

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

Agenda 17
Ordre du jour 17

Tuesday, October 12, 1999 - 9:15 a.m.
Le mardi 12 octobre 1999 - 9 h 15

Victoria Hall, First Level
Bytown Pavilion, City Hall

Salle Victoria, niveau 1
Pavillon Bytown, hôtel de ville

**Confirmation of Minutes
Ratification des procès-verbaux**

Minutes 16 (September 28, 1999)
In-Camera Minutes 5 (September 28, 1999)

Procès-verbal 16 (Le 28 septembre 1999)
Procès-verbal 5 huis clos (Le 28 septembre 1999)

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Councillor/Conseillère Elisabeth Arnold, Chairperson/présidente

Councillor/Conseiller Shawn Little, Vice-Chairperson/vice-président

Councillor/Conseiller Stéphane Émard-Chabot

Councillor/Conseiller Allan Higdon

Councillor/Conseiller Ron Kolbus

AML

September 2, 1999

ACS1999-PW-PLN-0111
(File: OCM3100/1999-002
OCF3000/110)

Department of Urban Planning and Public
Works

Ward/Quartier
OT1 - Britannia-Richmond

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

Action/Exécution

1. Official Plan Amendment - Mud Lake Modification du Plan directeur - Lac Mud

Recommendation

That an Amendment to the City of Ottawa Official Plan to add policy direction with respect to the protection of "Significant Wetlands South and East of the Canadian Shield", and to designate Mud Lake "Significant Wetland South and East of the Canadian Shield" on Schedule "A" - Land Use, be APPROVED, as detailed in Document 1.



September 8, 1999 (1:38p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

PPL:ppl

Contact: Pierre Lacroix - 244-5300 ext. 1-3877



September 8, 1999 (3:02p)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.



September 8, 1999 (10:50a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The purpose of the amendment is twofold:

- a) to have regard to the Provincial Policy Statement by addressing policy 2.3 “Natural Heritage”, specifically the provisions relating to Significant Wetlands South and East of the Canadian Shield, as they apply to Mud Lake in the City of Ottawa; and,
- b) to bring the City of Ottawa Official Plan into conformity with the Regional Official Plan policies on Significant Wetlands South and East of the Canadian Shield.

The Natural Heritage Policy, which incorporates policies for Significant Wetlands South and East of the Canadian Shield contained in the Provincial Policy Statement was proclaimed by the Province of Ontario on May 22, 1996, as part of Bill 20, the *Land Use and Protection Act*. Similarly, the Regional Official Plan also contains policies on Significant Wetlands and designates Mud Lake as a Significant Wetland South and East of the Canadian Shield on its Schedule “B” - Urban Policy Plan.

In accordance with upper tier policy direction, this amendment to the City of Ottawa Official Plan proposes the following:

- a) to add to Chapter 6.0 - Environmental Management appropriate policy direction with respect to the protection of “Significant Wetlands South and East of the Canadian Shield”;
- b) to ensure that means are applied to demonstrate that there will be no negative impacts on the wetlands as a result of development on lands adjacent to the wetlands; and,
- c) to re-designate Mud Lake from “Environmentally Sensitive Area” to “Significant Wetland South and East of the Canadian Shield” on Schedule “A” - Land Use of the Plan.

Furthermore, an addition to the Definitions section and minor modifications to the Municipal Environmental Evaluation section of the Plan are also contained in the amendment.

Development and site alteration to Mud Lake is not permitted; however, uses which promote the natural characteristics of the area for scientific or educational purposes are permitted. The lands adjacent to Mud Lake consist of Britannia Woods as identified by the designation of “Environmentally Sensitive Area” on Schedule A - Land Use. Britannia Woods extends south to the National Capital Commission bicycle path. Consultation with the Region has determined that the policies on adjacent lands are only applicable to public properties in this case, and as such, the residential properties along Lincoln Heights Road would not be part of the adjacent lands. Although development is permitted on lands adjacent to Significant Wetlands South and East of the Canadian Shield, it would not be permitted in this case since Britannia Woods is designated “Environmentally Sensitive Area” in the Official Plan, and does not allow development. Site alteration would be permitted but the activities would require that they be compatible with the protection and conservation of the unique features, as described in Section 6.3 of the Official Plan. Site alteration in association with

development would be permitted only in the case of the Britannia Water Filtration Plant, and would be subject to a Municipal Environmental Evaluation Report.

Consultation

Notification of a proposed Official Plan Amendment and a copy of the draft Amendment was circulated to the Ward Councillor, area community associations, the Federation of Community Associations, five residential properties along Lincoln Heights Road, public bodies, technical agencies, and City Hall Media.

Disposition

Department of Corporate Services, Statutory Services Branch, to notify Clerk of the Regional Municipality of Ottawa-Carleton of City Council's decision set out in Recommendation 1.

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

Department of Urban Planning and Public Works, Planning Branch to:

1. prepare and circulate notice of the Official Plan adoption to those persons and public bodies who requested notification; and
2. submit the Official Plan amendment and the required documentation to the Regional Municipality of Ottawa-Carleton for approval, including the request to lift Deferral No. 22.

List of Supporting Documentation

Document 1 - Official Plan Amendment

Document 2 - Consultation Details

Part II - Supporting Documentation

Document 1

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 and maps constitute Amendment No. _____ to the City of Ottawa Official Plan.

PART A - THE PREAMBLE

1.0 Purpose

The purpose of the Amendment is twofold: (a) to have regard to the Provincial Policy Statement by addressing policy 2.3 “Natural Heritage”, specifically the provisions relating to Significant Wetlands south and east of the Canadian Shield, as they apply to Mud Lake in the City of Ottawa, and (b) to bring the City of Ottawa Official Plan into conformity with the Regional Official Plan policies on Significant Wetlands South and East of the Canadian Shield.

The Natural Heritage Policy, which incorporates policies for Significant Wetlands South and East of the Canadian Shield contained in the Provincial Policy Statement was proclaimed by the Province of Ontario on May 22, 1996, as part of Bill 20, the *Land Use and Protection Act*. Similarly, the Regional Official Plan also contains policies on Significant Wetlands and designates Mud Lake as a Significant Wetland South and East of the Canadian Shield on its Schedule B - Urban Policy Plan.

In accordance with upper tier policy direction, this Amendment to the City of Ottawa Official Plan proposes to: (1) add to Chapter 6.0 - Environmental Management appropriate policy direction with respect to the protection of “Significant Wetlands South and East of the Canadian Shield”; (2) ensure that means are applied to demonstrate that there will be no negative impacts on the wetlands as a result of development on lands adjacent to the wetlands; and (3) identify Mud Lake as a “Significant Wetland South and East of the Canadian Shield” on Schedule “A” - Land Use of the Plan. Schedule “A” currently designates Mud Lake as “Environmentally Sensitive Area” (ESA) as part of the larger Britannia Woods ESA. Appropriate addition to the Definitions section and minor modifications to the Municipal Environmental Evaluation section of the Plan are also contained in the Amendment.

2.0 Location

The lands affected by this Amendment are those which contain Mud Lake which are situated within Britannia Woods, generally located in the northwest corner of the City to the north of Richmond Road, along the shoreline of the Ottawa River. The area is generally bounded by Britannia Road on the west, the Ottawa River on the north, an open space corridor on the south, and Pinecrest Creek and the Ottawa River Parkway on the east. There is an existing water filtration plant located within Britannia Woods owned and operated by the Region of Ottawa-Carleton. Mud Lake itself is owned by the federal government. The Britannia Woods / Mud Lake area constitutes a unique combination of natural features and species and is one of the largest natural areas in the City. Mud Lake includes buttonbush swamp and a large open water marsh.

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3.0 Basis

3.1 Background and Context

Mud Lake was evaluated and classified as a Provincially Significant Wetland by the Ontario Ministry of Natural Resources in 1988, using a standardized wetland evaluation system. This system evaluates the biological, social, hydrological and special features of wetlands in order to ascertain their relative significance in Ontario. This wetland is also considered to be provincially significant as a migration stopover area for more than 200 species of birds.

In addition to the provincial significance of the Mud Lake Wetland, the City of Ottawa Natural and Open Spaces Study, approved by City Council on December 2, 1998, also identified the Britannia Woods / Mud Lake area as one of the largest natural areas in the City. The Mud Lake Wetland itself was recommended for protection because it scored high for wetland value, environmental value, social value and recreational linkage.

During its consideration of the City of Ottawa Official Plan on April 13, 1994, Regional Council recommended that the designation of "Environmentally Sensitive Area" applying to Mud Lake and Britannia Woods, as identified on Schedule A - Land Use Schedule be deferred until a local official plan amendment was approved. This recommendation is referred to as Deferral No. 22 in the Regional Approval Pages associated with the City of Ottawa Official Plan. The reason for the deferral in 1994 was as follows:

"The Mud Lake area has been identified by the Province as a Class 3 wetland which means it is Provincially significant and is therefore subject to the Provincial policy statement on Wetlands. The Province requires municipalities to have policies in their official plans both for the wetlands themselves and for land within 120 metres. Although the area is designated "Environmentally Sensitive Area", the associated policies do not entirely accord with the Wetlands Policy Statement."

Bill 20, *The Land Use and Protection Act* was proclaimed by the Province of Ontario on May 22, 1996. This Act includes a Provincial Policy Statement on Significant Wetlands south and east of the Canadian Shield. Elements of the provincial policy include, for example:

- Provincially Significant Wetlands South and East of the Canadian Shield will be protected from development and site alteration.
- On lands adjacent to Provincially Significant Wetlands South and East of the Canadian Shield, within a 120 metre radius, development and site alteration may be permitted if it can be demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
- Ensure that local municipalities require a Wetlands Impact Study or its equivalent when considering development proposals for land abutting a Provincially Significant Wetland South and East of the Canadian Shield (adjacent lands).

Regional Council, on January 22, 1997, approved Regional Official Plan Amendment No.61 in order to have regard for the Provincial Significant Wetlands Policy. There is now a need to amend the Ottawa Official Plan to have regard for the Policy Statement in a manner similar to and consistent with the Regional Official Plan. This will allow Deferral No.22 to be lifted upon approval of the new policies by the Regional Municipality of Ottawa-Carleton.

The Regional Official Plan requires a Wetland Impact Study (or its equivalent) for development proposals on lands adjacent to a wetland (Adjacent Lands). The Municipal Environmental Evaluation Report (MEER) currently required by the City to assess the impact of development on the environment fulfills the requirements of a Wetland Impact Study. Therefore, a MEER would be required for development on lands adjacent to a Significant Wetland.

3.2 Contents of the Amendment

Wetland Proper: Mud Lake

The Amendment proposes to modify Schedule “A” - Land Use of the City of Ottawa Official Plan. Mud Lake is currently designated “*Environmentally Sensitive Area*” (ESA) but it is proposed to amend the schedule to illustrate the location of the “*Significant Wetland East and South of the Canadian Shield*”. Mud Lake has been mapped by the Ministry of Natural Resources and its boundaries will be outlined on Schedule “A” in order to distinguish it from the surrounding Britannia Woods ESA. The term “Significant Wetland South and East of the Canadian Shield” will be defined and added to Section 1.7 of the Official Plan. Furthermore, the Provincial Policy Statement does not permit development and site alteration to Significant Wetlands South and East of the Canadian Shield but permits uses which would utilize the natural characteristics of the area for scientific or educational purposes. This policy will be added to Chapter 6.0 - Environmental Management of the City’s Official Plan.

Adjacent Lands: Britannia Woods

In consultation with the Regional Municipality of Ottawa-Carleton, it has been determined that Britannia Woods constitutes the lands adjacent to Mud Lake for the purposes of satisfying the policies of the Regional Official Plan. The southern boundary of the adjacent lands is the NCC bicycle path and associated landscaping. There is no need to modify Schedule “A” of the City’s Official Plan for Britannia Woods. Britannia Woods is currently designated “*Environmentally Sensitive Area*”, will remain as such and will not allow development. This will be reflected in this Amendment.

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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 and the attached map entitled Schedule “B” constitute the Amendment to the City of Ottawa Official Plan.

2.0 Details of the Amendment

The City of Ottawa Official Plan is hereby amended as follows:

- 2.1 Schedule “A” - Land Use is revised to redesignate Mud Lake Wetland from “Environmentally Sensitive Area” to “Significant Wetland South and East of the Canadian Shield”, as shown more specifically on Schedule “B” attached hereto.
- 2.2 Chapter 1.0 - Introduction - of Volume I is amended as follows:
 - 2.2.1 Volume 1, Section 1.7 - Definitions, is amended by adding a new sentence to the end of the paragraph entitled “Wetlands” to read as follows:

“A ‘Significant Wetland South and East of the Canadian Shield’ is an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province.”
- 2.3 Chapter 6.0 - Environmental Management - of Volume I is amended as follows:
 - 2.3.1 The heading of Section 6.3, which reads “Environmentally Sensitive Area (ESA)” is amended by adding at the end, the phrase, “Including Significant Wetlands South and East of the Canadian Shield”.
 - 2.3.2 Section 6.3.1 Objectives is amended by adding a new Objective “d)”, entitled “Protect Significant Wetlands South and East of the Canadian Shield”, to read as follows:

“d) To ensure that Significant Wetlands South and East of the Canadian Shield are protected from development and site alteration.”

- 2.3.3 Policy 6.3.2 a) is amended by adding the following new sentence at the end of the policy:

“Environmentally Sensitive Areas shall include lands identified by the Ministry of Natural Resources and designated on Schedule “A” - Land Use as “Significant Wetlands South and East of the Canadian Shield”. The boundaries of such areas shall be determined by having regard to maps delineating the boundaries of the wetland prepared by the Ministry of Natural Resources from time to time”.

- 2.3.4 Policy 6.3.2 b) is amended by adding the following new text at the end of the policy:

“In the case of “Significant Wetlands South and East of the Canadian Shield”, development and site alteration shall not be permitted. “Development”, in this case, shall mean the creation of a new lot, a change of land use, or the construction of buildings and structures requiring approval under the Planning Act. Development does not include activities that create or maintain infrastructure within the requirements of the environmental assessment process or works subject to the Drainage Act. “Site alteration”, in this case shall be taken to mean activities such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site. Uses permitted in a “Significant Wetland South and East of the Canadian Shield” shall be limited to uses that will assist in conserving or managing water supplies, wildlife or other natural features; and uses which will utilize the natural characteristics of the area for scientific or educational purposes.”

- 2.3.5 A new policy 6.3.2 c) is added and the remaining policies in Section 6.3 are relettered accordingly. The new policy 6.3.2 c) shall be entitled “Lands Adjacent to Significant Wetlands South and East of the Canadian Shield” and shall read as follows:

“c) City Council shall permit development/activities or site alteration in association with same, in the Britannia Woods ESA, adjacent to lands identified as “Significant Wetland South and East of the Canadian Shield” on Schedule “A” - Land Use, only if it conforms to policy 6.3.2 b) above or if it is related to the Britannia Water Filtration Plant and provided that it can be demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the wetland is identified. In this regard, City Council shall require a Municipal Environmental Evaluation Report (M.E.E.R.) to assess any proposed development/activity on lands adjacent to a “Significant Wetland South and East of the Canadian Shield”, as outlined in Policy 6.21.2 of this chapter.”

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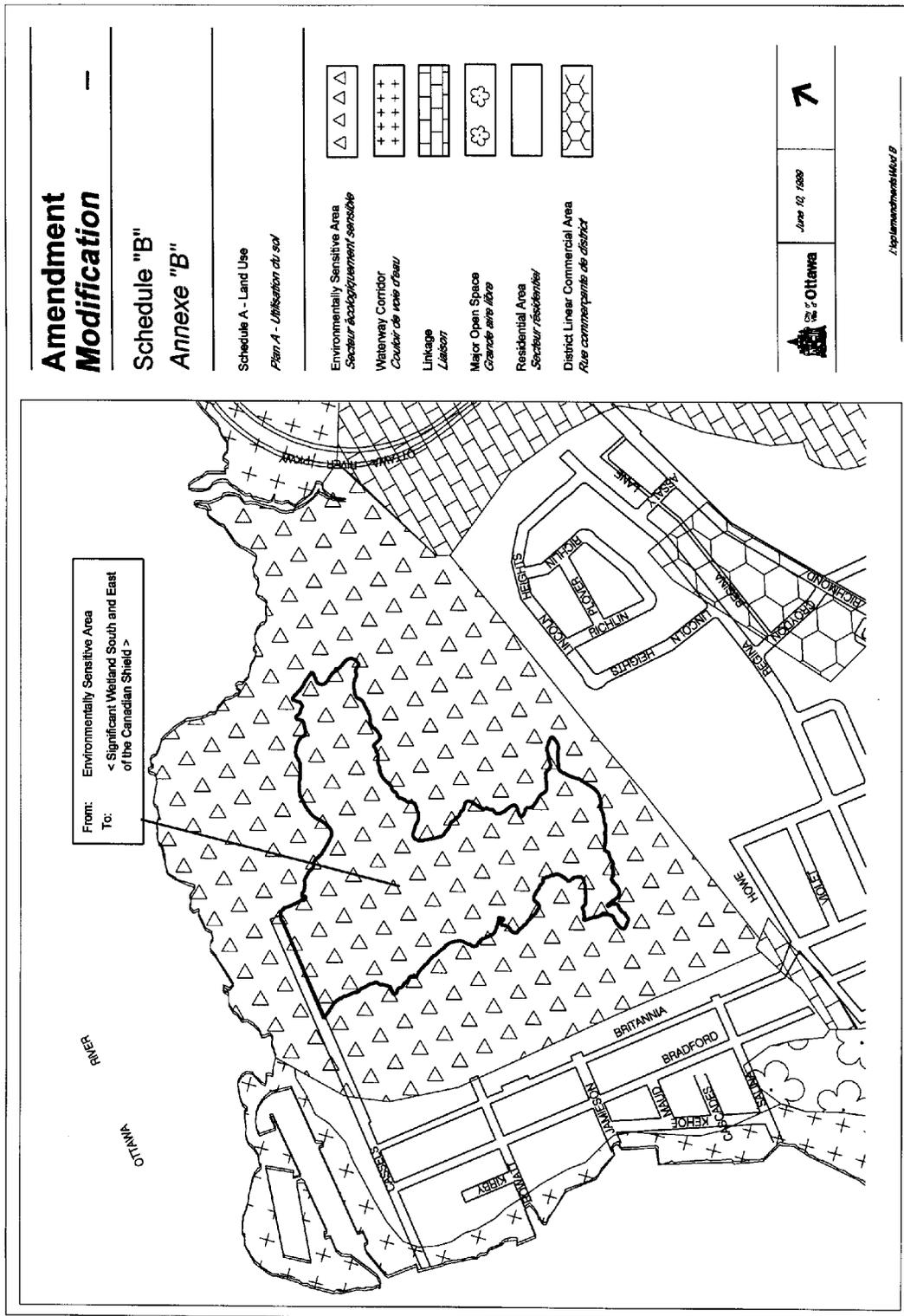
2.3.6 Policy 6.21.2 a) is amended by adding the phrase “, including Significant Wetland South and East of the Canadian Shield” immediately following the words “Environmentally Sensitive Area” and immediately prior to the words “Waterway Corridor”.

2.3.7 Policy 6.21.2 a) is further amended by adding the following sentence to the end of the policy:

“The Municipal Environmental Evaluation Report shall satisfy the requirements of a Wetland Impact Study as described in the Official Plan of the Region of Ottawa Carleton, where applicable.”

3.0 Implementation and Interpretation

Implementation and Interpretation of this Amendment shall be made having regard to information contained in all of the Chapters of the City of Ottawa Official Plan.



**Amendment
Modification**

**Schedule "B"
Annexe "B"**

Schedule A - Land Use
Plan A - Utilisation du sol

- Environmentally Sensitive Area
Secteur écologiquement sensible
- Waterway Corridor
Couloir de voie d'eau
- Linkage
Liaison
- Major Open Space
Grande aire libre
- Residential Area
Secteur résidentiel
- District Linear Commercial Area
Rue commerciale de district






June 12, 1989
L'ajout de modifications B

Five residents which were circulated the proposed Official Plan Amendment objected to the proposal. Residents at 175, 181, 185, 189, 193 Lincoln Heights Road indicated by letter that they do not wish to be re-designated to a public conservation zone. They also requested that their five residential properties be excluded from the “adjacent lands”.

In response to the residents’ concerns, the proposed Official Plan Amendment does not suggest re-designating the residential properties. They are designated “Residential” and will remain “Residential”.

Over the concern of interpretation of the boundary of the adjacent lands, consultation with the Region was held and agreement was reached to exclude the five residential properties within the 120 metre radius of Mud Lake proper. These five properties are along the edge of the 120 metre adjacent land area and are separated from the Mud Lake and Britannia Woods area by the NCC bicycle path and related landscaping, which will become the southern boundary of the adjacent lands. The Region uses a standard of 30 metres for adjacent lands when reviewing the creation of a lot by consent for a single detached dwelling and accessory building. Given that these properties are currently developed and zoned as single detached dwellings, the exclusion of the properties from the 120 metre adjacent lands is a reasonable approach which recognizes existing conditions, and the policy context. Any significant redevelopment proposals would require planning approvals which could, if necessary, trigger additional studies related to site management planning and any potential impact on the Mud Lake area, consistent with Official Plan policies.

The City has received written confirmation from the Region, who is the approval authority for Official Plan Amendments, that the five residential properties would not be considered to be part of the adjacent lands, and that this Amendment would conform to the Regional Official Plan.

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September 23, 1999

ACS1999-PW-PLN-0117
(File: OZP1999-020)

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 - 318 Stewart Street

Zonage - 318, rue Stewart

Recommendation

That the application to amend Zoning By-law 1998, as it applies to 318 Stewart Street, to modify the existing zoning to permit an office use with a diplomatic mission, be REFUSED.



September 24, 1999 (8:45a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

PML:pml

Contact: Patrick Legault 244-5300 ext. 3857



September 24, 1999 (9:24a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.



September 24, 1999 (8:37a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Official Plan Conformity

The subject property is designated “Residential Area” in the City’s Official Plan. This designation permits a variety of residential uses as well as “limited” non-residential uses in residential areas. The requested zoning amendment, to allow office use for a diplomatic mission, within the subject building, would not meet the criteria of compatibility for non-residential uses in residential areas. The Official Plan indicates that such uses be isolated from, or at the periphery of, existing concentrations of residential development. The subject property is located mid-block within a predominantly residential street. The site has residential uses on three sides, therefore, is not isolated from other residential uses. Such non-residential uses should also be located on major collector or arterial roadways, while Stewart Street is a collector road. While a small diplomatic mission is located at the northwest corner of Stewart and Cobourg Streets, the balance of the block is residential, and approval of the subject request may set a precedent for similar future requests. The required parking and activity generated by the proposed office use would not be compatible with the abutting residential area.

The subject property is designated “Residential, Low Profile” in the Sandy Hill Secondary Plan. This designation is intended to support low density residential development and to preserve and enhance Sandy Hill as an attractive residential neighbourhood. The proposed office use, would not meet the intent of this policy.

Parking

The gross floor area of the dwelling is approximately 410 square metres. Should the entire building be converted to office use for a diplomatic mission, this would generate a parking requirement of approximately eight to nine parking spaces. Based on the site layout, it may only be possible to provide up to four parking spaces on site, two in the garage and two parked in tandem in the driveway. As a result, there would be a shortfall of between four and five spaces, representing half of the on-site parking requirement. Further, it would be difficult to support a cash-in-lieu of parking application to make up for the deficiency, as the deficiency entails long term parking that cannot be accommodated through on-street means. This shortfall would result in additional on-street parking. Further, diplomatic missions generally require restricted loading areas for the front of their properties, thereby eliminating on-street parking for the residential community.

Environmental Impact

An Environmental Impact Checklist was completed and no environmental impacts were identified.

Consultation

There were three responses to the public notification, which identified concerns respecting: maintaining the character of the neighbourhood, lack of parking on-site and off-site, potential problems associated with embassies related to disturbance, and that there are sufficient existing embassies.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the owner and agent (Robin Flaherty, 165 Pretoria Avenue, Ottawa K1S 1X1), the Corporate Services Branch, Revenue Section, Assessment Control Supervisor and Region of Ottawa-Carleton, Plans Administration Division of City Council's decision.

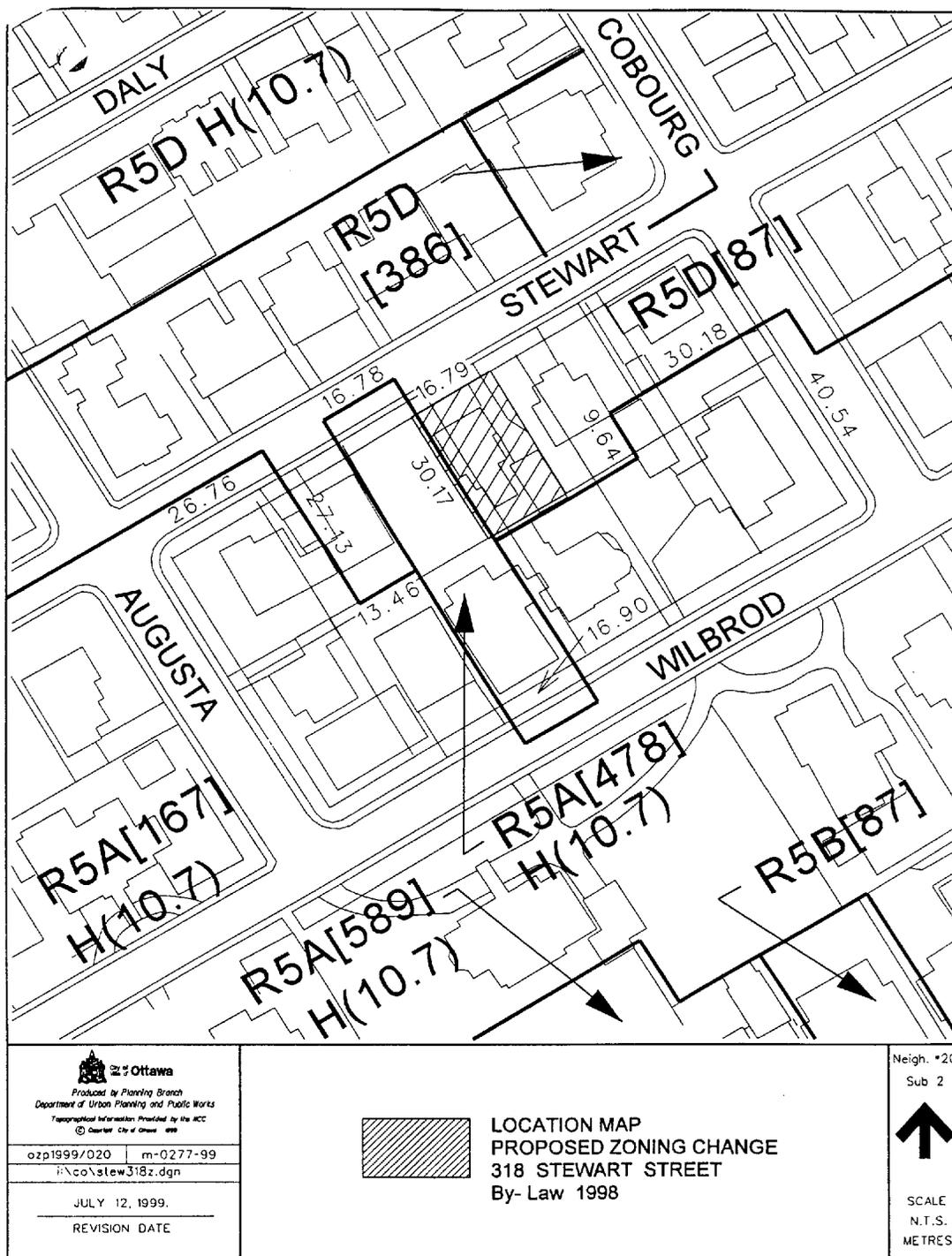
List of Supporting Documentation

Document 1	Location Map
Document 2	Municipal Environmental Evaluation Checklist (on file with City Clerk)
Document 3	Compatibility With Public Participation Policy/Input From Other Government Agencies

Part II - Supporting Documentation

Location Map

Document 1



COMPATIBILITY WITH PUBLIC PARTICIPATION

Document 3

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 were three responses to the public notification, which raised the following concerns:

1. Character of the neighbourhood should be maintained where single family houses are concerned, as well as the heritage of the community.
2. Even the provision to retain residential can be eroded where only custodial staff reside on the premises.
3. Some chanceries could disturb the character of the neighbourhood.
4. There are enough existing embassies.
5. There is not enough parking as it is, and proposal would result in a loss of on-street parking.
6. There would be a lack of parking on-site.
7. Do not support pure office, if rezoned, should maintain balance of residential and office use.

Response to comments

1. As outlined, the neighbourhood is predominantly residential, and as such the preservation of the neighbourhood would be best maintained if the subject property were to remain residential.
2. No residential space is proposed for the subject lands, however, in cases where a residential component is required, there would be no ability to restrict who would reside in the unit.
3. While this may occur, it was not a consideration in the recommendation.

4. The staff recommendation to refuse the subject application was based on Official Plan policies and not the number of existing embassy sites.
5. The establishment of an office use for an embassy would likely include an area reserved for embassy parking only, which would reduce the on-street parking supply.
6. There would be insufficient space to provide all 8 required parking spaces on-site to accommodate office use within the subject building. As a result spillover parking would be required to use the local streets.
7. Staff does not support any office use within the subject building for the reasons outlined in the reasons behind the recommendation.

APPLICATION PROCESS TIMELINE STATUS

The application which was submitted July 7, 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 in advance of the timeframe established for processing zoning applications.

COUNCILLOR’S COMMENTS

Councillor Stéphane Émard-Chabot is aware of this application.

September 16, 1999

ACS1999-PW-PLN-0119
(File: OZP1999/010)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

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

Action/Exécution

3. Zoning - 99 Stonehurst Avenue **Zonage - 99, avenue Stonehurst**

Recommendation

That an amendment to the Zoning By-law, 1998, as it applies to 99 Stonehurst Avenue, from R5AH(10.7) to I1[599]H(10.7), as shown in Document 3, to permit parking as detailed in Document 2, be APPROVED.



September 20, 1999 (7:15a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 23, 1999 (3:10p)

Approved by
John S. Burke
Chief Administrative Officer

DJ:dj

Contact: Douglas James - 244-5300 ext. 1-3856

Financial Comment

N/A.



September 17, 1999 (3:09p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Background Information

The subject property is presently occupied by the Protection of the Holy Virgin Russian Orthodox Church. This property has received two one-year temporary rezoning approvals to allow parking not associated with the place of worship located on the site. The reasons for only permitting the parking for one-year periods, were to determine the effect on the surrounding community and to await the completion of a study to determine where this form of parking should be allowed. With the completion of the study and the implementation of its recommendations in the Zoning By-law, the applicant is now requesting that this parking be permitted on a permanent basis.

Official Plan

The City's Official Plan designates the subject property as "Residential Area". This designation permits a variety of residential and limited non-residential uses. Reference is made to Policy 3.6.2 e) which states in part that City Council may consider 'limited' non-residential uses in the Residential Area designation provided that:

- i) such locations are isolated from, or at the periphery of, existing concentrations of residential development;
- ii) such uses are located on a major collector or arterial roadway; and
- iii) the proposed use is compatible with existing residential uses.

The subject property conforms with the intent of this Official Plan policy. It is located at the southern and eastern periphery of the surrounding residential neighbourhood, adjacent to the transitway, which is in turn, adjacent to Scott Street, an arterial road way. Vehicles entering the subject property have the opportunity to be directed around the perimeter of the neighbourhood, as opposed to travelling through the heart of the community. As mentioned, this property has received two prior temporary rezonings and over that time, the parking has taken place with minimal disruption to the surrounding community. This is expected to continue in the future. In addition, the Planning Branch has not received any complaints as to the parking occurring on the site. Consequently, it is the Department's position that parking for non-institutional purposes should continue to be compatible with the surrounding uses and is appropriate for this site.

Compatibility With Zoning By-law

In 1998, the Department of Urban Planning and Public Works conducted a study entitled “*Commercial Parking on Place of Worship Sites*” to determine whether and under what circumstances parking on place of worship sites might be warranted. This study contained recommendations for site-specific rezonings where public input and City Council consideration, on a case-by-case basis, would address the unique circumstances associated with the zoning of the site and surrounding uses. Provisions regulating parking at places of worship were enacted by City Council and included in the *Zoning By-law, 1998*.

In accordance with the Council-approved report on parking at institutional uses and the appropriate sections of the *Zoning By-law, 1998*, the applicant will be required to reserve 35% of its parking spaces (13 spaces) at all times for church parking. Consequently, the balance of the parking (25 spaces) will be available for non-church parking. Furthermore, the types of non-institutional uses permitted to use the parking on site are typically long term in nature (e.g. office, school, university and laboratory) and these uses do not have parking characteristics resulting in frequent vehicle trips in and out of the lot. Indeed, people presently using the site for non-institutional parking arrive in the morning and park all day, leaving at the afternoon peak. These conditions of the zoning are intended to mitigate the traffic impact on the surrounding community by limiting the number of vehicles and helping to ensure that the majority of travel occurs at the morning and afternoon peak and not throughout the day.

It should be noted that the present R5AH(10.7) zoning of the subject property does not allow a place of worship as a permitted use. The proposed minor institutional zoning (I1) was specifically established for minor institutional uses. Approval of this application will allow the subject property to be brought into conformity with intent of the City’s new Zoning By-law.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the agent (Tatiana Pyzocov, 89 Stonehurst Avenue K1Y 4R6); the Corporate Finance Branch, Revenue Section, Assessment Control Supervisor; and the Regional Municipality of Ottawa-Carleton, Plans Administration Division, of City Council’s decision.

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

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

List of Supporting Documentation

- Document 1- Explanatory Note - Amendment to the *Zoning By-law 1998*
- Document 2- Details of Proposed Amendment
- Document 3- Location and Proposed Zoning Map, the *Zoning By-law, 1998*
- Document 4- Municipal Environmental Evaluation Process Checklist (MEEP) on file with City Clerk
- Document 5- Compatibility With Public Participation

Part II - Supporting Documentation

Explanatory Note - Amendment to the Zoning By-law, 1998

Document 1

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

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

The place of worship located at 99 Stonehurst Avenue has been renting its parking spaces to Tunney's Pasture employees. The applicant has received two temporary rezoning approvals to allow parking not associated with the place of worship. Each of those has been for one year. The applicant is now seeking to have parking permitted on a permanent basis.

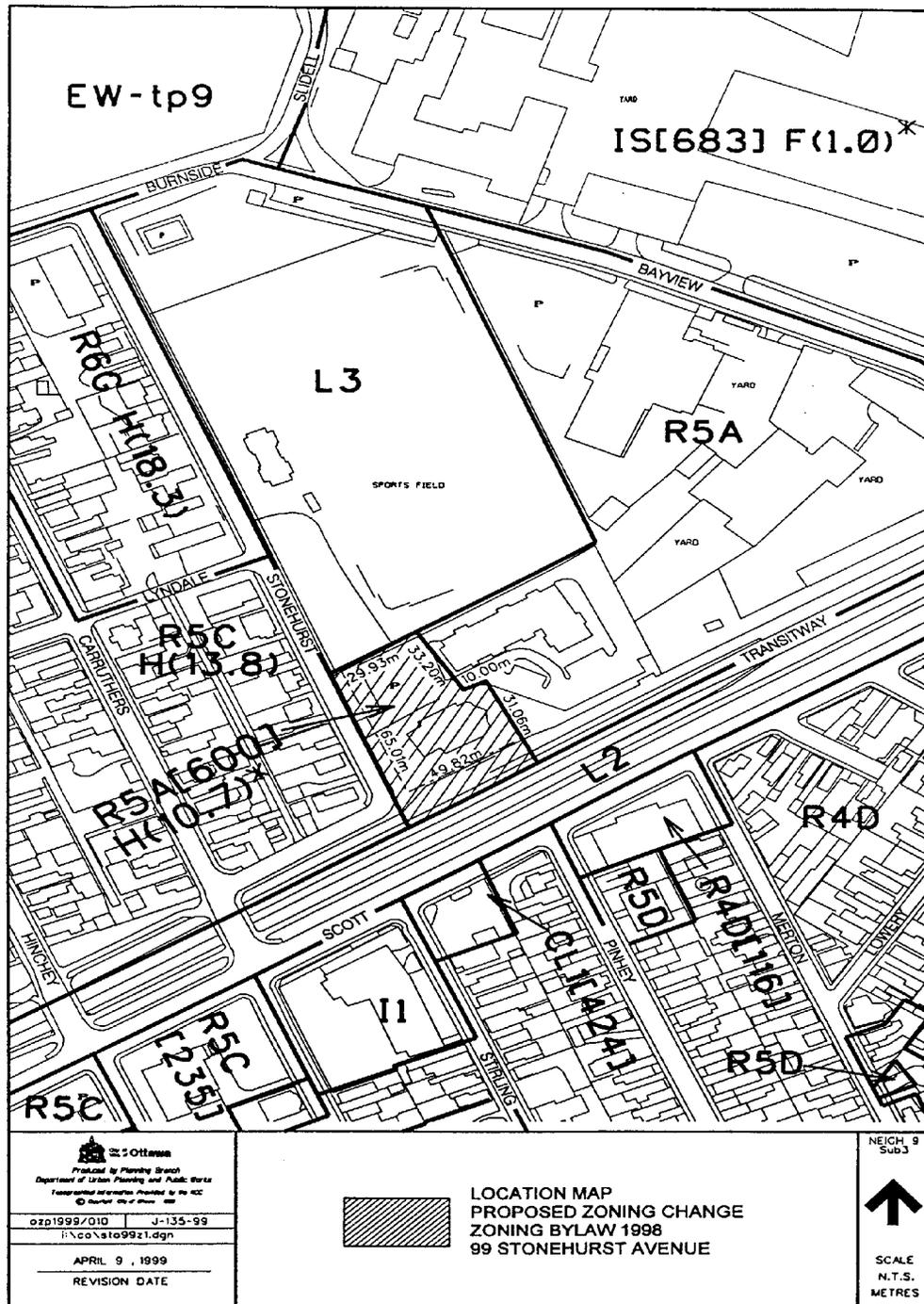
Current Zoning

The subject property is currently zoned R5AH(10.7). This is a medium density residential zone that permits a wide range of residential uses. The place of worship is a legal non-conforming use in this zone. The intent of this zone is to provide a transition between low and high density residential areas. The letter "A" refers to the lot width and area requirements for various residential uses and the "H(10.7)" refers to the maximum height limit, which in this instance is 10.7 metres.

Recommended Zoning

The Recommended zoning for the subject site is I1[599]H(10.7). The I1 is a minor institutional zone specifically established for all minor institutions. Rezoning the site from residential to institutional will correct an anomaly and bring the subject property into conformity with the intent of the City's new Zoning By-law. The exception [599] states that parking may be permitted for uses other than a place of worship, however, at all times, 35% of the parking spaces on site must be kept for use by the place of worship. In this instance, only 25 of the 38 spaces can be used for parking not associated with the place of worship. The H(10.7) indicates that the maximum building height is 10.7 metres.

1. Repeal the text of exception 600 found in Part XV of the *Zoning By-law, 1998*
2. Allow Parking as follows:
 - a. parking on place of worship site pursuant to Sections 37c and 37d of the *Zoning By-law 1998*.
3. Revise the text found in exception 599 of Part XV of the *Zoning By-law, 1998*, to strike out “Subsections” and substitute “Sections”.



NOTIFICATION AND CONSULTATION PROCESS

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

In accordance with the notification policies approved by City Council, a sign was posted on the property and a circulation was sent to concerned community groups. No responses were received as a result of the posting of the on-site sign, nor the circulation to concerned community groups.

APPLICATION PROCESS TIMELINE STATUS

This application was received on March 31, 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 was to proceed to Planning and Economic Development Committee on August 24, 1999, however, as a result of other application priorities this submission was delayed.

Councillor's Comments

The Ward Councillor is aware of the application.

September 22, 1999

ACS1999-PW-PLN-0126
(File: TSB1997/004)

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. Lane Closure - Portion of lane located east of property at 181 Marlborough Avenue

**Fermeture de ruelle - Partie de la ruelle située à l'est de la propriété
du 181, avenue Marlborough**

Recommendation

That the application to close a portion of the lane located east of the property at 181 Marlborough Avenue, as shown on Document 1, be **APPROVED**, subject to the following conditions and that the closing be undertaken by Judge's Order;

1. Prior to the application for Judge's Order, the applicants shall provide the following material at their expense and to the satisfaction of the City Solicitor:
 - a. a plan of survey showing the portion of the lane to be closed and the lands to be conveyed to all parties, as well as the required easements as identified in this report,
 - b. draft deed(s) of conveyance of all lands to be conveyed, ready for execution by the Mayor and City Clerk on behalf of the city; and all necessary easement documentation, and
 - c. the cost of the application for Judge's Order and registration of all documents and related costs thereof.
2. Prior to the application for Judge's Order, each property owner eligible to acquire a portion of the lane is to file a letter with the City Solicitor acknowledging that any zoning violation which may result from the closure will be the affected property owner's responsibility to remedy.

3. The portion of the lane to be closed be offered to the abutting property owners at a rate to be set by City Council.
4. Prior to the application for Judge's Order, all abutting property owners shall accept, in writing, the terms and conditions of subparagraphs (1), (2) and (3) above.
5. The approval of this application shall be null and void if the above terms and conditions have not been fulfilled within one year of the date of City Council approval.



September 23, 1999 (1:47p)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 23, 1999 (3:20p)

Approved by
John S. Burke
Chief Administrative Officer

DC:dc

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

Financial Comment

Subject to City Council approval, costs for legal, survey, advertising and registration requirements will be charged to the applicants. Any revenue from the sale to the abutting property owners will be credited to the General Capital Reserve.



September 23, 1999 (8:53a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Background

A lane closing application has been initiated by the property owners at 181 Marlborough Avenue whose lands abut the subject lane. The applicants wish to close a specific portion (2.13 metres wide by 12.20 metres long) of the lane which measures in total 4.27 metres in

width and extends in a north/south direction from Templeton Street to Mann Avenue. The applicants have provided the following reasons for submitting this lane closure application: "Would like to construct a new fence to replace the current fence which is dangerous and in a state of disrepair".

The approval recommendation to close a portion of the lane which abuts the applicant's property, as shown on Document 1, is based on the following reasons:

1. Need for the lane: With the exception of six properties facing Marlborough Avenue and Range Road which continue to access the rear of their properties from the portion of the lane (approximately 45.0 metres) which begins at Mann Avenue, the remainder of the lane has not been maintained in the past and is not required as part of the present or future road network of the City. Given that the subject portion of the lane is not required for municipal purposes and the abutting property owners have been encroaching on the subject lane for some time, the proposed lane closure is appropriate.

2. Method of Closure: Since the City has not maintained the subject lane, the appropriate method for closure is by Judge's Order. As the closure has been initiated by the abutting property owners, they will be required, prior to the City seeking a Judge's Order, to provide all necessary documentation and assume all costs associated with the closure.

3. Conditions of Approval: The standard conditions of approval regarding the applicant's responsibilities for providing surveys and draft deeds of conveyance prior to application for Judge's Order will apply. It will also be the property owner's responsibility to remedy any zoning violations which might result from acquiring the lands.

Once the subject portion of the lane has been closed, the City may sell the lane. The lands are offered and conveyed at a rate determined by City Council. To ensure prompt fulfilment of the conditions of approval, an expiration date has been added as a condition of approval.

Consultation

Area Community Associations and all property owners which abut the subject lane were notified in accordance with the Early Notification Policy and the Municipal Act. Nine responses received to the Early Notification were in favour of the application. One response was in disagreement but did not provide a reason.

Disposition

Department of Corporate Services

1. Statutory Services Branch to notify the Regional Municipality of Ottawa-Carleton, Plans Administration Division, and everyone listed on the last page of this report of City Council's decision.
2. Corporate Law Branch to make application for Judge's Order upon receipt of all required documentation as set out in this report.

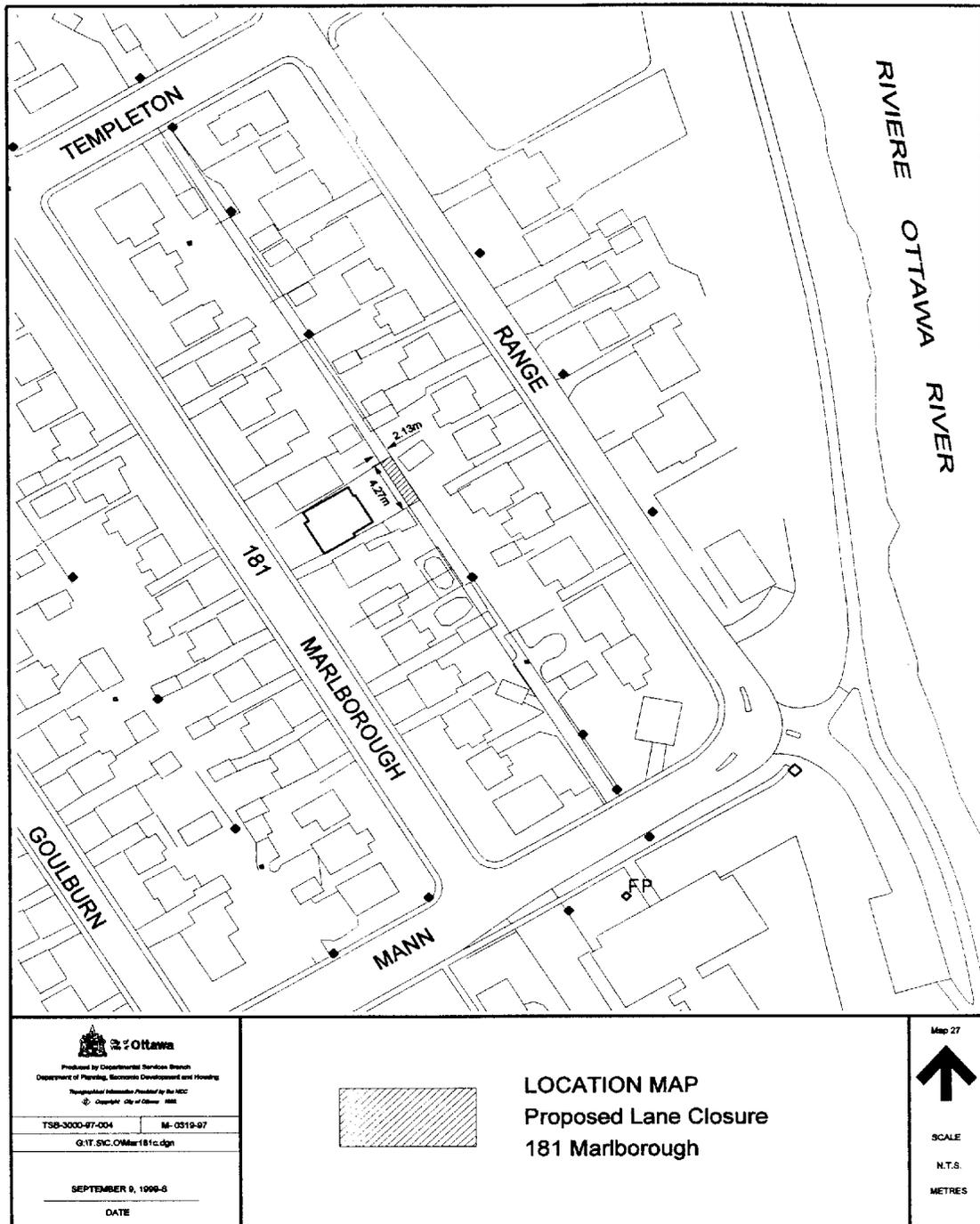
List of Supporting Documentation

Document 1 Location Map
Document 2 Consultation Details

Part II - Supporting Documentation

Location Map

Document 1



CONSULTATION DETAILS

Document 2

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D\PPP\N&C #4 approved by City Council for Lane Closures.

ENVIRONMENTAL ADVISORY COMMITTEE

No comments were provided by the Environmental Advisory Committee.

APPLICATION PROCESS TIMELINE STATUS

This application was received on June 26, 1997, 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 was not processed within the maximum 95 calendar day timeframe due to the processing of higher priority applications and the applicant's acceptance of the longer processing timelines.

INPUT FROM OTHER DEPARTMENTS OR GOVERNMENT AGENCIES**COUNCILLOR'S COMMENTS**

Councillor Stéphane Émard-Chabot is aware of the application.

September 22, 1999

ACS1999-PW-PLN-0135
(File: TSB1999/003)

Department of Urban Planning and Public
Works

Ward/Quartier
OT9 - Capital

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

Action/Exécution

**5. Lane and Street Closure - Alexandria Lane, Lansdowne Avenue,
portions of O'Connor Street and Holmwood Avenue**
**Fermeture de ruelle et de rue - Ruelle Alexandria, avenue Lansdowne,
parties de la rue O'Connor et de l'avenue Holmwood**

Recommendation

That Alexandria Lane, Lansdowne Avenue, a portion of O'Connor Street and a portion of Holmwood Avenue, as shown on Document 1, be **CLOSED**, subject to the closing being undertaken by Judge's Order.



September 24, 1999 (9:07a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 24, 1999 (9:34a)

Approved by
John S. Burke
Chief Administrative Officer

DC:dc

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

Financial Comment

Subject to City Council approval, legal costs ,registration, and the Judge's Order will be charged to Office of the Chief Administrative Officer - Lansdowne Project - Account 1501411.


September 24, 1999 (8:42a)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Background

A street and lane closing has been initiated by The City of Ottawa whose lands (Lansdowne Park) abut the subject lane and streets. The City wishes to formally close all of Alexandria Lane, Lansdowne Avenue, a portion of O'Connor Street and Holmwood Avenue, as shown on Document 1. The subject lane and streets have always been part of the Lansdowne Park grounds.

The approval recommendation to close all of the subject lane and streets, as shown on Document 1, is based on the following reasons:

1. Need for the lane and streets: Alexandria Lane, Lansdowne Avenue, the most southern portion of O'Connor Street and the most eastern portion of Holmwood Avenue, which are all located within the Lansdowne Park boundary, have not been maintained as roadways in the past and are not required as part of the present or future road network of the city. Given that the subject lane and streets are not required for municipal purposes, the proposed closure is appropriate. A technical circulation to internal and external agencies revealed that there are no objections subject to easements being provided for existing sewers and communication cables.

2. Method of Closure: Since the City has not maintained the subject lane and streets, the appropriate method for closure is by Judge's Order. Prior to seeking a Judge's Order, the City will be required to provide all necessary documentation and assume all costs associated with the closure.

Public Consultation

This application was not subject to the Early Notification Policy.

Councillor's Comments

Councillor Inez Berg is aware of the application.

Economic Impact Statement

The proposed closures will have no economic impact.

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.
2. Office of the City Solicitor to make application for Judge's Order upon receipt of a legal description, that can be registered, showing the lanes and portions of streets to be closed as well as identification of any required easements.

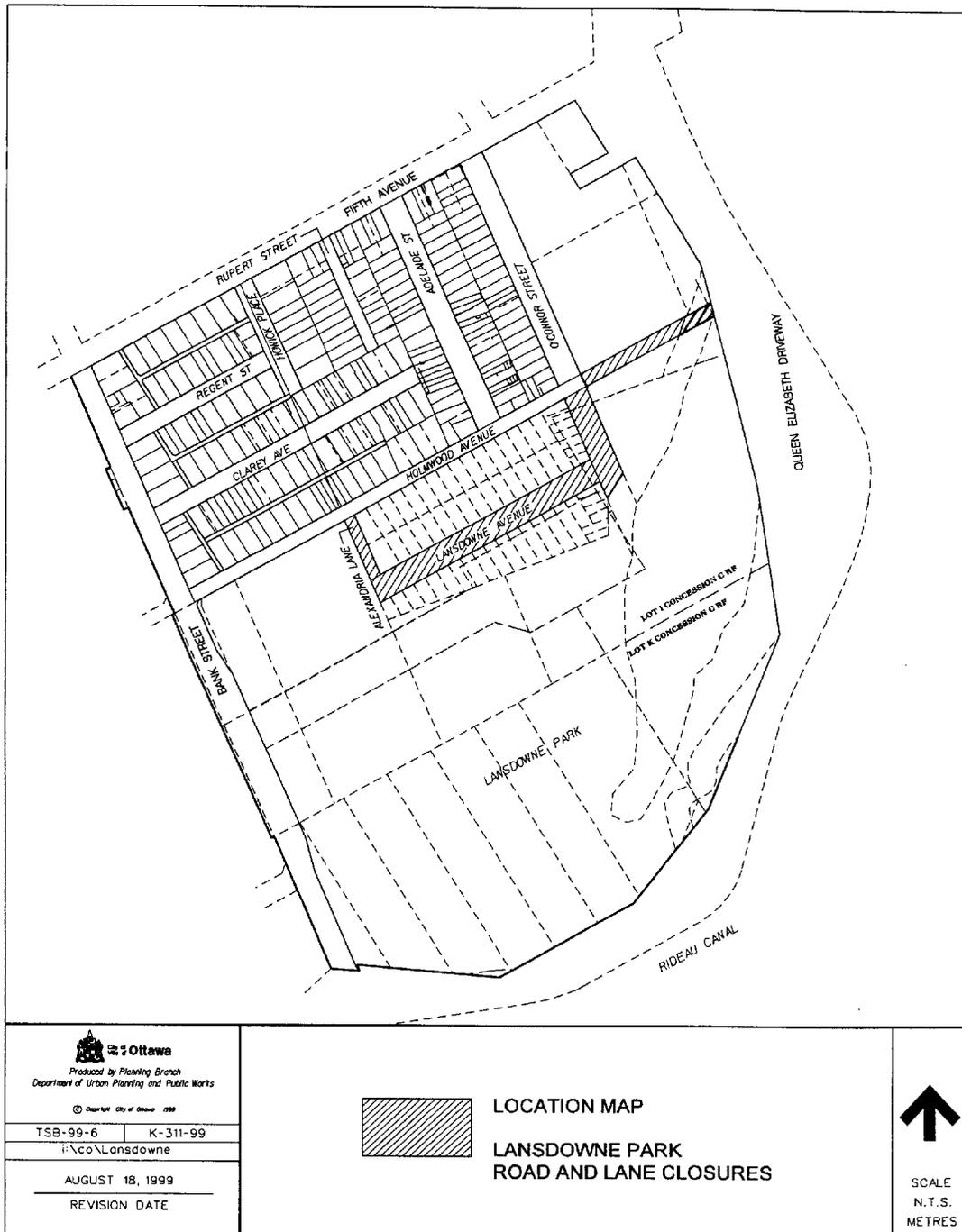
List of Supporting Documentation

Document 1 Location Map

Part II - Supporting Documentation

Location Map

Document 1



September 23, 1999

ACS1999-PW-PLN-0130
(File: OHD4300 BOLTON 44)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

- Local Architectural Conservation
Advisory Committee / Comité consultatif
local sur la conservation de l'architecture
- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

6. Application for new construction in the Lowertown West Heritage Conservation District at 44 Bolton Street

**Demande en vue d'une nouvelle construction dans le District de
conservation du patrimoine de la Basse-Ville-Ouest, au 44, rue Bolton**

Recommendation

That approval be given to construct a new building at 44 Bolton Street in accordance with the plans submitted by Louis Vincent, received on September 3, 1999.

(Note: Approval for new construction in a heritage conservation district must not be construed to meet the requirements for the issuance of a Building Permit)



September 24, 1999 (7:16a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

SC:sc

Contact Sally Coutts - 244-5300 ext. 1-3474



September 24, 1999 (8:43a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.


September 23, 1999 (3:39p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

44 Bolton Street is currently a vacant lot within the boundaries of the Lowertown West Heritage Conservation District, designated under the Ontario Heritage Act (By-law 192-94). It is located on the south side of Bolton Street, a street of houses and low-rise apartment buildings. The house formerly on the site was demolished by the National Capital Commission in the early 1990s.

The proposed house is a small-scale single-family dwelling. It is a two-and-a-half storey, gable-roofed structure with a two-storey gable-roofed frontispiece, sheathed in red brick. The front facade features a verandah on the main level with an open balcony above. The balcony wraps around the side of the building and becomes the roof of a carport. There is a single car garage behind the carport, 6.09 metres from the front of the building.

The Lowertown West Heritage Conservation District Study describes the basic Lowertown building pattern as characterized by consistent building heights, setbacks and narrow lots. The streetscape guidelines of the Study state:

- Infill buildings must respect the scale, set-backs, architectural design and materials of neighbouring buildings, and
- Small scale development, working within existing lot divisions, should be encouraged, and
- Contemporary design should contribute to and enhance the continuing architectural evolution of the District. Infill buildings should not attempt to look older than they are.

The proposed house at 44 Bolton Street is consistent with these guidelines as it is located on an existing narrow lot, and is similar in height and setback to its neighbours and is sheathed in brick. In addition, the articulation of the front facade reflects the character of the neighbourhood as it features a small front verandah and second storey balcony but the building is clearly contemporary. Finally, the impact of the garage is reduced because it is set back 6.09 metres from the front property line, thereby minimizing its impact on the street.

Consultation

Adjacent property owners and tenants, as well as local community associations were notified by letter of the date of the Local Architectural Conservation Advisory Committee (LACAC) and the Planning and Economic Development Committee meeting and were provided with comment forms to be returned to LACAC. This is in accordance with City Council's public participation policy regarding alterations to designated heritage buildings.
(PDD/PPP/N&C#9)

The Ward Councillor is aware of this application.

Disposition

Department of Corporate Services, Statutory Services Branch, to notify the property owner, (Monique Cote, 1102-151 Bay Street, Ottawa, Ontario, K1R 7T2); the agent (Louis Vincent, 600-325 Dalhousie Street, Ottawa, Ontario, K1N 7G2) and the Ontario Heritage Foundation (10 Adelaide Street East, 3rd Floor, Toronto, Ontario, M5C 1J3) of City Council's consent to construct a new building at 44 Bolton Street in the Lowertown West Heritage Conservation District.

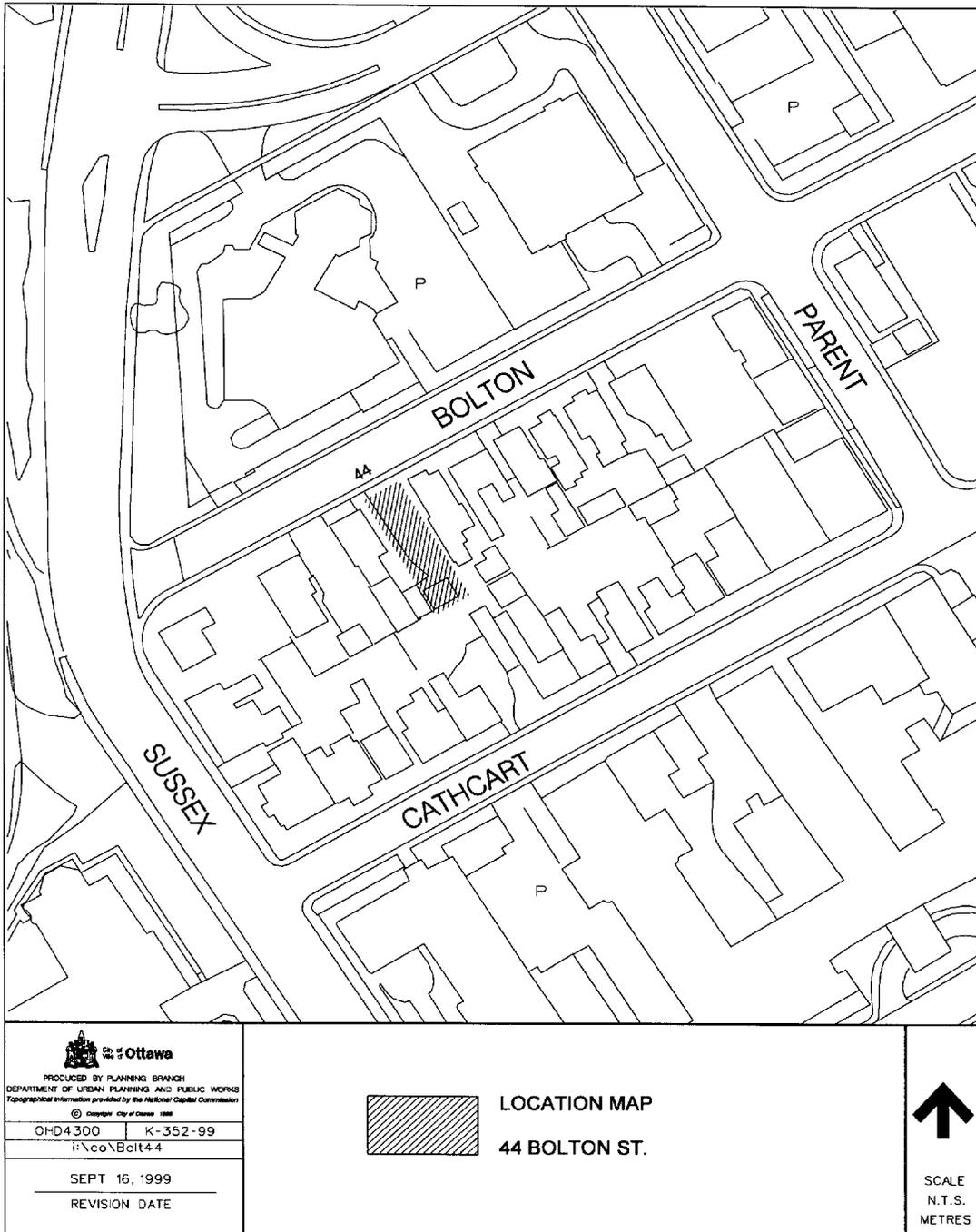
List of Supporting Documentation

Document 1	Location Map
Document 2	Elevations
Document 3	Extracts from the <u>Lowertown West Heritage Conservation District Study</u>

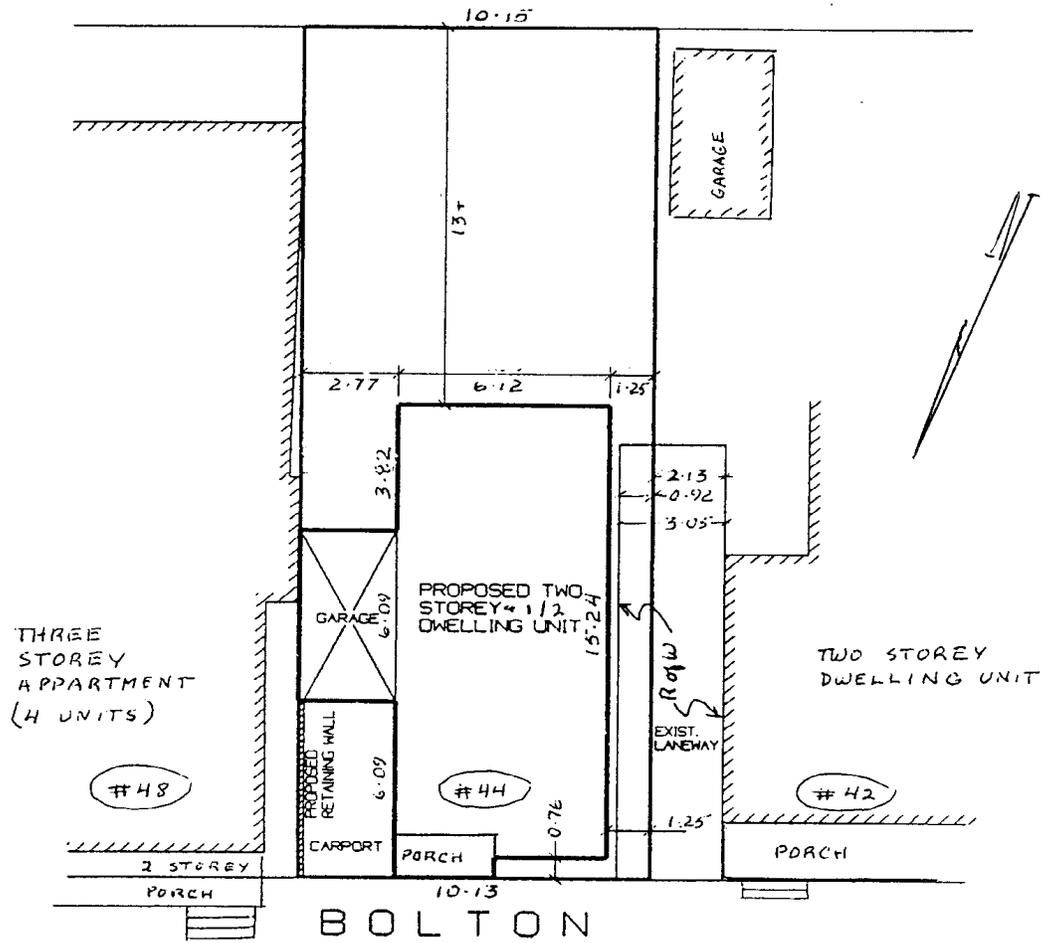
Part II - Supporting Documentation

Location Map

Document 1



ALL RESIDENTIAL



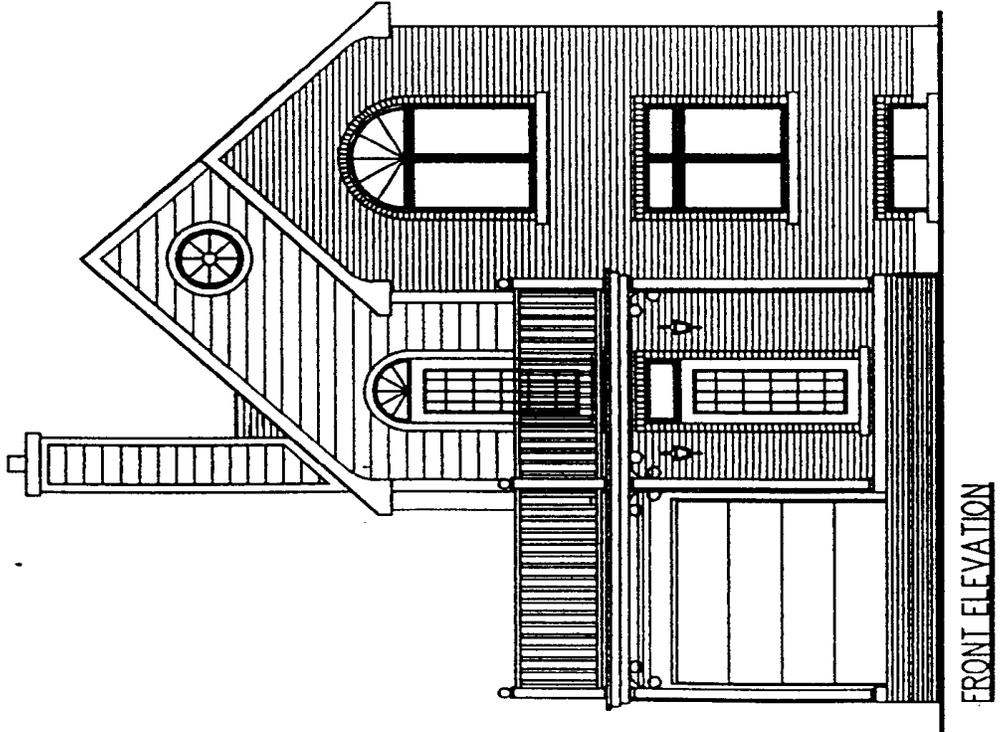
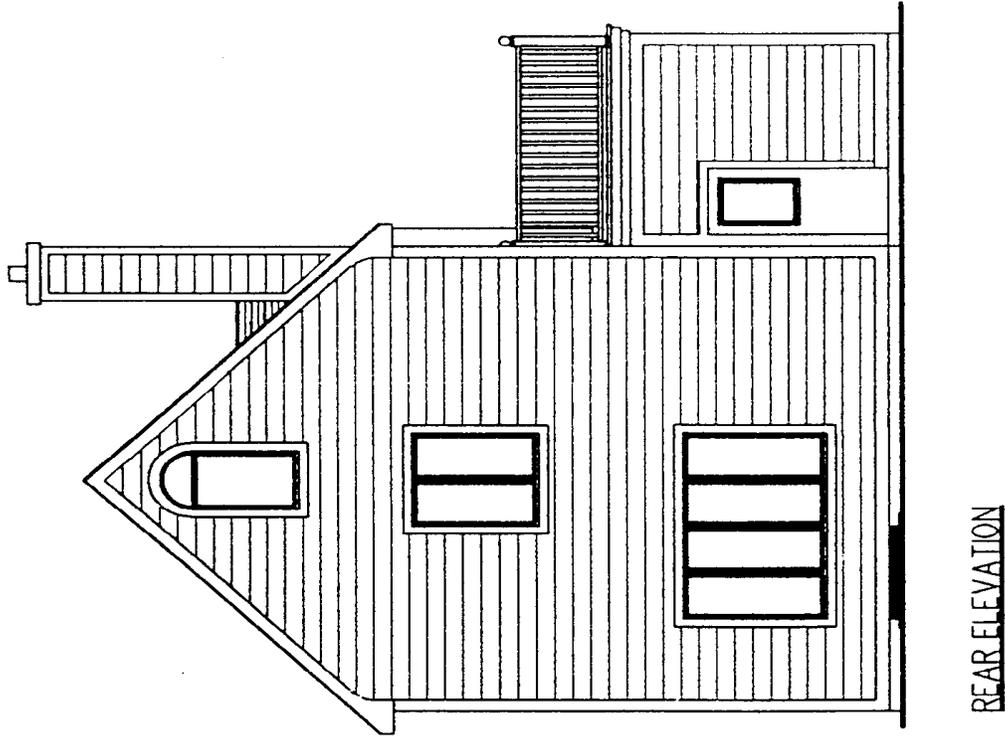
PROPOSED VINCENT/COTE RESIDENCE

CIVIC ADDRESS: 44 BOLTON

PLAN #

CITY OF OTTAWA

SCALE 1"=16' ALL DIMS. IN METERS



7.3.9 Land Use Controls

Land use is also controlled by provisions of the Official Plan. The land uses described in the 1991 Official Plan, particularly as stated as policies in Section 8.0 Lowertown West (Key Principles), already re-enforce the heritage character of the area. Some refinement of those land use policies are required however for the commercial section of Dalhousie because of the affect of commercial uses on the appearance of the streetscape. These refinements are noted in the Streetscape guidelines.

7.4 Streetscape Guidelines**7.4.1 Residential Streets (East-West Streets)****A. Building Pattern**

The pattern of building development - the consistency of the building setback line, the narrow pattern of lot divisions, the consistent height of the buildings within the residential area are fundamental characteristics which give distinction and form to the streetscapes of the Lowertown neighbourhood.

**Recommendations:**

These recommendations apply to both new buildings as well as additions and alterations to existing buildings.

- 1 Maintain the building front yard setback line established by the existing neighbouring buildings on the street.
- 2 Maintain the general overall height of buildings as established by the existing neighbouring buildings on the street.
- 3 When development takes place across several property lines, encourage the articulation of the original lot divisions in the facade of the new buildings so that the buildings read as a combination of smaller elements.

- 2 Partial demolitions required for renovations may be acceptable if they do not remove significant original fabric of the building.
- 3 Structures deemed not to have heritage significance may be considered for demolition, if an appropriate replacement structure is proposed.

7.5.5 Guidelines for Infill Buildings

Infill buildings may be either additions to existing structures or new structures on vacant lots.



Infill buildings can contribute modern design characteristics to add to the architectural variety of Lowertown.

Recommendations:

- 1 Infill buildings must respect the scale, set-backs, architectural design and materials of neighbouring buildings.
- 2 Small scale development, working within existing lot divisions, should be encouraged.
- 3 Contemporary design should contribute to and enhance the continuing architectural evolution of the District. Infill buildings should not attempt to appear older than they are.
- 4 Infill buildings should contribute to the streetscape as outlined in Section 7.4. - Streetscape Guidelines.

7.5.6 Comments on Conservation

Conservation of heritage buildings requires a knowledge of traditional materials, traditional construction techniques and present building trade practices. It also requires a thorough knowledge of the