

ZONING CONFIRMATION REPORT – CONSERVANCY PHASE 3 & 4 3285 BORRISOKANE RD – R3YY ZONE


NOVEMBER 2024

Prepared For:

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1 Project Information

Review Date:	Sept 25, 2024	Official Plan Designation	Neighbourhood – Suburban Transect (Evolving Neighbourhood Overlay)
Municipal Address:	3285 Borrisokane Rd	Legal Description:	Part of Lot 14, Concession 3 (Rideau Front) Geographic Township of Nepean, City of Ottawa
Scope of Work:	<p>Due to changes in the housing market, an application to revise phases 3 & 4 of the Conservancy East subdivision was submitted in April 2024 (D07-16-24-0011). This revision increased residential density and reduced lot size to provide more attainable housing units.</p> <p>Re-zoning of the subject lands from R3YY[2766] to R3YY[AAAA] & R3YY[BBBB] is sought to facilitate this development.</p>		
Existing Zoning Code:	R3YY[2766]	By-law Number:	2008-250
Schedule 1/1A Area:	Area C	Overlays Applicable:	None

2 Zoning Review

Table 1: Zoning Provisions for Amendment R3YY[2766] to R3YY[AAAA]

Zoning Provisions (Proposed Zone – R3YY[AAAA])	By-Law Requirement or Applicable Section Exception or Schedule Reference	Provided	Compliant (Y/N)
Principal Land Uses R3YY[2766]	<p>Exception 2766</p> <ul style="list-style-type: none"> • bed and breakfast • detached dwelling • diplomatic mission • duplex dwelling • group home • home-based business • home-based daycare • linked-detached dwelling • park • planned unit development 	<ul style="list-style-type: none"> • detached dwelling • townhouse dwelling 	Y

	<ul style="list-style-type: none"> retirement home additional dwelling unit semi-detached dwelling three-unit dwelling townhouse dwelling urban agriculture 		
Minimum Lot Width [2766]	Detached – 9 m Townhouse – 5.5 m	Detached – 10.67 m Townhouse – 5.95 m	Y
Minimum Lot Area [2766]	Detached – 220 m ² Townhouse – 137 m ²	Detached – 224.07 m ² Townhouse – 124.95 m ²	Y N (Relief Sought)
Maximum Lot Coverage [2766]	Detached – 55% Townhouse – 65%	Detached – 52.3% Townhouse – 64.5%	Y Y (Relief sought)
Maximum Building Height [2766]	Detached – 12 m Townhouse – 14 m	Detached – Up to 14 m dependent on average grade Townhouse – Up to 14 m dependent on average grade	N(Relief sought) Y
Minimum Front Yard Setback [2766]	3 m	3 m	Y
Minimum Corner Side Yard Setback [2766]	Detached – Minimum corner side yard setback: 2.5 m, despite the foregoing, no more than two portions of the building, not exceeding a total floor area of 3 m ² may be located no closer than 2 m from the side lot line abutting a street. Townhouse – 2.5 m	Detached – 2.5 m Townhouse – 2.5 m	Y Y
Minimum Rear Yard Setback [2766]	Detached - Minimum rear yard setback may be reduced to 4.5 m width for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 54 m ² .	Detached - Minimum Rear Yard setback reduced to 4.55 m for 50% of the lot width. Minimum rear yard area of 58.43 m ² Detached on a corner lot – Rear yard setback is	Y

	<p>Detached on a corner lot – Minimum rear yard setback may be reduced to 2.5 m for part of the building that is no higher than 4.5 m and any part of the building, excluding projections, located less than 6 m from the rear lot line must be located at least 4 m from any interior side lot line.</p> <p>Townhouse - Minimum rear yard setback may be reduced to 4.5 m for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 33 m²</p>	<p>reduced to 2.76 m, and that portion of the building is 4.03 m from the interior side yard lot line.</p> <p>Townhouse - Rear yard setback reduced to 4.55 m for 54.96% of lot width and minimum rear yard area is 31.09 m²</p>	<p>Y</p> <p>N (relief Sought)</p>
<p>Minimum Interior Side Yard Setback [2766]</p>	<p>Detached – Minimum total interior side yard setback is 1.8 m with a minimum of 0.6 m on at least one side. Where there is a corner lot on which is located only one interior side yard, the minimum required interior side yard setback equals the minimum required for at least one yard.</p> <p>Townhouse – 1.5 m</p>	<p>1.8 m total, 0.6 m for one side</p> <p>1.5 m</p>	<p>Y</p> <p>Y</p>
<p>Corner Sight Triangles – Section 57 [2766]</p>	<p>Does not apply</p>	<p>Detached – 5 x 5 m</p> <p>Townhouse – 3.5 x 3.5 m</p>	<p>Y</p> <p>Y</p>
<p>Projection of Chimney, chimney box and fireplace box Into Required Yard Setback – Section 65 (Table 65(1)) [2766]</p>	<p>Interior Side yard - 1 m, but not closer than 0.2 m to a lot line</p> <p>All other Cases - 1 m, but not closer than 0.6 m to a lot line</p>	<p>Greater than 0.2 m from a lot line</p> <p>Greater than 0.6 m from a lot line</p>	<p>Y</p> <p>Y</p>
<p>Projection of Eaves, eave-troughs and gutters Into Required Yard Setback –</p>	<p>Interior Side yard - 1 m, but not closer than 0.2 m to a lot line</p>	<p>Greater than 0.2 m from a lot line</p>	<p>Y</p>

Section 65 (Table 65(2)) [2766]	All other Cases - 1 m, but not closer than 0.3 m to a lot line	Greater than 0.3 m from a lot line	Y
Projection of Ornamental elements such as sills, belt courses, cornices, parapets and pilasters Into Required Yard Setback – Section 65 (Table 65(3)) [2766]	Interior Side yard - 1 m, but not closer than 0.2 m to a lot line	Greater than 0.2 m from a lot line	Y
	All other Cases - 0.6 m, but not closer than 0.6 m to a lot line	Greater than 0.6 m from a lot line	Y
Projection of Fire escapes, open stairways, stoop, landing, steps and ramps Into Required Yard Setback – Section 65 (Table 65(5)) [2766]	The steps of a porch may project 2.5 m into a required yard, but may be no closer than: 1. 0.5 m from a front lot line and side lot line; 2. 0.2 m from a side lot line abutting a street; and 3. 0.0 m from a corner lot line. Interior side yard – no minimum	Steps extend within 0.5 m of front lot line and 0.2 m of side lot line	N (relief sought)
		Steps extend within 0.2 m of side lot line abutting street	Y
		Steps extend within 0.0 m of Corner lot line	Y
		Steps extend within 0.2 m of an interior side lot line	Y
Projection of Balcony, Porch, and Deck Into Required Yard Setback – Section 65 (Table 65(6a)) [2766]	Balconies and Porches – may project to within 0.6 m from the side lot line abutting a street and may project to within 0.0 m of an interior lot line and corner lot line. Front yard – 2 m but no closer than 1m to front lot line	Greater than 0.6 m to side lot line abutting the street	Y
		Within 0.0 m of an interior lot line and corner lot line	Y
		Front yard – 1.63 m but no closer than 1.42 m to front lot line	Y
	Decks – Any portion of a deck with a walking surface higher than 0.3 m but no higher than 0.6 m above adjacent grade may project to within 0.6 m of a front lot line, side lot line abutting a street and/or corner lot line, and any portion of a deck with a walking surface equal to or less than 0.3 m may	All decks with a walking surface below 0.3 m are further than 0.3 m from all lot lines except for interior side yard lot lines.	Y
		All decks with a walking surface between 0.3-0.6 m are further than 0.6 m	Y

	<p>project to within 0.3 m of a front lot line, side lot line abutting a street and/or corner lot line.</p> <p>Walking Surface higher than 0.6 m – 2 m but no closer than 1 m from a lot line</p>	<p>from all lot lines except for interior side yard lot lines.</p> <p>Townhouse decks with a walking surface above 0.6 m project within 0.26 m of an interior side yard lot line. All other lot lines comply.</p>	N (relief sought)
<p>Projection of Air conditioner condenser, heat pump or similar equipment Into Required Yard Setback – Section 65 (Table 65(8))</p> <p>[2766]</p>	<p>An air-conditioning condenser unit may project 2 m, but no closer than 0.2 m to a lot line. And the air conditioning condenser may not be located in a front yard except in the case of a back-to-back multiple dwelling or townhouses with rear lane access but may be located in a corner side yard.</p>	<p>Greater than 0.2 m from a lot line</p>	Y
<p>Home-Based Businesses Minimum Parking – Section 101 (Table 101 – R18)</p> <p>[2766]</p>	<p>In the case of a home-based business operating within a townhouse or semi-detached dwelling, a parking space is only required if a non-resident employee works on-site.</p>	<p>No home-based businesses are proposed. However, the site-specific exception is requested to be carried forward</p>	Y
<p>Driveway Area - Section 109(7)</p> <p>[2766]</p>	<p>maximum of 60% of the area of the front yard, or the required minimum width of one parking space, whichever is the greater, may be used for a driveway, and the remainder of the yard, except for areas occupied by projections permitted under Section 65 and a walkway with a maximum width of 1.8 m, must be landscaped with soft landscaping;</p>	<p>49.58%</p>	Y

Table 2: Zoning Provisions for Amendment R3YY[2766] to R3YY[BBBB]

Zoning Provisions (Proposed Zone – R3YY[BBBB])	By-Law Requirement or Applicable Section Exception or Schedule Reference Exception 2766	Provided	Compliant (Y/N)
Principal Land Uses R3YY[2766]	<ul style="list-style-type: none"> • bed and breakfast • detached dwelling • diplomatic mission • duplex dwelling • group home • home-based business • home-based daycare • linked-detached dwelling • park • planned unit development • retirement home • additional dwelling unit • semi-detached dwelling • three-unit dwelling • townhouse dwelling • urban agriculture 	<ul style="list-style-type: none"> • townhouse dwelling 	Y
Minimum Lot Width [2766]	Townhouse – 5.5 m	5.95 m	Y
Minimum Lot Area [2766]	Townhouse – 137 m ²	122.57 m ²	Y
Maximum Lot Coverage [2766]	Townhouse – 65%	65.66%	N (relief sought)
Maximum Building Height [2766]	Townhouse – 14 m	Up to 14 m dependent on average grade	Y
Minimum Front Yard Setback [2766]	3 m	3 m	Y
Minimum Corner Side Yard Setback [2766]	Townhouse – 2.5 m	2.5 m	Y
Minimum Rear Yard Setback [2766]	Townhouse - Minimum rear yard setback may be reduced to 4.5 m for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 33 m ²	Rear yard setback reduced to 4.18 m for 54.95% of lot width and minimum rear yard area is 29.06 m ²	N (relief sought)
Minimum Interior Side Yard Setback [2766]	Townhouse – 1.5 m	1.5 m	Y

Corner Sight Triangles – Section 57 [2766]	Does not apply	3.5 x 3.5 m	Y
Projection of Chimney, chimney box and fireplace box Into Required Yard Setback – Section 65 (Table 65(1)) [2766]	Interior Side yard - 1 m, but not closer than 0.2 m to a lot line	Greater than 0.2 m from a lot line	Y
	All other Cases - 1 m, but not closer than 0.6 m to a lot line	Greater than 0.6 m from a lot line	Y
Projection of Eaves, eave-troughs and gutters Into Required Yard Setback – Section 65 (Table 65(2)) [2766]	Interior Side yard - 1 m, but not closer than 0.2 m to a lot line	Greater than 0.2 m from a lot line	Y
	All other Cases - 1 m, but not closer than 0.3 m to a lot line	Greater than 0.3 m from a lot line	Y
Projection of Ornamental elements such as sills, belt courses, cornices, parapets and pilasters Into Required Yard Setback – Section 65 (Table 65(3)) [2766]	Interior Side yard - 1 m, but not closer than 0.2 m to a lot line	Greater than 0.2 m from a lot line	Y
	All other Cases - 0.6 m, but not closer than 0.6 m to a lot line	Greater than 0.6 m from a lot line	Y
Projection of Fire escapes, open stairways, stoop, landing, steps and ramps Into Required Yard Setback – Section 65 (Table 65(5)) [2766]	The steps of a porch may project 2.5 m into a required yard, but may be no closer than: 1. 0.5 m from a front lot line and side lot line; 2. 0.2 m from a side lot line abutting a street; and 3. 0.0 m from a corner lot line. Interior side yard – no minimum	Steps extend within 0.67 m of front lot line and 0.2 m from side lot line	N (relief sought)
		Steps extend within 2.3 m of side lot line abutting street	Y
		Steps extend within 0.0 m of Corner lot line	Y
		Steps extend within 0.2 m of an interior side lot line	Y
Projection of Balcony, Porch, and Deck Into Required Yard	Balconies and Porches – may project to within 0.6 m from the side lot line abutting a street and	Side lot line abutting a street - 2.5 m from lot line	Y

Setback – Section 65 (Table 65(6a)) [2766]	may project to within 0.0 m of an interior lot line and corner lot line.	Interior lot line – 0.0 m	Y
	Front yard – 2 m but no closer than 1m to front lot line	Front lot line - Extends 2 m and no closer than 1 m from lot line	Y
	Decks – Any portion of a deck with a walking surface higher than 0.3 m but no higher than 0.6 m above adjacent grade may project to within 0.6 m of a front lot line, side lot line abutting a street and/or corner lot line, and any portion of a deck with a walking surface equal to or less than 0.3 m may project to within 0.3 m of a front lot line, side lot line abutting a street and/or corner lot line. Walking Surface higher than 0.6 m – 2m but no closer than 1 m from a lot line	All decks with a walking surface below 0.3 m are further than 0.3 m from all lot lines except for interior side yard lot lines. All decks with a walking surface between 0.3-0.6 m are further than 0.6 m from all lot lines except for interior side yard lot lines. Townhouse decks with a walking surface above 0.6 m project within 0.26 m of an interior side yard lot line. All other lot lines comply.	Y Y N (relief sought)
Projection of Air conditioner condenser, heat pump or similar equipment Into Required Yard Setback – Section 65 (Table 65(8)) [2766]	An air-conditioning condenser unit may project 2 m, but no closer than 0.2 m to a lot line. And the air conditioning condenser may not be located in a front yard except in the case of a back-to-back multiple dwelling or townhouses with rear lane access but may be located in a corner side yard.	Greater than 0.2 m from a lot line	Y
Home-Based Businesses Minimum Parking – Section 101 (Table 101 – R18) [2766]	In the case of a home-based business operating within a townhouse or semi-detached dwelling, a parking space is only required if a non-resident employee works on-site.	No home-based businesses are proposed however the site-specific exception is requested to be carried forward	Y

Driveway Area - Section 109(7) [2766]	maximum of 60% of the area of the front yard, or the required minimum width of one parking space, whichever is the greater, may be used for a driveway, and the remainder of the yard, except for areas occupied by projections permitted under Section 65 and a walkway with a maximum width of 1.8 m, must be landscaped with soft landscaping;	49.58% of front yard	Y
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3 Comments / Calculations

3.1 Carry Forward of zone 2766 Provisions

Many of the provisions requested through this zoning bylaw amendment are already present on the site through the existing exception zone [2766]. The intent behind this amendment is to carry forward those provisions, with minor modifications as necessary to accommodate the new proposed dwelling units.

3.2 Space in Front of Attached Garage

Carried forward from the previous exception zone [2766] a provision is included for the spaced between attached garages and the sidewalk. Minor modifications have been made as requested by city review staff. The proposed provision is:

Where an attached garage accesses a public street by means of a driveway that crosses a sidewalk, the attached garage must be setback at least 5.7 m from the nearest edge of the sidewalk.

3.3 Maximum Lot Coverage

Maximum Lot Coverage for singles and townhouses is defined in the [2766] exception zone. Townhouses in the R3YY[AAAA] zone do comply with the maximum lot coverage in the exception zone (65%). However, the lot coverage is very close to the maximum permitted. A 1% increase to the maximum permitted lot coverage is requested to allow flexibility of building design.

3.4 Porche Steps

As noted by tables 1 & 2 the steps of a porch extend within 0.2 m of an interior lot line. This would conform with the default zoning provision as described in table 65 (6a) which specifies that the steps of a porch may extend within 0 m of an interior lot line. However the 2766 exception zone specified a distance of 0.5m from an interior lot line. The requested relief for this provision is to allow the default zoning provision to apply to steps of a porch which extend to a interior lot line.

4 Summary of Requested Relief from Zoning

Table 3: Summary Requested Relief from Zoning R3YY[AAAA]

Summary Requested Relief from Zoning R3YY[AAAA]		
By-law Requirement or Applicable Section	Requirement	Proposed
Maximum Lot Area	Townhouse – 137 m ²	Townhouse – 120 m ²
Maximum Building Height	Detached – 12 m	Detached – 14 m
Maximum Lot Coverage	Townhouse – 65%	Townhouse – 66%
Minimum Rear Yard Setback	Townhouse - Minimum rear yard setback may be reduced to 4.5 m for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 33 m ²	Townhouse - Minimum rear yard setback may be reduced to a minimum of 4.5 metres for a maximum of 55 per cent of the lot width (limited 4.5 m height measured from the ground floor to top of roof), the total area of the rear yard must not be less than 30 square metres
Projection of Balcony, Porch, and Deck Into Required Yard Setback – Section 65 (Table 65(6a))	<p>Decks – Any portion of a deck with a walking surface higher than 0.3 m but no higher than 0.6 m above adjacent grade may project to within 0.6 m of a front lot line, side lot line abutting a street and/or corner lot line, and any portion of a deck with a walking surface equal to or less than 0.3 m may project to within 0.3 m of a front lot line, side lot line abutting a street and/or corner lot line.</p> <p>Walking Surface higher than 0.6 m – 2 m but no closer than 1 m from a lot line</p>	<p>Despite Table 65, row 6a:</p> <p>i) In the front yard and corner side yard - any portion of a deck with a walking surface higher than 0.3 metres but no higher than 0.6 metres above adjacent grade may project to within 0.6 metres of a lot line, and any portion of a deck with a walking surface equal to or less than 0.3 metres may project to within 0.3 metres of a lot line.</p> <p>ii) In the interior side yard and rear yard - any portion of a deck with a walking surface no higher than 0.6 metres may extend to the lot line and any portion of a deck higher than 0.6 metres may extend to within 0.25 metres of a lot line.</p>
Projection of Balcony, Porch, and Deck Into Required Yard Setback – Section 65 (Table 65(6a))[2766]	<p>The steps of a porch may project 2.5 m into a required yard, but may be no closer than:</p> <p>1. 0.5 m from a front lot line and side lot line;</p>	<p>The steps of a porch may project 2.5 m into a required yard, but may be no closer than:</p> <p>1. 0.5 m from a front lot line;</p>

Table 4: Summary Requested Relief from Zoning R3YY[BBBB]

Summary Requested Relief from Zoning R3YY[BBBB]		
By-law Requirement or Applicable Section	Requirement	Proposed
Maximum Lot Coverage	Townhouse – 65%	Townhouse – 67%
Minimum Rear Yard Setback	Townhouse - Minimum rear yard setback may be reduced to 4.5 m for a maximum of 50% of the lot width, the total area of the rear yard must not be less than 33 m ²	Townhouse - Minimum rear yard setback may be reduced to a minimum of 4.1 metres for a maximum of 55 per cent of the lot width (limited 4.5 m height measured from the ground floor to top of roof), the total area of the rear yard must not be less than 29 m square metres.
Projection of Balcony, Porch, and Deck Into Required Yard Setback – Section 65 (Table 65(6a))	<p>Decks – Any portion of a deck with a walking surface higher than 0.3 m but no higher than 0.6 m above adjacent grade may project to within 0.6 m of a front lot line, side lot line abutting a street and/or corner lot line, and any portion of a deck with a walking surface equal to or less than 0.3 m may project to within 0.3 m of a front lot line, side lot line abutting a street and/or corner lot line.</p> <p>Walking Surface higher than 0.6 m – 2 m but no closer than 1m from a lot line</p>	<p>Despite Table 65, row 6a:</p> <p>i) In the front yard and corner side yard - any portion of a deck with a walking surface higher than 0.3 metres but no higher than 0.6 metres above adjacent grade may project to within 0.6 metres of a lot line, and any portion of a deck with a walking surface equal to or less than 0.3 metres may project to within 0.3 metres of a lot line.</p> <p>ii) In the interior side yard and rear yard - any portion of a deck with a walking surface no higher than 0.6 metres may extend to the lot line and any portion of a deck higher than 0.6 metres may extend to within 0.25 metres of a lot line.</p>
Projection of Balcony, Porch, and Deck Into Required Yard Setback – Section 65 (Table 65(6a))[2766]	<p>The steps of a porch may project 2.5 m into a required yard, but may be no closer than:</p> <p>1. 0.5 m from a front lot line and side lot line;</p>	<p>The steps of a porch may project 2.5 m into a required yard, but may be no closer than:</p> <p>1. 0.5 m from a front lot line;</p>

5 JFSA STATEMENT OF LIMITATIONS

JFSA Canada Inc. (JFSA) has prepared this report, and performed the services described in this report, in a manner consistent with the level of care and skill normally exercised by members of the engineering and science professions currently practicing under similar conditions in the jurisdiction in which the services are provided, subject to the time limits and financial and physical constraints applicable to the services. No other warranty, expressed or implied, is made. This report has been prepared for the exclusive use of the client representative, for the specific site, objective, and purpose described to JFSA by the client. The factual data, interpretations and recommendations pertain to a specific project as described in this report and are not applicable to any other project or site location. Any change of site conditions, purpose and/or development plans may alter the validity of the report. The report, which specifically includes all tables, figures and appendices, is based on data and information assembled by JFSA, and is based on the conditions at the site and study area at the time of the work and on the information provided by others. JFSA has relied in good faith on all information provided and does not accept responsibility for any deficiencies, misstatements, or inaccuracies contained in the report as a result of omissions, misinterpretation, or fraudulent acts of the persons contacted or errors or omissions in the reviewed documentation and data. Any use which a third party makes of this report, or any reliance on, or decisions to be made based on it, are the responsibilities of such third parties. JFSA accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.