

8. City of Ottawa Zoning By-law 2008-250: Omnibus Amendments – Q2 2022

Règlement de zonage de la ville d'Ottawa 2008-250 : modifications d'ordre générale – T2 de 2022

Committee recommendations

That Council:

- 1. approve amendments to Zoning By-law 2008-250, as shown in Document 1 and detailed in Documents 3; and,**
- 2. approve amendments to Zoning By-law 2008-250, as shown in Document 1 and detailed in Documents 2.**

Recommandations du Comité

Que le Conseil :

- 1. approuve les modifications du Règlement de zonage (2008-250) telles qu'illustrées dans le document 1 et décrites en détail dans le document 3; et,**
- 2. approuve les modifications du Règlement de zonage (2008-250), telles qu'illustrées dans le document 1 et décrites en détail dans le document 2;**

Documentation/Documentation

- 1. Report from the Director, Economic Development and Long Range Planning, Planning, Real Estate and Economic Development, dated March 24, 2022 (ACS2022-PIE-EDP-0011)**

Rapport du Directeur, Développement économique et planification à long terme, Direction générale de la planification, des biens immobiliers et du

développement économique, daté le 24 mars 2022 (ACS2022-PIE-EDP-0011)

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, April 7, 2022

Extrait de l'ébauche du procès-verbal du Comité de l'agriculture et des affaires rurales, le 7 avril 2022

**Subject: City of Ottawa Zoning By-law 2008-250: Omnibus Amendments –
Q2 2022**

File Number: ACS2022-PIE-EDP-0011

Report to Agriculture and Rural Affairs Committee on 7 April 2022

and Planning Committee April 14, 2022

and Council 27 April 2022

**Submitted on March 24, 2022 by Don Herweyer, Director, Economic Development
and Long Range Planning**

**Contact Person: Mitchell LeSage, By-law Writer and Interpretation Officer II,
Policy Planning**

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Ward: Citywide

**Objet : Règlement de zonage de la Ville d'Ottawa 2008-250 : Modifications
d'ordre générale – T2 de 2022**

Dossier : ACS2022-PIE-EDP-0011

Rapport au Comité de l'agriculture et des affaires rurales le 7 avril 2022

et au Comité de l'urbanisme le April 14, 2022

et au Conseil le 27 avril 2022

**Soumis le 24 mars 2022 par Don Herweyer, Directeur, Direction générale de la
planification, des biens immobiliers et du développement économique**

**Personne ressource : Mitchell LeSage, agent II, Rédaction et Interprétation des
règlements municipaux, Planification des politiques**

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve amendments to Zoning By-law 2008-250, as shown in Document 1 and detailed in Documents 3.
2. That Planning Committee recommend Council approve amendments to Zoning By-law 2008-250, as shown in Document 1 and detailed in Documents 2.
3. That Planning and Agriculture and Rural Affairs Committees 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 April 27, 2022", 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'agriculture et des affaires rurales recommande au Conseil d'approuver les modifications du Règlement de zonage (2008-250) telles qu'illustrées dans le document 1 et décrites en détail dans le document 3;
2. Que le Comité de l'urbanisme recommande au Conseil d'approuver les modifications du Règlement de zonage (2008-250), telles qu'illustrées dans le document 1 et décrites en détail dans le document 2;
3. Que le Comité de l'urbanisme et le Comité de l'agriculture et des affaires rurales consentent 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 27 avril 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

EXECUTIVE SUMMARY

This report recommends amendments to modify certain provisions and to correct minor errors in the City of Ottawa Zoning By-law. These amendments have been combined in an Omnibus Zoning By-law report as a means of efficiently modifying the by-law.

RÉSUMÉ

Le présent rapport recommande des modifications visant à changer certaines dispositions et à corriger des erreurs mineures dans le Règlement de zonage de la Ville d'Ottawa. Ces modifications ont été présentées dans un même rapport de façon à rendre la modification du règlement municipal plus efficace.

BACKGROUND

This report addresses a variety of topics that will result in multiple amendments to the City of Ottawa Zoning By-law. The report will modify the intent of certain provisions and correct minor errors.

Site location

Citywide

DISCUSSION

Items for review by Planning Committee are summarized in the table below. Zoning and location maps are included for reference in Document 1. Zoning details are included for reference in Document 2.

Amendments for review by Planning Committee	
I Item	II Summary of Amendment
S. 55 Table 55 access points to rooftop terraces	Table 55(8)(d) and (e) regulate the height of access points to rooftop terraces. The section's intent was to only apply to access points that exceed the allowable height limit, any other area would be considered part of the building envelope. Language to be clarified to reflect this.
S. 55 Table 55 Setbacks for Rooftop patios	Table 55(8)(a) and 55(8)(b) require rooftop patios located on the top upper-most floor of a building that exceed 25% of the floor area of that floor to be stepped back. For rooftop patios below the uppermost floor of a building, the setback should also apply where such patios exceed 25% of that floor.
S. 142 Coach House setbacks where they do not abut a residential use.	Section 142 does not have provisions that apply to through lots or corner lots. Setbacks are generally intended to provide privacy where the lot is facing another residential property, unless separated by a travelled lane. For through lots, corner lots and lots where they do not abut a residential use, a 1.2-metre setback can be permitted.
Section 144 – Corner Lot Rear Yard	Table 156B, Endnote 5 refers to Section 144, with the intention that the rules of the underlying zone apply as if the property was not in Schedule 342. The reference is unclear and needs to be amended, as currently the reference does not provide a clear regulation.
Tables 144A and 144B – Titles incorrect	Tables 144A and 144B specify the required rear yard setback relative to the front yard requirements. These tables refer to the minimum required front yard, not the

Amendments for review by Planning Committee	
I Item	II Summary of Amendment
	provided yard, and need to be clarified to reflect that to be consistent with 144(3)(a)(i) and 144(3)(a)(ii).
s. 146 Westboro Development Overlay – H Suffix	Section 146(6) provides for different building height permissions based on what is allowed in the underlying zone. This wording in S.146(6) did not take into account circumstances where there is a height suffix overriding the underlying zone. Wording to be clarified that the applicable height is either from the underlying zone or the height suffix, whichever is the greater.
S. 155 R1 Table Endnote Correction	Subzones R1J, L, M, N, NN, Q, R, S, T, U, X list Endnote 6 in Column VII when it should read Endnote 7. Replace Endnote 6 in the applicable zones with Endnote 7.
S. 156 Table 156A Height Correction	In Table 156A of zone R1B, in Column IV replace “8.5” with “Within Schedule 342: 8.5; in all other cases, 11.”
Residential Zones Rear Yard outside of S342	An omission occurred where in certain instances a rear yard measurement is missing.
R1 Table – Endnote 4 applicability	Endnote 4 in the table intended to apply to any subzone where a lot is at least 36 metres wide. Endnote 4 to be added as a reference to all applicable subzones within Area A on Schedule 342.
S192. MC1 and MC4 no longer apply	No lands within the City of Ottawa are zoned as MC1 or MC4. These subzones are to be deleted.
Exception 1768 to be deleted	Exception 1768 only applied to 2865 Riverside Drive and was to be replaced with “reserved for future use” when

Amendments for review by Planning Committee	
I Item	II Summary of Amendment
	those lands were rezoned to R5A[2753] H(24) by by-law 2021-363.
Section 19 – Interpretations Section for H suffix	Section 19 clarifies that the H suffix, when applied to a property, specifies the height, overriding the height requirement of the underlying zone. This is not intended to override any setback and transition requirements and must be clarified.
928 Gladstone Avenue	An error occurred in the consolidation of former zoning by-laws into Zoning By-law No. 2008-250. In this case, the current zoning does not allow certain uses on the ground floor, but the previous zoning did not have such restrictions and should not have applied to this property.
Schedule 409	A technical amendment is required to Schedule 409 in order to meet accessibility standards relating to a parking space in Andrew Haydon Park.

Items for review by Agriculture and Rural Affairs Committee are summarized in the table below. Zoning and location maps are included in Document 1. Zoning details are included for reference in Document 3.

Amendments for review by Agriculture and Rural Affairs Committee	
I Item	II Summary of Amendment
Grey Stone Estate / Plan Number 4M-672	Lots in the Grey Stone Estate were split-zoned RR2 and RR3 when carried forward into Zoning By-law 2008-250. An error occurred with the lot widths, as these lots should

	have had the lot width of the RR2 zone to carry forward the correct zoning provisions from the predecessor by-law.
8240 Fernbank Road to implement OPA 94	A portion of the lands known as 8240 Fernbank Road are zoned ME2 and should be RU.

Public consultation

Public notification was undertaken in accordance with the *Planning Act* and the Official Plan for the City of Ottawa.

Official Plan designation(s)

Current Official Plan

The City of Ottawa Zoning By-law provides a means of implementing the land use policies in the Official Plan. The proposed City of Ottawa Zoning By-law amendments conform to the current Official Plan, ensuring consistency between zoning provisions and land use policies in the Official Plan, and by correcting errors and omissions to ensure the effective implementation of the Official Plan through the City of Ottawa Zoning By-law.

New Official Plan

The proposed City of Ottawa Zoning By-law amendments would conform to the New Official Plan.

Provincial Policy Statement

The proposed amendments are consistent with the Provincial Policy Statement 2020, promoting efficient development and land use patterns while undertaking a coordinated, integrated and comprehensive approach for planning matters within the municipality.

RURAL IMPLICATIONS

Rural implications are explained in Documents 3.

CONSULTATION

Public notification was undertaken in accordance with the *Planning Act* and the Official Plan for the City of Ottawa.

COMMENTS BY THE WARD COUNCILLORS

This is a city-wide report – not applicable.

LEGAL IMPLICATIONS

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

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 with this report.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications.

TERM OF COUNCIL PRIORITIES

This report addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

SUPPORTING DOCUMENTATION

Document 1 Location Maps

Document 2 Zoning Details for review by Planning Committee

Document 3 Zoning Details for review by Agriculture and Rural Affairs Committee

Document 4 Consultation Details

DISPOSITION

Legislative Services, Office of the City Clerk, applicant; Ottawa; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services department (Mail Code: 26-76) of City Council's decision.

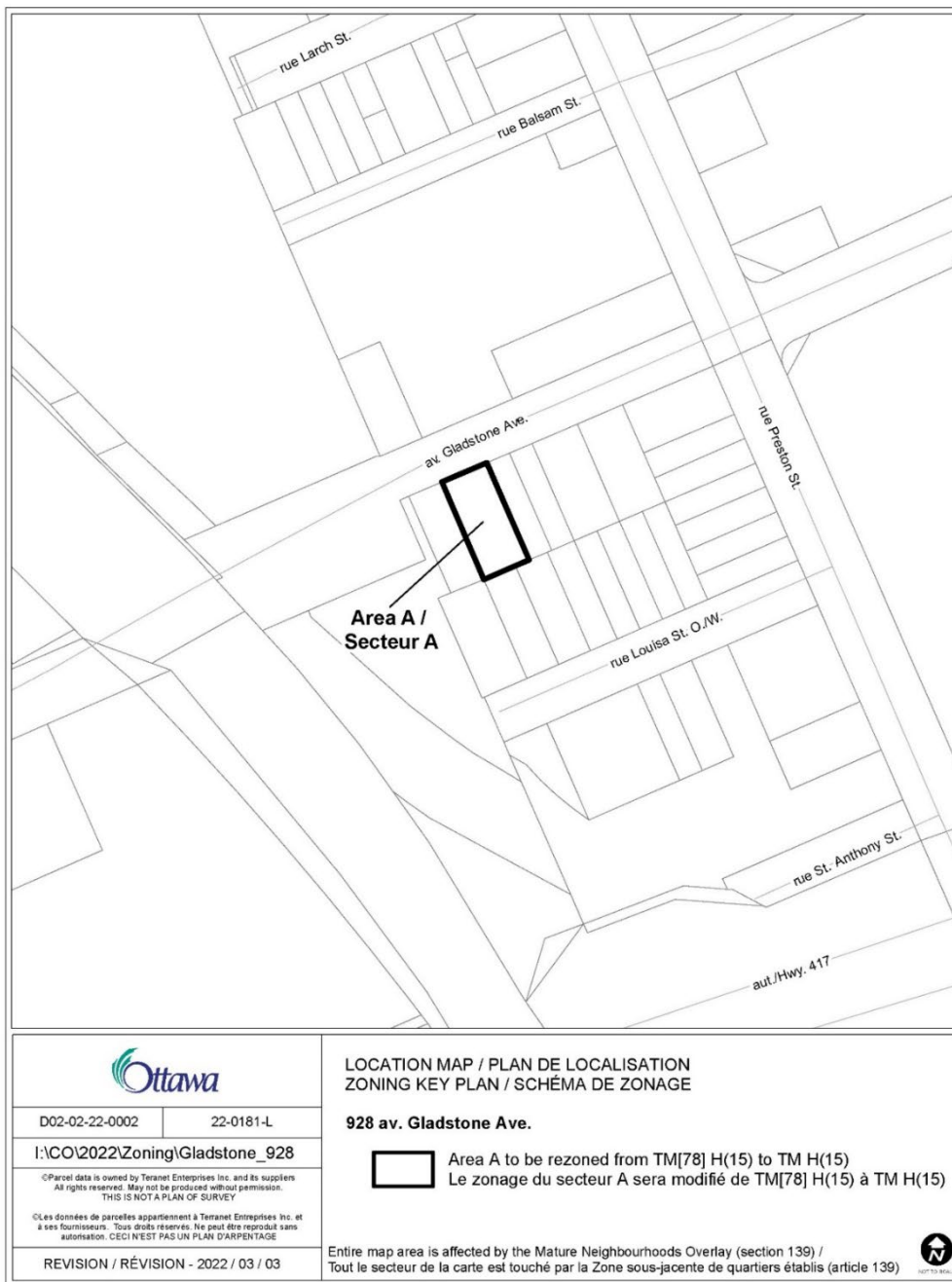
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

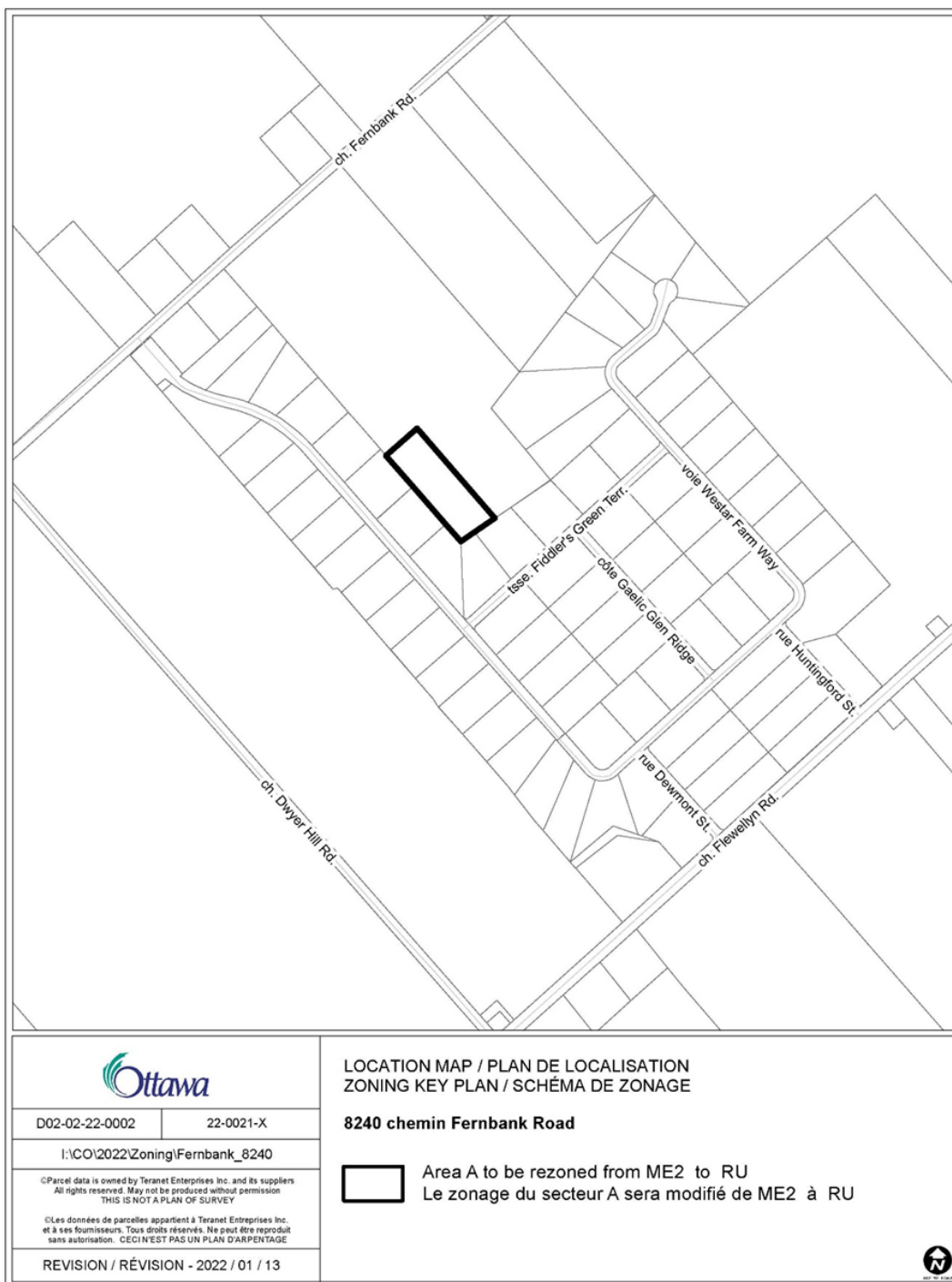
Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Maps

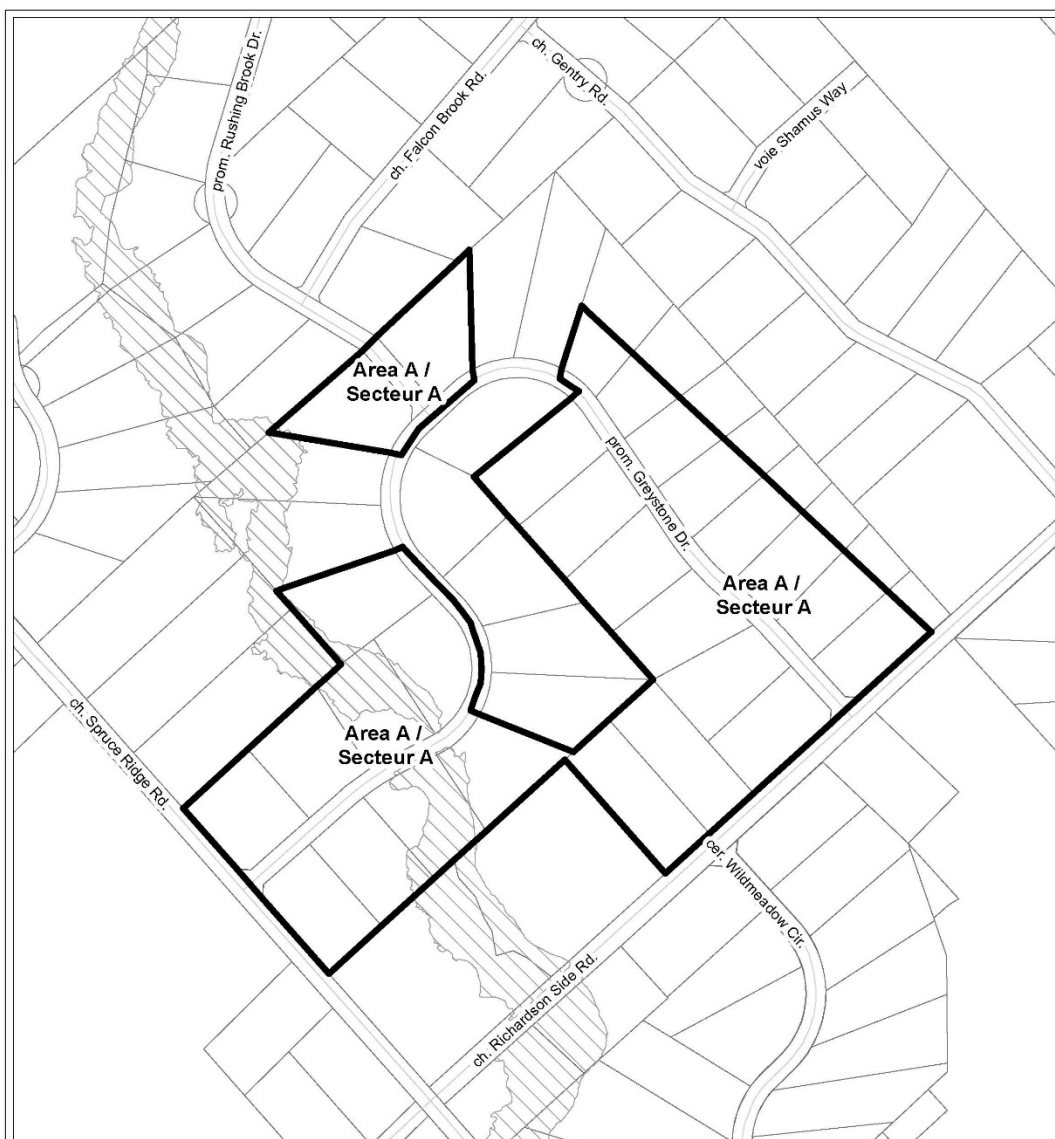
Location Map – 1A



Location Map – 1B



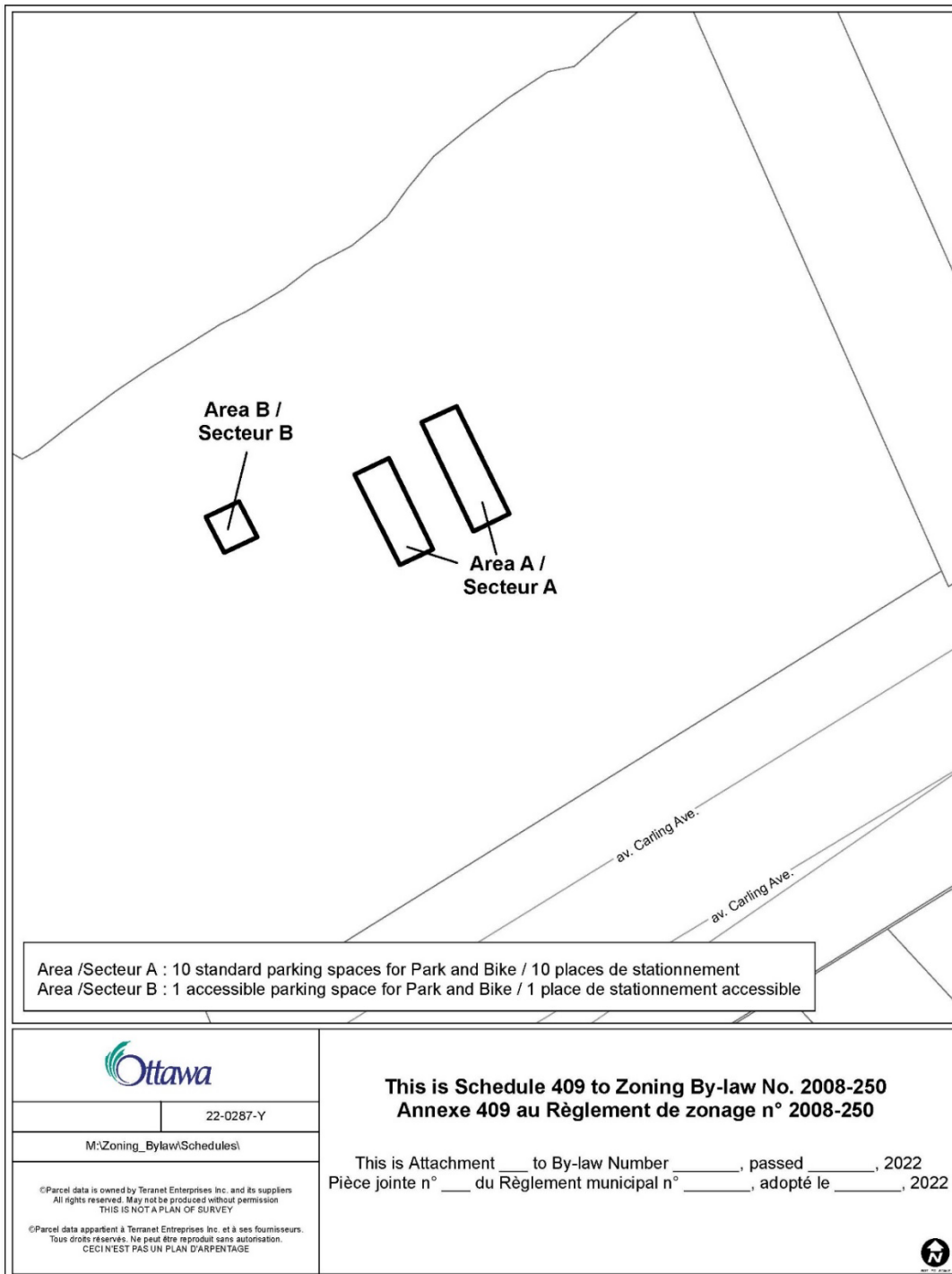
Location Map 1C



	LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE
D02-02-22-0002 22-0010-X	Greystone Subdivision
I:\CO\2022\Zoning\Grey_Stone_Subdivision\...Ver2 ©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY ©Les données de parcelles appartient à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE	 Area A to be rezoned from RR3 to RR3[xxxr] Le zonage du secteur A sera modifié de RR3 à RR3[xxxr]
REVISION / RÉVISION - 2022 / 03 / 15	 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)



Location Map 1D



Document 2 – Zoning details for review by Planning Committee

Amendments are proposed with the general intention of the following:

Zoning details for review by Planning Committee	
I Item	II Zoning details
S. 55 Table 55 access points to rooftop terraces	By amending Table 55(8)(d) by adding the words, “where it projects above the permitted height” after the words, “townhouse dwelling” By amending Table 55(8)(e) by adding the text, “and projects above the required height limit” after the text, “Where an elevator is proposed to provide access to a rooftop terrace”
S. 55 Table 55 Setbacks for Rooftop patios	By amending Table 55(8)(a) by replacing it with the following: 55(8)(a) (i) Where located on the roof of the uppermost storey: minimum 1.5 m from any exterior wall of the building. (ii) Where a roof-top terrace is not located on the roof of the uppermost storey and meets or exceeds an area equivalent to 25 per cent of the gross floor area of the storey it is adjacent to and most equal to in height: minimum 1.5 m from any exterior wall of the building.
S. 142 Coach House setbacks where they do	Amend Section 142(8) by adding a new clause (f) as follows:

Zoning details for review by Planning Committee	
I Item	II Zoning details
not abut a residential use.	(f) Despite the above, where located in Areas A, B or C of Schedule 1, where a wall of the coach house faces an interior side lot line or rear lot line that abuts non-residential use, the minimum setback from the interior side lot line or rear lot line is 1.2m.
Section 144 – Corner Lot Rear Yard	Amend Section 144 by adding two new subsections, (9) and (10), as follows: “(9) Despite the minimum interior side yard setback provision in column VIII of Table 156A, the combined minimum required interior side yard setback for interior or through lots in Area A on Schedule 342 where the lot width is: 36 metres or greater: must increase by 1 metre for each additional 1 metre of lot width, to a maximum of 40% of the lot width, and With one yard no less than the minimum interior side yard setback of the applicable zone or subzone. (10) Despite the minimum front yard setback provision in Column V of Table 156A, on an interior lot with a lot width greater than 36 metres in Area A on Schedule 343: any part of a detached dwelling that is wider than 60 per cent of the permitted width of the building envelope must be setback a further 2 metres from the front lot line than the rest of the front building façade; and,

Zoning details for review by Planning Committee	
I Item	II Zoning details
	(a) no part of an attached or detached garage or carport may be located closer to the front lot line than the front wall of the principal building. (b) The provisions of section 139 and section 140 with respect to attached garages, where applicable, continue to apply.
Tables 144A and 144B – Titles incorrect	Amend Table 144A and 144B by adding the word “Minimum” before the words “Front Yard Setback” in the titles to each table.
s. 146 Westboro Development Overlay – H Suffix	Amend Section 146(6)(a) by adding the words “or where specified in a Height Suffix, whichever is the greater” after the words “applicable subzone”.
S. 155 R1 Table Endnote Correction	Amend Table 155A by deleting endnote 6 and inserting endnote 7 in Column VII in the following subzones: R1J, L, M, N, NN, Q, R, S, T, U, and X.
S. 156 Table 156A Height Correction	Amend Table 156A by replacing the words “8.5” in Column IV of Subzone R1B with the following “Within Schedule 342: 8.5; in all other cases: 11”
Residential Zones Rear Yard outside of S342	Amend table 156B endnote 7; Table 158B endnote 6; Table 160B endnote 2; by replacing it with the following: “For lots located within S. 342 and whose rear lot line abuts an R1, R2, R3 or R4 zone, see Part V, Section 144 – Alternative Yard Setbacks for Low-rise Dwellings in the Greenbelt. In all other cases the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area

Zoning details for review by Planning Committee	
I Item	II Zoning details
	of the lot, however it may not be less than 6.0 m and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m.” Amend Table 162B endnote 4; and Table 162B endnote 6 under the heading “Rear Yard Setback”; by replacing it with the following: “For lots located within S. 342 and whose rear lot line abuts an R1, R2, R3 or R4 zone, see Part V, Section 144 – Alternative Yard Setbacks for Low-rise Dwellings in the Greenbelt. In all other cases the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m.”
R1 Table – Endnote 4 applicability	Amend Table 156A by applying endnote 4 to all zones under column VIII and by adding endnote 4 to all zones in Column X.
S192. MC1 and MC4 no longer apply	Amend Section 192 by deleting 192(1) and 192(4) in their entirety.
Exception 1768 to be deleted	Amend Section 239, Urban Exceptions by deleting exception 1768 in its entirety.
Section 19 – Interpretations Section for H suffix	Amend Sections 185 and 197 by adding the following provision as 185(7) and 197(15), respectively:

Zoning details for review by Planning Committee	
I Item	II Zoning details
	"Despite section 19, where a height suffix applies, the application of any additional setbacks or transitions still apply"
928 Gladstone Avenue	Rezone the lands as shown in Document 1, Location Map 1A
Schedule 409	Replace Schedule 409 with the Schedule shown in Document 1 as 1D.

Document 3 – Zoning details for review by Agriculture and Rural Affairs Committee

Amendments are proposed with the general intention of the following:

Zoning details for review by Agriculture and Rural Affairs Committee	
I Item	II Zoning details
Grey Stone Estate / Plan Number 4M-672	Rezone the lands as shown in Document 1, Location Map 1C Add a new rural exception to Section 240 as follows: In column II add the text, "RR3[xxxr]" In column V add the text, minimum lot width is 50m.
8240 Fernbank Road to implement OPA 94	Rezone the lands as shown in Document 1, Location Map 1B.

Document 4 – Consultation Details

Public notification was undertaken in accordance with the Council-approved Public Notification and Public Consultation Policy.