

BOOK OF DOCUMENTS
LPAT FILE No.: PL180613
7 CHESTNUT STREET, OTTAWA
Hearing Date: October 3, 2018

Prepared for: 170 Preston Street Ltd.
Prepared by: Holzman Consultants Inc.

Hadi
2018-10-03

INDEX

1. Acknowledgment of Expert's Duty
2. C.V. of Jonah Bonn, MCIP, RPP
3. Site Survey
4. Aerial Plan of Neighbourhood
5. Site Plan
6. Elevation and Floor Plans
7. Streetscape Character Analysis
8. Excerpt from Planning Act (Section 45)
9. Covering Letter for Minor Variance Application, dated April 25, 2018
10. Committee of Adjustment Minor Variance Application, as submitted
11. Notice of Public Hearing for Minor Variance Application
12. Technical Comments received with respect to the Minor Variance Application
13. Public Comments received with respect to the Minor Variance Application
14. City of Ottawa Planning Staff Report to Committee of Adjustment, dated May 30, 2018
15. Decision, Committee of Adjustment, dated June 15, 2018
16. Excerpts from the Provincial Policy Statement, 2014
17. Excerpts from the City of Ottawa Official Plan
18. Excerpts from the City of Ottawa Zoning By-law No. 2008-250, as amended
19. Interim Control By-law
20. Examples of Recent Neighbourhood Developments
21. Owner's Parcel Register
22. Appellant's Parcel Register



Ontario
Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ACKNOWLEDGMENT OF EXPERT'S DUTY

Case Number	Municipality

1. My name is JONAH BROWN.....(name)
I live at the 94 COTE-DES-NEIGES RD.....(municipality)
in the CITY OF OTTAWA.....(county or region)
in the PROVINCE OF ONTARIO.....(province)
2. I have been engaged by or on behalf of 170 PRESTON STREET LTD.....(name of party/parties) to provide evidence in relation to the above-noted LPAT proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
- a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
 - c. to provide such additional assistance as the LPAT may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date Oct. 3/18


Signature

JONAH M. BONN, MCIP, RPP

311 Richmond Road, Suite 203, Ottawa, ON K1Z 6X3

613.761.2088 | j.bonn@holzmanconsultants.com

Professional Profile:

- Professional land use planner with a broad range of experience in preparing planning rationales and presenting before Planning Committees, Councils and Committees of Adjustment for land development, residential and commercial projects;
- Highly diverse background in the full cycle of real estate development: acquisition due diligence, feasibility, mortgage financing, equity syndication and property management.

Education:

- **Master of Management and Professional Accounting**
 - Rotman School of Management, University of Toronto, November 1999
- **Bachelor of Arts** (Magna Cum Laude)
 - University of Ottawa, May 1997
- **Bachelor of Science** (Magna Cum Laude)
 - University of Ottawa, May 1996

Planning Experience

- **Planner, Holzman Consultants Inc.**

Representative projects:

- Site Plan Control and Minor Re-zoning, 1850 Walkley Rd. (ongoing)
- Zoning Amendment and Consents, Charlotte St., Merrickville, Sept. 2018
- Minor Variance, 44 Pender, August 2018
- Minor Variance, 49-51 Lotta, July 2018
- Streetscape Character Analysis, 290 Ferndale, June 2018
- Streetscape Character Analysis, 236 Lebreton N., April 2018
- Minor Variance (lot area/width) 106-108 Granton, April 2018
- Lot Line Adjustments, 4048 Leirim Rd., March 2018
- Planning Rationale, Site Plan Control, 8015 Russell Rd., March 2018
- Zoning By-law Amendment, 1030 Danforth, Toronto, Feb 2014 - June 2015
- Application for Zoning By-law Amendment, 675 Autopark Cir., April 2013
- Application for a Plan of Subdivision, Fairmile Estates, Phase II, Jan. 2013
- Integrated Environmental Review, Lakeland Meadows Subdivision, May 2012
- Technical Severance, Broadview Ave., Toronto, Sept 2012
- Zoning By-law Amendment and Site Plan Control, Islam Care Centre, Sept. 2011
- Planning Rationale, Site Plan Control Application, Mendes Toyota, Feb. 2010
- Zoning By-law Amendment, 2950 Keele Street, Oct. 2010
- Billboard Advertising Program for City of Ottawa, February 2009
- McDonald's Restaurants, 1675 Merivale Rd. Demolition Permit, October 2008
- OMB File PL080523, 3934 Innes Rd., Research and Book of Documents, June 2008
- Site Plan Control, Perth Mews, Crombie Property Holdings, March 2008
- River Rd. Commercial Development, Trinity Developments, Dec. 2006
- Site Plan Control, Ultramar Gas, Trim/Innes, April - August 2006

JONAH M. BONN, MCIP, RPP

311 Richmond Road, Suite 203, Ottawa, ON K1Z 6X3

613.761.2088 | j.bonn@holzmanconsultants.com

- South Village, Greely, Sunset Lakes Development Corp., March 2006
- OP and Zoning Amendment, Riocan/Trinity March Rd. Development/ March House relocation, September 2006

Other Work Experience:

- **Managing Director, First Bay Properties Inc.**
(January 2015 – Present)
 - Commercial real estate acquisition, syndication and property management for a 200,000 square foot portfolio of investment real estate in Ottawa and Halifax.
- **Panel Member, Investment (Credit) Committee, Owemanco Mortgage Trust**
(2016 – Present)
 - Review all incoming transaction as part of a 3-person panel
 - Presentations to investors at Annual General Meeting
- **Chief Operating Officer & Principal Broker, Ontario Wealth Management Corporation**
(December 2009 – May 2015)
 - Responsible for creation of Owemanco Mortgage Trust and its \$200,000,000 private offering; coordinated first closing in July 2009 and subsequent subscriptions and closings;
 - Overseeing the administration of Owemanco's mortgage portfolio;
 - Restructuring the accounting department;
 - Investor communications;
 - Development of marketing material for a 7 person sales team;
 - Managing day-to-day operations of the brokerage/administration business;
 - Reviewing all incoming mortgage inquiries and assisting CEO in underwriting decisions.
- **Bridgewater Properties Inc.**
(November 2001 – November 2009)
 - Managed the finance and urban planning functions for a portfolio of urban development parcels for a privately-held land development company in Ottawa;
- **KPMG LLP Chartered Accountants** (1997 – 2000)
 - Staff accountant/auditor in the manufacturing, retail and distribution sector

Directorships:

- **Director (Elected) Independent Mortgage Brokers Association of Ontario** (2011–2014)
 - Member, Executive Committee
 - Treasurer
 - Chair, Seminars and Symposiums Committee
- **Director (Appointed), Independent Mortgage Brokers Association of Ontario** (2009–2011)

JONAH M. BONN, MCIP, RPP

311 Richmond Road, Suite 203, Ottawa, ON K1Z 6X3

613.761.2088 | j.bonn@holzmanconsultants.com

- Chair, Planning Committee
- Chair, Membership Committee

Professional Designations / Licences:

- Full Member, Registered Professional Planner, Ontario Professional Planners Institute (OPPI)
- Member, Canadian Institute of Planners (CIP)
- Mortgage Broker, FSCO Licence # M08000266

Other Affiliations:

- Member, Canadian Mortgage Brokers Association
- Member, Mortgage Professionals Canada

GRAPHIC DETAIL OF
78 AND PART OF LOT 79
REGISTERED PLAN 97162
OF OTTAWA

3-1

1 : 150

BRUNSWICK ST

BARNES LIMITED
RIGHT 2018

IC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

ATION NOTES

ON NOTES (HT2.0)
ONS ARE GEODETIC AND ARE ESTABLISHED USING GLOBAL
ING SYSTEM (GPS) EQUIPMENT TO ESTABLISH ELLIPSOIDAL HEIGHTS.
AL HEIGHTS WERE TRANSFORMED TO CGVD-1928 DATUM (GEODETIC)
HE FEDERAL HT2.0 HEIGHT TRANSFORMATION MODEL.

S THE RESPONSIBILITY OF THE USER OF THIS INFORMATION TO VERIFY
THE SITE BENCHMARK HAS NOT BEEN ALTERED OR DISTURBED AND
ITS RELATIVE ELEVATION AND DESCRIPTION AGREES WITH THE
RMATION SHOWN ON THIS DRAWING.

ING NOTES

AS ARE MTM GRID, DERIVED FROM GLOBAL NAVIGATION SATELLITE SYSTEMS
TIME NETWORK (RTN) OBSERVATIONS, MTM ZONE 09, NAD83 (CSRS)

ES SHOWN HEREON ARE GROUND.

12.35 (P)
12.34 (P)
URING COMPARISONS, A ROTATION OF 00°14'52" COUNTER-CLOCKWISE
APPLIED TO BEARINGS ON PLAN 97162.

ND

DENOTES SURVEY MONUMENT FOUND
DENOTES SURVEY MONUMENT SET
DENOTES STANDARD IRON BAR
DENOTES SHORT STANDARD IRON BAR
DENOTES IRON BAR
DENOTES PLASTIC BAR
DENOTES WITNESS
DENOTES MEASURED
DENOTES J.D. BARNES LIMITED
DENOTES ANNIS, O'SULLIVAN & VOLLEBEKK LTD.
DENOTES FAIRHALL & MOFFATT LIMITED
DENOTES ORIGIN UNKNOWN
DENOTES WILLIAM JAMES WEBSTER OLS
DENOTES DWELLING UNDER CONSTRUCTION
DENOTES REGISTERED PLAN 97162
DENOTES SURVEYORS REAL PROPERTY REPORT BY FARLEY, SMITH AND
DENOTES DENIS SURVEYING LTD. DATED JANUARY 31, 2014
DENOTES DEED INSTRUMENT No. CR501187
DENOTES CONCRETE
DENOTES CENTRELINE
DENOTES FOUNDATION
DENOTES CHAIN LINK FENCE
DENOTES BOARD FENCE
DENOTES ALUMINIUM
DENOTES CATCHBASIN
DENOTES SANITARY MANHOLE
DENOTES HYDRO POLE
DENOTES WATER KEY
DENOTES WATER VALVE

7 SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN
7 PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH
7 11 (4) OF O.REG. 525/91.

LEE'S AVENUE
(PER REGISTERED PLAN NO. 97162)

LOT
PIN 04203

REGI

SB(837)

1.39 4.4

MH_SAN

MH_STM
UD=59.14

MH_SAN
UD=59.16

SITE BENCHMARK
SPIKE IN HYDRO POLE
ELEV=59.67

ED FOR: ROOF OVERHEAD(ANTHONY CAVA)



J.D. BARNES
LIMITED

SURVEYING
MAPPING
GIS

LAND INFORMATION SPECIALISTS

2430 DON REID DRIVE, SUITE 204, OTTAWA, ON K1H 1E1
T: (613) 731-7244 F: (613) 731-8955 www.jdbarnes.com

BY: LH	CHECKED BY: GZ	REFERENCE NO: 18-10-021-00
18-10-021\00\18-10-021-00_TOP0.dgn		DATED: 03/21/18
		PLOTTED: 3/23/2018

A photograph of a residential property. In the foreground, a large, leafless tree with a thick trunk and many branches stands prominently. To the left of the tree, a yellow house with dark shutters is partially visible. To the right, a white house with horizontal siding and a black window frame is visible. A sidewalk runs along the front of the property. A 'No Parking' sign is posted on a metal pole near the sidewalk. The ground is covered with patches of snow and bare grass.

Ottawa - Lees Campus



Holzman Consultants Inc.



MD 5-2

MIROCA DESIGN
INCORPORATED SINCE 1986
CUSTOM HOME DESIGN
PROJECT MANAGEMENT

30 CONCORSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085

CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

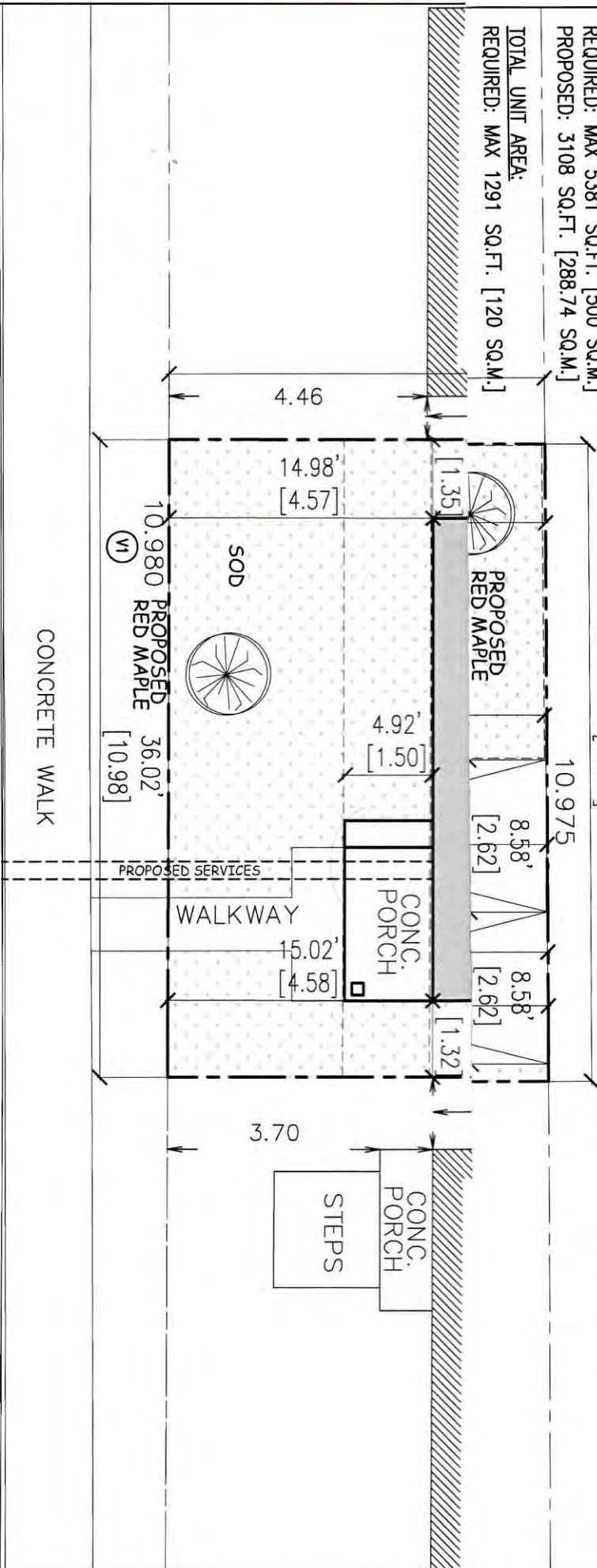
ADDRESS: 7 CHESTNUT CITY OF OTTAWA

ZONING: R3P

REQUIRED ZONING	MIN. LOT WIDTH (M)	MIN. LOT AREA (M)	MAX. BUILDING HEIGHT (M)	MIN. FRONT YARD (M)	MIN. REAR YARD (M)	SIDE YARD (M)
12	360	10.7	4.50	8.12	1.2	
PROPOSED	10.98	318.5	10.65	4.57	8.68	1.32

(V1) (V2)

TOTAL BUILDING AREA:
REQUIRED: MAX 5381 SQ.FT. [500 SQ.M.]
PROPOSED: 3108 SQ.FT. [288.74 SQ.M.]
TOTAL UNIT AREA:
REQUIRED: MAX 1291 SQ.FT. [120 SQ.M.]



GENERAL NOTES:

1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BY LAWS.
3. FOOTINGS DESIGNED FOR 2000 P.S.F. ASSUMED BEARING. BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
4. DO NOT SCALE THE DRAWINGS.

NO.	DESCRIPTION & DATE
2	
1	
REVISIONS	

JOB TITLE:
PROPOSED THREE
STOREY TRIPLEX
7 CHESTNUT
CITY OF OTTAWA

SHEET TITLE:
SITE/LANDSCAPE PLAN

SCALE: AS SHOWN	DWS NO.
DRAWN: C.S.	
CHECKED:	
DATE: APR 2018	
PRINT DATE:	

S1.1

SITE PLAN
SCALE 1:100

CHESTNUT STREET

COMMON AREA IN BASEMENT:
1206 SQ. FT. [112 SQ.M.]

UNIT 1 AREA: 1288 SQ.FT. [119.65 SQ.M.]

UNIT 2 AREA: 1288 SQ.FT. [119.65 SQ.M.]

UNIT 3 AREA: 1288 SQ.FT. [119.65 SQ.M.]

AMENITY AREA(SOD)
500 SQ.FT.
[152 SQ.M.]

28.54'
[8.70]

17.77'
[5.42]

28.29'
[8.62]

17.08'
[5.21]

17.08'
[5.21]

28.47'
[8.68]

LOT 78

LOT AREA
318.29
(V2)

GARBAGE BIN

CONC. PORCH

BIKE RACK

4.40'
[1.34]

4.36'
[1.33]

29.00

29.00

95.16'
[29.00]

SOD

SOD

0.79

PROPOSED 3 STOREY TRIPLEX

STEPS

CONC. PORCH

3 STOREY
ALUMIN. CLAD/CONC. TILES
DWELLING
(FDN. NOTED)
No. 11

1 STOREY
ALUMIN. CLAD
DWELLING
(ALUMIN. NOTED)
No. 3



6-1

CELEBRATING

30

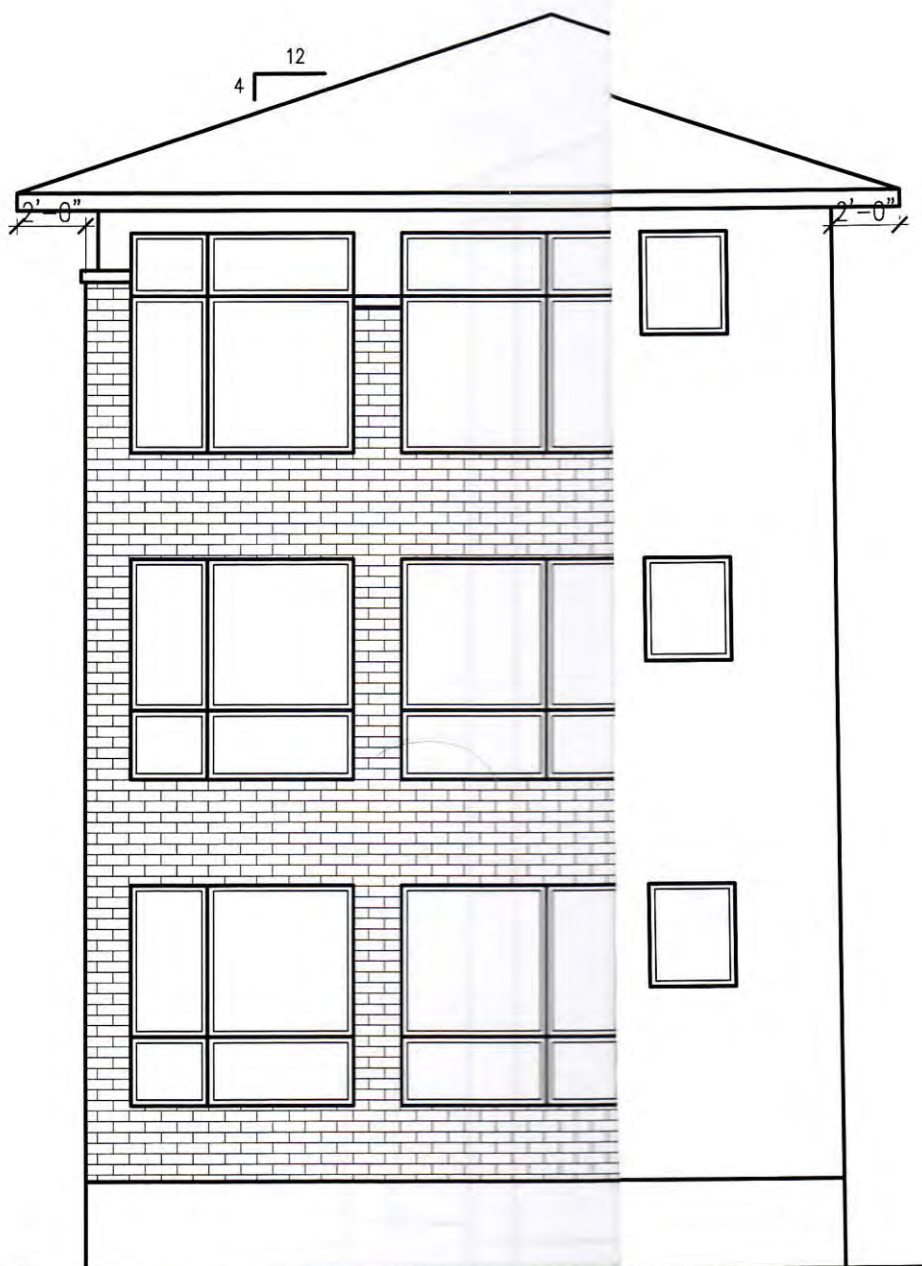
YEARS

DESIGN • BUILD

MD

MIROCA DESIGN

INCORPORATED SINCE 1986

CUSTOM HOME DESIGN
PROJECT MANAGEMENT30 CONOURSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7TEL: 613-274-2653
FAX: 613-274-7085CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

FRONT ELEVATION

SCALE 3/16" = 1'-0"

GENERAL NOTES:

1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BY-LAWS.
3. FOOTINGS DESIGNED FOR 3000 P.S.I. ASSUMED REBAR, BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
4. DO NOT SCALE THE DRAWINGS.

2.	
1.	
NO.	DESCRIPTION & DATE
REVISIONS	

JOB TITLE:

PROPOSED THREE
STOREY TRIPLEX
7 CHESTNUT
CITY OF OTTAWA

SHEET TITLE:

FRONT ELEVATION
REAR ELEVATION

SCALE: AS SHOWN	DWG NO.
DRAWN: C.S.	A1.3
CHECKED:	
DATE: APR 2018	
PRINT DATE:	



6-2

CELEBRATING
30
YEARS
DESIGN • BUILD

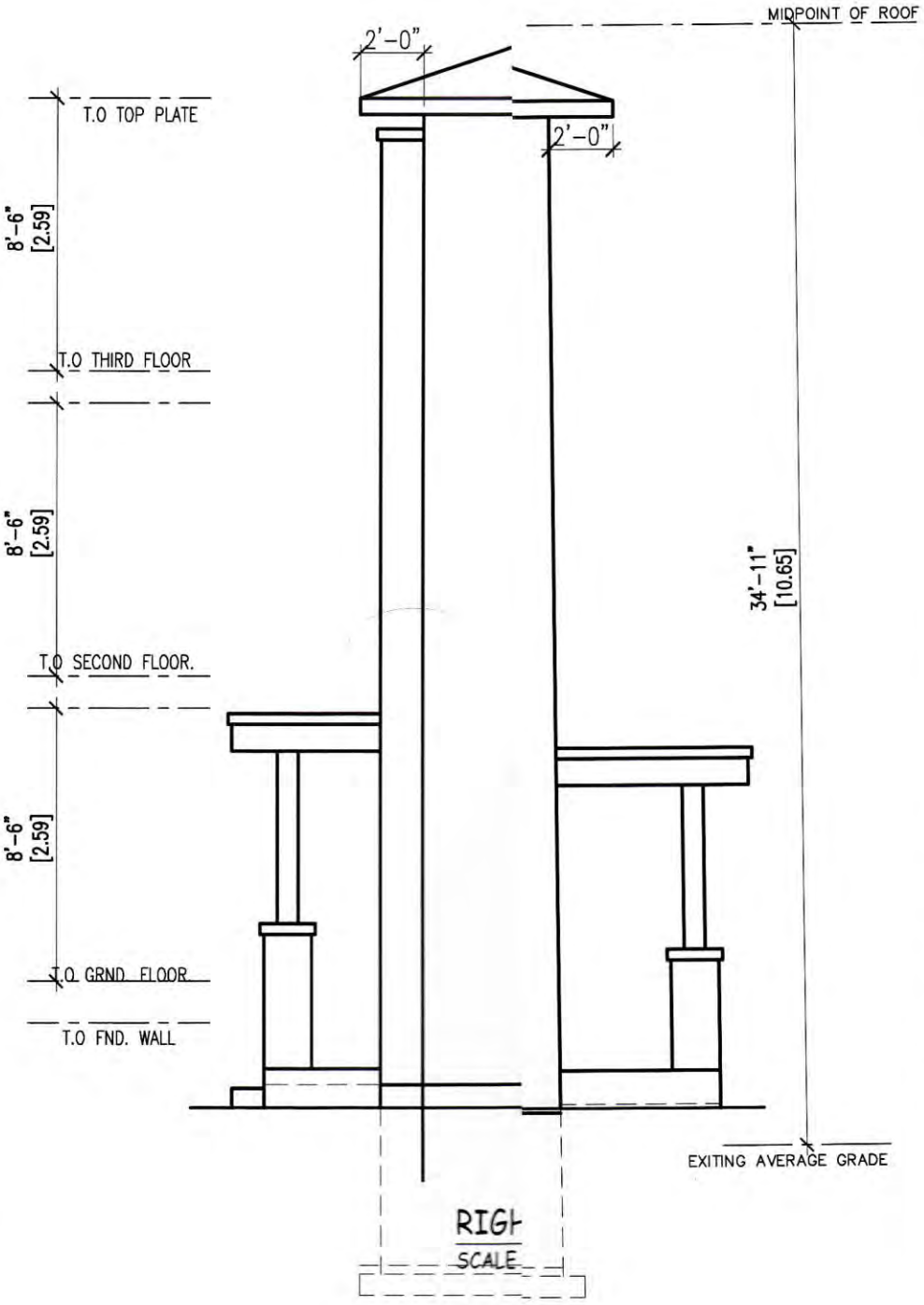
MD

MIROCA DESIGN
INCORPORATED SINCE 1986
CUSTOM HOME DESIGN
PROJECT MANAGEMENT

30 CONCOURSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085

CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM



GENERAL NOTES:

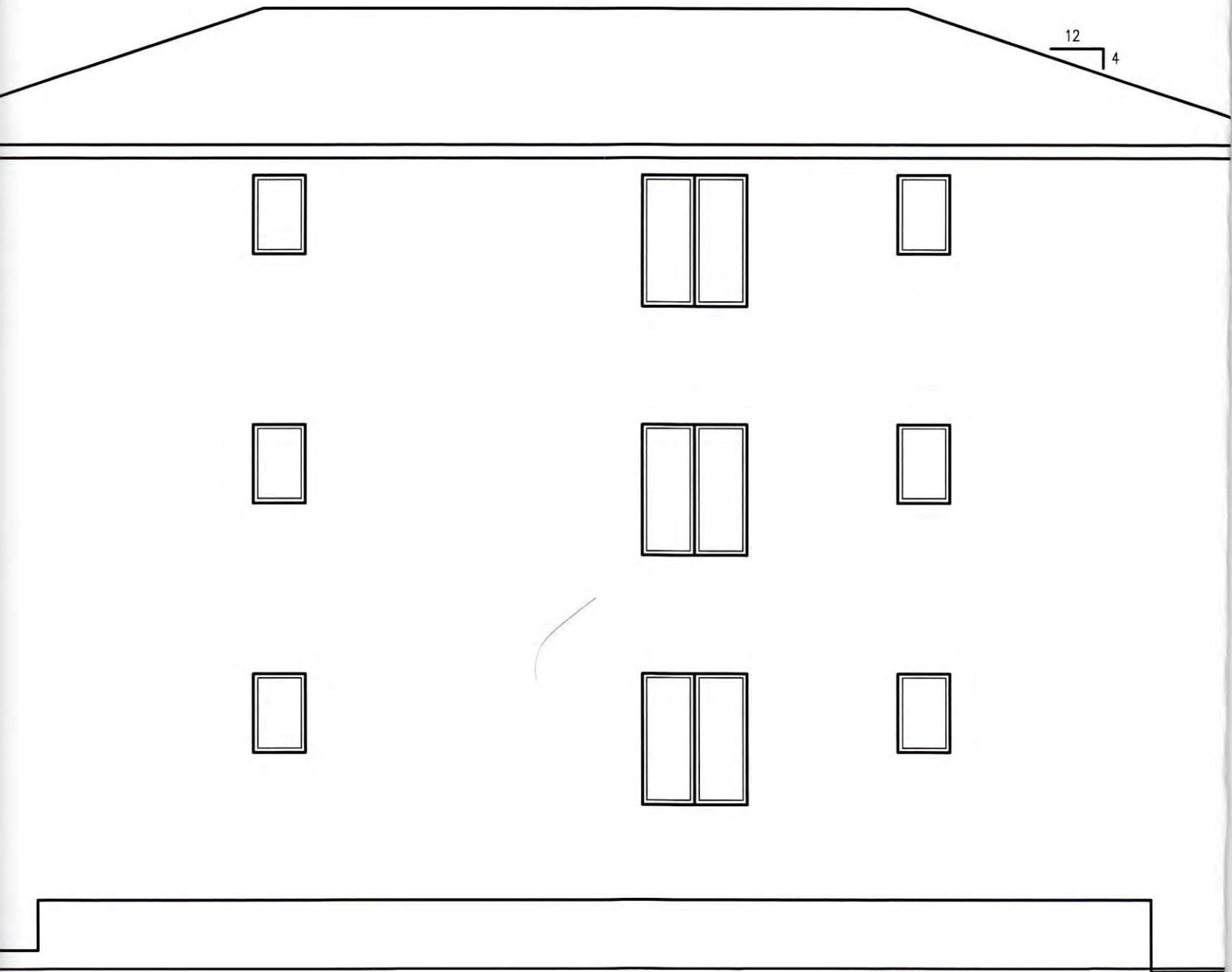
1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BY-LAWS.
3. FOOTINGS DESIGNED FOR 2000 P.S.F. ASSUMED BEARING. BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
4. DO NOT SCALE THE DRAWINGS.

1.	
2.	
3.	
4.	
NO.	DESCRIPTION & DATE
REVISIONS	

JOB TITLE:
**PROPOSED THREE
STOREY TRIPLEX
7 CHESTNUT
CITY OF OTTAWA**

SHEET TITLE:
**RIGHT SIDE
ELEVATION**

SCALE: AS SHOWN	DWG NO.
DRAWN: C.S.	
CHECKED:	
DATE: APR 2018	A2.3
PRINT DATE:	



T SIDE ELEVATION

1/16"=1'-0"

6-3

CELEBRATING

30

YEARS

DESIGN • BUILD

MD

MIROCA DESIGN
INCORPORATED SINCE 1988
CUSTOM HOME DESIGN
PROJECT MANAGEMENT

30 CONCORSE GATE
UNIT 47
OTTAWA, ONTARIO
K2E 7V7

TEL: 613-274-2653
FAX: 613-274-7085

CONTACT@MIROCADESIGN.COM
WWW.MIROCADESIGN.COM

MIDPOINT OF ROOF

2'-0"

T.O TOP PLATE

8'-6"
[2.59]

T.O THIRD FLOOR

8'-6"
[2.59]

T.O SECOND FLOOR

8'-6"
[2.59]

T.O GRND. FLOOR

T.O FND. WALL

GRADE

34'-11"
[10.65]

1'-0"

1'-0"

EXITING AVERAGE GRADE

LEFT SIDE ELEV

SCALE 3/16" = 1'-0"

GENERAL NOTES:

1. THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REDUCE ALL ERRORS AND OMISSIONS TO THE CONSULTANT.
2. ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH ALL CODES, REGULATIONS, AND BY-LAWS.
3. FOOTINGS DESIGNED FOR 2000 P.S.F. ASSUMED BEARING. BEARING STRATA, GRANULAR MATERIAL AND COMPACTION TO BE INSPECTED AND APPROVED BY SOILS CONSULTANT PRIOR TO POURING CONCRETE.
4. DO NOT SCALE THE DRAWINGS.

2.

1.

NO.	DESCRIPTION & DATE
REVISIONS	

JOB TITLE:

PROPOSED THREE
STOREY TRIPLEX
7 CHESTNUT
CITY OF OTTAWA

SHEET TITLE:

LEFT SIDE
ELEVATION

SCALE: AS SHOWN DWG NO.

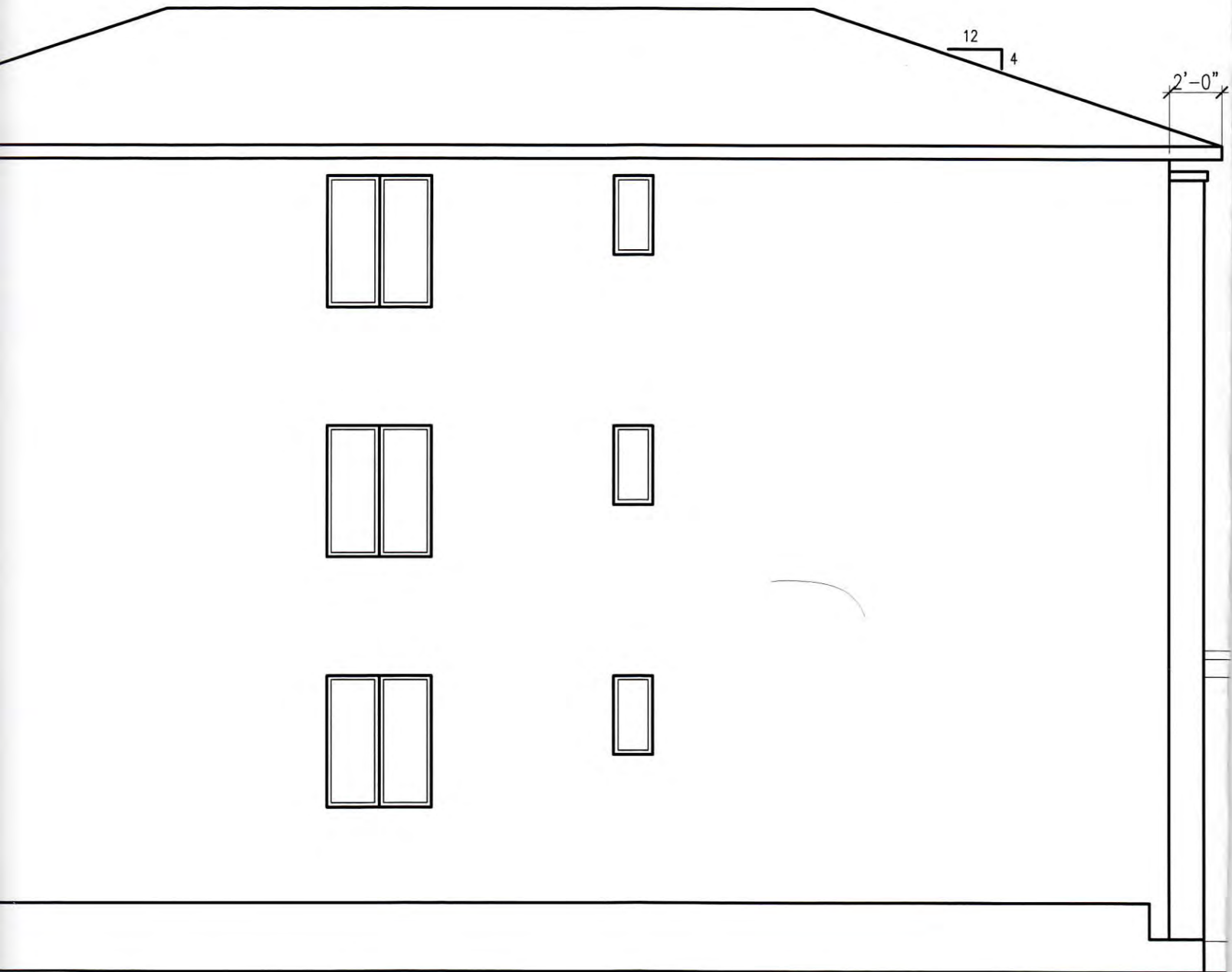
DRAWN: C.S.

CHECKED:

DATE: APR 2018

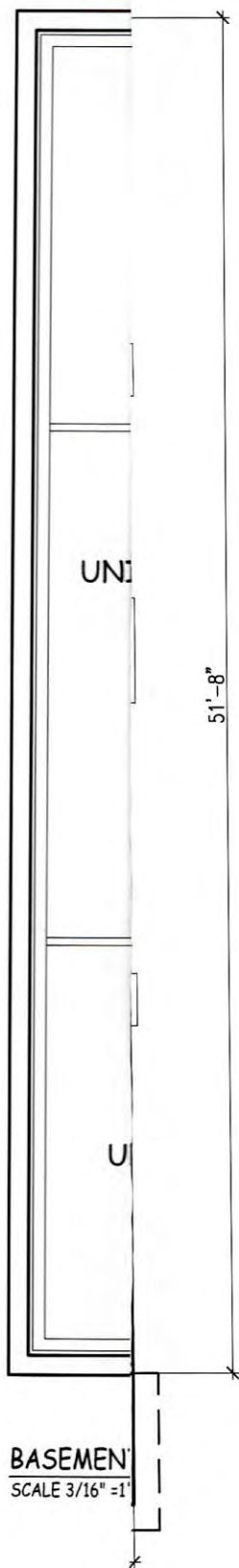
PRINT DATE:

A3.3



VATION

6-4



Urban Design Guidelines for Low-rise Infill Housing

7-1

Since these Guidelines were created in 2012, Council has adopted two sets of infill zoning regulations affecting one- to four-storey residential dwellings. Zoning By-law 2012-147 created the Mature Neighbourhoods Overlay that affects dwellings within the inner urban neighbourhoods (Wards 14, 15 and parts of 12, 13 and 17). The Overlay contains regulations intended to recognize the established look along a street. These include regulations on the use of lands in the front and corner side yards including amount of landscaping, rear lane access, driveway widths and on-site parking, as well as the orientation of the main door, and the minimum amount of habitable floor area required on the first floor, closest to the existing average grade. Flag lot, corner lot and long semi-detached dwelling developments are introduced and regulated.

Mature Neighbourhoods Streetscape Character Analysis

Infill II By-law 2015-228 creates the Alternative Provisions for Urban Areas in the R1-R4 Zones that affect inner and outer urban wards (Wards 7-18). These regulations affect building height, rear and side yard setbacks, projections above the height limit, including rooftop terraces, projections into required yards, including balconies, patios, etc. The purpose of these rules is to limit building height and mass, privacy issues, sun obstruction, loss of permeable surfaces and soft landscaping to allow for new dwellings and additions that fit in with the established character of the neighbourhood.

Infill II By-law 2015-228

When reading these Guidelines, please note that the zoning regulations noted above take precedence over these. The Guidelines will be updated accordingly, to reflect the intent of these Infill zoning regulations.

For further information please contact:

Elizabeth (Beth) Desmarais
Planning, Infrastructure and Economic Development
City of Ottawa
110 Laurier Avenue West
Ottawa
613-580-2424, ext. 13503
Email: elizabeth.desmarais@ottawa.ca (link sends e-mail)

Below is a series of design guidelines for infill housing to help fulfill some of the design strategies for Ottawa as outlined in the Official Plan. It is intended as a basic framework for the physical layout, massing, functioning and relationships of infill buildings to their neighbours.

[Urban Design Guidelines for Low-rise Infill Housing - May 2012 \[PDF - 2 MB \] PDF opens in a new tab or window](#)



May 28, 2018

1:1,400

Property Parcels

Major Collector

Open to Traffic

0 0.01 0.02 0.04 mi

Road Names

Collector

Commence Work

0 0.0175 0.035 0.07 km

Road Centrelines

Federally Owned

City of Ottawa

City Freeway

Local

Provincial Highway

Transit

Arterial

STREETSCAPE CHARACTER ANALYSIS FORM

Name: Carlo Segreto

Email: Carlo@mirocadesign.com

Address of proposed development: 7 Chestnut Street

Type of Development Review Application Being Submitted: ☐ Zoning ☐ Site Plan ☐ Minor Variance ☐ Severance ☐ Private Approach ☒ Building Permit

This form is required in order to determine zoning requirements and permissions with respect to front yards and corner side yards, access and parking, and front doors. When filling in this form, please bring and refer to the **Streetscape Character Analysis Manual**, available at Client Service Centres and at: ottawa.ca/streetscapecharacter. This form must document 21 lots around your lot. See Manual for cases where less than 21 lots on a street. Once this form has been approved, then a development application will be considered complete. Submit this form and photograph of each of the lots to sca-apr@ottawa.ca, or to a Development Information Officer in a Client Service Centre, or at a pre-consultation meeting. Remember that your immediate neighbours' front yard setbacks on either side of you must be measured. You must also measure each of the 21 lots' actual lot width and driveway width by using GeoOttawa so you may know which Access and Parking Character Group in Table 2 identifies your streetscape.

TABLE 1 FRONT AND CORNER SIDE YARD CHARACTER

Character Group	Refer to S.140 Table 140(A) Zoning By-law 2008-250	HOW MANY LOTS?
A. Landscaped front yard and corner side yards (side lot line to side lot line) where there is no driveway off the street(s)		Total 6
B. Mix of soft and hard landscaped front yard in front of the entire front wall of the house		8
C. Mix of soft and hard landscaped front yard in front of a portion of the front wall of the house		6
D. No front yard (buildings at or close to the front property line), or short, undersized front yard occupied mainly by permitted projections such as a front porch or stoop		
Note: Lots containing a residential use dwelling(s) that is set back at least the minimum required front yard setback, and where the front yard consists mostly or entirely of parking spaces whose legal status has not been established, and where there is also a driveway providing access to garage, carport or surface parking, must be documented as Front Yard Character Group B		

TABLE 2 ACCESS AND PARKING CHARACTER

STEP 1. Character Group	Refer to Table 140(B) of Zoning By-law 2008-250	HOW MANY LOTS?
A. No driveways along lot lines abutting a street		Total 5
B. Driveways are up to 1/3 of the lot width Note: Lands used for front yard parking are not counted within the driveway width		10
C. Driveways are between 1/3 and 1/2 of the lot width Note: Lands used for front yard parking are not counted within the driveway width		3
D. Driveways are 1/2 or more of the lot width Note: Lands used for front yard parking are not counted within the driveway width		2

Date Submitted: May 28, 2018 Date confirmed: Staff signature: (Page 1 of 2)

TABLE 2 ACCESS AND PARKING CHARACTER

HOW MANY LOTS?

STEP 2. Parking Patterns must be identified for each lot: (see S. 139 (10) Zoning By-law)

ONLY fill this out if you want one of the following:

IF you propose new front yard parking space (s), identify how many properties have legal front-yard parking spaces

IF you propose a garage that is set back the same distance from the front and/or corner side lot line as the dwelling unit itself, identify how many properties have garages that are set back the same as their dwelling unit

Table 3 MAIN DOOR CHARACTER

Character Group Refer to Table 140(C) of Zoning By-law 2008-250

HOW MANY LOTS?

Total

A. Main door faces the front lot line and the street, or is accessed by a structure located along the front wall of the dwelling but does not face the front lot line and street

14

B. Main door does not face the front lot line and doesn't face the street

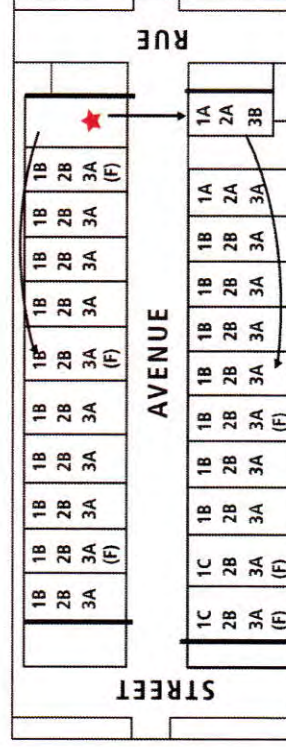
6

Note: If you have a corner lot, A and B also apply when documenting doors along the corner side lot line

Please draw your streetscape, including the street(s) on which your proposal will front, the 21 lots (or less) required for the Streetscape Character Analysis, and identify: 1) name of street; 2) street address number of the 21 lots on both sides of the street; 3) draw a star on your lot; 4) and for each lot, identify the Character Groups (represented by the numbered groups on page 1), and identify the pattern (represented by the roman numerals associated with each of the Character Groups) as shown in the example below. You **must** fill out two Forms when developing a corner lot where one or more dwelling units front on one street, and one or more dwelling units front on the other street.

STREETSCAPE (Draw your streetscape here)

See Attached



4-7

SCA File No. D02-99-16-0329

May 30, 2018

Carlo Segreto
Carlo@mirocadesign.com

Attention: Carlo Segreto

Dear: Mr. Segreto

**Subject: Confirmation of Streetscape Character Analysis (SCA)
7 Chestnut Street**

The above-noted Streetscape Character Analysis Form, received by the City of Ottawa on May 29, 2018, has been reviewed and satisfies the City's Streetscape Character Analysis requirements of Sections 139 and 140 of *Zoning By-law 2008-250*. Staff concur with the Character Groups identified on the lots that were documented as noted in your SCA Form submission. The following dominant Character Groups for the above-referenced property/properties are hereby confirmed as follows:

Front/Corner Side Yard: Character Group B

This means you are required to provide a front and/or corner side yard of a pattern within the dominant Character Group noted above or in any other Character Group that is more restrictive, such that if the Character Group is B, you may design according to any pattern in either Group A or B. Please refer to Zoning By-law section 140, Table 140(A) for full details.

Access/Driveways/Parking: Character Group B

This means that if you choose to provide parking (not required for buildings of up to 12 dwelling units), you may ONLY provide it in a pattern within the above-noted dominant Character Group or in any other Character Group that is more restrictive. Please refer to Zoning By-law section 140, Table 140 (B) for full details.

Location of Front Door: Character Group A

This means that you are required to place the front door of your residential use building in a pattern within the above-noted dominant Character Group A. Where the Character Group is B you may also develop according to Character Group A. Further, where it is intended that the principal door of one or more dwelling unit(s) faces one street, and one principal door of any other dwelling unit(s) faces the other street, then please refer to Zoning By-law s. 139 and section 140, Table 140(C) for full details.

These confirmed dominant Character Groups specify the Overlay zoning regulations that affect the lot proposed to be developed, redeveloped or where an addition to the existing dwelling is or will be proposed in the front, corner or interior side yard. The

7-6

proposed development is, therefore, required to develop according to the above-noted dominant Character Groups pursuant to Sections 139 and 140 of *Zoning By-law 2008-250*. Of note, however, is that the Character Group (s) that are more restrictive than those noted herein, where Character Group A is always the most restrictive and Character Group D is always the least restrictive, will also be permitted as compatible development approaches to those in Character Groups B, C and D.

If there is a tie, with two or three equally dominant Character Groups, then you may develop either of the dominant two, or the dominant three, accordingly.

Please ensure that this confirmation letter is submitted with your development review application. If you have any questions, please contact Victoria Bissonnette by telephone, at 613-580-2424, extension 27029 or by email at Victoria.Bissonnette@ottawa.ca.

Sincerely,

Victoria Bissonnette
Development Review Central

[HOME PAGE](#) [LAWS](#) [PLANNING ACT, R.S.O. 1990, C. P.13](#)



[Français](#)

Planning Act

R.S.O. 1990, CHAPTER P.13

Consolidation Period: From April 12, 2018 to the [e-Laws currency date](#).

Last amendment: [2018, c. 3, Sched. 5, s. 47](#).

Legislative History: [+]

CONTENTS [-]

- | | |
|--------------|---|
| <u>1.</u> | Interpretation |
| <u>1.0.1</u> | Information and material to be made available to public |
| <u>1.1</u> | Purposes |
| <u>1.2</u> | Not-for-Profit Corporations Act, 2010 |

PART I

PROVINCIAL ADMINISTRATION

- | | |
|------------|---|
| <u>2.</u> | Provincial interest |
| <u>2.1</u> | Approval authorities and Tribunal to have regard to certain matters |
| <u>3.</u> | Policy statements |
| <u>4.</u> | Delegation of Minister's powers |
| <u>5.</u> | Further delegation of powers |
| <u>6.</u> | Consultation |
| <u>7.</u> | Grants |

PART II

LOCAL PLANNING ADMINISTRATION

- | | |
|-------------|--|
| <u>8.</u> | Planning advisory committee |
| <u>8.1</u> | Local appeal body |
| <u>9.</u> | Planning area defined by Minister |
| <u>10.</u> | Planning area in unorganized territory |
| <u>11.</u> | Body corporate |
| <u>12.</u> | Estimates |
| <u>13.</u> | Municipal grants |
| <u>14.</u> | Duties of planning board |
| <u>14.1</u> | Joint planning areas |
| <u>14.2</u> | Municipal planning authority |
| <u>14.3</u> | Finance |

- 14.4 Expansion
- 14.5 Removal
- 14.6 Dissolution
- 14.7 Official plan
- 14.8 Deemed council, municipality
- 15. Upper-tier municipalities, planning functions

PART III

OFFICIAL PLANS

- 16. Official plan
- 16.1 Prescribed process
- 17. Approvals
- 17.1 Delegation of approval authority
- 18. Recommendation of plan
- 19. Unorganized territory
- 19.1 Deemed council
- 20. Lodging of plan
- 21. Amendment or repeal of plan
- 22. Request for amendment
- 22.1 Interpretation of transitional provisions
- 23. Matter of provincial interest affected by official plan
- 24. Public works and by-laws to conform with plan
- 25. Acquisition of lands in accordance with provisions of plan
- 26. Updating official plan
- 27. Amendments to conform to official plan

PART IV

COMMUNITY IMPROVEMENT

- 28. Community improvement project area
- 29. Agreement re studies and development
- 30. Agreements for grants in aid of community improvement
- 32. Grants or loans for repairs
- 33. Demolition control area

PART V

LAND USE CONTROLS AND RELATED ADMINISTRATION

- 34. Zoning by-laws
- 35. No distinction on the basis of relationship
- 35.1 By-laws to give effect to second unit policies
- 35.2 By-laws to give effect to inclusionary zoning policies
- 36. Holding provision by-law
- 37. Increased density, etc., provision by-law
- 38. Interim control by-law
- 39. Temporary use provisions
- 39.1 Garden suites
- 40. Agreement exempting owner from requirement to provide parking
- 41. Site plan control area
- 42. Conveyance of land for park purposes

- 43. Application of subss. 34 (12-34)
- 44. Committee of adjustment
- 45. Powers of committee
- 46. Mobile homes, land lease community homes
- 47. Power of Minister re zoning and subdivision control
- 48. Where licence, etc., not to issue
- 49. Power of entry
- 49.1 Search warrant

PART VI SUBDIVISION OF LAND

- 50. Interpretation
- 50.1 Division of land by will
- 51. Plan of subdivision approvals
- 51.1 Parkland
- 51.2 Delegation to committee or officer
- 52. Sale of lands in accordance with unregistered plan prohibited
- 53. Consents
- 54. Delegation of authority to give consents
- 55. District land division committee, delegation
- 56. Land division committee
- 57. Validation certificate

PART VII GENERAL

- 58. Acquisition of land
- 59. Power to clear, grade, etc., lands acquired
- 60. Exchange of lands
- 61. Fair hearing
- 62. Not subject to Act
- 62.0.1 Exempt undertakings
- 62.0.2 Renewable energy undertakings
- 62.1 Variation of notice requirements
- 63. Deemed compliance
- 65. Discretionary dispute resolution techniques
- 66. Effect where authority delegated
- 67. Penalty
- 67.1 Proceeds of fines
- 68. Exception
- 69. Tariff of fees
- 69.1 Fees
- 69.2 Fees
- 70. General regulations, Lieutenant Governor in Council
- 70.1 General regulations, Minister
- 70.2 Regulations re development permit system
- 70.2.1 Use of alternate terminology
- 70.2.2 Orders and by-laws re development permit system

<u>70.3</u>	Regulations re sewage and water services
<u>70.4</u>	Regulations re transitional and other matters, 2004 amendments
<u>70.5</u>	Regulations re transitional and other matters, 2006 amendments
<u>70.6</u>	Regulations re transitional matters, 2015 amendments
<u>70.7</u>	Regulations re transitional matters, 2016 amendments
<u>70.8</u>	Regulations re transitional matters, 2017 amendments
<u>71.</u>	Conflict
<u>72.</u>	Repeal of joint official plans
<u>72.1</u>	Continuation
<u>73.</u>	Planning areas and boards dissolved
<u>74.</u>	Transition
<u>74.1</u>	Transition
<u>75.</u>	Transition
<u>76.</u>	Transition – residential units
<u>77.</u>	County of Oxford

Interpretation

1 (1) In this Act,

"area of employment" means an area of land designated in an official plan for clusters of business and economic uses including, without limitation, the uses listed in subsection (5), or as otherwise prescribed by regulation; ("zone d'emploi")

"area of settlement" means an area of land designated in an official plan for urban uses including urban areas, urban policy areas, towns, villages, hamlets, rural clusters, rural settlement areas, urban systems, rural service centres or future urban use areas, or as otherwise prescribed by regulation; ("zone de peuplement")

"committee of adjustment" means a committee of adjustment constituted under section 44; ("comité de dérogation")

"First Nation" means a band as defined in the *Indian Act* (Canada); ("Première Nation")

"higher order transit" means transit that operates in whole or in part in a dedicated right of way, including heavy rail, light rail and buses; ("transport en commun d'un niveau supérieur")

"land division committee" means a land division committee constituted under section 56; ("comité de morcellement des terres")

"local appeal body" means an appeal body for certain local land use planning matters, constituted under section 8.1; ("organisme d'appel local")

"local board" means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, police services board, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof; ("conseil local")

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of "local board" in subsection 1 (1) of the Act is amended by striking out "police services board" and substituting "police service board". (See: 2018, c. 3, Sched. 5, s. 47)

"Minister" means the Minister of Municipal Affairs and Housing; ("ministre")

"payment in lieu" means a payment of money in lieu of a conveyance otherwise required under section 42, 51.1 or 53; ("paiement tenant lieu de cession")

"prescribed" means prescribed by the regulations; ("prescrit")

Term of office

(3) The members of the committee who are not members of a municipal council shall hold office for the term of the council that appointed them and the members of the committee who are members of a municipal council shall be appointed annually. R.S.O. 1990, c. P.13, s. 44 (3).

Idem

(4) Members of the committee shall hold office until their successors are appointed, and are eligible for reappointment, and, where a member ceases to be a member before the expiration of his or her term, the council shall appoint another eligible person for the unexpired portion of the term. R.S.O. 1990, c. P.13, s. 44 (4).

Quorum

(5) Where a committee is composed of three members, two members constitute a quorum, and where a committee is composed of more than three members, three members constitute a quorum. R.S.O. 1990, c. P.13, s. 44 (5).

Vacancy not to impair powers

(6) Subject to subsection (5), a vacancy in the membership or the absence or inability of a member to act does not impair the powers of the committee or of the remaining members. R.S.O. 1990, c. P.13, s. 44 (6).

Chair

(7) The members of the committee shall elect one of themselves as chair, and, when the chair is absent through illness or otherwise, the committee may appoint another member to act as acting chair. R.S.O. 1990, c. P.13, s. 44 (7).

Secretary-treasurer, employees

(8) The committee shall appoint a secretary-treasurer, who may be a member of the committee, and may engage such employees and consultants as is considered expedient, within the limits of the money appropriated for the purpose. R.S.O. 1990, c. P.13, s. 44 (8).

Remuneration

(9) The members of the committee shall be paid such compensation as the council may provide. R.S.O. 1990, c. P.13, s. 44 (9).

Filing of documents, etc.

(10) The secretary-treasurer shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the committee, and section 253 of the *Municipal Act, 2001* or section 199 of the *City of Toronto Act, 2006*, as the case may be, applies with necessary modifications to such documents. R.S.O. 1990, c. P.13, s. 44 (10); 2002, c. 17, Sched. B, s. 16; 2006, c. 32, Sched. C, s. 47 (11).

Rules of procedure

(11) In addition to complying with the requirements of this Act, the committee shall comply with such rules of procedure as are prescribed. R.S.O. 1990, c. P.13, s. 44 (11).

Section Amendments with date in force (d/m/y) [+]**Powers of committee**

45 (1) The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained. R.S.O. 1990, c. P.13, s. 45 (1); 2006, c. 23, s. 18 (1); 2009, c. 33, Sched. 21, s. 10 (11).

Criteria

(1.0.1) The committee of adjustment shall authorize a minor variance under subsection (1) only if, in addition to satisfying the requirements of that subsection, the minor variance conforms with,

(a) the prescribed criteria, if any; and

(b) the criteria established by the local municipality by by-law, if any. 2015, c. 26, s. 29 (1).

Same

(1.0.2) For the purposes of subsection (1.0.1), criteria that were not in force on the day the owner made the application do not apply. 2015, c. 26, s. 29 (1).

Criteria by-law

(1.0.3) The council of a local municipality may, by by-law, establish criteria for the purposes of clause (1.0.1) (b) and the following provisions, as they read on the day before section 14 of Schedule 3 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, apply, with necessary modifications, in respect of the by-law:

1. Clause 34 (12) (a).

2. Subsections 34 (13), (14.1) to (15), (17) to (19.0.1), (20) to (20.4), (22) to (25.1) and (25.2) to (26). 2015, c. 26, s. 29 (1); 2017, c. 23, Sched. 3, s. 14.

Coming into force

(1.0.4) A by-law under subsection (1.0.3) comes into force,

(a) if no notice of appeal is filed in respect of the by-law and the time for filing appeals has expired, on the day after the last day of the time for filing appeals;

(b) if all appeals in respect of the by-law are withdrawn and the time for filing appeals has expired, on the day after the last day on which an appeal was withdrawn;

(c) if the Tribunal dismisses all appeals and the time for filing appeals has expired, on the day after the last day on which an appeal was dismissed;

(d) if the Tribunal allows an appeal in respect of the by-law and amends the by-law, on the day after the last day on which the Tribunal makes a decision disposing of the appeal; or

(e) if the Tribunal allows an appeal in respect of the by-law and directs the municipality to amend the by-law, on the day after the day the municipality passes the amending by-law. 2015, c. 26, s. 29 (1); 2017, c. 23, Sched. 5, ss. 80, 98 (1).

Restriction

(1.1) Subsection (1) does not allow the committee to authorize a minor variance from conditions imposed under subsection 34 (16) of this Act or under subsection 113 (2) of the *City of Toronto Act, 2006*. 2006, c. 23, s. 18 (2).

Same

(1.1.1) Subsection (1) does not allow the committee to authorize a minor variance from those provisions of a by-law that give effect to policies described in subsection 16 (4). 2016, c. 25, Sched. 4, s. 6.

When subs. (1.3) applies

(1.2) Subsection (1.3) applies when a by-law is amended in response to an application by the owner of any land, building or structure affected by the by-law, or in response to an application by a person authorized in writing by the owner. 2015, c. 26, s. 29 (2).

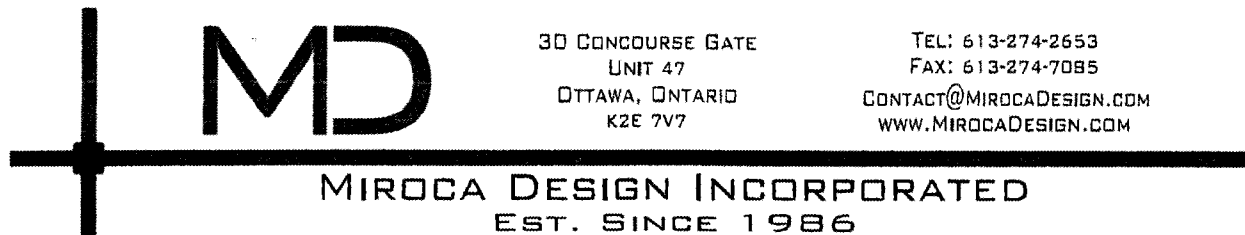
Two-year period, no application for minor variance

(1.3) Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended. 2015, c. 26, s. 29 (2).

Exception

(1.4) Subsection (1.3) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. 2015, c. 26, s. 29 (2).

9-1



April 25, 2018

Committee of Adjustment

City of Ottawa
101 CentrepoinTE Drive,
Ottawa, Ontario K2G 5K7

Attention: **Heather MacLean**
Secretary Treasurer
And Committee Members

Re: **Application for Minor Variance**
7 Chestnut Street, Ottawa, ON
Plan 97162, Lot 78 and Part
Ward 17, Capital
Zoning R3 P, Zoning By-law 2008-250

Dear Ms. Libman,

170 Preston Ltd. has retained Miroca Design Consulting Services to act as agent on their behalf for the preparation of Application for Minor Variance for their lands known municipally as 7 Chestnut Street, Ottawa, Ontario.

The following materials have been enclosed in support of these applications:

1. Three (3) copies of this cover letter prepared by Miroca Design Consultants Inc.
2. Three (3) copies of the Committee Application forms
3. Four (4) full size copies plus one (1) reduced copy of the preliminary drawings, building elevations and site plans prepared by Miroca Design Consultants Inc.
4. Four (4) full size plans plus one (1) reduced copy of the Surveyors Real Property Report prepared by J.D. Barnes, Ontario Land Surveyors
5. A cheque payable to the City of Ottawa, and a copy of the Deed showing ownership.

There is an existing bungalow on the property which was constructed in the 1940s and has a floor area of approximately 1000sq.ft. 170 Preston Ltd. is purchasing the property under Agreement of Purchase and Sale. The owner proposes to demolish the existing dwelling in order to construct a new 3-storey triplex; each triplex unit is to have a floor area of approximately 1200 square feet.

9-2

Relief Requested

In order to proceed, the owners require the authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced lot width of 10.98 metres, whereas the By-law requires a minimum lot width of 12.0 metres.
- b) To permit a reduced lot area of 318.5 square metres, whereas the By-law requires a minimum lot area of 360.0 square metres.

Overview of the Subject Property

The current property has a frontage of 10.98 metres and a depth of 29.0 metres, for a total lot area of 318.5 square metres.

Access to the property is provided from Chestnut Street which is a neighborhood street, and a rear lane. Transit service is provided along Lees Ave. towards the North and Main Street to the West. The area is well served by a range of commercial and community amenities principally along Lees Ave and Main Street to the North and West. To the South and the East you will find the Rideau River, Springhurst Park, and the Rideau River Nature Trail. Also to the South is St. Paul University and Immaculata High School.

Adjacent Uses

The Old Ottawa East Community was generally built as mixed land use (single, semi, and duplex dwellings) residential neighborhood in the early 1900s. Housing along Chestnut Street was characterized by bungalows and 2-storey dwellings. The replacement of the existing bungalows and 2-storeys by larger 2 and 3-storey multi-unit dwellings and singles has occurred throughout this area in the last 5 to 10 years to maximize residential development on these lots. Many of these new dwellings utilize the maximum allowable building envelope and building height.

Provincial Policy Statement (2005)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development across Ontario. Section 1.1.3.3 of the PPS directs that land use planning shall be carried out in a manner that:

- Promotes efficient development patterns that contribute to long-term sustainability on a province-wide basis as well as in local communities;
- Takes advantage of opportunities for intensification and redevelopment that optimize the use of existing of planned infrastructure and public service facilities;
- Promotes a compact built form which supports the use of alternative transportation modes and public transit.

In our opinion the proposed minor variance application supports the policies of the PPS by providing new residential accommodation within the City's urban area where infrastructure and services already exist and are in close proximity to service facilities. The proposed use of land will promote an efficient, cost effective pattern of development located within proximity to a range of community services and amenities and well-oriented within the City's roadway and transit system.

Official Plan

The Official Plan designates the subject properties as General Urban Area which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances in combination with conveniently located employment, retail, services, cultural, leisure, entertainment and institutional uses. A broad scale of uses are found within this designation that are intended to facilitate the development of complete and sustainable communities. While the City is supportive of the establishment of a broad mix of uses in Ottawa's neighborhoods this is not meant to imply that all uses will be permitted everywhere within this designation as location scale and type of land uses will continue to be regulated by the zoning By-law in accordance with the provisions of the approved Plan. The Plan provides direction that new developments be compatible and complement the surrounding land uses.

The minor variance application addresses four key challenges of growth outlined in the Official Plan as follows:

Section 2.2 – Managing Growth

Growth shall be directed to the urban area where it can be accommodated in a compact form, thereby supporting high-quality transit service and recreation facilities and taking advantage of existing servicing capacity. The projected increases in population and jobs can be accommodated within the urban area by intensifying land uses within the urban area. By its nature land use intensification increases the density of development. The City supports intensification and infill development throughout the urban area including lands within the General Urban Area.

- In our opinion the variances will result in appropriate intensification and infill as envisioned and supported by the Official Plan.

Section 2.3 – Providing Infrastructure

Land use and infrastructure policies are closely related. The City aims to create a compact urban area and safe healthy communities which are to be achieved in part by taking maximum advantage of the existing infrastructure. The City is committed to providing a transportation system that shall promote transit, walking and cycling in order to increase the percentage of trips by transit to 30 percent of the total.

- In our opinion the variances will take full advantage of established transit service, water and sewer services and the network of roads and designated cycling routes.

Section 2.4 – Maintaining Environmental Integrity

The health of the City and its residents depends on maintaining and enhancing environmental quality. The preservation of significant environmental features is promoted by directing land use and development to the existing urban area. Overall air quality and energy efficiency are enhanced by promoting compact development that is linked to high-quality public transit, cycling and walking facilities.

- The variances will maintain environmental integrity by focusing growth in the urban area rather than developing lands at the periphery of the City.

Section 2.5 – Building Livable Communities

Livable communities achieve a balance of facilities and services to meet citizens' everyday needs. Housing should be affordable and of high-quality and be within walking or cycling distance to a range of community amenities including green spaces, commercial/service uses, libraries, schools and the workplace.

- The variances will contribute to a sustainable community by providing residential uses in close proximity to the rapid transit system and a range of community amenities including employment and retail uses thereby reducing travel and improving accessibility.

Section 2.5.1 – Compatibility and Community Design

Section 2.5.1 of the Official Plan addresses Compatibility and Community Design for new development particularly as it relates to infill and redevelopment within established areas. Infill development must be sensitive to and compatible with the existing community fabric. The proposed use of the land draws upon the characteristics of the community to fit well in its context and work well among its surrounding functions. The compatibility criteria in Section 4.11 of the Official Plan provide a comprehensive means by which to assess the compatibility of infill development.

Section 4.11 – Compatibility

The compatibility criteria in Section 4.11 of the Official Plan provide a comprehensive means by which to assess the compatibility of infill development. Criteria used to evaluate compatibility includes: traffic, vehicular access, parking, height and massing, pattern of surrounding community, outdoor amenity area, loading, service and outdoor storage areas, lighting, noise and air quality, sunlight, microclimate and supporting neighborhood services. Not all of these are applicable to each development.

- Following our review of the compatibility criteria it is our opinion that the minor variances maintain the general intent and purpose of the Official Plan and are desirable for the appropriate development of use of the land.

Urban Design Guidelines for Low-Medium Density Infill Housing

The Official Plan directs growth to established areas to maximize the use of land that is already serviced, accessible and close to existing amenities. The guidelines are intended to address the small-scale changes in a neighborhood but are also meant to deal with more substantive changes to achieve a good fit within an established context. The proposed site plan and elevation drawings for the new triplex dwelling at 7 Chestnut Street have been thoroughly reviewed in context with the Urban Design Guidelines.

Minor Variance Rationale

The property is Zoned R3 P which is a Residential Third Density Zone, and permits 3-unit dwellings in areas designated as General Urban Area. Subzone provisions are set out in Table 160a – R3 Subzone Provisions (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

The minor variances required are:

- To reduce the minimum lot width requirement of 12.0 metres; relief is requested to permit a reduced lot width of 10.67 metres.
- To reduce the minimum lot area requirement of 360.0 square metres; relief is requested to permit a reduced lot area of 309.0 square metres.

These variances for lot width and lot area are requested in order to legalize the existing lot in order to permit a 3-unit dwelling. All other performance requirements of the Zoning By-law related to the proposed building are met.

9-5

We feel that this proposal is desirable for the area, and satisfies the intentions of the Zoning By-law as it provides intensification in the heart of the City while still maintaining adequate private yard amenity space and greenery. The development is in keeping with the existing lot fabric in the neighbourhood. By taking advantage of existing infrastructure services, and proximity to community amenities, this proposal meets the intentions of the Official Plan.

Pre-consultations

Pre-consultation meetings were held with Robert Sandercott in the Planning and Growth Management Department. A letter explaining our application and plans have been provided to the Ottawa East Community Association for their comments.

Conclusion

With respect to the minor variances it is our opinion that the variances are desirable for the appropriate development or use of the land, the general intent and purpose of the Official Plan and Zoning By-law are maintained and the variances sought are minor.

We believe that the variances sought represent good land use planning and are appropriate for the subject property.

We trust this is satisfactory. Please do not hesitate to contact us if you require further information.

Regards,



Michael Segreto
Miroca Design Consulting Services Inc.

FILE 10-1

OFFICE USE ONLY			
Application No <u>008-02-18/A-00159</u>		Application Received <u>May 1 / 18</u>	
Date Application Deemed Complete		Staff Person Present <u>Prokhar</u>	
Fee Received	<input type="checkbox"/> YES <input type="checkbox"/> NO Committee of Adjustment	Staff Person Assigned	
	<input type="checkbox"/> YES <input type="checkbox"/> NO Conservation Partners	City Ward # <u>17</u>	Panel # <u>1</u>
	<input type="checkbox"/> YES <input type="checkbox"/> NO Planning Review	Former Municipality <u>Old Ottawa</u>	

SECTION 5: Application Details

a) Minor Variance Requested:

By-Law Requirement:

By-law Section:

To permit a reduced lot width of 10.98

metres, whereas the By-law

requires a minimum lot width of 12.0 metres

b) Minor Variance Requested:

By-Law Requirement:

By-law Section:

To permit a reduced lot area of 318.5

square metres, whereas the By-law requires

a minimum lot area of 360 square metres.

c) Minor Variance Requested:

By-Law Requirement:

By-law Section:

d) Minor Variance Requested:

By-Law Requirement:

By-law Section:

e) Minor Variance Requested:

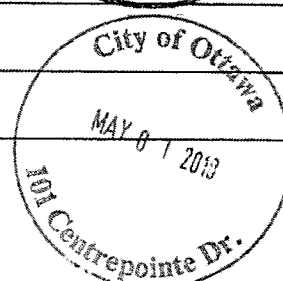
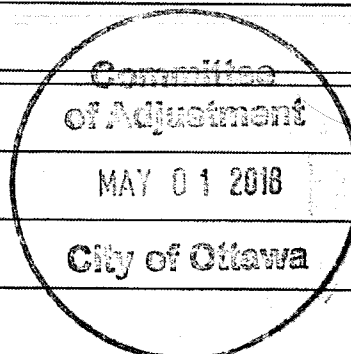
By-Law Requirement:

By-law Section:

f) Minor Variance Requested:

By-Law Requirement:

By-law Section:



Please attach a separate sheet if additional variances are required.

Location of Subject Property

Municipal Address: # 7 CHESTNUT ST. Community Name: CAPITAL
 Closest Street Intersection: LEES AVENUE City Ward #: 17

Legal Description

Lot(s) 78 & Part of Lot 79 Concession(s) Block(s)
 Reg. Plan No(s) 97/62 Ref. Plan No(s) Part No(s) on Ref. Plan
 Former Municipality OLD OTTAWA

Contact Information

Municipal Freedom of Information and Privacy Act - Personal Information on this form is collected under authority of the Planning Act and will be used to process this application.

Name / Title <small>All Registered Property Owner(s) or Registered Company Names must be listed.</small>	Mailing Address Postal Code	Contact Numbers Email
<input type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. First Name: <u></u> Last Name: <u></u>	<u></u>	Phone No. <u></u> Fax No. <u></u> Email <u></u>
<input type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. First Name: <u></u> Last Name: <u></u> <input checked="" type="checkbox"/> Under Agreement to Purchase and Sale	<u></u>	Phone No. <u></u> Fax No. <u></u> Email <u></u>
COMPANY Company Name: <u>170 PRESTON LTD.</u>	<u>197 PRESTON ST.</u> <u>OTTAWA, ONTARIO</u> <u>K1R-7P8.</u>	Phone No. <u>613-227-3448</u> Fax No. <u></u> Email <u></u>
AGENT <input checked="" type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. First Name: <u>MICHAEL</u> Last Name: <u>SEBASTO</u>	<u>MIPOCA DESIGN INC.</u> <u>30 CONQUEROR GATE</u> <u>UNIT 117 OTT. ONT</u> <u>K2C-7J7.</u>	Phone No. <u>613-274-2653</u> Fax No. <u>613-274-7085</u> Email <u></u>

Unless otherwise requested, all communications will be sent to the Owner's Authorized Agent.

Description of Request

1. Type and purpose of proposed transaction: (check appropriate box)

- ☒ Variance(s) to Zoning By-law
☐ Permission (Non-conforming use)
☐ Other purpose (specify)

2. Planning Information (Please contact a Development Information Officer at your closest Client Service Centre or call 311):

a) Official Plan Designation

GENERAL URBAN MPZ

b) Zoning Designation

R3P.

c) Zoning By-law

2008-250.

Description of Request

10-3

Subject Land Information	Frontage	10.980 m.
	Depth (m)	29.00 m.
	Area m ² /ha	318.5 m ²
	This parcel fronts on (St/Rd)	CHESTNUT ST.
	Easements / Right-of-Ways	—
Use of Property	Proposed	RESIDENTIAL
	Existing	RESIDENTIAL
Water Supply	City piped water system	YES.
	Private individual well	
	A lake or other water body	
	Other means (i.e. communal well)	
Sewage Disposal	City sanitary sewer system	YES.
	Private septic system	
	A privy	
	Other means (i.e. communal septic system)	
Stormwater Drainage	City storm sewers	YES.
	Roadside ditches	
	Lot swales	
	Other means (i.e. communal stormwater pond)	
Access - Name of	Municipal Road	CHESTNUT ST.
	Regional Road	
	Provincial Highway	
	Right-of-Way/Lane	

3. Buildings or Structures

EXISTING

Type & Size of Dwelling/Building ONE STOREY SINGLE FAMILY AWAITING TO BE DEMOLISHED Date of Construction APPROX 1940'S

Setback from lot lines:

Front 4.50m Rear 14.16m Side 0.83m Height APPROX 20.00' Floor Area APPROX 4000 sq. ft.

PROPOSED

Proposal 3-STOREY TRIPLEX UNIT. Dimensions 8.30m x 15.74m 27'-3" x 51'-8"

Setback from lot lines:

Front 4.57m Rear 8.70m Side 1.32m Height APPROX. Floor Area APPROX. 4,000 sq. ft.

Date of Acquisition by Current Owner 2018. Length of Time Existing Use has Continued SINCE CONST.

Current Use of Adjacent Land RESIDENTIAL Proposed Use RESIDENTIAL.

If access is by water only, the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject lands and nearest public road:

N/A.

Description of Request

10-4

4. Past Application History

Note: As of July 1st, 2016, the Planning Act prohibits Minor Variance Applications related to properties for which a site-specific Zoning By-law has been passed within the last two years, unless City Council has granted approval to proceed with the application.

Has this parcel of land ever been the subject of:

- ☐ Official Plan Amendment ☐ Regional ☐ Local
☐ Zoning By-law Amendment
☐ Subdivision Application
☐ Site Plan Application
☐ Consent (Severance) Application
☐ Minor Variance Application
☐ Building Permit Application
☐ Other (e.g. Road Opening)

File Number

Approval Date (DD/MM/YYYY)

5. Current Application History

	File Number	Status	
Is this parcel of land currently the subject of any of the applications listed below?		Being Processed	Council Approval
<input type="checkbox"/> Official Plan Amendment			
<input type="checkbox"/> Zoning By-law Amendment			
<input type="checkbox"/> Subdivision Application			
<input type="checkbox"/> Site Plan Application			
<input type="checkbox"/> Consent (Severance) Application			
<input checked="" type="checkbox"/> Minor Variance Application		✓	
<input type="checkbox"/> Building Permit Application		✓	
<input type="checkbox"/> Other (i.e. Road Opening)			

6. Will this variance result in a reduction or increase in dwelling units? ☒ Yes ☐ No

If the answer is YES, please indicate the total number of existing units that are currently owner or tenant occupied.

Number owner occupied ONE Number rental

If the answer is YES, please indicate the total number of proposed dwelling units that are to be owner or tenant occupied.

Number owner occupied Number rental 3.

10-5

Description of Request

7. Heritage Status (check appropriate box)

No Heritage Status ☒

Part IV ☐

Part V ☐

Category 1 ☐

Category 2 ☐

Category 3 ☐

Category 4 ☐

Listed ☐

No Heritage Status

N/A

Affidavit or Sworn Declaration that the Information is Accurate

I, MICHAEL SEBASTO, of the City of OTTAWA
solemnly declare that all of the above statements contained in the application are true and I make this
solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect
as if made under Oath and by virtue of *The Canada Evidence Act*.

SWORN (or declared) BEFORE ME

Madeleine Anita Albert,
a Commissioner, etc.,
City of Ottawa,
for the City of Ottawa.
Expires January 24, 2020

At the City of OTTAWA

This 30th day of April, 2018.

Madeleine Albert
Commissioner of Oaths

[Signature]
Signature of Applicant

Authorization of Owner for Agent to Make the Application

If the application is to be signed by an agent/solicitor on behalf of the owner, the following authorization must
be completed or the owner must submit a letter of authorization.

A. WHERE THE PROPERTY IS OWNED BY ONE OR MORE NATURAL PERSONS

I, _____, am an owner of the land that is the subject of this
application and I authorize _____ to make this
application on my behalf.

Date

Signature of Owner

OR

B. WHERE THE PROPERTY IS OWNED BY A COMPANY OR CORPORATION

I, ANTHONY CAVA, having signing authority

for 170 PRESTON LTD. (name of corporation or numbered
company)

that is owner of the land that is the subject of this application authorize MICHAEL SEBASTO
UNIFORM DESIGN INC. to
make this application on the company's/corporation's behalf.

Date

APRIL 2018
Signature of Signing Officer

GENERAL NOTES

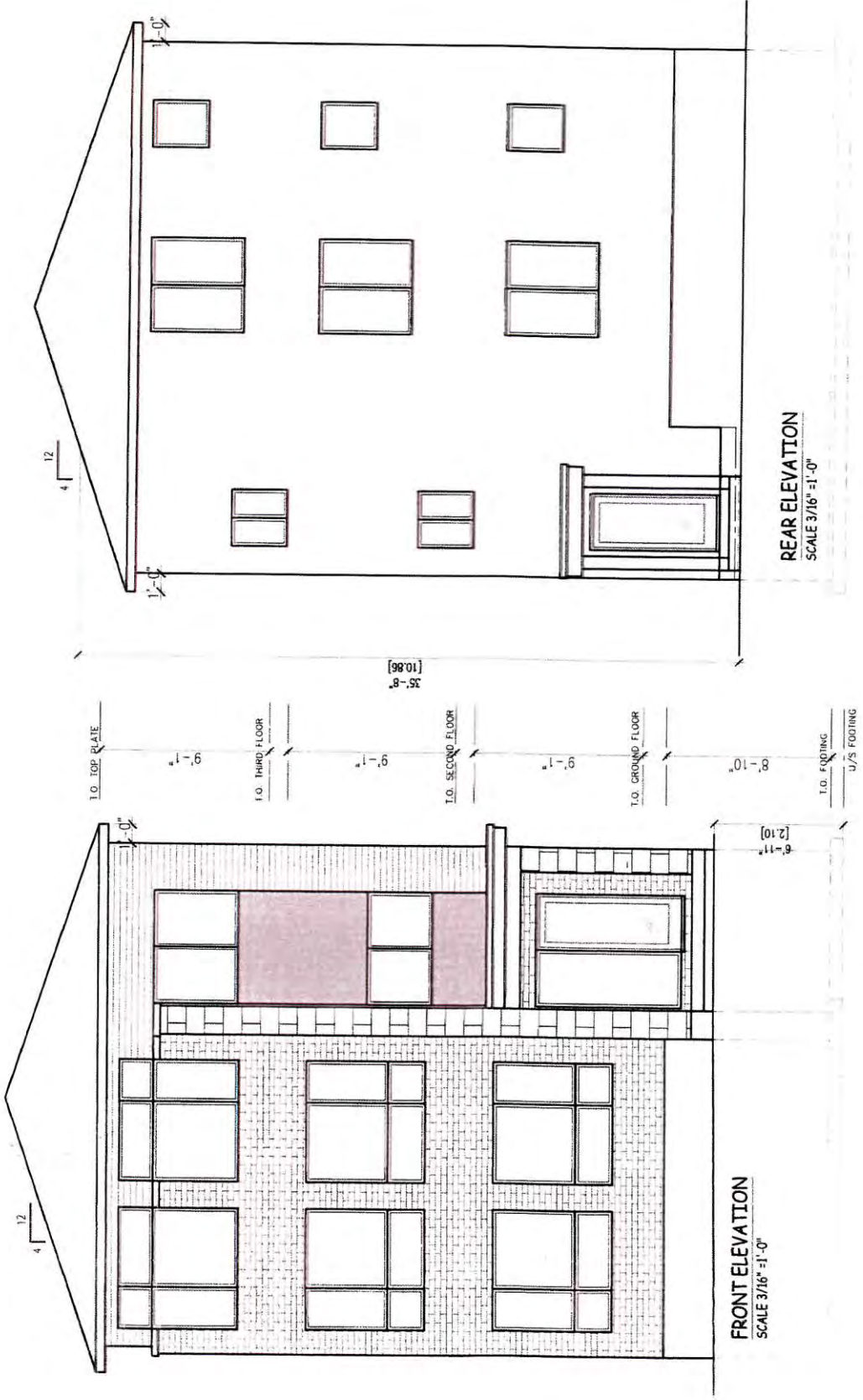
1. THIS DRAWING IS FOR THE PROPOSED THREE-STOREY DUPLEX AT 118 LEE'S AVE. CITY OF OTTAWA. IT IS TO BE USED IN CONJUNCTION WITH THE CITY OF OTTAWA'S ZONING BY-LAW AND THE CITY OF OTTAWA'S DEVELOPMENT ACT.
2. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CITY OF OTTAWA'S ZONING BY-LAW AND THE CITY OF OTTAWA'S DEVELOPMENT ACT.
3. THE PROPOSED DUPLEX IS TO BE BUILT ON A LOT THAT IS 118 LEE'S AVE. CITY OF OTTAWA. IT IS TO BE USED IN CONJUNCTION WITH THE CITY OF OTTAWA'S ZONING BY-LAW AND THE CITY OF OTTAWA'S DEVELOPMENT ACT.
4. THE CITY OF OTTAWA'S ZONING BY-LAW AND THE CITY OF OTTAWA'S DEVELOPMENT ACT.

NO.	DESCRIPTION	DATE
1	REVISIONS	
2		

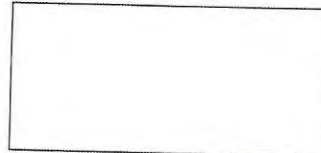
PROPOSED THREE-STOREY DUPLEX
118 LEE'S AVE
CITY OF OTTAWA

FRONT ELEVATION
REAR ELEVATION

SCALE: AS SHOWN
DRAWN: D.S.
CHECKED:
DATE: APR 2015
BY: D.S.



10-7



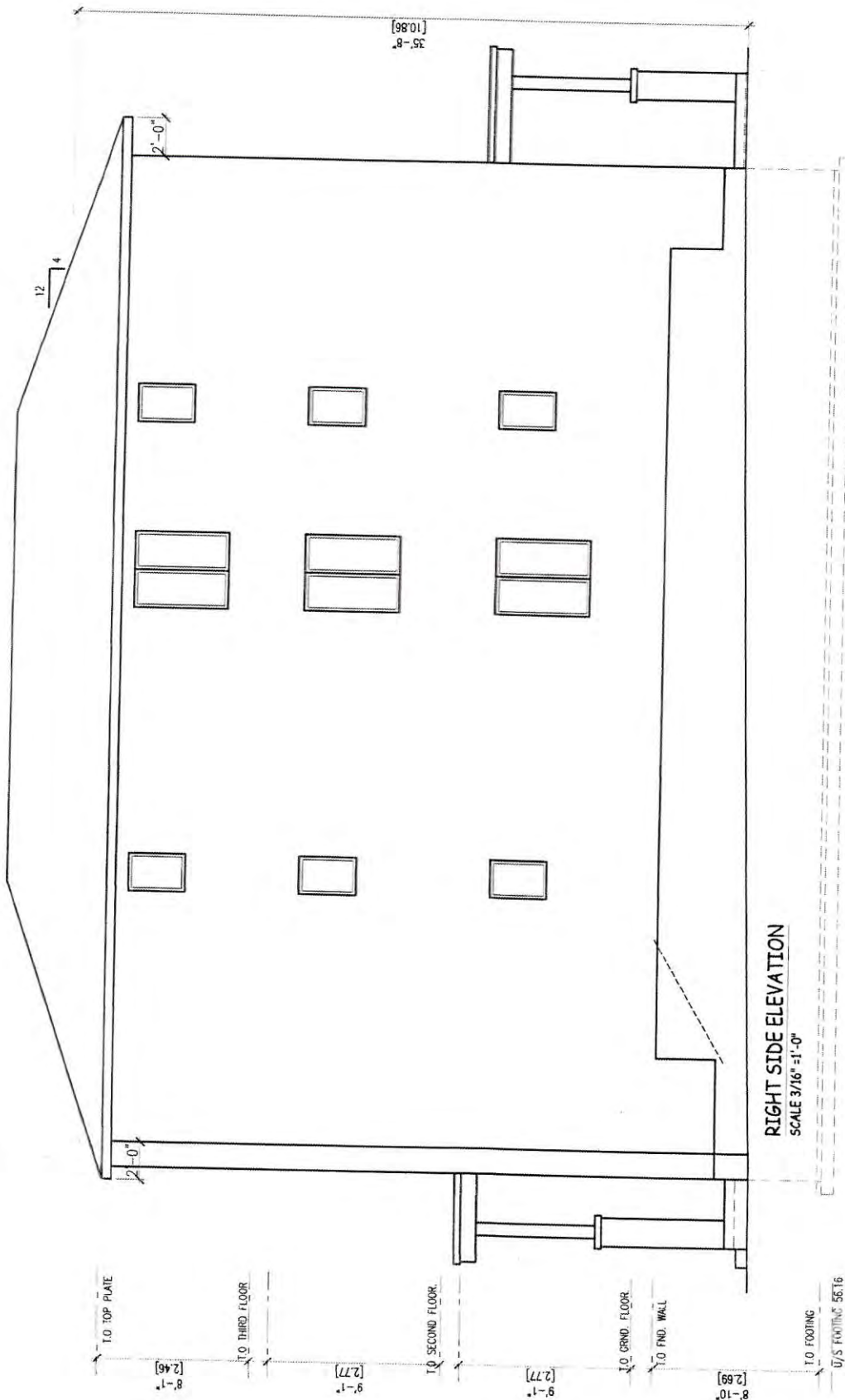
GENERAL NOTES:
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OTTAWA.
2. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY OF OTTAWA.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OTTAWA.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OTTAWA.

NO.	DESCRIPTION & DATE	REVISION
1.		
2.		

SHEET TITLE:
PROPOSED THREE
STOREY CONDO
118 LEEB AVE
CITY OF OTTAWA

SHEET TITLE:
RIGHT SIDE
ELEVATION

SCALE: 1/8" = 1'-0"
DRAWN: J.B.
CHECKED:
DATE: APR 2018
BY: J.B.



10-8

REVISIONS

NO.	DESCRIPTION & DATE	REVISIONS
1.		
2.		
3.		
4.		

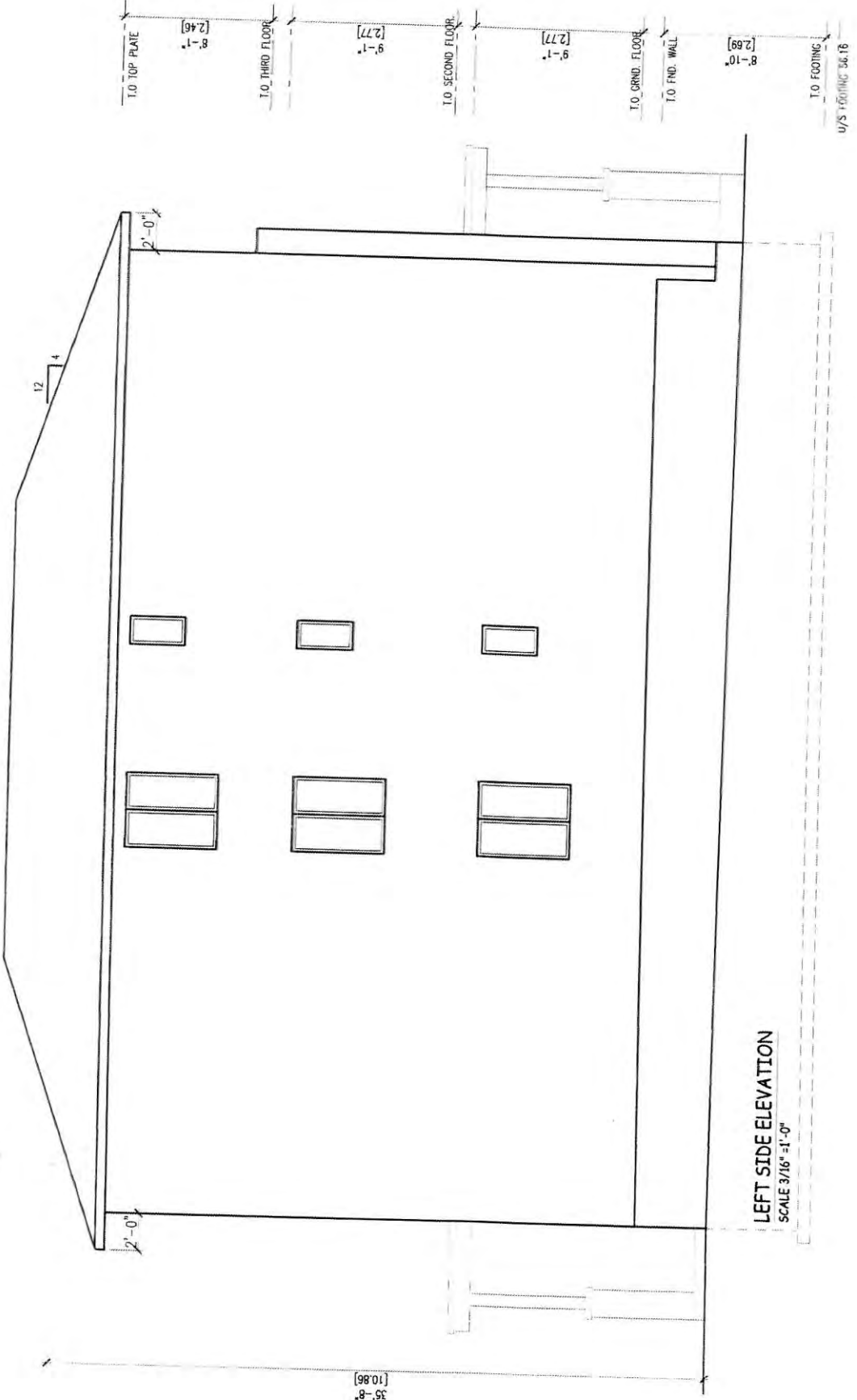
**PROPOSED THREE
STOREY DUPLEX
118 LEE'S AVE
CITY OF OTTAWA**

**LEFT SIDE
ELEVATION**

PROJECT TITLE:
LEFT SIDE ELEVATION

PROJECT NO.:
10-9

DRAWN: D.S.
CHECKED:
DATE: APR 2018
PRINT DATE:





COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

MINOR VARIANCE/PERMISSION APPLICATION Under Section 45 of the *Planning Act*

To be held on Wednesday, June 6, 2018, starting at 1:00 p.m.
Ben Franklin Place, The Chamber, Main Floor, 101 CentrepoinTE Drive

File No.: D08-02-18/A-00159
Owner(s): 170 Preston Ltd. (Under Agreement of Purchase and Sale)
Location: 7 Chestnut Street
Ward: 17 - Capital
Legal Description: Lot 78 and Part of Lot 79, Reg. Plan 97162
Zoning: R3P
Zoning By-law: 2008-250

PURPOSE OF THE APPLICATION:

The Owner wants to demolish the existing dwelling and construct a new three-storey, three-unit dwelling, as shown on plans filed with the Committee.

RELIEF REQUIRED:

In order to proceed, the Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced lot width of 10.98 metres, whereas the By-law requires a minimum lot width of 12 metres.
- b) To permit a reduced lot area of 318.5 square metres, whereas the By-law requires a minimum lot area of 360 square metres.

THE APPLICATION indicates that the Property is not the subject of any other current application under the *Planning Act*.

YOU ARE ENTITLED TO ATTEND the Committee of Adjustment Public Hearing concerning this application because you are an assessed owner of one of the neighbouring properties. The Committee asks that any presentations be limited to five minutes or less and any exceptions will be at the discretion of the Committee Chair.

IF YOU DO NOT ATTEND this Public Hearing, it may proceed in your absence and, except as otherwise provided in the *Planning Act*, you will not be entitled to any further notice in the proceedings. If you have specific comments regarding this application, you may submit a letter to the Secretary-Treasurer of the Committee at the address shown

below, and such written submissions shall be available for inspection by any interested person. Information you choose to disclose in your correspondence, including your personal information, will be used to receive your views on the relevant issues to enable the Committee to make its decision on this matter. The information provided will become part of the public record. Every attempt should be made to file your submission five days prior to the Public Hearing date.

A COPY OF THE DECISION of the Committee will be sent to the applicant/agent, and to each person who appeared in person or who was represented at the Public Hearing AND who filed with the Secretary Treasurer a written request to receive the decision. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal Hearing. Even if you are the successful party, you should request a copy of the Decision since the Committee of Adjustment's Decision may be appealed to the Local Planning Appeal Tribunal by the Applicant or another member of the public.

ADDITIONAL INFORMATION regarding these applications is available online at www.ottawa.ca/cofa, by navigating to "Public Hearings" and selecting the Panel 1 agenda under the applicable Hearing date. The website also contains additional information about the mandate of the Committee and its processes. The complete file is available to the public for viewing at the Committee office (Ben Franklin Place, 101 Centrepointhe Drive, 4th Floor) between the hours of 8:00 a.m. and 4:00 p.m. Monday to Friday; or you may contact the Committee of Adjustment at 613-580-2436.

DATED: May 18, 2018

Committee of Adjustment
101 Centrepointhe Drive
Ottawa, ON K2G 5K7
Telephone: 613-580-2436
Fax: 613-580-2425
E-mail : cofa@ottawa.ca

Comité de dérogation
101, promenade Centrepointhe
Ottawa, ON K2G 5K7
Téléphone : 613-580-2436
Télécopie : 613-580-2425
Courriel : cofa@ottawa.ca

Conservation Partners Partenaires de conservation



Mississippi Valley
Conservation
de la vallée Mississippi

OFFICE DE
PROTECTION
DE LA NATURE DE
LA VALLÉE RIDEAU



RIDEAU
VALLEY
CONSERVATION
AUTHORITY



SOUTH NATION
CONSERVATION
DE LA NATION SUD

From:

Eric Lalande, Planner — Planning & Regulations

Box 599, 3889 Rideau Valley Dr, Manotick, ON Canada K4M 1A5

Tel: (613) 692-3571 ext. 1137 Fax: (613) 692-0831

eric.lalande@rvca.ca

www.rvca.ca

To:

Krista Libman

Organization:

Committee of Adjustment, City of Ottawa
613-580-2436 Fax: 613-580-2425

Phone:

Date:

Thursday, May 24, 2018

Subject:

Panel#: 1 Public Hearing: 6/6/2018
Application for Minor Variance
D08-02-18/A-00159 (170 PRESTON LTD.)
7 CHESTNUT STREET (OTTAWA)

Message:

We wish to advise the Committee that in accordance with our agreement with the City of Ottawa, this application contains no matters that affect the Conservation Authority mandate or interests.

Please contact me at extension 1137 if you have any questions or require additional information.

Yours truly,

Kellie Iacovitti

For

Eric Lalande, Planner
RVCA Planning and Regulations

12-2

From: [Committee of Adjustment](#)
To: [Monette, Emily](#)
Subject: FW: 7 Chestnut Street D08-02-18/A-00159
Date: Thursday, May 24, 2018 2:20:04 PM

From: Reaney, Bruce
Sent: Thursday, May 24, 2018 2:02 PM
To: Committee of Adjustment <cofa@ottawa.ca>
Cc: Atfield, Marika <marika.atfield@ottawa.ca>; Bissonnette, Victoria <victoria.bissonnette@ottawa.ca>; Lunney, John <john.lunney@ottawa.ca>; Sandercock, Robert <Robert.Sandercock@ottawa.ca>; Walker, Max <max.walker@ottawa.ca>; Wang, Anne <anne.wang1@ottawa.ca>
Subject: 7 Chestnut Street D08-02-18/A-00159

File No.: D08-02-18/A-00159
Owner(s): 170 Preston Ltd. (Under Agreement of Purchase and Sale)
Location: 7 Chestnut Street
Ward: 17 – Capital

PURPOSE OF THE APPLICATION:

The Owner wants to demolish the existing dwelling and construct a new three-storey, three-unit dwelling, as shown on plans filed with the Committee.



As per site investigation Forestry Services would like to note that there is a City owned 22cm Amur Maple located on the Right of Way. City trees are protected by the Municipal Trees and Natural areas Protection By-law (2006-279). In the rear yard there is a 62 cm Distinctive Norway maple. Private trees greater than 50cm in diameter are protected by the Urban Tree Conservation By-law (2009-200). Prior to construction, a fence must be erected around the protection zone and must be approved by Forestry Services. Any deviations from this standard shall be approved by the Forestry Inspector. Neighbouring property owners must be notified if any of the trees on their property may be impacted by the related construction activities.

Bruce Reaney

Forestry Inspector

Forestry Services | Services forestiers

City of Ottawa | Ville d'Ottawa

 (613) 580-2424 ext 20278  Bruce.Reaney@ottawa.ca

12-3

Hydro Ottawa Limited
1970 Merivale Rd
Ottawa ON K2G 6Y9
Tel.: 613-738-5499 ext. 7179
Fax: 613-221-5973

Hydro ottawa limitée
1970, chemin Merivale,
Ottawa ON K2G 6Y9
Tél.: 613-738-5499 poste 7179
Téléc.: 613-221-5973



Date / Date: 30/05/2018

File 3.347

To / Destinaire: Committee Of Adjustment - City Of Ottawa Panel #: 1

E-mail / : cofa@ottawa.com

Tel. / Tél.: 613-580-2436

Fax / Téléc.: 613-580-2425

Subject / Object: 7 Chestnut Street

File #: D08-02-18/A-00159

Dear Committee Members:

Please be advised that Hydro Ottawa has the following comments to this application:

For information regarding conditions of service, clearances to existing overhead / underground primary lines or to arrange for electrical service layouts or service disconnection and meter removal, please contact Hydro Ottawa service desk at (613) 738-6400, menu item #5.

It is the Applicant's / Developer's responsibility to discuss with Hydro Ottawa servicing of the property, and clearance from Hydro Ottawa overhead or underground infrastructure or easements so as to make informed decisions. Failure to do so may jeopardize safety or affect project timing or cost. Visit www.hydroottawa.com for details.

A handwritten signature in black ink, appearing to read 'JSpangaro'.

From the desk of...

Jodi Spangaro
GIS & Distribution Records
For:

Ben Hazlett

Manager, Distribution Policies and Standards

12-4

From: [Committee of Adjustment](#)
To: [Mondito, Emily](#)
Subject: FW: City of Ottawa - 128 Queen Mary Ottawa - D08-01-18/B-00156 and D08-01-18/B-00158
Date: Tuesday, May 22, 2018 12:17:03 PM

From: Paul.Shllaku@HydroOne.com <Paul.Shllaku@HydroOne.com>
Sent: Tuesday, May 22, 2018 12:11 PM
To: Committee of Adjustment <cfoa@ottawa.ca>
Subject: City of Ottawa - 128 Queen Mary Ottawa - D08-01-18/B-00156 and D08-01-18/B-00158

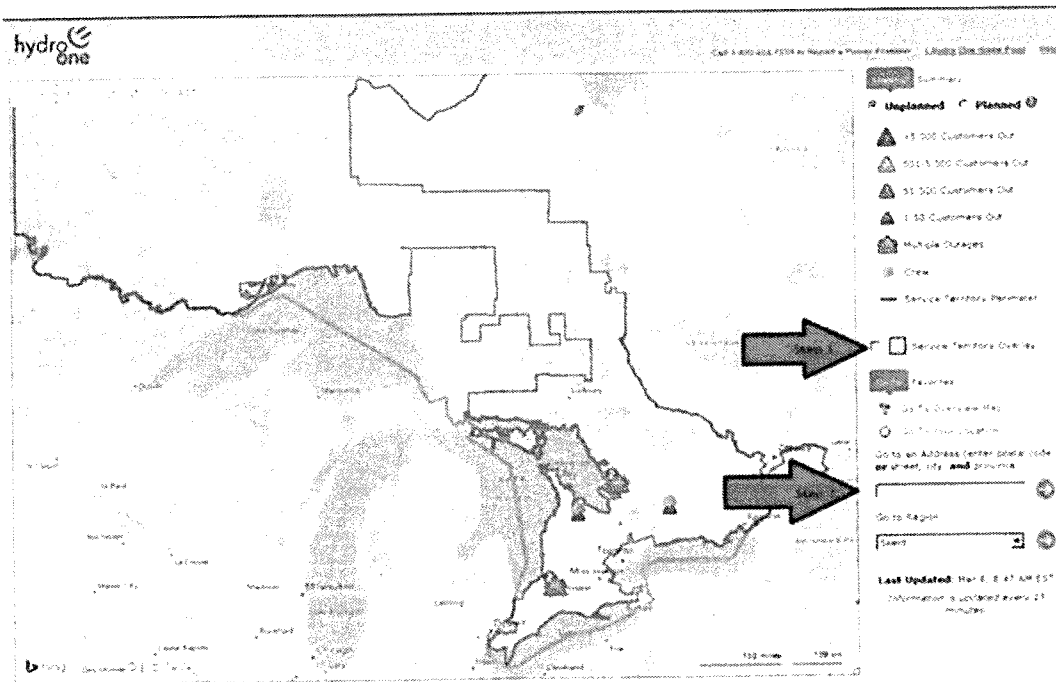
Hello,

We are in receipt of your Application for Consent, D08-01-18/B-00156 and D08-01-18/B-00158 dated May 18, 2018. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select "Service Territory Overlay" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail Customercommunications@HydroOne.com to be connected to your Local Operations Centre

Please let me know if you have any questions or concerns.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department
 Hydro One Networks Inc.

12-5

Tel: (905)946-6237

Email: Dennis.DeFango@HydroOne.com

This email and any attached files are privileged and may contain confidential information intended only for the person or persons named above. Any other distribution, reproduction, copying, disclosure, or other dissemination is strictly prohibited. If you have received this email in error, please notify the sender immediately by reply email and delete the transmission received by you. This statement applies to the initial email as well as any and all copies (replies and/or forwards) of the initial email

ALL

Ypma, Rob

From: Joan Zacharias <Joan.Zacharias@rci.rogers.com>
Sent: Monday, June 04, 2018 7:43 AM.
To: Committee of Adjustment
Subject: Emailing - Committee of Adjustment Panel 1 June 06, 2018
Attachments: Committee of Adjustment Panel 1 June 06, 2018.pdf

12-6

Hi,

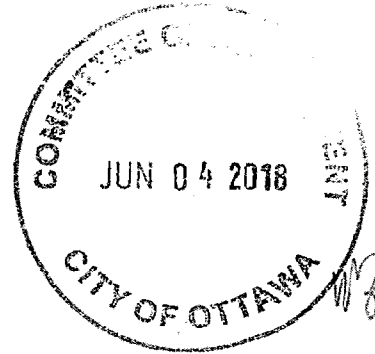
Rogers has no comment or concerns in regards to this circulation.

Regards,

Joan Zacharias
Planning Coordinator

Outside Plant Engineering
475 Richmond Road
Ottawa, ON K2A 3Y8

Joan.Zacharias@rci.rogers.com
o 613-759-8571



ROGERS

This communication is confidential. We only send and receive email on the basis of the terms set out at www.rogers.com/web/content/emailnotice

Ce message est confidentiel. Notre transmission et réception de courriels se fait strictement suivant les modalités énoncées dans l'avis publié à www.rogers.com/aviscourriel

13-1

#13

Ypma, Rob

From: Hadi Salmasian <h_salmasian@yahoo.com>
Sent: Monday, June 04, 2018 12:23 AM
To: Committee of Adjustment
Subject: 7 Chestnut
Attachments: 7ChestnutCOFA.pdf; ATT00003.txt

Dear Secretary Treasurer,

Attached please find my comments regarding the application for minor variances for the property located at 7 Chestnut St.

The application file number is: D08-02-18/A-00159

Sincerely,

Hadi Salmasian



Secretary Treasurer
 Committee of Adjustment (COFA)
 101 Centrepointe Drive
 Ottawa ON K2G 5K7

Dear Secretary Treasurer,

As the owner of 20 Chestnut St., I am deeply concerned about the planned construction of a 3-unit dwelling at 7 Chestnut St.

There are currently 4 similar units on my street (Located at 10, 11, 35, and 43 Chestnut St.). These bulky, grey, and depressing structures are multi-unit rental apartment buildings, where each apartment is probably leased to several independent tenants (I know that at least one of the units at 43 Chestnut St. has 5 bedrooms). Due to proximity of Old Ottawa East to Ottawa U, many of the tenants are probably students (I know that my TA at Ottawa U lives in one of these buildings). **This is totally in contrast with the character of my family-oriented neighborhood** (almost every weekend I see kids play on my street and the neighboring Springhurst Park).

The construction of a 5th rental building at 7 Chestnut will block off the property at 3 Chestnut, and turn it into an undesirable lot that is surrounded by ugly lowrises. After the proposed dwelling at 7 Chestnut is constructed, I can hardly imagine that somebody will be willing to build a single-family dwelling at 3 Chestnut St. Indeed I foresee that the COFA will eventually approve some "minor variances" on proposals for erecting similar 3-unit dwellings on the two lots at the intersection of Chestnut and Lees (3 and 4 Chestnut). **This means that in the next few years, we will have up to 7 rental buildings on this short, 2-block street.**

How would *you* feel if developers invaded your neighborhood like ours? **What is the City of Ottawa's vision about development in inner neighborhoods?** How is the City going to prevent the conversion of family-oriented inner areas (a feature of Ottawa which is hard to find in North-American cities of similar size) into short-term residential areas where there is no real sense of community?

Furthermore, the number of parking spaces needed for multi-unit buildings is at least 3 to 4 times those of a single-family dwelling. Currently, the City's 3-hour parking limit is not enforced regularly on Chestnut St. This is a blessing when we have guests, but this also encourages tenants of the 3-unit buildings to own cars, as they realize that chances of receiving a parking ticket would be very low. **As a result, gradually more and more street parking spots are now being occupied on a regular basis.** What is the total number of people who are expected to live in the proposed unit at 7 Chestnut St? **Does the developer provide information on the number of parking spaces?** Are there any provisions in the R3P Zoning Bylaw to prevent parking nightmare on a street like Chestnut?

In addition, the developer proposes a "common area" in the basement. **What is the exact plan for this common area?** The 3-unit building across the street (11 Chestnut) has 4 mailboxes, making me wonder if the basement unit has been secretly converted into a fourth residential unit. Who is to make sure that in the future, the proposed common area on 11 Chestnut will not be used as a separate apartment?

These issues are only a handful of the numerous reasons why the proposed plan for 7 Chestnut St. will

13-25

further ruin my lovely neighborhood. I am quite shocked and disappointed that COFA is disregarding major issues raised above and is only contemplating some "minor variances". Honestly, with all due respect, this kind of city planning reminds me of municipalities in places like India and the Middle East, which I am very much familiar with.

Sincerely,

Hadi Salmasian
20 Chestnut St.
Ottawa, ON, K1S0Z8
h_salmasian@yahoo.com

13-~~11~~4/13

Brenning, Warna

From: Marc, Timothy C
Sent: Wednesday, June 06, 2018 8:36 AM
To: Libman, Krista; Enta, Christine
Cc: Brenning, Warna
Subject: RE: Notice of Constitutional Question - June 6 hearing - File D08-02-18/A-00159
Attachments: DeGasperis v Toronto (City) Committee of Adjustment.pdf

Prior to the
hearing

As always, any comments I provide should be made available to the persons appearing before Committee.

1. It is not clear to me that a Committee of Adjustment is institutionally able to deal with questions of constitutional law. It seems to me that the appropriate course of action would be for a Notice of Application to be filed with the Superior Court.
2. The notice is clearly not timely. Filing it at 12:39 am this morning is the same as filing it at the start of the Committee meeting. The *Courts of Justice Act* provide for a minimum 15 days notice of a constitutional question.
3. Finally, I have attached a Divisional Court decision that considered the question of minor variances. One would have expected that were there a constitutional issue, such would have arisen and it did not.

Tim Marc
(613) 580-2424x21444 (Tel)
(613) 560-1383 (Fax)
timothy.marc@ottawa.ca
Certified Specialist in Municipal Law (Land Use Planning)



From: Libman, Krista
Sent: Wednesday, June 06, 2018 8:17 AM
To: Marc, Timothy C <Timothy.Marc@ottawa.ca>; Enta, Christine <Christine.Enta@ottawa.ca>
Cc: Brenning, Warna <Warna.Brenning@ottawa.ca>
Subject: FW: Notice of Constitutional Question - June 6 hearing - File D08-02-18/A-00159

Good morning, Tim.
Please see the attached, which we received at 12:39 am.
Just wondering if you have any advice for the Panel.
I'm about to being the Panel 3 pre-meet, but it should be over by 10.
Thank you,
Krista

From: Denis Rancourt <denis.rancourt@gmail.com>
Sent: Wednesday, June 06, 2018 12:39 AM
To: Committee of Adjustment <cofa@ottawa.ca>; Libman, Krista <Krista.Libman@ottawa.ca>
Cc: Hadi Salmasian <h_salmasian@yahoo.com>
Subject: Notice of Constitutional Question - June 6 hearing - File D08-02-18/A-00159

RE:

To : Committee of Adjustment

13-5 13
FILED AT THE HEARING
DATE: June 6/18

Preliminary matter: I request that the hearing of this application be adjourned and postponed because the Attorney Generals of Ontario and Canada have not had time to consider whether or not they want to make submissions. As you know, the Notice of Constitutional Question that was forwarded to you was only sent yesterday (for reasons of my limited time).

If you refuse the adjournment, I am prepared to proceed as follows: Issues 1 and 2 below are the constitutional arguments. These are described more fully in the Notice of Constitutional Question which is before you.

Issue 1. Section 45(1) of the Planning Act is **unconstitutional because it violates my Section 15(1) Charter rights**. The Supreme Court has been clear that any constitutional challenges should be heard by the administrative tribunal (hence the Committee). (See Paragraph 52 of the Appendix.) For reasons of efficiency, I particularly point to Paragraphs 62 to 66 and 85 to 99 of the Appendix.

Issue 2. Section 45(1) of the Planning Act is **unconstitutionally vague** on the meaning of a "minor variance" and therefore it cannot be applied by the Committee. The applicant does not provide any evidence that it will endure any or unavoidable or unusual hardship arising from bylaw compliance. Variance provisions in the planning acts of most provinces have explicitly stated regulations in this regard. I point you specially to Paragraphs 56 to 61, 67 to 70, and 100 to 118 of the Appendix. This is in stark contrast with the unconstitutional practice of Ontario, which effectively turns a blind eye to developers abusing the ambiguity in the definition of "minor variances".

Issue 3. If you decide that Section 45(1) of the Planning Act is constitutional (which I deny), then the Committee does not have jurisdiction to make a decision on this application, because the proposed non-compliance of the zoning bylaw is **not minor**. The proposed project will deteriorate the character of a street with mostly 2-story and single-family dwellings, and pushes it yet another step further towards one packed with 3-story short-term rental residences. In addition, the new construction will exacerbate the problem of lack of sufficient street parking space, which will be needed by the tenants of the new 3-unit dwelling. In the past few years, as a result of the construction of 4 other 3-unit rental complexes, several incidents of late night noise and disturbance have occurred on Chestnut St. These are only a handful of many tangible reasons why the application will have a major detrimental impact on this neighborhood. Furthermore I point to Paragraphs 51 to 55 and 119 to 129 of the Appendix. **Thus, there is a true jurisdictional issue, and I request that my jurisdictional challenge be recorded in written form in the Committee's decision from this hearing.**

Issue 4. If the Committee accepts jurisdiction (which I deny), then the application should not be granted because it is improper and undesirable. In particular, I point you to Paragraphs 131 to 135, modified as required by this particular application.

The existing property at 7 Chestnut St. is presumed to lie on top of a historical industrial landfill. In 2005, an environmental study conducted by the City of Ottawa proved the presence of toxic material in near surface soil (less than 0.5 m below ground surface) widespread in our neighborhood at levels higher than the standards set by the Ontario Ministry of the Environment and Climate Change (MOECC). **Toxic material found in the soil include carcinogens such as polycyclic aromatic hydrocarbons and metals.** As a result, the City's Environmental Remediation Unit (ERU) implemented risk management measures that included installation in Springhurst Park of a 0.5 m soil cap on top of a geotextile layer to limit exposure to the underlying ash, cinders, and garbage. Given that

13-6

7 Chestnut St. lies on the same landfill site, excavations that are necessary for the new construction can result in toxic soil exposure in the neighborhood.

In Fall 2017, at the request of Ottawa Public Health, the City and the MOECC conducted soil sampling in the residential area adjacent to Springhurst Park to determine the potential risks associated to the spill-over from the former landfill. Given that the potential risks and the proper way to control them depend on the result of the conducted study, **the decision on the present application should be postponed until the study arrives at a final conclusion. In addition, the Committee should expressly impose as a condition the safety measures that will be undertaken by the developer to minimize the risk of the neighbors' exposure to toxic material during excavation and removal of the soil.** This was not done in the recent application at 31 Simcoe, and the developer has dug and built a foundation without any soil analysis or safety measures whatsoever.

Finally, approval of the present application will be in violation of the interim control bylaw, which prevents the development (new construction) of any building that does not comply with its provisions. Therefore the application must not be granted.

Attachment: the Appendix, on which on rely in its entirety as adjusted for the circumstances of my complaint against the present application.

Hadi Salmasian 20 Chestnut St.
Ottawa ON K1S0E8

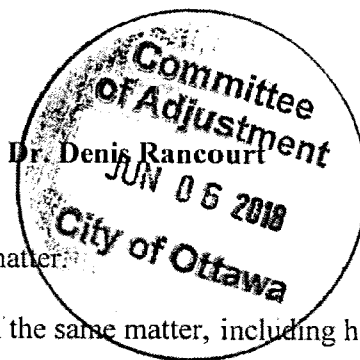
Mesman, Amanda

From: Denis Rancourt <denis.rancourt@gmail.com>
Sent: Wednesday, June 06, 2018 12:32 PM
To: Committee of Adjustment; Libman, Krista
Cc: Hadi Salmasian
Subject: URGENT - 1 PM June 6 hearing - File D08-02-18/A-00159 - 7 Chestnut St location

13-7B
Filed after the
hearing

TO: Committee of Adjustment

Re: 1 PM June 6 hearing - File D08-02-18/A-00159 - 7 Chestnut St location - Dr. Denis Rancourt
opposition to the application



This is to register my opposition to the variance applications in the above-cited matter.

I rely on all the same submissions and arguments made by Dr. Hadi Salmasian in the same matter, including his Notice of Constitutional Question to the Attorney Generals.

I also want to make the following additional submission.

Past environmental studies have established widespread heavy metal and PAH contamination of the surface soils in the neighbourhood of the location. There is also an active soil toxicity study to further elucidate the problem, co-organized by the City of Ottawa and Environment Canada, which has not yet released any results or geo-environmental or geographical analysis.

As a research scientist who has published about heavy metals, soils and sediment and who has run a large environmental research group,* I am concerned that the said widespread contamination may not predominantly arise from the historic industrial landfill footprint in the area. I postulate that the said widespread contamination, above acceptable health standards, is from the Queensway Ontario Highway 417 that runs to the immediate north of the location of the application.

In my unpublished research, I have found that roads are a significant source of deposited soil heavy metals. The on-going soil toxicity study may find a geographical signature of the highway as a line-source of toxicity, and may find exceptionally high toxicity near the Queensway. The 7 Chestnut Street location is near (virtually at) Lees Avenue, which runs parallel and immediately adjacent to the Queensway.

The application constitutes a substantial development. No applications should be approved until the toxicity question is fully answered regarding source and intensity.

In the alternative (which I oppose), your Committee should specify as required conditions: independent soil toxicity measurements and reporting to the city, and proof of execution of safety procedures required by law. The on-going development at 31 Simcoe Street failed to do any of this, despite the Committee's "soft suggestion" to make analyses.

Footnote:

* My Google Scholar profile is here: <https://scholar.google.ca/citations?user=1ChsRsQAAAAJ>

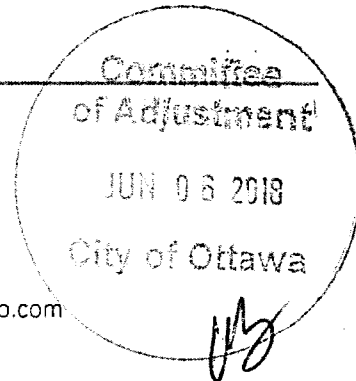
I request to receive copy of your decision in this application, by email.

13-8

Respectfully submitted by:
Dr. Denis Rancourt
t. 613-237-9600 (h)
35 Simcoe Street
Ward 17

13-9
13

From: Committee of Adjustment
To: Monette, Emily
Subject: FW: Variance at #7 chestnut
Date: Wednesday, June 06, 2018 10:21:04 AM



From: Amy McGee <amycampbellmcgee@gmail.com>
Sent: Wednesday, June 06, 2018 9:46 AM
To: Committee of Adjustment <cofa@ottawa.ca>
Cc: Hugh Dale Harris <hughdaleharris@gmail.com>; h_salmasian@yahoo.com
Subject: Variance at #7 chestnut

Dear COFA,

I am a resident of Chestnut street and wish to voice my opposition to the variance proposed for number 7.

We already have several of these buildings on our street.

These buildings are not in character with the street, or the neighbourhood. They are unsightly, block sunlight, reduce green space, are largely left unkept, increase traffic, increase on-street parking, and attract transient renters that have no connection to the neighbourhood.

Most egregious is the way two of these buildings have surrounded one of the original dwellings, blocked all of the light and compromised the privacy of one of the long time residents of our street.

My main concern though, is that, as we have seen from the ads on kijiji, they have been rented out, not as units, to families, as the owner promised us, but as rooms, essentially creating a street full of rooming houses.

Last year there was a fire on one of the balconies when residents left intoxicated in the afternoon.

I wish I was able to be there in person today at the meeting.

I look forward to hearing from you.

Sincerely,

Amy McGee

13-10
13

From: [Committee of Adjustment](#)
To: [Monette, Emily](#)
Subject: FW: 7 Chestnut Street
Date: Wednesday, June 06, 2018 7:24:56 AM



-----Original Message-----

From: Hugh Dale-Harris <hughdaleharris@gmail.com>
Sent: Tuesday, June 05, 2018 2:39 PM
To: Committee of Adjustment <cofa@ottawa.ca>
Subject: 7 Chestnut Street

Committee of Adjustment,

I'm writing to voice my disapproval of the application for variance on 7 Chestnut Street. As a resident with a family on the street, we have seen a lot of changes.

We are all for the intensification of the city centre. However, we have tremendous objection to yet another situation where developer wants to demolish the property and put up a 3-storey, 3-unit building on the site - which inevitably ends up as a 4-unit building.

These buildings are not in character with the street, or the neighbourhood. They are unsightly, block sunlight, reduce greens pace, are largely left unkept, increase traffic, increase on-street parking, and attract transient renters that have no connection to the neighbourhood.

Please deny this application for variance.

Thank you

Hugh Dale-Harris
52 Chestnut Street

13-14
13

From: [Committee of Adjustment](#)
To: [McNetta, Emily](#)
Subject: FW: minor variance at 7 Chestnut St
Date: Wednesday, June 06, 2018 7:26:28 AM

From: Cliff, Amanda (IC) <amanda.cliff@canada.ca>
Sent: Tuesday, June 05, 2018 3:18 PM
To: Committee of Adjustment <cofa@ottawa.ca>
Cc: Jackie Dawson <jackiepdawson@gmail.com>
Subject: minor variance at 7 Chestnut St



To the Committee of Adjustment;

I am writing to express my concerns over the proposed development for 7 Chestnut Street. I reside on the Chestnut Street and as a resident and neighbour, I would like to have the committee note that I do not support the application for minor variance for this property.

In my opinion, permitting this variance would allow the construction of a building that is not in keeping with the character of the neighbourhood and that will adversely affect the character of the neighbourhood.

A number of similar buildings have been constructed on the street in recent years and they have contributed to parking congestion, noise and garbage violations, and a decline in the family friendly character on the street with notable incidents including late night parties, garbage, litter and vandalism.

I don't think the application for variance are either 'minor' or 'desirable' given the very large and oversized footprint of the proposed dwelling which is largely out of character with the other buildings on the street and the surrounding streets.

As residents, we are concerned that there will be domino effect whereby we reach a tipping point and families start to leave this neighbourhood and multi-unit residential takes over. I firmly believe that the very character of this stories neighbourhood in Old Ottawa East is at risk and strongly urge the committee to deny the application for minor variance but rather ask the developer to work within the zoning by-laws which are already generous for the size of the lots and the character of the neighbourhood.

Thank you,
Amanda Cliff

13-12
13

From: Committee of Adjustment
To: Monette, Emily
Subject: FW: D08-02-18/A-00159 Minor Variances Application for 7 Chestnut Street
Date: Wednesday, June 06, 2018 7:28:39 AM



From: Rick Burrowes <rickburrowes@gmail.com>
Sent: Tuesday, June 05, 2018 5:27 PM
To: Committee of Adjustment <cofa@ottawa.ca>
Subject: D08-02-18/A-00159 Minor Variances Application for 7 Chestnut Street

D08-02-18/A-00159 Minor Variances Application for 7 Chestnut Street

I am the builder, owner and occupant of 19 Chestnut St. In the past few years two oversize "triplexes" have gone up within two lots of mine (one on Lees across Brunswick Lane plus 11 Chestnut (2nd lot to my north) and an oversize single family home at 27 Chestnut.).

All of these buildings were granted variances to build larger buildings than allowed and on smaller lots than the code allows. We are close to the Rideau River and the water table is high especially in spring. Before this decade of infill NONE of the homes on Chestnut had basements. All were and the majority still are, slab on grade.

All of these oversize buildings of course have oversize basements giving rain and ground water less place to go. This combined with grade materials on the remainder of the lot outside the foot print i.e. asphalt and astro turf .

These oversize buildings also all, of course, have larger roofs catching more rain which lands on the asphalt and astro turf and runs off to neighbouring properties such as mine.

What happened to the regulation for a good proportion of the lot to be permeable in order to prevent excess run off ?

Before the arrival of these behemoths my crawl space sump pump would run only at the height of spring thaw. Now water enters my basement even after hard rain as we had yesterday and as yet I do not have one of these plus sized buildings as an immediate neighbour .

Please deny this application for overbuilding on our street . Also do not allow the complete paving over of the area outside of the building foot print and do not allow astro turf or rocks in place of what used to be required green space, i.e. lawn and or trees.

Thank you , Rick Burrowes , 19 Chestnut Street. 613 217 4367

13-13
13

From: Committee of Adjustment
To: Monette, Emily
Subject: FW: Application for minor variance for 7 Chestnut D08-02-18/A-00159
Date: Tuesday, June 05, 2018 11:29:41 AM

From: Ron Rose <ron.rose@gmail.com>
Sent: Tuesday, June 05, 2018 11:09 AM
To: Committee of Adjustment <cofa@ottawa.ca>
Cc: planning <planning@ottawaeast.ca>
Subject: Application for minor variance for 7 Chestnut D08-02-18/A-00159

Secretary-Treasurer
Committee of Adjustment
101 CentrepoinTE Drive
Ottawa, ON K2G 5K7
cofa@ottawa.ca



Re: Application for minor variance for 7 Chestnut D08-02-18/A-00159

Dear Secretary-Treasurer

With regard to the minor variances being requested for the property at 7 Chestnut, the Planning Committee of the Old Ottawa East Community Association submits the following comments.

The applicant is requesting a reduced lot width and lot area for the proposed three-storey, three-unit building.

There have been multiple buildings of this type already built on Chestnut even though the lots on this street have been zoned by the City for at most a duplex. The Committee of Adjustment has already approved 4 triplexes on this street that required similar variances to those being requested at the June 6 hearing. It is time for the Committee to recognize that there is a limit to the number of such buildings that can be accommodated in an R3 zone, a zone which is to encourage a diversity and mix of houses.

Intensification should not trump livability or the maintenance of a mixed density community. The continuation of this building pattern will result in a type of building that was never planned for the lots on this street becoming the dominant pattern.

It is time to recognize that these proposed changes are not minor and are not desirable for the appropriate development or use of the land. It is our view that the intent of the zoning By-law is to allow intensification in this area but to regulate it to ensure that the permitted uses will be constructed in such a manner that they can co-exist in harmony in a mixed density community, thereby fulfilling the Official Plan requirement that new development enhance and complement the desirable characteristics of existing communities and complement the existing pattern and scale of development. The lot width and lot area regulations in the By-law are key elements in ensuring such compatibility and should not be varied lightly.

If this development is approved, it will mean the continued erosion of the permitted lower density uses in favour of multiple dwellings, notwithstanding the clear intent of the Zoning By-law to maintain a mixed density community. Such an impact is too great to be considered minor and is not in keeping with intent of both of the Zoning By-law and the Official Plan.

Regards
Ron Rose, Chair
Old Ottawa East Community Association Planning Committee



Minor Variance
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
Panel 1

Site Address: 7 Chestnut Street

Legal Description: Lot 78 and Part of Lot 79 on Registered Plan 97162

File No.: D08-02-18/A-00159

Date: May 30, 2018

Hearing Date: June 6, 2018

Planner: Victoria Bissonnette

Official Plan Designation: General Urban

Zoning: Residential Third Density, Subzone P

Mature Neighbourhood Bylaw: B, B, A

SYNOPSIS OF APPLICATION

The Owner wishes to demolish the existing dwelling in order to construct a new three-unit dwelling. Relief is required for lot width and lot area.

DEPARTMENT COMMENTS

The Planning, Infrastructure and Economic Development Department has no concerns with the application.

DISCUSSION AND RATIONALE

The Department is of the opinion that the variances sought meet the four tests under the *Planning Act* and facilitate appropriate development of the lot. Chestnut Street is comprised of a mix of residential uses ranging from one to three-storey building. Given that the design is comparable in mass and scale to the surrounding context, the Department is satisfied that the proposed development is consistent with character of the streetscape and will not cause adverse impacts on abutting properties.

Should the application be approved, the Department notes that the future conversion of the proposed basement into a residential dwelling unit would not be permitted nor maintain the intent of the R3 zone.

Additional Comments

1. At the time of building permit application, a grading/servicing plan prepared by a Professional Engineer, Ontario Land surveyor or a Certified Engineering Technologist will be required.
2. Any proposed works to be located within the road allowance requires prior written approval from the Infrastructure Services Department.

14-2



3. In accordance with the Urban Tree Conservation By-law, all road allowance trees are to be protected and compensation will be required if any tree is damaged or lost.
4. The Urban Tree Conservation By-law is in effect and a permit is required to remove any distinctive trees (greater than 50 cm) located on private property.
5. The surface storm water runoff including the roof water must be self contained and directed to the City Right-of-Way, not onto abutting private properties as approved by **Planning, Infrastructure and Economic Development Department**. Roof water (including roof drains and eavestroughing) must be discharged via overland flow.
6. Existing grading and drainage patterns must not be altered.

"Original signed by Victoria Bissonnette"

Victoria Bissonnette
Planner, Development Review Central

"Original signed by Erin O'Connell"

Erin O'Connell, MCIP RPP
Planner III, Development Review Central



**COMMITTEE OF ADJUSTMENT
FOR THE CITY OF OTTAWA**

**COMITÉ DE DÉROGATION
POUR LA VILLE D'OTTAWA**

**DECISION/DÉCISION
MINOR VARIANCE/PERMISSION
DEMANDE DE DÉROGATIONS MINEURES/PERMISSION**
(Section 45 of the *Planning Act*)
(Article 45 de la *Loi sur l'aménagement du territoire*)

File No./Dossier n°: D08-02-18/A-00159
Owner(s)/Propriétaire(s): 170 Preston Ltd.
Location/Emplacement: 7 Chestnut Street
Ward/Quartier: 17 - Capital
**Legal Description/
Description officielle:** Lot 78 and Part of Lot 79, Reg. Plan 97162
Zoning/Zonage: R3P
**Zoning By-law/
Règlement:** 2008-250

Notice was given and a Public Hearing was held on June 6, 2018, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

The Owner wants to demolish the existing dwelling and construct a new three-storey, three-unit dwelling, as shown on plans filed with the Committee.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced lot width of 10.98 metres, whereas the By-law requires a minimum lot width of 12 metres.
- b) To permit a reduced lot area of 318.5 square metres, whereas the By-law requires a minimum lot area of 360 square metres.

The application indicates that the Property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING/AUDIENCE PUBLIQUE:

At the Hearing, the Committee heard from Mr. M. Segreto, Agent for the Owner. Presentations in opposition were made by Mr. R. Rose, representing the Old Ottawa East Community Association and by Dr. H. Salmasian of 20 Chestnut Street.

The concerns raised at the Hearing by both Dr. Salmasian and Mr. Rose were consistent with the written correspondence filed by multiple neighbouring property owners prior to the Hearing. The Committee noted that the concerns were generally related to the increased density occurring along the street, as this proposal would represent the fifth development of its kind in recent years. Concerns were also noted with regard to the impact of the proposed additional dwelling units in relation to increased noise, traffic, and issues with property standards. Dr. Salmasian raised concerns regarding soil studies that the City has undertaken in the area. It was noted that this was beyond the jurisdiction of the Committee to consider.

The Chair noted and addressed a Notice of Constitutional Question filed by Dr. Salmasian. The Chair advised that, based on information received from the City's Legal Department, it was unclear if the Committee of Adjustment is institutionally able to deal with questions of constitutional law. It was the opinion of the City Solicitor that the appropriate course of action would be for a Notice of Application to be filed with the Superior Court.

The Committee also heard from Ms. V. Bissonnette of the City's Planning, Infrastructure and Economic Development Department (PIEDD). She confirmed that the proposed three-unit dwelling did meet the requirements of the Interim Control By-law (2007-245) and that the Department has no concerns with the proposal as Chestnut Street is comprised of a mix of residential uses ranging from one to three storey buildings, consistent with the R3 zoning.

**DECISION AND REASONS OF THE COMMITTEE:
DÉCISION ET MOTIFS DU COMITÉ:****APPLICATION GRANTED
DEMANDE ACCORDÉE**

Having considered the evidence presented and reviewed the plans and correspondence on file, the Committee is mindful of the objectives of the Provincial Policy Statement and the City's Official Plan which encourage infill and intensification in urban areas provided the proposed development is compatible within the existing neighbourhood context. In this regard, the Committee notes that three-unit dwellings are a permitted use in the R3P Zone and that no relief was sought for any of the performance standards related to the building envelope.

In considering the relief requested for reduced lot width and lot area, the Committee finds that the lot with the proposed scale of development is consistent with the lot fabric in the area. The Committee further notes that the proposed three-unit dwelling meets the performance standards of the Zoning By-law, specifically with regard to side yard

setbacks, front and rear yard setbacks and building height. It is therefore of the opinion of the Committee that any potential impacts that the proposed dwelling may have had will be mitigated through compliance with the performance standards that establish the permitted building envelope.

Based on these reasons, and in further noting that the Official Plan states that growth shall be directed to the urban area where it can be accommodated in a compact form, thereby supporting high-quality transit service and recreation facilities while taking advantage of existing servicing capacity, the Committee is satisfied, in all the circumstances and in this instance, that the variances sought are minor, that they are desirable for the appropriate development or use of the land and that the general intent and purpose of the Zoning By-law and the general intent and purpose of the Official Plan are maintained. This application is therefore granted.

NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:

To appeal this Decision to the Local Planning Appeal Tribunal, an Appeal Form along with a certified cheque or money order payable to the Ontario Minister of Finance must be filed with the Secretary-Treasurer of the Committee of Adjustment by 5th day of July, 2018, delivered to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the Tribunal's website at www.elto.gov.on.ca. The Tribunal has established a filing fee of \$300.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. If you have any questions about the appeal process, please refer to the Local Planning Appeal Support Centre's website at www.lpasc.ca, the Tribunal's website, or contact the Committee of Adjustment office by calling 613-580-2436 or by email at cofa@ottawa.ca.

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

DECISION SIGNATURE PAGE
PAGE DE SIGNATURE DE LA DÉCISION

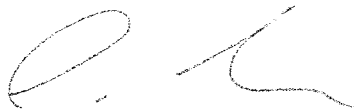
File No./Dossier n°: D08-02-18/A-00159
Owner(s)/Propriétaire(s): 170 Preston Ltd.
Location/Emplacement: 7 Chestnut Street

We, the undersigned, concur in the decision and reasons of the Committee of Adjustment.

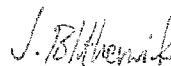
Nous, soussignés, souscrivons à la décision et à la justification ci-devant rendues par le Comité de dérogation.



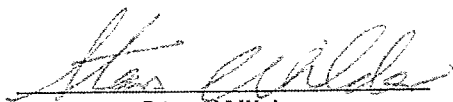
Helena Prockiw
Chair/ Présidente



Dennis Carr



John Blatherwick



Stan Wilder

ABSENT

Grant Lindsay

I, Krista Libman, Secretary-Treasurer of the Committee of Adjustment for the City of Ottawa, certify that the attached is a true copy of the Decision of the Committee with respect to the application recorded.

Je, soussignée, Krista Libman, secrétaire-trésorière du Comité de dérogation pour la Ville d'Ottawa, confirme que l'énoncé ci-joint est une copie conforme de la décision rendue par le Comité à l'égard de la demande visée.

June 15, 2018

Date of Decision:
Date de la décision:



Krista Libman
Secretary-Treasurer/
Secrétaire-trésorière

16-1

2014 Provincial Policy Statement

Under the *Planning Act*

Ontario.ca/PPS

Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs; and
- h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

- 1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure* and *public service facilities* beyond a 20-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

- 1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

- 1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a) densities and a mix of land uses which:
 - 1. efficiently use land and resources;
 - 2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - 4. support *active transportation*;
 - 5. are *transit-supportive*, where transit is planned, exists or may be developed; and
 - 6. are *freight-supportive*; and
- b) a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

Intensification and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.
- 1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:
- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
 - b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.
- 1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
- a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
 - b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;

1.4 Housing

1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households*. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
 - 2. all forms of *residential intensification*, including second units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use

- of *active transportation* and transit in areas where it exists or is to be developed; and
- e) establishing development standards for *residential intensification, redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* shall be coordinated and integrated with land use planning so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means areas that are

particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

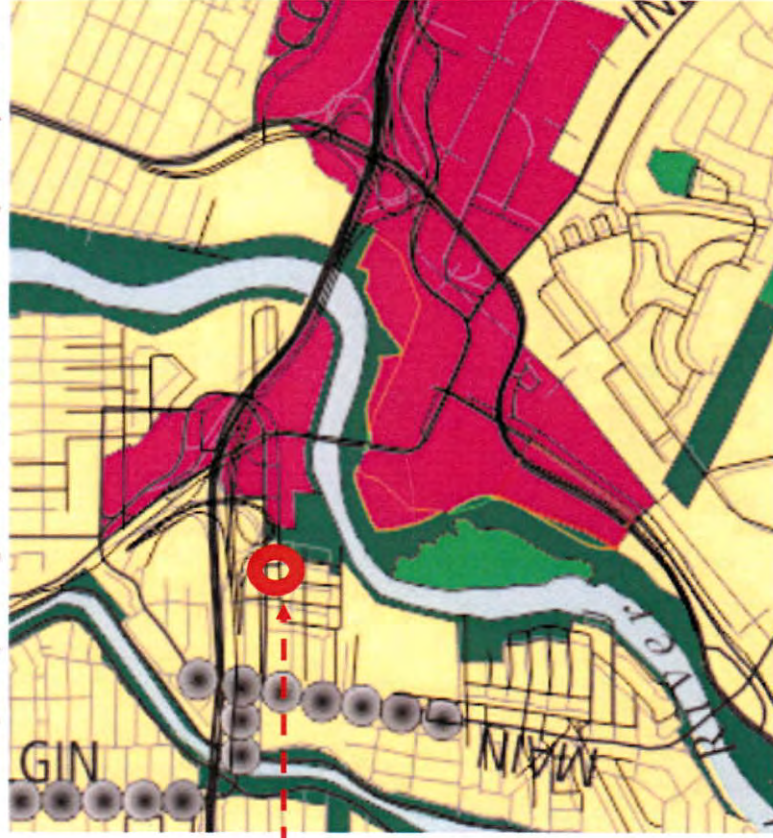
Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;

Official Plan - Schedule B Urban Policy Plan

Prepared by: Planning, Infrastructure and Economic Development Department



7 Chestnut

- | | | |
|--|--|--|
| General Urban Area | Major Open Space | Grand espace vert |
| Urban Expansion Study Area | Urban Natural Features | Caractéristiques naturelles zone urbaine |
| Central Area | Bedrock Resource Area | Zone de ressources en substrat rocheux |
| Town Centre | Significant Wetlands | Terres humides d'importance |
| Traditional Mainstreet | Central Experimental Farm | Ferme expérimentale centrale |
| Arterial Mainstreet | Greenbelt Boundary | Limite de la Ceinture de verdure |
| Mixed Use Centre | Solid Waste Disposal Site | Site d'enfouissement des déchets solides |
| Carp River Restoration Policy Area Overlay | Lands leased by the Ottawa International Airport Authority | Terrains loués par l'administration de l'aéroport international d'Ottawa |
| Developing Community (Expansion Area) | | |

in 1860 strengthened the growing francophone community there. St. Joseph Boulevard, the community's major commercial street, still provides a direct route to Parliament Hill through connections with other historic main streets. Today these communities are planned around Town Centres that offer an increasing variety of shops, employment, cultural facilities and housing. In the rural area, subdivision patterns largely give way to a mosaic of farms, natural areas, rural homes and villages. Many of Ottawa's 26 villages act as service centres for the surrounding rural area, providing businesses, schools, churches and community facilities. Some villages also attract visitors from all areas to their country markets, rural fairs, heritage buildings and hockey arenas.

Growth in Numbers

The projected growth to 2036 in population, households and employment (by place of work) is shown in Figure 2.2 for urban areas inside and outside the Greenbelt and for the rural area. [Amendment #150, May 2, 2018]

Figure 2.2 - Projected Growth in Population, Households and Employment, City of Ottawa, 2006 to 2031

Population				
	2006	2011	2021	2031
Inside Greenbelt	533,000	540,000	562,000	591,000
Outside Greenbelt, Urban	252,000	291,000	367,000	432,000
Rural	86,000	91,000	102,000	113,000
Total	871,000	923,000	1,031,000	1,136,000
Households				
	2006	2011	2021	2031
Inside Greenbelt	228,000	237,000	258,000	278,000
Outside Greenbelt, Urban	88,000	106,000	140,000	168,000
Rural	30,000	32,000	38,000	43,000
Total	346,000	376,000	436,000	489,000
Employment				
	2006	2011	2021	2031
Inside Greenbelt	432,000	457,000	482,000	506,000
Outside Greenbelt, Urban	72,000	95,000	128,000	162,000
Rural	25,000	26,000	30,000	35,000
Total	530,000	578,000	640,000	703,000

Notes:

1. Total may not add due to rounding
2. 2006 figures are estimated actual; other years are projections
3. Population and households are adjusted for Census undercounting. Population includes institutional residents; households exclude institutional residents.
4. 2006 employment based on City of Ottawa Employment Survey, adjusted for undercounting.

[Amendment #76, OMB File # PL100206, September 07, 2011]

Ottawa will meet the challenge of growth by managing it in ways that support liveable communities and healthy environments. This means that growth will be directed towards key locations with a mix of housing, shopping, recreation and employment – locations that are easily accessible by transit and that encourage walking and cycling because destinations are conveniently grouped together. This direction will also contribute to the needs of an aging population by enhancing accessibility to health services and community facilities. Future development, whether in new communities or in already established areas that are suited to accommodating growth, will be compact and efficient from a servicing point of view. [OMB decision #1582, June 17, 2005]

By pursuing a mix of land uses and a compact form of development, the city will be able to support a high-quality transit service and make better use of existing roads and other infrastructure rather than building new facilities. The City can secure the greatest returns on its transit investment by building at higher densities in nodes around rapid-transit stations and along corridors well-served by transit. Intensification in these locations increases transit ridership, makes efficient use of existing infrastructure and curbs the need to extend infrastructure and provide municipal services to new suburbs. This pattern of development is the most affordable in terms of the life-cycle costs of constructing, operating, maintaining, and replacing municipal infrastructure over its life span. As well, it supports the affordable provision of municipal services such as solid waste collection and emergency services that are costly to provide over large areas. On the whole, it balances the costs of servicing growth with the cost of maintaining infrastructure and providing a consistent level of services to residents. [Amendment #150, May 2, 2018] 173

This approach also supports liveable, sustainable communities. It is based on an underlying commitment to conserving the natural environment and will result in reduced consumption of land and other resources outside of the urban boundary. Wherever growth occurs, it will be managed to ensure that Ottawa's communities are eminently liveable. This is a commitment that will be realized through a focus on community design and a concern for people and the quality of the spaces they occupy. [Amendment #150, May 2, 2018]

This Plan meets the challenges of growth over the next 20 years by pursuing strategic directions in the following key areas:

Managing Growth

- The City will manage growth by directing it to the urban area where services already exist or where they can be provided efficiently.
- The City will continue to support growth in Villages to enhance their vitality, with provision for Village expansion where it is economically feasible and environmentally sound. [Amendment #76, OMB File # PL100206, September 07, 2011]
- Growth in the existing designated urban areas will be directed to areas where it can be accommodated in compact and mixed-use development, and served with quality transit, walking and cycling facilities. [OMB decision February 1, 2018]
- The Central Area, designated Mainstreets, Mixed Use Centres and Town Centres will be compact, liveable, and pedestrian-oriented with a vibrant mix of residential uses, and social, cultural and economic activity.
- Infill and redevelopment will be compatible with the existing context or planned function of the area and contribute to the diversity of housing, employment, or services in the area. [Amendment #150, May 2, 2018]

Providing Infrastructure

- A transportation system that emphasizes walking, cycling and transit will be built.
- Public water and sanitary wastewater facilities will be provided to reinforce the City's commitments to a compact urban area and safe and healthy communities.
- Development in the rural area will be primarily on the basis of private individual services where they are safe and environmentally sound, but in some circumstances municipal services will be provided to remedy environmental problems. [Amendment #150, May 2, 2018]

Maintaining Environmental Integrity

- Air quality will be supported by a transportation system that emphasizes walking, cycling and transit and by policies that protect forests, wetlands and other natural environment areas.
- Provincially and locally significant wetlands and forests will be conserved.

- The City will preserve natural features and the integrity of natural systems by directing land use and approving and development that maintains ecosystem functions over time. [Amendment #150, May 2, 2018] 17-4
- Green spaces will be valued and protected for their environmental, cultural heritage, recreational, educational and aesthetic qualities.

Building Liveable Communities

- Attention to urban design will help create attractive communities where buildings, open space and transportation work well together. [Amendment #150, May 2, 2018]
- The City will provide opportunities to increase the supply of affordable housing throughout the City.
- Growth will be managed in ways that create complete communities with a good balance of facilities and services to meet people's everyday needs, including schools, community facilities, parks, a variety of housing, and places to work and shop.
- The City will pursue a more affordable pattern of growth that allows for more efficient use of municipal infrastructure and reduces the need to build and maintain new infrastructure throughout its life-cycle. [Amendment #150, May 2, 2018]
- The City will provide for a wide range of economic activities in suitable locations and will work with the federal government and private sector to provide a balance of jobs both inside and outside the Greenbelt. [Amendment #150, May 2, 2018]
- The design of the city, the maintenance of greenspace and the high quality of life will enhance the attractiveness of the city for business development.
- Familiar landscapes and heritage buildings will be conserved despite on-going change.
- Rural communities will continue to be valued for their distinct economies and lifestyles.
- Attention to design will help create attractive communities where buildings, open space and transportation work well together.
- The process of community building in the city will be open and inclusive.
- Agricultural lands, designated as Agricultural Resource Areas, will be preserved for future generations and mineral resources will be protected for extraction. [OMB decision February 1, 2018]
- Mineral aggregate resource areas will be identified, conserved and protected for long-term use.
- The City will recognize the role of small and medium-scale food production in a sustainable food system and community-based food production will be integrated into urban and rural areas, through edible landscapes, community gardens, and small and mid-scale urban and rural farms, where possible and in keeping with City policy. [Amendment #150, May 2, 2018]

- e. Establish maximum limits for the provision of on-site parking, consider waiving minimum parking requirements, maximize opportunities for on-street parking, and consider target designations as priorities for the creation of municipal parking structures;
- f. Initiate partnerships with others in building commercial and residential development over transit stations, municipal parking structures, municipal offices and facilities, or locations where density targets are set out in this Plan;
- g. Negotiate an increase in building density or height in exchange for developing municipal facilities, transit stations, and public cultural facilities;
- h. Focus the delivery and coordination of enhanced pedestrian environments in and around the City's design priority areas identified in S.2.5.1 of this Plan;
- i. Establish minimum building heights in the Zoning By-law within Mixed-use Centres, Town Centres Mainstreets and Transit-Oriented Development Areas as community design plans are completed for these areas; [Amendment #113, July 30, 2013]
- j. Implement the coordinated delivery of Transportation Demand Management measures as described in S.2.3.1 of this Plan;
- k. Identify the target areas as a priority for the provision of increased public transit service;
- l. Implement a capacity management strategy to evaluate the condition and capacity of piped infrastructure in the areas targeted for intensification and set priorities for improving capacity. Development Charges should cover the portion of the cost of infrastructure improvement that is required to support intensification;
- m. When carrying out community design plans and plans for Transit-Oriented Development Areas as approved by City Council set priorities and funding sources for the delivery of public facilities such as community centres, parks and various municipal programs that may be required to support intensification; [Amendment #113, July 30, 2013]
- n. Will consider the achievement of minimum intensification targets on Arterial Mainstreets to represent a longer-term potential, and those Arterial Mainstreets located inside the Greenbelt will be considered to have priority for municipal upgrades over those outside the Greenbelt. On Arterial Mainstreets, carry out measures to enhance the pedestrian environment and public realm, such as tree planting, improved sidewalks, and other streetscape improvements, as well as traffic calming measures to help transform these streets from wide, automobile-oriented streets, to urban avenues that exhibit more liveable conditions;
- o. For all housing forms, the City will support alternative municipal infrastructure and development standards (such as reduced road right-of-way width, utility trenching requirements and reduced parking standards in areas serviced by public transit) in the context of a subdivision application.

[Amendment #76, OMB File # PL100206, September 07, 2011]

Intensification Outside of Target Areas

14. The City also supports intensification throughout the urban area, including areas designated General Urban Area. The City will promote opportunities for intensification in the following cases, provided that all other policies in the Plan are met:

- Lands within 600 metres of future or existing rapid-transit stations with potential to develop as compact, mixed-use and pedestrian-friendly cores;

2.5 - Building Liveable Communities

The basics of a liveable community are straight-forward. In the urban area, a liveable community has appropriate housing at a price people can afford. It is built around greenspaces and has places to shop, socialize and play nearby. Residents know where to find the local library, health services, schools and other community facilities. Many of these are within walking or cycling distance, and form a core for the community. Good transit provides connections to other destinations outside the community. Familiar views and landmarks tell residents where they are and heritage buildings tell them where they have come from. Most workplaces outside the community are within a reasonable commute. In the Rural Area, a liveable community has many of the features found in liveable urban neighbourhoods. Liveable Villages have a strong sense of community and draw in their dispersed country neighbours for shopping and services.

Many Ottawa communities provide most of the basics of a liveable community, but there are wide variations. It is these variations that provide communities with their unique sense of place. However, Ottawa's communities are changing. Population growth, economic development, finite resources, environmental concern, and financial limitations are triggering a re-evaluation about how we live and how we plan our communities.

This Plan proposes that Ottawa's communities be built on the basics: good housing, employment, ample greenspace, a sense of history and culture. But it also proposes to create more liveable communities by focusing more on community design and by engaging in collaborative community building, particularly in and around the Mixed Use Centres and Mainstreets that have a great potential for growth. A focus on community design draws attention to how buildings and the spaces around them look and function in their setting. Since the best urban design is informed by a solid appreciation of the place being built, the people in it, and the community around it, this approach opens the door to creativity and dialogue. [Amendment 28, July 13, 2005]

2.5.1 – Urban Design and Compatibility

Urban Design

Community design generally deals with patterns and locations of land use, relative densities, street networks, and the allocation of community services and facilities. Urban design is more concerned with the details relating to how buildings, landscapes and adjacent public spaces look and function together. As the City grows and changes over time, design of these elements should work together to complement or enhance the unique aspects of a community's history, landscape and its culture. Encouraging good urban design and quality and innovative architecture can also stimulate the creation of lively community places with distinctive character that will attract people and investment to the City. The components of our communities where urban design plays a key role, include:

- **Built form**, including buildings, structures, bridges, signs, fences, fountains, statues and anything else that has been constructed, added or created on a piece of land;
- **Open spaces**, including streets, parks, plazas, courtyards, front yards, woodlots, natural areas and any other natural or green open areas that relate to the structure of the city;
- **Infrastructure**, including, sidewalks, bike paths, transit corridors, hydro lines, streetlights, parking lots or any other above- or below-grade infrastructure that impacts upon the design of the public realm.

Together, these building blocks create lasting impressions, where streetscapes and neighbourhoods contribute to a community identity that is more than the sum of its parts. It is the successful interplay between the built and natural environment, and how people use it, that has given us special places like the ByWard Market, Manotick and Westboro; streets like Elgin Street and Centrum Boulevard; and open spaces such as the Rideau Canal.

[Amendment #76, OMB File #PL100206, August 18, 2011]

Compatibility

In support of lively and complete mixed-use communities, the City's growth management strategy includes intensification of development in the urban area over the next 20 years and concentrating rural development in Villages. Introducing new development in existing areas that have developed over a long period of time requires a sensitive approach and a respect for a communities established characteristics,. This Plan provides guidance on measures that will mitigate these differences and help achieve compatibility of form and function. Allowing for some flexibility and variation that complements the character of existing communities is central to successful intensification. [Amendment #76, OMB File #PL100206, August 18, 2011 & September 07, 2011] 177

In general terms, compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. It 'fits well' within its physical context and 'works well' among those functions that surround it. Generally speaking, the more a new development can incorporate the common characteristics of its setting in its design, the more compatible it will be. Nevertheless, a development can be designed to fit and work well in a certain existing context without being 'the same as' the existing development. Where a new vision for an area is established through a Community Design Plan or other similar Council-approved planning exercise, or where the Zoning By-law permits development that differs from what currently physically exists, addressing compatibility will permit development to evolve toward the achievement of that vision while respecting overall community character.

Objective criteria can be used to evaluate compatibility and these are set out in Section 4.11. Development applications and proposals for public works will be evaluated in the context of this section, as well as Section 4.11.

Design Objectives and Principles

The Design Objectives of this Plan are qualitative statements of how the City wants to influence the built environment as the city matures and evolves. These Design Objectives are broadly stated, and are to be applied within all land use designations, either at the citywide level or on a site-specific basis. Design Principles further describe how the City hopes to achieve each of the Design Objectives, but may not be achieved or be achievable in all cases.

Annex 3, to be entitled Design Framework, contains a number of Design Considerations, which provide suggestions as to how the Design Objectives and Principles could be met, but they do not form part of this Plan. The Design Considerations are not meant to be prescriptive, and do not constitute a checklist. None of the Design Considerations are expressed as policy, but rather are expected to act as a stimulus to development proponents to demonstrate how individual proposals will further the City's Design Objectives. Proponents are free to respond in creative ways to the Design Objectives and Principles and are not limited only to those suggested by the Design Considerations. [OMB decision #2649, September 21, 2006] [Amendment #76, Ministerial Modification #17, OMB File #PL100206, August 18, 2011]

Design Objectives

To enhance the sense of community by creating and maintaining places with their own distinct identity.

Principles:

Design should:

- Support the overall image of Ottawa as the Nation's capital.
- Recognize and reflect on the history of the city or community.
- Promote quality consistent with a major metropolis, and a prime business and tourist destination.
- Create distinctive places and appreciate local identity in patterns of development, landscape and culture.
- Reflect a thorough and sensitive understanding of place, context and setting.
- Consider public art early in the design process and integrate it, as appropriate, as part of the project.

3.6 - Urban Designations

Section 3.6 contains policies for the urban designations shown on Schedule B.

3.6.1 – General Urban Area

The General Urban Area designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses. This will facilitate the development of complete and sustainable communities. A broad scale of uses is found within this designation, from ground-oriented single-purpose to multi-storey mixed-use; from corner store to shopping centre.

While the City is supportive of the establishment of a broad mix of uses in Ottawa's neighbourhoods, this is not meant to imply that all uses will be permitted everywhere within areas that are designated General Urban Area. The zoning by-law will continue to regulate the location, scale and type of land use in accordance with the provisions of this Plan. Within neighbourhoods, the zoning by-law will allow those uses that provide for the local, everyday needs of the residents, including shopping, schools, recreation and services. Uses that also serve wider parts of the city will be located at the edges of neighbourhoods on roads where the needs of these land uses (such as transit, car and truck access, and parking) can be more easily met and impacts controlled. Subject to the policies below, the City supports infill development and other intensification within the General Urban Area in a manner that enhances and complements the desirable characteristics and ensures the long-term vitality of the many existing communities that make up the city.

Policies

1. General Urban Area areas are designated on Schedule B. The General Urban Area designation permits all types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses.
2. The evaluation of development applications, studies, other plans and public works undertaken by the City in the General Urban Area will be in accordance with Section 2.5.1 and Section 4.11.
3. When considering a proposal for residential intensification through infill or redevelopment in the General Urban Area, the City will:
 1. Recognize the importance of new development relating to existing community character so that it enhances and builds upon desirable established patterns and built form;
 2. Apply the policies of Section 2.5.1 and Section 4.11;
 3. Consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles throughout the General Urban Area;
 4. Assess ground-oriented multiple housing forms, such as duplex, triplex and fourplex, as one means of intensifying within established low-rise residential communities.
4. Major Urban Facilities are permitted in the General Urban Area in accordance with Section 3.6.7.
5. The General Urban Area permits uses that may generate traffic, noise or other impacts that have the potential to create conflicts with the surrounding residential community. These types of uses are often large and serve or draw from broader areas. The City will ensure that anticipated impacts can be adequately mitigated or otherwise addressed. Such uses will be directed to:
 1. Locations along the rapid-transit system, or an arterial or major collector road with sufficient capacity to accommodate the anticipated traffic generated and where frequent, all-day transit service can be provided;
 2. Suitable locations on the perimeter of, or isolated from, established residential neighbourhoods. In this regard, existing or proposed building orientation, massing and design, and the presence of mitigating circumstances such as distance, changes in topography, or the presence of features such as significant depths of mature forest may be taken into account.

4.11 - Urban Design and Compatibility

17-9

At the city-wide scale, issues of compatibility are addressed in the Official Plan through the appropriate designation of land and associated policies that direct where and how certain categories of land use should be permitted to develop. Locational policies are therefore required in order to direct uses that have the potential to generate negative impacts to appropriate locations, most typically at the periphery of residential neighbourhoods. It is recognized that because land use designations such as General Urban Area, Mainstreets and Employment Area contain broad use permissions, it will be necessary for the zoning by-law to establish more specific permitted use lists and development regulations within areas and on individual sites in a manner that achieves compatibility among proximate uses and built forms.

At the scale of neighbourhoods or individual properties, issues such as noise, spillover of light, accommodation of parking and access, shadowing, and micro-climatic conditions are prominent considerations when assessing the relationships between new and existing development. Often, to arrive at compatibility of scale and use will demand a careful design response, one that appropriately addresses the impact generated by infill or intensification. Consequently, the issue of 'context' is a dominant theme of this Plan where it speaks to compatibility and design.

The purpose of the policies that follow is to set the stage for requiring high quality urban design in all parts of the city and design excellence in design priority areas. The policies within this Section are the responsibility of the development proponent to implement in the design of their site. The design and compatibility of a development application therefore will be evaluated, at the time of application submission, in the context of this Section, as well as the design objectives in Section 2.5.1. [Amendment #150, December 21, 2017]

Policies

1. When evaluating compatibility of development applications, the City will have regard for the policies of the site's land use designation, and all applicable Community Design Plans, Secondary Plans, Plans for Transit-Oriented Development Areas approved by Council, or site specific policies, Council-approved design guidelines, Provincial Environmental Assessments, and functional design plans for capital projects, as well as the Design Objectives and Principles in Section 2.5.1, and the preceding policies in Sections 4.1 through 4.10. [Amendment #76, OMB File #PL100206, August 18, 2011] [Amendment #113, July 30, 2013]
2. In addition to those matters set out in Policy 1, above, the City will evaluate the compatibility of development applications on the basis of the following compatibility criteria. The measures of compatibility will vary depending on the use proposed and the planning context. Hence, in any given situation individual criteria may not apply and/or may be evaluated and weighted on the basis of site circumstances: [Amendment #76, OMB File #PL100206, August 18, 2011]
 1. Traffic: Roads should adequately serve the development, with sufficient capacity to accommodate the anticipated traffic generated. Generally development that has the potential to generate significant amounts of vehicular traffic should be located on arterial or major collector roadways so as to minimize the potential for traffic infiltration on minor collector roadways and local streets;
 2. Vehicular Access: The location and orientation of vehicle access and egress should address matters such as the impact of noise, headlight glare and loss of privacy on development adjacent or immediately opposite. Vehicular access and egress for development that has the potential to generate a significant amount of vehicular traffic should be oriented on streets other than local streets, wherever the opportunity exists, considering traffic safety and other transportation objectives of this Plan; [Amendment #76, OMB File #PL100206, August 18, 2011]
 3. Parking Requirements: The development should have adequate on-site parking to minimize the potential for spillover parking on adjacent areas. A range of parking forms, including surface, decked, and underground, should be considered taking in account the area context and character. Opportunities to reduce parking requirements and promote increased usage of walking, cycling and transit will be pursued, where appropriate, particularly in the vicinity of transit stations or major

transit stops in accordance with the provisions of Section 4.3; [Amendment #76, OMB File #PL100206, August 18, 2011]

4. Outdoor Amenity Areas: The development should respect the privacy of outdoor amenity areas of adjacent residential units and minimize any undesirable impacts through the siting and design of the buildings and the use of screening, lighting, landscaping or other mitigative design measures;
 5. Loading Areas, Service Areas, and Outdoor Storage: The operational characteristics and visual appearance of loading facilities, service areas (including garbage), parking and areas for the outdoor storage of goods or materials should be mitigated using a variety of methods (e.g., location, containment, screening, berms, and/or landscaping). These uses and activities should be located away from residences where possible;
 6. Lighting: The potential for light spill over or glare from any lighting source onto adjacent light-sensitive areas should be avoided or mitigated;
 7. Noise and Air Quality: The development should be located and designed to minimize the potential for significant adverse effects on adjacent sensitive uses related to noise, odours, and other emissions.
 8. Sunlight: The development should minimize shadowing on adjacent properties, to the extent practicable, particularly on outdoor amenity areas, through the siting of buildings or other design measures;
 9. Microclimate: The development should be designed to minimize adverse effects related to wind, snow drifting, and temperature on adjacent properties;
 10. Supporting Neighbourhood Services: The development should contribute to or be adequately served by existing or proposed services and amenities such as health facilities, schools, parks and leisure areas. Where the proposed development itself is to contribute such services and amenities, they should be of a scale appropriate to the needs and character of the area. [Amendment #28, July 13, 2005] [OMB decision #2649, September 21, 2006]
3. Development proponents will indicate how the proposed development addresses the intent of the Design Objectives and Principles. The Design Considerations, set out in Annex 3, offer some ways in which the Design Objectives and Principles might be realized. The importance of each principle will be evaluated and weighted according to the specific circumstances under consideration. While all Design Objectives and Principles must be considered, not all elements will apply in all cases and not all will apply with equal importance. The City will work with the proponent and will consult with the community to best determine how the design framework will be implemented in the local context. [Amendment #76, OMB File #PL100206, August 18, 2011]
4. Buildings, structures and landscaping will be used to clearly define public spaces, such as streets and parks. In density target areas identified in S.2.2.2 of this Plan, development will be in the form of continuous building frontages that frame the street edge and support a more pedestrian-friendly environment. In some parts of the city, this will mean that new development consolidates an existing building fabric through infill or redevelopment opportunities. In other cases, where there is no established building fabric along the street, new buildings will occupy gaps in the streetscape caused by parking and/or deep building setbacks. New buildings must either be properly integrated into their existing building fabric, or help create a new building fabric. [Amendment #76, OMB File #PL100206, August 18, 2011]
5. The City will work with development proponents to achieve the Design Objectives and Principles of this Plan through means such as the coordination and development of capital improvements within the public realm with development and redevelopment activities on adjacent properties in the private realm. [Amendment #76, OMB File #PL100206, August 18, 2011]
6. As the owner of many public places, public works and buildings, the City will set an example for the community through the provision of public art in municipal facilities (to include all types of municipal structures, and lands) and will encourage other public- and private-sector owners and developers to include art as a public component of their developments. [Amendment #76, OMB File #PL100206, August 18, 2011]

Building Profile

street trees public art, active land use frontages, legible entrances and views to the street, canopies, awnings and colonnades for continuous weather protection).

[Amendment #76, OMB File #PL100206, August 18, 2011]

17-11

Building Transitions

12. Integrating taller buildings within an area characterized by a lower built form is an important urban design consideration, particularly in association with intensification. Development proposals will address issues of compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development profile. Transitions in built form will serve to link proposed development with both planned, as well as existing uses, thereby acknowledging that the planned function of an area as established through Council-approved documents such as a secondary plan, a community design plan or the Zoning By-law, may anticipate a future state that differs from the existing situation. Transitions should be accomplished through a variety of means, including measures such as:

- a. Incremental changes in building height (e.g. angular planes or stepping building profile up or down);
- b. Massing (e.g. inserting ground-oriented housing adjacent to the street as part of a high profile development or incorporating podiums along a Mainstreet);
- c. Character (e.g. scale and rhythm, exterior treatment, use of colour and complementary building finishes);
- d. Architectural design (e.g. the use of angular planes, cornice lines); and
- e. Building setbacks.

The use of transitions may vary according to such factors as the size of the development area, the planned intensity of use in the immediate area, the size of the lower-profile area, the street widths and the analysis of impacts on adjacent areas.

[Amendment #76, OMB File #PL100206, August 18, 2011]

13. The need to provide transitions in built form may be offset or reduced where natural buffers and features or changes in grade and topography exist, or through the orientation of buildings and the arrangement of land use patterns.

[Amendment #76, OMB File #PL100206, August 18, 2011]

Intensification inside stable, low-rise neighbourhoods

14. Infill and redevelopment within the interior portions of stable, low-rise neighbourhoods will occur in accordance with policy 14 of Section 2.2.2. Where development is proposed that requires an amendment or variance to the zoning by-law with respect to lot area, yards and/or building setback, or building height, and which varies from the established area's pattern of built form and open spaces, the appropriateness of the proposal will be considered in light of the following measures:

- a. Building height, massing and scale permitted by the zoning of adjacent residential properties as well as the prevailing patterns established in the immediate area;
- b. Prevailing patterns of rear and side yard setbacks and landscaped open space permitted by the zoning of adjacent residential properties as well as the prevailing patterns established in the immediate area;
- c. The need to provide a transition between areas of different development intensity and scale as set out in policy 12 of this Section;

[Amendment #76, OMB File #PL100206, August 18, 2011]

First Nations Peoples Design Interests

Urban Design Guidelines for Low-rise Infill Housing

May 2012

Urban Design Guidelines for Low-rise Infill Housing	1
1.0 Introduction.....	2
1.1 Purpose and Objectives.....	2
1.2 The Official Plan.....	3
1.3 Infill and Intensification	5
1.4 When are Design Guidelines applied?	6
2.0 Streetscapes.....	7
Design Guidelines.....	7
3.0 Landscape	10
Design guidelines.....	10
4.0 Building Design (Built Form).....	12
Design Guidelines.....	12
5.0 Parking and Garages.....	20
Design guidelines:.....	20
6.0 Heritage Building Alterations/Additions	24
Design guidelines:.....	24
7.0 Service Elements.....	26
8.0 Infill on Narrow Lots.....	27
9.0 Glossary	28
10.0 Appendix: How Design Guidelines fit with the current Development Approval process	31

Urban Design and Compatibility (Section 4.11 of the Official Plan)

"At the scale of neighbourhoods or individual properties, issues such as noise, spillover of light, accommodation of parking and access, shadowing, and micro-climatic conditions are prominent considerations when assessing the relationships between new and existing development. Often, to arrive at compatibility of scale and use will demand a careful design response, one that appropriately addresses the impact generated by infill or intensification.

Objective criteria that can be used to evaluate compatibility include: height, bulk or mass, scale relationship, and building/lot relationships, such as the distance or setback from the street, and the distance between buildings. An assessment of the compatibility of new development will involve not only consideration of built form, but also of operational characteristics, such as traffic, access, and parking".

1.3 Infill and Intensification

Infill is development that occurs on a single lot, or a consolidated number of small lots, on sites that are vacant, undeveloped or where demolition occurs. Infill may also refer to the creation of the lot or lots.

Infill development at higher densities, in relation to existing neighbours, requires good design to mitigate the potential impact of intensified building forms.

Residential intensification means intensification of a property, building or area that results in a net increase in residential units or accommodation and includes:

- Redevelopment (the creation of new units, uses or lots on previously developed land in existing communities), including the redevelopment of Brownfield sites;
- The development of vacant or underutilised lots within previously developed areas;
- Infill development;
- The conversion or expansion of existing industrial, commercial, and institutional buildings for residential use; and
- The conversion or expansion of existing residential buildings to create new residential units or accommodation, including secondary dwelling units and rooming houses.

The benefits of intensification (from CMHC'S 'Healthy Housing 2005') are:

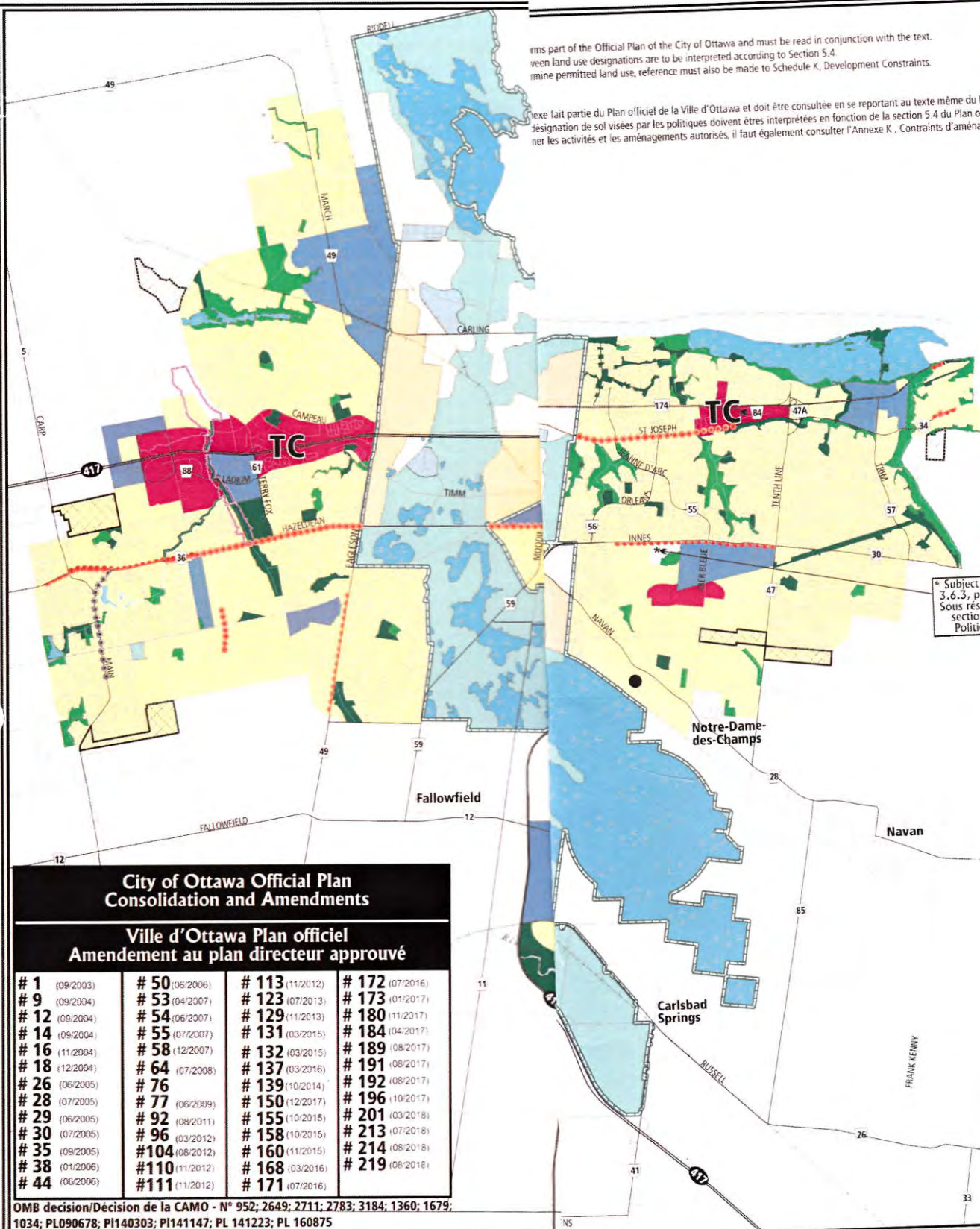
- More efficient use of existing infrastructure and community facilities
- Reduced expense on entirely new infrastructure and transit systems
- Lower energy requirements for transportation due to reduced automobile travel and more opportunities for public transport, walking and cycling
- Reduced commuting time and stress on the environment
- More compact development patterns protect greenspaces
- Reduced rate of encroachment on undeveloped areas
- Reduced water collection costs in clustered and more dense development
- Lower water treatment costs with larger treatment plants serving more homes

17-14

B

forms part of the Official Plan of the City of Ottawa and must be read in conjunction with the text.
 Les désignations de sol visées par les politiques doivent être interprétées en fonction de la section 5.4 du Plan officiel.
 For permitted land use, reference must also be made to Schedule K, Development Constraints.
 Pour les activités et les aménagements autorisés, il faut également consulter l'Annexe K, Contraintes d'aménagements.

ce fait partie du Plan officiel de la Ville d'Ottawa et doit être consultée en se reportant au texte même du Plan officiel.
 Les désignations de sol visées par les politiques doivent être interprétées en fonction de la section 5.4 du Plan officiel.
 Pour les activités et les aménagements autorisés, il faut également consulter l'Annexe K, Contraintes d'aménagements.



* Subject to Section 3.6.3, policy 14 /
 Sous réserve de la section 3.6.3 Politique 14

City of Ottawa Official Plan Consolidation and Amendments

Ville d'Ottawa Plan officiel Amendement au plan directeur approuvé

# 1 (09/2003)	# 50 (06/2006)	# 113 (11/2012)	# 172 (07/2016)
# 9 (09/2004)	# 53 (04/2007)	# 123 (07/2013)	# 173 (01/2017)
# 12 (09/2004)	# 54 (06/2007)	# 129 (11/2013)	# 180 (11/2017)
# 14 (09/2004)	# 55 (07/2007)	# 131 (03/2015)	# 184 (04/2017)
# 16 (11/2004)	# 58 (12/2007)	# 132 (03/2015)	# 189 (08/2017)
# 18 (12/2004)	# 64 (07/2008)	# 137 (03/2016)	# 191 (08/2017)
# 26 (06/2005)	# 76	# 139 (10/2014)	# 192 (08/2017)
# 28 (07/2005)	# 77 (06/2009)	# 150 (12/2017)	# 196 (10/2017)
# 29 (06/2005)	# 92 (08/2011)	# 155 (10/2015)	# 201 (03/2018)
# 30 (07/2005)	# 96 (03/2012)	# 158 (10/2015)	# 213 (07/2018)
# 35 (09/2005)	# 104 (08/2012)	# 160 (11/2015)	# 214 (08/2018)
# 38 (01/2006)	# 110 (11/2012)	# 168 (03/2016)	# 219 (08/2018)
# 44 (06/2006)	# 111 (11/2012)	# 171 (07/2016)	

OMB decision/Décision de la CAMO - N° 952; 2649; 2711; 2783; 3184; 1360; 1679;
 1034; PL090678; PI140303; PI141147; PL 141223; PL 160875

Official Plan - Schedule B Urban Policy Plan

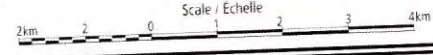
Prepared by: Planning, Infrastructure and Economic Development Department

Plan officiel - Annexe B

Plan des politiques en milieu urbain

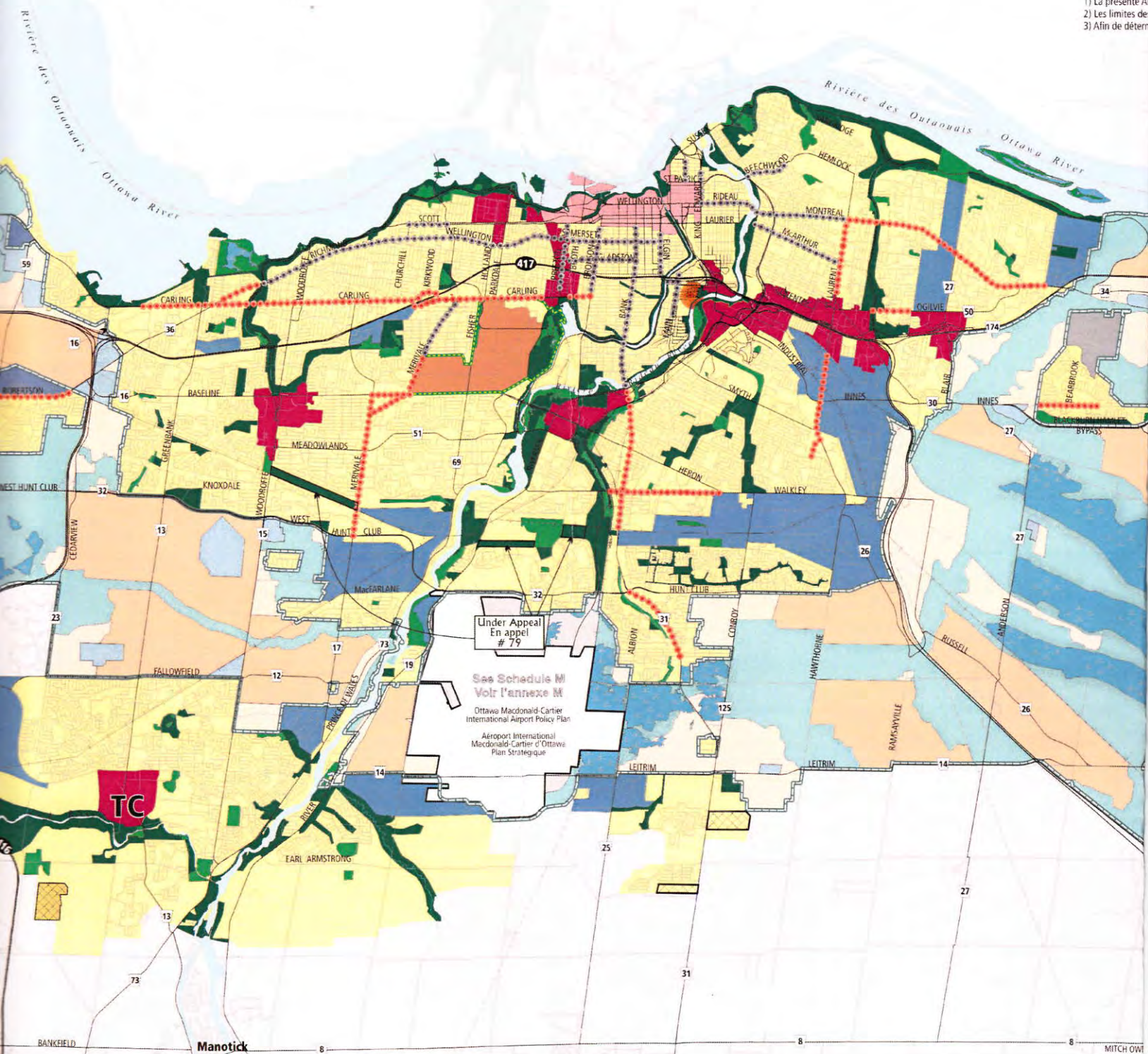
Préparé par : Services de la planification, de l'infrastructure et du développement économique

Grand espace vert
 Caractéristiques naturelles zone urbaine
 Zone de ressources en substrat rocheux
 Terres humides d'importance
 Ferme expérimentale centrale
 Limite de la Ceinture de verdure
 Site d'enfouissement des déchets solides
 Terrains loués par l'administration de l'aéroport international d'Ottawa



Note:
 1) This Schedule
 2) Boundaries be
 3) In order to det

Note:
 1) La présente An
 2) Les limites des
 3) Afin de déterm



General Urban Area	Zone urbaine générale	Natural Environment Area	Zone écologique naturelle	Major Open Space	
Urban Expansion Study Area	Zone d'étude d'expansion urbaine	Agricultural Resource Area	Zone de ressources agricoles	Urban Natural Features	
Central Area	Zone centrale	Agricultural Research Area	Zone de recherche agricoles	Bedrock Resource Area	
Town Centre	Centre ville	Macdonald-Cartier International Airport	Aéroport international Macdonald-Cartier	Significant Wetlands	
Traditional Mainstreet	Rue principale traditionnelle	Greenbelt Employment and Institutional Area	Zone d'emploi et d'équipement collectif de la Ceinture de verdure	Central Experimental Farm	
Arterial Mainstreet	Artère principale	Urban Employment Area	Zone d'emploi urbaine	Greenbelt Boundary	
Mixed Use Centre	Centre polyvalent	Greenbelt Rural	Ceinture de verdure secteur rural	Solid Waste Disposal Site	
Carp River Restoration Policy Area Overlay	Zone sous-jacente de restauration de la rivière Carp	Sand and Gravel Resource Area	Zone de ressources de sable et de gravier	Lands leased by the Ottawa International Airport Authority	
Developing Community (Expansion Area)	Communauté en développement (zone d'expansion)				



chedule outlines the primary urban cycling network.
community-wide network please consult the approved Ottawa Cycling Plan.
ap reflects policy designation of the future cycling network.
ng facilities, please refer to the city cycling map.
cling Plan also identifies on and off road Community Routes that should be considered
dertaking development or public works.



nnexe dresse les grandes lignes d'un réseau primaire de transport à bicyclette
urbaine. Pour le réseau communautaire secondaire consultez le Plan sur le cyclisme
n illustre la désignation de politique du futur réseau de pistes cyclables. Pour avoir un
es installations existantes, consultez la Carte du vélo de la ville.
n sur le cyclisme d'Ottawa illustre les routes « secondaires » communautaires qui sont
ntes de prendre en considération lorsqu'il y a des plans d'aménagement ou travaux
s proposés.

**Official Plan for the City of Ottawa
Consolidation and Amendments**

**Plan officiel de la Ville d'Ottawa
Amendement au plan directeur approuvé**

# 76		
# 77	(06/2010)	
# 123	(07/2013)	
# 160	(11/2015)	
# 173	(01/2017)	
# 192	(08/2017)	
# 213	(07/2018)	

OMB Decision / Décision de la CAMO: PL160875

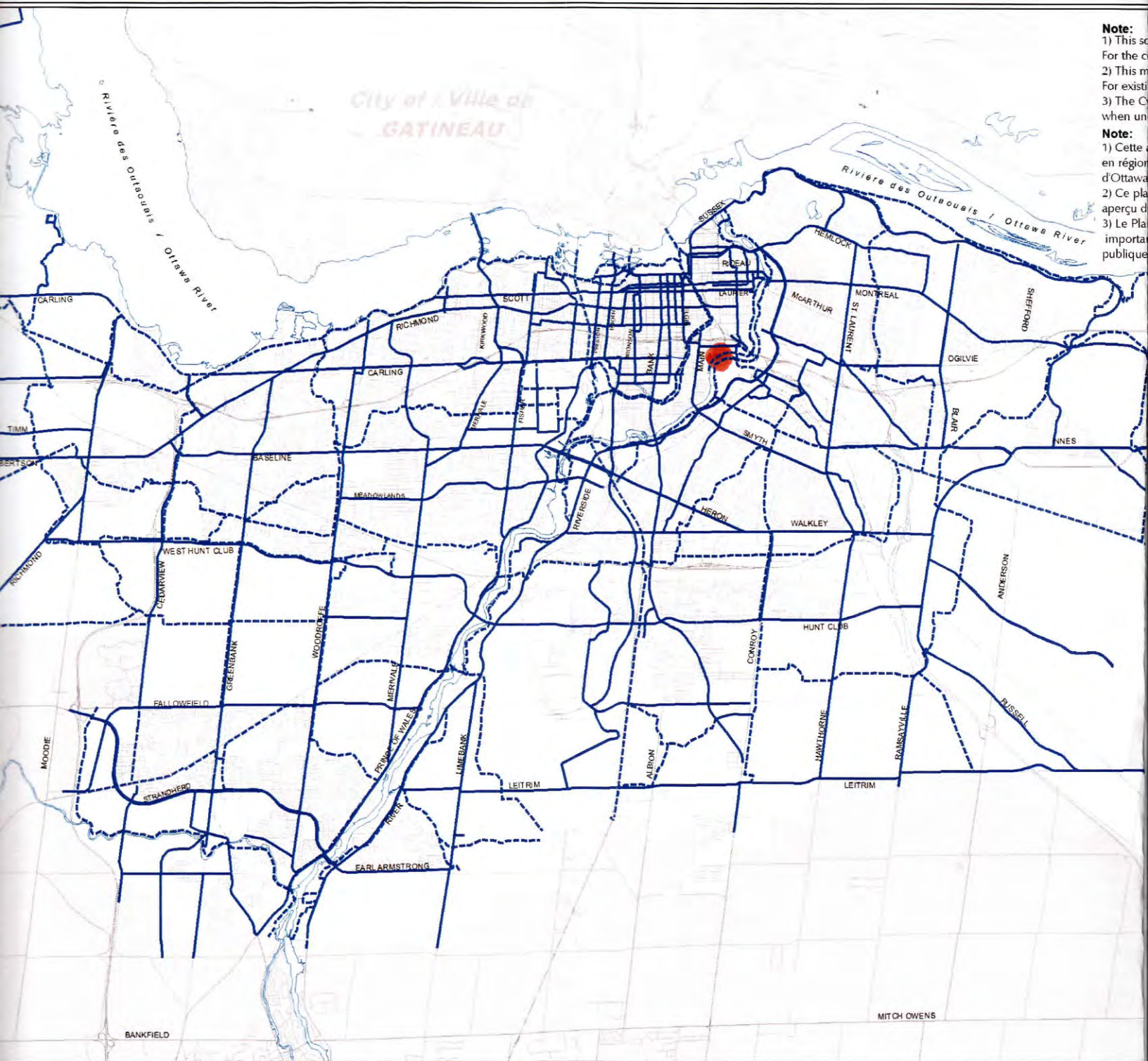
**OFFICIAL PLAN - Schedule
PRIMARY URBAN CYCLING NI**

**PLAN OFFICIEL - Annexe C
PLAN DU RÉSEAU URBAIN DE PISTES CYC**



Prepared by: Planning and Growth Management Department
Préparé par: Service de l'urbanisme et de la gestion de la croissance

Revision: 07 / 2017

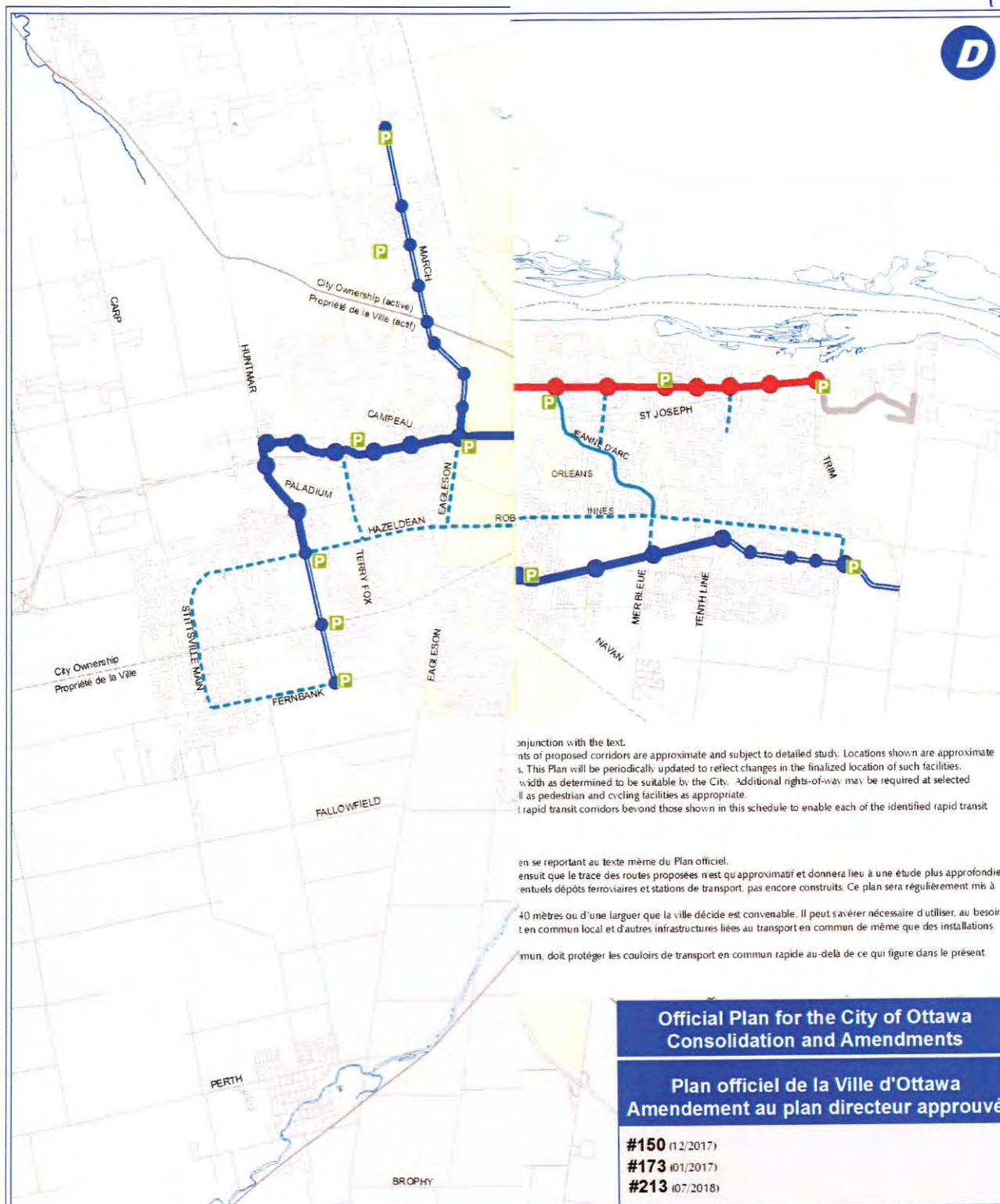


Note:
 1) This sc
 For the c
 2) This m
 For existi
 3) The C
 when un
Note:
 1) Cette
 en région
 d'Ottawa
 2) Ce pla
 aperçu d
 3) Le Pla
 importa
 publique

C NETWORK

C CLABLES PRINCIPALES

CITY-WIDE NETWORK	RESEAU PRINCIPAL
On-road Cycling Routes	Voies cyclables
Off-road Cycling Routes (multi-use pathways)	Cyclables hors chemin (sentiers polyvalents)

D

**OFFICIAL PLAN - Schedule D
RAPID TRANSIT AND
TRANSIT PRIORITY NETWORK**

**PLAN OFFICIEL - Annexe D
RÉSEAU DE TRANSPORT EN COMMUN RAPIDE
ET DE TRANSPORT EN COMMUN PRIORITAIRE**

Bus
Transport - train
Transport - autobus
Conceptuel - Couloir de transport en commun
Interrégionales

tirage possible pour trains
de Gatineau



Ottawa

1 0.5 0 1 2 3
km

Planning Infrastructure and Economic Development
GIS and Data Management
Services de la planification de l'infrastructure et du développement économique
SIG et Gestion des données

Zoning By-law Consolidation Disclaimer

18-1

This consolidation of the Zoning By-law is current to June 27, 2018.

This consolidation of the City of Ottawa Zoning By-law, By-law 2008-250 and the amendments thereto, is prepared for reference purposes only. While the Planning and Growth Management Department makes every effort to ensure the accuracy of the information contained herein, the reader is advised that as this publication is an office consolidation, in situations where legal accuracy is important, the By-law itself and any amending by-laws thereto must be consulted.

Please note: A listing of the amending by-laws to Zoning By-law No. 2008-250 can be referenced in Appendix B – the Amendment Schedule to the Zoning By-law and Interim Control By-laws.

For information about these amending by-laws and the applicability of their regulations, please contact 311 and request to speak to the Development Information Officer (DIO) for the geographic area in question.

Copies of individual zoning amendment by-laws can be obtained at the following locations:

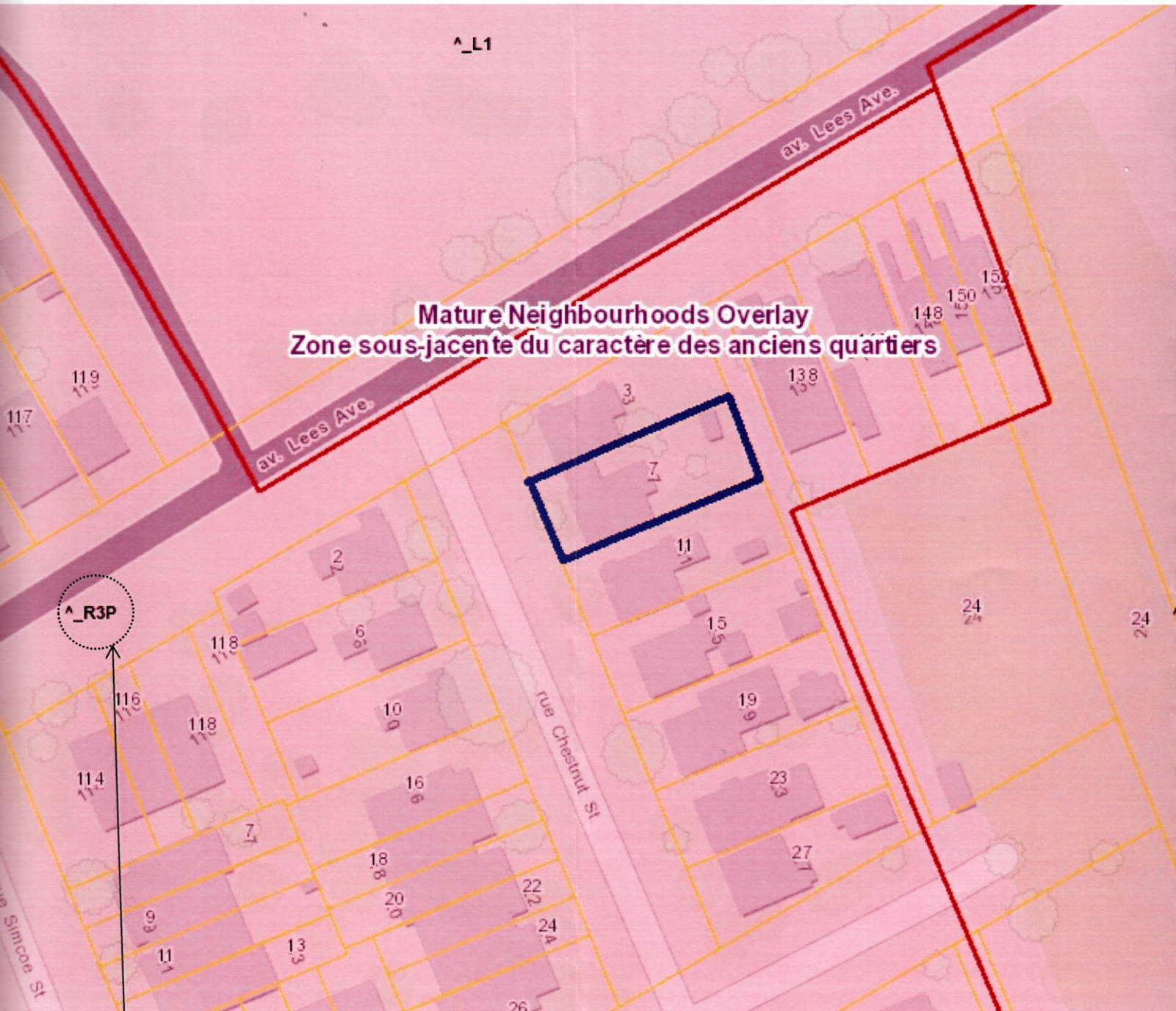
City Hall Client Service Center
1st Floor, 110 Laurier Avenue West

Central Archives
100 Tallwood Dr. (Corner of Woodroffe)
Ottawa, Ontario
tel.: 613-580-2857
fax :613-580-2614
e-mail: archives@ottawa.ca (link sends e-mail)



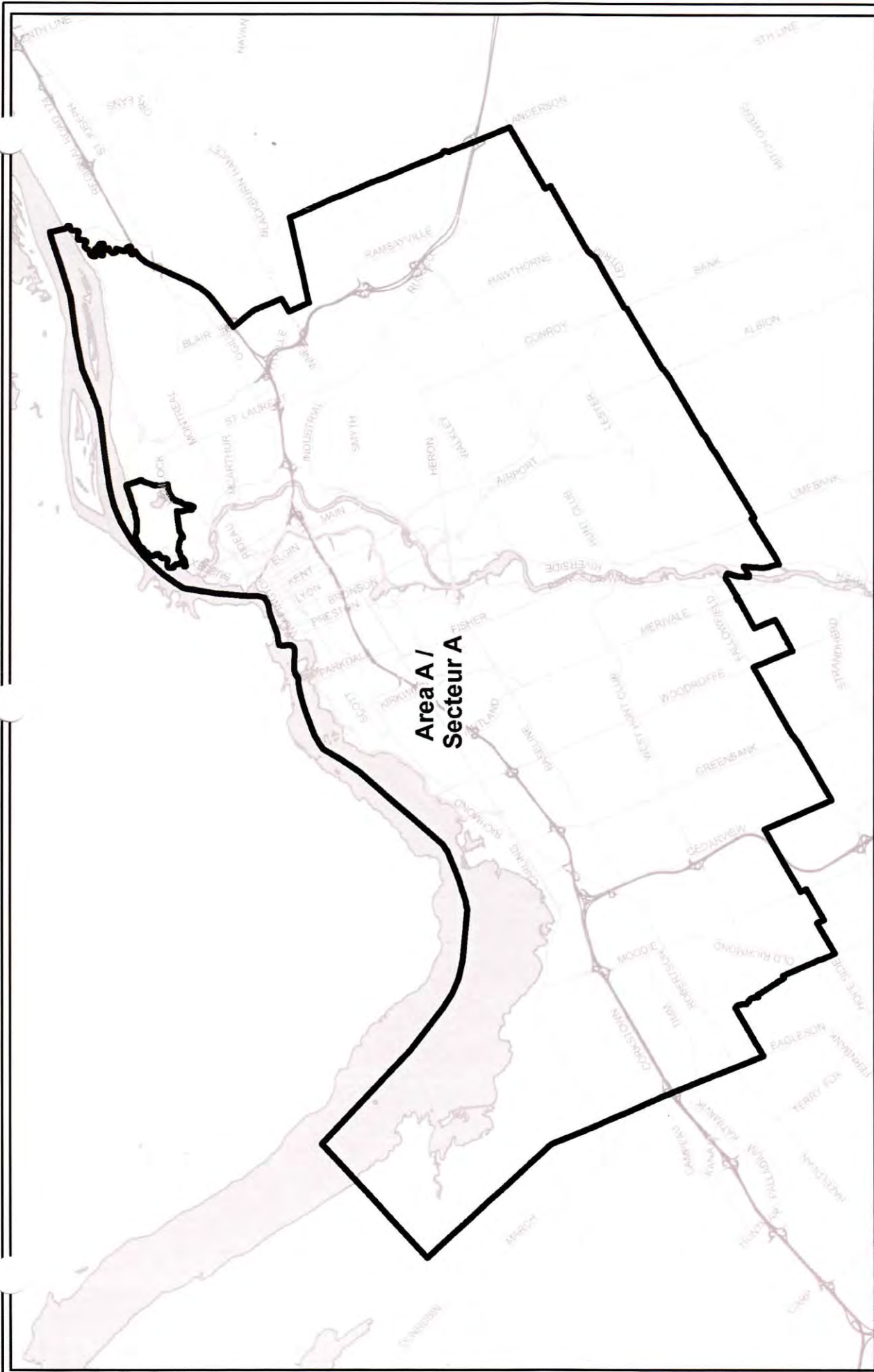
Zoning: R3P, Reside

City of Ottawa - Zoning Map
(GeoMaps)



tial Third Density, Subzone P

7 Chestnut



Échelle
N.T.S.
Mètres

Scale
N.T.S.
Metres

18-3

This is Schedule 342 to Zoning By-law No. 2008-250
Annexe 342 au Règlement de zonage n° 2008-250

This is Attachment 1 to By-law Number 2015-228, passed July 8, 2015
 Pièce jointe n° 1 du Règlement municipal n° 2015-228, adopté le 8 juillet 2015



D02-02-15-0006 14-1724-Y

M/Zoning_Bylaw/Schedules

Produced by Infrastructure Services
 and Community Sustainability
 Produit par le Services d'infrastructure
 et Viabilité des collectivités

18-4

- 12 Access to a lot by means of a rear lane is permitted, provided the rear lane is a minimum of 8.5 metres wide. Where access is via the rear lane, the minimum rear yard setback may be reduced to 1.0 metre, and in no case may the width of the garage, carport or driveway exceed 50% of the width of the rear lot line.
- 13 (By-law 2008-386) Despite the definition of "front lot line", in the case of a corner lot, the definition does not apply where the location of a front lot line has been decided upon pursuant to the definition of "lot line front" of the former City of Nepean By-law No.100-2000 that stated "Lot Line Front shall mean the line that divides a lot from the street".
- 14 Despite the maximum building heights in Table 158A above, the maximum building height permitted in Area A on Schedule 342 is 8.5 metres; in Area A of Schedule 358 is 9.5 metres, in Area A of Schedule 359 is 9 metres. (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)
- 15 Despite the maximum building heights in Table 158A above, the maximum building height permitted in Area A on Schedule 342, except for Area A on Schedule 360 is 8.5 metres. (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)
- Despite the definition of grade in Section 54, the existing average grade will be used for development in Area A on Schedule 342 and will be as follows:
- 16 Existing average grade must be calculated prior to any site alteration and based on the average of grade elevations taken along both side lot lines at the minimum required front yard setback, and at the minimum required rear yard setback of the zone in which the lot is located. (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)

> R3 - Residential Third Density Zone (Sec. 159-160)



Purpose of the Zone

The purpose of the R3 - Residential Third Density Zone is to:

- (1) allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan; (By-law 2012-334)
- (2) allow a number of other residential uses to provide additional housing choices within the third density residential areas;
- (3) allow ancillary uses to the principal residential use to allow residents to work at home;
- (4) regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced; and
- (5) permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.

159. In the R3 Zone:

Permitted Uses

18-5

- (1) The following uses are permitted uses subject to:

- (a) the provisions of subsection 159 (3) to (13);
- (b) a maximum of three guest bedrooms in a bed and breakfast;
- (c) a maximum of ten residents is permitted in a group home; and (By-law 2014-189)
- (d) a maximum of ten residents is permitted in a retirement home, converted.

bed and breakfast, see Part 5, Section 121

detached dwelling

diplomatic mission, see Part 3, Section 88

duplex dwelling, see Part 5, Section 138 (By-law 2010-307)

group home, see Part 5, Section 125

home-based business, see Part 5, Section 127

home-based daycare, see Part 5, Section 129

linked-detached dwelling, see Part 5, Section 138 (By-law 2010-307)

park

planned unit development, see Part 5, Section 131

retirement home, converted see Part 5, Section 122

secondary dwelling unit, see Part 5, Section 133

semi-detached dwelling, see Part 5, Section 138 (By-law 2010-307)

three-unit dwelling

townhouse dwelling, see Part 5, Section 138 (By-law 2012-334) (By-law 2010-307) (By-law 2014-189)

urban agriculture, see Part 3, Section 82 (By-law 2017-148)

Conditional Permitted Uses

- (2) The following conditional use is also permitted in the R3 zone, subject to the following:

- (a) it is located on a lot fronting on and having direct vehicular access to an Arterial or Major Collector Road, such roads which are indicated on Schedule 3 - Urban Road Network; and

- (i) a maximum of seven rooming units is permitted; and

- (ii) no secondary dwelling unit is permitted. (By-law 2018-206)

rooming house see Part 5, Section 122 (By-law 2018-206)

Zone Provisions

- (3) The zone provisions are set out in Table 160A and 160B.

- (4) Where a planned unit development is permitted on a lot in the subzone, the provisions of Section 131 apply, and the associated subzone provisions identified in Table 160 A affecting permission of uses, minimum lot widths and lot areas, as well as minimum required setbacks apply to the whole of the lot while the maximum height applies to each permitted dwelling type within the planned unit development.
- (5) A diplomatic mission and a group home, that is not a prohibited use listed in Column II of Table 160A is subject to the subzone provisions for a detached dwelling.
- (6) A park is not subject to the provisions of Table 160A, however any development will be subject to the subzone provisions for a detached dwelling. (By-law 2016-131)
- (7) Conversions that alter an existing residential use building to create another listed permitted use are subject to the provisions of Part 5, Section 122 - Conversions.
- (8) Minimum lot width, lot area and parking requirements for linked-detached dwelling, semi-detached dwelling and townhouse dwelling shall apply to each portion of a lot on which each individual dwelling unit is located, whether or not that parcel is to be severed. (By-law 2012-334)

Alternative Setbacks for Urban Areas

(OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

- (9) Despite the minimum rear yard setback provision in column IX of Table 160A, the minimum required rear yard setback on through lots or interior lots where the rear lot line abuts R1, R2, R3, and R4 zones, and where the minimum front yard setback is up to and including 4.5 metres in Area A on Schedule 342 are as follows: (By-law 2010-307)
- (a) for any lot with a lot depth:
- (i) up to and including 23.5 metres, except for a lot containing a Planned Unit Development: a distance equal to 25 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,
 - (ii) greater than 23.5 metres and up to and including 25 metres, except for a lot containing a Planned Unit Development: a distance equal to the lot depth minus 17.5 metres which must comprise at least 25 per cent of the area of the lot,
 - (iii) greater than 25 metres, except for a lot containing a Planned Unit Development: a distance equal to 30 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot.
- (b) for any through lots which are 60 metres or greater in depth, Subsection 135(1) continues to apply to the actual rear lot line, however, the provisions of (9)(a) above apply assuming a hypothetical lot line located at 50 per cent of the lot depth.
- (9.1) Despite the minimum rear yard setback provision in column IX of Table 160A, the minimum required rear yard setback on through lots or interior lots where the rear lot line abuts R1, R2, R3, and R4 zones, and where the minimum front yard setback is greater than 4.5 metres in Area A on Schedule 342 are as follows:
- (a) for any lot with a lot depth:
- (i) up to and including 24 metres, except for a lot containing a Planned Unit Development: a distance equal to 25 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,
 - (ii) greater than 24 metres and up to and including 25 metres, except for a lot containing a Planned Unit Development: a distance equal to the lot depth minus 18 metres which must comprise at least 25 per cent of the area of the lot,
 - (iii) greater than 25 metres and up to and including 32 metres, except for a lot containing a Planned Unit Development: a distance equal to 28 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,

- (iv) greater than 32 metres and up to and including 33 metres, except for a lot containing a Planned Unit Development: a distance equal to the lot depth minus 23 metres which must comprise at least 25 per cent of the area of the lot,
 - (v) greater than 33 metres except for a lot containing a Planned Unit Development: a distance equal to 30 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,
 - (b) for any through lots which are 60 metres or greater in depth, Subsection 135(1) continues to apply to the actual rear lot line, however, the provisions of (9)(c) above are to be applied to each half of the lot assuming a hypothetical lot line located at 50 per cent of the lot depth.
- (10) Despite the minimum rear yard and interior side yard setback provisions in columns IX and X of Table 160A, the minimum required rear yard and interior side yard setbacks on a corner lot where the minimum front yard setback is up to and including 4.5 metres in Area A on Schedule 342 are as follows:
- (a) Except for lot containing a Planned Unit Development, the minimum setback from any rear lot line or interior side lot line is 1.2 metres; however, a further yard abutting both the interior lot line and the rear lot line must be provided, whichever case applies, as follows:
 - (i) for any lots with a lot depth up to and including 23.5 metres: an area equal to 25 per cent of the lot depth by 30 per cent of the lot width, at a minimum; or
 - (ii) for any lots with a lot depth greater than 23.5 metres and up to and including 25 metres: an area equal to the lot depth minus 17.5 metres by 30 per cent of the lot width, at a minimum; or
 - (iii) for any lots with a lot depth greater than 25 metres: a minimum area equal to 30 per cent of the lot depth by 30 per cent of the lot width.
- (10.1) Despite the minimum rear yard and interior side yard setback provisions in columns IX and X of Table 160A, the minimum required rear yard and interior side yard setbacks on a corner lot where the minimum front yard setback is greater than 4.5 metres in Area A on Schedule 342 are as follows:
- (a) Except for a lot containing a Planned Unit Development, the minimum setback from any rear lot line or interior side lot line is 1.2 metres; however, a further yard abutting both the interior lot line and the rear lot line must be provided, whichever case applies, as follows:
 - (i) for any lots with a lot depth up to and including 24 metres: an area equal to 25 per cent of the lot depth by 30 per cent of the lot width, at a minimum; or
 - (ii) for any lots with a lot depth greater than 24 metres and up to and including 25 metres: an area equal to the lot depth minus 18 metres by 30 per cent of the lot width, at a minimum; or
 - (iii) for any lots with a lot depth greater than 25 metres and up to and including 32 metres: an area equal to 28 per cent of the lot depth by 30 per cent of the lot width, at a minimum; or
 - (iv) for any lots with a lot depth greater than 32 metres and up to and including 33 metres: an area equal to the lot depth minus 23 metres by 30 per cent of the lot width, at a minimum; or
 - (v) for any lots with a lot depth greater than 33 metres: a minimum area equal to 30 per cent of the lot depth by 30 per cent of the lot width.
- (11) Despite the minimum interior side yard setback provisions in endnote 6 of Table 160B, where the minimum required total interior side yard setback is 1.8 metres, with one minimum yard, no less than 0.6 metres in Area A on Schedule 342, the other yard must be a minimum of 1.2 metres.

Alternative Provisions for Long Semi-Detached Dwellings in Urban Areas

(OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

- (12) In Area A on Schedule 343:
 - (a) Despite Subsection (7) above,

- (i) in the case of a long semi-detached dwelling, the minimum lot width and minimum lot area required for a detached dwelling in the applicable zone or subzone applies to the whole of the long semi-detached dwelling including both dwelling units,
 - (ii) where a long semi-detached dwelling is severed, the lands on which a long semi-detached dwelling is located are considered one lot for zoning purposes; however, Clause (iii) must be completed with,
 - (iii) where a long semi-detached dwelling is severed in a flag lot configuration, the minimum width of the pole portion must be 3 metres measured from the original lot's interior side lot line.
- (b) for the purpose of this Subsection, a long semi-detached dwelling means a residential use building that contains two dwelling units, where the dwelling units are attached and arranged one behind the other.

Alternative Projections into Required Yards Provisions for Urban Areas

(OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)

- (13) In Area A on Schedule 342:
- (a) despite Subsection (6) of Table 65 a balcony may not project into a required rear yard on lots 30 metres or less in depth,
 - (b) despite Subsection (7) of Table 65 a bay window may project to a maximum of 0.5 metres into a required rear yard on lots 30 metres or less in depth.
- (14) In Area A on Schedule 342:
- (a) A parapet must not project more than 0.3 metres above the maximum building height.

Alternative Accessory Structure Provisions for Urban Areas

(OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)

- (15) In Area A on Schedule 342:
- (a) the maximum floor height above ground for a deck that is not projecting from a building is 0.6 metres with the exception of a landing for an above ground pool which may be as tall as needed to access the pool but only for a maximum area of 2.3 square metres.
 - (b) Where located on the roof of the uppermost storey, roof-top landscaped areas, gardens and terraces must be located a minimum of 1.5 metres in from any exterior wall of the building.
 - (c) Despite (b) above, where a roof-top terrace is not located on the roof of the uppermost storey and not exceeding 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, no setback is required. Where such roof-top terrace is adjacent to a rear yard and within 1.5 metres of an exterior side wall or interior side lot line, a 1.5 metre high opaque screen is to be provided facing the interior side yard or interior side lot line.
 - (d) Where located on the roof of the uppermost storey, a roof-top access must be setback a distance equal to its height from the exterior front wall and exterior rear wall, not exceed a total area of 10.5 square metres, where located on the roof of the uppermost storey, not exceed 3 metres in height, and not have eaves that project more than 0.6 metres beyond the exterior walls of the access.

Other Zone Provisions

(OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)

- (16) For other applicable provisions, see Part 2 – General Provisions, Part 3 – Specific Use Provisions, Part 4 – Parking, Queuing and Loading Provisions and Part 5 Residential Provisions.
- (17) Where the “-c” suffix is shown in the zone code, Section 141 also applies. (By-law 2015-197)

R3 Subzones

160. In the R3 Zone, the following subzones and provisions apply such that:

- (1)
 - (a) Column I lists the subzone character;
 - (b) Column II lists the uses from Section 159(1) and (2) that are prohibited uses;
 - (c) Column III identifies the principal permitted dwelling types in order to differentiate in Columns III to XI the required zone provisions applying to the dwelling types;
 - (d) Columns IV through X inclusive, establish required zone provisions applying to development in each subzone;
 - (e) Column XI lists the reference number of additional provisions applying in each subzone. The additional provisions themselves are provided in Table 160B. Where an additional provision applies, the corresponding provision specified in Table 160B takes ultimate precedence over any provision provided in Table 160A;
 - (f) Where a superscript number occurs in Table 160A - eg., varies¹, the superscript number 1 refers to a number in Column I of Table 160B which sets out an additional provision;
 - (g) Where "na" appears, it means that the associated provision is not applicable; and
 - (h) Where "varies" appears, the associated provision is referenced and provided as an additional provision.

TABLE 160A – R3 SUBZONE PROVISIONS (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)

I	II	III	IV	V	VI	VII	VIII	IX	X	XI
Sub-Zone	Prohibited Uses	Principal Dwelling Type	Minimum Lot Width (m)	Minimum Lot Area (m ²)	Maximum Building Height (m)	Minimum Front Yard Setback (m)	Minimum Side Yard Setback (m)	Minimum Corner Rear Yard Setback (m)	Minimum Side Yard Setback (m)	Interior Endnotes (see Table 160B)
A	None	Planned Unit Development	na	1,400	As per dwelling type ¹³	6	4.5	varies ¹	varies ¹	1,13
		Three Unit	18	540	11 ^{12,13}	6	4.5	varies ²	varies ³	2,3,13
		Detached, Duplex, Linked-detached	15	450	8 ¹³	6	4.5	varies ²	varies ⁴	2,4,13

B	None	Semi-Detached	9	270	8 ¹³	6	4.5	varies ²	1.2	2,13
		Townhouse	6	180	11 ^{12,13}	6	4.5	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
		Three Unit	18	540	11 ^{12,13}	3	3	varies ²	varies ³	2,3,13
		Detached, Duplex, Linked-detached	15	450	11 ^{12,13}	3	3	varies ²	1.2	2,13
	Planned Unit Development	Semi-Detached	9	270	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Townhouse	6	180	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Three Unit	18	540	11 ^{12,13}	6	4.5	varies ²	varies ³	2,3,13
		Detached, Duplex, Linked-detached	15	450	8 ¹³	6	4.5	varies ²	varies ⁴	2,4,13
		Semi-Detached	7.5	270	8 ¹³	6	4.5	varies ²	1.2	2,13
C	Planned Unit Development	Townhouse	6	180	11 ^{12,13}	6	4.5	varies ²	1.2	2,13
		Three Unit	18	540	11 ^{12,13}	6	4.5	varies ²	varies ³	2,3,13
		Detached, Duplex, Linked-detached	15	450	8 ¹³	6	4.5	varies ²	varies ⁴	2,4,13
		Semi-Detached	9	270	8 ¹³	6	4.5	varies ²	1.2	2,13
		Three Unit	18	540	8 ¹³	3	3	varies ²	varies ³	2,3,13
D	Planned Unit Development, Townhouse	Detached, Duplex, Linked-detached	15	450	8 ¹³	6	4.5	varies ²	varies ⁴	2,4,13
		Semi-Detached	9	270	8 ¹³	6	4.5	varies ²	1.2	2,13
		Three Unit	18	540	8 ¹³	3	3	varies ²	varies ³	2,3,13
E	Planned Unit Development, Townhouse	Detached, Duplex, Linked-detached	15	450	8 ¹³	3	3	varies ²	1.2	2,13
		Semi-Detached	9	270	8 ¹³	3	3	varies ²	1.2	2,13
EE	Planned Unit Development, Townhouse	Three Unit	18	540	11 ^{12,13}	3	3	varies ²	varies ²	2,3,13

(By-law 2008-

386)

			Detached, Duplex, Linked-detached	15	450	11 ^{12,13}	3	3	varies ²	1.2	2,13
			Semi-detached	9	270	11 ^{12,13}	3	3	varies ²	1,2	2,13
			Planned Unit Development	na	1,400	As per dwelling type ¹³	6	4.5	varies ¹	varies ¹	1,13
			Three Unit	15	450	11 ^{12,13}	6	4.5	varies ²	varies ⁴	2,4,13
F	None		Detached, Duplex, Linked-detached	15	450	8 ¹³	6	4.5	varies ²	Varies ⁴	2,4,13
			Semi-Detached	7.5	225	8 ¹³	6	4.5	varies ²	1.2	2,13
			Townhouse	6	180	11 ^{12,13}	6	4.5	varies ²	1.2	2,13
			Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
G	None		Three Unit, Detached, Duplex, Linked-detached	15	450	11 ^{12,13}	3	3	varies ²	1.2	2,13
			Semi-Detached	7.5	225	11 ^{12,13}	3	3	varies ²	1.2	2,13
			Townhouse	6	180	11 ^{12,13}	3	3	varies ²	1.2	2,13
			Three Unit	15	450	11 ^{12,13}	6	4.5	varies ²	varies ⁴	2,4,13
H	Planned Unit Development, Townhouse		Detached, Duplex, Linked-detached	15	450	8 ¹³	6	4.5	varies ²	varies ⁴	2,4,13
			Semi-Detached	7.5	225	8 ¹³	6	4.5	varies ²	1.2	2,13
I	Planned Unit Development, Townhouse		Three Unit, Detached, Duplex	15	450	11 ^{12,13}	3	3	varies ²	1.2	2,13
			Semi-Detached	7.5	225	11 ^{12,13}	3	3	varies ²	1.2	2,13
J	Three Unit		Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13

K		Detached, Duplex, Linked-detached	15	385	11 ^{12,13}	3	3	6	0.3	13
		Semi-Detached	7.5	225	11 ^{12,13}	3	3	6	0.3	13
		Townhouse	5.6	165	11 ^{12,13}	3	3	6	0.3	13
	Planned Unit Development, Three Unit, Townhouse	Detached, Duplex Linked-detached	15	385	11 ^{12,13}	3	3	6	0.3	13
		Semi-Detached	7.5	225	11 ^{12,13}	3	3	6	0.3	13
	Planned Unit Development		na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
L	None	Three Unit, Detached, Duplex, Linked-detached	12	360	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Semi-Detached, Townhouse	6	180	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	As per dwelling type ¹³	6	4.5	varies ¹	varies ¹	1,13
M	None	Three Unit	12	360	11 ^{12,13}	6	4.5	varies ²	varies ⁵	2,5,13
		Detached, Duplex, Linked-detached	12	360	8 ¹³	6	4.5	varies ²	varies ⁵	2,5,13
		Semi-Detached	6	180	8 ¹³	6	4.5	varies ²	1.2	2,13
		Townhouse	6	180	11 ^{12,13}	6	4.5	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	As per dwelling type ¹³	6	4.5	varies ¹	varies ¹	1,13
N	None	Three Unit	12	360	11 ^{12,13}	6	4.5	varies ²	varies ⁵	2,5,13
		Detached, Duplex, Linked-detached	9	270	8 ¹³	6	4.5	varies ²	varies ⁶	2,6,13

O	None	Semi-Detached	5.6	165	8 ¹³	6	4.5	varies ²	1.2	2,13
		Townhouse	5.6	165	11 ^{12,13}	6	4.5	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	As per dwelling type ¹³	6	4.5	varies ¹	varies ¹	1,13
		Three Unit	12	360	11 ^{12,13}	6	4.5	varies ²	varies ⁵	2,5,13
		Detached, Duplex, Linked-detached	7.5	195	8 ¹³	6	4.5	varies ²	varies ⁵	2,6,13
		Semi-Detached	4.5	110	8 ¹³	6	4.5	varies ²	1.2	2,13
P	None	Townhouse	4.5	110	11 ^{12,13}	6	4.5	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
		Three Unit	12	360	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Detached, Duplex, Linked-detached	9	270	11 ^{12,13}	3	3	varies ²	varies ⁶	2, 6,13
		Semi-Detached, Townhouse	5.6	165	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
Q	None	Three Unit	12	360	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Detached, Duplex, Linked-detached	7.5	195	11 ^{12,13}	3	3	varies ²	varies ⁶	2,6,13
		Semi-Detached, Townhouse	4.5	110	11 ^{12,13}	3	3	varies ²	1.2	2,13
R	Planned Unit Development, Townhouse	Three Unit	12	360	11 ^{12,13}	6	4.5	varies ²	varies ⁵	2,5,13

		Detached, Duplex, Linked- detached (By-law 2017-148)	12	360	8 ¹³	6	4.5	varies ²	varies ⁵	2,5,13
		Semi-Detached	6	180	8 ¹³	6	4.5	varies ²	1.2	2,13
		Three Unit	12	360	11 ^{12,13}	6	4.5	varies ²	varies ⁵	2,5,13
S	Planned Unit Development, Townhouse	Detached, Duplex, Linked-detached	9	270	8 ¹³	6	4.5	varies ²	varies ⁶	2,6,13
		Semi-Detached	5.6	165	8 ¹³	6	4.5	varies ²	1.2	2,13
		Three Unit	12	360	11 ^{12,13}	3	3	varies ²	1.2	2,13
T	Planned Unit Development, Townhouse	Detached, Duplex, Linked-detached	9	270	11 ^{12,13}	3	3	varies ²	varies ⁶	2,6,13
		Semi-Detached	5.6	165	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
U	None	Three Unit, Detached, Duplex, Linked-detached	12	330	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Semi-Detached	6	165	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Townhouse	6	180	11 ^{12,13}	3	3	varies ²	1.2	2,13
		Planned Unit Development	na	1,400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13
V	Three Unit	Detached, Duplex, Linked-detached	9	270	11 ^{12,13}	3	3	6	0.3	13
		Semi-Detached, Townhouse	5.6	165	11 ^{12,13}	3	3	6	0.3	13
V V	None	Planned Unit Development	18	1400	11 ^{12,13}	3	3	varies ¹	varies ¹	1,13

18-15

		Three Unit	18	450	11 ^{12,13}	3	3	6	1.2	13
		Duplex	14	380	11 ^{12,13}	3	3	6	1.2	13
		Detached, Linked-detached	9	240	11 ^{12,13}	3	3	6	varies ⁵	6,13
		Semi-detached	7	190	11 ^{12,13}	3	3	6	0.9	13
		Townhouse ¹³	6	150	11 ^{12,13}	3	3	6	1.2	13
		Planned Unit Development	na	1,400	As per dwelling type ¹³	3	3	varies ¹	varies ¹	13
W	Three Unit	Detached, Duplex, Linked-detached	9	270	8 ¹³	3	3	6	0.3	13
		Semi-Detached	5.6	165	8 ¹³	3	3	6	0.3	13
		Townhouse	5.6	165	11 ^{12,13}	3	3	6	0.3	13
		Planned Unit Development	18	1,400	11 ^{12,13}	6	6	6	6	13
		Three Unit	18	450	11 ^{12,13}	6	6	6	6	13
WW	None	Duplex	14	380	11 ^{12,13}	6	6	6	6	13
		Detached, Linked-detached	9	240	11 ^{12,13}	6	6	6	6	13
		Semi-detached	7	190	11 ^{12,13}	6	6	6	6	13
		Townhouse	6	150	11 ^{12,13}	6	6	6	6	13
X	None	Planned Unit Development	18	1,400	11 ^{12,13}	4.5	4.5	varies ¹	varies ¹	1,13
		Three Unit	18	450	11 ^{12,13}	4.5	4.5	7.5	1.2	13
		Duplex	14	380	11 ^{12,13}	4.5	4.5	7.5	1.2	13

XX	None	Detached, Linked-detached	9	240	11 ^{12,13}	4.5	4.5	7.5	varies ⁶	6,13
		Semi-detached	7	190	11 ^{12,13}	4.5	4.5	7.5	0.9	13
		Townhouse	6	150	11 ^{12,13}	4.5	4.5	7.5	1.2	13
		Planned Unit Development	18	1,400	11 ^{12,13}	6	4.5	varies ¹	varies ¹	1,13
		Three Unit	18	450	11 ^{12,13}	6	4.5	7.5	1.2	13
		Duplex	14	380	11 ^{12,13}	6	4.5	7.5	1.2	13
Y	None	Detached, Linked-detached	9	240	11 ^{12,13}	6	4.5	7.5	varies ⁶	6,13
		Semi-detached	7	190	11 ^{12,13}	6	4.5	7.5	0.9	13
		Townhouse	6	150	11 ^{12,13}	6	4.5	7.5	1.2	13
		Planned Unit Development	18	1,400	11 ^{12,13}	5	3	varies ¹	varies ¹	1,13
		Three Unit	18	450	11 ^{12,13}	5	3	6.5	1.2	13
		Duplex	14	380	11 ^{12,13}	5	3	6.5	1.2	13
YY	None	Detached, Linked-detached	9	240	11 ^{12,13}	5	3	6.5	varies ⁶	6,13
		Semi-detached	7	190	11 ^{12,13}	5	3	6.5	0.9	13
		Townhouse	6	150	11 ¹²	5	3	6.5	1.2	13
		Planned Unit Development	18	1,400	12 ¹³	6	4.5	varies ¹	varies ¹	1,13
		Three Unit	18	450	12 ¹³	6	4.5	6	1.2	13
		Duplex	14	380	12 ¹³	6	4.5	6	1.2	13

(8-17)

Z	None	Detached, Linked-detached	9	240	12 ¹³	6	4.5	6	varies ⁶	6,13
		Semi-detached	7	190	12 ¹³	6	4.5	6	0.9	13
		Townhouse	6	150	12 ¹³	6	4.5	6	1.2	13
		Planned Unit Development	18 ¹¹	1,400	11 ^{12,13}	3 ⁸	3 ⁸	varies ⁹	varies ⁹	8,9,11,13
		Three Unit	18	450	11 ^{12,13}	3 ⁸	3 ⁸	6 ¹¹	1.2	8,11,13
		Duplex	14	380	11 ^{12,13}	3 ⁸	3 ⁸	6 ¹¹	1.2	8,11,13
		Detached, Linked-detached	9	240	11 ^{12,13}	3 ⁸	3 ⁸	6 ¹¹	varies ⁶	6,8,11,13
		Semi-Detached	7	190	11 ^{12,13}	3 ⁸	3 ⁸	6 ¹¹	0.9	8,11,13
		Townhouse	6	150	11 ^{12,13}	3 ⁸	3 ⁸	6 ¹¹	1.2	8,11,13

(2) In the R3 Subzones, the following additional zoning provisions as denoted by endnotes apply:

TABLE 160B – ADDITIONAL ZONING PROVISIONS

I
Endnote II
Number Additional Zoning Provisions

Despite the definitions of rear yard and interior side yard, buildings in a planned unit development (PUD) must be located so that they are set back,

- 1 (a) an amount equal to the minimum required rear yard setback for the dwelling type proposed, from a lot line where it abuts a rear yard on an abutting lot but need not exceed 7.5 metres,
- (b) an amount equal to the minimum required interior side yard setback for the dwelling type proposed, from a lot line where it abuts a side yard on an abutting lot,

18-18

- (c) in the case of an abutting vacant lot, a minimum required interior side yard of 1.8 metres, and a minimum required rear yard setback based on the minimum rear yard setback applicable to the dwelling type proposed to be located within the PUD adjacent to the rear lot line.

- 2 Minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it need not exceed 7.5 m. Despite the foregoing, on lots with depths of 15 metres or less, the minimum rear yard setback is 4 m.
 - 3 Minimum total interior side yard setback is 3.6 m, with one minimum yard, no less than 1.2 m wide. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
 - 4 Minimum total interior side yard setback is 3 m, with one minimum yard, no less than 1.2 m wide. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
 - 5 Minimum total interior side yard setback is 2.4 m, with one minimum yard, no less than 1.2 m wide. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
 - 6 Minimum total interior side yard setback is 1.8 m, with one minimum yard, no less than 0.6 m wide. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. In Area A on Schedule 342 the minimum interior side yard setback is 0.6 metres on one side and 1.2 on the other. (By-law 2008-462) (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)
 - 7 Reserved for future use
- The minimum setback between the vehicular entrance to a private garage or carport and an existing or planned sidewalk is 6.2 m. No portion of a private garage or carport shall be located more than 2.5 m closer to a street lot line than the closer of:
- 8
 - (i) a building front wall or side wall, or
 - (ii) a covered porch or veranda that is at least 2.5m wide.
 - 9 For a yard abutting a lot line of an adjacent lot in any zone, the required yard setback is 1.2 m for the first 21 m back from the street lot line. In all other circumstances, the required yard setback is 6 m.
 - 10 Reserved for future use.
 - 11 Access to a lot by means of a rear lane is permitted, provided the rear lane is a minimum of 8.5 metres wide. Where access is via the rear lane, the minimum rear yard setback may be reduced to 1.0 metre, and in no case may the width of the garage, carport or driveway exceed 50% of the width of the rear lot line.

18-19

Despite the maximum building heights in Table 160A above the maximum building height for the following permitted uses in Area A on Schedule 342 is 10.0 metres:

- 12
- detached dwelling,
 - linked detached dwelling,
 - semi-detached dwelling,
 - duplex dwelling and
 - townhouse dwelling,

unless the building has a peaked roof having a slope of 1 in 3 (4/12 pitch) or steeper, in which case the maximum building height is as per Column VI above.

Any three-unit dwelling in Area A on Schedule 342 has a maximum building height as per Column VI above except for a three-unit dwelling in the area covered by the Mature Neighbourhood Overlay which has a maximum building height of 10.7 metres. (OMB File No. PL150797, issued October 5, 2016 – By-law 2015-228)

Despite the definition of grade in Section 54, the existing average grade will be used for development in Area A on Schedule 342 and will be as follows:

- 13
- Existing average grade must be calculated prior to any site alteration and based on the average of grade elevations taken along both side lot lines at the minimum required front yard setback, and at the minimum required rear yard setback of the zone in which the lot is located. (OMB Order File N°: PL150797, issued July 25, 2016 - By-law 2015-228)

> R4 - Residential Fourth Density Zone (Sec. 161-162)



Purpose of the Zone

The purpose of the R4 - Residential Fourth Density Zone is to:

- (1) allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as **General Urban Area** in the Official Plan;
- (2) allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
- (3) permit ancillary uses to the principal residential use to allow residents to work at home;
- (4) regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced; and
- (5) permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.

161. In the R4 Zone:

Permitted Uses

- (12) Despite subsection (1)(c), required parking may be shared between School uses and any permitted use on lands zoned L1 or O1, provided that such lands are within 300m of the subject School property, and that 50% of the required parking is maintained on the site for which the principal use occurs. (By-law 2017-303) 18-20

> Minimum Parking Space Rates (Sec. 101)



101. (1) Within the areas shown as Areas B, C, D, X and Y on Schedule 1A [a](https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf) (https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf), off-street motor vehicle parking must be provided for any land use at the rate set out in Table 101 below.

- (a) where Area Y is shown as a Mainstreet on Schedule 1A [a](https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf) (https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf), it includes

- (i) Any part of a lot zoned TM or AM and abutting a mainstreet shown as Area Y;

- (ii) Any lot that forms part of a contiguous block of TM or AM zoning abutting a mainstreet shown as Area Y, and

- (iii) Any other lot that:

- (1) abuts a mainstreet shown as Area Y and

- (2) is entirely located within 100m of a mainstreet shown as Area Y

- (iv) Despite (i), (ii) and (iii), Area Y does not include any lands contained within Area Z on Schedule 1A [a](https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf) (https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf). (By-law 2016-249)

- (2) Within the area shown as Area Z on Schedule 1A [a](https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf) (https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf), no off-street motor vehicle parking is required to be provided under this section. (By-law 2016-249)

- (3) Despite Subsection (1), within the area shown as Area X on Schedule 1A [a](https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf) (https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf):

- (a) In the case of a building containing residential uses, no off-street motor vehicle parking is required to be provided under this section for the first twelve dwelling units and the parking requirements under Table 101 apply only to dwelling units and rooming units in excess of 12.

- (i) Minimum parking space requirements are to be calculated using Column IV, Area C on Table 101.

13-21

- Despite (i), where a lot containing a residential use other than a bed and breakfast is located within 600 metres of a rapid transit station identified on Schedule 2A [a](https://documents.ottawa.ca/sites/default/files/documents/schedule_2a_en.pdf) (https://documents.ottawa.ca/sites/default/files/documents/schedule_2a_en.pdf) or Schedule 2B [a](https://documents.ottawa.ca/sites/default/files/document/s/schedule_2b_en.pdf) (https://documents.ottawa.ca/sites/default/files/document/s/schedule_2b_en.pdf) of this by-law, the minimum parking space requirement for the residential use is to be calculated using Column III, Area B on Table 101.

- (ii) Despite (i), where a lot containing a hospital, office, shopping centre or training centre is located within 600 metres of a rapid transit station identified on Schedule 2A [a](https://documents.ottawa.ca/sites/default/files/documents/schedule_2a_en.pdf) (https://documents.ottawa.ca/sites/default/files/documents/schedule_2a_en.pdf) or Schedule 2B [a](https://documents.ottawa.ca/sites/default/files/document/s/schedule_2b_en.pdf) (https://documents.ottawa.ca/sites/default/files/document/s/schedule_2b_en.pdf) of this by-law, the minimum parking space requirement for the use is to be calculated using Column III, Area C on Table 101A.

- (iii) Despite (ii) and (iii), where the lot is separated from the rapid transit station by a highway, grade-separated arterial roadway, railway yard, watercourse, private lands or any other major obstacle such that the actual walking distance to the rapid transit station is increased to beyond 800 metres, (ii) and (iii) do not apply.

- (iv) Subsection 101(5) does not apply. (By-law 2016-249)

Section 102 - Minimum Visitor Parking Space Rates



In addition to the parking required under Section 101, off-street visitor motor vehicle parking must be provided for the land uses and at the rate set out in Table 102.

- (1) Within the areas shown as Areas B, C, D, X, Y and Z on Schedule 1A [a](https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf) (https://documents.ottawa.ca/sites/default/files/schedule_1a_en.pdf), in addition to the parking required under Section 101, off-street visitor motor vehicle parking must be provided for dwelling units at the rate set out in Table 102. (By-law 2016-249)
- (2) Despite (1), within Areas B, X, Y and Z, no visitor parking spaces are required for the first twelve dwelling units on a lot. (By-law 2016-249)
- (3) Despite (1), within Areas X, Y and Z, no more than thirty visitor parking spaces are required per building, and within Area B no more than sixty visitor parking spaces are required per building. (By-law 2016-249)
- (4) In the case of a townhouse dwelling or stacked dwelling, where each dwelling unit has a driveway accessing a garage or carport located on the same lot as that dwelling unit, and in the case of a planned unit development, where a dwelling unit has a driveway accessing its own garage or carport; no visitor parking is required for that dwelling unit. (By law 2012-334) (OMB Order, File #PL080959 issued June 1, 2010) (OMB Order #PL080959, issued November 5, 2008) (By-law 2016-249)
- (5) Clauses (a) through (e) of subsection 101(5) apply with necessary modification to section 102 for the purposes of applying Table 102 and subsections 102(2) and 102(3) (By-law 2016-249)
- (6) Despite Part 15, where a zoning exception in effect as of July 13, 2016 results in a higher minimum visitor parking requirement than does this section, the lower visitor parking requirement shall prevail. (By-law 2016-249)

Table 102- MINIMUM VISITOR PARKING SPACE RATES (By-law 2016-249)

Display and sales area means an area of a building which is:

13.22

- i. accessory to a permitted use in that building;
- ii. primarily used for the display of samples, patterns or other goods and
- iii. wherein orders are taken for merchandise which is stored in bulk in part of that building for future delivery to its customers. (local d'exposition et de vente)

Dog run means an enclosed outdoor extension of one or more dogs' individual indoor living space in association with a **kenneel**. (courette)

Drive-through facility means a premises used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated queuing space, and may be in combination with other land uses. (service au volant)

Driveway means a **private way** used for vehicular access from a **parking space** or **parking lot** to a **public street**, and includes a right-of-way, or any **land** used to **access** other **land**. (entrée de cour)

Dwelling includes: (habitation)

- a. **Apartment Dwelling, Low Rise** means a **residential use building** that is four or fewer **storeys** in height and contains four or more **principal dwelling units**, other than a **townhouse dwelling** or **Stacked Dwelling**. (un immeuble d'appartements de faible hauteur) (By-law 2013-54) (By-law 2012-334) (By-law 2014-189)
- b. **Apartment Dwelling, Mid-High Rise** means a **residential use building** that is more than four storeys in height and contains four or more **principal dwelling units**, other than a **townhouse dwelling** or **Stacked Dwelling**. (un immeuble d'appartements de moyenne à grande hauteur) (By-law 2013-54) (By-law 2012-334) (By-law 2014-189) (Subject to By-law 2014-292)
- c. **Bunk House Dwelling** means a seasonal dwelling for the housing of temporary farm workers and includes a kitchen, bathroom and communal sleeping facilities. (pavillon-dortoir)
- d. **Coach House** means a separate dwelling unit that is subsidiary to and located on the same lot as an associated principal dwelling unit, but is contained in its own building that may also contain uses accessory to the principal dwelling. (annexe résidentielle) (By-law 2016-356)
- e. **Detached Dwelling** means a **residential use building** that contains only one **principal dwelling unit** or **oversize dwelling unit**. (une habitation isolée) (By-law 2018-206)

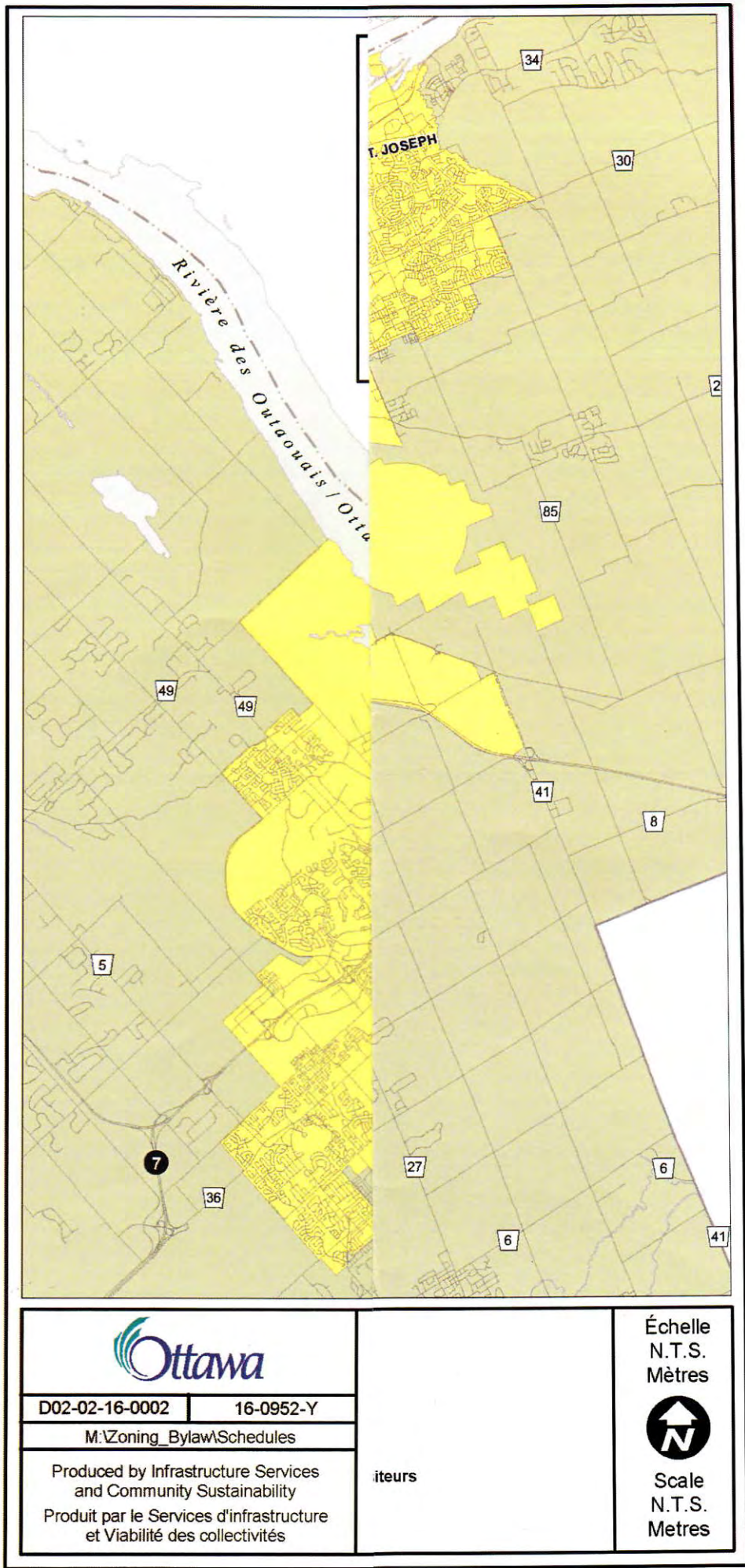
- f. **Duplex Dwelling** means a **residential use building** containing two **principal dwelling units** that are divided horizontally. (un duplex) 18-23
- g. **Dwelling Unit** means a **residential unit** that:
- i. is used or intended for use as a residential premises by one **household** and not more than three roomers or boarders; and
 - ii. contains no more than four **bedrooms**. (un logement) (By-law 2018-206)
- h. **Linked-detached Dwelling** means a **residential use building** containing two **detached dwelling units** that are only connected by the foundation, with each unit having lot frontage except where located within a planned unit development. (une habitation isolée à fondations reliées)
- i. **Townhouse Dwelling** means a **residential use building** containing three or more attached **principal dwelling units** divided vertically. (une habitation multifamiliale contiguë) (By-law 2012-334)
- j. **Semi-detached Dwelling** means a **residential use building** containing two attached **principal dwelling units** that are divided vertically, with each unit having lot frontage except where located within a planned unit development. (une habitation jumelée)
- k. **Stacked Dwelling** means a **residential use building** of four or fewer **storeys** in height containing four or more **principal dwelling units** where the **units** in each pair are divided horizontally, and the pairs are divided vertically, and in which each **dwelling unit** has an independent entrance to the interior. (une habitation superposée)
- l. **Secondary Dwelling Unit** means a separate **dwelling unit** subsidiary to and located in the same **building** as an associated **principal dwelling unit**; and its creation does not result in the creation of a **semi-detached dwelling, duplex dwelling, three-unit dwelling**. (un logement secondaire) (By-law 2014-189)
- m. **Three-unit Dwelling** means a **residential use building** containing three **principal dwelling units** divided horizontally or a combination of horizontally and vertically. (un triplex) (By-law 2013-54)

- E -

Emergency service includes police, fire, ambulance or paramedic services. (service d'urgence)

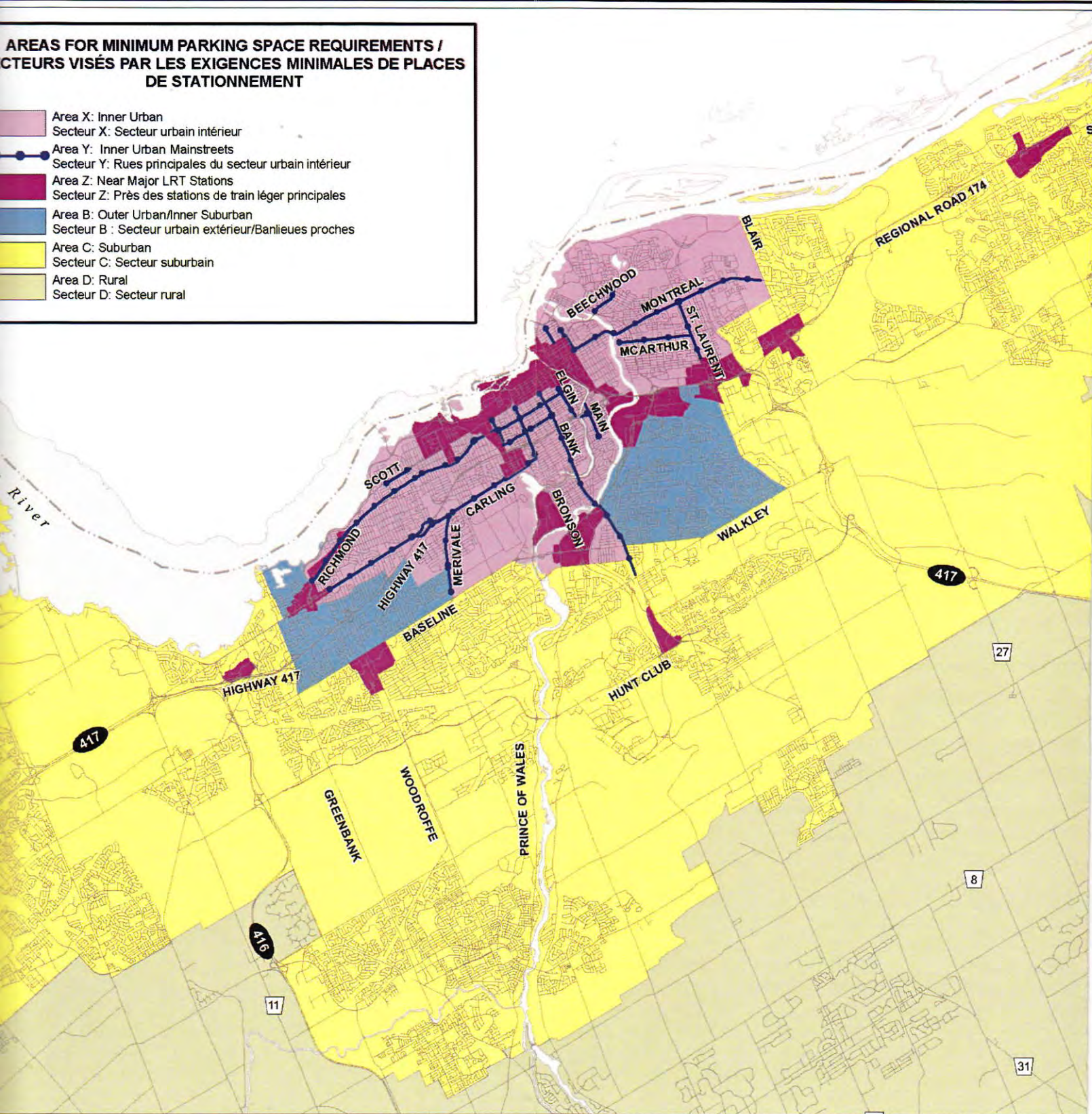
Environmental preserve and educational area means a natural area used for environmental research, observation and education that does not include a **building**, but may include weather protection shelters, boardwalks, observation platforms, pedestrian bridges, educational

18-24



**AREAS FOR MINIMUM PARKING SPACE REQUIREMENTS /
SECTEURS VISÉS PAR LES EXIGENCES MINIMALES DE PLACES
DE STATIONNEMENT**

- Area X: Inner Urban
Secteur X: Secteur urbain intérieur
- Area Y: Inner Urban Mainstreets
Secteur Y: Rues principales du secteur urbain intérieur
- Area Z: Near Major LRT Stations
Secteur Z: Près des stations de train léger principales
- Area B: Outer Urban/Inner Suburban
Secteur B: Secteur urbain extérieur/Banlieues proches
- Area C: Suburban
Secteur C: Secteur suburbain
- Area D: Rural
Secteur D: Secteur rural



**This is Schedule 1A to Zoning By-law No. 2008-250
Annexe 1A au Règlement de zonage n° 2008-250**

This is Attachment 1 to By-law Number 2016-249, passed July 13, 2016
Pièce jointe n° 1 du Règlement municipal n° 2016-249, adopté le 13 juillet 2016

Consult Sections 101 and 102 for minimum parking space and visitor parking space rates /
Consulter les sections 101 et 102 pour connaître les taux minimaux de places de stationnement, y compris les taux de places de stationnement pour vis

All lands in the City of Ottawa not shown as Area B, C, X, Y or Z are within Area D / Les parties de la
ville d'Ottawa non situées dans les secteurs B, C, X, Y ou Z se trouvent dans le secteur D.

BY-LAW NO. 2017 - 245

A by-law of the City of Ottawa to establish interim control for lands within Sandy Hill, Heron Park, and portions of Old Ottawa East, Old Ottawa South, Centretown and Overbrook.

WHEREAS pursuant to section 38 of the *Planning Act*, R.S.O.1990, c. P.13, the Council of the Corporation is entitled to establish interim control in any defined area or areas in the municipality;

AND WHEREAS, on July 12, 2017, City Council passed a resolution directing that the ongoing R4 study being undertaken by the Planning, Infrastructure and Economic Development Department of the City of Ottawa be expanded to include R1, R2 and R3 zoned lands within the study area and continue to review the land use planning policies associated with low-rise single detached and multi-unit dwellings for the purposes of assessing the land use planning impact of such dwellings where they contain more than four bedrooms;

THEREFORE the Council of the City of Ottawa enacts as follows:

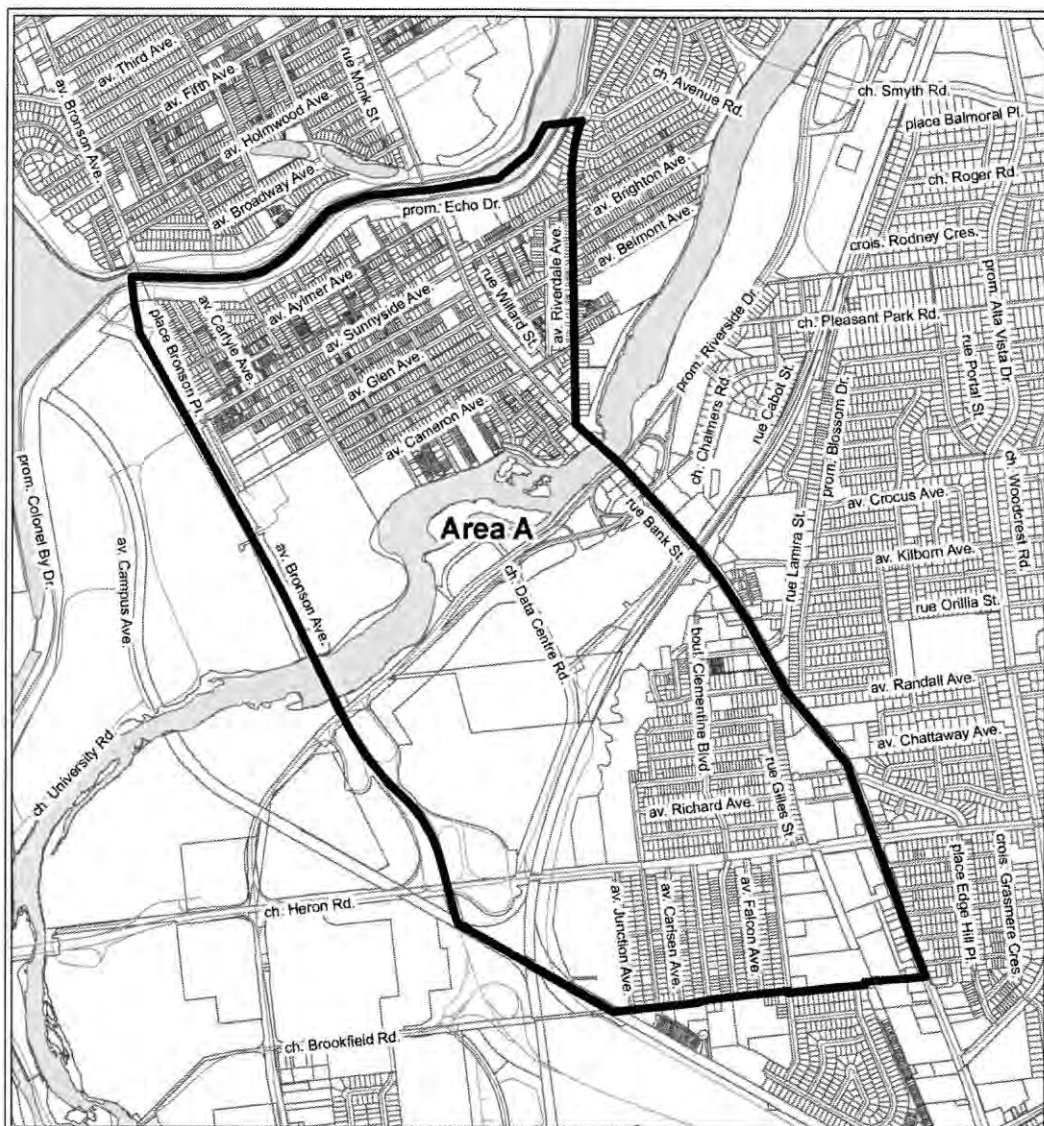
1. No person shall use any land, erect, alter or expand or use any building or structure for a purpose prohibited by this by-law.
2. For lands zoned R1, R2, R3 or R4 and located within Area A on Attachments 1 or 2 to this by-law the following applies:
 - (a) no dwelling unit in any building other than a detached dwelling may contain more than 4 bedrooms and no such unit may exceed 120 m² in floor area,
 - (b) no detached dwelling may contain more than six bedrooms, and
 - (c) no multi unit dwelling with six dwelling units or fewer may exceed a total floor area of 500 m² measured from the inside of the exterior walls, including any basement, motor vehicle storage area or any other building area,
3. Despite the foregoing this by-law does not apply to development located at 70 Russell Avenue.
4. This by-law is repealed on July 12, 2018.

ENACTED AND PASSED this 12th day of July, 2017.

CITY CLERK

MAYOR





17-1101-X

M:\Zoning_Bylaw\bylaws\

©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 Teranel Entreprises inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE.

LANDS AFFECTED PART OF THE ZONING
MAP OF BY-LAW NO. 2008-250

This is Attachment 2 to By-law Number 2017-245, passed July 12, 2017

Lands Affected by By-law

Area A subject to Interim Control Bylaw



BY-LAW NO. 2017 - 245

-0-

A by-law of the City of Ottawa to establish interim control for lands within Sandy Hill, Heron Park, and portions of Old Ottawa East, Old Ottawa South, Centretown and Overbrook.

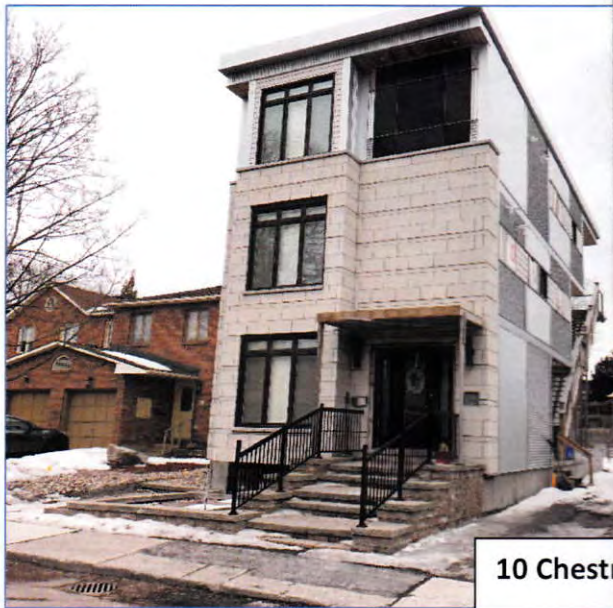
-0-

Enacted by City Council at its meeting of July 12, 2017.

-0-

Legal Services
TM/rm

COUNCIL AUTHORITY:
City Council July 12, 2017
Motion No. 54/13



10 Chestnut



11 Chestnut



31 Chestnut



144-152 Ev



35 Chestnut



Developments in the Neighbourhood



11 Chestnut



31 Chestnut



43 Chestnut



35 Chestnut



**COMMITTEE OF ADJUSTMENT
FOR THE CITY OF OTTAWA**

DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the *Planning Act*)

File No./Dossier n°: D08-02-11/A-00188

Owner/ Propriétaire: Flora Rasia
Agent/ Représentant : J. K. Sezlik

Legal Description//Description officielle: Lot 72, Reg. Plan No. 97162
Property Address/Adresse de la propriété : 10 Chestnut Street

Zoning/Zonage: R3P
By-Law/Règlement: 2008-250

Ward/ Quartier: 17 - Capital
Former Municipality/Ancienne municipalité: Ottawa

Notice was given and a Public Hearing was held on Wednesday, July 6th, 2011, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

The Owner wants to demolish the existing detached dwelling and shed in order to construct a new 3-storey triplex dwelling, as shown on plans filed with this Committee.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

- a) To permit a reduced lot width of 10.98 metres, whereas the By-law requires a minimum lot width of 12.0 metres.
- b) To permit a reduced lot area of 318.5 square metres, whereas the By-law requires a minimum lot area of 360 square metres.
- c) To permit a reduced front yard setback of 2.44 metres, whereas the By-law requires a minimum front yard setback of 3.0 metres.

The application indicates that the Property is not the subject of any other current application under the *Planning Act*.

At the Hearing, the Committee cautioned the Owner about protecting private and City owned trees during construction as noted from the written submission from City's Forestry Services Branch. Mr. Sezlik, Agent for the Owner, assured the Committee that measures would be taken during construction and servicing of the property to protect the tree in question.

**DECISION AND REASONS OF THE COMMITTEE:
DÉCISION ET MOTIFS DU COMITÉ:**

**APPLICATION GRANTED
DEMANDE ACCORDÉE**

The Committee, having reviewed the plans and correspondence on file, is satisfied that, in all the circumstances and in this instance, the variances sought are minor, that they desirable for the appropriate development or use of the land and that the general intent of the Zoning By-law and the Official Plan is maintained. This application is granted subject to the size and location of the proposed construction being in accordance with the plans filed and as they relate to the variances sought.

NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:

To appeal this Decision to the Ontario Municipal Board, a letter, outlining the reasons for appeal, must be filed with the Secretary-Treasurer of the Committee of Adjustment by the 4th day of August, 2011. The OMB has established a filing fee of \$125.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. A cheque payable to the Ontario Minister of Finance must accompany the Notice of Appeal. If you have any questions about the appeal process, please contact the Committee of Adjustment office.

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for Consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

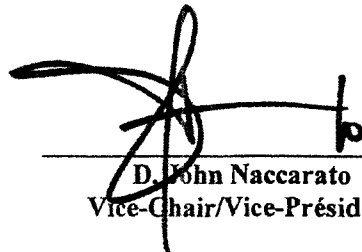
**DECISION SIGNATURE PAGE :
PAGE DE SIGNATURE DE LA DÉCISION :**

File No./Dossier n° : D08-02-11/A-00188

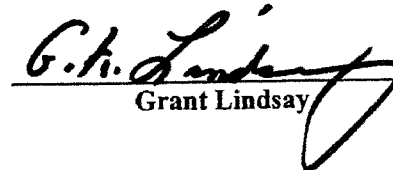
Owner/Propriétaire : Flora Rasia

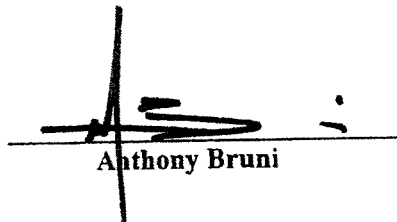
Property Address/Adresse de la propriété : 10 Chestnut Street

**We, the undersigned, concur in the decision and reasons of the Committee of Adjustment./
Nous, soussignés, souscrivons à la décision et à la justification ci-devant rendues par le
Comité de dérogation :**


D. John Naccarato
Vice-Chair/Vice-Président


Ann M. Tremblay


Grant Lindsay


Anthony Bruni


John Blatherwick

**I, Grant Viau, Deputy Secretary-Treasurer of the Committee of Adjustment for the City of
Ottawa, certify that the attached is a true copy of the Decision of the Committee with
respect to the application recorded.**

**Je, soussigné, Grant Viau, secrétaire-trésorier adjoint du Comité de dérogation pour la
Ville d'Ottawa, confirme que l'énoncé ci-joint est une copie conforme de la décision rendue
par le Comité à l'égard de la demande visée.**

July 15th, 2011
Date of Decision:
Date de la décision :


Grant Viau
Deputy Secretary-Treasurer/Secrétaire-trésorier adjoint



**COMMITTEE OF ADJUSTMENT
FOR THE CITY OF OTTAWA**

**COMITÉ DE DÉROGATION
POUR LA VILLE D'OTTAWA**

DECISION/DÉCISION
MINOR VARIANCE/PERMISSION
DEMANDE DE DÉROGATIONS MINEURES/PERMISSION
 (Section 45 of the *Planning Act*)
 (Article 45 de la *Loi sur l'aménagement du territoire*)

File No./Dossier n°:	D08-02-12/A-00220
Owner/ Propriétaire:	Dean Hanisch & Antonio Spadaccini
Agent/ Représentant:	Michael Segreto
Legal Description/Description officielle:	Part Lots 79 & 80, Reg. Plan 97162
Property Address/Adresse de la propriété:	11 Chestnut Street
Zoning/Zonage:	R3P
By-Law/Règlement:	Zoning By-law 2008-250 as amended by By-law 2012-147
Ward/ Quartier:	17 - Capital
Former Municipality/Ancienne municipalité:	Ottawa

Notice was given and a Public Hearing was held on June 20, September 19 and October 3, 2012, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

On June 20th, 2012 the Committee adjourned this application sine die in order to allow the Owners to review their proposal in terms of the New Infill Development Guidelines, new Zoning By-law Amendment 2012-147. The Owners have revised their plans which include the demolition of their existing dwelling and detached shed and the construction of a 3-storey triplex dwelling, as shown on plans with the Committee.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owners require the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

Under Zoning By-law 2008-250

- a) To permit a reduced lot width of 10.975 metres whereas the By-law requires a minimum lot width of 12 metres.
- b) To permit a reduced lot area of 318.27 square metres whereas the By-law requires a minimum lot area of 360 square metres
- c) To permit a reduced rear yard setback of 5.80 metres whereas the By-law requires a minimum rear yard setback of 25% of the lot depth, in this case 7.25 metres.
- d) To permit a reduced rear yard lot area of 20% of the lot area or 63.65 square metres whereas the By-law requires a minimum rear yard lot area of 25% of the lot area, in this case 79.56 square metres.

Under Zoning By-law Amendment 2012-147 (New Infill Development Regulations)

- e) To permit an increased porch projection of 0.91 metres into the front yard whereas the By-law requires an amount equal to the average extent of the existing projections of the same type, facing the same street and located on the existing buildings on the abutting lots, in this instance there are no porches so the average is 0.

The application indicates that the Property is not the subject of any other current application under the *Planning Act*.

At the previous hearing of the application it was adjourned to allow the Owner time to revise their plans.

At the renewed hearing, the Committee noted that the applicant had submitted revised plans dated October 2, 2012, which demonstrated that the proposal complied with the rear yard setback and rear yard lot area requirements of the R3P Zone. In that regard, it was noted in accordance with the staff report from Ms. K. Dandy of the City's Planning and Growth Management Department that variances c) and d) were no longer necessary. The amendments to the minor variances were as follows:

- a) No change
- b) No change
- c) Deleted
- d) Deleted
- e) "To permit a covered porch to project 0.91m into the front yd., whereas the By-law permits a maximum permitted projection into the front yd. to be an amt. equal to the avg. extent of existing projections of the same type, facing the same street, & located on existing bldgs. on the abutting lots. In this case, there are no porches on abutting lots, so the avg. is 0m".

26-7

File No./Dossier n°: D08-02-12/A-00220

- f) To permit stairs to project 1.62m beyond the covered porch, whereas the By-law permits a maximum permitted projection into the front yd. to be an amt. equal to the avg. extent of existing projections of the same type, facing the same street, & located on existing bldgs. on the abutting lots. In this case, there are no stairs projecting into the front yd. on the abutting lot to the north & stairs that project 0.65m into the front yd. on the abutting lot to the south, so the avg. is 0.325m."

In this connection, the application was amended accordingly.

DECISION AND REASONS OF THE COMMITTEE:

DÉCISION ET MOTIFS DU COMITÉ:

**APPLICATION GRANTED
AS AMENDED
DEMANDE ACCORDÉE,
TELLE QUE MODIFIÉE**

The Committee, having considered the evidence presented and having reviewed the plans and correspondence on file, is satisfied that, in all the circumstances and in this instance, the variance sought is minor, that it is desirable for the appropriate development or use of the land and that the general intent of the Zoning By-law and the Official Plan is maintained. This application is granted subject to the location and size of the proposed construction being in accordance with the plans filed, as they relate to the variance sought.

NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:

To appeal this Decision to the Ontario Municipal Board, a letter, outlining the reasons for appeal, must be filed with the Secretary-Treasurer of the Committee of Adjustment by the 1st day of November, 2012. The OMB has established a filing fee of \$125.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. A cheque payable to the Ontario Minister of Finance must accompany the Notice of Appeal. If you have any questions about the appeal process, please contact the Committee of Adjustment office.

Any person or public body who has an interest in this matter may appeal this Decision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.



**COMMITTEE OF ADJUSTMENT
FOR THE CITY OF OTTAWA**

**COMITÉ DE DÉROGATION
POUR LA VILLE D'OTTAWA**

DECISION/DÉCISION
MINOR VARIANCE/PERMISSION
DEMANDE DE DÉROGATIONS MINEURES/PERMISSION
(Section 45 of the *Planning Act*)
(Article 45 de la *Loi sur l'aménagement du territoire*)

File No./Dossier n°:	D08-02-13/A-00148
Owner/ Propriétaire:	David D'Angelo
Agent/ Représentant:	Riccardo D'Angelo
Legal Description//Description officielle:	Lot 159, Reg. Plan 110574
Property Address/Adresse de la propriété:	35 Chestnut Street
Zoning/Zonage:	R3P
By-Law/Règlement:	2008-250 as amended by By-law 2012-147
Ward/ Quartier:	17 - Capital
Former Municipality/Ancienne municipalité:	Ottawa

Notice was given and a Public Hearing was held on June 5, 2013, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

The Owner wants to demolish the existing dwelling and construct a three-storey triplex dwelling, as shown on plans filed with the Committee.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owner requires the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

Under Zoning By-law 2008-250

- a) To permit a reduced lot width of 10.67 metres whereas the By-law requires a minimum lot width of 12 metres.
- b) To permit a reduced lot area of 309.5 square metres whereas the By-law requires a minimum lot area of 360 square metres.

Under Zoning By-law Amendment 2012-147 (New Infill Development Regulations)

- c) To permit a covered porch and stairs to project 1.83 metres into the front yard whereas the By-law permits projections into the front yard to be the average extent of the same projections into the front yards on the abutting lots. In this case there are no abutting projections so the average projection is 0 metres.

The Application indicates that the Property is not the subject of any other current application under the Planning Act.

PUBLIC HEARING/AUDIENCE PUBLIQUE:

The Committee heard from the Owners, Messrs. R. and D. D'Angelo. A presentation was also made by Ms. K. Dandy of the City's Planning and Growth Management Department. Ms. C. Honsl of 39 Chestnut was in attendance in opposition to the application.

In response to Ms. Honsl's concerns, Mr. D'Angelo agreed to install a privacy fence and frosted windows in an effort to address the concerns expressed.

DECISION AND REASONS OF THE COMMITTEE:
DÉCISION ET MOTIFS DU COMITÉ:**APPLICATION GRANTED**
DEMANDE ACCORDÉE

The Committee, having considered the evidence presented and reviewed the plans and correspondence on file and while appreciating the concerns of the abutting neighbour, takes particular note of the policies that are in place in the City's Official Plan which encourage residential intensification within the urban area through infill. In encouraging infill development, the Plan's policies state that infill development should be compatible with the existing neighbourhood and that compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and co-exists with existing development without causing undue adverse impact on surrounding properties. The Committee is of the opinion that the proposed triplex dwelling meets this test.

The Committee further notes that the R3P zone allows for this type of dwelling, that there are there are similar uses in the neighbourhood and that the height of the proposed building falls within the Zoning By-law requirements. Furthermore, no concerns were raised by the Planning and Growth Management Department with respect to the City's Urban Design Guidelines for Low-Rise Infill Housing by the Planning and Growth Management Department. The Committee takes note of the fact

that the Owners have indicated that their willingness to work with the abutting neighbour in an attempt to mitigate her concerns regarding overlooking and loss of privacy by installing a privacy fence and frosted windows in an effort to address the concerns expressed.

The Committee, therefore, is satisfied that, in all the circumstances and in this instance, the variances sought are minor, that they are desirable for the appropriate development or use of the land and that the general intent of the Zoning By-law and the Official Plan is maintained. This application is granted subject to the proposed construction being in accordance with the plans filed, and Committee of Adjustment date-stamped May 8, 2013.

NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:

To appeal this Decision to the Ontario Municipal Board, a letter, outlining the reasons for appeal, must be filed with the Secretary-Treasurer of the Committee of Adjustment by the 4th day of July, 2013. The OMB has established a filing fee of \$125.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. A cheque payable to the Ontario Minister of Finance must accompany the Notice of Appeal. If you have any questions about the appeal process, please contact the Committee of Adjustment office.

Only individuals, corporations and public bodies who have an interest in this matter may appeal this Decision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.



**COMMITTEE OF ADJUSTMENT
FOR THE CITY OF OTTAWA**

**COMITÉ DE DÉROGATION
POUR LA VILLE D'OTTAWA**

**DECISION/DÉCISION
MINOR VARIANCE/PERMISSION
DEMANDE DE DÉROGATIONS MINEURES/PERMISSION**
(Section 45 of the *Planning Act*)
(Article 45 de la *Loi sur l'aménagement du territoire*)

File No./Dossier n°: D08-02-15/A-00124
Owner(s)/Propriétaire(s): Robert & Zena Marrongelli, Frank & Olimpia Lima
Location/Emplacement: 43 Chestnut Street
Ward/Quartier: 17 - Capital
**Legal Description/
Description officielle:** Lot 161, Reg. Plan 110574
Zoning/Zonage: R3P under Zoning By-law 2008-250 as amended by
Zoning By-law 2012-147
Zoning By-law/ Règlement:

Notice was given and a Public Hearing was held on August 5, 2015, as required by the *Planning Act*.

PURPOSE OF THE APPLICATION/OBJET DE LA DEMANDE:

At the Hearing on May 20, 2015 the Committee adjourned this application to allow the Owners time to revise their application. The Owner has now revised their plans and want to demolish the existing dwelling and construct a three-storey, three-unit dwelling, as shown on plans filed with the Committee.

RELIEF REQUIRED/DISPENSE REQUISE:

In order to proceed, the Owners require the Authority of the Committee for Minor Variances from the Zoning By-law as follows:

Under By-law 2008-250

- a) To permit a reduced lot width of 10.67 metres whereas the By-law requires a minimum lot width of 12 metres.

- b) To permit a reduced lot area of 309 square metres whereas the By-law requires a minimum lot area of 360 metres.

Under Zoning By-law Amendment 2012-147 (Infill Development Regulations)

- c) To permit a permitted projection (front porch) to project 1.52 metres into the front yard whereas the By-law permits a maximum permitted projection to be an amount equal to the average extent of the existing projections of the same type, facing the same street, and located on the existing buildings on the abutting lots. In this case, the application indicates that the average projection is 0 metres.

The application indicates that the property is not the subject of any other current application under the *Planning Act*.

PUBLIC HEARING/AUDIENCE PUBLIQUE:

At the outset of the Hearing, the Committee considered the adjournment request filed by the Friends of Chestnut Street Neighbourhood Association, which sought more time for area residents to be consulted and provide feedback to the applicants. The Committee heard from Mr. M. Segreto, Agent for the Owners, who appeared along with Mr. R. Marrongelli, one of the Owners of the property. The Committee also heard from Ms. A. Cliff and Ms. A. McGee on behalf of the Friends of Chestnut Street Neighbourhood Association, as well as from Ms. C. Honsl of 39 Chestnut Street, in support of the proposed adjournment.

Mr. Segreto requested that the Committee proceed with the hearing of the application, noting that public consultation had already occurred and that the plans for the proposed development had been revised based on the feedback provided. With this in mind, and noting that the application had already been adjourned previously, the Committee indicated that it was unconvinced that there would be any material benefit to a further adjournment and agreed to step the application down to be heard later in the Public Hearing.

Upon recall, the Committee heard from Mr. Segreto in support of the application and from Ms. Cliff, Ms. Honsl and Ms. S. Odenbach-Sutton, as well as Mr. S. Pope representing the Old Ottawa East Community Association, all of whom expressed concerns with respect to impact on adjacent properties, in particular 39 Chestnut Street, and to perpetuating an undesirable form of development that risks becoming the norm on this street. They contended that the proposal to build a three-unit dwelling on this under-sized lot would represent over-development and negatively affect the streetscape.

Also in attendance was Ms. M. Newberry of 56 Chestnut Street, and Mr. J.-C. Renaud of the City's Planning and Growth Management Department.

Mr. Segreto summarized the revisions that had been made to the plans since the last time this application was before the Committee, as follows:

- Reduced the building length by 0.68 metres;
- Modified the front entrance by stepping down the front steps and porch area to be more in keeping with the streetscape;
- Relocated the rear balconies and proposed to install a privacy screen to address overlooking concerns; and
- Relocated the air conditioning units to the rear and proposed to install a noise-reducing barrier around those units.

Mr. Segreto noted that, as a result of these changes, two of the minor variances originally requested, pertaining to a front step projection and to a reduced front yard setback, were no longer required under this revised application.

DECISION AND REASONS OF THE COMMITTEE: APPLICATION GRANTED
DÉCISION ET MOTIFS DU COMITÉ: DEMANDE ACCORDÉE

The Committee, having reviewed the plans, photographs and correspondence on file, is mindful of the directions given in the Provincial Policy Statement and the City's Official Plan which encourage intensification and infill development throughout the urban area in a manner that enhances the desirable characteristics of existing communities and where it will complement the existing pattern and scale of development of the area. The Committee is also cognizant of the four tests of the *Planning Act* which it is bound to consider and which must be satisfied in order to rationalize and justify the requested relief from the requirements of the Zoning By-law, namely that the variances be minor, desirable, and within the intent of the Official Plan and the Zoning By-law.

Having regard to the evidence presented, the Majority of the Committee notes that Chestnut Street and the surrounding community is an area undergoing significant transition and that the proposed three-unit dwelling is similar in size and appearance to a number of recent developments on properties nearby, several of which are also located on lots of similar size. The Majority also takes note of the evidence presented that a duplex dwelling of the same height would be permitted by right, without requiring lot width or lot area variances, with no change to the number of bedrooms or potential occupants.

Noting that the inclusion of a third unit has triggered the requirement for relief from the lot width and lot area provisions of the Zoning By-law, the Majority is of the opinion that the configuration of the dwelling into three smaller units achieves the desirable and worthwhile goal, supported by the Official Plan, of contributing modest housing to the range of dwelling types available in this mixed-use community, as opposed to, for

instance, a large single detached dwelling which could also be constructed without the need for variances.

Based on the foregoing, and mindful of the efforts of the proponents to address some of the concerns of area residents and the Planning and Growth Management Department by filing revised plans, the Majority of the Committee is satisfied, in all the circumstances and in this instance, that the variances sought are minor, that they are desirable for the appropriate development or use of the land and that the general intent of the Zoning By-law and the Official Plan is maintained. This application is granted subject to the proposed construction being in accordance with the plans filed and Committee of Adjustment date-stamped July 2, 2015.

The dissenting Members of the Committee are Ms. H. Prockiw and Mr. P. Brown, whose written dissent follows:

The Zoning in this part of Ottawa East allows for a variety of low and medium density uses and has established lot width and lot area performance standards for three-unit dwellings that are greater than the requirements for lower density uses like single dwellings. It is the opinion of the dissenting Members that the intent of the By-law is to allow intensification in this area but to regulate it to ensure that the permitted uses will be constructed in such a manner that they can co-exist in harmony in a mixed density community, thereby fulfilling the Official Plan requirement that new development enhance and complement the desirable characteristics of existing communities and complement the existing pattern and scale of development. The lot width and lot area regulations in the By-law seem, to the dissenting members, key elements in ensuring such compatibility and should not be varied lightly.

In this instance, the dissenting Members are particularly concerned about the impact that the proposed three-unit dwelling will have on the adjacent single detached dwelling at 39 Chestnut Street immediately to the north, which will be overwhelmed by two three-unit dwellings on either side, both on undersized lots. Such a situation will inevitably lead to the property at 39 Chestnut becoming less desirable for any use other than another multi-unit dwelling and, eventually, to another development similar to what is presently being proposed at 43 Chestnut Street. Such an eventuality would significantly change the character of this block of Chestnut Street and could result in continued erosion of the permitted lower density uses in favour of multiple dwellings, notwithstanding the clear intent of the Zoning By-law to maintain a mixed density community. The dissenting Members are of the opinion that such an impact is too great to be considered minor and is not in keeping with the aforementioned intent of both the Zoning By-law and the Official Plan.

For these reasons, the dissenting Members are of the view that the requested minor variances are not minor, are not desirable for the appropriate development or use of the land and do not maintain the general intent of the Zoning By-law and the Official Plan.

20-15

The dissenting Members are of the opinion that the variances should have been refused.

NOTICE OF RIGHT TO APPEAL/AVIS DE DROIT D'APPEL:

To appeal this Decision to the Ontario Municipal Board, an Appeal Form along with a certified cheque or money order payable to the Ontario Minister of Finance must be filed with the Secretary-Treasurer of the Committee of Adjustment by the 3rd day of September, 2015, delivered to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the Board's website at www.omb.gov.on.ca. The Board has established a filing fee of \$125.00 for an appeal with an additional filing fee of \$25.00 for each secondary application. If you have any questions about the appeal process, please refer to the Board's website or contact the Committee of Adjustment office by calling 613-580-2436 or by email at cofa@ottawa.ca.

Only individuals, corporations and public bodies may appeal Decisions in respect of applications for consent to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a Member of the Association or group on its behalf.

NOTICE TO APPLICANT/AVIS AU RÉQUÉRANT:

If your application has been approved, it should be noted that this Decision is not to be construed as satisfying all the requirements of Hydro Ottawa or the Building Code for the issuance of a building permit.

Applicants are advised to take note of comments received from City departments and other technical agencies like Hydro Ottawa and to consult where appropriate.



BROKER REPORT

Report Date: 09-24-2018

Prepared By:

Property Information

Property: 7 CHESTNUT ST
Owner: 170 PRESTON STREET LTD.
Description: LT 78 & PT LT 79, PL 97162 AS IN CR501187
OTTAWA/NEPEAN
Perimeter: 79 m
Area: 317 m²
PIN: 042030208
Registration Type: LT
Property Type: Single Detached



Ownership and Sales History

Ownership Information

Party To: 170 PRESTON STREET LTD

Consideration Value: \$ 425,000

Sales History

Party To	Registration Date	Consideration Value	Instrument Type
170 PRESTON STREET LTD.	05-17-2018	\$ 425,000	Transfer
SAUNDERS, BRUCE	12-13-2000	\$ 95,000	Transfer
JOYCE, CLAIRE; PRONKO, PATRICIA - ESTATE	12-13-2000	\$ 0	Transfer by Personal Representative (Land)
PRONKO, PATRICIA	10-15-1965	\$ 6,370	Transfer



BROKER REPORT

Report Date: 09-16-2018

Prepared By:

Property Information

Property: 20 CHESTNUT ST
 Owner: SALMASIAN, HADI
 Description: PT LT 74, PL 97162, PT LANE, PL 97162, PART 5 & 6, 5R8875, CLOSED BY CR262484, T/W N445429, S/T N291818 OTTAWA/NEPEAN
 Perimeter: 72 m
 Area: 169 m²
 PIN: 042030201
 Registration Type: LT
 Property Type: Rowhouse / Townhouse



Ownership and Sales History

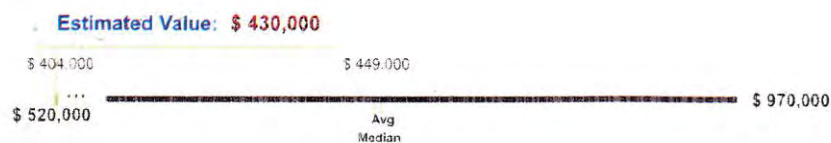
Ownership Information

Party To: SALMASIAN, HADI
 Consideration Value: \$ 416,000

Sales History

Party To	Registration Date	Consideration Value	Instrument Type
SALMASIAN, HADI	06-28-2016	\$ 416,000	Transfer
GIACOMELLI, JOSEPH LAWRENCE	04-17-2001	\$ 180,000	Transfer
FERDERBER, RHONDA	07-04-1988	\$ 144,500	Transfer

Estimated Value



Neighbourhood Profile

Range: \$ 520,000 - \$ 970,000
 Average: \$ 715,083
 Median: \$ 710,500
 Sales in last 6 months: 12
 Market Shift: 2.8546% ▲