DETAILS OF PROPOSED ZONING AMENDMENT

This document is available in English only. It may be translated in whole or in part upon request. For more information, please contact Robert Sandercott at 613-580-2424, extension 14270.

Ce document n'existe qu'en anglais. Il peut être traduit en partie ou en totalité sur demande. Renseignements: Jeff Nadeau, 613-580-2424, poste 16802.

Table of Contents

Executive Summary

Bill 23, *More Homes Built Faster Act*, 2022, received Royal Assent on November 28, 2022, which implements changes to Provincial legislation and regulations, including the *Development Charges Act* and the *Planning Act.* One key change to the *Planning Act* is that it now permits up to three units as-of-right on any residential lot with access to water and wastewater services. These revisions supersede existing zoning regulations prohibiting additional units on serviced lots. Therefore, the City of Ottawa is proposing amendments to Zoning By-law 2008-250 to address this element of Bill 23.

The primary goal of this Zoning By-law Amendment is to conform with the aforementioned changes to the *Planning Act* under Bill 23. Along with the recent approval of the new Official Plan, this amendment represents an opportunity to bring certain elements of the current Zoning By-law, 2008-250, in line with the direction of the new Official Plan, as an interim measure while the new Comprehensive Zoning By-law is under development. As such, this amendment will address the following:

- Amendment to implement residential zoning standards as required per the *Planning Act*, as amended by Bill 23.
- Elimination of distinct subzone standards between detached dwellings, duplex dwellings, and three-unit dwellings in all R2-R5 subzones that permit these uses.
- Amendments to apply landscaping, setback and design regulations to all urban residential zones, as originally established through past zoning studies (such as the Infill, R4 Zoning Review, Westboro Zoning Study.

The full details of the proposed amendment are available in this document starting on Page 5.

Below is a summary of the intended direction of the proposed amendments as a whole:

Amendment to implement residential zoning standards as required per the *Planning Act*, as amended by Bill 23

The Zoning By-law has provisions for “secondary dwelling units” and “coach houses” in Sections 133 and 142, respectively, which have the effect of permitting no more than one additional dwelling unit (for a total of two). It is proposed to merge Sections 133 and 142 into one section setting out regulations for “additional dwelling units”, addressing both units in principal buildings as well as coach houses. This will clearly lay out what is permitted in terms of additional units in accordance with the *Planning Act*, as amended.

The present limitations on size in relation to secondary dwelling units are proposed be eliminated, except for limits on the maximum number of bedrooms permitted in accordance with the zoning definition of a “dwelling unit”. Additionally, it is proposed to remove the existing prohibition on secondary/additional dwelling units on lots that are legally non-compliant with lot width or lot area.

Provisions currently applicable to a coach house, including height, setback, and maximum size/lot coverage provisions, are generally unchanged from present Section 142, except for those that contravene the direction set out in Bill 23.

Elimination of distinct subzone standards between detached dwellings, duplex dwellings, and three-unit dwellings in all R2-R5 subzones that permit these uses

Policy 4.2.1.1 of the Official Plan sets out that the Zoning By-law shall provide for context-sensitive housing options by "*primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology"*. The current By-law regulates primarily by typology, such that zones permitting two and three-unit dwellings set different standards for such uses than for detached dwellings. As Bill 23 permits two additional units within a detached dwelling, it is now permitted to establish these units on any lot that meets the minimum standards for a detached dwelling, even in zones where "three unit dwellings" would require more stringent standards.

Given the aforementioned direction from the Official Plan and Bill 23, distinct standards for one-to-three unit typologies on urban lots no longer serve any meaningful function. Staff recognize it is necessary to regulate the form and function of development in neighbourhoods through consistent standards for all one-to-three unit typologies, including landscaping, setback, and design standards, as noted below.

Amendments to apply landscaping, setback and design regulations to all urban residential zones, as originally established through past zoning studies (e.g. Infill, R4 Zoning Review, Westboro Zoning Study)

As a result of Bill 23, there is potential for new development to occur with a low-rise apartment form but without the regulatory framework developed to provide for successful ground-oriented apartment dwellings in a neighbourhood context. The City has, in collaboration with industry and community associations, developed infill regulations over many years of collaborative efforts. It is reasonable to ensure that provisions established to ensure compatibility do so in a manner providing a consistency of outcome, and a clear understanding of the rules for industry and members of the public. Zoning regulations proposed to be expanded include, **but are not limited to**, the following:

- Application of front yard and rear yard soft landscaping requirements, as originally set out through the Infill and R4 Zoning studies;
- Restrictions on walkway widths and setback requirements for attached garages, as set out through the Infill studies;
- Design regulations including fenestration and articulation requirements, as set out through the R4 Zoning Review;
- Application of front, side, and rear yard setback requirements, as originally set out through the Infill studies, to all residential zones within the urban area.

Proposed amendment to implement residential zoning standards as required per the Planning Act, as amended by Bill 23:

The following amendments are required to implement the requirement to permit two additional dwelling units in any detached dwelling, semi-detached dwelling, linked-detached, or townhouse dwelling on any fully-serviced residential lot (for a total of three units per lot) in the City of Ottawa Zoning By-law 2008-250, as defined under the *Planning Act*, as amended by Bill 23.

The additional units required to be permitted as per Bill 23 are either three units within the principal building, or a combination of two units in the principal building, and one unit within an ancillary building (i.e. coach house). Currently, the Zoning By-law has provisions for "secondary dwelling units" in Section 133 and for coach houses in Section 142, which have the effect of permitting one additional dwelling unit in any detached dwelling, semi-detached dwelling, linked-detached dwelling, duplex, or townhouse (as was previously required under the *Planning Act*).

Note that Bill 23 has deemed provisions directly prohibiting the creation of the aforementioned additional dwelling units to be of no effect, thus this amendment ensures that the Zoning By-law is in accordance with this direction while applying consistent standards to said units.

With this in mind, it is proposed to merge Sections 133 and 142 into a single section setting out regulations for "additional dwelling units", addressing both additional units in principal buildings as well as coach houses. This will clearly lay out what is permitted in terms of additional units in accordance with the *Planning Act*, as amended.

New Section – Additional Dwelling Units

Delete Section 133 (Secondary Dwelling Units) and Section 142 in its entirety and replace with wording similar in effect to the following:

Section XXX – Additional Dwelling Units and Coach Houses

General

(1) (a) Subject to subsections (2) through (19), a coach house and/or additional dwelling units are permitted on a lot containing a detached dwelling, linked-detached dwelling, semi-detached dwelling, townhouse dwelling or duplex dwelling.

(b) Despite (a), in Area D on Schedule 1, a phased development is permitted where a coach house may exist prior to the establishment of a dwelling type listed in (a), provided the servicing requirements of subsection (7) are met and that XXX(1)(a) is satisfied upon the completion of all the phases of development.

(2) An additional dwelling unit or coach house must be located on the same lot, or portion of a lot as its associated principal dwelling unit, whether or not that parcel is severed.

(a) In the case of a semi-detached, linked-detached, or townhouse dwelling, the regulations of this section apply to each portion of a lot on which each principal dwelling unit is located, whether or not that parcel is to be severed.

(3) (a) Where permitted, in no case may the sum of all principal dwelling units, additional dwelling units, and coach houses located on a lot, or portion of a lot associated with the principal dwelling unit where the lot is not severed, exceed three units.

(b) Despite (a), no more than one unit is permitted as a coach house.

(c) Despite (a) and (b), where a property is not serviced by municipal water, sewerage and drainage systems that have adequate capacity, a maximum of either one additional dwelling unit or one coach house is permitted.

(d) Despite (a) and (b), where located in Area D on Schedule 1, a coach house is not permitted on a lot that is less than 0.4 hectares in area, and not serviced by both a public or communal water system and public or communal wastewater system.

(4) Where an oversized dwelling unit is permitted on a lot containing additional dwelling units and/or coach houses:

(a) the maximum cumulative number of bedrooms permitted in all principal and additional units on the lot is twelve.

(b) despite (a), an oversize dwelling unit is not permitted within a coach house.

(5) Parking and driveways serving an additional dwelling unit and/or coach house are subject to the following:

(a) In the case of a corner lot, a new driveway may be created in a yard which abuts a street and which does not contain a driveway for the principal dwelling unit.

(b) Except in the case of subsection (5)(a), and despite 100(5), a parking space for an additional dwelling unit or coach house must be located in a permitted driveway associated with the principal dwelling unit, and may be in tandem with the principal dwelling unit's parking space.

Coach Houses

(6) A coach house must be located:

(a) in the rear yard for lots less than 0.4 hectares in area (By-law 2017-231) (By-law 2017-322)

(b) in the case of a lot with frontage on both a street and a travelled public lane, in the yard adjacent to the travelled public lane.

(7) A coach house must be serviced:

(a) Within Areas A, B and C on Schedule 1, from the principal dwelling, and the principal dwelling must be serviced by a public or communal water and waste water system;

(b) Within Area D on Schedule 1,

(i) by sharing at least one of either the well or septic system servicing the principal dwelling, or

(ii) from the principal dwelling serviced by a private septic system, private well, communal water system or communal waste water system.

(8) The maximum permitted height of a building containing a coach house:

(a) in the AG, EP, ME, MR, RC, RG, RH, RI, RR, RU, V1, V2, V3 and VM Zones, is the lesser of:

(i) the height of the principal dwelling; or

(ii) 4.5 metres.

(iii) despite (ii), where the building containing a coach house also includes a garage containing a parking space established in accordance with Part 4 of this by-law, the building may have a maximum height of 6.1 metres. (By-law 2017-231)

(b) in any other zone, is the lesser of:

(i) the height of the principal dwelling; or

(ii) 3.6 metres, except for a coach house with a flat roof, which has a maximum building height of 3.2 metres; (By-law 2017-231)

(c) section 64 (Permitted Projections Above the Height Limit) does not apply to a building containing a coach house, except with respect to:

(i) chimneys

(ii) flagpoles

(iii) ornamental domes, skylights or cupolas, provided that the cumulative horizontal area occupied by such features does not exceed 20% of the footprint of the coach house.(9) Required setbacks from lot lines for a coach house are as follows:

(a) from the front lot line, the minimum setback must be equal to or greater than the minimum required front yard setback for the principal dwelling.

(b) from the corner side lot line, the minimum setback must be equal to or greater than the minimum required corner side yard setback for the principal dwelling.

(c) from the interior side lot line,

(i) Within Areas A, B, and C on Schedule 1, where the interior side lot line abuts a travelled lane or where no entrance or window faces the interior side lot line, the maximum permitted setback is 1 metre (By-law 2017-231)

(ii) in all other cases, the minimum required setback is 4 metres

(d) from the rear lot line,

(i) where the rear lot line abuts a travelled lane or where no entrance or window faces the rear lot line, the maximum permitted setback is 1 metre

(ii) in all other cases, the minimum required setback is 4 metres.

(e) Where an easement exists which prevents a coach house from complying with a maximum setback, the maximum setback may be increased only to such a point so as to accommodate the easement, and 0% fenestration is permitted on any wall less than 4 m from a property line that also faces that property line. (By-law 2021-215)

(f) Despite the above, where located in Areas A, B or C of Schedule 1, where a wall of the coach house faces an interior side lot line or rear lot line that abuts a non-residential use, the minimum setback from the interior side lot line or rear lot line is 1.2 m. (By-law 2022-103)

(g) A coach house must be a distance of at least 1.2 m away from any other building located on the same lot.

(10) The **footprint** of a building containing a coach house excluding an accessory use which services the primary dwelling and the coach house building, may not exceed the lesser of: (By-law 2017-231)

(a) 40% of the **footprint** of the principal dwelling, or where the principal dwelling has a **footprint** of 125 square metres or less, 50 square metres;

(b) 40% of the area of the yard in which it is located; or

(c) 80 square metres in Area A, B and C on Schedule 1, or 95 square metres in Area D on Schedule 1.

(11) The total **footprint** of a building containing a coach house plus all accessory buildings and structures in a yard may not exceed:

(a) in the AG, EP, ME, MR, RC, RG, RH, RI, RR and RU Zones, 5% of the area of the yard in which they are located, or

(b) in any other zone, 50% of the area of the yard in which they are located.

(12) A walkway must be provided from a driveway, public street or travelled lane to the coach house, and such walkway:

(a) must be at least 1.2 metres in width;

(b) must not exceed 1.5 metres in width;

(c) no person may park a vehicle on any part of a walkway under this subsection, other than that part of the walkway that encroaches on a permitted driveway.

(14) A vehicle associated with a coach house may be parked in tandem in the driveway of the principal dwelling.

(15) The roof of a building containing a coach house:

(a) may not contain any rooftop garden, patio, terrace or other amenity area;

(b) despite (a), may contain a vegetative green roof provided it is not designed or equipped for use as an amenity area.

(c) when located on a property in Areas A, B or C on Schedule 1, must not be a shed style roof. (By-law 2017-231)

(16) Where located entirely in the rear yard, all or part of an accessory building existing as of September 14, 2015 may be altered to contain a coach house in accordance with the following:

(a) the building envelope may be enlarged in accordance with this subsection, and subsections (8)(a), (8)(b) and (9) do not apply except as set out in this subsection;

(b) the building including any enlargement must continue to be located entirely within the rear yard;

(c) no part of the building that is not located within the building envelope of the original accessory building as it existed on September 14, 2015, may exceed the applicable maximum permitted building height in subsection (8);

(d) no window or entrance is permitted on any wall facing and within 4 metres of a lot line.

(17) Where not located entirely in the rear yard, all or part of an accessory building existing as of September 14, 2015 may be altered to contain a coach house in accordance with the following:

(a) the building may not be enlarged beyond the building envelope of the accessory building as it existed on September 14, 2015;

(b) subsections (6), (8)(a), (8)(b), and (9) do not apply except as set out in this subsection; and

(c) no window or entrance is permitted on any wall facing and within 4 metres of a lot line.

(18) Despite subsection (9), where an accessory building existing as of September 14, 2015 exceeds the permissible footprint in subsection (10), all or part of the accessory building may be altered to contain a coach house in accordance with subsections (16) or (17) provided that:

(a) after the addition of the coach house, the building envelope has not been enlarged beyond the envelope existing on September 14, 2015; and

(b) the gross floor area of the coach house does not exceed 80 square metres, if located within Areas A, B or C on Schedule 1, or 95 square metres in Area D on Schedule 1. (By-law 2016-356)

(19) Clause 3(1)(b) of Section 3 does not apply to a coach house.

New and amended definitions

Amend Section 54 (Definitions) as follows:

By deleting the definition of "secondary dwelling unit" and replacing it with the following definition for "additional dwelling unit", as follows:

Additional dwelling unit means a separate dwelling unit located in the same building as an associated principal dwelling unit in a detached dwelling, linked-detached dwelling, semi-detached dwelling, duplex dwelling, or townhouse dwelling; and its creation does not result in the conversion of the existing residential use into a different residential use.

By amending the definition of "coach house" by replacing the reference to "separate dwelling unit" with "separate additional dwelling unit", so that it reads as follows:

Coach House means a separate additional dwelling unit that is subsidiary to and located on the same lot as an associated principal dwelling unit, but is contained in its own building that may also contain uses accessory to the principal dwelling.

What this means:

The above will permit up to a total of three units, including permitted additional dwelling units, on a residential lot containing a detached, semi-detached, linked-detached, duplex, or townhouse dwelling, on a lot with access to full municipal water and wastewater services. It should be noted that this is irrespective of whether the lot is located within the City's urban boundary; the amended *Planning Act* applies the requirement to allow three units to any lot fully serviced by municipal services. Thus lots in villages with these services (e.g. certain areas in Carp, Manotick, or Richmond) are subject to this permission, whereas lots within the urban boundary with private services are permitted only one additional dwelling unit as presently provided for in current Sections 133 and 142.

The present limitations on size in relation to secondary dwelling units will instead be replaced with a maximum cumulative limit on the number of bedrooms permitted within all units on the lot under this section. In particular, given that "oversize dwelling units" (i.e. dwelling units containing up to 8 bedrooms, whereas a maximum of 4 bedrooms are normally allowed in a dwelling unit) are contemplated within detached dwellings, this section will limit the maximum cumulative number of bedrooms across all principal, additional, or coach house dwelling units to twelve. This ensures that in no case may

the number of bedrooms in all units may exceed the total number permitted in three "standard" dwelling units, even in cases where oversize units are permitted.

Provisions currently applicable to a coach house, including height, setback, and maximum size/lot coverage provisions, are generally unchanged from present Section 142, except for those that contravene the direction set out in Bill 23 as well as any other subsection made redundant by merging the coach house and secondary dwelling unit provisions. These provisions are reflected in subsections (6) through (19) of the above-noted proposed section.

*Currently applicable provisions proposed **to no longer apply** in the proposed new section:*

- Requirement to "not change the streetscape character" (current 133(2)(a)). This provision is vague in a zoning context and does not directly regulate specific features of a building or dwelling unit.
- The prohibition on secondary/additional dwelling units on lots legally non-compliant with lot width or lot area (current 133(3)).
- All current provisions in relation to size and floor area limits for secondary dwelling units (current 133(1), (5)-(8)), aside from limits on the number of bedrooms in accordance with the definition of a "dwelling unit" including four bedrooms or fewer per unit.
- The prohibition of separate street-facing entrances as currently provided by Section 133(9) for additional dwelling units. This is consistent with present and past Zoning By-law and Official Plan direction that front-facing entrances are generally consistent with and do not detract from streetscape character.
- References to density calculations as currently provided by Section 133(18). These are inconsistent with present Official Plan direction.

<u>Harmonizing standards for one-to-three unit typologies in residential subzones</u>

Amend Section 158 (R2 Subzones) as follows:

By deleting the "Duplex" provisions in Table 158A from the following subzones, and applying the same subzone provisions to duplex dwellings as for detached and linked-detached dwellings:

R2A, R2L, R2Z

By deleting "Duplex" as a prohibited use under Column II of Table 158A, and applying the same subzone provisions to duplex dwellings as for detached and linked-detached dwellings:

R2B, R2C, R2K, R2M, R2O, R2P, R2V

Amend Section 160 (R3 Subzones), Section 162 (R4 Subzones), and Section 164 (R5 Subzones) as follows:

By deleting the "Three Unit" provisions in Table 160A, 162A, and 164A from the following subzones, and applying the same subzone provisions to three unit dwellings as for detached, duplex, and linked-detached dwellings:

R3A, R3B, R3C, R3D, R3E, R3EE, R3F, R3G, R3H, R3M, R3N, R3O, R3P, R3Q, R3R, R3S, R3T, R3U, R4A, R4B, R4D, R4F, R4G, R4J, R4L, R4N, R4Q, R4S, R4T, R4U, R4V, R4Y, R4UA, R4UB, R4UC, R4UD, R5J, R5K, R5L, R5M, R5N, R5P, R5Q, R5Y

By deleting the "Three Unit" and "Duplex" provisions in Table 160A and 162A from the following subzones, and applying the same subzone provisions to three unit and duplex dwellings as for detached and linked-detached dwellings:

R3VV, R3WW, R3X, R3XX, R3Y, R3YY, R3Z, R4X, R4Z, R4ZZ

By deleting "Three Unit Dwelling" as a prohibited use under Column II of Table 160A, and applying the same subzone provisions to three unit dwellings as for detached, duplex, and linked-detached dwellings:

R3J, R3K, R3V, R3W

Amend Section 157 and 158 (R2 Subzones) as follows:

By amending 157(7) to the following:

"(7) Lots containing a semi-detached dwelling are considered to be one lot for the purposes of applying minimum lot width, lot area, and yard setback requirements."

By deleting the "Semi-Detached" and "Long Semi-Detached" provisions in Table 158A from all subzones, and applying the same subzone provisions to semi-detached and long semi-detached dwellings as for detached and linked-detached dwellings.

Amend Section 159 and 160 (R3 Subzones) as follows:

By amending 159(8) to the following:

"(8) (a) Lots containing a semi-detached dwelling are considered to be one lot for the purposes of applying minimum lot width, lot area, and yard setback requirements.

(b) Minimum lot width, lot area and parking requirements for linked-detached dwelling and townhouse dwelling shall apply to each portion of a lot on which each individual dwelling unit is located, whether or not that parcel is to be severed."

By deleting the "Semi-Detached" and "Long Semi-Detached" provisions in Table 160A from all subzones, and applying the same subzone provisions to semi-detached and long semi-detached dwellings as for detached and linked-detached dwellings.

Amend Section 161 and 162 (R4 Subzones) as follows:

By amending 161(10) to the following:

"(10) (a) Lots containing a semi-detached dwelling are considered to be one lot for the purposes of applying minimum lot width, lot area, and yard setback requirements.

(b) Minimum lot width, lot area and parking requirements for linked-detached dwelling and townhouse dwelling shall apply to each portion of a lot on which each individual dwelling unit is located, whether or not that parcel is to be severed."

By deleting the "Semi-Detached" and "Long Semi-Detached" provisions in Table 162A from all subzones, and applying the same subzone provisions to semi-detached and long semi-detached dwellings as for detached and linked-detached dwellings.

Amend Section 163 and 164 (R5 Subzones) as follows:

By amending 163(10) to the following:

"(8) (a) Lots containing a semi-detached dwelling are considered to be one lot for the purposes of applying minimum lot width, lot area, and yard setback requirements.

(b) Minimum lot width, lot area and parking requirements for linked-detached dwelling and townhouse dwelling shall apply to each portion of a lot on which each individual dwelling unit is located, whether or not that parcel is to be severed."

By deleting the "Semi-Detached" and "Long Semi-Detached" provisions in Table 164A from the following subzones, and applying the same subzone provisions to semi-detached and long semi-detached dwellings as for detached and linked-detached dwellings:

R5B, R5C, R5F, R5G, R5H, R5I, R5J, R5K, R5L, R5M, R5N, R5P, R5Q, R5Y, R5Z

What this means:

The above amendments, in conjunction with the proposed new section pertaining to "additional dwelling units", are to ensure that the same zoning standards are applicable for any fully serviced residentially zoned lot within the urban area of the City, including with respect to:

- Minimum lot width and area
- Minimum yard setbacks
- Maximum building height

The first set of amendments address duplexes and three-unit dwellings respectively, whereas the second set of amendments address semi-detached and long semi-detached dwellings respectively. In all cases, these amendments would establish the same standards for these uses as are present for a detached dwelling in each residential subzone.

Policy 4.2.1.1 of the new Official Plan sets out, among other things, that the Zoning By-law shall provide for a range of context-sensitive housing options by "*primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology"*. Presently, many of the City's residential subzones in zones regulate primarily by typology, such that zones that currently permit two and three-unit dwellings usually set out different standards for such uses than for detached dwellings.

As Bill 23 permits two additional units to be established within a detached dwelling, this means that a property owner would be permitted to establish these additional units on any lot that meets the minimum zoning standards for a detached dwelling, even in zones where "three unit dwellings" would require more stringent standards.

Given this, and the aforementioned direction in the new Official Plan, it is staff's position that distinctions in subzone standards for one to three unit typologies on urban residential lots no longer serve any meaningful function. Staff recognize that it is necessary to regulate the form and function of development in neighbourhoods to ensure that it is contextual, and are of the opinion that this is best served through establishing consistent standards for all one to three unit typologies, including those standards discussed in "*Proposed amendments to apply infill landscaping, setback and design regulations to all urban residential zones*", below.

Amend Section 101 (Minimum Parking Space Rates) as follows:

By amending Column I of Row R24 of Table 101 to amend "secondary dwelling unit" to "additional dwelling unit".

By deleting Row R25 of Table 101.

What this means:

This updates the terminology in the minimum parking section of the Zoning By-law, and eliminates requirements for additional parking in association with additional units in a duplex dwelling.

Amend Part 15 (Exceptions) as follows:

By deleting "secondary dwelling unit" from Column IV of Exceptions 1256, 1257, 1258, 1259, 1260, 1261, and 1262.

By amending the definition of "gross floor area" found in Column V of Exceptions 1256, 1257, 1258, 1259, 1260, 1261, and 1262 by adding the words "and coach houses" after the words "accessory buildings", so that this definition reads:

"gross floor area, means the total area of each floor, measured from the exterior of outside walls, excluding a basement, and including:

1. accessory buildings *and coach houses*;
2. potential floor area that is the area of a floor that is projected from an actual floor of a storey that is above the floor area of another storey or basement; and
3. attic, where the height above the floor area of the attic is a minimum of 2.3 m over at least 75% of the floor area with a clear height of 2.1 m of any point over the floor area"

What this means:

This has the effect of removing "secondary dwelling units" (to be called additional dwelling units) as a prohibited use within the former Village of Rockcliffe Park.

Bill 23 has deemed all provisions directly prohibiting up to two additional units to be of no effect. This includes provisions directly prohibiting the use of secondary/additional dwelling units in specific geographic areas where said areas are serviced by municipal services. All other provisions of the aforementioned exceptions as well as other zoning provisions specific to Rockcliffe Park will continue to apply and are not proposed to be affected by this amendment, including but not limited to lot coverage and floor space index (FSI) limits, and area-specific driveway restrictions.

The zoning exceptions specific to Rockcliffe Park as noted above set out their own restrictions on maximum gross floor area through a floor space index, which includes the floor area of all buildings on the lot. The amendment to the definition of "gross floor area" is to ensure that in the case of a property subject to these exceptions, the same floor space index is applied when a coach house is constructed.

Amend Section 58 (Flood Plain Overlay) as follows:

By replacing the reference to "secondary dwelling unit" in Section 58(2)(e) with "additional dwelling unit.

By amending Section 58(2)(b) to add reference to a coach house, so that it reads *"for a coach house or an accessory building or structure to a use permitted in the underlying zone which does not exceed a gross floor area of 50 square metres and a height of one storey;".*

By deleting "coach house" as a prohibited use within the flood plain overlay under Section 58(3), and replacing it with "coach house, where on a lot not serviced by municipal water, sewerage and drainage systems that have adequate capacity"

By amending Section 58(4) to delete the words "other than a coach house" and replace them with "other than an additional dwelling unit that is either partially or fully below grade".

What this means:

- As Bill 23 requires zoning to permit additional dwelling units including coach houses on all serviced residential lots and supersedes any regulations that would have the effect of prohibiting such units outright, the outright prohibitions for coach houses in the Flood Plain Overlay are no longer enforceable in the case of fully serviced residential lots and are proposed to be removed for such circumstances.
- Additional dwelling units partially or fully below grade are proposed to remain prohibited in the Flood Plain Overlay.
- Within the Flood Plain Overlay, new accessory buildings are limited in size to 50 square metres in gross floor area and a height of one storey. It is proposed to apply the same restrictions to new coach houses.

Proposed amendments to apply infill landscaping, setback and design regulations to all urban residential zones:

The *Planning Act* as amended by Bill 23 will permit up to 3 principal units to occur in the context on an urban serviced area, on each parcel of residential land that would generally be associated with a detached, semi-detached, linked-detached or townhouse typology. This means that each parcel could provide up to 3 principal units, resulting in a building with a density, intensity of use, building form and site functionality with more reference to a low-rise apartment than to a detached, semi-detached or townhouse typology.

As Bill 23 will allow for three-unit forms of housing to occur as-of-right in all zones across the City wherever a detached, semi-detached, linked-detached, duplex, or townhouse are permitted, including variations such as long semi-detached dwelling, there exists the likelihood that new development under Bill 23 provisions will move forward with a low-rise apartment form but without the regulatory framework that has been developed to provide for successful ground-oriented apartment dwellings in a neighbourhood context.

As the City has, in collaboration with industry and community associations, developed infill regulations and low-rise apartment regulations over many years of collaborative efforts, for the sake of consistency it is reasonable to ensure that provisions established to ensure compatibility are established in like manner to provide for consistency of outcome, and a clear understanding of the rules for industry and in regard to the public interest.

Amend Section 139 (Low Rise Residential Development in All Neighbourhoods within the Greenbelt) as follows:

By amending 139(1) so that it reads "*The following provisions apply to all R1, R2, R3, and R4 zones, to buildings four storeys or fewer in R5 zones, and to all V1, V2, and V3 zones on lots with full water and wastewater services*."

By adding the following as 139(2) and renumbering subsequent sections accordingly:

*"**Rear Yard Landscaping***

(2) (a) Any part of the rear yard not occupied by accessory buildings and structures, permitted projections, bicycle parking and aisles, hardscaped paths of travel for waste and recycling management, pedestrian walkways, patios, and permitted driveways, parking aisles and parking spaces, must be softly landscaped.

(b) The minimum area of soft landscaping per (a) must be:

(i) in the case of a lot of less than 360 square metres in area, at least 35 square metres

(ii) in the case of a lot equal to or greater than 360 square metres but less than 450 square metres in area, at least 50 square metres

(iii) in the case of a lot 450 square metres or greater, at least 50 per cent of the rear yard

(iv) in all cases, must comprise at least one aggregated rectangular area of at least 25 square metres and whose longer dimension is not more than twice its shorter dimension, for the purposes of tree planting."

By amending the existing subsection (2)(a) respecting driveways (to be renumbered to subsection (3)(a)) by adding the following as clause (iii):

"(iii) in all other cases, the maximum permitted width is as per Section 107."

By amending the title of the second column of Table 139(3) by replacing the words "minimum lot width or street frontage required" with "lot width or street frontage".

By amending the existing subsection (3)(a) respecting garages (to be renumbered to subsection (4)(a)) by replacing the words "*must be set back at least 0.6m further from the applicable lot line*" with "*must be no closer to the applicable lot line*".

By adding the following as subsection (5) and renumbering all subsequent sections accordingly:

"(5) The front yard and corner side yard must be equipped with solid, permanent fixtures sufficient to prevent motor vehicle parking in contravention of this By-law, and for greater clarity:

(a) such parking exclusion fixtures may include bicycle racks, benches, bollards, ornamental fences or garden walls, raised planters, trees, wheelchair lifting devices, or some combination thereof; and

(b) raised planters are deemed to be soft landscaping for the purposes of determining front yard landscaping requirements."

By amending the existing subsection (5) respecting existing average grade (to be renumbered to subsection (7)) by adding the words "In the case of a property located within Area A on Schedule 342" to the beginning of the subsection, so that it reads:

"(7) In the case of a property located within Area A on Schedule 342, despite the definition of grade in Section 54, except in the case of a Planned Unit Development, the definition of existing average grade will be used for calculations referring to grade. Existing average grade must be calculated prior to any site alteration and based on the average of grade elevations:

(a) for an interior lot, at the intersection of interior side lot lines with the minimum required front yard and rear yard setbacks of the zone in which the lot is located, and

(b) for a corner lot, at the intersection of the interior side lot line with the minimum required front yard and rear yard setbacks of the zone in which the lot is located, and at the intersection of a corner side yard setback with the minimum required front yard and rear yard setbacks of the zone in which the lot is located."

By adding the following as subsections (8) to (13):

Built Form Regulation

(8) Subsections (9) to (11) apply in the case of a property located within Area A on Schedule 342.

(9) The front facade must comprise at least 25 per cent windows, and furthermore,

(a) any corner side facade must comprise at least 15 per cent windows;

(b) windows located in doors may count towards the minimum fenestration requirement; and

(c) Any window counted towards the minimum fenestration requirement, other than windows in doors or at the basement level, must have a lower sill no higher than 100 centimetres above the floor level.

(10) (a) At least 20 per cent of the area of the front facade must be recessed an additional 0.6 metres from the front setback line.

(b) Areas covered by a bay window projecting into a required front yard or corner side yard may count towards the minimum required by (a).

(11) Despite (10), no additional recession of the front facade is required when balconies or porches are provided on the front or corner side facade as follows:

(a) in the case of a lot of less than 15 metres width, one balcony or porch for each storey at or above the first storey is provided;

(b) in the case of a lot of 15 metres width or greater, one balcony or porch for every unit that faces a public street at or above the first storey; and

(c) in any case each balcony or porch must have a horizontal area of at least two square metres.

(12) despite Table 65, a bay window projecting into a required front yard or corner side yard may extend to grade provided such bay window:

(a) is located on the part of a front or corner side facade other than the recessed part required by (10);

(b) has a horizontal area of two square metres or less; and

(c) projects by no more than one metre into the yard, but in any case, no closer than three metres from the front lot line.

(13) Exit stairs providing required egress under the Building Code may project a maximum of 2.2 metres into the required rear yard.

(14) Subsections (9) and (10) do not apply to:

(a) Lands designated under Part IV of the Ontario Heritage Act, or

(b) Lands in a district designated under Part V of the Ontario Heritage Act. "

What this means:

- Section 139 sets out landscaping, driveway, attached garage, and walkway regulations for low-rise residential zones inside the Greenbelt. This amendment will apply these regulations to all low-rise residential zones, including those in village residential zones with access to municipal services. Requirements that will apply to these zones from this section include the following:
- A minimum aggregated landscaped area is required to be provided in the front yard. The area required is a minimum percentage of the total front yard area, normally between 30 and 40 percent depending on a lot's width and the front yard setback of the building.
- For neighbourhoods inside the Greenbelt, driveway widths will also be restricted based on lot width. Full details on these restrictions can be found in Table 139, however in general this has the effect of prohibiting individual (non-shared) driveways on lots less than 6 metres in width, and prohibiting double-width driveways on lots less than 15 metres in depth.
- Walkways are restricted in width depending on the dwelling type they are serving. In the case of detached, semi-detached, linked-detached, duplex, and townhouse dwellings, they are restricted to a maximum of 1.2 m in width. In addition, walkways leading to the street are prohibited where a driveway is provided on a lot less than 10 m wide, and in any case must be separated from the driveway by at least 0.6 m.
- Attached garages must not be closer to the front lot line than the closest point of the principal entrance into the building (either the front door or the front most point of a projection accessing the front door not located in the required front yard). Note that the current Section 139 required a further setback for such a garage; the proposed amendment will merely require that garages subject to this section not be further forward of the rest of the building.
- For further details, Section 139 of the Zoning By-law can be found here: https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/zoning-law-no-2008-250

What's changed in this section:

- Standards for building façade articulation and fenestration, currently applicable to certain R4 subzones, are proposed to apply more generally in residential zones. This includes the requirement for 20% of the front façade to be set an additional 0.6 m back, and for at least 25% of the front façade to comprise windows.
- Note that the aforementioned height and façade regulations are not proposed to apply to heritage buildings designated under Part IV of the *Heritage Act*, nor to Heritage Conservation Districts designated under Part V of the *Heritage Act*.
- Rear yard landscaping requirements are proposed to be introduced in this section where they previously have not existed. These regulations were first introduced for certain R4 zones in the urban area, but are proposed to be expanded City-wide.

Amend Section 144 (Alternative Yard Setbacks affecting Low-rise Residential Development in the R1 to R4 zones within the Greenbelt) as follows:

By amending the first line ("The following yard setbacks apply to any lot zoned R1, R2, R3 and R4 Zone located within Area A of Schedule 342.") to read the following:

"The following yard setbacks apply to any lot zoned R1, R2, R3, R4, and R5 zones, to a building four storeys or fewer in height, except in the former Village of Rockcliffe Park as shown on Schedule 363".

By deleting Section 144(3) and Tables 144A and 144B and replacing them with the following as Section 144(3) and Table 144:

3) *"Where a lot's rear lot line abuts either an R1, R2, R3 or R4 zone, or abuts a lane that abuts an R1, R2, R3, or R4 zone on either side, except in the case of a Planned Unit Development:*

   (a) the rear yard must comprise at least 25 percent of the lot area; and the minimum rear yard setback is pursuant to Table 144 below.

   (b) In addition to the required rear yard setback, where a building contains fewer than 6 dwelling units, no part of a building may be located further away than 24 metres from the front lot line, except that projections permitted under Section 65 may project beyond that point in accordance with the restrictions of that section."

Table 144: Rear Yard Setback Requirements

	I	*II*
	Lot depth	*Minimum rear yard, where the rear lot line abuts a R1, R2, R3, or R4 zone*
(i)	*24m or less*	*25% of the lot depth*

(ii)	*more than 24m but not more than 25m*	*Lot depth minus 18m*
(iii)	*More than 25 m but not more than 30 m*	*28% of the lot depth*
(iv)	*More than 30 m*	*28% of the lot depth*

What this means:

- Section 144 sets out alternative setback regulations for low-rise residential zones inside the Greenbelt. This amendment will apply these regulations to all low-rise residential zones within the urban boundary. In particular:
- Front yard setbacks are required to line up with existing setbacks of abutting properties, such that the minimum required is the average of said existing setbacks, but need not exceed the minimum set out in the applicable zone.
- Rear yard setbacks are based on lot depth, which in most cases can be as high as 28 percent of the lot depth (see below).
- On corner lots in R2, R3, and R4 zones, where principal entrances face both street frontages, it is permitted to reduce the rear yard setback to 1.2 m provided an interior “courtyard” is provided abutting both the rear and interior side lot lines, with dimensions equal to the required rear yard setback under this section and 30 percent of the total lot width.
- For further details, Section 144 of the Zoning By-law can be found here: https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/zoning-law-no-2008-250
- This section is not proposed to apply to village residential zones, as these setback provisions were specifically designed with urban area residential zones in mind and were not contemplated for use in the rural area.
- This section is also not proposed to apply to the former Village of Rockcliffe Park, which has its own area-specific setback, lot coverage, and floor space index (FSI) regulations.

What’s changed in this section:

- The rear yard setbacks required under this section are proposed to be standardized into one set of provisions, whereas presently there are two separate sets of rear yard standards based on the property’s front yard setback requirement. In general, a lot less than 24 metres in depth requires a setback equal to 25% of the lot depth, a distance equal to the lot depth minus 18 m for depths between 24 and 25 m, increasing to 28% of the lot depth for lots over 25 metres in depth. Where a lot does not abut a residential zone at the rear, a setback of 25% of the lot depth is required, but does not need to exceed 7.5 m.
- For buildings containing 6 dwelling units or fewer, in addition to the required rear yard setback, no part of the building may be located further away than 24 metres from the front lot line. This is intended to ensure buildings on deeper lots (i.e. 35

metres or greater) are not significantly larger in scale or massing than their surrounding context, except where the additional floor area is provided for apartment buildings where such uses are permitted. This was originally introduced in Section 146 of the Zoning By-law for a portion of the Westboro neighbourhood, but is proposed to apply to residential zones City-wide.

Amend Table 160B and Table 162B as follows:

By adding a new endnote, to be applied to all subzones zones with <10 m height limits for detached/semi-detached/three unit dwelling uses:

"Where not on a lot that is designated under Part IV of the Ontario Heritage Act, nor in a district designated under Part V of the Ontario Heritage Act:

the maximum height may be increased to 10 metres provided a minimum of 50 per cent of the total horizontal roof area includes a pitch roof with a minimum 1:2 slope, or alternatively provided no more than 50 per cent of the total horizontal roof area is built above the height limit listed in the subzone."

For further clarity, this new endnote is intended to apply to the following subzones:

R3 zones: R3A, R3C, R3D, R3E, R3F, R3H, R3M, R3N, R3O, R3R, R3S, R3W

R4 zones: R4B, R4D, R4G, R4J, R4L, R4N, R4Q, R4U

What this means:

- Building heights in R3 and R4 subzones that permit less than a 10 m maximum height (i.e. 2 storeys) are permitted to increase height to 10 m where a peaked roof of at least a 1:2 slope is provided. This was originally introduced in Section 146 of the Zoning By-law for a portion of the Westboro neighbourhood, but is proposed to apply to residential zones City-wide.
- The purpose of this is to establish consistent height standards for development in these zones, and to ensure that taller development (i.e. 3 storeys or 10 m building height) is accomplished in a manner that is appropriate to existing context.

Amend Section 55 (Accessory Uses, Buildings, and Structures) as follows:

By amending Table 55(8), column II, to read "Rooftop landscaped areas, gardens, and terraces in the R1, R2, R3, R4, R5, V1, V2, and V3 zones, on a building four or fewer storeys in height".

What this means:

- Table 55(8) currently sets out restrictions for rooftop landscaped areas, terraces, patios, and access structures in residential zones inside the Greenbelt. It is proposed to apply these to all residential and village residential zones.

- This includes a requirement for rooftop patios to be set back 1.5 m from the exterior walls of the building, and for rooftop accesses to be set back a distance equal to its height from the front and rear walls of the building.

Amend Section 64 (Permitted Projections above the Height Limit) as follows:

By amending the last line of Section 64 to read as follows:

"Despite the above, in the R1, R2, R3, R4, and R5 zones, and also in V1, V2, and V3 zones on lots with access to municipal water and wastewater services, a parapet may project no more than 0.3 m above the maximum building height."

What this means:

- Parapets on building roofs in residential zones would not be allowed to project more than 0.3 m above maximum permitted building height, as is presently applicable in residential zones inside the Greenbelt.

Amend Section 65 (Permitted Projections into Required Yards) as follows:

By amending Subsection 65(2) to delete the words "within Area A of Schedule 342" so that it reads:

"An at-grade projection must not project into the minimum aggregated soft landscaped area required in the front yard and in the corner side yard pursuant to Section 139, on lots zoned R1, R2, R3 and R4, and also in V1, V2, and V3 zones on lots with access to municipal water and wastewater services".

By amending the first line of Table 65(6)(b) ("In the R1, R2, R3 and R4 Zones within Area A of Schedule 342") to read the following:

"*In the R1, R2, R3, and R4 Zones:"*

What this means:

- This regulates the permitted projection rules for decks, balconies, and porches.
- In particular, the R1-R4 zones inside the Greenbelt presently restrict the projection of balconies above the level of the first floor to 1.2 metres into rear yards on lots less than 30.5 m in depth, or no projection permitted into a required yard on lots less than 23.5 m in depth. Decks, porches, and balconies in any other case are permitted to project 2 m into a required yard.
- The proposed amendment will subject the above balcony rules to all urban residential zones.

Proposed Applicability of Infill Standards (Sections 139 and 144) By Area

	R1-4 - Inside Greenbelt	R1-4 - Outside Greenbelt	V1-3 Village Zones
Section 139			
Front Yard Aggregated Landscaping (current 139(1)) % of front yard area based on lot width/front yard setback	x	x	x
Rear Yard Aggregated Landscaping (proposed 139(2)) Aggregated rectangular landscaped area depending on size of lot	x	x	x
Driveway Width Restrictions (139(3)(a)) Based on Table 139(1) - driveway width dependent on lot width e.g. no individual driveways <6m lot width, no double driveways <15m lot width	x		
Other Driveway Provisions (rest of 139(3))	x	x	x
Front Facing Garage Setbacks (139(4)) Cannot be in front of rest of building, principal entrance no more than 0.6 m further from street	x	x	x
Parking Excluder (139(5)) Front/Corner Side Yard must have features to prevent illegal parking (trees, bollards, planters, or other similar features as listed in 139(5))	x	x	x
Walkways (139(6)) Max width, separation from driveways	x	x	x
Existing Average Grade (139(7)) Height measured from "existing average grade" rather than the typical definition of grade	x		
Fenestration, and Façade Articulation (originally R4) (139(9)-(11))	x		
Bay Window Provisions (139(12))	x	x	x

	R1-4 - Inside Greenbelt	R1-4 - Outside Greenbelt	V1-3 Village Zones
Projections for Required OBC Exits (139(13))	x	x	x
Section 144			
Front Yard Setbacks (Averaging) (144(1))	x	x	
Interior Side and Rear Yard Setbacks (144(2) and (3))	x	x	
Maximum Building Depth (new 144(3)(b)) No portion of a building, except permitted projections, may extend further back than 24 m from the front lot line on deep lots	x	x	
Corner Lot Interior/Rear Yard Treatment (144(4)-(7)) Different setbacks for units facing longer street frontage on corner lots, ability to provide "interior courtyard" where principal entrances face both streets	x	x	

Housekeeping Amendments

The following amendments are intended to help ensure efficient and consistent application of the Zoning By-law, and to provide clarification to readers in certain cases where applicable regulations to a given lot or zone may be found in different sections of the By-law.

Amend Section 109 (Location of Parking) as follows:

By amending Section 109(3)(b)(i) to read "the walkway does not exceed the width prescribed in Section 139(4)".

What this means:

- Presently, Section 109 generally permits a 1.8 m walkway width in front yards. However, Section 139 further restricts lot widths to 1.2 m for certain dwelling types. Since Section 139 is now intended to apply to residential zones City-wide, this amendment will clarify that walkway widths are governed by the walkway provisions of that section.

Amend Section 131 (Planned Unit Development) as follows:

By amending Table 131(6)(c) to delete the words "within Schedule 342".

What this means:

- This ensures that the soft landscaping requirements that apply in Section 139 apply to Planned Unit Developments regardless of whether they are located within Schedule 342 (inside the Greenbelt).

Direction in R1-R4 zones to review Sections 139 and 144 for "additional standards"

Amend Section 155(6) to read the following:

Additional Regulations for Urban Areas

(6) (a) For regulations affecting yard setbacks applicable to urban residential lots, see also Part V, Section 144 – Alternative Yard Setbacks affecting Low-Rise Residential Development in Urban Neighbourhoods.

(b) For regulations relating to front and rear yard landscaping requirements, see Part V – Section 139.

(c) For regulations relating to façade articulation and fenestration requirements within Schedule 342, see Part V – Section 139.

(d) For regulations relating to parking and driveway provisions, see Part IV – Parking, Queuing, and Loading Provisions, as well as Part V – Section 139.

Amend Section 157(8) to read the following:

Additional Regulations for Urban Areas

(8) (a) For regulations affecting yard setbacks applicable to urban residential lots, see also Part V, Section 144 – Alternative Yard Setbacks affecting Low-Rise Residential Development in Urban Neighbourhoods.

(b) For regulations relating to front and rear yard landscaping requirements, see Part V – Section 139.

(c) For regulations relating to façade articulation and fenestration requirements within Schedule 342, see Part V – Section 139.

(d) For regulations relating to parking and driveway provisions, see Part IV – Parking, Queuing, and Loading Provisions, as well as Part V – Section 139.

Amend Section 159(9) to read the following:

Additional Regulations for Urban Areas

(8) (a) For regulations affecting yard setbacks applicable to urban residential lots, see also Part V, Section 144 – Alternative Yard Setbacks affecting Low-Rise Residential Development in Urban Neighbourhoods.

(b) For regulations relating to front and rear yard landscaping requirements, see Part V – Section 139.

(c) For regulations relating to façade articulation and fenestration requirements within Schedule 342, see Part V – Section 139.

(d) For regulations relating to parking and driveway provisions, see Part IV – Parking, Queuing, and Loading Provisions, as well as Part V – Section 139.

Amend 161(11) to read the following:

Additional Regulations for Urban Areas

(11) (a) For regulations affecting yard setbacks applicable to urban residential lots, see also Part V, Section 144 – Alternative Yard Setbacks affecting Low-Rise Residential Development in Urban Neighbourhoods.

(b) For regulations relating to front and rear yard landscaping requirements, see Part V – Section 139.

(c) For regulations relating to façade articulation and fenestration requirements within Schedule 342, see Part V – Section 139.

(d) For regulations relating to parking and driveway provisions, see Part IV – Parking, Queuing, and Loading Provisions, as well as Part V – Section 139.

What this means:

- These subsections of the R1, R2, R3, and R4 zones respectively are intended to direct readers to Sections 139 and 144 for additional regulations in these zones. Since it is now proposed to apply these sections to residential zones City-wide and not just inside the Greenbelt, these subsections are proposed to be amended accordingly.
- The purpose of these provisions, to be added to the R1-R4 zone text, is to direct readers reviewing these zones to Sections 139 and 144 as needed for additional regulations (as detailed in this document) which are relevant to these zones.

Moving infill rules specific to large lots in R1 zones to the R1 zone provisions.

Amend Section 155 by adding the following as Subsections (12) and (13):

"(12) Despite the minimum interior side yard setback provision in column VIII of Table 156A, the combined minimum required interior side yard setback for interior or through lots where the lot width is:

(a) 36 metres or greater: must increase by 1 metre for each additional 1 metre of lot width, to a maximum of 40% of the lot width, and

(b) With one yard no less than the minimum interior side yard setback of the applicable zone or subzone.

(13) Despite the minimum front yard setback provision in Column V of Table 156A, on an interior lot with a lot width greater than 36 metres, any part of a detached dwelling that is wider than 60 per cent of the permitted width of the building envelope must be setback a further 2 metres from the front lot line than the rest of the front building façade."

Amend Section 144 by deleting subsections (9) and (10).

What this means:

- These provisions for large lots on R1 zones (i.e. lots greater than 36 m in width) are detailed in Section 144, however as they are specific to R1 zones, it is proposed to move them into the R1 zone provisions directly.

Updating endnotes in R1-R4 subzone tables to refer to Section 144 for rear yard setback requirements

Amend Endnote 6 of Table 156B to read the following:

"In addition to Table 156A, please refer to Section 144 - Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods."

Amend Endnote 7 of Table 156B to read the following:

"In addition to Table 156A, please refer to Section 144 - Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods.

Where a minimum rear yard setback is not provided in Section 144, the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it may not be less than 6.0 m and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m."

Amend Endnote 6 of Table 158B to read the following:

"In addition to Table 158A, please refer to Section 144 - Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods.

Where a minimum rear yard setback is not provided in Section 144, the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it may not be less than 6.0 m and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m."

Amend Endnote 2 of Table 160B to read the following:

"In addition to Table 160A, please refer to Section 144 - Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods.

Where a minimum rear yard setback is not provided in Section 144, the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it may not be less than 6.0 m and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m."

Amend Endnote 4 of Table 162B to read the following:

"In addition to Table 162A, please refer to Section 144 - Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods.

Where a minimum rear yard setback is not provided in Section 144, the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it may not be less than 6.0 m and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m."

Amend the "Rear Yard Setback" clause of Endnote 6 of Table 162B to read the following:

"Rear Yard Setback: In addition to Table 162A, please refer to Section 144 - Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods.

Where a minimum rear yard setback is not provided in Section 144, the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, however it may not be less than 6.0 m and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m."

What this means:

- Certain endnotes in the R1-R4 zone refer you to Section 144 for rear yard setback provisions "when located in Schedule 342". As it is now proposed to apply these setbacks to all R1-R4 zones regardless of area, the endnote descriptions are proposed to be changed.
- Note that in many cases, most subzones default to a rear yard setback of "25% of the lot depth which must comprise at least 25% of the area of the lot, however it may not be less than 6 m and need not exceed 7.5 m". This will continue to be the default for said subzones in cases where Section 144 does not provide a setback. Endnotes that don't specify this rule as a default, such as in the R1 zone, generally have a specific setback amount specified in the subzone table itself.

New Section Names:

The titles of some of the affected sections of the By-law will need to be amended to reflect that they are now intended to apply generally to residential zones within the City. Below are the proposed titles of these sections:

139: Built Form, Landscaping, Parking, and Walkway Regulations affecting Low-Rise Residential Development in Neighbourhoods

144: Alternative Yard Setbacks affecting Low-Rise Residential Development in Urban Neighbourhoods