



Committee of Adjustment  
FEB 03 2026  
City of Ottawa

January 27, 2026

Committee of Adjustment  
City of Ottawa  
101 CentrepoinTE Drive, 4th Floor  
Ottawa, ON  
K2G 5K7

**RE: Application for Consent (Lot Line Adjustment)**  
**4960/5034 Highway 17**  
**Part Lot 22, Concession 4**  
**Geographic Fitzroy**  
**CITY OF OTTAWA**  
**Applicant: Cavanagh Construction Ltd.**  
**Owner: Donald William Carss, Jennifer Helen Rivington**

Dear Committee of Adjustment,

Cavanagh Developments is seeking to file an application for Consent for the purpose of a Lot Line Adjustment for the property municipally shown as 4960/5034 Highway 17. Consultation with a solicitor confirmed the lands falling at 4960 Highway 17, described as PIN 04559-1904, and the lands at 5034 Highway 17, described as PIN 04559-1779, are under the same ownership and have merged on title due to there being no planning act consent. The lands to be severed are identified as Carss Pit with an ARA license# 626020 and are zoned Mineral Extraction Subzone 2 Exception 1r (ME2[1r]). The lands to be retained will be split zoned Agricultural (AG), Agricultural Subzone 2 (AG2) and Mineral Extraction Subzone 2 Exception 1r (ME2[1r]).

Thomas Cavanagh Construction Limited operates a Pit adjacent to the lands to be severed at 4958 Highway 17 under ARA license# 4107. The recipient lands are zoned Mineral Extraction Subzone 2 (ME2) and Agricultural (AG). The purpose of the Lot Line Adjustment is to sever the Carss Pit lands and add them to the Thomas Cavanagh Construction Limited Pit lands to expand the Pit operation. Additionally, two properties north of the lands to the severed contain active licenses for extraction operations.

Lands to the north of the severed lands are zoned Agricultural (AG) and Mineral Extraction Subzone 2 (ME2). Lands to the east and south are zoned Agricultural (AG) and Agricultural Subzone 2 (AG2). Lands to the west falls in the Agricultural Subzones 1 – 4.

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**SUBJECT PROPERTY AND RECIPIENT LANDS**

Upon consultation with a solicitor it was confirmed the lands at 4960 Highway 15, described as PIN 04559-1904, and the lands at 5034 Highway 17, described as PIN 04559-1779, are under the same ownership and have merged on title due to there being no planning act consent. 4960 Highway 15 is a vacant parcel of land. 5034 Highway 17 contains two dwellings and several outbuildings used for agricultural purposes. The lands to be severed are currently vacant. The recipient lands of the lot line adjustment are described as PIN 04559-0066 and contain an extraction operation. Figure 1 below shows the PIN mapping with reference to the lands to be severed. Figure 2 depicts a severance sketch prepared by Egis Canada that will be submitted with this letter.



**Figure 1 – Showing Lands to be Severed and an Addition to PIN 04559-0066**

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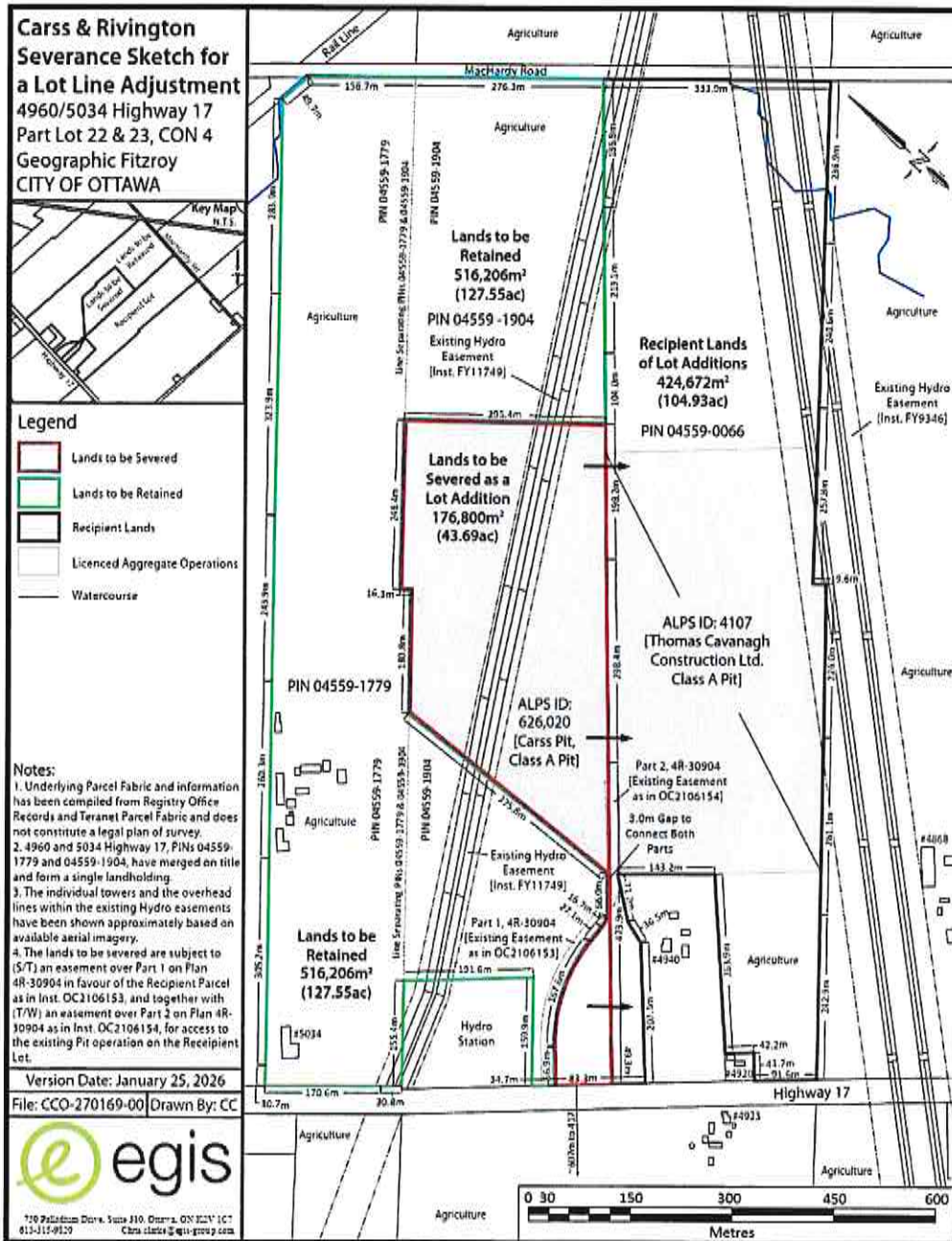


Figure 2 – Severance Sketch Depicting Consent for Lot Line Adjustment

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PIN	Owner	Legal Description	Zoning
04559 - 1904	Donald Carss, Jennifer Rivington	PART LOT 22 CONCESSION 4 FITZROY PART 1, 5R11921, SAVE AND EXCEPT PARTS 1-5 ON PLAN 4R32771; WEST CARLETON; TOGETHER WITH AN EASEMENT OVER PART 2 PLAN 4R30904 AS IN OC2106154; SUBJECT TO AN EASEMENT OVER PART 1 ON PLAN 4R-30904 IN FAVOUR OF PART OF LOT 22, CONCESSION 4 FITZROY DESIGNATED AS PART 2 PL 5R11921 AS IN OC2106153; SUBJECT TO AN EASEMENT AS IN FY10143; SUBJECT TO AN EASEMENT AS IN FY11749	Agricultural (AG), and Mineral Extraction Subzone 2 Exception 1r (ME2[1r])**
04559-1779	Donald Carss, Jennifer Rivington	PART OF LOT 23, CONCESSION 4 (FITZROY) BEING PARTS 1, 2 AND 3 ON PLAN 5R-13974, OTTAWA. S/T FY9302, FY10101 AND FY11774	Agricultural (AG), Agricultural Subzone 2 (AG2), Mineral Extraction Subzone 2 Exception 1r (ME2[1r])**, and Mineral Aggregate Reserve Zone (MR)
04559-0066	Duff Power Line Construction Ltd.	PT LT 22 CON 4 FITZROY PT 2, 5R11921; S/T FY10143, FY11749, FY9346; WEST CARLETON; SUBJECT TO AN EASEMENT OVER PART 2 PLAN 4R30904 IN FAVOUR OF PART 1 PLAN 5R11921 AS IN OC2106154	Mineral Extraction Subzone 2 (ME2), and Agricultural (AG)

**\*\* Mineral Extraction Subzone 2 Exception 1r (ME2[1r]) - 1r Exception Zone Wording**

Exception Number	Applicable Zones	Additional Land Uses Permitted	Land Uses Prohibited	Exception Provisions - Provisions
1r	ME-h, ME1[1r]-h ME2[1r]-h ME3[1r]-h			<ul style="list-style-type: none"> <li>- the holding symbol applies only to the permitted use mineral extraction operation</li> <li>- the holding symbol may only be removed by amendment to this by-law upon compliance with the following:               <ol style="list-style-type: none"> <li>1. a completed application has been made to the province for a license to extract mineral aggregates;</li> <li>2. the City has approved an Environmental Impact Statement submitted when the proposed mineral extraction operation is adjacent to lands zoned EP3- Environmental Protection or lands designated Rural Natural Feature in the Official Plan.</li> </ol> </li> </ul>

**SUBMISSION REQUIREMENTS**

The following requirements are identified as a requirement pursuant to the Consent application form for the City of Ottawa.

1. A completed Application Form – 1 copy
2. A detailed cover letter explaining your proposal and referring to the subdivision criteria under section 51(24) of the Planning Act, and including all planning evidence necessary to support your application. – 1 copy
3. A Tree Information Report (TIR)
4. A sketch, which may be substituted for a Draft Reference Plan for applications in the rural area– 1 full-size copy and 1 reduced copy
5. A Parcel Abstract Page or letter from a solicitor confirming the names of all Registered Owners.
6. For applications in the rural area, a completed Schedule A: Rural Consent Additional Application Information. – 1 copy
7. The application fee.

The agent for the Consent Application Julie Stewart contacted the Committee of Adjustment in June of 2025 to confirm requirements for the Tree Information Report. Staff confirmed the tree by-law only protects trees within the City’s right-of-way in rural areas. A TIR would not be required to support the Consent.

**MINISTRY OF NATURAL RESOURCES PITS AND QUARRIES MAPPING**

The lands to be severed and the benefitting lands of the lot line adjustment both contain licensed aggregate extraction operation. Two additional licensed operations are located north of the lands to be severed. Figure 3 below depicts the location of the various licensed operations.

Pit Information for Operations Within 1km of Lavallee Pit						
ALPS ID	Client	Approval Type	Operation Type	Max. Annual Tonnage	Area (ha)	Location Name
4107	Thomas Cavanagh Construction Ltd.	Class A > 20,000 Tonnes	Pit	200,000	20.1	N/A
626020	Donald W. Carss	Class A > 20,000 Tonnes	Pit	400,000	16	Carss Pit
4297	Campbell E. Mills	Class B <= 20,000 Tonnes	Pit	20,000	14.6	N/A
4105	2325388 Ontario Inc.	Class B <= 20,000 Tonnes	Pit	20,000	6.5	N/A

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Figure 3 – Pits and Quarries Mapping Showing Location of Pit Operations Within 1km of Subject Property

### PLANNING ACT R.S.O. 1990

The requirements for submission pursuant to the application for Consent require the cover letter to address the subdivision criteria under Section 51(24) of the Planning Act. The purpose of the application is for a lot line adjustment. No plans of subdivision are proposed for the lands. The policies of Section 51(24) would not be applicable to the proposed Consent.

### PROVINCIAL PLANNING STATEMENT (PPS) 2024

The Provincial Planning Statement (PPS) 2024, issued under the authority of Section 3 of the Planning Act, provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Planning Statement came into effect October 20, 2024, replacing the Provincial Policy Statement that came into effect on May 1, 2020.

**Chapter 2** of the PPS 2024 speaks to Building Homes, Sustaining Strong and Competitive Communities with policies for Planning for People and Homes found under **Section 2.1** and Housing policies found under **Section**

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**2.2.** Section 2.1.3 of the PPS states *“At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs.”* Pursuant to the PPS the range and mix of land uses appropriate for the property would include a Pit operation such as the one that currently exists. The lands to be severed are identified as having sand and gravel resources with an active Pit license. Adding the severed lands to PIN 04559-0066 through a lot line adjustment to allow for the expansion of the current Thomas Cavanagh Construction Pit operation would ensure sufficient land is made available to allow the range and mix of land uses in the area to continue.

**Section 2.5** of the PPS speaks to Rural Areas in Municipalities. Permitting the Consent application request for the property would help support a healthy, integrated and viable rural area by building upon the current rural character of the area, through amalgamation of licensed aggregate extraction uses, while continuing to utilize available rural assets in the form of roads and infrastructure (PPS 2.5.1[a]). Both licenses are in effect allowing for the current range and mix of housing options in the area to remain through the Consent (PPS 2.5.1[c]) and will ensure continued efficient use of rural infrastructure by maintaining the current Pit access off Highway 17 for future hauling of aggregates (PPS 2.5.1[d]). A licenced extraction operation represents a land use with employment opportunities. The new Pit would allow for diversification of the economic base with continued employment opportunities revolving around the sustainable management and use of resources (PPS 2.5.1[e]). The proposed Consent application for a lot line adjustment will support healthy, integrated and viable rural areas. Growth and development may be directed to rural lands in accordance with Section 2.6 of the PPS.

**Section 2.6** of the PPS speaks to Rural Lands in Municipalities. Pursuant to Section 2.6.1[a] permitted uses include the management and use of resources which would include extraction operations. The existing Pit operation can be sustained on current rural service levels after the lot line adjustment (PPS 2.6.2) and is appropriate for the infrastructure in place (PPS 2.6.3). The PPS directs planning authorities to support a diversified rural economy by protecting agricultural and other resource-related uses (PPS 2.6.4). Permitting the consent application would not prohibit abutting agricultural uses from continuing. Overall, the proposed Consent for a lot line adjustment would be consistent with the policies of Sections 2.5 and 2.6 the PPS 2024.

**Section 2.8** of the PPS speaks to Employment. An extraction operation provides potential for both on-site and off-site employment opportunities. Off-site opportunities would include jobs like truck driving and the transport and processing of aggregate materials. Allowing for the Consent application to add the Carss Pit lands onto the existing Cavanagh Construction operation will help promote economic development and competitiveness through expansion of an existing extraction operation allowing for current employment uses in the area to remain (PPS 2.8.1[a]). The expanded Pit will provide opportunities to diversify the economic base as the lands are suitable for continued employment uses relating to aggregate extraction activities (PPS 2.8.1[b]). The site would not be considered an Employment Area pursuant to Section 2.8.2 of the PPS.

**Chapter 3** of the PPS speaks to Infrastructure and Facilities with policies for Transportation and Infrastructure Corridors found in **Section 3.3**. The property fronts to Highway 17 which represents a transportation corridor that must be protected for the long term (PPS 3.3.2). The corridor already contains several residential and non-residential uses while providing a direct connection to the Town of Arnprior. The current Cavanagh Pit operation has deeded access from Highway 17 and would not require new or additional connections to the road network. The Consent application to expand the Cavanagh Pit would not represent development in a planned corridor that may preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified (PPS 3.3.3). Overall, the Consent application for a lot line adjustment would not negatively preclude or impact the use of the corridor by others pursuant to the policies of the PPS, 2024.

**Section 3.5** of the PPS speaks to Land Use Compatibility. Pursuant to Section 3.5.1 *“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.”* While a Pit operation is not considered a “major facility” aggregate uses can have potential land use compatibility impacts on sensitive uses. In this case, both the lands to be severed and the recipient lands of the lot line adjustment have existing licenses for aggregate extraction operations. The lot line adjustment proposed does not change present conditions relating to sensitive uses. Supporting studies provided through the ARA applications for both licenses would have addressed sensitive use impacts.

**Chapter 4** of the PPS speaks to the Wise Use and Management of Resources with Natural Heritage policies found under **Section 4.1**. There are no Natural Heritage features on the property that would be impacted by the proposed Consent application.

**Section 4.2** of the PPS speaks to Water. There are no significant surface or groundwater features on the lands to be severed that would be impacted by the Consent application.

**Section 4.3** of the PPS speaks to Agriculture. The property is designated Agricultural Resource Area with a Sand and Gravel Resource Area Overlay in the Official Plan. The lands to be severed fall in a Mineral Extraction zone. The retained lands contain both Agricultural and Mineral Extraction zones. Pursuant to Section 4.3.5.1[a] extraction of minerals, petroleum and mineral aggregate resources may be permitted by Planning Authorities as non-agricultural uses in prime agricultural areas. Mineral aggregate extraction is permitted on prime agricultural lands provided the following is demonstrated:

1. *the land does not comprise a specialty crop area;*
2. *the proposed use complies with the minimum distance separation formulae;*

3. *there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and*
4. *alternative locations have been evaluated, and*
  - i. *there are no reasonable alternative locations which avoid prime agricultural areas; and*
  - ii. *there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

Both the lands to be severed as a lot line adjustment and recipient lot contain licensed aggregate extraction operations under the Aggregate Resources Act which would have demonstrated the need for such uses. The area represents a suitable location within agricultural lands for aggregate extraction. The proposed Consent for a lot line adjustment will combine the Carss Pit with the Pit operated by Cavanagh Construction. Continued use of the lands for aggregate extraction would meet the intent of the PPS policies related to Agriculture.

**Section 4.4** of the PPS speaks to Minerals and Petroleum. The site has known mineral or petroleum reserves.

**Section 4.5** speaks to Mineral Aggregate Resources. The subject property has identified sand and gravel reserves pursuant to the Official Plan with zoning in place to permit mineral extraction. Extraction will continue to be undertaken in a manner that minimizes social, economic and environmental impacts including appropriate mitigation for nearby residential uses (PPS 4.5.2.2). The Consent for a lot line adjustment would not hinder or preclude existing aggregate extraction operations but rather would allow those operation to continue by adding the severed lands to the existing operation (PPS 4.5.2.3). Impacts on nearby prime agricultural lands and activities will be mitigated and rehabilitation to an agricultural condition will commence after the license has been surrendered (PPS 4.5.4.1). Extraction of the lands would be consistent with the policies of the PPS 2024.

**Section 4.6** of the PPS speaks to Cultural Heritage and Archaeology which are not present on the severed lands.

**Chapter 5.0** of the PPS speaks to Protecting Public Health and Safety with policies for Natural and Human-Made Hazards. There is no development or site alteration proposed on hazardous sites or near hazardous lands (PPS 5.2.2) or within any dynamic beach hazards, floodways, or flood prone areas (PPS 5.2.3). No mine hazards; oil, gas, and/or salt hazards; or former mineral mining operations, or petroleum resource operations have been historically located on the property (PPS 5.3.1). The site does not contain any known sources of contamination from past uses or abutting land uses (PPS 5.3.2).

Overall, the Consent application for the purpose of a lot line adjustment proposed for the subject property to permit the consolidation of the Carss Pit lands with the Cavanagh Construction Pit would be consistent with the Provincial Planning Statement (PPS) 2024.

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## CITY OF OTTAWA OFFICIAL PLAN

The subject property at 4960 / 5034 Highway 17 falls in the Rural District and is designated Agricultural Resource Area with a Sand and Gravel Resource Area Overlay on the City of Ottawa Official Plan Schedule B9 – Rural Transect. There are no natural heritage features identified on Schedule C11-A - Natural Heritage System (West) and no environmental constraints identified on Schedule C15 - Environmental Constraints.

**Section 5** of the Official Plan speaks to Transects with policies for the Greenbelt and Rural Transect areas found under **Section 5.5**. Pursuant to Section 5.5.1.2 continued aggregate extraction uses on the lands to be severed and recipient lands would integrate well with the rural area within which its already located (OP 5.5.1.2[c]) and would direct rural industrial development near the interchanges with Highway 417 (OP 5.5.1.2[d]). Approvals through the ARA process would have demonstrated no negative impacts to groundwater in the surrounding area (OP 5.5.1.2[e]). Permitted the Consent for a lot line adjustment would not impact groundwater quality or quantity. Continued use of the lands for aggregate extraction operations would be permitted within the Rural Transect area.

**Section 5.6** of the Official Plan speaks to Overlays with Aggregate Overlay policies found under Section 5.6.3. The lands to be severed and a portion of the recipient lot from the lot line adjustment have a Sand and Gravel Resource Area Overlay. The recipient lot contains an existing extraction operation operated by Cavanagh Construction. The lands to be severed have no extraction but are licensed for extraction under the Aggregate Resources Act. Sand and gravel pits are the primary use within the Sand and Gravel Resource Area Overlay (OP 5.6.3.1.3). Both the severed lands and the recipient lot are zoned for mineral extraction (OP 5.6.3.1.5). A Consent application for a lot line adjustment to consolidate the aggregate resource lands for continued pit operations would be consistent with the Aggregate Overlays policies of the Official Plan.

**Section 9** of the Official Plan speaks to Rural Designations with Agricultural Resource Area policies found under **Section 9.1**. Pursuant to Section 9.1.3.2 Lot line adjustments are permitted in the Agriculture Resource Area for legal or technical reasons only. The lands to be severed are zoned and identified for aggregate extraction. The recipient lot contains an active extraction operation. Consolidation of the lands will allow for continued extraction into the severed parcel by Cavanagh Construction forming a technical reason for needing the Consent application for lot line adjustment.

The proposed Consent application for the purpose of a Lot Line Adjustment from the lands at 4960 and 5034 Highway 17 is consistent with the policies of the City of Ottawa Official Plan.

## **NEW CITY OF OTTAWA ZONING BY-LAW (2026-50)**

The new Zoning By-Law 2026-50 draft is set to be considered by Council January 28, 2026. For the purposes of this planning letter the new Zoning By-Law will be addressed. The lands to be severed are zoned Mineral Extraction Subzone 2 Exception 1r (ME2[1r]). The lands benefitting from the Lot Line Adjustment are zoned Mineral Extraction Subzone 2 (ME2) and Agricultural (AG). These are the same zoning categories as the previous Zoning By-Law 2008-250.

**Part 2** of the Zoning By-Law speaks to General Provisions. The lands to be severed are vacant lands zoned for Mineral Extraction. There are no buildings, structures, or accessory uses located on the lands to be severed. Section 212 speaks to Wayside Pits and Wayside Quarries which are not proposed.

**Part 3** of the Zoning By-Law speaks to Specific Use Provisions. None of the specific uses listed under Part 3 are proposed for the severed lands or recipient lot of the lot line adjustment.

**Part 4** of the Zoning By-Law speaks to General Setbacks. Aggregate extraction uses are not sensitive to livestock operations and do not require MDS calculations. There are no railway rights-of-way, no TransCanada pipelines, and no surface water features located on the lands to be severed or recipient lands.

**Part 5** of the Zoning By-Law speaks to Overlay Provisions with Mineral Aggregate Separation Overlay policies found under Section 502. The purpose of the overlay is to identify lands in proximity to Bedrock Resource Area or Sand and Gravel Resource Area Overlays, and to prohibit development of sensitive uses with the potential to hinder or preclude resource extraction. The lands to be severed contain mineral aggregate resources with an active Pit license. The lands will be added to the property at 4958 Highway 17 which contains an active extraction operation operated by Cavanagh Construction. The purpose of the consent application is a lot line adjustment to add the resource lands onto the Cavanagh Pit for continued extraction. No sensitive uses are proposed.

**Part 13** of the Zoning By-Law speaks to Rural Zones. The lands to be severed are zoned Mineral Extraction Subzone 2 Exception 1r (ME2[1r]). The retained parcel is zoned Mineral Extraction Subzone 2 Exception 1r (ME2[1r]), Agricultural (AG), and Agricultural Subzone 2 (AG2). Based on discussions with a solicitor, the lands at 4960 Highway 17 have merged on title with 5034 Highway 17. The lands benefitting from the Lot Line Adjustment are zoned Mineral Extraction Subzone 2 (ME2) and Agricultural (AG).

No portion of the lands to be severed falls within an Agricultural zone or subzone. Once the lot line adjustment is completed the AG and AG2 zoned lands will have the same area, road frontage, and land use as prior to the

severance. The only portion of the subject property at 4960 / 5034 Highway 17 affected by the Consent application are the lands zoned Mineral Extraction Subzone 2 Exception 1r (ME2[1r]).

**Section 1304** speaks to Mineral Aggregate Extraction Zones with Sections 1304-1 to 1304-3 outlining the various subzones. The recipient lands of the lot addition are split-zoned Mineral Extraction Subzone 2 (ME2) and Agricultural (AG). The ME2 zoning falls on the portion of the property where Cavanagh Construction operates their Pit. The lands to be severed are zoned Mineral Extraction Subzone 2 Exception 1r (ME2[1r]). A Pit operation would be permitted in both zones. Upon completion of the lot line adjustment the severed lands and recipient lot will fall in different ME2 zones. A conditional rezoning may be required if one contiguous zone is needed.

**Part 15** of the Zoning By-Law speaks to Exceptions. Rural Exception 1r is proposed to be carried forward in the new Zoning By-Law based on the Overview of Exceptions document on the City’s website. The exception wording from the previous Zoning By-Law 2008-250 reads as follows:

Exception Number	Applicable Zones	Additional Land Uses Permitted	Land Uses Prohibited	Exception Provisions - Provisions
1r	ME-h, ME1[1r]-h ME2[1r]-h ME3[1r]-h			<ul style="list-style-type: none"> <li>- the holding symbol applies only to the permitted use mineral extraction operation</li> <li>- the holding symbol may only be removed by amendment to this by-law upon compliance with the following:               <ol style="list-style-type: none"> <li>5. a completed application has been made to the province for a license to extract mineral aggregates;</li> <li>6. the City has approved an Environmental Impact Statement submitted when the proposed mineral extraction operation is adjacent to lands zoned EP3- Environmental Protection or lands designated Rural Natural Feature in the Official Plan.</li> </ol> </li> </ul>

It is unclear if the holding zone on the property has been lifted or is still in place. A Zoning Amendment to lift the hold may be required as a condition of the severance.

Overall, the proposed Consent Application would comply with the new City of Ottawa Zoning By-Law 2026-50. No exceptions or variances are required to add the severed lands to the recipient parcel through a lot line adjustment. However, the multiple ME2 zones and potential removal of the holding provision may require an amendment to the Zoning By-Law as a condition of the severance.

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## SUMMARY

The Provincial Planning Statement, the City of Ottawa Official Plan and the City of Ottawa Zoning By-Law 2026-50 encourage the extraction of aggregate material and recognize its importance to the local economy. The subject property is located along a main transportation corridor, is located in proximity to multiple active Pit operations, and contains mineral aggregate reserves with active ARA licenses for extraction. A Consent application for a lot line adjustment seeks to combine the Carss Pit lands with the extraction operation run by Cavanagh Construction. Deeded access to the Cavanagh Pit from Highway 17 is already in place and will remain. If approved, the consent will allow for consolidation of the two licensed areas for continued resource related extraction uses.

Should you have further questions or require additional information in support of the proposed Consent application please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink that reads "Chris Clarke".

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Chris Clarke, Planner, B.Sc., CPT  
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