

Backgrounder

May 31, 1999

ACS1999-PW-PLN-0059

Proposed New Zoning for the Central Area

Nouveau zonage proposé pour l'aire centrale

Issue

On May 20, 1998, City Council enacted the *Zoning By-law, 1998*, a new comprehensive zoning by-law for the City. However, it did not include the Central Area which continues to be regulated under By-law Number Z-2K. The review of the Central Area Zoning, which will incorporate this area into the new comprehensive zoning by-law, was initiated in April 1996. Having completed the technical review and the formulation of the zoning strategies, the Department has now drafted the zoning by-law.

What's New

Four new zones and 11 new sub-zones are being proposed as additions to the new comprehensive *Zoning By-law, 1998*. Amendments to the general provisions dealing with accessory buildings, building heights, outdoor patios, parking and loading are also proposed. The feedback received from the public consultation process and staff's response have been incorporated into the proposed new zoning for the Central Area (Document 4). With respect to the issue of tandem parking, it is not covered in this report as the consulting firm has not completed its review. The findings will be detailed in a subsequent report. The amending zoning by-law for the Central Area will not be enacted by Council until this issue has been resolved.

Impact

- Generally, there are no major changes to the list of permitted uses and to the development standards permitted under the current zones in By-law Number Z-2K. New, more generic terminology is used to designate the various land uses and the regulations have been simplified and arranged into a table format in order to comply with the format of the new comprehensive *Zoning By-law, 1998*. The floor space index and the building height limits have not been changed, as these matters were not part of the study mandate.
- The most significant change is the rezoning of the LeBreton Flats area in order to implement the recently approved land use policies detailed in the Official Plan Amendment No. 27.

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May 31, 1999

ACS1999-PW-PLN-0059
(File: LBT3105/0327.145)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

Proposed New Zoning for the Central Area

Nouveau zonage proposé pour l'aire centrale

Recommendations

1. That the recommended changes to the "Zoning Details of Amendments to the *Zoning By-law, 1998*, Required to Establish the New Zoning for the Central Area" resulting from the feedback received during the public consultation process, be APPROVED as detailed in Document 1.
2. That the "Zoning Details of Amendments to the *Zoning By-law, 1998*, Required to Establish the New Zoning for the Central Area" be APPROVED as detailed in Document 4.



June 2, 1999 (7:38a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



June 2, 1999 (9:30a)

Approved by
John S. Burke
Chief Administrative Officer

JGB:jgb

Contact: Jean-Guy Bisson - 244-5300 ext. 1-3317
Dave Leclair - 244-5300 ext. 1-3871

Planning and Economic Development Committee Action - June 22, 1999

- ▶ The Committee approved the following motions and tabled this item until the meeting of July 27, 1999:
 1. That all references to sections 6 to 43 where they appear in Document #1 and related to the proposed zoning details be renumbered to Section 7 to 44 in order to reflect the applicable sections of Document #4.
 2. The following amendments to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, resulting from further discussions with Public Works and Government Services Canada related to the zoning affecting some of their lands:
 - a) That the phrase “which includes an archive” be added to the use “library” listed under zoning detail 20(2)(ad);
 - b) That zoning detail 22(7) as revised be further revised as follows:
 - (7) In the CP zone,
 - i. parking for any building or use may locate on any lot situated within this zone; and
 - ii. required parking may be located in a front yard or side yard abutting a street.
 - c) That the following uses be added to zoning detail 23(1) related to the CP1 subzone:
 - computer/data centre
 - instructional facility
 - laboratory
 - medical facility
 - production studio
 - public hall
 - research and development centre
 - retirement home
 - d) That the following uses be added to **the CP1 Subzone** and subject to the provisions of zoning detail 23(2):
 - cinema
 - community centre
 - community health and social services centre
 - catering establishment
 - night club
 - repair shop
 - fast food restaurant
 - retail food store
 - small batch brewery
 - e) That zoning detail 23(2)(b) be deleted and replaced by the following phrase:
 - (b) uses located within 3 metres from Sparks Street must have a separate and direct pedestrian access onto the public street.
 - f) That zoning detail 23(4) be deleted.

- g) That all lands located along the Ottawa River which are zoned G, G-x[5], P and M4(1.0) under By-law Number Z-2K and are now proposed to be zoned EW5 and EW[40], and the lands located at the south west corner of Wellington Street and Bay Street which are zoned P under By-law Number Z-2K and are now proposed to be zoned L3, be rezoned as follows:
 - i) That three new exceptions be created, one of which will permit the uses allowed under the G and G-x[5] zones on lands zoned G and G-x[5], one which will permit the uses allowed under the P zone on lands zoned P and one which would permit the uses allowed under the M4(1.0) zone on lands zoned M4(1.0); and
 - ii) That an “h” holding symbol be applied to the affected lands, the exceptions specifying that the holding symbol may only be removed upon completion of the secondary planning process and approval of the recommended zoning.
 - h) Create a new exception that would also allow “instructional facility” as a permitted use on the property known as the De La Salle Academy on Sussex Drive.
 - i) That the heritage overlay affecting the Parliamentary Precinct and shown on Neighbourhood Monitoring Area map 13-3 be deleted.
3. The following amendment to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, is intended to maintain the same parking rate as set out under By-law Number Z-2K:
 - a) That zoning detail 9(3)iii dealing with parking for cinema be amended by deleting the phrase “1 for every 8 fixed seats, whichever is greater”.
 4. The following amendment to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, is intended to correct a misreference in the subject provision:
 - a) That the reference to “Zoning Detail 7” under zoning detail 20(9) be deleted and replaced by the phrase “Zoning Detail 8”.
 5. The following amendments to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, results from further discussions with the National Capital Commission and is intended to reflect the Ontario Municipal Board’s decision related to the appeal to Official Plan Amendment No. 27 dealing with LeBreton Flats:
 - a) That Schedule 91, forming part of Document #4, be replaced by the attached Schedule 91.
 - b) That zoning detail 4 be revised by adding the words “and Schedule 91” after the words “Schedule 1.”
 - c) That zoning detail 24(6)vi be replaced by the following regulation: “as shown by the suffix “H” on Neighbourhood Monitoring Area maps 13-1 and 13-2 and as shown on Schedules 91 and 92.”
 - d) That Table 32(10) be replaced by the following Table 32(10) and that all the provisions dealing with yard setbacks under Exception [44] be deleted:

Table (10) - Regulations for the R7D Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0
iii	Required front yard setbacks and corner side yard setbacks abutting Preston Street extended	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.5 metres
iv	Required front yard setbacks and corner side yard setbacks abutting Booth Street	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 2.5 metres
v	Required front yard setbacks and corner side yard setbacks abutting any other street	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vi	Minimum rear yard and interior side yard where those yards abut an L2B subzone	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vii	Minimum setbacks for all other yards than a front yard and a corner side yard, or rear yard and interior side yard abutting an L2B subzone	0
viii	Minimum building height	- for a building fronting on Preston Street extended: 3 storeys or at least 11 metres in height - for a building fronting on Booth Street: 4 storeys or at least 14 metres in height - for a building fronting on any other street: 3 storeys or at least 11 metres in height
ix	Maximum floor space index	Not applicable
x	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

- e) That Exception 44 be amended by adding reference to the L2B subzone after the L1F zone under the third provision.

- f) That Table 36(4) be replaced by the following Table 36(4) and that all the provisions dealing with yard setbacks in Exception [46] be deleted:

Table (4) - Regulations for the R6K Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0
iii	Required front yard setbacks and corner side yard setbacks abutting "LeBreton Boulevard"	- for that portion of a building or structure less than 79.9 metres above sea level in height: 0.5 metres - for that portion of a building or structure equal to or greater than 79.9 metres above sea level in height: 3.5 metres
iv	Required front yard setbacks and corner side yard setbacks abutting Albert Street and Wellington Street, east of Booth Street	3.0 metres
v	Required front yard setbacks and corner side yard setbacks abutting Preston Street extended	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.5 metres
vi	Required front yard setbacks and corner side yard setbacks abutting any other street	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vii	Minimum setbacks for yards other than a front yard and a corner side yard	0
viii	Minimum building height	- for a building fronting on "LeBreton Boulevard": 6 storeys or at least 20 metres in height - for a building fronting on any other street: 3 storeys or at least 11 metres in height
ix	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

g) That Table 37(4) be replaced by the following Table 37(4):

Table (4) - Regulations for the CN9 Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0
iii	Required front yard setbacks and corner side yard setbacks	<p>a) For buildings or structures abutting Booth Street:</p> <ul style="list-style-type: none"> - for that portion of a building or structure less than or equal to 4 storeys or less than or equal to 14 metres in height: 0.5 metres - for that portion of a building or structure greater than 4 storeys or greater than 14 metres in height: 2.5 metres <p>b) For buildings or structures abutting “LeBreton Boulevard”:</p> <ul style="list-style-type: none"> - for that portion of a building or structure less than or equal to 79.9 metres above sea level: 0.5 metres - for that portion of a building or structure greater than 79.9 metres above sea level: 3.5 metres
iv	Minimum rear yard setbacks	<ul style="list-style-type: none"> - where a building or structure abuts Booth Street and is less than 4 storeys or 14 metres in height: 0.5 metres - where a building or structure abuts Booth Street and is equal to or greater than 4 storeys or 14 metres in height: 3.0 metres - where a building or structure abuts “LeBreton Boulevard” and is less than 6 storeys or 20 metres in height: 0.5 metres - where a building or structure abuts “LeBreton Boulevard” and is equal to or greater than 6 storeys or 20 metres in height: 3.5 metres
v	Minimum setbacks for all other yards	0
vi	Minimum building height	<ul style="list-style-type: none"> - for a building fronting on Booth Street: 4 storeys and at least 14 metres in height - for a building fronting on both Booth Street and “LeBreton Boulevard”: 6 storeys and at least 20 metres in height
vii	Maximum floor space index	Not applicable
viii	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

- h) That Table 39(8) be replaced by the following Table 39(8) and the provision dealing with yard setbacks in Exception [45] be deleted:

Table (8) - Regulations for the CG15 Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0
iii	Required front yard setbacks and corner side yard setbacks abutting Wellington Street and Albert Street	3 metres
iv	Required front yard setbacks and corner side yard setbacks abutting Preston Street extended	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.5 metres
v	Required front yard setbacks and corner side yard setbacks abutting Booth Street	- for that portion of a building or structure less than or equal to 4 storeys or less than or equal to 14 metres in height: 0.5 metres - for that portion of a building or structure greater than 4 storeys or greater than 14 metres in height: 2.5 metres
vi	Required front yard setbacks and corner side yard setbacks abutting any other street	- for that portion of a building or structure less than 4 storeys or less than 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vii	Minimum side and rear yard setbacks	0
viii	Minimum building height	- for a building or structure fronting on Booth Street: 4 storeys or at least 14 metres in height - in all other cases: 3 storeys or at least 11 metres in height
ix	Maximum floor space index	Not applicable
x	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

- i) That zoning details 32(7), 36(5) and 39(5) be revised by adding the words “the finished” before the word “grade” where it appears and by adding the words “at the property line abutting a public street or a public right-of-way.” after the word “grade”.
- j) That zoning detail 39(10) be deleted.

- k) That Exceptions 45 and 47 be revised by adding the following provisions:
 - an outdoor patio may abut an L1 or L2 zone or subzone;
 - an outdoor patio may locate within 30 metres from the boundary of an L1 and L2B zone
 - storage must be completely enclosed within a building and, if the storage is not accommodated within the principal building, the building or structure within which the storage is accommodated must be located in an interior yard or a rear yard but shall not be located in a yard abutting an L1 or L2B zone.

 - l) That zoning detail 42 be amended by adding the following new provision:
 - (3) In the L4B subzone,
 - (a) an outdoor patio is permitted if operated as part of a restaurant;
 - (b) an outdoor patio may locate in a yard abutting an EW zone or subzone; and
 - (c) an outdoor patio may locate within 30 metres from the boundary of an EW zone or subzone.

 - m) That Neighbourhood Monitoring Area map 13-1 be amended so that all of Albert Island be included in the EW[40] zone.
6. That, under the Subject: Schedule Reference - L1F Leisure & Open Space Zone, LeBreton Flats; Central Area Zoning Review Section #: Zoning Maps: Neighbourhood Monitoring Area 13, Sub Area 1; National Capital Commission Comments: -Reference is made to Schedule 93 in the L1F Leisure and Open Space district on Zoning Map 1. -Schedule 93 no longer exists, reference to Schedule 93 on Zoning Map 1 be deleted. (Recommendation from the National Capital Commission.
7. That no further notice be provided pursuant to section 34(17) of the Planning Act.


Record of Proceedings is attached.

The Committee received and referred the following recommendation from the National Capital Commission to staff: **(See Document 1.b)**

That, under the Subject: Neighbourhood Linear Commercial Zone (CN9 Subzone) LeBreton Flats; Central Area Zoning Review Section #: 37; National Capital Commission Comments: - Official Plan Amendment #27 (LeBreton Flats) contemplates that the Booth Street commercial corridor will function much like a traditional mainstreet shopping and entertainment district for the residents and business of LeBreton Flats; -Specifically, the approved Official Plan amendment states: -“City Council shall permit a broad range of uses including residential, retail, office, office, entertainment, cultural, institutional and recreational uses within mixed use areas abutting arterial roads...” (e.g., Booth Street commercial corridor). -Unfortunately, the proposed zoning CN9 provisions do not reflect the uses permitted by the Official Plan Amendment; the following be added to the permitted uses listed in Section 37(2), Document 4: -bar; -cinema; -hotel; -night club; and -theatre.

Financial Comment

N/A.



May 31, 1999 (1:56p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Background

On May 20th, 1998, City Council enacted the *Zoning By-law, 1998*, a new comprehensive zoning by-law for the City. However, it did not include the Central Area which continues to be regulated under By-law Number Z-2K.

The review of the Central Area zoning, which will incorporate this area into the new comprehensive zoning by-law, was initiated in April 1996. The technical review, which identified the land use and zoning issues and the relevant land use policies of the Official Plan to be implemented through zoning, is completed. The zoning strategies on how to implement those policies, while having regard to the intent of the existing zoning and to the existing land uses, have also been formulated and are implemented in the attached zoning details. The study now has entered into the final stage of the process which consists of the drafting of the amending zoning by-law.

A comprehensive public consultation process was also undertaken to inform and obtain input from the community at all stages of the study and it is outlined in Document 3.

Zoning Details

Four new zones and applicable subzones and 11 new subzones to zones established under the *Zoning By-law, 1998*, are being proposed as additions to the new comprehensive zoning by-law. These zones and subzones are described in Document 2 as well as the corresponding zones under By-law Number Z-2K and the areas affected. Amendments to the general provisions dealing with accessory building, building heights, outdoor patio, parking and loading are also proposed.

The four new zones and their applicable subzones are required to implement the Official Plan policies affecting the Core Area, the Parliamentary Precinct, the By Ward Market and the residential areas of the Lowertown, Upper Town and LeBreton Flats Character Areas of the Central Area as none of the zones established under *Zoning By-law, 1998*, are adequate to implement those policies. These new zones and related subzones are highlighted in Part A of Document 2.

Generally, there are no significant changes to the list of permitted uses and to the development standards set out under the current zones of By-law Number Z-2K. New, more generic

terminology is used to designate the various land uses and the regulations are simplified and arranged in a table in order to maintain the format of the new comprehensive zoning by-law. The floor space index and the building height limits are not being changed as these matters were not part of the study mandate. The building height provisions incorporate the regulations developed under the “Views and Vista Study”.

In addition to these new zones and subzones, 11 new subzones are also being added to existing zones established under the new comprehensive *Zoning By-law, 1998*, as highlighted in Part B of Document 2. These new subzones are needed to deal with area-specific issues/concerns addressed under existing zones or exception zones in By-law Number Z-2K.

There are significant changes to two general provisions that currently apply to the Central Area. Firstly, the parking requirements for retail and service commercial uses located within the downtown core area are being eliminated. These uses are seen as providing a service to the working and visiting population of the Core Area. As parking is already required and provided for office workers and on-street and off-street public parking is provided for visitors in the Core Area, there is no need to require additional parking for the retail and service commercial uses. This provision would not apply to the Rideau Centre as this facility is a regional shopping facility, and, hence, a shopping destination drawing traffic from beyond the tourist and employment population of the Central Area, generating a parking demand of its own. Secondly, the current provision allowing off-site parking for uses that cannot provide the required parking on site is being eliminated. In this regard, the Official Plan does not encourage off-site parking in the Central Area but supports cash-in-lieu of parking when there are site constraints which prevent or constrain the provision of required parking on site (Official Plan, Vol. I, policies 5.9.2.2).

Finally, the proposed new zoning would rezone the LeBreton Flats area from government, residential/office and general commercial uses to various medium and high intensity residential uses, mixed residential/commercial uses, office uses and leisure uses, in order to implement the recently approved land use policies set out under Official Plan Amendment No. 27.

Tandem Parking and Parking Near Transitway Stations

Tandem parking and parking rates for sites located near transitway stations surfaced as significant zoning issues in the Central Area and through appeals to the *Zoning By-law, 1998*, and for that reason, a consultant was hired to review these matters. The findings of the consultant in the context of the Central Area are not yet available to be incorporated in this report. The issues will be addressed in a separate report.

1. Tandem Parking

The issue with tandem parking relates to the commercial parking lot operators requesting that tandem parking be permitted as-of-right under the new zoning. This proposal has major implications as both the Regional and City Official Plans policies dealing with parking in the Central Area call for a reduction of parking in the Central Area in order to favour public transit.

The consultant is reviewing the issue by assessing the potential impact of tandem parking on the use of the public transit in the context of the Official Plan policies.

2. Parking Near Transitway Stations

The issue with parking rates for sites located near transitway stations relates to the principle that less parking should be required for uses located near a transitway station in order to support the transit-related policies of both the Regional and Municipal Official Plans.

The consultant is reviewing the current and proposed parking regulations for the Central Area in order to assess their adequacy in implementing the policies of ensuring adequate parking provision while still encouraging the use of the public transit.

Although these two issues are not dealt with in this report, the amending zoning by-law implementing the new zoning for the Central Area is not scheduled for enactment by City Council before October 1999. This will provide sufficient time for the consultant to finalize its report and for staff to prepare a submission to the Planning and Economic Development Committee and City Council and have Council's direction on these issues. In any event, the implementing amending by-law for the Central Area zoning will not be forwarded to City Council until the consultant's study has been dealt with by the Planning and Economic Development Committee and Council.

Public Consultation Process

The proposed zoning details result from a comprehensive consultation process as shown in Document 3. In August 1996, an advisory committee was set up which was comprised of representatives from all merchant associations, community groups and interest groups related to the Central Area, as well as the major stakeholders. The advisory group reviewed and commented on all of the work produced during the technical review, zoning strategy and draft zoning development stages of the process.

A public open house/workshop was held in September 1996, to initiate the study and to identify the main zoning issues and concerns.

Zoning strategies were then formulated which determined how best to implement the land use policies of the Official Plan while having regard to the intent of the existing zoning, the existing land uses and the issues/concerns identified. To that effect, in October 1997, a flyer was circulated to all property owners and tenants located within the Central Area, informing them of the proposed zoning strategies. At the same time, four information booths were displayed over a period of four weeks at key locations in the Central Area to inform the public and seek their views. Finally, a public open house/workshop was held in February 1998, on the proposed strategies.

Zoning details were drafted and subjected to an internal review as well as by agencies external to the City through the usual technical circulation process including all merchant associations, community associations and interest groups related to the Central Area. Subsequently, the draft zoning details were submitted to the Planning and Economic Development Committee and City

Council for information before being presented to the public for review. To that end, a flyer was circulated to all property owners and tenants and an open house/workshop was held in February, 1999. The feedback received and staff's response are detailed in Document 1. The recommended changes and editorial corrections are incorporated in the attached zoning details (Document 4) and are shown by shading and strikeouts. It is recommended that the changes detailed in Document 1 be approved before approving the proposed new zoning for the Central Area as detailed in Document 4.

Economic Impact Statement

The proposed new zoning will not result in any significant changes to the development potential allowed under the current zoning of By-law Number Z-2K. New, more generic terminology is used to designate the various land uses and the regulations are simplified and arranged in a table in order to comply with the format of the new comprehensive zoning by-law. The current floor space index and building height limits are not being modified as these matters were not part of the study mandate.

The only exception to this is the zoning affecting LeBreton Flats. The existing zoning has been replaced by new zones in order to implement the land use policies of Official Plan Amendment No. 27. This will allow the redevelopment of the area once the new zoning is in place.

Environmental Impact

No environment impact is anticipated as the recommendations fall within the MEEP Automatic Exclusion List.

It is to be noted that the areas designated as "Waterway Corridor" along the Ottawa River and the Rideau Canal will be zoned EW5 and EW6, Waterway Corridor subzones in order to implement the relevant policies of the Official Plan.

Consultation

Document 3 outlines the public consultation process which was undertaken to inform and obtain input from technical agencies, property owners, merchant associations, community associations, interest groups and the public at all stages of the study. Document 1 summarizes the feedback thus received and staff's response to the feedback. The zoning details described in Document 4 reflect the input received through this process and staff's response.

Disposition

Department of Urban Planning and Public Works to undertake the drafting of the amending zoning by-law.

List of Supporting Documentation

- Document 1.a) Central Area Zoning Review - Summary of Feedback
- Document 1.b) Memorandum dated July 8, 1999 from the Commissioner of Urban Planning and Public Works, Re. Comments Related to the Proposed Central Area Zoning
- Document 2 Central Area Zoning Review - Highlights of the Proposed Zones and Subzones
- Document 3 Central Area Zoning Review - Public Consultation Process
- Document 4 Central Area Zoning Review - Details of Amendments to the *Zoning By-law, 1998*, Required to Establish the New Zoning for the Central Area. - (On file with the City Clerk and distributed separately)

Part II - Supporting Documentation

CENTRAL AREA ZONING REVIEW

Document 1.a)

SUMMARY OF FEEDBACK

RECEIVED ON THE “DETAILS OF AMENDMENTS TO THE ZONING BY-LAW, 1998, REQUIRED TO ESTABLISH THE NEW ZONING FOR THE CENTRAL AREA” CIRCULATED IN JANUARY, 1999.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Public Works and Government Services Canada	1. Section 21(2)	<p>The following primary uses should be added to the list of primary uses in section 21(2) of the CP zone:</p> <ul style="list-style-type: none"> - public assembly - judicial court/assembly - helipad - archives - visitors/reception centre - utility installation (including heating plant) - park - parking - any other use operated by the Government of Canada or any agent thereof 	<p>“heliport” will be added as a permitted use under the CP zone and the phrase “which includes an archives” will be added to broaden the listed use “library”. The uses “park”, “parking lot” and “utility installation” (which includes a heating plant) are already listed as principal uses under the CP zone (Section 21(2)). The suggested use “judicial court/assembly” is accommodated under the listed use “court house” and there is no need to create a similar use. The term “public assembly” is not required as a specific land use. If the intent is to accommodate the House of Commons and the Senate, these are permitted under the listed use “legislative assembly building”. If the intent is to allow the gathering of people for special events on Parliament Hill such as the change of the guards and the Canada celebrations, there is no need to zone for such events as they are occasional. The use “visitors/reception centre” is an accessory use to the Parliament Hill as it is clearly a use that is</p>	<p>Amend Section 21(2) to add “heliport” as a permitted use and to add the phrase “which includes an archive” to the use “library”.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
			<p>subordinate and incidental to the Parliament Buildings. If the concern is its location on the Hill, it need not be located in any existing buildings but can be accommodated in a separate accessory building. Finally, the suggested use “any other use operated by the Government of Canada or any agent thereof” will not be listed as it clearly constitute “people zoning”, and is contrary to the 2020 zoning strategy.</p>	
	<p>2. Section 21(7) Required Parking</p>	<p>In the CP and CP1 zones, it is proposed in the draft by-law that required parking must be located in a building or structure. This provision will not permit any surface parking on Parliament Hill or on the south side of Wellington Street. This provision cannot be supported by PWGSC and therefore, should be deleted from the CP zones.</p>	<p>All required parking for the uses located on Parliament Hill are currently accommodated as surface parking. Although the long term intent of PWGSC and the NCC is to relocate all parking underground, to require that required parking be provided in a building or structure will result in the creation of a non-conforming situation. Parking not required for the permitted uses such as a public parking facility (parking lot) will be required to be provided in a building or structure.</p>	<p>Amend Section 21(7) to delete the requirement to provide required parking in a building or structure.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	3. Section 22(2) Required uses at grade in CP1 zone	We remain concerned about provision 22(2)) which requires that 100% of the ground floor of a building within 30 metres from Sparks Street must be occupied by commercial uses including retail uses. Separate and direct pedestrian access must be provided onto a public street. While we understand that the objective is to animate Sparks Street, we believe that each building should be viewed according to its ability to provide these uses on the ground floor with direct street access.	Section 22(2) requires that only that portion of the ground floor located within 30 metres from Sparks Street be occupied 100% by retail and service commercial uses and not the entire ground floor of a building occupying a through lot from Sparks Street to Wellington Street. Nevertheless, in order to be consistent with the approach used over the years in the By Ward Market in dealing with required uses at grade, the 30 metre area has been reduced to 3 metres under the most recent zoning details which still achieves the objective of animating the streetscape. Furthermore, given the inability of the existing buildings located west of Bank Street to accommodate retail and service commercial uses at grade with individual direct access to the street due to their built form at grade, this provision will not apply to that area.	Amend Section 22(2) by changing the number 30 to the number 3 and by adding the words “located along Sparks Street, between Bank Street and Elgin Street” after the words “In the CP1 subzone”.
	4. Sections 19(2) & (3) Uses in CB Zone	While a diverse range of commercial uses are permitted in this zone, we recommend that the following additional primary uses be permitted in Section 19(2) of the CB zone: <ul style="list-style-type: none"> - archives - pharmacy - photo shop - florist - post processing in addition to a post office - broadcasting station and Section 19(3) include: <ul style="list-style-type: none"> - archive - artist studio - library - post office and processing plant - diplomatic mission - hotel 	As stated above, the phrase “which includes an archive ” will be added to the use “library”. The uses “ pharmacy ”, “ photo shop ” and “ florist ” are retail uses permitted under the use “retail store”. “ Post processing ” is considered as an integral part of the operation of a “ post office ” and, therefore, need not be specified in the list of permitted uses. “ Broadcasting station ” is already listed as a permitted use in the CB zone. As for the suggested additional uses under Section 19(3), they will be added to the list as they are seen appropriate uses to be located on the ground floor of buildings located in the central business district.	Add the following uses to Section 19(3): <ul style="list-style-type: none"> - artist studio - instructional facility - library, which includes an archive - post office - diplomatic mission limited to an office use - hotel

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	5. Section 19(3) Requires 50% of ground floor to be occupied by service commercial uses	We believe that the wording is too restrictive as many buildings, particularly along the north side of Sparks Street, are heritage and have very small ground floor which are not adaptable to commercial uses.	Section 19(3) is dictated by Official Plan policies 1.3.3a)iii), and 1.12.3a), Chapter 1, Volume II, which require that retail and pedestrian-oriented uses be provided at grade, especially along Theme Streets and pedestrian corridors. Existing buildings may not conform to this provision and, hence, would enjoy a non-conforming status. If this provision cannot be met when redeveloped, a minor variance could be sought through the Committee of Adjustment.	No change recommended.
	6. L3 Zone Garden of the Provinces	The Garden of the Provinces has been designated L3 which permits only recreational uses on this site. The recently released National Capital Commission Vision document states that “redevelopment opportunities may exist with the future renovation of the National Library and conversion of the West Memorial Building.” We believe that the future role of this site requires further discussion.	The L3 zone replaces the former P zone and reflects the current use of the subject lands. Until there is a more definite redevelopment proposal for this site, the L3 zone should remain.	No change recommended.
	7. Heritage Overlay	The heritage overlay on the zoning maps has covered several sites in the Central Area. We have no knowledge of many of these sites having been subject to City of Ottawa Heritage studies. Therefore, the heritage overlay should be closely examine and what is the basis of these buildings having a heritage overlay designation. We suggest that exceptions to Heritage provision should be further discussed.	An heritage overlay was applied to all buildings and districts designated under Part IV and Part V of the Heritage Act respectively and on buildings of national heritage significance such as the Parliament Buildings. Furthermore, a heritage study is currently underway in the Central Area that will identify districts of heritage significance that will eventually be designated under Part V of the Heritage Act. Once designated by by-law, an heritage overlay will be applied to those areas.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
National Capital Commission	Definition of “stacked townhouse”	LeBreton Flats is to accommodate primarily multiple dwelling units such as apartment and stacked townhouses. The current definition of stacked townhouses is deficient in that it does not relate the essence of a stacked townhouse which is the stacking of a row unit on top of another row of unit.	The current definition of “stacked townhouse” which means “a residential unit in a townhouse development with an independent, ground floor entrance on the ground floor” was established by the Planning and Economic Development Committee in its disposition of the <i>Zoning By-law, 1998</i> . It does not fulfil its intended objective as there is no reference to the fact that some units have to be stacked over other units, which is the essential characteristic of a stacked townhouse.	It is recommended to revise the current definition of stacked townhouse to include the notion of stacked units and, where necessary, to revise the definition of “townhouse”, “linked-townhouse”, “linked-detached townhouse” and “apartment building” in order to eliminate any possible overlaps or inconsistencies with those definitions.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	1. R7, CN & CG Zones LeBreton Flats	<p>The zoning details circulated in January for public review has addressed many of the earlier comments of the Commission. Nevertheless, the CN, CG and R7 zones appear to have shortcomings that will hinder and not assist in the realization of LeBreton Flats as a full-service, mixed use community. The zoning proposed for LeBreton Flats is a combination of standard zones applied from <i>Zoning By-law, 1998</i>, most of which were designed for an inner-city or suburban location. LeBreton Flats is a downtown location based on the founding principle of mixed use for which <i>Zoning By-law, 1998</i> does not appear to make adequate provisions. Specifically,</p> <p>a) the R7D range of commercial uses is extremely limited;</p> <p>b) the use “emergency services” should be added to the CN9 and CG15 subzones;</p> <p>c) no FSI limitations should apply under the CN9 subzone; and</p>	<p>The basic approach to the review of the Central Area zoning is to use zones established under the <i>Zoning By-law, 1998</i> and create new zones only if necessary. It is city staff’s opinion that the use of subzones to the CN and CG zones and the creation of an R7 mixed use zone and its related subzones is the best approach to implement the relevant policies of OPA #27. All three zones allow mixed residential and commercial uses and medium to high rise residential is the only type of residential uses permitted in accordance with OPA #27.</p> <p>With regard to the specifics:</p> <p>a) As discussed, it was agreed to allow “convenience store”, “restaurant, fast food” and “retail store” in the R7D subzone affecting the north side of the aqueduct;</p> <p>b) “emergency services” will be added as a permitted use in the CN9 and CG15 subzones as they are seen as appropriate zones within LeBreton Flats to accommodate such uses;</p> <p>c) a new provision will be added under the CN9 zone so not to have any provision set out under the CN zone dealing with the floor space index to apply in this subzone; and</p>	<p>a) Delete the uses “convenience store”, “restaurant, fast food” and “retail store” from the list of prohibited commercial uses under Section 31(2);</p> <p>b) Add the use “emergency service” to the CN9 and CG15 subzones;</p> <p>c) Add the following new provision to the CN9 subzone: “In the CN9 subzone, Section 298vii of Table 298 and Section 299 of <i>Zoning By-law, 1998</i> do not apply.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
		d) non-residential uses limited to 50% of the permitted floor space index under the CG15 subzone	zone dealing with the floor space index to apply in this subzone; d) Section 38(6) of the proposed CG15 subzone already states that Section 343 of the CG zone, limiting the commercial uses to 50% of the FSI, does not apply to this subzone.	of Table 298 and Section 299 of <i>Zoning By-law, 1998</i> do not apply. d) No change recommended.
	2. EW[40] and EW5 affecting the Islands	The proposed zoning for the islands does not allow the realization of the concept expressed by the NCC in its <i>"Vision for the Core Area of Canada's Capital Region"</i> . The proposed zoning fails to encompass all of the uses that currently exist on the islands such as an indoor rock climbing facility, a parking lot, construction offices and the Royal Canadian Naval Association. The proposed zoning also does not recognize such potential uses as the Victoria Island Aboriginal Centre. Uses such as cinema, night club, museum, restaurant, retail store, social and cultural counseling centre, public hall, recreational and athletic facility, research and development centre and theatre are uses that need to be added to the list of permitted uses if the vision for the islands is	The islands are designated Waterway Corridor under the Official Plan and in order to implement the related policies, it is proposed to zone them EW - Waterway Corridor Zone. The EW5 subzone is proposed to recognize existing museums and parking lots at the foot of the escarpment and on Victoria Island. "Recreational and athletic facility" may be added to this zone in order to accommodate the existing rock climbing facility. As for the construction office, it is seen as a non-permanent use and, for that reason, need not to be zoned. More definitive information is required to properly categorize the Royal Canadian Naval Association (ordinarily, such uses would be classified as a club/office). The EW[40] allows light and heavy industrial uses as permitted uses and the development standards related to minimum lot area, minimum lot	Add "recreational and athletic facility" to the EW5 subzone in order to recognize the existing rock climbing facility.
		to be realized and the zoning is to accommodate existing uses.	width, yards, building height and lot coverage set out under the EW zone do not apply in order to reflect existing industrial uses. This matter is best to be addressed through a rezoning application once the details of this concept have been developed. An amendment to the Official Plan may also be required.	

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	3. Permitted uses under the CP and EW5 zones	The CP zone should reflect the broadest range of uses and permit all commercial uses which may relate to the function of the Parliamentary Precinct. Furthermore, the PWGSC has recommended the addition of a number of uses to the list of primary uses to be permitted by the CP zone. The EW5 subzone has been appealed by the NCC as there are no planning studies undertaken to justify the zone.	The list of uses under the proposed CP zone is considered to be the broadest range of uses necessary to accommodate the function of the Parliamentary Precinct and remain within the intent of the related policies of the Official Plan. Most of the uses suggested by PWGSC were either added to the list, already listed, inclusive of a listed use or considered as an accessory use to any of the primary uses. As for the EW5 zone, the boundary was set based on the most accurate information available which, in this case, was the use of topographic maps and aerial photographs, to determine the edge of the escarpment.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	4. The escarpment	<p>The Parliament Hill is divided into two zones: the CP & EW5 zones. The division line between the two zones is the edge of the escarpment. Regulating setbacks based on an artificial line that has the potential to move and has not been adequately documented in either the text, maps or schedules leaves the placement of buildings open to interpretation, discussion and, potentially, prolonged debate between agencies of the Federal Government and the City of Ottawa. The CP zone should apply to all of the lands situated between the Rideau Canal, Wellington Street and the Ottawa River, and the setbacks of buildings from the shoreline be collaboratively defined.</p>	<p>As stated earlier, the boundary of the EW5 subzone was set based on the most accurate information available which, in this case, was the use of topographic maps and aerial photographs, to determine the edge of the escarpment. If the NCC or PWGSC have more accurate information, the boundary could be adjusted following receipt and verification of the new data. The intent of the Waterway Corridor designation under the Official Plan is to protect the lands abutting the water edges. The EW zone was created to implement such policy. The escarpment should be protected from future alterations and, for that reason, should be zoned accordingly. This approach is consistent with all the properties located along the Ottawa River including the French Embassy site and the Prime Minister's residence on Sussex Drive for instance. Furthermore, to set a fixed setback would not reflect the location of the edge of the escarpment vis-à-vis the shoreline, a shoreline which also varies with the water level, and would create more uncertainty.</p>	No change recommended.
Regional Municipality of Ottawa-Carleton (March 1, 1999)	1. Motor Vehicle Parking Section 8 (1)	<p>Funeral Home: We believe the reference to "3" for the first 50sq m. of gfa should be "30"</p> <p>Veterinary clinic: We do not support the requirement of 1 per 100sq m. of gfa being double what it is outside the Central Area.</p>	<p>The rate for Funeral home will be rectified to "30 for the first 50 sq. m. of gfa" as per Zoning By-law, 1998.</p> <p>The rate for veterinary clinic will be amended to require "1 per 200 sq. m. of gfa" as per Zoning By-law 1998 to correct this anomaly.</p>	That the rate for funeral home under Section 8(1) be changed for "3 for the first 50 sq. m. of gfa" to "30 for the first 50 sq. m. of gfa" and the parking rate for veterinary clinic be changed from "1 per 100 sq. m. of gfa" to "1 per 200 sq. m. of gfa"
	2. Section 8(3)	Leisure and recreational uses: Parking provisions should be reduced from what applies outside the Central Area.	The parking provisions reflect those that are currently set out under Section 16(E) of By-law Number Z-2K for the Central Area.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	3. Section 8 (4), (5) & (6)	Institutional, industrial and transportation uses. We do not support the fact that for most of the uses, the parking provisions exceeds, and in some cases, is double what is required outside the Central Area.	The parking provisions for the institutional, industrial and transportation uses should be revised so that the rates for any of the uses are not greater than the rates set out under <i>Zoning By-law, 1998</i> , for the areas outside the Central Area or equivalent to the current rates set out under Section 16(E) of By-law Number Z-2K, whichever is the lesser.	<p>- That the parking rates set out under Section 8(4) for “correctional centre”, “court house”, “cultural, social & counselling centre”, “ecclesiastical residence”, “emergency services”, “utility installation” and “any other institutional uses” be changed from 1 per 75 sq. m. of gfa to 1 per 100 sq. m. of gfa.</p> <p>- That the parking rates set out under Sections 8(5) and 8(6) related to the industrial and transportation uses be changed from 1 per 100 sq. m. of gfa to 1 per 200 sq. m. of gfa.</p>
	4. Section 23 (1) CP2 Subzone	We recommend that in order to promote this area as a “lively and attractive people-place during the days and evenings” (OPA #27), a hotel be added as a permitted use and also dwelling unit. We understand that under your zoning by-law a “dwelling unit” is something accessory to a permitted use so to permit same would not thwart the general intent of the “Cultural/Office Area” designation in the Official Plan.	OPA #27 states that “City Council shall permit at-grade supporting uses such as retail, entertainment and restaurant venues, to promote this as a lively and attractive people-place during the days and evenings.” On that basis, hotel is not a use that would meet the intent of this policy as it cannot be qualified as an “at-grade supporting use” but its impact would be one of a primary use. As for the “dwelling unit” use, the relevant policy does not state that residential uses would be appropriate and desirable in the subject area.	No change recommended.
	5. Section 24 (6) CM Subzone	If this means that the listed uses can only be 3 metres deep, this would appear to be too narrow. Alternatively, it may mean that the listed uses must be at least 3 metres deep. Clarification would help.	The 3 metre requirement is a minimum in order to ensure that pedestrian-oriented uses locate along the streets. These uses may exceed this but may not be less than 3 metres in depth.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	6. Section 27 (7) R7 Subzone	The prohibition on outdoor patios should not include the R7D subzone as patios should be permitted along the aqueduct.	Outdoor patio must be prohibited generally in the R7 zone as it is not appropriate in most R7 zones. However, a provision will be added to the R7D subzone to allow an outdoor patio as part of a restaurant, bar or club as intended in OPA #27 for the area along the aqueduct.	That a provision be added to the R7D subzone detailed under Section 31 to allow outdoor patio as part of a restaurant, bar or club.
	7. Section 31 (2) R7D Subzone	As subsection (4) requires commercial uses to be on the ground floor of a residential building, why are the uses in (2) prohibited? The OPA #27 permits a variety of ground floor, small-scale retail, cultural, restaurant and entertainment uses below residential uses along the north side of the aqueduct.”	OPA #27 makes a distinction between the function of the area along the north side of the aqueduct and the area along Booth Street. The policy favours the creation of a “Main Street” along Booth Street to serve the new community and visitors whereas the emphasis is on cultural and entertainment uses along the aqueduct. The uses prohibited under Section 31 (2) are seen as service commercial uses which should be restricted to the area along Booth Street.	No change recommended.
	8. Section 31 (6) R7D Subzone	What is the purpose of requiring residential-only buildings to have their ground floor at least 0.6 metres above grade?	The Urban Design Guidelines for LeBreton Flats requires that any floors containing residential uses be located 0.6 metres above grade in order to ensure some privacy for the dwelling units located at grade. The wording of this provision will be modified to state that any floor of a building containing a residential use must be located a minimum of 0.6 metres above grade and not only those floors that containing only residential uses.	That Section 31 (6) be modified to state that any floor of a building containing residential uses must be located a minimum of 0.6 metres above grade.
	9. Section 40 (2) L1G Subzone	Typo “subzone”	The typo will be corrected.	The word “suzone” be changed to “subzone” where it appears.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	10. Section 43 (2) EW6 Subzone	We presume the Thomson-Perkins Mill is being exempted from the lot area, lot coverage etc. regulations, so that it is a conforming use. The total absence of limits does not encourage the retention of the existing heritage building. We believe this should be addressed by the addition of a heritage overlay.	The exemption of this property from the zone regulations is to ensure that a non-conforming use is not created. However, an heritage overlay is established on properties that are zoned heritage (ie. HR, HP, HC, CAH) under By-law Number Z-2K or designated individually or as part of a district under the Heritage Act. The subject building is neither zoned heritage nor designated under the Heritage Act. The subject building does form part, however, of the NCC's plans to revitalize the islands and, for that reason, is being retained.	No change recommended.
	11. Exception 47	Under (b) the reference should be to "LeBreton Boulevard" not "LeBreton Flats".	Reference should be made to "LeBreton Boulevard".	Change to words "LeBreton Flats" to "LeBreton Boulevard" where it appears.
Public Works and Government Services Canada (March 12, 1999)	1. Section 21(2) CP Zone	It remains our opinion that a visitor(s) reception centre should be defined as a primary use in the CP zone.	The existing visitor reception centre on Metcalfe Street is currently zoned C2(8.0) under By-law Number Z-2K and is permitted under the use office. As office will be listed as a permitted use under the CP zone, a visitor reception centre would be allowed. There is no need, therefore, to define a new use when the use will be permitted under the zone.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	2. Loading on Wellington Street	We are of the opinion that loading spaces should also not be required for those properties abutting Wellington Street as Wellington Street forms an integral part of the Ceremonial Route.	Loading spaces are not required along Rideau, Bank and Sparks Streets as they are designated as Theme Streets and where the continuous built form is to be maintained. This is not the case with Wellington Street. Furthermore, Sparks Street is a pedestrian mall where deliveries take place at specific hours. Not to require loading spaces along Wellington Street would result in not having any loading spaces for the blocks located between Wellington Street and Sparks Street, from Elgin Street to Bank Street. This may have an impact on the flow of traffic on the abutting streets.	No change recommended.
	3. 350 King Edward Avenue	We understand that you intend to amend Exception [18] to add a provision which would allow office use on the ground floor. We further advise that a printing operation is also an existing use on the ground floor. You agreed that Exception [18] would also provide for a printing plant as a permitted use on the ground floor of the building.	The new zoning should reflect the existing uses while having regard to the policies of the Official Plan and the intent of the existing zoning.	That Exception [18] be amended to add "printing plant" as an additional use permitted; that the provision under Column IV be amended to state that "-office and printing plant are limited to an FSI of 1.5"; and a new provision is added under Column IV to state that "office is permitted on the ground floor of a building".
	4. Conference Centre	The proposed zoning designation for the Conference Centre is L4 F(5.0)H(135 A.S.L.). As you are aware, the Sports Hall of Fame will be located in the building in the future. In cooperation with this use, restaurants and retail stores may also be provided. Therefore, we recommend that the site be designated L4B F(5.0)H(135 A.S.L.) which would permit these additional uses. This would be the same zoning which applies to the National Arts Centre.	The suggested L4B F(5.0)H(135 A.S.L.) would be in keeping with the intent of the Official Plan policies and that of the existing zoning while allowing the accommodation of the proposed future uses of the existing building, namely the sports Hall of Fame.	That the proposed zoning for the Conference Centre be changed from L4 F(5.0)H(135 A.S.L.) to L4B F(5.0)H(135 A.S.L.)

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	5. Lorne Building	The Lorne Building at 80 Elgin Street is proposed to be designated CB F(8.)Sch.39. In this zone, 50% of the ground floor of any building must be occupied by commercial uses. This building currently contains office use on the ground floor. Given the building's current use and its relatively deep setback from Elgin Street, we are of the opinion that an exception should be created to permit 100% of the ground floor to be used for office. You advised that you would consider this change.	Although the existing building is set back from the street, it does not prevent 50% of the ground floor from accommodating retail and service commercial uses as directed by the Official Plan. In fact, the podium could be an asset in accommodating outdoor patios associated with restaurants and bars.	No change recommended.
	6. Off-site Parking	The draft by-law proposes to eliminate the existing off-site parking provision of 250 metres. Rather the parking requirements for use must be satisfied on each individual site. Such a requirement means that many of our properties along both Sparks Street and Wellington Street will not be capable of providing on-site parking owing to both their relatively small lot size and the absence of access to a public street in the case of Sparks Street. We understand from you that many of these properties will be forced to pay cash-in-lieu in order to satisfy the parking requirements. This is simply unacceptable. We believe that there must be a more flexible arrangement for the provision of parking on Sparks Street and Wellington Street given their unique characteristics.	The Official Plan states that "City Council may permit cash payment to the City in lieu of part or all of the zoning by-law requirements for parking, ...". There are no policies maintaining the off-site parking provisions. Furthermore, parking credits apply to existing uses that were not required to provide parking under previous zoning. Parking that would normally be required under the current zoning would be used as credits towards new development. Wellington and Sparks Streets are not treated any differently. Nevertheless, there is an on-going heritage study in the Central Area and the preliminary findings recommends the designation of a heritage district centred on Sparks Street, between Elgin Street and Bank Street as detailed in the attached information. In such cases, a heritage overlay is imposed whereby no parking is required as an incentive to retain the existing buildings. The designation is to take place this Fall after which the by-law will be amended accordingly.	No change recommended at this time.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	7. EW5 Zone	PWGSC remains of the opinion that it may be more appropriate to delineate the EW5 zone along that portion of the water's edge. We further requested that no minimum yard setbacks should apply. We would appreciate your comments on this matter.	The EW5 zone is maintained along the water's edge with the understanding that the boundary along the escarpment will be adjusted when the NCC provides more detailed geodesic information. As for the minimum yard setback, given that some existing buildings and structures such as the Supreme Court and the heating plant are located along the escarpment edge and given the uniqueness of the use accommodated within the CP zone (the Parliament Buildings), the minimum yard setback requirement may be deleted.	The minimum yard setbacks for the CP zone be changed from 12 and 7.6 metres to 0.
Minto Developments Inc. (February 17, and March 2, 1999)	1. Section 19(10) Additional uses not requiring parking in CB zone	There appears to be a conflict in the zoning details between the definition of gross floor area and the parking requirement exemption for uses listed in Section 19(10) provided below grade. The gross floor area provision for the Central Area should not include floor area below grade as per By-law Number Z-2K.	Under Section 16(E)7 of By-law Number Z-2K, the calculation of parking requirements in the Central Area is based on a modified definition of gross floor area and includes, in the case of a non-residential use building or a mixed use building, all floors whether above or below or at grade excluding floor areas used for storage, the parking of motor vehicles or if occupied by mechanical equipment. Currently, <i>Zoning By-law, 1998</i> , defines gross floor area to mean the total area contained within the interior of the outside walls of the building at each floor or level, less any area used for parking, minus 18%. It is likely that this will be revised back to the previous definition as a result of the consultant's review of the residential zones resulting from appeals to the <i>Zoning By-law, 1998</i> . The uses listed under Section 19(10) would, therefore, be included in the parking calculations whether they are located above or below or at grade.	No change recommended

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	2. Section 47(3) & 75(6) Minimum separation for parking lot	The proposed zoning detail includes a 1.5 metre setback between parking lot and a zone boundary. This parking lot setback is unnecessary in an environment of zero lot line development. Parking lots within the central area should be safe for users and pedestrian and provide frontage on the street that is appropriate for the location.	The minimum separation between a parking lot and a zone boundary, when required, is 3 metres. This can be reduced to 1.5 metres if an opaque screen is provided. This is general provision applicable to all parking lots and is still seen valid in the Central Area. It also has been a condition to the approval of parking lots under Site Plan Control for some years now. Note, however, that this provision is under review by our consultant regarding the residential zones emanating from the appeals to <i>Zoning B-law, 1998</i> .	No change recommended.
	3. Sections 7, 19(10) and 20(1) Parking in CB and CB1 zones	Clarify the parking requirements in the CB and CB1 zone for retail and commercial uses.	Under Section 7, no parking is required for the listed retail and service commercial uses in the CB, CP and CM zones. Under Section 19(10), some entertainment uses are added to the exemption for the CB zone. Under Section 20(1), Sections 7 and 19(10) do not apply under the CB1 subzone and parking is required for retail, service commercial and entertainment uses. The CB1 subzone affects the Rideau Centre which is a shopping destination; this is not the case for the similar uses located in the CB zone.	No change recommended.
	4. Sections 19(3) to 19(6) Ground floor uses in CB zone	Clarify intent of the by-law with respect to driveways/garage entrances through landscaped yards at grade and the direct access requirement for commercial uses on the ground floor of buildings in the CB zone. Entrances to parking lots and loading areas will prevent access to all ground floor tenants. A provision that allows some flexibility for garage and loading entrances or controlled access such as banks or offices should be considered.	A driveway leading to a parking lot/garage forms part of the parking facility and is not part of the ground floor. Consequently, it is not a factor in the calculation of the ground floor uses.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	5. Section 27(8) Landscaped areas in side and rear yards of R7 zone	Amend Section 123 of By-law Number 93-98 to delete requirement for landscaped side yards and rear yards in the R7 zones.	The residential regulations set out under Part IV of the <i>Zoning By-law, 1998</i> , is as valid within the Central Area as it is outside the Central Area. It is intended to ensure an appropriate environment in residential areas. All high density residential development require side and rear yard setbacks of 1.2 metres and of up to 11 metres respectively, and amenity area in the order of 30% of the lot area plus 10% of the gross floor area each of the dwelling units or rooming units. Part of this amenity area is to be located in a side yard or rear yard not covered by a building or a parking lot. Note, however, that this provision is under review by our consultant regarding the residential zones emanating from the appeals to the <i>Zoning B-law, 1998</i> .	No change recommended.
	6. Section 28 R7 Zone	Zoning by-law provisions for the R7 zone as compared to the yard requirements under the Upper Town zoning by-law?	The yard requirements under the existing R7-x(5.0)[51] zoning are very complex as they take into consideration whether the walls have a window or not, the percentage of window coverage when provided, and the building height. Under the proposed new zoning, the general provisions set out under Zoning By-law, 1998, for residential uses are to apply as they are simpler and adequate for the Central Area. Note, however, that these provisions are under review by a consultant regarding the residential zones emanating from the appeals to <i>Zoning By-law, 1998</i> .	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	7. Section 19(2)(ah) Parking lot	Amend parking provisions to permit surface parking lots subject to site plan control approval. Recognize the existing surface parking lots in the zoning for the parcels shown on Neighbourhood Monitoring Area Map 13-7 as CB1[5]F(7.0)Sch.60 & 61 and on Map 13-4 as R7A F(5.0)H(64) on the north west corner of Laurier Avenue West and Lyon Street.	Under the existing zoning, parking lots are required to be provided in a building or structure. The proposed new zoning maintains this requirement. It is also not legal to permit parking lots subject to site plan approval; either they are permitted or they are not. As for the surface parking lots in the CB1[5]F(7.0) Sch.60 & 61 and R7A F(5.0)H(64), the first one is permitted as a temporary use and the second is a non-conforming use under the existing zoning. The proposed new zoning maintains these provisions.	No change recommended.
	8. Schedule 1 Building heights	Clarify Intent of Schedule 1 - building height in the Central Area. The legend appears to be missing something.	Schedule 1 corresponds to Schedule 11 under By-law Number Z-2K and sets out the general framework for the building height controls affecting the Central Area as described under Section 13 of the proposed new zoning for the Central Area.	No change recommended.
	9. Section 20 (Zoning By-law, 1998) Lot Area	Amend the <i>Zoning By-law, 1998</i> , such that Section 20 will not apply to the CB and R7 zone.	Section 20 of <i>Zoning By-law, 1998</i> sets out the general provisions related to lot area. Following Planning Committee's decision related to the appeals to Zoning By-law, 1998, on March 30, 1999, Section 20(4)c) will be deleted and all uses permitted on both sides of a zone boundary located on the same lot will be permitted. This provision will also apply to the Central Area.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	10. Section 8 Parking Requirement	<p>Parking ratios in the Central Area appear to have increased. However, we understand that the City plans to hire a consultant to review the parking standards throughout the City. In the interim, we recommend that the City refrain from any changes to the parking provision in the Central Area until the consultant's report is approved by City Council. We are concerned that a change at this time will alter the status of existing off-site parking lots within 250 metres of a use and legal surface parking lots.</p>	<p>The proposed parking rates set out under Section 8 should correspond to the parking rates set out under the existing zoning and should not be any greater than the rate established for uses located outside the Central Area. This was not the case for certain uses, particularly with some institutional, industrial and transportation uses, where the rate reflects the current provisions but are twice the rate now required for the same uses located outside the Central Area. These rates have been adjusted accordingly. As for the parking study, consultants have been hired to review tandem parking, parking near transit stations, parking for residential uses and parking for shopping centres. Given the significance of tandem parking and parking near transit station in the context of the Central Area zoning review, the submission to the Planning and Economic Development Committee of a final report detailing the proposed zoning changes of the Central Area has been postponed from March 30, 1999 to June 8, 1999 in order to allow the consultant to develop appropriate recommendations.</p>	<p>That the parking rates that do not reflect the existing requirements or exceed the rate established for the uses located outside the Central Area be revised accordingly. (See above respond to letter from the Regional Municipality of Ottawa-Carleton dated March 1, 1999).</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Arnon Corporation (March 18, 1999)	1. Industrial Uses at 161 Bank St. 171 Slater St. Slater/Laurier Parking 60, 66 Queen St. 62 Sparks St. 56 Sparks St. 130-140 George St. 183-195 Rideau St. 25 Nicholas St	Add list of previously permitted industrial uses - the uses are generally "clean" and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.	The industrial uses currently permitted under By-law Number Z-2K were established in the 80's when there was a high vacancy rate in office space. The intent was to broaden the scope of potential tenants for the office space. The Official Plan policies (Vol I, Chapter 5, policy 5.5.2a)) state that the Central Business District shall accommodate "predominantly commercial uses, including business, office and retail uses, and intense activity ..." Note that the use "computer/data centre" is listed as a use and which accommodates high tech business. This use did not exist under the former zoning by-law. Manufacturing involves receiving parts and material and the distribution of finished products which entails truck traffic. This may have a significant impact on the flow of traffic and on the public transit system in the Central Area and would be contrary to the efforts of reducing truck traffic in the Central Area.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	<p>2. Sections 19(3), (5) & (6) - Retail and service commercial uses at grade at 161 Bank St. 171 Slater St. Slater/Laurier Parking 60, 66 Queen St. 62 Sparks St. 56 Sparks St. 130-140 George St. 183-195 Rideau St. 25 Nicholas St</p>	<p>- Add apartment building as a permitted use thereby allowing a building which is 100% residential. - Delete Sections 19(3), 19(5) & 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.</p>	<p>The Official Plan policies (Vol. II, Chapter 1, policies 1.3.3a)iii) and 1.3.3b)) “require pedestrian-oriented uses at grade along pedestrian corridors, including Albert, Slater and Metcalfe Streets, and along other streets, retail uses at grade, or similar appropriate uses...” and “the principal entrance to such uses shall be located along the perimeter of a building and shall be directly accessible to pedestrian walking along the public right-of-way” and “such uses shall be provided continuously along the street”. These policies apply as much for a commercial use as for a residential use. In fact, it would not be appropriate to provide residential uses at grade in the Core Area given the volume of vehicular and bus traffic on most of the downtown streets.</p>	<p>No change recommended.</p>
	<p>3. Section 19(11) Surface parking lots at 161 Bank St. 62 Sparks St. Besserer St. 130-140 George St.</p>	<p>Delete Section 19(11) as the site has an existing surface parking.</p>	<p>The existing surface parking lots at the noted addresses are not listed as permitted uses under the current zoning by-law; they enjoy non-conforming rights. They will continue to be non-conforming uses under the new zoning as intended under the existing zoning.</p>	<p>No change recommended.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	4. Parking exemption for a change of use at 66 Queen St. 56 Sparks St.	Add an exception which will exempt the existing building at 56 Sparks Street from providing parking in the event that it is subject to a change of use.	In cases where the required parking cannot be accommodated on site, the Official Plan policies (Vol I, Chapter 5, 5.9.2.2d)) allows “cash payment in lieu of part or all of the zoning by-law requirements for parking”. Parking credits would also apply for existing uses that were not required to provide parking under previous zoning. Parking that would normally be required under the current zoning would be used as credits towards the new use. Finally, Sparks Street, between Bank Street and Elgin Street and including the property at 56 Sparks Street, is proposed to be designated as a heritage district and, consequently, a heritage overlay would apply which would further relax the parking requirements.	No change recommended.
	5. Permitted uses along Besserer St.	Add previously permitted commercial uses from Exception Zone [33] of By-law Z-2K, in addition to commercial uses proposed in R6B Zone.	The proposed R6M Sch.63 subzone allows the same range of commercial uses and in the same manner as set out under the current R7-x(4.0)[33] zone. The permitted office and laboratory uses are limited to an FSI of 1.5 and may only locate on the ground floor or basement of a building containing a residential use.	No change recommended.
	6. Floor Space Index along Besserer St.	Reinstate previously approved FSI of (4.0).	Under the new zoning by-law, the FSI is no longer specified for residential zones. The intensity of development is regulated by the yard setbacks and the building height limits. A greater FSI may be achieved in some cases.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	7. Amenity Area Besserer St.	Reduce Amenity Area Requirements	The amenity area requirements set out under Part IV of the <i>Zoning By-law, 1998</i> , is as valid within the Central Area as it is outside the Central Area. It is intended to ensure a liveable environment in the residential areas. All high density residential development require a total amenity area in the order of 30% of the lot area plus 10% of the gross floor area each of the dwelling units or rooming units. Part of this amenity area may be located in a side yard or rear yard not covered by a building or a parking lot. Note, however, that this mater is under review by our consultant on residential zones emanating from the appeals from the <i>Zoning By-law, 1998</i> , and is subject to change.	No change recommended.
	8. Office use at 475 Laurier Avenue West	The property at 475 Laurier Avenue West is used as an apartment building. It has approximately 1 000 sq.ft. of commercial office on the ground floor. Based on our review of the proposed zoning, we would like to see the following amendments to the proposed zoning: a) Add an office use of up to 1000 sq.ft. on the ground floor.	The existing office use at 475 Laurier Avenue West is not permitted under the recently approved R7-x(5.0)[51] zone, hence has a non-conforming status. It will continue to be a non-conforming use under the new zoning as intended under the existing zoning.	No change recommended.
	9. Section 10 Required parking available for all uses	Section 10 in the draft by-law states that required parking provided in the Central Area will be available to anyone for parking purposes and not only for the specific use it is required for. The meaning of this is unclear. This provision should be at the discretion of the owner of the provided parking, and not mandatory as it now reads. We would recommend that the word “will” be replaced by the word “may”.	The use of the word “may” instead of the word “will” would better reflect the intend of the related provision set out under By-law Number Z-2K.	That the word “will” in Section 10 be changed to the word “may”.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
<p>D.Gladstone (February 17, 1999)</p>	<p>General</p>	<p>I strongly recommend that the Central Area Zoning process be put on hold until the appeals to By-law 93-98 are resolved, until the Central Area West Heritage Study is completed and, above all, until a vision for the Central Area is developed with full involvement of all stakeholders, which fully reflects the City's and Region's Official Plan.</p> <p>As others at the public meeting, I am concerned as to whether the current process is properly based on Official Plan policies.</p>	<p>The review of the Regional Official Plan was initiated in 1995 and completed in July 1997. The City is in the process of bringing its Official Plan in compliance with the new Regional Official Plan. The Central Area Zoning Review, which was initiated in April 1996, can only implement the currently approved Official Plan. Any amendment to the Official Plan resulting from the Official Plan review that may impact on the zoning regulations will result in a zoning amendment.</p> <p>The Central Area West Heritage Study is carried out under the authority of the Heritage Act and its purpose is to designate buildings or districts. The heritage overlay in the zoning by-law is a complementary set of regulations that assist in maintaining the existing character of an designated area or building. The establishment of the overlay can occur at a later stage without affecting the proposed zoning changes as it is a set of regulations that is superimposed onto an area and the regulations supercedes those of the underlying zone.</p> <p>The appeal process to By-law 93-98 (<i>Zoning By-law, 1998</i>) is a separate and independent process from the Central Area Zoning Review. The proposed zoning details for the Central Area uses the provisions established under <i>Zoning By-law, 1998</i>. Any changes that may result form the appeal process will apply to the Central Area. Consequently, there is no need to wait for the resolution of the appeals before proceeding with the proposed zoning for</p>	<p>No change recommended.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
			<p>from the Central Area Zoning Review. The proposed zoning details for the Central Area uses the provisions established under <i>Zoning By-law, 1998</i>. Any changes that may result from the appeal process will apply to the Central Area. Consequently, there is no need to wait for the resolution of the appeals before proceeding with the proposed zoning for the Central Area.</p>	
<p>Thérèse Rickman-Bull (February 17, 1999)</p>	<p>General</p>	<p>I fail to understand why specific zoning issues cannot be considered under this process. If there are issues that can be incorporated into the plan, they should be addressed at this point. To suggest that zoning does not affect the plan is disingenuous. I request that a greater vision be articulated which takes into account the input of local residents. I intend to appeal the current zoning. This issue is not closed where I am concerned. Ottawa has to demonstrate unequivocally that there is zero tolerance for prostitution.</p>	<p>Zoning relates to the use of land and the erection and use of buildings. It cannot address the issue of tenure nor can it regulate the use or activities taking place on public right-of ways. The issue of prostitution is a police/law enforcement matter that cannot be addressed under zoning.</p>	<p>No change recommended.</p>
<p>Campbell Robertson, City Centre Coalition (February 17, 1999)</p>	<p>1. General</p>	<p>Wait until the OMB appeal on By-law 93-98 has been decided before moving these zoning changes forward.</p>	<p>The appeal process to By-law 93-98 (<i>Zoning By-law, 1998</i>) is a separate and independent process from the Central Area Zoning Review. The proposed zoning details for the Central Area uses the provisions established under <i>Zoning By-law, 1998</i>. Any changes that may result from the appeal process will apply to the Central Area. Consequently, there is no need to wait for the resolution of the appeals before proceeding with the proposed zoning for the Central Area.</p>	<p>No change recommended.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	2. Section 9 Parking	<p>1. Zoning regulations as they relate to parking should conform with the Official Plan of the City and the Region.</p> <p>2. There should be no new parking lots , downtown. Decrease the number of parking lot spaces near transitway stations.</p> <p>3. Put meters in City parking lots to discourage all day parking.</p> <p>4. For new properties, “cap” the number of parking spaces that can be included.</p>	<p>1. The proposed parking requirements for the Central Area reflect the requirements set out under the existing zoning by-law (Section 17(E)) which requirements are less than those for the remaining of the City. Consequently, they conform to both the City and the Region Official Plans as both Official Plan favor a reduction of parking in the Central Area.</p> <p>2. In the Central Area, commercial parking may only be provided in a building or structure. Surface commercial parking lots are only permitted as a temporary use and must be reviewed through a rezoning process. Parking near transit stations is being reviewed by a consultant along with the issue of tandem parking. Findings from this study may result in changes to the parking requirements.</p> <p>3. Zoning may or may not permit parking but cannot regulate the metering of parking lots. This is done through licensing.</p> <p>4. The Official Plan supports the establishment of an upper limit on the amount of parking provided in development (policy 5.9.2.2a). It also states that parking should be required when considering development applications (policy 5.9.2.2b). It is, nevertheless, beyond the</p>	No change recommended.
			5.9.2.2b). It is, nevertheless, beyond the mandate of this zoning review to undertake a comprehensive analysis of parking requirements for each land uses in order to establish a maximum number of required parking.	

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	3. Tandem Parking	Do not allow tandem parking.	<p>The existing zoning does not permit tandem parking. <i>Zoning By-law, 1998</i>, allows tandem parking for certain uses, namely, office, hospital, funeral parlour, place of worship, industrial uses and warehouse provided they require at least 50 parking spaces, in which case up to 10% of the required parking may be in tandem. This provision is to apply to the Central Area. It is not proposed to include commercial parking lots in this provision as it would be contrary to the Official Plan policies of reducing parking in the Central Area.</p> <p>Note, however, that a consultant is currently reviewing this issue and his findings may result in some changes to this provision.</p>	No change recommended.
Canril Corporation (February 17, 1999)	1. Section 20 Uses in CB Zone	We object to the absolute requirement for direct pedestrian access to the street from individual uses in a building. This requirement is too onerous on the building owner and tenant.	It is the mandate of this study to define the zoning tools required to implement the land use policies of the Official Plan. Given that the policies (O.P. Vol. II, 1.3.3 b) state specifically that uses at grade should have direct pedestrian access from the street, a zoning provision was provided in the CB zone.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	2. Tandem Parking	We object to not permitting tandem parking in the Central Area. We support the business associations and the parking operators in their position of allowing tandem parking downtown. This is particularly important to businesses in competition with the suburban shopping centres and to the tourist industry.	The existing zoning does not permit tandem parking. <i>Zoning By-law, 1998</i> , allows tandem parking for certain uses, namely, office, hospital, funeral parlour, place of worship, industrial uses and warehouse provided they require at least 50 parking spaces, in which case up to 10% of the required parking may be in tandem. This provision is to apply to the Central Area. It is not proposed to include commercial parking lots in this provision as it would be contrary to the Official Plan policies of reducing parking in the Central Area. Note, however, that a consultant is currently reviewing this issue and his findings may result in some changes to this provision.	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Chris Bradshaw Ottawalk (February 17, 1999)	1. General	Conformity to new Regional Official Plan is needed. Also, the broader strategy of Official Plan is not referred to. This is, as staff admitted, an administrative process, not to allow or cause any zoning changes. As taxpayer, that is a waste of tax money. It will need to be reviewed all over again as Regional Official Plan causes changes to City Official Plan.	<p>The review of the Regional Official Plan was initiated in 1995 and completed in July 1997. The City is in the process of bringing its Official Plan in compliance with the new Regional Official Plan. The Central Area Zoning Review, which was initiated in April 1996, can only implement the currently approved Official Plan. Any amendment to the Official Plan resulting from the Official Plan review that may impact on the zoning regulations will result in a zoning amendment.</p> <p>As for the mandate of the Central Area zoning review, it is intended to implement the currently approved Official Plan policies while having regard to the intent of the existing zoning and the existing land uses. Where the existing zoning implements the Official Plan policies and accommodates the existing uses, it was maintained but under a new zone designation, new terminology and a simplification of the zone regulations. Only where there is a clear policy statement to cause a change of zoning that a new zone was proposed. The Planning Act allows individuals to apply for rezonings and amendments to the Official Plan and the City is obligated to process and consider any applications.</p>	No change recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
	2. Section 21 CB1 Subzone	This area (Rideau Street) is pedestrian-unfriendly. Yet staff say it is more important not to create “non-conformity”. Sorry, Official Plan conformity must prevail.	The proposed new zoning is intended to implement the policies of the Official Plan while having regard to the intent of the existing zoning and existing land uses. Although the related policies state that uses located along the perimeter of a building shall be directly accessible to pedestrian, the existing development is a regional shopping centre (Rideau Centre) with interior malls and three accesses off Rideau Street. The proposed expansion of the Rideau/Congress Centre will occupy the remaining one third of the city block facing Rideau Street with two additional accesses proposed. The remaining portions of Rideau Street will require direct pedestrian access. As a result, the Rideau/Congress Centre will be able to conform to the zoning by-law while the general intent of the policies for the Rideau Street would be implemented.	No change recommended.
F. Cameron (February 17, 1999)	Section 34 R6L Subzone	The zoning at the southeast corner of St. Patrick Street and Cumberland Street should reflect the current uses ie. low rise development and not high rise development as shown on the zoning map. The zoning changes should be more consistent with the Official Plan ie provide for non-conforming uses. In general, the new zoning shows lack of vision; no/little movement to better the quality of life.	The existing CAH-x[24] zoning allows a wide range of residential uses with limited commercial uses at grade. The maximum building height ranges from the existing height of the existing buildings to 13.6 metres, therefore limiting development to low rise buildings. The proposed R6L SCH 73 zone is a high rise residential zone with limited service commercial uses permitted at grade. Although the existing building height limits are maintained under Sch 73 attached to this zone, the zone designation does not adequately reflect the existing low rise residential development of the subject area. The area should, instead, be placed in an R5D subzone to reflect this low rise character.	That the R6L zones located along Cumberland Street and Murray Street and shown on Zoning Map 13-10 be changed to an R5D subzone designation with an exception [51] to allow the commercial uses permitted under the existing CAH-x[24] exception zone.

Document 1.b)

Memo / Note de service

To / Destinataire
 Councillor Elisabeth Arnold
 Chairperson
 Planning and Economic Development
 Committee

July 8, 1999

From / Expéditeur
 Commissioner
 Department of Urban Planning and Public
 Works

ACS1999-PW-PLN-0059

Subject / Objet: Comments Related to the Proposed Central Area Zoning

Attached please find staff comments with respect to matters which were raised concerning the submission titled "Proposed New Zoning for the Central Area", and which were received subsequent to the submission being tabled with Planning and Economic Development Committee on June 22, 1999. Copies of documents received from the National Capital Commission, Regional Municipality of Ottawa-Carleton, Centretown Citizens Ottawa Corporation and Canril Corporation are enclosed. The attached table is intended as an addition to "Document 1- Central Area Zoning Review: Summary of Feedback" of the above submission.

(Original signed by E.M. Robinson)

Attach.

c.c . Councillor Stéphane Émard-Chabot
 Councillor Allan Higdon
 Councillor Ron Kolbus
 Councillor Shawn Little
 Anne-Marie Leung, Executive Assistant, Department of Corporate Services
 Hana Nader-Merhi, Assistant City Solicitor, Department of Corporate Services
 Mr. Larry Spencer, Spencer & Co.
 Mr. François Lapointe, Director, Planning, National Capital Commission
 Mr. Nigel Brereton, Senior Project Manager, Development Approvals Division, Region
 of Ottawa-Carleton
 Mr. Dennis Carr, Development Coordinator, Centretown Citizens Ottawa Corporation
 Ms. Lynn Calvert, Vice President, Canril Corporation

CENTRAL AREA ZONING REVIEW
SUMMARY OF FEEDBACK (received since June 22, 1999 Planning and Economic Development Committee meeting)

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
National Capital Commission (NCC)	Section 37(2)- CN9 Subzone	<p>-Add “bar”, “cinema”, “hotel”, “night club” and “theatre” as permitted uses in the CN9 subzone affecting Booth Street in LeBreton Flats. Official Plan Amendment No. 27 relating to LeBreton Flats states as follows supporting the addition of these uses:</p> <p><i>“City Council shall permit a broad range of uses including residential, retail, office, entertainment, cultural, institutional and recreational uses within mixed use areas abutting arterial roads...”</i> <i>(OPA #27 policy 1.11.3.a)</i></p>	<p>-The policy referred to by the NCC is the general policy dealing with mixed use areas in LeBreton Flats. The same section of Official Plan Amendment No. 27 also provides more specific policies relating to specific areas of LeBreton Flats. Of particular interest here are policies 1.11.3.3 d) and e) which state:</p> <p><i>“d) City Council shall require that Booth Street provides a variety of small-scale, continuous, ground floor pedestrian-oriented uses, such as retail, restaurant and personal service uses, in creating a “Main Street” focus to serve the new community and visitors to the area.”</i> and</p> <p><i>“e) City Council shall permit a variety of ground floor, small-scale retail, cultural, restaurant and entertainment uses, below residential uses along the north side of the aqueduct, to enhance public activity along this part of the aqueduct; ...”</i></p> <p>-Under policy d), City Council shall <u>require</u> ground floor pedestrian-oriented uses such as retail, restaurant and personal service uses, in creating a “Main Street” focus; however, it does not preclude other uses such as entertainment and cultural uses. Under policy e), City Council shall <u>permit</u> a variety of ground floor, small-scale retail, cultural, restaurant and entertainment uses and, as such, no particular uses are required to be provided. On that basis, the proposed additional uses may be permitted along Booth Street.</p> <p>-There is a concern, however, with the proposed “hotel” use which is not seen as a use that is in keeping with the establishment of a neighbourhood “Main Street” commercial area</p>	<p>-Amend Section 37(2) of the zoning details by adding the following as permitted uses:</p> <ol style="list-style-type: none"> 1. bar 2. cinema 3. night club 4. theatre

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Regional Municipality of Ottawa-Carleton	Section 9(3)- Parking Provisions for Recreational Uses	-parking rates for “cinema”, “community health and social services centre”, “library”, “museum” and “theatre” in the Central Area should not be greater than the rates set out under the <i>Zoning By-law, 1998</i> for the areas located outside the Central Area	-In keeping with the principle that parking provisions for uses in the Central Area should remain the same as the current rates but not greater than the rates set out under the <i>Zoning By-law, 1998</i> for the areas located outside the Central Area, the parking rates for “cinema”, “community health and social services centre”, “library”, “museum” and “theatre” should be changed accordingly.	Amend Section 9(3) of the zoning details by deleting the proposed parking rates and replacing them with the following: 1) cinema: 1 per 170 square metres 2) community health and social services centre: not required, except 1 per 135 square metres of gross floor area for the medical facility 3) library: 1 per 100 square metres of assembly area plus 1 per 170 square metres for the remaining gross floor area 4) museum: 1 per 100 square metres of assembly area plus 1 per 170 square metres for the remaining gross floor area 5) theatre: 1 per 170 square metres
	Thomson-Perkins Mill lands	-Thomson-Perkins Mill is in a Waterway Corridor designation in the City’s Official Plan and in a Waterfront Open Space designation in the Regional Official Plan, and RMOC are concerned that there are no restrictions on building height or size in the eventuality that it was ever destroyed	-The proposed EW6 zone reflects the existing commercial use of the property and allows additional commercial uses that would be acceptable at this location while assisting in the preservation and viability of the existing building. If the existing restaurant and parking lot uses were not recognized through zoning, the proposed uses could well be established under the Committee of Adjustment by changing a non-conforming use to another non-conforming use. -Furthermore, the existing uses do not comply with the yard setback and lot coverage regulations set out under an EW zone and, for that reason, they are not being applied here.	No further changes to the zoning details recommended

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Centretown Citizens Ottawa Corporation (CCOC)	Residential Parking requirements	<p>-it is inappropriate to apply the <i>Zoning By-law, 1998 Area X</i> parking standards to the Central Area, as these are excessive based on CCOC experience</p> <p>-forces developers to provide expensive underground parking, and fails to respect City and Regional policies concerning reduced reliance on automobile</p> <p>-should be no residential parking requirements in the Central Area</p>	<p>-The parking requirements for residential uses as set out under Section 15 of By-law Number Z-2K still apply to the Central Area. It is proposed that the parking requirements for residential uses set out under Part III of the <i>Zoning By-law, 1998</i>, apply to the Central Area. Residential development in Upper Town, Lowertown and Sandy Hill West is similar in many regards to the residential development in Centretown and, as such, generates a similar need for parking.</p> <p>-Nevertheless, there is a parking study that is currently reviewing a number of parking issues, including parking rates for residential uses. Any modifications to the residential parking rates that may result from this study would apply to the Central Area.</p>	No further changes to the zoning details recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
<p>Centretown Citizens Ottawa Corporation (continued)</p>	<p>Apartment Setbacks</p>	<p>-CCOC has appealed side and rear yard provisions for apartments in R5 and R6 Zones as being excessive -seems to be opposed to City and Regional policies requiring efficient use of land, compact form of development, affordable housing and choice of tenure -regulations should enable rather than preclude infill development</p>	<p>-Upper Town, Lowertown and Sandy Hill West were affected by the same R5, R6, R7 and RO zones under By-law Number Z-2K as those that affected Centretown. New R5 and R6 zones have replaced those zones in Centretown. It is proposed that the existing R5, R6, R7 and RO zones affecting the residential areas of Upper Town, Lowertown and Sandy Hill West in the Central Area be replaced by the R5 and R6 zones as well as by a proposed new R7 zone. Given that the form of residential development is similar, it is proposed that the zoning regulations set out under Part IV of the <i>Zoning By-law, 1998</i>, also apply to the residential areas of the Central Area. Privacy, access to sunlight and amenity space are as important for an apartment building which is located within the Central Area as for one that is located outside the Central Area. The means of providing them would differ and are addressed under the Site Plan Control approval process. -It is to be noted, however, that the side and rear yard setbacks for the residential uses as set out under Part IV of the <i>Zoning By-law, 1998</i>, have been reviewed by a consultant and a report recommending changes to these regulations was approved by City Council on June 16, 1999. Any modifications resulting from that process will also apply to the Central Area.</p>	<p>No further changes to the zoning details recommended.</p>

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Centretown Citizens Ottawa Corporation (continued)	Stacked Townhouses in proposed R7 Subzones	-stacked townhouses should be allowed in all proposed R7 subzones as a economic method of providing affordable, grade accessible housing	<p>The proposed R7 zone replaces existing R7 and RO zones. Under both of these zones the primary residential uses were single family, apartment dwelling, retirement home, rooming house and special needs house. The proposed R7B and R7C subzones reflect the intent of these zones by allowing a similar range of uses. As stacked townhouse is considered as a form of townhouse development, and since townhouse is not listed as a permitted use under the existing zones, it is not listed under the new zones.</p> <p>The existing R7 exception zone affecting Upper Town allows semi-detached and row (townhouse) dwellings and, for that reason, the area is being zoned R7A where stacked townhouse is permitted. The proposed R7D subzone, which also allows stacked townhouses, affects parts of LeBreton Flats and is intended to implement relevant policies of Official Plan Amendment No. 27.</p>	No further changes to the zoning details recommended.
	Consideration of Central Area zoning amendments	<p>-CCOC has appealed some of the residential provisions of the <i>Zoning By-law, 1998</i>, including apartment setbacks and parking requirements</p> <p>-Council should not consider the proposed Central Area Zoning in advance of the OMB hearing on these appeals</p>	The consideration of appeals to By-law 93-98 (<i>Zoning By-law, 1998</i>) is a separate and independent process from the Central Area Zoning Review. The proposed zoning details for the Central Area uses some of the provisions established under the <i>Zoning By-law, 1998</i> . Any changes that may result from the appeal process, such as the residential yard provisions for multiple unit development or parking requirements for residential uses, will apply to the Central Area. Consequently, there is no need to wait for the resolution of the appeals before proceeding with the proposed zoning for the Central Area.	No further changes to the zoning details recommended.

SUBMISSIONS	ZONING DETAILS	PARTICULARS	DISCUSSION	RECOMMENDATIONS
Canril Corporation	Transition Provisions	-how will the Transition Provisions work in the Central Area?	-it is recommended that the transition provisions for the Central Area reflect those now applied to the <i>Zoning By-law, 1998</i> , with the effective date starting as of the Central Area zoning coming into force	Amend the zoning details with respect to Sections 618-620 of the <i>Zoning By-law, 1998</i> , to incorporate transition provisions to apply to the Central Area zoning which mirror those currently applicable to the rest of the City, with the timelines to apply from the date of the Central Area zoning amendment coming into force

CENTRAL AREA ZONING REVIEW

HIGHLIGHTS OF THE PROPOSED ZONES AND SUBZONES**A - Proposed New Zones and Related Subzones**

ZONES & RELATED SUBZONES	PREVIOUS ZONING	AREA AFFECTED	DESCRIPTION
CB - Central Business District Commercial Zone	C2	Downtown Core Area, and Rideau Street	A high density, high profile office and retail commercial zone with retail and service commercial uses required at grade but no parking required for these retail and service commercial uses
CB1 Subzone	C2	Rideau/Congress Centre	Does not require retail and service commercial uses at grade with direct access to a public street to reflect existing development and requires parking for such uses
CP - Parliamentary Precinct Commercial Zone	G	Parliament Hill, the Supreme Court and the National Library and Archives	Allows Legislative Assembly buildings and office uses as well as limited service commercial uses
CP1 Subzone	C2	South side of Wellington Street	Permits retail and service commercial uses at grade and removes 10% gross floor area limitation as the area is located on the south side of Wellington Street, within the Core Area

CP2 Subzone	RO	Northern portion of LeBreton Flats	Adds cultural and entertainment uses; permits retail and service commercial uses at grade and removes 10% gross floor area limitation as the area is located within the designated Cultural/office Area of LeBreton Flats; defines area-specific zone regulations as the area is surrounded by open space
CM - By Ward Market Commercial Zone	BWM	By Ward Market Area	A general commercial zone with emphasis on pedestrian-oriented uses at grade and limitations on the size of uses at grade to maintain an interesting and varied streetscape
CM1 Subzone	CAH	By Ward Building and Garage	Limits commercial uses to retail food store and the retailing of arts and craft
CM2 Subzone	HR-3	South side of St-Patrick Street	Limits commercial uses to art-related activities and to the ground floor and basement
R7 - Residential / Service Commercial Zone	R7 and RO	Parts of Lowertown, Upper Town and LeBreton Flats	A high density, high profile residential zone with limited commercial uses
R7A Subzone	R7	Parts of Upper Town	Allows a greater amount of service commercial uses at grade than the primary R7 zone as the area is located along the transitway and in proximity to significant non-residential uses

R7B Subzone	RO and R7	Parts of Lowertown	Prohibits lower intensity residential uses, expands the range of commercial uses and requires mixed residential/commercial developments to reflect the established character of these areas
R7C Subzone	RO	Parts of Lowertown	Encourages high intensity residential uses by prohibiting lower intensity residential uses, adds office as a permitted use and requires mixed residential/commercial developments
R7D Subzone	RO and G	Parts of LeBreton Flats	Encourages high intensity residential uses by prohibiting lower intensity residential uses and some service commercial uses; adds entertainment uses and defines area-specific zone regulations

B - Proposed New Subzones

SUBZONES	PREVIOUS ZONING	AREA AFFECTED	DESCRIPTION
R6K Subzone	RO and G	Parts of LeBreton Flats	Implements the residential area policies as set out under OPA #27
R6L Subzone	HR-4	Parts of Lowertown	High rise residential zone with service commercial uses permitted at grade
R6M Subzone	R7	South side of Besserer Street in Sandy Hill West	High rise residential zone with office use limited to ground floor or basement and to an FSI of 1.5 to minimize impact of commercial uses on abutting residential area

CN9 Subzone	RO and C1	Along Booth Street in LeBreton Flats	Implements the “main street” commercial policies affecting Booth Street as set out under OPA #27
CG14 Subzone	R7, RO and CAH	Parts of Upper Town	Allows office uses to reflect existing uses or to maintain intent of existing zoning
CG15 Subzone	RO	Area along the north side of Wellington and Albert Streets in LeBreton Flats	Implements the related policies of OPA #27 by allowing mixed residential and commercial uses, primarily office uses, and limiting the location and size of the retail and service commercial uses
L1F Subzone	RO and G	Part of LeBreton Flats	To accommodate a municipal park in LeBreton Flats as set out under OPA #27
L1G Subzone	G	Part of LeBreton Flats	To accommodate a central open space area in LeBreton Flats as set out under OPA #27
L4B Subzone	G and P	Areas along Sussex Drive and the Rideau Canal	Allows restaurant and retail uses in museums to reflect existing and proposed uses
EW5 Subzone	G and P	Areas along the Ottawa River and Rideau Canal	Permits museum, parking lot and recreational and athletic facility in order to accommodate existing uses
EW6 Subzone	P	Corresponds to the Thompson-Perkins Mill property (The Mill Restaurant)	To accommodate existing restaurant use and allow additional retail uses

CENTRAL AREA ZONING REVIEW**PUBLIC CONSULTATION PROCESS**

No.	DATE	FORM OF CONTACT	CONTACT PHASE	TOPIC / AREA
1996				
1	April 23	PEDC meeting	Project Initiation	Terms of reference/ work program
2	June 24	Councillors briefing		Public Consultation
3	August 22	Central Area Advisory Group meeting (C.A.A.G.)		Start-up meeting
4	September 17	C.A.A.G. meeting	Issue Identification	Workshop Planning meeting
5	September 14, 21	Newspaper Ad / Flyers		Workshop Sessions
6	September 24	Public Workshop Session		Theme Area workshops
1997				
7	36390	C.A.A.G. Meeting	Zoning Strategies	Open House Session/ Public Consultation
8	October	Tabloid		General Distribution
9	October	Displays		Various locations in Central Area
1998				
10	36214	Public Workshop	Zoning Strategies	Workshop Session
11	October/ November	Technical Circulation	Draft Zoning	Circulated to Community Associations, Business Groups, Major Land Holders for comment
1999				
12	36166	Meeting with Central Area Community Associations	Draft Zoning	Zoning Issues
13	36171	PEDC Meeting		Information Report on Draft Zoning and Public Consultation Process
14	January 25 to 27	Flyer		Distributed to all property owners and tenants in Central Area
15	36207	Public Open House		Open House Session
16	36332	PEDC Meeting		Public Meeting
17	36340	City Council Meeting		Consideration of PEDC recommendations

No.	DATE	FORM OF CONTACT	CONTACT PHASE	TOPIC / AREA
18	October	City Council Meeting	Zoning By-law Amendment	Approval of amending by-law
19	October	Newspaper advertisement		Public Notice of Council approval of amending by-law / appeal period
20	November 1999 to February 2000	Appeals Mediation		Review of appeals; meetings with appellants
2000				
21	March	PEDC Meeting	Zoning By-law Amendment	Public Meeting: Report on appeals to amending by-law
22	April	City Council Meeting		Consideration of PEDC recommendations: report on appeals
23	To be determined	Newspaper advertisement		Public Notice of Council approval of amendments resulting from appeals resolution process/ appeal period
24	To be determined	OMB Hearing		Public Hearing

Record of Proceedings

Planning and Economic Development Committee - June 22, 1999

Ref #: ACS1999-PW-PLN-0059

Proposed New Zoning for the Central Area

Parties Who Appeared

Jane Ironside

J.E. Ironside Consulting Ltd.

2055 Prince of Wales Drive, K2E 7A4. Tel.: 727-4457.

Ms. Ironside spoke on behalf of Arnon Corporation, provider of management services and owners of 12 sites within the Central Area. She elaborated on her letter dated March 18, 1999 addressed to the Director of Planning.

Robert B. Edmonds

Action Sandy Hill

190 Charlotte Street, K1N 8K9. Tel.: 291-9211.

Mr. Edmonds advised the Committee that Action Sandy Hill has been part of the public consultation process. On behalf of Action Sandy Hill, he expressed appreciation for being consulted. Action Sandy Hill supports the thrust of the new central area zoning and the idea of four distinct zones - the Central Business District zone; the Parliamentary Precinct zone; the By Ward Market zone; and the Central Area Residential zone. He elaborated on the letter dated October 29, 1997 from Jon C. Legg, President of Action Sandy Hill.

Lois K. Smith

Box 23144, Carlingwood Postal Outlet, Ottawa, K2A 4E2.

Dr. Smith listed some technicalities to the Committee. She advised that she will detail these technicalities and submit them to the Committee at a later date. She addressed the following issues: parking and loading; bed and breakfast; wedding chapel; place of worship for meeting in small groups in residential homes; roof top garden/miniature garden. She agreed to include these suggestions in writing for the Committee.

Amy Kempster

Federation of Citizens' Associations of Ottawa-Carleton,

118 Clearview Avenue, K1Y 2L2. Tel.: 722-6039.

Ms. Kempster addressed the Committee on a letter dated June 22, 1999 from Linda Hoad, President of the Federation of Citizens' Associations of Ottawa-Carleton (FCA). She advised that the FCA is not happy with the parking requirements and how they will implement the

policies of the Ottawa and Regional Official Plans. The FCA understands that there is a study being undertaken and feels that it is premature to comment on the proposed zoning until they know what the parking requirements and policies will be. On a personal basis, she feels that the central area is in need of a few green oasis and pocket parks to make it more attractive for people, who come downtown. She suggested that some of the parking lots could be created into some pocket parks.

Ted Fobert & David Pollard

FoTenn Consultants Inc. & Public Works
representing Parliamentary Precinct Directorate, PWGSC
297 Sunnyside Avenue. Tel.: 730-5709.

Mr. Pollard and Mr. Fobert were present on behalf of Public Works. They have worked extensively with City Staff over the last couple of years on the efforts relating to the Federal properties in the core area, which was a challenging exercise; and they support the efforts of Staff and the work done on this matter. They support the motions brought forward by Staff with respect to the Public Works properties in the core area and they hope that Members of the Committee will support the motions. They suggested a friendly amendment to Motion 2.d) in order to clarify the uses that are listed apply to the **CP1 Zone** and not the CP Zone.

Larry Spencer, Spencer & Co.

National Capital Commission
46 Hopewell Avenue, K1S 2Y8. Tel.: 730-2360.

Like the previous speakers, the National Capital Commission also worked extensively with City Staff over the last month. Mr. Spencer submitted and explained to the Committee two motions with respect to LeBreton Flats.

Dennis Carr

Centretown Citizens Ottawa Corporation (CCOC)
P.O. Box 2787, Station D, K1P 5W8. Tel.: 236-2408, Ext. 229.

Mr. Carr advised that CCOC has been involved in commenting on the appeals to the Ontario Municipal Board on the *Zoning By-law of 1998*. He expressed concern that the By-law is going ahead without those appeals being heard at the OMB because they feel that they will impact on the Central Area By-law. He elaborated on the CCOC President's letter dated June 18, 1999, addressing the following issues: - Residential Parking Requirements; - Apartment Building Setbacks; and - R7 Subzones.

Written Submissions by Parties

The Committee received the following material:

- Letter dated March 18, 1999 addressed to the Director of Planning, re. Review of Draft Central Area Zoning By-law as it Pertains to Lands for which Arnon Corporation Provides Management Services from Jane Ironside, J.E. Ironside Consulting Limited, 2055 Prince of Wales Drive, Nepean, K2E 7A4.
- Letter dated October 29, 1997 addressed to Jean-Guy Bisson, Planner, Central Area Zoning Review, Planning Branch, re. Central Area Zoning Review - Proposed Strategies from Jon C. Legg, President, Action Sandy Hill.
- Letter dated June 22, 1999 addressed to the Executive Assistant, Planning and Economic Development Committee from Nigel T. Brereton, MCIP, RPP, Senior Project Manager, Development Approvals Division, Region of Ottawa-Carleton.
- Letter dated June 22, 1999 submitted by Amy Kempster from Linda Hoad, President of the Federation of Citizens' Associations of Ottawa-Carleton, P.O. Box 55038, 240 Sparks Street, Ottawa, Ontario, K1P 1A1.
- Submissions from Larry Spencer on behalf of the National Capital Commission.
- Letter dated June 18, 1999 submitted by Dennis Carr addressed to Jean-Guy Bisson, Planner, Department of Urban Planning and Public Works from Nancy Campbell, President, Centretown Citizens Ottawa Corporation, P.O. Box 2787, Station D, Ottawa, Ontario. K1P 5W8.
- Letter dated June 21, 1999 addressed to Chair and Members of Planning and Economic Development Committee from David Gladstone, 118 Frank Street #2, Ottawa, Ontario. K2P 0X2.

Finding of Fact and Recommendation by Committee

The Committee considered the oral and written submissions presented and, on the basis of the report by the Department of Urban Planning and Public Works, the Committee **approved** the following motions and **tabled** this item until the meeting of July 27, 1999:.

1. That all references to sections 6 to 43 where they appear in Document #1 and related to the proposed zoning details be renumbered to Section 7 to 44 in order to reflect the applicable sections of Document #4.
2. The following amendments to the "Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area" dated May 17, 1999, resulting from further discussions with Public Works and Government Services Canada related to the zoning affecting some of their lands:
 - a) That the phrase "which includes an archive" be added to the use "library" listed under zoning detail 20(2)(ad);
 - b) That zoning detail 22(7) as revised be further revised as follows:
 - (7) In the CP zone,
 - (a) parking for any building or use may locate on any lot situated within this zone; and
 - (b) required parking may be located in a front yard or side yard abutting a street.

- c) That the following uses be added to zoning detail 23(1) related to the CP1 subzone:
- computer/data centre
 - instructional facility
 - laboratory
 - medical facility
 - production studio
 - public hall
 - research and development centre
 - retirement home
- d) That the following uses be added to **the CP1 Subzone** and subject to the provisions of zoning detail 23(2):
- cinema
 - community centre
 - community health and social services centre
 - catering establishment
 - night club
 - repair shop
 - fast food restaurant
 - retail food store
 - small batch brewery
- e) That zoning detail 23(2)(b) be deleted and replaced by the following phrase:
- (b) uses located within 3 metres from Sparks Street must have a separate and direct pedestrian access onto the public street.
- f) That zoning detail 23(4) be deleted.
- g) That all lands located along the Ottawa River which are zoned G, G-x[5], P and M4(1.0) under By-law Number Z-2K and are now proposed to be zoned EW5 and EW[40], and the lands located at the south west corner of Wellington Street and Bay Street which are zoned P under By-law Number Z-2K and are now proposed to be zoned L3, be rezoned as follows:
- i) That three new exceptions be created, one of which will permit the uses allowed under the G and G-x[5] zones on lands zoned G and G-x[5], one which will permit the uses allowed under the P zone on lands zoned P and one which would permit the uses allowed under the M4(1.0) zone on lands zoned M4(1.0); and
 - ii) That an “h” holding symbol be applied to the affected lands, the exceptions specifying that the holding symbol may only be removed upon completion of the secondary planning process and approval of the recommended zoning.
- h) Create a new exception that would also allow “instructional facility” as a permitted use on the property known as the De La Salle Academy on Sussex Drive.

- i) That the heritage overlay affecting the Parliamentary Precinct and shown on Neighbourhood Monitoring Area map 13-3 be deleted.
3. The following amendment to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, is intended to maintain the same parking rate as set out under By-law Number Z-2K:
- a) That zoning detail 9(3)iii dealing with parking for cinema be amended by deleting the phrase “1 for every 8 fixed seats, whichever is greater”.
4. The following amendment to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, is intended to correct a misreference in the subject provision:
- a) That the reference to “Zoning Detail 7” under zoning detail 20(9) be deleted and replaced by the phrase “Zoning Detail 8”.
5. The following amendments to the “Details of Amendments to the *Zoning By-law, 1998* Required to Establish the New Zoning for the Central Area” dated May 17, 1999, results from further discussions with the National Capital Commission and is intended to reflect the Ontario Municipal Board’s decision related to the appeal to Official Plan Amendment No. 27 dealing with LeBreton Flats:
- a) That Schedule 91, forming part of Document #4, be replaced by the attached Schedule 91.
- b) That zoning detail 4 be revised by adding the words “and Schedule 91” after the words “Schedule 1.”
- c) That zoning detail 24(6)vi be replaced by the following regulation: “as shown by the suffix “H” on Neighbourhood Monitoring Area maps 13-1 and 13-2 and as shown on Schedules 91 and 92.”
- d) That Table 32(10) be replaced by the following Table 32(10) and that all the provisions dealing with yard setbacks under Exception [44] be deleted:

Table (10) - Regulations for the R7D Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0
iii	Required front yard setbacks and corner side yard setbacks abutting Preston Street extended	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.5 metres

iv	Required front yard setbacks and corner side yard setbacks abutting Booth Street	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 2.5 metres
v	Required front yard setbacks and corner side yard setbacks abutting any other street	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vi	Minimum rear yard and interior side yard where those yards abut an L2B subzone	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vii	Minimum setbacks for all other yards than a front yard and a corner side yard, or rear yard and interior side yard abutting an L2B subzone	0
viii	Minimum building height	- for a building fronting on Preston Street extended: 3 storeys or at least 11 metres in height - for a building fronting on Booth Street: 4 storeys or at least 14 metres in height - for a building fronting on any other street: 3 storeys or at least 11 metres in height
ix	Maximum floor space index	Not applicable
x	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

- e) That Exception 44 be amended by adding reference to the L2B subzone after the L1F zone under the third provision.
- f) That Table 36(4) be replaced by the following Table 36(4) and that all the provisions dealing with yard setbacks in Exception [46] be deleted:

Table (4) - Regulations for the R6K Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0

ii	Minimum lot width	0
iii	Required front yard setbacks and corner side yard setbacks abutting “LeBreton Boulevard”	- for that portion of a building or structure less than 79.9 metres above sea level in height: 0.5 metres - for that portion of a building or structure equal to or greater than 79.9 metres above sea level in height: 3.5 metres
iv	Required front yard setbacks and corner side yard setbacks abutting Albert Street and Wellington Street, east of Booth Street	3.0 metres
v	Required front yard setbacks and corner side yard setbacks abutting Preston Street extended	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.5 metres
vi	Required front yard setbacks and corner side yard setbacks abutting any other street	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vii	Minimum setbacks for yards other than a front yard and a corner side yard	0
viii	Minimum building height	- for a building fronting on “LeBreton Boulevard”: 6 storeys or at least 20 metres in height - for a building fronting on any other street: 3 storeys or at least 11 metres in height
ix	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

g) That Table 37(4) be replaced by the following Table 37(4):

Table (4) - Regulations for the CN9 Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0

iii	Required front yard setbacks and corner side yard setbacks	<p>a) For buildings or structures abutting Booth Street:</p> <ul style="list-style-type: none"> - for that portion of a building or structure less than or equal to 4 storeys or less than or equal to 14 metres in height: 0.5 metres - for that portion of a building or structure greater than 4 storeys or greater than 14 metres in height: 2.5 metres <p>b) For buildings or structures abutting “LeBreton Boulevard”:</p> <ul style="list-style-type: none"> - for that portion of a building or structure less than or equal to 79.9 metres above sea level: 0.5 metres - for that portion of a building or structure greater than 79.9 metres above sea level: 3.5 metres
iv	Minimum rear yard setbacks	<ul style="list-style-type: none"> - where a building or structure abuts Booth Street and is less than 4 storeys or 14 metres in height: 0.5 metres - where a building or structure abuts Booth Street and is equal to or greater than 4 storeys or 14 metres in height: 3.0 metres - where a building or structure abuts “LeBreton Boulevard” and is less than 6 storeys or 20 metres in height: 0.5 metres - where a building or structure abuts “LeBreton Boulevard” and is equal to or greater than 6 storeys or 20 metres in height: 3.5 metres
v	Minimum setbacks for all other yards	0
vi	Minimum building height	<ul style="list-style-type: none"> - for a building fronting on Booth Street: 4 storeys and at least 14 metres in height - for a building fronting on both Booth Street and “LeBreton Boulevard”: 6 storeys and at least 20 metres in height
vii	Maximum floor space index	Not applicable
viii	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

- h) That Table 39(8) be replaced by the following Table 39(8) and the provision dealing with yard setbacks in Exception [45] be deleted:

Table (8) - Regulations for the CG15 Subzone

	I ZONING MECHANISM	II REGULATION
i	Minimum lot area	0
ii	Minimum lot width	0

iii	Required front yard setbacks and corner side yard setbacks abutting Wellington Street and Albert Street	3 metres
iv	Required front yard setbacks and corner side yard setbacks abutting Preston Street extended	- for that portion of a building or structure less than 4 storeys or 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.5 metres
v	Required front yard setbacks and corner side yard setbacks abutting Booth Street	- for that portion of a building or structure less than or equal to 4 storeys or less than or equal to 14 metres in height: 0.5 metres - for that portion of a building or structure greater than 4 storeys or greater than 14 metres in height: 2.5 metres
vi	Required front yard setbacks and corner side yard setbacks abutting any other street	- for that portion of a building or structure less than 4 storeys or less than 14 metres in height: 0.5 metres - for that portion of a building or structure equal to or greater than 4 storeys or equal to or greater than 14 metres in height: 3.0 metres
vii	Minimum side and rear yard setbacks	0
viii	Minimum building height	- for a building or structure fronting on Booth Street: 4 storeys or at least 14 metres in height - in all other cases: 3 storeys or at least 11 metres in height
ix	Maximum floor space index	Not applicable
x	Minimum landscaped area	0, except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped area

- i) That zoning details 32(7), 36(5) and 39(5) be revised by adding the words “the finished” before the word “grade” where it appears and by adding the words “at the property line abutting a public street or a public right-of-way.” after the word “grade”.
- j) That zoning detail 39(10) be deleted.
- k) That Exceptions 45 and 47 be revised by adding the following provisions:
- an outdoor patio may abut an L1 or L2 zone or subzone;
 - an outdoor patio may locate within 30 metres from the boundary of an L1 and L2B zone
 - storage must be completely enclosed within a building and, if the storage is not accommodated within the principal building, the building or structure within which the storage is accommodated must be located in an interior yard or a rear yard but shall not be located in a yard abutting an L1 or L2B zone.
- l) That zoning detail 42 be amended by adding the following new provision:

- (3) In the L4B subzone,
 - (a) an outdoor patio is permitted if operated as part of a restaurant;
 - (b) an outdoor patio may locate in a yard abutting an EW zone or subzone; and
 - (c) an outdoor patio may locate within 30 metres from the boundary of an EW zone or subzone.
 - m) That Neighbourhood Monitoring Area map 13-1 be amended so that all of Albert Island be included in the EW[40] zone.
6. That, under the Subject: Schedule Reference - L1F Leisure & Open Space Zone, LeBreton Flats; Central Area Zoning Review Section #: Zoning Maps: Neighbourhood Monitoring Area 13, Sub Area 1; National Capital Commission Comments: -Reference is made to Schedule 93 in the L1F Leisure and Open Space district on Zoning Map 1. -Schedule 93 no longer exists, reference to Schedule 93 on Zoning Map 1 be deleted. (Recommendation from the National Capital Commission.
7. That no further notice be provided pursuant to section 34(17) of the Planning Act.

The Committee received and referred the following recommendation from the National Capital Commission to staff for comments:

That, under the Subject: Neighbourhood Linear Commercial Zone (CN9 Subzone) LeBreton Flats; Central Area Zoning Review Section #: 37; National Capital Commission Comments: - Official Plan Amendment #27 (LeBreton Flats) contemplates that the Booth Street commercial corridor will function much like a traditional mainstreet shopping and entertainment district for the residents and business of LeBreton Flats; -Specifically, the approved Official Plan amendment states: -“City Council shall permit a broad range of uses including residential, retail, office, office, entertainment, cultural, institutional and recreational uses within mixed use areas abutting arterial roads...” (e.g., Booth Street commercial corridor). -Unfortunately, the proposed zoning CN9 provisions do not reflect the uses permitted by the Official Plan Amendment; the following be added to the permitted uses listed in Section 37(2), Document 4: -bar; -cinema; -hotel; -night club; and -theatre.



July 6, 1999 (3:19p)

Executive Assistant
 Planning and Economic Development Committee
 AML:aml



*J. E. Ironside Consulting Ltd.
2055 Prince of Wales Drive,
Nepean, Ontario K2E 7A4*

File Number 1033-98

March 18, 1999

Mr. John Moser
Director of Planning
Department of Urban Planning
and Public Works
City of Ottawa
111 Sussex Drive
Ottawa, ON K1N 5A1

**Re: Review of Draft Central Area Zoning By-law as it Pertains to Lands for which
Arnon Corporation Provides Management Services**

Dear Mr. Moser:

I am writing on behalf of Arnon Corporation, provider of management services for several properties within the Central Area of the City of Ottawa.

I have reviewed the Draft Central Area By-law as it pertains to a number of properties in which Arnon has an interest, and prepared a report which was discussed with representatives of Arnon Corporation. There are a number of issues in the new Draft By-law which are of concern, many of which apply to more than one site.

Described below are the specific properties which have been reviewed, and proposed changes required to make the by-law acceptable to Arnon.

1. 161 Bank Street

Existing Zoning	C2-x(8.0)[61]	Proposed Zoning	CB F(8.0) SCH.23
------------------------	----------------------	------------------------	-------------------------

The property at 161 Bank Street is occupied by an office building and some surface parking. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

*Tel: (613) 727-4457 Fax: (613) 225-4736
E-Mail jal@storm.ca*

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.
- d. Delete Section 19(11), as the site has existing surface parking
- e. Add 161 Bank Street to the adjacent lands zoned CB [2] F(8.0), which will permit the surface parking area.

2. 171 Slater Street

Existing Zoning C2-x(8.0)[60] **Proposed Zoning** CB F(8.0) SCH.22

The property at 171 Slater Street is occupied by an office building. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.

3. Slater/Laurier Parking Facility

Existing Zoning C2-x(8.0)[10] **Proposed Zoning** CB [2]F(8.0) SCH.24

The Slater/Laurier property is occupied by a parking structure and surface parking area. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning.

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.

4. 60, 66 Queen Street

Existing Zoning C2-x(8.0)[67] **Proposed Zoning** CB F(8.0) SCH.37

The properties at 60 and 66 Queen Street are occupied by office buildings and some surface parking. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning.

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.

- d. Delete Section 19(11), as the site has existing surface parking and place the site in the Exception[2] zone, which will permit the surface parking area.
- e. Add an exception which will exempt the existing building at 66 Queen from providing parking in the event that it is subject to a change in use.

5. 62 Sparks Street

Existing Zoning C2-x(8.0)[37] **Proposed Zoning** CB F(2.0) SCH.34

The property at 62 Sparks Street is occupied by an office building and some surface parking. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.
- d. Delete Section 19(11), as the site has existing surface parking, and place the site in the Exception[2] zone, which will permit surface parking.

6. 56 Sparks Street

Existing Zoning C2-x(8.0)[36] **Proposed Zoning** CB F(8.0) SCH.34

The property at 56 Sparks Street is occupied by an office building. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.

- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.
- d. Add an exception which will exempt the existing building at 56 Sparks Street from providing parking in the event that it is subject to a change in use.

7. Besserer Street - south side Waller to Cumberland

Existing Zoning **R7-x(4.0)[33]** **Proposed Zoning** **R6M SCH.63**

The property on the south side of Besserer Street, between Waller and Cumberland is used as a parking lot. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add previously permitted commercial uses from Exception Zone [33] of By-law Z-2K, in addition to commercial uses proposed in R6B Zone.
- b. Add a surface parking area as a permitted use to recognize the existing use on site.
- c. Reinstate previously approved FSI of (4.0)
- d. Reduce Amenity Area Requirements

8. 130-140 George Street

Existing Zoning **C2-x(8.0)[73]** **Proposed Zoning** **CB F(8.0) SCH.80**

The property at 130-140 George Street is occupied by an office building and some surface parking. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.

- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.
- d. Delete Section 19(11), as the site has existing surface parking and place the site in the Exception[2] zone, which will permit surface parking.

9. 183-195 Rideau Street

Existing Zoning C2-x(8.0)[92] **Proposed Zoning** CB F(8.0) SCH.81

The property at 183-195 Rideau Street is occupied by an office building with retail uses at grade. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.
- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.
- c. Delete Sections 19(3), 19(5), 19(6) - many of the uses listed in Section 19(3) are incompatible with a high class office building, and office tenants find such uses undesirable in the same building. The requirement for such uses on the ground floor should be optional, not mandatory.

10. 25 Nicholas Street

Existing Zoning C2-x(8.0)[35] **Proposed Zoning** CB1 F(8.0) SCH.58

The property at 25 Nicholas Street is occupied by an office building. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning:

- a. Add list of previously permitted industrial uses - the uses are generally 'clean' and although involve some manufacturing, can easily be accommodated in typical downtown office floor space.

- b. Add apartment building as a permitted use thereby allowing a building which is 100% residential.

11. 475 Laurier Avenue West

Existing Zoning R7-x(5.0)[S1] **Proposed Zoning** R7B F(5.0) H(64)

The property at 475 Laurier Avenue West is used as an apartment building. It has approximately 1000 sq. ft. of commercial office on the ground floor. Based on our review of the proposed zoning we would like to see the following amendments to the proposed zoning.

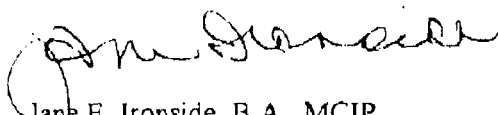
- a. Add an office use of up to 1000 sq. ft. on the ground floor.

12. Section 10

Section 10 in the draft by-law states that required parking provided in the Central Area will be available to anyone for parking purposes and not only for the specific use it is required for. The meaning of this is unclear. This provision should be at the discretion of the owner of the provided parking, and not mandatory as it now reads. We would recommend that the word 'will' be replaced with the word 'may'.

If you require further clarification with respect to this matter, please do not hesitate to call me. It may be helpful to meet to discuss these concerns, as there is a common theme through the appeals for the properties under Arnon's ownership or management. I look forward to hearing from you in the near future with respect to the issues raised.

Yours truly,



Jane E. Ironside, B.A., MCIP
Registered Professional Planner

cc: Gillie Vered, Arnon Development Corporation
Peter Vice, Vice & Hunter

Action Sandy Hill
 c/o 190 Charlotte Street
 Ottawa, Ontario K1N-8K9
 October 29, 1997

Mr. Jean-Guy Bisson, Planner
 Central Area Zoning Review
 Planning Branch
 Department of Planning, Economic Development and Housing —
 City Hall
 111 Sussex Drive —
 Ottawa, Ontario —
 K1N- 5A1

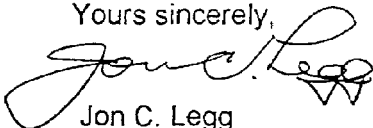
Dear Mr. Bisson,

Re: Central Area Zoning Review - Proposed Strategies
 (Your File LBT3105/0327.115)

Thank you for your letter of September 24, 1997, regarding the above-noted subject, in which you asked for comments on the paper attached thereto (File No. LBT3105/0327.135, Paper No. 3) from stakeholders, including the appropriate community associations. In reply, I should like to state at the outset that Action Sandy Hill (ASH) is favourably impressed with the general tenor of the paper in that it fully recognizes the uniqueness of the Central Area in comparison with other components of the Ottawa-Carleton Region. For example, you have usefully characterized the Central Area as constituting four distinct regions - the Central Business District zone, the Parliamentary Precinct zone, the By-Ward Market zone and the Central Area Residential zone.

This having been said, we do have some detailed comments, as the recognized community association for Sandy Hill, on the portion of the paper dealing with the Central Area Residential zone. We trust that these comments, which are outlined in the attached memorandum, will be of assistance to the City planners in formulating their final recommendations. The thrust of this memorandum was unanimously endorsed by the Board of Action Sandy Hill at its monthly meeting on October 27, 1997.

Yours sincerely,



Jon C. Legg
 President, Action Sandy Hill

cc. Regional Councillor Madeleine Meilleur
 City Councillor Stéphane Emard -Chabot

Central Area Zoning Review

ASH Comments on Proposals re: the Central Area Residential Zone

Action Sandy Hill (ASH) has noted that the "Zoning Strategies" paper has taken the thrust of the Region's Official Plan as the principle guiding the recommendations regarding the Central Area Residential Zone. This means that the continuing vibrancy of the downtown core (both commercial and otherwise) is to be emphasized as well as the livability of the residential portion of this district. Our particular comments on the draft paper are thus directed to the attainability of these general objectives. **In sum, these comments relate to the heritage and other distinctive features of much of the Central Area, the need to maintain the character of each individual neighbourhood and how to reverse the trend towards the proliferation of vacant lots along the commercial streets in the area.**

Heritage Aspects

Sandy Hill is a community which has perhaps more designated heritage houses than the rest of Ottawa put together. This, in turn, is a reflection of its *historic nature as one of the oldest residential communities in the Nation's Capital*. This "heritage" feature also places a burden on those who are trying to maintain these historic houses. On the other hand, the City to-date has not imposed any zoning restrictions on the heritage areas of the community. This provides some flexibility as to the uses of the houses in question, but it also allows for some flagrant abuses of the character of the district.

In brief, Sandy Hill has a number of "special needs" housing units located in this area whose numbers are kept to a barely-acceptable level by the existence of distance-separate regulations pertinent to such establishments. ASH would contend that similar distance-separation regulations should be put in place with regard to rooming houses, which have, for some reason, been largely confined to the Central Area. Our contention is based largely on the ground that many of those seeking accommodation therein have been encouraged to do so by the Region's Social Services Department and thus are in an analogous position, from a jurisdictional responsibility viewpoint, as the occupants of the "special needs" houses. Additionally, where you have the combination of a heritage area (for which no special restrictions are in place) and the existence of several rooming houses in one block, some of which are also the headquarters of drug dealers, this can rapidly lead to the deterioration of the community in terms of the value of the real estate and the safety and security of the single-family houses in the vicinity. This result is contrary to the thrust of the Region's Official

Plan which emphasizes the need to maintain the livability of the residential portions of the Central Area.

Another aspect, which has a bearing on the heritage character of the downtown area, is the provision in the draft report (Section 3.2) which suggests that the intent of the proposed Central Area Residential Zone is "to permit predominantly residential uses, including bed and breakfast facilities, as well as limited service commercial uses at grade such as convenience stores, restaurants and personal service businesses". We would agree that, in terms of maintaining the heritage houses in Sandy Hill, the establishment of clean and well-run bed-and-breakfast enterprises is one way of preserving these historic - but large- premises. On the other hand, the existence of a number of bed-and-breakfast establishments on one block alters the residential character of a community (as has happened in Stratford, Ontario where whole streets have been converted to bed-and-breakfast establishments) which leads not only to the "commercialization" of residential neighbourhoods but may also have a dramatic effect on the value of real estate in the immediate area. Similarly, the existence of several "coin-wash" establishments within a small radius - not to mention the implantation of body-piercing parlours and "adult" video stores on the commercial streets serving the neighbourhood - is not a welcome development. The solution to this predicament may be to require the City to canvass community associations and the immediate neighbours concerning proposals to establish new commercial enterprises in their residential service areas.

Maintaining the Character of Neighbourhoods

ASH fully supports the Region's Official Plan to concentrate the future urban expansion in the Ottawa-Carleton area within the Greenbelt rather than permit uncontrolled expansion beyond the Greenbelt. ASH accordingly also accepts - in principle - the concept of "intensification" of the population in the downtown core. However, bearing in mind that many of the neighbourhoods in the Central Area already have a distinctive character, it is important that the new zoning provisions require any applications for permission to undertake "infill" projects in the area to respect the existing character of the neighbourhood. This means, for instance, that where single-family houses are the norm that that characteristic be borne in mind in the City's examination of any intensification proposals in relation thereto. Specifically, the City should ensure that developers not be permitted to circumvent existing zoning provisions - such as the requirement for single-family houses- by buying several adjoining lots which would then, in aggregate, constitute a plot of sufficient size to accommodate the construction of an apartment building. In other words, the existing zoning regulation applicable to one lot should not be permitted to be altered when the lot is combined with others.

Vacant Commercial Lots

As for the question of revitalizing the commercial vibrancy of the Central Area (another objective of the Region's Official Plan), one of the most prominent obstacles to be overcome is the increasing prevalence of unplanned parking lots which have proliferated on downtown streets. This is caused to a large extent by an inequity in the Ontario property tax system (a responsibility recently "downloaded" to the Region and thus - at least theoretically - subject to local correction) which unfairly rewards inactivity and punishes property enhancement. Specifically, while each \$5,000 of physical improvement to a private dwelling will prompt a property tax increase (thus providing a disincentive to such improvements), vacant lots that remain empty are taxed at a minimal rate. Thus the owner of a vacant lot on, for example, the eastern half of Rideau Street can comfortably afford to keep his lot vacant (or, more likely, convert it into a "temporary" parking lot and gain some revenue thereby) until he receives a sufficiently attractive offer from a potential buyer. If land were taxed more for its potential value rather than its actual use (thus rewarding improvement-minded householders) the owners of such vacant Central Area lots might have a greater incentive to find possible developers and thus coincidentally enhance the attractiveness of the downtown commercial area. One city which has instituted such a two-tier tax system - Pittsburgh in Pennsylvania - is virtually the only major municipality in the United States to have registered a consistent increase in the value of its downtown building permits over the past ten years.

Viewing this problem from a zoning perspective, the City might wish to institute procedures under which each application for a zoning change in an essentially commercial zone in the Central Area would be carefully examined to see whether it included the possibility of converting a public/commercial site into a "temporary" parking lot. If such a possibility appears inherent in the application, the City should have no hesitation about questioning - or, preferably, denying - the application.

Summary

In summary, ASH would like to propose the following concrete points for consideration in terms of zoning for the Central Area:

- a) the City should be vigilant, but flexible, in its efforts to ensure the preservation of heritage areas in the downtown core;
- b) further to (a) above, distance-separation regulations should be promulgated for rooming houses similar to those already in effect for "special needs" housing;

- c) community associations and the immediate neighbours of the properties concerned should be consulted about applications to open commercial outlets or bed-and-breakfast establishments;
- d) one measure to preserve the character of existing neighbourhoods would be to ensure that the existing zoning applicable to one lot should not be allowed to be circumvented by the accumulation of several adjoining lots; and
- e) applications for zoning changes in essentially commercial portions of the downtown core should be carefully examined to ensure that they preclude the amendment of public/commercial zoning to those that include the establishment of "temporary" parking lots as possible uses.

Region of Ottawa-Carleton
 Ottawa-Carleton Centre
 111 Lisgar Street, Cartier Square
 Ottawa, Ontario K2P 2L7
 Planning and Development Approvals Department
 Development Approvals Division
 Tel. (613) 560-6058
 Fax. (613) 560-6006



Région d'Ottawa-Carleton
 Centre Ottawa-Carleton
 Place Cartier, 111 rue Lisgar
 Ottawa (Ontario) K2P 2L7
 Service de l'urbanisme et de l'approbation des
 demandes d'aménagement
 Tél. (613) 560-6058
 Télécopieur (613) 560-6006

Date: 22 June 1999
 File: (25) 09-97-0208

Ms Anne-Marie Leung, A.M.C.T.
 Executive Assistant
 Planning and Economic Development Committee
 City of Ottawa
 111 Sussex Drive
 Ottawa, Ontario
 K1N 5A1

Dear Ms Leung

Re: Proposed New Zoning for the Central Area

We have reviewed the staff report on the above, except that we do not have a copy of Document 4, the "Zoning Details".

Because of a scheduling conflict, I will unfortunately not be able to attend at 1:30 p.m. on 22 June 1999, but ask that this letter be distributed to the Committee.

There are two items we want to emphasize from our previous letters on this issue (1 March 1999 and 19 November 1998):


- 1) We agree with the principle stated on page 16 of the staff report that parking provisions for uses in the Central Area should not be greater than the rates set out under Zoning By-law 1998 for the areas outside the Central Area, or equivalent to the current rates set out under Section 16(E) of By-law Number Z-2K, whichever is the lesser.

However, it appears that this principle was not always followed with regard to certain leisure and recreational uses as set out in table 8(3) of the proposed by-law.

The table attached to this letter "Comparison of Ottawa Central Area Parking Requirements", shows in shaded where the "Proposed Requirement" is greater than the "Current Requirement (By-law Z-2K)". We recommended that the Z-2K requirements be the ones adopted.

- 2) As the Thomson-Perkins Mill is in a Waterway Corridor designation in the City's Official Plan, and a Waterfront Open Space designation in the Regional Official Plan, we are concerned that no restrictions are placed on building height or size in the eventuality that it was ever destroyed . We note that it is not protected through any heritage designation. We recommend that site specific regulations be established to limit a building to the height and area of the present building.

Yours truly

A handwritten signature in black ink, appearing to read "Nigel T. Brereton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Nigel T. Brereton, MCIP, RPP
Senior Project Manager
Development Approvals Division

NTB/kc

Attach

f:\work\zoning\09970208ntb.doc

Comparison of Ottawa Central Area Parking Requirements

Use	Proposed Requirement	Current Requirement (By-law Z-2K)	By-law 1998 Requirement (Outside Central Area)	Comments
Leisure/Recreat.				
Bowling Alley	4 spc/alley, court, sheet, table & 10 spc/100 m ² gfa lounge, dining, assembly 10 spc/100 m ² gfa	4 spc/alley, court, sheet, table & 1 spc/9.5 m ² gfa lounge, dining, assembly or 1 spc/4 lounge seats not listed	4 spc/alley, court, sheet, table & 10 spc/100 m ² gfa lounge, dining, assembly 10 spc/100 m ² gfa	
Bingo Hall	10 spc/100 m ² gfa	not listed	10 spc/100 m ² gfa	
Cinema	1 spc/100 m ² gfa or 1 spc/8 seats	0.6 spc/100 m ²	1 spc/100 m ² gfa or 1 spc/8 seats	increased req based on 1998 by-law
Community Ctre.	not req; 5 spc/100 m ² gfa medical facility	not req; .75 spc/100 m ² gfa medical facility	not req; 5 spc/100 m ² gfa medical facility	increased req for medical based on 1998 by-law
Library	10 spc/100 m ² gfa assembly & 2 spc/100 m ² gfa remaining	1 spc/9.5 m ² display & addit. spc for theatres, lectures etc.	10 spc/100 m ² gfa assembly & 2 spc/100 m ² gfa remaining	increased req based on 1998 by-law
Marina	1 spc/100 m ² gfa	not listed	1 spc/100 m ² gfa	
Museum	10 spc/100 m ² gfa assembly & 2 spc/100 m ² gfa remaining	1 spc/9.5 m ² display & addit. spc for theatres, lectures etc.	10 spc/100 m ² gfa assembly & 2 spc/100 m ² gfa remaining	increased req based on 1998 by-law
Park	not req	not listed	not req	
Rec/Athletic Ctre.	4 spc/alley, court, sheet, table & 10 spc/100 m ² gfa lounge, dining, assembly	4 spc/alley, court, sheet, table & 1 spc/9.5 m ² gfa lounge, dining, assembly or 1 spc/4 lounge seats	4 spc/alley, court, sheet, table & 10 spc/100 m ² gfa lounge, dining, assembly	
Sports Arena	10 spc/100 m ² gfa or 1 spc/4 seats	1 spc/9.5 m ² gfa assembly or 1 spc/4 seats	10 spc/100 m ² gfa or 1 spc/4 seats	
Theatre	10 spc/100 m ² gfa assembly & 2 spc/100 m ² gfa remaining	0.6 spc/100 m ²	10 spc/100 m ² gfa assembly & 2 spc/100 m ² gfa remaining	increased req based on 1998 by-law
Any other Leisure	1 spc/100 m ² gfa	not listed	1 spc/100 m ² gfa	

Federation of Citizens' Associations of Ottawa-Carleton
FCA • FAC
Fédération des associations civiques d'Ottawa-Carleton

Box 55038, 240 Sparks Street
Ottawa, Ontario K1P 1A1

June 22, 1999

Chair Elisabeth Arnold and Committee Members
Planning and Economic Development Committee
City of Ottawa
111 Sussex Drive
Ottawa, Ontario

By fax

RE: Proposed New Zoning for the Central Area

Dear Councillors,

The Federation of Citizens' Associations has been involved in the review of the Central Area Zoning By-Law. However, we are unable to take a position with regard to the report you are discussing today.

Our major concerns are with the parking requirements and how they will implement the policies of the Ottawa and Regional Official Plans. Since the parking requirements are still under study, we feel that it would be premature to comment on the proposed zoning.

We look forward to providing our comments once we have a complete By-Law to review.

Yours sincerely,

Linda Hoad
President

SUBJECT	Neighbourhood Linear Commercial Zone (CN9 Subzone) LeBreton Flats
CENTRAL AREA ZONING REVIEW SECTION #	37
NATIONAL CAPITAL COMMISSION COMMENTS	<ul style="list-style-type: none"> – Official Plan Amendment #27 (LeBreton Flats) contemplates that the Booth Street commercial corridor will function much like a traditional mainstreet shopping and entertainment district for the residents and businesses of LeBreton Flats – Specifically, the approved Official Plan Amendment states: – <i>“City Council shall permit a broad range of uses including residential, retail, office, entertainment, cultural, institutional and recreational uses within mixed use areas abutting arterial roads ...”</i> (e.g., Booth Street commercial corridor) – Unfortunately, the proposed zoning CN9 provisions do not reflect the uses permitted by the Official Plan Amendment
RECOMMENDATIONS	<p>Add the following to the permitted uses listed in Section 37(2), Document 4, Planning and Economic Development Committee Report ACS1999-PW-PLN-0059</p> <ul style="list-style-type: none"> – bar – cinema – hotel – night club – theatre

SUBJECT

**Schedule Reference – L1F Leisure & Open Space
Zone, LeBreton Flats**

**CENTRAL AREA
ZONING REVIEW
SECTION #**

**Zoning Maps:
Neighbourhood Monitoring Area 13,
Sub Area 1**

**NATIONAL CAPITAL
COMMISSION
COMMENTS**

- Reference is made to Schedule 93 in the L1F Leisure and Open Space district on Zoning Map 1
- Schedule 93 no longer exists

RECOMMENDATIONS

Delete reference to Schedule 93 on Zoning Map 1

Jean-Guy Bisson, Planner
 Department of Urban Planning and Public Works
 City of Ottawa
 111 Sussex Drive
 Ottawa, Ontario
 K1N 5A1

Dear M. Bisson,

Re: Proposed Central Area Bylaw

Centretown Citizens Ottawa Corporation (CCOC) is a community-based, private non-profit housing corporation. With 1250 units in 43 properties, CCOC is one of Centretown's largest residential landlords. CCOC has one building located in the Central Area and several buildings in close proximity to the Central Area. We are also attempting to develop new affordable housing without government assistance and are considering sites located within this area. We have reviewed the Central Area Bylaw and offer the following comments:

1. Residential Parking Requirements

While we are aware the city is currently undertaking a parking study, including parking requirements near transit stations, it is our understanding this study will not examine reduced parking requirements in the Central Area. Based on CCOC's experience with tenant demand for parking in Centretown and Lowertown, the current parking requirements in the Zoning Bylaw 1998 "Area X" are excessive. We believe it is inappropriate to apply this parking standard to the Central Area, which is characterized by a high density of uses and availability of public transit. This parking requirement forces developers to provide expensive and unneeded underground parking spaces and fails to respect City and Regional Official Plan policies regarding reduced reliance on the automobile. We believe developers should be allowed to provide parking spaces according to the demand of their clientele. **We recommend there be no residential parking requirement in the Central Area.**

Post-it™ Fax Note	7671E	Date 18 June	# of pages 2
To Elisabeth Arnold		From D. Carr	
Co./Dept. City Councillors		Co. CCOC	
Phone #		Phone #	
Fax #		Fax #	

2. Apartment Setbacks

It should be noted that, although Zoning Bylaw 1998 has been adopted by City Council, the apartment building setback provisions are nevertheless under appeal. CCOC and others have appealed proposed side and rear yard setbacks for apartments in R5 and R6 areas as being excessive (up to 7.5m/24.6 ft.). They are much greater than rear and side yard setbacks in the previous bylaw Z2K.

To apply these setbacks to the City's most dense commercial/residential district is clearly in opposition to Regional and Municipal Official Plans regarding an efficient use of land, primarily for housing, to create a more compact form of development, facilitating affordable housing and a choice of tenures and establishing regulations which will enable rather than preclude infill, conversions and new development on vacant lands. **We recommend Planning staff revise the apartment building setbacks to better reflect the high density character of the Central Area.**

We thank you for your consideration of our concerns and recommendations. Please do not hesitate to contact our Development Coordinator, Dennis Carr at 235-2408 ext. 229 if you have any questions regarding our comments.

Yours truly,



Nancy Campbell
President, CCOC

cc. E. Arnold, City of Ottawa Councillor, OT6
D. Holmes, RMOC Councillor, Somerset Ward
A. Cohen, Soloway Wright

June 21st, 1999

Chair and Members
Planning and Economic
Development Committee
City of Ottawa

CENTRAL AREA ZONING

My major concern with the zoning proposals to be considered by PEDC on June 22nd is that they have not been linked by planning staff either to the letter or the spirit of the City's and the RMOC's Official Plans. The staff report does not describe how the proposed zoning provisions will add to the vitality of the Central Area nor how OP policies favouring walking, cycling, and transit will be furthered.

A second core concern is that these proposals are being presented to you even though a number of directly-related planning studies remain to be completed. These include the unresolved appeals to Bylaw 93-98, the Central Area West Heritage Study, and a parking study being conducted for the City by Delcan. As parking is a key issue for development in the Central Area, I submit that it is clearly premature to put in place new zoning provisions before the City's parking study is completed and the parking-related appeals of Bylaw 93-98 are resolved.

Given the clear direction provided in both the City and RMOC Official Plans to encourage residential development in the Central Area, to protect heritage, and to re-establish a vibrant urban community in LeBreton Flats, it is unacceptable that the proposed zoning requires parking for residential uses in the Central Area, does not include heritage overlay recommendations, and provides for a CG zone (without firm requirements for residential uses) between the residential areas north of the aqueduct and the existing residential area south of Albert/Wellington.

Requiring on-site parking for residential uses on the Central Area is not consistent with its history and present as a walking and transit-oriented mixed-use area and with the numerous OP policies encouraging walking, cycling, and transit over car use (which were recently commendably summarized in the City planner's testimony to the OMB in demonstrating the unsuitability of parking lot in the Nicolas/Waller area). The absence of heritage overlay recommendations is not consistent with OP policies; as you well know zoning bylaws must implement applicable OP policies, based on planning studies. Finally, the proposed CG zone for an area north of the LeBreton Flats aqueduct requires careful definition in order to ensure that it does not become a big-box retail zone that would constitute a real barrier within the restored LeBreton Flats community. Recall that the Official Plan Amendment for LeBreton Flats calls for this area to be "Mixed-Use".

A recent editorial in the Ottawa Citizen highlighted the costs of OMB appeals; in a letter commenting on this editorial (enclosed) I noted the importance of zoning proposals being based on comprehensive planning studies, based on my experience with the Z020/ bylaw 93-98 process. The staff comments on my concerns with the zoning proposal for the Central Area illustrate the problem as they are not adequately rooted in OP policies, and their tenor clearly indicates that I have not had an opportunity to have a proper 'give-and-take' session with City planners.

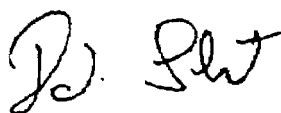
Based on the above discussion, I request that you defer consideration of the proposed zoning for the Central Area until the appeals of bylaw 93-98 (including one which I filed dealing with parking requirements) are resolved, the ongoing parking and heritage studies are completed, and the zoning proposals are explicitly linked to OP (both City and Region) policies.

If you decide to approve the zoning proposal before you, without waiting for the appeal process and planning studies described above to be completed and thoroughly discussed with all stakeholders, please note that I expect to appeal to the OMB the following:

- the incorporation of an on-site parking requirement for residential uses in Central Area zones;
- the absence of a residential percentage requirement in the CG zone proposed for LeBreton Flats; and
- the absence of heritage overlay provisions for the Sparks and Bank Street areas.

My recommendation to you is to receive the Central Area Zoning Report and request staff to return in late fall after the appeals of Bylaw 93-98 have been settled and the on-going parking and heritage studies have been completed.

Yours Sincerely,



David Gladstone
118 Frank Street #2
Ottawa K2P 0X2

cc: D. Carr
L. Hoad
G. Sheskay
C. Robertson
Clerk, PEDC
J.G. Bisson