

**2. ZONING BY-LAW AMENDMENT – 5960 FERNBANK ROAD**  
**MODIFICATION AU RÈGLEMENT DE ZONAGE – 5960, CHEMIN**  
**FERNBANK**

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 5960 Fernbank Road to permit commercial uses, as detailed in Document 2.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant le 5960, chemin Fernbank, afin de permettre la présence d'utilisations commerciales, comme l'expose en détail le document 2.**

**DOCUMENTATION/DOCUMENTATION**

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department dated 11 September 2017 (ACS2017-PIE-PS-0112)  
  
Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 11 septembre 2017 (ACS2017-PIE-PS-0112)
2. Extract of draft Minutes, Planning Committee, 10 October 2017  
  
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 10 octobre 2017
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 8 November 2017, as part of the Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements'.  
  
Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 8 novembre 2017 du Conseil, comme

faisant partie du Résumé des observations orales et écrites du public sur les questions assujetties aux « exigences d'explication » aux termes de la Loi 73.

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
October 10, 2017 / 10 octobre 2017**

**and Council / et au Conseil  
October 25, 2017 / 25 octobre 2017**

**Submitted on September 11, 2017  
Soumis le 11 septembre 2017**

**Submitted by  
Soumis par:**

**Lee Ann Snedden,  
Director / Directrice,  
Planning Services / Service de la planification  
Planning, Infrastructure and Economic Development Department / Direction  
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**Ward: STITTSVILLE (6) RIDEAU-  
GOULBOURN (21)**

**File Number: ACS2017-PIE-PS-0112**

**SUBJECT: Zoning By-law Amendment – 5960 Fernbank Road**

**OBJET: Modification au Règlement de zonage – 5960, chemin Fernbank**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5960 Fernbank Road to permit commercial uses, 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 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 Bill 73 'Explanation Requirements' at the City Council Meeting of 25 October 2017" 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 au Règlement de zonage 2008-250 visant le 5960, chemin Fernbank, afin de permettre la présence d'utilisations commerciales, comme l'expose en détail 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 du projet de loi 73 », à la réunion du Conseil municipal prévue le 25 octobre 2017, 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

5960 Fernbank Road

**Owner**

William Davidson

**Applicant**

FoTenn Consultants Inc.

**Description of site and surroundings**

The property is municipally known as 5960 Fernbank Road and is located southwest of the intersection of Fernbank Road and Shea Road at the southeastern edge of the community of Stittsville. The site is located within the urban area and is designated as General Urban Area and Developing Community (Expansion Area) under the City of Ottawa Official Plan.

The site is approximately 2.77 hectares in size and has approximately 204 metres of frontage along Fernbank Road and 161 metres of frontage along Shea Road. The site is currently vacant with minimal tree coverage and existing hydro towers and lines bisect the property.

To the north of the property is the continuation of the hydro corridor and lands characterized by rural residential lots and large vacant parcels intended for future urban development. To the south and west are vacant lands also within the Developing Community (Expansion Area) designation subject to a residential subdivision application. To the east across Shea Road is vacant farmland.

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

The site is currently zoned Rural Countryside Zone. The application proposes to rezone the property from Rural Countryside Zone (RU) to General Mixed Use Zone (GM) in order to permit future commercial development consisting of a grocery store, two retail stores and a restaurant. The GM Zone will permit the proposed grocery store, retail and restaurant uses, as well as other commercial, residential and institutional uses.

A demonstration plan prepared for the development of the Developing Community (Expansion Area) lands known as Stittsville South (Area 6), which includes the subject site, identifies these lands for commercial uses.

### **Brief history of proposal**

This site is part of the Area 6 (OPA 76) lands, and is therefore within the Urban Boundary. Urban services (storm, sanitary, water) have not yet been extended to this site, but will be provided as part of the Tartan/Davidson subdivision servicing.

This site will be serviced by the proposed Shea Road/Area 6 Sanitary Pumping Station. Capacity at this pumping station will be constrained by the downstream sanitary system until the Fernbank Collector is constructed. Until that time, the Shea Road/Area 6 Sanitary Pumping Station will have limited capacity. This limited capacity will be allocated throughout the Area 6 lands in phases.

## **DISCUSSION**

### **Public consultation**

Public consultation of the application was carried out in accordance with the City's Public Notification and Consultation Policy.

Several public comments were received from members of the public. Details of the response are included in Document 3 of this report.

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

### **Official Plan designations**

The property is designated General Urban Area (3.6.1), on Schedule B of the City's Official Plan. The General Urban Area designation permits all types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses. Throughout the General Urban Area, the City will encourage the provision of a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses, and are of a size and scale consistent with the needs of nearby residential areas.

The property is also designated as a Developing Community (Expansion Area) (3.12) on Schedule B of the City's Official Plan. This designation identifies land that will be included in the urban area in order to support residential demand. Although this designation is intended primarily for residential uses, non-residential uses may also be located on such lands depending on the needs of the developing community.

### **Planning rationale**

The request to rezone the subject property from RU to GM is consistent with the policies of the General Urban Area and Developing Community (Expansion Area), and as such the amendment meets the policies set out in the Official Plan. The General Urban Area permits of a broad range of uses, which permits commercial and retail development.

The proposed rezoning to GM will permit a variety of uses that will provide access to goods and services to a developing community. The location of the subject site is in proximity to existing residential neighbourhoods, as well as future residential subdivisions, which makes the subject property a convenient location for the proposed retail and commercial uses.

A holding symbol is also being recommended due to servicing not currently being available to the site. Servicing for storm, sanitary and water are all dependent on adjacent developments to provide services and the holding zone can only be lifted once services are available. In order to lift the holding zone, the proponent will need to demonstrate sufficient sanitary allocation in the constrained downstream sanitary system. Placing a holding symbol on the property will ensure that development cannot occur until all urban services are available and it has been illustrated that there is sufficient capacity to support the development.

### **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.

### **COMMENTS BY THE WARD COUNCILLOR**

The Ward Councillors are aware of this report.

### **LEGAL IMPLICATIONS**

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

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with the report.

## **ACCESSIBILITY IMPACTS**

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

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

EP2 – Support growth of local economy.

## **APPLICATION PROCESS TIMELINE STATUS**

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of issues associated with planning and transportation.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Public Consultation

## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department supports the proposed Zoning By-law amendment. The proposal is consistent with the Official Plan and rezoning the lands to GM will provide current and future area residents ample access to conveniently located goods and services.



**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.

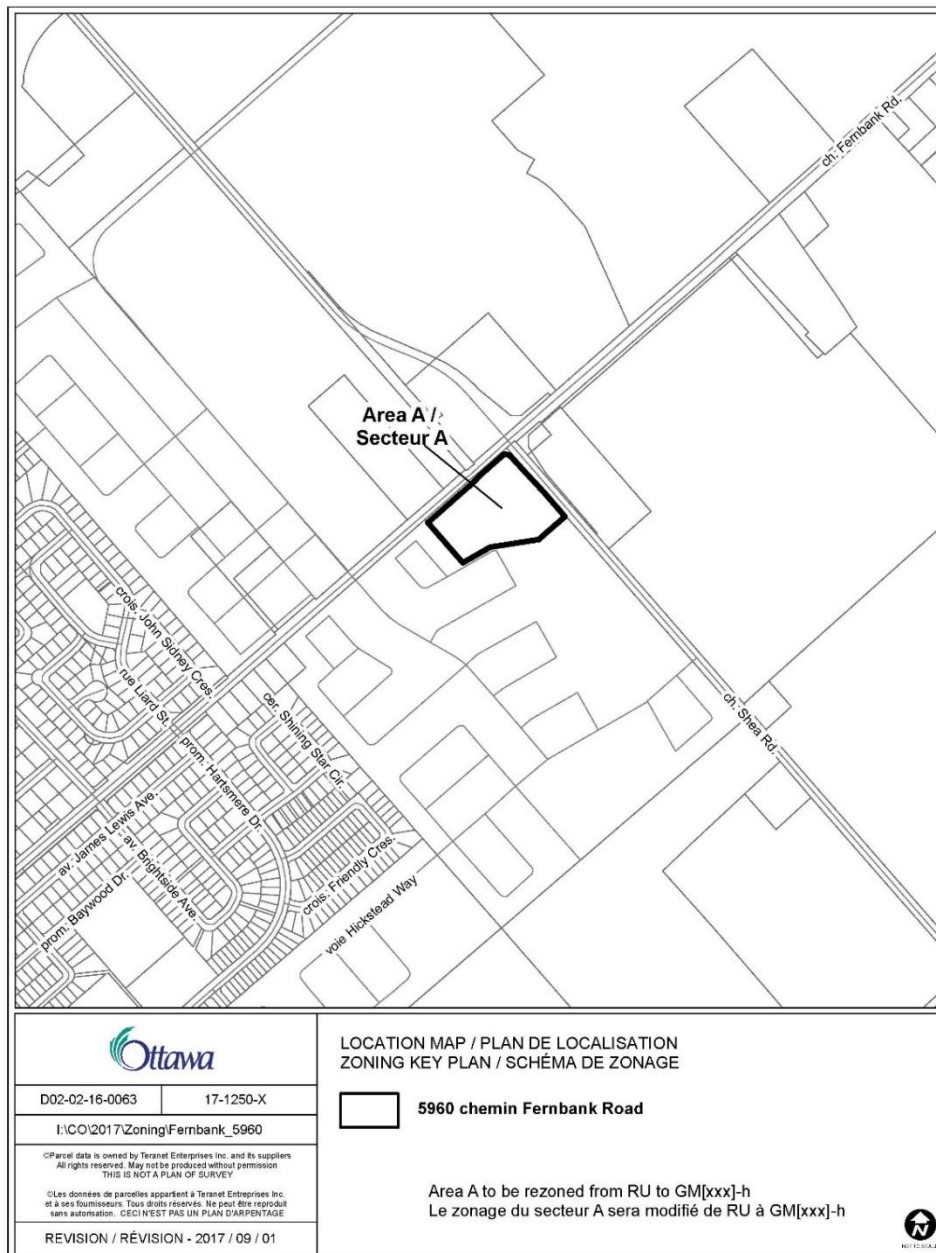
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

**Document 1 – Location Map**

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

The subject property is municipally known as 5960 Fernbank Road and is located southwest of the intersection of Fernbank Road and Shea Road at the southeastern edge of the community of Stittsville.



**Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 5960 Fernbank Road:

1. Rezone the lands as shown in Document 1.
2. Amend Section 239, by adding a new exception [xxxx] with provisions similar in effect to the following in Column V:
  - a. The holding symbol may not be removed until such time as the following have been completed:
    - i. It has been demonstrated to the satisfaction of the General Manager of Planning Infrastructure and Economic Development:
      - that there is availability of sufficient municipal services including water, sanitary and stormwater; and
      - that there is sufficient sanitary allocation in the constrained downstream capacity system.

**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.

Comment

Are there any secondary plans or community design plans that are applicable for this property?

Response

There are no secondary plans or community design plans applicable to this property. There was a demonstration plan prepared to help with the layout and planning of Area 6 (see attached). This plan does not have the same status as a secondary plan or Community Design Plan (CD) however is used to help guide development. The subject site is identified as 'commercial' on this demonstration plan.

Comment

Is there a concurrent site plan for this property?

Response

Currently, the applicant has only filed a Zoning By-law amendment application. However, a Site Plan Control application will be required for future development of the site.

Comment

I am concerned about the number of things that are being placed in the hydro corridor. The Fernbank CDP limited these - does the developer have approval to place these in the hydro corridor? I also noticed that the telecommunications tower is not shown on the plans - has this tower and its access been protected?

Response

These issues will be dealt with at the site plan control stage and were only illustrated on the concept plan.

Comment

I also have concerns that the City should not be approving SWM ponds in the Rural Area - why are you allowing this?

Response

Details regarding stormwater management ponds are reviewed in detail at the Site Plan Control stage and not through the Zoning By-law amendment. A Site Plan Control application has not been submitted at this time, for this property.

Comment

The retail building with 513 square metres cannot be built (at least not in its current size) as it obstructs the view of sight of traffic heading north on Shea road when intersecting at the traffic circle.

Response

The retail building as illustrated on the concept plan is not being approved through this application. A site plan control application must be submitted for future development and any proposed building will be reviewed in greater detail through the future application.

Comment

Has the Fernbank Road widening requirement been protected yet? Is it included in the 5960 Fernbank plans?

Response

Road widenings cannot be acquired through a Zoning By-law application; they can be requested at the Site Plan Control stage.

Comment

A traffic increase study needs to be conducted for the nearby neighborhoods to determine if existing infrastructure also needs to be expanded. Fernbank does only have one lane on each side and most of the potential customers will be using this road.

Response

A Transportation Impact Study was submitted in support of this application. Staff have reviewed the study and have no concerns.

Comment

Liard Street already has a problem with drivers bypassing Fernbank as means of avoiding the three stop signs. A problem to this needs to be found such as speed humps to persuade drivers to use alternative means. Speed humps will slow traffic down and also allow emergency vehicles to bypass them due to their wider axels. There could also be 3 traffic circles installed on Fernbank with specific locations for pedestrian crossing using lights to improve traffic flow and also persuade drivers to use the main artery instead of cutting through residential neighborhoods.

Response

This issue is not dealt with through the Zoning By-law application. However, the Transportation Impact Study submitted in support of the application has been deemed satisfactory by staff.

Comment

Shea Road is not capable of handling the increased traffic a grocery store and restaurant would create.

Response

A Transportation Impact Study was submitted in support of this application. Staff have reviewed the study and have no concerns that the uses proposed would have negative impacts on the increase in traffic.