

Report to/Rapport au:

**Planning Committee
Comité de l'urbanisme**

and Council / et au Conseil

**March 19, 2013
19 mars 2013**

**Submitted by/Soumis par : Nancy Schepers, Deputy City Manager/Directrice
municipale adjointe, Planning and Infrastructure/Urbanisme et Infrastructure**

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Stittsville (6)

Ref N°: ACS2013-PAI-PGM-0049

SUBJECT: ZONING – 5769 FERNBANK ROAD

OBJET : ZONAGE – 5769, CHEMIN FERNBANK

REPORT RECOMMENDATION

That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 5769 Fernbank Road from Development Reserve Zone (DR) to Residential Second Density Subzone Q exception zone (R2Q[xxxx]) and Residential Third Density Subzone Z exception zone (R3Z[xxxx]) as shown in Document 1 and detailed in Document 2.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de 2008-250 afin de faire passer le zonage du 5769, chemin Fernbank de Zone d'aménagement futur (DR) à Zone résidentielle de densité 2, sous-zone Q, dotée d'une exception (R2Q[xxxx]) et à Zone résidentielle de densité 3, sous-zone Z, dotée d'une exception (R3Z[xxxx]), comme le montre le document 1 et l'explique en détail le document 2.

BACKGROUND

The subject lands are located at 5769 Fernbank Road on the north side of Fernbank Road between Shea Road and Terry Fox Drive. The property is located within the area covered by the Fernbank Community Design Plan. The future Fernbank community is adjacent to Stittsville on the west side, Kanata West on the north and Bridlewood Drive to the east. Undeveloped agricultural lands outside the urban boundary are located to the south. The rezoning will apply to the applicant's holdings within the Fernbank Community, and specifically the lands subject to draft plan of subdivision under application D07-16-11-0018. The subject lands are illustrated on the Location Plan attached as Document 1.

Description of Site

The lands are within the area bounded by Fernbank Road to the south, Shea Road to the west, Terry Fox Drive to the east and the Trans-Canada Trail/Abbott Street to the north. The 4.5-hectare site is presently occupied by an existing residence. A small balsam fir tree plantation occupies the southeast portion of the site, with the remainder used for agricultural purposes. The surrounding lands to the east, west and north are generally occupied by rural uses but are subject to future urban development. Land south of Fernbank Road will remain agricultural in nature.

Purpose of Zoning Amendment

The purpose of the requested zoning amendment is to permit the proposed uses contemplated within the proponent's draft approved plan of subdivision. The Zoning By-law amendment would permit between 70 and 105 residential units, with a mix of detached and freehold townhouses proposed. The associated plan of subdivision received Draft Approval in June 2012, with the plan of subdivision creating large blocks for development. The specific number and mix of units will be identified during preparation of the lotting plans required as the proponent proceeds through the registration process.

Existing Zoning

The subject property is currently zoned Development Reserve Zone (DR). The purpose of this zone is to recognize lands intended for future urban development in areas designated General Urban Area in the Official Plan, and the range of permitted uses is limited to those that will not preclude future development.

Proposed Zoning

The requested Zoning By-law amendment would rezone the property to R2Q [xxxx] (Residential Second Density Subzone Q) for the northern portion of the site to be developed with detached dwellings; and R3Z [xxxx] (Residential Third Density Subzone Z) for the southern portion of the site to be developed with detached and on-street townhouse dwellings. The site specific exception [xxxx] will allow for minor modifications to the performance standards, providing flexibility for encroachments such as chimneys and porches on the dwelling units.

The Zoning By-law amendment is requested in order to facilitate development of a draft-approved residential subdivision comprised of a mix of residential dwellings including approximately 70 to 105 detached and multiple attached dwellings.

DISCUSSION

Provincial Policy Statement

Under Section 3 of the *Planning Act*, all decisions affecting planning matters shall be consistent with the Provincial Policy Statement, which provides direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement (PPS) states that healthy, liveable and safe communities are created by promoting efficient development and land use patterns which sustain the financial well being of the Province and municipalities over the long term.

The subject Zoning By-law amendment seeks to implement a draft-approved subdivision within a master-planned community. The Fernbank Community Design Plan was designed in support of PPS policies, such as efficient land use patterns, a mix of residential, employment and recreational uses, appropriate range of housing types, an active community which provides for walking and cycling, and optimization of infrastructure. The proposed amendment is consistent with the objectives and policies of the PPS, by providing new residential development that makes efficient use of existing and planned infrastructure and services. The proposal promotes a liveable community by expanding the range of choice in housing types and contributes to a balanced community. Staff conclude that the proposal is consistent with the matters of provincial interest as outlined in the Provincial Policy Statement.

Official Plan and Fernbank Community Design Plan

Official Plan amendment No. 77 implemented the Fernbank Community Design Plan. The subject site is designated "General Urban Area" in the Official Plan, which contemplates a range of residential uses. The northern part of the site will provide single detached dwellings while the southern portion will contain detached and multiple attached dwellings which will provide a full range of housing types to meet the needs of all ages, incomes and life circumstances consistent with the policies within the Official Plan.

The Fernbank Community Design Plan shows the subject lands designated for low density residential use. Low density residential land uses were to comprise the majority of the housing within the Fernbank Community and include residential dwellings of similar mass and scale in the form of detached and townhouse dwellings. The road layout and distribution of blocks previously approved through the plan of subdivision varies only slightly from the Demonstration Plan, and the proposed development is in accordance with the Fernbank Community Design Plan.

The proposed Zoning By-law amendment implements the R2Q [xxxx] and R3Z [xxxx] Zone to be developed with the detached and multiple attached dwellings.

Details of Proposed Zoning

The proposed Zoning By-law amendment to reflect the draft approved plan of subdivision is detailed in Document 2 and illustrated in Document 1. Specifically, the proposed Zoning By-law amendment would create the following zones:

Area A - The portion of the site to be developed with detached dwellings would be rezoned from DR to R2Q [xxxx].

Area B - The portion of the site to be developed with a mix of detached and multiple attached dwellings would be rezoned from DR to R3Z [xxxx].

The site-specific exception would contain unique provisions involving modest decreases to the setback from the lot line for permitted projections such as porches and balconies. The site-specific provisions are consistent with those applicable in several other new communities in the city, reflect the compact form of development contemplated, and encourage an attractive streetscape by allowing for design elements such as wrap-around porches in exterior side yards.

Conclusion

The proposed Zoning Bylaw amendment will permit development of a type that complies with the intent of the Fernbank Community Design Plan. The Department supports the Zoning By-law amendment application and recommends that it be approved.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. No comments from the public were received.

COMMENTS BY THE WARD COUNCILLOR

Councillor Shad Qadri is aware of the application and the staff recommendation.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

The proposed Zoning By-law amendment is consistent with the Fernbank Community Design Plan and the Fernbank Environmental Management Plan recommendations.

TECHNOLOGY IMPLICATIONS

Information Technology approved this report without comment.

TERM OF COUNCIL PRIORITIES

This report aligns to the following Term of Council priorities in that the development permitted by this zoning by-law amendment will assist in achieving the following:

- GP3 - Make sustainable choices
- ES1 - Improve stormwater management
- ES3 – Reduce environmental impact

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 placed on hold for several months in order to allow for the plan of subdivision application to be processed.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Plan

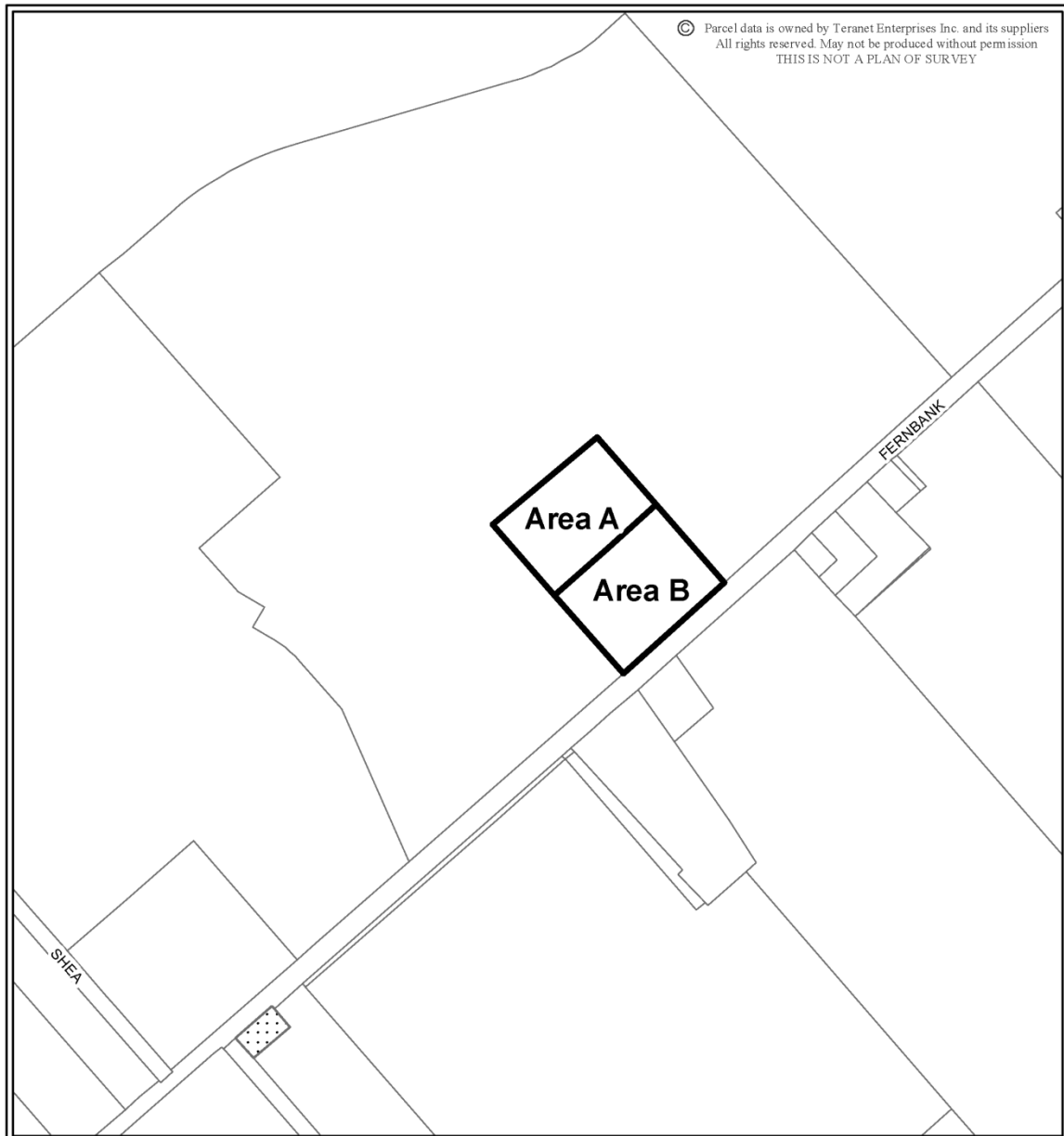
Document 2 Details of Recommended Zoning





DISPOSITION

City Clerk and Solicitor Department, Legislative Services to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.



 <p>Produced by Planning and Infrastructure Portfolio Produit par le Portefeuille urbanisme et infrastructure</p> <table border="1"> <tr> <td>D02-02-11-0084</td> <td>13-0359-X</td> </tr> <tr> <td colspan="2">I:\CO\2013\ZONING\FERNBANK_5769</td> </tr> <tr> <td colspan="2" style="text-align: center;">2013 / 03 / 05</td> </tr> <tr> <td>REVISION DATE</td> <td>DE RÉVISION</td> </tr> </table>	D02-02-11-0084	13-0359-X	I:\CO\2013\ZONING\FERNBANK_5769		2013 / 03 / 05		REVISION DATE	DE RÉVISION	<p> Location Map / Plan de révision Zoning Key Plan / Schéma de zonage 5769 chemin Fernbank Road</p> <p>Area A to be rezoned from DR to R2Q[xxxx] Area B to be rezoned from DR to R3Z[xxxx]</p> <p> Heritage (Section 60) Patrimoine (Article 60)</p> <p>044501494 Denotes Teranet-Polaris Parcel Identification Number</p>	<p>Échelle N.T.S. Mètres</p>  <p>Scale N.T.S. Metres</p>
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DETAILS OF RECOMMENDED ZONING

DOCUMENT 2

1. Rezone the subject lands shown in Document 1 as follows:

- a. The lands shown as Area A on Document 1 be rezoned from DR to R2Q [xxxx]
- b. The lands shown as Area B on Document 1 be rezoned from DR to R3Z [xxxx]

2. Add new exceptions R2Q [xxxx] and R3Z [xxxx] to Section 239 - Urban Exceptions with provisions similar in effect to the following:

- 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 4(a), canopies and awnings 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 5(b), where located above the floor level of the first floor, the stairs may project 2.5 metres into a required yard, but may be no closer than 0.5 metres from the lot line.
- Despite Table 65, Row 6(b) covered or uncovered balconies and porches may project to within 0 metre of a side lot line abutting a street.
- Despite Table 65, Row 8, an air conditioning condenser unit may project 1 metre into a required yard, but no closer than 0.2 metres to a lot line, and may not be located in a front yard or a corner side yard.