Ontario Municipal Board
Commission des affaires municipales
de l'Ontario

ISSUE DATE: March 9, 2015

CASE NO(S): PL140185

PROCEEDING COMMENCED UNDER subsection 17(36) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant: Gary Courville
Subject: Proposed Official Plan Amendment No. 132
Municipality: City of Ottawa
OMB Case No.: PL140185
OMB File No.: PL140185

PROCEEDING COMMENCED UNDER subsection 34(19) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant: Gary Courville
Subject: By-law No. 2014-22
Municipality: City of Ottawa
OMB Case No.: PL140185
OMB File No.: PL140186

Heard: January 28, 2015 in Ottawa, Ontario

APPEARANCES:

Parties          Counsel

City of Ottawa  T. Marc
Gary Courville  M. Polowin

MEMORANDUM OF ORAL DECISION DELIVERED BY R. G. M. MAKUCH ON JANUARY 28, 2015 AND ORDER OF THE BOARD

development (TOD) plans and Secondary Plans for the Lees, Hurdman and Blair Transit Station Areas. The impacted lands are to be re-designated and re-zoned, mostly from short-term lands to one of three TOD zones: TD1 (six storeys), TD 2 (20 storeys) and TD3 (30 storeys) that apply according to their proximity to LRT stations.

[2] Zoning By-law No. 2014-22 modifies the existing zoning for Robinson Village West to allow a maximum building height from four and a half storeys (14.5 metres ("m")) to six storeys (20 m), and the Sandy Hill Secondary Plan changes the designation from high profile (ten storeys) to medium profile (five to nine storeys) residential with an added Schedule to specify the maximum height of six storeys.

[3] Gary Courville, ("Appellant") has appealed both OPA No. 132 and Zoning By-law No. 2014-22 on the grounds that the City should not have changed the long-standing intent of the Official Plan ("OP") to permit 10 to 30 storey development. Both OPA No. 132 and Zoning By-law No. 2014-22 are not consistent with the Provincial Policy Statement (2014) and do not constitute good planning according to Mr. Courville, who, owns lands in the "Robinson Village" within the Lees TOD Area. This City initiated zoning by-law amendment is a result of the Light Rail Transit Station Area TOD studies undertaken for these areas.

[4] The Board was advised by counsel for the parties that they had resolved their differences and had executed Minutes of Settlement subject to the Board’s approval.

[5] The only evidence before the Board on these appeals is the un-contradicted evidence of Donald Morse, the land use planner for the City.

[6] The amendments proposed will result in a height limit of eight storeys (27 m) on the Appellant’s property subject to a step-back above the sixth floor as well as a holding provision.

[7] The Board is satisfied based on that evidence that the modifications to OPA No. 132 and to By-law No. 2014-22 are consistent with the Provincial Policy Statement
(2014), are in conformity with the City's O P and represent good land use planning.

[8] Accordingly, the appeals against OPA No. 132 and Zoning By-law No. 2014-22 are allowed in part. OPA No. 132 will be modified in accordance with Attachment 1 (Exhibit 1, Tab 8) and Zoning By-law No. 2014-22 is modified in accordance with the shaded areas in Attachment 2 (Exhibit 1, Tab 9, pages 317, 329 and 330) hereto.

"R. G. M. Makuch"

R. G. M. MAKUCH
MEMBER

Ontario Municipal Board
A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248
ATTACHMENT 1

Revised OPA,

"For Amendment 132 to the Official Plan for the City of Ottawa, as enacted and passed by City Council in By-law No. 2014-21, replace Schedule 6, dated 08/01/2014 with Schedule 6, dated 16/01/2015 as attached."
SCHEDULE 6 to
AMENDMENT NO.132
to the OFFICIAL PLAN
for the CITY OF OTTAWA
VOLUME 2A
Schedule L - Sandy Hill Maximum Building Heights

MAXIMUM NUMBER OF STOREYS / MINIMUM DENSITY
NOMBRE D'ÉTAGES MAXIMAL / DENSITÉ MINIMALE

Area A: 30 storeys / 350 units per net hectare (residential) and/or 1.5 floor space index (non-residential)
Secteur A : 30 étages / 350 unités par hectare net (résidentiel) et/ou rapport plancher-sol de 1,5 (non résidentiel)

Area B: 26 storeys / 300 units per net hectare (residential) and/or 1.0 floor space index (non-residential)
Secteur B : 26 étages / 300 unités par hectare net (résidentiel) et/ou rapport plancher-sol de 1,0 (non résidentiel)

Area C: 8 storeys (no density range)
Secteur C : 8 étages (Pas de limites de densité)

Area D: 6 storeys / 150 units per net hectare (residential) and/or 0.5 floor space index (non-residential)
Secteur D : 6 étages / 150 unités par hectare net (résidentiel) et/ou rapport plancher-sol de 0,5 (non résidentiel)

Area E: 6 storeys (no density range)
Secteur E : 6 étages (Pas de limites de densité)

Area F: Maximum Number of Storeys: See Volume 1, Section 3 / Minimum Density: See Volume 1, Section 2.
Secteur F : nombre d'étages maximal: consultez le volume 1, article 3 / Densité minimale: consultez le volume 1, article 2.
ATTACHMENT 2

BY-LAW NO. 2014 - 22

A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of lands in the Lees Avenue, Hurdman Station and Blair Road Areas to implement the Transit Oriented Development Plans.

The Council of the City of Ottawa, pursuant to Section 34 of the Planning Act, R.S.O.1990, enacts as follows:

1. The Zoning Map of By-law No. 2008-250, entitled the “City of Ottawa Zoning By-law” is amended by:

   (a) rezoning the lands shown on Attachment 1 to this by-law as follows:

      (i) Area A to be rezoned from R4A H(14) to R4A H(20),
      (ii) Area B to be rezoned from DR2 to R4A H(20),
      (iii) Area C to be rezoned from L1 to TD1,
      (iv) Area D to be rezoned from I2A[347] to TD2[2077],
      (v) Area E to be rezoned from L1A to TD2[2078],
      (vi) Area F to be rezoned from L1A to TD1[2078],
      (vii) Area G to be rezoned from R4T[483] to R5K[2219] H(27)-h,
      (viii) Area H to be rezoned from R4T[483] to R5K[2133] H(20),
      (ix) Area I to be rezoned from GM[63] F(2.1) to TD3[2077] H(107),
      (x) Area J to be rezoned from IG1F(1.5) to TD1[2079],
      (xi) Areas K and L to be rezoned from I2A[2029] to TD3[2029],
      (xii) Area M to be rezoned from I2A[2029] to TD2[2077],
      (xiii) Area N to be rezoned from R4M to O1C,
      (xiv) Area O to be rezoned from R4M to O1,
      (xv) Area P to be rezoned from IG1 F(1.5) to TD2[2079],
      (xvi) Area Q to be rezoned from I2A[347] to TD2[2092],
      (xvii) Area R to be rezoned from I1A to TD2[2092],
      (xviii) Area S to be rezoned from GM[63] F(2.1) to TD3[2077] H(137),
      (xix) Area T to be rezoned from I2A[2029] to TD3[2029],
      (xx) Area U to be rezoned from L1 to TD3[2090],
      (xxi) Area V to be rezoned from I2A[2029] to O1H[2088],
      (xxii) Area W to be rezoned from R4A H(14) to TD1,
      (xxiii) Area X to be rezoned from L1[2008] to TD2[2092],
      (xxiv) Area Y to be rezoned from L1A to L1[2008].

   (b) rezoning the lands shown on Attachment 2 to this by-law as follows:

      (i) Area A to be rezoned from O1L[318]-h to TD3,
      (ii) Area B to be rezoned from O1L[316]-h to TD2,
      (iii) Area C to be rezoned from O1L[316]-h to TD1,
      (iv) Area D to be rezoned from O1L[310]-h to TD2,
      (v) Area E to be rezoned from O1L[310]-h to TD1,
      (vi) Area F to be rezoned from O1L[310]-h to TD2.
(vii) Area G to be rezoned from R5C H(45) to TD2[2080],
(viii) Area H to be rezoned from R5C H(42) to TD2[2081],
(ix) Area I to be rezoned from O1L[310]-h to TD3[2091],
(x) Area J to be rezoned from O1L[316]-h to TD3[2091],
(xi) Area K to be rezoned from O1L[316]-h to TD2[2091].

(c) rezoning the lands shown on Attachment 3 to this by-law as follows:
(i) Area A to be rezoned from GM[1349] F(0.6) H(22) to TD2[2082],
(ii) Area B to be rezoned from GM[1349] F(0.6) H(22) to TD1[2082],
(iii) Area C to be rezoned from GM F(0.6) H(22) to TD1[2083],
(iv) Area D to be rezoned from MC[1349] F(1.1) H(22) to TD3[2084],
(v) Area E to be rezoned from MC[1349] F(1.1) H(22) to TD2[2084],
(vi) Area F to be rezoned from MC F(1.8) H(48) to TD2[2085],
(vii) Area G to be rezoned from MC[74] F(1.1) H(22) to TD1[2086],
(viii) Area H to be rezoned from MC[74] F(1.1) H(22) to TD2[2086],
(ix) Area I to be rezoned from MC[74] F(1.1) H(22) to TD3[2086],
(x) Area J to be rezoned from MC F(2.0) H(48) to TD2[2087],
(xi) Area K to be rezoned from MC F(2.0) H(48) to TD1[2087],
(xii) Area L to be rezoned from MC F(2.0) H(48) to TD3[2087],
(xiii) Area M to be rezoned from O1P to TD3,
(xiv) Area N to be rezoned from LC6 to TD1[2089]

2. Subsection 195(6) of By-law No. 2008-250 is amended by:

(a) replacing the number 4 with the number 6 where it appears after the word "than" and before the word "storeys",
(b) replacing "2"rd, 3"rd or 4"th with "2"nd, 3"nd, 4"th, 5"th, 6"th or 7"th where it appears after the word "the" and before the word "storey".

3. Subsection 195(13) of No. By-law 2008-250 is amended by:

(a) replacing the words "Schedules 293, 294 and 295" with "Schedules 293, 294, 295, 314, 315 and 316:,
(b) replacing the words "Schedules 293, 294 and 295" in subclause (a)(ii) with "Schedules 293, 294, 295, 314, 315 and 316:,
(c) replacing the words "Schedules 294 and 295" in subclause (b)(ii) with "Schedules 294, 295, 314, 315 and 316:".
4. Section 239 - Urban Exceptions of By-law No. 2008-250 is amended by adding the following exceptions:

<table>
<thead>
<tr>
<th>Exception Number</th>
<th>Applicable Zone</th>
<th>Exception Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TD2[2077]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TD2[2078]</td>
<td>- any use that legally existed on January 22, 2014</td>
</tr>
<tr>
<td></td>
<td>TD1[2078]</td>
<td></td>
</tr>
</tbody>
</table>
|                  |                | The following provisions apply to:  
|                  |                | a. a use that legally existed as of January 22, 2014, or  
|                  |                | b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or  
|                  |                | c. any new use within a building existing as of January 22, 2014, or  
|                  |                | d. any developments for which site plan approval has been granted prior to January 22, 2014,  
|                  |                | e. development that does not exceed an 11 metre maximum building height if abutting a R1, R2 or R3 zone and 15 metres abutting any other zone,  
|                  |                | - 195(3)(a),  
|                  |                | 195(4)(c)(iii),  
|                  |                | 195(4)(d)(ii),  
|                  |                | 195(4)(d)(iv),  
|                  |                | 195(4)(e)(iii),  
|                  |                | 195(4)(e)(iv),  
<p>|</p>
<table>
<thead>
<tr>
<th>2079</th>
<th>TD1[2079]</th>
<th>- any use that legally existed on January 22, 2014 - storage yard limited to a municipal works yard</th>
<th>- all non-residential uses</th>
<th>195(4)(f), 195(4)(g)(ii), 195(9) 195(6), 195(7), 195(8), 195(13) and 196 do not apply. In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2080</td>
<td>TD2[2080]</td>
<td></td>
<td></td>
<td>The following provisions apply to:</td>
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<td></td>
<td>a. a use that legally existed as of January 22, 2014, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>c. any new use within a building existing as of January 22, 2014, or</td>
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<tr>
<td></td>
<td></td>
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<td></td>
<td>d. any developments for which site plan approval has been granted prior to January 22, 2014,</td>
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<tr>
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<td></td>
<td></td>
<td></td>
<td>- 195(3)(a), 195(4)(c)(iii), 195(4)(d)(iii), 195(4)(d)(iv), 195(4)(e)(iii), 195(4)(e)(iv), 195(4)(f), 195(4)(g)(ii), 195(9), 195(6), 195(7) 195(8), 195(13) and 196 do not apply</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply except for the permitted use of storage yard and the prohibited uses.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The following provisions apply to:</td>
</tr>
</tbody>
</table>

320
<table>
<thead>
<tr>
<th>2081</th>
</tr>
</thead>
<tbody>
<tr>
<td>TD220831</td>
</tr>
</tbody>
</table>

**In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply.**

- a. any new use within a building existing as of January 22, 2014, or any development for that use that has been granted prior to January 22, 2014, and for which site plan approval has been granted prior to January 22, 2014, or
- b. any expansion of the building that does not exceed a 45 metre maximum building height, and
- c. any new use within a building existing as of January 22, 2014, or any development for that use that has been granted prior to January 22, 2014, or
- d. any development for any new use, any expansion of a building, or any use within a building existing as of January 22, 2014, for which a development permit has been granted prior to January 22, 2014, or
- e. development that does not exceed a 42 metre building height.
<table>
<thead>
<tr>
<th>2082</th>
<th>TD2[2082]</th>
<th>TD1[2082]</th>
<th>- retail food store</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>any use that legally existed on January 22, 2014</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The following provisions apply to:

a. a use that legally existed as of January 22, 2014, or
b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or
c. any new use within a building existing as of January 22, 2014, or
d. any developments for which site plan approval has been granted prior to January 22, 2014,
e. development that does not exceed either of:
   i. a 22 metre maximum building height,
   ii. a maximum floor space index of 0.6

- 195(3)(a), 195(4)(c)(iii), 195(4)(d)(iii), 195(4)(d)(iv), 195(4)(e)(iii), 195(4)(e)(iv), 195(4)(f), 195(4)(g)(ii), 195(6), 195(7), 195(8), 195(9), 195(10), 195(13) and 196 do not apply

In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply.
| 2083 | TD1[2083] | - any use that legally existed on January 22, 2014 | The following provisions apply to:

a. a use that legally existed as of January 22, 2014, or

b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or

c. any new use within a building existing as of January 22, 2014, or

d. any developments for which site plan approval has been granted prior to January 22, 2014,

e. development that does not exceed either of:
   i. a 22 metre maximum building height,
   ii. a maximum floor space index of 0.6 

- 195(3)(a),
- 195(4)(c)(iii),
- 195(4)(d)(iii),
- 195(4)(d)(iv),
- 195(4)(e)(iii),
- 195(4)(e)(iv),
- 195(4)(f),
- 195(4)(g)(ii), 195(6),
- 195(7), 195(8),
- 195(9), 195(10),
- 195(13) and 196 do not apply

In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply.

| 2084 | TD2[2084] | - any use that legally existed on January 22, 2014 | - retail food store | The following provisions apply to:

a. a use that legally existed as of January 22, 2014, or

b. any expansion of the |
building and any new building for that use in a. above or a use listed in column III, or
c. any new use within a building existing as of January 22, 2014, or
d. any developments for which site plan approval has been granted prior to January 22, 2014,
e. development that does not exceed either of:
   i. a 22 metre maximum building height,
   ii. a maximum floor space index of 1.1
   
- 195(3)(a),
- 195(4)(c)(iii),
- 195(4)(d)(iii),
- 195(4)(d)(iv),
- 195(4)(e)(iii),
- 195(4)(e)(iv),
- 195(4)(f),
- 195(4)(g)(ii), 195(6),
- 195(7), 195(8),
- 195(9), 195(10),
- 195(13) and 196 do not apply

In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply except for the prohibited use of retail food store.

<table>
<thead>
<tr>
<th>2085</th>
<th>[TD2(2085)]</th>
</tr>
</thead>
<tbody>
<tr>
<td>- any use that legally existed on January 22, 2014</td>
<td></td>
</tr>
</tbody>
</table>

The following provisions apply to:

a. a use that legally existed as of January 22, 2014, or
b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or
c. any new use within a building existing as of January 22, 2014, or d. any developments for which site plan approval has been
| 2086 | TD1[2086], TD2[2086], TD3[2086] | - any use that legally existed on January 22, 2014 - automobile service stallion - car wash - gas bar | The following provisions apply to:  
  a. a use that legally existed as of January 22, 2014, or  
  b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or  
  c. any new use within a building existing as of January 22, 2014, or  
  d. any developments for which site plan approval has been granted prior to January 22, 2014,  
  e. development that does not exceed either of:  
    i. a 22 metre maximum building height,  
    ii. a maximum floor space index of 1.1 - 195(3)(a), 195(4)(c)(ii), 195(4)(d)(iii), 195(4)(d)(iv), 195(4)(e)(ii), 195(4)(e)(iv), 195(4)(f), 195(4)(g)(ii), 195(6), 195(7), 195(8), 195(9), 195(10), 195(13) and 196 do not apply.  
  In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply. |
| 2087 | TD1[2087], TD2[2087], TD3[2087], | - any use that legally existed on January 22, 2014 | The following provisions apply to:

a. a use that legally existed as of January 22, 2014, or

b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or

c. any new use within a building existing as of January 22, 2014, or

d. any developments for which site plan approval has been granted prior to January 22, 2014, or

e. development that does not exceed either of:
   i. a 48 metre maximum building height,
   ii. a maximum floor space index of 2.0

- 195(3)(a),
- 195(4)(c)(iii),
- 195(4)(d)(iii),
- 195(4)(d)(iv),
- 195(4)(e)(iii),
- 195(4)(e)(iv),
- 195(4)(f),
- 195(4)(g)(ii), 195(6),
- 195(7), 195(8),
- 195(9), 195(10),
- 195(13) and 196 do not apply

In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply except for additional land uses permitted of automobile service station and gas bar.
<table>
<thead>
<tr>
<th>2088</th>
<th>O1H[2088]</th>
<th>- place of assembly ancillary to a boat house</th>
<th>- maximum floor area for a place of assembly: 150m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>2089</td>
<td>TD1[2039]</td>
<td>The following provisions apply to:</td>
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<tr>
<td></td>
<td></td>
<td>a. a use that legally existed as of January 22, 2014, or</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or</td>
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<tr>
<td></td>
<td></td>
<td>c. any new use within a building existing as of January 22, 2014, or</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>d. any developments for which site plan approval has been granted prior to January 22, 2014,</td>
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<td>e. development that does not exceed a 12.5 metre maximum building height,</td>
<td></td>
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<td></td>
<td>- 195(3)(a), 195(4)(c)(iii), 195(4)(d)(iii), 195(4)(d)(iv), 195(4)(e)(iii), 195(4)(e)(iv), 195(4)(f), 195(4)(g)(ii), 195(9) 195(6), 195(7), 195(8), 195(13) and 196 do not apply</td>
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<td></td>
<td>In any other case the full provisions of the TD zone and appropriate TD subzone apply and the provisions of this exception do not apply.</td>
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<tr>
<td>2090</td>
<td>TD3[2090]</td>
<td>- all required parking spaces may be located on any part of the TD2[2077],</td>
<td></td>
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<td></td>
<td>TD2[2091]</td>
<td>TD3[2091]</td>
<td></td>
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<tr>
<td>---</td>
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</tr>
<tr>
<td>2091</td>
<td>- a maximum of 50% of the width of the street frontage of the entire zone may be occupied by buildings taller than 6 storeys in height, no matter the setback of the buildings from the street lot line.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>TD2[2092]</th>
</tr>
</thead>
<tbody>
<tr>
<td>2092</td>
<td>- park - temporary parking lot</td>
</tr>
</tbody>
</table>

- all permitted uses except community centre, community garden, day care, emergency service library, municipal service centre, park, recreational and athletic facility and sports arena must be located above the ground floor - the ground floor can only be used for required parking, lobby area, mechanical room and access to other floors - despite the above retail use, restaurant use and personal service use may be located on the ground floor or above in that part of a building that is located within 25 metres of the lot line abutting Lees Ave if each occupancy has its main pedestrian entrance facing Lees Avenue - the following provisions are in effect for a temporary period of three years beginning January 23, 2013 and ending on January 23, 2016:
<table>
<thead>
<tr>
<th>Facility</th>
<th>Shelter</th>
<th>Utility Installation</th>
<th>Convenience Store</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Care</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(i) despite Table 101, the minimum number of parking spaces required for the use of Avenue is 50 spaces.

(ii) a parking lot may be surrounded by grade or on the normal business hours is permitted.

(iii) a parking lot may be surrounded by grade or on the normal business hours is permitted.
- residential care facility
- shelter
- utility installation
- convenience store

The following provisions apply to an apartment building mid-high rise:
(i) minimum lot width for apartment dwelling, mid-high rise: 15m
(ii) minimum lot area for apartment dwelling, mid-high rise: 450m²
(iii) minimum front and corner side yard setback for that part of a building above 6 storeys: 4m
(iv) minimum rear yard setback:
A: for that part of a building up to and including the sixth storey: 4.5m
B: for that part of a building above 6 storeys: 6m
(v) minimum interior side yard setback:
A: for that part of a building up to and including the sixth storey: 3m
B: for that part of a building above 6 storeys: 4m
- Where in endnote 3(b) of Table 164B an interior side yard setback is required for the first 21 metres back from the street the distance is reduced to 18 metres back from the street
- the three metre yard required for the case stated in endnote 5(c) must be landscaped
- rooming house limited to 50% of gross floor area of building
- no additional parking required for a residential use building converted to another use of less than 4 dwelling units
- bed and breakfast restricted to a maximum of three guest bedrooms
- On any land zoned with a holding symbol the holding symbol may not be removed until the completion of phase 1 site plan approval.
5. Section 239 – Urban Exceptions of By-law No. 2008-250 is further amended by:

(a) replacing exception 2029 with the following new exception 2029:

<table>
<thead>
<tr>
<th>Exception Number</th>
<th>Applicable Zone</th>
<th>Exception Provisions</th>
<th>IV Land Uses Prohibited</th>
<th>V Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2029</td>
<td>TD3[2029]</td>
<td>- any use that legally existed on January 22, 2014</td>
<td></td>
<td>The following provisions apply to:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>a. a use that legally existed as of January 22, 2014, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>b. any expansion of the building and any new building for that use in a. above or a use listed in column III, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>c. any new use within a building existing as of January 22, 2014, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>d. any developments for which site plan approval has been granted prior to January 22, 2014,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>e. development that does not exceed a 15 metre maximum building height if within 12 metres of a R1, R2 or R3 zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- 195.3(a), 195.4(c)(ii), 195.4(d)(iii), 195.4(d)(iv), 195.4(e)(ii), 195.4(e)(iv), 195.4(f), 195.4(g)(ii), 195.9, 195.6, 195.7 195(b), 195(13) and 196 do not apply</td>
</tr>
</tbody>
</table>

In any other case the full provisions of the TD zone and appropriate TD subzone apply and only the following exception provision applies:

- all required parking spaces may be located on any part of the TD3[2029], TD3[2077] H(107), TD3[2077] H(137).
(b) adding the zone names "TD2[2077], TD3[2090], TD3[2077] H(107), TD3[2077] H(137)," to the list of zones that the required parking may be located on in exceptions [347], [1377], [1376], and [1378].


6. Part 17 - Schedules of By-law No. 2008-250 is amended by:

(a) adding Attachments 4, 5 and 6 to this by-law as Schedule 314, 315 and 316 respectively.

ENACTED AND PASSED this 22nd day of January, 2014.
This is Attachment 1 to By-law Number 2014-72, passed January 22, 2014

Lands Affected by By-law

Refer to legend for rezoning
This is Attachment 2 to By-law Number 2014-22, passed January 22, 2014

Lands Affected by By-law

Refer to legend for rezoning
Area A to be rezoned from GM[1348] F(0.6) H(22) to TD2(2082)
Area B to be rezoned from GM[1349] F(0.6) H(22) to TD1(2082)
Area C to be rezoned from GM F(0.6) H(22) to TD1(2083)
Area D to be rezoned from MC[1349] F(1.1) H(22) to TD2(2084)
Area E to be rezoned from MC[1349] F(1.1) H(22) to TD2(2084)
Area F to be rezoned from MC F(1.0) H(4.8) to TD2(2085)
Area G to be rezoned from MC[74] F(1.1) H(22) to TD1(2086)
Area H to be rezoned from MC[74] F(1.1) H(22) to TD2(2087)
Area I to be rezoned from MC F(2.0) H(4.8) to TD1(2087)
Area J to be rezoned from MC F(2.0) H(4.8) to TD1(2087)
Area K to be rezoned from OP to TD3
Area L to be rezoned from OP to TD3
Area M to be rezoned from LC5 to TD1(2088)

This is Attachment 3 to By-law Number 2014-22, passed January 22, 2014
Lands Affected by By-law

Refer to legend for rezoning

0425404127 Denotes Teranet-Perma1 Parcel Identification Number
This is Schedule 314 to Zoning By-law No. 2008-250
Annexe 314 au Règlement de zonage n° 2008-250

This is Attachment 4 to By-law Number 2014-22, passed January 22, 2014
Place jointe n° 4 du Règlement municipal n° 2014-22, adopté le 22 janvier 2014
BY-LAW NO. 2014 - 22

A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of lands in the Lees Avenue, Hurdman Station and Blair Road Areas to implement the Transit Oriented Development Plans.

Enacted by City Council at its meeting of January 22, 2014.

LEGAL SERVICES
dg/srn
G04-01-2014 01 22

COUNCIL AUTHORITY:
City Council January 22, 2014
City Council December 10, 2013
PC Disposition No. 66, Item 5