

Subject: Zoning By-law Amendment - 1158 Old Second Line Road

File Number: ACS2024-PDB-PS-0061

Report to Planning and Housing Committee on 8 May 2024

and Council 15 May 2024

**Submitted on April 29, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services Department**

Contact Person: Kersten Nitsche, Manager, Development Review West

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Ward: Kanata North (4)

**Objet: Modification du Règlement de zonage – 1158, chemin Old Second
Line**

Dossier: ACS2024-PDB-PS-0061

Rapport au Comité de la planification et du logement

le 8 mai 2024

et au Conseil le 15 mai 2024

**Soumis le 29 avril 2024 par Derrick Moodie, Directeur, Services de la planification,
Direction générale des services de la planification, de l'aménagement et du
bâtiment**

**Personne ressource: Kersten Nitsche, Gestionnaire, Examen des demandes
d'aménagement ouest**

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Quartier: Kanata-Nord (4)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1158 Old Second Line Road, as shown in Document 1, to permit stacked dwelling units on private streets, as detailed in Document 2.
2. That Planning and Housing Committee 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 15 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’approuver une modification du Règlement de zonage 2008-250 visant le 1158, chemin Old Second Line, un bien-fonds illustré dans le document 1, afin de permettre la construction d’habitations superposées donnant sur des rues privées, 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 15 mai 2024 », 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

1158 Old Second Line Road

Owner

SLK Kanata Inc. C/O Joey Theberge

Applicant

Fotenn Consultants Inc. c/o Scott Alain

Architect

S.J. Lawrence Architect Incorporated

Description of site and surroundings

The subject lands are located on the east side of Old Second Line Road between Klondike Road to the south and Old Carp Road to the north. The lands are approximately 12,296.3 square metres in area, with 95 metres of frontage on Old Second Line Road.

Surrounding land uses include the South March Highlands natural area to the west and the Morgan's Grant low-rise residential community to the north, south and east. A hydro corridor abuts the east side of the subject site.

Summary of proposed development

In 2020, a Zoning By-law Amendment (File No. D02-02-18-0040) was approved to rezone the lands to Residential Third Density, Subzone Z, Urban Exception 2622, Schedule 182 (R3Z [2622] S183) (previous report: [ACS2020-PIE-PS-0044](#)) to facilitate the development of 47 two-storey townhouse units on private streets. Urban Exception 2622 amended the performance standards to reduce the minimum building setbacks as well as reduce the minimum lot area and lot width for townhouse units.

Summary of requested Zoning By-law amendment

In June 2023, a Site Plan Control application (File No. D07-12-23-0086) was received for a new development concept to construct approximately 100 three and a half storey stacked dwelling units on private streets. The plan includes an internal parking lot containing 140 parking spaces. Stacked dwellings are not a permitted use in the current R3Z zone and, therefore, the proposed development is not zoning compliant. This Zoning By-law Amendment application proposes to rezone the site to Residential Fourth Density, Subzone A, Urban Exception 2622, Schedule 183 (R4A [2622] S183) to permit

the stacked dwellings as a use and amend Urban Exception 2622 to have the following effect:

- Increase the minimum front yard setback from 3.0 metres to 3.5 metres;
- Increase a minimum northwesterly interior side yard setback from 3.0 metres to 7.5 metres;
- Reduce the minimum southeasterly interior side yard setback from 3.0 metres to 2.6 metres where a building wall is located within 21 metres of the front lot line or rear lot line. Otherwise, the minimum setback is 7.5 metres;
- Reduce the minimum rear yard setback from 7.5 metres to 3.5 metres; and
- Increase the maximum building height to from 11 metres to 12 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.

A virtual information meeting was held by the local Ward Councillor, on August 2, 2023 at 7:00 pm. Councillor Cathy Curry, the Applicant and the Owner's representative were present. Approximately 19 residents attended.

Thirteen comments were received against the proposed development and three residents wished to be kept informed.

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

Official Plan designation

The site is designated as Neighbourhood as per Schedule B5 – Suburban (West) Transect. Within Neighbourhoods, development is to be characterized as low- to mid-density development.

Other applicable policies and guidelines

The Urban Design Guidelines for Low-rise Infill Housing is intended to help low-rise infill development achieve quality design that fits in with the existing neighbourhood. Guidance is provided for the development of streetscapes, landscape, building design, parking and service elements.

Planning rationale

The Official Plan directs how the City will grow over time, and this is outlined in policies that support the provision of a wider range of housing options and typologies for larger households (Policy 2.2.1(2)). The Suburban Transect is generally characterized by low- to mid-density development and directs that development shall be low-rise within Neighbourhoods (Policy 5.4.5(1)).

The proposal conforms to the Official Plan by proposing a low-rise built form that increases the housing options in the urban area. The stacked dwellings are proposed to be larger two-bedroom units due to the larger floorplate enabled by the stacked dwelling layout. The proposal will maintain the low-rise form of the Neighbourhood designation that is compatible with the existing community.

The Zoning By-law Amendment would maintain adequate separation between the proposed development and the abutting properties.

- The increased front yard setback from 3.0 metres to 3.5 metres will provide a slightly larger rear yard for Blocks 1 and 2 that also serves as an added buffer from Old Second Line Road.
- The increased northwesterly interior side yard setback from 3.0 metres to 7.5 metres will provide a buffer between the rear yards of the detached dwellings along Goward Drive in addition to providing larger rear yard amenity areas for Blocks 3, 4 and 5.
- The reduced southeasterly interior side yard setback from 3.0 metres to 2.6 metres is not expected to negatively impact the abutting properties to the south along Whernside Terrace as a relatively small portion of this interior side yard would be occupied by building walls. The majority of the interior side yard will be occupied by surface parking spaces. Limiting the reduced setback to within 24 metres of the front property line and 21 metres of the rear property line, and requiring a 7.5 metre setback otherwise, ensures this.
- The reduced rear yard setback from 7.5 metres to 3.5 metres relates to the stacked dwellings that would back onto the abutting hydro corridor. Negative impacts are not predicted as a result of the reduced setback along the corridor and the rear yards will remain usable for outdoor amenity. The provision of fencing between the proposed development and the hydro corridor is being addressed through the concurrent site control application.

- The increased building height from 11 metres to 12 metres is to enable the three and a half storey design of the stacked dwellings. The actual height of the dwellings varies between 11.16 metres to 11.98 metres, depending on where they are on site. The increased building height remains compatible with the surrounding low-rise character of the area.

The proposed development responds positively to the low-rise infill design guidelines. Trees, shrubs and soft landscaping are proposed throughout the site. The three and a half storey stacked dwellings fit in with surrounding low-rise neighbourhood. The proposed setbacks would result in rear yards of a uniform depth while also providing usable outdoor amenity space.

The proposed development is planned to have its services within the Hydro One easement within the hydro corridor. Approval of any works within Hydro One's easement will need to be provided prior to Site Plan Approval. This is currently being undertaken by the Applicant through the concurrent site plan control application.

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 for this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Curry provided the following comments on the proposal:

“This small parcel of land will complete the northern build out of Morgan's Grant. A consultation was held and nearby neighbours were concerned about the loss of greenspace. However, the development is across the road from South March Highlands greenspace and the land in question is private land that was never public greenspace. The residents nearby had concerns about the change in plan for the development due to the increased density. The original design was reconfigured many times with the existing adjacent neighbourhood water infrastructure not accommodating the modified plan. As a result, the developer cancelled the development and created an entirely new concept that would work with the water infrastructure. The final design will increase density and provide more affordable housing.”

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations contained in the report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

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

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management Implications resulting from recommendations of this report.

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.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-23-0055) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the application.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

The proposed rezoning from R3Z [2622] S183 to R4A [2622] S183, including amendments to Urban Exception [2622], conforms to the Official Plan as it will add to housing options in the area while maintaining the low-rise form of the surrounding neighbourhood. The front, interior side yard and rear yard setbacks ensure appropriate separation between abutting properties as well as useable amenity area for future residents. The increased building height will result in a building design that is

compatible. The proposal responds positively to the low-rise infill design guidelines. The proposal is supported by the Official Plan and represents good planning. The Zoning By-law Amendment is recommended for approval.

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.

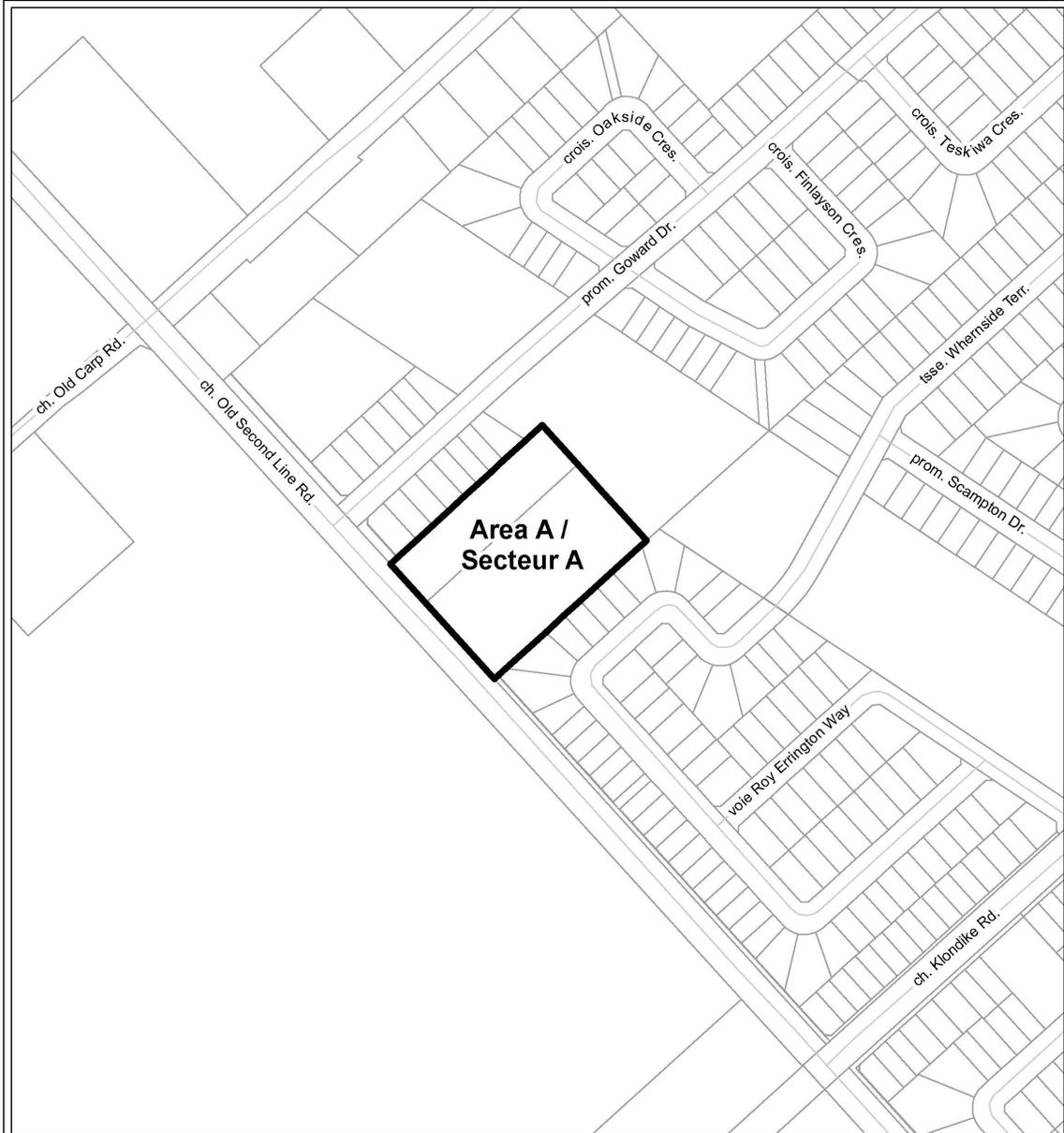
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com)



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-23-0055	24-0431-X	1158 chemin Old Second Line Road	
I:\CO\2024\Zoning\Old_Second_Line_1158			
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartiennent à Terranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2024 / 04 / 18		<div style="display: flex; align-items: center;"> <div style="border: 2px solid black; width: 20px; height: 15px; margin-right: 5px;"></div> <div> Area A to be rezoned from R3Z[2622] S183 to R4A[2622] S183 Le zonage du secteur A sera modifié de R3Z[2622] S183 à R4A[2622] S183 </div> </div>	
			 <small>NOT TO SCALE</small>

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1158 Old Second Line Road:

1. Rezone the lands as shown in Document 1 from R3Z [2622] S183 to R4A [2622] S183;
2. Replace Exception 2622 of Section 239 – Urban Exception with provisions similar in effect to the following under Column V, Provisions:
 - a. Despite Table 162A and Table 162B, for a Planned Unit Development:
 - i. Minimum front yard setback: 3.5 metres.
 - ii. Minimum northwesterly interior side yard setback: 7.5 metres.
 - iii. Minimum southeasterly interior side yard setback: 2.6 metres for any part of the building located within 24 metres of the front lot line, otherwise the minimum required setback is 7.5 metres.
 - iv. Minimum southeasterly interior side yard setback: 2.6 metres for any part of the building located within 21 metres of the rear lot line, otherwise the minimum required setback is 7.5 metres.
 - v. Minimum rear yard setback: 3.5 metres.
 - vi. Maximum building height: 12 metres.

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.

A virtual information meeting was held by the local Ward Councillor, on August 2, 2023 at 7:00 pm. Councillor Cathy Curry, the Applicant and the Owner's representative were present. Approximately 19 residents attended.

Thirteen comments were received against the proposed development and three residents wished to be kept informed.

Public Comments and Responses

Comment:

The increased building height will result in a loss of privacy.

Response:

Negative impacts on privacy are not anticipated. A minimum northwesterly interior side yard setback of 7.5 metres is proposed to be required in order to provide greater distance between the proposed development and the properties along Goward Drive to the north. This is more than double the requirement of the proposed R4A Zone, which only requires a minimum interior side yard setback of 3.0 metres.

The reduced southeasterly interior side yard setback of 2.6 metres is limited to buildings within the first 24 metres of the front lot line and within 21 metres of the rear lot line. Otherwise, the minimum setback is 7.5 metres. This is to limit the extent of building walls located along the southeasterly property line and reduce impacts to the properties to the south along Whernside Terrace.

Comment:

The proposed reduced rear yard setback will break the neighbourhood yard pattern.

Response:

The proposed setbacks will result in rear yards for the proposed dwellings that range in depth from 3.5 metres to 7.5 metres. While some of these rear yards are smaller than what is provided on surrounding lots, the resulting lot fabric is an acceptable deviation that will result in usable outdoor amenity area for future residents.

Comment:

Stacked dwellings are not a permitted use and not compatible with the neighbourhood.

Response:

The Zoning By-law Amendment seeks to rezone the site to Residential Fourth Density Zone, Subzone A, which permits stacked dwellings as a use. The three and half-storey stacked dwellings are a low-rise built form that is in keeping with the low-rise typology of the existing community.

Comment:

Concerned about increases in traffic and impacts on road safety.

Response:

Staff have reviewed the Transportation Impact Assessment that was submitted with the application and have determined the development is acceptable from a transportation perspective. Traffic safety measures are being addressed through the concurrent site plan control application.

Comment:

Concerned about noise generated during construction.

Response:

Prior to construction, the Applicant will be responsible for developing a Construction Management Plan that addresses noise generated during construction and minimize impact on adjacent properties.

Comment:

There will be a loss in green space.

Response:

The site is private property that is not zoned or designated for open space by the Zoning By-law or the Official Plan.

Comment:

Concerned about the increase in density.

Response:

The Official Plan supports intensification in the urban area to increase the housing supply. Further, increases in density are necessary to meet provincial housing targets.

Comment:

The number of units will create a fire hazard.

Response:

Fire department access for the proposed development is being addressed through the concurrent site plan control application. The buildings will be required to comply with the Ontario Building Code before construction, including fire wall separation.

Comment:

There is an excessive amount of parking being provided.

Response:

The proposed development includes a total of 140 surface parking spaces. It includes 120 resident parking spaces and 20 visitor parking spaces. This is the minimum parking space requirement for the proposed development per the Zoning By-law.

Comment:

Concern about impact on property values.

Response:

There is no evidence that this type of development causes property values to decrease.