

## **3330 Navan Road**

Planning Rationale  
Zoning By-law Amendment  
February 13, 2023



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# 1.0 Introduction

Fotenn Planning + Design has been retained by Mr. Zach Tremblay (the “Owner”) to prepare this Planning Rationale in support of a Zoning By-law Amendment application to legalize the existing development on the lands municipally known as 3330 Navan Road (“subject property”), in the City of Ottawa.

## 1.1 Application History

The Owner of the subject property has recently constructed the two (2) storey building that is associated with a contractor’s business that consists of six (6) warehouse bays at the ground level and an office on the second storey. The Owner has applied for a building permit, however at the time of application the project was subject to a zoning review at which point the requirement for a Zoning By-law Amendment was flagged. As part of the development of the building a Sewage System Permit has been issued by the Rideau Valley Conservation Authority (RVCA).

Despite the property already being developed with the new building, the planning rationale has considered the building and new uses as if they are proposed and not currently existing on the property.

## Surrounding Area and Site Context

The subject property, municipally known as 3330 Navan Road is located south of Navan Road in the Chapel Hill South community in the City of Ottawa (Figure 1). The parallelogram-shaped lot has an area of approximately 6,234 square metres (roughly 0.62 hectares), with 49.68 metres of frontage along Navan Road.



Figure 1: Aerial View of the Subject Property and Surrounding Area

The subject property is currently occupied by one (1) single detached dwelling and one (1) building that is associated with a contractor's business that consists of workshop space at the ground level and office on the second level. A single driveway with access from Navan Road serves all uses on the property. The rear and west side of the property is treed, while the rest of the property consists of soft landscaping. The property is currently serviced by municipal water and a private septic system. As part of the new development, a new septic system has been installed, resulting in two (2) existing septic systems on the property.

Despite the new development having already been constructed and not subject to legal non-conforming rights, the existing detached dwelling located on the north portion of the property does benefit from legal non-conforming rights. As shown in Figure 2 and Figure 3 below, aerial imagery indicates that the detached dwelling has been located on the property since at least 1958. The existence of the detached dwelling pre-dates any existing City of Ottawa Zoning By-law, and as a result, is a legal non-conforming use. Through the Zoning By-law Amendment to legalize the building associated with a contractor's business, the residential use will also be recognized and included as part of the amendment.



Figure 2. Historical photo from 1958 showing the existing detached dwelling on the subject property (outlined in blue), retrieved from GeoOttawa



Figure 3. Recent aerial image from 2021 showing the existing detached dwelling on the subject property (outlined in blue), retrieved from GeoOttawa

## 2.1 Surrounding Area

The subject property immediately abuts a solid waste disposal site, and is close proximity to existing residential and commercial uses along Navan Road. In general, Ward 19 (South Orleans - Navan) is expected to evolve in a significant way in the near future.

The surrounding land uses are described as follows:

**North:** Immediately north of the subject property on the north side of Navan Road are residential and commercial uses, which include single detached dwellings, a medical centre and office space. Further north, on the south side of Renaud Road, is the future Ashcroft Eastboro subdivision and north of Renaud Road is the Richcraft Homes Trailsedge subdivision. Both of these subdivisions consist of low-rise residential dwellings.

**East:** Immediately east of the subject property is a portion of the buffer lands for the Waste Connections of Canada Ottawa Landfill, which contains a cellphone tower approximately 11 metres from the east property line of the subject property line. Further east of the buffer lands is a property with a detached dwelling and the BFI Canada Recycling Centre that is associated with the waste disposal site, which recovers metal for recycling, wood for chippings and composting, and leaf and yard waste composting.

**South:** Immediately south of the subject property is the Waste Connections of Canada Ottawa Landfill. This waste disposal site is licensed to receive solid, non-hazardous industrial and commercial waste (including construction and demolition waste), dry non-putrescible domestic waste, asbestos waste, and impacted soils. Abutting the subject property is buffer lands associated with the waste disposal site, however approximately 32 metres away from the rear property line is the operating area of the landfill. South of the landfill is the Prescott-Russel Trail Link, which is a recreational trail that has been converted from an old rail line.

**West:** Immediately west of the subject property is a portion of the buffer lands for the Waste Connections of Canada Ottawa Landfill, as well as properties with detached dwellings. Further west of these dwellings is Claridge Home's Spring Valley Trail subdivision, which consists of low-rise residential dwellings and municipal parks.



Figure 4. Images of the area surrounding the subject property

## 2.2 Road Network

As per Schedule C4 – Urban Road Network, of the City of Ottawa Official Plan (Figure 5), the subject property is located on an existing arterial road (Navan Road), and in close proximity to a proposed collector road (Fern Casey Street).

Arterial Roads are the major routes of the City’s transportation network that generally carry large volumes of traffic over the longest distances. Vehicular access to adjacent properties is usually controlled to minimize turning movements to reduce conflicts between travel modes and, in many situations, provide a high degree of connectivity between land uses and places along and across the route.

Collector Roads connect communities and usually provide connections between arterial and local roads. These roads tend to be shorter and carry lower volumes of traffic than arterials. In general, collectors are also social places that bring local users together to interact during their daily travels. Collectors are the principal streets in urban and village neighbourhoods and are used by residents, delivery and commercial vehicles, transit and school buses, and people walking and cycling.



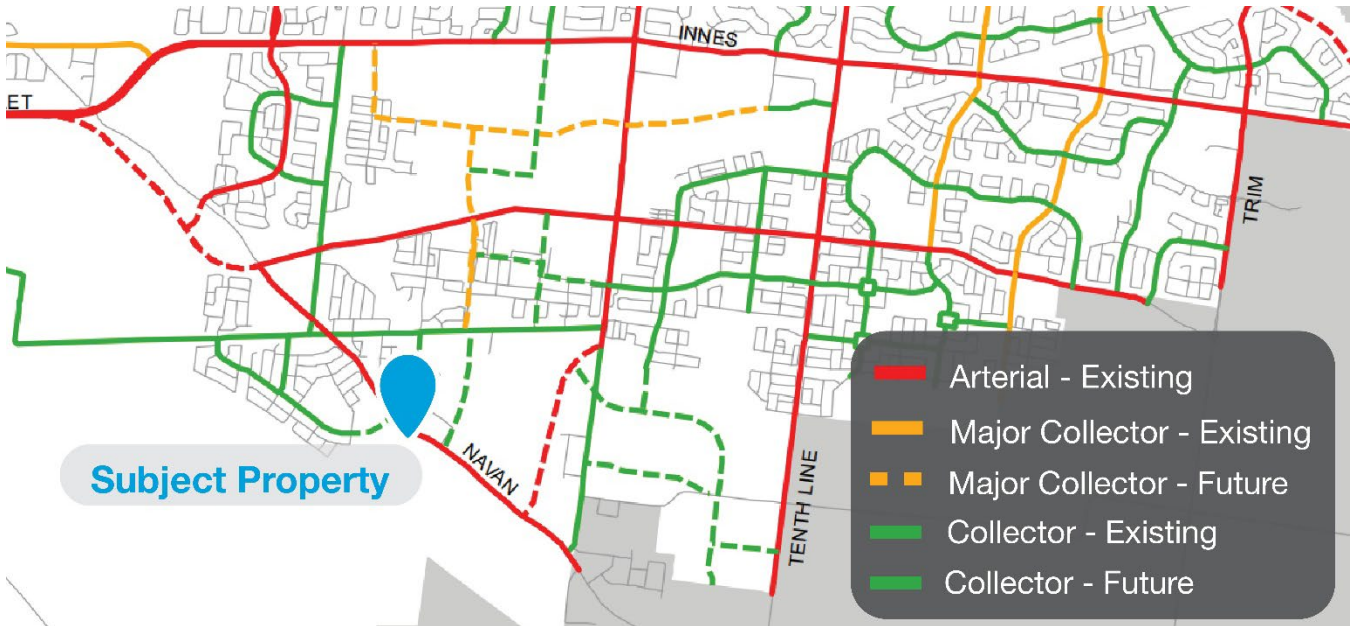


Figure 5. Excerpt of Schedule C4 - Urban Road Network, of the City of Ottawa Official Plan

### 2.3 Transit Network

As per Schedule C2 – Transit Network – Ultimate, of the City of Ottawa Official Plan (Figure 6), the subject property is not located in an area that is characterized by rapid transit. There is regular bus service via Route 228, which follows Navan Road and provides service to the Village of Navan. Further, as shown in Figure 7, the property is located in close proximity to major active transportation pathways.

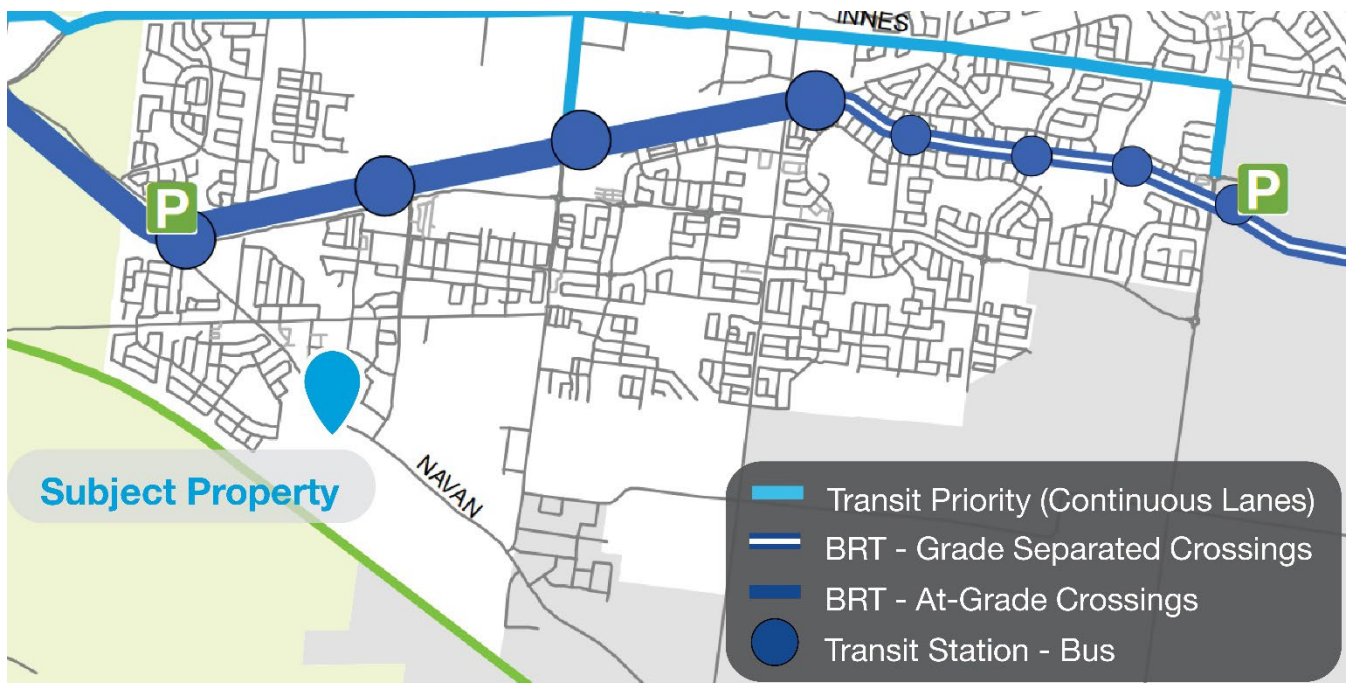


Figure 6. Excerpt from Schedule C2 - Transit Network - Ultimate, of the City of Ottawa Official Plan

## 2.4 Active Transportation Network

As per Schedule C3 – Active Transportation Network, of the City of Ottawa Official Plan (Figure 7), the subject property is located in proximity to an identified Major Pathway along Markinch Road. This pathway extends north to Innes Road, providing connectivity to the Trailside subdivision, and extends south of Navan Road, providing connectivity to the Prescott-Russell Trail Link.

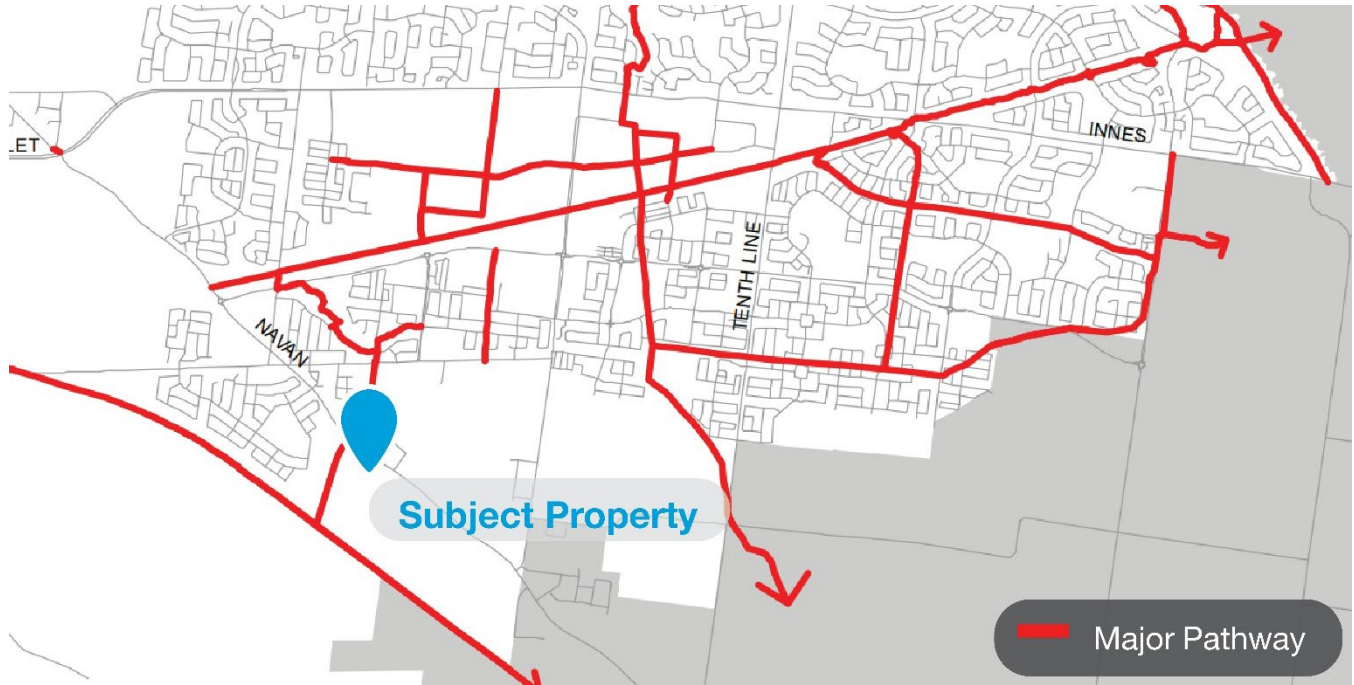


Figure 7. Excerpt of Schedule C3 - Active Transportation Network - Urban - Major Pathways, of the City of Ottawa Official Plan

### 3.0

## Proposed Development

The subject property has been developed with a two (2) storey building that is associated with a contractor’s business. At the time of writing this report, the building has already been constructed and the details of the building are outlined below as well as in the provided Site Plan (Figure 9).

The development, as shown in Figure 8, consists of six (6) bays for the warehouse use, while the second level is located on the northern-most portion of the building. Vehicular access to the property and to the new building is proposed from existing driveway along Navan Road. As shown on the Site Plan (Figure 9), the existing driveway has been extended toward the south end of the property to provide direct access to this building. As shown in both figures below, the subject property is well-treed which provides buffering to the neighbouring properties and surrounding land uses. The building generally complies with the Zoning By-law, with the exception of one interior side yard setback and the rear yard setback, which are discussed in detail in further sections of this Report.



Figure 8. Recently constructed building that is associated with a contractor’s business, with 6 individual warehouse bays and second storey office

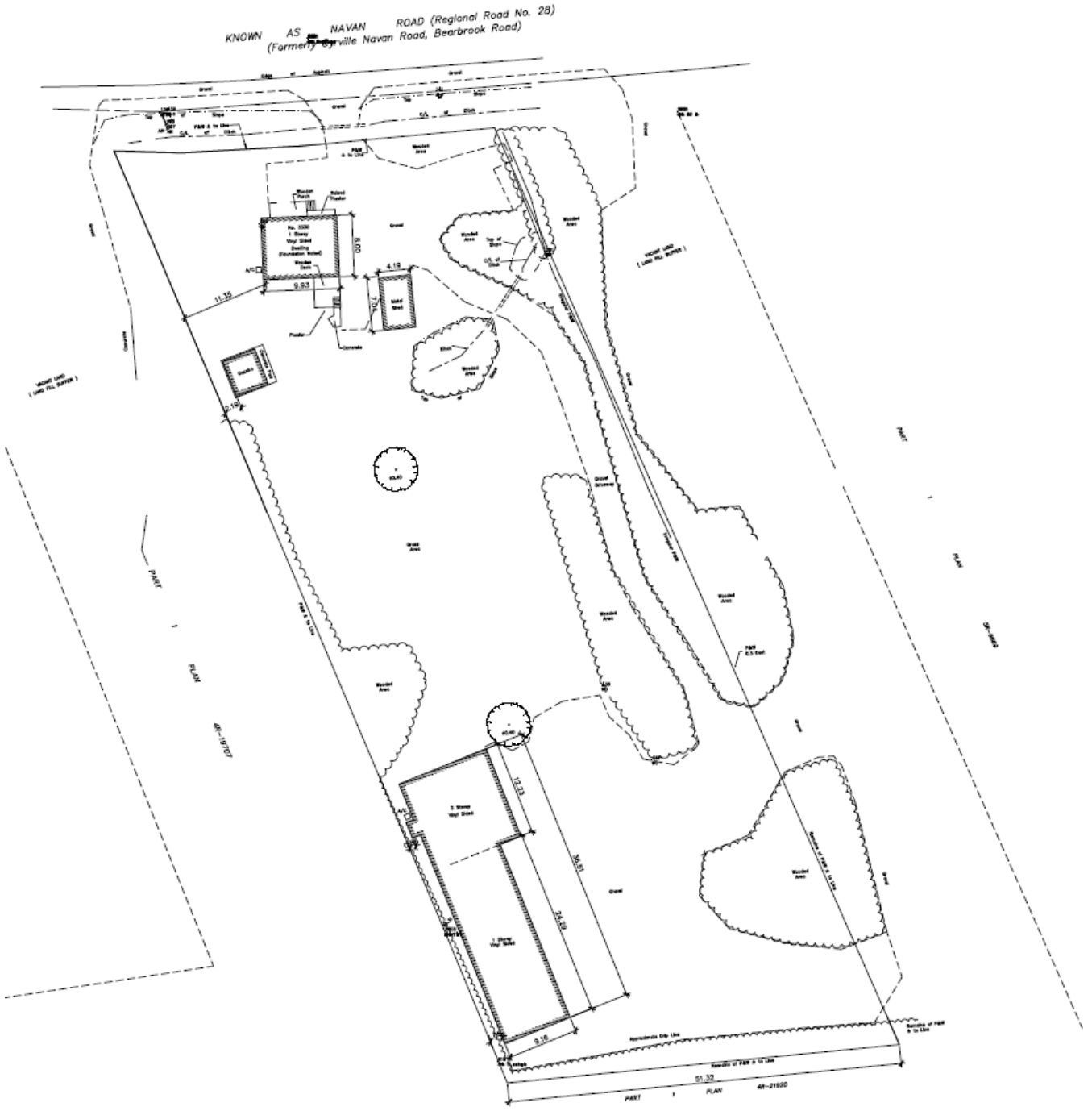


Figure 9. Site Plan showing the new building and existing detached dwelling and accessory structures

## 4.0 Policy and Regulatory Framework

### 4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act, which includes the PPS.

The PPS supports the goal of enhancing the quality of life for residents of Ontario, including the protection of public health and safety, the quality of the natural and built environment, and resources of provincial interest. The PPS also recognizes that the “long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages...”. The policies of the PPS support building strong healthy communities, wise use and management of resources, and protecting public health and safety. The following PPS policies are applicable to the development on the subject property, amongst others.

- / Policy 1.1.1 – 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 affordable and market-based range and mix of residential types, employment, institutional, 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;
  - g) Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.
- / Policy 1.1.3.2 – Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
  - a) Efficiently use land and resources;
  - b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  - e) Support active transportation; and
  - g) Are freight supportive.
- / Policy 1.1.3.6 – New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities and allow for the efficient use of land, infrastructure and public service facilities.
- / Policy 1.2.6.1 – Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
- / Policy 1.2.6.2 – Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) There is an identified need for the proposed use;
- b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

/ Policy 1.6.6.5 – Partial services shall only be permitted in the following circumstances:

- a) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
- b) Within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

**The development on the subject property contributes to a healthy, liveable and safe community by promoting an efficient development pattern that is consistent with the surrounding land uses. Additionally, the development contributes to a mix of uses on the property and within the area, using the existing infrastructure and public services that already exist. The subject property contains an existing detached dwelling (to remain) and the land abuts a waste disposal site. The new building in support of a contractors' business is located at the rear of the property so as to provide a buffer between the more sensitive residential use and the waste disposal lands, while maintaining the existing streetscape along Navan Road. The subject property, located within the urban boundary of the City of Ottawa is an existing partially serviced property, with municipal water provided and private septic. The new building will maintain the existing partial servicing, in accordance with the direction of the PPS and the Official Plan.**

## 4.2 City of Ottawa Official Plan (November 2022)

The City of Ottawa has the goal of becoming the most liveable mid-size city in North America. By 2046, the population is expected to hit 1.4 million people. The City has prepared an Official Plan that is intended to create a flexible, resilient city where people want to live, work and play. The main goal of the plan is to achieve more growth by intensification than by greenfield development.

### 4.2.1 Suburban Transect

Schedule A of the Official Plan divides the City into six (6) concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from most urban (Downtown Core) to least urban (Rural). Throughout the Transect policies, references are made to urban and suburban built form and site design. The Transect policies provide direction on minimum and maximum height based on context through the type of Transect and designation.

The subject property is located in the “Suburban (East) Transect” (Figure 10), and area that comprises neighbourhoods within the urban boundary located outside the Greenbelt. Neighbourhoods within the Suburban Transect generally reflect the conventional suburban model, characterized by the separation of land uses, stand-alone buildings, generous setbacks and low-rise building forms. The City’s focus in the three major suburbs will be to complete those neighbourhoods in a way that supports their gradual evolution to becoming 15-minute neighbourhoods, recognizing that the evolution of existing neighbourhoods is expected to be very gradual within a fundamentally suburban pattern of development.



Figure 10. Extract of Schedule A - Transects, of the City of Ottawa Official Plan

The following Suburban Transect policies, among others, apply to the development on the subject property.

- / Policy 2 of Section 5.4.1 – The Suburban Transect is generally characterized by Low- to Mid-density development. Development shall be:
  - a) Low-rise within Neighbourhoods;
- / Policy 3 of Section 5.4.1 – In the Suburban Transect, this Plan shall support:
  - a) A range of dwelling unit sizes in:
    - ii. Predominantly ground-oriented housing forms in Neighbourhoods located away from rapid transit stations and Corridors, with Low-rise multi-unit dwellings permitted near street transit routes.

**The development on the subject property is a two-storey building that is associated with a contractor's business. The height of the building is consistent with the policy direction of the Suburban Transect, and the existing dwelling that pre-dates the Zoning By-law is consistent with the policy direction for low-rise ground-oriented housing forms.**

#### 4.2.2 Neighbourhood Designation

The subject property is designated as Neighbourhood in the New Official Plan (Figure 11). Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of the Official Plan that Neighbourhoods, along with hubs and corridors, permit a mix of building forms and densities. The City recognizes that Neighbourhoods are not all at the same stage of development, maturity and evolution, as and such, the Official Plan will reinforce those that have all elements of and presently function as 15-minute neighbourhoods; guide those that have a few missing elements into gaining them; and to seed the conditions for future 15-minute neighbourhoods into those that currently are not.

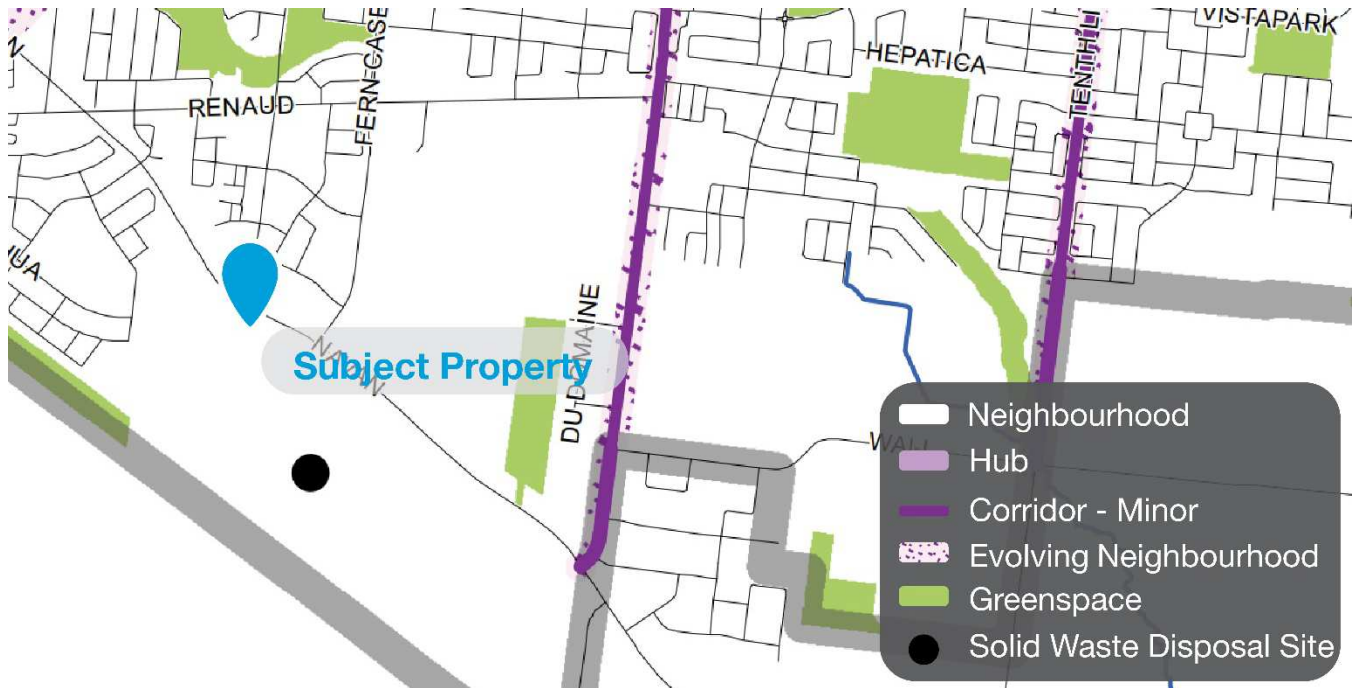


Figure 11. Extract of Schedule B8 - Suburban (East) Transect, of the City of Ottawa Official Plan

Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation. The following Neighbourhood policies, among others, apply to the development on the subject property.

- / Policy 2 of Section 6.3.1 – 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.
- / Policy 4 of Section 6.3.1 – 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 [of the Official Plan];
  - d) To provide for a range of local services and promote the emergence or strengthening of 15-minute neighbourhoods, the Zoning By-law may permit compatible and complementary small-scale non-residential uses and services (including retail, service, cultural, leisure and entertainment uses) that primarily serve residents within walking distance and that:
    - i. Are compatible with, and do not reasonably pose a risk of nuisance to, nearby residential uses;
    - ii. Are contained within building forms and site design compatible with low-rise, predominantly residential neighbours;
    - iii. Are appropriately integrated with the neighbourhood street network, pedestrian network and public realm;
    - iv. May establish building and site design standards specific to such uses, in order to ensure functional requirements and context sensitive building form are met;
    - v. May restrict or prohibit motor vehicle parking in association with such uses; and



- vi. Limits such uses to prevent undue diversion of housing stock to non-residential use.
  - e) Limited large-scale non-residential uses and include office-based employment, greenspace, large-scale institutions and facilities and other smaller institutional functions; and
  - f) Parks, open spaces and linkage areas meant to serve as public space.
- / Policy 2 of Section 6.3.3 – The City shall allow, through the Zoning By-law, small-scale non-residential uses such as retail, service, cultural, leisure and/or entertainment functions: on all Collector streets; in clusters of areas that currently have these functions and uses present; and by identifying new streets that could foster small scale non-residential growth. Where the Zoning By-law allows for these uses, the Zoning By-law will also permit the fluid switch between residential and non-residential small scale uses, to support flexible market needs and resiliency of buildings.
- / Policy 3 of Section 6.3.3 – Where a small scale non-residential use is currently not permitted as-of-right in the Zoning By-law and is proposed, the City will consider permitting these uses, provided the development meets all of the following:
- a) They are small scale and serve the surrounding lands;
  - b) They are conveniently located with respect to concentrations of residential development and provide direct access for pedestrians and cyclists from adjacent residential areas;
  - c) They help to facilitate interaction among residents and contribute to healthy 15-minute neighbourhoods; and
  - d) They are of a size and scale that shall not result in the attraction of large volumes of vehicular traffic from outside the immediate area.
- / Policy 4 of Section 6.3.3 – Non-residential uses that are not explicitly mentioned as permitted in Subsection 6.3.1, Policy 4) shall be considered where the proposal meets all of the following criteria:
- a) The proposed use is compatible with and complements surrounding uses;
  - b) The property has frontage on a major street;
  - c) The main buildings are situated to occupy the majority of the site’s major street frontage;
  - d) The visual impact of outdoor storage or parking on adjacent uses and from the street is minimized through appropriate site design methods in accordance with transect and overlay policies;
  - e) Large land areas for outdoor storage and sale or service of goods (other than uses that do not operate year-round and can be considered a common component of a permitted use, such as a seasonal garden centre in association with a retail use) are not provided; and
  - f) Goods for sale or display are not placed in the municipal right-of-way.

**The legal non-conforming dwelling and the newly developed building are consistent with the policy direction of the Neighbourhood designation. The new building is a two-storey structure, which is consistent with the direction for low-rise building heights (up to four (4) storeys). The Neighbourhood policies state that non-residential uses are permitted, and that small-scale non-residential uses are permitted in clusters of areas where these uses already exist. The immediate area surrounding the subject property consists of a mix of residential and non-residential uses, including the Navan Medical Centre, which is located directly across the street on the north side of Navan Road. The Zoning By-law does not currently permit non-residential uses as-of-right; however, the Neighbourhood policies provide direction for small-scale non-residential uses.**

**The small-scale uses described in the Neighbourhood policies are primarily for uses that serve residential uses within walking distance, however the uses located within the new building are intended to serve a larger area. As such, Policy 4 of Section 6.3.3 provides criteria for non-residential uses not explicitly mentioned in the Official Plan. The new**

**building is compatible with the surrounding land uses and has frontage on a major street (Navan Road). The building does not occupy the majority of the street frontage due to the location of the existing residential dwelling, however, this residential dwelling provides an appropriate visual barrier to any parking associated with the new building, which is consistent with the Neighbourhood policy direction. Further, the new building and proposed uses are surrounded by the waste disposal facility lands, ensuring no issue with respect to land use for standard operations of both the proposed and existing uses.**

#### **4.2.3 Urban Design**

Urban design is the process of giving form and context to our city to create the theatre of public life. It concerns the design of both the built form and the public realm. Urban design plays an important role in supporting the City's objectives such as building healthy 15-minute neighbourhoods, growing the urban tree canopy and developing resilience to climate change. The urban design policies of the Official Plan focus on key areas within the City, and provide some direction for low-rise development. The following policies apply to the new building on the subject property.

- / Policy 1 of Section 4.6.5 – Development throughout the City shall demonstrate that the intent of applicable Council-approved plans and design guidelines are met.
- / Policy 6 of Section 4.6.6 – Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

**The new building has been designed and constructed as a two (2) storey structure, which is consistent with the low-rise policy direction of the Suburban Transect policies, Neighbourhood designation policies, and the East Urban Community Phase 1 and 2 Community Design Plan. Additionally, the building responds to the existing built form of the surrounding area.**

#### **4.2.4 Drinking Water, Wastewater and Stormwater Infrastructure**

In order to meet the challenge of planning, engineering and funding water infrastructure, the City relies on master plans, like the Infrastructure Master Plan, to provide comprehensive documentation of the development and evaluation of water, wastewater and stormwater servicing strategies and projects in the City. The policies in the Official Plan have been established to ensure that infrastructure in the City is safe, affordable, environmentally sound and meets the needs of the future. The following policies, among others, apply to the subject property and proposed development.

- / Policy 2 of Section 4.7.2 – Development in Public Service Areas shall be on the basis of both public water and wastewater services (full services).
- / Policy 6 of Section 4.7.2 – Partial Services shall be considered only in the following circumstances:
  - a) Where servicing is necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
  - b) Within the Urban area and in Villages where development on partial services already exists and the proposal constitutes minor infill or minor rounding out provided that site conditions are suitable for the long-term provision of such services with no negative impacts; ...
- / Policy 9 of Section 4.7.2 – Where new development is proposed that relies upon private sewage systems, including areas of partial servicing, a minimum of 800 square metres of undeveloped area must be maintained for the sewage system.

**The new building is located on a property within a Public Service Area that already exists on partial services (municipal water and private septic). The Official Plan is supportive of partial services where it already exists. The building will be serviced by a newly installed septic system that is separate from the septic system that serves the existing dwelling.**

#### 4.2.5 Waste Disposal Sites

Operating waste disposal sites are landfills, dumps, incinerators and any other facilities providing for the long-term storage or destruction of municipal solid waste. Composting, recycling and transfer facilities are considered processing operations. As the subject property immediately abuts land that is occupied by a solid waste disposal site, the following policies apply to the development of the new building associated with a contractor's business.

- / Policy 4 of Section 10.1.7 – Land within three kilometres of an operating Solid Waste Disposal Site boundary is considered to be within the influence area of the site. New lot creation within this zone will require a notice on title to ensure the impacts of the operating Solid Waste Disposal Site (i.e. noise, dust, odours and haul route) are provided.
- / Policy 4 of Section 10.1.7 – Development within the influence area of an operating Solid Waste Disposal Site shall demonstrate that the Solid Waste Disposal Site shall not have any unacceptable adverse effects on the proposed development and will not pose risks to human health and safety.
- / Policy 7 of Section 10.1.7 – Notwithstanding policies 5 and 6 of Section 10.1.7, no new land use shall be permitted within 30 metres of the licensed perimeter of an operating Solid Waste Disposal Site.

**The development of the building associated with a contractor's business is located greater than 30 metres from the licensed perimeter of an operating Solid Waste Disposal Site, as per the zoning of the operating portion of the waste disposal site and the buffer lands. The development of the new building is considered to be less sensitive than the existing residential use on the subject property, and as a result the waste disposal site is not anticipated to have any undue adverse effects on the development that do not already exist.**

#### 4.3 East Urban Community (EUC) Community Design Plan (CDP) (Phase 1) (2005)

The EUC CDP is the City of Ottawa Council-approved guide to long-term growth and development of the East Urban Community. The CDP provides guidelines for day-to-day decision making on land use planning and sets out the community's priorities for the future. The Phase 1 EUC CDP study area is bounded by Mer Bleue Road to the east, a former Canadian Pacific Railway line bordering Mer Bleue Bog to the south, the Phase 2 EUC community to the southeast, the National Capital Commission Greenbelt to the west, and a hydro corridor running parallel to the planned BRT route and Brian Coburn Boulevard to the north.

The Phase 1 EUC CDP:

- / Indicates how the unit mix, residential density, parks and green space objectives found in the Official Plan can be met;
- / Illustrates the arrangement of all types of land uses, parks, green spaces and transportation corridors;
- / Provides a land use summary table that sets out land areas, number of units, jobs and densities; and
- / Serves as a community development guideline document, which incorporates the policy direction for design in the Official Plan.

In addition, the CDP for Phase 1:

- / Considers the context of adjacent General Urban Area, Phase 2 and Mixed Use Centre lands (now known as the Phase 3 Area) and has regard to the fact that the lands will also be examined under their own CDP processes;
- / Rationalizes the size and geographic limits of the Mixed Use Centre;
- / Identifies key land use, density and infrastructure assumptions for the Phase 2 and Mixed Use Centre lands;
- / Identifies the Waste Disposal Site and its influence area; and
- / Establishes the collector road network for the broader area.

Although the subject property is located outside of the Phase 1 lands, Community Design Guidelines in Sections 5.1 through 5.3 of the EUC CDP for the Phase 1 lands also apply to the Phase 2 EUC CDP (2013) lands, within which the subject property is located. These guidelines have been considered. Given that the subject property is located within Phase 2, a more detailed review of the EUC CDP Phases 1 and 2 CDP has been provided in Section 4.4 of this Report.

#### 4.4 East Urban Community (EUC) Community Design Plan (Phases 1 & 2) (2013)

The CDP for the Phase 2 lands in the EUC was approved by City Council in 2013. Along with the CDP for the Phase 1 area, the two (2) CDP documents form the coordinated vision for development in the EUC and are to be read together. The BFI land fill (now known as the Waste Connections of Canada – Ottawa Landfill), which surrounds the subject property has not been considered in the CDP for future redevelopment, with the CDP planning around the landfill.

As per Schedule A – Land Use, of the EUC Phase 2 CDP (Figure 12), the subject property is designated as “Mixed Use – institutional, office, commercial”.

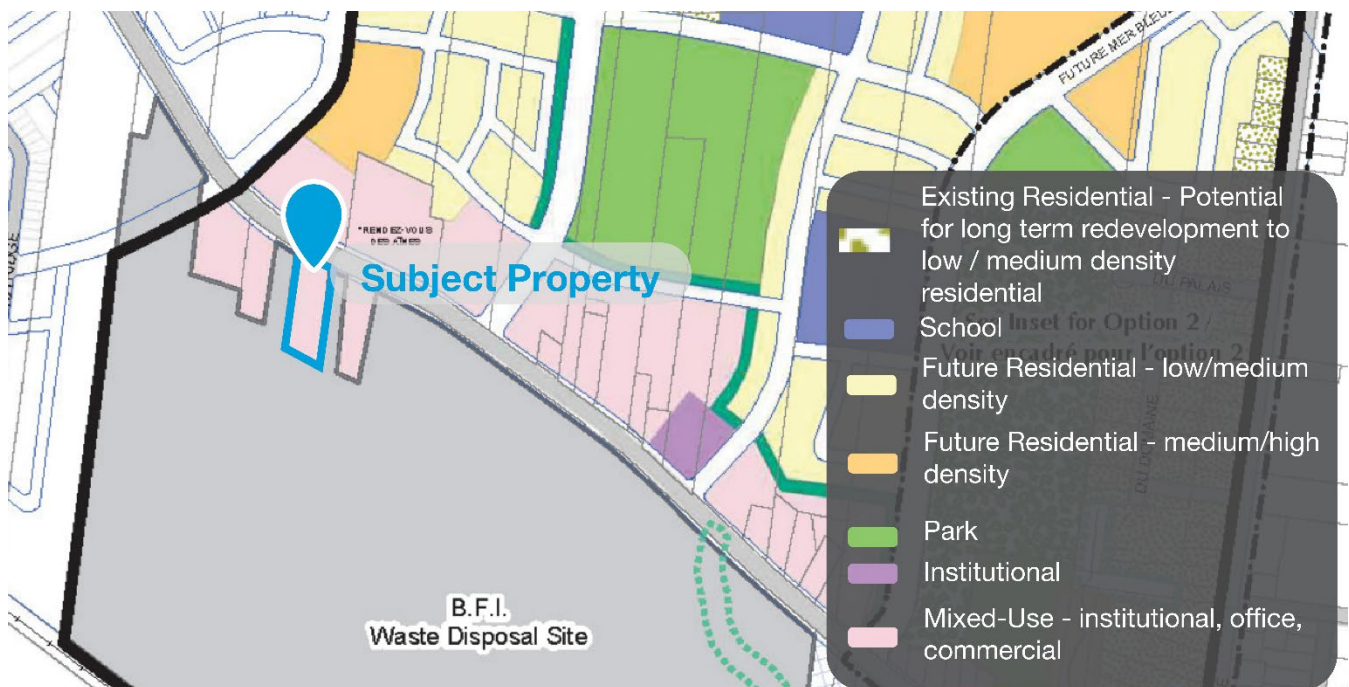


Figure 12. Extract of Schedule A - Land Use, of the EUC (Phase 1 & 2) CDP

Mixed Use lands can develop with a combination of commercial and institutional uses, which are appropriate for lands on a future urban arterial and in proximity to a major landfill site. Residential uses are not encouraged in the Mixed Use designation.

As previously discussed throughout this report, the residential dwelling on the subject property has existed prior to the Zoning By-law and this CDP. Despite the direction that residential uses are not encouraged in the Mixed Use designation, the existing dwelling is a historical use and is suitable for the subject property. The new building that has been constructed appropriately contributes to the mixed-use nature of the lands located along Navan Road without undue adverse impacts on adjacent lands.

## 4.5 Ministry of Environment D-4 Guidelines

The D-4 Land Use On or Near Landfills and Dumps Guideline protects the health, safety, convenience and welfare of residents from the potential adverse effects of landfills and dumps, by restricting or controlling land use in their vicinity.

Section 5 of the Guideline speaks to land use considerations, with the following land uses considered sensitive for landfills currently in operation:

- / A permanent structure used in animal husbandry; or
- / Agricultural land used for pasturing livestock; or
- / A permanent structure where:
  - i. A person sleeps, or
  - ii. A person is present on a full time basis;

but not including food or motor vehicle service facilities adjacent to a highway, utility operations, scrap yards, heavy industrial uses, gravel pits, quarriers, mining or forestry activities; or
- / Cemeteries

Land uses that are considered to be compatible with landfills currently in operation include:

- / Utilities and above grade transportation routes except major highways;
- / Fences;
- / Wood harvesting and other forestry activities;
- / Certain farming activities;
- / Industrial uses, including incinerators permitted to operate under O. Reg. 347;
- / Gravel pits and quarries, and other mining activities (provided the landfill water table is not affected); or
- / Such land uses which would not be threatened by any hazard to public health or safety and would not be impaired by nuisance effects.

Section 5.2.1 of the Guidelines states that no land use may take place within 30 metres of the perimeter of a fill area, and the each operating landfill shall have an on-site operational/maintenance buffer area that is no less than 30 metres.

**As per the D-4 Series Guidelines, the warehouse and office use is consistent with the list of uses considered sensitive for landfills, as the uses will be located in a permanent structure where a person is present on a full time basis (full time workers). Additionally, the development has been located outside of the buffer area that has been identified through the Zoning By-law for the waste disposal site, which is approximately 30 metres in width.**

## 4.6 Comprehensive Zoning By-law (2008-250)

### 4.6.1 Existing Zoning

The subject property is currently zoned “Development Reserve (DR)” in the City of Ottawa’s Comprehensive Zoning By-law (Figure 13).

The purpose of the DR zone is to:

- / 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;
- / Limit the range of permitted uses to those which will not preclude future development options; and
- / Impose regulations which ensure a low scale and intensity of development to reflect the characteristics of existing land uses.

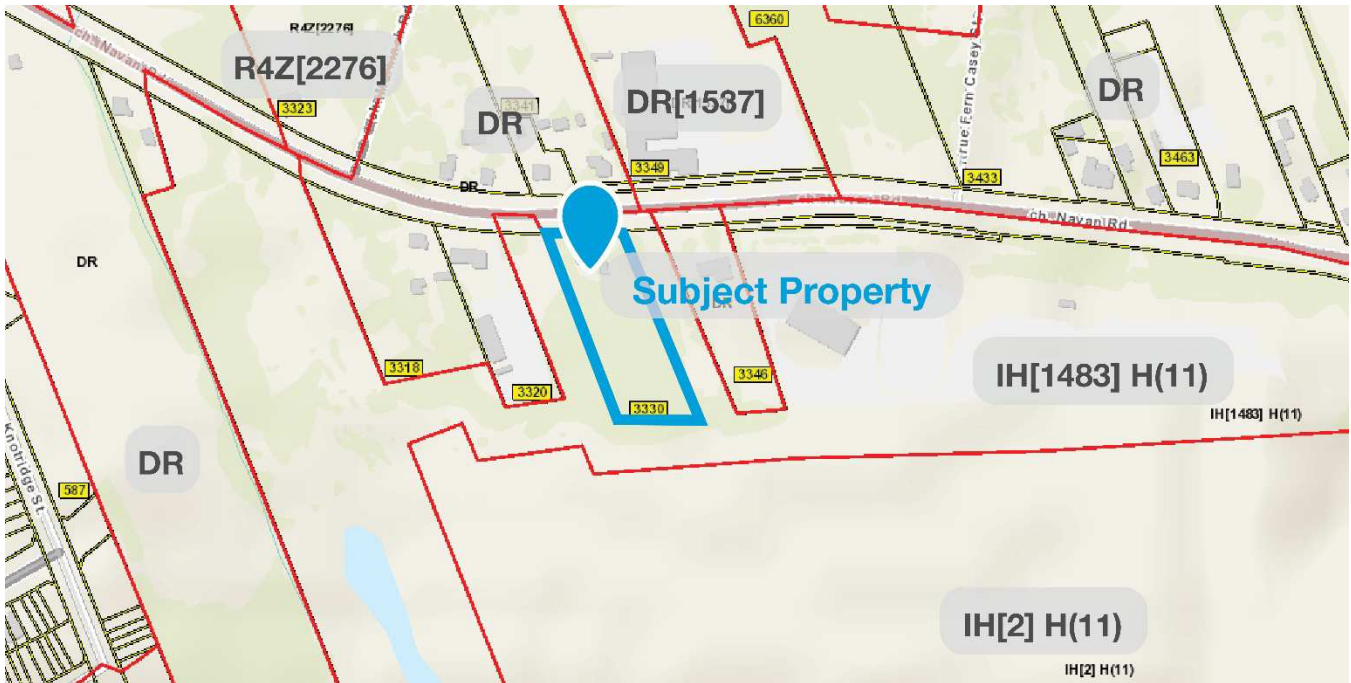


Figure 13. Existing Zoning Map, retrieved from GeoOttawa

Permitted uses in the DR zone are limited to:

- |   |  |
|---|--|
| / agricultural use                          | / marine facility                                    |
| / agriculture-related use                   | / one detached dwelling accessory to a permitted use |
| / emergency service                         | / park   |
| / environmental preserve and education area | / on-farm diversified use                            |
| / forestry operation                        | / secondary dwelling unit                            |
| / group home                                | / urban agriculture                                  |
| / home-based business                       |  |

**As the property is zoned Development Reserve, any development on the property would require the lands to be rezoned to a more appropriate zone that reflects the proposed development. The following section outlines the proposed zoning for the subject property that will formalize the detached dwelling as a permitted use, and permit a building associated with a contractor’s business.**

#### 4.6.2 Proposed Zoning

To facilitate the development of the building associated with a contractor's business on the subject property, it is recommended that the property be rezoned to "Light Industrial with a site-specific exception (IL[XXXX])". The site-specific exception will permit a detached dwelling as a permitted use within the IL zone and will also address any non-complying zoning provisions.

The purpose of the Light Industrial zone is to:

- / Permit a wide range of low impact light industrial uses, as well as office and office-type uses in a campus-like industrial park setting, in accordance with the Employment Area designation of the Official Plan, or the General Area designation where applicable;
- / Allow in certain Employment Areas or General Urban Areas, a variety of complementary uses such as recreational, health and fitness uses and service commercial (e.g. convenience store, personal service business, restaurant, automobile service station and gas bar), occupying small sites on individual pads or in groupings as part of a small plaza, to serve the employees of the Employment or General Urban Area, the general public in the immediate vicinity, and passing traffic;
- / Prohibit retail uses in areas designated as Employment Area, but allow limited sample and showroom space that is secondary and subordinate to the primary use of buildings for the manufacturing or warehousing of the product;
- / Prohibit uses which are likely to generate noise, fumes, odours, or are hazardous or obnoxious; and
- / Provide development standards that would ensure compatibility between uses and would minimize the negative impact of the uses on adjacent non-industrial areas.

The following uses are permitted within the IL zone, with the **bolded** uses proposed on the subject property:

- |   |                                   |
|---|-----------------------------------|
| / animal care establishment                               | / park                            |
| / animal hospital   | / parking garage                  |
| / automobile dealership                                   | / parking lot                     |
| / automobile rental establishment                         | / personal brewing facility       |
| / broadcasting studio                                     | / place of assembly               |
| / catering establishment                                  | / post office                     |
| / day care  | / printing plant                  |
| / drive-through facility                                  | / production studio               |
| / emergency service                                       | / research and development centre |
| / heavy equipment and vehicle sales, rental and servicing | / service and repair shop         |
| / <b>light industrial uses</b>                            | / technology industry             |
| / medical facility  | / training centre                 |
| / municipal service centre                                | / truck transport terminal        |
| / <b>office</b>   | / <b>warehouse</b>                |

Several uses are permitted on a conditional basis, however the development on the subject property does not propose any of the permitted conditional uses. It should be noted that a detached dwelling is not a permitted use in the IL zone,

however through this Zoning By-law Amendment application it is proposed that the site-specific exception will permit a detached dwelling.

Table 1. Light Industrial (IL) Zoning Compliance Table

| Zoning Mechanism  | IL Zone   |            | Proposed                     | Compliance |
|---|---|------------|------------------------------|------------|
| <b>Minimum Lot Area</b>   | 2,000 m <sup>2</sup>  |            | 6,234.67 m <sup>2</sup>      | Yes        |
| <b>Minimum Lot Width</b>  | No minimum  |            | 49.68 m                      | Yes        |
| <b>Maximum Lot Coverage</b>   | 65%   |            | Approx. 7%                   | Yes        |
| <b>Minimum Front Yard and Corner Side Yard Setback</b>  | 7.5 m   |            | >7.5 m                       | Yes        |
| <b>Minimum Interior Side Yard Setback</b>   | All other cases   | 7.5 m      | East: >7.5 m<br>West: 0.86 m | Yes<br>No  |
| <b>Minimum Rear Yard Setback</b>  | All other cases   | 7.5 m      | 5.09                         | No         |
| <b>Maximum Floor Space Index</b>  | 2   |            | < 2                          | Yes        |
| <b>Maximum Building Height</b>  | In all other cases  | 18 m       | 2 storeys                    | Yes        |
| <b>Minimum Width of Landscaped Area</b>   | Abutting a street   | 3 m        | >3 m                         | Yes        |
|   | In all other cases  | No minimum | Complies                     | Yes        |
| <b>Parking Provisions</b>   |   |            |                              |            |
| <b>Minimum Vehicle Parking</b><br>Office – 2.4 spaces/100 m <sup>2</sup> of GFA<br>Warehouse – 0.8 spaces/100 m <sup>2</sup> of GFA for the first 5000 m <sup>2</sup> | Office: 75 m <sup>2</sup> GFA = 1.8 spaces<br>Warehouse: 297 m <sup>2</sup> GFA = 2.3 spaces<br>Total: 4 spaces |            | Total: 4 spaces              | Yes        |
| <b>Parking Space Provisions</b>   | Minimum: 2.6m x 5.2 m   |            | 2.6 m x 5.2 m                | Yes        |
| <b>Aisle and Driveway Provisions</b>  | Driveway: 2.6 m (minimum)   |            | 4.5 m                        | Yes        |
| <b>Minimum Bicycle Parking</b><br>Office – 1 space/250 m <sup>2</sup> of GFA<br>Warehouse – 1 space/1,500 m <sup>2</sup> of GFA                                       | Office – 0 spaces<br>Warehouse – 0 spaces   |            | 0 spaces                     | Yes        |
| <b>Minimum Loading Spaces</b><br>Warehouse & Office   | 0 spaces  |            | 0 spaces                     | Yes        |



#### 4.6.3 Proposed Zoning By-law Amendment

The Zoning By-law Amendment proposes to rezone the entire property from Development Reserve (DR) to Light Industrial, Urban Exception [XXXX] (IL[XXXX]). The following amendments to the IL zone are proposed and will be captured in the urban exception:

- / **Permit a Detached Dwelling:** As outlined above, a detached dwelling is not a permitted use within the Light Industrial zone. The purpose of this amendment is technical in nature and seeks to formalize a legal non-conforming use, while also permitting the new building that is associated with a contractor's business. From historical photos it is clear that the residential dwelling has existed on the property since at least 1958, which pre-dates any City of Ottawa Zoning By-law. The proposed use, although not typically located in a light industrial zone and in proximity to an operating waste disposal site, is appropriate as it is located closest to the Navan Road frontage on the portion of the property located furthest away from the operating portion of the waste disposal site.
- / **Minimum Interior Side Yard:** The zoning provisions of the Light Industrial zone require a minimum 7.5 metre interior side yard setback from the east and west property lines; however, the proposed development requires relief of 6.64 metres to permit a side yard setback of 0.86 metres from the west property line. The subject property immediately abuts the buffer area of an operating waste disposal site, which does not permit any uses other than a buffer area and ancillary uses to the abutting solid waste disposal facility. Taking into consideration the limited permitted uses on the abutting property, the existing setback requirements on the abutting property and the existing landscaped buffer, the reduced interior side yard setback is appropriate and is not anticipated to impact development on adjacent lands.
- / **Minimum Rear Yard Setback:** The zoning provisions of the Light Industrial zone require a minimum 7.5 metre rear yard setback from the south property line; however, the proposed development requires relief of 2.41 metres to permit a rear yard setback of 5.09 metres. Similar to the interior side yard setback relief, the subject property immediately abuts the buffer area of an operating waste disposal site, which does not permit any uses other than a buffer area and ancillary uses to the abutting solid waste disposal facility. Taking into consideration the limited permitted uses on the abutting property, and the existing landscaped buffer, the reduced rear yard setback is appropriate.

## 5.0 Supporting Studies

### 5.1 Geotechnical Investigation, prepared by LRL Engineering, dated November 2022

LRL Engineering prepared the Geotechnical Investigation for the new garage and office space. The purpose of the investigation was to identify the subsurface conditions across the site by the completion of some test pits. The report provides the following geotechnical considerations:

- / Concrete slab-on-grade should rest over compacted, free draining and well graded structural fill only, consisting of Granular A, or clear stone.
- / The estimated total settlement of the shallow foundations, designed using the recommended serviceability limit state capacity value, as well as other recommendations given above, will be less than 25mm.
- / The site can be classified for Seismic Site Response Site Class E.
- / The existing surficial overburden soil consists mostly of a sand material. Any imported material shall conform to PSS 1010 gradation requirements.
- / All excavated materials to be reused shall be stockpiled in a manner that will prevent any significant changes in their moisture content, especially during wet conditions.
- / The engagement of the services of the geotechnical consultant during construction is recommended to confirm that the subsurface conditions throughout the proposed site do not materially differ from those given in the report, and that the construction activities do not adversely affect the intent of the design.
- / All footing areas and any structural fill areas for the proposed residence should be inspected by LRL to ensure that a suitable subgrade has been reached and properly prepared. The placing and compaction of any granular materials beneath the foundations and slab-on-grade should be inspected to ensure that the materials used conform to the grading and compaction specifications.

### 5.2 Terrain Analysis, prepared by Jp2g Consultants Inc., dated December 13, 2022

Jp2g Consultants Inc. prepared the Terrain Analysis for the newly installed septic system on the property located at 3330 Navan Road. The object of the study was to ensure that the newly installed septic system will not impair groundwater resources in the area. The following summarizes the analysis:

- / The newly installed septic system with design flows of 4,000 L/day has a loading area of approximately 400 m<sup>2</sup>. It is anticipated that actual flows will be in the range of 500 L/day based on 3 full time employees.
- / An existing septic system is servicing the residence in the north portion of the site, and is likely designed in the range of 1100 L/day.
- / The groundwater receiver for the sewage effluent is the sand layer.
- / It is reasonable to conclude that the septic system effluent is hydrogeologically isolated from the bedrock aquifer and will therefore not impact groundwater resources in the area.

## 6.0 Conclusions

It is our professional opinion that the proposed Zoning By-law Amendment application to permit the new building that is associated with a contractor's business on the subject property constitutes good planning and is in the public interest. As outlined in the preceding sections:

- / The development is consistent with the Provincial Policy Statement (2020), contributing to a healthy, liveable and safe community by promoting an efficient development pattern that is consistent with the surrounding land uses. Additionally, the development contributes to a mix of uses on the property and within the area, using the existing infrastructure and public services that already exist.
- / The development conforms to the Suburban Transect and Neighbourhood designation policies of the Official Plan, as it is a low-rise, small-scale, non-residential use that is compatible with the surrounding land uses.
- / The development conforms to the Drinking Water, Wastewater and Stormwater Infrastructure policies of the Official Plan by maintaining an existing partially serviced property. The development will be serviced with municipal water and a new private septic system.
- / The development conforms to the Official Plan policies as they relate to waste disposal sites, as it is located further than 30 metres from the boundary of the licensed operating area of the landfill.
- / The proposed uses meet the intent of the East Urban Community (Phase 1 and 2) Community Design Plan, as the property is envisioned for mixed-use development.
- / The development is consistent with the direction of the Ministry of Environment's D-4 Series Guideline as it relates to land uses on or near landfills and dumps.
- / The proposed Zoning By-law Amendment would apply a Light Industrial zone with a site-specific exception (IL[XXXX]) to the entirety of the property. The site-specific exception would permit a detached dwelling within the Light Industrial zone and permit reduced interior side yard and rear yard setbacks.
- / The development and application are supported by a range of technical plans and studies.

Sincerely,



Patricia Warren, M.Pl.  
Planner



Jacob Bolduc, MCIP RPP  
Associate