

# Zoning Confirmation Report

## 200 Elgin Street

### 1.0 Overview

#### 1.1 Introduction

Fotenn Consultants Inc. (“Fotenn”) has been retained by Elgar Holdings Inc. to prepare a Zoning Compliance Report in support of a Site Plan Control application on the lands known municipally as 200 Elgin Street & 169 Lisgar Street in the City of Ottawa (the “subject property”).

#### 1.2 General Site Information

<b>Legal Description</b>	PT LT 55 S/S NEPEAN ST. AND PT LT 55 N/S LISGAR ST. AND ALL LTS 56 & 57 N/S LISGAR ST. ON PLAN 2996, BEING PART 2 ON PLAN 4R-5640, OTTAWA. SUBJECT TO AND TOGETHER WITH RIGHTS AS IN LT 494415. SUBJECT TO AN EASEMENT ON FAVOUR OF CARLETON CONDOMINIUM CORPORATION NO. 365 OVER LOT 55 S/S NEPEAN ST. AND PT 55 N/S LISGAR ST. PLAN 2996 AS IN LT 1242133. SUBJECT TO AN
<b>Zoning By-law (2008-250)</b>	TM5[71]
<b>Zoning Overlay</b>	Mature Neighbourhoods Overlay
<b>City of Ottawa Official Plan (2022)</b>	Downtown Core Transect; Mainstreet Corridor - Hub
<b>Central and East Downtown Core Secondary Plan</b>	Corridor – Max. Building Height: 27 storeys

#### 1.3 Proposed Development

This proposal seeks to convert the existing office uses within the building at 200 Elgin Street to residential uses through an in-situ conversion, in which the existing building is to remain. The existing building on the property represents a common fabric element of the City’s downtown area, and as part of the general trends being seen across the City, the desire to see office space converted to residential uses has materialized through this application. The building at 169 Lisgar Street on the subject property underwent an office-to-residential conversion in 2016 which resulted in 42 units.

## 2.0 Zoning Compliance

### 2.1 City of Ottawa Zoning By-law (2008-250)

The subject property is zoned Traditional Mainstreet, Subzone 5, Urban Exception 71 (TM5[71]) with the Mature Neighbourhoods Overlay in the City of Ottawa Comprehensive Zoning By-law (2008-250), as shown in Figure 5 below. The purpose of the Traditional Mainstreet zone is to:

- / Accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses, including mixed-use buildings but excluding auto-related uses, in areas designated **Traditional Mainstreet** in the Official Plan;
- / Foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, Transit and automobile;
- / Recognize the function of Business Improvement Areas as primary business or shopping areas; and,
- / Impose development standards that will ensure that street continuity, scale and character is maintained, and that the uses are compatible and complement surrounding land uses.

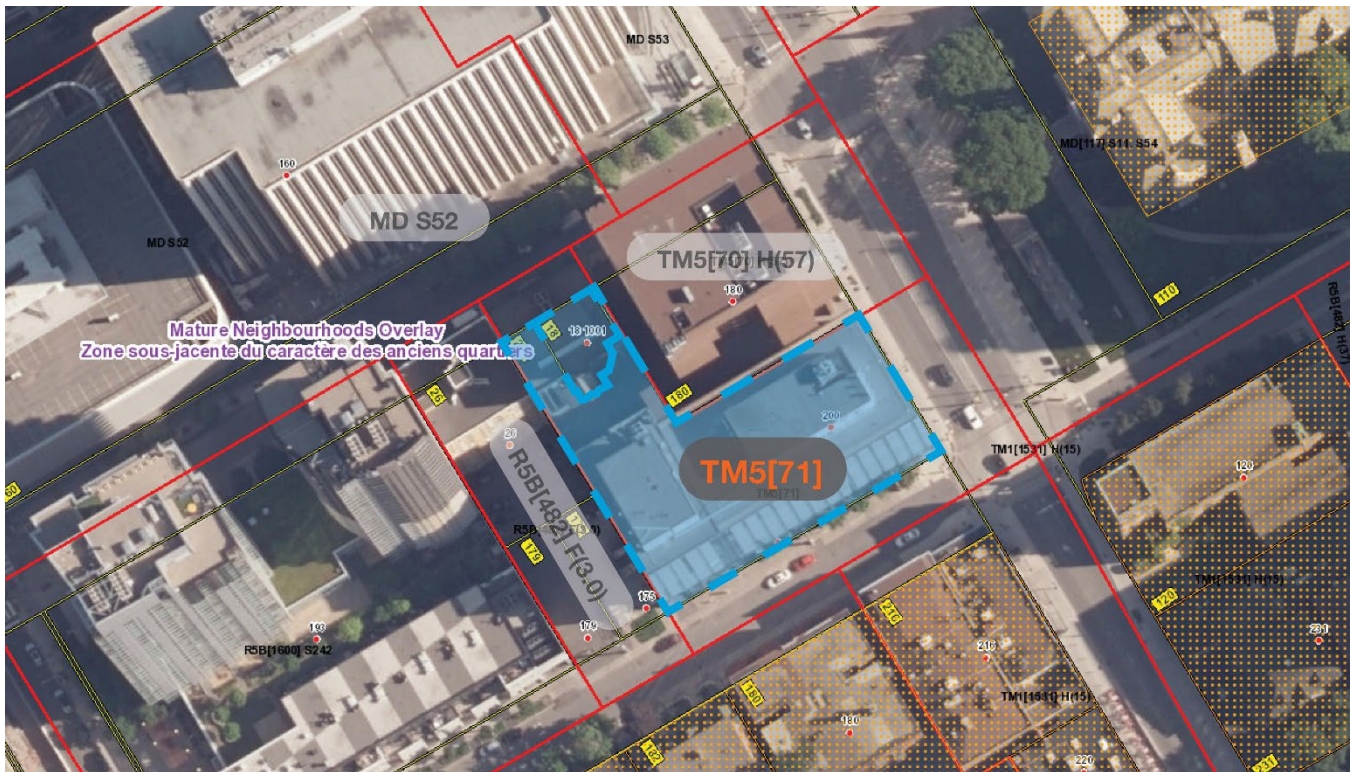


Figure 1: Aerial zoning map of the subject property.

**Permitted Uses:**

The following uses are permitted in the TM5[71] zone:

<b>Residential Uses</b>	<b>Non-Residential Uses</b>
/ apartment dwelling, low rise	/ amusement centre
/ apartment dwelling, mid rise (By-law 2014-292)	/ animal care establishment
/ bed and breakfast	/ animal hospital
/ dwelling unit	/ artist studio
/ group home	/ bank
/ home-based business	/ bank machine
/ home-based day care	/ broadcasting studio
/ retirement home	/ catering establishment
/ retirement home, converted	/ cinema
/ rooming house	/ click and collect facility
/ <b>apartment dwelling, high rise</b>	/ community centre
	/ community health and resource centre
	/ convenience store
	/ day care
	/ diplomatic mission
	/ emergency service
	/ hotel (Urban Exception 71)
	/ instructional facility
	/ library
	/ medical facility
	/ municipal service centre
	/ museum
	/ office
	/ park
	/ parking garage
	/ payday loan establishment
	/ personal brewing facility
	/ personal service business
	/ place of assembly
	/ place of worship
	/ post office
	/ recreational and athletic facility
	/ research and development centre
	/ residential care facility (By-law 2011-273)
	/ restaurant
	/ retail food store
	/ retail store
	/ school
	/ service and repair shop
	/ storefront industry
	/ theatre
	/ training center
	/ urban agriculture
	/ parking lot (Urban Exception 71)

**Section 197(12)(a)** Despite the list of permitted residential uses, where the zoning on a lot is accompanied by a H suffix, schedule or exception that permits a height of 30m or greater on part of the lot, the use Apartment Dwelling, High Rise is a permitted use on that lot.

**Urban Exception 71**

- / maximum building height of 40 m permitted for residential use

The application proposes the conversion of the office uses to residential uses within the existing building. The table below evaluates the proposed development against the provisions of the TM5[71] zone:

Zoning Mechanisms	Provisions			Proposed	Compliance
<b>Minimum lot area</b>	No minimum			N/A	YES
<b>Minimum lot width</b>	No minimum			N/A	YES
<b>Maximum front yard setback</b>	2 metres			0 metres (Existing)	YES
<b>Maximum interior side yard setbacks</b>	Between a non-residential or mixed-use building and another non-residential or mixed-use building	3 metres		0 metres (Existing)	YES
<b>Minimum interior side yard setbacks</b>	Non-residential or mixed-use building abutting a residential zone	3 metres		0 metres (Existing) Legal Non-Complying	YES
<b>Minimum corner yard setback</b>	3 metres			0 metres (Existing) Legal Non-Complying	YES
	Any part of the building above 15 metres	5 metres		0 metres (Existing) Legal Non-Complying	YES
<b>Minimum rear yard setback</b>	(i) rear lot line abutting a residential zone	7.5 metres		0 metres (Existing) Legal Non-Complying	YES
<b>Building height</b>	Office use (Urban Exception 71)	34 metres		33.5 metres (Existing) Legal Non-Complying	YES
	Residential use (Urban Exception 71)	40 metres			
<b>Maximum floor space index</b>	No maximum			N/A	YES
<b>Minimum width of landscaped area</b>	(i) abutting a residential zone	3 metres; may be reduced to 1 metre where a 1.4-metre high opaque fence is provided.		0 metres (Existing) Legal Non-Complying	YES
	(ii) all other cases	No minimum; except that where a yard is provided and not used for required driveways, aisles, parking or loading spaces, the whole yard must be landscaped		0 metres (Existing) Legal Non-Complying	YES
<b>Minimum Parking Requirements (Area X)</b>	Residential	Dwelling units within a mixed-use building	None	57 spaces (Existing)	YES

		abutting Elgin Street north of the Queensway			
		Minus (-) first twelve (12) units			
	Non-Residential	Restaurant – Full Service	5 per 100m <sup>2</sup> GFA	5 spaces (Existing) Legal Non-Complying	YES
		Bank	1.25 per 100m <sup>2</sup> GFA		
<b>Visitor Parking Requirement</b>	0.1 spaces per dwelling unit – a minimum of 25% of the required parking spaces is provided for visitor parking (None)		11 spaces	11 spaces (Existing)	YES
<b>Bicycle Parking Space Rates</b>	Residential	Apartment – High Rise	0.5 spaces per unit (63 spaces)	167 P1-Level Spaces (Residential-Only)	YES
	Non-Residential	Restaurant Bank	1 per 250m <sup>2</sup> (3 spaces)	4 Exterior Spaces Total: 171 spaces	
<b>Amenity Space</b>	6m <sup>2</sup> per dwelling unit; Min. 50% of required Communal		Total: 1,163m <sup>2</sup> Communal: 503m <sup>2</sup>		YES

As summarized in the table above, the proposed development complies with all applicable zoning provisions. The zoning provisions have been reviewed to ensure that the proposed use on the property does not place greater restrictions on the existing building, relinquishing the Legal Non-Complying rights granted to the existing building. The relevant zoning provisions and compliance can also be found in the accompanying Zoning Compliance Report submitted as part of this application.

Appendix A: Zoning Confirmation Report Checklist

# Zoning Confirmation Report

## Terms of Reference

### 1. Description

The purpose of the Zoning Confirmation Report (ZCR) is to identify all zoning compliance issues, if any, at the outset of a *Planning Act* application.

### 2. When Required

- All zoning by-law amendment applications; and
- All site plan control applications.

### 3. Contents

The Zoning Confirmation Report comprises two components depending on the type of application submitted:

#### Component 1 – Zoning Confirmation Report Checklist

Is required for all Site Plan Control applications and all Zoning By-law amendment applications. The intent of the ZCR Checklist is to determine whether a proposal meets the requirements of the Zoning By-law or whether relief is required before the application can be deemed complete. The applicant is required to fill out the ZCR Checklist that forms part of this Terms of Reference.

- ZCR Checklist - Refer to Annex 1

#### Component 2 – Zoning Confirmation Report Draft List of Requested Relief

Is required for all Zoning By-law amendment applications only and consists of a draft list of requested relief from the Zoning By-law. The intent is for the applicant to ensure that the requested relief is comprehensive, specific and consistent with the rest of the Zoning By-law.

- ZCR Draft List of Requested Relief - Refer to Annex 2

NOTE: The requirements of the two ZCR components may be modified by staff on a case-by-case basis to suit the development.

### 4. Roles and Responsibilities / Qualifications

A Zoning Confirmation Report must be signed by the applicant or an authorized representative of the applicant.





## 5. Annex 1 - Zoning Confirmation Report Checklist

A. Project Information			
<b>Review Date:</b>		<b>Official Plan designation:</b>	Downtown Core; Mainstreet Corridor - Hub
<b>Municipal Address(es):</b>	200 Elgin Street	<b>Legal Description:</b>	PT LT 55 S/S NEPEAN ST. AND PT LT 55 N/S LISGAR ST. AND ALL LTS 56 & 57 N/S LISGAR ST. ON PLAN 2996, BEING PART 2 ON PLAN 4R-5640, OTTAWA. SUBJECT TO AND TOGETHER WITH RIGHTS AS IN LT 494415. SUBJECT TO AN EASEMENT ON FAVOUR OF CARLETON CONDOMINIUM CORPORATION NO. 365 OVER LOT 55 S/S NEPEAN ST. AND PT 55 N/S LISGAR ST. PLAN 2996 AS IN LT1242133. SUBJECT TO AN EASEMENT AS IN OC1649094
<b>Scope of Work:</b>	Conversion of upper office floors to residential units.		
<b>Existing Zoning Code:</b>	TM5[71]	<b>By-law Number:</b>	2008-250
<b>Schedule 1 / 1A Area:</b>	Area B / Area X	<b>Overlays Applicable<sup>1</sup>:</b>	Mature Neighbourhoods Overlay

<sup>1</sup> Mature Neighbourhoods Overlay, Floodplain Overlay, and/or Heritage Overlay.

B. Zoning Review			
For Zoning By-law Amendments, please use the proposed zone and subzone requirements, if different than existing.			
<b>Proposed Zone/Subzone (Zoning By-law Amendments only):</b>			
Zoning Provisions <sup>1</sup>	By-law Requirement or Applicable Section, Exception or Schedule Reference	Proposal	Compliant (Y/N)
Principal Land Use(s)	Apartment, High Rise	Apartment, High Rise	Y
Lot Width	None	30.11 metres	Y
Lot Area	None	2,427.2m <sup>2</sup>	Y
Front Yard Set Back <sup>2</sup>	Max: 2 metres	(existing)	Y





<b>Corner Side Yard Setback</b>	3 metres, except for any part of a building above 15 metres for which an additional 2 metre setback must be provided	0 metres (existing)	Y
<b>Interior Side Yard Setback</b>	0 metres (Minimum) 3 metres (Maximum)	0 metres (existing)	Y
<b>Rear Yard Setback</b>	7.5 metres	0 metres (existing)	Y
<b>Lot Coverage Floor Space Index (F.S.I.)</b>	N/A	94.48% (existing) 4.8 (existing)	Y
<b>Building Height<sup>3</sup></b>	40 metres	33.5 metres (existing)	Y
<b>Accessory Buildings Section 55</b>	N/A	N/A	Y

<b>Projections into Height Limit Section 64</b>	N/A	N/A	Y
<b>Projections into Required Yards Section 65</b>	N/A	N/A	Y
<b>Required Parking Spaces Section 101 and 103</b>	Residential 85 spaces (Exception 71) <b>None</b> (R14)  Restaurant 5 per 100m <sup>2</sup>	Residential 68 spaces  Commercial 5	Y
<b>Visitor Parking spaces Section 102</b>	25% (Exception 71) 11 spaces	11 spaces	Y
<b>Size of Space Section 105 and 106</b>	2.6m to 3.1m wide At least 5.2m long	Existing	Y
<b>Driveway Width Section 107</b>	3 metres for single traffic 6 metres for double traffic	Existing	Y
<b>Aisle Width Section 107</b>	3.5 metres	Existing	Y
<b>Location of Parking Section 109</b>	N/A	N/A	Y
<b>Refuse Collection Section 110</b>	N/A	N/A	Y
<b>Bicycle Parking Rates Section 111</b>	0.5 per residential unit: 63 spaces Commercial: 1 per 250m <sup>2</sup> 3 spaces	171 spaces	Y
<b>Amenity Space Section 137</b>	6m <sup>2</sup> per unit: 756m <sup>2</sup> (50% Communal)	1,163m <sup>2</sup> (503m <sup>2</sup> )	Y
<b>Other applicable relevant Provision(s)</b>			

<sup>1</sup> This template represents a small selection of applicable provisions. Please consider the lot's geography (i.e. corner/through lot, proximity to water, inside/outside Greenbelt) and proposed land use (i.e. drive through operation, outdoor commercial patio, Planned Unit Development, long semi) and consult the by-law to determine which other sections of the By-law must be met. This can be attached in a separate document.



<sup>2</sup> Note that different performance standards apply to low-rise residential development inside the Greenbelt. Please reference Section 144 for these standards, where applicable.

<sup>3</sup> This includes maximum building height, minimum building height and setback provisions, where they exist

## E. Comments / Calculations

## 6. Annex 2 - Zoning Confirmation Report Draft List of Requested Relief from Zoning

As part of a Zoning By-law Amendment application, the applicant is required to identify all required relief from the Zoning By-law for the development that is the subject of the application. Below is an example of how the applicant should structure this component of the submission requirements for the Zoning Confirmation Report Draft List of Requested Relief.

- **The Draft List of Requested Relief from Zoning is a list of those items indicated as “not compliant” as identified through Component 1: Zoning Confirmation Report Checklist.** A template list is provided below, with examples.
- The list is required so that City staff can review the requested relief and determine if the application is complete and consistent. The onus is placed on the applicant to identify all needed relief for the proposed development.
- **A draft zoning schedule is required to be provided with Annex 2, if it is anticipated to be required.** A zoning schedule may be required when specific relief such as for height, setbacks, stepbacks or land uses need to be isolated to certain locations on the lot.

Draft List of Requested Relief from Zoning		
By-law Requirement or Applicable Section	Requirement	Proposed

<sup>1</sup> Only the non-compliant land use(s) needs to be listed in this column.