

# By-Law No. 2017-242

*A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of part of the lands known municipally as 1039 Terry Fox Drive and 5331 Fernbank Road*

## OttWatch.ca By-law Archival Project



OttWatch.ca has begun archiving copies of all by-laws passed by the City of Ottawa. After each City Council meeting we ask for copies of by-laws enacted at the meeting, add this title page, and upload them to ottwatch.ca.

Be aware though that you may not be looking at the most recent version of this by-law. It is very possible that it has been amended by Council by another by-law, or even by the Ontario Municipal Board. So, um, just know that before assuming anything.

This PDF contains a copy of the by-law as passed by Council on a certain date. It is a snapshot in time. It could still be in force. It might have been amended. It may have been repealed.

When in doubt, visit <http://ottawa.ca/en/residents/laws-licenses-and-permits/laws/laws-z>

If you end up asking for a copy of a by-law OttWatch doesn't have yet, please ask the Clerk's office to cc: [kevino@kevino.net](mailto:kevino@kevino.net) when they email it to you. You'd be doing the entire community a favour!

**Enacted On:** 2017-07-12

**OttWatch Bylaw Reference:** <http://ottwatch.ca/bylaws/2017-242>

This title page generated on 2017-12-02

BY-LAW NO. 2017 - 242

A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of part of the lands known municipally as 1039 Terry Fox Drive and 5331 Fernbank Road.

The Council of the City of Ottawa, pursuant to Section 34 of the *Planning Act*, R.S.O.1990, enacts as follows:

1. The Zoning Map of By-law No. 2008-250, entitled the “City of Ottawa Zoning By-law” is amended by rezoning the lands shown on Attachment 1 to this by-law as follows:

- (a) Area A from IP4 to IP [2409]-h;
- (b) Area B from IP4 to R3X[2410]-h;
- (c) Area C from IP4 to IP[2411];
- (d) Area D from IP4 to EP3;
- (e) Area E from IP4 to O1; and
- (f) Area F from IP4 to R4Y[2412]-h.

2. Section 239 – Urban Exceptions of the said By-law No. 2008-250 is amended by adding the following exceptions:

I Exception Number	II Applicable Zone	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
2409	IP[2409]-h		-all uses until such time as the holding symbol is removed -automobile dealership -automobile rental establishment -automobile service station	-Despite Section 205 (2)(c), the maximum gross floor area for a medical facility is 750m <sup>2</sup> -Despite Section 205(2)(c), one restaurant use may be a maximum of 750 m <sup>2</sup> . -minimum lot area: 2000 m <sup>2</sup> The holding symbol may not be removed until such time as the following have been completed: i)It has been demonstrated to the satisfaction of the General Manager of Planning Infrastructure and Economic Development: 1.that the proposed infrastructure for the subject lands being water, sanitary and stormwater

				<p>management and sewers can be designed in accordance with the City Guidelines and Standards; and</p> <p>2. that the existing infrastructure, including but not limited to the Monahan Drain, has the existing residual capacity to accommodate the subject lands and its proposed land use.</p> <p>ii) An agreement has been entered into between the City and the property owner regarding a schedule and construction of the extension of Michael Cowpland Drive from its existing terminus within the Kanata South Business Park to Terry Fox Drive at the intersection of Westphalian Avenue.</p> <p>iii) A Traffic Impact Study has been completed and approved for the subject land and supports the proposed development of the subject lands.</p>
2410	R3X[2410]-h		<p>-all uses until such time as the holding symbol is removed</p> <p>-planned unit development</p>	<p>The following applies to semi-detached dwellings and townhouse dwellings:</p> <ul style="list-style-type: none"> <li>-minimum lot width: 5.5 metres</li> <li>-minimum lot area: 150 square metres</li> <li>-maximum lot coverage: 55%</li> <li>-maximum building height: 11 metres</li> <li>-minimum front yard setback: 4.5 metres</li> <li>-minimum rear yard setback: 6.0 metres</li> <li>-minimum corner side yard setback: 3.0 metres</li> <li>-minimum interior side yard setback: 1.2 metres</li> <li>-minimum length of a parking space: 5.5 metres.</li> <li>-The holding symbol may not be removed until such time as the</li> </ul>

				<p>following have been completed:</p> <p>i) It has been demonstrated to the satisfaction of the General Manager of Planning Infrastructure and Economic Development:</p> <p>1. that the proposed infrastructure for the subject lands being water, sanitary and stormwater management and sewers can be designed in accordance with the City Guidelines and Standards; and</p> <p>2. that the existing infrastructure, including but not limited to the Monahan Drain, has the existing residual capacity to accommodate the subject lands and its proposed land use.</p> <p>ii) A Traffic Impact Study has been completed and approved for the subject land and supports the proposed development of the subject lands.</p>
2411	IP[2411]		<ul style="list-style-type: none"> <li>-automobile dealership</li> <li>-automobile rental establishment</li> <li>-automobile service station</li> <li>-car wash</li> <li>-gas bar</li> </ul>	<ul style="list-style-type: none"> <li>-Despite Section 205 (2)(c), the maximum gross floor area for a medical facility is 750m<sup>2</sup></li> <li>-Despite Section 205(2)(c), one restaurant use may be a maximum of 750 m<sup>2</sup>.</li> <li>-minimum interior side yard: 7.5m</li> </ul>
2412	R4Y[2412]-h		<ul style="list-style-type: none"> <li>-all uses until such time as the holding symbol is removed</li> <li>-detached dwelling</li> <li>-semi-detached dwelling</li> <li>-duplex</li> </ul>	<p>The holding symbol may not be removed until such time as the following have been completed:</p> <p>i) It has been demonstrated to the satisfaction of the General Manager of Planning Infrastructure and Economic Development:</p> <p>1.that the proposed infrastructure for the subject lands being water, sanitary and stormwater</p>

			dwelling	<p>management and sewers can be designed in accordance with the City Guidelines and Standards; and</p> <p>2. that the existing infrastructure, including but not limited to the Monahan Drain, has the existing residual capacity to accommodate the subject lands and its proposed land use.</p> <p>ii) A Traffic Impact Study has been completed and approved for the subject land and supports the proposed development of the subject lands.</p>
--	--	--	----------	--

ENACTED AND PASSED this 12<sup>th</sup> day of July, 2017.

CITY CLERK

MAYOR



BY-LAW NO. 2017 - 242

-0-

A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of part of the lands known municipally as 1039 Terry Fox Drive and 5331 Fernbank Road.

-0-

Enacted by City Council at its meeting of July 12, 2017.

-0-

Legal Services  
KM/ml

COUNCIL AUTHORITY:  
City Council July 12, 2017  
Agenda Item 9 (PC Report No. 47)