



Engineers, Planners & Landscape Architects

November 18, 2024

City of Ottawa
Committee of Adjustment
101 Centrepointe Drive
Ottawa, ON K2G 5K7

Committee of Adjustment
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City of Ottawa | Ville d'Ottawa
Comité de dérogation

Attention: Michel Bellemare, Secretary-Treasurer

**Reference: 535 Legget Drive and 555 Legget Drive
Lot Line Adjustment
Novatech File: 124045**

Novatech has been retained by KRP Properties to prepare and file an application for a lot line adjustment between two properties they own, being 535 Legget Drive and 555 Legget Drive (together these are the 'Subject Site').

Lot Line Adjustment Application

It is proposed to adjust the lot line between the two parcels as described below:

Sever Parts 3 and 4 on the Draft Reference Plan from Parts 1, 2 and 5 on the Draft Reference Plan and add them to 555 Legget Drive. The lot line adjustment adds the 4,453m² taken from 535 Legget Drive to 555 Legget Drive.

The four office buildings that occupy 555, 535 and 525 Legget Drive have historically functioned together, with some parking being shared between them. This shared parking between properties is possible pursuant to S.206 6) c) of the Zoning By-law.

It is proposed to convert the office building on 535 Legget Drive to residential apartments. To this end, Site Plan and Zoning By-law Amendment applications were filed on October 9, 2024. To differentiate the new residential use from the remaining office buildings and to locate only the parking required for the building on the same parcel, it is necessary to reduce the size of 535 Legget Drive. The portion being added to 555 Legget Drive is occupied by surface parking and this parking will continue to be used by 555 Legget and other properties pursuant to S.206 6) c) of the Zoning By-law.

Existing Conditions

The Subject Site is 3.09 ha in total area and is located on the southeast corner of Legget Drive and Terry Fox Drive in the Kanata Research Park. The southern part of the Subject Site (535 Legget Drive) is occupied by a 10 storey office building and surface parking. The northern part (555 Legget Drive) is also occupied by a 10 storey office building and surface parking.

The legal description of 535 Legget Drive is:

CONSOLIDATION OF VARIOUS PROPERTIES: PART OF LOT 8, CONCESSION 4, BEING PARTS 5 AND 6 ON 4R16648 AND PARTS 4, 5 AND 9 ON 4R17106. SUBJECT TO AN EASEMENT IN FAVOUR OF KANATA HYDRO-ELECTRIC COMMISSION OVER PART 6

ON 4R16648 AS IN LT1248060. TOGETHER WITH AN EASEMENT OVER PARTS 2 AND 4 ON 4R16648 AND PARTS 6, 8, 10, 11, 13 AND 15 ON 4R17106 AS IN OC155462. SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 2 AND 4 ON 4R16648 AND PARTS 6, 8, 10, 11, 13 AND 15 ON 4R17106 AS IN OC155463. **SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 1 AND 2 ON 4R14852 OVER PART 4 ON 4R17106 AS IN LT1242631.**

535 Legget Drive is affected by the easement LT1242631 – Right of Way. The easement is not affected by the lot line adjustment.

The legal description of 555 Legget Drive is:

CONSOLIDATION OF VARIOUS PROPERTIES: PART OF BLOCK 2, PLAN 4M642, BEING PARTS 1 AND 2 ON 4R13076; PART OF LOT 8, CONCESSION 4, BEING PARTS 1, 2 AND 3 ON 4R17106, OTTAWA. SUBJECT TO AN EASEMENT IN FAVOUR OF KANATA HYDRO-ELECTRIC COMMISSION OVER PART 2 ON 4R13076 AS IN LT1095074. TOGETHER WITH AN EASEMENT OVER PARTS 2 AND 4 ON 4R16648 AND PARTS 6, 8, 10, 11, 13 AND 15 ON 4R17106 AS IN OC155462. SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 2 AND 4 ON 4R16648 AND PARTS 6, 8, 10, 11, 13, AND 15 ON 4R17106 AS IN OC155463. **SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 1 AND 2 ON 4R14852 OVER PART 3 ON 4R17106 AS IN LT1242631.**

555 Legget Drive is affected by the easement LT1095074 – Hydro. The easement is not affected by the lot line adjustment.

Surrounding land uses are:

North of the site is 360 Terry Fox Drive which is occupied by a two storey office building. To the **east** and **south** is 525 Legget Drive which is occupied by the Brookstreet Hotel and a multi-storey parking garage and 359 Terry Fox Drive which is occupied by a light industrial and office building. To the **west** across Legget Drive is 570 March Road, which contains the surface parking lot for the Nokia office building to the north at 600 March Road.

The Subject Site is zoned Business Park Industrial subzone six, with two exceptions. All of 555 Legget and the northern part of 535 Legget is zoned IP6 [1551] whilst the southern part of 535 Legget is zoned IP6 [301].

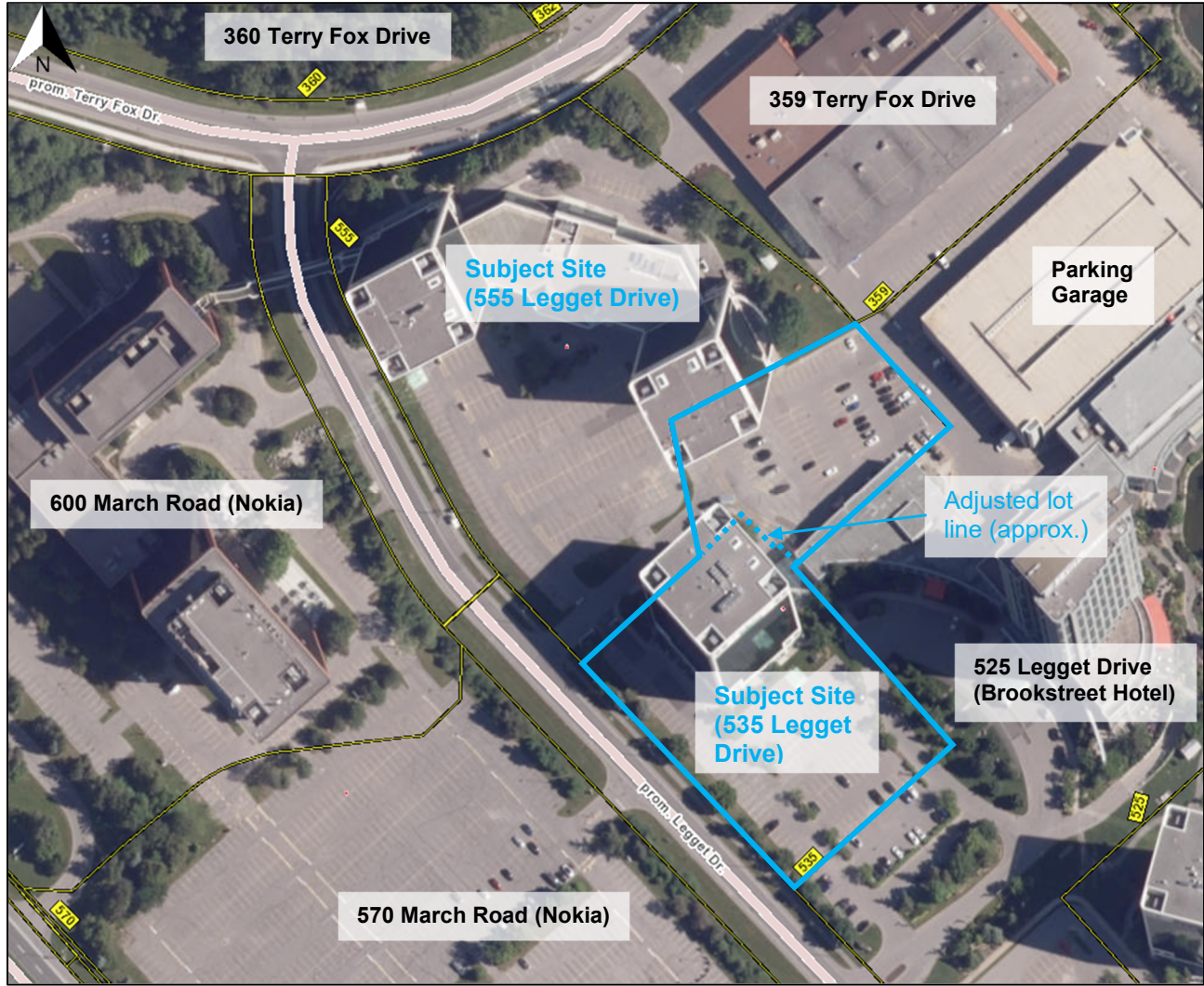


Figure 1: Subject Site and Surrounding Uses

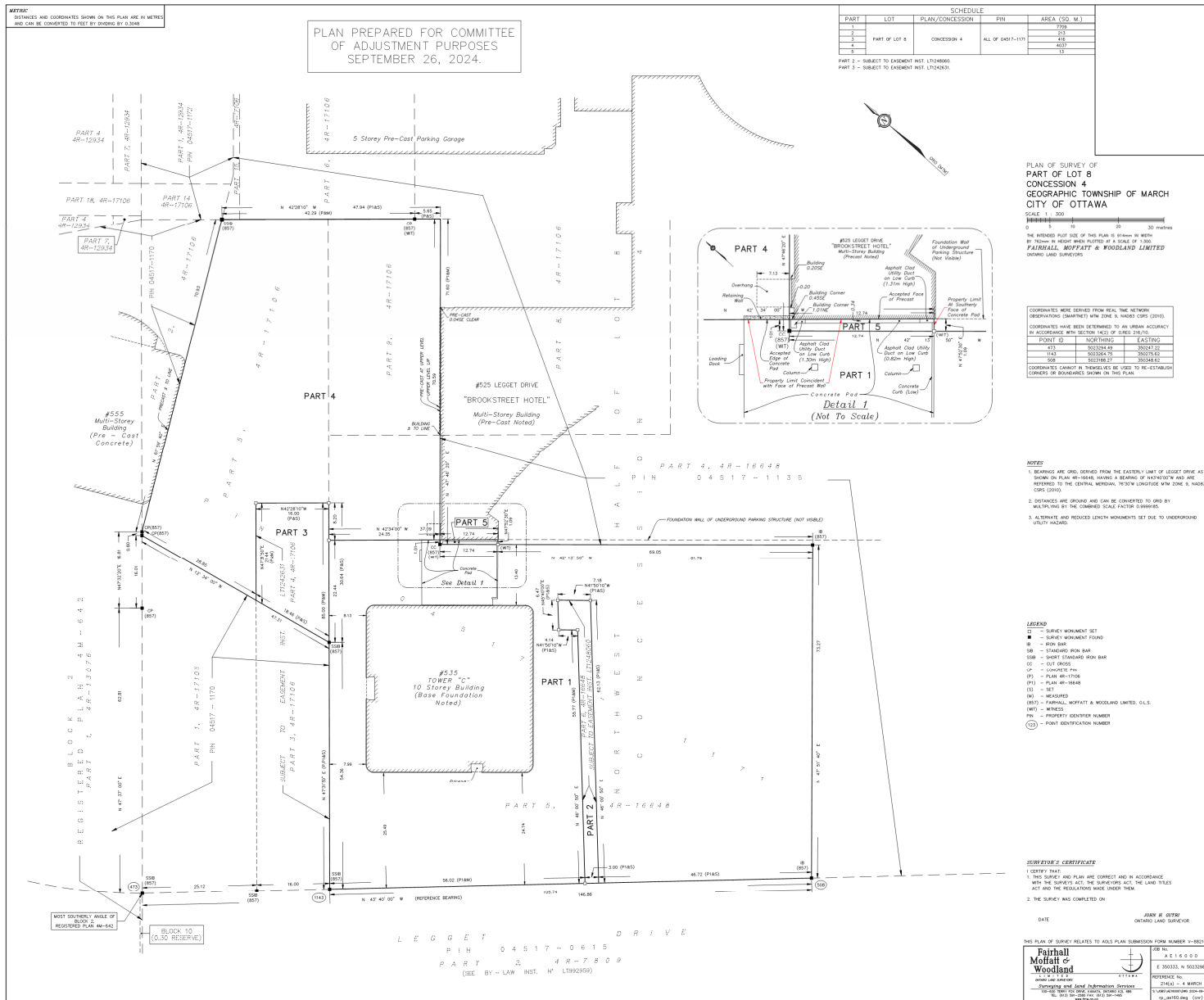


Figure 2: Excerpt of Draft Reference Plan (full version enclosed with the application)

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Rationale

Subsection 53(1) of the Planning Act states:

(1) An owner or chargee of land, or such owner's or chargee's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 1994, c. 23, s. 32; 2020, c. 34, Sched. 20, s. 2 (2).

The Subject Site is part of a previous subdivision (4M-642) and is in an area where existing infrastructure can support the lot line adjustment. Accordingly, a further plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

53. (12) A council or the Minister in determining whether a provisional consent is to be given 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 a provisional consent. 1994, c. 23, s. 32.

This rationale will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

51(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;

The proposed development has regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water;
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the minimization of waste;
- the orderly development of safe and healthy communities;
- the appropriate location of growth and development; and
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

(b) whether the proposed subdivision is premature or in the public interest;

The Subject Site is part of a previous subdivision (4M-642) and is in a fully developed neighbourhood where services are available. As such, the severance of the Subject Site is not premature.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

Pursuant to the Official Plan the Subject Site is in the Suburban Transect and is designated as part of the Kanata North Economic District, one of two Special Economic Districts detailed in Section 6.6. Policy sets out two Activity Centres in the District. The subject site is in the northern one, defined as within 600m of the future BRT station at the intersection of Terry Fox Drive and March Road.

Objective 1 d) supports both office and residential use in the Activity Centres:

Permit a wide range of uses within the district. These include residential, employment, commercial and institutional land uses. However, the land outside of the activity centres, March Road and Legget Drive should generally be focused on employment and ancillary uses

The lot line adjustment facilitates the conversion of the tower on 535 Legget Drive to residential apartments. The existing office use will continue on 555 Legget Drive.

(d) the suitability of the land for the purposes for which it is to be subdivided;

It is proposed to convert the tower on 535 Legget Drive to residential apartments. Site Plan and Zoning By-law Amendment applications were filed on October 9, 2024. The existing office use will continue on 555 Legget Drive. The portion being added to 555 Legget Drive is occupied by surface parking and this parking will continue to be used by 555 Legget and other properties pursuant to S.206 6) c) of the Zoning By-law.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Affordable housing units are not proposed.

(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;

These matters would have been addressed through the subdivision approval process (Plan 4M-642).

(f) the dimensions and shapes of the proposed lots;

The lot line adjustment adds 4,453m² to 555 Legget Drive and regularizes the shape of both lots.

(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;

535 Legget Drive is affected by the easement LT1242631 – Right of Way. 555 Legget Drive is affected by the easement LT1095074 – Hydro. Neither easement is affected by the lot line adjustment. No new easements are proposed.

(h) conservation of natural resources and flood control;

No natural resources or flooding issues were identified on the Subject Site.

(i) the adequacy of utilities and municipal services;

The Subject Site is connected to adequate existing utilities and municipal services.

(j) the adequacy of school sites;

School sites were addressed through the subdivision approval process.

(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 land is to be conveyed for public purposes. There is no Right of Way protection for Legget Drive identified in Schedule C16 of the Official Plan (Road Classification and Rights-of-Way Protection). Parks staff are requesting cash-in-lieu of parkland for the Site Plan application.

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

The proposal is for the conversion of an existing building into compact residential form that optimizes 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).

The Site Plan application filed on October 9, 2024 was based on the proposed new lot.

Conclusion

The lot line adjustment facilitates the conversion of the tower on 535 Legget Drive to residential apartments. The existing office use will continue on 555 Legget Drive. The applications satisfy the criteria of Section 51(24) of the Planning Act as they have regard for matters of provincial interest, are not premature, are in the public interest, conforms to the Official Plan, are suitable for the land, have adequate utilities and municipal services and utilize these services efficiently. It is our opinion that this application represents good land use planning.

Sincerely,

NOVATECH



James Ireland, MCIP, RPP
Project Manager