

Zoning Confirmation Report

Terms of Reference

1. Description

The purpose of the Zoning Confirmation Report (ZCR) is to identify all zoning compliance issues, if any, at the outset of a *Planning Act* application.

2. When Required

- All zoning by-law amendment applications; and
- All site plan control applications.

3. Contents

The Zoning Confirmation Report comprises two components depending on the type of application submitted:

Component 1 – Zoning Confirmation Report Checklist

Is required for all Site Plan Control applications and all Zoning By-law amendment applications. The intent of the ZCR Checklist is to determine whether a proposal meets the requirements of the Zoning By-law or whether relief is required before the application can be deemed complete. The applicant is required to fill out the ZCR Checklist that forms part of this Terms of Reference.

- ZCR Checklist - Refer to Annex 1

Component 2 – Zoning Confirmation Report Draft List of Requested Relief

Is required for all Zoning By-law amendment applications only and consists of a draft list of requested relief from the Zoning By-law. The intent is for the applicant to ensure that the requested relief is comprehensive, specific and consistent with the rest of the Zoning By-law.

- ZCR Draft List of Requested Relief - Refer to Annex 2

NOTE: The requirements of the two ZCR components may be modified by staff on a case-by-case basis to suit the development.

4. Roles and Responsibilities / Qualifications

A Zoning Confirmation Report must be signed by the applicant or an authorized representative of the applicant.



5. Annex 1 - Zoning Confirmation Report Checklist

A. Project Information			
Review Date:	October 7, 2024	Official Plan designation:	<i>Evolving Neighbourhood and Corridor - Mainstreet within Design Priority Area designations</i>
Municipal Address(es):	4270 Innes Road	Legal Description:	PART OF LOT 1, CONCSSION 11, GEOGRAPHIC TOWNSHIP OF CUMBERLAND, CITY OF OTTAWA
Scope of Work:	The Proposed Development of a 4,741.81 square metre area of the northern portion of the Subject Lands, which are presently occupied by surface parking, with a single-storey building containing a Chick-fil-A restaurant, with associated drive-through facility.		
Existing Zoning Code:	Arterial Mainstreet Zone - AM[210] H(18.5)	By-law Number:	2008-250
Schedule 1 / 1A Area:	Schedule 1: Area C Schedule A1: Area C - Suburban	Overlays Applicable¹:	N/A

¹ Mature Neighbourhoods Overlay, Floodplain Overlay, and/or Heritage Overlay.

B. Zoning Review			
For Zoning By-law Amendments, please use the proposed zone and subzone requirements, if different than existing.			
Proposed Zone/Subzone (Zoning By-law Amendments only):	N/A		
Zoning Provisions ¹	By-law Requirement or Applicable Section, Exception or Schedule Reference	Proposal	Compliant (Y/N)
Principal Land Use(s)	Gas Bar, Retail Store, Retail Food Store, Restaurant, Drive-through Facility, etc.	Restaurant and Drive-Through Facility	Yes
Lot Width	No minimum	Minimum 154.22	Yes
Lot Area	No minimum	6.43 hectares	Yes
Front Yard Set Back² Exception 210	Minimum 5 metres	20.474 metres	Yes
Corner Side Yard Setback Exception 210	Minimum 5 metres	As existing	Existing Condition Complies
Interior Side Yard Setback Exception 210	Minimum 12 metres	7.311 metres	No
Rear Yard Setback Exception 210	Minimum 12 metres	As existing	Existing Condition Complies
Lot Coverage Floor Space Index (F.S.I.)	Maximum 2.0	0.26	Yes
Building Height³	Maximum 25.0 metres	6.4 metres	Yes
Accessory Buildings Section 55	Accessory buildings are permitted, subject to certain provisions	N/A - No accessory building(s) are proposed	N/A



Projections into Height Limit Section 64	Certain projections are permitted, subject to additional provisions	N/A - No proposed building or structure(s) are to project beyond the maximum permitted height limit	N/A
Projections into Required Yards Section 65	Certain projections are permitted, subject to additional provisions	N/A - No proposed elements are to project into the minimum permitted setbacks	N/A
Required Parking Spaces Section 101 and 103	Minimum 38 parking spaces required (10 spaces per 100 square metres of GFA for restaurant fast-food use, reduced by 20% in combination with a drive-through use)	The Proposed Development contains 46 vehicular parking spaces	Yes
Visitor Parking spaces Section 102	Permissions are applicable to development containing residential uses	N/A - Proposed development does not contain residential uses	N/A
Size of Space Section 105 and 106	Minimum 2.6 metres to a maximum 3.1 metres wide, and a minimum 5.2 metres long	Parking spaces are 2.6 metres wide and 5.2 metres long	Yes
Driveway Width Section 107	Minimum 6.0 metres for a double traffic lane	Driveways contain a width between 6.5 metres - 7.207 metres	Yes
Aisle Width Section 107	Minimum 6.7 metres for an angled parking space between 71-90 degrees	Aisles contain a width between 6.7 metres - 7.207 metres, all of which are at a 90 degree angle	Yes
Location of Parking Section 109	No parking is permitted in a required front yard, corner side yard, or in the extension of a required corner side yard into a rear yard	No parking is proposed within a required yard	Yes
Refuse Collection Section 110	Refuse collection must be at least 9.0 metres from a lot line abutting a public street, 3.0 metres from any other lot line, and screened by a minimum 2.0 metre tall opaque screen (or by landscaping for in-ground refuse container)	The proposed Molok waste bins are in-ground refuse containers, which are setback over the required setbacks and are screened with minimum 2 metre tall soft landscaping.	Yes
Bicycle Parking Rates Section 111	Minimum 2 bicycle parking spaces required (1 space per 100 square metres of GFA for restaurant fast-food use)	The Proposed Development contains 6 bicycle parking spaces	Yes
Amenity Space Section 137	Permissions are applicable to development containing residential uses	N/A - Proposed Development does not contain residential uses	N/A
Other applicable relevant Provision(s)			
Outdoor Commercial Patio Section 85	Permitted in any zone where associated with a permitted use.	Proposed Development contains an outdoor commercial patio in association with a fast-food restaurant use.	Yes
Outdoor Commercial Patio Section 85	Must not encroach on or eliminate an accessible parking space.	Outdoor commercial patio does not encroach or eliminate accessible parking space.	Yes
Outdoor Commercial Patio Section 85	No additional parking is required for a patio.	Proposed Development does not provide additional parking for the outdoor commercial patio.	Yes
Small Vehicle Parking Section 106	50% of the parking spaces may be reduced to 4.6 metres long and 2.4 metres wide provided identified for compact car	N/A – Proposed Development does not contain small vehicle parking	N/A
Motorcycle Parking Section 106	5% of the parking spaces may be reduced to 1.3 metres wide and 3 metres long provided identified for motorcycle or cargo bike.	N/A – Proposed Development does not contain parking spaces intended for motorcycles or cargo bikes	N/A
Parking Lot Landscaping Section 110	Minimum 15% of the area of any parking lot must be provided as landscaped area.	24.8% of the proposed parking lot is landscaped	Yes

¹ This template represents a small selection of applicable provisions. Please consider the lot's geography (i.e. corner/through lot, proximity to water, inside/outside Greenbelt) and proposed land use (i.e. drive through operation, outdoor commercial patio, Planned Unit Development, long semi) and consult the by-law to determine which other sections of the By-law must be met. This can be attached in a separate document.

² Note that different performance standards apply to low-rise residential development inside the Greenbelt. Please reference Section 144 for these standards, where applicable.



Projections into Height Limit Section 64			
Projections into Required Yards Section 65			
Required Parking Spaces Section 101 and 103			
Visitor Parking spaces Section 102			
Size of Space Section 105 and 106			
Driveway Width Section 107			
Aisle Width Section 107			
Location of Parking Section 109			
Refuse Collection Section 110			
Bicycle Parking Rates Section 111			
Amenity Space Section 137			
Other applicable relevant Provision(s)			
Minimum Drive Through Queuing Spaces Section 112	7 before/at order board, and a minimum total of 11	20 before/at board, 17 after, for a total of 37 queuing spaces	Yes
Queuing Space Dimensions Section 112	Minimum 3 metres wide and 5.7 metres long	Queuing spaces are a minimum 3.05 metres wide and 6.75 metres long	Yes
Minimum Loading Spaces Section 113	0 loading spaces for all other non-residential uses containing less than 999 square metres GFA	The Proposed Development contains 0 loading spaces	Yes
Minimum Landscape Width Around Parking Lot Section 185	Minimum 3 metres abutting a street and 1.5 metres not abutting a street	Minimum of 3.272 metres	Yes
One Lot Exception 210	Lands considered one lot for zoning purposes.	Proposed Development is considered as part of the whole lot.	Yes
Maximum Gross Leasable Floor Area Exception 210	35,000 square metres	The Subject Lands collectively contain a maximum gross leasable floor area of 16,946.94 square metres	Yes

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² Note that different performance standards apply to low-rise residential development inside the Greenbelt. Please reference Section 144 for these standards, where applicable.



³ This includes maximum building height, minimum building height and stepback provisions, where they exist

E. Comments / Calculations

Note exception 210 applies to the Subject Lands, which treats all lands zoned AM-210 as one for zoning purposes, therefore side and rear yard setbacks are as currently exist and not altered by the current proposal.

6. Annex 2 - Zoning Confirmation Report Draft List of Requested Relief from Zoning

As part of a Zoning By-law Amendment application, the applicant is required to identify all required relief from the Zoning By-law for the development that is the subject of the application. Below is an example of how the applicant should structure this component of the submission requirements for the Zoning Confirmation Report Draft List of Requested Relief.

- **The Draft List of Requested Relief from Zoning is a list of those items indicated as “not compliant” as identified through Component 1: Zoning Confirmation Report Checklist.** A template list is provided below, with examples.
- The list is required so that City staff can review the requested relief and determine if the application is complete and consistent. The onus is placed on the applicant to identify all needed relief for the proposed development.
- **A draft zoning schedule is required to be provided with Annex 2, if it is anticipated to be required.** A zoning schedule may be required when specific relief such as for height, setbacks, stepbacks or land uses need to be isolated to certain locations on the lot.

Draft List of Requested Relief from Zoning		
By-law Requirement or Applicable Section	Requirement	Proposed

¹ Only the non-compliant land use(s) needs to be listed in this column.