

**REVISED**

February 14, 2024

**Mr. Michel Bellemare**

Secretary-Treasurer  
Committee of Adjustment  
101 Centrepointe Drive, Fourth Floor  
Ottawa, ON K2G 5K7

**RE: Consent Application  
1919, 1967 Riverside Drive, Ottawa**

**Committee of Adjustment**  
Received | Reçu le

**Revised | Modifié le : 2024-02-16**

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Mr. Bellemare,

Fotenn Planning + Design ("Fotenn") has been retained by Schlegel Villages to prepare a Planning Rationale for a Consent application to the Committee of Adjustment on their behalf. The intent of this application is to seek consent for a lease of land greater than twenty-one years and establish part specific easements over the lands. No new parcels of land are proposed to be created through this Consent application.

In addition to this cover letter, please find enclosed the following materials in support of the application:

- / Completed application form;
- / Approved Site Plan;
- / Draft Reference Plan;
- / Tree Conservation Report;
- / Parcel Abstracts.

Sincerely,



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Planner



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# 1.0 Introduction

Fotenn Consultants Inc (“Fotenn”) has been retained to prepare this Planning Rationale in support of a Consent application for the Ottawa Hospital Riverside Campus known municipally as 1919,1967 Riverside Drive and 100 Smyth Road (the “subject site”) in the City of Ottawa.

The intent of this Planning Rationale is to assess the proposed Consent against the applicable policy and regulatory framework and to demonstrate how the Consent is appropriate for the subject site.

## 1.1 Purpose of Application

The Ottawa Hospital and Schlegel Villages have an agreement to enter a long-term lease for the subject site. Consent from the Committee of Adjustment is required to establish a long-term lease of greater than twenty-one years in accordance with Section 50(3) of the Planning Act.

Consent from the Committee of Adjustment is also required to establish part-specific easements for pedestrian & vehicular access and services (water, storm and sanitary) as detailed in this application.

As this application is for a long-term lease, no new parcels of land are proposed to be created through this Consent application.

## 1.2 Application History and Context

Fotenn submitted a Site Plan Control Application (D07-12-21-0170) in Fall 2021 to develop the northern portion of the site with a seniors’ community, including an eight (8) storey, 256-bed Long Term Care Home and an adjoining fifteen (15) storey Retirement Home with 270 suites. Through the Site Plan Control approval process, the applicant team and City staff have worked extensively to refine the proposed site plan. The Site Plan Application was subsequently approved by the City in August 2023.

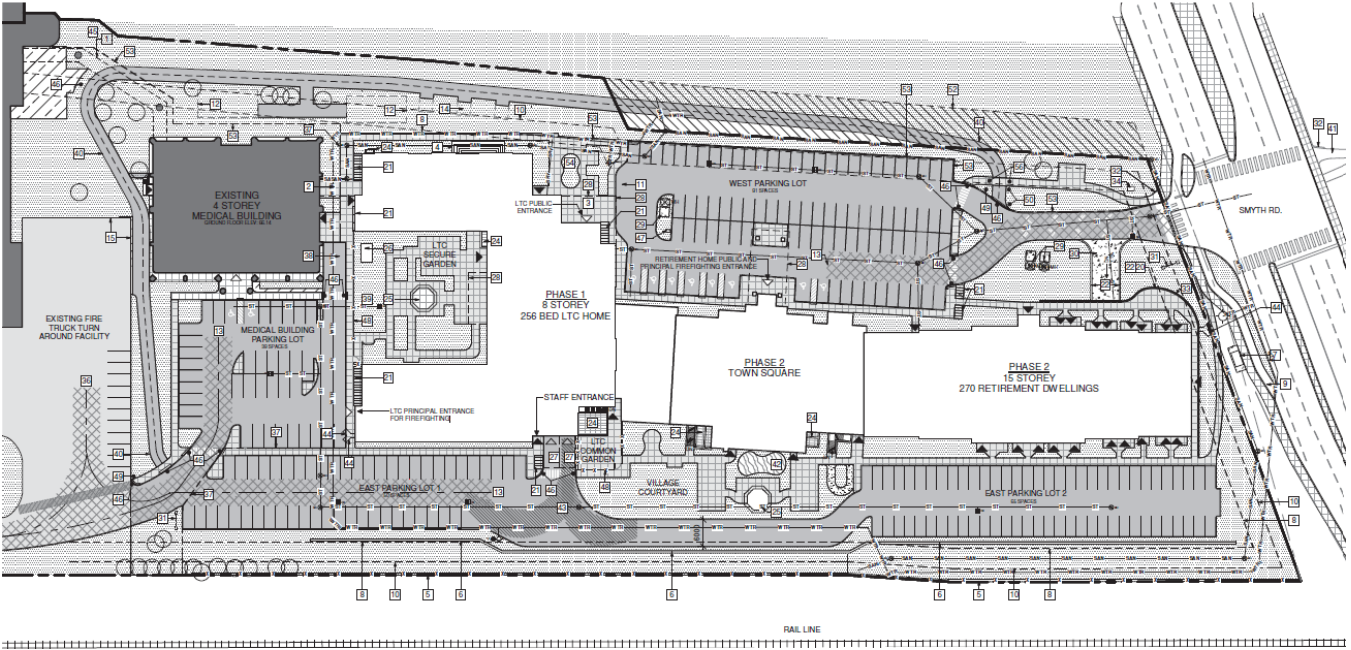


Figure 1: Extract from Approved Site Plan

The site layout and location of the buildings is shaped by the Schlegel Village Continuum of Care model and the need to provide a setback and additional safety measures to the adjacent rail corridor to the east.

Consideration for multi-modal access strongly shaped the site design. The existing private driveway that connected through the entire Riverside Campus will be removed, and replaced with a new multi-use path (MUP) which provides improved pedestrian and cyclist access to the Transitway station. The main vehicular access for the Retirement Home and visitors to the Long Term Care Home will be provided from Smyth Road. Access to The Ottawa Hospital Riverside Campus and Medical Building will continue to be provided from Riverside Drive.

In order to enable the project, existing parking associated with the Medical Building will be removed and replaced with a new parking lot located at the main entrance to the Medical Building. Vehicular access to this lot, as well as to staff parking lots (East Parking Lot 1 and East Parking Lot 2) will be provided via the private way that connects to Riverside Drive.

## Site Context and Surrounding Area

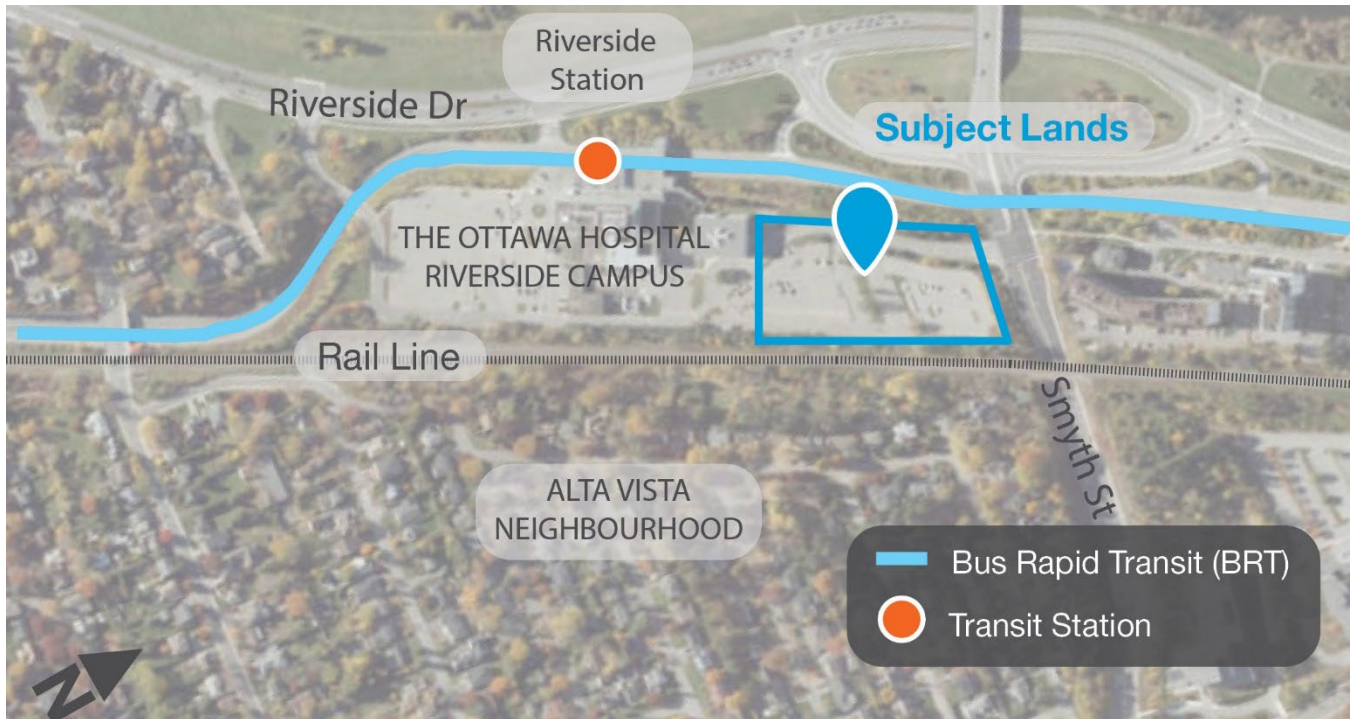


Figure 2: Site Context

The Ottawa Hospital's services are currently consolidated in a single building at the centre of the Campus ('Hospital Building'), with an above-grade link to a separate medical office building ('Medical Building'). The existing Riverside bus rapid transit ('BRT') station is integrated into the Hospital Building, which projects over the Transitway.

The two portions of the Riverside Campus west of the Transitway are not currently developed, and are landscaped with lawn, mature trees and shrubs. The majority of the remainder of the Riverside Campus is largely occupied by surface parking lots.

A private driveway connects Smyth Road and Riverside Drive through the existing campus. A bicycle route runs along part of the driveway, before connecting to a multi-use pathway ('MUP') that crosses the VIA line to Billings Avenue. Existing pedestrian connectivity across the Campus is limited, although pedestrian access to the campus from Riverside Drive is provided along the private driveway and through the Riverside BRT Station and Hospital Building.

The Riverside Campus is characterized by significant grade changes, from a high of approximately 69 metres above sea ('ASL') level adjoining the VIA line, to a low of approximately 63 metres ASL along the Transitway. Some of the most dramatic grade changes are found along Smyth Road, where the land steeps slowly upwards from the municipal sidewalk towards the top of slope near the edge of the parking area.

The subject site, intended for redevelopment, are located on the north easternmost portion of the Riverside Campus, fronting Smyth Road, as shown in Figure 1. The subject site currently accommodates 386 parking spaces in 4 access-controlled lots. Vegetation on the subject site consists of lawn and trees on the perimeter of the property, as well as trees lining the drive isles and within parking islands.



One key feature of the subject site is municipal services which bisect the development area from east to west. Municipal water and wastewater services and hydro lines are located on the property, the legacy of an unopened road allowance across the Riverside Campus.

Under the approved Site Plan, the existing conditions of the site will be significantly altered, including:

- / Relocation of the existing municipal services to be located mostly in the municipal rights of way;
- / Dedication of lands for a new linear municipal park, adjacent to the Transitway lands;
- / Substantial regrading to allow for site access and building construction;
- / Reconfiguration of vehicular access and parking lots;
- / Installation of rail safety measures, including a crash wall, along a portion of the property line abutting the rail corridor;
- / Removal of trees and vegetation required due to the above-noted works;
- / Addition of a Multi-Use Pathway to transverse the site along the transitway corridor; and
- / Landscaping and planting of new vegetation and trees, including creation of outdoor amenity spaces.

## 2.1 Land Use Context

The surrounding community is characterized by a mix of land uses, including residential, institutional, and open space. The Riverside Campus is located between the Rideau River and the neighbourhood of Alta Vista.



Figure 3: Site Photos

Along this stretch of land between the Rideau River and Alta Vista there are several high-rise bar buildings. These are predominantly residential buildings similar in size and bulk to the proposed development. To the east is a predominantly low-rise residential community with few commercial uses.

**North:**

- / To the immediate North of the Riverside Campus.
- / Across Smyth Rd is a twelve storey (12) residential building zoned Fifth Residential - R5.

**East:**

- / On the east side of the VIA rail line is a residential community with single detached dwellings zoned First Residential - R1.

**South:**

- / To the south, on the other side of the Hospital building, the lands are zoned First Residential - R1.

**West:**

- / The lands to the immediate west, between the Riverside Campus and the Rideau River are zoned Open Space – O1.

# 3.0 Proposed Consent Application

## 3.1 Consent for Long-term lease Greater than Twenty-one years

In order to facilitate the approved site plan, and proceed with development of the lands, The Ottawa Hospital is proposing to lease lands to Schlegel Villages for a period of 75 years. As the lease of land is for a period of greater than twenty-one years, Consent from the Committee of Adjustment is required to enter into the lease agreement.

The Ottawa Hospital will own the entirety of the lands but will lease the “severed” lands to Schlegel Villages to construct and operate the approved development.

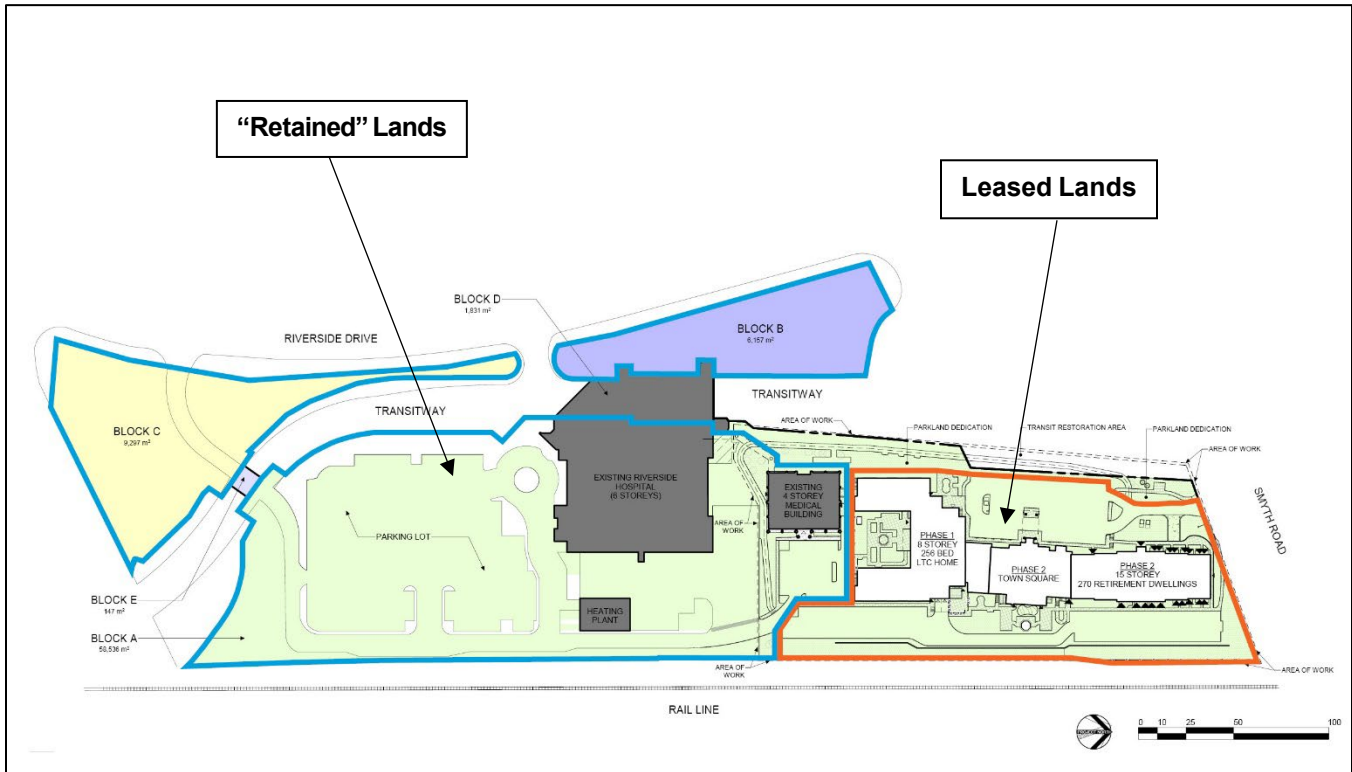


Figure 4: Subject Site showing the retained and leased lands

The following table outlines the leased (“severed”) lands and the remainder (“retained”) lands, including the area dedicated for parkland as part of the approved site plan. The corresponding parts on the reference plan are provided.

Land	Area	Parts on Reference Plan
<b>Severed (Leased Lands)</b> Schlegel Villages	1.944 hectares	5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 37, 39, 40, 41, 42, 43, 44, 45
<b>Retained Lands</b> The Ottawa Hospital	5.581 hectares	1, 2, 3, 4, 22, 23, 24, 26, 27, 28, 29, 30, 32, 34, 35, 36, 38
<b>Parkland dedication</b>	0.25 hectares (2,531.50 square metres)	9, 25, 31, 33, 46, 47

## 3.2 Easements

In order to facilitate the approved site plan, the applicant requests the Committee's Approval for part specific easements to accommodate shared services, vehicular and pedestrian access, as well as continued maintenance and repair of shared infrastructure.

The following easements are proposed between The Ottawa Hospital and Schlegel Villages which require approval from the Committee of Adjustment.

<b>Parts on R-plan</b>	<b>Purpose of Easement</b>	<b>Description</b>
<b>1,2,3 &amp; 4 Part 52 on Plan 4R-19213 (Transitway Overpass)</b>	Right-of-way for vehicle and pedestrian access	Driveway from Riverside Drive in favour of Schlegel Villages
<b>22, 23, 24, 27, 28, 29, 30, 32, 34, &amp; 35</b>	Right-of-way for Medical Building Parking lot, vehicle and pedestrian access	Medical Building parking lot in favour of Schlegel Villages
<b>8, 39 &amp; 44</b>	Sanitary Sewer Easement	Underground sanitary sewer servicing the Medical Building (TOH)
<b>24 &amp; 30</b>	Combined Water and Stormwater Easement	Underground stormwater and watermain pipes servicing servicing Schlegel Villages
<b>32 &amp; 38</b>	Watermain Easement	Underground watermain pipe servicing Schlegel Villages
<b>26, 27, &amp; 36</b>	Stormwater Easement	Underground stormwater pipe serving Schlegel Villages and TOH

The draft R-plan also creates parts for easements between the Owner and The City of Ottawa, including access to a new multi-use pathway to be constructed to provide access through the site and access to City services. These easements will be established under the authority of the City following Site Plan approval and are therefore not subject to this application before the Committee of Adjustment.



## 4.0 Policy and Regulatory Context

### 4.1 Planning Act

The Planning Act is provincial legislation that empowers municipalities to engage in land use planning activities in Ontario.

Section 50(3) of the Planning Act prohibits the lease of land for a period greater than twenty-one years or more unless, a Consent is given to convey, mortgage or change the land, or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land.

Section 53(1) of the Ontario Planning act pertains to consents and plans of subdivision. It states that an owner, “May apply for consent as defined in subsection 50(1) and Council or the Minister, as the case may be, may, subject to this subsection, give a consent if it is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality”.

Section 53(12) notes that when determining if a consent is to be given, a Council or the Minister, “shall have regard to the matters under subsection 51(24) and has the same powers as the approval authority has under subsection 51(25) with respect to the approval of a plan of subdivision and subsections 51(26) and (27) and section 51.1 apply with necessary modifications to the granting of provisional consent.”

Therefore, the criteria from Section 51(24) of the Planning Act were used to determine that the proposed Consent is appropriate for the subject site.

#### **a) The effect of development of the proposed subdivision on matters of provincial interest;**

The proposed Consent application is consistent with, and has regard to, the prescribed matters of provincial interest outlined in Section 2 of the Planning Act and the policies of the Provincial Policy Statement 2020 (PPS). In particular, the PPS encourages growth and development within settlement areas and recognizes that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, achieving efficient development patterns. The proposed Consent application represents an opportunity for intensification that makes efficient use of existing municipal services, including transit, in an urban area and is therefore aligned with the PPS and provincial interests.

#### **b) Whether the proposed subdivision is premature or in the public interest**

The proposed Consent facilitates development that conforms to the Official Plan, complies with the Zoning By-law, and which was approved through the Site Plan Control process. The proposed Consent does not result in the creation of a new lot nor render an existing lot as non-compliant. Therefore, the proposed Consent is not premature and is in the public interest.

#### **c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;**

The proposed Consent facilitates development that conforms to the Official Plan.

#### **d) The suitability of the land for the purpose for which it is to be subdivided;**

The proposed Consent facilitates a development that has received Site Plan Approval.

#### **e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linked the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;**

The abutting roads are all publicly maintained and connected to the larger urban road network of the City of Ottawa. A Transportation Impact Assessment was completed and approved through the Site Plan Control process, and establishes that the transportation system is suitable to support the proposed development. Further, a new multi-use pathway, providing connections to transit, will be created through development of the subject property.

**f) The dimensions and shapes of the proposed lots;**

The proposed Consent does not result in the creation of a new lot nor render an exiting lot as non-compliant.

**g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;**

The proposed Consent facilitates an approved development. A restrictive covenant on the lands was lifted by Council prior to Site Plan approval. The land lease and easements will facilitate orderly development of the subject site and do not impose restrictions on adjoining lands.

**h) Conservation of natural resources and flood control;**

The subject site is not located in a sensitive ecological area or in a floodplain. No adverse impacts are anticipated on natural resources and flood control as a result of the proposed Consent application.

**i) The adequacy of utilities and municipal services;**

The subject site has adequate municipal services to service the approved development as confirmed through the Site Plan Control process.

**j) The adequacy of school sites;**

The development of a long-term care home and retirement residence is not anticipated to increase demand on existing school sites.

**k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;**

Parkland dedication is to be provided to the City in accordance with the approved Site Plan.

**l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;**

The proposed Consent makes efficient use of land within the urban area, within proximity to transit and allows for the coordination of complementary land uses on the same parcel of land.

**m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of the Planning Act.**

The proposed Consent facilitates development that has received Site Plan Approval.

**The proposed Consent has proper regard to the criteria found in Section 51(24) of the Planning Act.**

## 4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters be consistent with policy statements issued under the Act.

The PPS promotes the development of strong communities, which relies on the establishment of efficient land use and development patterns and the accommodation of an appropriate range and mix of uses.

The relevant policy interests to the subject application are as follows:

### 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable, and safe communities are sustained by:

- / promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / accommodating an appropriate affordable and market-based range and mix of residential types and other uses to meet long-term needs;
- / promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; and
- / ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

1.1.3.1 Settlement areas shall be the focus of growth and development;

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- / efficiently use land and resources; and
- / are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

#### 1.4 Housing

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- / permitting and facilitating:
  - all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and,
  - all types of residential intensification, including additional residential units;
- / directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.

#### 1.6 Infrastructure and Public Service Facilities

- 1.6.6.1 Planning for sewage and water services shall:
- a. accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
    1. municipal sewage services and municipal water services; and
    2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;
  - d. integrate servicing and land use considerations at all stages of the planning process.
- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

**Overall, the proposed Consent is consistent with the policies of the Provincial Policy Statement (2020). As part of the overall concept, the development offers an efficient, cost-effective pattern of growth, capitalizing on the site's proximity to the adjacent hospital, transit station, and open space. The proposed development contributes to an appropriate range and mix of housing options by providing long term housing for persons with disabilities and seniors. The property is also in close proximity to sustainable transportation infrastructure to promote transit, walking and cycling as an alternative to personal vehicle use for residents, visitors, and employees.**

#### 4.3 City of Ottawa Official Plan (2022)

The Riverside Campus is designated Mainstreet Corridor in the Outer Urban Transect. The planning objective for this Transect is to introduce more viable public transit and active mobility options, help functional local hubs and corridors to emerge and develop, and encourage more diverse housing forms to meet the changing needs of an evolving demographic. Intensification within the Outer Urban Transect is directed to Hubs and Corridors that are serviced by rapid transit.

The Corridor designation applies to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods,

but lower density than nearby Hubs. The Corridor designation includes two sub-designations, Mainstreet Corridors (also referred to as Mainstreets) and Minor Corridors.

**Section 5.3** of the Official Plan outlines policies for lands within the Outer Urban Transect. **Policy 5.3.1.2** states that the Outer Urban Transect is generally characterized by low-to mid-density development. Development shall be generally Mid-or High-rise along Mainstreet Corridors, except where the lot is too small to provide a suitable transition to abutting low-rise areas, in which case only low-rise development shall be permitted.

**Policy 5.3.1.3** states that in the Outer Urban Transect, the City shall support the rapid transit system and begin to introduce urban environments through the designation and overlay policies of the Official Plan, by supporting the introduction of mixed-use urban developments at strategic locations close to rapid transit stations; and by targeting selected segments of Mainstreets for mid-density and mixed-use development to reinforce or establish an urban pattern.

**Section 6.2** of the Official Plan outlines policies for lands designated Corridor. **Policy 6.2.1.2** states that development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building setbacks where appropriate. Further, development shall ensure appropriate transition in height to abutting designation, and sites generally of greater than one hectare in area or 100 metres in depth shall be required to establish an enhanced circulation network throughout the site that prioritizes the needs of pedestrians, cyclists and transit users.

**Policy 6.2.1.3** states that Corridors will generally permit residential uses and such non-residential uses that integrate with a dense urban environment. **Policy 6.2.2.1** states that in the Mainstreet Corridor designation, a mix of uses which support residential uses and the evolution of a neighbourhood towards 15-minute neighbourhoods shall be permitted.

**The Consent application conforms to the Outer Urban Transect and Corridor policies which support infill development in the form of a variety of uses and levels of intensification.**

**Section 11.5** of the Official Plan outlines policies that provide direction for the Committee of Adjustment process, including Consent and Minor Variance applications.

**Policy 11.5.8** states that the City shall permit lot adjustments in any land-use designated for legal or technical reasons. For the purposes of this section, legal or technical reasons include severances for purposes such as easements, corrections of deeds, quit claims and minor boundary adjustments, which do not result in the creation of a new lot or render an existing lot as non-complying.

**The proposed Consent application does not result in the creation of a new lot nor render an exiting lot as non-compliant.**

#### 4.4 City of Ottawa Zoning By-law (2008-250)

The subject property is zoned "I2 - Major Institutional Zone" in the City of Ottawa Comprehensive Zoning By-law (2008-250), as shown in Figure 11. The purpose of the I2 zone is to:

- / Ensure that major institutional uses such as hospitals, colleges and universities are located at appropriate locations within areas designated as General Urban Area in the Official Plan;
- / Ensure that these large scale, high traffic generating institutions locate only on large parcels of land, with direct access to an arterial road and near rapid transit stations;
- / Impose regulations which ensure that the size and integrity of these uses is compatible with adjacent uses; and
- / Permit minor institutional uses and provide for a range of ancillary uses.



**A Hospital, Residential Care Facility and a Retirement Home are all permitted uses within the I2 Zone.**

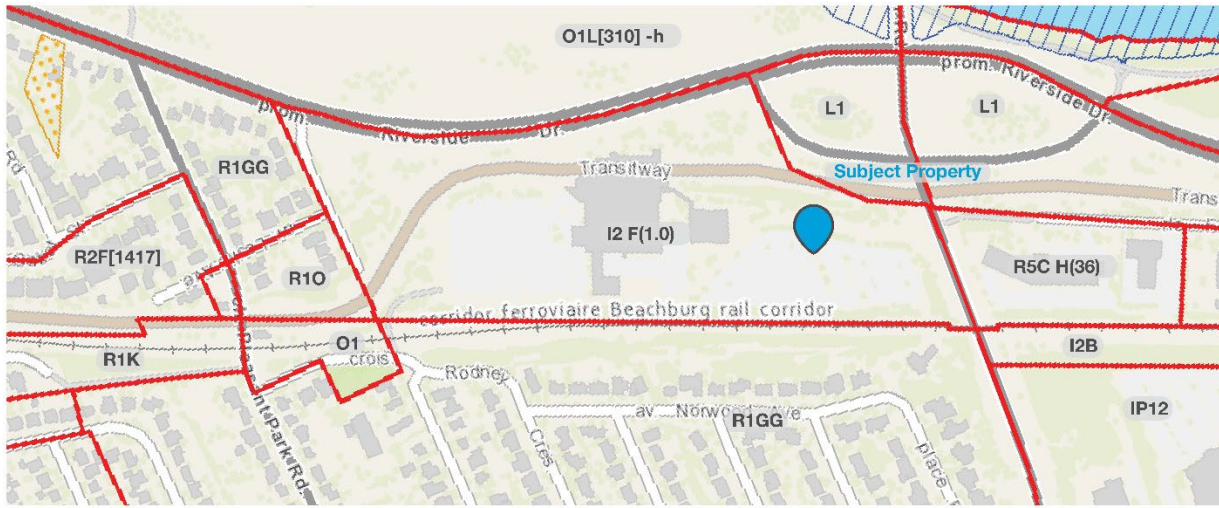


Figure 5: The subject property is zoned I2 F(1.0) in the City of Ottawa's Consolidated Zoning By-law 2008-250

**Consent for a long-term lease does not constitute the creation of a conveyable lot, nor does it result in a change of legal ownership of the subject property. As a result, the proposed leased lands will remain part of the larger parcel and will continue to function as a coordinated site. As such, the proposed Consent satisfies the performance standards of the Major Institutional Zone.**

## 5.0 Conclusion

It is our professional planning opinion that a full Plan of Subdivision is not required for the orderly development of the land and the proposed Consent application represents good planning and is in the public interest.

The proposal to establish a long-term lease of the subject site and part specific easements satisfies the *Planning Act* criteria for a Consent and conforms with the policies of the Provincial Policy Statement, the City of Ottawa Official Plan, and the City of Ottawa Comprehensive Zoning By-law.

Sincerely,



Thomas Freeman, B.URPL  
Planner



Bria Aird, MCIP RPP  
Senior Planner