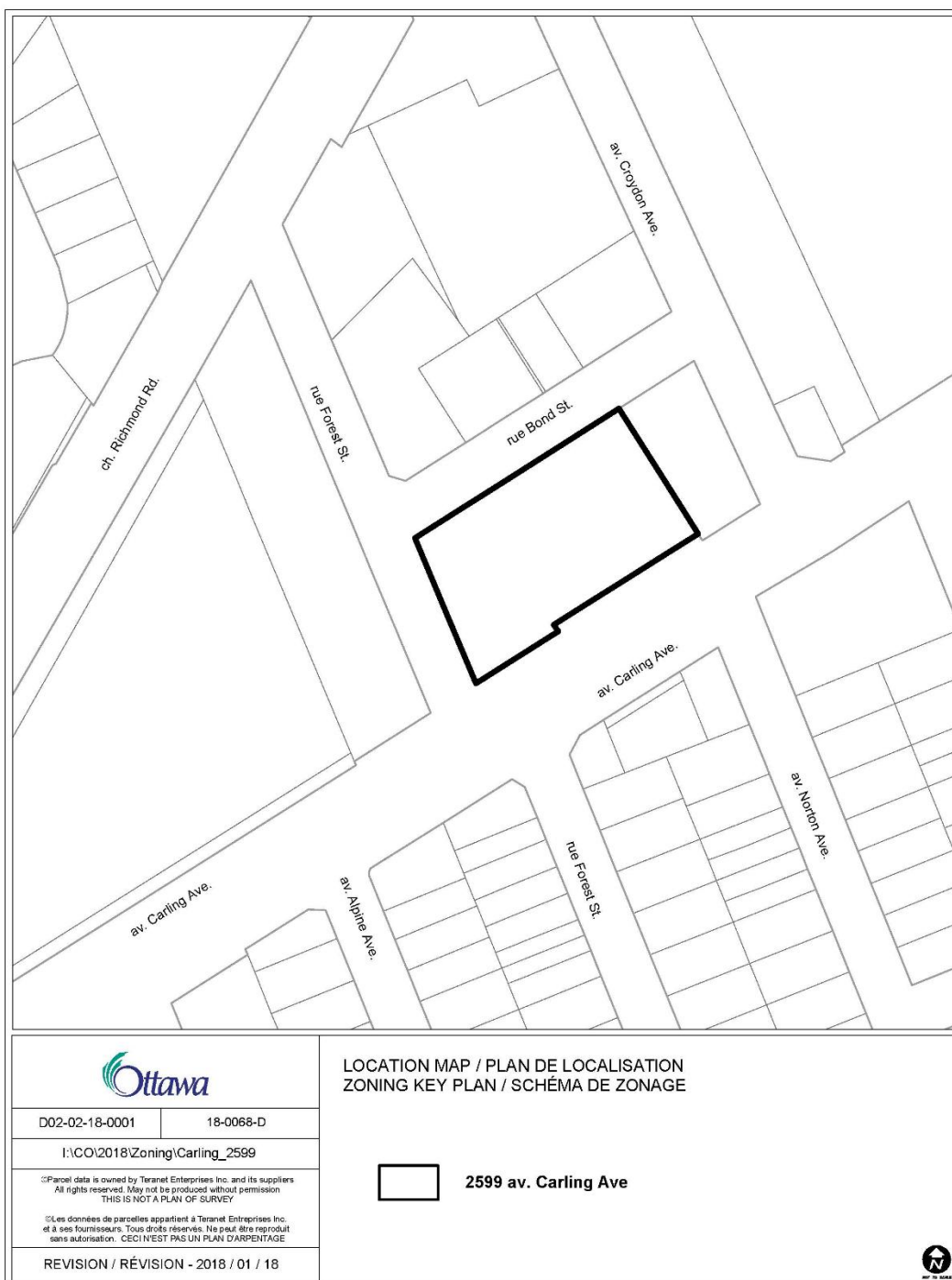
Rapport du Directeur, Développement économique et Planification à long terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 30 janvier 2018 (ACS2018-PIE-EDP-0004)

2. Extract of draft Minutes, Planning Committee, 13 February 2018

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 13 février 2018
3. Replacement map for 2599 Carling Avenue (replacement for original map in Document 1)

Carte de remplacement pour le 2599, avenue Carling (remplacement de la carte contenue dans le document 1 à l'origine)

revised location map for 2599 Carling Avenue



**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
13 February 2018 / 13 février 2018**

**and Council / et au Conseil
February 28, 2018 / 28 février 2018**

**Submitted on January 30, 2018
Soumis le 30 janvier 2018**

**Submitted by
Soumis par:
John Smit,**

Director / Directeur

**Economic Development and Long Range Planning / Développement économique
et Planification à long terme / Infrastructure and Economic Development
Department / Direction générale de la planification, de l'infrastructure et du
développement économique**

Contact Person / Personne ressource:

**Elizabeth Desmarais, Planner / urbaniste, Policy Planning / Politiques de la
planification**

(613) 580-1424, 13503, Elizabeth.Desmarais@ottawa.ca

**Ward: BAY (7) / BAIE (7) RIDEAU-
VANIER (12) SOMERSET (14)
KITCHISSIPPI (15) CAPITAL (17) /
CAPITALE (17)**

File Number: ACS2018-PIE-EDP-0004

**SUBJECT: Comprehensive Zoning By-law 2008-250: Anomaly Report Q1 2018
Affecting Lands within the General Urban Area**

**OBJET: Règlement de zonage général n° 2008-250 : Rapport sur les
anomalies du premier trimestre de 2018 concernant des terrains
situés dans le secteur urbain général**

REPORT RECOMMENDATION

That the Planning Committee recommend Council approve amendments to Zoning By-law 2008-250, as shown in Document 1 and detailed in Document 2.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver des modifications au Règlement de zonage n° 2008-250 comme elles sont illustrées dans le document 1 et décrites en détail dans le document 2.

BACKGROUND

This report includes Zoning By-law amendment recommendations to correct anomalies affecting five different sites within various urban wards. The zoning amendments are necessary to correct errors and omissions in site-specific exceptions that have already been approved by Council. Without correcting these anomalies, developers are unable to obtain building permits.

The Zoning By-law provides a means of implementing the land-use policies in the Official Plan. The proposed amendments support the Official Plan by ensuring errors and omissions in the by-law are corrected.

DISCUSSION

Details regarding each of the anomalies are summarized in the table below. Location maps are included in Document 1 and zoning details are included for reference in Document 2.

Item	Address	Summary of Amendment
1	Lands in Exception Zone [2377] R3Q[2377] Ward 17	A Zoning By-law amendment to permit development of these lands was approved by Council on March 8, 2017; however, exception [2377] did not include a corner side yard setback provision to recognize the 1.1-metre setback shown in the plans that were attached to the Zoning By-law amendment that was approved by Council. This has affected the proposed development of 99 Oblats Avenue. The same anomaly applied to lands zoned differently within this subdivision, with Council approving the same

Item	Address	Summary of Amendment
		corner side yard setback for those other lands in December 2017.
2	2599 Carling Avenue AM10[2397] Ward 7	An amendment is necessary to permit a provision for a 0 metre rear yard setback from the rear property line abutting Bond Street. The exception zone for these lands was approved by Council on May 10, 2017; however, exception [2397] did not include a rear yard setback provision to recognize the setback as shown in the approved Site Plan affecting this site.
3	989 Somerset Street West and 158 Spruce Street MC[2036] S169 Ward 14	The existing maximum height requirement shown in Schedule 169 does not match the approved and adopted permission allowing up to 45 metres for one of the areas that includes 989 Somerset Street West and 158 Spruce Street. To correct this, the schedule should reflect the correct maximum height limit of 102.88 metres above sea level.
4	12 Stirling Avenue GM[2093] H(53) F(4.5) Ward 15	This site was rezoned in 2014 to GM [2093]. The site-specific zoning deals with, amongst other matters, permission for a 0.5-metre rear yard. The rear yard of this site abuts a residentially zoned lot. The parent GM Zone requires a 3-metre-wide landscaped area abutting a residential zone which, given the permitted reduced rear yard, the site will not be able to meet. The site-specific rezoning should have included a regulation affecting the GM-required landscaped area.
5	274 Somerset Street East R4H[2399]-c Ward 12	The property was rezoned in 2017 to R4H[2399]-c, which includes specific regulations applying to the development of an outdoor commercial patio. However, there was an oversight and the setback requirements to residential properties required under Section 85 of the Zoning By-law 2008-250 were not

Item	Address	Summary of Amendment
		waived to reflect the fact that the approved patio location would not comply with the section. Given that Council has approved the zoning to permit an outdoor commercial patio on this site, it is necessary and appropriate to include a provision to exclude the setback requirements. Note that Interim Control By-law No. 2017-245 that affects the Residential Fourth Density (R4) Zone is not related to this property because outdoor commercial patio is not one of the land uses that is being reviewed under the Interim Control By-law.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLORS

Councillors for the affected Wards are aware of these amendments to correct site-specific anomalies.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendation contained within the report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendation of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TERM OF COUNCIL PRIORITIES

This report impacts the following priority within the City's Strategic Plan:

SE1 – Improve the client experience through established service expectations

SUPPORTING DOCUMENTATION

Document 1 Zoning/Location Maps

Document 2 Zoning Details

Document 3 Public Consultation Details

CONCLUSION

This report provides technical amendments to the zoning by-law and follows the Alternative Procedures consistent with Official Plan policy 5.2.3.3.

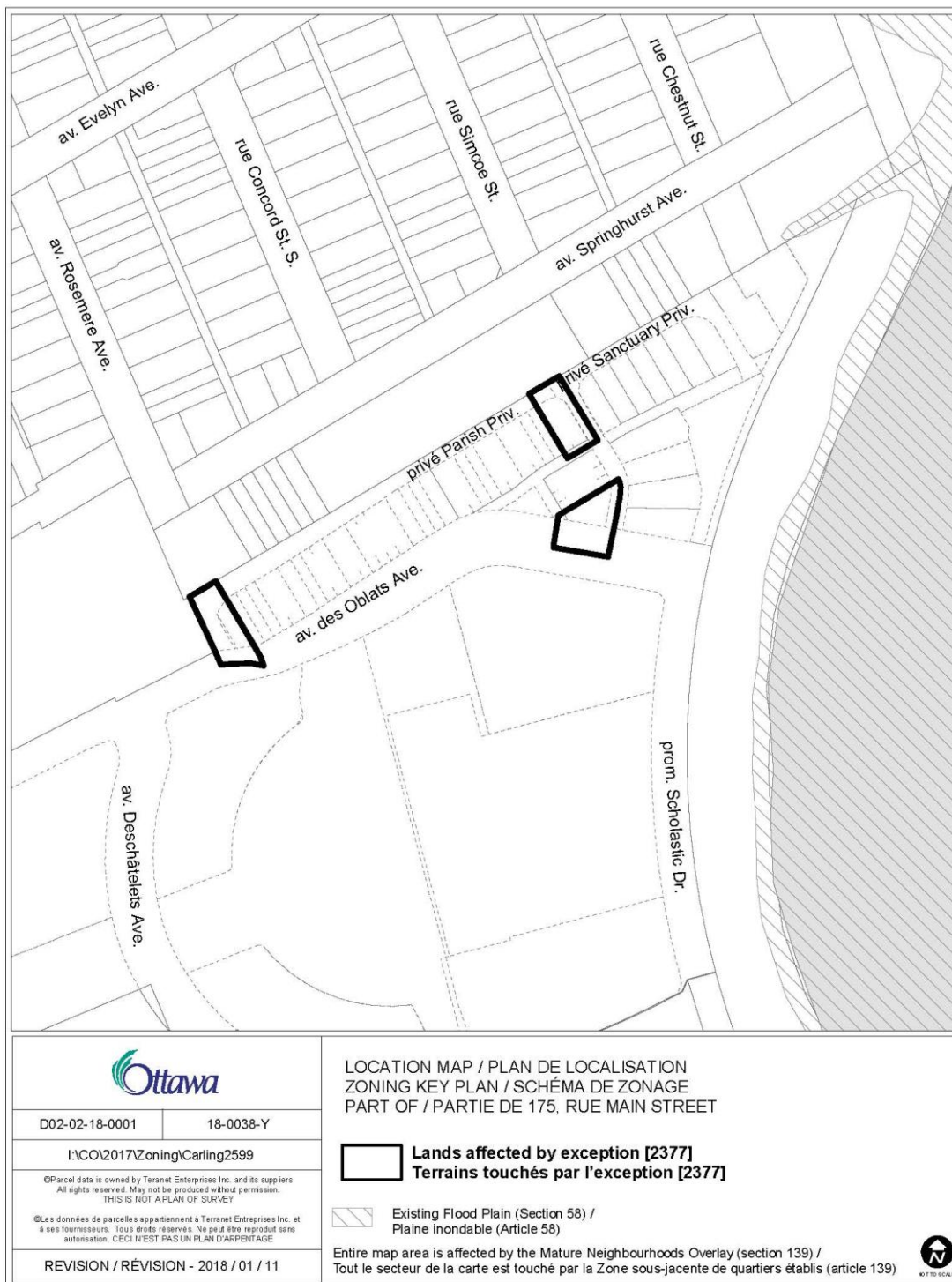
DISPOSITION

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, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

Document 1 – Zoning/Location Maps and Schedules





LOCATION MAP / PLAN DE LOCALISATION
ZONING KEY PLAN / SCHÉMA DE ZONAGE

D02-02-18-0001

18-0038-Y

I:\CO\2017\Zoning\Carling2599

©Parcel data is owned by Teranet Enterprises Inc. and its suppliers
All rights reserved. May not be produced without permission.
THIS IS NOT A PLAN OF SURVEY

©Les données de parcelles appartiennent à Teranet Entreprises Inc. et
à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans
autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE

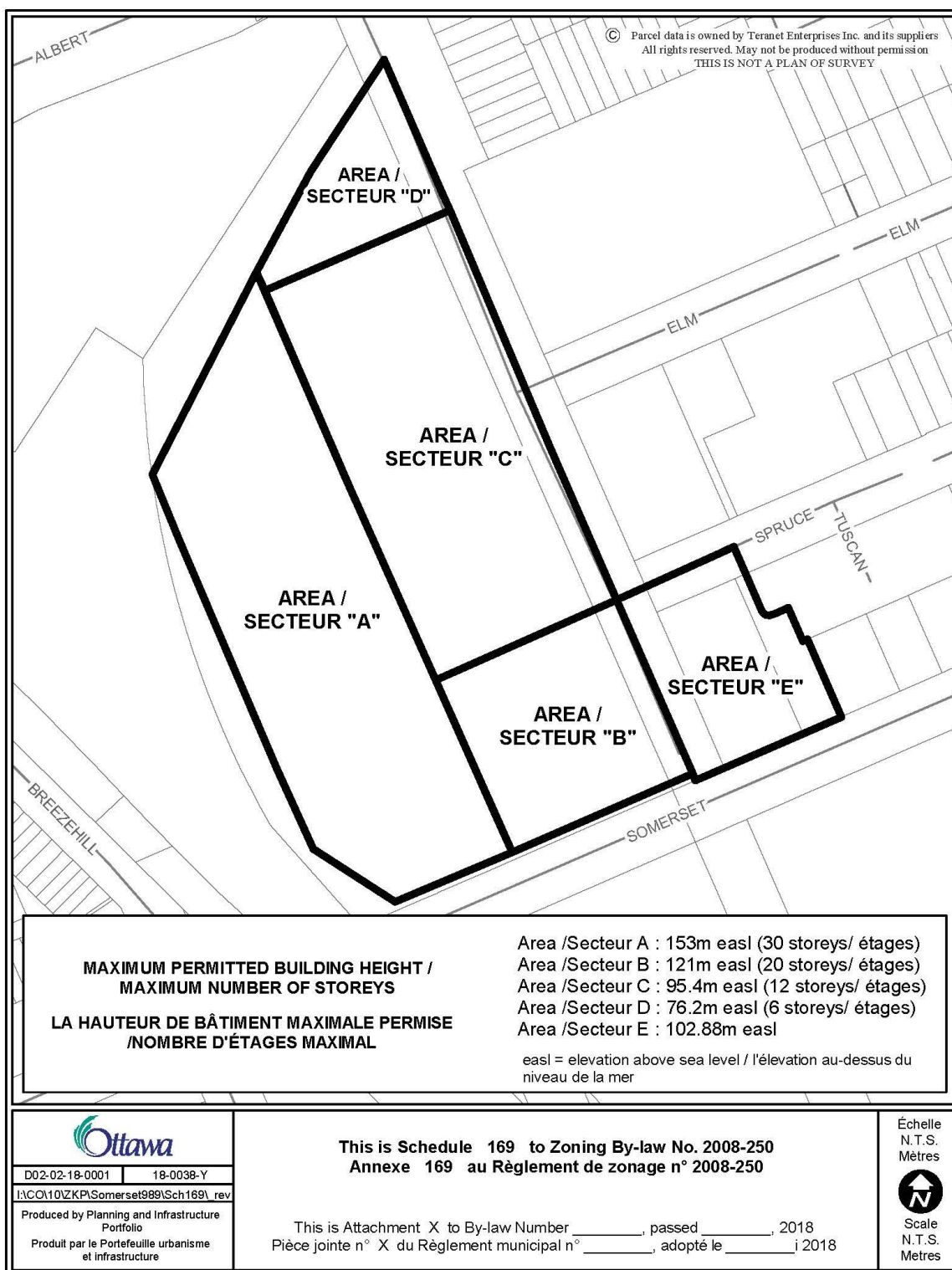
REVISION / RÉVISION - 2018 / 01 / 10



2599, av. Carling Ave.



NOT TO SCALE





D02-02-18-0001

18-0038-Y

I:\CO\2017\Zoning\Stirling12

©Parcel data is owned by Teranet Enterprises Inc. and its suppliers
All rights reserved. May not be produced without permission.
THIS IS NOT A PLAN OF SURVEY

©Les données de parcelles appartiennent à Teranet Entreprises Inc. et
à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans
autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE

REVISION / RÉVISION - 2018 / 01 / 12

LOCATION MAP / PLAN DE LOCALISATION
ZONING KEY PLAN / SCHÉMA DE ZONAGE



12, av. Stirling Avenue

Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) /
Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)



NOT TO SCALE



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-18-0001	18-0038-Y	 274, rue Somerset Street East/Est	
I:\CO\2017\Zoning\Somerset274			
©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE			
REVISION / RÉVISION - 2018 / 01 / 10		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	



NOT TO SCALE

Document 2 – Details of Recommended Zoning

Item	Address	Details of Recommended Zoning
1	Lands with Exception [2377] Ward 17	Amend Part XV - Urban Exceptions, Exception Zone [2377] to add the following to Column V – Provisions: “-minimum required corner side yard is 1.1 m”
2	2599 Carling Avenue Ward 7	Amend Part XV - Urban Exceptions, Exception AM10[2397] to add the following to Column V – Provisions: “-minimum rear yard setback is 0 metres”
3	989 Somerset Street West and 158 Spruce Street Ward 14	Amend Part XVII –Schedules, Schedule 169, by: i) replacing that Area C, located at the southern portion of the Schedule 169, and including the lands known municipally as 989 Somerset Street West and 258 Spruce Street as shown in Document 1, with a new “Area E”, and ii) adding the following wording to the legend: “Area/ Secteur E: 102.88m easl”
4	12 Stirling Avenue Ward 15	Amend Part XV - Urban Exceptions, Exception [2093] to add the following to Column V – Provisions: “-Table 187(h) does not apply”
5	274 Somerset Street East Ward 12	Amend Part XV - Urban Exceptions, Exception [2399], to add the following to Column V – Provisions: “-Subsection 85 (3), clauses (a) and (b) do not apply”

Document 3 – Public Consultation and Notification Details

Public circulation of the proposed amendments was not required prior to the statutory public notification of the Planning Committee meeting, as the zoning changes contained in this report are all technical amendments within the meaning of Policy 5.2.3.3 of the Official Plan:

- (a) where further amendments are required to fully implement an approved recommendation of City Council to amend the Official Plan or Zoning By-law;
- (b) to carry forward in the Zoning By-law, the regulations of the former municipalities' zoning by-laws, where required, to accurately harmonize those regulations;
- (c) to amend the language of a provision so as to clarify its intent; or
- (d) to eliminate unnecessary redundancies and out dated references.

Notification of these public meetings was carried out in accordance with policies in Section 5.2.3.3 of the Official Plan for amendments to correct errors in the Zoning By-law.