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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

A Draft Plan 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 R3X with an exception (By-law 2021-94, City File D07-16-18-0027). The urban exception (2410) included a rear yard setback of 6.0 m for townhouse and semi-detached dwellings but not for detached dwellings, which retained the 7.5 m rear yard setback from the R3Z base zone.

Since this approval, Claridge has made 'red line' changes to the proposal to accommodate changes to the dwelling mix that were made to adjust to market conditions. The two different rear yard setback provisions do not permit detached dwellings to be located where previously there were townhouse dwellings. The purpose of this Zoning By-law Amendment is to apply the same 6.0 metre rear yard setback to all dwelling types to permit the current proposal.

2.0 SITE DESCRIPTION AND SURROUNDING USES

The Subject Site is in Ward 19 (Orleans South-Navan), approximately 317 metres south of Innes Road and 160 metres east of Mer-Bleue Road, as shown in **Figure 1**. The Subject Site is vacant and roughly rectangular in shape with an area of 1.92 hectares. The topography of the site and surrounding area is generally flat.

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 it 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 rear yard setback for detached dwellings to 6 m from the current 7.5 m. The current proposal is for a residential subdivision for 163 units (comprising 91 single detached dwellings, 36 townhouse dwellings and 36 back-to-back townhouse dwellings) and a park.



Figure 1: Subject Site and Surrounding Area

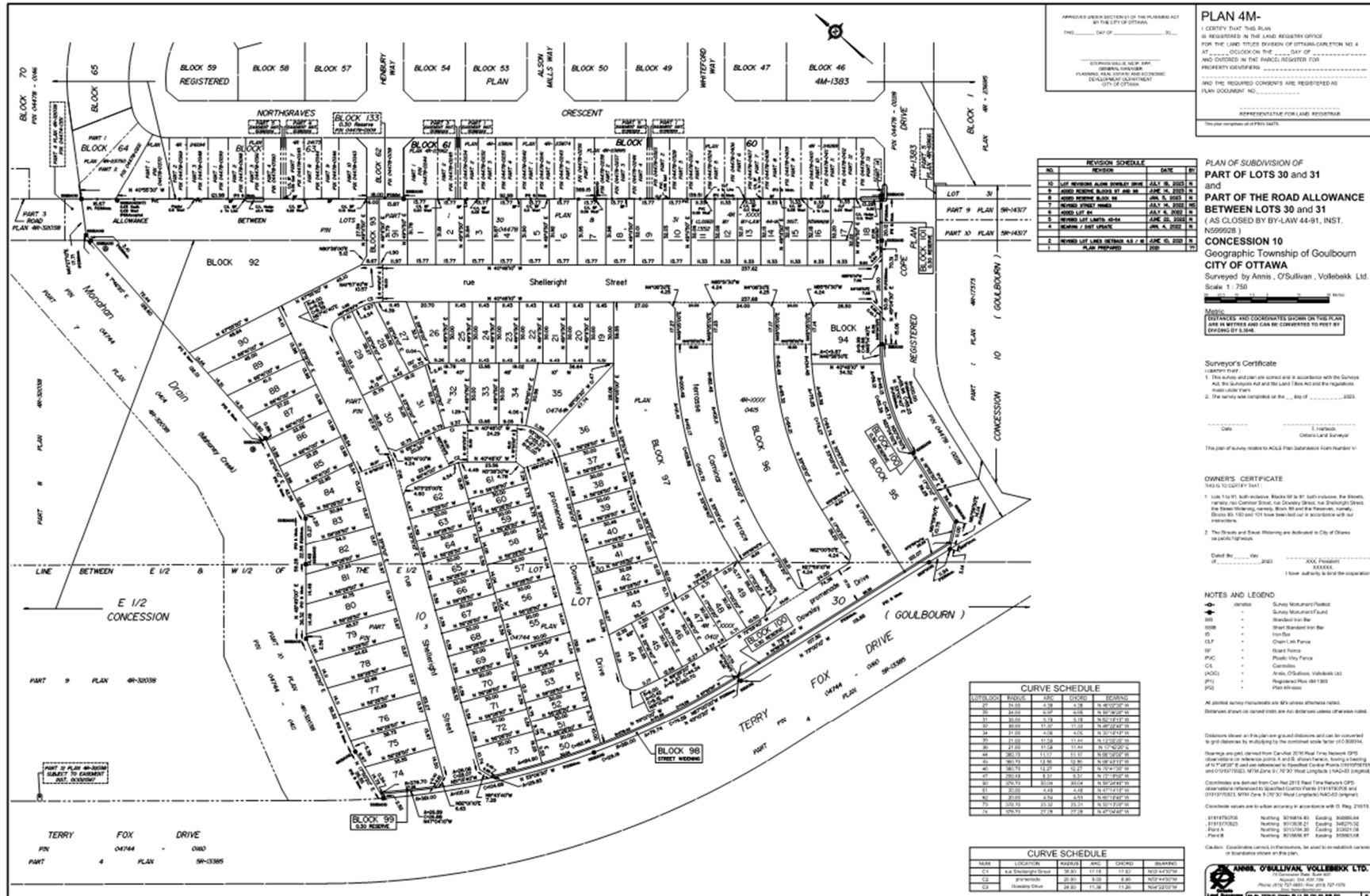


Figure 2: 4 M Plan (July 18, 2023)

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 policies of the PPS. This application is only to change the rear yard setback for detached dwellings and this does not change the previous assessment that the proposal is consistent with policies of the PPS.

4.2 City of Ottawa Official Plan

The Subject Site is designated as ‘Minor Corridor’ ‘Evolving’ and “Neighbourhood” on *Schedule B5 – Suburban West Transect* of the OP, as shown below:

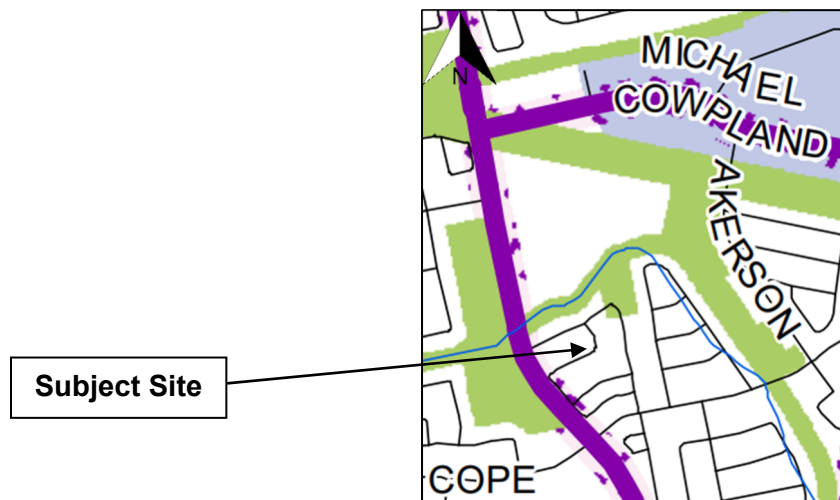


Figure 3: Schedule B5

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:

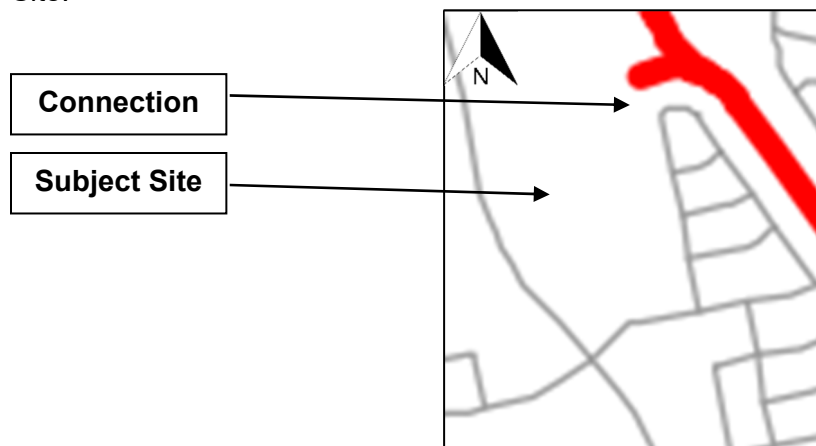


Figure 4: Schedule C3

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

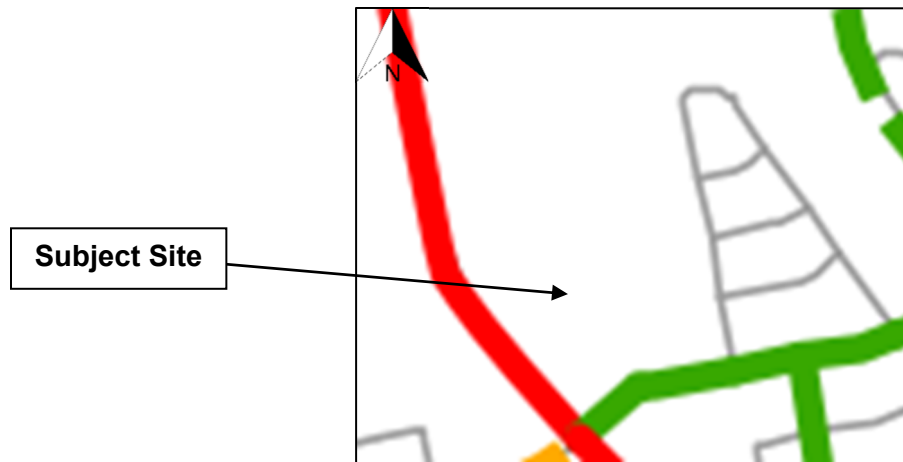


Figure 5: Schedule C4

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

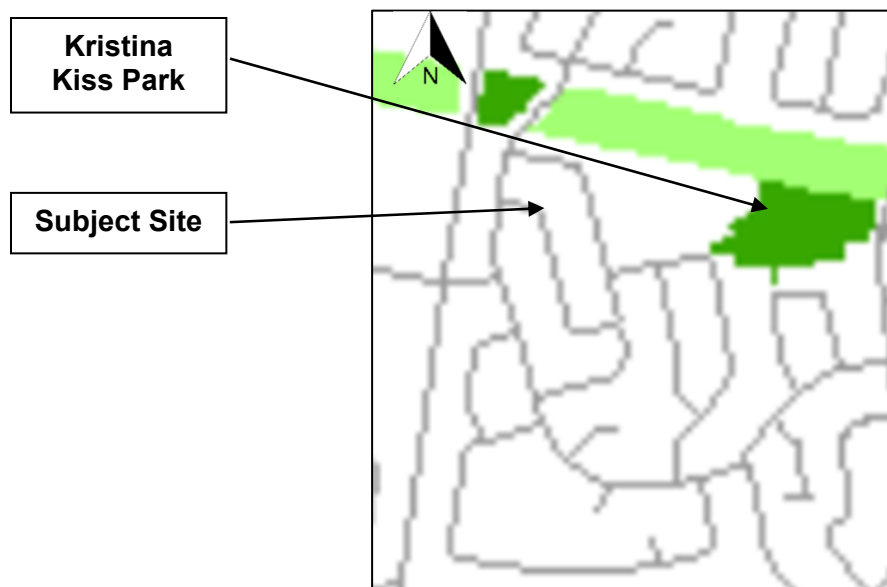


Figure 6: Schedule C12

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.

Neighbourhood Policies

The proposed development conforms to the following applicable Neighbourhood policies of Section 6.3 of the Official Plan:

Policy 6.3.1(2)

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.**

Policy 6.3.1(4)

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.*

- **Detached, townhouse and back to back dwellings are proposed. The Subject Site is not an appropriate location from which to prohibit lower density housing.**

5) *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).*

- **Notwithstanding that the area is not close to a rapid transit station, the surrounding area has approved stacked dwellings (constructed and approved, to the south across Cope Drive), consistent with a). The Subject Site is being developed consistent with b). This application to reduce the rear yard setback 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 with an exception – R3X [2410]. The R3X provisions include a rear yard setback of 7.5 m. The exception permits a 6.0 m rear yard setback provision, but only for townhouse and semi-detached dwellings. A Zoning By-law Amendment is required to also apply a 6 m rear yard setback to detached dwellings

It is suggested that a new site-specific exception be used. It would be based on the existing exception but add the text below in bold:

- ***The following applies to detached dwellings:***
 1. ***minimum rear yard setback: 6.0 metres***
 - *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 m²*
 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.*



Figure 7: Existing Zoning

4.4 Response to Pre-Application Consultation Comments

A pre-application consultation was held on July 25, 2023. Below is a response to the planning and environmental comments raised.

City comment: A Planning Rationale will be required to demonstrated why 6m is required. This seems disproportionate given the small projections proposed over the current setback line. Concerns with providing unnecessary additional buildings space – not looking for building footprints to get bigger. Please provide measurements (lot sizes, setback depth)

Response: A 6 m rear yard setback is the dominant provision across suburban areas of the City. A 7.5 m setback is unusual. There is already a 6 m rear setback for the attached unit types on the Subject Site. A 6 m setback is sought for uniformity across the lots. Building footprints are not getting bigger as a result of this application. Lot sizes and setbacks are shown on the submitted plan.

City comment: City Environmental Planner (Sami Rehman) has concerns with units backing on to the Monahan Drain – the 20m setback does not meet current OP standards, and they have accepted that, but do not necessarily want to reduce it any further a. For lots backing on to Monahan Drain (specifically lot 76) is it possible to use a different model? For example Lots 78, 80, 82 & 83 show the Sharbot model, which looks to have a little more room with regards to the setback?

Response: It is not proposed to reduce the 20 m setback to the Monahan Drain. The rear lot line of the lots backing on to the drain is not changing. The rear wall of the dwellings backing on to the drain is not moving closer to the drain as a result of this application,

Want to flag a potential concerns with Lot 43 (hydro easement), though not necessarily an issue for the proposed zoning amendment; as shown, it seems the building footprint conflicts with an easement. Is there an agreement in place allowing you to build within the easement? May not be considered compliant from a plans-examining POV.

Response: The project engineer is liaising with Hydro on this.

5.0 CONCLUSION

It is our assessment that the approved development is consistent with the Provincial Policy Statement, conforms to the City of Ottawa Official Plan and complies with the Zoning By-Law 2008-250, except for the rear yard relief sought for detached dwellings . This Planning Rationale along with the associated technical studies supports the proposed 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.

NOVATECH



James Ireland, MCIP, RPP
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