

Backgrounder

November 19, 1998

ACS1998-PW-PLN-0024

Ontario Municipal Board Appeals against the *Zoning By-Law, 1998*

Appels interjetés devant la Commission des affaires municipales de l'Ontario contre l'Arrêté municipal sur le zonage de 1998

Issue

- following its adoption this past May, a total 41 appeals were made against the new zoning by-law. Because the new by-law is not yet in force, an additional number of appeals were launched against the existing By-law Number Z-2K: these appeals were made concurrently against the new by-law.

What's New

- since the close of the appeal period on June 11, 1998, staff have been reviewing the details of the appeals, trying to resolve a number of them, especially the site-specific ones. The City has also retained consultants to help resolve or narrow down the appeals and potentially present evidence at the Ontario Municipal Board hearings on residential appeals.
- 39 of the 41 appeals launched against the new by-law remain: staff has offered to settle 14 of these completely and three in part.
- the majority of concurrent appeals against both Zoning By-law Number Z-2K and the new zoning by-law have now been withdrawn.

Impact

- the purpose of the various efforts at mediation is to resolve as many appeals as possible in order to reduce the number going forward to the OMB
- positive results will reduce the number and complexity of outstanding appeals and bring about a useable zoning by-law, amended to reflect the outcomes of the mediated appeals.

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November 19, 1998

ACS1998-PW-PLN-0024
(File: PD071-LBT3200/0500)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

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

Action/Exécution

Ontario Municipal Board Appeals against the *Zoning By-Law, 1998*

Appels interjetés devant la Commission des affaires municipales de l'Ontario contre l'Arrêté municipal sur le zonage de 1998

Recommendation

That the amendments to the *Zoning By-law, 1998* resulting from mediation on the Ontario Municipal Board appeals against the new zoning by-law, be APPROVED, as detailed in the recommendations column of Document 1.



November 24, 1998 (7:11a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

ED:ed

Contact: Dave Leclair - 244-5300 ext. 1-3871
Elizabeth Desmarais - 244-5300 ext. 1-3503



November 24, 1998 (8:21a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Funds have been committed in the General Capital Reserve to accommodate expenses pertaining to the appeal process.


November 23, 1998 (2:19p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Following the adoption of the *Zoning By-law, 1998* on May 20, 1998, there were forty-one appeals made against the new zoning by-law. Document 1 summarizes all of the appeals and provides staff recommendations in the disposition of each of these. In addition to the forty-one appeals launched against the *Zoning By-law, 1998*, there were a number of appeals which were made against By-law Number Z-2K and due to the *Zoning By-law, 1998* not yet being in force, such appeals were concurrently made against the new zoning by-law.

Since the close of the appeal period on June 11, 1998, staff have been reviewing the details of the appeals, and have sought to resolve a number of them, particularly the site-specific appeals. Various forms of contact have been made with a number of the appellants with the aim of having the appeals narrowed down, clarified or disposed of. The staff recommendations contained in Document 1 deal with those appeals for which review and analysis has been completed. There remains work to be done with respect to some appeals, and as a result, those for which a conclusion yet has to be reached are noted as “outstanding” in Document 1.

In addition, the City has retained consultants to help resolve the residential appeals which pertain to seven appellants and potentially to present evidence on these appeals at the future Ontario Municipal Board Hearings. It is expected that the residential issue resolution process will be completed by mid January 1999, the results of which will be presented to Planning and Economic Development Committee in February 1999.

The purpose of the various efforts at mediation is to resolve as many appeals as is appropriate and possible. The Office of the City Solicitor intends to bring forward a motion at the February 3, 1999 Ontario Municipal Board pre-hearing conference requesting that the *Zoning By-law, 1998*, as amended by this report, be brought into force, save and except for those outstanding appeals which will proceed to full hearings. Positive results emanating from the mediation to date will reduce the number and complexity of the outstanding appeals, and will result in a useable zoning by-law, as amended to reflect the outcome of those mediated appeals.

Of the forty-one appeals launched against the *Zoning By-law, 1998*, thirty-nine (39) remain. At the Ontario Municipal Board Prehearing Conference on November 2, 1998, the Board granted the City's motion to dismiss Mr. D. McNicoll's appeal as it was not deemed to be a bona fide appeal and was not a matter that could be considered under Section 34 of the *Planning Act*. (Section 34 grants municipalities authority to enact zoning by-laws, and establishes the limits to the regulation of land use). The D. Kenneth Gibson appeal was formally withdrawn at the Ontario Municipal Board Pre-hearing conference on November 3, 1998.

Of the 39 remaining appeals against the *Zoning By-law, 1998*, staff has, to date, offered to settle 14 appeals completely, each of which is site-specific and an additional three appeals in part. The details of each of the offers to settle are described in Document 1, with a notation of where the appellant would be satisfied and willing to withdraw the appeal subject to Council disposition in accordance with staff recommendations. It must be noted that if Council is unable to support the staff recommendations on the 17 appeals contained within this report, then planning consultants would need to be retained to support Council's position on these at the Ontario Municipal Board.

Each of the 17 appeals with offers of settlement are relatively straightforward site-specific appeals. Seven appeals have been recommended for resolution based on technical concerns such as applying the appropriate zone category to recognize an existing development, or establishing appropriate regulations to be in keeping with abutting developments.

Five of the site-specific appeals pertain to existing uses or existing lots of record which enjoyed conforming status under Zoning By-law Number Z-2K, but which lost their legal status, and became legal non-conforming under the *Zoning By-law, 1998* due to the removal of the existing use clause and lot of record provisions. In respect of the removal of the existing use clause, Planning and Economic Development Committee carried a motion at its February 16, 1998 meeting to have all landowners who would be affected by the removal of the existing use clause notified. It was following the notice in the local newspapers that some landowners filed appeals on the existing use matter. Staff recommends that those appeals related to existing uses and lots of record be resolved by placing each affected property in site-specific exceptions which would recognize the specifics associated with each existing development, be they use or regulation related (e.g. minimum lot area or width).

Three of the appeals have been recommended for resolution based on developments proposed on the sites that recently have been approved, or for which a site plan is in the process of being reviewed.

Two appeals have been recommended for resolution based on the addition of certain specified uses which are in keeping with the purpose and intent of the zone, and which in many instances were permitted uses under Zoning By-law Number Z-2K.

Finally, one appellant identified a number of technical anomalies in the Neighbourhood Monitoring Maps as well as in the Schedules, including such things as missing north arrow indicators, and missing exceptions from maps. As a result, all of the exceptions and maps were re-examined and staff has recommended corrections to resolve these anomalies. The list of anomalies may be found within the Dr. L. K. Smith appeal #39 in Document 1.

Each of the properties, for which staff recommended changes are proposed, is indicated on Schedules and location maps in Document 2 and identified in both Documents 1 and 2 by Schedule number or Neighbourhood Monitoring Area number and Subarea number.

With respect to the appeals running concurrently against both Zoning By-law Number Z-2K and the *Zoning By-law, 1998*, the majority have now been withdrawn from the *Zoning By-law, 1998* appeals. Of the three remaining, one is expected to be withdrawn following the written Ontario Municipal Board decision as the matter was heard under the Zoning By-law Number Z-2K appeal. The other two appeals are expected to be eventually withdrawn as the hearings are scheduled under the old zoning by-law.

Consultation

Most of the appellants appeared at the Ontario Municipal Board pre-hearing conference on November 2, 3 and 4, 1998. Non-appellant stakeholders including representatives of the Federation of Citizens' Association of Ottawa-Carleton and the Greenspace Alliance of Canada's Capital also appeared before the Board. City staff advised the Board Chair that all appellants as well as those stakeholders who have been in contact with staff regarding the appeals will be forwarded copies of this report. In addition, they will be advised of the next O.M.B. pre-hearing conference to be held February 3 and 4, 1999.

Proper notice of the amending by-laws will be given and subject to the regular appeals period pursuant to the *Planning Act*. Should there be any appeals to the amendments associated with this report, such appeals would be consolidated with the Ontario Municipal Board hearings on the overall appeals against the *Zoning By-law, 1998* so as to avoid two hearings on the same properties.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the Regional Municipality of Ottawa-Carleton, Development Approvals 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

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|------------|---|
| Document 1 | Summary and Staff Recommendations on the appeals against the <i>Zoning By-law, 1998</i> |
| Document 2 | Maps and Schedules (On file with City Clerk and Distributed Separately) |

Part II - Supporting Documentation**Document 1****SUMMARY AND STAFF RECOMMENDATIONS ON THE APPEALS AGAINST THE ZONING BY-LAW, 1998**

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
1. Urbandale Corporation	Row iii Table 156	-Rear yard is severe. Reduces flexibility and design potential; does not allow for efficient use; introduces new standard which renders many Urbandale buildings non-complying	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Add an existing use clause	-Such clause proved successful under Z-2K and has kept lawful any number of uses in Centretown and has permitted 25% expansion. Deletion of such clause will prejudice hundreds of properties; will militate against proper and planned expansions of existing uses. In clear violation of Centretown Plan (3.4.2 paragraph (o))	-the generic existing use clause is “ultra vires” and should not be used - existing uses that are compatible with neighbourhood character have been recognized through the zones/ subzones -where appropriate, an existing use which is not reflected in the zone or subzone can be addressed through a site/ use specific exception	PROCEED TO OMB HEARING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
1. Urbandale Corporation (continued)	Section 176 and all subsections; Section 177 and all subsections and Table 177, and Section 178, Section 179, Section 180, and Table 180, Section 181, and Section 187 and Table 187	-disagrees with the concept of regulating each unit within a planned unit development siting a variety of flaws such as being against flexible development, uniqueness of sites, appropriate and innovative architectural design, creates problems for group parking where severances are planned; may reduce densities resulting in inefficient use of land, assumes all row units are rectangular, fails to recognize value of SPC process. Contravenes Official Plan, RMOC Official Plan and the provincial Policy Statement which are designed to produce intensified redevelopment in serviced, urban built up areas.	-Part of Residential Provisions mediation process	OUTSTANDING
	Sections 179 and 620	-Section 179 is inconsistent with Section 4(C) of Zoning By-law Number Z-2K. Constitutes bad land use planning as set out immediately above -Section 620 should be extended to include all existing and proposed buildings. Limitations in 620(2) and (3) are unfair, discriminatory and inappropriate	-Part of Residential Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
1. Urbandale Corporation (continued)	Subsection 166(1)	-Requests insertion to eliminate vagueness and uncertainty, as follows: “If a height limit is not shown on a height overlay or specifically stated in an exception or on Table 166, then no height limit is applicable”	-clarification of this wording will help in interpreting the provision	APPROVAL -amend subsection 166(1) to clarify that if a height limit is not shown on the zoning maps or is not specifically stated in a zone, subzone, exception or schedule and is not indicated on Table 166, then no height limit is applicable
	Map 4(1)	-1195 Richmond Road - change from F(2.0) to recognize existing F(3.4). Zone also prohibits convenience store - wants it permitted	OUTSTANDING	
	Map 19(3)	-111 Wurtemberg - change from F(2.5) to existing F(3.8). Also amend zoning to recognize existing side yards of 1m and 3m, rather than required 11m	OUTSTANDING	
	Map 19(3)	-211 Wurtemberg- change from F(2.5) to existing F(2.8). Also amend zoning to recognize existing side yards or 3m and less than 1m, rather than required 11m	OUTSTANDING	
	Map 34(5)	-1681-3064 Fairlea Cr., 1-54 Corley, 1681-1757 Heatherington Rd - amend zoning to recognize existing rear yards of 6.1m, rather than required 7.5m	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
1. Urbandale Corporation (continued)	Map 38(3)	-810-860 Canterbury Ave. -amend zoning to recognize existing rear yard of 10.6m, rather than required 11m	OUTSTANDING	
	Map 38(4)	-2170, 2190, 2220, 2240 Halifax Dr. - change from F(1.0) to existing F(1.2)	OUTSTANDING	
	Map 15(2)	360 Lisgar St. - amend zoning to recognize existing 117 parking spaces, rather than required 188 spaces	OUTSTANDING	
	Map 38(4)	-2191-2219 Arch St - amend zoning to recognize existing 72 parking spaces, rather than required 87spaces	OUTSTANDING	
	Map 38(4)	-2231-2247 Walkley Rd, 2271 Halifax Dr., 1032 and 1058 Dakota Ave. -amend zoning to exempt from 3m landscaped area required for parking lots as 0m provided	OUTSTANDING	
2. 20 Vic Management Inc.- Carlingwood Mall	Exception 525 and Section 399	-Carlingwood Mall zoning should permit laboratory and a school (college, instructional facility), as they are compatible with other permitted uses such as senior's centre, doctor's offices, etc.	-the proposed additional uses of an instructional facility , college and a laboratory of a medical nature would be in keeping with the intent of the CS zone and with the policies of the Official Plan	*APPROVAL -amend exception [525] by adding "laboratory, limited to a medical laboratory", "college" and "instructional facility" as additional permitted uses
3. D. Kenneth Gibson	side yards in Area A (Sections 158, 160, 162)	letter states objection is to provisions relating to R5B in Area A, in part because of the required "sides" make development on an existing registered lot almost impossible. Contrary to established planning principles and in direct conflict with OP which encourages infill housing in Sandy Hill.	WITHDRAWN	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
4. 1155519 Ontario Inc.	Zoning Map 15-2	-366 Lisgar and 433 Cooper- existing uses were previously allowed a 25% expansion- now, have become legally non-conforming (specifically bar, restaurant, reception hall)	-would recognize the existing use and applicable regulations to reinstate conforming status	<p>*APPROVAL</p> <p>-amend the zoning of 366 Lisgar and 433 Cooper to add a new exception to:</p> <ol style="list-style-type: none"> 1.allow the following additional permitted uses: bar, nightclub, restaurant, full service and public hall limited to a place designed and used to accommodate large gatherings of people for banquets 2. permit the cumulative gross floor area occupied by the bar, nightclub, restaurant, full service and public hall on May 19, 1998 to be increased by up to 25%

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
5. Toth Holdings Ltd.	Exception 173	-180 Metcalfe Street- amend zoning to permit existing commercial service uses (now permitted as existing uses)	-would reflect the existing use and the zoning under Zoning By-law Number Z-2K	APPROVAL -amend exception [173] for 180 Metcalfe Street by deleting the first and third bullets under “Provisions” and substitute for same the following provision: “offices and medical uses are permitted on any floor in a building at 180 Metcalfe Street, and other commercial uses are restricted to locations on the ground floor and the basement”
6. Andrew Axline	add lots of record provision	By-law fails to exempt lots of record - appellant’s lot at 63 Wilton Crescent existed prior to April 20, 1964 and was exempted from the more onerous zone provisions of lot area and lot width set forth in the R4 zone. New by-law leaves no possibility for development of permitted residential uses as it is undersized. Wasteful and inefficient use of public resources to eliminate possibility of a viable residential unit in a desirable area of the City, where services exist. Against intensification	-recognizing the existing lot width and lot area would place this existing lot in a complying status (the lot has an area of 195 square metres and width of 8.8 metres, while the R3H zone provisions require 360 square metres and 12 metres respectively)	*APPROVAL -amend the zoning of 63 Wilton Crescent (specifically Lot A, R.P. 78373) to add a new exception to permit a minimum lot area of 195 square metres and a minimum lot width of 8.8 metres for a detached house

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
7. AEB Holdco	Exception 392	-1801 ½ Kilborn Avenue- size restrictions on tenants not in keeping with OMB decision (minor variances), restricts potential development -request that the zoning be amended to reflect the provisions indicated in the original draft of the <i>Zoning By-law, 1998</i>	-agree that the exception should be revised to reflect the OMB approved zoning -cannot support utilizing the regulations indicated in the original draft zoning by-law, as these were later found to be incorrect -not necessary to reflect approved minor variances, as these variances are “grandfathered” under Section 618 of the <i>Zoning By-law, 1998</i>	APPROVAL -amend exception [392] to reflect the OMB approved zoning of 1801 ½ Kilborn Avenue under By-law Number Z-2K
8. University of Ottawa	Zoning Map 20-3	- triangle of corner of Laurier/ Waller/ Nicholas- existing parking lot use not allowed in current CG[384] F(1.0) H(10.7) zone (lot actually designated as major institutional in Official Plan) - rezone to permit use	OUTSTANDING (See also National Capital Commission appeal number 29)	
9. David Gladstone	1. Part III- Parking	-parking requirements (general) should be reduced in proximity to pedestrian, bicycle and transit facilities, and where underutilized parking facilities are available (discourage car usage as per Regional and City Official Plans)- permit up to 50% reduction to parking requirements if will not create a burden outside the site, to acknowledge accessibility by foot, bicycle, transit- City to reserve right to limit parking provision where an oversupply would be to detriment of walking, cycling, transit, urban forest.	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
9. David Gladstone (continued)	2. Section 123	-include a “greenery” requirement in residential zones to assist in maintenance of neighbourhood character- add a minimum landscaped open space % and vegetative landscaping requirement	-all yards are presently required to be landscaped (other than those occupied by parking areas and buildings); as well, parking areas must have perimeter landscaping - consequently, ample landscaped area is already required	PROCEED TO OMB HEARING
	3. Sections 62-65	-require cars to enter and leave parking areas in the same direction (maintenance of neighbourhood character) if not already in by-law	-all parking lots already must provide driving aisles, which allow vehicles to leave and enter in a forward direction- further amendments are not required	NOT CONSIDERED TO BE REQUIRED
10. Mastromattei Holdings	Zoning Map 9-7	991-999 Wellington Street- rezone from CN3 F(2.0) to recognize existing car dealership	-would recognize the existing automobile dealership use and applicable regulation to reinstate conforming status- a 25% expansion of the use was permitted under By-law Number Z-2K	*APPROVAL -amend the zoning of 991-999 Wellington Street to add a new exception to allow an “automobile dealership” as an additional permitted use and to permit the cumulative gross floor area occupied by the automobile dealership on May 19, 1998 to be increased by up to 25%

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
11. Centretown Citizens Ottawa Corporation	Map 14 (1), (2), (3), (6) Map 9 (6), (7), (9), (10) Map 20 (4), (5)	Appealing the R4 zoning which removes apartments as permitted use where they were previously permitted and which will have major negative impact on redevelopment of existing stock from large areas of Hintonburg, Dalhousie and Sandy Hill	OUTSTANDING	
	Map 22(5)	82-84 Putman- downzoned from R5-x[123] to R3J	OUTSTANDING	
	Map 9(6)	212-216 Carruthers downzoned from R5-x[38] to R4D	OUTSTANDING	
	Map 20(6)	20 Robinson- downzoned from R6-x[24] to R5D-[181]	OUTSTANDING	
	Map 14(2)	220-222 Booth & 129-135 Primrose- downzoned from R11-x[8] to R4D	OUTSTANDING	
	Section 121, Table 121	-objects to Total Amenity Area requirement for apartments and high-rises of 10% gfa of each building. It is their understanding that staff previously agreed to 10% gfa of each unit -objects to Indoor Amenity Area for high-rises. Requirement of 1 sq.m. per unit does not acknowledge economic cost of providing and managing the space -objects to communal amenity space requirement of 14 sq.m. for rooming houses. Requirement is much larger than a typical room. Landlords do not have the resources to manage this space	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
11. Centretown Citizens Ottawa Corporation (continued)	Section 124 (1), 125, 126; Section 75, Table 75; Section 47 (2a), (3)	appealing the 3m landscaped area between different residential zones, the 3m landscaped area around parking lots or a 1.5m landscaped area where an opaque screen is provided. These provisions, in conjunction with other landscaping and amenity space requirements place onerous restrictions on development of potential sites.	OUTSTANDING	
	Section 155, Table 156	Rear yard is excessive for R4, R5 and R6 zones in Areas A and D	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Sections 177, 180; Tables 177, 180	Rear yard requirement to maximum of 7.5m is excessive for Areas A and D	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 187, Table 187	The 11m rear yard requirement for apartments and high-rises is excessive for Areas A and D	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 177, Table 177	The 7.5m interior side yard requirement for Areas A and D is excessive	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 187, Table 187	The 11m interior side yard requirement for Area A is excessive	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
11. Centretown Citizens Ottawa Corporation (continued)	Section 166, Table 166	Appealing reduced height limits for high-rise apartments in R6 zones in Areas A and D	-high-rise apartment heights have not been reduced and are as shown on the zoning maps; these heights reflect the zoning under By-law No. Z-2K -will amend Table 166 to clarify matter	APPROVAL -amend subsection 166(1) to clarify that if a height limit is not shown on the zoning maps or is not specifically stated in a zone, subzone, exception or schedule and is not indicated on Table 166, then no height limit is applicable
	add a Section 4(c)-like provision	Failure to adopt a 4C like provision (one lot for by-law purposes, as per Z-2K). Elimination of such clause inappropriately introduces tenure as a concern of the by-law as developers of new ownership projects will have to adhere to development standards which may be more rigid than standards for rental or condominium projects	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
12. Regional Municipality of Ottawa- Carleton	1. Zoning Maps (those affected Regional Official Plan designation)	1. EW and L temporary subzones should be deleted from lands designated as “waterfront open space” and “urban open space” in the Regional Official Plan- the range of uses allowed through these subzones go far beyond that which both the City and Regional Official Plans intended	OUTSTANDING	
	2. Zoning Maps 27-7, 29-2	2. McCarthy Woods- place in an ES zone, to reflect environmentally sensitive area O.P. designation	-cannot rezone until exact boundaries are defined -when this information is available, will place in ES Zone	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
12. Regional Municipality of Ottawa-Carleton (continued)	3. Sections 429, 433, 445	3. CE Zone- permit apartment and high-rise apartment buildings in CE3, CE5 and CE9 subzones to reflect Regional Official Plan policies	-adding these uses to CE3, CE5 and CE9 subzones will implement the intent of the Regional Official Plan- as well, these subzones already provide for some types of residential development	APPROVAL -amend the CE3, CE5 and CE9 subzones to add “apartment building” and “high-rise apartment building” as permitted uses
	4. Zoning Maps 29-10, 9-2, 31-1	4. Amend minimum F.S.I. to 1.5 for: -the north 300 m. of CE3 zone south of South Keys Shopping Centre; -southern 300 m. of Tunney’s Pasture -Revenue Canada portion of Confederation Heights; to implement Regional Official Plan policy of achieving relatively intense mixed use developments adjacent to rapid transit centres located in primary employment centres (“1.5 F.S.I. within 300 m.” specified in Regional Official Plan)	-revising zoning to show F.S.I. of 1.5 at these locations will implement Regional Official Plan policies	APPROVAL -amend the zoning maps to indicate a maximum permitted FSI of 1.5 for: -the north 300 m. of CE3 zone south of South Keys Shopping Centre (Map 29-10) -the southern 300 m. of Tunney’s Pasture (Map 9-2) -Revenue Canada portion of Confederation Heights (Map 31-1)

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
12. Regional Municipality of Ottawa-Carleton (continued)	5. Section 34 (2)	5. Delete Section 34 (2) to allow small commercial outlets at all transitway stations, as per Regional Official Plan policies	-small scale service uses (e.g. magazine stand, ticket booth) are already permitted as accessory uses- full commercial activities should be subject to rezoning process to assess impact on site-specific basis	PROCEED TO OMB HEARING
	6. Part III- Parking Provisions (add new provisions)	6. Add provisions which permit a reduction of required parking in close proximity to a transit station, and prohibit increased parking provision beyond minimum standards for office, post secondary educational institutions and apartment building uses, as per Regional Official Plan policies	OUTSTANDING	
	7. Zoning Map 29-10	7. Restrict maximum permitted gross leasable area for South Keys Shopping Centre (CS2 zone) to 70,000 sq.m. as per Regional Official Plan policies	-adding a maximum permitted gross leasable area for the shopping centre will implement Regional Official Plan policies	APPROVAL -rezone the South Keys Shopping Centre to add a new exception restricting the maximum permitted gross leasable area to 70,000 square metres

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
12. Regional Municipality of Ottawa-Carleton (continued)	8. Exception 524	8. Revise exception to exclude movie theatres (cinemas) and recreational and entertainment-type uses from the calculation of GLA for the St.Laurent Shopping Centre, as per Regional Official Plan policies	-excluding these uses from the calculation of gross leasable area will implement Regional Official Plan policies	APPROVAL -amend exception [524], "Provisions", for the St.Laurent Shopping Centre to state that amusement centres, bingo halls, bowling alleys, cinemas, clubs, night clubs, pool halls, recreational and athletic facilities and theatres are excluded from the calculation of gross leasable area
	9. Sections 2, 488, 501 (add new provisions)	9. Add definition for "permanent snow disposal facility" and permit through an exception on all existing permanent snow disposal facility sites, to utilize the rezoning process to facilitate an environmental review of any new operations	-has been addressed through a recent city-wide zoning study on Snow Disposal Facilities responding to this appeal (Submission to Planning and Economic Development Committee ACS1998-1301-129)	*MAY BE WITHDRAWN FOLLOWING APPROVAL OF AMENDING BY-LAW

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
12. Regional Municipality of Ottawa-Carleton (continued)	10. Sections 2, 154	10. Add a new definition for “garage apartment” and permit under Section 154 as per Regional Official Plan policies	-dwelling units in detached buildings in the rear yard of an existing house should generally be subject to the same provisions applicable to a garden suite (Sections 151-154) to ensure compatibility with neighbouring housing -where required and appropriate, a “garage apartment” can be accommodated through a site-specific amendment	NOT CONSIDERED TO BE REQUIRED
	11. Zoning Map 7-5	11. 1946 and 1950 Scott St.- the residential zoning of these sites was appealed under By-law No. Z-2K and a decision is still pending- the Region’s position is that a CG Zone (rather than an R5A) with an exception to permit a parking lot, along with an exemption from Sections 41 and 75, would be the appropriate zoning	WITHDRAWN	
	12. Section 618	12. Delete or replace Section 618- during the appeal process to the new by-law, it should continue to be possible to obtain building permits on the basis of the provisions of By-law No. Z-2K	WITHDRAWN	
13. David McNicoll	Part XVII- Appendix A	-add term “ecological good and services” to Appendix “A” to address critical area necessary for human existence	DISMISSED BY O.M.B. AT NOVEMBER 2, 1998 PREHEARING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
14. 898640 Ontario Inc.	Zoning Map 25-5	906 Montreal Road- rezone from CD F(2.5) to permit high-rise apartments and stacked townhouses	-this amendment would reflect the existing zoning and approved land use	*APPROVAL -rezone 906 Montreal Road to add a new exception to the current CD F(2.5) zoning to allow the following additional permitted uses: townhouses, stacked townhouses, apartments, high-rise apartments, retirement homes and special needs houses
15. Claridge Residential Inc.	Zoning Map 19-3	101 Wurtemberg - undersized lot. Site has been “downzoned” because of loss of right to build a high-rise apartment due to no lot of record provisions. Located in a zone with existing high-rises and abuts a high-rise. City previously granted SPC for a high-rise , but approval has lapsed. If a high-rise apartment is to be permitted through site-specific exception, also wants the Z-2K yard requirements to have “feasible and sensible project”.	-amendment would recognize existing lot width and yard setbacks as per site plan control application	*APPROVAL -amend the zoning of 101 Wurtemberg to add a new exception which contains all of the provisions and permitted uses of exception [167], as well as the following provisions: 1. Minimum required lot width of 14 metres 2. Minimum southerly side yard setback of 0.5 metres

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
16. Andrew Doyle Investments Inc.	Add an existing use clause	236 Nepean Street- the existing retail store was previously a conforming use under the existing use clause, and was allowed a 25% expansion- now, has become legally non-conforming	-would recognize the existing retail use use and applicable regulation to reinstate conforming status	*APPROVAL -amend the zoning of 236 Nepean Street to add a new exception to permit a retail store as an additional permitted use and to permit the gross floor area occupied by the retail store on April 22, 1997 to be increased by up to 25%
	Add an existing use clause	365 Lisgar Street- the existing parking lot was previously a conforming use under the existing use clause, and was allowed a 25% expansion- now, has become legally non-conforming	-would recognize the existing parking lot use and applicable regulation to reinstate conforming status	*APPROVAL -amend the zoning of 365 Lisgar Street to add a new exception to permit a parking lot as an additional permitted use and to permit the area occupied by the parking lot on May 19, 1998 to be increased by up to 25%

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
16. Andrew Doyle Investments Inc.		242 Nepean, 389 Lisgar and 235 Kent Streets- the existing funeral home was previously a conforming use under the existing use clause, and was allowed a 25% expansion- now, has become legally non-conforming	-would recognize the existing funeral home use and applicable regulation to reinstate conforming status	*APPROVAL -amend the zoning of 242 Nepean, 389 Lisgar and 235 Kent Streets to add a new exception to permit a funeral home as an additional permitted use and to permit the gross floor area occupied by the funeral home on May 19, 1998 to be increased by up to 25%
17. Minto Developments Inc.	Section 2, Definitions	-“gross floor area” and “gross leasable (<i>floor</i>) area”. Definition of gross floor area excludes basements from GFA calculation. Impact is loss of development potential, as GFA used to calculate parking and FSI	OUTSTANDING	
	Section 620 and Section 179	-Replacement of Section 4(C) of Zoning By-law Number Z-2K with Section 620 does not appreciate the flexibility of design and housing affordability	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Table 187(xi)	-side yard setbacks for high-rise apartments in Area B(25% to maximum of 11m). Z-2K provision (3.6m for walls abutting an interior lot line and without windows, gives better flexibility of design. New side yard regulation reduces building heights and density due to increased side yards. Increases side yard on interior lots with a building greater than 7 storeys from 7.2 to 22m	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Table 156	-Rear yard setback is 25% lot area and 25% lot depth, to a maximum of 11m. Rear yards are increased a maximum of 11.0m compared to Z-2K	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
17. Minto Developments Inc. (continued)	Table 177	-Side yard setbacks for PUDs - setback beyond first 15m exceeds the previous zoning setback	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Table 187	-Rear yard setbacks for apartments and high-rise apartments - no provision for rear yards for interior lots in Areas A and D	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 20(3)	-Zoning Lines as Lot lines - will be problematic throughout downtown core where land assembly will create single parcels subdivided by zoning - will force rezoning or piecemeal development	OUTSTANDING	
	Section 20(2)	-Zoning Lines as Lot Lines - provision prohibits use of an area of a parcel of land divided by a zoning line to be used as part of calculation of GFA. Results in reduced development potential of dual zoned lots	OUTSTANDING	
	Table 121 II	-Amenity Area - includes calculation which requires the GFA of each residential building, rather than of each residential unit	-this has been resolved through a technical amendment to the by-law	NO LONGER REQUIRED
	Section 75 (1) and (2)	-Minimum separation between parking lot and zone boundary - imposes unnecessary control for a dual zoned property. Will not encourage coordinated development of a lot. Requirement of 3m setback of parking from a residential property is excessive	OUTSTANDING	
	Section 47 (1), (2), (3)	-Minimum separation between parking and property line - with or without a fence, the parking lot setback requirements are excessive and reduce development potential	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
17. Minto Developments Inc. (continued)	Section 41	-Parking required on same lot - becomes a problem given Section 620. Units in a PUD without a garage and serviced by gang parking adjacent to a private way will not comply with this zoning provision once the units are severed	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 75(7)	-Landscaping requirement of parking lots. By-law defines parking lot to be any area used for the storage of vehicles without the distinction between indoor and outdoor spaces. It also requires a minimum 0.6sq.m of landscaped area per car for parking lots with greater than 50 parking spaces. This is excessive given the 3.0 m landscaped buffer required around outdoor parking lots. Also impractical indoors.	-the landscaped area around the perimeter of a parking lot may be reduced to 1.5 metres with a 1 metre high opaque screen- consequently, the combination of the perimeter and 0.6 metre requirement is not excessive -however, the 0.6 metre provision was not intended to apply to indoor parking lots- will clarify this intent	PROCEED TO OMB HEARING -the landscaped area requirements of Section 75(7) should be retained APPROVAL -revise the wording of Section 75 such that the requirement to provide 0.6 square metres of landscaped area per parking space does not apply to parking spaces located within a building
	PUD - Sections 176 to 182	-Section 620 is cumbersome and unnecessary solution to a non-existent problem. New requirement for frontage for PUDs precludes any type of cluster housing with 'gang' parking located elsewhere on the site; clusters of units in a park-like setting is an affordable housing option. Zoning regulations will encourage development at the street edge and islands of parking in the core, Abandons a tradition created in Ottawa and replicated throughout the Region. Not appropriate, desirable, and does not maintain the intent of the RMOC Official Plan.	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
18. Ottawa Carleton Home Builders Association	Section 179	-city has not continued the deeming provisions of Section 4C of Zoning By-law Number Z-2K. Section 179 is inconsistent with old Section 4C and constitutes bad land use planning	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 176; Section 177 and Table 177, and Section 178, Section 179, Section 180, and Table 180, Section 181, and Section 187 and Table 187	-disagrees with the concept of regulating each unit within a planned unit development siting a variety of flaws such as being against flexible development, uniqueness of sites, appropriate and innovative architectural design, creates problems for group parking where severances are planned; may reduce densities resulting in inefficient use of land, assumes all row units are rectangular, fails to recognize value of SPC process. -Table 180 contravenes Official Plan, RMOC Official Plan and the provincial Policy Statement which are designed to produce intensified redevelopment in serviced, urban built up areas.	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
18. Ottawa Carleton Home Builders Association (continued)	Absence of an existing use clause	-fails to prevent uses being rendered non-conforming which would be otherwise conforming prior to the passage of the by-law.	-the generic existing use clause is “ultra vires” and should not be used - existing uses that are compatible with neighbourhood character have been recognized through the zones/ subzones -where appropriate, an existing use which is not reflected in the zone or subzone can be addressed through a site/ use specific exception	PROCEED TO OMB HEARING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Sections 155-165, 168-177, 179-181, 186-188	Yard requirements have been increased from Z-2K and could result in decrease of development potential. Are restrictive for small, narrow lots. Reinstate interior and rear yard setbacks as stated in Z-2K, with the exception that the distinction between a wall with a window and a wall without a window be deleted and regulated by the <i>Ontario Building Code</i> .	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 2 Definition - gross floor area	-there could be cases where basements are not used for residential purposes and where there will be a mechanical penthouse which were not counted under Z-2K which could lead to exceeding the 18% allowance. Under Z-2K, there areas plus internal circulation areas did not count in a calculation of gross floor area.	OUTSTANDING	
18. Ottawa Carleton Home Builders Association (continued)	Zoning Maps 9-6, 9-7, 9-9, 9-10; 14-1, 14-2, 14-3, 14-6; 20-4, 20-5	-Appealing the R4 zoning which removes apartments as permitted use where they were previously permitted and which will have major negative impact on redevelopment of existing housing stock from large areas of Hintonburg, Dalhousie and Sandy Hill. In Centretown, zoning retained at R5, but height limit south of Gladstone Ave. has been reduced to 10.7m. These changes eliminate opportunity to construct apartment buildings. At variance with City and RMOC Official Plan policies which support increase in residential densities within the urban area to make better use of services	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Amenity Area and Landscaped area regulations (Sections 121-127)	-too restrictive and must be revised.	OUTSTANDING	
18. Ottawa Carleton Home Builders Association (continued)	Section 295(2)- CN Zone; CG Zone	-requirements of mixed use in CN and CG zones unreasonable and unworkable because permitted apartments above ground floor require access and service spaces on ground floor. Provision of the zones require[s] the ground floor to be entirely commercial - this must be changed	-Section 295(2) of the CN zone which specifies that residential uses must be located above the ground floor is not intended to prohibit the location of access or service space on the ground floor, only the dwelling units themselves- will clarify intent -the CG zone does not require residential uses to locate above the ground floor- the appeal to this zone is not relevant	APPROVAL -amend the wording of Section 295 to indicate that this Section does not prohibit access or service space related to upper floor residential uses from locating on the ground floor NOT CONSIDERED TO BE REQUIRED
	Sections 165 and 166	-These Sections need to contain provisions with respect to mixed use buildings that properly address the requirements of these buildings	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
18. Ottawa Carleton Home Builders Association (continued)	Section 2 Definitions: “building height”; “converted house”; “facing wall”; “lot”; “planned unit development, street-oriented”; “semi-detached house”; “townhouse”; “high-rise apartment”	-Has technical concerns and should be amended in order to provide for additional flexibility in design and construction and also for redevelopment - (Planned unit development, street-oriented - no such term; not defined)	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 2 Illustrations of lot lines and lots	-need to reintroduce illustrations of lot line, lots	-illustrations were omitted as a result of a computer problem, and will be reintroduced	APPROVAL -reintroduce the illustrations of lot lines and lots as shown in the June, 1996 draft of the <i>Zoning By-law, 1998</i>

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
18. Ottawa Carleton Home Builders Association (continued)	Purpose Statements (all zones)	-unnecessary and should be removed	-Purpose statements are intended to assist in the understanding and application of the zones, by outlining some of the underlying policies behind the existence of each zone -this is important to ensure that, over the long-term, the policy objectives of the zones are observed and maintained, particularly since the purpose statements are based on the policies of the City's Official Plan -note that the purpose statements are not substantive law ; in the case of a conflict, the provisions or permitted uses of a zone take precedence over the purpose statements	PROCEED TO OMB HEARING
19. Richcraft Homes	Section 179	city has not continued the deeming provisions of Section 4C of Zoning By-law Number Z-2K. Section 179 is inconsistent with old Section 4C and constitutes bad land use planning	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
19. Richcraft Homes (continued)	Section 176; Section 177 and Table 177, and Section 178, Section 179, Section 180, and Table 180, Section 181, and Section 187 and Table 187	-disagrees with the concept of regulating each unit within a planned unit development siting a variety of flaws such as being against flexible development, uniqueness of sites, appropriate and innovative architectural design, creates problems for group parking where severances are planned; may reduce densities resulting in inefficient use of land, assumes all row units are rectangular, fails to recognize value of SPC process. -Table 180 contravenes Official Plan, RMOC Official Plan and the provincial Policy Statement which are designed to produce intensified redevelopment in serviced, urban built up areas.	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Absence of an existing use clause	-fails to prevent uses being rendered non-conforming which would be otherwise conforming prior to the passage of the by-law.	-the generic existing use clause is “ultra vires” and should not be used - existing uses that are compatible with neighbourhood character have been recognized through the zones/ subzones -where appropriate, an existing use which is not reflected in the zone or subzone can be addressed through a site/ use specific exception	PROCEED TO OMB HEARING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
19. Richcraft Homes (continued)	Sections 155-165, 168-177, 179-181, 186-188	-Yard requirements have been increased from Z-2K and could result in decrease of development potential. Are restrictive for small, narrow lots. Reinstate interior and rear yard setbacks as stated in Z-2K, with the exception that the distinction between a wall with a window and a wall without a window be deleted and regulated by the <i>Ontario Building Code</i> .	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 2 Definition - gross floor area	-there could be cases where basements are not used for residential purposes and where there will be a mechanical penthouse which were not counted under Z-2K which could lead to exceeding the 18% allowance. Under Z-2K, there areas plus internal circulation areas did not count in a calculation of gross floor area.	OUTSTANDING	
	Zoning Maps 9-6, 9-7, 9-9, 9-10; 14- 1, 14-2, 14-3, 14-6; 20-4, 20-5	Appealing the R4 zoning which removes apartments as permitted use where they were previously permitted and which will have major negative impact on redevelopment of existing stock from large areas of Hintonburg, Dalhousie and Sandy Hill.. In Centretown, zoning retained at R5 but height limit south of Gladstone Ave. has been reduced to 10.7m. These changes eliminate opportunity to construct apartment buildings. At variance with City and RMOC At variance with City and RMOC Official Plan policies which support increase in residential densities within the urban area to make better use of services.	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
19. Richcraft Homes (continued)	Amenity Area and Landscaped area regulations (Presumably Sections 121-127; no specific reference to landscaped requirements noted elsewhere in by-law)	-too restrictive and must be revised. No details given	OUTSTANDING	
	Section 295(2)- CN Zone; CG Zone	-requirements of mixed use in CN and CG zones unreasonable and unworkable because permitted apartments above ground floor require access and service spaces on ground floor. Provision of the zones require[s] the ground floor to be entirely commercial - this must be changed	<p>-Section 295(2) of the CN zone which specifies that residential uses must be located above the ground floor is not intended to prohibit the location of access or service space on the ground floor, only the dwelling units themselves- will clarify intent</p> <p>-the CG zone does not require residential uses to locate above the ground floor- the appeal to this zone is not relevant</p>	<p>APPROVAL -amend the wording of Section 295 to indicate that this Section does not prohibit access or service space related to upper floor residential uses from locating on the ground floor</p> <p>NOT CONSIDERED TO BE REQUIRED</p>

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
19. Richcraft Homes (continued)	Sections 165 and 166	These Sections need to contain provisions with respect to mixed use buildings that properly address the requirements of these buildings	OUTSTANDING	
	Section 2 Definitions: “building height”; “converted house”; “facing wall”; “lot”; planned unit development, street-oriented”; “semi-detached house”; “townhouse”; “high-rise apartment”.	Has technical concerns and should be amended in order to provide for additional flexibility in design and construction and also for redevelopment - (Planned unit development, street-oriented - no such term; not defined)	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 2 Illustrations of lot lines and lots	-need to reintroduce illustrations of lot line, lots	-illustrations were omitted as a result of a computer problem, and will be reintroduced	APPROVAL -reintroduce the illustrations of lot lines and lots as shown in the June, 1996 draft of the <i>Zoning By-law, 1998</i>

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
19. Richcraft Homes (continued)	Purpose statements	unnecessary and should be removed	-Purpose statements are intended to assist in the understanding and application of the zones, by outlining some of the underlying policies behind the existence of each zone -this is important to ensure that, over the long-term, the policy objectives of the zones are observed and maintained, particularly since the purpose statements are based on the policies of the City's Official Plan -note that the purpose statements are not substantive law ; in the case of a conflict, the provisions or permitted uses of a zone take precedence over the purpose statements	PROCEED TO OMB HEARING
	Sections 450-518	-industrial zones create non-conforming uses and unduly limit the uses. No details given	OUTSTANDING	
20. Chris Jalkotzy	1. Sections 589, 594, & 606	1.Add the following as permitted uses in ES, EA, EW Zones: air, water quality enhancement; maintenance of biodiversity. Add definitions for the key words in these uses.	-cannot regulate the preservation of natural resources through zoning- can only prohibit or restrict development	PROCEED TO OMB HEARING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	2. Section 20(4)(c)	2. Define “predominantly”	-where a term is not defined in the by-law, it is deemed to have its normal, ordinary meaning (the dictionary definition of “predominantly” indicates “prevailing; most common”- this, in the opinion of staff, satisfactorily explains the intent)	NOT CONSIDERED TO BE REQUIRED
	3. Sections 46, 47	3.Allow front yard parking where driveway would otherwise be located- one space only	OUTSTANDING	
	4. Section 129	4. Unreasonable provision- infringes on ability to design a house to adjust to particular site conditions- entrances may have to be at angle	OUTSTANDING	
	5. Table 156	5. Maximum setback reduces density and should be the same as Tables 177 and 180 (x and xi)	OUTSTANDING	
	6. Section 176(2)(b)(i)	6. Minimum width of a private way (6m.) is excessive- building code and aisle width requirements of zoning by-law are sufficient development control	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
20. Chris Jalkotzy (continued)	7. Table 180 (Table 177)	7. These regulations mean that a project can be built as a PUD, and constitute good planning; yet, if project is severed, cannot be built and would be bad planning	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
21. Ottawa-Carleton District School Board	1. Section 2-Definitions	1.definition of school too limited; does not recognize existing school programs or Provincial reform initiatives; contravenes Official Plan and encroaches on school board jurisdiction; inadequate study (bad faith)	APPEAL DEFERRED AT REQUEST OF APPELLANT UNTIL NO EARLIER THAN SEPTEMBER 1, 1999 (BY O.M.B. AT NOVEMBER 3, 1998 PRE-HEARING)	OUTSTANDING
	2. Existing schools	2. schools should be able to be zoned I2 as well as I1, to permit non-institutional ancillary uses		
	3. Zoning Map 15-3	3. 330 Gilmour Street- zoning too restrictive		
	4. Zoning Map 29-6	4. Heron Park & Uplands/ Country Club sites- both sites should be rezoned from leisure to allow appropriate institutional/compatible uses		
	5. Zoning Map 35-2	5.Hunt Club/ Cahill site- R2 not intensive enough		
	6. Zoning Map 29-8	6. McCarthy/ Cahill site- object to I1 zoning		
22. Ottawa-Carleton Catholic District School Board	1. Section 2-Definitions	1.definition of school too limited; does not recognize existing school programs or Provincial reform initiatives; contravenes Official Plan and encroaches on school board jurisdiction; inadequate study (bad faith)	APPEAL DEFERRED AT REQUEST OF APPELLANT UNTIL NO EARLIER THAN SEPTEMBER 1, 1999 (BY O.M.B. AT NOVEMBER 3, 1998 PRE-HEARING)	OUTSTANDING
	2. General	2. schools should be able to be zoned I2 as well as I1, to permit non-institutional ancillary uses		

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
23. Old Ottawa South Community Association Inc.	1. CN4 subzone (Sections 306, 307)	1. inclusion of restaurant, fast food as permitted use in CN4 Subzone inappropriate, as is similar to previous term restaurant, drive-in, a car-oriented use which does not implement Ottawa South policy in Official Plan	-the CN zone prohibits drive through service (Section 296). As a result, the restaurant, fast food would not be car-oriented and would have a similar impact as a restaurant, full service.	NOT CONSIDERED REQUIRED
	2. CN4 subzone (Sections 306, 307)	-restaurant with dancing or entertainment inappropriate as permitted use in CN4 Subzone, as does not implement intent of Official Plan	- By-law Number Z-2K prohibits clubs, discotheques and lounges on this portion of Bank Street, but only the exception located north of Sunnyside explicitly prohibits “licensed eating establishment providing live entertainment or space for dancing”- Such a use, therefore, would be permitted in the zones south of Sunnyside -Exception [515] (north of Sunnyside) should, however, prohibit a “restaurant where a designated area for dancing or entertainment is provided” in order to fully implement the intent of By-law Number Z-2K	APPROVAL -amend exception [515] to prohibit “restaurant where a designated area for dancing or entertainment is provided”

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
23. Old Ottawa South Community Association Inc. (continued)	2. Zoning Map 17-2	2. 774 Echo Drive- CG[543] F(.53)zone permits general office uses, beyond decision of OMB- also allows residential uses many of which are incompatible with surrounding area- should be I1 zone	-the existing use (the Royal College of Physicians and Surgeons) is an office use, and is not an institutional use -as the area is designated as Residential under the Official Plan, a CG zone is the most appropriate zone -the floor space index is set at 0.53 in order to reflect the decision of the Committee of Adjustment to limit the use to the size of the existing building. -residential uses are also permitted as they implement the intent of the Residential Area designation of this site, and as these uses are seen as compatible with the surrounding uses and are in keeping with the scale and character of the existing building.	PROCEED TO OMB HEARING
24. James A. Colizza Architect Inc.	General	-regulations do not implement local, RMOC and provincial policies which encourage compact development - results in loss of development potential and de-tensification. Do not promote notion of contextual development -by-law is becoming more and more difficult to read with each iteration	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Definition of Apartment Building, High-Rise	-defined as more than four storeys; setbacks for a high-rise apply at greater than 10.7 metres in height- a four storey steel framed building requires a height of 11.7 metres- this would classify a four storey building as a high-rise	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Definition of Gross Floor Area	-gross floor area definition does not exclude basements resulting in reduction in development potential as a result of increased parking requirements	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Definition of Converted House	-elimination of 2 and 3 unit converted dwellings, now defined as duplex and triplex - loss of development potential and landscaped area because parking requirements are doubled	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Section 46- Front Yard Parking	-not allowing front yard parking in compact development results in garages or sloped driveways leading to garages to meet requirement	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
24. James A. Colizza Architect Inc. (continued)	Removal of 4(C)-Sections 176,177,178, 179,180,181, 187, Tables 177,180,187, Sections 179 and 620	1. "4C-like" clause does not provide flexibility for appropriate architectural design; unrealistic and cumbersome to have regs for whole lot as well as for each unit within a PUD	-Part of Residential Zoning Provisions mediation process	OUTSTANDING
	Table 162 (iv, v, vi) Table 155 Table 177 Table 187	-rear and side yard setbacks have increased from Z-2K and resulted in decrease in development potential of up to 50% (especially for smaller lots) when compared to Z-2K	-Part of Residential Zoning Provisions mediation process	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Amenity Area -Table 122 I	-gross floor area of each residential building should be replaced with each residential unit	-wording has been revised to reflect this intent through a technical anomaly report	NO LONGER REQUIRED
	Parking Buffers - Sections 75(1), (2) & 47 (1), (2), (3)	-excessive separations of parking lots which decrease development potential as result of reduced number of parking spaces	OUTSTANDING	
	Maps 14(1), (2),(3),(6); Maps 9(6), (7),(9),(10); Maps 20(4), (5)	Appealing R4 zoning which eliminates low rise apartment which negatively affects development potential, especially affordable housing stock (Hintonburg, Sandy Hill, Dalhousie)	OUTSTANDING	
25. Louis Lepage	Zoning Map 26-6	-1137 St. Laurent Blvd.-the CD2 F(0.5) zoning is inappropriate, and does not reflect proper planning principles, or the zoning of adjacent lands in Gloucester - yard setbacks (3 m.) are excessive for this small lot (1 metre setback required in Gloucester)	-consistency with setback provisions of adjacent lot in Gloucester would be appropriate in this unusual case	*APPROVAL -amend the zoning of 1137 St. Laurent Boulevard by creating a new exception which permits a minimum corner side yard setback from Ogilvie Road of 1 metre
26. Carsons A. Unsworth and Scott & McRae Developments	Zoning Map 7-5	-Scott St./ McRae St.- the CG[639], IS[631] and IS F(1.0) zones are inappropriate, as they fail to take into account the zoning under By-law Number Z-2K, good planning principles and the configuration of the lands	WITHDRAWN	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
27. Helen Anderson	Zoning Map 6-7	-1424 Merivale Road- CE6[349] F(2.0) zoning inappropriate, does not adhere to proper planning principles, minimum lot area does not reflect small size of site	-a rezoning to recognize the small size of the property would be appropriate (instead use CE9 subzone, and remove exception [349] as neither the CE6 subzone nor exception [349] reflect the existing lot size)	*APPROVAL -rezone 1424 Merivale Road from CE6[349] F(2.0) to CE9 F(2.0)
28. Les Filles de la Sagesse d' Ontario	Zoning Map 24-3	-711-713 Montreal Road- the L3-tp5 zoning is inappropriate as there no planning studies undertaken to justify the zoning, and the zoning does not adhere to Official Plan policies or proper planning principles- the three year time limit is a permanent downzoning as there are no opportunities to extend the time limit (expropriation, in effect- land sterilized)	OUTSTANDING	
29. National Capital Commission (1)	1. See "Particulars" column	1. Zoning is inappropriate as there no planning studies undertaken to justify the zoning, and the zoning does not adhere to Official Plan policies (secondary planning studies not done)- the three year time limit is a permanent downzoning as there are no opportunities to extend the time limit - sterilized land- does not reflect uses permitted under By-law No. Z-2K (Specific Sites- Bronson East (Map 17-4); Sussex (Map 18-1); Nicholas-Queensway (Map 21-1); Hackett Pond (Map 28-1); Bank-Walkley (Map 31-4); Alta Vista-Terminal (Map 32-1); Riverside East (Map 32-2); Riverside- Neil Way (Map 33-4); Albion East (Map 34-4); Transitway- Train Station Lands (Maps 40-1, 40-2, 40-3); Industrial- Caledon (Map 40-4))	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
29. National Capital Commission (2)	1. Zoning Map 14-1	1. Scott- Champagne- zoning too restrictive- reintroduce range of uses permitted under By-law No. Z-2K	OUTSTANDING	
	2. Zoning Map 4-9	2. Maplelawn Lands - zoning too restrictive- reintroduce range of uses permitted under By-law No. Z-2K	OUTSTANDING	
	3. Zoning Maps 7-1, 9-1	3. Bate Island- should be all one zone (L1-tp1 or L1E-tp1)- also, need exemption from Section 7 (municipal services)	OUTSTANDING	
	4. Zoning Map 33-1	4. Billings Bridge Shopping Centre lands - zoning too restrictive- reintroduce range of uses permitted under By-law No. Z-2K	OUTSTANDING	
	5. Zoning Maps 36-1, 40-4	5. Rolland Ave. lands- adjust zoning boundary of L2 zone to reflect By-law No. Z-2K- lands zoned residential should permit density allowed under By-law No. Z-2K	OUTSTANDING	
29. National Capital Commission (2)	6. Zoning Maps 24-1, 24-2	6. Rockcliffe Parkway Corridor- remove these lands from UR zone (not part of Rockcliffe Base, which was intent of UR zone)	OUTSTANDING	
	7. Zoning Map 20-3	7. Nicholas-Waller lands- add parking lot as a permitted use as per By-law No. Z-2K	OUTSTANDING (see University of Ottawa Appeal Number 8)	
29. National Capital Commission (3)	1. Zoning Map 7-2	1. Westboro Beach- recognize existing concession, parking (accessory use to concession)	-concession and parking area are considered to be accessory uses to the beach facility, and are therefore already permitted	NOT REQUIRED

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	2. Zoning Map 11-4	2. Dow's Lake- permit parking lot; allow required parking for Dow's Lake to be located off-site	OUTSTANDING	
	3. Zoning Maps 16-5, 16-7	3. Canal Ritz- - permit parking lot; allow required parking for restaurant to be located off-site	OUTSTANDING	
	4. Zoning Map 22-1	4. Rockcliffe Park- recognize existing concession, parking (accessory use to concession)	-concession and parking area are considered to be accessory uses to the park, and are therefore already permitted	NOT REQUIRED
	5. Zoning Map 22-3	5. Sussex- Stanley- recognize existing parking lot in CG[543] Zone; allow required parking to be located off-site, and exempt from Section 10 (7.5m. setback) in EW-tp10[574] Zone	OUTSTANDING	
29. National Capital Commission (3)- (continued)	6. Zoning Map 24-2	6. Ottawa River East- Blair Road- recognize existing boat launch and associated parking in ES Zone	OUTSTANDING	
	7. Zoning Map 27-1	7. Rideau River- Heron Road and Rideau River- Hog's Back- recognize existing concession, parking	-concession and parking area are considered to be accessory uses to the park, and are therefore already permitted	NOT REQUIRED
29. National Capital Commission (4)	1. Tables 547(vii),559 (vii),583(vii), 596(vii)	1. Lot coverage provisions in the L1, L2, L3, L4 and EW zones should be removed, to to reflect the provisions of the existing P and G zones	OUTSTANDING	
	2. Sections 545,557,567, 581,594	2. All permitted uses in the P zone should be added to the L1,L2,L3,L4 and EW zones	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	3. Section 13	3. Amend Section 13 to permit development on lands which front onto a parkway; amend definition of parkway to refer to lands owned by the Federal Government	OUTSTANDING	
	4. Section 11(1)	4. Amend Section 11(1) to permit development within 30 m. of the Ottawa and Rideau Rivers, to recognize existing buildings	OUTSTANDING	
	5. Section 589 ES Zone	5. Amend ES Zone to permit certain education, conservation and leisure uses, in conformance with the Official Plan	OUTSTANDING	
29.National Capital Commission (5)	1. Numerous maps	1. Appeal all L1-tp, L2-tp, L3-tp, L4-tp, EW-tp subzones and L1, L2, L3, L4 and EW uses and regulations on N.C.C.-owned lands which were zoned either P or G under By-law Number Z-2K, as proper planning studies not undertaken and proper planning principles not followed	OUTSTANDING	
30. Margaret Denison and Maynard R. Denison, in Trust	Zoning Map 42-1	-property at St.Laurent and Russell are zoned CD2 F(1.0) should be rezoned to permit residential use, which would be an appropriate use at this location	Is now proceeding through the zoning by-law amendment application procedure- will be withdrawn if amendment is ultimately approved	OUTSTANDING

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
31. 1155323 Ontario Ltd.	Zoning Map 20-6	-2 Robinson Ave.- the proposed IS zoning is not appropriate for this site, nor does it reflect its Residential Official Plan designation- as well, the IS zone does not reflect the approved site plan for a place of worship	-a rezoning to I1-Minor Institutional would recognize the approved place of worship -five “minor variance-type” issues associated with the site plan do not need to be reflected in the zoning, as the site plan is recognized under the transition provisions of Section 618	*APPROVAL -rezone 2 Robinson Avenue from IS to I1 NOT REQUIRED
32. Capital Parking Inc., Centre Parking Inc., 160572 Canada Inc., Shamrock Parking Inc., Ideal Parking Inc. and Imperial Parking Ltd.	1. Section 66	1. Valet (tandem) parking should be permitted for commercial parking lots	OUTSTANDING	
	2. Sections 47(2)(a), 47(3), 75, 289(b) and 300(b)	2. -Setback requirements for parking lots in inner areas should be established at 1.5 m. in all cases (individual commercial zone provisions should be consistent with this). -Landscaping and buffering should be dealt with through the site plan control process, on a site-specific basis -As well, the 1 metre high opaque screen requirement around a parking lot is a concern as it could create urban design and safety problems.	OUTSTANDING	
33. Ontario Hydro	1. Section 563	1. L2B-tp-11 subzone is too restrictive (permitted uses, three year time limit) and was imposed without appropriate studies, contrary to Official Plan policies- the lands (numerous sites) are effectively sterilized	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	2. Zoning Map 26-6	2. L2B-tp-11[313] on east and west sides of St.Laurent Blvd. and north of Coventry Road- should be placed in a commercial zone to reflect District Linear Commercial designation in Official Plan	OUTSTANDING	
	3. Exception [313]	3. Exception [313]-80% lot coverage provision too restrictive, does not reflect the size of existing parking lots- also, 80% figure was added without Council direction	OUTSTANDING	
34. Jim Kargakos	1. Add existing use clause	1. 281 and 292 Kent Street- existing uses were previously allowed a 25% expansion- now, have become legally non-conforming	-would recognize the existing uses (restaurant- full service and convenience store at 281 and 292 Kent Street respectively) and applicable regulation to reinstate conforming status -a 25% expansion of these uses was permitted under By-law Number Z-2K	*APPROVAL -amend the zoning of 281 Kent Street to add a new exception to allow a “restaurant, full service” as an additional permitted use and to permit the gross floor area occupied by the “restaurant- full service” on May 19, 1998 to be increased by up to 25% -amend the zoning of 292 Kent Street to add a new exception to allow a “convenience store” as an additional permitted use and to permit the gross floor area occupied by the “convenience store” on May 19, 1998 to be increased by up to 25%

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	2. Section 254	2. Convenience stores in R6 zones- only permit if they are a certain distance away from existing stores to minimize impact on current operation	-as a general planning principle, minimum separation distances between uses should be avoided, particularly where the separation distance is intended in lieu of market demand and to prevent competition	PROCEED TO OMB HEARING
35. Cognos Inc. and Investors Group	Zoning Map 29-5	-3755 Riverside Drive (CE F(1.0) zone) maximum parking requirement for office uses in zone should be deleted as it does not reflect the intent of By-law Number Z-2K	-has been addressed through amending By-law Number 241-98 to the <i>Zoning By-law, 1998</i> (appeal period for amending by-law ends December 3, 1998)	NO LONGER REQUIRED
36. Arnon Corporation	1. Zoning Map 14-5	1. a) 855 Carling Ave.- CE7[358] zone permits office use, but not computer/ data centre or research and development centre - site should be rezoned to CE[358] to permit these	-amend the CE7 subzone to add these additional uses, which will recognize these existing uses while maintaining the intent of the Official Plan	APPROVAL -amend Section 439 to add computer/data centre, and research and development centre as permitted uses in the CE7 subzone
		b) also, CE zone has a maximum parking cap for offices which did not apply under By-law No. Z-2K, and it should not apply to this site	OUTSTANDING	
	2. Zoning Map 14-5	2. 785 Carling Ave.- CE zone has a maximum parking cap for offices which did not apply under By-law No. Z-2K, and it should not apply to this site	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	3. Zoning Map 14-5	3. 560 Rochester St.- CE zone has a maximum parking cap for offices which did not apply under By-law No. Z-2K, and it should not apply to this site		
	4. Zoning Map 5-5	4. 1564 Carling Ave.- CE zone has a maximum parking cap for offices which did not apply under By-law No. Z-2K, and it should not apply to this site		
36. Arnon Corporation (continued)	5. Zoning Map 15-3	5. 245 Cooper St.- R5D[82] zone does not recognize the “existing use” office permitted under By-law No. Z-2K- should add “office” use to zoning of site	-rezone the property to reflect the existing office uses (this can be done by using exception [84] instead of exception[82], which maintains the provisions of the existing exception, but allows offices as an additional permitted use)	APPROVAL -amend Zoning Map 15-3 by rezoning 245 Cooper Street from R5D[82] H(13.8) to R5D[84] H(13.8)
	6. Zoning Map 15-3	6. 180 Elgin St.- incorrect reference to Exception [2]- this should be deleted, and the previous provisions under C1-c(6.5)[91] under By-law No.Z-2K should apply	-the correct exception for this property is exception [446], which should be applied instead of exception [2]	APPROVAL -amend Zoning Map 15-3 by rezoning 180 Elgin Street from CG11[2] F(6.5) to CG11[446] F(6.5)
	7. Zoning Map 20-2	7. 400 Laurier Ave. E.- R5B[87] zone does not reflect existing high-rise apartment- should be rezoned to permit use	-rezone property to R6B to reflect existing high-rise apartment	APPROVAL -amend Zoning Map 20-2 by rezoning 400 Laurier Avenue from R5B[87] to R6B[87]

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	8. Zoning Map 6-7, Exception [349]	8. Merivale/ Baseline- CE zone has a maximum parking cap for offices which did not apply under By-law No. Z-2K, and it should not apply to this site	OUTSTANDING	
		-also, CE6[349] exception imposes 130,064 sq.m. gfa restriction which did not exist under By-law No. Z-2K, and should be deleted	WITHDRAWN	
36. Arnon Corporation (continued)	9. Zoning Map 32-2	9. 1591 Riverside Dr.- height schedule incorrectly imposed, as there was no height restriction under By-law No. Z2K -should be removed	-schedule 70 should not apply to these lands, but to the I1 zoned lands located immediately to the south	APPROVAL -amend Zoning Map 32-2 by removing the reference to Schedule 70 on 1591 Riverside Drive, and by adding reference to Schedule 70 on the abutting I1 zone located immediately to the south
	10. Zoning Map 41-3	10. 1630 Star Top Rd.- maximum 20% of F.S.I. restriction on office use under IL[275] should be deleted- site-specific O.P. policy 12.0 states for this area that the maximum permitted gross floor area for office uses should be limited to a maximum of 85% of the lot area- revise to reflect policy	-adding office, computer/ data centre and research and development centre to the existing zoning, with a maximum F.S.I. of 0.85 will address the issue	APPROVED -amend Part XV- Exceptions by adding office, computer/data centre and research and development centre as additional permitted uses in exception [275] -amend Zoning Map 41-3 to add a maximum permitted F.S.I. suffix of 0.85 to 1630 Star Top Road

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
37. Metcalfe Realty Ltd.	1. Zoning Map 33-8	1. 1385 Bank St.- maximum building height of 18 m. should be removed, as By-law No.Z-2K specified no height limit - office uses permitted, but not computer/data centre; should be added as a permitted use, as this use was classified as office under By-law No. Z-2K	OUTSTANDING	
37. Metcalfe Realty Ltd. (continued)	2. Zoning Map 9-6	2. West side of Hinton Ave. N. (Lots 1500, 1502, 1504)- size limit of 280 sq. m. should be deleted- height limit and exception (653) should be removed as they are not in keeping with By-law No. Z-2K	OUTSTANDING	
	3. Zoning Map 9-6	3. Armstrong St./ Hamilton St.(Lots 1322,1324)- zoning should recognize existing parking lot use - maximum 19 m. height limit and exception (655) should be deleted as they are not in keeping with By-law No. Z-2K	OUTSTANDING	
	4. Zoning Map 14-1	4. 221 Champagne Ave.N.- maximum building height of 18 m. should be deleted as it is not in keeping with By-law No. Z-2K	OUTSTANDING	
	5. Zoning Map 16-3	5. 150 Isabella St.- maximum building height of 10.7 m. and setback provisions of Section 367 and 368 should be deleted as they are not in keeping with By-law No. Z-2K	OUTSTANDING	
	6. Zoning Map 14-7	6. 265 Carling Ave.- maximum building height of 18 m. should be deleted as it is not in keeping with By-law No. Z-2K	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
38. Canada Post Corporation	1. CE, CE2 zones (Sections 402- 412, 425-428; Exc.[645])	-some apparent discrepancies between permitted uses in By-law No. Z-2K and new by-law- need to confirm that new terminology includes previous uses	OUTSTANDING	
	2. Sections 6 and 590	- accessory use provisions different that under By-law No. Z-2K	OUTSTANDING	
38. Canada Post Corporation (continued)	3. Zoning Map 27-2, Section 340	-770 Brookfield Road- some apparent discrepancies between permitted uses in By-law No. Z-2K and new by-law (CG2 F(1.0))- need to confirm that new terminology includes previous uses	OUTSTANDING	
39. Lois K. Smith, Ph.D.	Exception [29]	-should refer to ES1 subzone rather than ES zone	-exception [29] should refer to the ES1 Subzone rather than the ES Zone	APPROVAL -amend Part XV- Exceptions, Exception [29]-Provisions to refer to the ES1 subzone rather than the ES zone
	Exception [47], Map 4-5	-exception [47] missing from map	- add exception [47] to map 4-5	APPROVAL -amend Zoning Map 4-5 by adding exception [47] to the lands zoned I1 H(13.8) on Cleary Ave.

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [48], Map 4-5	-exception [48] missing from map	- add exception [48] to map 4-5	APPROVAL -amend Zoning Map 4-5 by adding exception [48] to the lands zoned I1 located north of Richmond and west of Cleary, previously zoned R4-x[79] under By-law Number Z-2K
39. Lois K.Smith, Ph.D.(continued)	Exception [68], Map 12-3	-exception [68] missing from map	-add exception [68] to map 4-5	APPROVAL -amend Zoning Map 12-3 by replacing exception [402] by exception [68] on lands zoned CG[402] located on Maryland Ave. and shown as a portion of Pt. Lot 6, and previously zoned R4-x [144] under By-law Number Z-2K
	Exception [72], Map 1-4	-exception [72] missing from map	- add exception [72] to map 1-4	APPROVAL -amend Zoning Map 1-4 by adding exception [72] to lands fronting on Britannia Street shown as Lot 37 and zoned R3B

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [73], Map 26-1	-exception [73] missing from map	- add exception [73] to map 26-1	APPROVAL -amend Zoning Map 26-1 by adding exception [73] to the lands zoned R3H located at the north-east corner of Prince Albert and River Roads, extending 13.3 metres along River Road, and along Prince Albert to the lane east of River Road
39. Lois K.Smith, Ph.D.(continued)	Exception [76], Map 1-5	-exception [76] missing from map	- add exception [76] to map 1-5	APPROVAL -amend Zoning Map 1-5 by adding exception [76] to the lands zoned R3C located on the north side of Priscilla and shown as Lot 10
	Exception [80], Map 35-1	-exception [80] missing from map	- add exception [80] to map 35-1	APPROVAL -amend Zoning Map 35-1 by adding exception [80] to the lands zoned R4A U(40) bounded by Bank, Southgate and Johnston Road, and to the lands zoned R4A U(40) shown as Block G located at the north-west corner of Albion South and Cahill

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [86], Map 15-5	-exception [86] missing from map	- revise exception reference from exception [84] to exception [86] for lands located at the north-east corner of Flora and Bronson	APPROVAL -amend Zoning Map 15-5 by replacing exception [84] by exception [86] on lands zoned R6A[84] H(18.3) at the north-east corner of Flora and Bronson,
39. Lois K.Smith, Ph.D.(continued)	Exception [87], Map 20-2	-exception [87] missing from map	-add exception [87] to map 20-2	APPROVAL -amend Zoning Map 20-2 by adding exception [87] to the lands zoned R6A H(18.3) and to the lands zoned L3, both located west of Rideau Place and north of Daly
	Exception [91], Map 15-1	-exception [91] missing from map	-replace exception [412] with exception [91] for the CG[412] F(1.0) H10.7) zone on the north side of Somerset, west of Bay on Map 15-1 -revise text of exception [91] to include provisions of exception [412], and delete reference to additional uses permitted, as the uses are already permitted in CG zone	APPROVAL -amend Zoning Map 15-1 by replacing exception [412] with exception [91] for the lands zoned CG[412] F(1.0) H10.7) located on the north side of Somerset, west of Bay -amend Part XV- Exceptions by revising the text of exception [91] to include provisions of exception [412], and by deleting reference to additional uses permitted

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [113], Map 20-2	-exception [113] missing from map	- exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [113] and substituting for same the words “for future use”
39. Lois K.Smith, Ph.D.(continued)	Exception [124], Map 9-6	-exception [124] missing from map	-add exception [124] to map 9-6; also add missing Schedule 73 to Part XVI-Schedules (identical to Schedule 99 under By-law Number Z-2K), then add to map 9-6	APPROVAL -amend Part XV- Exceptions by adding provisions set out under exception [592] to exception [124] and deleting exception [592] -add a new Schedule 73 to Part XVI-Schedules which is based on Schedule 99 under By-law Number Z-2K -amend Zoning Map 9-6 by replacing exception [592] by exception [124] and by adding reference to Schedule 73 on the lands located at the south-west corner of Pinehurst and Scott

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception 147, Map 4-6	-exception [147] missing from map	-add exception [147] to map 4-6	APPROVAL -amend Zoning Map 4-6 by adding exception [147] to lands zoned R5A located on the north side of Carling, one lot east of Bromley
39. Lois K.Smith, Ph.D.(continued)	Exception [172], Maps 15-1, 15-2, 15-3, 15-4, 15-8	-exception [172] missing from map	- exception [173] should read exception [172] except for 180 Metcalfe and 230 Nepean Streets	APPROVAL -amend Zoning Maps 15-1, 15-2, 15-3, 15-4 and 15-8 by replacing exception [173] with exception [172] for all properties currently subject to exception [173] other than 180 Metcalfe and 230 Nepean Streets
	Exception [180], Map 20-1	-exception [180] missing from map	-add exception [180] to map 20-1	APPROVAL -amend Zoning Map 20-1 by adding exception [180] to 378 Besserer
	Exception [183], Map 20-6	-exception [183] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting text of exception [183] and substituting for same the words "for future use"

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [184], Map 15-2	-exception [184] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [184] and substituting for same the words “for future use”
39. Lois K.Smith, Ph.D.(continued)	Exception [190], Map 23-6	-exception [190] missing from map	-add exception [190] to map 23-6	APPROVAL -amend Zoning Map 23-6 by adding exception [190] to the lands zoned R3A on Dunbarton
	Exception [201], Map 23-7	-exception [201] missing from map	-replace exception [177] by exception [201] on the subject lands	APPROVAL -amend Map 23-7 by replacing exception [177] with exception [201] on the lands zoned R6B located at the south-east corner of Brittany and St. Laurent
	Exception [205], Map 29-6	-exception [205] missing from map	-add exception [205] to map 29-6	APPROVAL -amend Zoning Map 29-6 by adding exception to [205] the lands zoned R1N located on Vanhurst, and on Gillespie east of the L3-tp5 zone identified as Block M

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [207], Map 2-1	-exception [207] missing from map	-add exception [207] to map 2-1	APPROVAL -amend Zoning Map 2-1 by adding exception [207] to the lands zoned R3A U(20) located on the south side of Richmond Road east of Lovitt
39. Lois K.Smith, Ph.D.(continued)	Exception [215], Map 35-2	-incorrect schedule reference	-map should refer to Schedule 4, not Schedule 3	APPROVAL -amend Zoning Map 35-2 with respect to the property located at the north-east corner of Hunt Club and Albion South to refer to Schedule 4, rather than Schedule 3
	Exception [221], Map 14-1	-exception [221] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text for exception [221], and substituting for same the words “for future use”
	Exception [222], Map 14-1	-exception [222] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text for exception [222], and substituting for same the words “for future use”

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [223], Map 14-1	-exception [223] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text for exception [223], and substituting for same the words “for future use”
39. Lois K.Smith, Ph.D.(continued)	Exception [244], Map 33-4	-exception [244] missing from map	-add exception [244] to map 33-4	APPROVAL -amend Zoning Map 33-4 by adding exception [244] to the lands zoned I1 located at the north-west corner of Lamira and Kilborn Place
	Exception [245], Map 16-3	-exception [245] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [245], and substituting for same the words “for future use”
	Exception [246], Map 22-4	-exception [246] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [246], and substituting for same the words “for future use”

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Exception [247], Map 14-3	-exception [247] missing from map	-add exception [247] to map 14-3	APPROVAL -amend Zoning Map 14-3 by adding exception [247] to the lands zoned I1 located at the south-west corner of Balsam and Booth Streets
39. Lois K.Smith, Ph.D.(continued)	Exception [248]	-confirm location of exception [248] on Map 24-5	-exception is correctly placed	NOT CONSIDERED REQUIRED
	Exception [268], Map 8-2	-exception [268] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text to exception [268], and substituting for same the words “for future use”
	Exception [271], Map 41-3	-exception [271] missing from map	-incorrect exception reference-replace [275] by [271]	APPROVAL -amend Zoning Map 41-3 by deleting exception [275] on the lands zoned IL located at the north-west corner of Star Top and Innes and replacing it with exception [271]
	Exception [314], Map 7-6	-exception [314] missing from maps	-add exception [314] to map 7-6	APPROVAL -amend Zoning Map 7-6 by adding exception [314] to the lands zoned L3 located at the north-east corner of Ravenhill and Golden

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
39. Lois K.Smith, Ph.D.(continued)	Exception [318], Map 7-4	-exception [318] no longer needed	-temporary zoning exception [318] expired 19/1/94, and should be deleted	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [318], and substituting for same the words “for future use”
	Exception [322], Map 18-3	-exception [322] no longer needed	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [322], and substituting for same the words “for future use”
	Exception [328], Map 14-7	-exception [328] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [328], and substituting for same the words “for future use”
	Exception [331], Map 34-4	-exception [331] missing from map	-add exception [331] to map 34-4	APPROVAL -amend Zoning Map 34-4 by adding exception [331] to all of the lands zoned L3-tp5 located between Bank Street and Albion North lying to the south and to the east of Ledbury

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
39. Lois K.Smith, Ph.D.(continued)	Exception [372], Map 29-6	-exception [372] missing from map	-incorrect exception reference (replace [373] by [372] on map)	APPROVAL -amend Zoning Map 29-6 by deleting exception [373] on the lands zoned CG F(1.0) located at the north-east corner of Riverside and Uplands, and replace with exception [372]
	Exception [391], Map 40-2, 40-3	-exception [391] missing from map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [391], and substituting for same the word “for future use”
	Exception [397], Map 34-5	-exception [397] missing from map	-incorrect exception reference (replace [37] by [397])	APPROVAL -amend Zoning Map 34-5 by deleting exception [37] on the lands zoned CG F(0.2) H(10.7) located on the south side of Walkley Road, west of Heatherington , and replace with exception 397]

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
39. Lois K.Smith, Ph.D.(continued)	Exception [399]	-not shown on any map	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text to exception [399], and substituting for same the words “for future use”
	Exception [402], Map 12-3	-not shown on map	-exception is shown on map (south-east corner of Maryland and Prince of Wales)- no change required	NOT CONSIDERED REQUIRED
	Exception [420], Maps 9-6	-exception [420] missing from map	-incorrect exception reference (replace exception [511] with exception [420])	APPROVAL -amend Zoning Map 9-6 to delete exception [511] from the lands located on the north side of Wellington between Holland and Parkdale, and replace with exception [420]
	Exception [446], Map 15-3	-exception [446] missing from map	-incorrect exception reference (replace exception [2] with exception [446])	APPROVAL -amend Zoning Map 15-3 by deleting exception [2] from the lands zoned CG11 F(6.5) located at the south-west corner of Elgin and Nepean and replace with exception [446]

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
39. Lois K.Smith, Ph.D.(continued)	Exception [447], Map 15-3	-exception [447] missing from map	- -incorrect exception reference (replace exception [3] with exception [447])	APPROVAL -amend Zoning Map 15-3 by deleting exception [3] from the lands zoned CG11 F(6.5) located at the north-west corner of Lisgar and Elgin and replace with exception [447]
	Exception [499], Map 14-1, 14-3	-exception [499] missing from map	-exception [499] no longer required	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [499] and substituting for same the words “for future use”
	Exception [500], Map 2-3	-exception [500] missing from map	-exception [500] is no longer required	APPROVAL -amend Part XV- Exceptions by deleting the text of exception [500], and substituting for same the words “for future use”
	Exception [501], Map 14-5	-exception [501] missing from map	-exception [501] is no longer required	APPROVAL -amend Part XV- Exceptions by deleting the text to exception [501], and substituting for same the words “for future use”

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
39. Lois K.Smith, Ph.D.(continued)	Exception [527], Map 31-1	-exception [527] missing from map	-exception [572] is no longer required	APPROVAL -amend Part XV- Exceptions by deleting the text to exception [527], and substituting for same the words “for future use”
	Exception [533], Map 16-4	-exception [533] missing from map	-exception is shown correctly on map (south-east corner of Fourth and Bank) - no change required	NO CHANGE REQUIRED
	Exception [541]	-exception [541] is missing from maps	-exception is shown correctly on map 41-2	NO CHANGE REQUIRED
	Exception [559], Map 1-4, 1-7	-exception [559] missing from maps	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text to exception [559], and substituting for same the words “for future use”
	Exception [566]	-exception [566] missing from maps	-exception no longer required (addressed through underlying zoning)	APPROVAL -amend Part XV- Exceptions by deleting the text to exception [566], and substituting for same the words “for future use”

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
39. Lois K. Smith PhD (continued)	Map 8-2	-Schedule 30 missing from Map 8-2	-add schedule 30 reference to map 8-2	APPROVAL -amend Zoning Map 8-2 to add reference to Schedule 30 on the lands zoned CG[267]-h F(1.0) located at the north-west corner of Coldrey and Laperriere
		-Schedule 73 missing	-there was no Schedule 73 when the new by-law was drafted and adopted. The number was inadvertently omitted	NOT REQUIRED
	Map 15-6	-Schedule 120 missing from Map 15-6	-add schedule 120 reference to map 15-6	APPROVAL -amend Zoning Map 15-6 to add reference to Schedule 120 on the lands zoned R6F[591] located at 429 McLeod Street
	Map 10-4	-correct spelling of “Kenilworth “ (shown as “Keilworth”)	-correct typographical error	APPROVAL -amend Zoning Map 10-4 by correcting the spelling of “Kenilworth”
	Map 15-3	-incorrect reference to Schedule 106 in R6A[82] H(18.3) SCH.106 zone at north east corner of O’Connor and MacLaren Streets	-reference is correct	NO CHANGE REQUIRED

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Schedule 15	-location of 7.90 m. dimension (clarify)	-7.90 m. dimension along west side of parking spaces not required- delete	APPROVAL -amend Part XVI, Schedule 15 by deleting the 7.90 m. dimension located along the west boundary of the parking area
	Schedule 18	-“flower-like” symbol should be shown on legend	-this symbol represents trees and is included within the shaded area representing landscaped area in the legend	NOT REQUIRED
	Schedule 23	-should refer to “City of Nepean” rather than “Township of Nepean”	-this change has already been made in a recent technical report to the <i>Zoning By-law, 1998</i>	NO LONGER REQUIRED
	Schedule 29	-add minimum horizontal distance of 44.27 metres	-the correct minimum horizontal distances are shown as 1.8 metres and 2 metres	NOT REQUIRED
	Schedule 76	- missing building height restriction (add)	-maximum permitted heights are complex and are shown in the exception zone	NO CHANGE REQUIRED
39. Lois K. Smith PhD (continued)	Schedule 114	- typographical error (“con <u>u</u> ersion” spelled “conversion”)	-correct typographical error	APPROVAL -amend Part XVI, Schedule 114 by correcting the spelling of “conversion” in the legend

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
	Schedules 123-127	-schedule references missing from Map 27-1	-add missing schedule references	APPROVAL -amend Zoning Map 27-1 to add references on the applicable lands to Schedules 123, 124, 125, 126 and 127
	Schedules	-Schedules 3,5,6,9,23,25,26,27,28,30,33,37,42,45,51,61, 66,67,68,84,86,92,99,102,110,115,122- add north arrow	-north arrow should be added	APPROVAL -amend Part XVI, Schedules, by adding a north arrow to the following schedules: "3,5,6,9,23,25,26,27,28, 30,33,37,42,45,51,61,66, 67,68,84,86,92,99,102, 110 115,122"
	Schedules	-Schedules 6,7,8,14,25,28,33,34,35,36,39,42,45, 46,48,49, 68,72,75,83,84,98,99,100,102,111,112, 113,115,119,120, 122,123,124,125- ensure dimensions are all in metres	-only Schedule 14 contained an imperial measurement- all others are in metric	APPROVAL -amend Part XVI, Schedules, to change all imperial dimensions on Schedule 14 to metric
39. Lois K. Smith PhD (continued)	Zoning Map 6-7	-1230 Merivale Road- small batch brewery was deliberately excluded from By-law 34-98 (as approved by OMB) but the new exception has not excluded the use- should be under column noting prohibited uses	OUTSTANDING	
		-1260 Merivale Road- former zone on this site did not include "bar" which was a separate use. Objects to permitting "bar" under new zoning by-law, whether as "bar" or "nightclub". If "bar" to be permitted, then asking for 6 metre setback from Merivale Road	OUTSTANDING	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
40. Inglenook Developments Inc.	Zoning Map 31-2	1454 Clementine- have had ongoing discussions with City regarding rezoning the property from P to R5- the proposed ES zoning boundary should exclude this site as it is not part of the environmentally sensitive area	OUTSTANDING	
41. Canada Life Assurance Company	CE10 Subzone (Section 448,449)	-330 Coventry Road- Section 405 should not apply to permitted uses to be in keeping with By-law No. Z-2K	-the zoning of the property has been revised to reflect the zoning under By-law Number Z-2K through a recent anomaly report -one anomaly still exists on the north west corner of Coventry and Lola which indicates different height regulations on the maps versus the schedule- the maps should be revised to delete the height suffix (H(10.7)), so that the heights on the approved Schedule 53 apply	APPROVAL -amend the zoning of the property located at the north west corner of Coventry and Lola which is currently zoned CE10 F(1.0) H(10.7) Sch.53 to delete the height suffix "H(10.7)"
APPEALS TO BY-LAW NUMBER Z-2K				
1. Pamela Clayton	Map 36-2	-zoning of property located on south side of Bathurst Avenue east of Balena Avenue (R1J, R3A zones) -appeal rezoning from former P zoning under By-law Number Z-2K to permit residential uses	WITHDRAWN	
2. Orrin M. Clayton				
3. Ellen T Lanthier				
4. JoAnne Wiltshire				

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS (* appellant has concurred in writing with recommendation and will withdraw appeal if City Council implements amendment)
5. Wanda Goneau	Map 9-6	-wants area located west of Hamilton, south of Armstrong, east of Holland and north of Wellington rezoned to reduce the maximum permitted height from 19 metres to 10.7 metres (ie. from CG[655] F(3.0) H(19) to CG [655] F(3.0) H(10.7))	-oral OMB decision has been given. Appellant awaiting written decision, then will withdraw	OUTSTANDING
6. Ms. Kathryn E. Barnard	Map 14-3	-zoning of property located on north side of Gladstone, between Bell Street North and Lebreton Street North (CN[597] F(2.0) zones) -objects to rezoning because of : adverse effect on quality of life with respect to adjacent parking lot, commercial traffic; reduction in rear yard at 138 Bell Street; and does not allow for adequate setbacks which would protect the surrounding properties	OUTSTANDING	
7. Kerzner, Papazian, MacDermid Barristers and Solicitors	Map 35-4	-zoning of property located on north side of Johnston Road near Tapiola Cres. (R4J, L3, R4D zones) -appeal rezoning of property from industrial to residential	OUTSTANDING	