

2. Zoning By-law Amendment – 5615 and 5621 Fernbank Road
Modification au Règlement de zonage – 5615 et 5621 chemin Fernbank

REPORT RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 to permit a residential subdivision at 5615 and 5621 Fernbank Road, as shown in Document 1 and detailed in Document 2.

RECOMMANDATION DU RAPPORT

Que le Conseil approuve une modification du Règlement de zonage 2008-250 afin de permettre l'aménagement d'un lotissement aux 5615 et 5621, chemin Fernbank, comme l'illustre le document 1 et le précise le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 7, 2019 (ACS2019-PIE-PS-0042)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 7 mai 2019 (ACS2019-PIE-PS-0042)

2. Extract of draft Minutes, Planning Committee, May 23, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 23 mai 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of June 26, 2019, 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 12, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 26 juin 2019 du 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 12 juin 2019 »

**Report to
Rapport au:**

**Planning Committee / Comité de l'urbanisme
May 23, 2019 / 23 mai 2019**

**and Council / et au Conseil
June 12, 2019 / 12 juin 2019**

**Submitted on May 7, 2019
Soumis le 7 mai 2019**

**Submitted by
Soumis par:**

**Lee Ann Snedden,
Director / Directrice**

Planning Services / Service de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

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Ward: STITTSVILLE (6)

File Number: ACS2019-PIE-PS-0042

SUBJECT: Zoning By-law Amendment – 5615 and 5621 Fernbank Road

**OBJET: Modification au Règlement de zonage – 5615 et 5621 chemin
Fernbank**

REPORT RECOMMENDATION

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to permit a residential subdivision at 5615 and 5621 Fernbank Road, as shown in Document 1 and detailed in Document 2.**

2. That Planning 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 City Clerk and Solicitor's Office 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 12 June 2019," 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 l'urbanisme recommande au Conseil d'approuver une modification du *Règlement de zonage 2008-250* afin de permettre l'aménagement d'un lotissement aux 5615 et 5621, chemin Fernbank, comme l'illustre le document 1 et le précise le document 2.
2. Que le Comité de l'urbanisme 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 de l'avocat général 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 12 juin 2019 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

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

5615 and 5621 Fernbank Road

Owner

Abbott-Fernbank Holdings Inc.

Applicant

Regional Group of Companies

Description of site and surroundings

The subject lands are located on the north side of Fernbank Road between Robert Grant Avenue and Tim Sheehan Place and are currently vacant. Lands to the north are occupied by a mix of detached and townhouse dwellings that were constructed as part of Phase 3 of the Fernbank Crossing Subdivision. To the east, construction is underway for townhouse dwellings approved under Phase 4 while lands to the west of Robert Grant Avenue are currently vacant. The lands south of Fernbank Road are outside the urban boundary and are rural in nature.

The lands are subject to a concurrent plan of subdivision application. The subdivision plan will receive Draft Approval shortly and the proponent intends to register the subdivision later this year.

The Fernbank Crossing subdivision received draft approval in 2012, and four phases have been registered since then. The property at 5621 Fernbank Road was not owned by Abbott-Fernbank Holdings Inc. and was therefore not part of the draft-approved plan of subdivision. Although the Fernbank Community Design Plan designated the subject property for a potential paramedic post, the City determined in 2018 that a paramedic post site is not required and the City will not be acquiring the property. The property has now been acquired by Abbott-Fernbank Holdings Inc. and will be incorporated into the last phase of their subdivision.

The owner has therefore applied for a plan of subdivision and Zoning By-law amendment for the site to permit development of townhouses and semi-detached dwellings on a public street, off Tim Sheehan Place, where the paramedic post was to be located. There will be seven blocks for townhouses and three blocks for semi-detached dwellings fronting on the new public street as well as one pedestrian pathway/servicing block connecting from the new street to the park-and-ride block and Shiny Avenue to the north.

Summary of requested Zoning By-law amendment proposal

The park-and-ride site and the portion of the paramedic post lands owned by Abbott-Fernbank Holdings Inc. were rezoned to T2 (Ground Transportation Zone) and I1A (Minor Institutional Zone) in 2017. Because the City has determined that a paramedic post is not required and will not be acquiring the site, the owner is seeking to rezone the parcel to R3Z[XXXX] (Residential Third Density Subzone Z with a site-specific exception) and to slightly modify the boundary of the current T2 zone to reflect the size of the park-and-ride parcel to be acquired by the City.

The property at 5621 Fernbank Road was not included in the draft-approved subdivision or the 2017 rezoning, so it remains zoned DR (Development Reserve Zone). This zone is used to recognize lands intended for future urban development and permitted uses are restricted to those that do not preclude future development. The applicant is requesting to similarly rezone this portion of the property to R3Z[XXXX] to permit the proposed residential development.

Three blocks on Tim Sheehan Crescent were rezoned to R3Z[2279] through the 2017 rezoning. These will be rezoned to the new exception zone to be consistent with the adjacent lands.

DISCUSSION

Public consultation

Public consultation was carried out in accordance with the City's Public Notification and Consultation Policy for Zoning By-law Amendment applications. A statutory public meeting for the associated plan of subdivision was held in the community on February 20, 2019 and attended by approximately 18 residents. Seventeen submissions were received from the public through the process with some seeking additional information or to register for future notifications and the majority expressing concerns regarding the proposed development. Consultation details are found in Document 3.

Official Plan designations

The Official Plan designates the subject property as General Urban Area, which permits the development of a full range of housing types to meet the needs of all ages, incomes and life circumstances in combination with conveniently located employment, retail, service, leisure and institutional uses. The proposed plan of subdivision is consistent with the goals, objectives and policies of the General Urban Area designation.

The Official Plan policies state that future development in new communities is to be compact and efficient from a servicing point of view. This approach is based on an underlying commitment to conserving the natural environment and reducing consumption of land and other resources outside of the urban boundary. More compact urban development promotes sustainability by reducing travel distances, making transit service more desirable, reducing overall land consumption, and maximizing the use of existing infrastructure. The subdivision contributes to creating a livable community by offering development of an urban density with a street pattern to facilitate connectivity.

Other applicable policies and guidelines

Fernbank Community Design Plan

The property is subject to the Fernbank Community Design Plan (CDP), which encompasses the 674 hectares of land between the established communities of Stittsville and Kanata, from Hazeldean Road to Fernbank Road. The CDP identified the land use and road pattern to accommodate a community of approximately 30,000 residents and established 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 near the corner of Robert Grant Avenue, the major north-south arterial through the area, and Fernbank Road, the southern boundary of the CDP lands. At the time of the CDP, it was expected that the City's Paramedic Services would require a site within the Fernbank community to provide service to the western urban area. The CDP therefore designated the lands for "Potential Paramedic Post" with the surrounding lands being designated a mix of "Low Density Residential" and "Medium Density Residential". "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 proposed subdivision plan is consistent with the Community Design Plan, providing appropriate and compatible medium density residential options and offering the opportunity for the future development of a park-and-ride. The proposed plan of subdivision, including the local road alignment, is in keeping with the intent and approach of the Fernbank Community Design Plan.

Urban Design Guidelines for Greenfield Neighbourhoods

The Urban Design Guidelines for Greenfield Neighbourhoods are applicable to the proposed development and are focused on providing guidance for neighbourhood design during the subdivision review and zoning processes. The guidelines speak to community layouts, street design, building and site design, green space and utilities.

Urban Design Review Panel

The property is not within a Design Priority Area and is therefore not subject to the Urban Design Review Panel process.

Planning Rationale

The property is located within the area affected by the Fernbank CDP, the purpose of which is to recognize and direct lands intended for future urban development within the Fernbank community.

The proposed Zoning By-law amendment is consistent with the CDP and the "Medium Density Residential" designation that is applicable to the site. The CDP states that medium density residential land uses will be dispersed throughout the Fernbank community to provide a variety of housing types and diverse neighbourhoods, and the proposed subdivision layout is consistent with this direction. The layout of the subdivision is in keeping with the intent and approach of the Fernbank CDP.

The proposed subdivision is consistent with the policies of the Building Better and Smarter Suburbs strategy, which ensures that the increased suburban density is accompanied by good subdivision design. The guidelines promote communities that are walkable and transit-supportive, are land and infrastructure efficient, are able to accommodate competing priorities and balance good urban design with long-term maintenance and operational costs.

The requested site-specific zoning exception is generally consistent with the provisions applicable to other lands with the overall Fernbank Crossing subdivision. The exception provisions are related to front yard setbacks and driveway areas. The proposed zoning will require a front yard setback of 5.25 metres, rather than 3 metres, which ensures a vehicle can be parked within the proposed driveway without impeding the right of way and is consistent with the requirement on adjacent lands.

The request related to driveways is to permit a driveway on a corner lot to occupy a maximum of 65%, rather than 50%, of the yard in which it is located. Staff have reviewed the requested increase and note that the perceivable difference from the street will be negligible given the area of the landscaped boulevard, being typically 4.75 metres, and the corner sight triangle which does not form part of the technical 'yard' in determining compliance with the By-law. Further, the proposed change does not result in impacts to the accommodation of street trees or on-street parking as it is restricted to corner lots where parking would not be permitted even in the presence of a single-wide driveway. Considering these aspects, staff are of the opinion that the proposed increase to the permitted driveway area is appropriate in this circumstance.

The following outlines the proposed amendments to the subject lands, which are in line with the draft plan of subdivision:

Area A is to be rezoned from Transportation Facility Zone (T2) to Residential Third Density Zone, Subzone Z with a site-specific exception (R3Z[XXXX]) to permit the proposed semi-detached and townhouse dwellings. This is a minor zoning boundary adjustment to reflect the slightly reduced size of the park-and-ride block from when the 2017 rezoning took place.

Area B is to be rezoned from Minor Institutional Zone (I1A) to Residential Third Density Zone, Subzone Z with a site-specific exception (R3Z[XXXX]) to permit the proposed semi-detached and townhouse dwellings.

Area C is to be rezoned from Development Reserve (DR) to Residential Third Density Zone, Subzone Z with a site-specific exception (R3Z[XXXX]) to permit the proposed semi-detached and townhouse dwellings.

Area D is to be rezoned from Residential Third Density Subzone Z, Exception 2279 (R3Z[2279]) to Residential Third Density Zone, Subzone Z with a new site-specific exception (R3Z[XXXX]) to incorporate the permitted driveway area. The existing zoning permits the proposed townhouses and is unchanged through this amendment.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

There are no rural implications associated with this report. The lands are within the General Urban Area and were designated for development through the Fernbank CDP.

COMMENTS BY THE WARD COUNCILLOR

Councillor Gower is aware of the report and the staff recommendation.

LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Design considerations with respect to accessibility are generally addressed through a Site Plan Control review process and are not a key consideration related to a Zoning By-law amendment.

ENVIRONMENTAL IMPLICATIONS

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.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- ES1 – Support an environmentally sustainable Ottawa.

- HC3 – Create new and affordable housing.

APPLICATION PROCESS TIMELINE STATUS

The application was processed by the On Time Decision Date established for the processing of Zoning By-law amendments. The application was on hold until the subdivision application received draft plan approval.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Draft Plan of Subdivision

CONCLUSION

The proposed development conforms to the Official Plan and Fernbank Community Design Plan. The proposed new zones are appropriate for the intended development of the property. In summary, the proposed rezoning complies with the Official Plan policies and the department is recommending that the Zoning By-law amendment be approved.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (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.

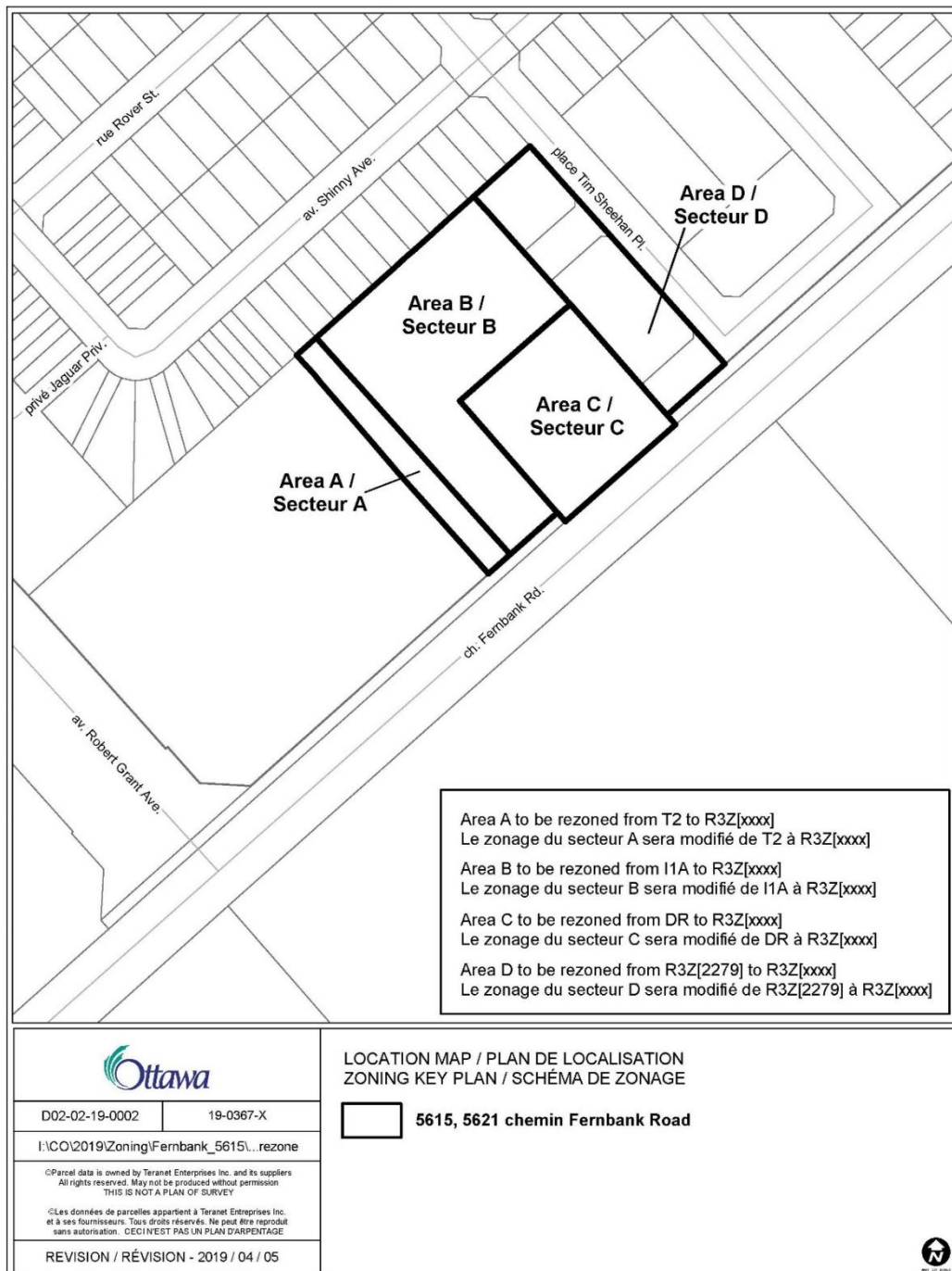
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.

This shows the lands subject to the Zoning By-law amendment, located on the north side of Fernbank Road between Robert Grant Avenue and Tim Sheehan Place.



Document 2 – Details of Recommended Zoning

Proposed changes to the City of Ottawa Zoning By-Law No. 2008-250 for 5615 and 5621 Fernbank Road:

1. Rezone the lands shown on Document 1 as follows:
 - a. Area A: T2 to R3Z[XXXX]
 - b. Area B: I1A to R3Z[XXXX]
 - c. Area C: DR to R3Z[XXXX]
 - d. Area D: R3Z[2279] to R3Z[XXXX]
2. Add a new exception [XXXX] to Section 239 – Urban Exceptions which will include provisions similar in effect to the following:
 - a. minimum front yard setback: 5.25 m
 - b. For a corner lot, a driveway may occupy a maximum of 65% of the yard in which it is located

Document 3 – Consultation Details

Notification and Consultation Process

This application was subject to the Public Notification and Consultation Policy approved by City Council for Zoning By-law Amendments. A statutory public meeting for the associated plan of subdivision was held in the community on February 20, 2019 and attended by approximately 18 residents. Seventeen submissions were received from the public through the process with some seeking additional information or to register for future notifications with the majority expressing concerns or an objection regarding the proposed development. The public concerns and staff responses are listed below:

Townhouse development: The existing lots on Shinny Avenue adjacent to this subdivision are occupied by detached homes. Townhouses are less compatible with the existing detached homes and will create a loss of privacy.

Response: Townhouses are compatible with detached dwellings. There will be a 1.8-metre wood screen fence installed along the southerly lot line of the existing lots on Shinny Avenue to maintain privacy. The townhouses backing on to the existing development will have an additional depth in the rear yard to provide approximately an 8-metre setback rather than the required 6 metres.

Loss of Green Space: The development will reduce open space and negatively affect the quality of life of the surrounding neighbourhood. The future development will cause overuse of nearby parks.

Response: The subject lands are a privately owned parcel intended for development, not open space. The neighbourhood parks can accommodate the modest increase in units. The developer will pay cash-in-lieu of parkland for the additional units created in the subdivision.

Additional Traffic: The existing road network cannot accommodate the additional traffic generated by the new dwellings. The parking on the street already makes driving in the winter difficult.

Response: There was no Traffic Impact Assessment triggered by the development due to the minimal number of dwelling units proposed. The existing road infrastructure has capacity for the expected traffic from the townhouse development.

Loss of Paramedic Post: The lack of a paramedic post in this area could result in slower response time of ambulances to nearby homes.

Response: Ambulances are constantly moving around the city rather than remaining stationary in a particular location. Although the City has determined that the paramedic post is no longer required at this location, emergency response times will meet required performance standards.

Noise/Debris: Construction of the townhouses will generate nuisance, dust, debris and noise.

Response: It is acknowledged that these are possible issues associated with construction in a developing community.

Document 4 – Draft Plan of Subdivision

This shows the draft plan of subdivision associated with the rezoning application.

