

Zoning By-Law Amendment – 3809 Borrisokane Road

ACS2020-PIE-PS-0009

Rideau-Goulbourn (21); Barrhaven (3)

Report recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 3809 Borrisokane Road to permit a subdivision consisting of single-detached dwelling units, townhouses, and a park block, as 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 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 January 29, 2020," subject to submissions received between the publication of this report and the time of Council's decision.

The committee heard two delegations:

- Frank Cairo, Caivan Brazeau Development Corporation¹ provided context on the application and explained they were appearing before the committee to complete a necessary step in the development process and to answer questions. He spoke to an issue that had been raised in the media in respect of the status of aggregate resources on the site, but noted that Caivan has requested deferral of the application to the next Planning Committee meeting because there had been changes in the architectural designs since publication of the Planning Committee agenda, and staff had not had sufficient time to review and form a position on

¹ Slides held on file

those changes.

- George Neville was concerned about the issue that had been raised in the media in respect of the status of aggregate resources on the site and proposed that further clarification and professional assessment of the matter is needed before planning approvals are given for sandpit remediation, given there are potential engineering, geological and environmental considerations.

The following staff responded to questions²:

- Planning, Infrastructure and Economic Development department: Doug James, Acting Director, Planning Services; Don Herweyer, Director, Economic Development and Long Range Planning; Lily Xu, Manager, Development Review - South
- Innovative Client Services department: Tim Marc, Senior Legal Counsel, Planning, Development and Real Estate.

Motion N° PLC 2019-19/1

Moved by Councillor S. Moffatt

WHEREAS the report ACS2020-PIE-PS-0009, Zoning By-law Amendment – 3809 Borrisokane Road details zoning by-law amendments recommended to permit the development of the lands as a subdivision; and

WHEREAS the applicant has requested the City to consider modifications for the zoning in respect of performance standards for the front yard, minimum lot area and rear yard setback; and

WHEREAS City staff advised on January 9, 2020 that it would be necessary to defer the report from January 23, 2020 to the following meeting of Planning Committee to give proper consideration to the requested modifications;

THEREFORE BE IT RESOLVED that Planning Committee defer the report for the Zoning By-law Amendment for 3809 Borrisokane Road to the next scheduled Planning Committee meeting on February 13th, 2020.

DEFERRAL CARRIED

² Slides held on file

Extract of Draft Minutes 20
Planning Committee
February 13, 2020

Extrait de l'ébauche
du procès-verbal 20
Comité de l'urbanisme
le 13 février 2020

Zoning By-law Amendment – 3809 Borrisokane Road

ACS2020-PIE-PS-0009

Rideau-Goulbourn (2); Barrhaven (3)

Report recommendations

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1426 Scott Street to permit the continuance of a non-conforming parking lot for the period of two years, as detailed in Document 3.
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 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 January 29, 2020," subject to submissions received between the publication of this report and the time of Council's decision.

Planning Committee, January 23, 2020

Motion N° PLC 2020-19/1

WHEREAS the report ACS2020-PIE-PS-0009, Zoning By-law Amendment – 3809 Borrisokane Road details zoning by-law amendments recommended to permit the development of the lands as a subdivision; and

WHEREAS the applicant has requested the City to consider modifications for the zoning in respect of performance standards for the front yard, minimum lot area

and rear yard setback; and

WHEREAS City staff advised on January 9, 2020 that it would be necessary to defer the report from January 23, 2020 to the following meeting of Planning Committee to give proper consideration to the requested modifications;

THEREFORE BE IT RESOLVED that Planning Committee defer the report for the Zoning By-law Amendment for 3809 Borrisokane Road to the next scheduled Planning Committee meeting on February 13th, 2020.

DEFERRAL CARRIED

Planning Committee, February 13, 2020

The committee heard one delegation:

- Susan Murphy, Caivan Brazeau Development Corporation (owner), provided context on the proposal, noting that the concept plan for the lands was considered through the CDP process, that the sanitary, water and stormwater management solution was determined through the Master Servicing Study approved by City Council, and that site-specific matters were addressed through more detailed studies required in the Plan of Subdivision Hugo Lalonde, Caivan, was also present in support and to answer questions if needed.

The following staff of the Planning, Infrastructure and Economic Development department responded to questions: Kelby Lodoen Unseth, Planner II; Lily Xu, Manager, Development Review – South.

In addition to submissions at the January 23 Planning Committee meeting, the following correspondence was provided to the committee coordinator for the between January 23 and the time it was considered on February 13, a copy of which is held on file:

- Email dated February 11 from Faith Blacquiere
- Email dated February 12 from Paul Johanis, Chair, Greenspace Alliance of Canada's Capital

Motion N° PLC 2020-20/1

Moved by Vice-chair T. Tierney

WHEREAS the report ACS2020-PIE-PS-0009, Zoning By-law Amendment – 3809 Borrisokane Road details zoning by-law amendments recommended to permit the development of the lands as a subdivision; and

WHEREAS the applicant has requested the City to consider modifications for the zoning in respect of performance standards for the front yard, minimum lot area and rear yard setback; and

WHEREAS the report was deferred from January 23rd, 2020 to the following meeting of Planning Committee on February 13, 2020 to give proper consideration to the requested zoning details modifications; and

WHEREAS Planning staff has worked with the applicant to address the zoning details modifications; and

WHEREAS certain statements within the report with respect to the Ministry of Natural Resources and Forestry were not clear;

THEREFORE BE IT RESOLVED that Planning Committee recommend Council amend the staff report item in regards to 3809 Borrisokane Road as follows:

1. **replace “Document 1 Location Map and Zoning Key” with the revised, attached Document 1³; and**
2. **replace “Document 2 Proposed Zoning By-law Amendment” with the revised, attached Document 2⁴; and**
3. **replace the statement found in the section Summary of requested Zoning By-law Amendment Proposal “The Ministry of Natural Resources and Forestry had confirmed that the aggregate resources on the site have been exhausted” with “The Ministry of Natural Resources and Forestry had confirmed that the pit license surrender process has been initiated”; and**
4. **replace the statement “the Ministry of Natural Resources and Forestry has deemed the site to be exhausted of aggregate and no longer requiring**

³ See Annex A

⁴ See Annex B

protection” found in the Planning Rationale section with “The Ministry of Natural Resources and Forestry had confirmed that the pit license surrender process has been initiated”.

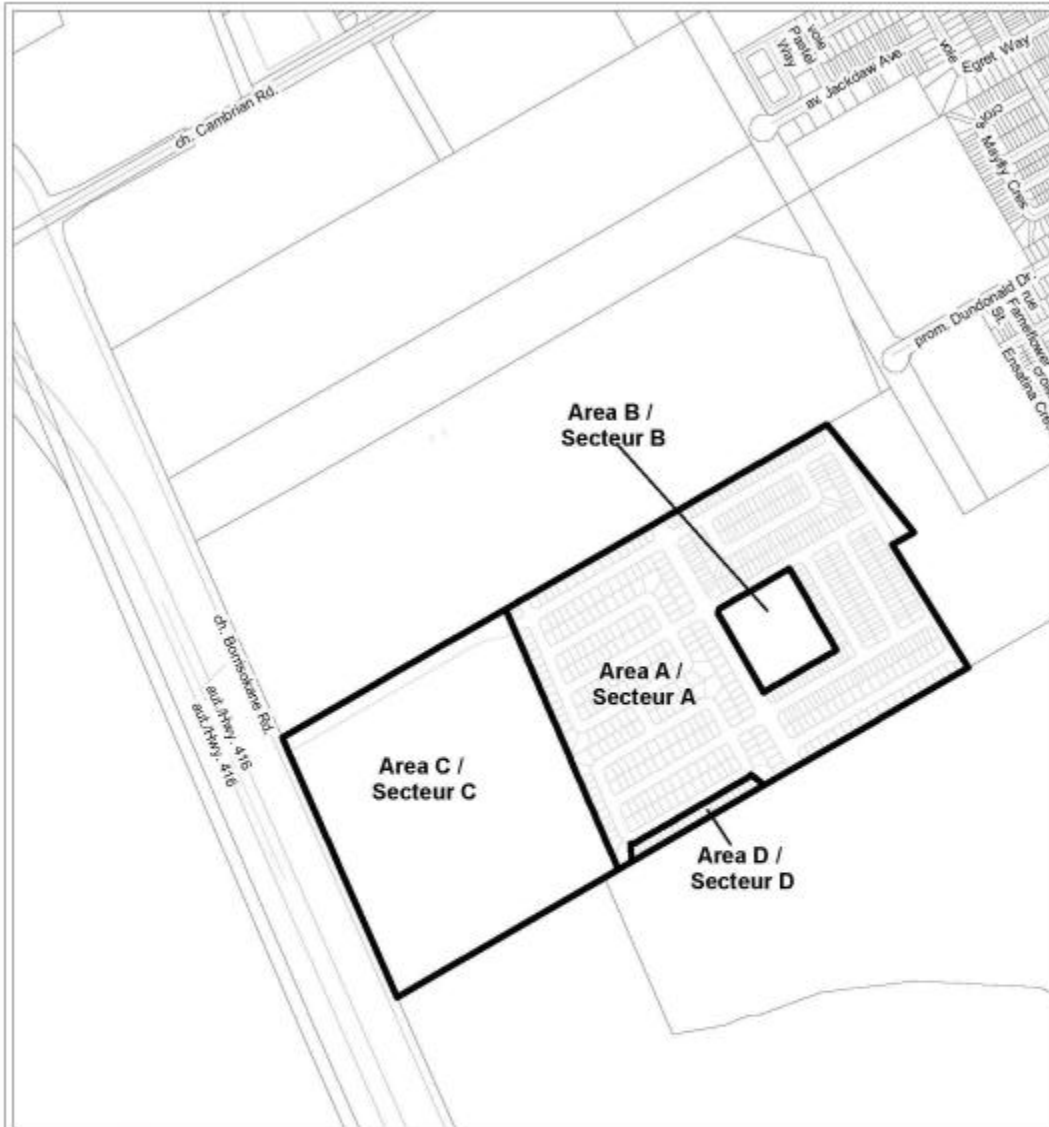
AND BE IT FURTHER RESOLVED that pursuant to the *Planning Act*, subsection 34(17) no further notice be given.

CARRIED

The committee CARRIED the report recommendations as amended by Motion 20/1, with Councillor J. Leiper dissenting

Annex A – Revised Document 1

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE 3809 ch. Borriskane Road	
D02-02-19-0010	19-1429-D		Area A to be rezoned from ME2 to R3YY[xxxx] Le zonage du secteur A sera modifié de ME2 à R3YY[xxxx]
I:\CO\2019\Zoning\Borriskane_3809_V2			Area B to be rezoned from ME2 to O1 Le zonage du secteur B sera modifié de ME2 à O1
<small>© Partial data is owned by Teramit Enterprises Inc. and its affiliates. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>			Area C to be rezoned from ME2 to RU[yyyy] Le zonage du secteur C sera modifié de ME2 à RU[yyyy]
<small>© Une partie des données appartient à Teramit Enterprises Inc. et à ses affiliés. Tous droits réservés. Ne pas être reproduit sans autorisation. DÉCLARATION PAS UN PLAN D'APPREIASE</small>			Area D to be rezoned from ME2 to R3YY[zzzz] Le zonage du secteur D sera modifié de ME2 à R3YY[zzzz]
REVISION / RÉVISION - 2020 / 01 / 29			

Annex B – Revised Document 2

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 3809 Borrisokane Road:

1. Rezone the lands shown in Document 1 as follows:
 - a. Area A from ME2 to R3YY[xxxx]
 - b. Area B from ME2 to O1
 - c. Area C from ME2 to RU[yyyy]
 - d. Area D from ME2 to R3YY[zzzz]
2. Add a new exception, R3YY[xxxx] to Section 239 – Urban Exceptions with provision similar in effect to the following:

In Column V, add the text:

- A maximum of 60 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.
- 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 5.2 metres from the nearest edge of the sidewalk.
- Despite Table 65, Rows 1, 2 and 3, a chimney, chimney box, fireplace box, eaves, eave-troughs, gutters and ornamental elements such as sills, belts, cornices, parapets and pilasters may project 1 metre into a required interior side yard but no closer than 0.2 metres to the lot line.
- Despite Table 65, Row 6(b), balconies and porches may project to within 0 metres of a corner lot line.
- Despite Table 65 Row 6(b), 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, from which they can be as close as 0 metres.

- Despite Table 65, Row 6(a), 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 less than 0.31 metres may project to within 0.3 of a lot line.
- Despite Table 65, Row 8, an air conditioning condenser unit may project 1 metre, but no closer than 0.2 metres to a lot line and may not be located in a front yard except in the case of a back-to-back multiple dwelling.
- Despite Table 65, Row 8, an air conditioning condenser unit may project 1 m, but no closer than 0.2 m to a lot line, and may not be located in a corner side yard except in the case of a townhouse dwelling.
- 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.
- Section 136 does not apply.
- Zone requirements for detached dwellings:
 - (i) minimum lot area: 220 m².
 - (ii) minimum front yard setback 3 m.
 - (iii) minimum front yard setback for an attached garage: 3.5 m.
 - (iv) 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.
 - (v) minimum corner side yard setback: 2.5 m, despite the foregoing, no more than two portions of the building, not exceeding a total floor area of 3 m², may be located no closer than 2.0 m from the side lot line abutting a street.
 - (vi) maximum lot coverage: 55 per cent

- (vii) minimum 6.0 m rear yard setback with minimum 4.50 m setback up to 50 per cent of the lot width, the total area of the rear yard must not be less than 54 m².
- (viii) for a detached dwelling on a corner lot:
 - a) minimum rear yard setback may be reduced to 2.5 m for part of the building that is no higher than 4.5 m and any part of the building, excluding projections, located less than 6 m from the rear lot line must be located at least 4 m from any interior side lot line.
 - b) detached dwellings on corner lots must keep street facing side yards consistent in the quality and detail of the front elevation.
- zone requirements for semi-detached and townhouse dwellings:
 - (i) minimum lot area: 137 m²
 - (ii) minimum lot width: 5.5 m
 - (iii) minimum front yard setback: 3.0 m
 - (iv) minimum interior side yard setback: 1.5 m
 - (v) minimum corner side yard: 2.5 m
 - (vi) maximum building height: 14 m
 - (vii) maximum lot coverage: 65 per cent
- zone requirements for back-to-back townhouse dwellings:
 - (i) minimum lot area: 81 m²
 - (ii) minimum lot width: 5.5 m
 - (iii) minimum front yard setback: 3.0 m
 - (iv) minimum rear yard setback: 0.0 m
 - (v) minimum interior side yard setback: 1.5 m

- (vi) minimum corner side yard: 2.5 m
 - (vii) maximum building height: 14 m
 - zone requirements for townhouse dwellings with access to a rear lane:
 - (i) minimum lot area: 110 m²
 - (ii) minimum lot width: 5.5 m
 - (iii) minimum front yard setback: 3 m
 - (iv) minimum rear yard setback: 0 m
 - (v) minimum interior yard setback: 1.5 m
 - (vi) minimum corner side yard: 2.5 m
 - (vii) maximum building height: 14 m
 - (viii) maximum lot coverage: no maximum
3. Add a new exception, R3YY[zzzz] to Section 239 – Urban Exceptions with provision similar in effect to the following:
- In Column V, add the text:
- A maximum of 60 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.
 - 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 5.2 metres from the nearest edge of the sidewalk.
 - Despite Table 65, Rows 1, 2 and 3, a chimney, chimney box, fireplace box, eaves, eave-troughs, gutters and ornamental elements such as sills, belts, cornices, parapets and pilasters may project 1 metre into a required interior side yard but no closer than 0.2 metres to the lot line.
 - Despite Table 65, Row 6(b), balconies and porches may project to within

0 metres of a corner lot line.

- Despite Table 65 Row 6(b), 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, from which they can be as close as 0 metres.
- Despite Table 65, Row 6(a), 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 less than 0.31 metres may project to within 0.3 of a lot line.
- Despite Table 65, Row 8, an air conditioning condenser unit may project 1 metre, but no closer than 0.2 metres to a lot line and may not be located in a front yard except in the case of a back-to-back multiple.
- Despite Table 65, Row 8, an air conditioning condenser unit may project 1 m, but no closer than 0.2 m to a lot line, and may not be located in a corner side yard except in the case of a townhouse dwelling.
- 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.
- Section 136 does not apply.
- Zone requirements for detached dwellings:
 - (i) minimum lot area: 198 m².
 - (ii) minimum front yard setback 3 m.
 - (iii) minimum front yard setback for an attached garage: 3.5 m.
 - (iv) 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.
 - (v) minimum corner side yard setback: 2.5 m, despite the foregoing, no

more than two portions of the building, not exceeding a total floor area of 3 m², may be located no closer than 2.0 m from the side lot line abutting a street.

- (vi) maximum lot coverage: 55 per cent
 - (vii) minimum 6.0 m rear yard setback with minimum 4.50 m setback up to 50 per cent of the lot width, the total area of the rear yard must not be less than 54 m².
- zone requirements for semi-detached and townhouse dwellings:
 - (i) minimum lot area: 137 m²
 - (i) minimum lot width: 5.5 m
 - (ii) minimum front yard setback: 3.0 m
 - (iii) minimum interior side yard setback: 1.5 m
 - (iv) minimum corner side yard: 2.5 m
 - (v) maximum building height: 14 m
 - (vi) maximum lot coverage: 65 per cent
4. Add a new exception, RU[yyyy] to Section 240 – Rural Exceptions with provision similar in effect to the following:
- In Column IV, add the text:
 - detached dwelling
 - group home
 - retirement home
 - secondary dwelling unit