

Planning and Economic Development Committee
Comité de l'urbanisme et de l'expansion économique

Agenda 3
Ordre du jour 3

Tuesday, January 25, 2000 - 9:15 a.m.
Le mardi 25 janvier 2000 - 9 h 15

Victoria Hall, First Level
Bytown Pavilion, City Hall

Salle Victoria, niveau 1
Pavillon Bytown, hôtel de ville



City of
Ville d' **Ottawa**

Confirmation of Minutes
Ratification des procès-verbaux

Minutes 2 (January 11, 2000)
 In-Camera Minutes 1 (January 11, 2000)

Procès-verbal 2 (Le 11 janvier 2000)
 Procès-verbal 1 huis clos (Le 11 janvier 2000)

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AML

January 11, 2000

ACS1999-PW-PLN-0157
(File: OZP1999-028)

Department of Urban Planning and Public
Works

Ward/Quartier
OT3 - Southgate

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

Action/Exécution

1. Zoning - 2496 Bank Street

Zonage - 2496, rue Bank

Recommendation

That the application to amend Zoning By-law, 1998, as it applies to 2496 Bank Street, as shown on Document 3, to permit an automobile dealership, be APPROVED, as detailed on Document 2.



January 12, 2000 (9:36a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

PML:pml

Contact: Patrick Legault, 244-5300, Extension 3857



January 13, 2000 (8:15a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.



January 12, 2000 (8:44a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The subject property is located on the west side of Bank Street between Hunt Club Road and Albion Road and forms part of a larger parcel of land owned by the applicant. Donnelly's Ottawa Ford is located to the immediate south and have purchased the adjacent lot to the north which includes a portion of the subject lands. The property is currently vacant and straddles the City of Ottawa and City of Gloucester boundary. The lands which have been purchased have an area of 9,446 square metres, of which 1,438 square metres or approximately 15%, is located within the City of Ottawa. The applicant wishes to expand the automobile dealership within the newly acquired lands.

The subject property is zoned CG2 F (0.36). This is a general commercial zone permitting a variety of commercial uses, while prohibiting a number of residential uses. The standard general commercial zone allows a variety of commercial uses in areas designated Residential Area within the City's Official Plan. The Residential Area designation permits limited non-residential uses provided the uses meet certain criteria. Among these criteria, are that the proposed use is located along an arterial roadway (Bank Street) and that the site is isolated from nearby residential uses, both of which are the case in this instance.

The existing CG2 F (0.36) zone does not permit an automobile dealership. The abutting zoning designation within the City of Gloucester does permit automobile dealerships. The commercial uses along this portion of Bank Street are primarily automobile oriented, and include among other commercial uses; strip commercial plazas, gas stations, a motel, and other automobile dealerships south of Albion Road within the City of Gloucester. The proposed rezoning would add automobile dealership to the CG2 F (0.36) zone, thereby extending this use within the portion of the applicant's lands located within the City of Ottawa. Further, this use would be in keeping with the general land use character which currently exists along this stretch of Bank Street.

Environmental Impact

A Municipal Environmental Evaluation Checklist indicated that there would be no adverse impacts associated with the subject development. A stormwater management report was submitted and the recommendations include: Best Management Practices during construction which will include sediment and erosion control measures, and the construction of a stormwater management quantity control pond.

Consultation

There was one response received as a result of the public notification which, while not opposing the subject rezoning identified concerns with respect to stormwater management and noise associated with the on-site communications system (intercom).

Disposition

Department of Corporate Services, Statutory Services Branch to notify the owner (Donnelly's Ottawa Ford, 2496 Bank Street, Ottawa K1S 4R5) and agent (Oliver, Mangione, McCalla & Associates, 154 Colonnade Road South, Nepean, K2E 7J5, attention: Joanne Haley), the Corporate Services Branch, Revenue Section, Assessment Control Supervisor and Region of Ottawa-Carleton, Plans Administration Division of City Council's decision.

Office of the City Solicitor to forward implementing by-law to City Council.

Department of Urban Planning and Public Works to write and circulate the implementing by-laws.

List of Supporting Documentation

Document 1	Explanatory Note
Document 2	Details of Recommended Zoning
Document 3	Location Map
Document 4	Municipal Environmental Evaluation Checklist (on file with City Clerk)
Document 5	Compatibility With Public Participation Policy/Input From Other Government Agencies

Part II - Supporting Documentation

Explanatory Note - Amending Zoning By-law, 1998

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW -99

By-law Number -99 amends Zoning By-law, 1998, the City's Comprehensive Zoning By-law.

The subject property, which has recently been acquired by the applicant, is located on the west side of Bank Street between Hunt Club Road and Albion Road. The property will be consolidated with the applicant's existing land holdings to form one large parcel of land. The newly acquired land is currently vacant and straddles the City of Ottawa and Gloucester boundary. The lands have an area of 9,446 square metres, of which 1,438 square metres or approximately 15%, is located within the City of Ottawa. The applicant proposes to expand an existing automobile dealership on the recently acquired land, which currently does not permit this use. The proposed use is currently permitted within the City of Gloucester. The property which is the subject of this application can be seen on Document 3.

Current Zoning

The current zoning of the property is CG2 F (0.36). This is a subzone within the general commercial zone designation which permits only commercial uses in areas designated Residential Area in the City's Official Plan. The subzone restricts most residential uses. An automobile dealership is not currently permitted within this zone.

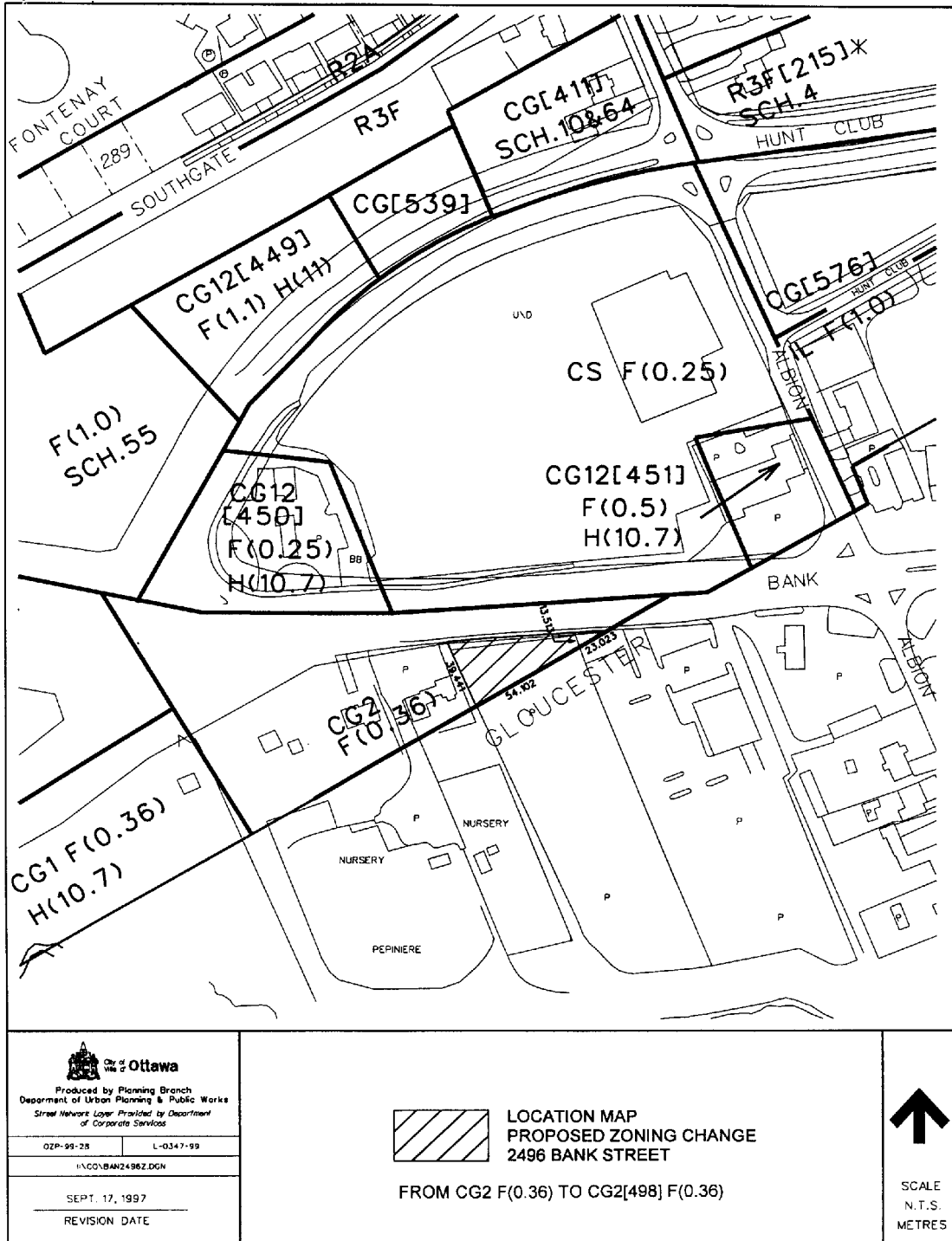
Proposed Zoning

The proposed zoning designation would be CG2 [498] F (0.36). This designation would introduce the existing exception [498] to the CG2 F (0.36) zone, which would permit an automobile dealership. Exception Number 498 permits an automobile dealership, gas bar, and an automobile service station as permitted uses. The latter two uses, are only permitted on a corner property. As the subject lands, within the City of Ottawa, would be considered an interior lot, the latter two uses would not be permitted. The proposed automobile dealership is in keeping with the adjacent land uses within this stretch of Bank Street.

DETAILS OF RECOMMENDED ZONING

That the CG2 F (0.36) zone, as it applies to 2496 Bank Street, be amended to include Exception Number 498, of Part XV - Exceptions, of By-law, 1998.

Location Map



COMPATIBILITY WITH PUBLIC PARTICIPATION

Document 5

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with Early Notification Procedures P&D\PPP\N&C#1 approved by City Council for Zoning Amendments.

SUMMARY OF PUBLIC INPUT

There was one response to the public notification. The respondent expressed concerns respecting stormwater management on-site and noise associated with the on-site communications system (intercom).

Response to Comments

The applicant has submitted a stormwater management report which includes recommendations respecting Best Management Practices during construction which will include sediment and erosion control measures, and the construction of a stormwater management quantity control pond. The issue of the on-site intercom system, will be reviewed as part of the related site plan control application. It should be noted, however, that the majority of the Donnelly Ford dealership, including all buildings, is located within the City of Gloucester. While the City of Ottawa may impose a site plan control condition respecting reducing the noise associated with the outside intercom, it may be difficult to enforce.

APPLICATION PROCESS TIMELINE STATUS

The application which was submitted on September 8, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force". A process chart which established critical milestones, was prepared and circulated as part of the technical circulation and early notification process. The application was processed within the timeframe established for processing zoning applications.

COUNCILLOR'S COMMENTS

Councillor Diane Deans had the following comment:

"Please ensure that the Rideau Valley Conversation Authority's information requirements regarding on-site stormwater management for Sawmill Creek have been answered and addressed in the staff report."

8

Response

As a condition of the related Site Plan Control application approval, the applicant will be required to satisfy the requirements outlined by the Rideau Valley Conservation Authority.

January 7, 2000

ACS1999-PW-PLN-0168
(File: OZP1999/025)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

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

Action/Exécution

2. Zoning - 385 Sussex Drive/90 Parent Avenue

Zonage - 385, promenade Sussex/90, avenue Parent

Recommendations

1. That an amendment to By-law Number Z-2K, from P-x (2.5)[80] to a new P-x (2.5)[80], as it applies to 385 Sussex Drive/90 Parent Avenue, and as detailed in Document 6, and subject to location requirements as shown on Document 5, be **APPROVED**.
2. That an amendment to the I1[734] zone of the *Zoning By-law, 1998*, as it applies to 385 Sussex Drive/90 Parent Avenue, be **APPROVED**, as detailed in Document 6.



January 10, 2000 (11:05a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



January 10, 2000 (2:19p)


Approved by
John S. Burke
Chief Administrative Officer

DC:dc

Contact: Denis Charron - 244-5300 ext. 1-3422

Financial Comment

N/A.


January 10, 2000 (8:45a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Recommendation 1

It is expected that an amendment to *Zoning By-law, 1998*, as it pertains to the Central Area, will be in force, save and except for appealed portions, by the end of February 2000. Until then, the most restrictive Zoning By-law applies. In the case of the subject property, both Zoning By-law Number Z-2K and *Zoning By-law, 1998*, do not permit the proposed use. As such, it is also necessary to amend Zoning By-law Number Z-2K to correspond with the amendment of the *Zoning By-law, 1998*.

Recommendation 2

Background

The subject property is currently developed as a place of worship, ecclesiastical residence and office building. Notre-Dame Basilica lands occupy a city block bordered by Sussex Drive, Guigues Street, Parent Avenue and St. Patrick Street. The three-storey office building serves as a national administrative centre for the Canadian Conference of Catholic Bishops.

The parking area which is the reason for this application, is located in the south-east area of the site and screened with a combination of decorative pillar/wrought iron fence and trees along St. Patrick Street, and a row of trees along Parent Street. A total of 75 parking spaces are available and accessible from Parent Avenue.

Previous approvals in 1992 and 1996 were given for the use of public parking for temporary periods of three years. The 1996 approval expired on December 17, 1999, and the applicant wishes to have permanent public parking.

Official Plan

The Regional Municipality of Ottawa-Carleton's Official Plan designates the subject lands as "General Urban Area". The Region has informed us that they do not have any objections or comments regarding the proposal.

The City's Official Plan designates the subject property as part of the Central Area on the Schedule of Land Use. According to the Official Plan, the Central Area is to be a multi-functional area and the primary employment, shopping, cultural and entertainment centre for the Region. A part of the subject property is also designated as part of the "Canal" character area of the Central Area. The Official Plan envisages this area as being an historical open space environment focussed primarily on leisure, cultural, institutional, judicial and government uses. The parking area, being located at the rear of the Basilica and away from the major activity areas, should not detract from the general use and enjoyment of the character area.

Other Official Plan policies, such as respecting the pedestrian-oriented environment, safety and public security, and design criteria involving surface parking, have been respected since the temporary public parking was approved in 1992.

Need for Parking

As mentioned in the 1996 zoning report for public parking on the site, the 1995 Central Area Parking Study Update indicated weekend evening total public parking utilization by zone immediately to the south of the property was approaching capacity. As well, the off-street parking utilization in the area was beyond capacity. It was also noted the Parking Study Update was undertaken while the property was providing additional parking for the area.

The Department is presently compiling data recently collected to update the Central Area Parking Study. It would appear that close to 500 parking spaces recently have been lost due to construction (i.e. American Embassy, etc.) on former N.C.C. lots which no longer provide public parking.

Central Area policy seeks to ensure that an adequate supply of parking is provided, while at the same time encouraging a balanced mix of travel modes. Short-term parking facilities are encouraged and long-term parking facilities are discouraged. The site is located on the edge of the By Ward Market Character Area and can be expected to supplement the short-term parking needs of the Market area.

Considering that the subject site is presently supplementing the high demand for short-term parking in the Market area outside the major periods of worship, it is recommended that the *Zoning By-law, 1998*, be amended to permit a parking lot use subject to the continuance of the location requirements shown on Document 5.

Economic Impact Statement

There will be no economic impact associated with this proposal.

Consultation

One response was received as a result of the posting of an on-site information sign and notification sent to the concerned community groups and area residents. The Byward Market B.I.A. does not object to the proposed change of zoning.

Disposition

Department of Urban Planning and Public Works to prepare and circulate the implementing by-law.

Department of Corporate Services

1. Statutory Services Branch to notify the Region of Ottawa-Carleton, Development Approvals Division, Department of Planning and Development Approvals, the applicant [S.G. Adams, 1746 Harvest Crescent, Gloucester, K1Z 5M2], the agent [Vincent Dagenais Gour Gibson, c/o Pierre Dagenais, 325 Dalhousie Street, K1N 7G2], and the property owner [Roman Catholic Episcopal Corp., 1245 Kilborn Place, K1H 6K9] of City Council's decision.
2. Office of the City Solicitor to forward the implementing by-law to City Council.

List of Supporting Documentation

Document 1	Explanatory Note - Amendment to Zoning By-law Number Z-2K
Document 2	Explanatory Note - Amendment to <i>Zoning By-law, 1998</i>
Document 3	Location Map - <i>Zoning By-law, 1998</i>
Document 4	Location Map - Zoning By-law Number Z-2K
Document 5	Location of Parking Lot
Document 6	Details of Recommendations
Document 7	Municipal Environmental Evaluation Process (MEEP) Checklist - (on file with City Clerk)
Document 8	Consultation Details

Part II - Supporting Documentation

Document 1

EXPLANATORY NOTE TO BY-LAW NUMBER ____-00

By-law Number _____ amends By-law Number Z-2K, the City's Comprehensive Zoning By-law. This amendment affects the zoning of the site occupied by the Notre-Dame Basilica. The site is known municipally as 385 Sussex Drive/90 Parent Avenue and occupies a city block bordered by Sussex Drive, Guigues Street, Parent Avenue and St. Patrick Street. This amendment is intended to permit the continuance of a parking lot use on a place of worship site on a permanent basis.

Current Zoning - Zoning By-law Number Z-2K

The current zoning of the subject property, P-x(2.5)[80], is a Public Use Zone that permits a range of neighbourhood-serving, emergency and institutional uses including community centre, fire station, and place of worship. Exception number [80] permits the additional parking lot use (with certain provisions) for a temporary period of time which expired on December 17, 1999.

Proposed Zoning

The proposed zoning amends Zoning By-law Number Z-2K, by replacing the text of exception 80 of the existing P-x(2.5)[80] zone designation for the lands affecting 385 Sussex Drive/90 Parent Avenue, to permit the additional parking lot use subject to the location requirements shown on the attached map (Location of Parking Lot).

For further information, please contact Mr. Denis Charron at 244-5300 extension 1-3422.

EXPLANATORY NOTE TO BY-LAW NUMBER ____ -00

By-law Number _____ amends *Zoning By-law, 1998*, the City's Comprehensive Zoning By-law. The amendment affects the zoning of the lands identified as 385 Sussex Drive/90 Parent Avenue, as shown shaded on the attached Location Map. This amendment is intended to permit the continuance of a parking lot use on a place of worship site on a permanent basis.

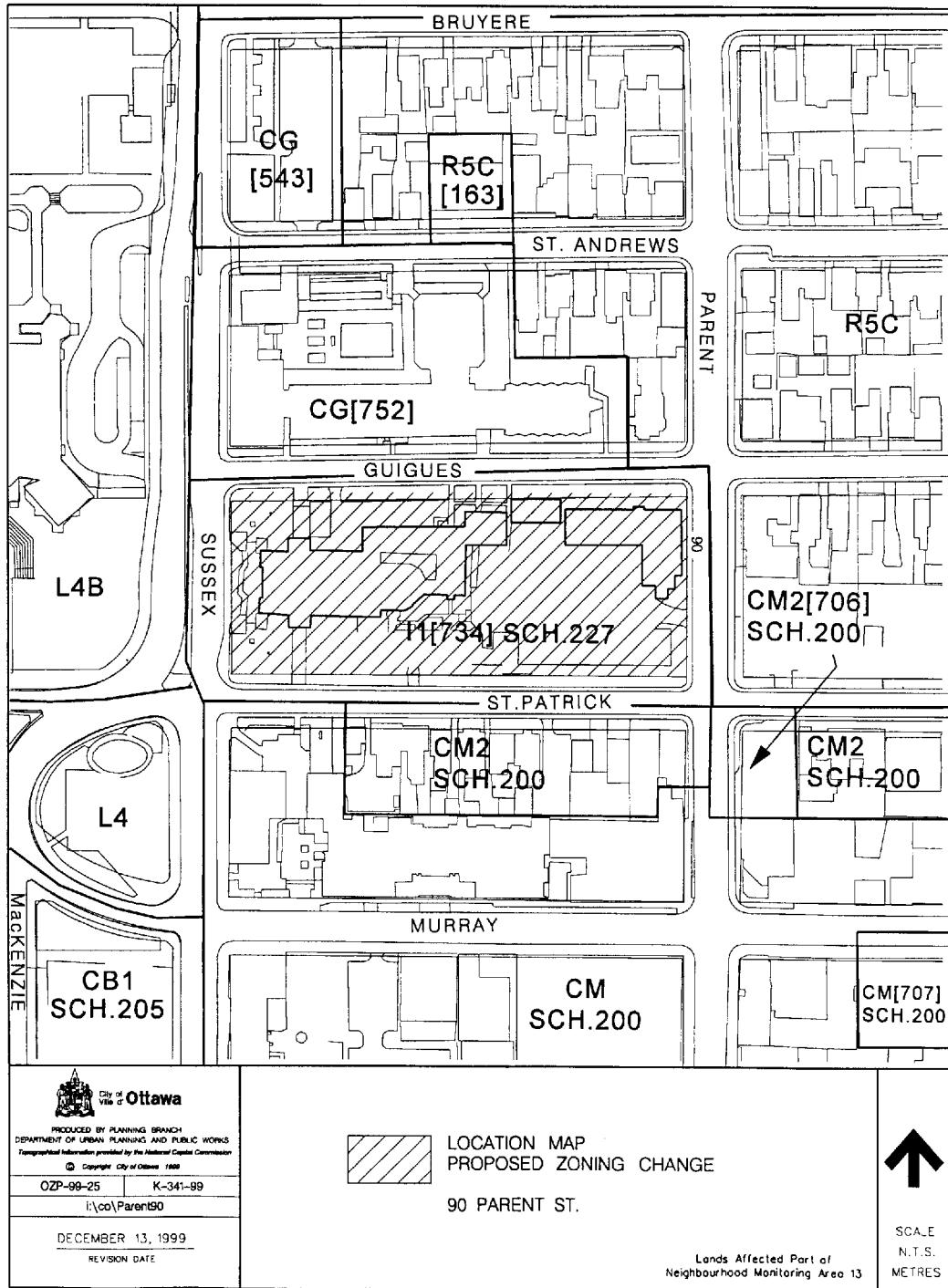
Current Zoning - *Zoning By-law, 1998*

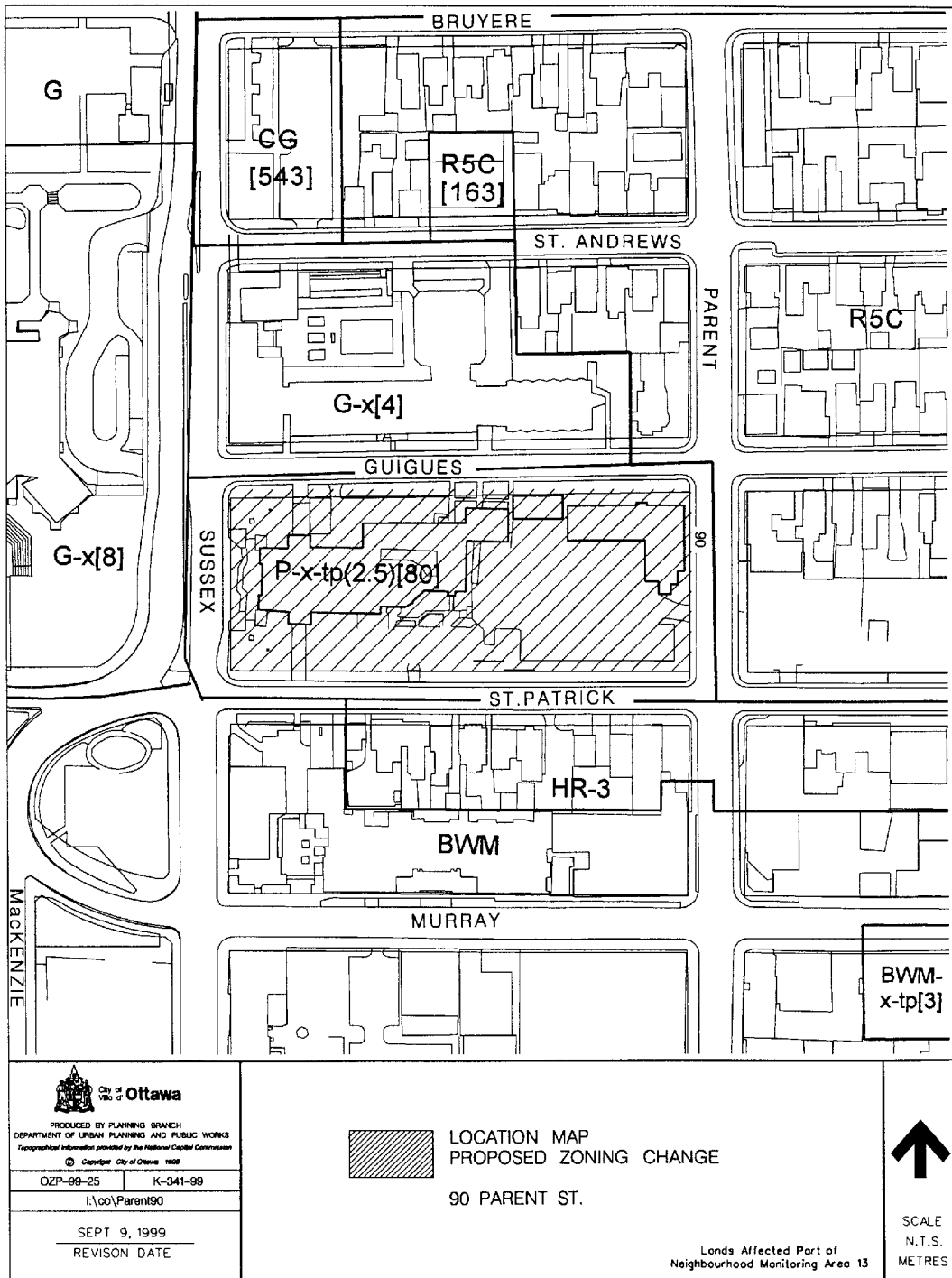
The current zoning of the subject property, I1[734], is a Minor Institutional Zone that permits a range of neighbourhood-serving and institutional uses including community centre, day care, library, and place of worship. Exception number [734] permits the additional parking lot use (with certain provisions) for a temporary period of time which expired on December 17, 1999.

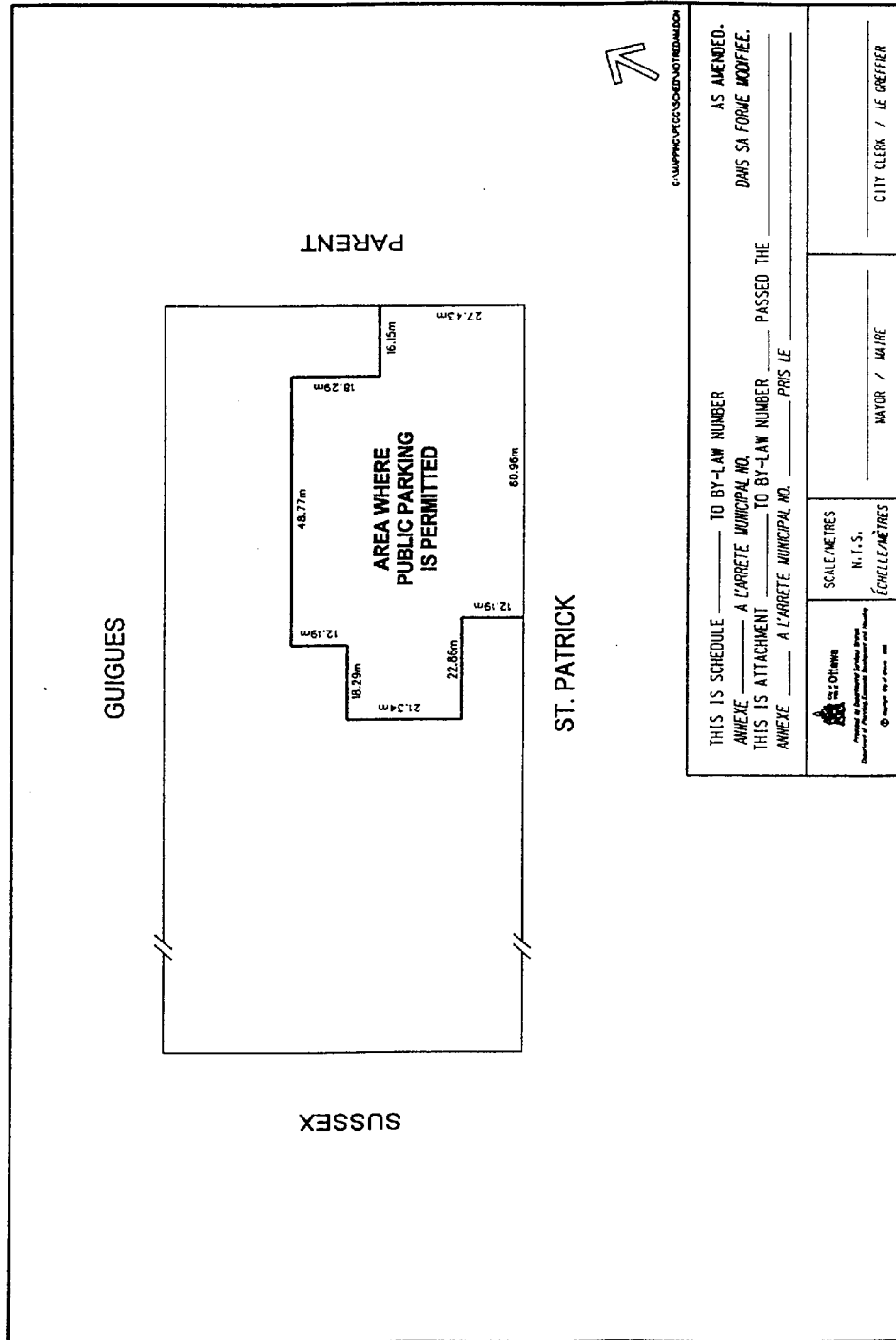
Proposed Zoning

The proposed zoning amends *Zoning By-law, 1998*, by replacing the text of exception 734 of the existing I1[734] zone designation for the lands affecting 385 Sussex Drive/90 Parent Avenue, to permit the additional parking lot use subject to the location requirements shown on the attached map (Location of Parking Lot).

For further information, please contact Mr. Denis Charron at 244-5300 extension 1-3422.








C:\MPPROJECTS\ORDRE\THEM\ORDRE

THIS IS SCHEDULE _____ TO BY-LAW NUMBER _____ AS AMENDED.
 ANNEXE _____ A L'ARRETE MUNICIPAL NO. _____ DAVIS SA FORME MODIFIEE.

THIS IS ATTACHMENT _____ TO BY-LAW NUMBER _____ PASSED THE _____
 ANNEXE _____ A L'ARRETE MUNICIPAL NO. _____ PRIS LE _____

 CITE D'OTTAWA 100, rue de la Capitale Ottawa, Ontario K1P 8L1 © 1999 Ottawa Inc.	SCALE METRES N.T.S. ÉCHELLE MÈTRES	MAYOR / MAIRE _____	CITY CLERK / LE GREFFIER _____
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Recommendation 1- Amend Zoning By-law Number Z-2K to:

- Delete the reference to “tp” in the zone description, and
- Repeal subparagraph 39.(A)80.(3).

Recommendation 2 - Amend Zoning By-law, 1998 to:

- Repeal the temporary use parking lot provisions, and
- Add parking lot as a permitted use, on a permanent basis, subject to location requirements as shown on Document 5.

CONSULTATION DETAILS

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D\PPP\N&C #1 approved by City Council for Zoning Amendments.

APPLICATION PROCESS TIMELINE STATUS

This application was received on September 1, 1999, and was subject to a project management timeline, as recommended by the “A Better Way Task Force Report”. A process chart establishing critical milestones was prepared. A Mandatory Information Exchange was undertaken by staff with interested community associations since the proponent did not undertake Pre-consultation with those community associations requesting Pre-consultation. This application was processed within the maximum 165 calendar day timeframe.

INPUT FROM OTHER DEPARTMENTS OR GOVERNMENT AGENCIES

COUNCILLOR’S COMMENTS

Councillor Stéphane Émard-Chabot provided the following comments:

“I support this application for permanent parking lot. This parking lot has existed for several years now and has contributed to the success of the By Ward Market.”

Byward Market B.I.A.

The Byward Market B.I.A. is in support of the permanent parking lot/public parking area.

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January 12, 2000

ACS1999-PW-PLN-0115
(File: OZP99-06)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

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

Action/Exécution

3. Official Plan/Zoning Amendment- 161 Laurier Avenue East Modification du plan directeur et du zonage - 161 avenue Laurier est

Recommendation

1. That an amendment to the City of Ottawa Official Plan to expand the area associated with the existing "Transitional Area" on Laurier Avenue East, within the Sandy Hill West Character Area of the Central Area Secondary Policy Plan as described in Document 4, be **APPROVED** and **ADOPTED**.
2. That the application to amend Zoning By-law Z-2K from R5-x [98] to a CAH-x zone, for 161 Laurier Avenue East, to permit a full service restaurant on the ground floor and basement, be **APPROVED** as detailed in Document 2.
3. That the application to amend Zoning By-law, 1998, from R5D sch. 65 to CG sch. 65 exception zone with a heritage overlay for 161 Laurier Avenue East, to permit a full service restaurant on the ground floor and basement, be **APPROVED** as detailed in Document 2.



January 13, 2000 (11:35a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



January 13, 2000 (1:27p)


Approved by
John S. Burke
Chief Administrative Officer

CL:cl

Contact: Charles Lanktree, 244-5300, ext. 3859

Financial Comment

N/A.


January 13, 2000 (9:38a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The property which is the subject of these Official Plan and Zoning amendments is located on the north side of Laurier Avenue East between King Edward Avenue and Cumberland Street. The St. Joseph's Church and Oblate Mission is abutting to the west and the Fire Station to the east. These amendments originate from a request to establish the existing non-conforming restaurant at 161 Laurier Avenue East as a permitted use. The building was originally designed and used as a single detached house. It is a Category 3 building in the Sandy Hill West Heritage Conservation District. The ground floor and basement were converted for the restaurant with three apartment units on the second floor. The property has been the subject of several applications to the Committee of Adjustment for minor variances. As recently as November of 1997 the Committee granted a variance to enlarge the restaurant.

In the Official Plan, the property is located in the Sandy Hill West Character Area of the Central Area. This area is governed by specific policies that follow from the Vision Statement and Objectives for land use which are intended to limit commercial uses to certain "transition areas". The objective of this policy is to protect the heritage residential character of this inner city neighbourhood. Although this restaurant has existed since 1967 when a building permit was first issued, it is non-conforming to the Zoning By-law. The property abutting to the west was the subject of an Official Plan and Zoning amendment in 1996 to establish one of the limited commercial "transition areas" and to accommodate a mixed-use residential/commercial development which is yet to be constructed. Similarly, the legalization of this restaurant would introduce a commercial use into the heritage residential district and should, therefore, require an Official Plan Amendment to extend the "transition area" further to the east to include this property.

In consideration of this proposal, the physical context of the subject property was reviewed and it was determined that a legal restaurant use, in association with the adjacent permitted commercial uses to the west and the existing non-conforming restaurant and retail bookstore to the east, would effectively establish a continuous commercial transition area along the north side of Laurier Avenue East between Cumberland Street and Ring Lane (151-167 Laurier Avenue East). This existing pattern of community-serving commercial uses functions well in relation to the University of Ottawa to the south and the heritage residential neighbourhood of Sandy Hill West to the north. The restaurant and small retail outlets serve both the university and residential area. The north side of the subject city block includes a surplus school site and St. Joseph's Church which would provide for a spatial separation between a mixed commercial/residential area along Laurier Avenue East and the heritage residential district to the north. This approach will provide the needed protection for the heritage resources within the Sandy Hill West heritage district.

For the reasons noted above the proposal to zone the property at 161 Laurier Avenue East to permit a full service restaurant on the ground floor and basement along with the associated Official Plan amendment to add a commercial transition area on the north side of Laurier Avenue East between Cumberland Street and Ring Lane, is considered appropriate to facilitate the orderly development of the area.

Economic Impact Statement

The legalization of the existing restaurant use on this property would have no appreciable economic impact on the City.

Consultation

There was no response to the public notification of this application. Comments from technical agencies and concerned City Departments have been incorporated into this submission.

Disposition

Department of Corporate Services

1. Department of Corporate Services, Statutory Services Branch to notify the applicant and property owner (Gordon Lilley, 2053 Meadowbrook Road, Gloucester, Ontario, K1B 4W7), the Clerk of the Regional Municipality of Ottawa-Carleton of City Council's decision on Recommendation 1., and the Regional Municipality of Ottawa-Carleton, Development Approvals Division, of City Council's decision on Recommendations 2 and 3.

2. Office of the City Solicitor to forward the required OPA and Zoning by-laws to City Council.
3. Department of Urban Planning and Public Works, Planning Branch to:
 - prepare and circulate notice of the Official Plan adoption to those persons and public bodies who requested notification;
 - submit the Official Plan amendment and the required documentation to the Regional Municipality of Ottawa-Carleton for approval; and
 - to write and circulate the implementing zoning by-law.

List of Supporting Documentation

Document 1a	Explanatory Note to Zoning By-law Z-2K
Document 1b	Explanatory Note to Zoning By-law, 1998
Document 2	Zoning Details
Document 3	Location Map
Document 4	Draft Official Plan Amendment
Document 5	Municipal Environmental Evaluation Process Checklist (on file with the City Clerk)
Document 6	Consultation Details

Part II - Supporting Documentation

Document 1a

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER ____

By-law Number ____ amends By-law Number Z-2K, the City's Comprehensive Zoning By-law. This amendment affects the zoning of the property located on the north side of Laurier Avenue East, between Cumberland Street and King Edward Avenue, and known municipally as 161 Laurier Avenue East. The site is presently occupied by a two storey building with a restaurant on the ground floor and three residential apartments on the second floor. The attached map shows the location of the subject property.

The land to which the By-law applies is the subject of an application under the Planning Act for approval of:

- Official Plan Amendment [OCM3100-99-07]

Current Zoning

The subject property is currently zoned R5-x [98] zoning permits a range of residential and public uses and is subject to a height limit of 18.9 metres as set out in Schedule 36.

Proposed Zoning

The proposed zoning is a CAH-x exception zone which will not permit public uses and will limit commercial uses to a full service restaurant on the ground floor and basement in addition to the maintenance of all other provisions of the principal zone. The height limit will also remain as set out in Schedule 36.

Further information on the proposed amendment, please contact Charles Lanktree at 244-5300 ext. 3859.

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER ____

By-law Number ____ amends By-law Number, 1998, the City's Comprehensive Zoning By-law. This amendment affects the zoning of the property located on the north side of Laurier Avenue East, between Cumberland Street and King Edward Avenue, and known municipally as 161 Laurier Avenue East. The site is presently occupied by a two storey building with a restaurant on the ground floor and three residential apartments on the upper floor. The attached map shows the location of the subject property.

The land to which the By-law applies is the subject of an application under the Planning Act for approval of:

- Official Plan Amendment [OCM3100-99-07]

Current Zoning

The subject property is currently zoned R5D sch. 65 which permits a range of residential and public uses and is subject to a height limit of 18.9 metres as set out in Schedule 65. A heritage overlay is also in affect for this property.

Proposed Zoning

The proposed zoning is CG-x sch. 65 exception zone which will limit commercial uses to a full service restaurant on the ground floor and basement along with the maintenance of all other provisions of the principal zone. The height limit of 18.9 metres as set out in Schedule 65 and the heritage overlay will remain in effect for this property.

Further information on the proposed amendment, please contact Charles Lanktree at 244-5300 ext. 3859.

Zoning Details

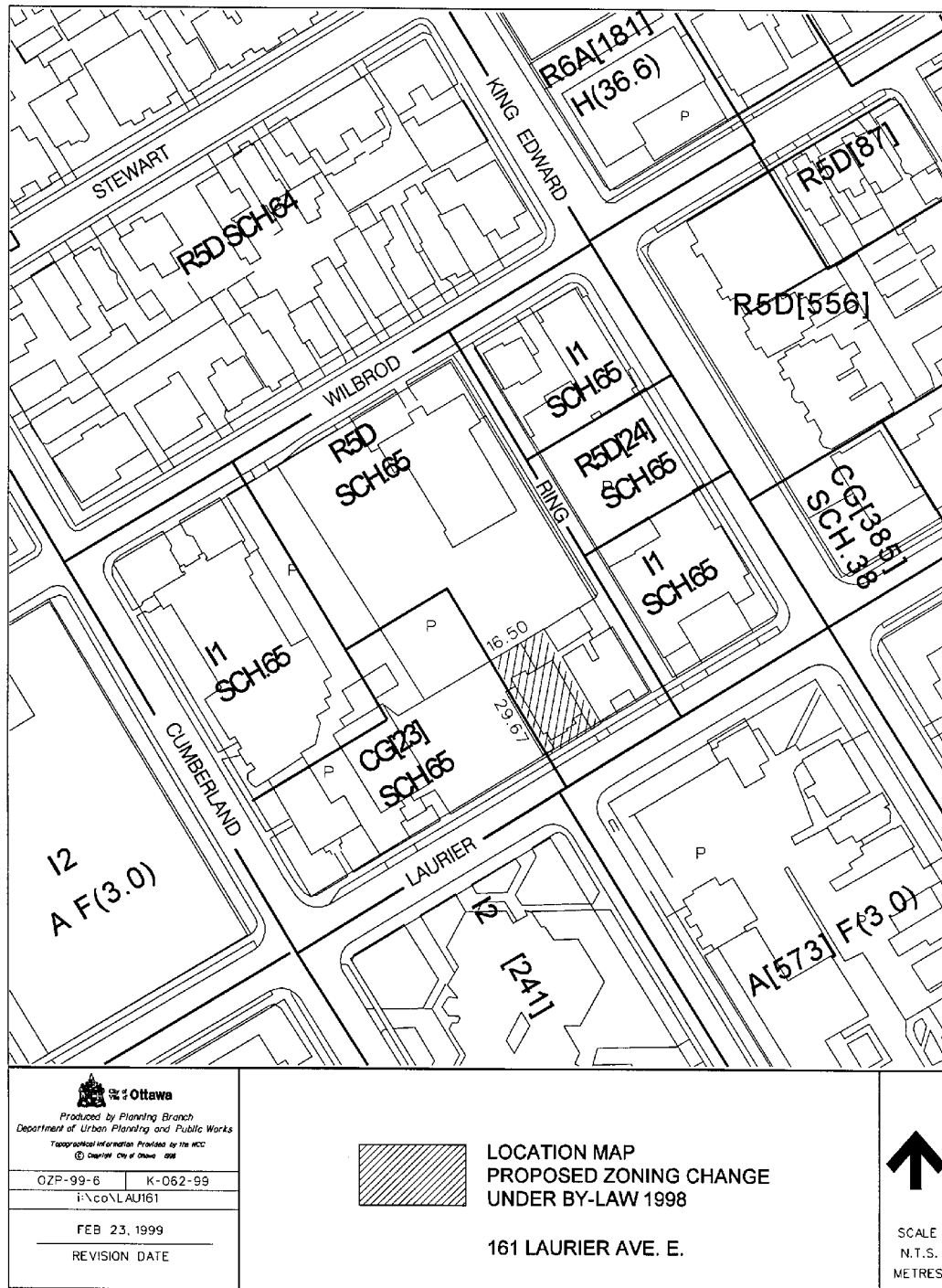
Zoning By-law Z-2K

- add an exception to not permit public uses and limit permitted commercial uses to a full service restaurant on the ground floor and basement along with the maintenance of all other provisions of the principal zone

Zoning By-law, 1998

- add an exception to limit the permitted non-residential uses to a full service restaurant on the ground floor and basement along with the maintenance of all other provisions of the principal zone

Location Map



Draft Official Plan Amendment

Official Plan Amendment ■ Modification du Plan directeur

**Land use
Utilisation du sol**



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THE STATEMENT OF COMPONENTS

Part A - THE PREAMBLE, introduces the actual Amendment but does not constitute part of Amendment No. ____ to the City of Ottawa Official Plan.

Part B - THE AMENDMENT, consisting of the following text constitutes Amendment No. ____ to the City of Ottawa Official Plan.

Part C - THE APPENDIX, does not form part of Amendment No. ____ but is provided to clarify the intent and to supply background information related to the Amendment.

PART A - THE PREAMBLE

–

1.0 Purpose

The purpose of Amendment No.____ is to revise the area associated with the "Transitional Area" located on the northeast corner of Laurier Avenue East and Cumberland Street within the Sandy Hill West Character Area of the Central Area Secondary Policy Plan. Transitional Areas are intended to permit limited commercial uses in specific areas in response to the physical context while maximizing the area residential function and protecting the residential character.

2.0 Location

The affected area is located on the north side of Laurier Avenue East between the eastern edge of the existing "Transitional Area" on the northeast corner of Cumberland Street and Laurier Avenue East and Ring Lane on the east, as shown on the attached Location Map (Part C - Appendix i).

3.0 Basis

This amendment was prepared for the following reasons:

Areas of limited commercial use within Sandy Hill West are identified as Transitional Areas in Section 1.9.3 b) of the Secondary Policy Plan. As the subject site is not presently identified as one of these areas it will be necessary to add a clause which will allow for full-service restaurants and retail store uses on the ground floor of properties located at 161 and 163-167 Laurier Avenue East. Due to the limitation of these uses to the ground floor and basement of the subject properties, this change is considered to be consistent with the intent of 1.9.3 b).

This amendment recognizes the existing restaurants and retail stores along this frontage of Laurier Avenue East which are well established and serve the surrounding area. Such limited, neighbourhood serving uses are considered to be compatible given their location between the University of Ottawa on the south and the heritage residential neighbourhood on the north. They are in keeping with the policy direction of Section 3.6.2 d) which sets out criteria for neighbourhood-serving uses in residential areas.

Approval of this amendment will facilitate maintenance of the subject site in a mixed use, predominantly residential format. This is consistent with the provisions of Section 5.5 of the Primary Plan for the Central Area which recognizes the value of and seeks to enhance the residential neighbourhoods within the Central Area, while providing for a mix of uses to ensure the area's continued diversity and its role as a people place.

PART B - THE AMENDMENT

1.0 The Introductory Statement

All of this part of the document entitled Part B - The Amendment, consisting of the following text constitutes Amendment No. ____ to the City of Ottawa Official Plan.

2.0 Details of the Amendment

Chapter 1.0 - Central Area Secondary Policy Plan contained in Volume II of the City of Ottawa Official Plan, is hereby amended as follows:

Policy 1.9.3 b) of the Sandy Hill West Character Area, entitled “Limited Commercial” is amended by deleting subsection iv) and replacing it with the following:

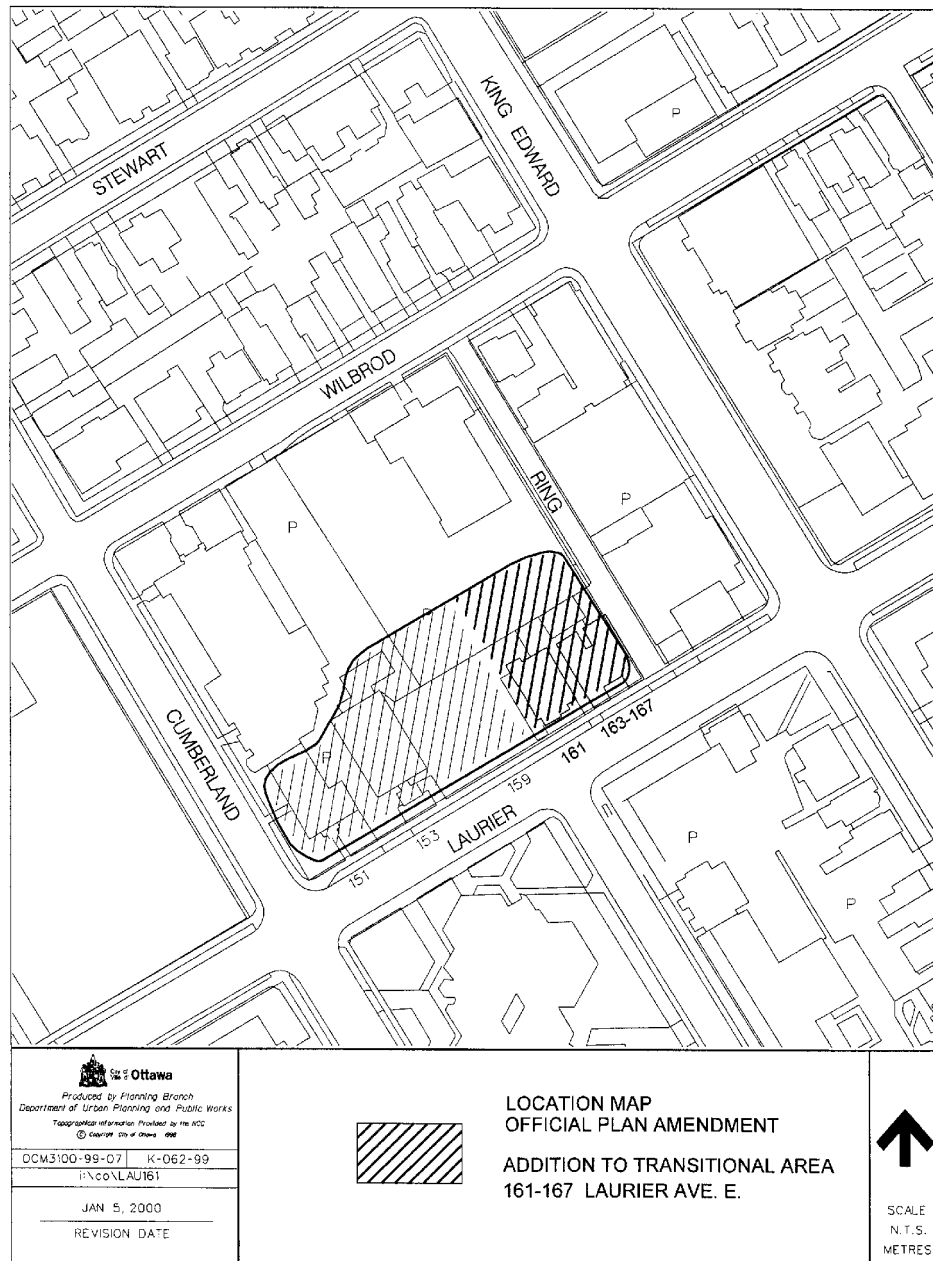
“ iv) in the heritage commercial area on the north side of Laurier Avenue East between Cumberland Street and Ring Lane, limited commercial uses which serve the surrounding neighbourhood.”

3.0 Implementation and Interpretation

Implementation and interpretation of this amendment shall be made having regard to all Chapters of the City of Ottawa Official Plan.

PART C - THE APPENDIX

The map entitled "Location Map - Official Plan Amendment - 161-167 Laurier Avenue East" attached hereto, constitutes PART "C" - THE APPENDIX and illustrates the area affected by the changes contained in this Amendment.



Consultation Details

Notification and consultation procedures carried out in accordance with the early notification procedure P&DPPP/N&C #1 approved by City Council for Zoning Amendments.

Supplemental Notification and Consultation

This application was circulated to the Local Architectural Conservation Advisory Committee and the Environmental Advisory Committee, however, no comments were received in response.

Public Comments

No comments were received in response to the public notification of this application.

Application Process Timeline Status

This application, which was received on February 11, 1999, was subject to a project management timeline, as recommended by the “ A Better Way Task Force”, and a process chart which established critical milestones was prepared. A Mandatory Information Exchange was undertaken by staff with interested community associations since the proponent did not undertake preconsultation. This application was not processed within the fourteen to twenty week timeframe established for the processing of Zoning Amendment applications due to a change to the nature of the zoning amendment requested and the requirement for an Official Plan Amendment.

Councillor’s Comments

Councillor Énard-Chabot provided the following comment with respect to this zoning proposal:

“I have reviewed the application for zoning amendment for the above-captioned property. If the amendment is granted, the rezoning would allow restaurant uses only in the ground floor and below grade. Given the long-term commercial use already on site and limited impact the rezoning would have in the residential community, I have no objections to the present application. Besides, the Committee of Adjustment recently granted permission to the owner to increase the non-conforming use to the restaurant located to the northwest of the property.”

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January 7, 2000

ACS1999-PW-PLN-0187
(File: OZS1997/005)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

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

Action/Exécution

4. Consideration of Appeals - Sandy Hill Commercial Zoning Study **Examen des appels - Étude du zonage commerciale de la Côte-de-sable**

Recommendation

That an amendment to By-law Number 217-99, to change the zoning of the properties located at 210-228, 232-234, 238 and 244-246 Laurier Avenue East, as shown on Document 4, from CL3 to CL3 exception zone, be **APPROVED**, as detailed in Document 2.



January 10, 2000 (9:55a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



January 10, 2000 (2:23p)

Approved by
John S. Burke
Chief Administrative Officer

DC:dc

Contact: Denis Charron - 244-5300 ext. 1-3422

Financial Comment

N/A.



January 10, 2000 (8:35a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Appellants: Zeev Vered, Sarah Vered (210-234 Laurier Avenue East), Anthony Monsaur (238 Laurier Avenue East), and Radha Basynat (244-246 Laurier Avenue East).

Reasons Behind Recommendation

By-law Number 217-99 was enacted by City Council on June 30, 1999, to amend *Zoning By-law, 1998*, and rezoned certain properties which have frontage on Laurier Avenue East and Nelson Street (Sandy Hill Commercial Zoning Study). The intent of these rezonings was to minimize the impact of future commercial uses on the immediate residential community.

Under By-law Number 217-99, some properties within the study area boundaries (see Document 3) were rezoned from commercial to residential. A new commercial zone (CL3 subzone) was created for the remaining commercial properties. The new CL3 subzone introduced new commercial uses such as medical facility, printing shop and veterinary clinic. Restaurant uses were originally permitted in this commercial area but were deleted as a result of the zoning study. The established restaurants in this area continue to retain their legal non-conforming rights until such time as those rights are abandoned.

As a result of the By-law amendment circulation to affected property owners and interested parties, three appeals were received within the 20 day time period allotted by the Planning Act. The appellants are all opposed to the elimination of restaurant uses. Copies of the appeals are contained in Document 5.

After a review of the appeals, the Department recommends an amendment to the CL3 subzone (as enacted by By-law Number 217-99) as it applies only to the properties located at 210-228, 232-234, 238 and 244-246 Laurier Avenue East. The appellant's properties would become a separate CL3 subzone with an exception to reintroduce restaurant uses as a permitted use. The regulations pertaining to restaurant uses will continue to apply, whereby, they must be located on the ground floor and each single occupancy not exceeding 204.5 square metres of gross leasable area.

The Department is satisfied that the recommendation, which basically recognizes the appellant's existing restaurant uses, is not expected to have further impact on the surrounding residential neighbourhood. Any future expansion of existing restaurants or the establishment of new ones, will be subject to a Site Plan Control application process and most likely to a Cash-in-Lieu of Parking process since the City's records show that all of the subject properties cannot provide any additional parking spaces.

Economic Impact Statement

There are no costs to be incurred by the City as a result of the recommendation.

Consultation

All those who were notified of the previous rezoning considered at the Planning and Economic Development Committee were sent a copy this report.

Councillor Stéphane Émard-Chabot is in support of the recommendation.

Disposition

Department of Corporate Services

1. Statutory Services Branch to notify the Region of Ottawa-Carleton, Development Approvals Division, Department of Planning and Development Approvals, the appellants [Mr. Anthony Monsaur, c/o C.O. Hamilton, Barrister & Solicitor, 116 Lisgar Street, K2P 0C2], [Ms. Radha Basynat, c/o C.O. Hamilton, Barrister & Solicitor, 116 Lisgar Street, K2P 0C2], and [Zeev and Sarah Vered, c/o Jane E. Ironside Consulting Ltd., 2055 Prince of Wales Drive, Nepean, K2E 7A4] of City Council's decision.
2. Office of the City Solicitor to forward the amending by-law to City Council and following enactment of the by-law, to the Ontario Municipal Board, along with By-law Number 217-99 and any notices of appeal or withdrawal of appeal notices.

Department of Urban Planning and Public Works to prepare and circulate the amending by-law.

List of Supporting Documentation

Document 1	Explanatory Note
Document 2	Details of Proposed Amendments to By-law Number 217-99
Document 3	Map - Zoning Study Area
Document 4	Map - Proposed Zoning Change
Document 5	Notices of Appeal

Part II - Supporting Documentation

EXPLANATORY NOTE TO BY-LAW NUMBER ____-00

Document 1

By-law Number _____ amends By-law Number 217-99 which rezoned certain properties which have frontage on Laurier Avenue East and Nelson Street (Sandy Hill Commercial Zoning Study). The affected area is shown as the shaded area on the attached map.

Three appeals were received to By-law Number 217-99 from the owners of specific properties within the area covered by this by-law. The appeals relate to the following properties:

1. 210-228 and 232-234 Laurier Avenue East
2. 238 Laurier Avenue East
3. 244-246 Laurier Avenue East

All are opposed to the elimination of restaurant uses since it creates non-conformity and prevents the establishment of new restaurants.

Current Zoning

By-law Number 217-99 changes the zoning from Commercial to Residential for the properties known municipally as 201 and 217 Laurier Avenue East, and 293-295, 298 Nelson Street. By-law 217-99 also changes the zoning from Commercial to a new Commercial zone (CL3 subzone) in the remainder of the shaded area shown on attached Location Map (Document 3), to permit additional uses such as medical facility, veterinary clinic and printing shop, but eliminates restaurant uses. The latter uses are also subject to the following regulations:

- a) all non-residential uses must be located on the ground floor of a building; and
- b) each single occupancy must not exceed 204.5 square metres of gross leasable area.

Proposed Zoning

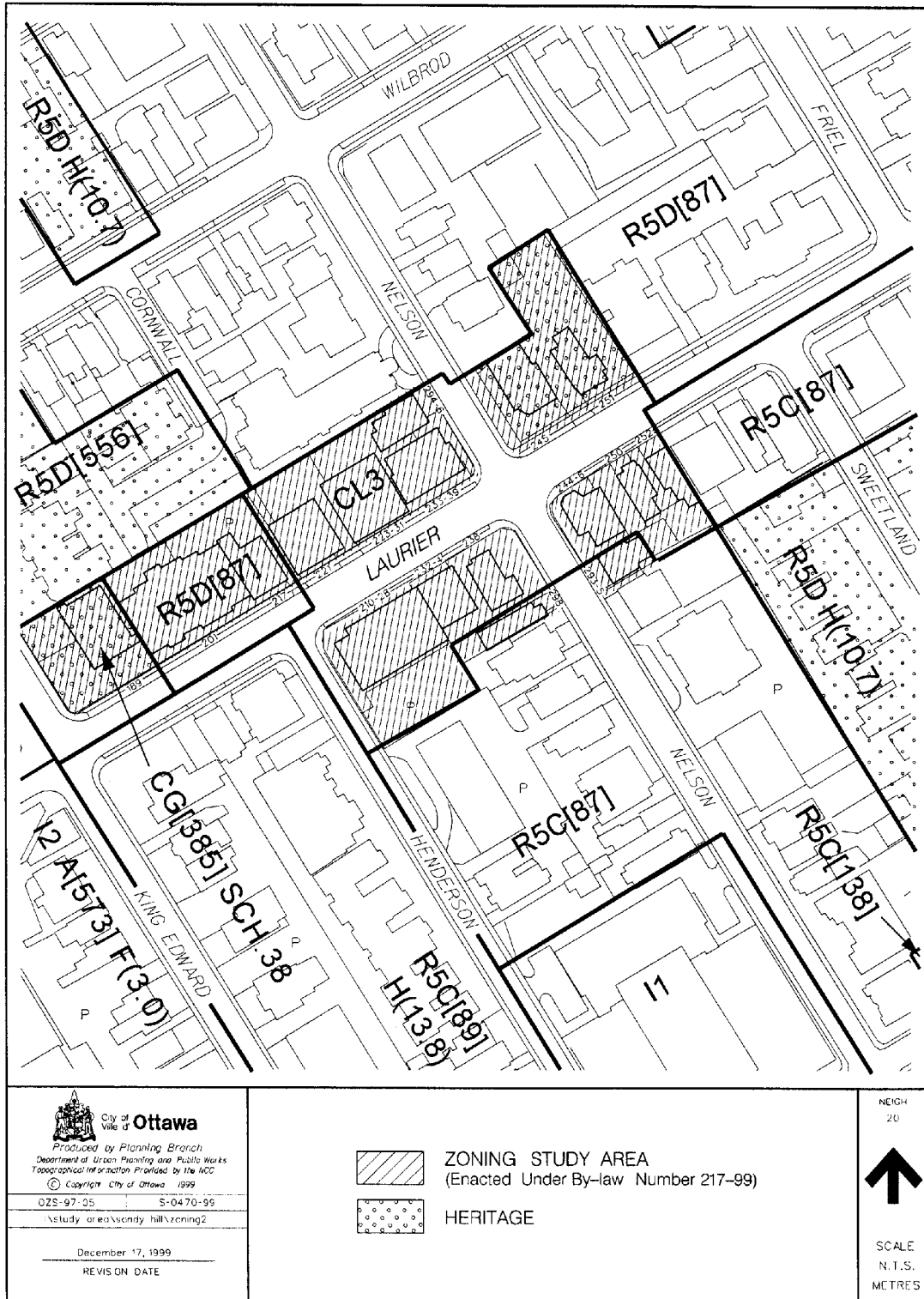
The proposed zoning amends By-law Number 217-99 by replacing a portion of the CL3 subzone (specific properties listed above) designation with a new CL3 [exception] subzone to reinstate the uses of a fast-food restaurant, full-service restaurant, and take-out restaurant, subject to the same regulations as shown above.

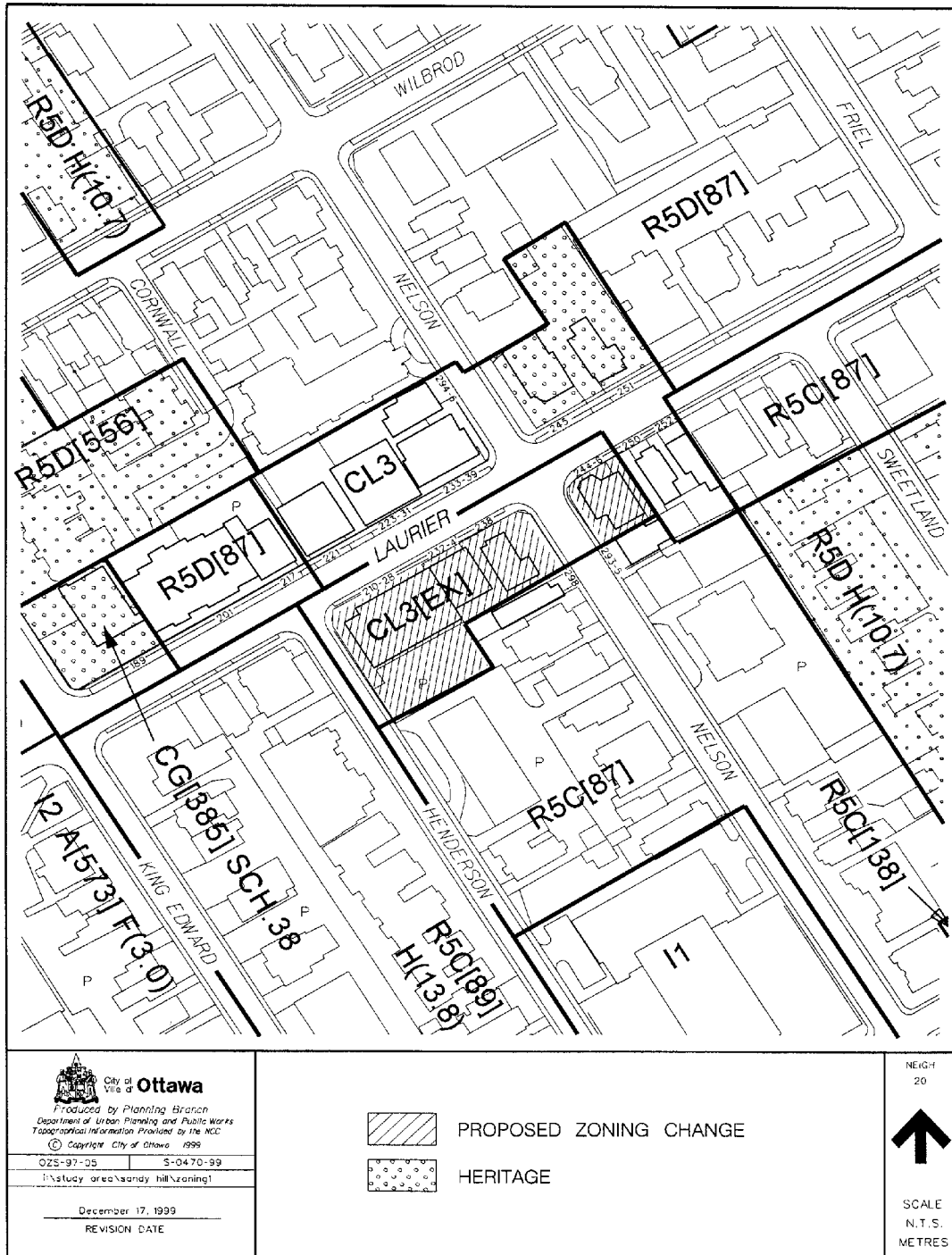
For further information, please contact Mr. Denis Charron at 244-5300 extension 1-3422.

DETAILS OF PROPOSED AMENDMENTS TO BY-LAW NUMBER 217-99CL3 [exception] zone

That a new exception zone be created as follows:

- a) permit additional uses of a fast-food restaurant, full-service restaurant and take-out restaurant;
- b) restaurants listed above are subject to the following:
 - ▶ they must be located on the ground floor of a building; and
 - ▶ each single occupancy must not exceed 204.5 square metres in gross leasable area.





ONTARIO MUNICIPAL BOARD

IN THE MATTER OF an appeal of By-law 217-99 of the Corporation of the City of Ottawa affecting lands located at 210 - 228 and 232 - 234 Laurier Avenue East ('Subject Lands'), in the City of Ottawa, Regional Municipality of Ottawa-Carleton;

NOTICE OF APPEAL

TAKE NOTICE that the Appellants, Zeev and Sara Vered, hereby appeal to the Ontario Municipal Board pursuant to the provisions of Section 34(19) of the Planning Act for an Order repealing, or in the alternative, for an Order amending those parts of By-law 217-99 for the Subject Lands for the following reasons:

1. The Subject Lands have been zoned for commercial purposes for many years and have been developed with two-storey multi-tenant buildings designed to house commercial businesses. They provide adequate on-site parking which is appropriately screened from adjacent residential lands.
2. The Subject Lands and adjacent properties along Laurier Avenue are designated 'Local Commercial' on Schedule 'J' - Sandy Hill Land Use, which forms part of the Sandy Hill Secondary Policy Plan of the Official Plan. The lands designated 'Local Commercial' are intended to provide for small-scale shopping areas that serve the immediate residential sector.
3. The Subject Lands and adjacent properties have afforded a range of commercial uses which provide the local residential community and nearby university with convenience and service commercial uses.
4. Laurier Avenue East, on which the Subject Lands are located, is a regional road and designated a Major Collector in Ottawa's Official Plan, carrying large volumes of traffic. It serves as the 'commercial spine' which bisects the Sandy Hill residential neighbourhood.
5. The planning study which formed the basis for the rezoning was flawed in that the notification for community meetings to discuss planning issues and concerns did not identify restaurants as problem uses. It was not until the notice of the June 22, 1999 Public Meeting was published on June 18, 1999 that the owners became aware that restaurant uses were being eliminated as permitted uses from their lands.

6. The elimination of restaurant uses makes an existing coffee shop on the Subject Lands non-conforming and eliminates the opportunity to rent to restaurant tenants in the future, thereby reducing the ability of the commercial area to provide services to the residential community.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

DATED at Ottawa, this 30th day of September, 1999.



PER: Jane E. Ironside, B.A., MCIP
Registered Professional Planner
J. E. Ironside Consulting Ltd.
2055 Prince of Wales Drive
Nepean, ON K2E 7A4

(613) 727-4457
(613) 225-4736 (fax)

ONTARIO MUNICIPAL BOARD

IN THE MATTER of an appeal of By-law 217-99 of the Corporation of the City of Ottawa, affecting lands located at Laurier Avenue East ("Subject Lands"), in the City of Ottawa, Regional Municipality of Ottawa-Carleton.

NOTICE OF APPEAL

TAKE NOTICE that the appellant, Anthony Monsaur, hereby appeal to the Ontario Municipal Board pursuant to the provisions of Section 34(19) of the Planning Act for an Order repealing, or in the alternative, for an Order amending those parts of By-law 217-99 for the Subject Lands for the following reasons:

1. The Subject Lands have been zoned for commercial purposes for many years and have been developed with heritage residential buildings converted into restaurants and pubs.
2. The Subject Lands and adjacent properties along Laurier Avenue are designated "Local Commercial" on Schedule J- Sandy Hill Land Use, which forms part of the Sandy Hill Secondary Policy Plan of the Official Plan. The lands designated "Local Commercial" are intended to provide for small-scale shopping areas that serve the immediate residential sector.
3. The subject Lands and adjacent properties have provided a range of commercial uses which provide the local residential community and nearby 150 year old bilingual University of Ottawa with convenience and service for commercial uses. The university draws thousands of students into the neighborhood on a daily basis. These students need eating and entertainment facilities in close proximity to the campus.
4. Laurier Avenue East, where the Subject Lands are located, is a regional road and designated a Major Collector in Ottawa's Official Plan, carrying a large volume of traffic. It serves as the "commercial spine" which bisects the Sandy Hill residential neighborhood.
5. The proposed by-law would have a detrimental financial impact on the appellant's present and future use of the Subject Lands.
6. The elimination of restaurant uses makes the existing use of the Subject Lands a non-conforming use and jeopardizes the ability to continue to use the site for a restaurant in the future, thereby reducing the ability of the commercial area to provide services to the residential community.
7. The Council breached s.34(12) of the *Planning Act* RSO (1990) c. P.13 in that they failed to provide adequate notice of the public meeting at which the proposed amendment was discussed. The appellant was thereby prevented from making oral submissions in opposition to the amendment. Written submissions were delivered by facsimile but were not adequately considered by the Council. The appellant attended the Council meeting at which the By-law was passed but he was not given the opportunity to speak.

OCT 5 1999

FILE # _____

 Planning
 CS4529

8. The Council further breached s. 34(12) of the *Planning Act* by failing to make sufficient information available to enable the public to understand generally the zoning proposal. The restaurant owners were the persons most affected by the proposed changes and they were given inadequate information.
9. The Council made its decision on the basis of incomplete or inaccurate information, since the persons most directly affected by the proposed changes were not allowed to present evidence and were effectively excluded from the process.
10. This appeal is made in good faith and is not for the purpose of delay.
11. The appellant therefore asks that the Board exercise its powers under s. 34 (26) (b) of the *Planning Act* and order that the By-law be repealed in whole or in part, or the By-law be amended to facilitate restaurant use within the commercial area.

October 4, 1999

Chesley O. Hamilton
Barrister & Solicitor
116 Lisgar St., 6th Floor
Ottawa Ontario K2P 0C2

Telephone: (613) 565-2424
Fax.: (613) 565-7575

Solicitor for the appellant

TO: Pierre Pagé
Clerk of the Corporation of the City of Ottawa
City Hall
111 Sussex Drive, Ottawa
Ontario K1N 5A1

ONTARIO MUNICIPAL BOARD

IN THE MATTER of an appeal of By-law 217-99 of the Corporation of the City of Ottawa, affecting lands located at Laurier Avenue East ("Subject Lands"), in the City of Ottawa, Regional Municipality of Ottawa-Carleton.

NOTICE OF APPEAL

TAKE NOTICE that the appellant, Radha Basynat, hereby appeal to the Ontario Municipal Board pursuant to the provisions of Section 34(19) of the Planning Act for an Order repealing, or in the alternative, for an Order amending those parts of By-law 217-99 for the Subject Lands for the following reasons:

1. The Subject Lands have been zoned for commercial purposes for many years and have been developed with heritage residential buildings converted into restaurants and pubs.
2. The Subject Lands and adjacent properties along Laurier Avenue are designated "Local Commercial" on Schedule J- Sandy Hill Land Use, which forms part of the Sandy Hill Secondary Policy Plan of the Official Plan. The lands designated "Local Commercial" are intended to provide for small-scale shopping areas that serve the immediate residential sector.
3. The subject Lands and adjacent properties have provided a range of commercial uses which provide the local residential community and nearby 150 year old bilingual University of Ottawa with convenience and service for commercial uses. The university draws thousands of students into the neighborhood on a daily basis. These students need eating and entertainment facilities in close proximity to the campus.
4. Laurier Avenue East, where the Subject Lands are located, is a regional road and designated a Major Collector in Ottawa's Official Plan, carrying a large volume of traffic. It serves as the "commercial spine" which bisects the Sandy Hill residential neighborhood.
5. The proposed by-law would have a detrimental financial impact on the appellant's present and future use of the Subject Lands.
6. The elimination of restaurant uses makes the existing use of the Subject Lands a non-conforming use and jeopardizes the ability to continue to use the site for a restaurant in the future, thereby reducing the ability of the commercial area to provide services to the residential community.
7. The Council breached s.34(12) of the *Planning Act* RSO (1990) c. P.13 in that they failed to provide adequate notice of the public meeting at which the proposed amendment was discussed. The appellant was thereby prevented from making oral submissions in opposition to the amendment. Written submissions were delivered by facsimile but were not adequately considered by the Council. The appellant attended the Council meeting at which the By-law was passed but she was not given the opportunity to speak.

8. The Council further breached s. 34(12) of the *Planning Act* by failing to make sufficient information available to enable the public to understand generally the zoning proposal. The restaurant owners were the persons most affected by the proposed changes and they were given inadequate information.
9. The Council made its decision on the basis of incomplete or inaccurate information, since the persons most directly affected by the proposed changes were not allowed to present evidence and were effectively excluded from the process.
10. This appeal is made in good faith and is not for the purpose of delay.
11. The appellant therefore asks that the Board exercise its powers under s. 34 (26) (b) of the *Planning Act* and order that the By-law be repealed in whole or in part, or the By-law be amended to facilitate restaurant use within the commercial area.

October 4, 1999

Chesley O. Hamilton
Barrister & Solicitor
116 Lisgar St., 6th Floor
Ottawa Ontario K2P 0C2

Telephone: (613) 565-2424
Fax: (613) 565-7575

Solicitor for the appellant

TO: Pierre Pagé
Clerk of the Corporation of the City of Ottawa
City Hall
111 Sussex Drive, Ottawa
Ontario K1N 5A1

January 4, 2000

ACS1999-PW-PLN-0179
(File: OMD1999/001)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

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

Action/Exécution

5. Demolition - 234 King Edward Avenue

Réglementation des démolitions - 234, avenue King Edward

Recommendation

That the Demolition Control Application for 234 King Edward Avenue, be **APPROVED**.



January 5, 2000 (9:27a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

DJ:dj

Contact: Douglas James - 244-5300 ext. 3856

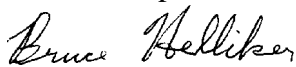


January 5, 2000 (2:37p)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

The exception policy included in the Official Plan with respect to Demolition Control applications allows for non replacement of residential buildings, and therefore, there are no financial implications as a result of approving this report.



January 5, 2000 (8:27a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The recommendation of APPROVAL to permit the demolition of a residential building at 234 King Edward Avenue, is based on the following points of consideration.

Impact on Housing Supply

The building on the subject site was constructed as a residential building but has more recently served the Shepards of Good Hope, located immediately to the south, in an administrative capacity. A strategic aim of the Official Plan is to conserve the existing housing stock. One means of conserving the existing housing stock is by controlling the demolition/removal of dwelling units. To this end, the Official Plan contains a specific policy that does not permit the loss of housing through demolition unless replacement units are provided by the proponent. Exceptions to this policy may be permitted where it can be demonstrated that other Official Plan objectives are being served and that the loss of housing is outweighed by the positive effects of the proposal.

Approval of the subject plan will only have a negligible impact on the housing supply in the City. Although demolition will confirm the loss of this building for residential purposes, it will also provide for the opportunity of a more intensive residential development in accordance with the R7[19]F5.0SCH.73 residential zoning. This zoning permits higher density residential uses such as apartments and high rise apartments and if commercial uses are to be located on site, there must also be residential uses, such as apartments on the upper floors.

No similar applications for demolition (i.e. no replacement buildings) have been received in the last five years in this area. This indicates that there is no larger undesirable pattern of dwelling unit loss. The applicant has not requested any interim use of the property such as public parking, which might delay eventual redevelopment of the property for residential use.

Building Condition

The building to be demolished was originally constructed between 1861 and 1872. The existing rubble foundation on the section of the building closest to King Edward Avenue likely dates from this period but is all that remains of the original house. The building was renovated earlier this century to enlarge it from one-and-a-half storeys to two storeys. A brick facade was attached to the front of the building but over time is now becoming detached.

While the building originally dates back to around 1870, the extensive renovations have removed any architectural significance. The applicant has indicated that given the condition

of the building, the costs to bring it up to habitable standards would amount to approximately \$45,000.

On December 1, 1999, City Council approved an application to demolish the subject building under the Ontario Heritage Act. While the proposal to demolish the building is not subject to Site Plan Control approval, the applicant has agreed to provide landscaping on the site to prevent the parking of vehicles.

Application Process Timeline Status

This application was received on September 24, 1999 and was subject to a project management timeline, as recommended by the “A Better Way Task Force Report”. A process chart establishing critical milestones was prepared and circulated as part of the technical and early notification process. This application is proceeding in advance of the time set by the process chart.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the Applicant (Ronald R. Dagenais, 600-325 Dalhousie Street, Ottawa, Ontario K1N 7G2) and the owner (1323515 Ontario Limited, 2598 Page Road, Gloucester, Ontario. K1W 1G1)

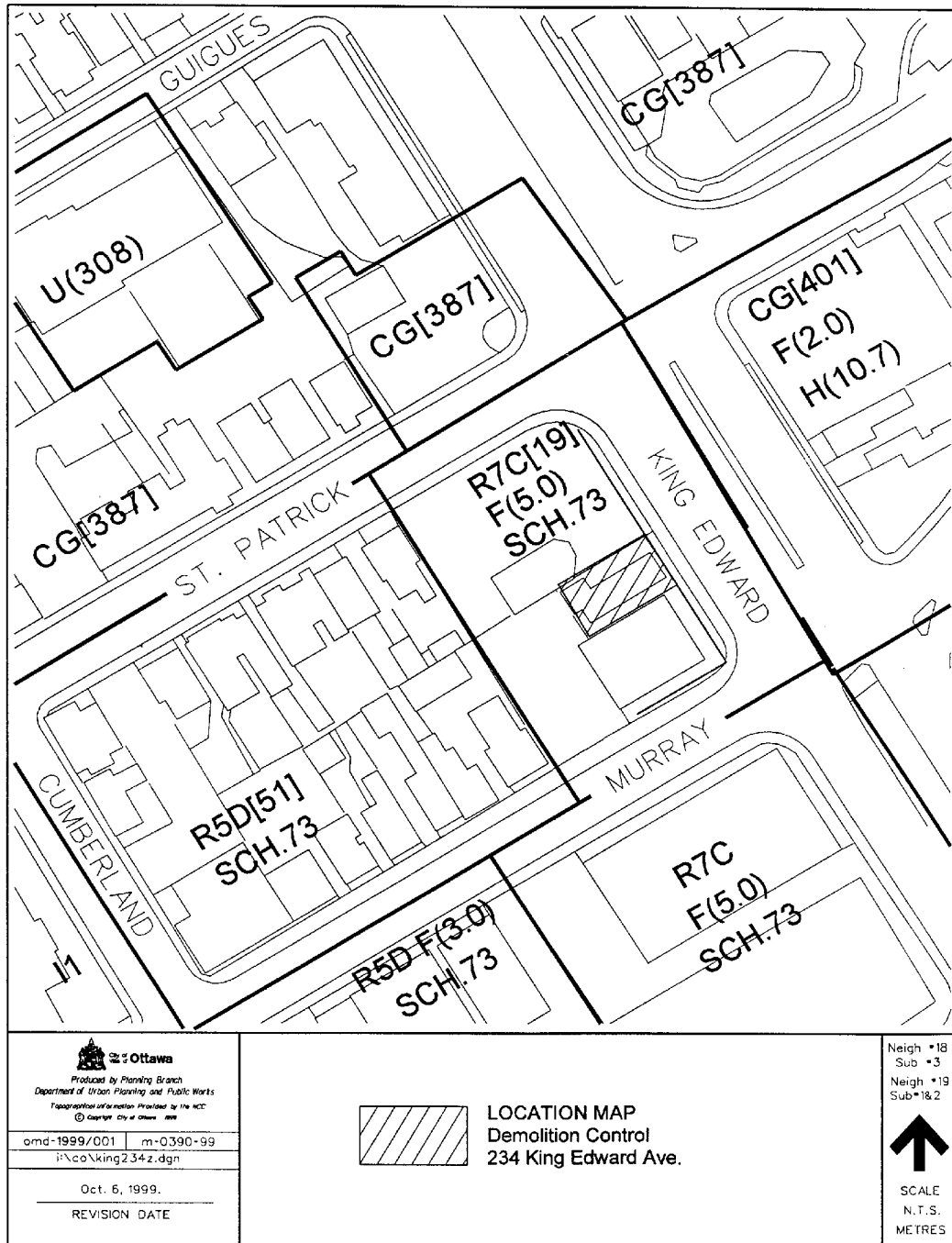
List of Supporting Documentation

Document 1 Location Map
Document 2 Compatibility With Public Participation

Part II - Supporting Documentation

LOCATION MAP

Document 1



NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation were carried out in accordance with the Early Notification Procedure P&D\PPP\N&C#1 approved by City Council for demolition applications.

SUMMARY OF PUBLIC INPUT

One response was received as a result of the circulation to concerned community groups. The King Edward Task Force provided the following comments.

“City should be saving existing housing stock at all costs. King Edward Community Improvement Plan, approved by City Council, promotes more residential use on King Edward. Applicant proposes to keep site vacant but will put to other uses”.

Response to comments from the King Edward Task Force

As stated in this submission, the loss of this one dwelling is not considered significant to the housing stock within the City. Furthermore, given the deteriorated condition of the building and the development opportunity associated with the current zoning, the Department considers the proposal to be appropriate.

Councillor's Comments

Councillor Stéphan Émard Chabot is aware of the application.

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January 13, 2000

ACS1999-PW-LTB-0061
(File: JVS1600/Ryder 2329)

Department of Urban Planning and Public
Works

Ward/Quartier
OT10 - Alta Vista-Canterbury

- Planning and Economic Development Action/Exécution
Committee / Comité de l'urbanisme et de
l'expansion économique

6. Property Standards Enforcement - 2329 Ryder Street **Application des normes de propriété - 2329 rue Ryder**

Recommendation

That the costs for work carried out by a contractor retained by the City to achieve compliance with By-law 169-73 at the subject site, be CONFIRMED.



January 14, 2000 (2:09p)

Edward Robinson
Commissioner of Urban Planning and Public
Works



January 17, 2000 (10:30a)

Approved by
John S. Burke
Chief Administrative Officer

SEG:sg

Contact: Catherine Junop - 244-5300, ext. 1-3368

Financial Comment

Subject to the Planning and Economic Development Committee approval, the amount will be confirmed on the Tax Certificate for collection in the same manner as taxes. Funds will be credited to the Department of Urban Planning and Public Works - Property Standards.



January 14, 2000 (1:59p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

On November 2, 1994, City Council approved the procedure to appoint the Planning and Economic Development Committee to hear parties who have appealed the invoiced amount shown on an interim tax certificate issued by the Corporation. These appeals relate to costs incurred by the Corporation when property owners fail to comply with the Notices of Violation pursuant to the municipal property standards by-laws.

The owner of the property located at 2329 Ryder Street has filed an appeal against the costs required to achieve compliance with a Notice issued under the Property Standards By-law 169-73.

A complaint was received on May 27, 1999 regarding the tall grass and weeds throughout the property. A property standards inspector visited the property on May 28, 1999 and determined that the condition of the property warranted the issuance of a Notice of Violation.

A Notice of Violation dated June 1, 1999 was issued to the property owner and delivered by prepaid registered mail. The Notice of Violation described the violation, action required, the terms of compliance with the by-law, and indicated a correction date of **June 10, 1999**. Specifically, the Notice required the property owner to “cut and remove the tall grass and undergrowth from throughout the property. Remove inoperative vehicle (BMW) from property.” The Notice of Violation also stated that “Failure to comply with this Notice may result in the Corporation causing the work to be done and the cost of the work shall be at the expense of the owner”.

Inspections made on June 14, 22, July 12 and 19 showed no improvements had been made. During that time two verbal appeals were made to the property owner to comply with the Order.

The following is the breakdown of the charges billed to the City by the lowest of three bidding contractors.

1	Costs incurred by the City of Ottawa to cut and remove all tall grass and undergrowth throughout the entire property completed July 22, 1999.	\$642.00
	Crew of 4 workers and equipment (1 large truck and 1 small truck) for 3½ hours.	
2	Title Search and Registered Mail	36.00
3	Administration Fee	67.80
4	G.S.T. on Administration Fees	4.75
	Total	\$750.55

The clean up was carried out on July 22, 1999 with a Property Standards Officer on site. An Interim Certificate advising of the cost of the clean up was issued to the property owner on August 4, 1999. Upon receipt of the invoice for the costs incurred, the property owner contacted the City by letter received August 18, 1999 appealing the costs. (Document 1).

Environmental Impact

No environmental impact anticipated as recommendation falls within the MEEP Automatic Exclusion List - Section 1(f) Routine Operations.

Non-compliance with a Notice of Violation would have a potential impact on established community standards and Property Standards By-law violations would continue to exist.

Consultation

No public notification of this submission has taken place. The Registered Property Owner, who submitted the request for appeal of the costs, has received a copy of this report and has been notified of the Planning and Economic Development Committee meeting at which this report will be considered. To date, no response has been received from the property owner. The property owner and her Legal Representative reviewed the file on August 17, 1999.

There are no implications for other Departments in this submission.

Disposition

Upon the Planning and Economic Development Committee's approval of this report, Council and Statutory Services Branch of Corporate Services Department to confirm with the Registered Property Owner and the Regional Municipality of Ottawa-Carleton, Plans Administration Division that the appropriate administrative action has been taken to collect the amount owing on the tax certificate.

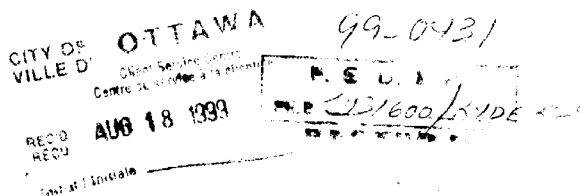
List of Supporting Documentation

Document 1 Appeal Letter from the Property Owner

Part II - Supporting Documentation

Document 1

City Council
City of Ottawa
111 Sussex Drive, Ottawa,
Ontario
K1N 5A1



August 18, 99

Dear Sir/Madam,

I am appealing the Interim Cert. No 99009 (Enclosed) pertaining to my residence at 2329 Ryder St., Ottawa. The reasons for my appeal are as follows:

- 1) I just cannot afford such an unreasonably expensive bill of \$750.55 at this time while I am unemployed and have been between jobs for a few years. This is especially so because the bill is for just cutting grass and undergrowth while cutting my front lawn should have cost me usually about \$10. Even for that amount I cannot afford, and I have been doing it myself whenever I can find time away from my job hunting, which is more than a very stressful full-time work.
- 2) I was misinformed because I was told by the Inspector concerned that my front lawn was not in violation of the city By-law. Meanwhile, the wording in the notice was very general and vague, and the grass was cut from the front lawn, which formed part of the cost.
- 3) I did cut my front lawn after I had received the initial notice.
- 4) Misunderstanding about the extension of the deadline date as indicated in the initial notice.

1/2


VILLE D'OTTAWA
 Client Service Centre
 Centre du service à la clientèle

REC'D
 RECU AUG 18 1999

Initial / Initiale

- information on the
- 5) I was not provided the Standards and the related By-laws though I had enquired about them. I have also indicated to the Supervisor of the Inspector that I am of low-vision.
- 6) Care was not shown in executing the contract which I still do not have any details of. The lack of concern and respect for the fellow citizens of Ottawa, of which I am one, and the lack of care in the contract execution caused an important item in my front lawn to be broken.

Finally, may I request a copy of all documents, including the pictures, in file and the relevant Standards and By-laws (preferably in large print) mailed to me at my home indicated below to help me to prepare my defence? Thanks very much for your kind attention.

Yours truly,


ELIZABETH Y. M. FUNG
 2329 RYDER STREET
 OTTAWA, ONT. K1H 6X4
 613-737-7439

1007
 1007
 1007

2/3

January 18, 2000

ACC3310-2000
(File: ACS1300)

Ward/Quartier
OT5 - Bruyère-Strathcona

7. Fees Exemption - Union Mission
Dispense de droits - Union Mission

Moved by: Mayor Watson

WHEREAS the issue of homelessness has been identified by all levels of government as a national priority;

AND WHEREAS the Golden Report on Homelessness clearly indicated that to address the problem of homelessness, all levels of government must participate and cooperate;

AND WHEREAS the Union Mission for Men provides an invaluable service to our community for homeless men in Ottawa by providing shelter, meals and support;

AND WHEREAS the Union Mission has proposed to build a four-storey wing on their existing site at 35 Waller to include 19 long term supportive housing units and 8 palliative care beds to serve as a hospice for men;

AND WHEREAS the Union Mission has solicited funding for the hospice from the Community Foundation of Ottawa-Carleton, the RMOC and other partners in the community;

AND WHEREAS the City of Ottawa has an opportunity to be a partner in this process by offering to waive various building related fees to keep the project within budget;

BE IT THEREFORE RESOLVED that City Council grant an exemption to the Union Mission Hospice Project for payment of the following fees:

Site Plan Application Fee	\$750.00
Cash-in-lieu of Parking Application Fee	\$750.00

AND BE IT FURTHER RESOLVED that the 5% cash-in-lieu of parkland levy and the building permit fees be waived.