



Soloway Wright LLP  
700 - 427 Laurier Avenue West  
Ottawa ON K1R 7Y2

T: 613.236.0111 | 1.866.207.5880  
F: 613.238.8507  
[www.solowaywright.com](http://www.solowaywright.com)

Philip Osterhout  
Partner

Direct line: 613.782.3202  
Email address: [posterhout@solowaywright.com](mailto:posterhout@solowaywright.com)

FILE NO: 55227-1002

October 3, 2024

Committee of Adjustment  
City of Ottawa  
4<sup>th</sup> Floor, 101 Centrepointe Drive  
Ottawa, ON K2G 5K7  
Attn: Michel Bellemare, Secretary-Treasurer

**Committee of Adjustment**  
Received | Reçu le  
**2024-10-07**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Dear Mr. Bellemare:

**Re: Application for Consent**  
**2475 Regina Street, Ottawa ON**

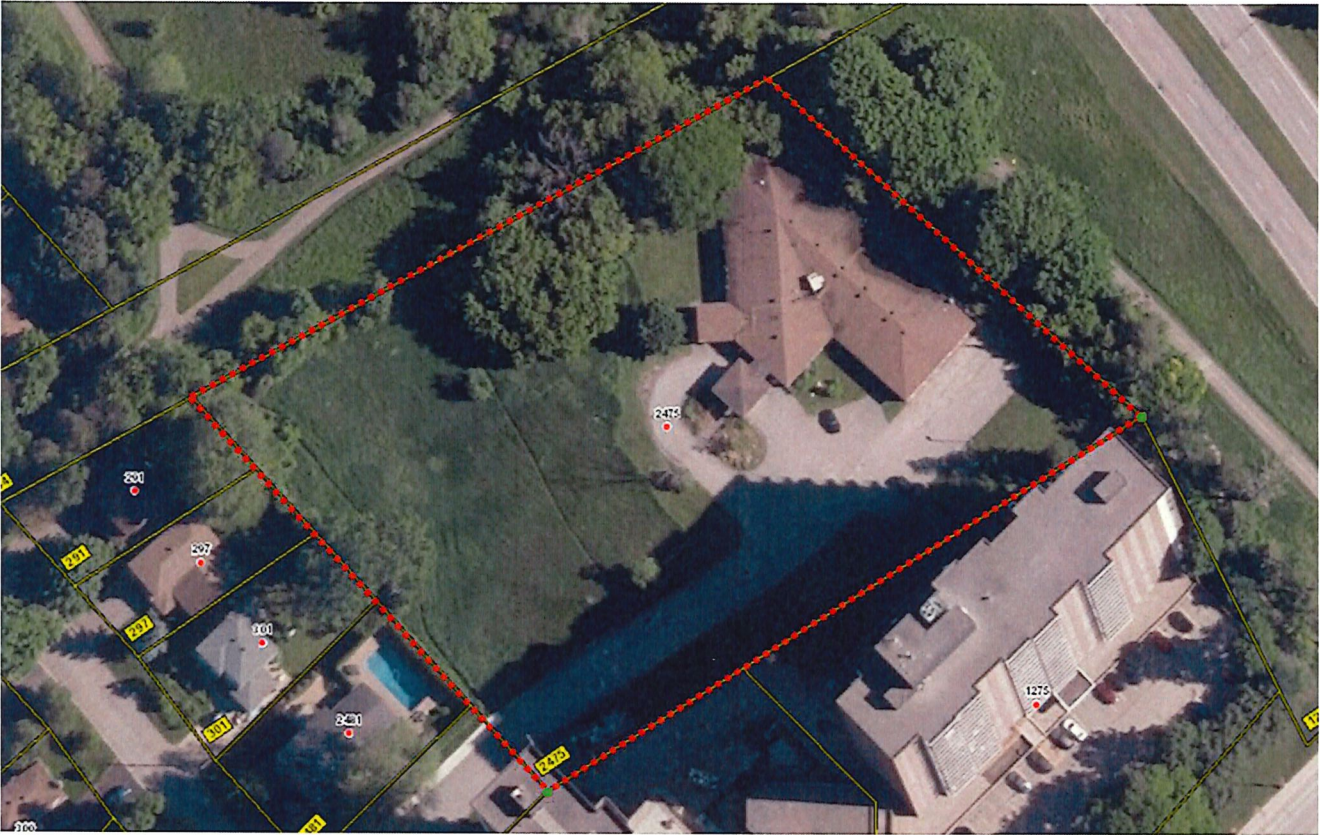
We are the lawyers for Parkway House Developments, Inc. (the “**Owner**”), the registered owner of the property municipally known as 2475 Regina Street, Ottawa, and legally described as PT LT 23, CON 10F, as in NS153639; Ottawa/Nepean (“**2475 Regina**”).

Please accept this letter and enclosures as our client’s application for consent to sever the property, creating one new legal parcel for financing purposes. Consent is also sought to create an easement for the purpose of access and servicing over the severed lands.

No new development is proposed as a result of the current consent application. Additionally, no minor variances are required in order to permit the creation of the new parcels, which will remain one lot for zoning purposes pursuant to the applicable site-specific exception zone and section 93 of Comprehensive Zoning By-law 2008-250 (the “**Zoning By-law**”).

#### **DESCRIPTION OF 2475 REGINA**

2475 Regina is an approximately 1.04-hectare parcel, located in the Britannia Neighbourhood of Ottawa, approximately 300 metres north of the Lincoln Fields Transit Station. It currently contains a 12-unit Residential Care Facility (the “**Parkway House**”).



Aerial Image of 2475 Regina - GeoOttawa

2475 Regina is bounded by the Byron Linear Pathway and Byron Linear Tramway Park to the north, and the Kichi Zibi Mikan and associated pedestrian pathways to the east. Notably, these pathways provide direct pedestrian connectivity to the Lincoln Fields Transit Station.

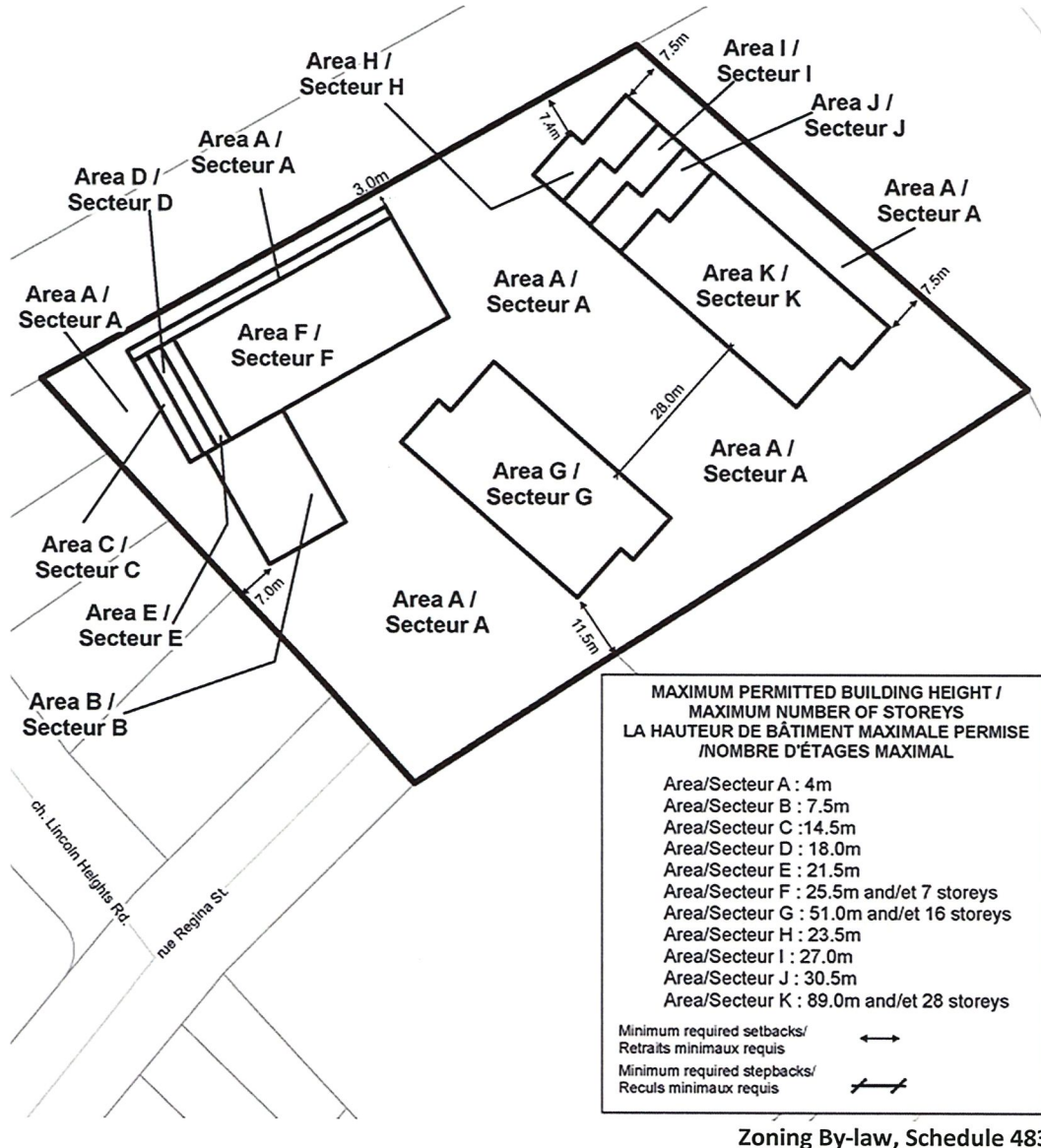
In September of 2023, Council approved a site-specific Official Plan Amendment and Zoning By-law Amendment to permit the redevelopment of 2475 Regina with three new residential buildings. The proposed development will also include a new facility that will replace the existing Parkway House. In March of 2024, the Ontario Land Tribunal dismissed two appeals of Council's decision, upholding the Official Plan and Zoning By-law amendments. The proposed development is also subject to a site plan control application, which is currently being processed by the City.

2475 Regina is located within the Inner Urban Transect and is designated as "Neighbourhood" with an "Evolving Neighbourhood Overlay." It is also subject to an area-specific policy in Volume 2C of the Official Plan, permitting building heights up to 28 storeys notwithstanding Section 6.3.1(2) of the Official Plan.

2475 Regina is zoned Residential Fifth Density, Subzone C, subject to Exception 2905, a Height Schedule, and a Holding Symbol (R5C [2905] S483-h). The Exception permits the development of the three proposed residential buildings, to be located in accordance with the Height Schedule, excerpted below. It also permits the additional use of a Residential Care Facility, and imposes site-

specific requirements for the rate and location of parking, landscape buffers, minimum setbacks for accessory structures, and the minimum number of three-bedroom units.

As noted, the Exception further provides that Section 93 of the Zoning By-law, One Lot for Zoning Purposes, applies to the lands within the Exception Zone, being all of 2475 Regina.

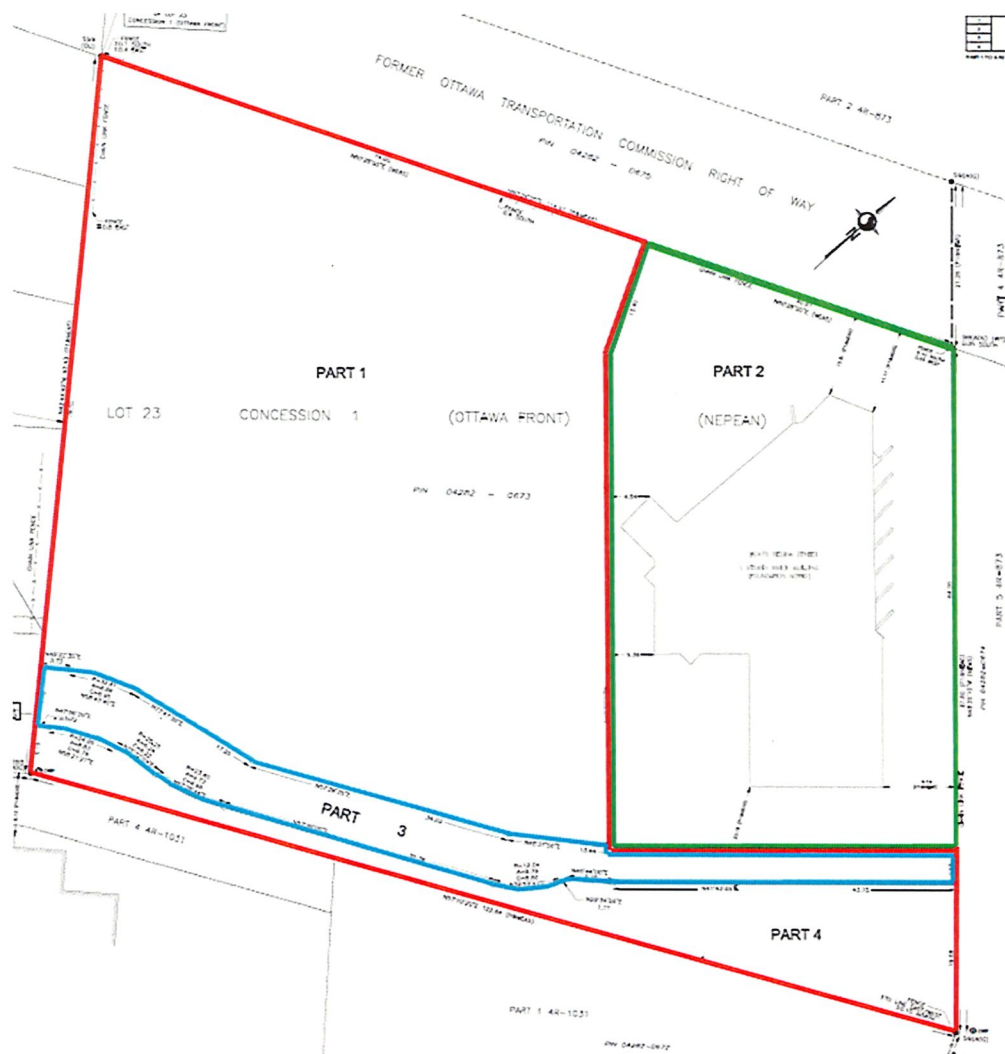


**PURPOSE OF THE CONSENT APPLICATION**

The Owner intends to proceed with construction of the development in two phases. The first phase will include the two buildings on the west of 2475 Regina (illustrated on Schedule 483 as Areas B-F and G) and the western portion of the underground parking garage. This will allow the Parkway House to remain operational in the existing building located on the eastern portion of 2475 Regina during the first phase of construction. The new facility for the Parkway House is to be located within

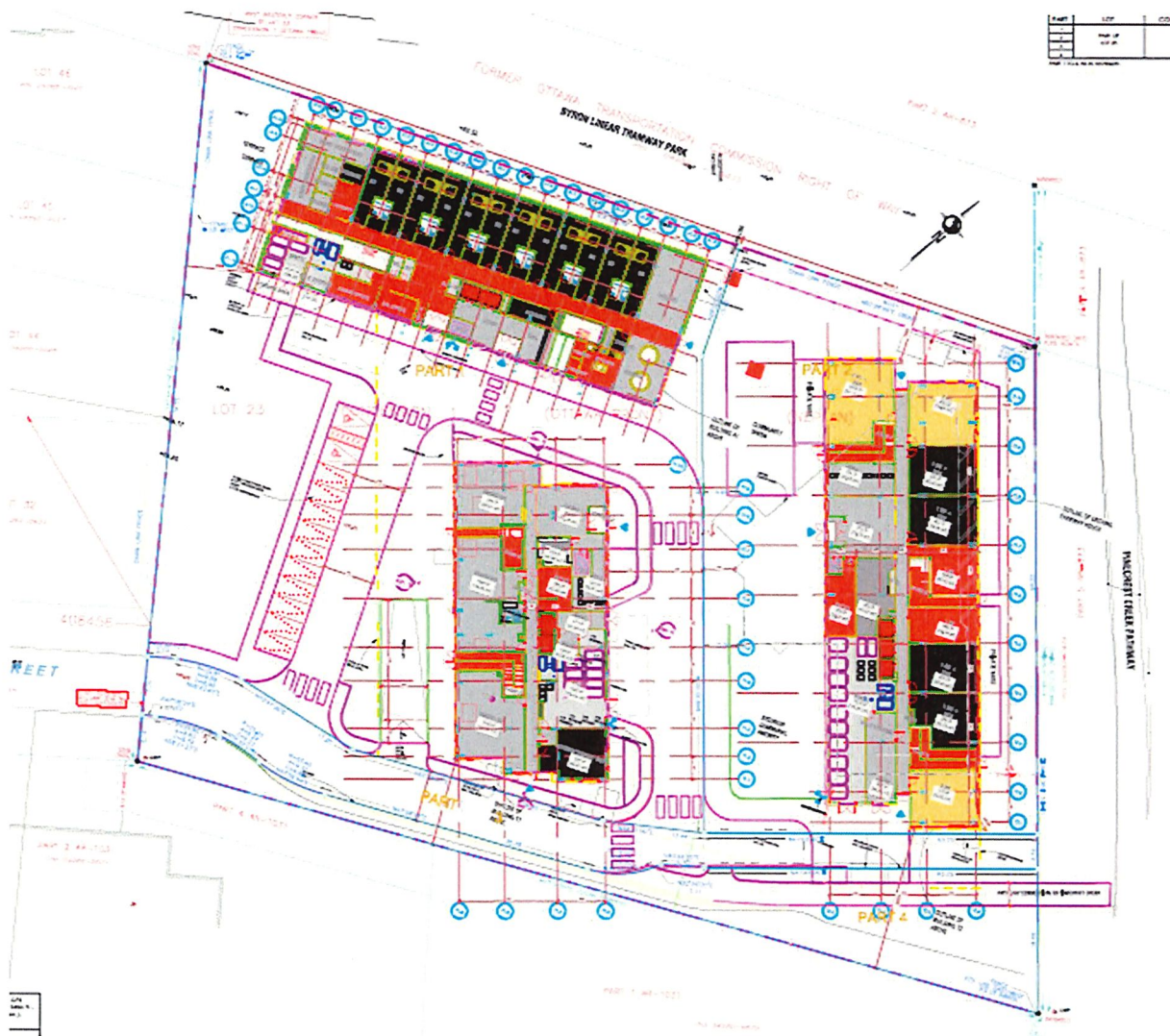
the building illustrated by Areas B-F on Schedule 483. The existing Parkway House facility will be replaced by the building illustrated by Areas H-K on Schedule 483 as part of Phase 2, along with the construction of the eastern portion of the underground parking garage.

The purpose of the proposed consent is to allow for independent financing of the first phase of construction, without the need to register a charge against the land containing the existing Parkway House. The Phase 1 lands are proposed to be severed, as shown by Parts 1, 3 and 4 on the Draft R-Plan and outlined in red below. The Phase 2 lands, to be retained, are identified as Part 2 on the Draft R-Plan and outlined in green below.



Draft R-Plan showing severed & retained lands

Part 3 on the Draft R-Plan, highlighted in blue, defines a proposed easement in favour of the retained Phase 2 lands for the purposes of access and utility connections to Regina Street. Part 3 identifies a portion of the future private road that will be constructed as part of Phase 1 and that will replace the existing driveway from Regina Street to the Parkway House.



Conceptual Site Plan Overlaid on Draft R-Plan

While a single application is being filed for consent, the Owner requests a certificate for both the severed and retained parcels in accordance with subsection 53(42.1) of the *Planning Act*.

### THE CONSENT IS APPROPRIATE AND WITHIN THE JURISDICTION OF THE COMMITTEE

The proposed development of 2475 Regina is consistent with the Provincial Policy Statement, conforms to Ottawa's Official Plan, and is permitted by the Zoning By-law. Both City Council and the Ontario Land Tribunal concluded that the site-specific Official Plan and Zoning By-law Amendments constitute good land use planning and are in the public interest.

The current consent application does not create any new lots for zoning purposes. Rather, the whole of 2475 Regina will continue to operate as a single Planned Unit Development. The requested

consent allows for the orderly and efficient implementation of the approved use of 2475 Regina, by permitting each phase of development to be separately financed.

### **Provincial Planning Statement, 2024 (“PPS 2024”)**

On October 20, 2024, the PPS 2024 will come into effect, replacing the Provincial Policy Statement, 2020. The Vision Statement for the PPS 2024 emphasizes that “[m]ore than anything, a prosperous Ontario will see the building of more homes for all Ontarians,” and renews the Province’s dedication to renewing the supply and mix of housing options. The Vision Statement also underscores the “support for a strong and competitive economy that is investment-ready,” and the need to prioritize transit-supportive design.

The consent application facilitates the development of additional “housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities,” consistent with Policy 2.2(1)(b) of the PPS 2024. Policy 2.2(1) additionally requires planning authorities to provide an appropriate range and mix of housing options and densities by:

- (c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- (d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

both of which are achieved by the proposed development of 2475 Regina.

### **Ottawa Official Plan**

The consent application conforms to the policy direction set out in Section 11.5 of the Official Plan concerning the Committee of Adjustment process. Most relevant, policy 8 of Ottawa’s Official Plan directs:

- 8) 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 is for financing purposes only, and would not result in the creation of a new lot for the purposes of the Zoning By-law or render an existing lot non-complying.

Additionally, the application will not result in any additional development, servicing demands, or potential adverse impacts because the use and layout of 2475 Regina is constrained to the in-force Zoning Exception and Height Schedule, regardless of whether the lot is severed into two (or more) legal parcels.

**Planning Act**

In accordance with subsection 53(12) of the *Planning Act*, the proposed consent is appropriate, having regard to the matters under subsection 51(24), as detailed in the table below:

<b><i>Planning Act</i> section 51(24)</b>	<b>Rationale</b>
<b>Criteria</b> <u>(24)</u> 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,	The proposed consent would allow for the orderly and efficient development of 2475 Regina in two phases. It would allow the inhabitants of the Parkway House to continue living in the existing Residential Care Facility until the new facility is complete and ready for occupation.
(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The proposed consent has appropriate regard for matters of provincial interest, and in particular: <ul style="list-style-type: none"> <li>(h) the orderly development of safe and healthy communities;</li> <li>(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;</li> <li>(j) the adequate provision of a full range of housing, including affordable housing;</li> <li>(p) the appropriate location of growth and development; and</li> <li>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.</li> </ul>
(b) whether the proposed subdivision is premature or in the public interest;	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 conforms to the official plan and facilitates the development of 2475 Regina in accordance with its planned function, as recognized by the site-specific Official Plan Amendment.
(d) the suitability of the land for the purposes for which it is to be subdivided;	The proposed use of 2475 Regina is permitted by the applicable site-specific zoning. The proposed consent appropriately allows for the independent financing of each phase of the proposed development.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing.	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;	Not applicable; no public highways are proposed for the purposes as a result of the consent.
(f) the dimensions and shapes of the proposed lots;	2475 Regina will remain a single lot for zoning purposes.  The proposed lots for financing purposes are approximately regular in shape and have been drawn to reflect the approved uses of the site.
(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;	Not applicable.
(h) conservation of natural resources and flood control;	Not applicable.
(i) the adequacy of utilities and municipal services;	The proposed use of 2475 Regina is permitted by the Zoning By-law, subject to the holding symbol.  Utilities and municipal services are not relevant to the proposed consent.
(j) the adequacy of school sites;	The proposed use of 2475 Regina is permitted by the Zoning By-law, subject to the holding symbol.  The adequacy of school site is not relevant to the proposed consent.
(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	Not applicable.



(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	Not applicable.
(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 <i>City of Toronto Act, 2006</i> .	The proposed development is subject to a concurrent application for site plan control. The current consent reflects the location of the buildings as confirmed by Schedule 483 of the Zoning By-law, and the location of the access driveway aligns with the draft plan.

The proposed consent is therefore desirable and appropriate.

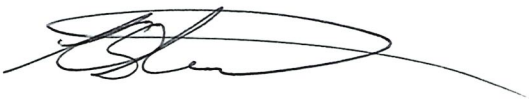
### Enclosures

In support of the Application, please find the following documents enclosed:

1. Completed Consent Application Form;
2. Executed Authorization;
3. Parcel Abstract for PIN 04282-0673;
4. Draft Reference Plan for the proposed consent;
5. Area Certificate for Draft Reference Plan;
6. Our firm cheque in the amount of \$3,889.

We look forward to the assignment of a Hearing Date on the Committee's next available Agenda. Please let us know should you require anything further.

Yours very truly,



Philip Osterhout  
PO/po