

Report to/Rapport au :

Planning Committee  
Comité de l'urbanisme

and/et

Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales

and Council / et au Conseil

June 7, 2013  
7 juin 2013

**Submitted by/Soumis par: Nancy Schepers, Deputy City Manager/Directrice municipale adjointe, Planning and Infrastructure/Urbanisme et Infrastructure**

Contact Person / Personne ressource : *Lee Ann Snedden, Manager/Gestionnaire, Policy Development and Urban Design/Élaboration de la politique et conception urbaine, Planning and Growth Management/Urbanisme et Gestion de la croissance*  
(613) 580-2424, 25779 [Leeann.Snedden@ottawa.ca](mailto:Leeann.Snedden@ottawa.ca)

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CITY WIDE / À L'ÉCHELLE DE LA VILLE

Ref N°: ACS2013-PAI-PGM-0033

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**SUBJECT: COMPREHENSIVE ZONING BY-LAW 2008-250: OMNIBUS ZONING BY-LAW AMENDMENTS AND ANOMALIES AND MINOR CORRECTIONS**

**OBJET : RÈGLEMENT GÉNÉRAL DE ZONAGE 2008-250 : RÈGLEMENT OMNIBUS MODIFICATEUR AU RÈGLEMENT DE ZONAGE ET ANOMALIES ET CORRECTIONS MINEURES**

**REPORT RECOMMENDATIONS**

**That the Planning Committee recommend Council approve amendments to Zoning By-law 2008-250 as shown in Document 1 and detailed in Documents 2 and 4; and**

**That the Agriculture and Rural Affairs Committee recommend Council approve amendments to Zoning By-law 2008-250 as shown in Document 1 and detailed in Documents 2 and 3.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'urbanisme recommande au Conseil d'approuver des modifications au Règlement 2008-250 de la façon illustrée dans le document 1 et précisée dans les documents 2 et 4; et**

**Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver des modifications au Règlement 2008-250 de la façon illustrée dans le document 1 et précisée dans les documents 2 et 3.**

## **BACKGROUND**

The City adopted Comprehensive Zoning By-law 2008-250 on June 25, 2008. Staff monitors and reviews the Zoning By-law on a continuous basis. As interpretation and implementation issues are identified, they are reviewed and, on occasion, amendments are put forward to resolve these issues. Periodically, changes that are deemed minor in nature are adopted comprehensively through one report, which deals with a variety of unrelated items.

The 15 items addressed by this Omnibus Zoning By-law amendment, as well as two anomalies, are identified below with a summary of the corresponding recommendations. Details of the review and other information, including maps when appropriate, are contained in Documents 1, 2, 3, and 4 attached to this report.

Items that have city-wide implications are to be considered by both the Agriculture and Rural Affairs and Planning Committees, while those that have only urban or rural impacts are considered by the corresponding committee. The effect of the various amendments vary and include, but are not limited to, amendments to implement current legislative references, clarification of zoning provisions and exceptions, clarification of interpretation rules and definitions, and amendments to account for built context and zoning provisions found in former Zoning By-laws.

Items for Review by both Agriculture and Rural Affairs and Planning Committees are outlined in the following table and detailed in Document 2.

<b>Topic</b>	<b>Summary of Recommendation</b>
Section 16: Inclusion of benevolent clause	Proposed amendment to clarify that Zoning By-law 2008-250 is to be read in a benevolent manner.
Section 32(2): Boundary of zoning on zoning maps	Proposed amendment to this subsection to allow the same interpretation of the zoning lines to be made for any lot in the city and not just for lots created by way of a plan of subdivision so that changes to the zoning boundary can be made when necessary.
Definition of 'building height' related to	Proposed amendment to the definition of

dormers	'building height' to clarify that building height is measured using the eaves of the building and not eaves of projections, such as dormers.
Requirements for landscaping within Planned Unit Developments	Proposed amendments to the provisions for 'Planned Unit Developments' (PUDs) to ensure that where individual driveways are provided for dwelling units, that the yard area between the dwelling unit and the private way contains soft landscaping.
Utility installation definition and zoning provisions	Proposed amendment to the O1P subzone to permit different types of utility installations, as well as amendments to the definitions of 'utility' and 'utility installation'; to Section 91 and the provisions for utility installations; and to Section 64 and the provisions for permitted projections above the height limit.
Number of ancillary rooming units permitted in places of worship	Proposed amendment throughout the Zoning By-law to permit a maximum of three ancillary rooming units in a place of worship in all zones and subzones where 'place of worship' is currently a permitted use.
'Accessory' and 'Ancillary' uses review	No amendments proposed at this time as the review of this topic has revealed that a more in-depth review is required at a later date.
Changes to zoning provisions as a result of the <i>Green Energy Act</i>	Proposed amendments required due to legislative changes to the <i>Planning Act</i> that exempt renewable energy generation facilities from Zoning By-laws, in particular removal of 'wind turbine', 'wind turbine farms' and 'solar panel' from the zoning by-law, along with associated amendments.
Secondary dwelling units within duplex dwellings and associated parking requirements	Proposed amendment to remove 'secondary dwelling units' as a permitted use within second density residential zones in both the urban and rural areas (i.e., R2 and V2 zones) as well as associated changes to parking requirements.
Reclassification of Column II for Urban and	Proposed amendment to enable the

Rural Exceptions	efficient correction of numbering and cross-referencing within the By-law, and the addition, deletion and correction of zone codes in the zoning exceptions in Section 239 and 240, provided always that there is no alteration to the meaning and intent of its provisions.
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Items for review by the Agriculture and Rural Affairs Committee are outlined in the following table and detailed in Document 3.

<b>Topic</b>	<b>Summary of Recommendation</b>
1391 D'Arcy Street; 7030, 7040, 7050, and 7060 Cosgrove Avenue	Proposed amendment to permit an exception to the VM zone for these five properties to allow the required front yard setback to exceed the current maximum setback of 3 metres to account for the built context.
A portion of 2201 Speedway Road adjacent to Huntley Provincially Significant Wetland	Proposed amendment to implement the intent of the proposed Official Plan Amendment file D01-01-13-0001 relating to the boundaries of a Provincially Significant Wetland.
1820, 1824, 1826 Farwel Street, 5873 Buckland Road	Proposed amendment to reinstate the Village Mixed-Use zone on the subject lands to recognize longstanding commercial uses in Vars.

Items for review by the Planning Committee are outlined in the table below and detailed Document 4.

<b>Topic</b>	<b>Summary of Recommendation</b>
300 Aquilo Crescent: Rezoning to permit institutional uses	Proposed amendment to permit limited institutional uses for the site in accordance with the zoning of the site pursuant to the former Goulbourn Zoning By-law.
Zoning provisions for semi-detached dwellings with rear lane garages in Longfields Subdivision	Proposed amendment to Urban Exception 1648 to maintain consistency of zoning provisions for all permitted dwelling types (i.e., required rear yard setback when a garage is present and interior side yard setbacks for detached dwellings on corner lots).

40 Granite Ridge: Rezoning to permit institutional uses	Proposed amendment to permit limited institutional uses in accordance with the zoning of the site pursuant to the former Goulbourn Zoning By-law.
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## DISCUSSION

### Provincial Policy Statement

The proposed amendments to the Zoning By-law support the policies of the Provincial Policy Statement by promoting efficient development and land use patterns while undertaking a coordinated, integrated and comprehensive approach for planning matters within the municipality.

### Official Plan

The Official Plan provides a broad framework for growth of the city over a 20-year time frame. This includes policies on land use as well as policies for implementation of the Official Plan. The proposed Zoning By-law amendments support the Official Plan by ensuring that consistency between zoning provisions and land use policies is maintained and strengthened and that zoning interpretation issues are resolved for effective implementation of the Official Plan.

Furthermore, Section 5.2.3, Policy 3 identifies those anomalies which may be corrected by way of technical amendment; generally speaking, they are minor in nature and are intended to better implement previous approvals of Council. The amendments recommended in this report are intended to correct such errors

## RURAL IMPLICATIONS

Rural implications are outlined in the detailed zoning to be considered by Agriculture and Rural Affairs Committee in Documents 2 and 3.

## CONSULTATION

Public notification was undertaken in accordance with the Council-approved Public Notification and Public Consultation Policy. Consultation details are provided in Document 5.

## COMMENTS BY THE WARD COUNCILLORS

City-wide - not applicable.

LEGAL IMPLICATIONS

There are no direct legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TECHNOLOGY IMPLICATIONS

Information Technology approved this report without comment.

TERM OF COUNCIL PRIORITIES

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

- SE1: Ensure a positive experience for every client interaction.
- SE2: Improve operational performance.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the On Time Decision Date established for the processing of Zoning By-law amendments due to the complexity of issues associated with the topics.

SUPPORTING DOCUMENTATION

Document 1 Location Maps

Document 2 Zoning Details to be considered by both Planning and Agriculture and Rural Affairs Committees

Document 3 Zoning Details to be considered by only Agriculture and Rural Affairs Committee

Document 4 Zoning Details to be considered by only Planning Committee

## Document 5 Public Consultation and Notification Details

### DISPOSITION

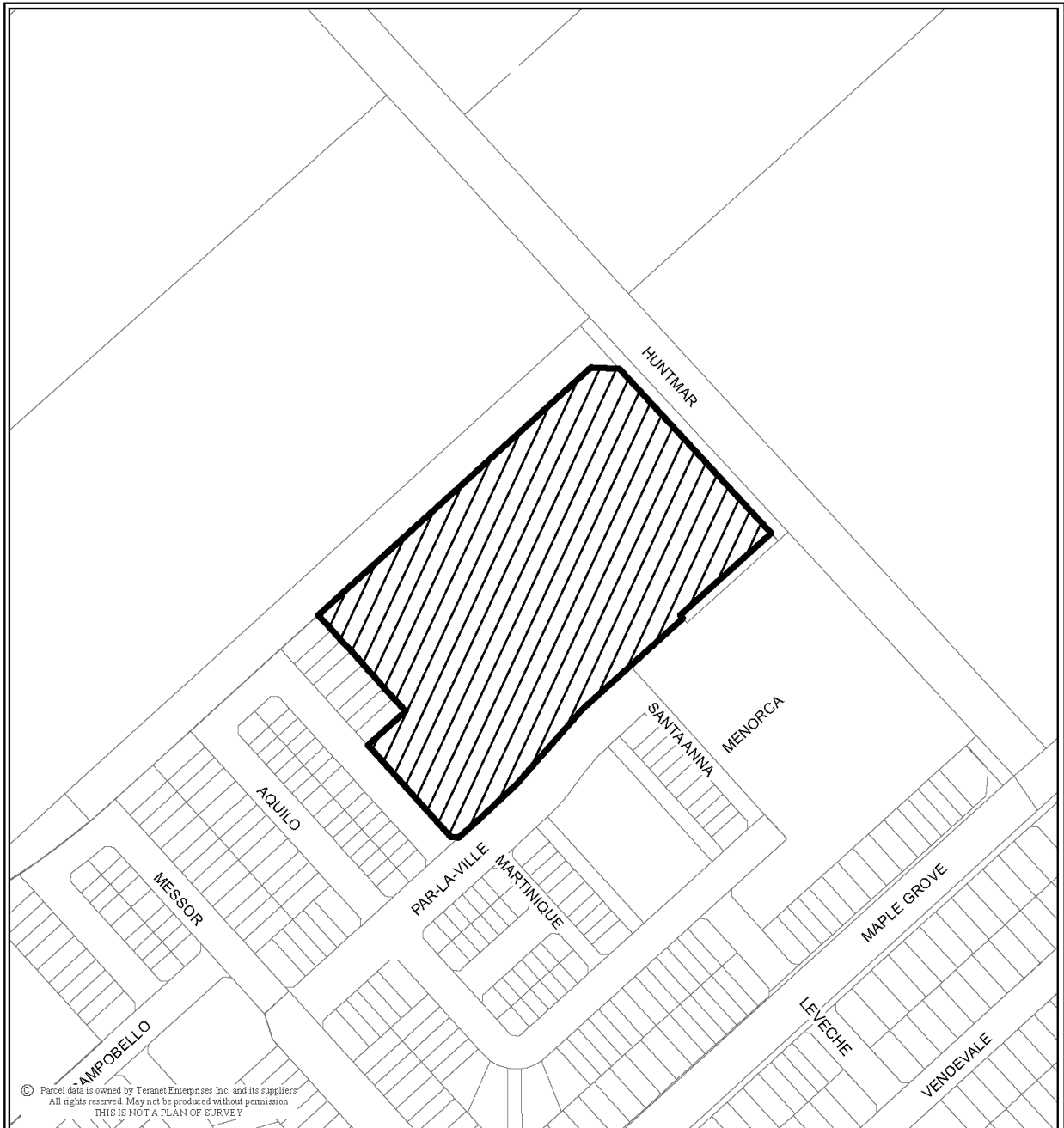
City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76), and all those who requested notification, of City Council's decision.


Planning and Growth Management Department to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

**LOCATION MAPS**


MAP A: 300 Aquilo Crescent



  
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**Location Map / Plan de révision**  
**Zoning Key Plan / Schéma de zonage**  
**300 croissant Aquilo Crescent**

 Area to be rezoned from R3YY[1455] to I1A[\*\*\*\*] / R3YY [1455]

044871183 Denotes Teranet-Polaris Parcel Identification Number

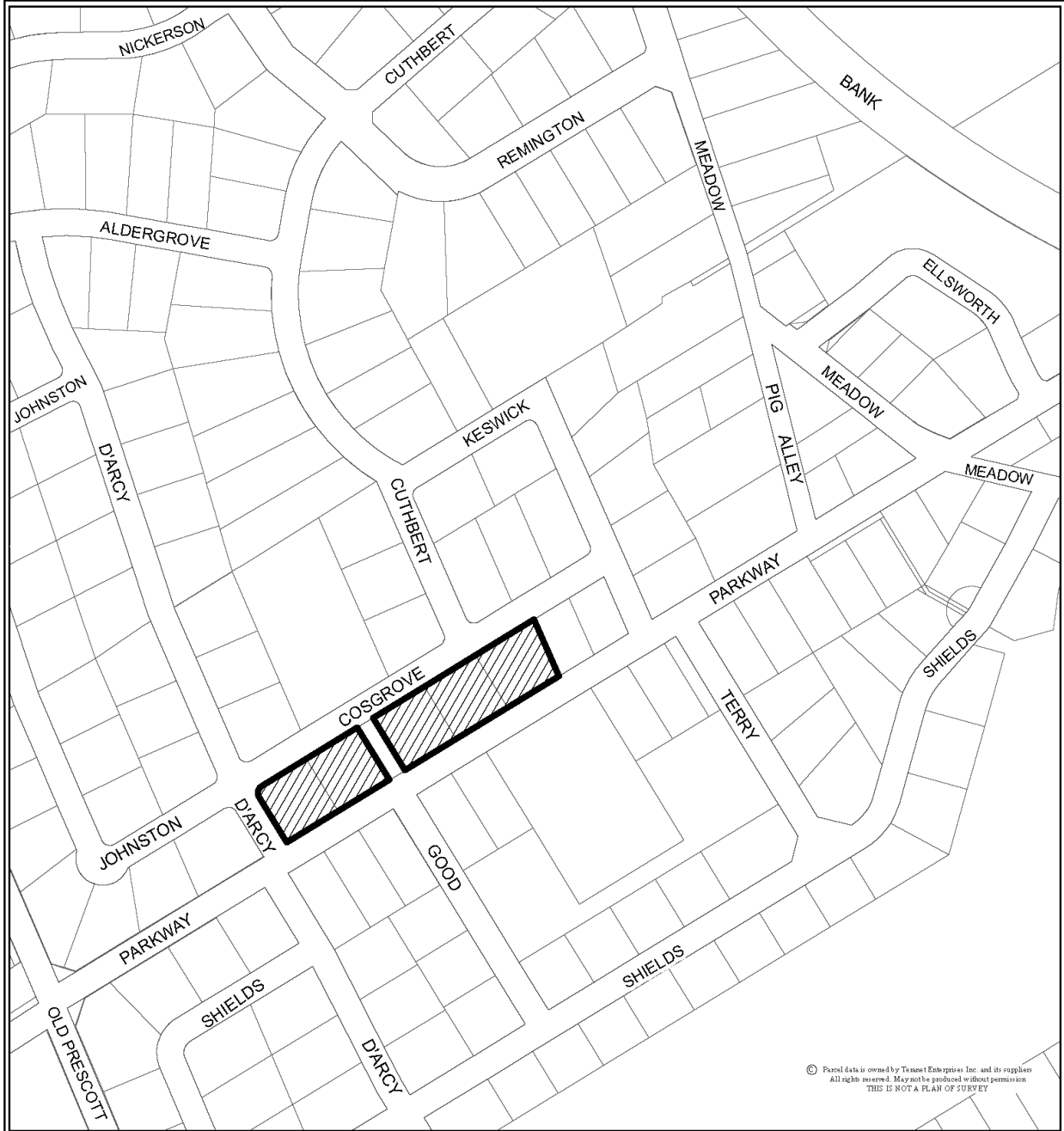
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MAP B: 1391 D'Arcy Street and 7030, 7040, 7050, 7060 Cosgrove Avenue

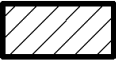


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 et Viabilité des collectivités

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2013 / 04 / 26	
REVISION DATE DE RÉVISION	

**Location Map / Plan de révision**  
**Omnibus Zoning By-Law Amendments /**  
**Règlement omnibus modificateur au Règlement de Zonage**

 Area to be rezoned from VM to VM[\*\*\*r]

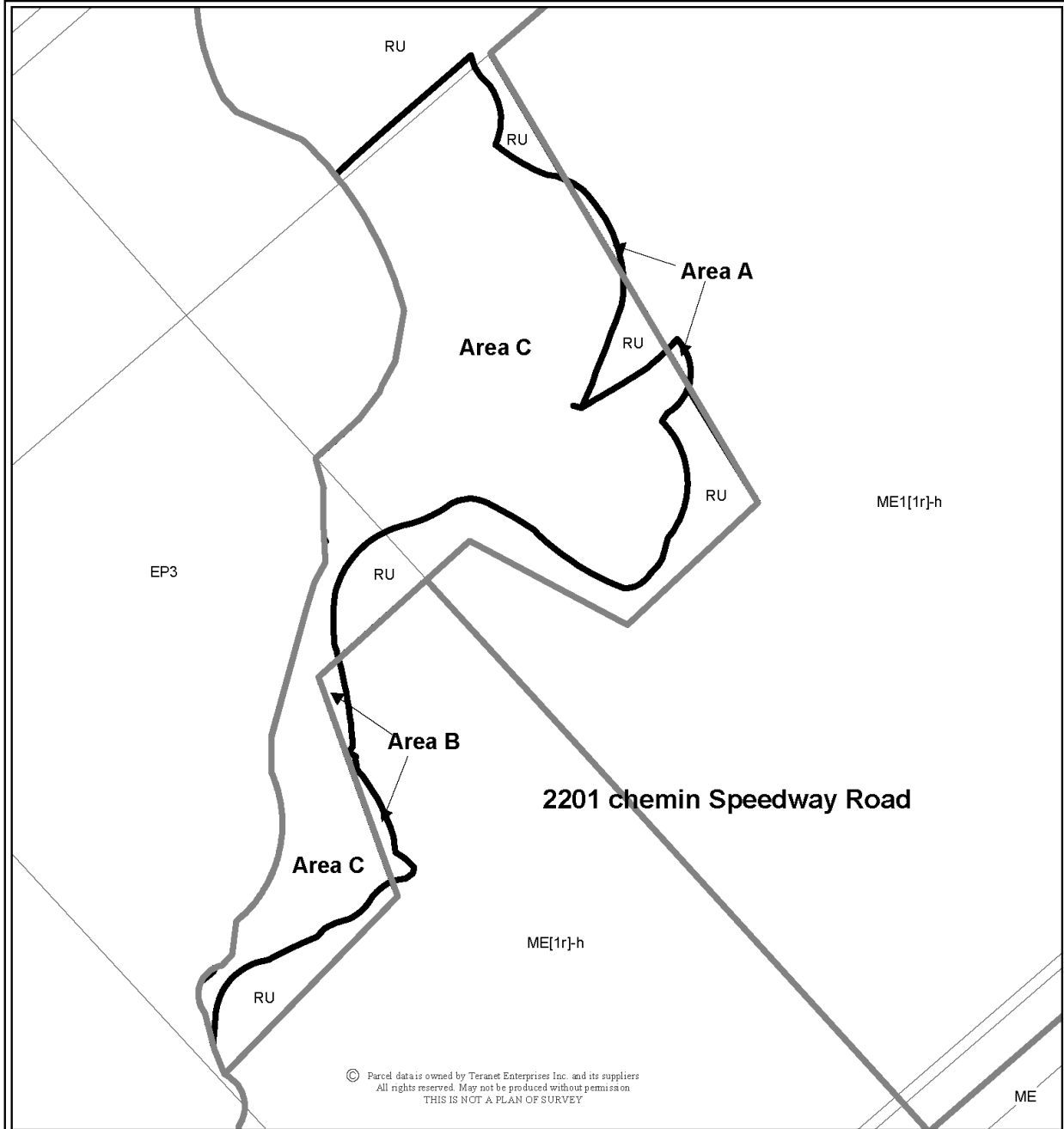
**1391, rue D'Arcy Street and / et 7030, 7040, 7050,  
 7060, avenue Cosgrove Avenue**


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MAP C: Portion of 2201 Speedway Road







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**Location Map / Plan de révision**  
**Zoning Key Plan / Schéma de zonage**  
**Portion of 2201 Speedway Road**  
**Partie du 2201, chemin Speedway**

 Existing Zoning  
 Area to be rezoned

Area A to be rezoned from ME1[1r]-h to EP3  
Area B to be rezoned from ME[1r]-h to EP3  
Area C to be rezoned from Ru to EP3

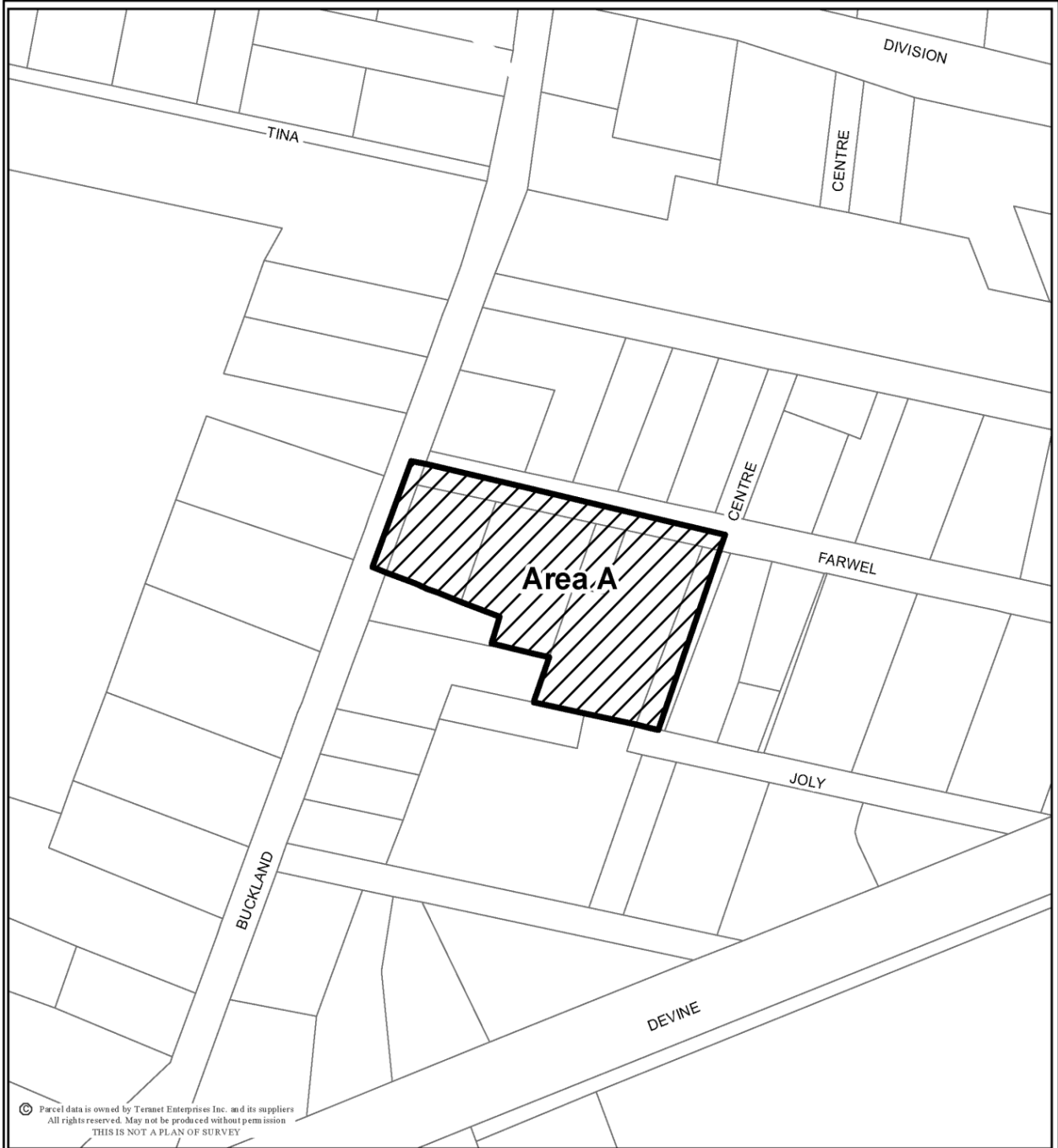
045350980 Denotes Teranet-Polaris Parcel Identification Number

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MAP D: 1820, 1824, 1826 Farwel Street, 5873 Buckland Road



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2013 / 06 / 06

REVISION DATE DE RÉVISION

 **Location Map / Plan de révision  
Zoning Key Plan / Schéma de zonage  
1820, 1824, 1826 Farwel Street,  
5873 Buckland Road**

Area A to be rezoned from V1E to VM6

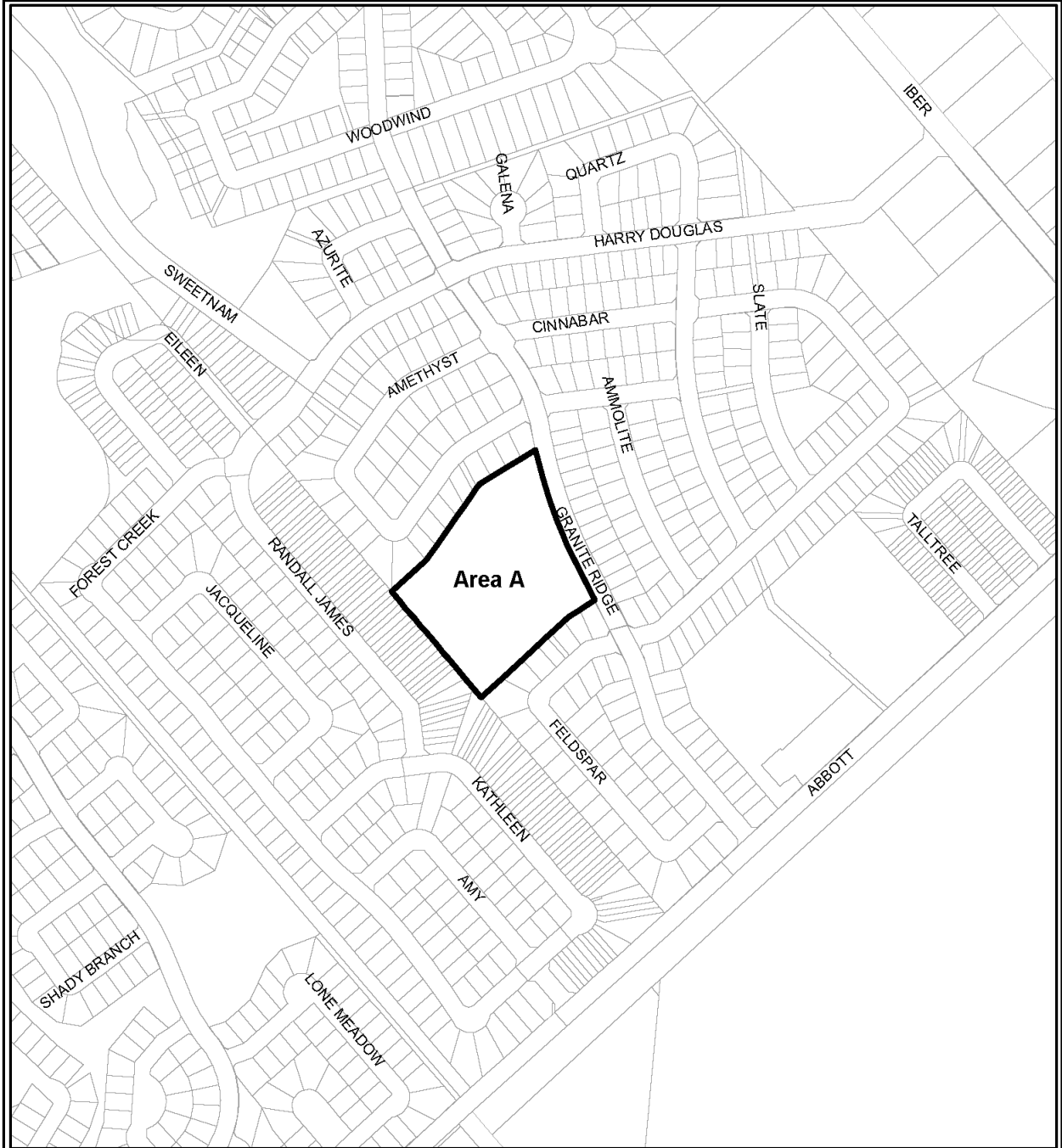
145530125 Denotes Teranet-Polaris Parcel Identification Number


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MAP E: 40 Granite Ridge Drive






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**Location Map / Plan de révision**  
**Zoning Key Plan / Schéma de zonage**  
**40 Granite Ridge Drive**

 Area A to be rezoned from R1Q[720] to I1A[\*\*\*\*]

044501068 Denotes Teranet-Polaris Parcel Identification Number

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**ZONING DETAILS TO BE CONSIDERED BY BOTH PLANNING  
AND AGRICULTURE AND RURAL AFFAIRS COMMITTEES**

DOCUMENT 2

<b>I Item</b>	<b>II Objective of Amendment</b>	<b>III Proposed Amendment</b>
1. Part I, Section 16: Interpretation	<p>Add term 'benevolent' to clarify that the Zoning By-law must always be read in a manner that is benevolent towards achieving an intent or objective.</p> <p>Section 16 currently reads as: "This by-law is to be read and applied in a way that will ensure the effective implementation of its provisions and intent."</p>	<p>Delete Section 16 of By-law 2008-250 in its entirety and replace with:</p> <p>"This By-law is remedial in nature and shall be interpreted in a benevolent manner and read and applied in a way that will ensure the effective implementation of its provisions and intent."</p>
2. Part I, Section 32(2): Zoning Boundary on Zoning Map	<p>The by-law currently permits an interpretation to be made when the zone lines shown on the zoning maps are slightly off the property lines of a lot in a plan of subdivision. If the zone lines substantially follow the lot-lines, then the location of the zone lines can be deemed to actually follow the lot-lines. This has been a very effective tool in the interpretation of the by-law and has allowed a very common sense approach to dealing with obvious mistakes in the mapping. However, it can only be used where a plan of subdivision has been registered. Much of the city, especially rural and village areas, have been developed through other means other than plans of subdivision and, in these cases, a simple mapping error can only be fixed through a zoning amendment.</p> <p>This proposed change would allow the same interpretation of the zoning lines to be made for any lot in the city and not just for lots created by way of a plan of subdivision. The requirement for the zone lines to substantially follow the lot-lines will be maintained so that this interpretation</p>	<p>Amend Section 32(2) by replacing the words "a registered plan of subdivision" with the words "the zoning maps or the electronic consolidation of the zoning map", so that the subsection would read:</p> <p>32. Where the boundary of any zone shown on the zoning maps:</p> <p>(2) substantially follows lot lines shown on the zoning maps or the electronic consolidation of the zoning map, it is considered to follow such lot lines;</p>

	tool could not be abused to avoid re-zonings where they are necessary.	
3. Part I, Section 54: Definition of 'building height' related to dormers	Clarify that where a non-typical roof format (i.e., roof types with additional features such as dormers) is proposed, that the maximum building height is to be calculated using the eaves of the building and not the eaves of the projection.	Amend Section 54 – Definitions: 'building height', clause (c) to read as follows: "the mid-point between the ridge if a hip, gable, shed or gambrel roof, and the eaves of the building, excluding the eaves of any projections; or"
4. Part V, Section 131: Landscaping within 'Planned Unit Developments'	Ensure that dwelling units within a Planned Unit Development are subject to appropriate landscaping requirements within front and corner side yards.	Amend Section 131 – Planned Unit Developments by: - Within Table 131, combining Subsections (5) and (6), both titled "Parking" into one new Subsection with two clauses as per the original Subsections. - Adding: a new subsection entitled "Landscaping and Parking" with the following provisions: (a) In the case of a planned unit development consisting of detached, linked-detached, semi-detached, three-unit or townhouse dwellings, or any combination thereof, all lands located between the dwelling unit, the extension of the main wall of the dwelling unit, and the private way are

		<p>to be landscaped with soft landscaping, other than the area used for a driveway leading to the dwelling unit's associated parking space, garage or carport.</p> <p>(b) In no case may any dwelling unit located within a planned unit development that has its own driveway leading to its associated parking space, garage or carport have a driveway that is wider than the associated parking space, garage, or carport.</p> <p>Furthermore, the remaining area between the dwelling unit and the private way must be landscaped with soft landscaping, with the exception of a walkway of no more than 1.8 metres' width.</p>
<p>5. Throughout: Utility Installations</p>	<p>Changes to Section 54 Utility definition are proposed to reflect current technology and changes necessitated by the <i>Green Energy Act</i>.</p> <p>Changes to Section 54 Utility installation reflect changes necessitated by <i>Green Energy Act</i> and amendments necessitated by the establishment of the new policies for antenna systems.</p>	<p>Amend Section 54 – Definitions: 'Utility' by:</p> <ul style="list-style-type: none"> <li>- deleting "telephone, telecommunication or internet" and replacing with "or communication".</li> </ul> <p>Amend Section 54 – Definitions: 'Utility Installation' by:</p>

	<p>Changes to Section 64 reflect changes necessitated by new policy for antenna systems and the <i>Green Energy Act</i>.</p> <p>Formatting changes to Section 91 eliminates requirement for “Despite” clauses; wording additions/deletions clarifies intent; addition of new clause (5) included to reflect new process for antenna systems); referral to Section 64 reduces repetition of provisions within the utilities section.</p> <p>Changes to Section 180 removes uses already permitted either in the parent O1 zone or by Section 91. The removal of the word permanent will ensure that no buildings “interim” “temporary” or otherwise are permitted.</p>	<ul style="list-style-type: none"> <li>- replacing it in its entirety with the following: “Utility installation means the equipment used to make or deliver a utility product, commodity or service and includes the actual building, plant, works, utility line, tower, relay, pedestal, and may also include a storm water management facility, but excludes antenna systems.”</li> </ul> <p>Amend Section 64: Permitted Projections Above the Height Limit by:</p> <ul style="list-style-type: none"> <li>- adding “and that is necessary to operate effectively and safely” at the end of the introductory paragraph;</li> <li>- deleting “hydro and other utility” and replacing with “communication”;</li> <li>- adding “forming part or all of a utility installation” after “towers”;</li> <li>- deleting “television, radio or telecommunication antenna, excluding a satellite dish or tower antenna accessory to a permitted use in a residential zone (see Section 120 for</li> </ul>
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		<p>provisions)”; and</p> <ul style="list-style-type: none"> <li>- deleting “wind turbine and tower on a lot greater than 0.8 hectares in area”</li> </ul> <p>Amend Section 91 by:</p> <ul style="list-style-type: none"> <li>- deleting the following words from clause (a) of subsection (1): “the form of” and “and appearance” and “blend in with surrounding development and must”</li> <li>- adding: the following wording to clause (a) of subsection (1) after “zone setback”: “and maximum building height”</li> <li>- adding the following clauses to subsection (1): <ul style="list-style-type: none"> <li>(d) “electrical substations are not permitted within the flood plain overlay”;</li> <li>(e) “poles, pedestals, drop lines, cables, pipelines, kiosks, cabinets and other similar equipment used to provide services from a utility installation to a use, building or structure are not considered to constitute a utility installation and are not subject to the provisions this Section”;</li> <li>(f) “utility installations that are subject to the</li> </ul> </li> </ul>
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		<p>requirements of the <i>Environmental Assessment Act</i> are permitted in all zones, and are not subject to the provisions of this Zoning By-law.”</p> <ul style="list-style-type: none"> <li>- deleting subsections (2) to (7) inclusive and replacing with the following subsections:</li> </ul> <p>(2) “There are no minimum lot area or minimum lot width requirements for a utility installation.”</p> <p>(3) “Despite Section 20, parking need only be provided on the basis of the gross floor area of a building associated with the utility installation.”</p> <p>(4) “Antenna Systems, including satellite dishes, are not subject to the regulations of this Zoning By-law, but are subject to the City’s Municipal Concurrence and Public Consultation Process for Antenna Systems.”</p> <p>Amend Section 180(16)(a) O1P – Open Space, Hydro Corridor Subzone by:</p> <ul style="list-style-type: none"> <li>- deleting “community garden, environmental preserve and education area, park, utility</li> </ul>
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		<p>installation limited to a hydro transmission and distribution system and facilities”.</p> <p>Amend Section 180(16)(b)(iii) by:</p> <ul style="list-style-type: none"> <li>- deleting the word “permanent”.</li> </ul>
6. Throughout: Number of ancillary rooming units permitted in places of worship	<p>Within the I1 – Minor Institutional Zone, places of worship are permitted to have a maximum of three ancillary rooming units. These rooming units serve the congregation of a place of worship by offering a place to stay for family members, friends, or visiting members attending an event being held at the place of worship, such as a funeral or wedding.</p> <p>To provide consistency with the intent of permitting ancillary rooming units for places of worship as found in the Minor Institutional Zone, the proposed amendment is to permit a maximum of three ancillary rooming units in all zones where ‘place of worship’ is a permitted use.</p>	<p>Amend the Zoning By-law so that where ‘place of worship’ is a listed permitted use, the following amendments are undertaken:</p> <ul style="list-style-type: none"> <li>- change all listed ‘place of worship’ uses to ‘place of worship and ancillary rooming units’; and</li> <li>- add a clause to the applicable zone or subzone, where applicable, that states “a maximum of three ancillary rooming units are permitted in a place of worship.”</li> </ul>
7. Throughout: <i>Green Energy Act</i>	<p>The changes proposed are necessitated due to the <i>Green Energy Act</i>, 2009. The Act fosters growth of renewable energy projects by removing barriers and promoting opportunities for renewable energy projects. The <i>Green Energy Act</i> amended the <i>Planning Act</i> to exempt renewable energy generation facilities from zoning by-laws. The <i>Green Energy Act</i> has stipulated that restrictions established by municipal by-law are inoperative related to any renewable energy project, renewable energy source or renewable energy testing project, as defined in the <i>Green Energy Act</i>, 2009, S.O. 2009, Chapter 12,</p>	<p>Amend Section 54 – Definitions: ‘Accessory’ by:</p> <ul style="list-style-type: none"> <li>- deleting from clause (c) the comma between ‘antennas’ and ‘satellite’ and replace with “and”; and</li> <li>- deleting the words “and wind turbines” at the end of clause (c).</li> </ul> <p>Amend Section 54 –</p>

	<p>Schedule A. Such installations are now subject to “Renewable Energy Approvals” (REA), an approvals process under the <i>Environmental Protection Act</i>. The <i>Environmental Protection Act</i> mandates municipal consultation. Any references to such facilities are proposed to be removed from the Zoning By-law. In discussion with City Legal Staff it has been recommended that references in the Zoning By-law to heat pumps not be removed from the by-law.</p>	<p>Definitions: ‘Utility Installation’ by:</p> <ul style="list-style-type: none"> <li>- deleting the words “and a wind turbine farm”.</li> </ul> <p>Amend Section 54 – Definitions by deleting the definition of ‘wind turbine’ in its entirety.</p> <p>Amend Part 2, Section 55, Table 55 by:</p> <ul style="list-style-type: none"> <li>- deleting subsection (5) in its entirety.</li> </ul> <p>Amend Part 2, Section 64 by:</p> <ul style="list-style-type: none"> <li>- deleting the words “solar panels or solar collectors”.</li> </ul> <p>Amend Part 2, Section 65 by:</p> <ul style="list-style-type: none"> <li>- deleting the term “solar panels” from subsection (8).</li> </ul>
<p>8. Part V, Section 133: Secondary dwelling unit permission in Duplex Dwellings</p>	<p>When the City was creating its Affordable Housing policy and implementing zoning, staff suggested that the City go beyond the Provincial policy on secondary dwelling units that existed at the time (2001-2004). In addition to permitting the secondary use within detached and semi-detached dwellings as per the Provincial policy, the City decided to permit a maximum of one secondary dwelling unit within a duplex dwelling. The intent of this additional permission was to recognize the thousands of illegal basement apartments, or third units, within existing duplexes, the vast majority of which were built in former Ottawa and former Vanier.</p> <p>Legalizing the basement apartments removed the hidden nature of these units, allowing them to be created legally, making</p>	<p>Amend Part V, Section 133 to ensure that permission of one secondary dwelling unit must be only within the basement of a duplex existing as of the date of adoption of the amending by-law, as follows:</p> <ul style="list-style-type: none"> <li>- Delete: reference to duplex dwelling in Subsection (2); and</li> <li>- Add: a new Subsection (2a) that would state: “(2a) A maximum of one secondary dwelling unit is</li> </ul>

	<p>them more likely to meet all of the Building and Fire Code issues that had been associated with hidden residences within buildings. These originally-constructed duplexes that contained illegal basement apartments have retained their original appearance that was common in the R2 and higher Residential zones. Therefore, it is recommended that they continue to be legally recognized.</p> <p>However, it was never intended to permit the development of new duplexes that would also contain a secondary dwelling unit as these could result in a dwelling with three at- and above-grade units, rather than traditional duplexes, with only two units at or above-grade.</p> <p>Three-unit dwellings are only permitted in the mid- and high-density residential zones, R3 to R5 Zones and V3 Zone, and certain non-residential zones. Their form is different from the uses permitted in the R2 and V2 Zones. Allowing the development of new duplexes with third units has resulted in a number of new three-unit dwellings that are otherwise prohibited in the R2 and V2 Zones. In some cases, the ‘basement apartment’ resembles a first floor principal unit, while in other cases, the secondary unit is designed within the first, second or third floors, rather than being restricted to the basement. In both cases, the form the building takes does not fit in with other R2 or V2 uses, notably detached and semi-detached dwellings.</p> <p>Further, traditional duplexes, with one unit at-grade, and the second unit above the first, either provided no on-site parking, or driveways on either side of the dwelling. Recent purpose-built duplexes with secondary dwelling units have included multiple-car garages at grade, rather than an at-grade front wall entrance to the two units.</p>	<p>permitted only in the basement of a duplex dwelling existing as of <i>(insert date of amending by-law)</i>”</p> <ul style="list-style-type: none"> <li>- Delete: the phrase in Subsection (4) that refers to secondary dwelling units in duplex dwellings; and</li> <li>- Add: Under Subsection (13), add the words ‘existing as of <i>(insert date of amending by-law)</i>’, so that the clause would read: “(13) Except in the case of a secondary dwelling unit within a duplex dwelling existing as of the date of <i>(insert date of amending by-law)</i>, no parking is required for a secondary dwelling unit, but where provided, parking must be in conformity with the parking provisions of the by-law, and must not be located in the front yard.”</li> </ul>
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	<p>In addition, a purpose-built duplex with a secondary dwelling unit that looks like a three-unit dwelling in form and bulk essentially undermines the existing zoning requirements that restrict a three-unit dwelling to the R3 to R5 and V3 zones.</p> <p>It is also of note that none of the iterations of the provincial policy and legislation on secondary dwelling units have imposed a rule that would require the secondary use within a duplex dwelling.</p> <p>Therefore, it is recommended that secondary dwelling units be limited to only existing duplexes, and no longer be permitted in any newly-constructed duplex dwelling.</p>	
<p>9. Part IV, Section 101, Table 101 Minimum Parking Rate for Secondary Dwelling Units</p>	<p>The current parking provisions for secondary dwelling units under Section 101, Table 101 – Minimum Parking Rate for Secondary Dwelling Units (n) clause 2 require that one parking space be provided in the case of a secondary dwelling unit within a duplex dwelling. As it is being recommended through amendments to Section 133 herein, that secondary dwelling units be limited to duplexes existing as of the date of the implementing zoning by-law amendment and that no newly-created duplexes be permitted to contain a secondary dwelling unit, it is also recommended that this clarification be reflected in Section 101.</p>	<p>Amend Part IV, Section 101, Table 101, Minimum Parking Rates, paragraph (n) Secondary dwelling unit, clause 2, to add the words “existing as of (<i>insert the date of adoption of the implementing zoning by-law</i>)”.</p>
<p>10. Section 6 - Reclassification of Column II for Urban and Rural Exceptions</p>	<p>Section 6 of the Zoning By-law permits limited revisions to its text without the need for a zoning by-law amendment, and lists those instances where this may be undertaken. The purpose of this section is to allow direct changes to address housekeeping matters, such as the correction of grammar and punctuation, provided there is no alteration to the meaning and intent of a provision. Such changes are made by staff and reflected in the City’s online consolidation of the Zoning</p>	<p>Amend Section 6 as follows:</p> <ul style="list-style-type: none"> <li>- Add to subsection 6(1) the words “numbering, cross-referencing,” immediately before the word “grammar”;</li> <li>and,</li> <li>- Add as a new subsection (3) the following:</li> </ul>

	<p>By-law.</p> <p>Staff recommend that the list of changes permitted under section 6 be broadened to include two additional items:</p> <ol style="list-style-type: none"> <li>1) The correction of numbering and cross-referencing within the by-law, again provided there is no alteration to the meaning and intent of its provisions; and,</li> <li>2) The addition, deletion and correction of zone codes shown in Column II of exceptions contained within section 239 and 240, which exist only for reference purposes, but form part of the by-law.</li> </ol> <p>The addition of these items would eliminate the need for amendments where there is in fact no substantive change to the content of the by-law, and reflects the permitted list of technical amendments set out in policy 10 of Section 5.4 of the Official Plan.</p>	<p>(3) “The addition, removal or modification of a zoning code reference contained within Column II of an Exception found within Sections 239 and 240.”</p>
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**ZONING DETAILS TO BE CONSIDERED BY ONLY  
AGRICULTURE AND RURAL AFFAIRS COMMITTEE**

DOCUMENT 3

<b>I Item</b>	<b>II Objective of Amendment</b>	<b>III Proposed Amendment</b>
<p>1. 1391 D’Arcy Street; 7030, 7040, 7050, and 7060 Cosgrove Avenue (Ward 20)</p>	<p>The current zoning provisions of the VM – Village Mixed Use Zone that applies to these five properties has a maximum front yard setback of 3 metres. This maximum front yard setback of 3 metres found in the VM zoning is intended to encourage pedestrian- and street-oriented development along Parkway Road, which is the village’s main street.</p> <p>The five properties located at 1391 D’Arcy Street; 7030, 7040, 7050, and 7060 Cosgrove Avenue have frontage onto Cosgrove Avenue and the existing detached dwellings have setbacks ranging from 7.5 metres to 12 metres. As such, for these five properties, it is not appropriate to impose a maximum front yard setback of 3 metres, as any addition to the existing houses would have to be considerably closer to Cosgrove Avenue than the existing built context.</p> <p>The proposed amendment will provide a minimum front yard setback that is consistent with the adjacent V1I – Village First Density Residential Zone, Subzone I, for the existing buildings that are currently located on the lots, while maintaining the provisions of the VM zone that direct future redevelopment of the sites to have a street-oriented format along Parkway Road.</p>	<p>Amend the Zone Map of By-law 2008-250 from VM to VM[XXXr] with a new Rural Exception [XXXr] as follows and as shown in Document 1, Map B</p> <p>Amend Section 240 by adding a new Rural Exception as follows:</p> <p>Column II Applicable Zone: VM[XXXr]</p> <p>Column V Provisions: For a building existing as of <i>(insert date of adoption of the implementing zoning by-law)</i> the following zoning provisions apply:</p> <ul style="list-style-type: none"> <li>- The front property line is deemed to be the property line that abuts Cosgrove Avenue</li> <li>- The minimum front yard setback is 7.5m</li> <li>- The minimum corner side setback is 7.5m</li> <li>- The minimum rear yard setback is 7.5m</li> <li>- The minimum interior side yard setback is 1.5m</li> <li>- There is no minimum building height required.</li> </ul>



<p>2. Portion of 2201 Speedway Road</p>	<p>The purpose of these amendments is to bring the zoning boundaries between the EP3 zone and the other zones into conformity with the Official Plan designations resulting from the corresponding Official Plan Amendment D01-01-13-0001, and the updated boundaries of the Provincially Significant Wetland.</p> <p>MAP C in Document 1 shows where the proposed boundaries of the EP3 zone would result in changes to the zoning.</p>	<p>Amend the Zone Map of By-law 2008-250 as follows:</p> <ul style="list-style-type: none"> <li>- delete the holding symbol and exception [1r] on parts of 2201 Speedway Road; and</li> <li>- the subject lands known municipally as part of 2201 Speedway Road shown as Areas A to C on MAP C in Document 1, be rezoned as the following: <ul style="list-style-type: none"> <li>(a) Area A to be rezoned from ME1[1r]-h to EP3</li> <li>(b) Area B to be rezoned from ME[1r]-h to EP3</li> <li>(c) Area C to be rezoned from RU to EP3</li> </ul> </li> </ul>
<p>3. 1820, 1824, 1826 Farwel Street, 5873 Buckland Road (Ward 19)</p>	<p>The subject lands were inadvertently rezoned from Village Mixed-Use to Village Residential as a result of a mapping error. The purpose of the amendment is to correct this error and reinstate the Village Mixed-Use zone to recognize longstanding commercial uses in Vars.</p>	<p>Amend the Zone Map of By-law 2008-250 to rezone the subject lands shown as Area A on MAP D in Document 1 from V1E to VM6.</p>

**ZONING DETAILS TO BE CONSIDERED BY ONLY  
PLANNING COMMITTEE**

DOCUMENT 4

<b>I Item</b>	<b>II Objective of Amendment</b>	<b>III Proposed Amendment</b>
1. 300 Aquilo Crescent (Ward 6)	<p>The intended use for this block (Block 58, Plan 4M-1364) at the time of subdivision was to provide lands for a future elementary school site. The former Goulbourn Zoning By-law applicable to the site permitted an elementary school and various other public uses to locate in any zone under the definition of Public Use. In order to allow for optional residential development of the site an amending by-law in 2007 placed the lands in a residential zone, which zone, under the former Goulbourn Zoning By-law, permitted 'public use' as described above. When the City adopted Zoning By-law 2008-250, the land was zoned to R3YY[1455] reflecting the residential zoning identified on the Goulbourn zone maps only, as the school use was not obvious from the Goulbourn zone schedule. The zone strategy adopted in Zoning By-law 2008-250 deleted the term "public use" and replaced the uses considered as "public uses" in the former Goulbourn Zoning By-law, as well as other former zoning by-laws, under various other definitions and the uses were dispersed amongst numerous zones (e.g., institutional, community leisure facility zones, etc). The zone strategy adopted for school sites in By-law 2008-250 is that they be placed in an Institutional zone and, in many cases, dual zoned to allow for alternate use should the school use not proceed. Rezoning to a dual zone including I1A – Minor Institutional Zone, with an exception for certain uses currently permitted in the I1A zone, will return the zoning of the site to that which was intended under the former Goulbourn Zoning By-law.</p>	<p>Amend the Zone Map of By-law 2008-250 from R3YY[1455] to I1A[XXXX]/R3YY[1455] with a new Urban Exception [XXXX] as follows and as shown in Document 1, Map A</p> <p>Amend Section 239 by adding a new Urban Exception as follows:</p> <p>Column II Applicable Zone: I1A[XXXX]/R3YY[1455]</p> <p>Column IV Land Uses Prohibited:</p> <ul style="list-style-type: none"> <li>- group home</li> <li>- recreational and athletic facility</li> <li>- residential care facility</li> <li>- retirement home</li> <li>- retirement home, converted</li> <li>- rooming house</li> <li>- rooming house, converted</li> <li>- shelter</li> <li>- sports arena</li> <li>- training centre limited to job instruction/ training associated with a school</li> </ul> <p>Column V Provisions:</p> <ul style="list-style-type: none"> <li>- school use limited to a primary or</li> </ul>

	<p>Under former Goulbourn Zoning By-law, 'public use' was permitted within all residential zones. A 'public use' was defined as: "means a BUILDING, STRUCTURE or part thereof or LOT used for public services by the CORPORATION or the REGION, any local board of either the Corporation or the Region, any CONSERVATION AUTHORITY, any Ministry or Commission of the Governments of Ontario or Canada or Bell Canada; and includes a SCHOOL, ELEMENTARY, but shall not include a SCHOOL, SECONDARY, hospital or main campus college or university.</p>	<p>elementary school</p>
<p>2. Zoning provisions for semi-detached dwellings with rear lane garages and detached dwellings on corner lots in Longfields Subdivision Phase 5, R3Z[1648] – Residential Third Density, Subzone Z, Urban Exception [1648] (Ward 3)</p>	<p>Within Urban Exception [1648], the following exception for detached and townhouse dwelling rear lane units is noted: "- despite endnote 11, the maximum width of 50% of the rear lot line does not apply, and the 1.0m rear yard setback does not apply".</p> <p>A review of Urban Exception 1648, as well as By-law 2008-290 and By-law 2010-312, shows that there appears to be an inconsistency regarding semi-detached dwellings and exempting semi-detached dwellings from endnote 11. Currently, the way the exception reads, a semi-detached dwelling with a garage or driveway on a rear lane would require that the width of the garage or driveway not exceed 50% of the width of the rear lot line, contrary to what is required for both detached and townhouse dwellings within this area.</p> <p>At the time of the zoning, the draft plan of subdivision only considered detached and townhouse dwellings on this particular block, hence, why this inconsistency occurred. As the intent of this area was to create lots with rear lanes and detached dwelling and townhouses were exempted from endnote 11, semi-detached dwellings are an appropriate use and it makes sense</p>	<p>Amend Section 239, Urban Exception [1648] as follows:</p> <ul style="list-style-type: none"> <li>- to include semi-detached dwellings as being exempt from endnote 11 within the R3 – Residential Third Density zone provisions</li> <li>- to state that for a detached dwelling on a corner lot where there is only one interior side yard, the minimum interior side yard setback is 0.6 metres</li> </ul>

	<p>that semi-detached dwellings should also have been exempted from endnote 11.</p> <p>It was also noted through this review that endnote 6 of the R3Z zone, which applies to detached dwellings, was not accounted for within Urban Exception 1648 and that this should be corrected as it is appropriate to permit the interior side yard setback on a corner lot to be 0.6 metres when the required corner side yard setback is 3 metres.</p>	
<p>3. 40 Granite Ridge Drive (Ward 6)</p>	<p>The former Goulbourn Zoning By-law applicable to the site permitted an elementary school and various other public uses to locate in any zone under the definition of Public Use.</p> <p>When the City adopted Zoning By-law 2008-250, the land was zoned to R1Q[720] reflecting the residential zoning identified on the Goulbourn zone maps only, as the school use was not obvious from the Goulbourn zone schedule. The zone strategy adopted in Zoning By-law 2008-250 deleted the term “public use” and replaced the uses considered as “public uses” in the former Goulbourn Zoning By-law, as well as other former zoning by-laws, under various other definitions and the uses were dispersed amongst numerous zones (e.g., institutional, community leisure facility zones, etc). Specifically, the zone strategy adopted for school sites in By-law 2008-250 is that they be placed in an Institutional zone. Rezoning to the I1A – Minor Institutional Zone, with an exception for certain uses currently permitted in the I1A zone, will return the zoning of the site to that which was intended under the former Goulbourn Zoning By-law.</p> <p>Under former Goulbourn Zoning By-law, ‘public use’ was permitted within all residential zones. A ‘public use’ was defined as: “means a BUILDING,</p>	<p>Amend the Zone Map of By-law 2008-250 from R1Q[720] to I1A[XXXX] with a new Urban Exception [XXXX] as follows and as shown in Document 1, Map E:</p> <p>Amend Section 239 by adding a new Urban Exception as follows:</p> <p>Column II Applicable Zone: I1A[XXXX]</p> <p>Column IV Land Uses Prohibited:</p> <ul style="list-style-type: none"> <li>- group home</li> <li>- recreational and athletic facility</li> <li>- residential care facility</li> <li>- retirement home</li> <li>- retirement home, converted</li> <li>- rooming house</li> <li>- rooming house, converted</li> <li>- shelter</li> <li>- sports arena</li> <li>- training centre limited to job instruction/ training associated</li> </ul>

	<p>STRUCTURE or part thereof or LOT used for public services by the CORPORATION or the REGION, any local board of either the Corporation or the Region, any CONSERVATION AUTHORITY, any Ministry or Commission of the Governments of Ontario or Canada or Bell Canada; and includes a SCHOOL, ELEMENTARY, but shall not include a SCHOOL, SECONDARY, hospital or main campus college or university.</p>	<p>with a school</p> <p>Column V Provisions: - school use limited to a primary or elementary school</p>
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**PUBLIC CONSULTATION AND NOTIFICATION DETAILS**

DOCUMENT 5

**NOTIFICATION AND CONSULTATION PROCESS**

In accordance with the Council-approved Public Notification and Public Consultation Policy, notification of some of the topics presented in this report was undertaken in August 2012. The full list of topics covered by this report, including the applicable topics advertised in August 2012 and the two anomalies, was advertised in Le Droit and the Sun. Additionally, for those site-specific topics that were added after the advertisement in the newspapers, signs were installed and residents within 120 metres of the subject site were circulated the amendment proposal package. The Omnibus Zoning By-law Amendment topics presented in this report was directly circulated to registered community groups, technical agencies and advisory committees in March 2013.

**PUBLIC COMMENTS**

No specific comments or questions were received from the public for the majority of the topics. For those topics which comments were provided, they are listed below with a response.

**Definition of 'building height' related to dormers**

Comments from National Capital Commission:

- The City is reviewing the definition of 'building height' to clarify how height is measured when dormers are present on a building, i.e., if there is going to be a more liberal interpretation of "Dormers" such that there now may be a possibility to add an additional "floor" for example, on an existing dwelling unit adjacent to the Queen Elisabeth Driveway. The NCC does monitor such development through Committee of Adjustment circulations to determine if "View Planes" to Federal buildings, the UNESCO World Heritage site at the Rideau Canal, etc. are not being obscured.

**1391 D'Arcy Street; 7030, 7040, 7050, and 7060 Cosgrove Avenue**

Comments from residents:

- Any addition or addition of a garage should perform to community standards and should be in line with all the other properties and conform with other houses on Cosgrove.

Response: The intent of the proposed zoning by-law amendment for these five properties along Cosgrove is to acknowledge and maintain the character of the building setback along Cosgrove Avenue.

- I had to adhere to the rules of the Township of Osgoode when I built my addition.

Response: The former Township of Osgoode's zoning by-law was superseded in 2008 by City of Ottawa Zoning By-law 2008-250.

- It is a waste of money and manpower to erect the large signs notifying of the zoning by-law amendment.

Response: Official Plan Policy #5.2.3(a) requires that a bilingual sign be posted on the affected site for proposed Zoning By-law amendments. Furthermore, the

Council-approved Public Notification and Consultation Policy requires that on-site signage be posted for site-specific Zoning By-law amendments.

**COMMUNITY ORGANIZATION COMMENTS**

Staff did not receive comments from any Community Organizations.