



COMMITTEE OF ADJUSTMENT OF THE CITY OF OTTAWA

DECISION CHANGE OF CONDITION (Section 53 of the *Planning Act*)

File No.:	D08-01-21/B-00033
Owner(s):	Bredon Developments Inc.
Location:	2760 Stagecoach Road & (2745) Blanchfield Road
Ward:	20-Osgoode
Legal Description:	Part of Lot 22, Concession 3 Geographic Township of Osgoode
Zoning:	RU and ME2
Zoning By-law:	2008-250
Decision Issue Date:	October 29, 2021
Change of Condition Decision Date:	October 14, 2022

On **October 20, 2021**, the Committee of Adjustment granted provisional consent for a Conveyance, in which the Owner of 2760 Stagecoach Road would retain a 282,298 square metre parcel of land and sever a new 99,424 square metre parcel of land.

At its Public Hearing on **October 5, 2022**, the Committee of Adjustment considered a request from the Applicant to change Condition No. 8 of its Decision regarding the above-noted Consent Application.

PURPOSE OF THE CHANGE OF CONDITION REQUEST

The Owner requests that Condition No. 8, which would require the Owner to enter into a Development Agreement to implement specific mitigation measures recommended by a revised Mineral Resource Impact Assessment (MRIA) filed prior to hearing of the application, be modified to allow the Owner to pursue alternate solutions as may be identified by a new MRIA, to ensure appropriate protection for the mineral aggregate resource lands.

PUBLIC HEARING

Tracy Zander and Gary McLaren, Agents for the Owner, attended the hearing.

The Committee heard from Sean Harrigan, City Planner, who confirmed that the City's Planning, Real Estate and Economic Development Department has no concerns regarding the change of condition request.

DECISION AND REASONS OF THE COMMITTEE:

REQUEST GRANTED

The Committee considered any written and oral submissions relating to the request in making its Decision.

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.

Pursuant to subsection 53(26) of the *Planning Act*, the Committee is not required to give written notice under subsection (24) if, in the Committee's opinion, the change to conditions is minor.

The Committee notes that the City's Planning Report states "no concerns" regarding the request, highlighting that "it is the applicant's sole responsibility for satisfying the Official Plan and Provincial Policy Statement requirements for protection of mineral aggregate resources and if the applicant wishes to pursue other solutions to the policy requirements, they are permitted to do so. However, they must follow the policy requirements and produce a revised MRIA that clearly illustrates the proposed solution".

Based on the evidence, the Committee finds that the change of condition request is minor, reasonable, and appropriate.

The Committee therefore grants the change of condition request. Condition No. 8 now reads as follows:

8. That the Owner(s) prepares and submits a revised Mineral Resource Impact Assessment (MRIA) to satisfaction of the **Development Review Manager of the applicable branch within the Planning, Real Estate and Economic Development Department, or his/her designate**. If the accepted report recommends specific mitigation measures or other requirements, the Owner shall enter into a Development Agreement with the City, at the expense of the Owner(s) and to the satisfaction of the **Development Review Manager of the applicable branch within the Planning, Real Estate and Economic Development Department, or his/her designate**, which is to be registered on the title of the property, which includes those recommendations.

DECISION FINAL

The Committee's Decision on a minor change of condition is final and there is no right to appeal.

**DECISION SIGNATURE PAGE
PAGE DE SIGNATURE DE LA DÉCISION**

File No. / Dossier n°: D08-01-21/B-00033
Owner(s) / Propriétaire(s): Bredon Developments Inc.
Location / Emplacement: 2760 Stagecoach Road & (2745) Blanchfield Road

We, the undersigned, concur in the decision and reasons of the Committee of Adjustment.

Nous, soussignés, souscrivons à la décision et à la justification ci-devant rendues par le Comité de dérogation.

“Fabian Poulin”

FABIAN POULIN

VICE-CHAIR / VICE-PRÉSIDENT

“Terence Otto”

TERENCE OTTO

MEMBER / MEMBRE

“Steven Lewis”

STEVEN LEWIS

MEMBER / MEMBRE

“Martin Vervoort”

MARTIN VERVOORT

MEMBER / MEMBRE

“Jocelyn Chandler”

JOCELYN CHANDLER

MEMBER / MEMBRE

I certify that this is a true copy of the Decision of the Committee of Adjustment of the City of Ottawa.

Je certifie que celle-ci est une copie conforme de la décision rendue par le Comité de dérogation de la Ville d'Ottawa.



Date of Decision / Date de la décision
October 14, 2022 / 14 octobre 2022

Michel Bellemare
Secretary-Treasurer / Secrétaire-trésorier