



City of
Ville d' **Ottawa**

December 21, 1998

ACS1998-PW-PLN-0035
(File: OZP1998-001)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

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

Action/Exécution

**Technical Amendment to Zoning By-law Number Z-2K - 149 Daly
Avenue**

**Modification de forme à l'Arrêté municipal Z-2K sur zonage - 149, avenue
Daly**

Recommendations

1. That Zoning By-law Number Z-2K be amended from HR-1 to a new HR-1 exception zone to permit an office limited to a Diplomatic Mission - chancery at 149 Daly Avenue, be APPROVED, as detailed in Document 3.
2. That prior to the implementing by-law being forwarded to City Council, the applicant must enter into a heritage easement agreement with the municipality.

December 21, 1998 (1:05p)

for/ Edward Robinson
Commissioner of Urban Planning and
Public Works

December 21, 1998 (2:50p)

Approved by
John S. Burke
Chief Administrative Officer

PML:pml

Contact: Patrick Legault - 244-5300 ext. 1-3857

Financial Comment

N/A.



December 21, 1998 (12:16p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Recommendation 1

A technical amendment to Zoning By-law Number Z-2K is required for this property due to the receipt of a number of appeals to the *Zoning By-law, 1998*, resulting now in the delay of that By-law's final approval. City Council recently approved a zoning report (ACS1998/1301-75) that amended the zoning for 149 Daly Avenue under the *Zoning By-law, 1998*, in order to allow an office use limited to a diplomatic mission for the subject lands. Notice of passing of the subject application and an amending by-law for this site cannot proceed until a similar amendment is made to Zoning By-law Number Z-2K in order to harmonize Zoning By-law Number Z-2K with the *Zoning By-law, 1998*. Should an applicant submit development plans prior to the adoption of the *Zoning By-law, 1998*, the most restrictive zoning would apply. In this case, the most restrictive zoning would be Zoning By-law Number Z-2K and a diplomatic mission - chancery is not permitted under Zoning By-law Number Z-2K. Thus, an amendment to Zoning By-law Number Z-2K is required. The proposed technical amendment, as contained within this submission, is consistent with the October 7, 1998 City Council approved zoning report (ACS1998/1301-75) amending *Zoning By-law, 1998*.

Recommendation 2

The requirement for the applicant to enter into a heritage easement agreement with the municipality prior to the by-law proceeding to Council is based on the following.

The approval of the zoning amendment will increase the ability to sell the building and increase its value. The owner has agreed to enter into a heritage easement agreement with the City. This agreement will better ensure the building is retained and maintains an external appearance which respects the building's heritage character and is in keeping with the external appearance of adjacent residential buildings. To ensure prompt attention in this matter, the implementing zoning by-law will not proceed to Council until the heritage easement agreement has been entered into by the applicant.

Environmental Impact

A Municipal Environmental Evaluation Process (MEEP) checklist was prepared as part of the original rezoning application which indicated that there is no significant environmental impact anticipated as the existing use and operation of the land will not change. Further detail is provided in report number ASC1998/1301-75. This report is on file with the City Clerk.

Consultation

Details of consultation are contained in zoning report number ASC1998/1301-75, which is on file with the City Clerk. Notice of this technical amendment report was provided in local newspapers.

Disposition

Department of Corporate Services to notify the owner, (Louisa Zlepniig P.O. Box 536, Metcalfe, Ontario K0A 2P0); and Regional Municipality of Ottawa-Carleton, Development Approvals Division of City Council's decision.

Office of the City Solicitor to prepare an easement agreement and forward the implementing by-law to City Council.

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

List of Supporting Documentation

Document 1	Explanatory Note to Proposed By-law
Document 2	Details of Proposed Zoning
Document 3	Location Map
Document 4	Municipal Environmental Evaluation Process Checklist (on file with City Clerk)
Document 5	Compatibility with Public Participation Policy/Input from Other Government Agencies
Document 6	Zoning Report ACS1998/1301-075 (on file with City Clerk)

Part II - Supporting Documentation

Document1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER

By-law Number _____ amends Zoning By-law Number Z-2K to the City's Comprehensive Zoning By-law. The amendment affects the zoning of the property at 149 Daly Avenue. It will permit a diplomatic mission-chancery, with an office use limited to the ground floor only of a house converted for that use. The property is shown as the shaded area on the attached Location Map.

Current Zoning

The subject property is currently zoned HR-1. This is a heritage residential zone permitting a variety of residential uses in addition to some public uses and accessory uses. Special requirements regulating the placement of buildings and additions to existing buildings are in effect in this zone.

Proposed Zoning

The proposed zoning designation would be a new HR-1 zone. This zoning would contain all the uses and provisions of the current HR-1 zone, with the addition of diplomatic mission - chancery, restricted to the ground floor only of a dwelling converted for that use.

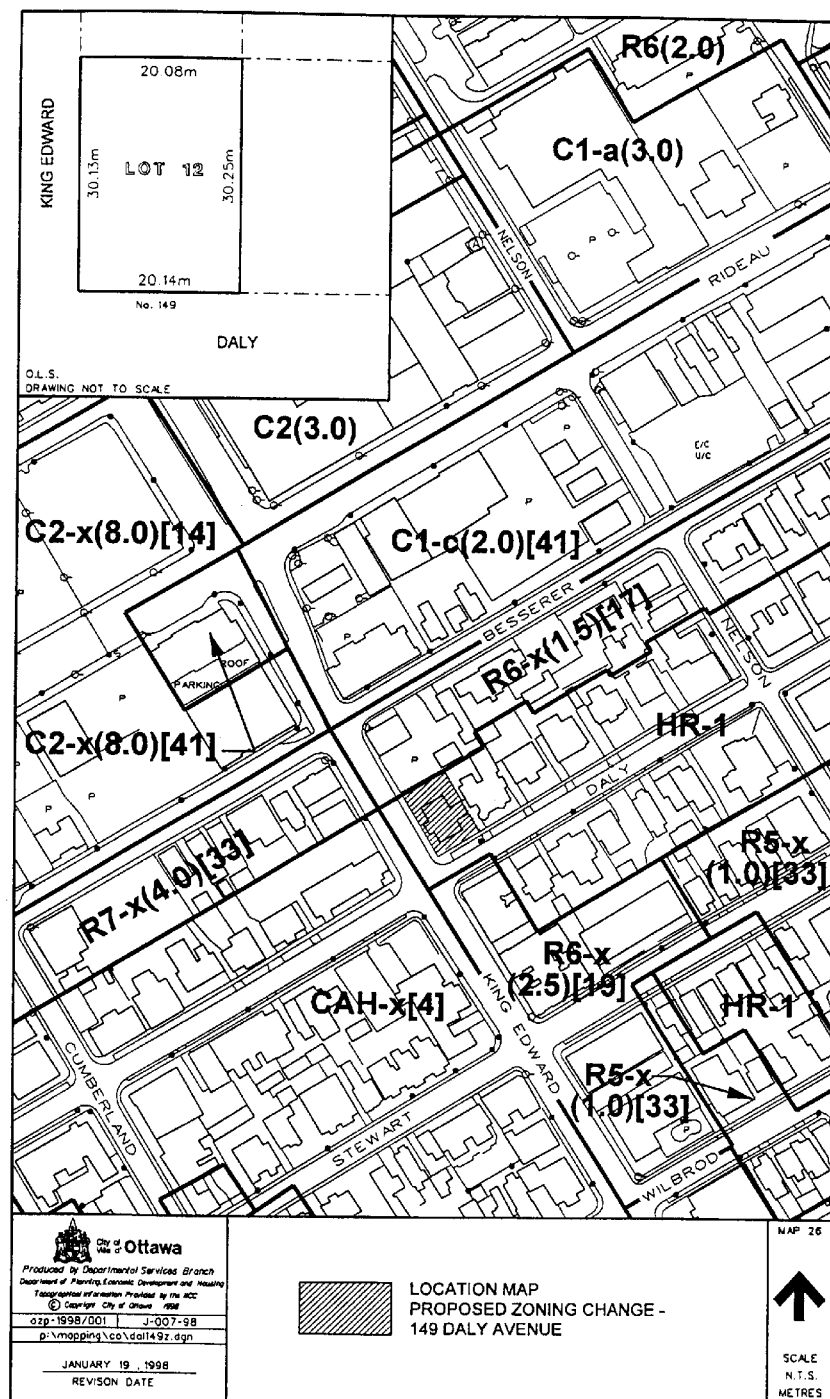
The above constitutes the proposed amendment to By-law Number Z-2K. For further information on the proposed amendment contact Patrick Legault at 244-5300, ext. 3857, FAX: 244-5601.

DETAILS OF PROPOSED ZONING

1. That a diplomatic mission - chancery be permitted in this zone.
2. That the chancery component of the diplomatic mission be restricted to the ground floor only of a dwelling converted for that use.
3. That dwelling unit be added as a permitted use.

Location Map

Document 3



COMPATIBILITY WITH PUBLIC PARTICIPATION POLICY

Please refer to zoning report ACS1998/1301-75 for details of public participation. This report is on file with the City Clerk.