



BY EMAIL AND BY COURIER

April 14, 2025

Committee of Adjustment, City of Ottawa
101 Centrepointhe Drive, 4th Floor
Ottawa ON K2G 5K7

Committee of Adjustment
Received | Reçu le

2025-04-17

City of Ottawa | Ville d'Ottawa
Comité de dérogation

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Crystal McConkey
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02454725.1

Attn: Michel Bellemare, Secretary-Treasurer

Re: Application for Consent – Long Term Lease – 910 Watters Road, Ottawa

Dear Mr. Bellemare:

We are the lawyers for Trim Road Land Holdings Ltd. and 9182071 Canada Inc. (the "**Applicants**") with respect to the enclosed application for consent under section 53(1) of the Planning Act for permission to enter into a lease for a period of twenty-one years or more with an existing commercial tenant.

The Applicants are the registered owners of the property municipally known as 900 Watters Road in the City of Ottawa and legally known as:

FIRSTLY: PART BLOCK 78, PLAN 4M1336, PARTS 1 TO 8,11 4R31114; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1,5,11 4R31114 AS IN OC2012442; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 7,8 4R31114 AS IN OC2012459; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 4 TO 7,11 4R31114 AS IN OC2012460;

SECONDLY: PART BLOCK 89, PLAN 4M844, PART 2 4R14167; SUBJECT TO AN EASEMENT AS IN LT815818; SUBJECT TO AN EASEMENT AS IN LT816820;

THIRDLY: PART BLOCK 89, PLAN 4M844, PARTS 3,4,5 4R14167; SUBJECT TO AN EASEMENT AS IN LT815818; SUBJECT TO AN EASEMENT AS IN LT816820; SUBJECT TO AN EASEMENT IN GROSS OVER PART 1 4R19995 AS IN OC474589;

FOURTHLY: BLOCK 90, PLAN 4M844;

FIFTHLY: BLOCK 94, PLAN 4M844, (RESERVE) (PARTS 1,2 4R20957 CLOSED BY BY-LAW OC2012357);

SIXTHLY: PART BLOCK 95, PLAN 4M844, PARTS 40,41,42 4R31114 (CLOSED BY BY-LAW OC2012357);

SEVENTHLY: PART LOT C, CONCESSION 9, NEW SURVEY CUMBERLAND, PARTS 1 TO 23 4R32891 (CLOSED BY OC2012357 AS TO PARTS 9 TO 16 4R32891); SUBJECT TO AN

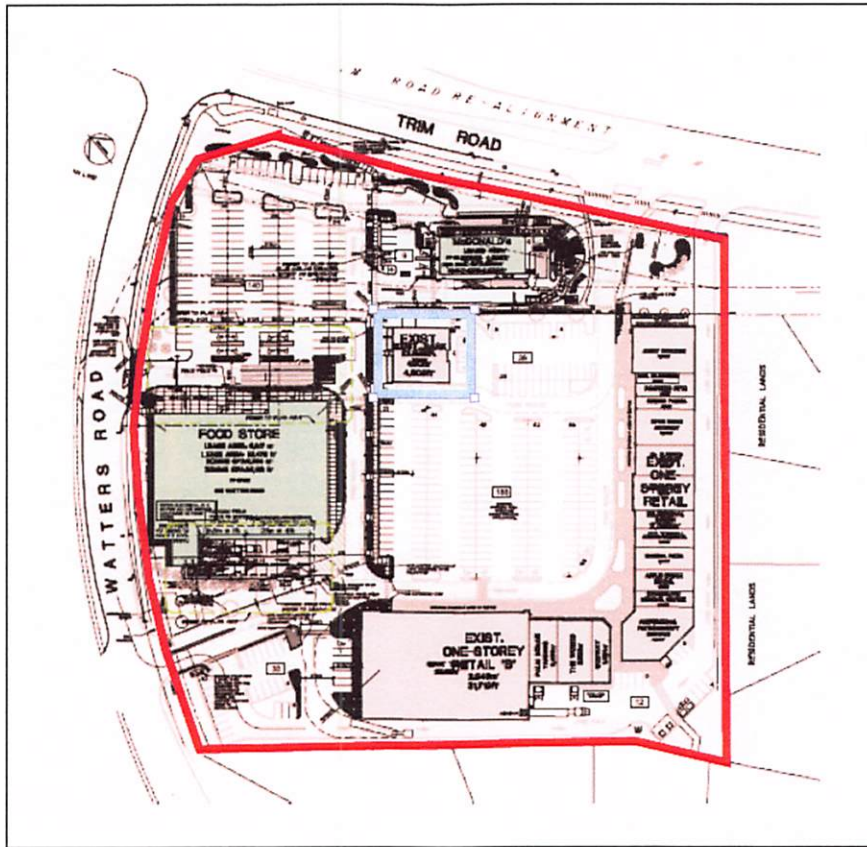
EASEMENT IN GROSS OVER PARTS 1,5,6, 7,13,14,17,18 4R32891 AS IN OC2012442 PARTIALLY RELEASED BY OC2464796; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 3,4,5,6,8,9,10,13,15,18,20 4R32891 AS IN OC2012459; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1-3,6-11,17,18,19,22 4R32891 AS IN OC2102460; CITY OF OTTAWA.

(the “**Property**”)

The Property is an approximately 4.15 hectare site at the southwest corner of Watters Road and Trim Road in the Cardinal Creek Neighbourhood in the area known as Orleans. The site, known as the Crowne Pointe Centre contains two commercial strip-mall segments and three free-standing buildings, including one which is currently tenanted by TD Bank (the “**Bank**”). The Parties entered into a 10 year and 8 day lease commencing on October 24, 2005. The lease has been extended for 13 years over three separate lease extensions, which ends October 31, 2028. The lease provides the option to extend five terms of five years each, for a total of 48 years.

The Bank is centrally located on the Property with no road frontage, but accessible from all three entrances into the site. The Bank is municipally known as 910 Watters Road. The Bank area is 1,105.20 sq m in size and identified as Part 22 on the attached draft plan of reference. An image of the Property is included herein, below at Image 1, the Property outlined approximately in Red and the Bank outlined approximately in the Blue.

Image 1



The Property is designated as neighbourhood with the frontage along Trim Road designated as Evolving Neighbourhood under the City of Ottawa's Official Plan, adopted by By-law 2021-386, and zoned GM15 H(8), being General Mixed-Use Zone subzone 15 with a height limit of 8 metres, and GM[1362] H(18.5), being General Mixed-Use Zone exception 1362 with a height limit of 18.5 metre. The GM15 subzone adds automobile service station, car wash and gas bar as permitted uses. Exception 1362 permits an amusement centre, prohibits a convenience store and addresses a number of performance standards. The Bank is located within the portion of the Property zoned GM[1362] H(18.5). A bank is a permitted use.

The Applicant makes this application for consent for a long-term lease between the Applicant and the Bank to be registered on Part 22 of the attached draft plan of reference. The effect of this consent would be to permit the long-term lease of an established banking institution in a convenient and accessible location.

The Applicant proposes no development, redevelopment, or any changes to the Property related to the proposed long-term lease.

No plan of subdivision is required for the proper and orderly development of the municipality in the circumstances and thus, a consent under section 53 of the *Planning Act* is appropriate.

In determining whether provisional consent ought to be given, regard must be had for the matters under subsection 51(24) of the *Planning Act*, as follows at Table 1:

LEGISLATED MATTER FOR CONSIDERATION	PROPOSED CONSENT
In considering a consent, 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	The consent, as proposed, will not change any existing character or feature of the building or property and as a result there will be no impacts to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality
the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2 of the <i>Planning Act</i>	<p>The consent, as proposed, has regard for matters of provincial interest such as:</p> <p>(h) the orderly development of safe and healthy communities;</p> <p>(k) the adequate provision of employment opportunities;</p> <p>(p) the appropriate location of growth and development;</p> <p>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.</p> <p>Although no development is proposed, the consent would allow for an established banking institution to remain in a location that is already considered appropriate for this type of use in an area that is conveniently located along existing pedestrian and cycling facilities and provide opportunities for employment.</p>
whether the proposed subdivision is premature or in the public interest	The proposed consent in is the public interest as it would allow an established, necessary service to remain in the community in a convenient and accessible location.
whether the plan conforms to the official plan and adjacent plans of subdivision, if any	The Property is within the Suburban (East) Transect in the City of Ottawa's Official Plan and falls within the neighbourhood designation with its Trim Road frontage designed Evolving Neighbourhood. The Property has frontage on both Watters Road and Trim Road. Watters Road

	<p>is classified as a Major Collector Road and Trim Road is classified as an Arterial Road.</p> <p>Within the Suburban Transect, the City aims to, among other things, recognize existing patterns of development while supporting an evolution towards 15 minute neighbourhoods.</p> <p>In the circumstances, the Property is within an existing pattern of development that delineates between residential uses and commercial uses, while also being readily accessible to area residents by active modes of transportation, making access to the Property walkable within the 15 minute neighbourhood format.</p>
the suitability of the land for the purposes for which it is to be subdivided	The present use is permitted and desirable and no changes are proposed.
if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	n/a
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	n/a
the dimensions and shapes of the proposed lots	n/a
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	n/a
conservation of natural resources and flood control;	n/a
the adequacy of utilities and municipal services;	The adequacy of utilities and municipal services are not at issue as no changes are proposed.
the adequacy of school sites	n/a

the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	n/a
the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy are not at issue as no changes are proposed.
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 <i>Act Planning Act</i>	n/a

Based on the foregoing, the Applicant submits that a consent for a long term lease as proposed herein ought to be granted in the circumstances.


In support of this application, please find enclosed:

- Draft Plan of Reference
- Completed Application Form
- Authorization of Representation
- Written Confirmation from a City Infill Forester that a Tree Information Report is not necessary
- Parcel Abstract for the Property
- A cheque made out to the City of Ottawa for \$3,926.00 for the application fee

Please confirm receipt of this application.

Sincerely,

Gowling WLG (Canada) LLP



Crystal McConkey

DD/CM/mt

Encls



BY EMAIL AND BY COURIER

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02454725.1

Attn: Michel Bellemare, Secretary-Treasurer

Re: Application for Consent – Long Term Lease – 920 Watters Road, Ottawa

Dear Mr. Bellemare:

We are the lawyers for Trim Road Land Holdings Ltd. and 9182071 Canada Inc. (the “**Applicants**”) with respect to the enclosed application for consent under section 53(1) of the Planning Act for permission to enter into a lease for a period of twenty-one years or more with an existing commercial tenant.

The Applicants are the registered owners of the property municipally known as 900 Watters Road in the City of Ottawa and legally known as:

FIRSTLY: PART BLOCK 78, PLAN 4M1336, PARTS 1 TO 8,11 4R31114; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1,5,11 4R31114 AS IN OC2012442; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 7,8 4R31114 AS IN OC2012459; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 4 TO 7,11 4R31114 AS IN OC2012460;

SECONDLY: PART BLOCK 89, PLAN 4M844, PART 2 4R14167; SUBJECT TO AN EASEMENT AS IN LT815818; SUBJECT TO AN EASEMENT AS IN LT816820;

THIRDLY: PART BLOCK 89, PLAN 4M844, PARTS 3,4,5 4R14167; SUBJECT TO AN EASEMENT AS IN LT815818; SUBJECT TO AN EASEMENT AS IN LT816820; SUBJECT TO AN EASEMENT IN GROSS OVER PART 1 4R19995 AS IN OC474589;

FOURTHLY: BLOCK 90, PLAN 4M844;

FIFTHLY: BLOCK 94, PLAN 4M844, (RESERVE) (PARTS 1,2 4R20957 CLOSED BY BY-LAW OC2012357);

SIXTHLY: PART BLOCK 95, PLAN 4M844, PARTS 40,41,42 4R31114 (CLOSED BY BY-LAW OC2012357);

SEVENTHLY: PART LOT C, CONCESSION 9, NEW SURVEY CUMBERLAND, PARTS 1 TO 23 4R32891 (CLOSED BY OC2012357 AS TO PARTS 9 TO 16 4R32891); SUBJECT TO AN

Gowling WLG (Canada) LLP
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Gowling WLG (Canada) LLP is a member of Gowling WLG, an international law firm which consists of independent and autonomous entities providing services around the world. Our structure is explained in more detail at gowlingwlg.com/legal.

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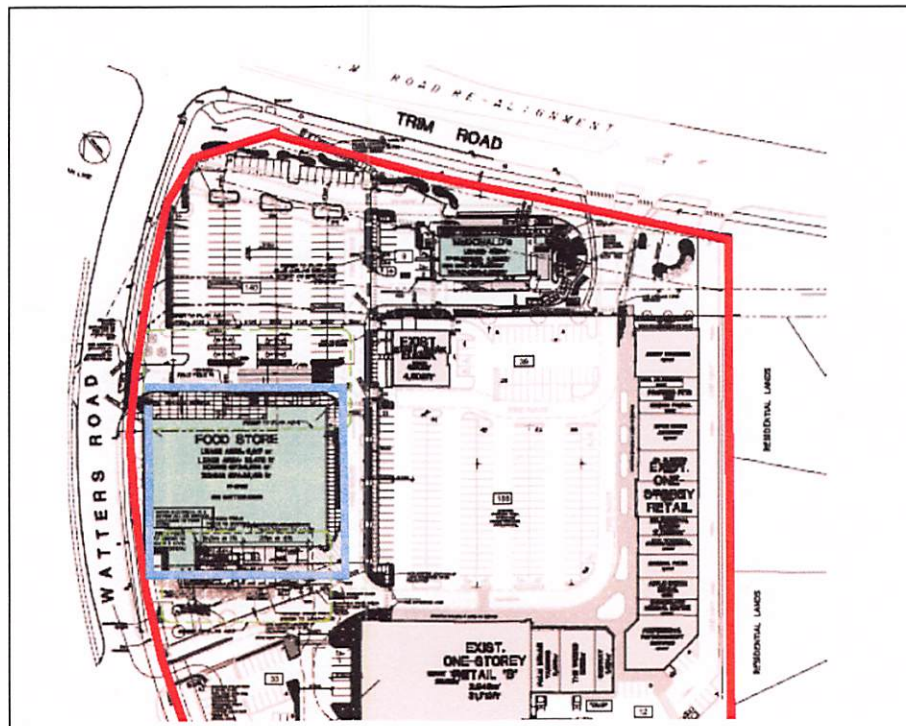
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(the “**Property**”)

The Property is an approximately 4.15 hectare site at the southwest corner of Watters Road and Trim Road in the Cardinal Creek Neighbourhood in the area known as Orleans. The site, known as the Crowne Pointe Centre contains two commercial strip-mall segments and three free-standing buildings, including one which is currently tenanted by Sobeys Capital Incorporated as FreshCo Orleans, a grocery store (the “**Grocery Store**”). The Parties entered into a 15 year lease commencing on July 20, 2023, with options to extend the lease for seven terms of five years each, for a total of 50 years.

The Grocery Store, which provides a necessary service to the community, is located along the Watters Road frontage of the Property and is municipally known as 920 Watters Road. The Grocery Store area is 11,937.20 sq m in size and identified as Parts 9 to 21 on the attached draft plan of reference. An image of the Property is included herein, below at Image 1, with the Property outlined approximately in Red and the Grocery Store outlined approximately in the Blue.

Image 1



The Property is designated as neighbourhood with the frontage along Trim Road designated as Evolving Neighbourhood under the City of Ottawa's Official Plan, adopted by By-law 2021-386, and zoned GM15 H(8), being General Mixed-Use Zone subzone 15 with a height limit of 8 metres, and GM[1362] H(18.5), being General Mixed-Use Zone exception 1362 with a height limit of 18.5 metre. The GM15 subzone adds automobile service station, car wash and gas bar as permitted uses. Exception 1362 permits an amusement centre, prohibits a convenience store and addresses a number of performance standards. The Grocery Store is located within the portion of the Property zoned GM15 H(8). A retail food store is a permitted use.

The Applicant makes this application for consent for a long-term lease between the Applicant and the Grocery Store to be registered on Parts 9 to 21 of the attached draft plan of reference. The effect of this consent would be to permit the long-term lease of an established retail food store in a convenient and accessible location.

The Applicant proposes no development, redevelopment, or any changes to the Property related to the proposed long-term lease.

No plan of subdivision is required for the proper and orderly development of the municipality in the circumstances and thus, a consent under section 53 of the *Planning Act* is appropriate.

In determining whether provisional consent ought to be given, regard must be had for the matters under subsection 51(24) of the *Planning Act*, as follows at Table 1:

LEGISLATED MATTER FOR CONSIDERATION	PROPOSED CONSENT
In considering a consent, 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	The consent, as proposed, will not change any existing character or feature of the building or property and as a result there will be no impacts to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality
the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2 of the <i>Planning Act</i>	<p>The consent, as proposed, has regard for matters of provincial interest such as:</p> <p>(h) the orderly development of safe and healthy communities;</p> <p>(k) the adequate provision of employment opportunities;</p> <p>(p) the appropriate location of growth and development;</p>

	<p>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.</p> <p>Although no development is proposed, the consent would allow for an established food retail store to remain in a location that is already considered appropriate for this type of use in an area that is conveniently located on along existing pedestrian and cycling facilities and provides opportunities for employment.</p>
whether the proposed subdivision is premature or in the public interest	The proposed consent is in the public interest as it would allow an established, necessary service to remain in the community in its existing convenient and accessible location.
whether the plan conforms to the official plan and adjacent plans of subdivision, if any	<p>The Property is within the Suburban (East) Transect in the City of Ottawa's Official Plan and falls within the neighbourhood designation with its Trim Road frontage designed Evolving Neighbourhood. The Property has frontage on both Watters Road and Trim Road. Watters Road is classified as a Major Collector Road and Trim Road is classified as an Arterial Road.</p> <p>Within the Suburban Transect, the City aims to, among other things, recognize existing patterns of development while supporting an evolution towards 15 minute neighbourhoods.</p> <p>In the circumstances, the Property is within an existing pattern of development that delineates between residential uses and commercial uses, while also being readily accessible to area residents by active modes of transportation, making access to the Property walkable within the 15 minute neighbourhood format.</p>
the suitability of the land for the purposes for which it is to be subdivided	The present use is permitted and desirable and no changes are proposed.
if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	n/a

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	n/a
the dimensions and shapes of the proposed lots	n/a
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	n/a
conservation of natural resources and flood control;	n/a
the adequacy of utilities and municipal services;	The adequacy of utilities and municipal services are not at issue as no changes are proposed.
the adequacy of school sites	n/a
the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	n/a
the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy are not at issue as no changes are proposed.
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 <i>Act Planning Act</i>	n/a

Based on the foregoing, the Applicant submits that a consent for a long term lease as proposed herein ought to be granted in the circumstances.

In support of this application, please find enclosed:

- Draft Plan of Reference
- Completed Application Form
- Written Confirmation from a City Infill Forester that a Tree Information Report is not necessary
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Attn: Michel Bellemare, Secretary-Treasurer

Re: Application for Consent – Long Term Lease – 1520 Trim Road, Ottawa

Dear Mr. Bellemare:

We are the lawyers for Trim Road Land Holdings Ltd. and 9182071 Canada Inc. (the "**Applicants**") with respect to the enclosed application for consent under section 53(1) of the Planning Act for permission to enter into a lease for a period of twenty-one years or more with an existing commercial tenant.

The Applicants are the registered owners of the property municipally known as 900 Watters Road in the City of Ottawa and legally known as:

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SIXTHLY: PART BLOCK 95, PLAN 4M844, PARTS 40,41,42 4R31114 (CLOSED BY BY-LAW OC2012357);

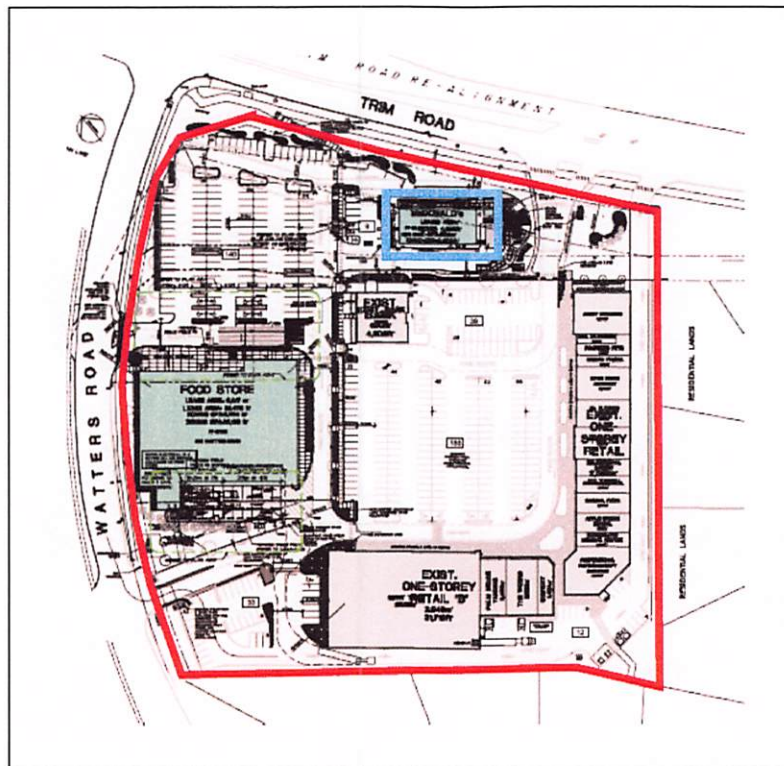
SEVENTHLY: PART LOT C, CONCESSION 9, NEW SURVEY CUMBERLAND, PARTS 1 TO 23 4R32891 (CLOSED BY OC2012357 AS TO PARTS 9 TO 16 4R32891); SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1,5,6, 7,13,14,17,18 4R32891 AS IN OC2012442 PARTIALLY RELEASED BY OC2464796; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 3,4,5,6,8,9,10,13,15,18,20 4R32891 AS IN OC2012459; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1-3,6-11,17,18,19,22 4R32891 AS IN OC2102460; CITY OF OTTAWA.

(the “**Property**”)

The Property is an approximately 4.15 hectare site at the southwest corner of Watters Road and Trim Road in the Cardinal Creek Neighbourhood in the area known as Orleans. The site, known as the Crowne Pointe Centre contains two commercial strip-mall segments and three free-standing buildings, including one which is currently tenanted by McDonald’s, a restaurant (the “**Restaurant**”). The Parties entered into a 20 year lease commencing in 2023, with options to extend the lease for four terms of five years each, for a total of 40 years.

The Restaurant is located along the Trim Road frontage of the Property and is municipally known as 1520 Trim Road. The Restaurant area is 8,332.70 sq m in size and identified as Parts 1 to 8 on the attached draft plan of reference. An image of the Property is included herein, below at Image 1, the Property outlined approximately in Red and the Restaurant outlined approximately in the Blue.

Image 1



The Property is designated as neighbourhood with the frontage along Trim Road designated as Evolving Neighbourhood under the City of Ottawa's Official Plan, adopted by By-law 2021-386, and zoned GM15 H(8), being General Mixed-Use Zone subzone 15 with a height limit of 8 metres, and GM[1362] H(18.5), being General Mixed-Use Zone exception 1362 with a height limit of 18.5 metre. The GM15 subzone adds automobile service station, car wash and gas bar as permitted uses. Exception 1362 permits an amusement centre, prohibits a convenience store and addresses a number of performance standards. The Restaurant is located within the portion of the Property zoned GM[1362] H(18.5). A restaurant is a permitted use.

The Applicant makes this application for consent for a long-term lease between the Applicant and the Restaurant to be registered on Parts 1 to 8 of the attached draft plan of reference. The effect of this consent would be to permit the long-term lease of an established restaurant in a convenient and accessible location.

The Applicant proposes no development, redevelopment, or any changes to the Property related to the proposed long-term lease.

No plan of subdivision is required for the proper and orderly development of the municipality in the circumstances and thus, a consent under section 53 of the *Planning Act* is appropriate.

In determining whether provisional consent ought to be given, regard must be had for the matters under subsection 51(24) of the *Planning Act*, as follows at Table 1:

LEGISLATED MATTER FOR CONSIDERATION	PROPOSED CONSENT
In considering a consent, 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	The consent, as proposed, will not change any existing character or feature of the building or property and as a result there will be no impacts to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality
the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2 of the <i>Planning Act</i>	<p>The consent, as proposed, has regard for matters of provincial interest such as:</p> <p>(h) the orderly development of safe and healthy communities;</p> <p>(k) the adequate provision of employment opportunities;</p> <p>(p) the appropriate location of growth and development;</p> <p>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.</p>

	<p>Although no development is proposed, the consent would allow for an established restaurant to remain in a location that is already considered appropriate for this type of use in an area that is conveniently located on along existing pedestrian and cycling facilities and provides opportunities for employment.</p>
whether the proposed subdivision is premature or in the public interest	<p>The proposed consent is in the public interest as it would allow an established, well known restaurant to remain in the community in its existing convenient and accessible location.</p>
whether the plan conforms to the official plan and adjacent plans of subdivision, if any	<p>The Property is within the Suburban (East) Transect in the City of Ottawa's Official Plan and falls within the neighbourhood designation with its Trim Road frontage designed Evolving Neighbourhood. The Property has frontage on both Watters Road and Trim Road. Watters Road is classified as a Major Collector Road and Trim Road is classified as an Arterial Road.</p> <p>Within the Suburban Transect, the City aims to, among other things, recognize existing patterns of development while supporting an evolution towards 15 minute neighbourhoods.</p> <p>In the circumstances, the Property is within an existing pattern of development that delineates between residential uses and commercial uses, while also being readily accessible to area residents by active modes of transportation, making access to the Property walkable within the 15 minute neighbourhood format.</p>
the suitability of the land for the purposes for which it is to be subdivided	<p>The present use is permitted and desirable and no changes are proposed.</p>
if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing	<p>n/a</p>
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	<p>n/a</p>

highway system in the vicinity and the adequacy of them	
the dimensions and shapes of the proposed lots	n/a
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	n/a
conservation of natural resources and flood control;	n/a
the adequacy of utilities and municipal services;	The adequacy of utilities and municipal services are not at issue as no changes are proposed.
the adequacy of school sites	n/a
the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes	n/a
the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy	the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy are not at issue as no changes are proposed.
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 <i>Act Planning Act</i>	n/a

Based on the foregoing, the Applicant submits that a consent for a long term lease as proposed herein ought to be granted in the circumstances.

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