

PLANNING RATIONALE

MINOR ZONING AMENDMENT SUBJECT SITE: 5360 BANK STREET



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REPORT PREPARED FOR: PERCY PYPER (1997) LTD.

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This Planning + Design Rationale is prepared in support of a Zoning By-law Amendment Application for the proposed development at 5360 Bank Street.

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1.0 INTRODUCTION

Q9 Planning + Design has been retained by Percy Pyper (1997) to prepare a Planning Rationale in support of a Zoning By-law Amendment for the property known as 5360 Bank Street, Part of Lot 29, Concession 4, Geographic Township of Gloucester, City of Ottawa.

Percy Pyper (1997) Ltd received conditional approval for a severance on the subject property on February 10, 2023. The purpose of the consent was to sever off a 7.4 ha parcel of land as a lot addition to abutting lands at 5363 Albion Road, and to retain a 6.7 ha parcel known as 5360 Bank Street (D08-01-22/B-00356). A condition of the consent decision requires the owner to receive a Zoning By-law Amendment, to place the subject property in the appropriate zone recognizing the historical legal non-conforming uses on the site.

The severance approved in 2023 expired, and a new severance was obtained and approved, dated May 2025. The same conditions apply. As the requirement for a rezoning is triggered as part of a consent application, the ZBA is considering minor in accordance with the criteria approved by Council in November 2024 which specifies “any zoning changes required as a condition of severance” is considered minor and delegated to staff for approval.

The lands that are the subject of the Zoning By-law Amendment are currently zoned Rural Countryside (RU). The property sits closest to the intersection of Bank Street and Mitch Owens Road, with 46.7 metres of frontage onto Bank Street. The purpose of the Zoning By-law Amendment is to rezone the Rural Countryside portion of the property to a Rural General Industrial – exception (RG-XXXXr) zone to recognize the long standing uses on the site and allow them to continue. The subject lot has existing buildings used for storage and light industrial purposes, a use which have been in place since the 1950s. The owner wishes to continue the existing use, requiring a change of zone to permit the current uses on the proposed severed lot.

Applications submitted:

- Minor Zoning By-law Amendment
- Site Plan Control

2.0 SITE & CONTEXT

2.1 Site

The subject property is located on Bank Street with a civic address of 5360 Bank Street, described as Part of Lot 29, Concession 4, Geographic Township of Gloucester in the community of Osgoode, falling within the rural part of the City of Ottawa, as shown in Figure 1 below. The portion of the lot to be re-zoned (closest to the Bank Street frontage) is 67,517 square metres and is currently used for storage and light industrial purposes. The shape of the lot is irregular, as there are numerous smaller lots that border the property fronting onto Bank Street, which is the main access point. The lot is located approximately 660 metres north of the main intersection on Mitch Owens Road and Bank Street. There is a small area of floodplains which run through the property and some smaller non-evaluated wetlands on adjacent properties. The severed lot to be rezoned will fully encompass the identified floodplains to ensure the adjusted lot lines will not cut through the natural features on the lot. The surrounding lands to the North, East and South along Bank Street are a mix of rural residential and commercial and industrial zones, while the lands to the West are mainly comprised of Mineral Extraction zones and Rural General Industrial uses.



Figure 1: Site location

The legal description for the lands is: Part of Lot 29, Concession 4, Geographic Township of Gloucester, City of Ottawa

The following presents the site statistics:

- [] Site Area (Subject to Rezoning): 67,517 m²
- [] Total Site Area: 141,580.46 m² (1523957.86 ft²) (14.16 ha)
- [] Site Frontage: 46.75 m (Bank Street)
- [] Total Site Depth: irregular, ~813.3 m



Figure 2: Aerial of Site and Existing Conditions

The property consists of a storage shop/maintenance garage, a portable office, and a shed. Coverall domes are present north of the parking area for storage of salt and other aggregate material. A portion of the south of the site is rented out to CACE Construction for yard space, a portable site trailer used as an office, and coverall dome for storage of materials and equipment.

The industrial land use and building are considered legal non-conforming under the current zoning. However, it is the intention to proceed with a Zoning By-law Amendment to recognise the site as light industrial zone rather than the presently designated rural zoning.

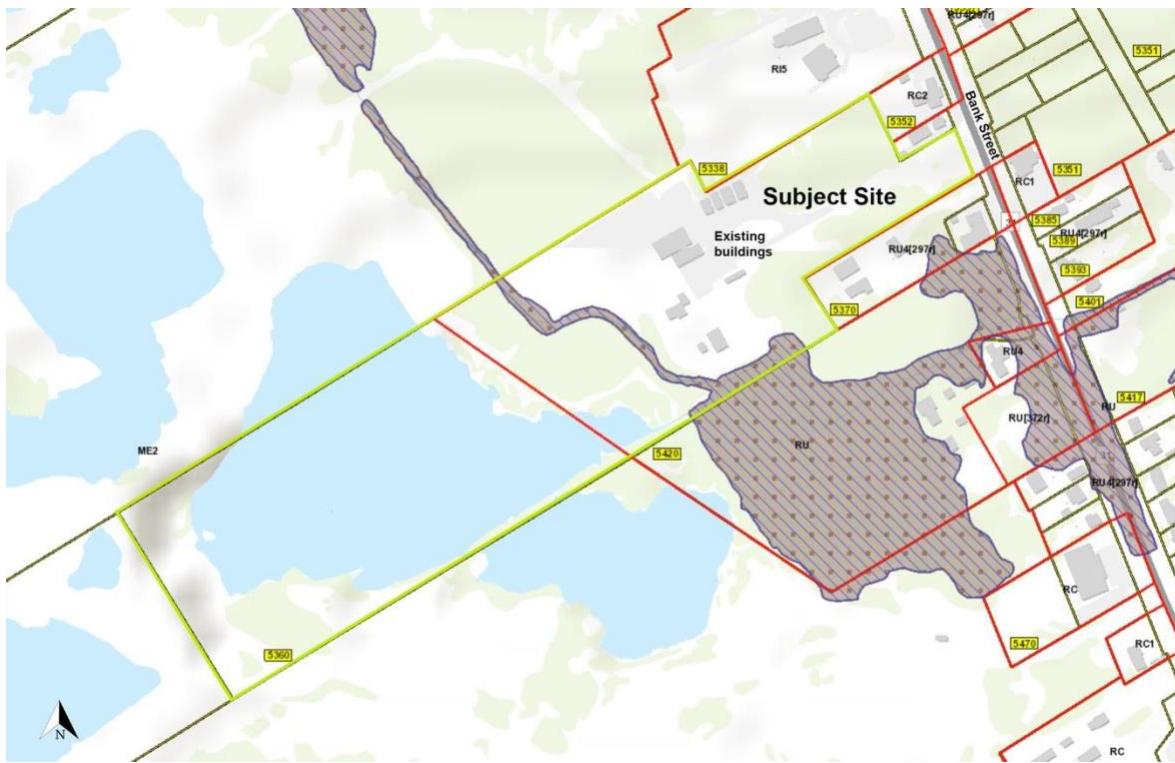


Figure 3: Aerial of Site and Existing Conditions with zoning

The subject property is currently split into two different zones, with the front portion on Bank Street identified as Rural Countryside (RU) and the rear, zoned as Mineral Extraction, Subzone 2 (ME2) in the City of Ottawa's Zoning By-Law Map. The zoning by-law amendment intends to rezone the portion of Rural Countryside (RU) to Rural General Industrial Zone (RG) to recognize the long standing uses on the site and allow them to continue.

The following provides images of the subject site:



Figure 4: Photo taken from entrance of subject site, looking west towards Bank Street



Figure 5: Existing structure on the subject site, looking north



Figure 6: Existing buildings and parking on the subject site, looking east



Figure 7: Portable office and parking, looking south

2.2 CONTEXT

The proposed development is located to the south of the intersection of Bank Street and Rideau Road and north of the intersection of Bank and Mitch Owens Road, Ward 20 Osgoode, in the City of Ottawa. The property is bounded to the west and north by a sand and gravel pit, the south by another gravel pit and a single detached dwelling which fronts onto Bank Street. To the east, on the other side of Bank Street, facing the subject property is a car detailing centre, other rural commercial/industrial uses exist along the Bank Street corridor with some single detached dwellings.

The following provides images of the surrounding context:



Figure 8: Bank Street, looking east from entrance of subject property, across Bank Street



Figure 9: Frontage of the subject site, the driveway in the foreground provides access to the subject property



Figure 10: Bank Street, looking east, same side of the road subject site



Figure 11: Context Map, and overview of uses in surrounding context (Source: Open Streets Map + Q9 markup)

3.0 PROPOSAL

3.1 Overview

The lands to be rezoned are currently zoned Rural Countryside (RU) zone, which does not accurately reflect the uses that occurred on the property for many years. As required by a condition of consent, the property is proposed to be rezoned to a Rural General Industrial – Exception (RG-x) zone to recognize the current uses on the site and allow them to continue. The RG zone allows a number of uses, however, only the following uses currently exist on the site:

- Heavy equipment and vehicle sales, rental and servicing
- Light industrial uses
- Retail store
- Service and repair shop
- Storage Yard
- Warehouse

These uses would recognize the existing light industrial uses, storage of equipment, shop/garage and associated uses on the site and allow them to continue. This zone would not be out of character with surrounding land uses that include industrial, automotive and aggregate uses, among other things. Please see the provided **Zoning Confirmation Report** for details on setbacks and zoning compliance.

3.2 BUILDING FORMS & STATISTICS

The industrial land use and buildings are considered legal non-conforming under the current zoning. However, it is the intention to proceed with a Zoning By-law Amendment to recognise the site as light industrial zone rather than the presently designated rural zoning. The following information and figures outline the existing buildings on the subject site:

Structure A - Salt Storage Dome: 127.05 m²
Structure B - Salt Storage Dome: 127.05 m²
Structure C - Salt Storage Dome: 91.4 m²
Structure D – Grain Storage Building 86.00 m²
Structure E – Storage Shop/Maintenance Garage 754.09 m²
Structure F – Precast Utility Building 9.25 m²
Structure G – Farm Shed 63.4 m²
Structure H – Portable Office Trailer 67.24 m²
Structure I – Portable Office Trailer 83.22 m²
Structure J – Storage Dome 237.92 m²

Total GFA: 1,646.62 m²

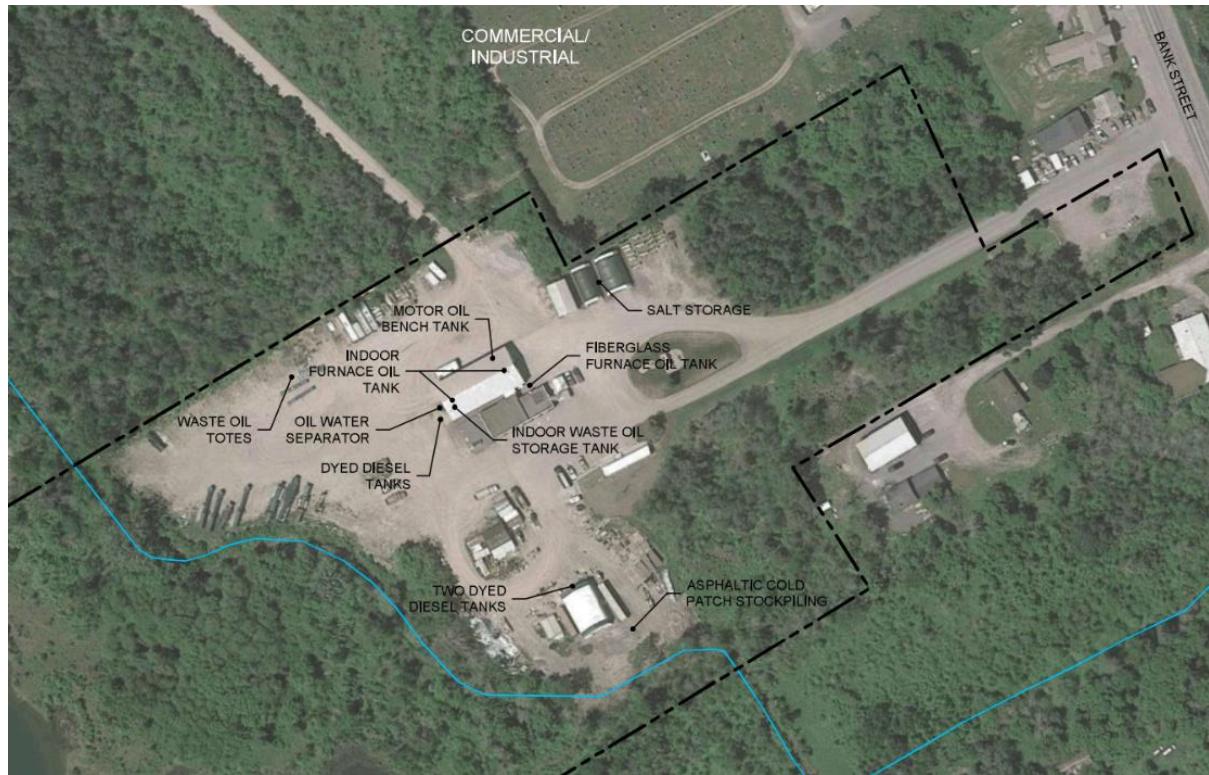
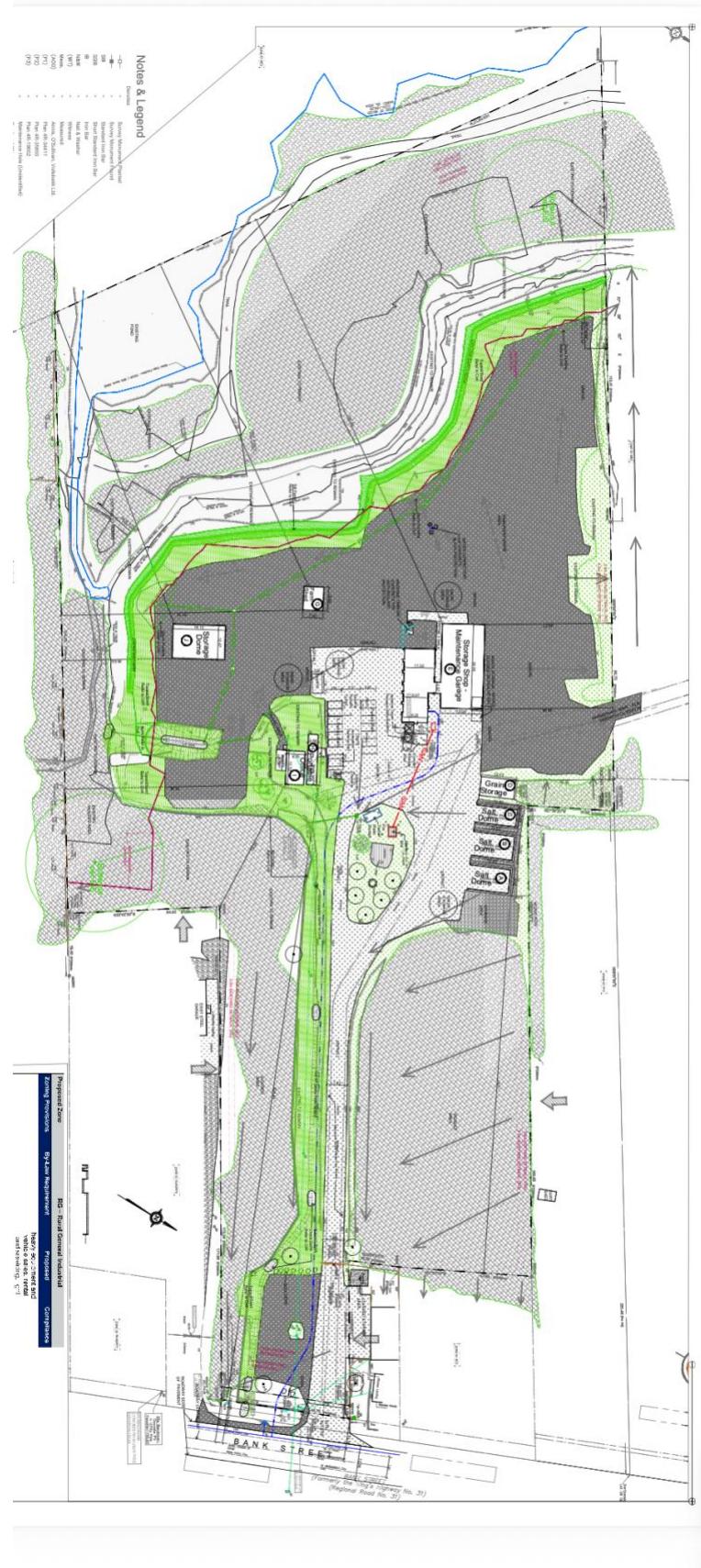


Figure 12: Buildings on the subject site (Source: ESA Report, GEMTEC)



Figure 13: Buildings on the subject site (Source: GJA Inc.)



4.0 POLICY AND REGULATORY CONTEXT

The site at 5360 Bank requires a Minor Zoning By-law Amendment Application to acknowledge the long-standing use and triggered by an approved consent application. The development application requires a thorough review of the applicable policies, the Provincial Planning Statement (PPS), the City of Ottawa Official Plan, the existing Zoning By-law, and lastly, any existing community plans or design guidelines that may be applicable.

The PPS (2024), sets out the parameters for development within the province of Ontario, essentially creating a roadmap for municipalities and developers on how to create and sustain liveable healthy communities. There are a number of components to this, including efficiency, affordability, accessibility, and various other factors. This Planning Rationale reviews the specific elements of the PPS that are applicable to this proposal.

3.1 PROVINCIAL PLANNING STATEMENT, 2024

The Provincial Planning Statement, 2024 (PPS) came into effect on October 20, 2024. Relevant policies from the PPS are outlined below.

Section 2.1 - Planning for People and Homes

2.1.6 Planning authorities should support the achievement of complete communities by

- . accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- . improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- . improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

The subject site contributes to the rural economy of the community and as such supports the other uses within the overall community and surrounding regional area.

Section 2.6 – Rural Lands in Municipalities

On Rural Lands located in municipalities, permitted uses are: management or use of resources, resource-based recreational uses, residential development, agricultural uses, related agricultural uses, home occupation and home industries, cemeteries, and other rural land uses.

The policies of this section are such that development that can be sustained by rural service levels should be promoted, development shall be appropriate to the infrastructure available, planning authorities should support a diversified rural

economy by protection agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

The subject land falls within the Rural Countryside Designation of the Official Plan, outside of the small rural communities/villages. The proposed zoning amendment will not create any land use conflicts with the surrounding area as the current uses have been existing since the 1950's with no compatibility issues. In fact the uses on site largely support the abutting aggregate operation for the purposes of material storage, equipment maintenance, etc.

The surrounding area is characterized by rural, institutional, aggregate, and industrial/commercial land uses, therefore the subject site fits contextually with the other Rural General Industrial and Mineral Extraction lots along Bank Street and Albion Road.

Section 3.5 Land Use Compatibility

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.

2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

This section speaks to land use compatibility and ensuring the intended uses fit appropriately within the context of the surrounding community. The subject land falls within the Rural Countryside of the Official Plan, outside of the small rural communities/villages. The proposed zoning amendment will not create any land use conflicts with the surrounding area as the current use has existed since the 1950's with no compatibility issues. The surrounding area is characterized by rural, aggregate, institutional, and industrial/commercial land uses with the zoning amendment legalizing existing uses that are contextually appropriate with the other Rural General Industrial and Mineral Extraction uses along Bank Street and Albion Road.

Policy 8 of Section 3.6 speaks to stormwater management and notes that: systems should be optimized and retrofitted as appropriate, minimize increases in volumes, minimize erosion and changes in water balance, mitigate risks to human health and safety, maximize the extent of function of vegetation and pervious surfaces, promote best practices, align with municipal plans.

The existing site is not proposing any new development but as part of these approvals, the stormwater management direction on site is being improved and optimized in a manner that maintains access to the municipal drain as required but also revegetates portions of the site thereby increasing perviousness and improving stormwater management practices.

Section 4.1 Natural Heritage speaks to the protection of natural heritage features and systems. As per the EIS report prepare, the subject site and existing developed area does not contain any significant wetlands, woodlands, wildlife, etc. It is also noted that the proximity of the municipal drain and resulting modifications to the site to improve stormwater management have been concluded per the EIS report that no negative impacts on the ecological function will result.

The existing development and proposed stormwater management improvements on site conform to the policies of Section 4.1.

Section 4.2 Water states that planning authorities shall protect, improve or restore the quality and quantity of water through the following means:

- a) *using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;*
- b) *minimizing potential negative impacts, including cross-jurisdictional and crosswatershed impacts;*
- c) *identifying water resource systems;*
- d) *maintaining linkages and functions of water resource systems;*
- e) *implementing necessary restrictions on development and site alteration to:*
 1. *protect all municipal drinking water supplies and designated vulnerable areas; and*
 2. *protect, improve or restore vulnerable surface and ground water, and their hydrologic functions;*
- f) *planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and*
- g) *ensuring consideration of environmental lake capacity, where applicable.*

2. *Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.*

This section of the PPS speaks to the Wise Use and Management of Resources. The subject site is located in a rural area, where there are identified floodplains

and natural features present. The proposed severance and lot to be re-zoned will fully contain the natural features present on the lot. Any future additional development will be required to ensure adequate setbacks from the identified features, ensuring preservation and protection of these natural resources. An Environmental Impact Study was completed by Gemtec to assess the natural heritage features on the site. The study noted that no new development is proposed and concludes that, provided the recommended mitigation measures are implemented, no natural heritage impacts are anticipated.

4.5 Mineral Aggregate Resources

1. Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.

4.5.2 Protection of Long-Term Resource Supply

The policies outlined in this Section ensure that mineral aggregate resources are made available near markets. Extraction activities must minimize social, economic, and environmental impacts. Existing and future mineral aggregate operations are protected from incompatible development and do not require further amendments or permits to continue. New developments on or near aggregate deposits are restricted unless resource use is unfeasible, the new use serves a greater long-term public interest, and public health, safety, and environmental impacts are addressed.

Comment: This section speaks to Mineral Aggregate Resources and the protection of these activities. The retained lands from the severance application, abutting the subject site to the west, fall within the Mineral Extraction zone. The current uses on the severed parcel are industrial in nature and are proposed to be re-zoned to an appropriate Industrial zone. The existing land uses are compatible with and will not have any negative impact on existing or future aggregate resources in this area. A Mineral Aggregate Resource Report was prepared in 2014 as well as a supplemental report in 2024. Both are conclusive in that the existing developed site does not create any impacts on nearby aggregate resources.

Section 5 of the PPS speaks to Protecting Public Health and Safety with policies related to natural and man-made hazards. The property does contain areas which fall within the identified floodplains by the South Nation River Conservation Authority. Although part of the lands seeking the Zoning By-law Amendment falls within the identified floodplain area, they are located to the rear of the site and no development is proposed within these areas, consistent with the policies. The site does not present any known human-made hazards and there have been no documented sources of contamination on the property.

Based on our review, it is our professional planning opinion that the proposed development is consistent with the policies of the Provincial Planning Statement (PPS), 2024.

3.2 OFFICIAL PLAN 2022

The City of Ottawa Official Plan was approved by City Council on November 24th, 2021 and has been approved by the Ministry of Municipal Affairs and Housing. The plan outlines the City's overall vision, goals, and objectives, while providing policies intended to accommodate growth and manage physical change into the year 2046. The Plan is based around the Five Big Policy Moves, outlined in the City's Strategic Plan, which is intended to help the City become the most liveable mid-sized city in North America over the next century.

Section 2: Strategic Directions

Section 2 provides the overall strategic directions of the new Official Plan, which is based around the Five Big Moves. The Five Big Moves are the foundational basis on which Official Plan policies will work towards a more liveable city, calling for increased growth through intensification, sustainable transportation, context-based urban and community design, environmental, climate, and health resiliency embedded into planning policy, and planning policies based on economic development.

The proposed development is well-suited to help achieve the big policy moves, firstly by accommodating employment and economic stability in the rural area, and secondly by fostering opportunity for future growth through intensification of an existing site, by permitting the existing uses and allowing it to continue to operate in the future.

Section 2.2.2(6) speaks to protecting and preserving areas for clusters of economic activities that cannot be integrated with sensitive land uses. These uses tend to be manufacturing, construction, storage, trades and logistics related. Many of these land intensive, high-impact uses are also located within the rural area.

Section 3: Growth Management Framework

Section 3 provides a growth management framework that directs various types of growth appropriately in order to accommodate projected population and employment growth. Most growth is anticipated to occur in the urban area, which is the built-up area where existing development is located and the greenfield area of vacant lands at the periphery of the urban area. Within the urban area, there are six different transect areas representing different contexts. Growth is expected to be accommodated in these transect policy areas in a manner that supports 15-minute communities. The balance of growth (7%) is to occur in the rural area. In

order to accommodate anticipated population and job growth, an increasing amount of growth is to be absorbed through intensification.

The subject site is designated Rural Countryside with a Natural Heritage features overlay as seen on Schedule C11-C. The Rural Countryside is made up of a variety of low-intensity uses such as farming, small-scale industries and outdoor recreation and tourism supportive uses such as golf courses, vacation properties or bed and breakfasts.

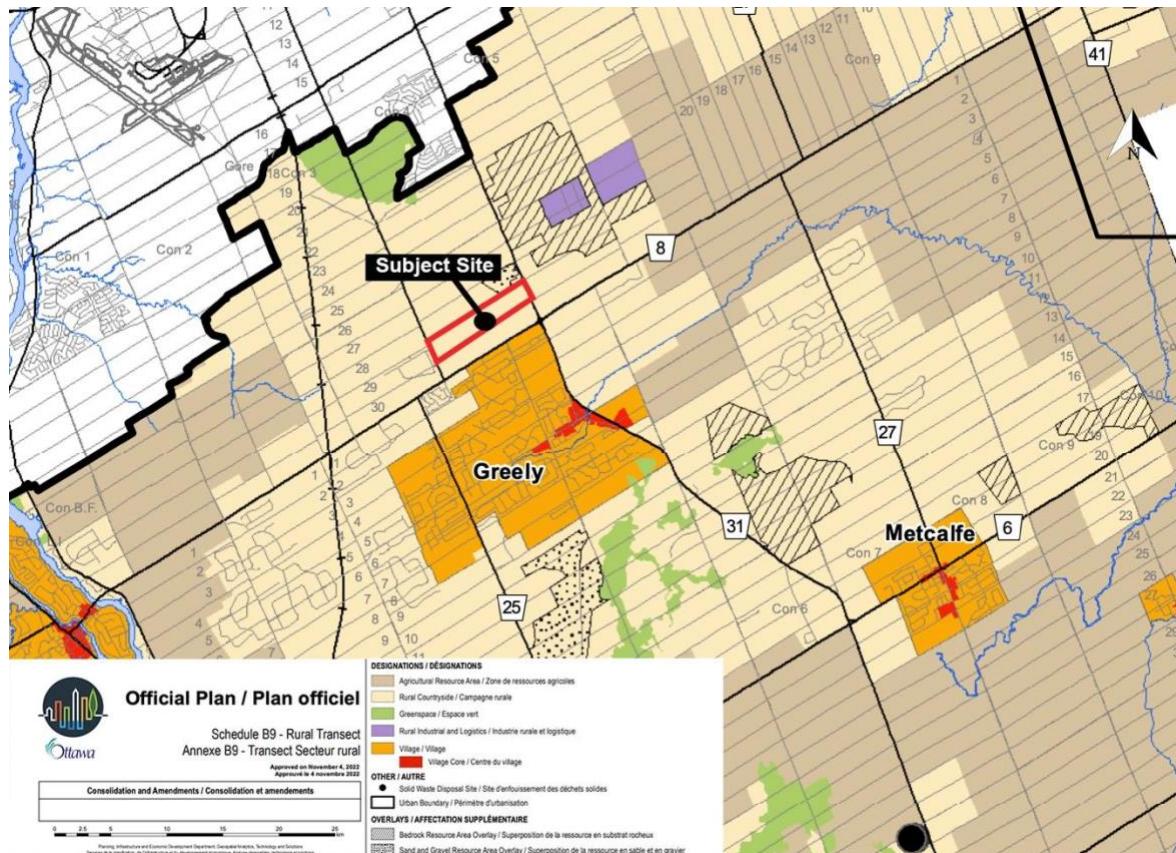


Figure 14: City of Ottawa Official Plan, Schedule B9 Rural Transect

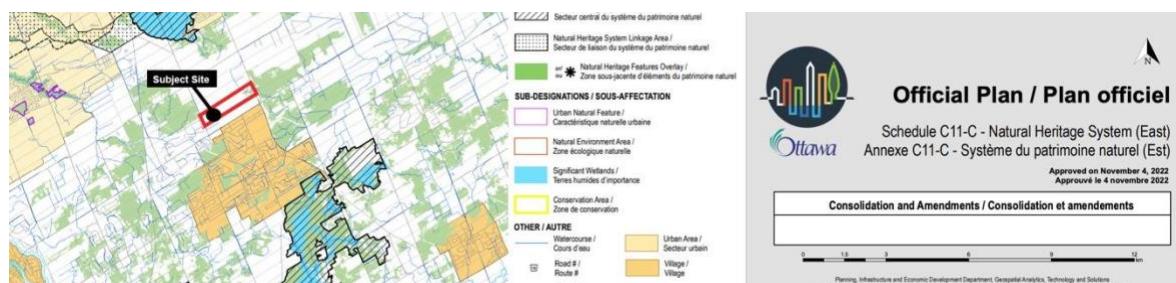


Figure 15: City of Ottawa Official Plan, Schedule C11-C Natural Heritage System (East)

Section 4.9. Water Resources

Section 4.9.3 refers to restricting, limiting site alterations near surface water features. The John Boyce Municipal Drain (JBMD) bisects the subject site and is considered a surface water feature as per the definition in section 13. The buffer required around the drain has been addressed in the submitted material and it is noted that any hard-surface areas currently within the buffer are being revegetated to protect this water resource.

Section 5: Transects

Section 5.5 discusses the Rural Transect and the intent to recognize a rural pattern of built form and to provide for a range of social and economic activity to ensure the responsible use of resources for the protection of public health and the environment.

Built form in the rural area is intended to maintain rural character, image and identity. Parking, storage, and paved areas should be located far from the road frontage. Elements such as landscaping can be used to enhance site frontage.

Development should allow for uses that are low density and integrate well with the natural environment and rural area. High intensity industrial should be near highway interchanges. Development should be adequately serviced.

The rural use on this site is low intensity and has operated in this use capacity since around the 1950's and 1960's according to aerial images and affidavits signed and prepared as part of the Chronological History Report prepared by Milestone Aggregate Consulting Services, dated November 2023. Parking, storage, and paved areas are all located far from the road frontage. There are several small and medium buildings on site, most having been there for several years. The development is adequately serviced.

Section 9.2 Rural Countryside

Section 9.2.2 lists the uses permitted within the Rural Countryside that the City feels will help strengthen the rural economy as:

- . Forestry, conservation and natural resource management activities;
- . Agriculture, agriculture-related and on-farm diversified uses;
- . Residential uses according to the policies of this plan;
- . Animal services boarding, breeding and training and equestrian establishments;
- . Bed and breakfasts;
- . Utility Installations;
- . Cemeteries; and
- . Sand and gravel pits.

The purpose of the Zoning By-law Amendment is intended to allow the continuation of the existing legal non-conforming extractive related industrial use of the subject site which as per the affidavits establishes the uses as supporting the abutting resource extraction.

The Zoning By-law Amendment will place the site in a Rural General Industrial zone. The Official Plan states that, "Subject to a Zoning By-law amendment or, when the process is enacted, a Community Planning Permit, the following uses may be permitted:

Small scale light industrial and commercial uses where all of the following criteria are met:

i) The uses are necessary to serve the local rural community or the travelling public, such as restaurant, gas station, private medical or medical related-clinics, veterinary services, personal service or motel;

Comment: The existing uses have served and have been serving the local rural community for decades. The uses also support the permitted uses of Sand and Gravel Pits which are located directly west, north-west, and south-west of the subject site.

ii) The lands are within 200 metres of an arterial or collector road and can be safely accessed;

Comment: The subject site is located on Bank Street and meets this policy.

iii) The lands are located beyond 1 kilometre of an Urban or Village boundary, or where located less than 1 kilometre from a Village boundary, it can be demonstrated that there is insufficient opportunity for these types of uses to be established within the Village;

Comment: The site is located within 1 kilometre of a village boundary however it is clearly demonstrated that there is no opportunity to relocate the use into the village because the uses on site directly supports the rural local economy and the abutting extractive operation. Further, the use is already established and has been for decades, it would be an both inappropriate and an inefficient use of village designated land to relocate a light industrial use into the village moving it away from the other rural uses it supports and would also negatively impact land available for residential within the village itself. The uses on this site are specific in their support of the rural community and are best established in their current location, which is along an arterial road and adjacent to extractive operations.

iv) The lands are not adjacent to lands designated as Agricultural Resource Area;

Comment: The property is not adjacent to an Agricultural Resource Area.

v) The development can be supported by services available according to applicable provincial regulations;

Comment: As per the submitted reports and materials with this application, the existing services are available and sufficient to serve the existing development on the site.

vi) The scale of the development is suitable for a rural context and where the size of each commercial occupancy will not exceed 300 square metres of gross leasable floor area;

Comment: While the majority of the buildings on site are under the 300 m² requirement, the storage shop / maintenance garage exceeds 300 m². However, the shop and maintenance garage has existed on site since the early 2000's; showing here is an image that predates the 2008-250 Zoning By-law where both shop and maintenance garage are established. As per the affidavit included with this submission, a building permit was issued for the addition and there were no identified non-compliance or non-conforming Official Plan issues noted at that time. As such, the use and size of use was legally established under the existing Official Plan and existing Zoning By-law at the time of the permit being issued.



Figure 16: Aerial Image of Subject Site, dated 2005 (Source:GeoOttawa)

vii) The proposed development is designed to minimize hazards between the road on which it fronts and its vehicular points of access, mitigate incompatibilities with adjacent residential uses and to integrate appropriately with rural character and landscape.

Comment: The existing development is setback from the arterial road and is not proposing any changes to the existing singular vehicular access point. The vehicle access is wider to accommodate the large vehicles that access the maintenance garage which are vehicles utilized on mineral extraction sites.

In summary, the existing uses on site which have been established for decades maintain rural character, support the local rural economy and the included extraction uses. The use is appropriate in its current location along an arterial road. The Zoning Amendment, as a condition of the approved severance, is being undertaken to correct the sites zoning which was not accurately zoned following amalgamation.

It is also noted that the previous Official Plan 2003 the general rural area designation permitted industrial and commercial uses. There was a separate policy which specifically noted “other non-residential” uses were permitted up to a maximum of 1000 m² gross leasable area, however, there was no gross leasable area maximum for the uses listed in the sub-policy that permitted industrial and commercial uses.

As such, when the maintenance garage and shop addition was permit approved in the early 2000’s it would have complied with the Zoning By-law and conformed to the in force Official Plan.

Section 9.2.2., policy 3, notes that where development is located within 1 Kilometre of a Village or Urban Boundary it will be reviewed to ensure that it will not impede the expansion of the settlement area and that the following criteria shall be considered:

- a) The use is a compatible use with a village or urban area;

Comment: The use is a light industrial use that is compatible with a village or urban area as it is not noxious or disruptive.

- b) The development has frontage on an existing public road;

Comment: The existing use has frontage an existing arterial road.

- c) The site shall consider future multi-modal connections and be designed to accommodate these along with street trees in the future; and

Comment: The site has a long and wide enough frontage that were it to be redeveloped, it could accommodate improvements in the future if it is ever redeveloped.

- d) The use can be adequately serviced by on-site systems and will not place demand on the extension of public services for any reason, including fire suppression or contaminated groundwater.

Comment: As per the servicing support material, the site is adequately already serviced without being a burden on any future extensions.

Section 5.6.4 Natural Heritage Overlays

Section 5.6.4 of the Plan speaks to the Natural Heritage Overlays identified on schedule C11-C, and recognizes the following as part of the natural heritage features within the overlay as:

- Significant wetlands;
- Habitat for endangered and threatened species;
- Significant woodlands;
- Significant valleylands
- Significant wildlife habitat;
- Areas of Natural and Scientific Interest;
- Urban Natural Features;
- Natural Environment Areas;
- Natural linkage features and corridors;
- Groundwater features; k) Surface water features, including fish habitat; and
- Landform features.

The intent of the Overlay is to protect the natural features which may be identified on the subject property and to limit development which could impact these features. An Environmental Impact Study has been completed to evaluate the natural heritage features. The report concludes that no negative impacts are anticipated on the natural heritage features provided the identified mitigation measures are implemented on site.

Section 10: Protection of Health & Safety

Section 10.1.3 speaks to Areas Vulnerable to Flooding Under Climate Change. A climate change flood vulnerable area is the area between the 1 in 100-year flood plain and the climate change scenario flood limit. For the purposes of these policies the climate change scenario flood limit is the 1 in 350-year flood plain. Provincial policies and regulations provide for limiting or prohibiting development on lands located in the 1 in 100-year flood plain. However, local climate projections indicate increasing trends in climate parameters that influence riverine flooding such as precipitation and temperature. These trends suggest an increased risk of extreme flooding that exceeds the 1 in 100-year flood event. While the magnitude and frequency of future extreme flood events are difficult to predict given the variability of climate conditions and their impacts on the watershed of each riverine system, the following policies protect people and property from the increased risk of extreme flooding events. To address these risks, risk mitigation measures for new development within climate change flood vulnerable areas will be required.

Policy 10.1.3.3 states that where lands located in a climate change flood vulnerable area are subject to site plan control or plan of subdivision applications, flood risk will be evaluated, and mitigation measures will be applied as part of the planning and design of the site. These measures will be determined through the servicing studies required as part of the development approvals process.

- Currently no development is being proposed as part of the Zoning By-law Amendment application. If future development is proposed, the appropriate review mechanisms through the site plan process will be available.
- The site contains a portion of floodplain associated with the municipal drain but as per the civil drawings and the landscape plan, these areas are being revegetated where there is no gravel within the floodplain and 15 m setback, or vegetation is being preserved where there is currently vegetation.

Section 10.2.2 is the protection of Airport and Aircraft Operations. As per Schedule C14, the site may partly be within the Airport Vicinity Development Zone. The following map identifies the approximate location of the subject lot. The existing development does not contain any noise-sensitive land uses and does not proposed any tall buildings that might interfere with aircraft operations. The existing development conforms to the policies of Section 10.2.2.

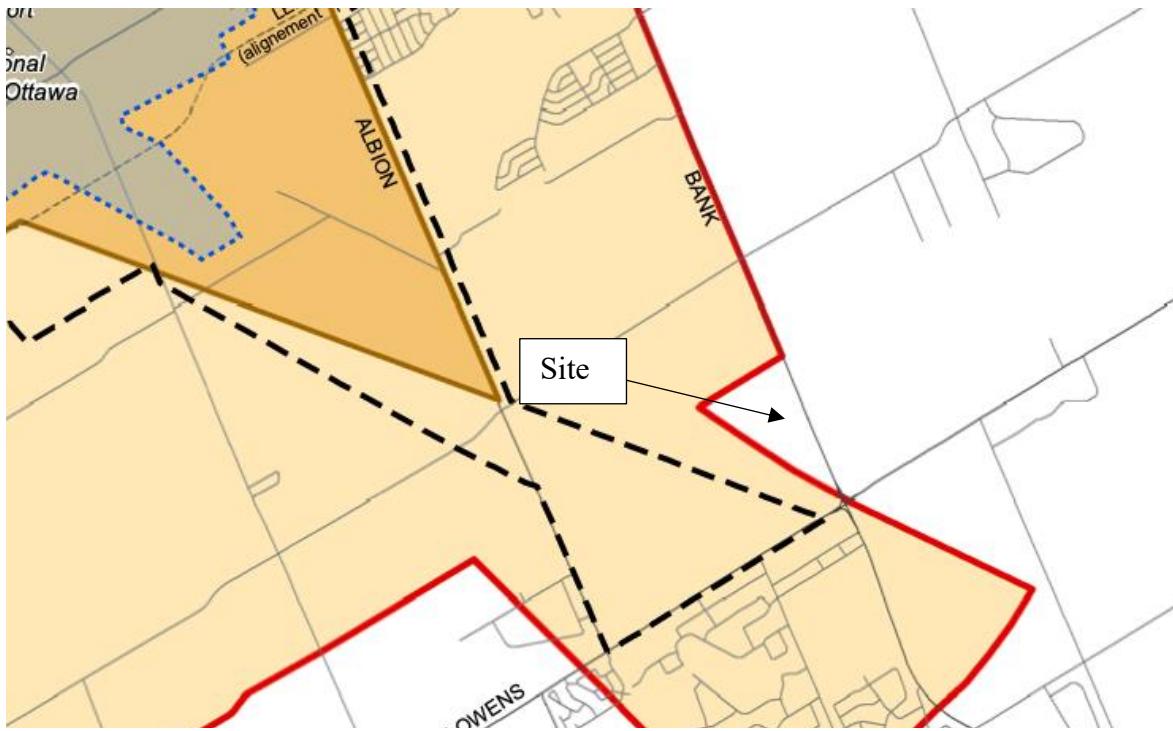


Figure 17: Extract of Schedule C14, City of Ottawa Official Plan

Based on our review, it is our professional planning opinion that the proposed development is consistent with the policies of the Official Plan.

3.3 CITY OF OTTAWA ZONING BY-LAW

The City of Ottawa Zoning By-law zones this site as split zoned, RU - Rural Countryside and ME2, Mineral Extraction, Subzone 2 (ME2), and contains a

Floodplain Overlay on a portion of the property under the City of Ottawa's By-law 2008-50. The Zoning By-law Amendment intends to rezone the portion of Rural Countryside to General Rural Industrial zone to recognize the long standing uses on the site and allow them to continue.

This amendment would recognize the existing light industrial uses, storage of equipment, shop/garage and associated uses on the site and allow them to continue. This zone would not be out of character with surrounding land uses that include industrial, automotive and aggregate uses, among other things.

The following figure outlines the existing buildings and zoning on the subject site:

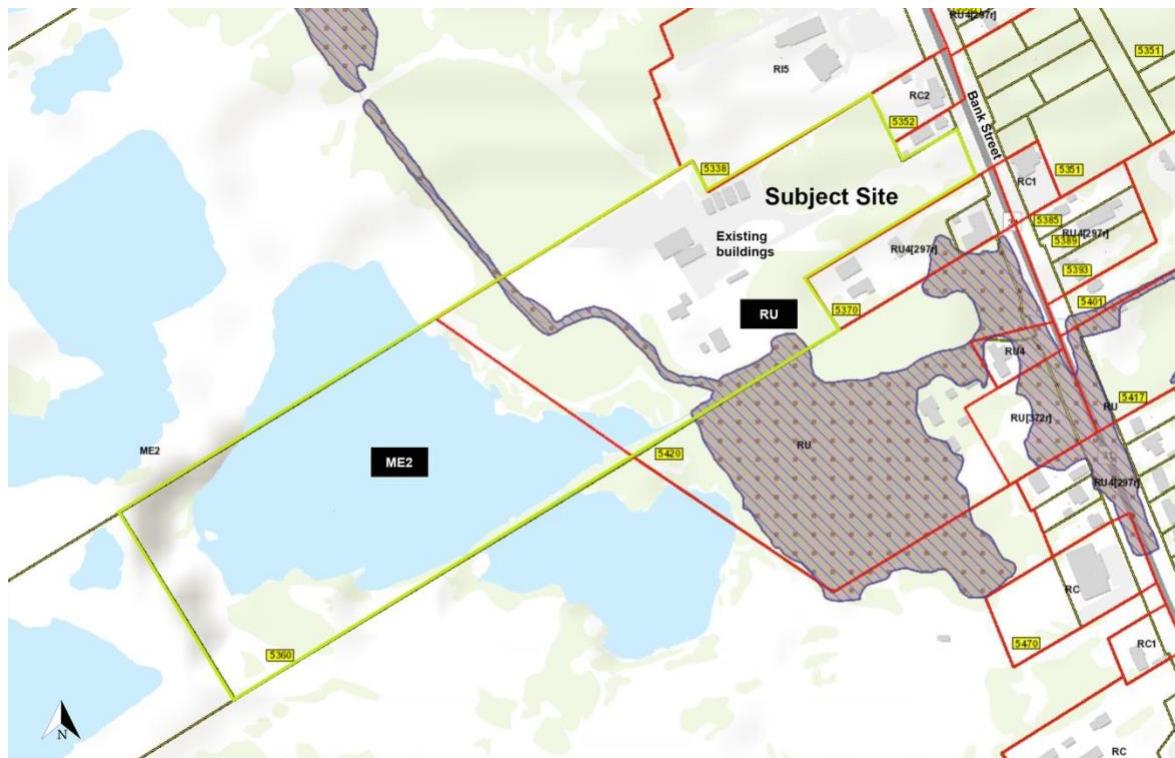


Figure 18: Map showing existing zoning

The details of the proposed zoning are provided below:

The Rural General Industrial Zone, (RG) permits a wide range of “*accommodate a range of light industrial uses and limited service commercial uses for the travelling public.*” The proposed Rural General Industrial Zone, Special Exception (RG-XXXXr) is to the historical uses on the site which aligns with the RG zone intentions. The uses being permitted and as present on site are as follows:

- Heavy equipment and vehicle sales, rental and servicing
- Light industrial uses
- Retail store
- Service and repair shop

- Storage Yard
- Warehouse

The following tables outline the project statistics and the zoning review which is also provided in the Zoning Confirmation Report.

Proposed Zone		RG – Rural General Industrial	
Zoning Provisions	By-Law Requirement	Proposed	Compliance
Principal Land Use(s)	Section 227-228 of By-law 2008-250	heavy equipment and vehicle sales, rental and servicing, light industrial uses, parking lot, retail store (limited to sale of agricultural, construction, gardening, landscape equipment / supplies) service and repair shop, storage yard warehouse	Yes
Min Lot Width	30 m	46.75 m	Yes
Min Lot Area	4,000 m ²	67,517 m ²	Yes
Min Front Yard Setback	15 m	136.57 m	Yes
Min Interior Side Yard Setback	3 m (abutting RC), 8 m other	3 m (north) 39 m (south)	No (north) Yes (south)
Min Rear Yard Setback	15 m	120.10 m	Yes
Lot Coverage	50%	2%	Yes
Max Building Height	15 m	6.7 m	Yes
Minimum Parking Requirement	Area D (0.8 spaces / 100 m ²) = 13.2 (13) parking spaces + 1 accessible parking space	15 spaces + 1 accessible parking space	Yes
Outdoor Storage	Not permitted in the front yard	No outdoor storage in front yard	Yes

Loading Space Requirement	1 loading space (1 per 1000-1999 m ²)	1 loading space	Yes
Minimum Bicycle Parking	1 per 1000 m ² of GFA = 1.6 (2)	2 spaces	Yes
Floodplain (Section 58)	Development is prohibited in the Floodplain Overlay	No development proposed in the floodplain overlay	Yes
Setback from Watercourse (Section 69)	Development requiring a plan of subdivision or that is subject to site plan control must provide the watercourse or waterbody setbacks set forth in subsection (2) unless, as established through conditions of approval, a different setback is determined to be appropriate in accordance with the criteria set forth in the Official Plan. (By-law 2009-347)	As per the EIS, a difference setback was determined to be appropriate in accordance with the criteria set forth in the OP. The appropriate setback as per the EIS is 15 m and is adhered to.	Yes

Zoning Relief – Exception Zone XXXXr

The zoning amendment will also include a site-specific exception to permit the reduced side yard setback from 8 m to 3 m for an open-front natural material storage. There are three salt storage domes along this interior side yard. At the closest point, the one dome is 3 m from the interior property line at the corner and that angles outward along with the other salt domes to the largest setback of 6.80 m. It is noted that this reduced setback for the three salt domes is only present for 17% of the north interior property line and there are no buildings along the rest of the north interior property line. The abutting lot in this area is a cemetery and there is an existing hedge buffer between the two uses. The following images demonstrate the existing context. The closest point of interaction between a salt dome and the accessible portion of the cemetery is approximately 13 metres and the existing hedges are quite tall.



Figure 19: Aerial image illustrating width of existing vegetative buffer

As noted, the domes did not require a building permit as per conversations with City staff in October of 2011 as they were considered non-permanent structures because they are made up of interlocking cement blocks on the sides and back with a white tent structure over the salt storage. The following photographs demonstrate that the existing domes are not visible from the abutting use.



Figure 20: Image from abutting cemetery at 5338 Bank in the south-west corner.

5.0 PLANNING ANALYSIS AND RATIONALE

The existing industrial uses on the subject site align with the intent and objectives of the broader planning policies, as they reflect appropriate land use for a rural setting. The site's location, fronting an arterial road and abutting existing aggregate operations, highlights the complementary nature of this site and its surrounding context. This is consistent with policy directions that encourage industrial development to occur in areas with adequate infrastructure and road access, particularly in rural or transitional areas where land is available and suitable for such uses.

The existing development on site has existed for a number of decades and the structures on site have been erected with City of Ottawa consultation in the past per the affidavits provided in an appendix to this report. The proposed Zoning Amendment is a condition of a severance application, is considered a Minor Zoning Amendment, and is intended to acknowledge the existing land uses on the subject site which both support the abutting aggregate operation, and contribute to a stable rural economy.

The Zoning Exception necessary to recognize the interior yard setback reduction is considered appropriate for the style, size, and placement of the buildings on the lot. The three salt domes angle away from the property line, do not include any interior machinery or windows and are a bright white colour which blends into the skyline. The provided images in this report indicate that there are no impacts of these domes on the abutting cemetery.

In conclusion, the existing uses of the site along with the proposed stormwater management upgrades is consistent with rural land use policies and aligns with both the surrounding land use context and conforms to the broader planning framework of the PPS 2024, making the conditioned zoning amendment appropriate and supportable.

6.0 SUPPORTING PLANS AND STUDIES

5.1 PRELIMINARY AGGREGATE RESOURCE STUDY

A Preliminary Aggregate Resource Study was completed by Paterson Group in August 2014 for the properties known as 5310 and 5362 Bank Street, now known as 5360 Bank Street. The purpose of the study was to determine the overburden aggregates of the various materials recovered from the test pits and to provide an assessment of the viability of the suggested aggregate reserve within the ME2 zone on the site, for future extraction in the overburden materials. The main findings from the study indicate that there is no viable aggregate in the vicinity of the severed lot that would be affected by the severance and zoning amendment.

A supplemental Aggregate Resource Study was undertaken by Milestone Aggregate Consulting Services, dated June 2024. The supplemental report agrees with the conclusion of the 2014 report.

5.2 ENVIRONMENTAL IMPACT STATEMENT

An Environmental Impact Statement was completed by Gemtec, dated October 1 2024. The purpose of the study was to identify impacts to the natural heritage features on the site and within 120 metres beyond the property boundary. Based on the results of the analysis, any anticipated impacts to the natural environmental are to be minimal as long as mitigation measures are implemented.

In conclusion to the report, no significant impacts to the natural heritage features identified on the site would be affected by the proposed severance, provided the recommended mitigation measures are implemented for any future development. The minor report revision prepared as part of the January 2026 resubmission does not change the conclusion of this report.

5.3 ENVIRONMENTAL SITE ASSESSMENT (PHASE 1 AND PHASE 2)

An Environmental Site Assessment was completed by Gemtec in October 2023 for 5360 Bank Street. As part of the Phase Two ESA investigation, a total of seven boreholes were advanced with a Geoprobe drill rig to enable soil quality sampling and five groundwater monitoring wells were installed. A total of 16 soil samples and six groundwater samples were collected and analyzed for the contaminants of potential concern.

Based on the analytical results of the Phase Two ESA, GEMTEC offers the following conclusions:

- The overburden observed at the Site during the subsurface investigation was generally described as glacial till consisting of sand and gravel, some silt, trace clay. The glacial till also contained cobbles and boulders.
- The reported concentrations of all soil and groundwater samples were compared to the MECP Table 2 and Table 8 SCS.

- [] The reported concentrations of all soil samples met the applicable Table 2 SCS and minor EC exceedances of Table 8 SCS were noted.
- [] The reported concentrations of all groundwater samples met the Table 2 and Table 8 SCS.
- [] No further environmental work is recommended at this time.

7.0 CONCLUSION

The applicant is seeking a Minor Zoning By-law Amendment for a portion of the subject property known as 5360 Bank Street comprising of 67,517 square metres.

The lands subject to the rezoning have been severed from the balance of the site through a consent application which has been filed to the Committee of Adjustment and approved. A condition of the approval was a rezoning of the site to an appropriate compatible zone. The lot is currently zoned Rural Countryside, but has existed with light industrial/ commercial storage uses since the 1950's.

The owner is seeking a Minor Zoning By-law Amendment from Rural Countryside to General Rural Industrial in order to legally continue the existing uses. The severance application and associate rezoning will ensure continued preservation of the identified Mineral Extraction lands, while continuing to provide the light industrial/ commercial use to the rural community which also supports the existing aggregate operations.

The proposed Minor Zoning Amendment is consistent with the policies in the 2024 Provincial Planning Statement and conforms to the City of Ottawa's Official Plan. The site does have some legal non-conforming elements that will continue.

It is the collective result of the reports and plans, along with Q9's planning review, that the proposal is considered good land use planning and is supported from a planning perspective.

REPORT PREPARED BY:



Christine McCuaig, RPP, MCIP



Appendix A – Consent Application History

CHRONOLOGICAL HISTORY, 5360 BANK STREET CONSENT APPLICATION/ZONING BY-LAW AMENDMENT

Bredon Developments Inc.



GeoOttawa 2019

Location of Site: 5360 Bank Street
Geographic Township of Gloucester
City of Ottawa

Prepared by: Gary McLaren

Revised November 22, 2023

Introduction

The undersigned was retained by Brent Pyper, president of Percy Pyper (1997) Ltd. for the severed lands and president of Bredon Developments Inc. for the retained lands, to coordinate a severance application for the above property at 5360 Bank Street. A Mineral Resource Impact Assessment was completed by Paterson Group Inc. in August, 2014, an Environmental Impact Assessment done by Gemtec Consulting Engineers and Scientists Ltd. in February 2021. Gemtec also prepared a Phase 1 and Phase 2 Environmental Assessment, dated October 2, 2023 for the severed lands, in support of the consent application and to comply with the city's Official Plan policies. NovaTec Engineering is also preparing a Water Study and Paterson Engineering a Traffic Screening checklist for the Bank street entrance.

A site meeting was carried out with the owner on July 5, 2022, for the purpose of reviewing the site history and the establishment of buildings on site. The site subject to the severance application is presently zoned Rural and has been in the ownership of Percy Pyper Ltd., and different renditions of that company (Estate of Percy Pyper, Percy Pyper (1969) Ltd.) since the 1940's. Brent Pyper is the son of the late Percy Pyper, former president of Percy Pyper Ltd., and presently owns the subject parcel.

Since the 1958 and before, the subject parcel was operated as a light industrial site to support the following:

- 1) Lease of buildings and lands to sever different construction companies for light industrial use e.g. (storage of construction equipment, heavy equipment maintenance garage and part storage, manufactured materials such as sewer pipe and culverts, storage for sand and salt for road application in winter, storage containers and quasit huts for multiple storage purposes).
- 2) Maintenance garage to support pit operations (maintenance of equipment and storage of heavy equipment parts).

Many of these buildings are considered temporary or portable and have not previously required a building permit. The severance application and re-zoning has triggered a review of buildings under present zoning policies. (See the description of buildings and attached swore affidavits to support the history of on-site buildings/structures).

The main purpose of the severance is to separate the light industrial lands along Bank Street from two former pit operations on the retained lands. The adjacent abandoned pit formerly operated by Percy Pyper Limited, leased to Billie Construction and McKeown Contracting was exhausted of marketable material prior to licencing requirements in 1972 under the Pits and Quarries Control Act (predecessor to the Aggregate Resources Act). The existing licence pit was previously purchased and operated by Dibblee Construction Ltd. in 1958 and was re-acquired and operated under Greely Sand and Gravel Ltd. and now under the licence name Bredon Developments Inc. Brent Pyper is president of both these companies.

Although the light industrial land use and buildings may be considered legal non-conforming, the applicant would be in agreement, to a condition imposed on the severance application, to proceed with a concurrent zoning by-law amendment to recognise the site as light industrial rather than the presently designated rural use.

The following is a brief history of the subject site followed by photographs indicating the location, size and use of the onsite buildings.

HISTORY

5362 Bank Street – 100 Acres

Land uses : Farmland - Pit - Construction

1958 Dibblee Construction bought 40 acres from Percy Pyper as a pit

Percy Pyper opened up the pit on the front half of 5362 Bank Street, west end of the land parcel

1960 – 1969

Billie Construction made agreement with Percy Pyper on purchasing the sand & gravel on royalty.

Billie Construction main office and construction yard and pit was located at 5362 Bank Street

The Shop/Garage built in the 1950's was used as storage & repairs for Percy Pyper Ltd.

1982

Brent Pyper sold Pyper Sand and Gravel business to McKeown Contracting as well as Percy Pyper Ltd. The land remained as Estate of Percy Pyper.

1988

Willis McKeown lease expired and he moved out.

Abloom Landscape rented the house as an office and garage for storage and repairs.

Cace Construction rented the portable office to run their sewer company as well as the land.

1997

Estate of Percy Pyper name changed to Percy Pyper (1997) Ltd.

2002

Abloom moved out and Cace Construction took over house as office and demolished the portable office.

2002

Greely Sand & Gravel took over existing garage and built extension to store equipment.

2016 - 2017

Cace Construction office was demolished to for safety reasons as the structure was failing.

Cace Construction continued to rent land only and installed portable office in 2016.

Case used existing 1940 barn as storage until 2017.

2017

Cace built a portable storage cover-all building.

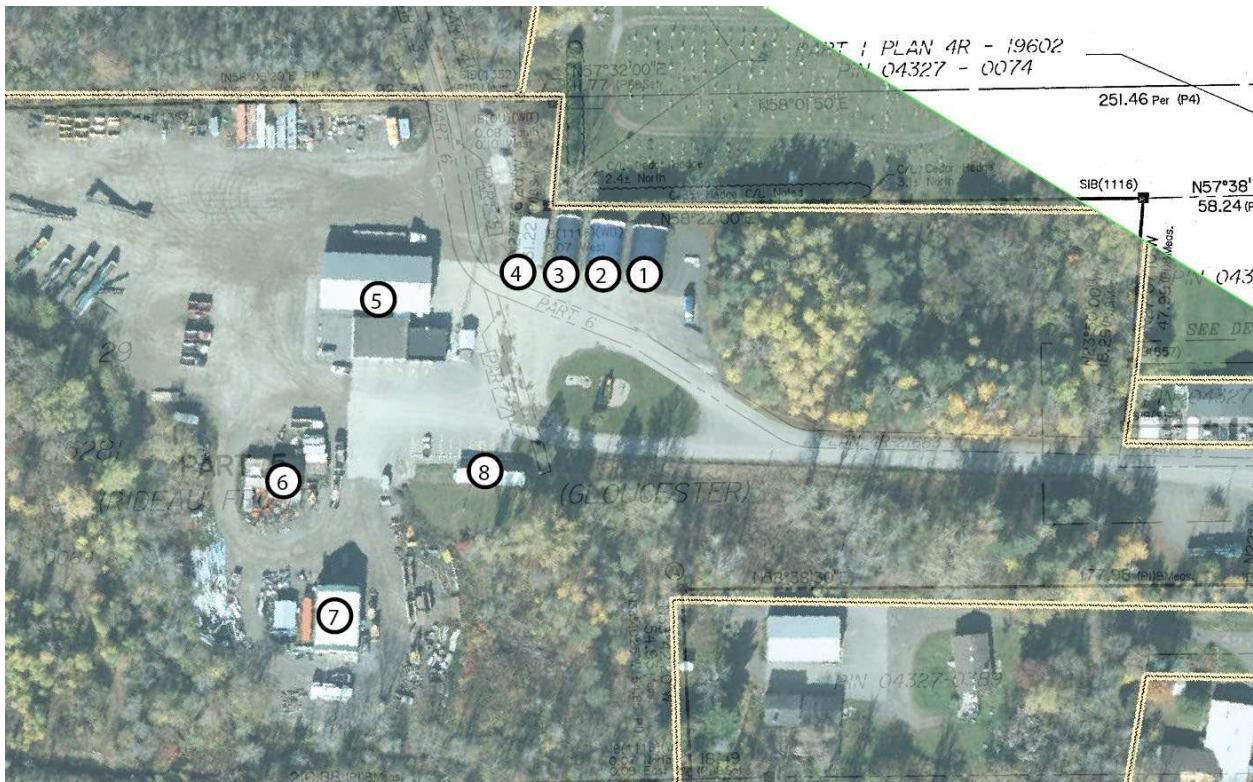
MPAC visited site the same year to confirm demo to house and a refund was given back to Percy Pyper Construction.

Milestone Aggregate Consulting Services

177-763 Narrows Lock Road, Portland, ON K0G1V0

Tel: 613-272-6795 Cell: 613-893-6227 email: gmclaren@milestoneaggregate.com www.milestoneaggregate.com

Bredon – 5360 Bank Street Building Locations



Photos of the individual structures can be accessed at the links below:

1. Salt Dome
32X48X16 High
September 2019
[Salt Dome 1,2,3 & 4](#)
2. Salt Dome
32X48X16 High
November, 2017
3. Salt Dome
24X48X16 High
October 2011
[Structures 3 & 4](#)
4. Grain Bin for Storage
Original July 1965
New Roof structure on Grain Bin Summer 2004
[Grain Bin for Storage](#)

5. Storage Shop – Maintenance Garage

South 2 buildings (darker roof in Photo) constructed 1968. Larger light roof addition on the north side was added Fall 2002

[Exterior Maintenance Building](#)

[Inside Maintenance Building](#)

Portable Fuel Tanks (Southeast of Maintenance Garage)

[Portable Tanks by Maintenance Building](#)

6. Part of original farm shed

Sometime in 1940

[Farm Shed](#)

7. Storage Dome built by Case Construction (748 sq. metres or 2,420 sq.ft.)

Land rented to Case Construction – no structures in rent contract

[Case Storage Building](#)

8. Portable Office

November 2016

Were renting house up to demo then brought in portable. They only rent the land

[Leased Office](#)

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1- Grain Bin (to the left) and Salt domes



5: Original Maintenance building to the left (1968) and newer addition to right (2002)



6: Farm Shed (1940)



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Tel: 613-272-6795 Cell: 613-893-6227 email: gmclaren@milestoneaggregate.com www.milestoneaggregate.com

7: CACE Storage Dome 2420 sq. ft. (Jan. 2017)



9. CACE Portable Office Trailer (Nov. 2016)

Milestone Aggregate Consulting Services
177-763 Narrows Lock Road, Portland, ON K0G1V0
Tel: 613-272-6795 Cell: 613-893-6227 email: gmclaren@milestoneaggregate.com www.milestoneaggregate.com

Conclusion: The site history and attached affidavits verifies that this site has been used for construction and light industrial use since prior to 1958. Aerial images reviewed on Geo Ottawa, show the Percy Pyper Ltd. abandoned pit has not changed since the earliest images in 1982 to the present day 2022 photos. The historic Geo Ottawa images also support the history of the building establishment as stated in this report and indicated by the photographs.

The owner was not aware of the establishment of the rural zone when the Zoning By-law schedules were advertised in the newspaper as required under the Planning Act process. Had he been aware of this, actions would have been taken to rectify the land use at that time which may have ultimately resulted in an appeal of the by-law. The owner wishes to sever the light industrial lands along Bank Street from the Extractive industrial lands in the retained parcel to the west containing the depleted and abandoned pit on the east side of the parcel and the active Pit licence on the west bordering Albion Road.

The site was inspected by MPAC in 2018 following the 2017 demolition permit and construction of the office trailer and storage dome by CACE Construction. The 2002 building permit for the Maintenance building triggered another site visit and reassessment by MPAC. The landowner has been paying taxes based on a light industrial land type on the MPAC assessment since 2002.

Trusting that this synopsis will assist the city's planning staff in supporting a consent application and zoning by-law amendment to recognize these lands for their current use.

Regards,



Gary McLaren
President
Phone: [613-272-6795](tel:613-272-6795)
Mobile: [613-893-6227](tel:613-893-6227)
email: gmclaren@milestoneaggregate.com

AFFIDAVIT OF SERVICE - Salt Domes

1. Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different renditions of the family business, have owned the subject lands since 1910 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows, that on or about October 2011 did enquire and was provided direction from the then City of Ottawa Building Department, that a building permit was not required for a temporary/portable structure constructed of large size interlocking cement blocks and a plastic cover all done over a (loose) steel frame.

In October of 2011, I constructed the first salt dome based on my discussion with Planning and Building Department, City of Ottawa.

November 2017, based the advice provided in 2011, a second temporary salt dome was constructed next to the previous dome.

September 2012, a third salt dome was added beside the second dome.

All domes constructed with engineered drawings approved by State Survey Building Standards.

For the exact location, description and photographs of these temporary/portable structures, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-Law Amendment, Broden Developments Inc., March 2022**.

Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town of Ottawa, in the
County of Renfrew, Ont, this 26 day
of December, 2002. B.

Comparisons of Gothic (14th century)

Lawyer David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

AFFIDAVIT OF SERVICE - Grain Bin

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different iterations of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows, that on or about July 1970 a building was constructed to store grain. In the summer of 2004 the building was reconstructed to its current state using the same foot print (foundation) as the original building and continues to be used as a storage building.

This building has been used for storage of grain, farm implements and gravel pit equipment each and every year since 1970. This building has legal non-conforming status pursuant to the current City of Ottawa zoning by-law and the previous City of Gloucester zoning by-law.

For the exact location, description and photographs of the Grain Storage Building, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredon Developments Inc. March 2023**.


Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town of Ottawa, in the
County of Gloucester, on this 23 day
of November, 2023.
H
H
H

Commissioner of Oaths (signature)

Macaulay David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

AFFIDAVIT OF SERVICE - 1940's Farm Shed

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different conditions of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows, that on or about July 1991 a maintenance building was constructed to service heavy equipment (gravel trucks, loaders, processing equipment), related to pit operations.

When rural property was originally purchased by Percy Pyper in 1940, the farm shed was already existing on the property in its present location. This building has not been altered from its original condition since it was constructed. The building has been used for storage of farm implements and tools and construction equipment and tools since 1940. This building has legal non-conforming status pursuant to the current City of Ottawa zoning by-law and the previous City of Gloucester zoning by-law.

For the exact location, description and photographs of the Farm Storage Shed, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredan Developments Inc. March 2023**.


Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town Ottawa, in the
County of Carleton, on this 23 day
of November, 2023.
mth year


Commissioner of Oaths (signature)

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario.
Wilson Law Partners LLP

AFFIDAVIT OF SERVICE - Maintenance Garage

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different conditions of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows: that on or about 1968, a maintenance building was constructed on the subject site.

On or about 2000, Brent met with Glenn Duncan employee of the City of Gloucester to enquire about building an addition to the existing maintenance garage for expanded storage and maintenance of excavation equipment and dump trucks. The subject lands were zoned Rural at that time which allowed the use of a maintenance building or barn. A building permit was issued, but the building was not constructed until 2002. NPAC re-assessed the building and property in 2002 for light industrial use and levied a new tax rate according to light industrial land class. Taxes have been paid since 2002 according to the higher industrial use assessment rate.

This addition to the original maintenance garage has been used for the maintenance and storage of gravel and plow trucks, haulers, and other sand, gravel and topsoil screening equipment since its construction in 2002.

For the exact location, description and photographs of the Grain Storage Building, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredon Developments Inc. March 2023.**


Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town/Office, in the
County of Carleton, on the 23 day
of November, 2023,
mm year


Commissioner of Oaths (signature)

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

AFFIDAVIT OF SERVICE - CACE Temporary Storage Dome

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd., and different
members of the family business, have owned the subject lands since 1940 and have operated the
site and buildings as an extractive industrial land use (sand and gravel pit operation) and light
industrial use (construction business) since 1958, make oath and say as follows:

that in 2016, Percy Pyper (1997) Ltd., entered into a lease agreement with CACE Construction for a
portion of the lands on the south side of the subject site. A demolition permit was acquired from the
city of Ottawa to remove the brick farm house (original Pyper home), used as a construction office
since 1967. On November 8, 2016, the house/office was removed and a temporary office trailer
installed at that location shortly after. On January 1, 2017, CACE Construction placed a temporary
738 sq. metre (2,426 sq. ft.) dome building on site to store sewer pipe, related construction materials
expanding the storage from the 1940 farm shed. MPAC inspected the site later in 2018 to confirm
demolition of the house/office which was immediately replaced with a portable office trailer as well as
the temporary storage dome. Adjustment to MPAC's assessment was done at that time and a
refund from the house/office demolition was received.

Several shipping containers and transport truck reefer vans were also parked on site to store
construction materials and supplies. Due to individual size, these storage containers do not require
a building permit and are an accepted use in the existing and proposed zone areas.

For the exact location, description and photographs of these temporary portable structures, refer to
a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-
law Amendment, Bredon Developments Inc. March 2023**.


Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town of Ottawa, in the
County of Ottawa, ON, this 21 day
of November, 2023.
mth year


Commissioner of Oaths (signature)

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

Appendix B – Affidavits

AFFIDAVIT OF SERVICE - Maintenance Garage

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different renditions of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows, that on or about 1968, a maintenance building was constructed on the subject site.

On or about 2000, Brent met with Glenn Duncan employee of the City of Gloucester to enquire about building an addition to the existing maintenance garage for expanded storage and maintenance of excavation equipment and dump trucks. The subject lands were zoned Rural at that time which allowed the use of a maintenance building or barn. A building permit was issued, but the building was not constructed until 2002. MPAC re-assessed the building and property in 2002 for light industrial use and levied a new tax rate according to light industrial land class. Taxes have been paid since 2002 according to the higher industrial use assessment rate.

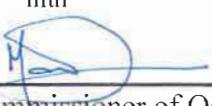
This addition to the original maintenance garage has been used for the maintenance and storage of gravel and plow trucks, loaders, and other sand, gravel and topsoil screening equipment since it's construction in 2002.

For the exact location, description and photographs of the Grain Storage Building, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredon Developments Inc. March 2023.**



Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town Ottawa, in the
County of Carleton, ON., this 23 day
of November, 2023.
mth year



Commissioner of Oaths (signature)

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

AFFIDAVIT OF SERVICE - Salt Domes

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different renditions of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows, that on or about October 2011 did enquire and was provided direction from the then City of Ottawa Building Department, that a building permit was not required for a temporary/portable structure constructed of large size interlocking cement blocks and a plastic cover all dome over a light steel frame.

In October of 2011, I constructed the first salt dome based on my discussion with Planning and Building Department, City of Ottawa.

November 2017, based the advice provided in 2011, a second temporary salt dome was constructed next to the previous dome.

September 2019, a third salt dome was added beside the second dome.

All domes constructed with engineered drawings approved by Brite Span Building Systems Inc.

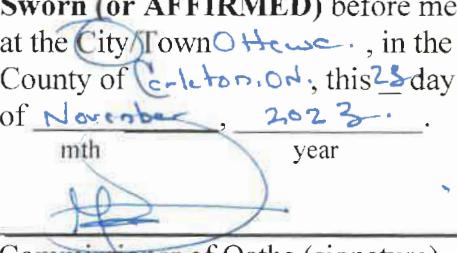
For the exact location, description and photographs of these temporary/portable structures, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredon Developments Inc. March 2023.**



Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town Ottawa, in the
County of Carleton, ON, this 23 day
of November, 2023.

mth year


Commissioner of Oaths (signature)

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

AFFIDAVIT OF SERVICE - CACE Temporary Storage Dome

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different renditions of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows:

that in 2016, Percy Pyper (1997) Ltd., entered into a lease agreement with CACE Construction for a portion of the lands on the south side of the subject site. A demolition permit was acquired from the city of Ottawa to remove the brick farm house (original Pyper home), used as a construction office since 1967. On November 8, 2016, the home/office was removed and a temporary office trailer installed at that location shortly after. On January 1, 2017, CACE Construction placed a temporary 738 sq. metre (2,420 sq.ft.) dome building on site to store sewer pipe related construction materials expanding the storage from the 1940 farm shed. MPAC inspected the site later in 2018 to confirm demolition of the house/office which was immediately replaced with a portable office trailer as well as the temporary storage dome. Adjustment to MPAC's assessment was done at that time and a refund from the house/office demolition was received.

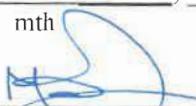
Several shipping containers and transport truck reefer vans were also parked on site to store construction materials and supplies. Due to individual size, these storage containers do not require a building permit and are an accepted use in the existing and proposed zone areas.

For the exact location, description and photographs of these temporary/portable structures, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredon Developments Inc. March 2023.**


Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town Ottawa, in the
County of Carleton, ON, this 23 day
of November, 2023.

mth year


Commissioner of Oaths (signature)

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.

AFFIDAVIT OF SERVICE - Grain Bin

I, Brent Pyper, son of the late Percy Pyper, representing Percy Pyper (1997) Ltd. and different renditions of the family business, have owned the subject lands since 1940 and have operated the site and buildings as an extractive industrial land use (sand and gravel pit operation) and light industrial use (construction business) since 1958, make oath and say as follows, that on or about July 1970 a building was constructed to store grain. In the summer of 2004 the building was reconstructed to it's current state using the same foot print (foundation) as the original building and continues to be used as a storage building.

This building has been used for storage of grain, farm implements and gravel pit equipment each and every year since 1970. This building has legal non-conforming status pursuant to the current City of Ottawa zoning by-law and the previous City of Gloucester zoning by-law.

For the exact location, description and photographs of the Grain Storage Building, refer to a report entitled **Chronological History, 5360 Bank Street, Consent Application/Zoning By-law Amendment, Bredon Developments Inc. March 2023**.

Brent Pyper, President
Percy Pyper (1997) Ltd.

Sworn (or AFFIRMED) before me
at the City/Town Ottawa, in the
County of Carleton, ON; this 23 day
of November, 2023.

mth year

Matthew David Frye, Solicitor and
Notary Public, Province of Ontario,
Wilson Law Partners LLP.