

**Subject: Zoning Bylaw Amendment – 5957 & 5969 Fernbank Road**

**File Number: ACS2023-PRE-PSX-0002**

**Report to Planning and Housing Committee on 15 November 2023**

**and Council 22 November 2023**

**Submitted on October 31, 2023 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

**Contact Person: Kieran Watson, Planner, Development Review West**

**613-580-2424 ext.25470, kieran.watson@ottawa.ca**

**Ward: Stittsville (6)**

**Objet: Modification du Règlement de zonage – 5957 et 5969, chemin  
Fernbank**

**Dossier: ACS2023-PRE-PSX-0002**

**Rapport au Comité de la planification et du logement**

**le 15 novembre 2023**

**et au Conseil le 22 novembre 2023**

**Soumis le 31 octobre 2023 par Derrick Moodie, Directeur, Services de la  
planification, Direction générale de la planification, des biens immobiliers et du  
développement économique**

**Personne ressource: Kieran Watson, urbaniste, Examen des demandes  
d'aménagement ouest**

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**Quartier: Stittsville (6)**

## REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5957 and 5969 Fernbank Road, as shown in Document 1, to add an exception to the Residential Third Density, Subzone Z (R3Z) to permit a minimum lot area of 85 square metres for back-to-back townhouse dwellings, as detailed in Document 2.
2. 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 November 22, 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 les 5957 et 5969, chemin Fernbank, un bien-fonds illustré dans le document 1, afin d’ajouter une exception à la désignation de Zone résidentielle de densité 3, sous-zone Z (R3Z) et ainsi permettre une superficie de lot minimale de 85 mètres carrés pour des habitations en rangée dos à dos, comme l’expose en détail le document 2.
2. Que le Comité de la planification et du logement donne son approbation afin 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 22 novembre 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.

## 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**

5957 & 5969 Fernbank Road

**Owner**

1384341 Ontario Ltd.

**Applicant**

Thomas Cavanagh Construction Limited c/o Erin O'Connor

**Description of site and surroundings**

The subject lands are located north of Fernbank Road and west of Shea Road. The lands were draft plan approved (application D07-16-18-0009) for a Plan of Subdivision in 2021, with servicing for the subdivision lands currently underway. The subdivision, known as Shea Village, proposes 138 singles and 63 blocks for townhomes (containing 263 units including back-to-backs) for a total of 401 units. The subdivision also includes a 1.29-hectare park, a 2.95-hectare school block and a stormwater management pond.

To the north is the Sacred Heart Catholic School and Cardelrec Recreation Complex. To the west is draft approved subdivision (D07-16-18-0009) which includes 581 single detached and semi-detached dwellings. Fernbank Road is south of the property and Shae Road is to the east of the property.

**Summary of requested Zoning By-law amendment**

In 2022, the lands rezoned to R3Z - Residential Third Density, Subzone Z, (previous report: [ACS2022-PIE-PS-0018](#)) to facilitate the development of the residential subdivision. The subject application proposes a minor zoning amendment to the Residential Third Density Subzone Z to permit a reduced minimum lot area for back-to-back townhouse dwellings. The proposed rezoning is required to correct an error, and the back-to-back townhouse dwellings were always shown as part of the proposed development for the Plan of Subdivision application. Upon applying for building permits, the zoning review identified that the lot areas for the back-to-back townhouse dwellings did not comply with the R3Z - Residential Third Density, Subzone Z minimum lot area requirements.

Amendments requested:

- Reduce the minimum lot area requirement for back-to-back townhouse dwellings from 150 square metres to 85 square metres

## **DISCUSSION**

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. No comments were received from the public during the application review process.

For this proposal's consultation details, see Document 3 of this report.

### **Official Plan designation(s)**

The subject lands are primarily designated as Neighbourhood except along Fernbank Road where they are designated as Minor Corridor with an Evolving Neighbourhood Overlay as per Schedule B5 - Suburban (West) Transect. Within Neighbourhoods, the development is to be characterized as low-to-mid-density development. The Minor Corridor applies to lands along specified streets which permits a mix of uses to support residential uses and the evolution towards 15-minute neighbourhoods.

### **Other Applicable Policies and Guidelines**

#### **Fernbank Community Design Plan**

The purpose of the Fernbank Community Design Plan (CDP) was 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 southwestern portion of the Fernbank lands, which are designated a mix of "low-density residential" and "medium-density residential" in the CDP. "Low-density residential" land uses include detached and semi-detached dwellings, while "medium density residential" uses include townhouses, stacked units and low-rise apartments. The CDP also designates one neighbourhood park, one school site and a stormwater management pond block.

## **Planning rationale**

This application has been reviewed under the Official Plan (OP) approved by the Province on November 4, 2022.

The Official Plan directs how the City will grow over time, and this is supported by policies to provide opportunities for a wider range of housing options and typologies for larger households (Policy 2.2.1.2). The Official Plan also designates that Neighbourhoods shall be predominantly low-rise (6.3.1.2) and shall include the missing middle housing typology.

The proposal conforms to the Official Plan by allowing for the inclusion of the back-to-back townhouse dwellings as a part of the planned low-rise development. The back-to-back townhouse dwellings will contribute to a greater range of available housing types.

The back-to-back townhouse dwellings have always been a part of the proposed development for the Plan of Subdivision, which received draft approval in 2021. There will be no changes or alterations made to the approved development as a result of this Zoning By-Law amendment. Staff support the proposed reductions in the minimum lot area for back-to-back townhouse dwellings from 150 square metres to 85 square metres as back-to-back townhouse dwellings do not have rear yards and therefore require smaller lot areas.

## **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

## **COMMENTS BY THE WARD COUNCILLOR(S)**

Councillor Gower is aware of the application related to this report.

## **LEGAL IMPLICATIONS**

There are no legal implications associated with implementing the report recommendation.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with this report.

## **ACCESSIBILITY IMPACTS**

The new buildings will be required to meet the accessibility criteria contained within the Ontario Building Code.

## **TERM OF COUNCIL PRIORITIES**

2023-2026 Term of Council Priorities:

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more liveable for all
- A city that is green and resilient

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-23-0070) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

## **CONCLUSION**

The proposed exception to the R3Z zone conforms to the Official Plan and the development of back-to-back townhouse dwellings will contribute to a greater range of available housing types. 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

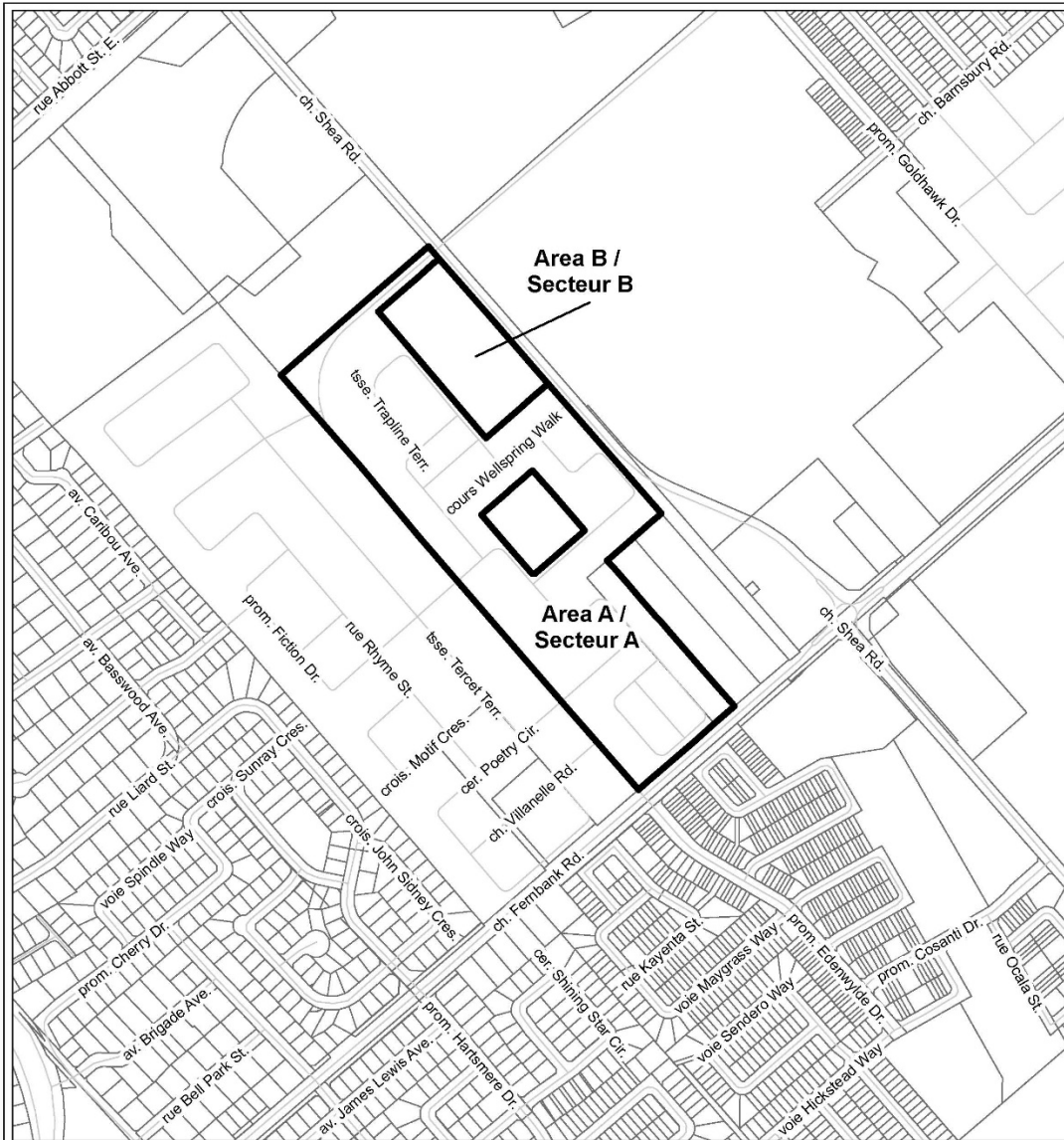
O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.





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 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
<b>5969, 5957 chemin Fernbank Road</b>		 Area A to be rezoned from R3Z to R3Z[xxxx] Le zonage du secteur A sera modifié de R3Z à R3Z[xxxx]	
 Area B to be rezoned from I1B/R3Z to I1B/R3Z[xxxx] Le zonage du secteur B sera modifié de I1B/R3Z à I1B/R3Z[xxxx]		 NOT TO SCALE	
D02-02-23-0070      23-0929-X		I:\CO\2023\Zoning\Fernbank_5969\...rezone	
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REVISION / RÉVISION - 2023 / 10 / 12			



## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 5957 and 5969 Fernbank Road:

1. Rezone the site as shown in Document 1
2. Amend Section 239, Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect as follows:
  - a. In Column II, add “R3Z[XXXX]”
  - b. In Column V, include provisions similar in effect to the following:
    - i. minimum lot area for back-to-back townhouse dwellings: 85 square metres

### **Document 3 – Consultation Details**

#### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

No comments were received from the public during the review period.