

BY HAND

February 20, 2025
Our File No. 2025017
E-Mail: llemesurier@viceandhunter.ca

Committee of Adjustment
City of Ottawa
101 Centerpointe Drive
Ottawa ON K2G 5K7

Dear Committee of Adjustment:

RE: Consent/Severance Application
Address: 28 Drysdale Street, Ottawa, Ontario
Owners: Xueyan Wang and Libing Wang

Committee of Adjustment
Received | Reçu le

2025-02-21

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Please find enclosed the following:

1. Consent/Severance Application;
2. Plan 4R-17776;
3. PIN 04507-0625 (28 Drysdale Street – land to be severed);
4. PIN 04507-0626 (30 Drysdale Street – land to be retained);
5. E-mail correspondence with the City Infill Forester; and
6. Our first trust cheque in the amount of \$3,926.00 in payment of the application fee.

Mr. and Mrs. Wang purchased 30 Drysdale Street on December 19, 2011 (Parts 3 and 4 on Plan 4R17776 – the land being retained). They then subsequently purchased 28 Drysdale Street, on July 5, 2016 (Part 2 on Plan 4R17776 – the land being severed). Unknown to Mr. and Mrs. Wang at the time, as these properties are immediately abutting properties consisting of parts of a Block on a Plan of subdivision, they have now merged for *Planning Act* purposes. This issue was discovered when attempting to sell 28 Drysdale Street, the closing of which sale has now been extending pending the outcome of this severance application.

The purpose of this application is to sever 28 Drysdale Street from 30 Drysdale Street to restore its status as a separate property and allow the closing of the sale of 28 Drysdale Street. The properties are the middle units in a row of 4 townhouses and were originally split by the original builder under a part-lot control exemption by-law (By-Law No. 2002-248 registered as Instrument No. OC92645 on July 11, 2002) which expired June 12, 2004.



With respect to the criteria set out as section 51(24) of the *Planning Act*, 28 Drysdale has existed as a separate property with an existing dwelling unit, address, roll number and separate services since approximately July 15, 2002 when it was transferred from the builder/developer to the original purchaser of the property. It was constructed pursuant to prior subdivision approval as reflected in the Subdivision Agreements with the City of Ottawa registered as Instrument Nos. OC69366 and OC69367 on May 10, 2002, prior site plan approval as reflected in the Site Plan Agreement with the City of Ottawa registered as Instrument No. OC69370 on May 10, 2002, and the part-lot control exemption by-law registered as Instrument No. OC92645 on July 11, 2002. It is submitted that as this application is to restore 28 Drysdale as a separate property for *Planning Act* purposes and not for new development, it amounts to a technical severance and the prior Subdivision Agreements, Site Plan Agreement and part lot control exemption by-law are satisfactory evidence of compliance with the criteria under section 51(24) of the *Planning Act*.

The proposed legal description for the Certificate of Official is as follows which reflects the current legal description on the PIN for the property:

PART OF BLOCK 43 ON PLAN 4M-1164 BEING PART 2 ON PLAN 4R-17776, OTTAWA. SUBJECT TO AN EASEMENT IN FAVOUR OF ROGERS OTTAWA LIMITED/LIMITEE AS IN OC69371. SUBJECT TO AN EASEMENT IN FAVOUR OF HYDRO OTTAWA LIMITED AS IN OC69372. SUBJECT TO AN EASEMENT IN FAVOUR OF BELL CANADA AS IN OC85307. TOGETHER WITH A RIGHT-OF-WAY OVER PARTS 4 AND 6 ON PLAN 4R-17776 AS IN OC92161. SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 1, 3 AND 4 ON PLAN 4R-17776 AS IN OC92161. TOGETHER WITH AN EASEMENT OVER PARTS 1, 3 AND 4 ON PLAN 4R-17776 AS IN OC92161.

We trust the foregoing is satisfactory insofar as meeting the submission requirements for this application. Please do not hesitate to contact the undersigned, however, should you require anything further.

Yours very truly,

VICE & HUNTER LLP

Per :

Lynn Le Mesurier
LL/II
Encl.