

<p><b>2. PERMITTED BUILDING HEIGHTS FOR ACCESSORY BUILDINGS</b></p> <p><b>HAUTEURS DES BÂTIMENTS ACCESSOIRES AUTORISÉES</b></p>
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**AGRICULTURE AND RURAL AFFAIRS COMMITTEE RECOMMENDATIONS  
AS AMENDED**

That Council approve :

1. the amendment to Zoning By-law 2008-250, for the V1, V2, and V3 Village Residential zones in the rural area as set out in Document 1, as amended by the following:
  - Amend Document 1 by deleting item (1) in the Details of the Recommended Zoning and replacing it with the following:
    - 1) Amend Table 55, column II, Row (5) by deleting the words “4.5 metres” and replacing them with the words
      - “• R1, R2, R3, R4 and R5 Zones: 3.6 metres, with the height of the exterior walls not to exceed 3.2 metres in height
      - V1, V2 and V3 Zones: 4.5 metres.”; and
2. that there be no further notice pursuant to Section 34 (17) of the *Planning Act*.

**PLANNING COMMITTEE RECOMMENDATION**

That Council approve the amendments to Zoning By-law 2008-250, for the R1, R2, R3, R4 and R5 Residential zones in the urban area, as set out in Document 1.

**RECOMMANDATIONS DU COMITÉ DE L'AGRICULTURE ET DES AFFAIRES  
RURALES, TELLES QUE MODIFIÉES**

Que le Conseil approuve :

1. la modification au Règlement 2008-250 pour les zones résidentielles de village V1, V2, et V3 dans le secteur rural, comme il est précisé dans le document 1, tel que modifiée par ce qui suit :

- Modifier le document 1 en supprimant le point (1) de la section « Détails » du zonage recommandé et en le remplaçant par le texte suivant :

1) Modifier le tableau 55, colonne II, rangée (5) en supprimant les mots « 4,5 mètres » et en les remplaçant par le texte suivant :

« • Zones R1, R2, R3, R4 et R5 : 3,6 mètres, la hauteur des murs extérieurs ne dépassant pas 3,2 mètres de hauteur.

- Zones V1, V2 et V3 : 4,5 mètres. »; et

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

**RECOMMANDATION DU COMITÉ DE L'URBANISME**

Que le Conseil approuve la modification au Règlement 2008-250 pour les zones résidentielles R1, R2, R3, R4 et R5 situées dans le secteur urbain, comme il est précisé dans le document 1.

DOCUMENTATION / DOCUMENTATION

1. General Manager's Report, Planning, Infrastructure and Economic Development Department, dated 19 September 2016 (ACS2016-PIE-PGM-0137).

Directeur général, Services de la planification, de l'Infrastructure et du développement économique, daté le 19 septembre 2016 (ACS2016-PIE-PGM-0137).

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee , 6 October 2016.

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 6 octobre 2016.

3. Extract of draft Minutes, Planning Committee, 11 October 2016.

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 11 octobre 2016.

**Report to  
Rapport au:**

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

**October 6, 2016 / 6 octobre 2016**

**and/et**

**Planning Committee / Comité de l'urbanisme**

**October 11, 2016 / 11 octobre 2016**

**and Council / et au Conseil**

**October 26, 2016 / 26 octobre 2016**

**Submitted on September 19, 2016**

**Soumis le 19 septembre 2016**

**Submitted by**

**Soumis par:**

**John L. Moser,**

**General Manager / Directeur général,**

**Planning, Infrastructure and Economic Development Department / Service de  
planification, d'Infrastructure et de Développement économique**

**Contact Person**

**Personne ressource:**

**John Smit, Acting Manager / Gestionnaire par intérim, Policy Development and  
Urban Design / Élaboration de la politique et conception urbaine, Planning,  
Infrastructure and Economic Development Department / Service de planification,  
d'Infrastructure et de Développement économique**

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**SUBJECT: Permitted building heights for accessory buildings**

**OBJET: Hauteurs des bâtiments accessoires autorisées**

## **REPORT RECOMMENDATIONS**

- 1. That Agriculture and Rural Affairs Committee:**
  - a. Recommend Council approve the amendment to Zoning By-law 2008-250, for the V1, V2, and V3 Village Residential zones in the rural area as set out in Document 1; and**
  - b. Approve the Public Consultation Section of this report be included as the “brief explanation” in the Summary of Written and Oral Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in tandem with this report, subject to submissions received between the publication of this report and 4 p.m. of the day prior to Council’s consideration.**
- 2. That Planning Committee:**
  - a. Recommend Council approve the amendments to Zoning By-law 2008-250, for the R1, R2, R3, R4 and R5 Residential zones in the urban area, as set out in Document 1; and**
  - b. Approve the Public Consultation section of this report be included as the “brief explanation” in the Summary of Written and Oral Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in tandem with this report, subject to submissions received between the publication of this report and 4 p.m. of the day prior to Council’s consideration.**

## **RECOMMANDATION DU RAPPORT**

- 1. Que le Comité de l’agriculture et des affaires rurales :**
  - a. recommande au Conseil d’approuver la modification au Règlement 2008-250 pour les zones résidentielles de village V1, V2, et V3 dans le secteur rural, comme il est précisé dans le document 1;**

- b. approuve que la section du présent rapport portant sur les consultations publiques soit incluse comme « brève explication » dans le résumé des observations écrites et orales, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil en même temps que le présent rapport, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et 16 h la veille de l'étude du rapport par le Conseil.**
  
- 2. Que le Comité de l'urbanisme :**
  - a. recommande au Conseil d'approuver la modification au Règlement 2008-250 pour les zones résidentielles R1, R2, R3, R4 et R5 situées dans le secteur urbain, comme il est précisé dans le document 1;**
  
  - b. approuve que la section du présent rapport portant sur les consultations publiques soit incluse comme « brève explication » dans le résumé des observations écrites et orales, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil en même temps que le présent rapport, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et 16 h la veille de l'étude du rapport par le Conseil.**

## **BACKGROUND**

This report arises from the study undertaken to permit Secondary Dwelling Units in Accessory Buildings (Coach Houses) and relates to the permitted height for accessory buildings generally in residential zones.

Coach houses, and the height thereof, will be regulated separately under the Zoning By-law. The current permitted height of 4.5 metres for accessory buildings, has been found to be too high for residential zones and are proposed to be reduced to permit only the equivalent of a single-storey to ensure these will not be higher than the allowed height for a coach house.

Accessory building heights in general (as opposed to heights for coach houses specifically) are beyond the scope of the Coach House amendment and the consultations on same. To provide for transparency and procedural fairness, an amendment to the permitted accessory building heights in the Zoning By-law is being proposed through this report and will be advertised and circulated separately.

#### Provincial Policy Statement

The Provincial Policy Statement (PPS) sets out broad directions related to land use planning within the province that all municipal planning decisions are required to be consistent with. The modifications proposed to allowable building heights for accessory buildings in residential zones deals with a level of detail that is not specifically addressed through the PPS and is therefore considered consistent with the PPS.

#### Official Plan

The Zoning By-law provides a means of implementing the land use policies in the Official Plan for the development and use of land. A key direction for residential areas is that new development be compatible. The proposed change to the permitted heights for accessory buildings will provide for these to be of a scale suited to a residential community and is in line with the heights that are proposed to be allowed for Coach Houses. The proposed Zoning By-law amendment therefore is deemed to align with the overarching policies of the official Plan for compatible development.

### **DISCUSSION**

The proposed amendment reduces the maximum permitted height of an accessory building in the R1, R2, R3, R4 and R5 Residential zones in the urban area, and in the V1, V2, and V3 Village Residential zones in the rural area. The maximum permitted height is recommended to be reduced from 4.5 metres to 3.6 metres. This effectively limits accessory buildings to one storey, rather than a structure that would represent an effective height of one and a half storey structure as is currently allowed. Furthermore, since the 3.6-metre height is intended to accommodate pitched roofs, the outer walls of an accessory building are proposed to be limited to 3.2-metre height, to ensure that the overall 3.6 metres is used to accommodate a peaked roof rather than to enable a taller and more massive flat-roofed structure. The height limits being established for a Coach House have identical provisions.

## **RURAL IMPLICATIONS**

The amendment affects the maximum permitted height for accessory buildings in the V1, V2, and V3 Village Residential zones in the rural area. Permitted heights outside of the villages are not affected.

## **CONSULTATION**

Public notification was undertaken in accordance with the Council-approved Public Notification and Public Consultation Policy (see Document 2 for details).

## **COMMENTS BY THE WARD COUNCILLORS**

City-wide – not applicable.

## **LEGAL IMPLICATIONS**

If this matter is appealed to the Ontario Municipal Board, it is anticipated that a two day hearing would result. Should the recommendations be adopted, the hearing could be conducted within staff resources. As this is a staff-initiated report, should the recommendations not be carried, the matter shall be considered concluded.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications association with the recommendation in this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with this report.

## **ENVIRONMENTAL IMPLICATIONS**

There are no direct environmental implications.

## **TERM OF COUNCIL PRIORITIES**

This report addresses the following Term of Council Priority:



SE1 – Improve the client experience through established service expectations.

**SUPPORTING DOCUMENTATION**

Document 1 Details of the Recommended Zoning

Document 2 Consultation Details

**DISPOSITION**

City Clerk and Solicitor Department, Legislative Services, to notify the Program Manager, Assessment Section, Billing, Assessment and Tax Policy Unit, Deputy City Treasurer Revenue Branch.

Planning, Infrastructure and Economic Development 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.

**Document 1 – Details of the Recommended Zoning**

- 1) Amend Table 55, column II, Row (5) by deleting the word "4.5 metre" and replacing it with the words "3.6 metre, with the height of the exterior walls not to exceed 3.2 metre."

## Document 2 – Consultation Details

### Notification and Consultation Process

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

### Comments from Community Associations

"The Champlain Park Community Association supports [the proposed height reduction for accessory buildings], which will limit the heights of accessory buildings and structures to one storey. The change is necessary to ensure that structures such as garages and sheds fit the built form in residential neighbourhoods."

"Civic Hospital Neighbourhood Association (CHNA).strongly supports this proposal to reduce the height of allowable accessory building add-ons to one storey from the current 1.5. We believe this reduction is a measure that will contribute to Ottawa becoming a more "liveable" city for all of its residents. We have one question: will this apply to solar panels as well? If not, CHNA suggests that the City should consider reviewing height restrictions for solar panels."

"[Old Ottawa East Community Association] would like to note our support for the proposal to reduce the maximum permitted height of accessory buildings... We would also like to note that we have a concern for accessory buildings... with the absence of a specification as to the exact determination of how height will be measured. We believe it is necessary to not allow manipulation or raising of the base elevation of "**grade**" for height calculations. The Infill 1 and Infill 2 By-laws stipulate height is to be measured from "**existing average grade**", [with a specific definition of how this is to be calculated.] Grade for accessory building height measurement in a side yard must be calculated prior to any site alteration and be the elevation of the "**existing average grade**".

### Responses to Community Associations

With respect to CHNA's question on solar panels: The *Planning Act* exempts renewable energy undertakings from regulation by zoning by-laws. Therefore the current and proposed accessory building height limits do not and cannot apply to solar panels.

With respect to Old Ottawa East's concern about height calculation: The effect of Infill 2 is to alter how "grade" is defined and calculated inside the greenbelt (including Old Ottawa East) and becomes referred to as "existing average grade"; this different calculation then affects the definition of height. As a result, the permitted height of an accessory building within areas covered by Infill 1 and Infill 2 (which include Old Ottawa East) would be calculated based on the existing average grade as it applies to the main building.