

**10. ZONING BY-LAW AMENDMENT– 5441, 5465, 5505 AND 5571 FERNBANK ROAD**

**MODIFICATION AU RÈGLEMENT DE ZONAGE – 5441, 5465, 5505 ET 5571 CHEMIN FERNBANK**

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

**That Council:**

- 1. consider this report at its meeting on July 11, 2018, pursuant to Sub-Section 35. (5) of Procedure By law 2016-377;**
- 2. approve an amendment to Zoning By-law 2008-250 to permit a residential subdivision with three parks, a school site and a stormwater management pond block at 5441, 5465, 5505 and 5571 Fernbank Road, as shown in Document 1 and detailed in Document 2, as amended by the following:**

  - that Document 2 (Details of Recommended Zoning), section 2, be revised as follows:**  
  
**replace the text ‘-the rear yard setback for a stacked dwelling or an apartment dwelling, low rise is 4m.’ with ‘-the rear yard setback for a stacked dwelling, apartment dwelling, low rise and Planned Unit Development is 4m.’;**

- 3. approve that no further notice be provided pursuant to Section 34(17) of the *Planning Act*.**

**RECOMMANDATIONS DU COMITÉ, TELLES QUE MODIFIÉES**

**Que le Conseil :**

- 1. examine ce rapport à sa réunion du 11 juillet 2018, conformément**

au paragraphe 35. (5) du Règlement de procédure 2016-377;

2. **approuve une modification au Règlement de zonage 2008-250 afin de permettre l'aménagement d'un lotissement résidentiel comprenant trois parcs, une école et un îlot de gestion des eaux pluviales aux 5441, 5465, 5505 et 5571, chemin Fernbank, comme illustré dans le document 1 et exposé en détail dans le document 2, dans sa version modifiée par ce qui suit :**
  - **que la section 2 du document 2, « Détails du zonage recommandé » soit modifiée comme suit :**

**remplacer le passage « - le retrait de cour arrière pour une habitation superposée ou un immeuble d'appartements de faible hauteur est de 4 m. » par « - le retrait de cour arrière pour une habitation superposée, un immeuble d'appartements, un petit immeuble ou un complexe immobilier est de 4 m. »**
3. **approuve qu'aucun autre avis ne soit donné en vertu du paragraphe 34(17) de la Loi sur l'aménagement du territoire.**

#### DOCUMENTATION / DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 30, 2018 (ACS2018-PIE-PS-0079)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 30 mai 2018 (ACS2018-PIE-PS-0079)
2. Extract of draft Minutes, Planning Committee, July 11, 2018  
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 11 July 2018
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 29 August 2018, 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 11 July 2018”.

Résumé des observations écrites et orales à distribuer séparément avec l’ordre du jour de la réunion du 29 août 2018 du 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 11 juillet 2018 »

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
July 10, 2018 / 10 juillet 2018**

**and Council / et au Conseil  
July 11, 2018 / 11 juillet 2018**

**Submitted on May 30, 2018  
Soumis le 30 mai 2018**

**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**

**Contact Person / Personne ressource:**

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**Ward: STITTSVILLE (6)**

**File Number: ACS2018-PIE-PS-0079**

**SUBJECT: Zoning By-law Amendment– 5441, 5465, 5505 and 5571 Fernbank  
Road**

**OBJET: Modification au Règlement de zonage – 5441, 5465, 5505 et 5571  
chemin Fernbank**

## **REPORT RECOMMENDATION**

- 1. That Planning Committee recommend Council approve an amendment to  
Zoning By-law 2008-250 to permit a residential subdivision with three  
parks, a school site and a stormwater management pond block at 5441,**

5465, 5505 and 5571 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 Bill 73 'Explanation Requirements' at the City Council meeting of 11 July 2018", subject to submissions received between the publication of this report and the time of Council's decision.
3. That Planning Committee recommend Council consider this report at its meeting on 11 July 2018, pursuant to Sub-Section 35. (5) of Procedure By-law 2016-377.

#### **RECOMMANDATIONS DU RAPPORT**

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 afin de permettre l'aménagement d'un lotissement résidentiel comprenant trois parcs, une école et un îlot de gestion des eaux pluviales aux 5441, 5465, 5505 et 5571, chemin Fernbank, comme illustré dans le document 1 et exposé en détail dans 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 11 juillet 2018 », 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.
3. Que le Comité de l'urbanisme recommande au Conseil d'examiner le présent rapport lors de sa réunion du 11 juillet 2018, conformément au paragraphe 35. (5) du Règlement de procédure 2016-377.

## 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

5441, 5465, 5505 and 5571 Fernbank Road

### Owner

2129786 Ontario Limited

### Applicant

Fotenn Consultants Inc.

### Description of site and surroundings

The subject lands are located in the southeast corner of the Fernbank Community between Fernbank Road and the Monahan Drain. The Fernbank Community encompasses approximately 674 hectares of land between Terry Fox Drive and Stittsville proposing approximately 10,000 dwelling units together with commercial, institutional and open space lands. The subject site is made up of four individual parcels with a total area of approximately 44 hectares and is mostly vacant with some vegetation. Two detached dwellings fronting onto Fernbank Road are to be demolished.

Immediately to the north of the subject lands are the Monahan Drain and earlier phases of the Blackstone subdivision, while to the east is the Smart Centres commercial development with a variety of retail and service uses. To the west of the subject lands is the Fernbank Crossing residential subdivision, which is currently under development. 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 Plan of Subdivision received Draft Approval on May 31, 2018 and the proponent intends to register the first phase later this year.

Mattamy Homes and Cardel Homes are proposing to develop approximately 400 detached dwellings and 350 townhouses. The townhouse blocks are distributed throughout the subdivision, with some blocks located along Rouncey Road, Cope Drive

and Tapadero Avenue and others on local streets in the southerly portion of the subdivision, close to Fernbank Road. One higher density block is located at the northeast corner of Fernbank Road and Rouncey Road. The subdivision also includes two school sites, three parks and a stormwater management pond. All development on the school sites is the financial responsibility of the respective school board, while development costs associated with the parks and stormwater management pond are the responsibility of the developer.

The detached homes would be on lots ranging in width from approximately 10 to 14 metres, and the townhouse units would be approximately 6 metres in width, with lots and blocks having a typical depth of 32 metres. Three blocks are configured for back-to-back townhouses. The medium density block is intended to be developed with several buildings containing back-to-back stacked units or low-rise apartments.

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

The zoning by-law amendment application is to rezone the lands from Development Reserve (DR) to various zones to implement the Draft-Approved Plan of Subdivision. The residential lots to be developed by Cardel Homes would be zoned Residential First Density Subzone Z Exception 1863 (R1Z[1863]) for the detached dwellings and Residential Third Density Subzone Z Exception 2055 (R3Z[2055]) for the townhouse blocks. The zoning is the same as that applicable to the earlier phases of the Blackstone subdivision. The site-specific exception provisions denote specific setback requirements. The residential lands to be developed by Mattamy Homes would be zoned Residential Third Density Subzone YY Exception 2317 (R3YY[2317]) permitting single, semi-detached, and townhouse dwellings. The zoning is the same as that applicable to the nearby Abbottsville Crossing subdivision. The site-specific exception to the R3 zone is proposed to permit modest reductions in setbacks for eaves, porches, and steps to permit a slightly more compact form of development. One block abutting Fernbank Road would be rezoned to Residential Fourth Density Subzone Z Exception Zone xxxx (R4Z[xxxx]), permitting medium density uses such as back-to-back stacked units and low-rise apartments. The exception denotes a minor modification to a yard setback. Parks and Open Space Zone (O1) will be applied to the three parks and a stormwater management pond block. The elementary school site will be dual-zoned Minor Institutional Subzone A/ Residential Third Density Subzone YY(I1A/R3YY[2317]) permitting institutional or residential uses.

## **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 was for the associated Plan of Subdivision held in the community on October 10, 2017 and attended by approximately 25 residents. Five comments were received through the public notification and consultation process. Consultation details are found in Document 3.

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

### **Official Plan designation**

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, extending southward from Hazeldean Road to Fernbank Road. The CDP identified the land use and road pattern to accommodate a community of approximately 30,000 residents. The purpose of the Fernbank CDP is to establish 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 within the southeastern portion of the Fernbank lands, which are designated a mix of “low-density residential” and “medium-density residential” in the CDP. “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 CDP also designates a neighbourhood park and two school sites within the subdivision.

The proposed subdivision plan is consistent with the Community Design Plan, providing a mix of low and medium density residential options offered within a modified grid pattern that presents an efficient suburban community integrated with both active and passive open space. The proposed Plan of Subdivision, including the proposed collector and local road alignments, the school and park locations are all 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. It provides guidelines for structuring layout, 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 Low Density and Medium Density Residential designations that are 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, including the proposed collector and local road alignments, the park and school locations and the distribution of low and medium density blocks and dwellings are all 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 subdivision layout includes co-location of a school and park to facilitate shared facilities like parking lots, mixing of dwelling types to increase supply of on-street parking and neighbourhood connectivity for all modes of transportation through short blocks and a modified grid street network.

The requested site-specific zoning exceptions are consistent with the provisions applicable to other nearby subdivisions and have been successfully implemented in new communities to encourage a compact urban form of development. The proposed new zones correspond to the draft plan of subdivision.

Area A is to be rezoned from Development Reserve (DR) to Residential First Density Zone, Subzone Z (R1Z[1863]) to permit exclusively detached dwellings. The site-specific exception denotes specific setbacks.

Area B is to be rezoned from Development Reserve (DR) to Residential Third Density Zone, Subzone Z (R3Z[2055]) to permit detached, semi-detached and townhouse dwellings. The site-specific exception denotes specific setbacks.

Area C is to be rezoned from Development Reserve (DR) to Residential Third Density Zone, Subzone YY (R3YY[2317]) to permit detached, semi-detached and townhouse dwellings. The site-specific exception and more flexible encroachment provisions for porches, eaves and steps.

Area D is to be rezoned from Development Reserve (DR) to Residential Fourth Density Subzone Z (R4Z[xxxx]) to permit medium density residential uses such as low-rise

apartments or stacked dwellings. The site-specific exception denotes a minor modification to the rear yard setback.

Area E is to be rezoned from Development Reserve (DR) to a dual-use zone, Minor Institutional Subzone A/ Residential Third Density Zone, Subzone YY (I1A/R3YY[2317]) to permit a school or residential uses.

Area F is to be rezoned from Development Reserve (DR) to Parks and Open Space Zone (O1) to permit three neighbourhood parks and a stormwater management pond.

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 Qadri is aware of the application and the staff recommendation.

### **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 the report.

### **ASSET MANAGEMENT IMPLICATIONS**

The recommendations documented in this report are consistent with the City's [Comprehensive Asset Management \(CAM\) Program](#) objectives.

The implementation of the CAM program results in timely decisions that minimize lifecycle costs and ensure the long-term affordability of assets. To fulfill its obligation to deliver quality services to the community, the City must ensure that assets supporting City services are managed in a way that balances service levels, risk and affordability.

## **FINANCIAL IMPLICATIONS**

All development on the school sites is the financial responsibility of the respective school board. The development costs associated with the parks and stormwater management pond are the responsibility of the developer.

## **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.

## **ENVIRONMENTAL IMPLICATIONS**

An 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, urban natural areas, rare communities, wetlands, steep slopes or valleys on or adjacent to the subject site. The Tree Conservation Report concluded that no high quality specimen trees or valued woodlands were located on or adjacent to the site. Planting of native tree species will be undertaken along the Monahan Drain corridor, on parkland and elsewhere throughout the subdivision. The Rideau Valley Conservation Authority has reviewed the pertinent studies and has no objection to the proposed development.

## **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 for an extended period of time while subdivision issues were resolved and the subdivision 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 the Zoning By-law amendment be approved.

## **DISPOSITION**

That Planning Committee recommend Council consider this report at its meeting on 11 July 2018, pursuant to Sub-Section 35. (5) of Procedure By-law 2016-377 due to the duration between Council meetings.

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.

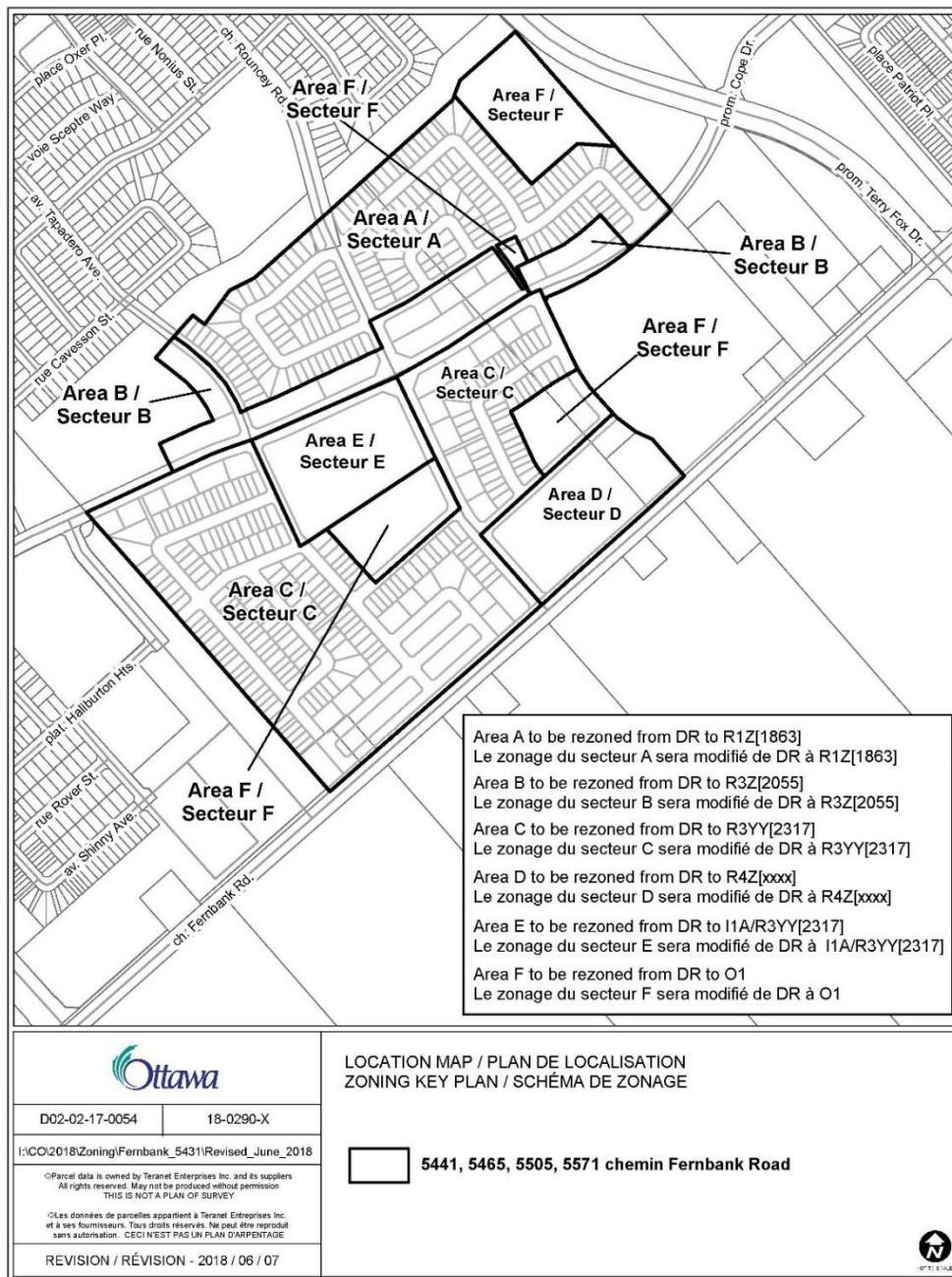
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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).

This shows the properties subject to the Zoning By-law amendment, which are located west of Terry Fox Drive, between the Monahan Drain and Fernbank Road.



Area A to be rezoned from DR to R1Z[1863]  
 Le zonage du secteur A sera modifié de DR à R1Z[1863]  
 Area B to be rezoned from DR to R3Z[2055]  
 Le zonage du secteur B sera modifié de DR à R3Z[2055]  
 Area C to be rezoned from DR to R3YY[2317]  
 Le zonage du secteur C sera modifié de DR à R3YY[2317]  
 Area D to be rezoned from DR to R4Z[xxxx]  
 Le zonage du secteur D sera modifié de DR à R4Z[xxxx]  
 Area E to be rezoned from DR to I1A/R3YY[2317]  
 Le zonage du secteur E sera modifié de DR à I1A/R3YY[2317]  
 Area F to be rezoned from DR to O1  
 Le zonage du secteur F sera modifié de DR à O1

## Document 2 – Details of Recommended Zoning

Proposed changes to the City of Ottawa Zoning By-Law No. 2008-250 for 5441, 5465, 5505 and 5571 Fernbank:

1. Rezone the lands shown on Document 1 as follows:
  - a. Area A: DR to R1Z[1863]
  - b. Area B: DR to R3Z[2055]
  - c. Area C: DR to R3YY[2317]
  - d. Area D: DR to R4Z[xxxx]
  - e. Area E: DR to I1A/R3YY[2317]
  - f. Area F: DR to O1
2. Add a new exception, R4Z[xxxx] to Section 239 - Urban Exceptions with provisions similar in effect to the following:

In column V, add the following:

~~the rear yard setback for a stacked dwelling or an apartment dwelling, low rise is 4m~~  
-the rear yard setback for a stacked dwelling, apartment dwelling, low rise and Planned Unit Development is 4m (amended per motion PLC 67/6).

### **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 October 10, 2017 and attended by approximately 25 residents. Five comments were received through the public notification and consultation process. The public concerns and staff responses are listed below:

**Townhouse development:** The existing lots adjacent to this subdivision are occupied by detached homes. Townhouses are less compatible with the existing community and the lots proposed around the existing stormwater management pond should be detached dwellings.

**Response:** None of the new lots in this subdivision will be directly abutting existing homes because of the separation provided by the Monahan Drain and the existing stormwater management pond. The townhouses proposed for the lands adjacent to the stormpond are a low-density form of development that is compatible with detached dwellings.

**Road network:** The existing road network is incomplete and cannot accommodate 900 new dwellings. The land should not be rezoned until all the streets are built.

**Response:** This rezoning supports the proposed Plan of Subdivision, which will encompass significant improvements to the existing incomplete road network. Rouncey Road, Cope Drive, Tapadero Avenue and Haliburton Heights are all currently dead-end roads at the limits of the previous phase of the Blackstone subdivision. These four streets will all be extended as part of the works associated with this subdivision. These new links will allow for much more functional traffic patterns in the community, both internally and by providing direct access to Fernbank Road and Terry Fox Drive.



Document 4 – Draft Plan of Subdivision

This shows the draft-approved Plan of Subdivision for the property subject to the rezoning application.

