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August 9, 2024

**BY COURIER**

CITY OF OTTAWA  
COMMITTEE OF ADJUSTMENT  
101 CentrepoinTE Drive, 4<sup>th</sup> Floor  
Ottawa, ON  
K2G 5K7

Attention: Secretary-Treasurer

Dear Secretary-Treasurer:

**RE: CONSENT/SEVERANCE APPLICATION  
2894 Bank Street, Ottawa**

**Committee of Adjustment**  
Received | Reçu le  
**Revised | Modifié le : 2024-08-09**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

I represent the applicant who is the registered owner of 2894 Bank Street.

The purpose of this Application is to sever 2894 Bank Street from 1648 Rosebella Avenue. These two (2) properties were historically always separate and distinct parcels for *Planning Act* purposes until they inadvertently merged in 2006 when the then registered owner of 2894 Bank Street became the registered owner of the abutting lands (the "proposed retained parcel") known municipally as 1648 Rosebella Avenue.

The applicant became aware of this issue earlier this year upon his lawyer (the undersigned) receiving a requisition letter from the lawyer for the buyer of 2894 Bank Street requiring a severance of 2894 Bank Street to allow the closing of the sale to proceed.

The relevance of the criteria listed in section 51(24) of the *Planning Act* is discussed below.

(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

**This proposal will not adversely impact (a) the ecological systems of Ontario, (b) the agricultural resources of Ontario, (c) the conservation and management of its natural resources, (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interests, (e) the supply, efficient use and conservation of energy and water, (f) the municipal services, (g) waste management, (h) the orderly development of safe and healthy communities, (h.1) the accessibility for persons with disabilities, (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities, (j) the adequate provision of a full range of housing, including affordable housing, (k)**

**the adequate provision of employment opportunities, (l) the protection of the financial and economic well-being of Ontario nor Ottawa, (m) the co-ordination of planning activities of public bodies, (n) the resolution of planning conflicts involving public and private interests, (o) the protection of public health and safety.**

- (b) whether the proposed subdivision is premature or in the public interest;  
**It is not premature, and it is not contrary to the public interest.**
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;  
**It does conform.**
- (d) the suitability of the land for the purposes for which it is to be subdivided;  
**The current purpose is suitable.**
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;  
**This is not applicable.**
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;  
**No changes proposed.**
- (f) the dimensions and shapes of the proposed lots;  
**Please refer to the subject application.**
- (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;  
**No restrictions.**
- (h) conservation of natural resources and flood control;  
**This proposal will not affect the conservation of natural resources and flood control.**
- (i) the adequacy of utilities and municipal services;  
**No changes are proposed that would impact on utilities and municipal services.**
- (j) the adequacy of school sites;  
**No changes are proposed that would necessitate changes in the current 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;  
**No lands are to be conveyed or dedicated for public purposes.**
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and  
**No changes are proposed that would change the available supply, means of supplying, efficient use and conservation of energy.**
- (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 this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).  
**This is not applicable.**



**ROSS TALARICO, B.A. (Hons.), LL.B.**

*Barrister Solicitor Notary*

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Ottawa, Ontario

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In addition, this Application includes a letter dated July 15, 2024 from the surveyor confirming that there are no trees on either the proposed severed parcel or the proposed retained parcel. Bruce Reaney, a forester with the City of Ottawa confirmed to me that, in these circumstances, a Tree Information Report is not required.

Yours truly,

Ross Talarico  
RT/  
Encl.