

**4. Zoning By-law Amendment – Westboro Infill Study (Interim Control By-law) Area**

**Modification du Règlement de zonage – Secteur visé par l'Étude de zonage sur les aménagements intercalaires dans Westboro (règlement de restriction provisoire)**

**Committee recommendations, as amended**

That Council approve :

1. an amendment to Zoning By-law 2008-250 for the area bounded by Byron Avenue, Dovercourt Avenue, Golden Avenue, and Tweedsmuir Avenue, to permit additional uses and establish additional provisions as detailed in Document 2, as amended by the following:

- a. that Document 2 - Details of Recommended Zoning of Report ACS2021-PIE-EDP-0007 be amended by adding the following provision:

“Amend Section 9 - Transitions of By-law 2008-250 by adding a new subsection with provisions similar in intent to the following:

(X)

- (a) No provisions of amending by-law 2021-XXX act to prevent the issuance of a building permit for a development located in Area A of Schedule YYY of Zoning By-law 2008-250 for which a completed application for Site Plan Control, Committee of Adjustment approval, Zoning Amendment or Building Permit was received or a decision was rendered by the Ontario Local Planning Appeal Tribunal Board by the City on or after October 9, 2018 and before the date of passing of this By-law and such applications may be processed under the provisions in place prior to this amendment.
- (b) This subsection is repealed one year after the passing of this by-law.”

2. that no further notice be given pursuant to subsection 34 (17) of the Planning Act.

Recommandations du Comité, telle que modifiée

Que le Conseil approuve :

1. la modification du Règlement de zonage (no 2008-250) pour le secteur délimité par les avenues Byron, Dovercourt, Golden et Tweedsmuir, afin d'autoriser d'autres utilisations et d'établir des dispositions supplémentaires, telles qu'elles sont décrites dans le document 2, dans sa version modifiée par ce qui suit :
  - a. que le document 2, Détails du zonage recommandé, du rapport soit modifié par l'ajout de la disposition suivante :

« Modifier la section 9 sur les transitions du Règlement no 2008-250 en y ajoutant de nouvelles dispositions qui auront un effet analogue à celles qui suivent :

(X)

    - a) Aucune disposition du règlement rectificatif no 2021-XXX n'est destinée à empêcher la délivrance d'un permis de construire pour un projet situé dans le secteur A indiqué à l'annexe YYY du Règlement de zonage (no 2008-250), et pour lequel une demande dûment remplie visant l'approbation du plan d'implantation, l'obtention de l'approbation du Comité de dérogation, la modification du zonage ou l'obtention d'un permis de construire a été reçue par la Ville ou tranchée par le Tribunal d'appel de l'aménagement local de l'Ontario le 9 octobre 2018 ou après, mais avant l'adoption de ce règlement municipal. Il est possible de traiter ces demandes selon les dispositions en vigueur avant l'adoption de cette modification.
    - b) Ce paragraphe sera abrogé un an après l'adoption de

**ce règlement municipal. »**

2. **qu'en vertu du paragraphe 34(17) de la *Loi sur l'aménagement du territoire*, qu'aucun nouvel avis ne soit donné.**

**Documentation/Documentation**

1. Director's report, Economic Development and Long-Range Planning, Planning, Infrastructure and Economic Development Department, dated January 30, 2021 (ACS2021-PIE-EDP-0007)

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 2021 (ACS2021-PIE-EDP-0007)

2. Extract of draft Minutes, Planning Committee, February 11, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 11 février 2021

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
11 February 2021 / 11 février 2021**

**and Council  
et au Conseil  
24 February 2021 / 24 février 2021**

**Submitted on 30 January 2021  
Soumis le 30 janvier 2021**

**Submitted by  
Soumis par:  
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**Ward: KITCHISSIPPI (15)**

**File Number: ACS2021-PIE-EDP-0007**

**SUBJECT: Zoning By-law Amendment – Westboro Infill Study  
(Interim Control By-law) Area**

**OBJET: Modification du Règlement de zonage – Secteur visé par l'Étude de  
zonage sur les aménagements intercalaires dans Westboro**

(règlement de restriction provisoire)

## REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for the area bounded by Byron Avenue, Dovercourt Avenue, Golden Avenue, and Tweedsmuir Avenue, to permit additional uses and establish additional provisions as detailed in Document 2.
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 February 24, 2021 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 la modification du Règlement de zonage (no 2008-250) pour le secteur délimité par les avenues Byron, Dovercourt, Golden et Tweedsmuir, afin d'autoriser d'autres utilisations et d'établir des dispositions supplémentaires, telles qu'elles sont décrites dans le document 2; et
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 24 février 2021 », 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**

### **Background and Analysis**

This City-initiated Zoning By-law amendment is in response to Interim Control By-law 2018-362 which applies to part of the Westboro neighbourhood. The Interim Control By-law prohibited the development of three-unit dwellings within this area. It sets out recommendations to permit a range of housing types within the area subject to the Interim Control By-law, based on to a number of new development standards that address key characteristics of the neighbourhood.

Staff conducted the Westboro Infill Study, in response to the Interim Control By-law in accordance with Section 38 of the *Planning Act*. This included a review of past infill development within the study area. The study also involved direct consultation with residents with respect to important streetscape and neighbourhood characteristics. Staff also took into consideration both the policies of the current City of Ottawa Official Plan, as well as preliminary Council-adopted policies in support of the new draft Official Plan – the Preliminary Policy Directions and Growth Management Strategy.

### **Staff Recommendation**

Planning staff recommend approval of the Zoning By-law amendment for the Westboro Interim Control By-law area as presented in Document 2 of this report.

The recommendations will result in zoning changes to the Interim Control Area based on their context, as follows:

- Churchill Avenue (Area A on Document 1) will be rezoned to an R4 zone, permitting development up to four storeys in height with no limit on the number of units.
- Byron Avenue (Area B on Document 1) will be rezoned to an R4 zone, permitting development up to three storeys in height with no limit on the number of units.
- Corner lots and “transition areas” adjacent to major streets (Area C on Document 1) will be rezoned to a R4 zone subject to a maximum limit of six units per building, and three storeys in height, and on corner lots, requirements for roofline articulation.
- Interior lots on local streets (Area D on Document 1) will remain R3, but townhouse dwellings will be added as a permitted use, and a three-storey height

for any typology will be permitted in a pitched roof form.

The amendment also includes several development standards aimed at addressing key characteristics for this residential neighbourhood, including landscaping requirements, building height and form restrictions on local streets, and limits on surface parking areas associated with development.

### **Applicable Policy**

Section 3.6.1 of the Official Plan designates the study area as General Urban Area, which permits residential development of up to four storeys. The proposed zoning will allow for a wider range of permitted dwelling types overall, with local streets generally permitting heights of maximum two or three storeys.

With respect to permitted development in the General Urban Area, changes in building form, height and density will be evaluated based upon compatibility with the existing context and the planned function of the area as per Section 3.6.1.3.

### **Public Consultation/Input**

Consultation on the Westboro Infill Zoning Study has included the preparation of multiple discussion papers, as well as a public open house, to consult on and discuss issues concerning infill development within the neighbourhood.

A working group was also formed for the study which included Planning Services staff, industry representatives from the Greater Ottawa Home Builders' Association (GOHBA), as well as community representatives including those from the Westboro Community Association. The purpose of this group was to allow for discussion of infill issues within the community and ensure that all parties were up to date on consultation activities for the study, including those in support of the proposed amendment.

Document 3 – Details of Public Consultation for additional detail on the public consultation that took place in support of this study and proposed amendment.

## **RÉSUMÉ**

### **Contexte et analyse**

Cette modification du Règlement de zonage proposée par la Ville se veut une réponse au règlement de restriction provisoire n° 2018-362, qui s'applique à une partie du quartier de Westboro, et qui y interdisait l'aménagement de triplex. Elle présente des recommandations visant à autoriser divers types de logement dans le secteur visé,

sous réserve de plusieurs nouvelles normes d'aménagement qui tiennent compte des grandes caractéristiques du quartier.

Le personnel a mené une étude de zonage sur les aménagements intercalaires dans Westboro en réponse au règlement de restriction provisoire, conformément à l'article 38 de la Loi sur l'aménagement du territoire. Il s'est notamment penché sur les précédents aménagements intercalaires du secteur à l'étude. Il a également consulté directement les résidents au sujet des éléments importants du paysage de rue et des caractéristiques du quartier. Enfin, le personnel a aussi tenu compte des politiques de l'actuel Plan officiel de la Ville d'Ottawa, ainsi que des politiques préliminaires adoptées par le Conseil dans le cadre du nouveau Plan officiel provisoire (orientations stratégiques préliminaires et stratégie de gestion de la croissance).

### **Recommandations du personnel**

Le personnel de planification recommande l'approbation de la modification du Règlement de zonage pour la zone de Westboro visée par le règlement de restriction provisoire décrite dans le document 2 du présent rapport.

Les recommandations du personnel aboutiront à la modification du zonage du secteur visé par le règlement de restriction provisoire, comme suit :

- L'avenue Churchill (zone A du document 1) deviendra une zone R4, où sera permis l'aménagement de bâtiments de quatre étages au maximum, sans limite quant au nombre de logements.
- L'avenue Byron (zone B du document 1) deviendra une zone R4, où sera permis l'aménagement de bâtiments de trois étages au maximum, sans limite quant au nombre de logements.
- Les lots d'angle et les « zones de transition » adjacents aux grandes artères (zone C du document 1) deviendront des zones R4 soumises à une limite de trois étages et de six logements par bâtiment et, pour les lots d'angle, à des dispositions concernant les lignes de toiture.
- Les lots intérieurs des rues locales (zone D du document 1) resteront des zones R3, mais les habitations en rangée seront permises et les bâtiments pourront avoir trois étages, quelle que soit leur typologie, pourvu qu'ils aient un toit en pente.

La modification du Règlement de zonage prévoit aussi plusieurs normes



d'aménagement visant à tenir compte des grandes caractéristiques de ce quartier résidentiel : dispositions d'aménagement paysager, restriction de la hauteur et de la forme des bâtiments dans les rues locales et limites s'appliquant aux parcs de stationnement en surface associés aux aménagements.

### **Politiques applicables**

Selon la section 3.6.1 du Plan officiel, le secteur à l'étude est une zone urbaine générale, ce qui veut dire qu'y sont permis les bâtiments résidentiels de quatre étages au maximum. Le zonage proposé élargira le type d'habitations permises dans l'ensemble et autorisera les bâtiments de deux ou trois étages au plus sur les rues locales.

Pour ce qui est des aménagements autorisés dans la zone urbaine générale, conformément à la section 3.6.1.3, les modifications proposées à la forme bâtie, à la hauteur et à la densité seront évaluées en fonction de leur compatibilité avec le contexte actuel et de la fonction prévue du secteur.

### **Consultation publique/commentaires**

Dans le cadre de l'Étude de zonage sur les aménagements intercalaires dans Westboro, le personnel a préparé plusieurs documents de travail et organisé une séance portes ouvertes pour obtenir l'avis des résidents et sur les aménagements intercalaires du quartier.

Toujours dans le cadre de l'Étude a été mis sur pied un groupe de travail composé de membres du personnel des Services de planification, de représentants sectoriels de la Greater Ottawa Home Builders' Association (GOHBA) et de représentants locaux, entre autres de la Westboro Community Association. Son objectif était de permettre les échanges sur les aménagements intercalaires du quartier et de veiller à ce que toutes les parties soient au courant des activités de consultation, y compris celles appuyant la modification proposée.

Document 3 – Renseignements sur les consultations publiques menées dans le cadre de l'Étude et en vue de la proposition de modification

## **BACKGROUND**

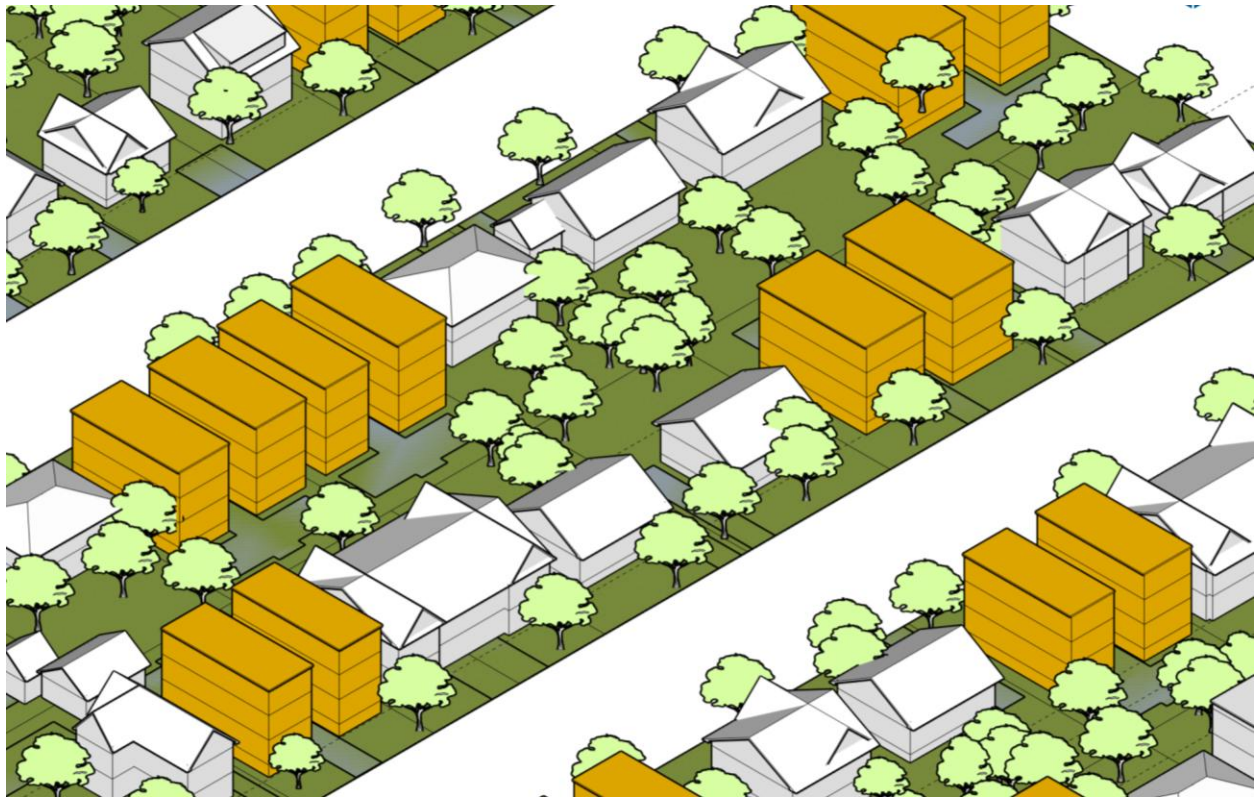
### **Analysis and Key Principles**

In October 2018, Council adopted Interim Control By-law 2018-362 for a portion of the

Westboro neighbourhood, bounded by Byron Avenue to the north, Dovercourt Avenue to the south, Golden Avenue to the west, and Tweedsmuir Avenue to the east (henceforth referred to as the “study area”). The purpose of this By-law was to restrict the development of three-unit dwellings within this area, subject to a study of infill within the neighbourhood and the appropriateness of this use and other multi-unit dwelling uses.

In accordance with Section 38 of the *Planning Act*, this By-law was extended for an additional year in October 2019, to allow additional time for public consultation and review. As a result of the COVID-19 pandemic and resulting provincial emergency orders, the By-law was further extended to January 15, 2021 in accordance with O. Reg 149/20, a length of time equal to the time that the emergency orders were in effect. As such, these regulations are being presented to allow for new regulations to be in effect before the Interim Control By-law is repealed.

Staff are of the opinion that despite being the primary focus of the Interim Control By-law, three-unit dwellings, in general, are a compatible land use in Westboro and that prohibiting or directly restricting the development of such a use would not be in accordance with the City of Ottawa Official Plan. Staff recognize that there have been challenges associated with triplexes and semi-detached dwellings in terms of massing, design, impact on trees and site layout that are not well addressed by current zoning requirements. For example, many of the more recently-developed triplexes in Westboro are three-storeys in height (permitted by the R3R zone), with limited or no articulation, whereas the built form context on local streets is more predominantly two storeys in height, and often includes pitched roofs. Where parking is provided for these forms, it is often large parking areas that cover a significant portion of rear yard space, often at the expense of mature trees. The below diagram represents a generic example of the form of development that the present zoning permits, as shown by the buildings in orange representing the triplex design.



With this in mind, staff took the position that while multi-unit typologies, including those potentially containing more units than permitted in the present R3 zones, may be appropriate in Westboro, the Interim Control By-law represented an opportunity to review the types and form of infill more generally within the neighbourhood, in order to determine what types of regulations might be appropriate to ensure that new multi-unit infill is developed in a compatible manner.

The Westboro Infill Study looked at the past infill that has taken place within the study area, including but not limited to three-unit dwellings, detached, semi-detached, and long semi-detached dwellings. It also took into consideration new policies which have been adopted by Council in support of the new Official Plan which is presently under development – the Preliminary Policy Directions and Growth Management Strategy. While these do not constitute part of the presently applicable planning framework, they are of significant relevance to this study and the zoning recommendations, as they are intended to inform the future direction of housing development and population growth within the City.

Consultation with residents identified several neighbourhood characteristics that were considered to be important for new infill development to maintain and reinforce. These included:

- **Landscaping and Trees** – both front and rear yards contain a mature tree canopy that should be supported through infill. Significant concerns were expressed about the loss of mature trees to infill development and new buildings;
- **Walkability** – many residents noted that local streets and the neighbourhood are inviting places for pedestrians. Concerns were expressed that new infill did not contribute to this pattern;
- **Building Height and Envelope** – the built form on local streets is varied but often consists of smaller detached housing forms. Concerns were expressed that some new developments, such as larger three-storey triplexes, represent a departure from this predominant built form on local streets;
- **Parking Management** – parking is not required for low-rise residential development of 12 or fewer units; however, on-site parking continues to be a desired feature in Westboro infill. Since parking is not required, it should only be provided where other desirable characteristics (such as landscaping and appropriate building envelope) are addressed.

The proposed recommendations aim to introduce zoning that addresses these key characteristics, in a manner consistent with current Official Plan policies for intensification, but also taking into consideration the future direction to be put forward by the new draft Official Plan.

In developing policy directions for the new Official Plan, a major guiding principle for infill development is that the exterior built form and site design of a building, not the number of units contained within the building, should be the primary determining factor in whether or not a development proposal is appropriate. This principle has been expressed in the Council-adopted Preliminary Policy Directions as well as the five “Big Moves” for the new Official Plan. It is this principle that forms the basis for several zoning regulations proposed via this report.

Staff acknowledge that numerous concerns have been raised with respect to the perceived and actual impacts of various forms of infill development within the study area. In many instances, however, where variances from the Zoning By-law are applied for in support of a development, such variances most commonly pertain to the size of the lot as opposed to the building or site configuration. Such lot sizes may not themselves represent a departure from the actual lot fabric in the neighbourhood, but

the built form developed on these lots may not be fully compatible and respectful of neighbourhood characteristics despite being otherwise zoning compliant.

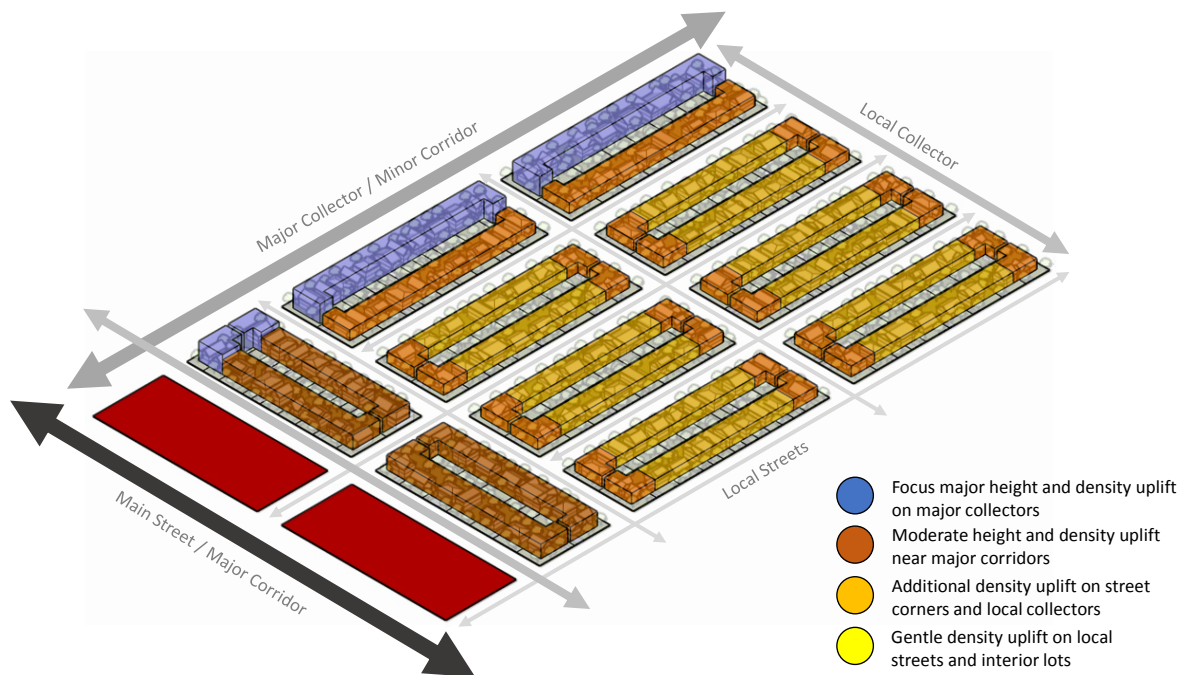
Two commonly expressed concerns from residents are that the mass of the building or the inability to retain greenspace for trees and or amenity area, contribute to a multi-unit development being inappropriate on a given site. To address these concerns, Staff's position is that zoning should primarily regulate those factors, rather than simply requiring a larger lot than may actually be necessary to functionally accommodate those features. This will ensure that should Minor Variances be requested from these standards, an applicant will be required to demonstrate how their built form and site design are compatible with the surrounding neighbourhood context and consequently desirable for the appropriate development of the lot, whereas the ability to affect changes to that design was previously limited where variances pertained only to lot width and area.

Staff would also note that the new Official Plan aims to introduce a "transect" model in terms of its land use designations. This model will see the highest levels of density concentrated in major hubs and corridors, with intensification occurring at a lower scale in outlying neighbourhoods. While the study area does not contain major hubs such as rapid transit stations, there are streets within the study area that are representative of potential major streets and corridors. Streets such as Churchill Avenue, represent appropriate streets on which to accommodate a higher level of density than what current zoning has contemplated.

Consequently, the recommendations in this amendment propose various new regulations aimed at addressing a number of elements that, based on consultation with residents and the Westboro Community Association, are representative of the residential character within the neighbourhood, to ensure compatible infill development at a range of densities.

### **Proposed Approach**

The proposed approach is outlined in the below graphic.



Density in the interior of the existing residential neighbourhood is maintained at near existing levels, to provide for gradual change and evolution in a manner that is contextual and similar in form to what is there today. Corner lots, having greater prominence, are provided with increased uplift potential to “frame” to the block-ends within the local context and provide additional housing opportunity. Where blocks approach the edge of a neighbourhood, either towards a main street/commercial area or towards the major road network, additional housing opportunities and development permissions are provided to encourage more rapid change, and in forms that are more reflective of a future perspective of development in these areas.

To effect this, a combination of context-based zones are applied, tailored for the density and form outcome that is desired to be achieved. Staff anticipate a gradual increase in housing quantity and diversity, in a manner that is more respectful of existing context.

### Summary of requested Zoning By-law amendment proposal

The proposed amendment will establish regulations and permitted uses based on context within the study area. The zoning proposed will consequently be divided into four areas as listed in Document 1 – Details of Recommended Zoning:

- Area A – Major Street (Churchill Avenue)



- Area B – Major Street (Byron Avenue)
- Area C – Corner Lots and Transition Zones Adjacent to Major Streets
- Area D – Local Streets



### Proposed Designations and Permitted Uses

- **Churchill Avenue** represents the primary corridor within the study area. Multiple transit routes use part or all of Churchill Avenue, and the street was recently reconstructed to add cycling lanes. As such, this street is proposed to be predominantly zoned to a R4UD zone to permit four-storey residential development throughout, with no specified limit on the maximum number of dwelling units.

It is also proposed to add the “neighbourhood commercial” (“-c”) suffix to allow for limited non-residential uses, permitting a greater range of retail and services to be located within walking distance of the study area.

As it is intended to concentrate higher density along this street, it is also proposed to prohibit the development of new detached or semi-detached dwellings along this street. Existing detached and semi-detached dwellings will remain permitted.

Staff note that a few properties on the east side of Churchill Avenue near Byron Avenue are already zoned Local Commercial (LC), which permits three-storey low-rise apartment buildings. These properties will retain their local commercial zoning as it is consistent with the above direction but will be modified to permit four-storey development in a manner consistent with the study.

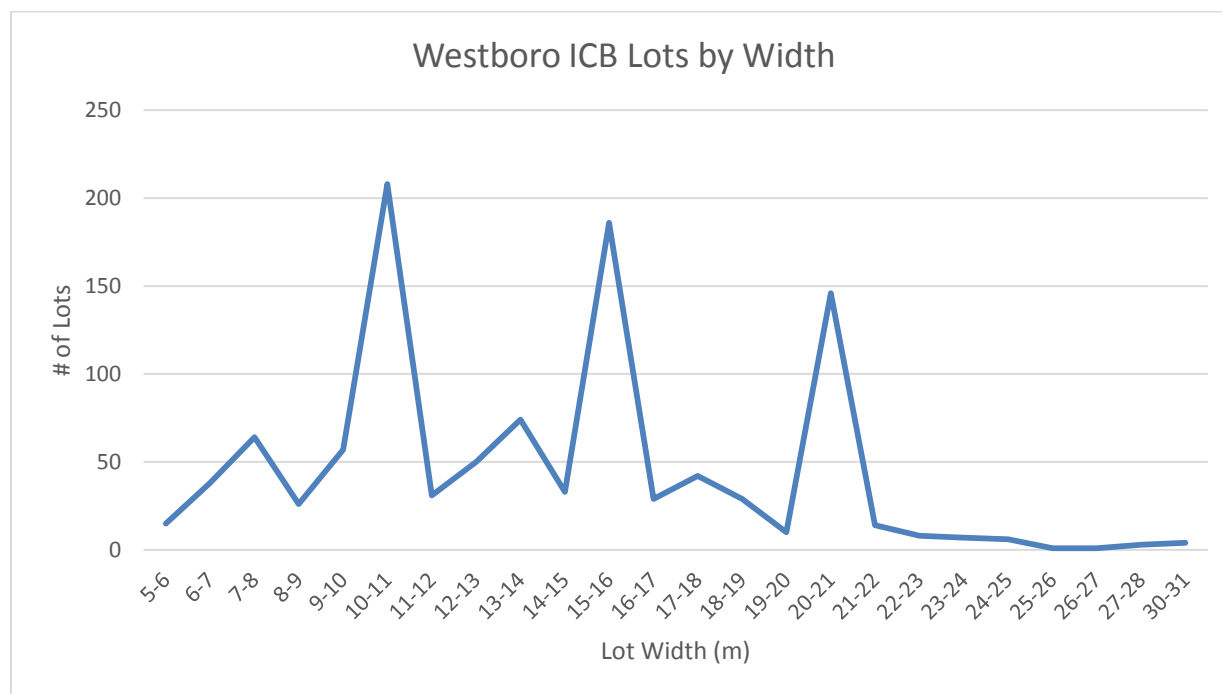
- **Byron Avenue** represents another major street within the study area, and thus is also a location that is appropriate to accommodate a higher level of density. These streets are proposed to be zoned to a R4UC zone that permits development of up to three storeys, with no limit on the maximum number of units.
- **Corner lots** on local streets represent areas where additional density can be accommodated, as they contain more than one street frontage and fewer direct neighbours. Similarly, lots directly adjacent to lots fronting onto major streets, referred to in the report as “**transition zones**”, are also appropriate for a larger amount of density than local streets located further away from major streets, in order to concentrate the highest level of density near major streets and thoroughfares. As such, these areas are proposed to be zoned to a R4UA zone that permits development of up to three storeys, with no more than six units permitted within a building.
- **Local streets** (i.e. those lots not within one of the previous categories) are proposed to retain the current R3R zoning, except that townhouses are proposed to be added as a listed permitted use. Townhouse dwellings are normally permitted in most R3 zones but are prohibited within the R3R and R3S subzones. Staff are of the opinion that townhouses represent a reasonable development option within inner urban areas, and one whose built form can be appropriately accommodated within a variety of local street contexts.



## Minimum Lot Sizes

The present R3R zone requires a minimum lot width of 12 metres and lot area of 360 square metres for most permitted uses, save for semi-detached dwellings which require a minimum lot width of 6 metres and lot area of 180 square metres.

When considering the existing lot fabric of the study area, staff note that 10-metre wide lots, despite not being compliant with the minimum requirements of the R3R zone, represent the most commonly occurring lot size. This is followed by 15-metre wide lots and 20-metre wide lots.



While a significant portion of 10-metre wide lots contain existing older homes and buildings, it is acknowledged that a number of these lots are created from the severance of 20-metre wide lots, normally involving Minor Variance approval to address the deficient lot size with current zoning.

As it is recognized that 10-metre wide lots represent a common lot and development pattern in this part of Westboro, it is staff's position that it is not appropriate to require Committee of Adjustment approval to allow development on a "typical" lot size for the area that is otherwise in accordance with zoning standards. Consequently, the amendment proposes to set a minimum lot width of 10 metres for all permitted uses in all areas (A, B, C, and D) to ensure the zoning is consistent with this pattern. A

minimum lot area of 300 square metres (i.e. 10 metres multiplied by a typical lot depth of 30 metres) is also proposed.

The only exceptions to the above are for semi-detached and townhouse dwellings, which are proposed to require a 6-metre width and 180 square metres area per semi-detached or townhouse dwelling unit.

### **Westboro Development Overlay**

Most of the provisions detailed below will be included within a new section of the Zoning By-law, to be contained within Part 5 – Residential Provisions.

In order to establish the area to which these provisions are proposed to apply (i.e. the study area, save for those properties not included within this zoning amendment), it is proposed to create a new “overlay schedule” to highlight this.

The new section will contain all provisions noted in this amendment, save for those related to lot width and area as well as front and side yard setbacks.

### **Areas Not Included Within the Subject Zoning Amendment**

A number of properties within the study area are subject to privately initiated zoning amendments that are either presently under review or have been reviewed by Planning Committee. These include:

- 433-435 Churchill Avenue and 470-472 Byron Place, which is subject to a Zoning By-law amendment application (file D02-02-19-0037) in support of a 6-storey mixed-use building;
- 574-576 Byron Avenue and 411, 415, 419, 423, 425, and 427 Ravenhill Avenue, which are subject to a Zoning By-law amendment application (file D02-02-18-0044). Note that this amendment proposes a R4 zone for these properties, consistent with the recommendation for properties along Byron Avenue and within this block.

The block bounded by Kenwood Avenue, Edison Avenue, Princeton Avenue, and Melbourne Avenue has been subject to a full redevelopment, with the north portion rezoned in 2007 to allow for the development of a range of detached and townhouse dwellings. The southern portion was subject to a similar rezoning in 2018 to permit a similar scale of development. Since these amendments resulted in area-specific zoning

standards, with taller buildings than contemplated for local streets more generally within the area, this block will not be subject to the proposed amendment.

Similarly, the development at the southwest corner of Churchill Avenue and Ravenhill Avenue, was rezoned in 2012 to allow for the development of new townhouse dwellings and associated local commercial uses, including the retention of the existing church. Since these zones include several site-specific provisions to facilitate this development, these addresses will not be subject to the proposed amendment.

There exist two properties within the study area on local streets with site-specific zoning exceptions that set out provisions specific to those properties. As both of these properties are located on local streets and within R3 zones, and the site-specific provisions are not directly related to the matters being looked at through this study, it is appropriate to maintain the provisions contained within these exceptions, while adding the proposed provisions which are intended to apply to local streets more generally.

Finally, properties with a non-residential zoning designation, such as the Dovercourt Recreation Centre, will not have their zoning changed as a result of this amendment, since the scope of this amendment is specific to residential zones within the study area.

### **Landscaping and Greenspace**

Trees, soft landscaping and greenspace were identified by residents as a primary feature of Westboro's residential context. In this regard, one of the most common concerns with the infill that has been developed to date within the study area is its impact on the neighbourhood's tree canopy.

Council has recently provided direction within a broader context to impose zoning measures that promote landscaping, tree retention and tree planting, including front yard landscaping requirements through the Low-Rise Infill Monitoring Amendments ([ACS2020-PIE-EDP-0033](#)). However, many of these measures focus primarily on front yard treatment and Staff acknowledge that loss of tree canopy in rear yards is also a concern.

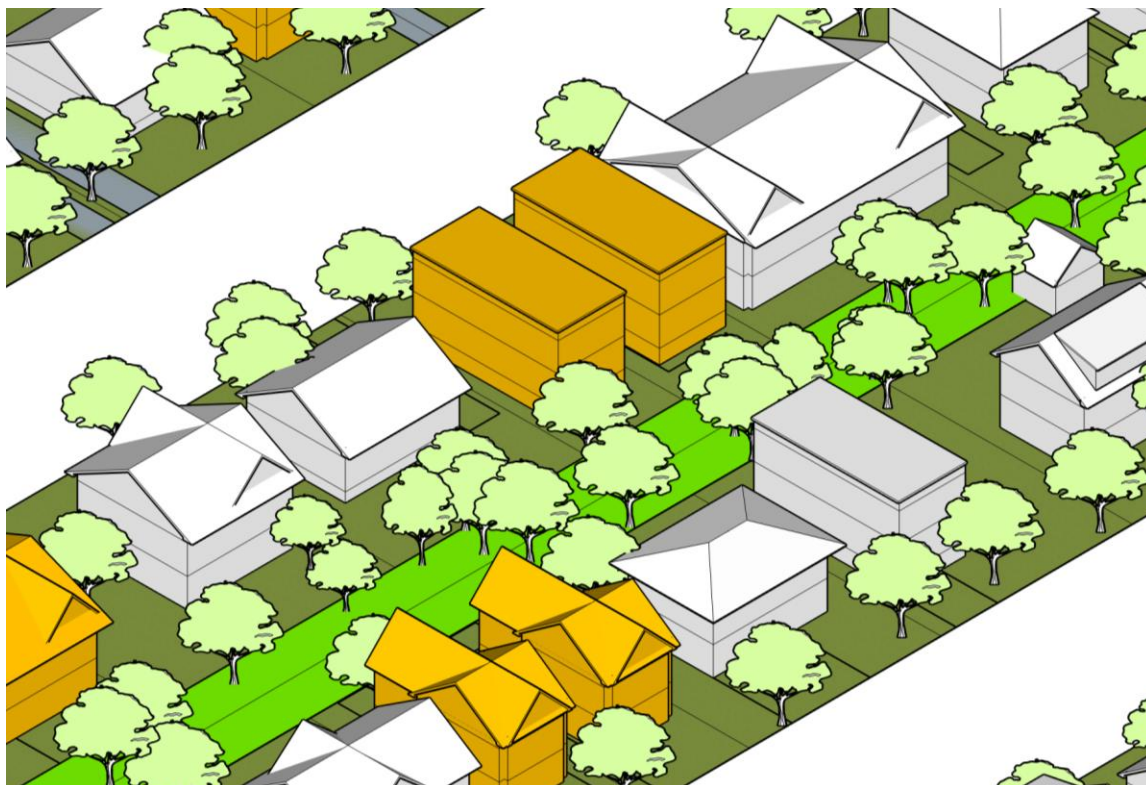
Related to this concern is the use of rear yards more generally. Rear yards can be used for amenity space, which includes landscaped area in support of that use, or for functional uses such as parking, bicycle parking, or supporting accessory buildings for storage or waste management. Many rear yards are used for amenity space, or a combination of amenity space and functional space for parking.

It is common for multi-unit developments that have occurred within the study area to primarily use the rear yard for functional space such as parking or bicycle parking. These uses are permitted in rear yards, and it is not staff's intent to prohibit vehicular parking entirely. However, staff are of the opinion that other necessary and appropriate elements of a residential site must be addressed before parking can be provided on that site.

A primary element of the Low-Rise Infill Monitoring Amendments was to emphasize "landscaping first" on residential lots, which resulted in the introduction of front yard landscaping requirements as previously noted. Staff are of the opinion that this same principle should be applied to rear yards as well, where a significant portion of the mature tree canopy in Westboro exists.

The proposed amendment will therefore focus on imposing requirements with respect to soft landscaped area within rear yards, in the form of a softly landscaped buffer abutting the rear lot line. Depending on context, this will result in a requirement of a buffer that is either at least 3 metres (Areas A and B) or at least 4.5 metres (Areas C and D) in width.

On corner lots, where it is permitted to provide only an interior yard for 30 per cent of the lot width in lieu of a full rear yard, the landscaping requirement is proposed only to apply to the portion of lot where the interior yard is required.



As an alternative to providing a full buffer across the rear lot line, it is also proposed to allow the required landscaped area to abut at least 50 per cent of the lot line where it is provided in a contiguous area, and is of an area equivalent to that which would be required by a buffer (e.g. a 10 metre wide lot on a local street would need to provide 45 square metres of area). This will allow flexibility for the provision of supporting features and accessory buildings such as smaller detached garages or coach houses, while ensuring that a contiguous soft landscaped area continues to be provided that can support a tree.

### **Permitted Building Heights**

Presently, most local streets comprise buildings of primarily two storeys in height, with taller buildings less common within the study area.

On local streets, staff note that new development should recognize this context as much as possible, and thus are recommending that the permitted building height on local streets should typically allow for a height limit that accommodates two-storey buildings. However, taller buildings may be appropriate where a pitched roof is provided, which is a style consistent with that commonly encountered on local streets.



As shown in the above diagram, a tall peaked roof can result in a larger building height than a flat-roofed building of comparable size; however does not necessarily add

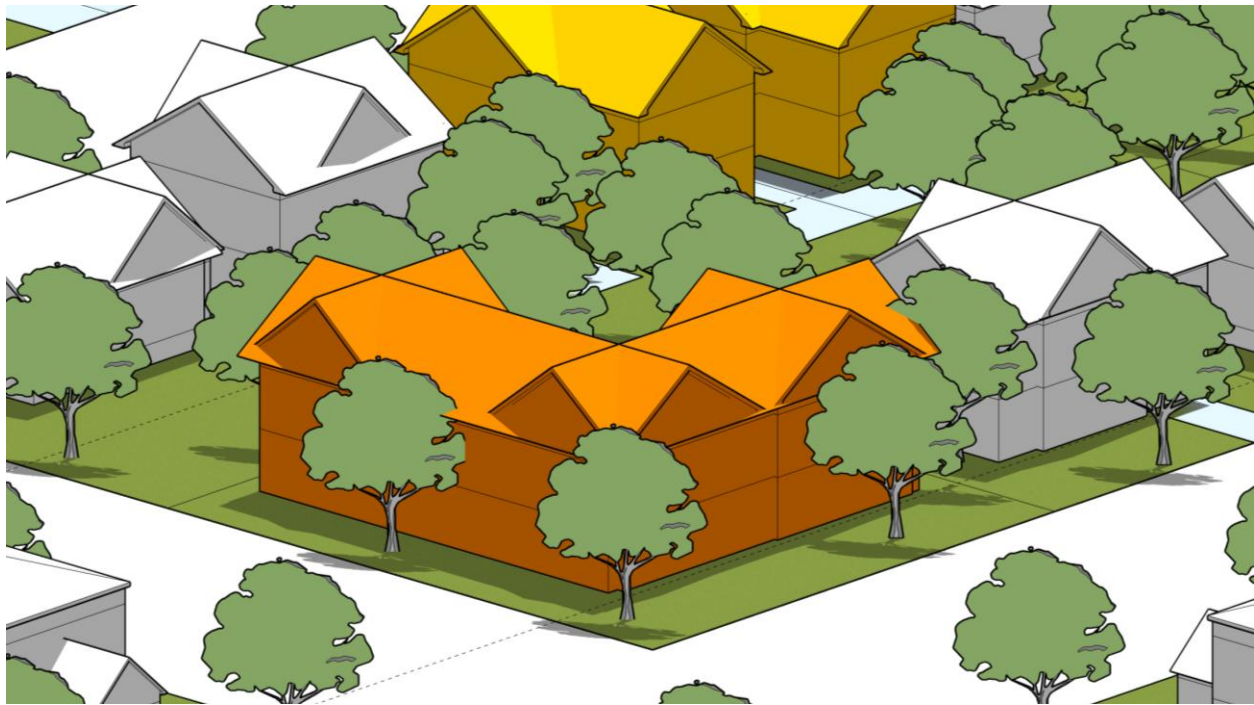
significant mass to the building overall and resembles a design that is more in context with a typical residential street.

As such, on local streets it is proposed to permit a two-storey (8.5 metres) building height for all dwelling types, which can be increased to 10 metres where a pitched roof with a minimum 1:2 slope is provided.

In order to further incentivize pitched roof designs over three-storey flat roof designs, it is proposed to establish additional flexibility for dormers within a pitched roof structure, allowing for additional floorspace to be provided within the pitched roof at the top storey. It is proposed to restrict the maximum width of roof dormers to 50 per cent of the width or depth of the roofline as measured at the eave, with each individual dormer no wider than 2.44 metres (8 feet) in width, to ensure that the pitched roof is maintained and these features do not dominate the roofline.

On major streets where it is reasonable to accommodate a higher range of density, it is similarly appropriate to accommodate taller buildings as-of-right. As such, it is proposed to permit three-storey buildings on Byron Avenue, and four-storey buildings along Churchill Avenue within the study area, to correspond with the proposed increased range of density and permitted housing types.

Corner lots on local streets are more prominent locations with fewer direct neighbours and represent opportunities to “frame” blocks on local streets, hence the proposed permission of additional density up to and including six-unit apartment buildings. However, it is proposed to retain the same height limits as set out on interior lots, to ensure a consistent streetscape and ensure that the massing of new infill does not have an excessive impact on local streets.



### **Building Depth and Rear Yard Setbacks**

Lots on local streets are varied in lot depth, with most lots roughly 30 to 35 metres in depth with some blocks comprised of deeper lots of over 40 metres in depth.

Rear yard setbacks have been increased as a result of the Infill 2 By-law, which came into full force and effect in 2016. This By-law increased the rear yard setback from 7.5 metres in most cases to a distance equal to 28 to 30 per cent of the lot depth. In general, this has been effective in ensuring that the overall size and location of infill development does not cause undue adverse impacts with respect to rear yards. However, in the case of particularly deep lots, a setback of 30 per cent of the lot depth allows for a significantly larger building than neighbouring buildings, which are typically smaller and do not encroach into rear yards significantly on these blocks. While it is reasonable to expect that new construction will be larger than existing buildings in terms of its building footprint, additional measures are appropriate on deep lots to ensure that the existing context is recognized.





As such, on particularly deep lots it is proposed to set a maximum building depth from the front lot line, to ensure that new construction is not significantly larger in depth and overall size compared to the existing context. This will in turn ensure that lots that are above average depth will not in turn result in a building that projects far deeper than its neighbours, and so retain a contiguous rear yard and consequently space for the various functions of a rear yard, including soft landscaping.

It is not proposed to apply this maximum building depth in the case of buildings containing six or more dwelling units. In these cases, it is reasonable to allow a greater building size to permit the development of additional units, particularly low-rise apartment buildings with larger unit yields as may be expected on major streets.

### Front and Side Yard Setbacks

Overall, this amendment proposes to harmonize development standards between different dwelling types within the same context, ensuring a “level playing field” between various permitted housing typologies. This will ensure that contextual design is the key focus of the zoning regulations.



A side yard setback of 1.5 metres is normally required for larger multi-unit buildings such as apartment buildings. Staff are of the opinion that this is appropriate to be applied equally to all dwelling types, within all parts of the study area. This will allow for appropriate space for access to rear yards, in particular for waste management bins and similar equipment, especially given that the amendment proposes to permit low-rise apartment buildings within a greater proportion of the study area.

Front yard setbacks in the R3R and R3S zone are currently 6 metres. This will be retained on local streets. The intent of front yard setbacks in a residential context is to ensure a consistent streetscape character and consistent “street wall” among buildings. On streets where an increased level of pedestrian activity is anticipated, such as major streets, it is appropriate to allow a closer setback to encourage increased pedestrian interaction, while leaving sufficient room for intensive soft landscaping and trees.

As such, in the case of major streets (Areas A and B), it is appropriate to allow for a smaller front yard setback to promote increased connectivity between larger-scale buildings and the street. It is therefore proposed on these streets to permit a minimum front yard setback of 4.5 metres. It should be noted that where existing buildings have a lower setback than the minimum required, a building is permitted to have a front yard setback equal to the average of the existing front yard setbacks of abutting properties.

## **Parking**

Staff would note that space provided for parking generally reduces the space that is available for other features or functional considerations, most notably landscaping and trees. Given that it is appropriate and necessary to maintain and improve the urban tree canopy and retain soft landscaped area for drainage and stormwater purposes, it is therefore staff's position that the desire for parking should only be considered when all other needs of a new development are met with all adverse impacts appropriately addressed on-site.

This is emphasized through the principle of “landscaping first” and the minimum landscaping requirements in rear yards, as noted in the “Landscaping and Greenspace” section above.

It is also proposed to require surface parking areas and driveways accessing these areas to be surfaced with a permeable or porous material, to further ensure that where surface parking areas are provided, they have as little impact as possible on the ability to provide and retain soft landscaping and trees.

Finally, in the case of R4 zones where apartment dwellings are proposed to be permitted (Areas A, B, and C), it is noted that on-site parking is proposed to be prohibited on lots less than 15 metres in depth containing an apartment dwelling, consistent with the provisions introduced via the R4 Zoning Review. In these situations, lots of these sizes are too small to provide on-site parking in a manner that ensures the appropriate and functional development of the site, without adverse impacts on available landscaping and other functional features.

### **Façade articulation**

It is proposed to require that at least 20 per cent of the front façade be recessed at least an additional 0.6 m from the front of the building.

This is consistent with previous Council direction set out in Phase 2 of the R4 Zoning Review ([ACS2020-PIE-EDP-0015](#)), which imposed this requirement on apartment buildings within inner urban R4 zones, to ensure a degree of sensitivity and visual interest in the design of new residential buildings. In the case of the Westboro study area, this requirement is proposed to apply equally to all dwelling types.

## **DISCUSSION**

### **Public consultation**

As part of the study, the following public consultation activities were held:

- An initial discussion paper was released in September 2019. The discussion paper set out the development trends that occurred within the study area leading up to the passing of the Interim Control By-law, as well as some of the major issues and discussion questions relating to infill development within Westboro in general. Over 100 residents responded to this discussion paper.
- A public open house was held in December 2019, discussing in further detail concerns pertaining to infill in Westboro, as they relate to five key themes: trees and greenspace, density, parking, urban design, and neighbourhood change. These themes were chosen based on common themes found from the responses to the first discussion paper.
- A second discussion paper was released in April 2020, which aimed to outline a high-level “vision” for the study area, based on the Council-adopted Preliminary Policy Directions for the new Official Plan. This discussion paper set out a wide range of potential zoning standards that can be introduced to address various

concerns relating to infill development in Westboro, ranging from landscaping and parking provisions to building height and size provisions.

- The proposed zoning regulations were circulated in October 2020 for public comment.
- A virtual public open house was hosted by Councillor Jeff Leiper's office on October 29, 2020.

Full details on public consultation activities, including comments received as a result of these circulations, are available in Document 3 of this report.

### **Guidance for Committee of Adjustment Applications**

The following notes are intended to provide guidance to staff on questions around the intent of the zoning, and thereby inform future staff comments to the Committee of Adjustment on applications for variances.

### **Lot Width and Lot Area**

As previously noted in the report, the proposed lot width of 10 metres and lot area of 300 square metres are a reduction from the present R3R zoning requirements but are representative of the existing lot fabric and development context in Westboro. While not unprecedented, lots below this width are significantly less common in the neighbourhood.

Future variance requests to further reduce these requirements should generally not be accompanied by variance requests to other development standards, particularly those introduced through this amendment. It will be necessary, at a minimum, for a proponent to demonstrate that a lot width or area reduction will not result in an overall built form or design that does not properly manage its impacts on-site.

### **Rear Yard Landscaping**

When Council introduced the revised regulations for infill in neighbourhoods inside the Greenbelt in October 2020 ([ACS2020-PIE-EDP-0033](#)), it was noted that “landscaping first” represented a major principle behind the new requirements, including for landscaping in front yards.

The proposed requirements for rear yard landscaping buffers apply this same “landscaping first” principle to rear yards, with the intent of ensuring space is available for rear yard landscaping including supporting area for existing or new trees. Staff note

that the direction from Council in reference to the Infill zoning amendments is that this principle should not only apply to front yards, but rear yards as well.

With that in mind, it is expected that variance requests to these requirements should generally be discouraged except in limited site-specific circumstances. More generally, any reduction in available soft landscaping should not be for the purposes of providing additional space for surface parking, and variances in support of such a function may not be considered within the intent of the Zoning By-law or desirable for appropriate development.

### **Yard Setbacks and Maximum Rear Yard Depth**

The intention of the maximum rear yard depth provision is to ensure that new development on deeper lots is not significantly out of scale with the existing context along the remainder of the block. It will apply specifically to buildings containing fewer than six dwelling units, as it is recognized that allowing additional floor area is necessary and appropriate where it is in support of a larger increase in density where such is permitted. Where the building is a lower-density building, such an increase is not necessary, and ensuring that the building is contextual in terms of its rear yard pattern and treatment is of a greater importance than a higher floor area.

However, staff recognize that there may be cases where the surrounding context is comprised of buildings that are larger or closer to the rear lot line, such that an increased building depth would not introduce significant impact over and above what presently exists on that block.

With this in mind, where a variance is sought to allow an increased maximum building depth, it needs to be demonstrated that such is representative of the existing context of at least a significant portion of buildings within the same block, and would not represent an anomaly compared to the existing building sizes and locations.

### **Maximum Building Height**

Permitted building heights within the study area are proposed to be based on context, and to be consistent regardless of the type of dwelling proposed, such that there is certainty over the permitted and expected built form.

On major streets, the heights permitted are intended to be equivalent to a three-storey (or four-storey in the case of Churchill Avenue) built form. As such, height variances

should not result in a building that exceeds that general form in terms of its massing, bulk, and floor area.

On local streets, the height limit is intended to be equivalent to a two- or three-storey form, with pitch roofs encouraged via a taller height limit, to recognize the existing residential built form on these streets. In general, variances resulting in a building that goes beyond this form may not be appropriate where not demonstrated to be consistent with the immediate context of the street in question.

### **Parking Provisions and Façade Articulation**

Staff note that a number of these matters were originally introduced via the R4 Zoning Review ([ACS2020-PIE-EDP-0015](#)), and consequently the direction for Committee of Adjustment applications is as per that report.

It is expected that, where applicable, the need to provide permeable or porous paving should be met and not varied. The intent of providing permeable paving is to minimize the impact of surface parking areas on landscaped areas, trees as well as their critical root zones, to ensure that those areas are not negatively impacted by new development.

For this proposal's consultation details, see Document 3 of this report.

### **Official Plan designations**

The study area is presently designated General Urban Area within the City of Ottawa Official Plan. Section 3.6.1 of the Official Plan contemplates low-rise residential development of four storeys or fewer in height.

The proposal meets the policies of the current City of Ottawa Official Plan as they provide for a range of low-rise housing types within a residential neighbourhood. The zoning regulations will ensure that the present low-rise form and context are addressed while allowing for additional intensification and redevelopment in an inner-urban neighbourhood.

With respect to the streets listed as “major streets” within this proposed zoning amendment, staff note that these streets are designated as “collector” streets on Schedule E (Urban Road Network) of the Official Plan. Churchill Avenue is designated as a “Major Collector” road whereas Byron Avenue is designated as a “Collector” road.

The new Draft Official Plan was circulated for public comment on November 20, 2020 and has therefore not yet been reviewed nor adopted by Council. As such, the policies of the 2003 Official Plan, as noted above, remain in force and the zoning recommendations are consistent with the existing Official Plan. However, in developing these zoning recommendations staff have taken into consideration Council-adopted Preliminary Policy Directions and Growth Management Strategy. While neither of these documents form part of the policy regime in force, they represent Council's general direction for which new development, infill and intensification are expected to be accommodated within the City over the next 25 years.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the 2014 and 2020 Provincial Policy Statements.

### **RURAL IMPLICATIONS**

There are no rural implications.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Leiper provided the following comment:

"For many years, infill housing has been a key discussion in Kitchissippi. The demolition of older homes to make room for new dwellings at a more intense scale is changing how our neighbourhoods look and feel, adding pressure to street parking, removing trees from the urban canopy, and made stormwater management more challenging. It is adding new residents and neighbours. The construction of it frequently results in conflict on hitherto quiet streets.

Virtually all infill requires variances from existing zoning, and bi-weekly Committee of Adjustment hearings are a flashpoint week in and week out.

In 2018, I worked with the City and residents to freeze triplexes within a part of Westboro in which those were a very different style of building from that which already exists. While triplexes are permitted in much of our ward, the builder was proposing to subdivide lots in order to build more triplexes than the zoning allows. The freeze – technically an interim control by-law – paused large triplexes until the appropriateness of those could be studied. Surely, I and neighbours asked, the zoning in place was never intended to allow multiple triplexes on lots where single detached homes had been built?

Interim control by-laws are temporary, and the provincial rules allowing those require a study of the issue. When the clock on those runs out, Council can either choose to do nothing or change the zoning to reflect its intent.

With respect to the Westboro triplex freeze, the clock has run out.

Now, after two years of study, staff will be recommending to Council that it change the zoning for the area to reflect current planning thinking that reflect a city that has changed since the initial zoning was put in place (much of it in the 60s), that is facing twin climate and housing emergencies, that is seeking to mitigate urban sprawl through intensification, and that is committed through provincial policy and its own Official Plan to supporting light rail and building 15-minute neighbourhoods. I would like to thank staff for their diligence work on this study, and for the community on strong engagement throughout this process.

The staff recommendations go well beyond simply addressing whether triplexes are appropriate. They describe an approach to infill that is reflective of the larger directions in which Council is moving. If approved, they would reduce the number of variances being sought by setting out clear rules for things like minimum lot widths, add new density in select locations, and build on efforts underway for several years to address tree loss and loss of greenspace.

I am generally supportive of the direction. It is a continuation of the increasingly nuanced direction in which Council is moving to accommodate intensification that began with the Infill I and II rules during the last term of Council, and that were further advanced in a substantive revision of those rules just a few weeks ago. The new rules would introduce firmer landscaping requirements, more protection for trees and landscaping, and introduce more design elements to encourage, for example, peaked roofs.

It is also in the vein of new R4 zoning rules. In that analysis of those, I noted that it was important not to focus all of Ottawa's intensification on a few neighbourhoods closest to downtown. If intensification is to be our policy – and it should be – that has to be a part of every neighbourhood. In general, the proposed new rules would allow denser housing forms on major streets and at corner lots, creating a hierarchy of development that sees significant new density on the edges of the community, moving to intensification primarily through existing infill patterns in the interior.

I am very pleased that staff took note of my and resident's concerns with respect to the inclusion of Dovercourt as a major street. That is no longer moving ahead in this proposal.

While these zoning changes are only proposed today for the area of Westboro that was subject to the triplex freeze, my assumption is that we'll see elements of this applied to other R3 zones throughout the mature neighbourhoods. Anyone with an interest in how our neighbourhoods will develop in the coming years will want to be cognizant of these proposed changes. Some will be specific to this area, but other concepts such as the categorization of different streets are likely to be carried over into the comprehensive zoning by-law review that should follow approval of the new Official Plan.

While that Official Plan is not yet approved by Council (or the Province), there are elements of it such as approaches to intensification that have been fairly clear in Council's mind for months, if not years. We have approved a growth management strategy for the city that sees a majority (by the thinnest margin) of new housing built as intensification rather than greenfield. We cannot and should not count on absorbing most of Ottawa's growth in the coming decades into towers built on the periphery of transit stations. We also need that growth to occur in the kind of 15-minute neighbourhoods that are represented by this study area, in walkable neighbourhoods close to transit. Council's commitment has been to ensure that the impacts from making that possible will be shared across different neighbourhoods. The changes proposed for Westboro today will become, I'm sure, a first template for changes across our mature neighbourhoods in the months and years to come."

## **LEGAL IMPLICATIONS**

Should the recommendations be adopted, and the resulting zoning by-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a two to five hearing time will be required, depending on the scope of the appeal(s). It is anticipated that this hearing can be conducted within staff resources. As this is a City-initiated zoning amendment, there is no appeal right should the by-law not be adopted

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of



this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

The content of this report does not negatively affect people with disabilities or seniors.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Thriving Communities – it will encourage new housing at a range of low-rise forms and densities while addressing the need for compatibility with existing built form and emphasizing soft landscaping and the urban tree canopy.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Details of Public Consultation

## **CONCLUSION**

The intent of the proposed zoning is to set a clear hierarchy for where higher density will occur within Westboro, while also permitting new density on local streets subject to that infill being designed in such a way as to address the existing context of those streets.

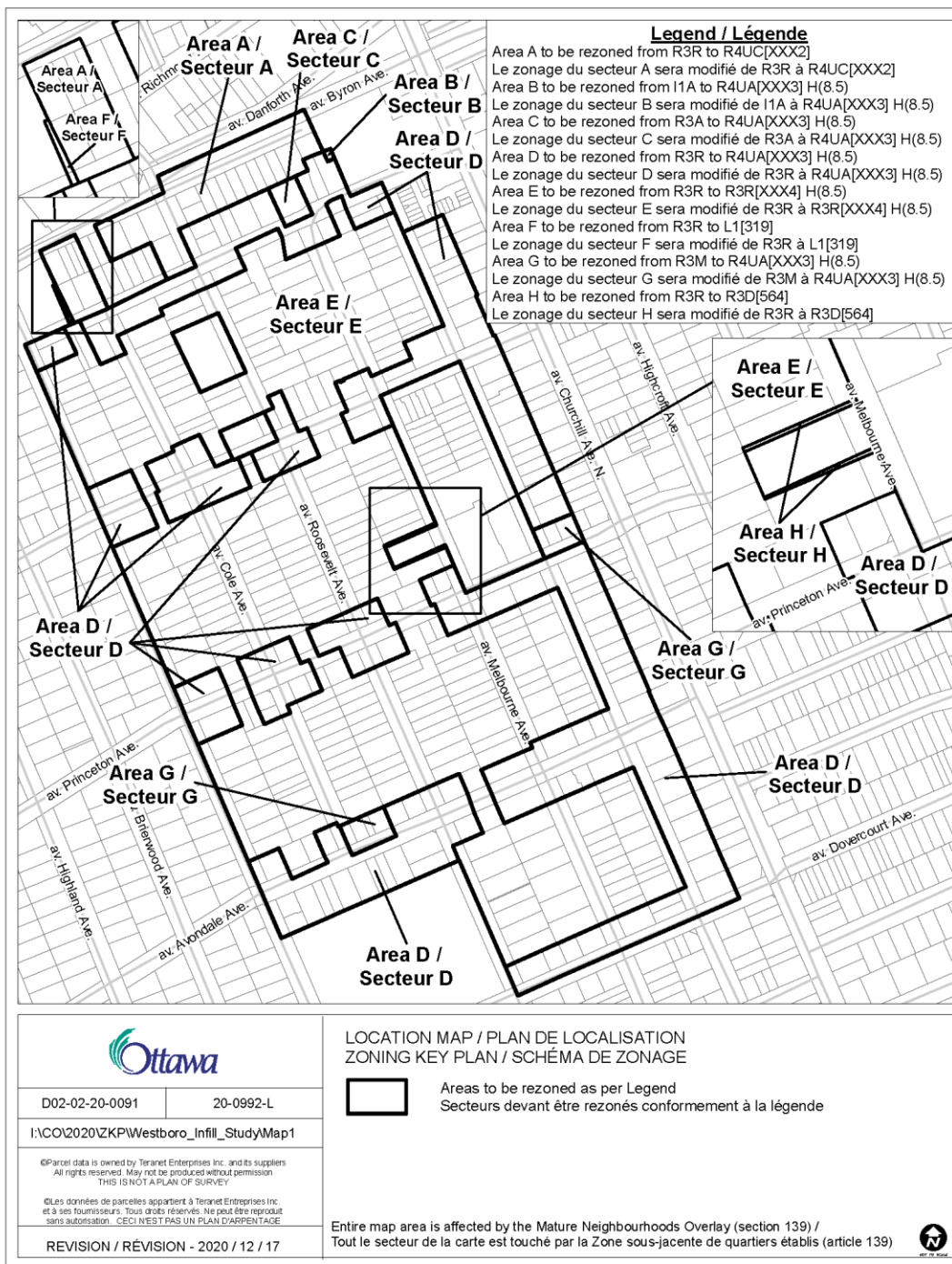
Overall, staff recommend that the proposed amendment is an appropriate approach to addressing the need for additional housing that is driving development pressures in Westboro. It is in conformity with the present Official Plan while properly recognizing the policies and direction intended to be set out by the new Official Plan presently under development.

## **DISPOSITION**

Planning, Infrastructure and Economic Development Department to draft an amendment to the Zoning By-law for Council's approval and to undertake the statutory notification of the passing of the amending Zoning By-law.

Office of the City Solicitor to bring forward the amending Zoning By-law to Council.

Document 1 – Location Map





## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for the area bounded by Byron Avenue, Dovercourt Avenue, Golden Avenue, and Tweedsmuir Avenue:

1. Amend the Zoning By-law with wording similar in effect to the following:
  - 1) Amend the Zoning Map as shown in Document 1.
  - 2) Amend Part 17 (Schedules) by adding the attached map as Schedule YYY



- 3) Amend Part 5 of the Zoning By-law to add the following as Section XXX.

**Section XXX – Westboro Development Overlay**

- (1) The provisions of this section apply to all areas located within Schedule YYY and take precedence over any other section to the contrary, except for those contained in Part 15 – Exceptions.

**Front Façade**

- (2) At least 20% of the front façade must be set back a minimum 0.6 metres from the front wall.

**Rear Yards**

- (3) Rear yard soft landscaped buffers are subject to the following:
- (a) A minimum rear yard softly landscaped buffer must be provided along the rear lot line, the depth of which must be in accordance of Table XXX1:

Table XXX1 – Minimum Rear Yard Landscaped Buffer Depth

Zone	Depth
R1, R2, R3 zones and R4UA or R4UB zones	4.5 metres
All other zones	3 metres

- (b) Subsection (3) (a) may also be satisfied by providing an aggregated landscaped area abutting at least 50 per cent of the rear lot line comprising an area equal to the total area of the landscaped buffer required by (3) (a), provided that the longer dimension of this area is not more than twice its shorter dimension.
- (c) All areas of the rear yard not covered by accessory buildings and structures, permitted projections, bicycle parking and aisles, hardscaped paths of travel for waste and recycling management, pedestrian walkways, patios, and permitted driveways, parking aisles and parking spaces, must be softly landscaped.



- (d) The area associated with a provided setback from a property line for an accessory structure or accessory dwelling (coach house) may be included in the above calculated area.
- (4) In addition to the minimum required rear yard setback;
  - (a) no part of a building may be located further away than 24 metres from the front lot line, except that projections permitted under Section 65 may project beyond that point in accordance with the restrictions of that section.
  - (b) Subsection (4)(a) does not apply to any building located in a non-residential zone, or to a residential building containing six or more principal dwelling units.
- (5) Where the property is on a corner lot and Section 144(6)(a) applies with respect to the rear yard, subsections (3) and (4) only apply to the interior yard required by 144(6)(a).

### **Building Height**

- (6) Maximum permitted building height is subject to the following;
  - (a) Where less than 10 metres on Column VI of the applicable subzone;
    - (i) on an interior lot, the maximum height may be increased to 10 metres where a pitch roof is provided with a minimum 1:2 slope.
    - (ii) on a corner lot, the maximum height may be increased to 10.7 metres provided a minimum of 50 per cent of the total horizontal roof area includes a pitch roof with a minimum 1:2 slope, or an equivalent step-back is provided.
    - (i) despite (i) and (ii), where located on an interior or corner lot abutting and having direct access to an Arterial or Major Collector Road as identified on Schedule 3 - Urban Road Network, the maximum height may be increased to 10.7m.
  - (b) dormers that do not span more than 50 per cent of the width or depth of a roofline are not included in the maximum height calculation where

included on any portion of a pitch roof with a minimum 1:2 slope.

- (c) for the purposes of subsection (6)(b), a dormer means an enclosed building feature that projects from a sloped roof and contains floor area, that is no more than 2.44 m in width.

## Parking

- (7) Any parking space located within the rear yard and not contained within a building, as well as any driveway or aisle accessing that parking area, must be surfaced with a permeable or porous surface, in addition to the requirements of section 100(6).
- (8) The front yard and corner side yard must be equipped with solid, permanent fixtures sufficient to prevent motor vehicle parking in contravention of this By-law, and for greater clarity:
- (a) such parking exclusion fixtures may include bicycle racks, benches, bollards, ornamental fences or garden walls, raised planters, trees, wheelchair lifting devices, wheelchair lifting devices or some combination thereof; and
- (b) raised planters are deemed to be soft landscaping for the purposes of determining front yard landscaping requirements.

I Exception Number	II Applicable Zone	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
XXX1	multiple		Except where	Minimum front yard setback: 4.5 m



			<p>existing as of the date of passing of this By-law:</p> <p>-detached dwelling</p> <p>-semi-detached dwelling</p>	<p>Minimum interior side yard setback: 1.5 m</p> <p>Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 m</p> <p>Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 sq m</p>
XXX2				<p>Minimum front yard setback: 4.5 m</p> <p>Minimum interior side yard setback: 1.5 m</p> <p>Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 m</p> <p>Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 sq m</p> <p>Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling</p>
XXX3			- Apartment	<p>Minimum interior side yard</p>

			dwelling, low rise containing more than 6 units	<p>setback: 1.5 m</p> <p>Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 m</p> <p>Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 sq m</p> <p>Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling</p>
XXX4		townhouse dwelling		<p>Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling</p> <p>Minimum interior side yard setback: 1.5 m</p> <p>Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 m</p> <p>Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 sq m</p>

2. Amend Part 15, Exception 564 to add "townhouse dwelling" as an additional permitted use under Column III, and to add the following text under Column V:

- *“Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling*
  - *Minimum interior side yard setback: 1.5 metres*
  - *Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 metres*
  - *Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 square metres”*
3. Amend Part 15, Exception 592 to add “townhouse dwelling” as an additional permitted use under Column III, and to add the following text under Column V:
- *“Townhouse dwelling subject to the same lot width, lot area, and yard setback standards as a semi-detached dwelling*
  - *Minimum interior side yard setback: 1.5 metres*
  - *Minimum lot width for all uses except semi-detached and townhouse dwelling: 10 metres*
  - *Minimum lot area for all uses except semi-detached and townhouse dwelling: 300 square metres”*