

Figure 1- Location Map: 2134 Erinbrook Crescent, Ottawa

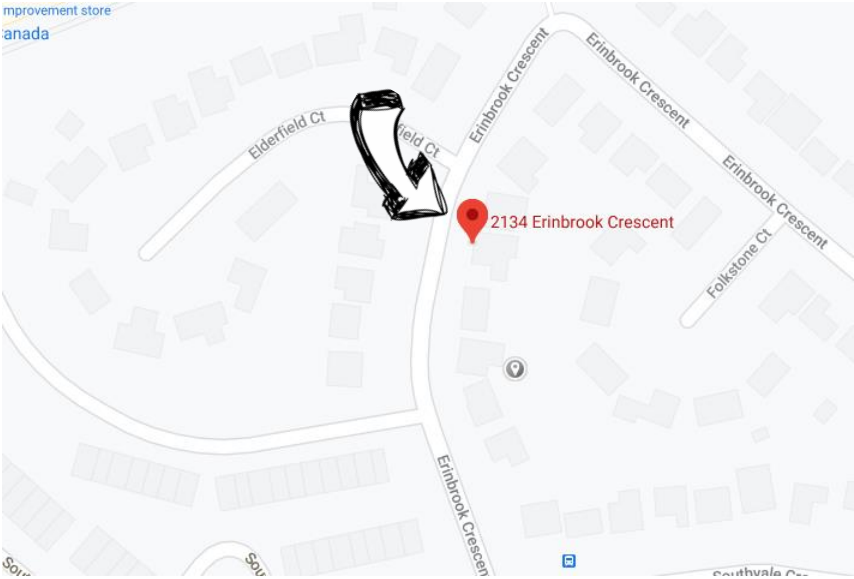
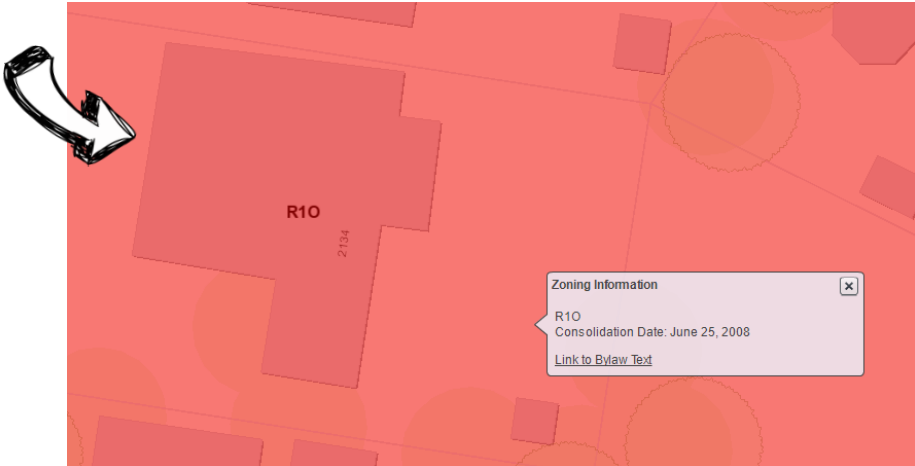


Figure 2 - Zoning Map

Excerpt from Zoning By-law 2008-250 Consolidation. R1 - Residential Tenth Density Zone (Sec. 161-162)



R1 - Residential First Density Zone (Sections 155 and 156)

Purpose of the Zone

The purpose of the R1- Residential First Density Zone is to:

1. restrict the building form to detached dwellings in areas designated as **General Urban Area** in the Official Plan;
2. allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;
3. permit ancillary uses to the principal residential use to allow residents to work at home;
4. regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced; and
5. permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.

Section 155

In the R1 Zone:

Permitted Uses

1. The following uses are permitted uses subject to:
 1. the provisions of subsection 155 (3) to (6);
 2. a maximum of three guest bedrooms in a bed and breakfast;
 3. a maximum of ten residents is permitted in a group home; and
 4. a maximum of ten residents is permitted in a retirement home, converted.
bed and breakfast, see Part 5, Section 121
detached dwelling
diplomatic mission, see Part 3, Section 88
group home, see Part 5, Section 125
home-based business, see Part 5, Section 127
home-based daycare, see Part 5, Section 129
park
retirement home, converted see Part 5, Section 122
secondary dwelling unit, see Part 5, Section 133
urban agriculture, see Part 3, Section 82 (By-law 2017-148)

Conditional Permitted Uses

2. The following conditional use is also permitted in the R1 zone, subject to the following:
 1. it is located on a lot fronting on and having direct vehicular access to an Arterial or Major Collector Road, such roads which are indicated on Schedule 3 – Urban Road Network; and
 1. Where there is no secondary dwelling unit, a maximum of seven rooming units is permitted;
 2. Where there is a secondary dwelling unit, a maximum of six rooming units is permitted. (By-law 2018-206)
rooming house see Part 5, Section 122 (By-law 2018-206)

Zone Provisions

3. The zone provisions are set out in Table 156A and 156B.

4. A park is not subject to the provisions of Table 156A, however any development will be subject to the subzone provisions for a detached dwelling. (By-law 2016-131)
5. Conversions that alter an existing residential use building to create another listed permitted use are subject to the provisions of Section 122 - Conversions.

Alternative Setbacks for Urban Areas (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

6. Despite the minimum rear yard setback provision in column VII of Table 156A, the minimum required rear yard setback on through lots or interior lots where the rear lot line abuts R1, R2, R3, and R4 zones, and where the minimum front yard setback is up to and including 4.5 metres in Area A on Schedule 342 are as follows:
 1. for any lot with a lot depth:
 1. up to and including 23.5 metres: a distance equal to 25 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,
 2. greater than 23.5 metres and up to and including 25 metres: a distance equal to the lot depth minus 17.5 metres which must comprise at least 25 per cent of the area of the lot,
 3. greater than 25 metres: a distance equal to 30 per cent of the lot depth which must comprise at least 25 per cent of the area on the lot.
 2. for any through lots which are 60 metres or greater in depth Subsection 135(1) continues to apply to the actual rear lot line, however, the provisions of (6)(a) above are to be applied to each half of the lot assuming a hypothetical lot line located at 50 per cent of the lot depth.

(6.1) Despite the minimum rear yard setback provision in column VII of Table 156A, the minimum required rear yard setback on through lots or interior lots where the rear lot line abuts R1, R2, R3, and R4 zones, and where the minimum front yard setback is greater than 4.5 metres in Area A on Schedule 342 are as follows:

(a) for any lot with a lot depth:

- (i) up to and including 24 metres: a distance equal to 25 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,
- (ii) greater than 24 metres and up to and including 25 metres: a distance equal to the lot depth minus 18 metres which must comprise at least 25 per cent of the area of the lot,
- (iii) greater than 25 metres and up to and including 32 metres: a distance equal to 28 per cent of the lot depth which must comprise at least 25 per cent of the area of the lot,
- (iv) greater than 32 metres and up to and including 33 metres: a distance equal to the lot depth minus 23 metres which must comprise at least 25 per cent of the area of the lot,
- (v) greater than 33 metres: a distance equal to 30 per cent of the lot depth which must comprise at least 25 per cent of the area on the lot.

(b) for any through lots which are 60 metres or greater in depth Subsection 135(1) continues to apply to the actual rear lot line; however, the provisions of (6)(c) above are to be applied to each half of the lot assuming a hypothetical lot line located at 50 per cent of the lot depth.

7. 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 in Area A on Schedule 342 where the lot width is:
 1. 36 metres or greater: 40 per cent of the lot width with one yard no less than the minimum interior side yard setback of the applicable zone or subzone.
8. 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 in Area A on Schedule 343:
 1. 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; and,

2. no part of an attached or detached garage or carport may be located closer to the front lot line than the front wall of the principal building.

Alternative Lot Area Provisions for Urban Areas (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

9. On a corner lot in Area A on Schedule 342, except in Area A of Schedule 344:
 1. despite the minimum required lot area in the R1A, AA, B, BB, C, CC, E, G, GG zones in Table 156A, where both water and wastewater municipal services are present, a minimum lot area of no less than 49 per cent of the required minimum lot area of the subzone may be applied if:
 1. permission to sever the lot into two lots is granted by the Committee of Adjustment;
 2. only one detached dwelling is built on each of the two severed lots; and
 3. each of the detached dwellings have their front wall and driveway facing frontage on different streets whether or not that frontage is the front lot line,
 2. where a corner lot is severed into two lots in accordance with (a), the following provisions also apply:
 1. where the side lot line abutting a street becomes the front lot line, the minimum front yard setback is the same as the corner side yard setback of the subzone,
 2. the minimum front yard setback for the interior lot is the same as the corner side yard setback of the subzone,
 3. the minimum rear yard setback for the corner lot is the same as the required interior side yard setback of the subzone,
 4. the corner lot must provide an at-grade amenity area equivalent to at least 5 per cent of the minimum lot area required in the subzone, in addition to all required setbacks.

Alternative Projections into Required Yards Provisions for Urban Areas (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

10. In Area A on Schedule 342:
 1. despite Subsection (6) of Table 65 a balcony may not project into a required rear yard on lots 30 metres or less in depth,
 2. despite Subsection (7) of Table 65 a bay window may project to a maximum of 0.5 metres into a required rear yard on lots 30 metres or less in depth.

Alternative Projections Above the Height Limit Provisions for Urban Areas (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

11. In Area A on Schedule 342:
 1. Despite Section 64, roof-top landscaped areas, gardens and terraces must not project above the maximum building height,
 2. A parapet must not project more than 0.3 metres above the maximum building height,

Alternative Accessory Structure Provisions for Urban Areas (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

12. In Area A on Schedule 342:
 1. the maximum floor height above ground for a deck that is not projecting from a building is 0.6 metres with the exception of a landing for an above ground pool which may be as tall as needed to access the pool but only for a maximum area of 2.3 square metres.
 2. Where located on the roof of the uppermost storey, roof-top landscaped areas, gardens and terraces must be located a minimum of 1.5 metres in from any exterior wall of the building.

3. Despite (b) above, where a roof-top terrace is not located on the roof of the uppermost storey and not exceeding an area equivalent to 25 per cent of the gross floor area of the storey it is adjacent to and most equal to in height, no setback is required. Where such roof-top terrace is abutting a rear yard and within 1.5 metres of an exterior side wall or interior side lot line, a 1.5 metre high opaque screen is to be provided facing the interior side yard or interior side lot line.
4. Where located on the roof of the uppermost storey, a roof-top access must be setback a distance equal to its height from the exterior front wall and exterior rear wall, not exceed a total area of 10.5 square metres, not exceed 3 metres in height, and not have eaves that project more than 0.6 metres beyond the exterior walls of the access.

Other Zone Provisions (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)

13. For other applicable provisions, see Part 2 – General Provisions, Part 3 – Specific Use Provisions, Part 4 – Parking, Queuing and Loading Provisions and Part 5 Residential Provisions.
14. Where the “-c” suffix is shown in the zone code, Section 141 also applies. (By-law 2015-197)

Section 156 - R1 Subzones

In the R1 Zone, the following subzones and provisions apply such that:

1.
 1. Column I lists the subzone character;
 2. Columns II through IX inclusive, establish required zone provisions applying to development in each subzone;
 3. Column X lists the reference number of additional provisions applying in each subzone. The additional provisions themselves are provided in Table 156B. Where an additional provision applies, the corresponding provision specified in Table 156B takes ultimate precedence over any provision provided in Table 156A;
 4. Where a superscript number occurs in Table 156A – eg.: 1,390¹, the superscript number 1 refers to a number in Column I in Table 156B which sets out an additional provision;
 5. Where “na” appears, it means that the associated provision is not applicable; and
 6. Where “varies” appears, the associated provision is referenced and provided as an additional provision.
2. Lots serviced by private services may require lot sizes larger than that necessary to meet zone provisions in order to accommodate the servicing systems capable of handling the increased levels of water consumption and sewage generation that may be associated with these uses.
3. Despite any other provision of this by-law, retirement homes, converted and rooming houses are prohibited on lands zoned R1 and developed with private services. (By-law 2018-206)

Table 156A – R1 Subzone provisions (By-law 2009-164) (OMB Order File No: PL150797, issued July 25, 2016 - By-law 2015-228)

I	II	III	IV	V	VI	VII	VIII	IX	X
Sub-Zone	Minimum Lot Width (m)	Minimum Lot Area (m²)	Maximum Building Height (m)	Minimum Front Yard Setback (m)	Minimum Corner Side Yard Setback (m)	Minimum Rear Yard Setback (m)	Minimum Interior Side Yard Setback (m)	Maximum Lot Coverage (And Other Provisions)	End Notes (see Table 156B)
A	30	1 490	11 ^{17,19}	7.5 ¹⁶	7.5 ¹⁶	12 ¹⁶	6	20%	17
AA	30	1 390	11 ^{17,19}	5	5	7	3	na	17
B	27	925	11 ^{17,19}	4.5 ¹⁶	4.5 ¹⁶	12 ¹⁶	4.5	30%	17
BB	30	1 110	11 ^{17,19}	4.5 ¹⁶	4.5 ¹⁶	12 ¹⁶	4.5	25%	17
C	24.5	740	11 ^{17,19}	4.5	4.5	11	3.5	33%	17

CC	20	900	9.5 ^{18,19}	5	5	8	2	40%	18
D	20	600	11 ^{17,19}	6	4.5	9	1	40%	17
E	19.8	1 390 ¹	11 ^{17,19}	7.5 ¹⁵	4.5	12	0.9 & 1.2	15% ²	1,2,15,17
F	19.5	600	9.5 ^{18,19}	7.5 ¹⁵	4.5	9	varies ³	35%	3,15,18
FF	19.5	600	9.5 ^{18,19}	6 ¹⁵	4.5	7.5 ⁴	varies ⁵	45%	4,5,15,18
G	18	665	11 ^{17,19}	3	3	7.5 ⁴	varies ⁶	na	4,6,17
GG	18	665	8 ¹⁹	6	4.5	7.5 ⁴	varies ⁶	na	4,6
H	18	540	11 ^{17,19}	6	4.5	9	1.0	40%	17
HH	18	540	9.5 ^{18,19}	6	4.5	6	1.2	40%	18
I	18	540	11 ^{17,19}	4.5	4.5	7.5 ⁴	2.5	35%	4,17
II	18	540	11 ^{17,19}	3	3	7.5 ⁴	varies ⁶	na	4,6,17
J	18	540	9.5 ^{18,19}	4.5	4.5	7.5 ⁴	varies ⁷	40%	4,7,18
K	18	500	8 ¹⁹	6	4.5	7.5 ⁴	varies ⁶	na	4,6
L	15	450	11 ^{17,19}	6	4.5	7.5 ⁴	1	na	4,17
M	15	450	11 ^{17,19}	4.5	4.5	7.5 ⁴	1	na	4,17
MM	15	450	11 ^{17,19}	3	3	7.5 ⁴	1.2	na	4,17
N	15	450	9.5 ^{18,19}	6	4.5	7.5 ⁴	1	na	4,18
NN	15	450	9.5 ^{18,19}	4.5	4.5	7.5 ⁴	1	na	4,18
O	15	450	8 ¹⁹	6	4.5	7.5 ⁴	varies ⁸	na	4,8
P	15	440	11 ^{17,19}	3	3	7.5 ⁴	1.2	na	4,17
PP	15	440	8 ¹⁹	6	4.5	7.5 ⁴	varies ⁸	na	4,8
Q	12	360	11 ^{17,19}	4.5	4.5	7.5 ⁴	1	na	4,17
QQ	12	360	11 ^{17,19}	3	3	7.5 ⁴	1.2	na	4,17
R	12	360	9.5 ^{18,19}	4.5	4.5	7.5 ⁴	1	na	4,18
S	12	360	8 ¹⁹	6	4.5	7.5 ⁴	1.2	na	4
T	10.5	270	11 ^{17,19}	4.5	4.5	7.5 ⁴	1	na	4,17
TT	9	270	11 ^{17,19}	3	3	7.5 ⁴	varies ¹⁰	na	4, 10,17
U	10.5	270	9.5 ^{18,19}	6	4.5	7.5 ⁴	1	na	4,18
UU	10.5	270	9.5 ^{18,19}	4.5 ⁹	3	6	varies ¹⁰	na	9,10,18
V	10.5	240	9.5 ^{18,19}	3 ¹¹	3	6	varies ¹⁰	na	10,11,18
VV	11	240	11 ^{17,19}	3	3	6	varies ¹⁰	na	10,17
W	9	240	11 ^{17,19}	4.5	4.5	6	1	na	17
W W	9	450	11 ^{17,19}	5	5	7	1	na	17
X	9	240	9.5 ^{18,19}	4.5	4.5	7.5 ⁴	1	na	4,18
XX	9	240	9.5 ^{18,19}	4.5 ⁹	3	6	varies ¹⁰	na	9,10,18
Y	7.5	195	11 ^{17,19}	3	3	7.5 ⁴	varies ¹⁰	na	4,10
Z	9	240	11 ^{17,19}	3 ¹³	3 ¹³	6 ¹⁴	varies ¹⁰	na	10, 13, 14

4. In the R1 Subzones, the following additional zoning provisions as denoted by endnotes apply:

Table 156B – Additional zoning provisions (By-law 2009-164) (OMB Order File No: PL150797, issued July 25, 2016 - By-law 2015-228)

I Endnote Number	II Additional Zoning Provisions
1	Minimum lot area is 930 m ² for lots connected to a piped municipal water supply
2	Maximum lot coverage is 25% for a lot connected to a piped municipal water supply
3	Minimum total interior side yard setback is 2.4 m, with one minimum yard, no less than 0.9 m. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
4	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. Despite the foregoing, on lots with depths of 15 metres or less, the minimum rear yard setback is 4 m.
5	Minimum total interior side yard setback is 2.1 m, with one minimum yard, no less than 0.9 m. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
6	Minimum total interior side yard setback is 3.6 m, with one minimum yard, no less than 1.2 m. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
7	Minimum total interior side yard setback is 2.5 m, with one minimum yard, no less than 1 m. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
8	Minimum total interior side yard setback is 3 m, with one minimum yard, no less than 1.2 m. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. (By-law 2008-462)
9	Minimum front yard setback is 6 m for any attached private garage
10	Minimum total interior side yard setback is 1.8 m, with one minimum yard, no less than 0.6 m. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard. In Area A on Schedule 342 the minimum interior side yard setback is 0.6 metres on one side and 1.2 on the other. (By-law 2008-462) (OMB Order File N ^o : PL150797, issued July 25, 2016 - By-law 2015-228)
11	Minimum front yard setback is 4 m for any attached private garage. The minimum setback between the vehicular entrance to a private garage or carport and an existing or planned sidewalk is 6.2 m
12	Reserved for future use.
13	The minimum setback between the vehicular entrance to a private garage or carport and an existing or planned sidewalk is 6.2 m. No portion of a private garage or carport shall be located more than 2.5 m closer to a street lot line than the closer of:
	(i) a building front wall or side wall, or
	(ii) a covered porch or veranda that is at least 2.5 m wide.
14	Access to a lot by means of a rear lane is permitted, provided the rear lane is a minimum of 8.5 metres wide. Where access is via the rear lane, the minimum rear yard setback may be reduced to 1.0 metre, and in no case may the width of the garage, carport or driveway exceed 50% of the width of the rear lot line.
15 (By-law 2008- 386)	Despite the definition of “front lot line”, in the case of a corner lot, the definition does not apply where the location of a front lot line has been decided upon pursuant to the definition of “lot line front” of the former City of Nepean By-law No.100-2000 that stated “Lot Line Front shall mean the line that divides a lot from the street”.

I
Endnote
Number

II
Additional Zoning
Provisions

- 16
(By-law 2009-164) Despite the yards required by this By-law, a minimum yard of 7.5 metres in depth must be provided on the portion of any lot that abuts the following streets.
- (i) Acacia Avenue- north of Mariposa Avenue to the Rockcliffe Parkway
 - (ii) Buena Vista Road- from Lisgar Road to Cloverdale Road
 - (iii) Coltrin Road- from Minto Place to Acacia Avenue
 - (iv) Manor Avenue- from Mariposa Avenue to Coltrin Road
 - (v) Park Road- from Springfield Road to Manor Avenue
 - (vi) Mariposa Avenue – from Acacia Avenue to Minto Place
- 17 Despite the maximum building heights in Table 156A above, the maximum building height permitted in Area A of Schedule 342 is 8.5 metres; in Area A of Schedule 356 is 10 metres; in Area A of Schedule 357 is 10.5 metres. (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)
- 18 Despite the maximum building heights in Table 156A above, the maximum building height permitted in Area A of Schedule 342 is 8.5 metres. (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)
- Despite the definition of grade in Section 54, the existing average grade will be used for development in Area A on Schedule 342 and will be as follows:
- 19 Existing average grade must be calculated prior to any site alteration and based on the average of grade elevations taken along both side lot lines at the minimum required front yard setback, and at the minimum required rear yard setback of the zone in which the lot is located. (OMB Order File N^o: PL150797, issued July 25, 2016 - By-law 2015-228)