



Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Feb/21/2023

Good Afternoon

This letter is in regards to the application for Consent for 930 Smith Rd. Our reason for the application is explained below.

The property under discussion at 930 Smith Rd, a 13.43 acre farm land in Navan, Ontario, we at Hierarchy Development & Design inc, will be acting as the agent for the remainder of the process. Further communication and information in regards to this application can be directed to HDD through the contact information provided in the title box above. The property has in the past been solely used as farmland at the end of Smith Rd.

Property Description: PCL 10-3, SEC 50-9 ; PT LT 10, CON 9 , PART 2 , 50R6242 ; CUMBERLAND

The property has in the past been solely used as farmland at the end of Smith Rd. It has always been vacant and is typically a corn field in the summer months. The property is 13.43192383609 acres, is surrounded by homes on Smith Rd and Meteor Ace. There are no creeks or rivers. The land slopes on the edge of the south side of the property.

The explanation for the application for Consent is as follows:

The land located at 930 Smith Rd is no longer used for farming. The land is currently zoned as DR3 zoning with a 1 acre minimum size per lot. After a geotechnical investigation, hydrogeological investigation and terrain analysis, the most beneficial direction for the land under the site conditions and current city of Ottawa guidelines would be to sever into 7 individual lots. This would give road access to each lot. See illustration A1

John Paul S. Boisvert,

A handwritten signature in black ink, appearing to read "John Paul S. Boisvert", is written over a white background.



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DESIGN BRIEF

Proposed Consent
930 Smith Rd | Navan, ON



Prepared by:

Hierarchy Development & Design Inc.

File: 20-0777

Date: Feb 21, 2023

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1 INTRODUCTION

This Planning Rationale has been prepared by Hierarchy Development & Design Inc on behalf of Hierarchy Custom Homes Inc. in support and to permit limited lot creation on existing public streets in villages that will not preclude future development options in the DR3 – Development Reserve Subzone 3. (By-law 2013-58). The purpose of this document is to assess the appropriateness of the proposed number of lots in the context of the surrounding community, the applicable policy, regulatory framework, and site conditions.

2 OVERVIEW

The property is municipally known as 930 Smith road, Navan and is currently zoned as a DR3 – Development Reserve 3 Subzone. The site is located in an area (Figure2) characterized by a mix of dwelling types and sizes, lot sizes including farms and single-family homes. Most homes are single or two storey homes. There is an abutting property to the south which includes multiple farmhouse buildings and barns but is also designated DR3. Meteor Ave intersects with Smith Rd, and a new section of homes along Meteor Ave West has been recently developed into 1-1.5 acre lot parcels on relatively flat land.



FIGURE 1: LOCATION PLAN

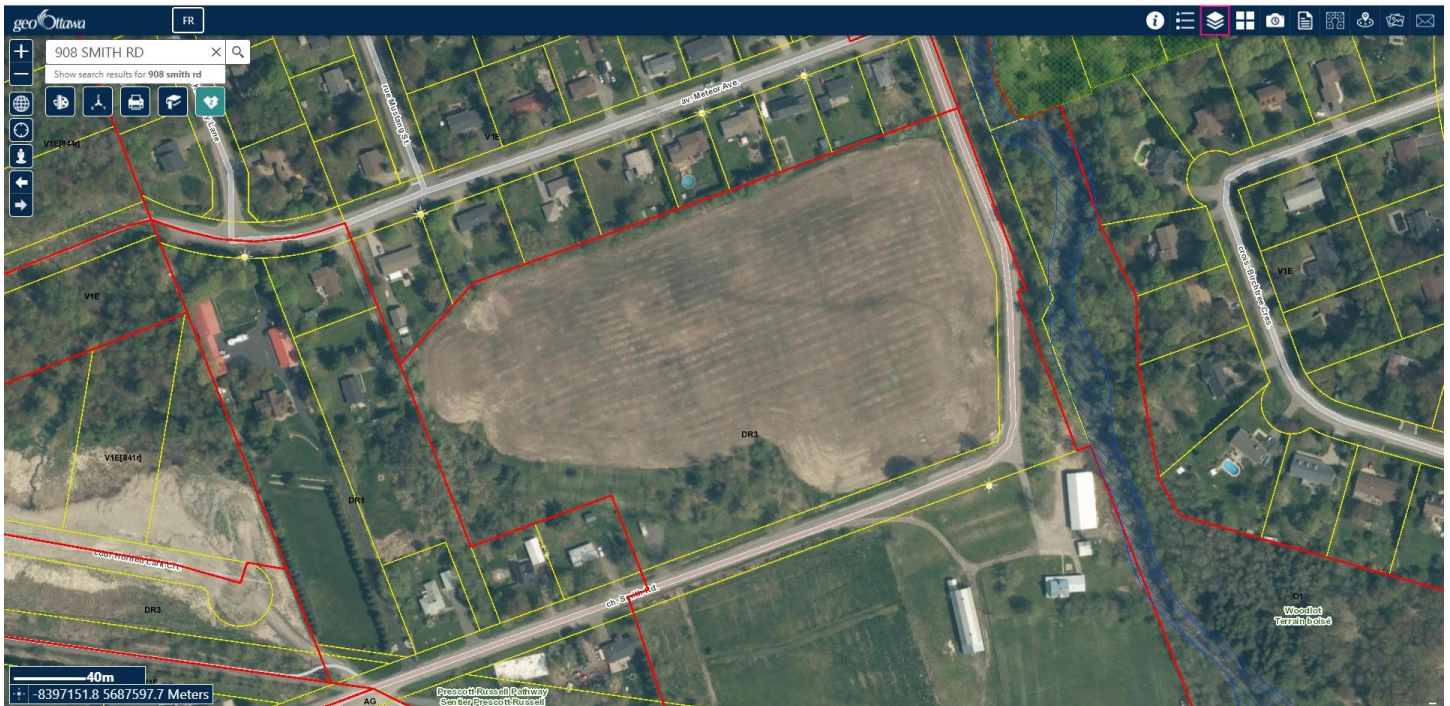


FIGURE 2: LOCATION PLAN - HISTORY

The Lot is 13.5 acres, with 90% percent usable farmland. The remaining 10% is divided into two sections, of section has zero access from the road or the farmland, and the other is removed from the farmland through elevation differences. The northern property line neighbors Navan village with V1E Zoning. The West property line neighbors three single family homes with Dr1 Zoning. The South property line abuts Smith Road. This section of Smith Road is in a East/West direction. The East property line abuts Smith Rd as Smith Rd changes direction into a North/South direction.

3 HISTORY

FIGURE 2: HISTORY

The land has been used for farming up until the sale in 2022. Recently the land was farmed for corn in the fall and used as some minor snowmobile access in the winter months. The Land has always been in the Smith Family until the recent purchase.

4 SITE DETAILS

The properties main feature is that it has been used as cornfields. The property has no existing structures. Two acres of the property sit 7-8m below the farmland elevation, cut off from the farmland with a steep hill. A one-acre section on the west side of the property has no access and a steep incline to access it, and the other accessed by smith road. See Figure 3 below. The east side of the lot has complete access from Smith Rd. The south side of the lot abutting Smith rd. has access only to a small portion of the land, roughly one acre. The green and the grey color contrasting in the figure below illustrate the large 7-8M difference in elevation.

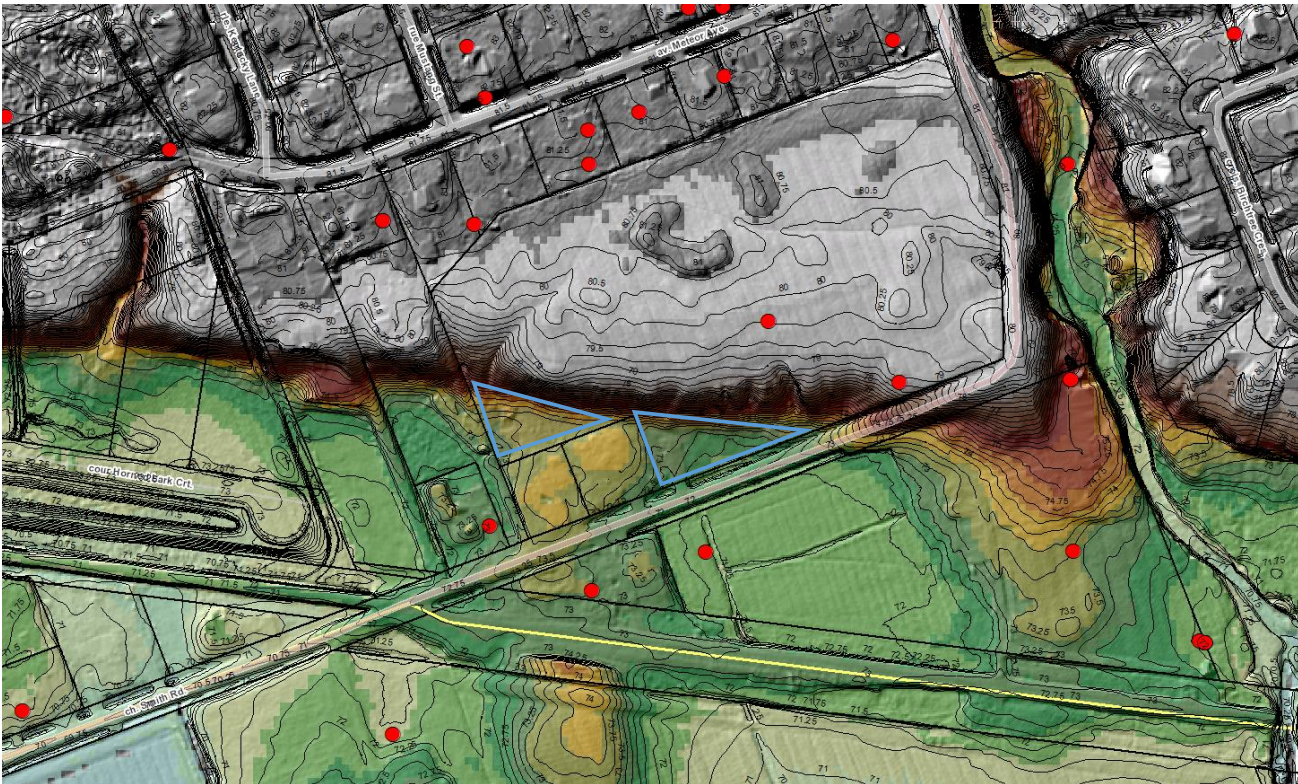


FIGURE 3: SITE DETAILS - TERRAIN

The average depth of the lot is 600' north to South x 1082' east to West. The lot is 13.5 Acres with 2.3 acres that is sloped, or without road access and not accessible from the farmland. No roadway is possible from the higher farmland down to the treed areas on the south and west ends of the property. The farmland is relatively flat. The site is legally described as: 930 Smith Rd, Navan PCL 10-3, SEC 50-9 ; PT LT 10, CON 9 , PART 2 , 50R6242 ; CUMBERLAND. The following PIN is associated with this property: 14546-0071.

5 PROPOSED DEVELOPMENT

The proposed development includes six regular and one irregular sized lots depicted in figure 4, 5 & 6. Results of a terrain analysis and a nitrate dilution model provided by Gemtek, confirmed the site does not meet isolation criteria and results allow a maximum of seven lots. The on-site overburden thickness is up to 8.8 metres based on borehole/monitoring wells. The overburden is not isolated from the bedrock water supply aquifer and does not meet D-5-4 isolation requirements therefore a type III calculation and a nitrate dilution model is required.

Lot 2-7 of the proposed development of Figure 4, 5 & 6 share similar characteristics to the lots backing on the 930 Smith Road, the new development on Meteor Ave and most of the current village. A lot comparison is shown in figure 8.

The nitrate dilution calculation was essential in determining the number of allowable lots. Shaping and locating the lots had much to do with the terrain. Lot 2-7 was achievable using the V1E zoning similarly used for the new Meteor Ave development. Each lot is above 1 acre and respects the character of the village. Lot 2 in diagram 5 has a rear yard lot line that contours a steep incline, a natural severing of lot 2 with environmental features hindering any possible roadway access to the farmland above from lot 2.

The rear portion of the land shown as Lot 1 has very little road access while creating 6 other lots. Lot 1 is achievable through a large access road. Lot 1, the largest of the lots has a road access along the ridge of the rear of lot 2. The access road meets all set back criteria from the ridge including the slopes associated with the McKinnons Creek ravine.

All lots within the DR3 zone would be rezoned to a residential zone as a condition of approval. Seeking a V1E rezoning.

The Village of Navan policies are within the Consolidated Villages Secondary Plan. Objective 1.2 states that the village should expand slowly with development that respects the character of the village, and we believe the seven consent applications does respect the characteristics of the village.

Objective 2.1 states that there should be an improvement of pedestrian connectivity along Colonial Road, Smith Road and Trim Road as well as having sidewalks on these roads.

The 2.1 objective clearly recognizes that these three roads front commercial, mixed use and school zones in the commercial district of Navan. Granted we recognize that creating pedestrian paths in the commercial zones would unquestionably improve pedestrian connectivity to the schools, stores, and shops in this area, the parcel of land in questions is a far off from the commercial zones. The section fronting smith road is in a residential zone, with residential characteristics comparable to the neighboring streets of Meteor Ave and Mustang St, which do not have pedestrian sidewalks or pedestrian-scale lighting. The section of Smith Road at 930 Smith Rd is completely residential and has no commercial zones in its proximity.

Objective 2.2 calls for improved pedestrian-scale lighting along main roads in the village.

This objective again seems to be alluding to the fact that these three streets are mainly within the downtown core with commercial zones including schools, shops and stores but does not include the section of Smith Road in which we are fronting.

A Noise and Vibration Attenuation Study is seemingly archaic for it is in relation to a railway that has been closed for decades.

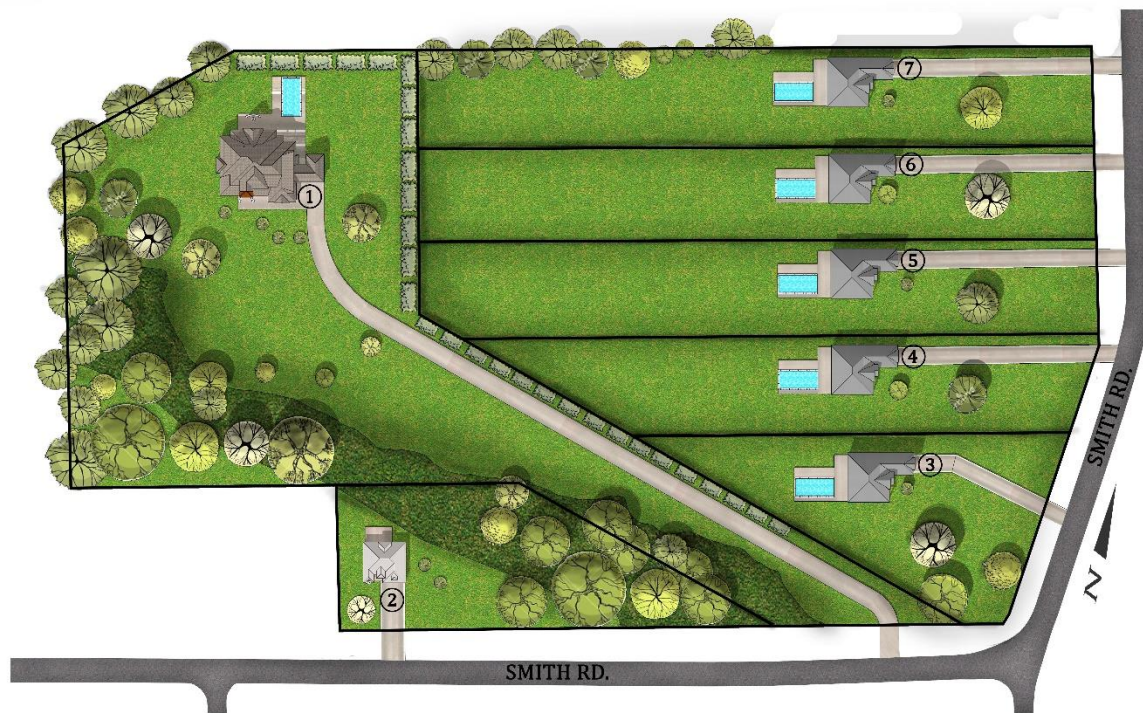


FIGURE 4: Extract of Site Plan

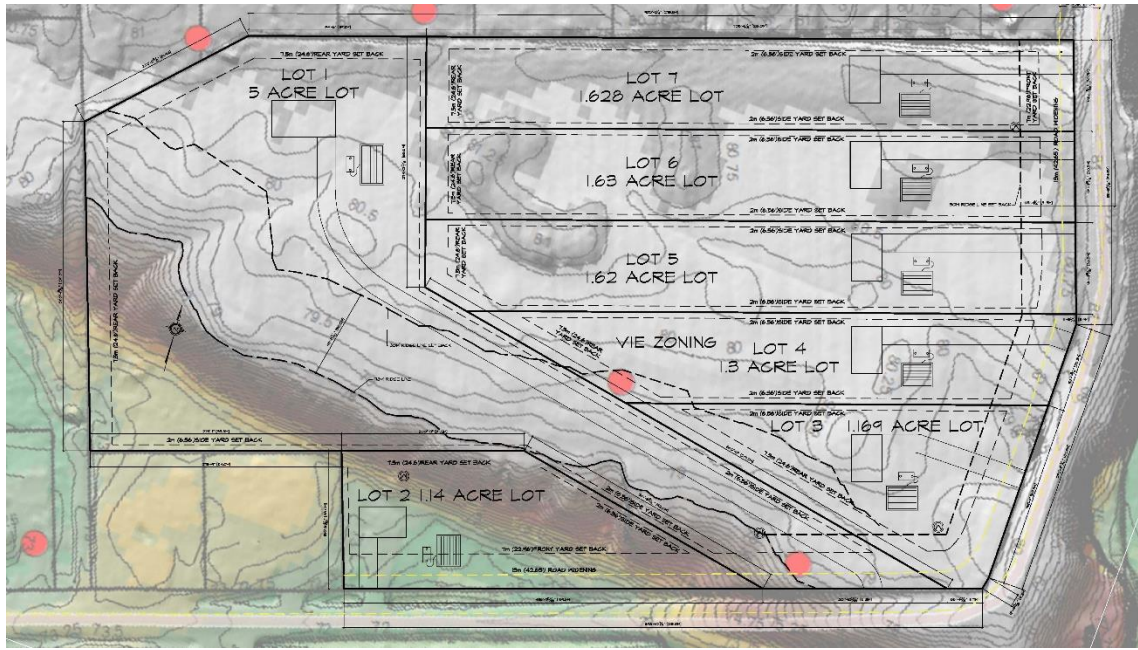


FIGURE 5: Extract of Site Plan - Overlay on the Terrain

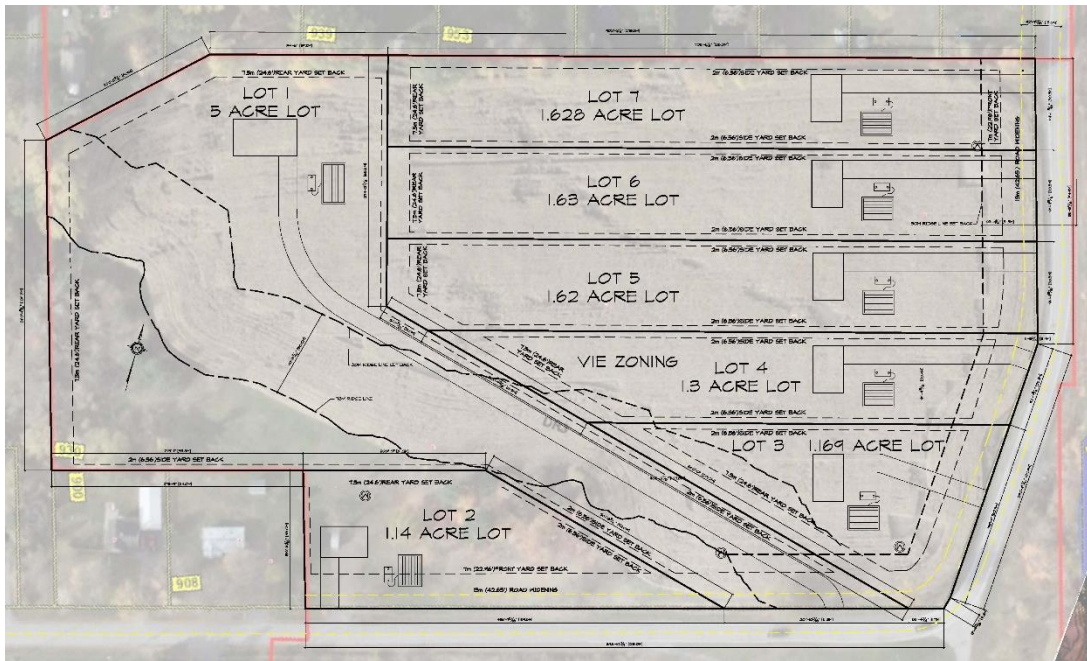


FIGURE 6: Extract of Site Plan - Overlay on the Farm

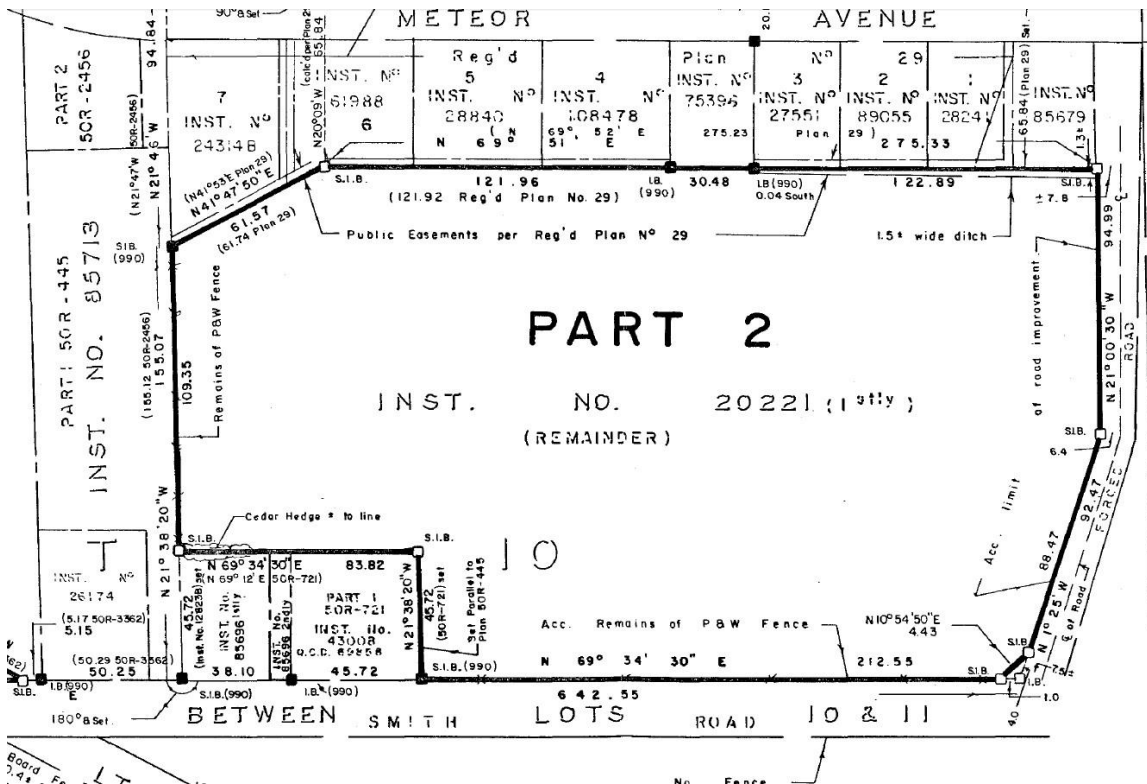


FIGURE 7: SITE PLAN

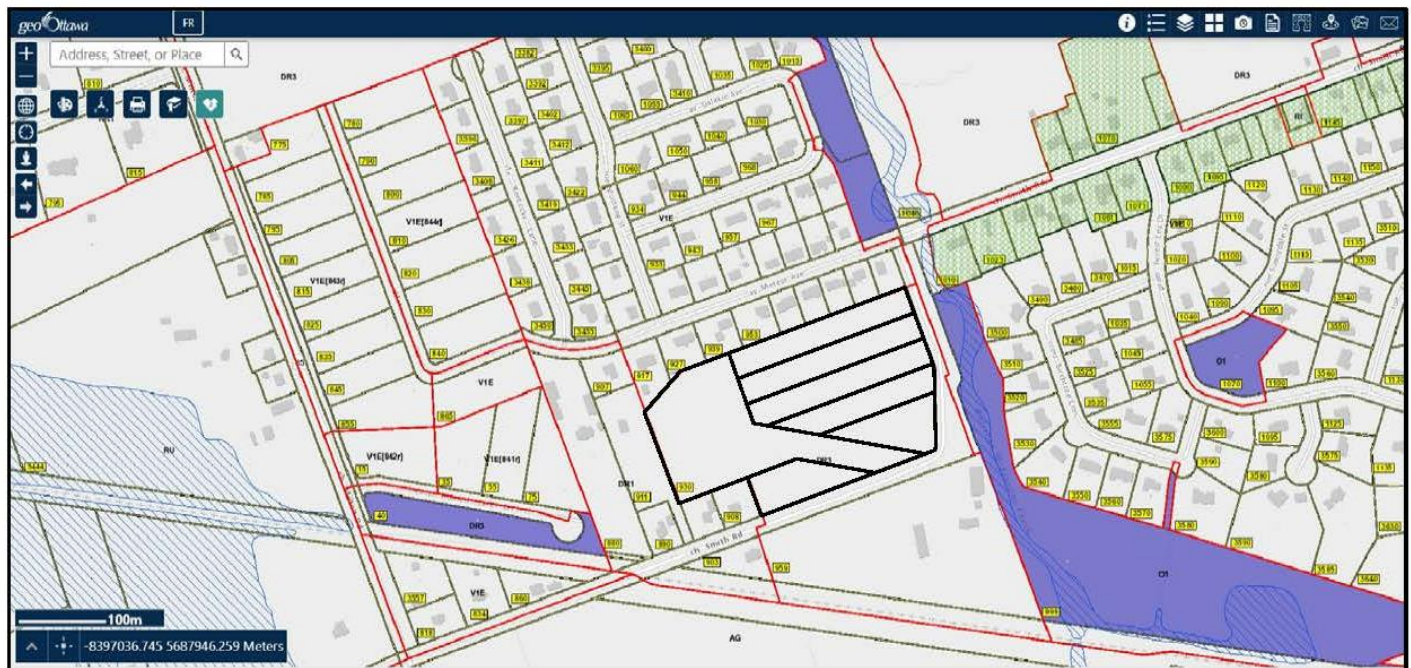


FIGURE8: Extract of Site Plan – Lot Comparison

6 PROVINCIAL POLICY STATEMENT,

4.1 Conformity with the Provincial Policy Statement The Provincial Policy Statement (PPS) sets out a vision for land use planning in the Province of Ontario that encourages planning and development that is environmentally-sound, economically-strong and that enhances quality of life. Land planning policies are intended to promote efficient development patterns with an appropriate mix of housing, employment, open spaces and multi-modal transportation which are appropriate for and make efficient use of existing and planned infrastructure and public service facilities. The relevant policies to the subject application are as follows.

Section 1.1.1 provides policy guidance for efficient development and land use patterns. This section states: “Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
- g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and

h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of brownfield sites;
- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
- e) using rural infrastructure and public service facilities efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature; and
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.

1.1.5 Rural Lands in Municipalities

1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) residential development, including lot creation, that is locally appropriate;
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and

g) other rural land uses.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

7 CITY OF Ottawa New official plan – Vision Statement - Navan

The vision for Navan is to remain a rural village where residents of all ages enjoy the peaceful and beautiful natural environment. The community will have ample opportunities for recreation, community events and activities, and thriving local businesses that provide goods and services for residents and visitors. The village will retain its bilingual character and culture while respecting its long history as it grows at a modest pace.

Goals and Objectives:

Goal 1: Develop a complete and sustainable community.

Objective 1.1: Encourage growth of small businesses and home-based businesses along Trim Road and Colonial Road.

Objective 1.2: Allow the village to expand slowly with residential development that respects the character of the village.

Objective 1.3: Ensure that development maintains the integrity of surrounding natural areas and preserves groundwater quality and quantity.

Goal 2: Improve walkability and safety.

Objective 2.1: Improve pedestrian connectivity and traffic safety and connectivity along Colonial Road, Smith Road and Trim Road through traffic calming measures and increased sidewalks within the village.

Objective 2.2: Provide pedestrian-scale street lighting where possible on multi-use pathways, at bus stops and along main streets.

Goal 3: Maintain the village's rural character and open space.

Objective 3.1: Preserve agricultural land surrounding the village.

Objective 3.2: Preserve and enhance existing designated open space, parks and recreational facilities through improved connectivity and add more as the village expands.

In developing the proposed consent application, the policy above was considered. In regard to the section above, the consent applications has been adhering to the requirements of the city of Ottawa New official plan and the community Design Plan for the village of Navan and it's Vision statement.

8 CITY OF OTTAWA ZONING BY-LAW

The site is zoned DR3 – DR3 - Development Reserve 3 Subzone (Sections 238)



FIGURE 8: ZONING MAP

Purpose of the Zone

The purpose of the DR - Development Reserve Zone is to:

1. *recognize lands intended for future urban development in areas designated as **General Urban Area** and **Developing Communities** in the Official Plan, and future village development in areas designated as **Village** in the Official Plan;*
2. *limit the range of permitted uses to those which will not preclude future development options; and*
3. *impose regulations which ensure a low scale and intensity of development to reflect the characteristics of existing land uses.*
4. *permit limited lot creation on existing public streets in villages that will not preclude future development options in the DR3 – Development Reserve Subzone 3. (By-law 2013-58)*

DR3 Subzone

3. In the DR3 Subzone, the following use is also permitted subject to the use being located on a lot abutting a public street if that public street existed as of June 25, 2008:
detached dwelling (By-law 2013-58)

The proposed development meets the zoning requirements as required by **DR3 Zone provisions (By-law 2013-58)**

9 SUMMARY

This report has been prepared in support of a consent application(s) for a new village residences known as Navan Hills.

The proposed consent application(s) are consistent with the provincial policy statement in that the proposed use is located within designated Settlement Area and is compatible with its surroundings and does not interfere with any natural heritage, agricultural, mineral, or cultural heritage resources.

Schedule 'A' of the City of Ottawa Official Plan (adopted by By-law 2021-386) designates the subject land as a "village". The proposed Consent application(s) will implement the goals and objectives of the "village" policies in the official plan.

The consent application(s) meets the requirements of the Navan Visions Statement both in terms of the residential use proposed, as well as Maintain the village's rural character and open space.

The proposal is consistent with the existing form of development in the vicinity and represents the logical completion of a developed neighborhood within the designated village.



John Paul S Boisvert

Hierarchy Development & Design Inc.