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## Minor Zoning By-law Amendment

166 Shelleright Street and 225 Cope Drive

## Planning Rationale



Prepared for: Claridge Homes

**Minor Zoning By-law Amendment  
166 Shelleright Street and 225 Cope Drive**

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## **1.0 INTRODUCTION AND BACKGROUND**

Novatech has prepared this Planning Rationale in support of a minor Zoning By-law Amendment to permit a reduced corner side yard setback for detached dwellings and a reduced parking space length on the Subject Site.

A Draft Plan of Subdivision application was approved for the Subject Site on April 26, 2021 for 206 residential units (comprising 47 single detached dwellings, 16 semi-detached dwellings, 107 townhouse dwellings, and 36 back-to-back townhouse dwellings) and a park.

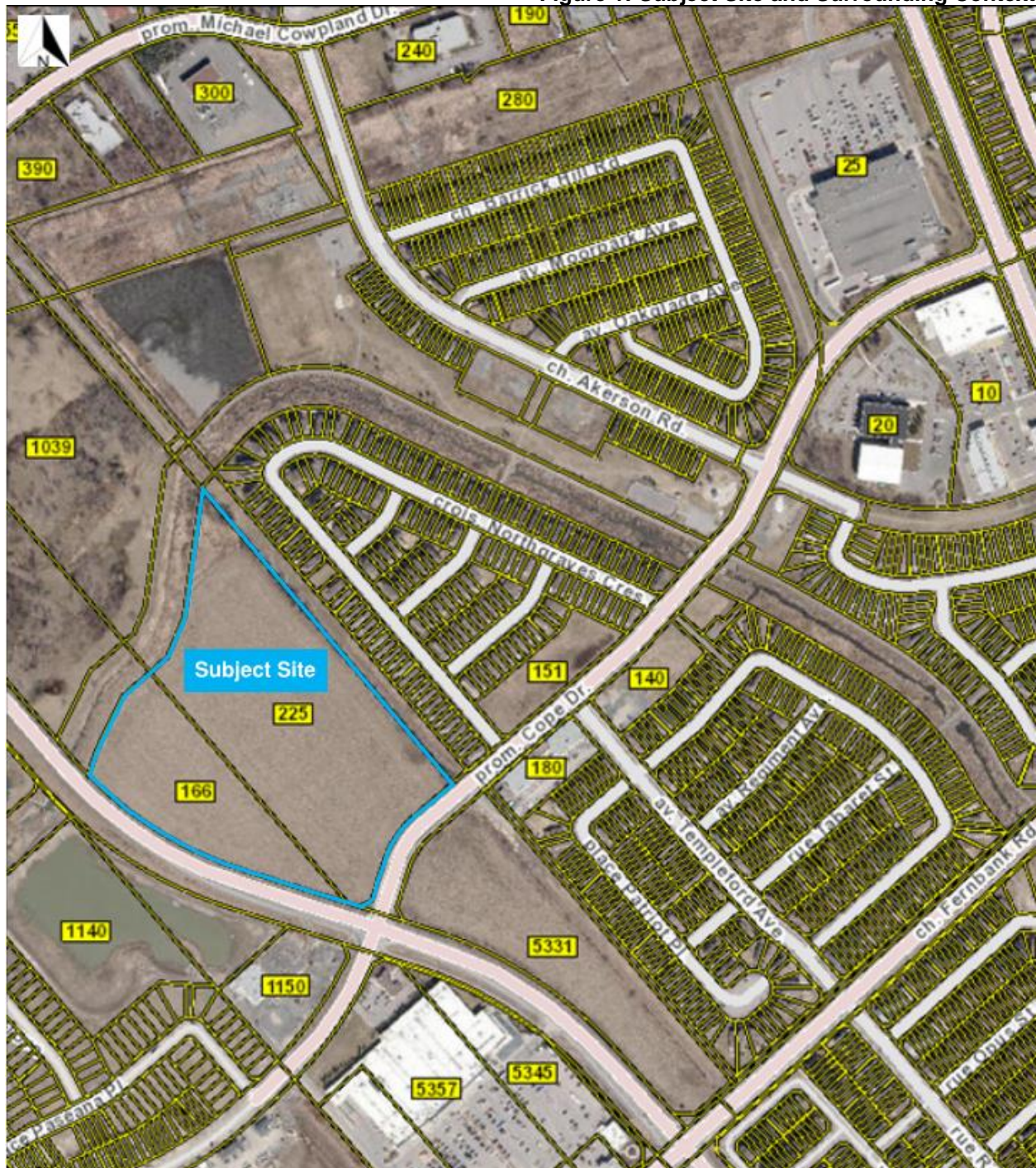
A Zoning By-law Amendment was approved on March 17, 2021 to rezone the Subject Site to Residential Third Density, Subzone X, Exception 2410 (R3X [2410]). Since the Draft Plan of Subdivision application for the Subject Site was approved, Claridge has made 'red line' changes to the proposal to accommodate changes to the dwelling mix. These changes were made to adjust to market conditions. A minor Zoning By-law Amendment to reduce the minimum rear yard setback for detached dwellings from 7.5 metres to 6 metres was approved by City Council on January 24, 2024.

The current urban exception zone 2410 includes a corner side yard setback of 3 metres for townhouse dwellings but not for detached dwellings, which retains the 4.5 metre corner side yard setback from the underlying R3X zone. The exception zone also requires a minimum length of a parking space of 5.5 metres while the underlying provisions require a parking space to have a minimum length of 5.2 metres. The purpose of this Zoning By-law Amendment is to apply the same 3 metre corner side yard setback to all dwelling types on the Subject Site and to remove the minimum required parking space length from the exception zone.

## **2.0 SITE DESCRIPTION AND SURROUNDING USES**

The Subject Site is in Ward 23 (Kanata South) at the northeast corner of Terry Fox Drive and Cope Drive (Figure 1). The Subject Site has approximately 145.6 metres of frontage along Cope Drive, 304.5 metres of frontage along Terry Fox Drive, and a lot area of approximately 7.39 hectares.

Figure 1: Subject Site and Surrounding Context



**North:** 1039 Terry Fox Drive extends north of the Monahan Drain to the Trans Canada Trail and is used for cattle grazing but is intended for future development. A hydro corridor cuts through this site in an east-west direction.

**East:** The Subject Site is bounded by the eastern edge of a closed road allowance. Beyond this, there are townhouse dwellings with frontage on Northgraves Crescent in the adjacent Trailwest community.

**South:** Cope Drive, a two-lane collector road, bounds the Subject Site to the south. 5331 Fernbank Road extends south of Cope Drive to Fernbank Road. An application for a shopping plaza is contemplated for this site.

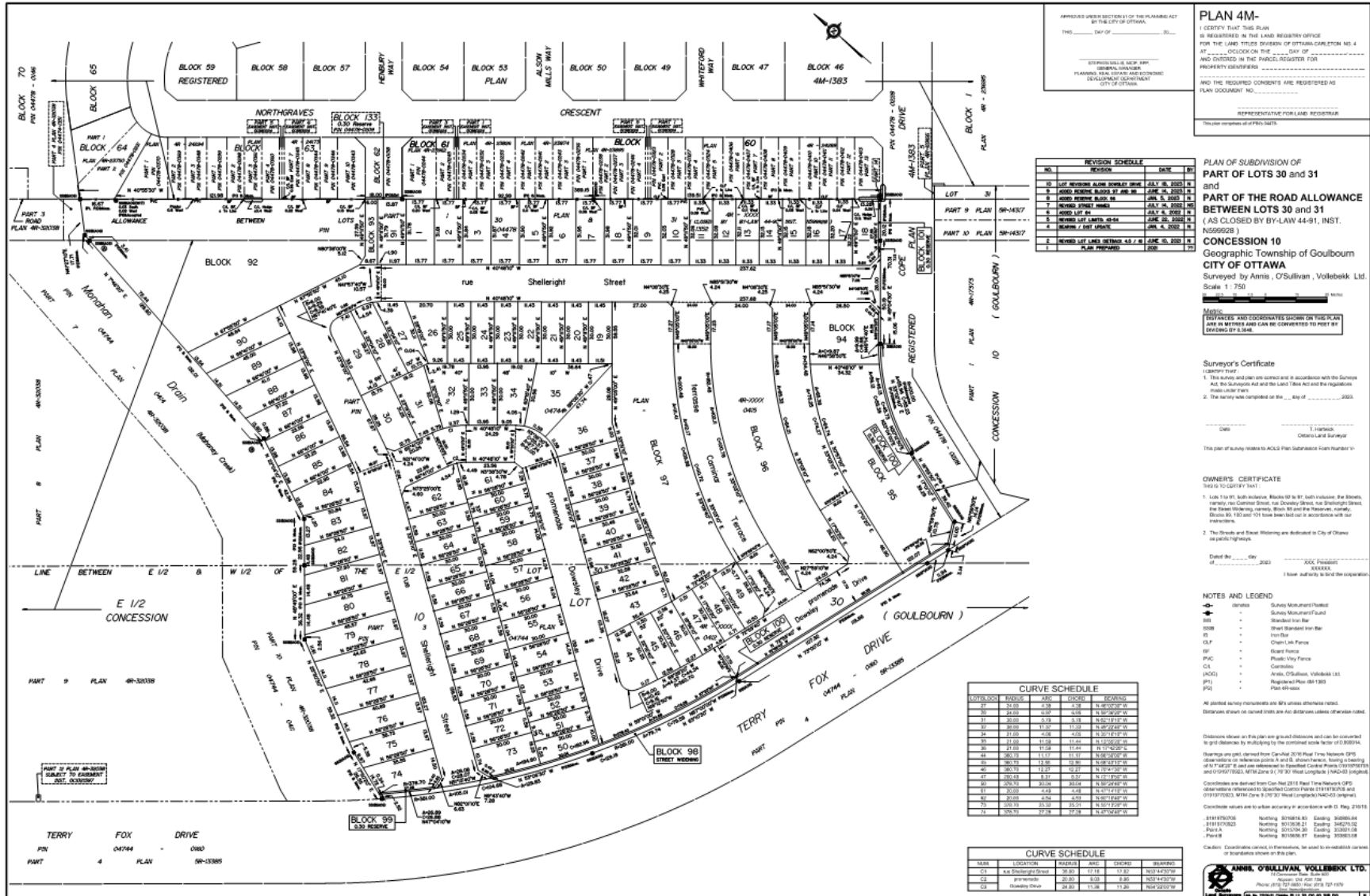
**Southwest:** A Smart Centres plaza (5357 Fernbank Road) is located at the southwest corner of Terry Fox Drive and Cope Drive.

**West:** Terry Fox Drive, a two-lane arterial road, bounds the Subject Site to the west. The Blackstone residential community is located on the west side of Terry Fox and is within the Fernbank Community Design Plan area.

### **3.0 DEVELOPMENT PROPOSAL**

This application is limited to revising the site-specific zoning exception to change the corner side yard setback for detached dwellings to 3 metres from the current 4.5 metre setback, and to remove the minimum required parking space length of 5.5 metres. The current proposal is for a residential subdivision with 164 units, comprising 92 detached dwellings, 36 townhouse dwellings, and 36 back-to-back townhouse dwellings, as well as a park.

Figure 2: 4 M Plan (July 18, 2023)



#### 4.0 PLANNING POLICY AND REGULATORY FRAMEWORK

##### 4.1 Provincial Policy Statement

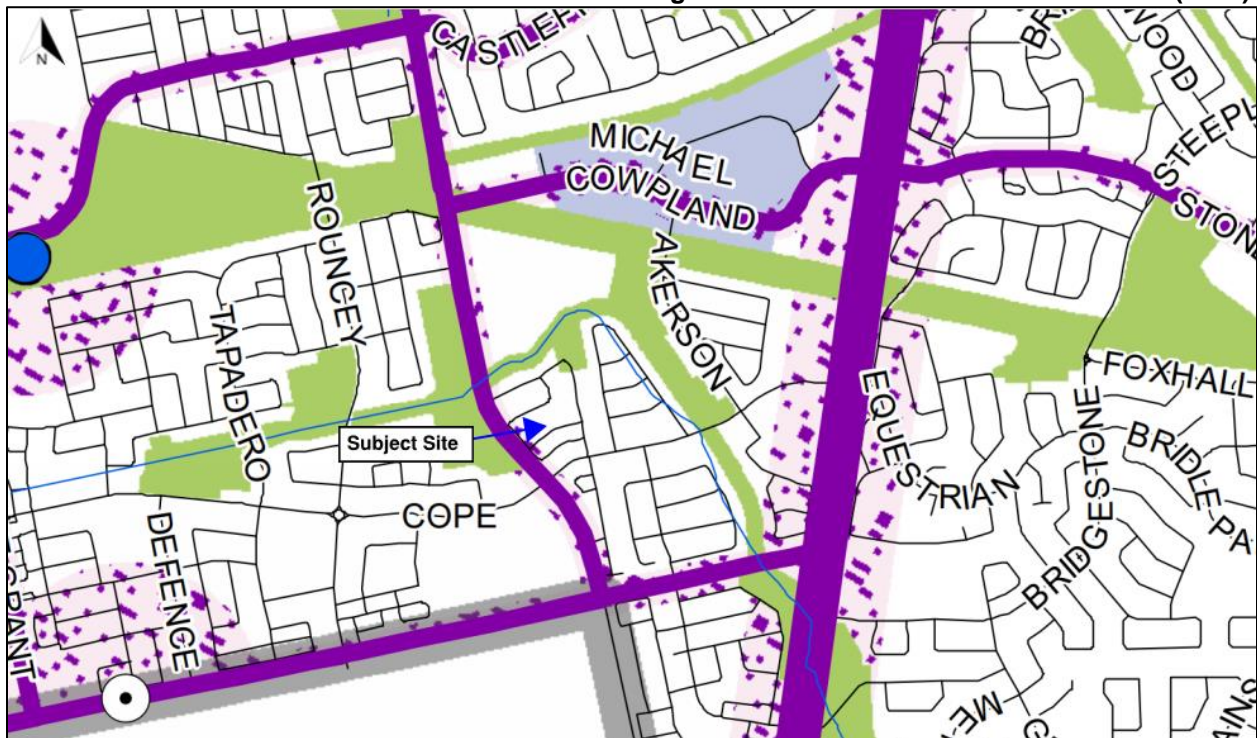
The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest and sets the foundation for regulating the development and use of all land. All decisions affecting planning matters must “be consistent with” policies of the PPS.

The proposed development was approved in 2021 and was assessed as being consistent with the policies of the PPS. This Zoning By-law Amendment application only proposes to change the corner side yard setback for detached dwellings and remove the site-specific minimum required parking space length. This does not change the previous assessment that the proposal is consistent with the policies of the PPS.

##### 4.2 City of Ottawa Official Plan

The Subject Site is designated Neighbourhood on *Schedule B5 – Suburban West Transect*. The portion of the lands along Terry Fox Drive are designated Minor Corridor within the Suburban Transect, as shown below.

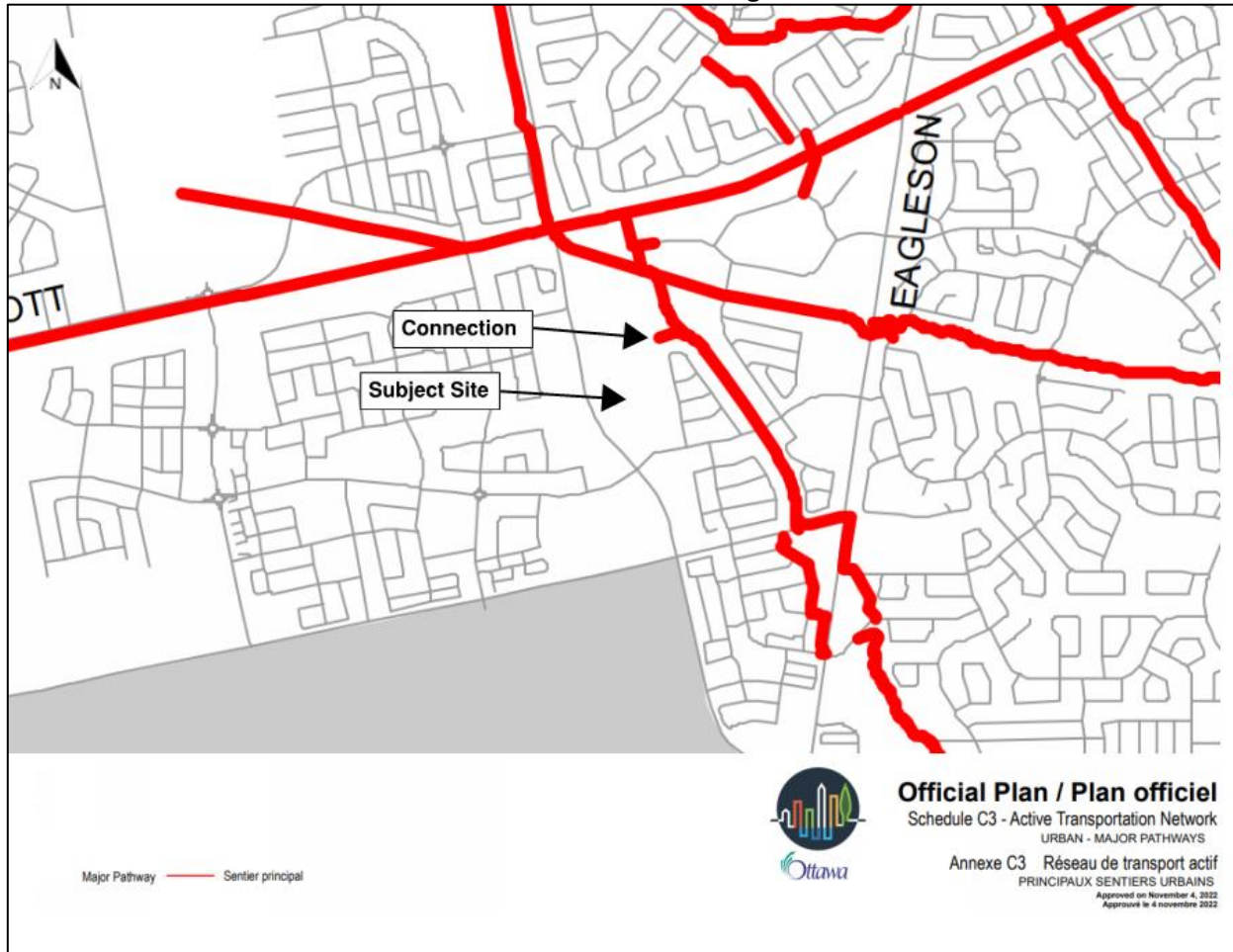
Figure 3: Schedule B5 of the Official Plan (2022)



*Schedule C3 – Active Transportation Network* shows the closest Major Pathway along the Monahan Drain to the east of the site. A connection is made to it from the park on the Subject Site:

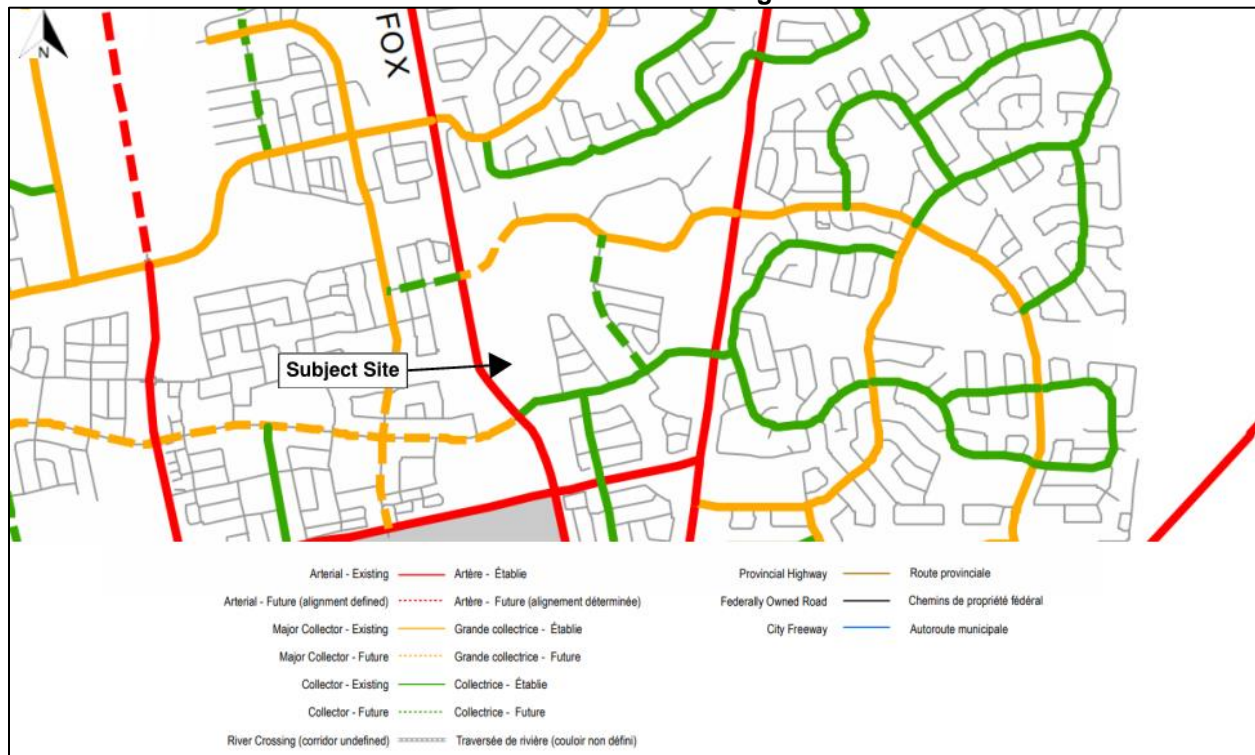


Figure 4: Schedule C3 of the Official Plan



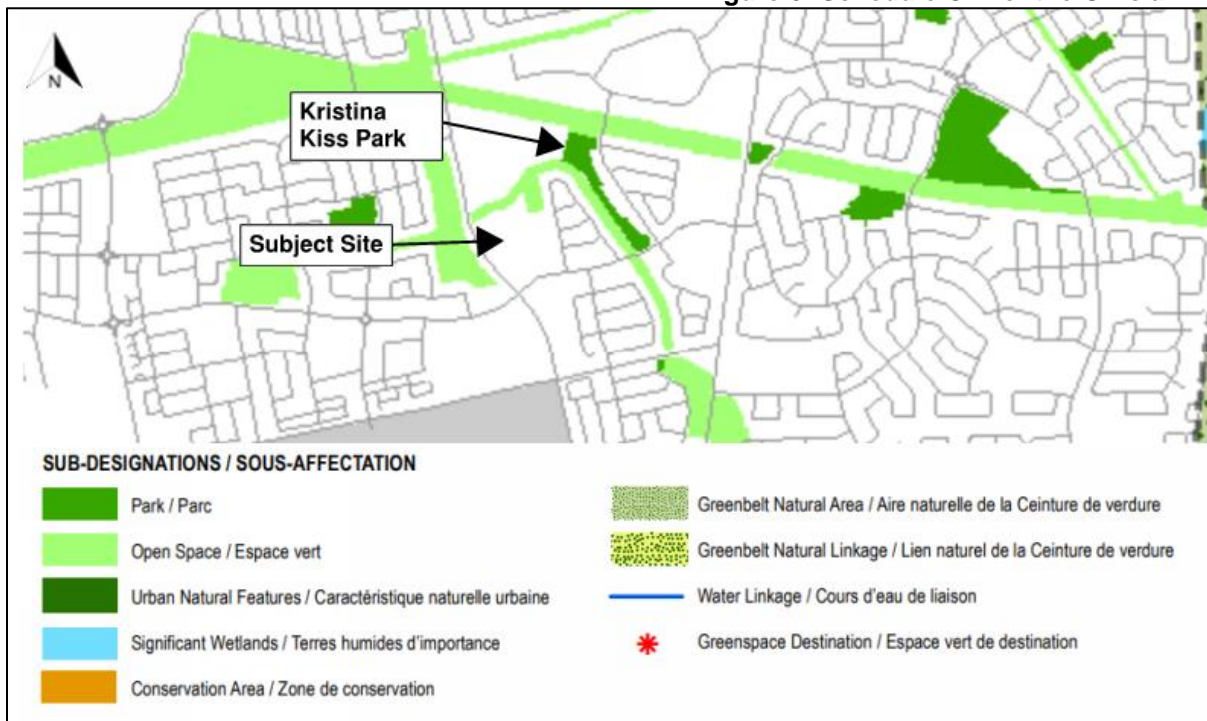
Schedule C4 – Urban Road Network designates Terry Fox Drive as an Arterial (red) and Cope Drive as a Collector (green):

Figure 5: Schedule C4 of the Official Plan



Schedule C12 - Urban Greenspace identifies Open Space (light green) along the Trans-Canada Trail and Kristina Kiss Park (dark green).

Figure 6: Schedule C12 of the Official Plan



The following Schedules are not shown:

- Schedule C2 – Transit Network Ultimate. The Subject Site is 1.5 km from the nearest transit station.
- Schedule C11A – Natural Heritage System (west) identifies the Subject Site as Urban Area with no Natural Heritage designations.
- Schedule C15 – Environmental Constraints does not designate the Subject Site as having any environmental constraints.

#### 4.2.1 Suburban Transect Policies

Section 5.4 provides policy direction for the Suburban Transect.

Policy 5.4.1(2) of the Official Plan states:

*“The Suburban Transect is generally characterized by Low- to Mid-density development. Development shall be:*

- a) Low-rise within Neighbourhoods;*
- b) Low-rise along Minor Corridors, however the following policy direction applies:
  - i) Mid-rise buildings, between 5 to 7 storeys, may be considered through a rezoning without an amendment to the Plan;*
  - ii) Mid-rise buildings above 7 storeys may be permitted through an area-specific policy or secondary plan; and*
  - iii) High-rise buildings may be permitted through a secondary plan.”**

Low-rise development is proposed on the Subject Site. This conforms with Policy 5.4.1(2).

Policy 5.4.1(3) of the Official Plan states:

*“In the Suburban Transect, this Plan shall support:*

- a) A range of dwelling unit sizes in:
  - i) Multi-unit dwellings in Hubs and on Corridors; and*
  - ii) Predominantly ground-oriented housing forms in Neighbourhoods located away from rapid transit stations and Corridors, with Low-rise multi-unit dwellings permitted near street transit routes; and**
- b) In Hubs and on Corridors, a range of housing types to accommodate individuals not forming part of a household.”*

A range of low-rise, ground-oriented dwelling types, including detached dwellings, townhouse dwellings, and back-to-back townhouse dwellings, are proposed to be developed on the Subject Site. This conforms to Policy 5.4.1(3)(a)(ii) which directs ground-oriented housing forms to be located primarily in Neighbourhoods.

Policy 5.4.5(1) states:

*“Neighbourhoods located in the Suburban Transect and within a 15-minute neighbourhood shall accommodate residential growth to meet the Growth*

*Management Strategy as outlined in Subsection 3.2, Table 3. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1 – Built Form Overlays, as applicable and that:*

- a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;*
- b) Generally provides for up to 3 storey height permission, and where appropriate 4 storey height permissions to allow for higher-density Low-rise residential development; and*
- c) Provides an emphasis on regulating the maximum built form envelope, based on the context, that frames the public right of way.”*

The proposed development will provide additional housing to the Suburban Transect, which will help meet the goals of the Growth Management Strategy outlined in Subsection 3.2 and Table 3. The proposal will provide for a variety of ground-oriented housing types. The requested relief to the Zoning By-law will provide for a more consistent built form between the different housing types that are proposed on the Subject Site.

#### **4.2.2 Neighbourhood Policies**

Section 6.3 of the Official Plan provides policy direction for the Neighbourhood designation.

Policy 6.3.1(2) states:

*“Permitted building heights in Neighbourhoods shall be Low-rise, except:*

- a) Where existing zoning or secondary plans allow for greater building heights; or*
- b) In areas already characterized by taller buildings.”*

Low-rise development is proposed on the Subject Site. This conforms with Policy 6.3.1(2).

Policy 6.3.1(4) states:

*“The Zoning By-law and approvals under the Planning Act shall allow a range of residential and non-residential built forms within the Neighbourhood designation, including:*

- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;*
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1);*
- c) In appropriate locations including near rapid-transit stations, zoning may prohibit lower-density housing forms.”*

The proposed development includes detached dwellings, townhouse dwellings, and back-to-back townhouse dwellings. The proposed development will provide a full range of low-rise housing options that will help meet the goals of Table 2 and Table 3b. The Subject Site is an appropriate location for lower density housing forms.

Policy 6.3.1(5) states:

- “The Zoning By-law will distribute permitted densities in the Neighbourhood by:*
- a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;*
  - b) Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and*
  - c) Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).”*

The Subject Site is located in an area with a diversity of housing types, including higher density typologies such as stacked dwellings to the south of the Subject Site across Cope Drive. The proposed development proposes ground-oriented dwelling forms, in line with Policy 6.3.1(5)(b). The Zoning By-law Amendment to reduce the corner side yard setback and minimum required parking space length does not materially alter the approved development.

### 4.3 City of Ottawa Zoning By-law 2008-250

The Subject Site is zoned Residential Third Density, Subzone X, Exception 2410 (R3X[2410]) in the City of Ottawa Zoning By-law 2008-250.

**Table 1: Zoning Standards for Detached Dwellings and Townhouse Dwellings on the Subject Site**

Zoning Provision	Required (detached dwelling)	Required (semi-detached and townhouse dwellings)
Minimum Lot Width (m)	9 m (Table 160A)	5.5 m (Exception 2410)
Minimum Lot Area (m <sup>2</sup> )	240 m <sup>2</sup> (Table 160A)	150 m <sup>2</sup> (Exception 2410)
Maximum Building Height (m)	11 m (Table 160A)	11 m (Exception 2410)
Minimum Front Yard Setback (m)	4.5 m (Table 160A)	4.5 m (Exception 2410)
Minimum Corner Side Yard Setback (m)	4.5 m (Table 160A)	3 m (Exception 2410)
Minimum Rear Yard Setback (m)	6 m (Exception 2410)	6 m (Exception 2410)
Minimum Interior Side Yard Setback (m)	1.8 total, 0.6 for one side yard (Table 160A)	1.2 m (Exception 2410)
Maximum Lot Coverage	N/A	55% (Exception 2410)
Minimum Length of a Parking Space	5.2 m (Section 106(1)(c))	5.5 m (Exception 2410)

The R3X zone requires a minimum corner side yard setback of 4.5 metres. The 2410 exception zone permits a minimum corner side yard setback of 3 metres, but this only applies to townhouse dwellings and semi-detached dwellings. The proposed Zoning By-law Amendment would apply a consistent corner side yard setback of 3 metres for all lots on the Subject Site, regardless of the

dwelling type. A 3 metre corner side yard setback is appropriately sized and will have no impact on functionality. A 3 metre corner side yard setback for detached dwellings is consistent with corner side yard setbacks in the R3 zones, with a number of R3 subzones requiring minimum corner side yard setbacks of 3 metres.

The 2410 exception zone requires a minimum parking space length of 5.5 metres for semi-detached and townhouse dwellings. Section 106 requires any motor vehicle parking space to have a minimum length of 5.2 metres. The proposed Zoning By-law Amendment would remove the site-specific minimum parking space length of 5.5 metres from the exception zone. Instead, the minimum parking space length in Section 106 would apply to the entire site, regardless of the dwelling type. A reduced parking space length will not impact the functionality of vehicle parking on the Subject Site, as the required parking space length would be the same requirement that applies across the City. In addition, a reduced parking space length would reduce the amount of space that is being used to park vehicles and allow for a more functional garage design, where there is an appropriate amount of space provided for access stairs.

It is suggested that a new site-specific exception be used. It would be based on the existing exception but with the following bold text added and the stricken-out text removed.

- *The following applies to semi-detached dwellings and townhouse dwellings:*
  1. *minimum lot width: 5.5 metres*
  2. *minimum lot area: 150 square metres*
  3. *maximum lot coverage: 55%*
  4. *maximum building height: 11 metres*
  5. *minimum front yard setback: 4.5 metres*
  6. *minimum rear yard setback: 6.0 metres*
  7. *minimum corner side yard setback: 3.0 metres*
  8. *minimum interior side yard setback: 1.2 metres*
  9. ~~*minimum length of a parking space: 5.5 metres.*~~
- *For semi-detached and townhouse dwellings:-A maximum of 65 % of the area of the front yard may be used for a driveway.*
- *Where a corner lot contains a townhouse dwelling with a front door facing one street and a parking space is accessed from a driveway that passes through the front yard of the other street, a maximum of 70 % of the area of the front yard, may be used for a driveway.*

*For back-to-back townhouse dwellings:*

1. *A minimum lot area: 75 m<sup>2</sup>*
2. *A maximum of 55 % of the area of the front yard may be used for a driveway.*
3. *An air conditioning condenser may be located in the front yard.*

*For detached dwellings:*

- *Minimum rear yard setback: 6m*
- ***Minimum corner side yard setback: 3 m***

## 5.0 CONCLUSION

This Planning Rationale has been prepared in support of a Minor Zoning By-law Amendment application for a reduced corner side yard setback for detached dwellings and a reduced parking space length on the Subject Site.

The Subject Site is designated Neighbourhood and Minor Corridor in the Suburban Transect in the City of Ottawa Official Plan (2022). The Subject Site is zoned Residential Third Density, Subzone X, Exception 2410 (R3X[2410]) in the City of Ottawa Zoning By-law.

The approved development and proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and conforms to the City of Ottawa Official Plan. The development complies with the Zoning By-law, except for the requested relief for the corner side yard setback for detached dwellings and the reduced parking space length. The requested minor Zoning By-law Amendment establishes appropriate zoning provisions for the development.

The proposed development is compatible in scale with the existing and planned development and functions well within the surrounding context. The proposed development is an appropriate and desirable addition to the community and represents good planning.

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