

Subject: Zoning By-law Amendment - 930 Smith Road

File Number: ACS2024-PDB-PSX-0025

Report to Agriculture and Rural Affairs Committee on 3 October 2024

and Council on 16 October 2024

**Submitted on September 27, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services**

Contact Person: Jasdeep Brar, Planner I, Development Review Rural

613-580-2424 ext. 29447 jasdeep.brar@ottawa.ca

Ward: Orléans South-Navan (19)

Objet: Modification du Règlement de zonage – 930, chemin Smith

Dossier : ACS2024-PDB-PSX-0025

Rapport au Comité de l'agriculture et des affaires rurales

le 3 octobre 2024

et au Conseil le 16 octobre 2024

**Soumis le 27 septembre 2024 par Derrick Moodie, Directeur, Services de la
planification, Direction générale des services de la planification, de
l'aménagement et du bâtiment**

**Personne ressource: Jasdeep Brar, Urbaniste I , Examen des demandes
d'aménagement ruraux**

613-580-2424 ext. 29447 jasdeep.brar@ottawa.ca

Quartier: Orléans-Sud-Navan (19)

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 930 Smith Road, as shown in Document 1, to permit seven residential lots, as detailed in Document 2.
2. That Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of October 16, 2024 subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l’agriculture et des affaires rurales recommande au Conseil d’approuver une modification du *Règlement de zonage* (n° 2008-250) visant le 930, chemin Smith, un bien-fonds illustré dans le document 1, afin de permettre la construction de sept lots résidentiels, comme l’expose en détail le document 2.
2. Que le Comité de l’agriculture et des affaires rurales donne son approbation afin que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffe municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux “exigences d’explication” aux termes de la *Loi sur l’aménagement du territoire*, à la réunion du Conseil municipal prévue le 16 octobre 2024 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

930 Smith Road

Owner

Hierarchy Development and Design Inc.

Applicant

Hierarchy Development and Design Inc.

Description of site and surroundings

The subject property is a 5.44-hectare vacant lot located in the Village of Navan, north and west of Smith Road and approximately 400 metres east of Milton Road. The surrounding land uses consist of residential lots to the north and west, McKinnon's Creek and residential uses east of Smith Road, and agricultural lands and the Prescott-Russell Trail Link are to the south of Smith Road.

Summary of proposed development

In April of 2023, provisional consent was granted for Consent Applications *D08-01-22/B-00332 to D08-01-22/B-00335* and *D08-01-23/B-00047 to D08-01-23/B-00049*. Condition 6 of the Consent Decision requires the subject lands to be rezoned from Development Reserve Subzone 3 (DR3) to an appropriate village residential zone.

The resulting proposed development consists of seven residential lots for detached dwellings. One large 2-hectare lot and six lots varying in size between 0.46 to 0.66 hectare are proposed.

The lots will have access from Smith Road. The lots shown in Area A, C, and D in Document 1 will be subject to an access easement for shared emergency access for Lots shown in Areas A, C, D, and E.

Summary of requested Zoning By-law Amendment

The subject site is currently zoned Development Reserve Zone 3 (DR3) and is proposed to be changed to Village Residential First Density zone with five exceptions.

The requested Zoning By-law Amendments are to permit the development of seven residential lots subject to setback requirements for noise, erosion hazards, and tree preservation. The applicant has requested a V1C zone with five exceptions to address minimum front yard setbacks of 15 metres for Area B and 27 metres for Area A, C, D and E. Minimum lot width of 30 metres and minimum rear yard setback of 7.5 metres for Areas A to E are also proposed. Further, an interior side yard setback of 7.5 metres for Area A and 2 metres for Areas B to E are requested, as well as an interior side yard setback abutting the V1C[xxx1r] zone of 7.5 metres for Area C and an interior side yard

setback abutting the V1E zone of 7.5 metres for Area E. In addition, a maximum lot coverage of 20 per cent for Areas A to E is proposed.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

Questions were received from two residents during the application review process.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designation

The subject lands are designated as Village in the Rural Transect (Schedule B). Within Villages, the development is to be characterized as low-density, low-rise development that is privately serviced.

Consolidated Villages Secondary Plan

Within the Consolidated Villages Secondary Plan, the subject lands are designated Village Residential (Volume 2B Schedule O). Residential built form with two or less units is permitted on lands designated as Village Residential.

Planning rationale

This application has been reviewed under Official Plan (OP) approved by the Province on November 4, 2022.

The Official Plan directs rural growth to the designated villages. In accordance with policy 4.2 in the Consolidated Villages Secondary Plan, residential areas within villages without public services are primarily low-rise and low-density. The purpose of the DR3 zone is to recognize lands intended for future village development.

Lot creation on the subject lands is supported by a Hydrogeological Investigation and Terrain Analysis Report. Increased front yard setbacks have been established based on the recommendations of the Environmental Noise Control Study and limits of development established from the slopes of McKinnon's Creek. The proposed safe setbacks reflect the Geotechnical Investigation including a Slope Stability Assessment. To ensure continued safe access, an easement for emergency access will be required.

The reduced lot coverage reflects grade raise restrictions, tree protection and building envelopes based on the Geotechnical Investigation and Tree Conservation Report. The

increased minimum interior side yard and minimum rear yard setbacks and reduced minimum lot width reflect the abutting V1E zones and are consistent with development in the surrounding area. The increased minimum interior side yard setback abutting the V1E zone addresses tree retention along the boundary.

In accordance with Condition 7 of the Consent application, a paved shoulder is required to be installed along the entire frontage of the property as a sidewalk cannot be accommodated. As part of the consent application, the development agreement will address the emergency access, grade raise restrictions, building envelope, noise, and well and septic recommendations.

The proposal conforms with the Official Plan by providing low-rise residential units in an area intended for rural residential development. The proposed V1C exception zones reflect the identified site constraints and are appropriate for residential development on the proposed lots.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

The development complies with the intent of residential development for Villages and provides for additional housing opportunities within areas designated for rural growth.

COMMENTS BY THE WARD COUNCILLOR

Councillor Catherine Kitts provided the following comments:

I understand that significant work was undertaken by City staff, the conservation authority and developer to satisfy slope stability and water quality requirements. I'm pleased to see that this application is consistent with the surrounding community, preserving the village's character and natural heritage features.

LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

The risks identified on the site through the Geotechnical Investigation and Environmental Noise Control Study have been mitigated based on the recommendations of the subject reports.

The Geotechnical Investigation identifies areas within the hazard limits associated with slope stability and erosion access. The requested increased minimum front yard setback of 27 metres respects the erosion hazard limit and mitigates risks associated with development in the identified limits. For continued safe access outside of the 27-metre setback, an easement for emergency access is required.

The Environmental Noise Control Study identifies mitigative measures for noise levels above 65 dBA. A minimum 15-metre front yard setback is proposed for Area B to mitigate risk of increased noise levels from Smith Road.

ASSET MANAGEMENT IMPLICATIONS

There is currently no evidence of erosion or slope instability that would require an immediate intervention by the City. However, the geotechnical report supporting this Zoning By-law amendment does confirm that the road is fully within the geotechnical hazard limit. The future lot creation may limit potential opportunities to realign the road away from the hazard, as an alternative to a challenging and costly repair if evidence of an imminent failure were to emerge. It is acknowledged that realignment of the road would require an agreement with the future landowners.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The proposed development will be required to meet the accessibility criteria contained within the Ontario Building Code.

ENVIRONMENTAL IMPLICATIONS

In accordance with Section 4.9.3 of the Official Plan, the proposed Zoning By-law Amendment ensures development on the site respects the minimum setback requirements for McKinnon's Creek. Reduced lot coverage and increased side and rear yard setbacks support tree protection and opportunities for planting and soft landscaping.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more liveable for all.
- A city that is green and resilient.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-24-0030) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

The statutory 90-day timeline for making a decision on this application under the *Planning Act* will expire on October 21, 2024.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

Staff are of the opinion that the proposed Zoning By-law Amendment to allow for the development of seven residential lots is appropriate and will provide additional dwelling units within the Village of Navan.

Overall, the proposal conforms with the Provincial Policy Statement, the Official Plan, and the Consolidated Villages Secondary Plan. The proposed V1C zones reflect the identified site constraints, are appropriate for residential development, and compatible with the surrounding area. Accordingly, Staff recommend this Zoning By-law Amendment be approved.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

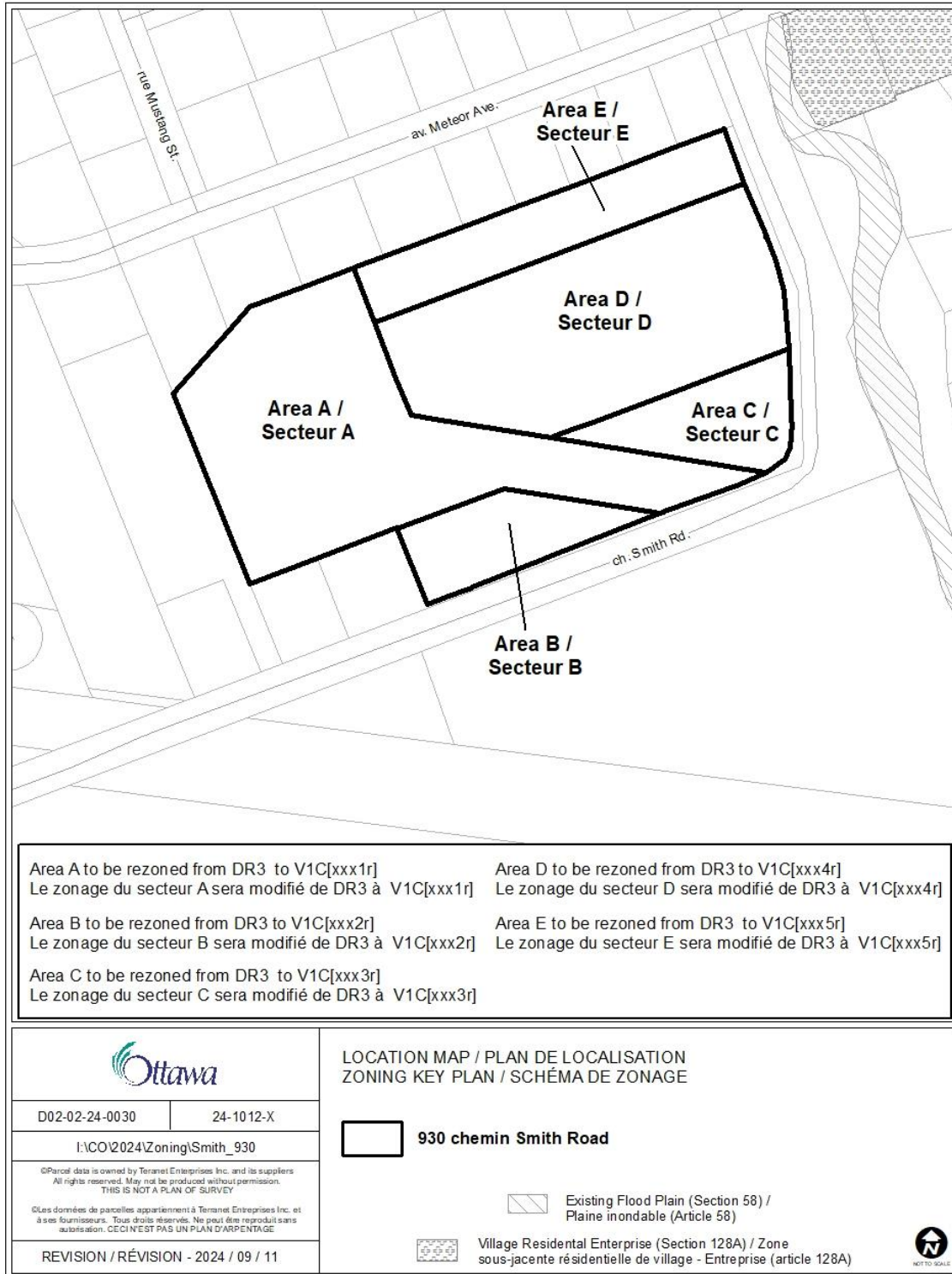
The Planning, Development and Building Services Department will prepare an implementing by-law and forward it to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [GeoOttawa](https://www.geoottawa.ca)



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 930 Smith Road:

1. Rezone the lands as shown in Document 1.
2. Add a new rural exception xxx1r to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text “[xxx1r]”
 - b. In Column II, Applicable Zones, add the text “V1C [xxx1r]”
 - c. In Column V, Provisions, add the text:
 - i. Minimum lot width: 30 metres
 - ii. Minimum front yard setback: 27 metres
 - iii. Minimum interior side yard setback: 7.5 metres
 - iv. Minimum rear yard setback: 7.5 metres
 - v. Maximum lot coverage: 20 per cent
3. Add a new rural exception xxx2r to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text “[xxx2r]”
 - b. In Column II, Applicable Zones, add the text “V1C [xxx2r]”
 - c. In Column V, Provisions, add the text:
 - i. Minimum lot width: 30 metres
 - ii. Minimum front yard setback: 15 metres
 - iii. Minimum interior side yard setback: 2 metres
 - iv. Minimum rear yard setback: 7.5 metres
 - v. Maximum lot coverage: 20 per cent

4. Add a new rural exception xxx3r to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text “[xxx3r]”
 - b. In Column II, Applicable Zones, add the text “V1C [xxx3r]”
 - c. In Column V, Provisions, add the text:
 - i. Minimum lot width: 30 metres
 - ii. Minimum front yard setback: 27 metres
 - iii. Minimum interior side yard setback: 2 metres
 - iv. Minimum interior side yard setback abutting the V1C[xxx1r] zone: 7.5 metres
 - v. Minimum rear yard setback: 7.5 metres
 - vi. Maximum lot coverage: 20 per cent
5. Add a new rural exception xxx4r to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text “[xxx4r]”
 - b. In Column II, Applicable Zones, add the text “V1C [xxx4r]”
 - c. In Column V, Provisions, add the text:
 - i. Minimum lot width: 30 metres
 - ii. Minimum front yard setback: 27 metres
 - iii. Minimum interior side yard setback: 2 metres
 - iv. Minimum rear yard setback: 7.5 metres
 - v. Maximum lot coverage: 20 per cent
6. Add a new rural exception xxx5r to Section 240 – Rural Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text “[xxx5r]”

- b. In Column II, Applicable Zones, add the text “V1C [xxx5r]”
- c. In Column V, Provisions, add the text:
 - i. Minimum lot width: 30 metres
 - ii. Minimum front yard setback: 27 metres
 - iii. Minimum interior side yard setback: 2 metres
 - iv. Minimum interior side yard setback abutting the V1E zone: 7.5 metres
 - v. Minimum rear yard setback: 7.5 metres
 - vi. Maximum lot coverage: 20 per cent

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Public Comments and Responses

Comment:

A neighbour questioned whether well water quality and quantity concerns related to new residential development in the area were addressed and if drainage for the new lots was considered.

Response:

The Hydrogeological Investigation and Terrain Analysis report identified that there is appropriate well water quality and quantity for seven residential lots on the site. Recommendations of the report include a well inspection report to be submitted prior to development to ensure compliance with water yield and turbidity recommendations. A development agreement will be registered for each property as part of the consent to sever process to ensure that there are alterations made to any current drainage patterns which may impact neighbouring properties.

Comment:

A neighbour commented on the possibility to lower the speed limit to 40 kilometres per hour.

Response:

Transportation engineering staff review potential impacts of the additional residences and make recommendations and comments on potential changes to speed limits based on their review. No changes were required to speed limits for this proposal.