

**DECISION
CHANGE OF CONDITION**

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| 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 <i>Planning Act</i> |
| 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.

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