

Subject: Zoning By-law Amendment – 5618 Hazeldean Road

File Number: ACS2023-PRE-PS-0084

Report to Planning and Housing Committee on 7 June 2023

and Council 14 June 2023

**Submitted on May 26, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Sarah Ezzio, Planner II, Development Review West

(613) 580-2424 ext. 23493, Sarah.Ezzio@Ottawa.ca

Ward: Stittsville (6)

Objet : Modification du Règlement de zonage – 5618, chemin Hazeldean

Dossier : ACS2023-PRE-PS-0084

Rapport au Comité de la planification et du logement

le 7 juin 2023

et au Conseil le 14 juin 2023

**Soumis le 26 mai 2023 par Derrick Moodie, Directeur, Services de la planification,
Direction générale de la planification, des biens immobiliers et du développement
économique**

**Personne ressource : Sarah Ezzio, Urbaniste II, Examen des demandes
d'aménagement ouest**

613-580-2424 ext. 23493, Sarah.Ezzio@Ottawa.ca

Quartier : Stittsville (6)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5618 Hazeldean Road, as shown in Document 1, to permit the first phase of a residential subdivision, including one stormwater management block, 36 townhouse blocks, and 111 lots for detached dwellings as detailed in Document 2.
2. Direct Staff to report back to Planning and Housing Committee with zoning details for the 0.5-hectare block at the intersection of Abbott Street East and the future Robert Grant Avenue extension at the time that a Zoning By-Law Amendment is brought to Planning and Housing Committee for Phase 2. The block is to accommodate commercial uses and will be zoned accordingly with Phase 2. It will remain zoned Development Reserve “DR” in the meantime.
3. That Planning and Housing Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of June 7, 2023,” subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de la planification et du logement recommande au Conseil d’approuver une modification au Règlement de zonage 2008-250 visant le 5618, chemin Hazeldean, un bien-fonds illustré dans le document 1, afin de permettre la réalisation de la première étape d’un lotissement résidentiel comprenant un îlot de gestion des eaux pluviales, 40 îlots d’habitations en rangée et 111 lots destinés à accueillir des habitations isolées, comme l’expose en détail le document 2.
2. Demander au personnel de présenter au Comité de la planification et du logement un rapport comprenant les détails du zonage pour l’îlot de 0,5 hectare à l’intersection de la rue Abbott Est et du futur prolongement de l’avenue Robert-Grant au moment de présenter une modification du *Règlement de zonage* pour l’étape 2. L’îlot sera utilisé à des fins commerciales et sera zoné en conséquence lors de l’étape 2. D’ici là, il conservera la désignation de « zone d’aménagement futur » (DR)

3. **Que le Comité de la planification et du logement donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 7 juin 2023 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.**

Please note this matter was referred back to City staff at the Planning and Housing Committee meeting of May 17, 2023.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

5618 Hazeldean Road

Owner

Minto (Hazeldean) LP

Applicant

Minto Communities

Description of site and surroundings

The subject lands are located on the south side of Abbott Street, between Iber Road and Terry Fox Drive. The lands to be rezoned comprise Phase 1 of a future subdivision to be developed by Minto, Abbott's Run, which will have a total area of 86 hectares and stretch to Hazeldean Road to the west. The lands are largely vacant, with existing vegetation and trees. The lands to the west of the site are currently occupied by light industrial business uses in the Iber Road Business Park, and Paul-Desmarais French Catholic Secondary School is located to the southwest of the site. Richcraft's Bradley Commons residential subdivision is located to the east of the site, and south of the property are existing and future residential subdivisions.

The lands to be rezoned are two non-contiguous parcels, as shown on Document 1. One is located on the southern end of the subdivision and is located west of Abbott Street, east of Robert Grant Avenue, and south of the hydro transmission corridor. The lands subject to this rezoning proposal do not include a 0.5-hectare parcel at the intersection of Abbott Street East and Robert Grant Avenue, which are part of Minto's Abbott Run, but will be developed with a second phase. The second parcel is more central in the site and is located to the north of the future extension of Cranesbill Road and adjacent to the West tributary directly to the east.

Summary of proposed development

The first phase of the Minto Abbott's Run subdivision proposes 111 lots for detached dwellings and 36 blocks for townhouse developments (containing 149 townhouse units and 42 rear lane townhouse units), for a total of 302 units. The proposal also includes a stormwater management pond and incorporates the extension of Robert Grant Avenue north-south through the site and the extension of Cranesbill Road west to Robert Grant Avenue. The proposal omits from the Zoning By-Law Amendment a parcel of approximately 0.5 hectares at the intersection of Robert Grant Avenue and Abbott Street East. The parcel will be zoned with Phase 2 of the subdivision to accommodate commercial uses. The timing is in the second phase to allow Minto the opportunity to find a tenant and work to refine the performance standards to accommodate a functional commercial space.

The design of the extension of Robert Grant Avenue is to accommodate future Bus Rapid Transit service. The townhomes are located on the edges abutting the Hydro corridor and Robert Grant Avenue, while the singles are located along Abbott Street East and abutting the stormwater management pond. The proposed street network is based on the Fernbank Community Design Plan (CDP). Three pathway blocks will provide connections throughout Phase 1, to the Hydro Corridor and to Robert Grant Avenue.

The subdivision in its entirety includes six phases containing a total of approximately 2,755 dwelling units including detached homes, townhouses, stacked and back-to-back townhouses, and low-rise apartments. Proposed mixed-use blocks and high-density residential blocks are located close to Hazeldean Road. The subdivision is also proposed to include a future elementary school site, four neighbourhood park blocks, and a park and ride for the future LRT station.

The subdivision received draft approval on July 14, 2021, and a condition of approval was to ensure that the site complies with the City's Zoning By-law.

Summary of requested Zoning By-law amendment

The purpose of this application is to rezone the lands from Development Reserve (DR) to various zones to implement the first phase of this plan of subdivision. The requested Zoning By-law amendment will:

- Rezone Block 112 on the Draft 4M-Plan (Document 3) to “Parks and Open Space Zone” (O1) to accommodate a stormwater management pond.
- Rezone Blocks 1-111, 113-121, and 132-151 on the Draft 4M Plan to “Residential Third Density, Subzone YY, Urban Exception XXX1” (R3YY[XXX1]) to allow for future development of single detached and townhouse dwellings.

A holding symbol will be placed on Blocks 116-121 ensure that proper stormwater facilities are provided prior to building permit issuance.

- Rezone Blocks 122-130 on the Draft 4M Plan to “Residential Third Density, Subzone YY, Urban Exception XXX2” (R3YY[XXX2]) to allow for future development of rear lane townhouse dwellings.

Brief History of the Proposal

Concurrent applications for Plan of Subdivision and Zoning By-law Amendment were submitted in November of 2016. The Plan of Subdivision was draft approved in July of 2021. At that time, the lands were owned by Kizell Management Corporation. Since then, the lands were purchased by Minto and the ongoing Zoning By-Law Amendment application was transferred to the new owners as well. The rezoning proposal for Phase 1 that was originally submitted in 2016 included a mix of Residential Third Density, Subzone Z and Residential Fourth Density, Subzone Z zones, with the stormwater pond being zoned Parks and Open Space. The changes to the zoning now being proposed from that originally requested from Minto are required in order to accommodate specific housing products.

A Zoning By-Law Amendment proposal for the same development application was previously heard at Planning and Housing Committee on May 17, 2023. The proposal brought forward at this time included a 0.5-hectare parcel at the northeast corner of Abbott Street East and future Robert Grant Avenue that was requested to be zoned to accommodate townhouse units, bringing the number units proposed to 312 units.

At the Planning and Housing Committee meeting on May 17, 2023, a motion was passed to refer the item back to staff to work with the applicant to identify 0.5 hectare of land at the corner of Robert Grant Avenue and Abbott Street to accommodate local commercial uses, such as retail store, personal service use, restaurant and daycare.

The motion directed staff to prepare a new report accordingly and provide recommendations to the Planning and Housing Committee by June 7, 2023.

DISCUSSION

Public consultation

The details of the Zoning By-law Amendment application were discussed at a statutory public meeting held for the Plan of Subdivision application, which was subject to the Public Notification and Consultation policy approved by City Council for Plans of Subdivision. The public meeting was held on January 20, 2021 via ZOOM. Two questions were asked at the public meeting, including a general question about the City's Road classification levels and a question about reserving a school site within a later phase of the subdivision.

Public consultation on this proposal also occurred at the time of the first Planning and Housing Committee meeting where that this item was heard, on May 17, 2023. At this time, 21 public comments were received. All comments voiced concerns with the lack of dedicated commercial area proposed.

Official Plan designation(s)

The subject lands are designated as Neighbourhood within the Suburban West Transect in the City's new Official Plan. Abbott Street East and the future Robert Grant Avenue Extension are designated as Minor Corridor, and a portion of the site to the south is within an Evolving Neighbourhood Overlay. The Minor Corridor designation permits a mix of uses that support residential uses and supports the evolution of a neighbourhood towards 15-minute neighbourhoods. The Neighbourhood designation permits low-rise building heights, promotes a full range of low-rise housing options, and encourages residential built forms to be appropriately integrated with the neighbourhood street network, pedestrian network and public realm. The Evolving Neighbourhood Overlay supports an evolution towards more urban built form and allows for new building forms and typologies.

Other applicable policies and guidelines

Fernbank Community Design Plan

The purpose of the Fernbank Community Design Plan is to establish a community-wide land use framework that reflects the principles, objectives and policies for community development as directed by the Official Plan. The design of the community is based on a transit supportive street network, an integrated open space linkage system, a community core and distinctive neighborhoods that would all have a park, school or other amenities within walking distance.

The subject lands are located within the northwestern portion of the Fernbank lands, with the Phase 1 lands being designated a mix of “Mixed Use,” “High Density Residential,” and “Potential Stormwater Management Facility” in the CDP. The lands of the future Abbott’s Run Minto subdivision as a whole include other designations, such as “Low Density Residential,” “Medium Density Residential,” and “Elementary School.” In the CDP, “Low-density residential” land uses include detached and semi-detached dwellings, “medium density residential” uses include townhouses, stacked units and low-rise apartments, while “high density residential” includes live-work units, low-rise apartments, and mid-rise apartments.

Planning rationale

The Official Plan

The Official Plan increases the share of future growth within existing built-up areas to avoid or delay expansions to the urban boundary. This is supported by policies that increase the variety of housing options within existing neighbourhoods and promote the evolution to 15-minute neighbourhoods (Policy 2.2.1.i). The Suburban Transect recognizes a suburban pattern of built form and site design while supporting an evolution towards 15-minute neighbourhoods (5.4.1). As the site is within 300 metres of a Transitway station to the southeast of Robert Grant Avenue and Abbott Street East, the Evolving Overlay was applied to this area. The Evolving Overlay is applied to areas adjacent to Hubs and Corridors that creates opportunities to achieve an urban form in terms of use, density, built form and site design (Policy 5.6.1.1), which may differ from the existing character of the area (Policy 5.6.1.1). The Neighbourhood designation generally allows for a full range of low-rise housing options (Policy 6.3.1) and supports innovative building forms. The proposed development conforms to the Official Plan by providing a low-rise built form that recognizes the planned context of the area to transition to a more urban form with transit-supportive densities over time.

Fernbank Community Design Plan

The terms of reference for the Fernbank Community Design Plan were council approved in 2006, and the CDP was brought to council in spring of 2009. The mixed-use area was located along Abbott Street East at the time the CDP was created, but this was prior to the decision being made to locate a future Light Rail Transit Station at Hazeldean Road and Robert Grant Avenue. As a result, it was decided at the time of subdivision draft approval that the high-density residential area envisioned by the Community Design Plan be shifted from Abbott Street East to the intersection of Robert Grant Avenue and Hazeldean Road. Phase 4 of the subdivision in this area includes approximately 6.25 hectares of mixed-use area, and this larger mixed-use area will be within walking distance to the Phase 1 lands.

While the proposed plan for Phase 1 proposes uses more in line with the low and medium density designation of the CDP, Phase 1 includes rear lane access townhomes along Robert Grant which will offer a ground floor plan setup that allows a home-based business to operate. While the proposed land uses are of a lower density than those envisioned by the Fernbank CDP, the proposal reflects the decision made at the time of draft approval to shift the higher-density residential area to Hazeldean Road. The shift will ensure that transit supportive densities are in line with new station areas. Overall, the proposed rezoning, including the proposed road alignments, the school and park locations and residential blocks are all in keeping with the intent and approach of the Fernbank Community Design Plan.

The Zoning By-Law

The subject site is zoned Development Reserve Zone in the City of Ottawa Zoning By-law 2008-250 which is intended to recognize lands intended for future urban development and limit the range of permitted uses to those which will not preclude future development options

The requested Zoning Bylaw amendment proposes to rezone the property to two different Residential Third Density Subzone YY with site-specific exceptions (R3YY[XXX1] and R3YY[XXX2]). A portion of the site will be subject to a holding symbol (R3YY[XXX1]-h). The provisions include the following:

- For the R3YY[XXX1] zone, reduced lot area from 240 square metres to 195 square metres is requested for detached dwelling and from 150 to 120 square metres is requested for townhouse dwellings. Reduced lot width from 9 metres to 8.5 metres is requested for detached dwellings from 6 to 5.7 metres for townhouse dwellings.

The requested reductions in lot area and lot width will permit development to occur at the density targets set out in the Official Plan. The requested zone will provide some variation in built form and allow Minto's housing products to be accommodated on the lots, while in keeping with the general character of surrounding developments.

- For all R3YY exception zones, a reduced front yard setback from 6 metres to 3 metres is requested.

The requested exceptions will facilitate the applicant's proposed units, while maintaining compatibility with the urban design guidelines. The proposed front yard setbacks will allow street trees to be accommodated, as the standard cross sections will have the tree at a minimum 1.5 metres from the property line, leaving sufficient room to achieve the 4.5 metre tree setback clearance.

- A provision for a 5.7 metre setback between vehicular entrance and car port to a sidewalk.

This provision is requested to address the Abbott Street East sidewalk, which is 2.05 metres off the property line. The provision is requested to ensure that a functional driveway that does not create an overhang situation on the sidewalk can be accommodated.

- A holding provision to ensure that adequate storm water facilities are provided prior to building permit issuance.

The 5618 Hazeldean Abbott's Run Pond 1 is being constructed as part of Phase 1 of the subdivision and is needed to serve the Phase 1. As an interim solution before the stormwater pond is fully constructed and functioning, a temporary ditch for storm water purposes will be located in Blocks 116-121. The holding symbol is to ensure that no building permits for dwellings within these blocks are issued until such a time that the temporary ditch is diverted to storm sewers and the ultimate Pond 1 is constructed and functioning.

- A new R3YY[XXX2] zone will be created as a new exception zone to accommodate rear lane access townhomes.

The Zoning By-Law does not currently recognize rear lane townhomes or rear access townhomes as a separate land use, and these unit types have provisions which vary from typical residential zone provisions. The rear lane townhome provisions will accommodate units with driveways at the rear, which will create a more active front façade fronting minor corridors. The provisions of this zone include a lot line clarification to deem Abbott Street East and Robert Grant Avenue the front lot lines.

- A parcel of approximately 0.5 hectares at the intersection of Robert Grant Avenue and Abbott Street East which was previously proposed to be residential is removed from the rezoning proposal and will remain Development Reserve, "DR," until such time that Phase 2 of the subdivision proceeds. At this time, it will be zoned to accommodate commercial uses.

The purpose of Development Reserve zone limits the range of permitted uses to those which will not preclude future development options, so the parcel will not be developed until such time that the second phase of the subdivision proceeds. At this time, staff are directed to work with the applicant to review a rezoning proposal for commercial uses or mixed-use with a commercial component. This will promote the Official Plan's direction to establish 15-minute neighbourhoods with community amenities and a mix of uses within walkable communities.

The inclusion of the commercial block in the second phase of development is to allow Minto the opportunity to find a tenant and work to refine the performance standards to accommodate a functional commercial space.

To summarize, it is staff's opinion that the proposed development and requested zoning complies with relevant Official Plan policies, meets the intent of the Fernbank Community Design Plan while recognizing changing contexts, and proposes zoning that allows for a range of desirable residential densities and uses.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with the recommendations of this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Glen Gower provided the following comments:

“Thanks to Minto and City staff for working collaboratively on a constructive solution so that we can have local commercial development in this area.

I also want to thank residents who have shown their strong support for creating a truly walkable neighbourhood and the importance of having something like a local coffee shop, restaurant, daycare, or corner store in the centre of the Fernbank community.”

ADVISORY COMMITTEE(S) COMMENTS

Design considerations with respect to accessibility are generally addressed through the draft plan of subdivision review process and are not a key consideration related to a Zoning By-Law Amendment.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

It has been confirmed that there is sufficient capacity in the existing water, wastewater, and stormwater infrastructure systems to accommodate the proposed development.

Assets acquired through development of these lands will add to City's inventory for operations and maintenance, as well as lifecycle renewal and replacement in the long term.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Design considerations with respect to accessibility are generally addressed through the Draft Plan of Subdivision review process and are not a key consideration related to a Zoning By-law amendment. New construction will be required to meet the accessibility requirements within the Ontario Building Code.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications associated with this report. A combined Tree Conservation Report and Environmental Impact Statement was prepared to identify any ecological constraints that might affect the development proposal for the subject lands. The report concluded that there were no Species at Risk or high-quality specimen trees on the site. As a condition of approval of the Plan of Subdivision approval, a minimum of one tree per interior lot and two trees per exterior side yard lots shall be provided.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-16-0097) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of issues and changing concepts presented.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Draft 4M Plan of Subdivision

CONCLUSION

The proposed development conforms to the Official Plan and balances the need for intensification and the diversity of housing needs. In consideration of the applicable Official Plan policies, the Fernbank Community Design Plan and compatibility of the use in the area, the Zoning By-law amendment is recommended for approval.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.




Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Zoning Key Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE			
Part of / partie de 5618 chemin Hazeldean Road		<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;">  </div> <div> <p>Area A will be rezoned from DR to O1 Le zonage du secteur A sera modifié de DR à O1</p> <p>Area B will be rezoned from DR to R3YY[XXX1] Le zonage du secteur B sera modifié de DR to R3YY[XXX1]</p> <p>Area C will be rezoned from DR to R3YY[XXX1]-h Le zonage du secteur C sera modifié de DR to R3YY[XXX1]-h</p> <p>Area D will be rezoned from DR to R3YY[XXX2] Le zonage du secteur D sera modifié de DR to R3YY[XXX2]</p> </div> </div>			
D02-02-16-0097	23-0465-L				
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REVISION / RÉVISION - 2023 / 05 / 23					

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 5618 Hazeldean Road:

1. Rezone the lands as shown on Document 1.
 - i) Add a new exception (R3YY[XXX1]) to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - (1) In Column II, add the text “R3YY[XXX1]” and “R3YY[XXX1]-h”
 - (2) In Column V, Provisions, add the text:
 - (a) Provisions for detached dwellings:
 - (i) Minimum lot area: 195 square metres
 - (ii) Minimum lot width: 8.5 metres
 - (iii) Minimum front yard setback: 3 metres
 - (iv) Minimum interior side yard setback: Total 1.8 metres, with one minimum no less than 0.6 metres
 - (v) Minimum corner side yard setback: 2.5 metres
 - (vi) Minimum rear yard setback: 6 metres
 - (vii) The minimum setback between the vehicular entrance to a private garage or carport and an existing or planned sidewalk is 5.7 m
 - (viii) The area of the driveway does not exceed 55 per cent of the yard in which it is located
 - (b) Provisions for townhouse dwellings:
 - (i) Minimum lot area: 120 square metres
 - (ii) Minimum lot width: 5.7 metres
 - (iii) Minimum front yard setback: 3 metres
 - (iv) Minimum interior side yard setback: 1.2 metres
 - (v) Minimum corner side yard setback: 2.5 metres
 - (vi) Minimum rear yard setback: 6 metres

- (vii) An air conditioner is permitted as a projection into the corner side yard.
 - (viii) The minimum setback between the vehicular entrance to a private garage or carport and an existing or planned sidewalk is 5.7 metres
 - (ix) The holding symbol may not be lifted until the design for 5618 Hazeldean Abbott's Run Pond 1 is reviewed and approved by the City of Ottawa through the detailed design review process, and until such time as the Pond and storm sewer within Robert Grant Avenue is constructed and functioning to the satisfaction of the General Manager of the Planning, Real Estate, and Economic Development Department.
- ii) Add a new exception R3YY[XXX2] to Section 239 – Urban Exceptions with provisions similar in effect to the following:
- (1) In Column II, add the text “R3YY[XXX2]”
 - (2) In Column V, add the following provisions:
 - (a) Provisions for townhouse dwellings:
 - (i) Minimum lot area: 100 square metres
 - (ii) Minimum lot width: 5.7 metres
 - (iii) Minimum front yard setback: 3 metres
 - (iv) Minimum interior side yard setback: 1.2 metres
 - (v) Minimum corner side yard setback: 2.5 metres
 - (vi) Minimum rear yard setback: 3 metres
 - (vii) All lot lines abutting Robert Grant Avenue or Abbott Street East, where applicable, are deemed the front lot lines.
 - (viii) For any lots abutting both Abbott Street east and Robert Grant Avenue, the setback for yards abutting these streets is to be a minimum of 3 metres, and the lot line adjacent to the roundabout is to be considered the front lot line.
 - (ix) Where a lot contains a dwelling and a parking space is accessed from a driveway within the rear yard, a maximum of 86% of the area of the rear yard, or the required minimum width of one parking space, whichever is greater, maybe used for a driveway.

- (x) An air conditioner is permitted as a projection into the corner side yard.

Document 3 – Draft 4M Plan of Subdivision

