



PLANNING RATIONALE

MINOR ZONING BY-LAW AMENDMENT FOR PROPOSED STORAGE YARD

1380 Howie Road

Project No.	KC22006
Issue Date:	November 2025
Prepared For:	Thomas & Lois Carroll 1380 Howie Road Carp, Ontario K0A 1L0
Prepared By:	Keeper Co. 130 Kings Creek Road Ashton, Ontario K0A 1B0

1.0 OVERVIEW

This Planning Rationale is submitted in support of an application for a minor zoning by-law amendment for land known municipally as 1380 Howie Road (the “subject land”). The purpose of the proposed application, submitted on behalf of Thomas & Lois Carroll, is to permit the northwest portion of the subject land to be used as a storage yard.

A preconsultation meeting was held with the City of Ottawa in October 2024 to identify the reports and plans required in support of this application. Subsequent meetings and discussions were held with City of Ottawa staff to further discuss and clarify the scope of the identified requirements. The following items were identified by the City of Ottawa as complete application submission requirements for this application for a Zoning By-law Amendment:

- Plan of Survey
- Concept Plan
- Phase 1 and 2 Environmental Site Assessment (Consultant Letter)
- Archaeological Assessment
- Mineral Aggregate Impact Assessment Study (Consultant Letter)
- Planning Rationale
- Public Consultation Strategy
- Zoning Confirmation Report

This Planning Rationale will address the appropriateness of the proposed development in the context of the existing planning policy and regulatory framework and will demonstrate that the proposed development is appropriate for the subject land.

2.0 SUBJECT LAND & SITE CONTEXT

The subject land is located on the east side of Howie Road, south of March Road, and north of Peskett Road in Ward 5, West Carleton-March of the City of Ottawa, as illustrated on Figure 1: Location of Subject Land. The subject land is comprised of a single parcel of land identified by Property Identification Number 04539-0011 and is described legally as Part of Lot 13, Concession 7, Geographic Township of Huntley in the City of Ottawa.



Figure 1: Location of Subject Land (Aerial Source: GeoOttawa)

The subject land has an area of approximately 79 hectares with frontage of 611.76 metres on Howie Road, a designated existing rural collector road. The subject land is currently developed with a single detached dwelling with a detached garage. A portion of the subject land, the land that is subject to this application, is used as a storage yard. The rear portion of the subject land is vegetated with cleared areas, with portions forming part of the Scott Wetland Complex. The rear of the property abuts an unopened road allowance extending from Bearhill Road. The land beyond the unopened road allowance is owned by the owner of the subject land.

The subject land is in a rural area. Northwest of the subject land is the Mississippi Mills Howie Road Recycling & Waste Depot (former Almonte Landfill) and rural residential uses. To the northeast is a licensed Class A Pit operated by T.G. Carroll Cartage Ltd. To the southwest is the Leonard Killeen Pit, a licensed Class B Pit operated by Thomas Cavanagh Construction Limited. To the southeast of the subject land are several vacant lots with rural residential uses beyond. Please see Figure 2:

Surrounding Land Uses for additional details pertaining to the land uses in the vicinity of the subject land.



Figure 2: Surrounding Land Uses (Aerial Source: GeoOttawa)

Below is a view of the existing detached dwelling, located at the southern corner of the subject land, from Howie Road.



Figure 3: View of Subject Land from Howie Road (Existing Dwelling)

Below are site visit photos of the portion of the subject land that is the subject of this application, which is currently used as a storage yard.



Figure 4: View North on Howie Road of Existing Entrance to Storage Yard



Figure 5: View North on Howie Road of Recently Planted Landscape Screening



Figure 6: View South on Howie Road of Recently Planted Landscape Screening



Figure 7: View From Howie Road of Equipment in Storage Yard

3.0 PROPOSAL

The proposal includes a minor zoning by-law amendment to permit a portion of the subject land to be used as a storage yard. The proposal also includes the removal of the minimum parking requirement for the storage yard.

The owners of the property previously applied for consent to sever two new lots from the subject land. The purpose of one application was to sever a new residential lot at the northeast area of the subject land, and the purpose of the second was to sever the existing residential detached dwelling at the southwest area of the subject land. During the review of the consent applications, it was determined that the existing storage yard on the retained land is not permitted. The planning report, dated October 26, 2023 (Appendix 1) included the following note about the retained land:

The retained lands of the site contain undeveloped lands that contain sand, aggregate and fill stockpile areas, heavy equipment storage areas and vacant land comprised of treed and wetland areas. The RU Zone does not permit industrial uses such as storage yards. The applicant must demonstrate that the retained lands are zoning compliant and are developable for the existing designation and zoning. A condition has been requested to ensure that the retained lands meet the City's Official Plan and Zoning By-law requirements.

Provisional consent was granted in November 2023 for both severances. The original decision, dated November 24, 2023 (Appendix 2) included the following condition:

- 1. That the Owner(s) demonstrate that the uses on the retained lands meet the Zoning By-law to the satisfaction of the Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate.***

OR

- 2. That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate, to be confirmed in writing from the Department to the Committee, to rezone the retained lands to permit the existing uses.***

A formal preconsultation meeting was held with City staff in October 2024 to discuss the proposed rezoning. Subsequent meetings, discussions, and correspondence occurred relating to the details of the proposed rezoning, the appropriateness of same, and suitable options for the new zoning to be established. A major request to change the conditions of provisional consent to better reflect the scope of the required zoning by-law amendment, and to extend the timeline within which such a

condition must be fulfilled, was submitted to the Committee of Adjustment in April 2025. The request was granted in May 2025 (Appendix 3) and the condition noted above was changed to:

That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate, to be confirmed in writing from the Department to the Committee, to rezone the approximately 37 acre (150,000 square metres) northwest portion of the retained lands to Rural General Industrial with a Rural Exception to permit a storage Yard.

Field work and investigations have been completed, and a new Plan of Survey was prepared in support of this application, and it is requested to amend the zoning by-law to permit a storage yard on a +/-159,000 square metres portion of the subject land, and to remove the minimum parking requirement for same.

It is proposed to facilitate this by rezoning the relevant portion of the subject land from Rural Countryside (RU) to Rural General Industrial (RG) with a rural exception that will limit the permitted uses to a storage yard and require zero (0) parking spaces. See Figure 8: Extract from Concept Plan for an illustration of the proposal.

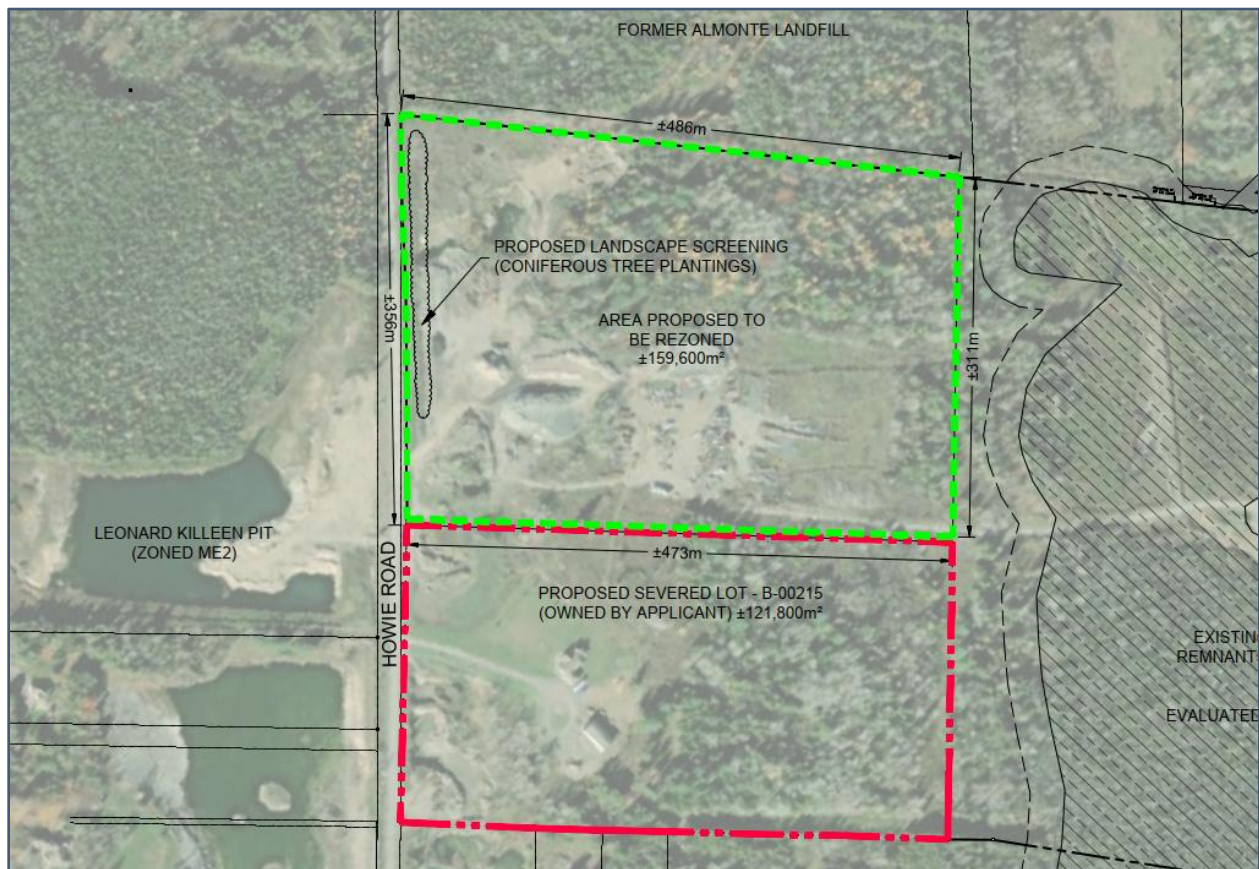


Figure 8: Extract from Concept Plan

4.0 PLANNING POLICY & REGULATORY FRAMEWORK

This section discusses the conformity to and compliance with applicable policies and regulations.

4.1 PROVINCIAL POLICY STATEMENT, 2024

The 2024 Provincial Policy Statement (the “PPS”) provides policy direction on land use planning matters of provincial interest and includes policies that guide development in rural areas.

At section 2.1, subsection 6, the PPS notes that complete communities are achieved by accommodating an appropriate range and mix of land uses, including employment uses. The proposed rezoning will introduce a new type of employment/light industrial use to the subject land, in addition to those already permitted.

At section 2.5 of the PPS, it is noted that for rural areas to be healthy, integrated, and viable, it is important to promote diversification of the economic base and employment opportunities, while respecting the rural character. The subject land is located in the rural area and is uniquely situated near active mineral extraction operations, the site of a former landfill that is now operating as a recycling depot for a neighbouring municipality, and mineral resource areas, with other traditional rural countryside uses such as rural residential uses located beyond. Due to the existing surrounding land uses, the subject land provides an opportunity for a use such as a storage yard given no negative impacts are anticipated on the adjacent land uses.

At section 2.6, the PPS speaks to the development of rural lands, indicating that development that can be sustained by rural service levels should be promoted and that development must be appropriate to the available infrastructure. No new private individual on-site wells and septic systems are proposed or required for the storage yard.

At section 4.1 the PPS outlines objectives relating to the wise use and management of resources relating to natural heritage features. The area of the subject land that is proposed to be rezoned is located away from the notable natural heritage features, and completely outside of the regulated area adjacent to the evaluated wetland and watercourses. Almost the entirety of the subject land was previously licensed as a Class A pit, with the license being surrendered in 1994, and as a result is heavily disturbed. No negative impacts are anticipated.

At section 4.6 the PPS outlines objectives relating to the wise use and management of resources relating to cultural heritage and archaeological resources. A Stage 1 & Stage 2 Archaeological Assessment has been completed, and it was concluded that no additional archaeological investigations are required.

Based on the forgoing, the proposed zoning by-law amendment to permit a storage yard is appropriate for the rural area and is therefore consistent with the 2024 Provincial Policy Statement.

4.2 CITY OF OTTAWA OFFICIAL PLAN, 2021

Development of the subject land must conform to the policies of the City of Ottawa's Official Plan, 2021, as amended (the "Official Plan"). The subject land is designated Rural Countryside per Schedule B9 – Rural Transect of the Official Plan, as illustrated on Figure 9: Extract from Schedule B9 – Rural Transect.

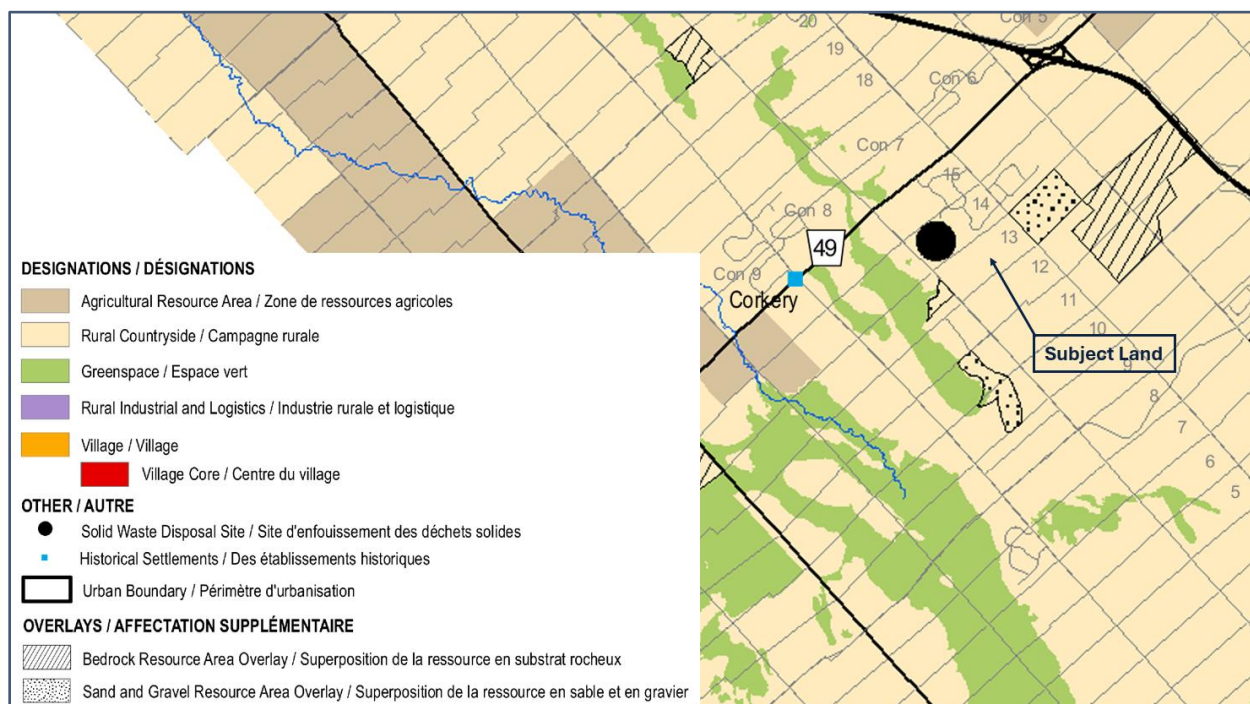


Figure 9: Extract from Schedule B9-Rural Transect

Per the extract from the Official Plan below, the intent of the Rural Countryside designation is to:

- accommodate a variety of land uses that are appropriate for a rural location, limiting the amount of residential development and support industries that serve local residents and the travelling public, while ensuring that the character of the rural area is preserved.***

The policies of the Official Plan that pertain to the Rural Countryside designation are aimed at protecting and enhancing rural character while also strengthening the rural economy. The Official Plan permits several uses in this designation, including but not limited to forestry, natural resource management activities, agriculture and agriculture-related uses, and sand & gravel pits. The characteristics of a rural storage yard, mainly the storage of materials such as sand, gravel, and landscaping material, as well as the on-site presence and storage of heavy vehicles and equipment,

are not unlike the characteristics of the referenced uses. This, combined with the presence of existing mineral extraction and waste management related uses on the lands immediately adjacent to those proposed to be rezoned and the status of such land as a former licensed pit, means the proposed rezoning to permit a storage yard will respect the existing character of this particular rural area as it is similar in nature to other permitted-and established-uses in the vicinity. Further, the proposed storage yard use is appropriate for the rural area and is not better suited to a village given the use requires a large tract of land. The existing perimeter vegetation will be largely retained, and recent plantings of coniferous trees along the Howie Road frontage provided screening from the public right-of-way and passers-by.

At Section 4.5, the Official Plan contains policies that speak to the preservation of cultural heritage resources such as archaeological resources. Portions of the subject land are identified as having potential for the discovery of archaeological resources. Accordingly, Stage 1 & Stage 2 Archaeological Assessments were completed and based on the findings, it was concluded that no additional archaeological investigations are required.

At Section 4.7 the Official Plan policies speak to the provision of adequate services for development. Municipal water and wastewater services are not available, and no new private services are proposed.

At Section 5.6.3, the Official Plan contains policies that aim to protect mineral aggregate resources from incompatible development. As illustrated in Figure 9 above, there are areas with mineral aggregate resources in proximity to the subject land. The Official Plan aims to prohibit the establishment of a conflicting land uses, which are new sensitive land uses that could interfere with mineral extract operations. The proposed storage yard is located on a former licensed pit and is not considered a conflicting land use. A Mineral Resource Impact Assessment was previously completed for the proposed severed lots on other parts of the subject land and has been reviewed and accepted by the City of Ottawa. A letter from the author of the report has been provided confirming that the proposed rezoning will not affect the outcomes, conclusions, or recommendations established in the report.

At Sections 4.8 and 4.9, the Official Plan policies speak to the protection of the City's natural environmental features and systems. The area that is subject to this application is highly disturbed and located away from the identified natural heritage features. At Section 5.6.4, the Official Plan contains policies that speak to the protection of the natural heritage system. While the subject land is subject to the Natural Heritage System Features Area Overlay and is identified as a Natural Heritage Systems Linkage Area, the area to be rezoned is heavily disturbed and situated away from the existing natural heritage features, and it was determined through the preconsultation process that an Environmental Impact Statement is not required for this aspect of the overall development.

An Environmental Impact Statement was previously completed for the proposed severed lots on other parts of the subject land and has been reviewed and accepted by the City of Ottawa. An Environmental Impact Study will be provided with the future Road Opening application.

Section 5.5 of the Official Plan speaks to the Rural Transect area generally and notes that rural businesses support economic development and recognizes that such businesses make valuable contributions to the regional economy. The policies of this section speak to a rural development pattern and require that rural development outside of villages must maintain the rural character, image, and identity. As outlined above, a storage yard is compatible with and reflects the large lot development pattern of existing adjacent uses and is similar in nature to other permitted uses of the Rural Countryside designation.

Based on the forgoing, the proposed zoning by-law amendment to permit a storage yard on the northwest portion of the subject land conforms to the policies of the 2021 Official Plan.

4.3 CITY OF OTTAWA COMPREHENSIVE ZONING BY-LAW NO. 2008-250

The subject land is zoned Rural Countryside per City of Ottawa Comprehensive Zoning By-law No. 2008-250, (the “zoning by-law”), as shown on Figure 10: Extract from GeoOttawa Zoning Map Layer.

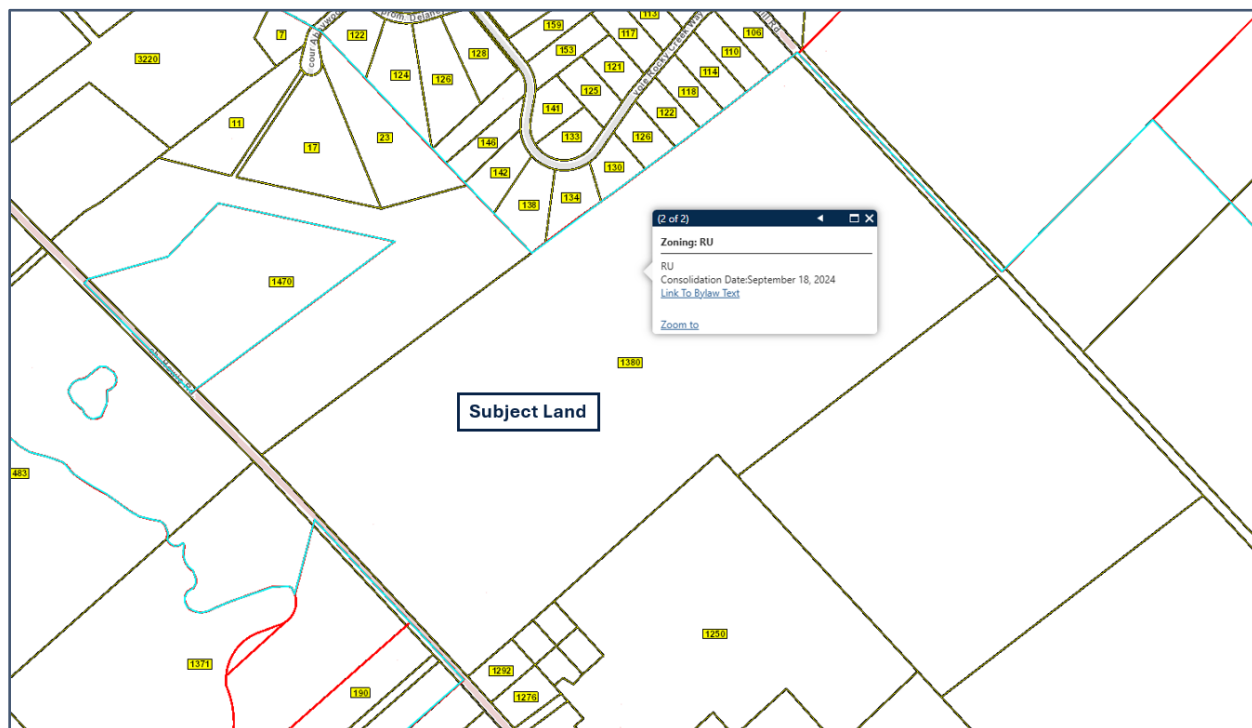


Figure 10: Extract from GeoOttawa Zoning Map

Per the extract below from section 227 of the zoning by-law, the purpose of the Rural Countryside zone is to:

- ***accommodate agricultural, forestry, country residential lots created by severance and other land uses characteristic of Ottawa’s countryside, in areas designated as General Rural Area, Rural Natural Features and Greenbelt Rural in the Official Plan;***
- ***recognize and permit this range of rural-based land uses which often have large lot or distance separation requirements; and***
- ***regulate various types of development in manners that ensure compatibility with adjacent land uses and respect the rural context.***

A storage yard is not listed as a permitted use at section 227(1)(d) of the zoning by-law, and accordingly, a minor zoning by-law amendment is required to permit same on the subject land. In addition to addressing the storage yard use, it is also proposed to amend the parking requirement for a storage yard.

4.4 PROPOSED ZONING BY-LAW AMENDMENT

It is proposed to rezone approximately 159,600 square metres of the northwest portion of the subject land from Rural Countryside to Rural General Industrial with an exception to permit those lands to be used as a storage yard only, and prohibit the other uses typically permitted on land zoned Rural General Industrial, and to remove the requirement for parking. The exception is proposed as follows:

I Exception Number	II Applicable Zones	III Exception Provisions – Additional Land Uses Permitted	IV Exception Provisions – Land Uses Prohibited	V Exception Provisions - Provisions
XXXr	RG[XXXr]	Storage Yard	All uses, including those permitted by the underlying zone, except those permitted in Column III of this exception	No parking spaces are required.

The proposed rezoning will also accommodate a rural land use that requires a larger lot size, which is not uncommon for the surrounding Rural Countryside area. There are no parking spaces at the existing storage yard, and it is proposed to remove the requirement for parking as part of the amendment. The removal of the minimum parking requirement reflects the direction of the City of Ottawa to remove minimum parking requirements, as illustrated by the general removal of parking minimums in the City’s draft new comprehensive zoning by-law. As detailed in the forgoing sections, the rezoning of the subject land to permit a storage yard is appropriate as the use will integrate well and not conflict with the existing land uses on adjacent land.

Based on the foregoing, the proposed rezoning is consistent with the 2024 Provincial Policy Statement, is in conformity with the 2021 City of Ottawa Official Plan, and will comply with Zoning By-law No. 2008-250 as it is proposed to be amended.

5.0 DRAFT INTEGRATED ENVIRONMENTAL REVIEW STATEMENT

Below is a summary of the key findings and conclusions of the various technical studies that were completed and are submitted in support of this application for a Zoning By-law Amendment.

Phase I Environmental Site Assessment

The Phase I Environmental Site Assessment identified potentially contaminating activities that resulted in the identification of Areas of Potential Environmental Concern. The Assessment concludes that due to the identified Areas of Potential Environmental Concern, a Phase II Environmental Site Assessment is recommended to investigate the potential for groundwater and soil impacts at the subject land.

Phase II Environmental Site Assessment

The Phase II Environmental Site Assessment investigated Areas of Potential Environmental Concern. The Assessment details the drilling/sampling and monitoring program that formed part of the investigation activities. The results of the soil and water samples submitted as part of the investigations indicate compliance with applicable MECP standards. The assessment concludes that no further environmental investigation is required.

Stage 1 & 2 Archaeological Assessment

The purpose of the Stage 1 assessment was to evaluate the archaeological potential of the study area and present recommendations for the mitigation of any significant known or potential archaeological resources. The Stage 1 assessment concluded that portions of the study area retained potential for pre-Contact and post-Contact archaeological resources. The purpose of the Stage 2 assessment was to determine whether the subject land contained archaeological resources requiring further assessment. An assessment was conducted by means of a shovel test pit survey at 5 metre intervals across all parts of the study area determined to retain archaeological potential. No archaeological resources were recovered during the survey. The Stage 2 assessment concluded that no further archaeological assessment of the study area is required. The Stage 1 and Stage 2 Archaeological Assessment will be entered into the Ontario Public Register of Archaeological Reports.

6.0 PUBLIC CONSULTATION STRATEGY

It is expected that notice of the proposed application will be given via the posting of a traditional City of Ottawa notice of application sign on the subject land, as well as by the provision of written notice to all property owners within 120 metres of the subject land. It is understood that all information and material provided in support of this application will be made available to the public via the City's Development Application Search Tool. In addition, it is understood that a Statutory Public Meeting will be held at a regularly scheduled meeting of the City of Ottawa's Agriculture and Rural Affairs Committee. We would be happy to participate in a community information session should same be requested by the City of Ottawa or the ward Councillor.

7.0 CONCLUSION

The proposal will permit a new rural land use, one that generally requires a large lot size and is better suited to areas outside of the villages, in an appropriate location in the City's rural area. The existing uses on the adjacent lands to the north and west are compatible with a storage yard. There is a separation of more than 175 metres from the land to be rezoned to the rear of the rural residential lots to the northeast. The intervening land is vegetated and will remain zoned Rural Countryside. The retention of the perimeter vegetation and the recent introduction of landscape plantings along Howie Road will offer a buffer between the surrounding land uses and the storage yard.

The proposed rezoning to permit a storage yard on a portion of the subject land is consistent with the Provincial Policy Statement and conforms to the policies of the City of Ottawa Official Plan, 2021. I respectfully opine that the proposed development is an appropriate use of the subject land and represents good planning.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'B. Alchawa', with a stylized flourish at the end.

Bridgette Alchawa, MCIP, RPP
Land Use Planner

APPENDIX 1

2023-11-09

City of Ottawa | Ville d'Ottawa
Comité de dérogation



**CONSENT APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 3**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address:	1380 Howie Road
Legal Description:	Lot 13, Concession 7, Former Geographic Township of West Carleton
File No.:	D08-01-23/B-00214 and D08-01-23/B-00215
Report Date:	October 26, 2023
Hearing Date:	October 31, 2023
Planner:	Luke Teeft
Official Plan Designation:	Rural Countryside
Zoning:	RU – Rural Countryside Zone

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **requests an adjournment of** the applications.

DISCUSSION AND RATIONALE

Section 53 (12) of the *Planning Act*, R.S.O. 1990, c .P.13, as amended, permits the criteria for the subdivision of land listed in Section 51 (24) to be considered when determining whether provisional consent may be granted by a committee of adjustment. With respect to the criteria listed in Section 51 (24), staff have concerns with the proposed consent.

The application was previously heard on October 3, and 31, 2023 and was adjourned to allow the applicant to revise their submission and for staff to review the submitted studies and reports.

Comments for Both Severances

The subject site is designated as Rural Countryside and zoned as RU – Rural Countryside Zone. The site is adjacent to several sites designated as Sand and Gravel Resource Areas. The site is covered with the Natural Heritage System (NHS) Linkage overlay, and contains watercourses, unevaluated wetlands, and forested area designated with the Natural Heritage Features Overlay. The applicant is proposing to sever two new lots from the existing parcel.

Section 9.2.3 Policy 3 of the Official Plan outlines the requirements for severances in the rural area. The proposed severed and retained lots meet the size requirements for severances in Section 9.2.3 Policy 3.

The site is fully covered by the NHS Linkage overlay. Development in this area must

maintain or enhance the integrity, biodiversity and ecosystem services of the area; and, not compromise the potential for long- term enhancement and restoration of the ecological integrity, biodiversity and ecosystem services of the area

as per Section 5.6.4.1, Policy 1(a). The site is also covered by mature forest and identified in the Natural Heritage Features overlay. The applicant prepared and submitted an Environmental Impact Study to address the natural features on site. This has been reviewed and approved by city staff, with the report recommendations to be registered on title.

Staff also requested a Phase 1 ESA due to the presence of a former landfill at 1470 Howie Road. This has been submitted and reviewed by staff, and the report recommends that a Phase 2 ESA be submitted. Staff are waiting for the Phase 2 ESA to be evaluated before proceeding with the application, as the report may contain findings that impact the proposed severances and ability for the lots to be developed.

A geotechnical investigation was requested by staff due to potential karst topography and thin soils. The study has been submitted and reviewed by staff, though there are still some concerns with the report. A condition has been requested that a revised report which meets the requirements of the City be submitted.

A noise study was requested by staff due to the proximity of a licensed aggregate pit. The study has been submitted and reviewed by staff, though there are still some minor concerns with the report. A condition has been requested that a revised report which meets the requirements of the City be submitted.

Severance 1

The parcel identified as Proposed Severance 1 is at the northern corner of the lot, at the end of Bearhill Road. The proposed lot does not currently have any frontage on an open and maintained public road.

Section 9.2.3 Policy 3(d) states that the lot must have frontage on a public road. As the lot does not currently have frontage, the applicant must construct the road to City standards, to match the existing right-of-way. A condition has been included that the applicant design and construct the extension, to City standards. The road must be complete within the 2-year period allowed for completion of conditions.

The proposed lot is adjacent to an active sand and gravel pit at 1300 Bearhill Road. The applicant has completed a Mineral Resource Impact Assessment (MRIA) and Noise Study to address the adjacent pit. Staff have not yet had the opportunity to fully review the studies, so conditions have been requested that the studies meet the City's requirements. The ME2 Zone requires a setback of 150 metres to a residential building. The proposed

lot is 191 metres, allowing for a residential building to be built outside of the required setback.

Proposed Severance 2

The parcel identified as Proposed Severance 2 contains an existing dwelling and accessory buildings. It is adjacent to a sand and gravel pit at 1371 Howie Road. As severances are considered development for the purpose of Official Plan policies, this new lot must also adhere to the policies relating to sand and gravel pits, and thus the Noise Study and MRIA were to consider the effects at both new lots. The reports have been submitted and reviewed by city staff, though there are still concerns with both reports.

Retained Lands

The retained lands of the site contain undeveloped lands that contain sand, aggregate and fill stockpile areas, heavy equipment storage areas and vacant land comprised of treed and wetland areas. The RU Zone does not permit industrial uses such as storage yards. The applicant must demonstrate that the retained lands are zoning compliant and are developable for the existing designation and zoning. A condition has been requested to ensure that the retained lands meet the City's Official Plan and Zoning By-law requirements.

In summary, staff's request for an adjournment is due to the need for a Phase 2 ESA and MRIA to be submitted to the satisfaction of city staff.

CONDITIONS

If approved, the Planning, Real Estate and Economic Development Department requests that the Committee of Adjustment impose the following conditions on the applications:

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
2. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

"The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner."

The Committee requires a copy of the Agreement and written confirmation from City

Legal Services that it has been registered on title.

3. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way along Howie Road, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's new Official Plan. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written confirmation from City Legal Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.
4. That the Owners provide a Mineral Resource Impact Assessment report, to the satisfaction of the **Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate**, demonstrating that the existing mineral aggregate operation, and potential future expansion of the operation in depth or extent, will not be affected by the development. The report must include a review of the impact of the development upon the current mineral extraction or future expansion. The report shall be prepared in accordance with the Province of Ontario's Aggregate Resource Policies and Procedures and the City of Ottawa Official Plan.
5. The Owner(s) shall prepare a Noise Attenuation Study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of Select Manager of the **Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate**. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.
6. That the Owner(s) submit a Phase 2 Environmental Site Assessment prepared by a qualified person who meets the qualifications prescribed by the regulations, for approval by the **Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate**, to be confirmed in writing from the Department to the Committee, outlining the assessment of the property and determining the likelihood that one or more contaminants have affected any land or water, in or under the property.
7. That the Owner(s) provide a Geotechnical Report prepared by a Professional Civil Engineer licensed in the Province of Ontario, that is satisfactory to both

Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate and to the **Mississippi Valley Conservation Authority** to be confirmed in writing from the PREDD and the Authority to the Committee, demonstrating the following:

- (a) That all parcels to be created by this application are or can be made suitable for residential purposes (slope stability, erosion protection, and building limits adjacent to slopes);
- (b) That there are no adverse environmental impacts.

The Geotechnical Report shall, as a minimum, determine the limit of organic soils and karst topography present on the severed and retained parcels and provide recommendations for construction methods based on the soil types encountered.

8. That the Owner(s) provide a report, to the satisfaction of the City of Ottawa, demonstrating the adequacy of the aquifer with respect to quality and quantity to support the proposed development, failing which the Owners construct a new well on the severed lot and provide a report, to the satisfaction of the City of Ottawa, to demonstrate the adequacy of the aquifer with respect to quality and quantity to support the proposed development. The report must include a septic impact assessment to evaluate the water quality impact of the on-site septic system on the receiving aquifer.

The Owners' report must demonstrate the following to the City of Ottawa:

- That the construction of any new well on the severed parcel is in accordance with the Ministry of the Environment, Conservation and Parks
- That the quality of the water meets the Ministry of the Environment, Conservation and Parks Regulations, Standards, Guidelines and Objectives;
- That the quantity of water meets all the Ministry of the Environment, Conservation and Parks requirements.
- That the septic impact assessment meets the Ministry of the Environment, Conservation and Parks requirements.

A qualified Professional Engineer or Professional Geoscientist must prepare the report. It is the Owner's responsibility to coordinate the person drilling a new well, if required, and the professional noted herein in order to properly satisfy this condition.

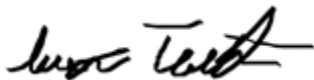
If the accepted report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the property, which includes those recommendations. In instances where the subject site has sensitive soils, the drilling of a well or the conveyance of a 30-centimetre reserve may be required. Both the report and any required Development Agreement shall be prepared to the satisfaction of **Development Review Manager of the Rural**

Branch within Planning, Real Estate and Economic Development Department, or their designate.

9. That the Owner(s) enter into an Agreement with the City, to the satisfaction of the **Development Review Manager of the relevant Branch within Planning, Real Estate and Economic Development Department, or his/her designate**, to be placed on title that includes the development envelopes and mitigation measures identified in the “Proposed Severances – 1380 Howie Road Environmental Impact Study” provided by Muncaster Environmental Planning Inc. and dated July 7, 2023.
10. That the Owner(s) complete a Road Opening Application, at the owner(s) expense and to the satisfaction of the **Development Review Manager of the relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate**, to extend Bearhill Road in accordance with the approved applications and such that the severed lot at the northern corner of the parcel is zoning compliant. The road must be constructed to a point that an in-service memo has been issued by the City and that each severed and retained lot can obtain a private approach permit before this condition can be cleared.
11. That the Owner(s) demonstrate that the uses on the retained lands meet the Zoning By-law to the satisfaction of the **Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate**.

OR

That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the **Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate**, to be confirmed in writing from the Department to the Committee, to rezone the retained lands to permit the existing uses.



Luke Teeft
Planner I, Development Review, Rural
Planning, Real Estate and Economic
Development Department



Cheryl McWilliams
Planner III, Development Review, Rural
Planning, Real Estate and Economic
Development Department

APPENDIX 2

DECISION CONSENT/SEVERANCE

Date of Decision November 24, 2023
Panel: 3 - Rural
File No(s): D08-01-23/B-00214 and B-00215
Application: Consent under Section 53 of the *Planning Act*
Owner(s)/Applicant(s): Thomas and Lois Carroll
Property Address: 1380 Howie Road
Ward: 5 – West Carleton – March
Legal Description: Lot 13, Concession 7, former Geographic Township of West Carleton
Zoning: RU
Zoning By-law: 2008-250
Hearing Date: November 14, 2023, in person and by videoconference

APPLICANTS' PROPOSAL AND PURPOSE OF THE APPLICATIONS

- [1] The Owners want to subdivide their property into three separate parcels of land to create two new lots for future residential development. The existing dwelling will remain on the third parcel.

CONSENT IS REQUIRED FOR THE FOLLOWING

- [2] The Owners require the Committee's consent to sever the land. The property is shown on a Sketch filed with the applications and the separate parcels will be as follows:

File No.	Frontage	Depth	Area	Municipal Address
B-00214	107 metres	191 metres	20,328 sq. m	1285 Bearhill Road (vacant parcel)
B-00215	257 metres	473.1 metres	121,561 sq. m	1380 Howie Road (existing dwelling)

The land to be retained, shown on said Sketch, will have a frontage of 353.5 metres on Howie Road, an irregular depth and a lot area of 653,213 square metres. This parcel is vacant and will be known municipally as 1425 Howie Road.

PUBLIC HEARING

- [3] At the request of the City, and with the agreement of the Applicants, the hearing of these applications was adjourned on October 3 and October 31, 2023, to allow the Applicants additional time to submit an Environmental Impact Study, a Phase 1 Environmental Site Assessment, a geotechnical investigation, a noise study, and a Mineral Resource Impact Assessment, and for City staff to complete its review of the required studies and reports.

Oral Submissions Summary

- [4] Prior to the scheduled hearing on November 14, 2023, the Committee received a request from the City for a further adjournment to allow the City to review the Mineral Resource Impact Assessment and for the Applicants to submit a Phase 2 Environmental Site Assessment.
- [5] City Planner Luke Teeft explained that the conclusions of those reports could determine the viability of the lots to support development.
- [6] Tracy Zander, Agent for the Applicants, confirmed that a Phase 2 Environmental Site Assessment was being prepared and a Mineral Resource Impact Assessment had been filed and was currently under review. She highlighted that any outstanding concerns could be appropriately addressed through the conditions requested by the City.
- [7] The Committee also heard from the Applicants, Thomas, and Lois Carroll.
- [8] The Committee agreed to hear the applications without delay.
- [9] Ms. Zander provided a brief overview of the applications. In response to a question from the Committee, Ms. Zander noted that the creation of the new lot on Bearhill Road will not affect future mineral extraction on the lands to the north, as there is no remaining material close to that lot and clarified that the Applicants also own the mineral resource lands.

DECISION AND REASONS OF THE COMMITTEE: APPLICATIONS GRANTED

Applications Must Satisfy Statutory Tests

- [10] Under the *Planning Act*, the Committee has the power to grant a consent if it is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. Also, the Committee must be satisfied that an application is consistent with the Provincial Policy Statement and has regard for matters of provincial interest under section 2 of the Act, as well as the following criteria set out in subsection 51(24):

Criteria

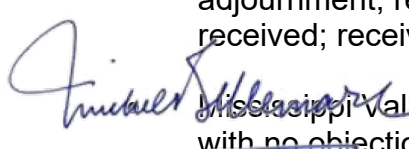
(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- b) whether the proposed subdivision is premature or in the public interest;
- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- d) the suitability of the land for the purposes for which it is to be subdivided;
 - d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- f) the dimensions and shapes of the proposed lots;
- g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- h) conservation of natural resources and flood control;
- i) the adequacy of utilities and municipal services;
- j) the adequacy of school sites;
- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area

designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

Evidence

[11] Evidence considered by the Committee included all oral submissions made at the hearing, as highlighted above, and the following written submissions held on file with the Secretary-Treasurer and available from the Committee Coordinator upon request:

- Applications and supporting documents, including a planning rationale, plans, Environmental Impact Study, Phase 1 Environmental Site Assessment, Preliminary Geotechnical Investigation, Hydrogeological and Terrain Analysis report, Environmental Noise Control Study, photos of the posted sign, and a sign posting declaration.
- City Planning Report received November 9, 2023, requesting an adjournment; received October 26, 2023, requesting an adjournment; received; received September 29, 2023, requesting an adjournment.
-  Mississippi Valley Conservation Authority report received October 20, 2023, with no objection; received September 26, 2023, with no objection.
- Hydro One email received November 14, 2023, with no concerns; received October 25, 2023, with no concerns; received September 29, 2023, with no concerns.
- Ministry of Transportation email received September 21, 2023, with no comments.

Effect of Submissions on Decision

[12] The Committee considered all written and oral submissions relating to the application in making its decision and granted the applications.

[13] The Committee notes that the City's Planning Report raises "concerns" regarding the applications but finds that these concerns can be adequately addressed through the requested conditions of provisional consent, which will require all necessary reports to be completed to the City's satisfaction.

[14] Based on the evidence, the Committee is satisfied that the proposal is consistent with the Provincial Policy Statement that promotes efficient land use and development as well as intensification and redevelopment within built-up areas, based on local conditions. The Committee is also satisfied that the proposal has adequate regard to matters of provincial interest, including the orderly development of safe and healthy communities; the appropriate location of growth and development; and the protection of public health and safety.

Additionally, the Committee is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. Moreover, the Committee is satisfied that the proposal has adequate regard for the criteria specified under subsection 51(24) of the *Planning Act* and is in the public interest.

[15] THE COMMITTEE OF ADJUSTMENT therefore grants the provisional consent, subject to the following conditions, **which must be fulfilled within a two-year period from the date of this Decision:**

1. That the Owner(s) provide evidence that payment has been made to the City of Ottawa for cash-in-lieu of the conveyance of land for park or other public recreational purposes, plus applicable appraisal costs. The value of land otherwise required to be conveyed shall be determined by the City of Ottawa in accordance with the provisions of By-Law No. 2022-280, as amended. Information regarding the appraisal process can be obtained by contacting the Planner.
2. That the Owner enter into an Agreement with the City, at the expense of the Owner(s) and to the satisfaction of Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate, which provides the following covenant/notice that runs with the land and binds future Owner(s) on subsequent transfers:

“The City of Ottawa does not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa bears no responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.”

The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.

3. That the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands, measuring 13 meters from the existing centerline of pavement/the abutting right-of-way along Howie Road, pursuant to Section 50.1(25)(c) of the Planning Act and Schedule C16 of the City's new Official Plan. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner(s) must provide to the City Surveyor a copy of the Committee of Adjustment Decision and a draft Reference Plan that sets out the required widening. The Committee requires written confirmation from City Legal

Services that the transfer of the widening to the City has been registered. All costs shall be borne by the Owner.

4. That the Owners provide a Mineral Resource Impact Assessment report, to the satisfaction of the **Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate**, demonstrating that the existing mineral aggregate operation, and potential future expansion of the operation in depth or extent, will not be affected by the development. The report must include a review of the impact of the development upon the current mineral extraction or future expansion. The report shall be prepared in accordance with the Province of Ontario's Aggregate Resource Policies and Procedures and the City of Ottawa Official Plan.
5. The Owner(s) shall prepare a Noise Attenuation Study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of Select Manager of the **Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate**. The Owner(s) shall enter into an agreement with the City that requires the Owner to implement any noise control attenuation measures recommended in the approved study. The Committee requires a copy of the Agreement and written confirmation from City Legal Services that it has been registered on title.
6. That the Owner(s) submit a Phase 2 Environmental Site Assessment prepared by a qualified person who meets the qualifications prescribed by the regulations, for approval by the **Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate**, to be confirmed in writing from the Department to the Committee, outlining the assessment of the property and determining the likelihood that one or more contaminants have affected any land or water, in or under the property.
7. That the Owner(s) provide a Geotechnical Report prepared by a Professional Civil Engineer licensed in the Province of Ontario, that is satisfactory to both **Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate and to the Mississippi Valley Conservation Authority** to be confirmed in writing from the PREDD and the Authority to the Committee, demonstrating the following:
 - a. That all parcels to be created by this application are or can be made suitable for residential purposes (slope stability, erosion protection, and building limits adjacent to slopes);
 - b. That there are no adverse environmental impacts

The Geotechnical Report shall, as a minimum, determine the limit of organic soils and karst topography present on the severed and retained parcels and provide recommendations for construction methods based on the soil types encountered.

8. That the Owner(s) provide a report, to the satisfaction of the City of Ottawa, demonstrating the adequacy of the aquifer with respect to quality and quantity to support the proposed development, failing which the Owners construct a new well on the severed lot and provide a report, to the satisfaction of the City of Ottawa, to demonstrate the adequacy of the aquifer with respect to quality and quantity to support the proposed development. The report must include a septic impact assessment to evaluate the water quality impact of the on-site septic system on the receiving aquifer.

The Owners' report must demonstrate the following to the City of Ottawa:

- That the construction of any new well on the severed parcel is in accordance with the Ministry of the Environment, Conservation and Parks
- That the quality of the water meets the Ministry of the Environment, Conservation and Parks Regulations, Standards, Guidelines and Objectives;
- That the quantity of the water meets all the Ministry of the Environment Conservation and Parks requirements.
- That the septic impact assessment meets the Ministry of the Environment, Conservation and Parks requirements.

A qualified Professional Engineer or Professional Geoscientist must prepare the report. It is the Owner's responsibility to coordinate the person drilling a new well, if required, and the professional noted herein in order to properly satisfy this condition.

If the accepted report recommends specific mitigation measures or design requirements, the Owners shall enter into a Development Agreement with the City, at the expense of the Owners, which is to be registered on the title of the property, which includes those recommendations. In instances where the subject site has sensitive soils, the drilling of a well or the conveyance of a 30-centimetre reserve may be required. Both the report and any required Development Agreement shall be prepared to the satisfaction **of Development Review Manager of the Rural Branch within Planning, Real Estate and Economic Development Department, or their designate.**

9. That the Owner(s) enter into an Agreement with the City, to the satisfaction of the **Development Review Manager of the relevant Branch within Planning,**

Real Estate and Economic Development Department, or his/her designate, to be placed on title that includes the development envelopes and mitigation measures identified in the “Proposed Severances – 1380 Howie Road Environmental Impact Study” provided by Muncaster Environmental Planning Inc. and dated July 7, 2023. That the Owner(s) file with the Committee a copy of the registered Reference Plan prepared by an Ontario Land Surveyor registered in the Province of Ontario, and signed by the Registrar, **confirming the frontage and area of the severed land. If the Registered Plan does not indicate the lot area, a letter from the Surveyor confirming the area is required.** The Registered Reference Plan must conform substantially to the Draft Reference Plan filed with the Application for Consent.

10. That the Owner(s) complete a Road Opening Application, at the owner(s) expense and to the satisfaction of the **Development Review Manager of the relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate,** to extend Bearhill Road in accordance with the approved applications and such that the severed lot at the northern corner of the parcel is zoning compliant. The road must be constructed to a point that an in-service memo has been issued by the City and that each severed and retained lot can obtain a private approach permit before this condition can be cleared.
11. That the Owner(s) demonstrate that the uses on the retained lands meet the Zoning By-law to the satisfaction of the Development Review Manager of the Relevant Branch within Planning, Real Estate and Economic Development Department, or their designate.

OR

That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the **Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate,** to be confirmed in writing from the Department to the Committee, to rezone the retained lands to permit the existing uses.

12. That the Owner(s) file with the Committee a copy of the registered Reference Plan prepared by an Ontario Land Surveyor registered in the Province of Ontario, and signed by the Registrar, **confirming the frontage and area of the severed land. If the Registered Plan does not indicate the lot area, a letter from the Surveyor confirming the area is required.** The Registered Reference Plan must conform substantially to the Draft Reference Plan filed with the Application for Consent.
13. That upon completion of the above conditions, and **within the two-year period outlined above,** the Owner(s) file with the Committee, the “electronic registration in preparation documents” for the Conveyances for which the Consent is required.

"William Hunter"
WILLIAM HUNTER
VICE-CHAIR

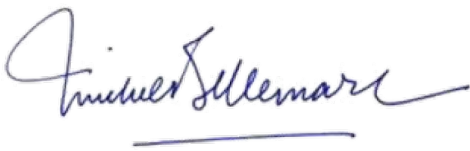
"Terence Otto"
TERENCE OTTO
MEMBER

"Beth Henderson"
BETH HENDERSON
MEMBER

"Martin Vervoort"
MARTIN VERVOORT
MEMBER

"Jocelyn Chandler"
JOCELYN CHANDLER
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **November 24, 2023**.



Michel Bellemare
Secretary-Treasurer

NOTICE OF RIGHT TO APPEAL

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form along with payment must be received by the Secretary-Treasurer of the Committee of Adjustment by **December 14, 2023**, delivered by email at cofa@ottawa.ca and/or by mail or courier to the following address:

Secretary-Treasurer, Committee of Adjustment,
101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7

The Appeal Form is available on the OLT website at <https://olt.gov.on.ca/>. The Ontario Land Tribunal has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application. Payment can be made by certified cheque or money order made payable to the Ontario Minister of Finance, or by credit card. Please indicate on the Appeal Form if you wish to pay by credit card. If you have any questions about the appeal process, please contact the Committee of Adjustment office by calling 613-580-2436 or by email at cofa@ottawa.ca.

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A “specified person” does not include an individual or a community association.

There are no provisions for the Committee of Adjustment or the Ontario Land Tribunal to extend the statutory deadline to file an appeal. If the deadline is not met, the OLT does not have the authority to hold a hearing to consider your appeal.

If a major change to condition(s) is requested, you will be entitled to receive Notice of the changes only if you have made a written request to be notified.

NOTICE TO APPLICANTS

All technical studies must be submitted to Planning, Real Estate and Economic Development Department a minimum of **40 working days** prior to lapsing date of the consent. Should a Development Agreement be required, such request should be initiated **15 working days** prior to lapsing date of the consent and should include all required documentation including the approved technical studies.

Ce document est également offert en français.

Committee of Adjustment
City of Ottawa
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
Ottawa.ca/Comitedederogation
cded@ottawa.ca
613-580-2436

APPENDIX 3

**DECISION
CHANGE OF CONDITION**

Date of Decision: May 30, 2025
Panel: 3 - Rural
File Nos.: D08-01-23/B-00214 and D08-01-23/B-00215
Application: Change of condition under section 53 of the *Planning Act*
Applicants: Thomas and Lois Carroll
Property Address: 1380 Howie Road
Ward: 5 - West Carleton-March
Legal Description: Lot 13, Concession 7, former Geographic Township of West Carleton
Zoning: RU
Zoning By-law: 2008-250
Heard: May 20, 2025, in person and by videoconference

PURPOSE OF THE REQUEST

- [1] On November 24, 2023, the Committee of Adjustment granted provisional consent for a conveyance at 1380 Howie Road.
- [2] The Applicants request that condition number 11, requiring the Applicants to demonstrate that the uses on the retained lands meet the Zoning By-law, be changed to require a Zoning By-law Amendment to rezone the approximately 37-acre (150,000 square metre) northwest portion of the retained lands to Rural General Industrial with a Rural Exception to permit a Storage Yard.

PUBLIC HEARING

Oral Submissions Summary

- [3] Brigitte Alchawa, agent for the Applicants, provided a brief overview of the requested change of condition.
- [4] City Planner Luke Teeft confirmed that he had no concerns with change of condition request.

DECISION AND REASONS OF THE COMMITTEE: REQUEST GRANTED

- [5] The Committee considered all written and oral submissions relating to the application in making its decision and granted the request.
- [6] Under subsection 53(23) of the Planning Act, the Committee has the power to change the conditions of a provisional consent at any time before a consent is given.
- [7] Based on the evidence, the Committee is satisfied that the requested condition change is reasonable and necessary.
- [8] **THE COMMITTEE OF ADJUSTMENT ORDERS** that the request is granted and condition number 11 to the decision of the Committee dated November 24, 2023, is deleted and replaced as follows:
11. That the Owner(s) obtain a Zoning By-law Amendment, satisfactory to the Development Review Manager of the Relevant Branch within Planning, Infrastructure and Economic Development Department, or their designate, to be confirmed in writing from the Department to the Committee, to rezone the approximately 37 acre (150,000 square metres) northwest portion of the retained lands to Rural General Industrial with a Rural Exception to permit a storage Yard.
- [9] The Committee also finds that this change to the conditions is not minor and is therefore giving notice of the change pursuant to subsection 53(24) of the *Planning Act*.

"Terence Otto"
TERENCE OTTO
VICE-CHAIR

"Gary Duncan"
GARY DUNCAN
MEMBER

"Beth Henderson"
BETH HENDERSON
MEMBER

"Martin Vervoort"
MARTIN VERVOORT
MEMBER

"Jocelyn Chandler"
JOCELYN CHANDLER
MEMBER

I certify this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa, dated **May 30, 2025**.

"Michel Bellemare"

MICHEL BELLEMARE
SECRETARY-TREASURER

NOTICE OF RIGHT TO APPEAL

To appeal this decision to the Ontario Land Tribunal (OLT), a completed appeal form and the filing fee must be submitted via one of the below options and must be received no later than **3:00 p.m. on June 19, 2025**.

- **OLT E-FILE SERVICE** – An appeal can be filed online through the [E-File Portal](#). First-time users will need to register for a My Ontario Account. Select [Ottawa (City): Committee of Adjustment] as the Approval Authority. To complete the appeal, fill in all the required fields and provide the filing fee by credit card.
- **BY EMAIL** - Appeal packages can be submitted by email to cofa@ottawa.ca. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). Please indicate on the appeal form that payment will be made by credit card.
- **IN PERSON** – Appeal packages can be delivered to the Secretary-Treasurer, Committee of Adjustment, 101 CentrepoinTE Drive, 4th floor, Ottawa, Ontario, K2G 5K7. The appeal form is available on the OLT website at [Forms | Ontario Land Tribunal](#). In person payment can be made by certified cheque or money order made payable to the Ontario Minister of Finance, or by credit card. Please indicate on the appeal form if you wish to pay by credit card.

Please note only one of the above options needs to be completed. If your preferred method of appeal is not available at the time of filing, the appeal must be filed with one of the other two options.

The Ontario Land Tribunal has established a filing fee of \$400.00 per type of application with an additional filing fee of \$25.00 for each secondary application.

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A "specified person" does not include an individual or a community association.

There are no provisions for the Committee of Adjustment or the Ontario Land Tribunal to extend the statutory deadline to file an appeal. If the deadline is not met, the OLT does not have the authority to hold a hearing to consider your appeal.

If you have any questions about the appeal process, please visit [File an Appeal | Ontario Land Tribunal](#)

NOTICE TO APPLICANT(S)

Should a Development Agreement be required, such request should be initiated 30 working days prior to lapsing date of the consent and should include all required documentation including that related to transfers, easements, and postponements, and all approved technical studies. If you do not fulfill the conditions of provisional consent within the two-year period, the *Planning Act* provides that your application “shall be deemed to be refused”.

Ce document est également offert en français.

Committee of Adjustment
City of Ottawa
Ottawa.ca/CommitteeofAdjustment
cofa@ottawa.ca
613-580-2436



Comité de dérogation
Ville d'Ottawa
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