

# By-Law No. 2018-086

*A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of lands known municipally as 979 Wellington Street*

## OttWatch.ca By-law Archival Project



OttWatch.ca has begun archiving copies of all by-laws passed by the City of Ottawa. After each City Council meeting we ask for copies of by-laws enacted at the meeting, add this title page, and upload them to ottwatch.ca.

Be aware though that you may not be looking at the most recent version of this by-law. It is very possible that it has been amended by Council by another by-law, or even by the Ontario Municipal Board. So, um, just know that before assuming anything.

This PDF contains a copy of the by-law as passed by Council on a certain date. It is a snapshot in time. It could still be in force. It might have been amended. It may have been repealed.

When in doubt, visit <https://ottawa.ca/en/residents/laws-licenses-and-permits/laws>

If you end up asking for a copy of a by-law OttWatch doesn't have yet, please ask the Clerk's office to cc: [kevino@kevino.net](mailto:kevino@kevino.net) when they email it to you. You'd be doing the entire community a favour!

**Enacted On:** 2018-03-28

**OttWatch Bylaw Reference:** <http://ottwatch.ca/bylaws/2018-086>

This title page generated on *2018-09-11*

BY-LAW NO. 2018 - 86

A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of lands known municipally as 979 Wellington Street.

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

1. The Zoning Map of By-law No. 2008-250, entitled the “City of Ottawa Zoning By-law” is amended by rezoning the lands shown on Attachment 1 to this by-law as follows:

- (a) Area A from R4T to TM11[2461]; and,
- (b) Area B from TM11 to TM11[2461].

2. Section 239 – Urban Exceptions of the said By-law No. 2008-250 is amended by adding the following exception:

I Exception Number	II Applicable Zone	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
2461	TM11[2461]			-minimum corner side yard setback: 0m below five storeys, and 1.5m at and above five storeys in height  -minimum interior side yard setback: 2.9m where abutting a residential zone, and 0m in all other cases  -maximum building height: 31m  -No landscaped area is required abutting a residential zone.  -minimum rear yard setback below five storeys: 4m  -No part of the building may be located outside of the 45-degree angular plane measured from the

				<p>rear lot line at 14.5m in height.</p> <p>-Minimum front yard setback below five storeys is 0m, and a minimum of 2.5m at or above five storeys.</p> <p>-Despite anything to the contrary a mezzanine is permitted within the first storey of the building and will not be considered an additional storey.</p> <p>-section 139 does not apply</p> <p>-minimum width of driveway: 3m</p> <p>-minimum number of visitor parking spaces: 4</p> <p>-minimum number of parking spaces for residential uses: 11</p> <p>-section 106 does not apply to an automated parking system</p> <p>-The following provisions dealing with a Section 37 authorization will also be added to the new exception in Section 239:</p> <p>a. Pursuant to Section 37 of the Planning Act, the height and density of development permitted in this by-law are permitted subject to compliance with all of the conditions set out in this by-law including the provision by the owner of the lot of the facilities, services and matters set out in Section 15 of Part 19 hereof, to the City at the owner's sole expense</p>
--	--	--	--	--

				<p>and in accordance with and to the agreement referred to in b. below.</p> <p>b. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the Planning Act securing the provision of the facilities, services or matters set out in Section 15 of Part 19 hereof, the lands are subject to the provisions of this By-law. Building permit issuance with respect to the lot shall be dependent upon satisfaction of the provisions of this by-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.</p> <p>c. Wherever in this by-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act, then once such agreement has been executed and registered, such conditional provisions shall continue.</p>
--	--	--	--	--

3. Part 19 – Section 37 Provisions of the said By-law 2008-250 is amended by adding the following as a new section 14:

“979 Wellington Street

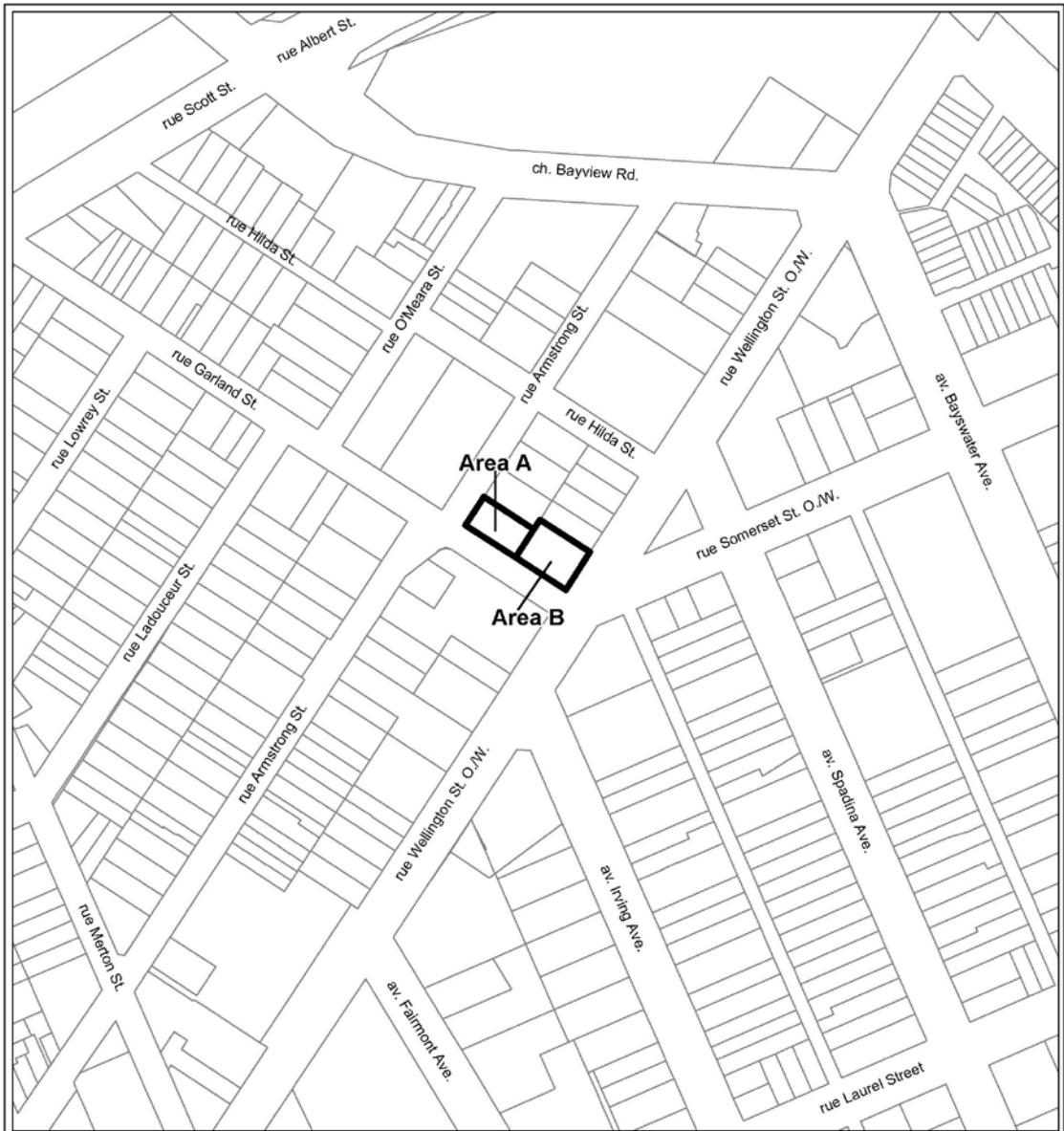
15.

- (a) The City shall require that the Owner of the lands at 979 Wellington Street West to enter into an agreement pursuant to Section 37 of the Planning Act, to be registered on title, to the satisfaction of the City Solicitor and General Manager, Planning, Infrastructure and Economic Development Department, to secure the public benefits noted below. The agreement will comprise a combination of public benefits including works to be completed by the applicant, and monies that would be paid to the City. The total value of the monies to be secured being \$165,000.00 to the City, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Ottawa, calculated from the date of the Section 37 Agreement to the date of payment.
- (i) The specific benefits to be secured and provided are:  
\$155,000.00 – Laroche Park field house reconstruction;  
\$10,000.00 – cycling improvements on Armstrong Street;  
Wellington Street West streetscape improvements to be implemented through the Site Plan Control approval; Public Art, to be implemented through the Site Plan Control approval; and, Provision of two affordable housing units through an agreement with the Affordable Housing Branch.
  - (ii) Notwithstanding the foregoing, the owner and the City may modify or amend said agreement(s), from time to time upon the consent of the City and the owner, without further amendment to those provisions of the Zoning By-law which identify the facilities, services and matters to be secured.
  - (iii) The payment of Section 37 funds shall be provided prior to the issuance of a building permit for the proposed development.”

ENACTED AND PASSED this 28<sup>th</sup> day of March, 2018.

CITY CLERK

MAYOR



D02-02-16-0104      18-0207-D

M:\Zoning\_Bylaw\bylaws\

©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.

©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE.

**LANDS AFFECTED PART OF THE ZONING MAP OF BY-LAW NO. 2008-250**

This is Attachment 1 to By-law Number 2018-86, passed March 28, 2018

**Lands Affected by By-law**

Area A to be rezoned from R4T to TM11[2461]  
 Area B to be rezoned from TM11 to TM11[2461]



