

**Subject: Zoning By-law Amendment 4305, 4345, 4375 McKenna Casey Drive
and part of 3288, 3300 Borrisokane Road**

File Number: ACS2024-PRE-PS-0035

**Report to Planning and Housing Committee on 24 April 2024
and Council 1 May 2024**

**Submitted on April 15, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Mélanie Gervais, Planner III, Development Review South

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Ward: Barrhaven West (3)

**Objet: Modification du Règlement de zonage visant les 4305, 4345 et 4375,
promenade McKenna Casey et une partie des 3288 et 3300, chemin Borrisokane**

Dossier: ACS2024-PRE-PS-0035

Rapport au Comité de la planification et du logement

le 24 avril 2024

et au Conseil le 1er mai 2024

**Soumis le 15 avril 2024 par Derrick Moodie, Directeur, Services de la planification,
Direction générale de la planification, des biens immobiliers et du développement
économique**

**Personne ressource: Mélanie Gervais, Urbaniste III, Examen des demandes
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Quartier: Barrhaven-Ouest (3)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council direct staff to proceed with supporting an amendment to Zoning By-law 2008-250 for 4305, 4345, 4375 McKenna Casey Drive and part of 3288, 3300 Borrisokane Road, generally as shown in Document 1 and detailed in Document 4, to permit a low-rise residential development, provided the following occurs:
 - i. The related Plan of Subdivision is draft approved.
 - ii. The cost splitting for the transit corridor is agreed to between the City and the Barrhaven Conservancy Development Corporation (Caivan).
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 May 1, 2024, 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'enjoindre au personnel de soutenir une modification du Règlement de zonage 2008-250 visant les 4305, 4345 et 4375, promenade McKenna Casey et une partie des 3288 et 3300, chemin Borrisokane, des biens-fonds généralement illustrés dans le document 1 et décrits en détail dans le document 4, afin de permettre la réalisation d'un aménagement résidentiel de faible hauteur, sous réserve des conditions suivantes :
 - i. que la demande connexe d'ébauche du plan de lotissement soit approuvée;
 - ii. que le partage des coûts associés au couloir de transport en commun soit convenu entre la Ville et la Barrhaven Conservancy Development Corporation (Caivan).

2. **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 1^{er} mai», sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.**

EXECUTIVE SUMMARY

Planning staff is seeking Council direction with regards to a zoning by-law amendment application to rezone a 67.25-hectare parcel of land from Development Reserve Zone (DR) to Residential Third Density Zone, Subzone YY with exception (R3YY[xxxx]), Residential Fourth Density Zone, Subzone Z, with exception (R4Z[yyyy]) and Open Space Zone (O1).

The Plan of Subdivision application for a residential subdivision on the subject lands, known as “Conservancy West”, has not obtained Draft Approval. Discussions have been ongoing with regards to the provision of a transit corridor as identified in the Official Plan and the Transportation Master Plan, but an agreement hasn’t been finalized yet.

The applicant appealed the Draft Plan of Subdivision and Zoning By-law amendment applications to the Ontario Land Tribunal (OLT) on August 15, 2023 for the City’s lack of decision within 120 and 90 days, respectively. A case management conference was held on January 9, 2024 and the hearing has been scheduled for July 2, 2024 to July 12, 2024. City staff is therefore seeking Council’s direction to take a position before the OLT.

RÉSUMÉ

Le personnel des Services de planification souhaite obtenir l’avis du Conseil au sujet d’une demande de modification du Règlement de zonage visant une parcelle de 67,25 hectares, dont la désignation passerait de Zone d’aménagement futur (DR) à Zone résidentielle de densité 3, sous-zone YY, assortie d’une exception (R3YY [xxxx]), Zone résidentielle de densité 4, sous-zone Z (R4Z) et Zone d’espaces verts (O1).

La demande d’approbation d’ébauche du plan de lotissement résidentiel sur les biens-fonds visés, connus sous l’appellation de « Conservancy Ouest », n’a pas été approuvée. Les discussions ont été constantes au sujet de la création du couloir de transport en commun mentionné dans le Plan officiel et le Plan directeur des transports, mais aucun accord n’a encore été trouvé.

Le requérant a fait appel des demandes d’ébauche du plan de lotissement et de modification du Règlement de zonage auprès du Tribunal ontarien de l’aménagement du territoire (TOAT) le 15 août 2023, en raison de l’absence de décision par la Ville dans des délais de 120 et 90 jours respectivement. Une conférence de gestion des cas a eu lieu le 9 janvier 2024 et l’audience est prévue du 2 au 12 juillet 2024. Le personnel de la Ville demande donc l’avis du Conseil municipal pour prendre position devant le TOAT.

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

4305, 4345, 4375 McKenna Casey Drive and 3288, 3300 Borriskokane Road

Owner

Barrhaven Conservancy Development Corporation

Applicant

Hugo Lalonde, Barrhaven Conservancy Development Corporation

Architect

NAK Design Strategies

Description of site and surroundings

The subject lands are located within The Barrhaven Conservancy Community and is known as “Conservancy West”. The subject lands are a 67.26 hectare irregular-shaped parcel. The lands to the north of the subject land are part of the Citigate Business Park, which is primarily employment areas with light industrial and commercial uses. To the

east of the subject lands is the draft approved Conservancy East subdivision, owned by the applicant. To the south are additional lands owned by the applicant and City owned environmental lands abutting the Jock River. To the West is additional lands owned by the applicant, the Highway 416 and agricultural and rural uses beyond the 416.

Currently, the subject lands are vacant and comprised of former agricultural croplands which have been altered in preparation for development. The O'Keefe Drain runs north to south through the site to the Jock River and the Foster Municipal Drain runs along the eastern edge.

Summary of proposed development

The proposed subdivision development is expected to provide approximately 961 residential units over 32.95 hectares of developable lands within the site. In keeping with the residential lands to the east, also part of the "Barrhaven Conservancy Community" the layout has been designed with one park block, one pump station, four pedestrian linkages, 21 roads (two collector roads and 19 local roads) and open space. The residential component will be comprised of back-to-back townhomes, stacked townhomes, traditional townhomes, and detached homes.

The site features pedestrian access into the open space lands, and street connections providing continuity with the residential character of the Conservancy lands to the east. Streets are expected to be typical suburban residential rights-of-way with on-street parking and sidewalks.

Access within the site will be provided through two east-west collector roads, which cross the Foster watercourse and cut through the Conservancy East lands and out to Borrisokane Road. The internal road grid will incorporate window streets, local roads, and appropriate traffic calming measures. Parkland will be provided pursuant to Section 42 and Section 51.1 of the *Planning Act* (Bill 23), as amended January 1, 2023, establishing the maximum alternative rate for parkland dedication to one hectare for each 600 net residential units proposed.

The provision of a future transit corridor in the development lands has evolved since the original submission of the application and is discussed with details later in this report.

Summary of requested Zoning By-law amendment

The subject lands are currently zoned Development Reserve (DR) and Parks and Open Space (O1) in Zoning By-law 2008-250, with portions of the land within the watercourse

corridors also subject to a 'Flood Plain Hazard Overlay', which prohibits some uses in the underlying DR and O1 zoning.

The proposed Zoning By-law Amendment seeks to implement 961 residential units (in the form of detached and townhomes), one park and watercourse blocks as proposed within the draft plan of subdivision. The proposed zoning provisions are based on the Residential Third Density, Subzone YY (R3YY), which are in place through the adjacent Conservancy East subdivision. The proposed zoning provisions also include exceptions listed in Document 4. Residential Fourth Density, Subzone Z, with exception (R4Z[yyyy]) is also being sought to allow stacked units near future transit stations. The proposed Zoning By-law Amendment is also seeking to rezone some DR lands to Open Space (O1).

DISCUSSION

Brief History of Proposal

On April 25, 2018, City Council approved an OPA (OPA 212) to change the Secondary Plan designation of the specific lands within the Conservancy development from Commercial Recreation to Residential and to remove any reference to a Two Zone floodplain approach to refer any floodplain designation to the process as governed by the Rideau Valley Conservation Authority (RVCA).

The applicant later proceeded with a Cut and Fill application to the RVCA. The permit was obtained from the RVCA (RV5-4419 dated November 12, 2019) and the site was modified and regraded to a higher elevation thereby removing the lands from the floodplain. The permit from the RVCA required a monitoring program, as conditioned in the permit. As a result, it was identified by the RVCA to maintain an area free from encumbrance to ensure that there would be a means to implement mitigation if required as a result of the monitoring plan.

The Plan of Subdivision for Conservancy East (D07-16-20-0021) was draft approved on December 7th 2021. Parts of this Draft Approval have since been rezoned and registered.

On October 25, 2021, the applicant submitted applications for Plan of Subdivision and Zoning By-law Amendment for the subject lands to the City of Ottawa which were deemed complete on November 2, 2021. This Plan of Subdivision application is known as Conservancy West, and the related Zoning By-law Amendment is the subject of this report.

On January 31, 2023, the applicant submitted a resubmission to address the first review comments for Plan of Subdivision and Zoning By-law Amendment applications for Conservancy West. Staff was not satisfied with the resubmission because the proposal did not include the requested Bus Rapid Transit corridor.

On August 15, 2023, the City received notices of the applicant's appeal under Section 34(11) and 51(34) of the *Planning Act* due to the municipality's failure to make a decision on the above noted Plan of Subdivision and Zoning By-law amendment applications within 120 and 90 days, respectively, of the City's receipt of the application. A similar appeal was also submitted for the adjacent Plan of Subdivision Revision application and Zoning By-law Amendment application, D07-16-22-0028 and D02-02-22-0120 respectively (known as "Conservancy East", see report ACS2024-PRE-PS-0036).

A case management conference was held on January 9, 2024 and the hearing has been scheduled for July 2, 2024 to July 12, 2024. City staff is therefore seeking Council's direction to take a position before the Ontario Land Tribunal (OLT).

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. City staff received one written public comment in response to the notice of the Zoning By-law amendment application. The respondent asked to be circulated on the file and notified on any decisions.

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

Official Plan designation(s)

The subject lands are within the Suburban Transect on Schedule A of the Official Plan (OP) and are designated Neighbourhood, as shown on Schedule B6 of the Official Plan. The applicable policies are set out in Sections 5.4 and 6.3 of the Plan. Neighbourhoods, within the Suburban Transect, are contiguous urban areas that permit a mix of building forms and densities and are planned for ongoing gradual, integrated, sustainable and context-sensitive development, generally towards the model of 15-minute neighbourhoods. The subject lands are also identified on Schedule C2 – Transit Network Ultimate, which identifies a conceptual future transit corridor through the development land.

Other applicable policies and guidelines

Transportation Master Plan (2013)

Policy 6.1 of Section 6 in the City of Ottawa's Transportation Master Plan (2013) notes that the successful implementation of an expanded rapid transit and transit priority (RTTP) network – which will include light rail transit (LRT), bus rapid transit (BRT) and O-Train facilities plus on-road transit priority measures – will be a critical element in the achievement of the City's transit objectives. An east-west conceptual future transit corridor running through the subject lands has been identified on Transportation Master Plan – Map 3 – Rapid Transit and Transit Priority Network – Ultimate Plan and Map 4 – Rapid Transit and Transit Priority Network – 2031 Network Concept.

Planning rationale

The Transit Corridor

The associated draft plan of subdivision as originally submitted did not include the required bus rapid transit corridor. Although planning staff have no concerns with the proposed land use (i.e. residential subdivision) and the requested zones to facilitate the development, staff has been consistent that without providing the required transit corridor as identified in the Official Plan and the Transportation Master Plan, the proposed Draft Plan of Subdivision and corresponding Zoning By-law amendment do not conform with the following Official Plan policies: Policy 2.1 of Section 2, Strategic Directions, Policy 5 of Section 3.3 – Growth Management Framework, Policy 5 of Section 4.1.1 – Provide mobility option to safely and equitably navigate the city, Policy 22 of Section 4.1.2 – Promote healthy 15-minute neighbourhoods, Policy 3 of Section 4.1.7 – Protect and invest in rights of way, Policy 1c of Section 5.4.4 – Provide direction for new development in the Suburban Transect.

OP Policy 3.3.5 states that new neighbourhoods should be designed around the notion of easy pedestrian access to a rapid transit station, or frequent street bus route leading to a station on the high-frequency transit network. Policy 4.1.1.5 states that new subdivision development shall connect to existing pedestrian, cycling, transit and street networks and provide for the potential future extension of these networks up to abutting property boundaries, including those lands beyond an existing Urban boundary or Village boundary. Policies 4.1.2.22 and 4.1.7.3 state that the City shall protect the corridors and expand the transit network as detailed in Schedule C2 and implement transit priority measures in other appropriate locations. Schedule C2 illustrates the network for which the City will pursue funding and will remain consistent with the Transportation Master Plan. As per Policy 5.4.4.1.c, greenfield developments in the

Suburban Transect are to contribute to the evolution towards 15-minute neighbourhoods by maintaining the priority of sustainable modes of transportation.

Additionally, the Council approved Official Plan and Transportation Master Plan (2013) identify an east-west conceptual future transit corridor running through the subject lands. This is shown on the Transportation Master Plan – Map 3 – Rapid Transit and Transit Priority Network – Ultimate Plan and Map 4 – Rapid Transit and Transit Priority Network – 2031 Network Concept, and on Schedule C2 – Transit Network Ultimate in the Official Plan as a Conceptual Future Transit Corridor.

The whole of the Barrhaven Conservancy Subdivisions (East and West) has a potential for over 2,800 units. This is a significant development that will rely on the City's transportation network and, as such, transit services will be an important part of the transportation solution.

The Chapman Mills Drive bus rapid transit to the east of Longfields Drive has been constructed and well utilized; to the west of Longfields Drive, it has been protected for throughout various subdivisions from the Barrhaven Downtown to Borrisokane Road. Although the construction of this bus rapid transit is not imminent, it is extremely important to protect for it to ensure the sustainability of this suburban area. This westerly extension of the bus rapid transit will connect to the existing Barrhaven Bus Rapid Transit Station in Barrhaven Downtown (future Barrhaven Light Rail Transit Station); and eventually west of Highway 416 connecting the two major City of Ottawa nodes of Barrhaven and Kanata/Stittsville.

This connection was refuted by the applicant and not included in the Draft Plan of Subdivision despite the fact that a Bus Rapid Transit alignment was identified and protected for from the Barrhaven Downtown to Borrisokane Road, at a location across the Conservancy Lands. Based on staff's analysis, the application failed to provide a safe and convenient sustainable transportation option because the submitted Draft Plan of Subdivision application did not reflect the protection of a transit corridor and did not intend to futureproof for a bus rapid transit facility.

This transit corridor needs to be shown on the Draft Plan of Subdivision, to the City's satisfaction, prior to proceeding with Draft Approval. Once the proposed Plan of Subdivision is draft approved, a Zoning By-law Amendment application will be required to rezone the lands according to the approved Draft Plan. Typically, proceeding with a Zoning by-law Amendment application prior to draft approval of the Subdivision is premature.

Issue Resolution for the Transit Corridor

During the application review process, the applicant suggested alternative options to place the BRT alignment along the periphery or outside of the development lands. Staff reviewed these options and concluded that the alternative options would cost greater, with additional length, creating increased travel time and be less convenient for riders. These alternatives do not meet the City's Transitway and Station design guidelines and would have an effect on the operation of buses. Staff concluded that the best option for the future BRT alignment would be through the subdivision lands.

Following the notice of appeal, City staff from PRED and OC Transpo held discussions and prepared alternative options for the protection of the corridor and potential station locations. The new alternative presented to the applicant on November 21, 2023 for reconsideration into their Plan of Subdivision proposal was for a bus rapid transit corridor in the median and a vehicular travel lane on either side, within a combined cross-section of 26 metres (mid block) versus a bus rapid transit exclusive cross-section of 23.5 metres, or a typical combined bus rapid transit -travel lane cross-section of 41 metres. A concept plan showing this median bus rapid transit through both Conservancy East and West was then submitted by the applicant on January 22, 2024 and is generally accepted by City staff. It is anticipated that the lands for the combined corridor will be dedicated to the City through the subdivision registration process. Discussions are currently ongoing on the final cost splitting associated within this corridor.

In recognizing the opportunity that the transit corridor alignment and cost splitting issue will be resolved prior to or at the OLT, staff is therefore seeking Council direction with regards to the dealing of the proposed zoning by-law amendment, that staff proceed with supporting an amendment to Zoning By-law 2008-250 for 4305, 4345, 4375 McKenna Casey Drive and 3288, 3300 Borrisokane Road, generally as shown in Document 1 and detailed in Document 4, provided the following occurs:

- The related Plan of Subdivision is draft approved.
- The cost splitting for the transit corridor is agreed to between the City and the applicant, Barrhaven Conservancy Development Corporation (Caivan).

Other Technical Reviews

Most of the development lands are to be zone to Residential Third Density Zone, Subzone YY (R3YY), with exceptions. The R3YY zone is appropriate for the greenfield development to allow a range of low-rise residential buildings.

Through the subdivision review process, other development matters related to environment, servicing, engineering, local road network, urban design and parks have been reviewed. Staff have no significant concerns, however, because the provision of the transit corridor will affect the overall layout (and zoning boundaries), to ensure the overall integrity of the subdivision design, all the technical matters will have to be re-confirmed.

The original application did not include R4Z[yyyy] zone as a proposed zone. The R4Z[yyyy] zone was introduced in the latest resubmission and was proposed for blocks that are near or adjacent to the future bus stops and transit stations. Staff has no objection towards the proposed R4Z[yyyy] zone to allow three to four-storey stacked townhouse buildings that are consistent with the low-rise built form in the area with a gently increased density. Addendums to high-level technical studies were provided to demonstrate that servicing, soil conditions, and road network are appropriate to support the increased density and new built form. It is anticipated that blocks to be zoned R4Z[yyyy] will be subject to future Site Plan Control applications, through which process details of site design will be examined further.

Additionally, under the provisions of permit RV5-4419 provided by the RVCA on November 12, 2019, under Section 28 of the *Conservation Authorities Act*, a monitoring program is required. As a result, the RVCA requires an area free of encumbrances to ensure that there would be a means to implement mitigation, if required, as a result of the monitoring plan. This area has also been referred to as abeyance lands. The RVCA has entered into a memorandum of understanding (MOU) with Barrhaven Conservancy Development Corporation which protects RVCA's interests should it be necessary to undertake additional grade changes to compensate for any impacts that may be identified during the 10-year monitoring plan. The MOU has been signed by both parties and registration of the MOU will be required through a condition of draft approval. Additionally, all lands owned by the applicant within the RVCA Floodplain and Regulation Limit will be rezoned to O1 as part of this amendment.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that staff's recommendation is consistent with the 2020 Provincial Policy Statement (PPS). As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land. This report is consistent with the PPS, particularly the following policies.

Policies 1.6.8.1 and 1.6.8.3 in Section 1.6.8 – Transportation and Infrastructure Corridors:

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.3. Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate, or minimize negative impacts on and from the corridor and transportation facilities.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR(S)

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

ADVISORY COMMITTEE(S) COMMENTS

There are no advisory committee comments associated with this report.

LEGAL IMPLICATIONS

As outlined in the Executive Summary, the subdivision and zoning have been appealed to the Ontario Land Tribunal and a hearing scheduled for July 2, 2024 to July 12, 2024. Legal Services will advance the instructions of Council before the Tribunal

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

The Barrhaven Conservancy West subdivision requires a sanitary lift station. There are outstanding concerns with regards to the proposed emergency overflow for the lift station. There are also outstanding hydraulic analyses required to demonstrate that the sanitary system design (system includes sewers, lift station, forcemains if required, and emergency overflow in relation to basements and river flood levels) meets city design

guidelines for sanitary system design and sanitary basement flooding resilience. The proponent needs to demonstrate that the grading and servicing design meets city design guidelines for storm and sanitary flood resilience.

FINANCIAL IMPLICATIONS

There are no direct financial implications. In the event the applications are refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within Planning Services operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TERM OF COUNCIL PRIORITIES

The refusal of this application is in line with supporting the following Term of Council Priority:

- A City that is more connected with reliable, safe and accessible mobility options.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0132) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of transportation issues and a lack of agreement on the provision of the transit corridor.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Concept Plans

Document 3 Consultation Details

Document 4 Proposed Zoning Details

CONCLUSION

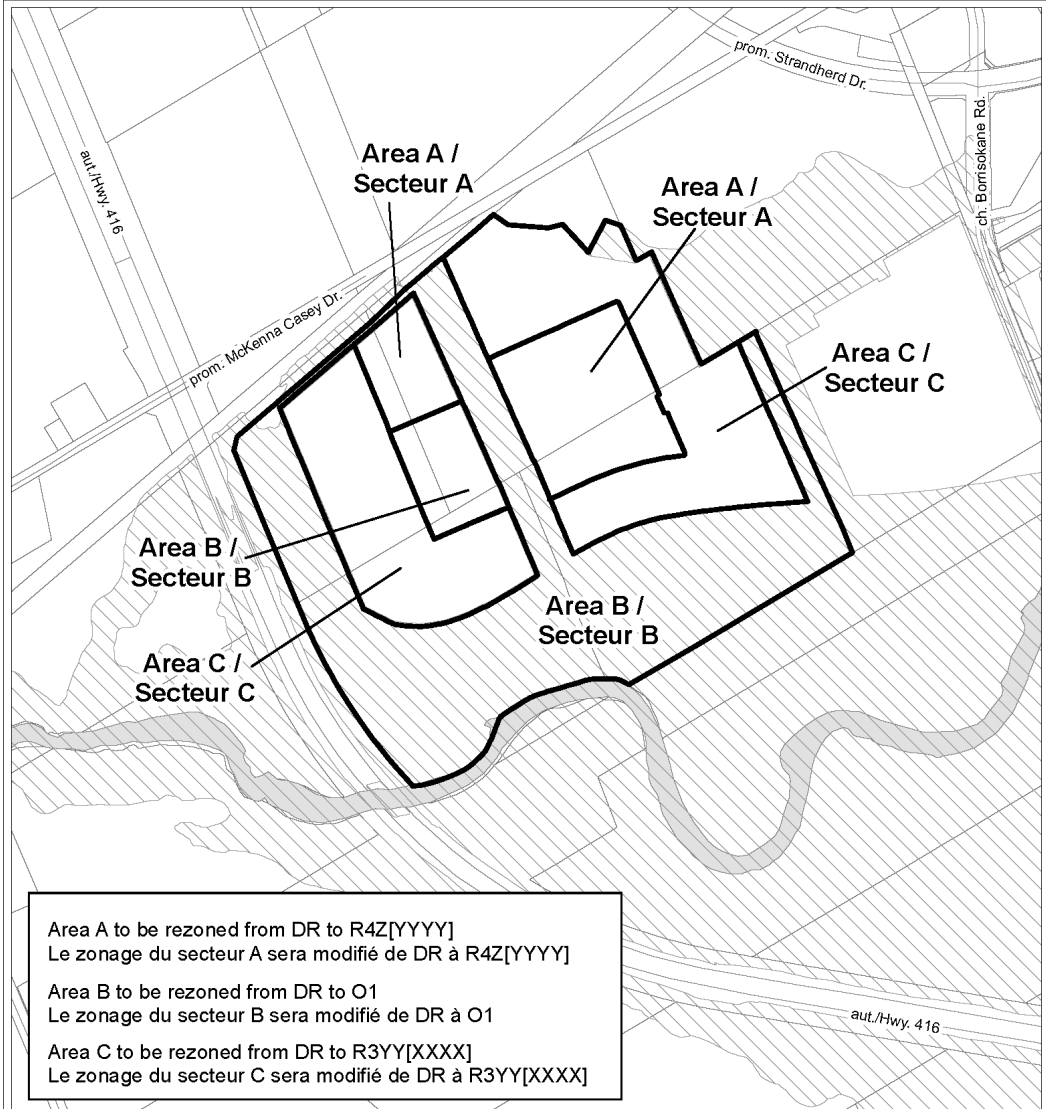
The requirement for the transit corridor to be included in the draft plan of subdivision revision is according to the City's Official Plan and Transportation Master Plan, and is consistent with the PPS. Staff is actively working with the applicant to finalize the details of the subdivision plan and the transit corridor cost splitting. Staff is seeking direction





from Council to proceed with the proposed zoning at an Ontario Land Tribunal hearing, scheduled for July 2nd to 12th 2024.

DISPOSITION

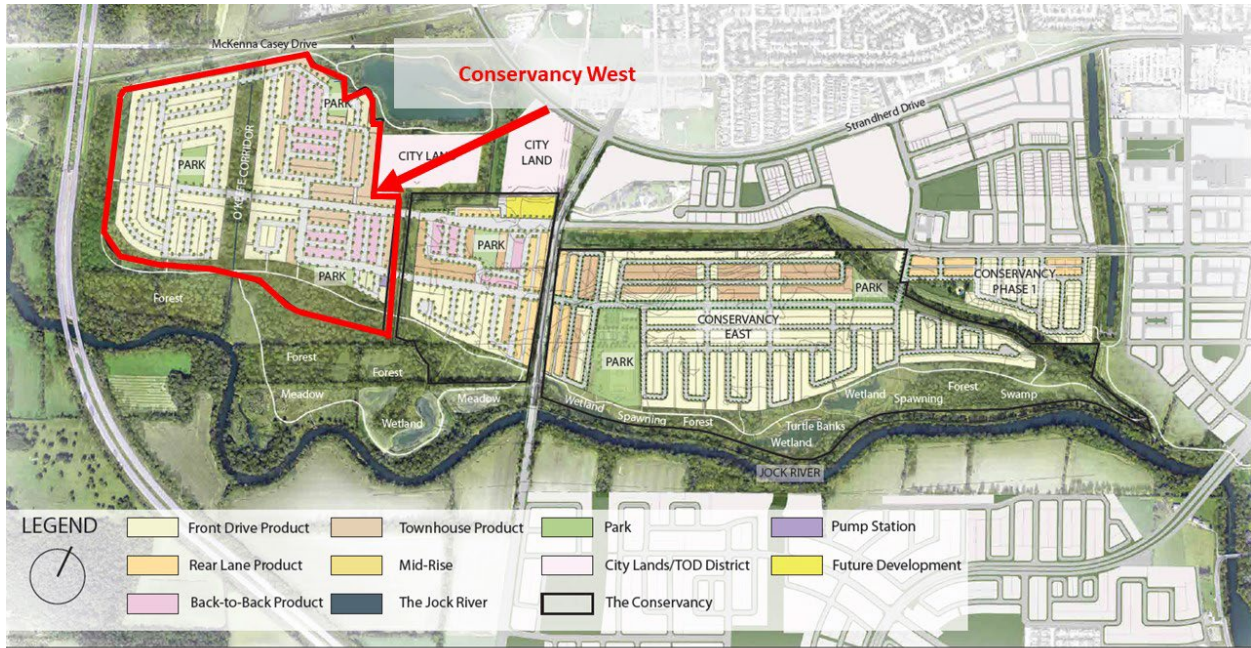
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

Document 1 – Zoning Key Map



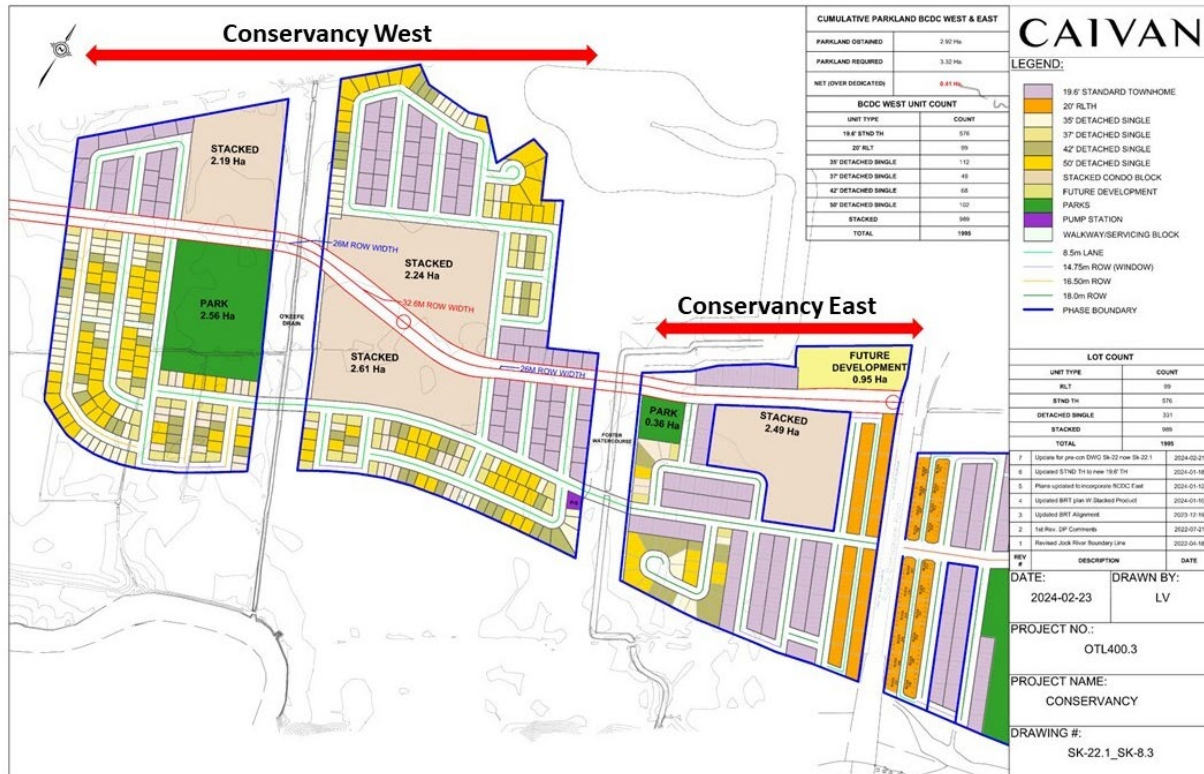
		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-21-0132	24-0353-X		Part of / partie de 3288 and / et 3300 chemin Borrisokane Road, 4305, 4345, 4375 promenade McKenna Casey Drive
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REVISION / RÉVISION - 2024 / 04 / 11		 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	

Document 2 –Concept Plans



The Conservancy Master Plan

The Conservancy by CAIVAN



The revised concept plan showing the required transit corridor

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

One comment was received, the respondent asked to be kept informed of the file and any project decision-making.

Document 4 – Proposed Zoning Details

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for **4305, 4345, 4375 McKenna Casey Drive and part of 3288, 3300 Borrisokane Road** is as detailed below. Staff will continue to review and refine the details prior to the OLT.

1) Rezone the lands as shown in Document 1.

2) Add a new exception xxxx to Section 239 – Urban Exceptions with provisions similar in effect to the following:

a) In Column I, Exception Number, add the text “[xxxx]”

b) In Column II, Applicable Zones add the text “R3Y[xxxx]”:

- A maximum of 65 per cent of the area of the front yard, or the required minimum width of one parking space, whichever is the greater, may be used for a driveway, and the remainder of the yard, except for areas occupied by projections permitted under Section 65 and a walkway with a maximum width of 1.8 metres, must be landscaped with soft landscaping: except in the case of a back-to-back townhouse where a maximum of 75 per cent of the area of the front yard may be used for a driveway/parking and garbage enclosure.
- Where an attached garage accesses a public street by means of a driveway that crosses a sidewalk, the attached garage must be setback at least 5.8 m from the nearest edge of the sidewalk
- A chimney, chimney box, fireplace box, eaves, eaves-troughs, gutters, and ornamental elements such as sills, belts, cornices, parapets and pilasters may project 1 metres into required interior side yard but no closer than 0.2 metres to the lot line.
- Balconies and porches may project to within 0 metres of a corner lot line and sight triangle.
- The steps of a porch may project 2.5 metres into a required yard but may be no closer than 0.5 metres from a lot line other than a corner side lot line and sight triangle, from which they can be as close as 0 metres.
- Any portion of a deck with a walking surface higher than 0.3 metres but no higher than 0.6 metres above adjacent grade may project to within 0.6 metres of a lot line, and any portion of a deck with a walking surface equal to or less than 0.3 metres may project to within 0.3 metres of a lot line.

- An air-conditioning condenser unit may project 1 metre, but no closer than 0.2 metres to a lot line. And the air conditioning condenser may not be located in a front yard (including front yard balcony) except in the case of a back-to-back multiple dwelling or townhouses with rear lane access but may be located in a corner side yard.
- Section 57 does not apply.
- In the case of a home-based business operating within a townhouse or semi-detached dwelling, a parking space is only required if a non-resident employee works on-site.

The following applies to detached dwellings:

- Minimum lot area: 220 square metres
- Minimum front yard setback: 3 m
- Minimum total interior side yard setback is 1.8 metres with a minimum of 0.6 metres on at least one side. 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.
- Minimum corner side yard setback: 2.5 metres, despite the foregoing, no more than two portions of the building, not exceeding a total floor area of 3 square metres, may be located no closer than 2 metres from the side lot line abutting a street.
- Maximum lot coverage: 55 per cent
- Minimum rear yard setback may be reduced to 4.5 metres for a maximum of 50 per cent of the lot width, the total area of the contiguous rear and interior yards must not be less than 54 square metres
- For a detached dwelling on a corner lot:
 - a. Minimum rear yard setback may be reduced to 2.5 metres for part of the building that is no higher than 4.5 metres and any part of the building, excluding projections, located less than 6 metres from the rear lot line must be located at least 4 metres from any interior side lot line.

The following applies to semi-detached and townhouse dwellings:

- Minimum lot area: 137 square metres

- Minimum lot width: 5.5 metres
- Minimum front yard setback: 3.0 metres
- Minimum interior side yard setback: 1.5 metres
- Minimum corner side yard setback: 2.5 metres
- Maximum building height: 14 metres
- Maximum lot coverage: 65 per cent

The following applies to back-to-back townhouse dwellings

- Minimum lot area: 77 square metres
- Minimum lot width: 5.5 metres
- Minimum front yard setback: 3.0 metres
- Minimum interior side yard setback: 1.5 metres
- Minimum rear yard setback: 0.0 metres
- Minimum corner side yard: 2.5 metres
- Maximum building height: 14 metres
- Outdoor amenity area is permitted on top of balconies above garages
- Despite Section 102 – Table 201, no visitor parking is required on the same lot as a townhouse.
- Despite Section 107(3)(b), driveways may be located in a front yard if the permitted parking space is also in the front yard.
- Despite Section 109(3), the required parking space may be established in a required and provided front yard.
- Balconies and porches, including those higher than 0.6 metres above adjacent grade, may project to within 1.0 metres from the front lot line, and may project to within 0.0 metres of an interior lot line, corner lot line or the corner sight triangle.
- Bay window features and garbage enclosures are permitted to project 1.0 metre, but no closer than 1.2 metres from a lot line.
- Maximum lot coverage: no maximum

The following applies to townhouse dwellings with access to a rear lane:

- Minimum lot area 110 square metres
- Minimum lot width 5.5 metres
- Minimum front yard setback 3 metres
- Minimum rear yard setback: 0 metres
- Minimum interior side yard setback: 1.5 metres
- Minimum corner side yard: 2.5 metres
- Maximum building height: 14 metres
- Maximum lot coverage: no maximum
- The area of the driveway can cover 100 per cent of the yard in which it is located.
- Outdoor amenity area is permitted on top of garages.
- Where access is via the rear lane, the minimum rear yard setback may be reduced to 0 metres, and the width of the garage, carport or driveway may be the width of the entire rear yard.
- Balconies and porches, including those higher than 0.6 metres above adjacent grade, may project to be within 1.0 metre from the front lot line, and may project to within 0.0 metres of an interior lot line, corner lot line or the corner sight triangle.

c) In Column I, Exception Number, add the text “[yyyy]”

d) In Column II, Applicable Zones add the text “R4Z[yyyy]”:

- Minimum front yard setback: 3m
- Minimum corner side yard setback: 3m
- Minimum rear yard setback: 3m
- Minimum interior side yard setback: 3m
- Minimum parking for residents: 1.00 per unit
- Minimum parking for visitors: 0.2 per unit

