

November 11, 2025

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

**RE: Application for Consent
3405 Uplands Drive**

Committee of Adjustment
Received | Reçu le

2025-12-01

City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design (Fotenn) has been retained by Ottawa Community Housing (the "Owner") to prepare a Planning Rationale in support of three applications, two Consents and one Title Validation, to facilitate financing and funding with Canada Mortgage Housing Corporation (CMHC) for the lands at 3405 Uplands Drive and 1 Finch Private, Ottawa (the "subject property"). The lot fabric resulting from the proposed Consents is compliant with Zoning By-law 2008-250, as the property will remain one lot for zoning purposes. The application for Title Validation will address a previous contravention of the Planning Act when the lands were transferred in 2003 from the City of Ottawa Non-profit Housing Corporation to Ottawa Community Housing Corporation.

Approval of the Consent Applications is required for the owner to obtain federal financing for an affordable housing development that recently received Site Plan Control approval and is under construction. The owner is proposing to create one (1) new lot within a Planned Unit Development to allow for federal financing from Canada Mortgage Housing Corporation (CMHC), separate from the retained lands which are financed through Infrastructure Ontario (IO) as described below:

1. The first application is for a certificate of validation to correct a historic contravention of the Planning Act which occurred inadvertently when the lands were transferred from the City of Ottawa Non-Profit Housing Corporation to Ottawa Community Housing Corporation (OCHC); and
2. The primary consent application is to sever the development parcel to allow CMHC financing for the new apartment building currently under construction; and
3. The secondary consent application is required for the refinancing of the retained lands, containing the existing townhomes and easements, as well as the formalization of the existing private right-of-way and the creation of a blanket servicing easement over the retained lands in favour of the new development parcel.

It should also be noted that the City of Ottawa as a funder this development will also hold mortgage securities on title of each property.

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FOTENN

In addition to this Planning Rationale report, the following materials have been included as part of this submission:

- / Completed application form
- / Cover letter by Nelligan O'Brien Payne LLP, dated November 11, 2025
- / Draft Reference Plan prepared by Farley, Smith, & Denis Surveying LTD.
- / Letter from the City Forester confirming that a Tree Information Report is not required for this application
- / Parcel Abstract Page
- / Cheque in the amount of \$7,859.00, made payable to the City of Ottawa

Sincerely,



Kenneth Blouin, MPI
Planner



Saide Sayah, MCIP RPP
Principal

1.0 Introduction

Fotenn Planning & Design, acting as agents on behalf of Ottawa Community Housing Corporation (OCHC, the “Owner”), is pleased to submit this Planning Rationale in support of the enclosed Consent applications for the lands at 3405 Uplands Drive, also known as 1 Finch Private.

1.1 Application

The Owner is seeking to sever the existing property into two (2) independent parcels, and create a private right-of-way and a blanket servicing easement over the retained lands in favour of the new development parcel. The following applications are required:

- / Title Validation Certificate (Section 57)
 - Amend an inadvertent breach of the Planning Act which occurred during the conveyance of two portions of the lands in 2003-2004
- / Primary Consent Application
 - Sever the area where a planned mid-rise apartment building is to be located from the existing townhouses on the property.
- / Secondary Consent Application
 - Sever the lands of the existing townhouses from the new development parcel;
 - Establish the Finch Private/Pinson Private/Shearwater Private right-of-way; and
 - Create a blanket servicing easement over the townhouse lands in favour of the new development parcel.

The proposed primary Consent would serve to locate a Site Plan Control-approved residential building, currently under construction, on a separate lot to satisfy the requirements of a financing agreement with CMHC. As the property, as a whole, functions as a planned unit development, it is considered one lot for zoning purposes, and the Site Plan Control-approved development retains compliance with the Zoning By-law as such.

The proposed secondary Consent’s severance of the existing townhouse lands is required for the refinancing of these blocks. This application also includes the legal establishment of the existing private right-of-way, as well as a blanket servicing easement in favour of the development parcel, as required to create a Joint Use and Maintenance Agreement for the shared elements of the site. An easement over the development parcel in favour of the townhouse lands is not required at this time.

These two Consent applications are preceded by an application for a Title Validation Certificate under Section 57 of the Planning Act to amend a breach of the Act which occurred inadvertently at the time of conveyance of the lands from City of Ottawa Non-Profit Housing Corporation to the Applicant. This error was a contravention of the subdivision provisions of the Planning Act, as two parcels were transferred independently, approximately four months apart, despite both being part lots under the same ownership. As this contravention does not prevent the conveyance of the lands or the creation of interest in such land, but must be resolved prior to the other applications, we believe it is appropriate for the Committee of Adjustment to issue a Certificate of Title Validation so the other applications may proceed.

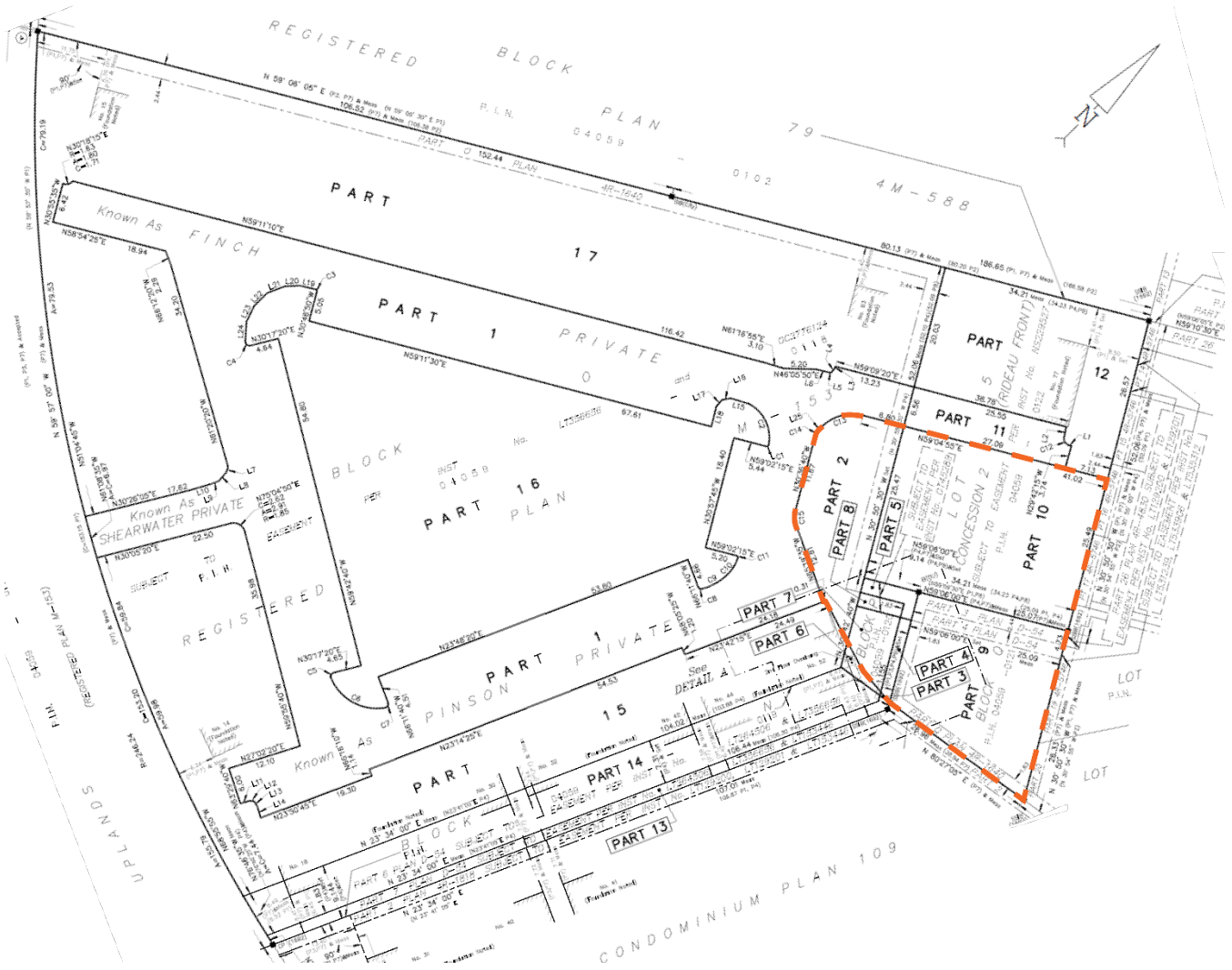


Figure 1: Excerpt from the draft reference plan. The lot for the SPC-approved apartment building to be severed by application #2 is outlined in orange and consists of Parts 2, 4, 5, 7, 8, 9, and 10. The right-of-way subject of application #3 consists of parts 1 and 11.

1.2 Previous Planning Approvals

The affordable housing development, funding for which is reliant on the attached severance application, received Site Plan approval on August 23, 2024 (application #D07-12-23-0063). Through this application, the following plans and studies were required and review by City staff:

- / Phase I Environmental Site Assessment;
- / Grading, Drainage, & Servicing Plan;
- / Erosion & Sediment Control Plan;
- / Landscape Plan;
- / Site Plan;
- / Servicing Report;
- / Watermain Extension Plan;
- / Architectural Plans;
- / Planning Rationale and Design Brief;
- / and others

Site Context and Surrounding Area

2.1 Subject Property

The subject property consists of an irregular parcel with an area of approximately 17,079 square metres and 155.7 metres of frontage on the northeast side of Uplands Drive. The property consists of several separate parcels which were conveyed at various times. There are also several public utility easements on the site.

On the property there are currently 9 blocks of townhouses with attached carports, totaling 78 dwellings. The townhouses face inward, toward a landscaped central amenity area with a playground, a basketball court, and an accessory building for community use. Access to the site from Uplands Drive is provided by Shearwater Private, while internal circulation is provided by Finch Private and Pinson Private. There are nineteen visitor parking spaces provided in addition to each unit's carport space.

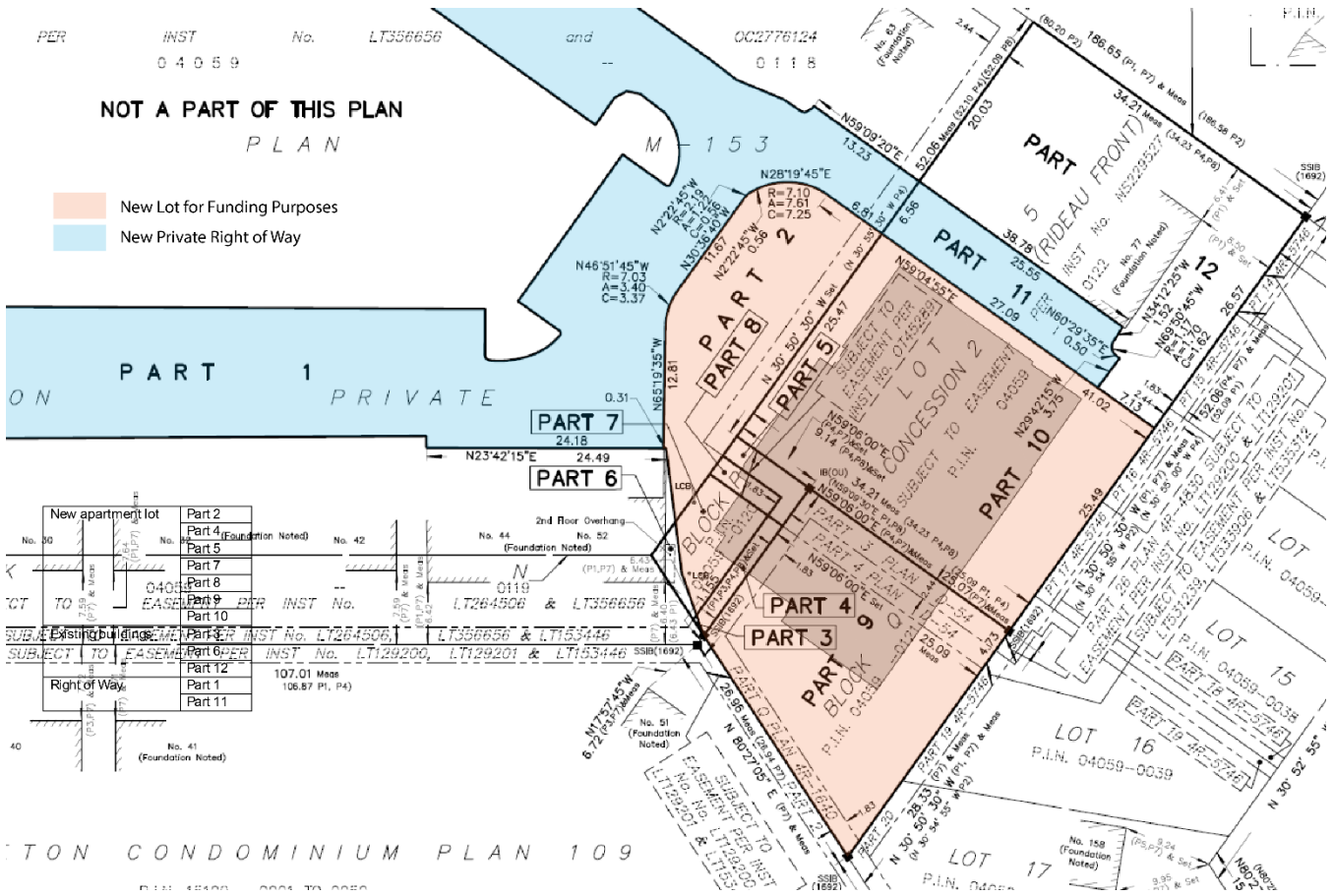


Figure 2: Excerpt from approved site plan with proposed development parcel in orange and private right-of-way in blue. Note the shaded area reflecting the placement and scale of the Site Plan-approved 6-storey apartment building currently under construction.

Approval of the attached primary Consent application is required for OCHC to secure a financing agreement from Canadian Mortgage and Housing Corporation (CMHC) for the development of a 6-storey affordable apartment building consisting of 45 dwelling units, of which 33 are barrier-free and 22 are large-household dwellings. The attached secondary Consent application proposes to sever the remainder of the lands from the new development parcel (a condition of refinancing the existing dwellings on the site), create a private right-of-way (to ensure the new parcel has frontage in accordance with the Zoning By-law), and establish a blanket servicing easement over the townhouse lands in favour of the new development

parcel. The registration of a Joint Use, Maintenance and Cost Sharing Agreement between the owners (OCHC) of the Severed Land and the Retained Land is also proposed to govern the joint use, maintenance and cost sharing for the shared private roadway and parking areas along Finch Private and Pinson Private. This Joint Use, Maintenance and Cost Sharing Agreement will only come into effect should OCHC default on their mortgage financing and only if CMHC chooses to sell the property, both of which are highly unlikely given that the ownership and financing are between municipal, provincial and

federal government



2.2 Context

The subject property is located on the northeast side of Uplands Drive in the neighbourhood of Old Hunt Club in Ward 16 – River Ward in the City of Ottawa. The surrounding neighbourhood is characterized by a wide range of residential uses, from detached dwellings on individual lots to townhouses in planned unit developments and apartment buildings of up to twelve storeys. The Hunt Club Centre, a small commercial plaza consisting of a grocery store, pharmacy, and other neighbourhood commercial uses, is located at the corner of Paul Anka Drive and McCarthy Road, approximately 500 metres walking distance from the subject property. Additional commercial uses are located along Hunt Club Road. There are also numerous open spaces in the area, including 2.4-hectare Paul Landry Park abutting the property’s northern lot line, Cahill Park 200 metres due east of the property, and McCarthy Park 300 metres due north, adjacent to McCarthy woods.

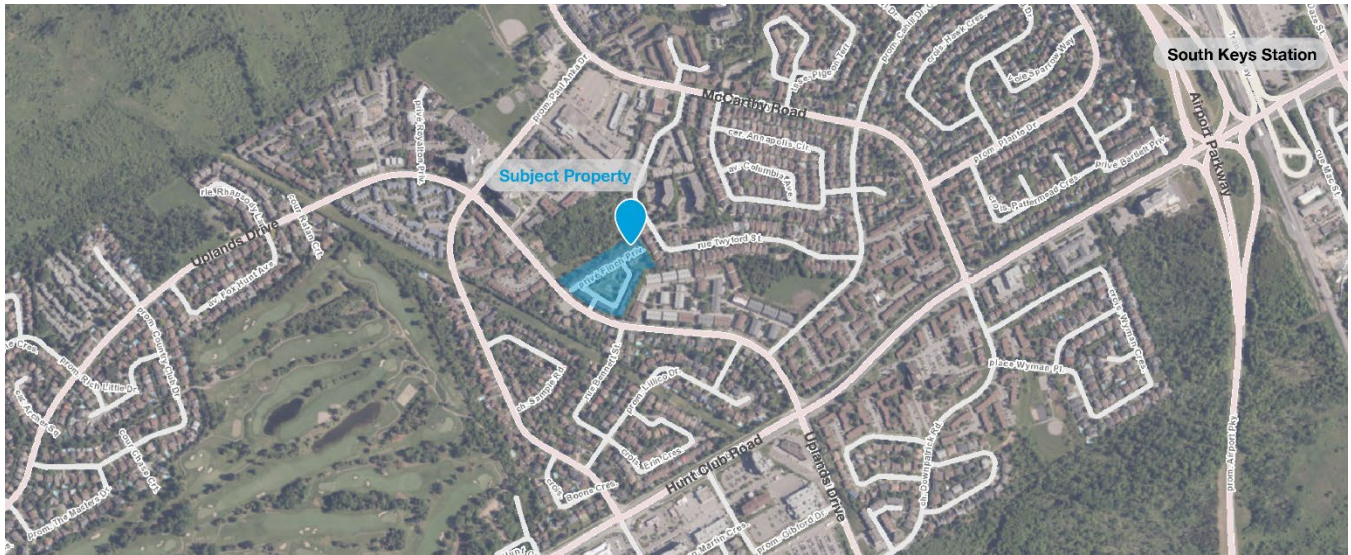


Figure 3: Subject property and surrounding context

OC Transpo bus route 92 serves Uplands Drive at regular intervals every day. The subject property is 450 metres walking distance north of the intersection of Uplands Drive and Hunt Club Road, where access to four more bus routes is provided. It is also 1.9 kilometres walking or cycling distance west of South Keys LRT station. Uplands Drive is a Collector Road, while Hunt Club is an Arterial. The latter providing direct access to South Keys Shopping Centre, Bank Street, and eventually Highway 417 to the east, and access to Riverside Drive, Prince of Wales Drive, Nepean, and eventually Highway 416 to the west. The Ottawa International Airport is located approximately 2 kilometres south of the subject property.

Consent Application

It is our professional planning opinion that the applications meet the criteria for lot division as described in Section 53(1), 53 (12), and 51 of the Planning Act. As the proposal does not include the creation of an extensive internal road network, the extension of public services, or other elements that are common to a subdivision, the following criteria (of Section 51(24)) are generally those which apply to applications for consent.

a) The effect of development of the proposed subdivision on matters of provincial interest

In addition to supporting matters of the Provincial Planning Statement (2024) in regard to housing options, affordability, intensification, and infrastructure, the proposed Consents are also supportive of matters of provincial interest enumerated in Planning Act Section 2, including:

- a) the protection of ecological systems, including natural areas, features and functions;
- b) the protection of the agricultural resources of the Province;
- c) the conservation and management of natural resources and the mineral resource base; and
- d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- e) the supply, efficient use and conservation of energy and water;
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and
- g) the minimization of waste;
- p) the appropriate location of growth and development;
- s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

by nature of being an infill development which does not require the extension of the urban servicing boundary, and for which servicing capacity has already been confirmed through Site Plan Control. The proposed Consent also supports:

- h) the orderly development of safe and healthy communities;
 - by providing affordable housing in a zoning-compliant configuration;
- h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
 - by providing thirty-three (33) barrier-free dwelling units per the requirements of the Accessibility for Ontarians with Disabilities Act;
- j) the adequate provision of a full range of housing, including affordable housing;
 - by providing 45 affordable dwellings, twenty-two (22) of which are family-size three-bedroom units;
- m) the co-ordination of planning activities of public bodies;
 - by meeting the funding requirements of Infrastructure Ontario for affordable housing with the assistance of a Severance granted by the City of Ottawa;
- q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
 - by including pedestrian connectivity infrastructure and bicycle parking at a rate of 1.7 space per dwelling;
- r) the promotion of built form that,
 - i. is well-designed,
 - ii. encourages a sense of place, and
 - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
 - due to the context-sensitive design of the Site-Plan-approved building which includes ample amenity area enhanced by an existing community building;

b) Whether the proposed subdivision is premature or in the public interest

The proposed Severance is not premature and is in the public interest as it is immediately required to secure federal financing for construction of an affordable housing development which has already received Site Plan approval. The legal use of the site will continue as planned, and no extension of public services is required.

c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any

The proposed development is compliant with the Official Plan and Zoning By-law, and the affordable housing development, funding for which is reliant upon the proposed severance, supports the City's goal of 20% of new residential units being deemed affordable per OP Policy 4.2.2.4. As reviewed through the previous Zoning By-law Amendment and Site Plan Control application processes, the existing and planned uses of the site conform to the Official Plan.

Nearby lot fabric is irregular by nature of the mix of dwelling typologies and prevalence of Planned Unit Developments and commercial uses. As such, the proposed severance does not pose any significant inconsistencies with the surrounding neighbourhood. Additionally, further development of the lot is not foreseeable, as OCH's funding from the City of Ottawa is subject to numerous stipulations, including the funder's approval for the sale of the land.

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

The mid-rise apartment building planned for the lands subject of the Consent applications has already undergone Zoning By-law Amendment and Site Plan Control applications through which suitability has been thoroughly investigated and confirmed. The existing and planned uses of the subject site are compliant with both the Zoning By-law and Official Plan. The proposed Severance is required to fund a housing development in a predominantly residential area.

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

Ottawa Community Housing has a long history of providing affordable housing. The Site Plan-approved apartment building planned for the lands is subject to a funding agreement through which the suitability of the development has been evaluated. The affordable apartment dwellings, funding for which is reliant upon the proposed severance, include twenty-two three-bedroom units and thirty-three barrier-free dwelling units, which are in particularly high demand for affordable housing.

f) The dimensions and shapes of the proposed lots

The lots resulting from the proposed consents are considered one lot for zoning purposes due to the nature of the site as a Planned Unit Development and therefore retain compliance with the provisions of Zoning By-law 2008-250 as verified through approved Site Plan Control application for the lands. The secondary Consent application creates a private right-of-way, ensuring that the new development parcel created by the primary Consent has frontage on a private way, as required by Zoning By-law Section 59.

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

The proposed consent does not impact the use of adjoining land. Nearby lots can still be developed per the Zoning By-law, and the apartment building planned for the lands is fully zoning compliant, as confirmed by the prior Site Plan Control approval.

i) The adequacy of utilities and municipal services.

The site is fully serviced by utilities and municipal services, the adequacy of which was determined through the Site Plan Control process which has already been undertaken for the proposed development. The subject property is located within an established urban neighbourhood and is well served by infrastructure and services as well as public utilities.

In our professional opinion, a full Plan of Subdivision is not required and the consent applications are appropriate for the site. The resulting lots will continue to be used for residential purposes as they are currently or as they have been approved through Site Plan Control. They are capable of accommodating development and will positively contribute to the goals of the PPS and Official Plan. The attached applications are required to secure the federal and provincial financing upon which the viability of the affordable housing development rests.