



## **Planning Rationale in Support of Applications for Zoning By-law Amendment and Plan of Subdivision**

**1158 Old Second Line Road  
City of Ottawa**

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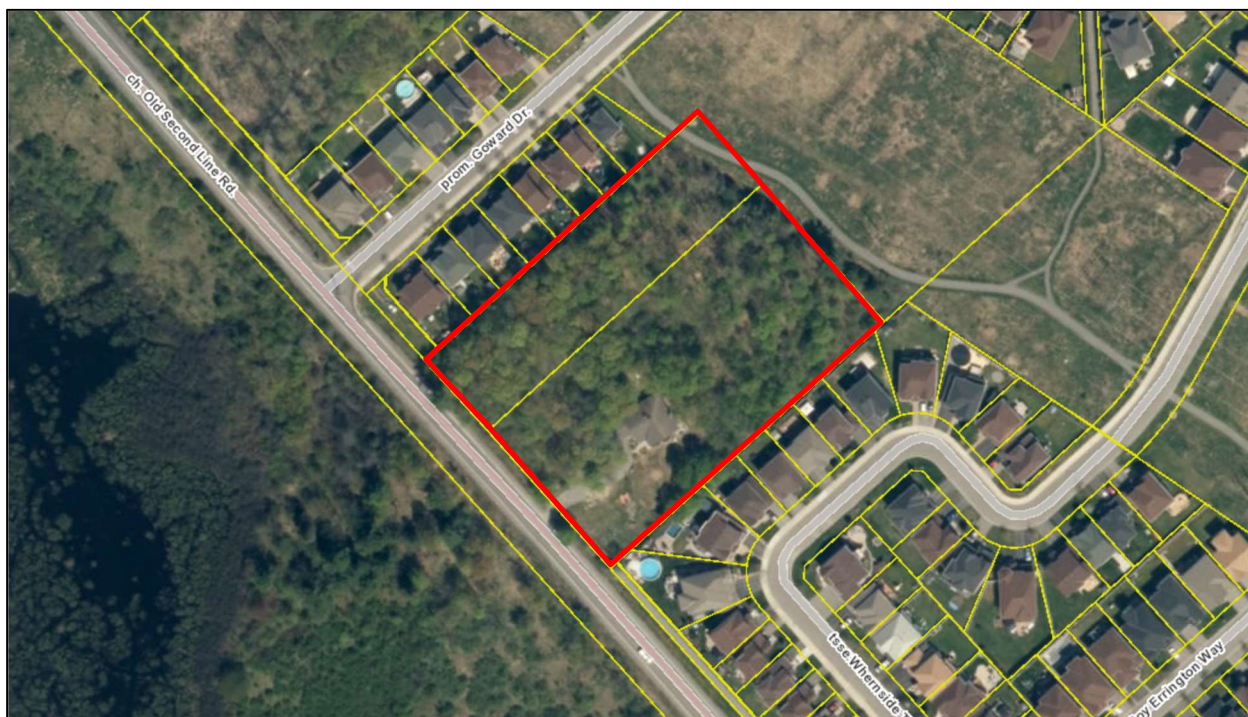
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## **1.0 Introduction**

Holzman Consultants Inc. has been retained by Theberge Homes to prepare a planning rationale in support of applications for a Zoning By-law Amendment and Plan of Subdivision at 1158 Old Second Line Road in the Kanata North ward of the City of Ottawa (the “Subject Property”). The purpose of the applications is to permit the development of 49 townhouses on vacant lands. The subject applications are to be followed in the future by an application for Lifting of Part-Lot Control to allow for the conveyance of the individual freehold townhouses.

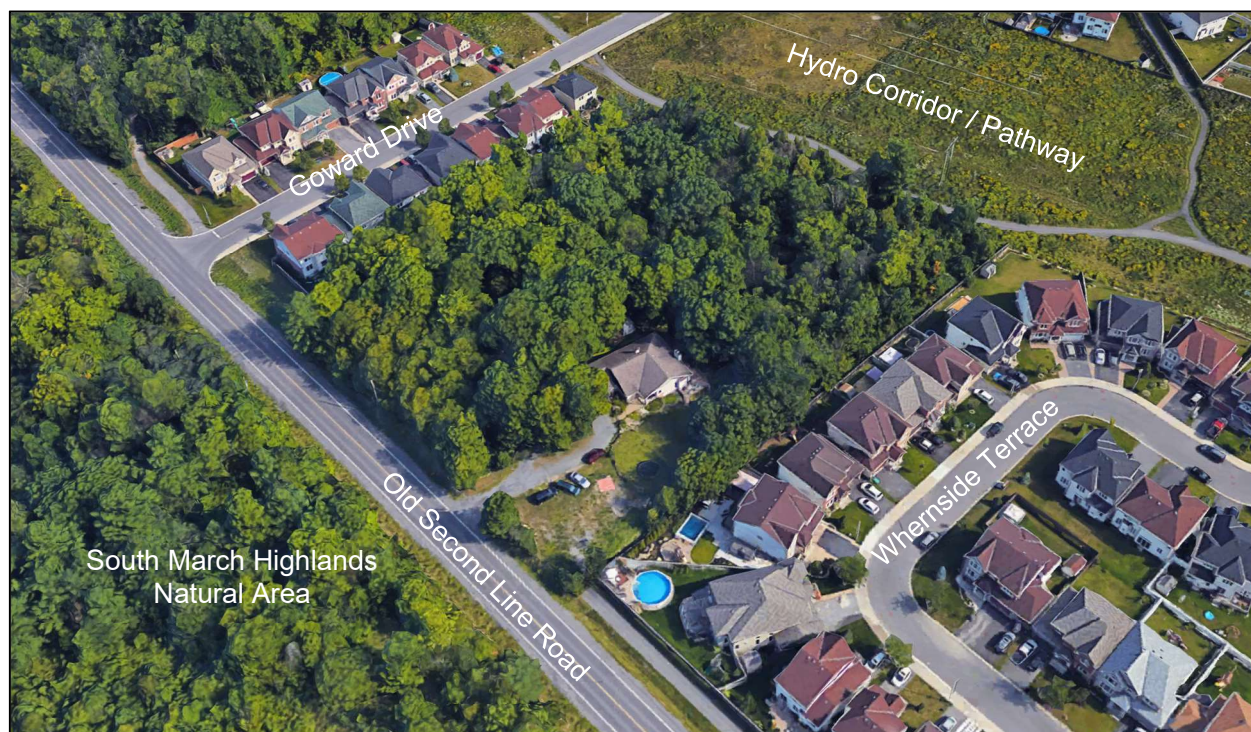
This report provides a description of the existing conditions and proposed development and contains a review of the applicable land use planning policies, including the Provincial Policy Statement (PPS), the Official Plan (OP), and the Zoning By-law. The summary and conclusions indicate that the proposed applications are supported by the PPS and OP and represent good planning.

## **2.0 Site Overview**



**Figure 1** - City of Ottawa 2017 aerial photo (Subject Property outlined in red)

The Subject Property is located approximately 50 m to the southeast of the intersection of Old Second Line Road and Goward Drive, in the northern area of the Kanata North ward. The lands encompass two parcels: 1158 Old Second Line Road on the south (PIN 045 260 207) and the unaddressed parcel on the north (PIN 045 261 418). The two parcels are legally described, respectively, as Concession 3 Part Lot 11, Parts 1 and 2 on Registered Plan 5R-1715 and Parts 1 and 2 on Registered Plan 5R-2564.



**Figure 2** - Google Earth 3D aerial view (Looking north-east)

Both parcels are fairly uniform rectangles, with a combined area of approximately 12,296.3 m<sup>2</sup> and 95 m of frontage on Old Second Line Road. The Subject Property is predominantly wooded, with a single detached residential dwelling located on the southern part of the site. Through inference based on the City of Ottawa's historic aerial imagery, the existing house was built between 1991 and 1999.

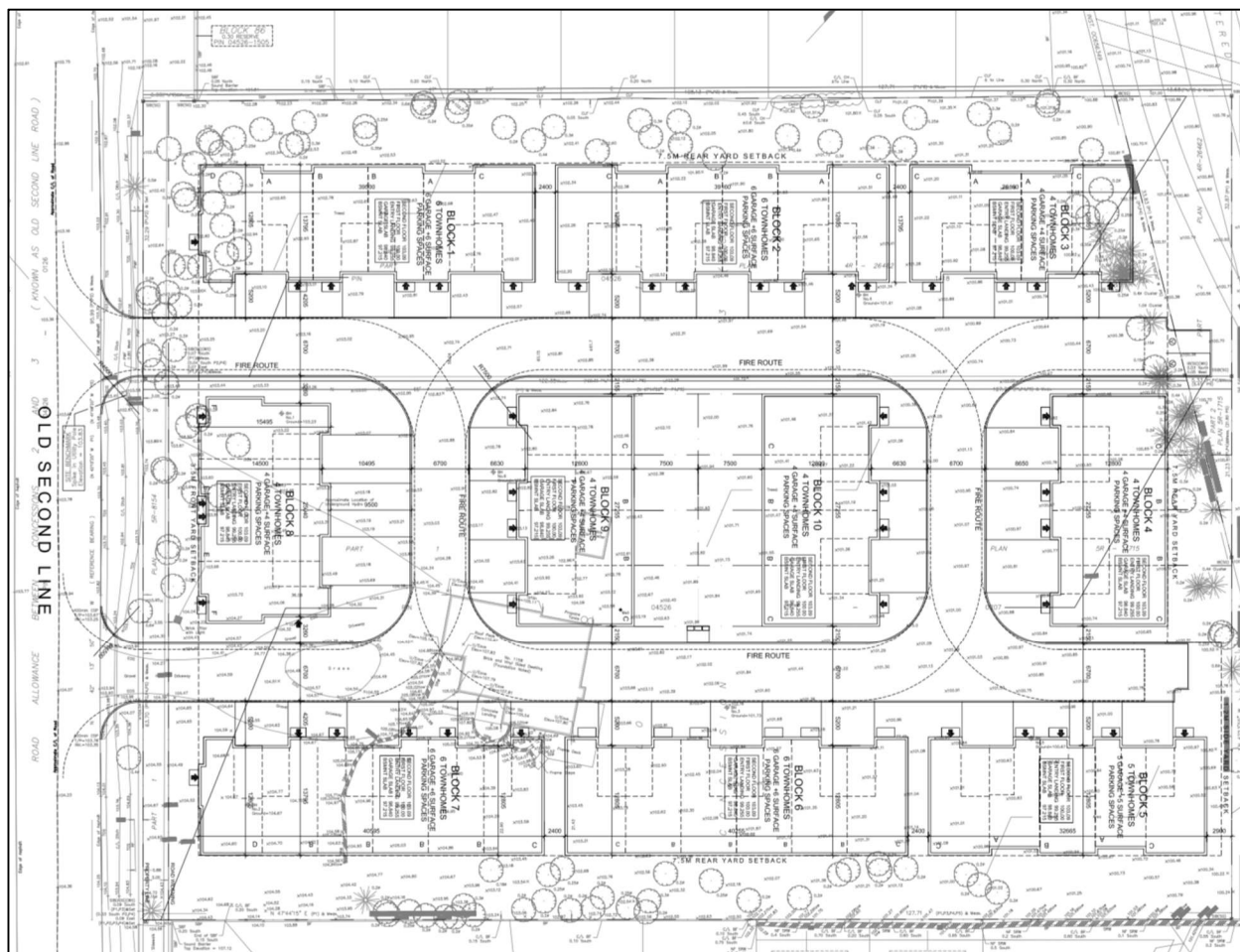
The adjacent land uses are described as follows:

- North: To the north are single detached dwelling units fronting onto Goward Drive, with the Louis Turner Park further to the north.
- East: A hydro corridor with a recreational pathway borders the eastern edge of the site, with residential lands further to the east.
- South: The lands to the south are occupied by single detached dwelling units fronting onto Whernside Terrace.
- West: The South March Highlands Natural Area is located across Old Second Line Road to the west.

### **3.0 Description of Proposed Development**

Through a Plan of Subdivision, it is proposed that the Subject Property be divided into ten blocks for development. A total of 49 two-storey townhouses are proposed, with each block accommodating between four and six townhouses. The townhouse units along the northern and southern property lines are oriented internally, with their rear yards abutting the rear yards of the neighbouring single detached dwellings. Townhouse blocks 4, 9,

and 10 are oriented towards the private street. Townhouse block 8, along the westerly edge of the property, is oriented to have the unit entrances facing Old Second Line Road, with the garages accessed from the rear.



**Figure 3 - Proposed site plan**

Vehicular access throughout the development is to be provided through a 7.0 m wide private street shown as shown as Block 11 on the Plan of Subdivision, which is to be owned in common by the unit owners. Two points of access onto Old Second Line Road are proposed on the western edge of the property. Each unit has one garage and one driveway parking space, and two visitor parking spaces are provided at the north-eastern edge of the property. The subdivision anticipates the future extension of the existing pathway along Old Second Line Road northwards to the property. Therefore, one internal sidewalk is provided linking Old Second Line with the adjacent hydro corridor. A road widening along the entire Old Second Line Road frontage has been accounted for in the design of the subdivision.

## **4.0 Planning Policy Analysis**

The applicable policy framework includes an examination of the Province of Ontario's land use planning directives expressed in the Provincial Policy Statement (2014) and the City of Ottawa's policies expressed in the City of Ottawa Official Plan.

### **4.1 Conformity with the Provincial Policy Statement**

Issued under the authority given in Section 3 of the Planning Act, the applications in support of this development shall be consistent with the policies of the Provincial Policy Statement, 2014 ("PPS"). Per the PPS, the long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy. This includes supporting efficient development patterns, focusing growth within the existing urban area, and promoting a mix of housing.

Section 1.1.1 highlights how healthy and livable communities are sustained. By developing an under-utilized parcel within the existing urban area, this project promotes efficient development and land use patterns (1.1.1(a)). Through the Environmental Impact Statement enclosed with the application, it has been demonstrated that this project should not cause environmental or public health and safety concerns (1.1.1(c)).

Section 1.1.3.1 directs growth to settlement areas such as Ottawa's Kanata North ward, in order to promote cost-effective, sustainable, and efficient land use patterns. The manner in which development should take place in settlement areas is established in 1.1.3.2, which specifies that *"Land use patterns in settlement areas shall be based on:*

- a) densities and a mix of land uses which;*
  - 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;*
  - 4. support active transportation;*
  - 5. are transit-supportive, where transit is planned, exists or may be developed; and*
  - 6. are freight-supportive; and*
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated."*

This residential development directly addresses subsection 1.1.3.2 a), in that the under-developed Subject Property will now support a higher number of residential dwellings, thereby improving the efficient use of land within the Urban Growth Boundary (1). Further,

the development can be accommodated through the current road network and will tie in to existing municipal services, avoiding the need for uneconomic expansions (2). The proximity of the development to the hydro corridor recreational trail creates an active transportation opportunity for residents, with access provided to several parks, the Richcraft Recreation Complex, and current and future schools (4). Lastly, the property is within walking distance of two OC Transpo bus routes on Klondike Road (5).

Due to the proximity of 1158 Old Second Line Road to the South March Highlands Natural Area, the provisions of Section 2.1 – Natural Heritage should be considered. Per s. 2.1.1, *“Natural features and areas shall be protected for the long term.”* This development scenario is further considered in s. 2.1.8, which specifies:

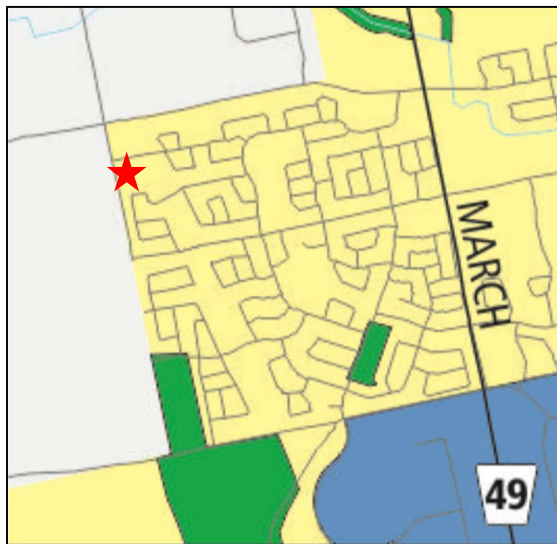
*“Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.”*

As examined through the Environmental Impact Statement, the ecological function of the South March Highlands wetland complex should not be negatively impacted by the proposed development due to the separated nature of the two sites.

In summary, this development is consistent with the Provincial Policy Statement 2014.

## 4.2 Conformity with the City of Ottawa Official Plan

Presently, the City of Ottawa Official Plan policies straddle three documents – The Ottawa Official Plan (“OP”), Official Plan Amendment #150 (“OPA #150”), and Official Plan Amendment #180 (“OPA #180”). Amendment #150 was undertaken as a 5-year review to the original document; which was then appealed, where further changes were made that became the basis for Amendment #180. These policies have been assessed below as they pertain to the Subject Property. The documents have been interpreted to give precedence to the latest opinion of City Council where relevant.



**Figure 4 -** City of Ottawa Official Plan, Schedule B

### **General Urban Area Designation (s. 3.6.1)**

The Subject Property is designated as General Urban Area in Schedule B of the Official Plan. Among the purposes of the General Urban Area designation is to permit the development of a full range and choice of housing types. As specified by Policy 1, townhouses are a permitted type of

residential dwelling within the General Urban Area. Further, per Policy 3: *“When considering a proposal for residential intensification through infill or redevelopment in the General Urban Area, the City will:*

- a. Recognize the importance of new development relating to existing community character so that it enhances and builds upon desirable established patterns and built form;*
- b. Apply the policies of Section 2.5.1 and Section 4.11;*
- c. Consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles throughout the General Urban Area;...”*

In addressing the importance of the existing community character, the proposed townhouse development continues the loop-style street pattern typical of the surrounding area. The internally oriented residential frontages are also continued, with the new backyards facing the backyards of the two adjacent residential areas. Lastly, the hydro corridor recreational area, a significant community feature, is emphasized as access remains open at two points on the site.

The townhouse development would also address the balance of housing types in the surrounding area. The dominant housing type in the community is single detached dwellings; this proposal would add 49 new freehold townhouse dwelling units, simultaneously increasing the total housing stock in Kanata North while adding variety in the types available.

### ***Residential Intensification (s. 2.2.2)***

Per s. 2.2.2, Policy 1, this development is categorized as residential intensification in that it will result in a net increase in the number of dwelling units on the property. Policy 15 addresses intensification in stable, low-rise residential neighborhoods:

*“The interior portions of stable, low-rise residential neighbourhoods will continue to be characterized by low-rise buildings (as defined in Section 4.11, policy 7). The City supports intensification in the General Urban Area where it will enhance and complement its desirable characteristics and long-term renewal. Generally, new development, including redevelopment, proposed within the interior of established neighbourhoods will be designed to complement the area's pattern of built form and open spaces.”*

The proposed development follows the policy direction specified above, as a low-rise built form is proposed, the townhouse dwelling units are complementary with and compatible to the adjacent residential areas in terms of building heights, and the development will enhance the desirable characteristics of the area.

### **4.3 Conformity with the City of Ottawa Comprehensive Zoning By-law No. 2008-250**

The Subject Property is currently zoned Development Reserve, Schedule 183 (DR S183). The purpose of the Development Reserve zone is to recognize lands intended for future urban development in areas designated as General Urban Area in the Official Plan. The single detached dwelling unit on the Subject Property is considered a legal non-conforming use. The townhouse development that is the subject of this rationale is not permitted under the current DR zoning.

Properties captured by Schedule 183 are subject to the provisions of s. 56(4) of the Zoning By-law. Section 56 addresses the provision of adequate municipal services, with subsection 4 prohibiting the drilling of a new groundwater well, drilling to make an existing groundwater well any deeper, and the installation of a groundwater heat pump except as approved by the City of Ottawa. The proposed development will not be serviced by groundwater wells.

### **5.0 Technical Studies**

The following technical studies were prepared in support of the applications:

- Site Servicing and Stormwater Management Report, 1158 Second Line Road, April 2018
- Noise Impact Assessment, 1158 Second Line Road, April 2018
- Environmental Impact Statement and Tree Conservation Report, April 11, 2018
- Phase One Environmental Site Assessment, March 2018
- Environmental Impact Assessment and Tree Conservation Report, September 2013
- Geotechnical Investigation, April 12, 2018

### **6.0 Proposed Zoning By-law Amendment**

In order to permit the townhouse development, it is proposed that the Subject Property be rezoned to Residential Third Density, Subzone Z with an accompanying urban exception (R3Z[XXXX]). Per Section 159 of the Zoning By-law, three of the purposes of the Residential Third Density zone are to:

*“(1) Allow a mix of residential building forms ranging from detached to townhouse dwellings in areas designated as General Urban Area in the Official Plan;*

*(4) Regulate development in a manner that is compatible with existing land use patterns so that the mixed dwelling, residential character of a neighbourhood is maintained or enhanced; and,*

*(5) permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.”*

Townhouses are a permitted use in the R3Z zone. The provisions of Subzone Z are established in Table 160A (Table 1).

Minimum Lot Width (m)	Minimum Lot Area (m <sup>2</sup> )	Maximum Building Height (m)	Minimum Front Yard Setback (m)	Minimum Corner Side Yard Setback (m)	Minimum Rear Yard Setback (m)	Minimum Interior Side Yard Setback (m)
6	150	11	3	3	6	1.2

**Table 1 - R3Z zoning provisions**

Endnote 8 applies to the front yard setbacks of the townhouses proposed. This endnote states that no portion of a private garage shall be located more than 2.5 m closer to a street lot line than the closer of a building front wall or side wall. The recessed garages proposed comply with Endnote 8. Endnotes 12 and 13 are not applicable, as the Subject Property is located outside of Area A on Schedule 342.

Relief by way of an urban exception is required with respect to the required minimum corner side yard setbacks for the interior townhouse Blocks 9,10 & 11 as they are proposed at 2.155 m and 2.15 m while 3.0 m is required. The exceptions proposed are in keeping with the fifth purpose of the Residential Third Density zone, that being to promote efficient land use and compact form.

As the proposed subdivision includes a private street, there are conformity issues with Section 59 – Frontage on a Public Street. These conformity issues have been addressed through by-law exceptions in the past, with the following provisions proposed:

- Despite Section 59, a residential use building is considered to have frontage where the land on which it is located abuts a private way that serves as a driveway leading to a public street.
- The property line that abuts the private way is considered to be the front lot line, and when more than one property line abuts a private way, the shortest property line is considered to be the front lot line, and the other is considered a side lot line that abuts a street. Notwithstanding this provision, the front yards of Block 8 are measured relative to their western lot lines.
- For the purposes of Part 4, the private way is to be considered a public street.

Therefore, the R3Z zoning proposed can adequately regulate development in an orderly manner while simultaneously promoting efficient development and land use patterns. The proposed exception will overcome conformity issues relating to front yard and corner side yard setbacks of the interior townhouse blocks, as well as with issues stemming from Section 59.

## Parking

Section 101 establishes the minimum amount of parking that must be provided on the Subject Property. For townhouse dwellings located in Area C, a minimum of one space per dwelling unit is required. Two parking spaces are provided for each dwelling including one driveway and one garage space. Therefore, the minimum resident parking requirement is met. Section 102 establishes minimum visitor parking rates. Per subsection 4, visitor parking is not required to be provided for townhouse dwellings with driveways accessing a garage located on the same lot. Notwithstanding this provision, two designated visitor parking spaces are provided at the northeastern edge of the site.

Section 106 establishes the minimum dimensions with respect to parking spaces. All driveways proposed meet the minimum required length of 5.2 m and width of 2.6 m. Therefore, the proposed development respects all relevant parking provisions of the City's Comprehensive Zoning By-law.

## **6.1 Draft Zoning By-law Provisions**

1. To rezone the Subject Property from DR S183 to R3Z[XXXX] on the zoning map;
2. A new exception, Exception [XXXX], be added to Section 239 (Table 239) to address the following site specific provisions:
  - a. Despite Section 59, a residential use building is considered to have frontage where the land on which it is located abuts a private way that serves as a driveway leading to a public street.
  - b. The property line that abuts the private way is considered to be the front lot line, and when more than one property line abuts a private way, the shortest property line is considered to be the front lot line, and the other is considered a side lot line that abuts a street. Notwithstanding this provision, the front yards of Block 8 are measured relative to their western lot lines.
  - c. For the purposes of Part 4, the private way is considered a public street.
  - d. Corner side yard setbacks of 2.15 m for Blocks 9,10 & 11.

## **7.0 Summary and Conclusions**

1. The proposed townhouse development is consistent with the policies of the Provincial Policy Statement (2014).
2. The application is consistent with the goals and policies of the Official Plan and the General Urban Area designation.
3. The standards for development will be adequately addressed through the proposed Zoning By-law Amendment to the R3Z[XXXX] zone.
4. The subdivision application adequately addresses all of the technical issues through the preparation and submission of various reports, all supportive of the proposed development.

Based on the above noted rationale, the applications for Zoning By-law Amendment and Plan of Subdivision are appropriate and represent good and defensible land use planning.

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