

NOV 21 2025

City of Ottawa

**SCHEDULE TO APPLICATION FOR CONSENT - CERTIFICATE OF VALIDATION**  
**(Application 1 of 3)**

PROPERTY: 3405 UPLANDS DRIVE, 1 FINCH PRIVATE, 60 FINCH PRIVATE

APPLICANT: OTTAWA COMMUNITY HOUSING CORPORATION/LA SOCIETE DE LOGEMENT COMMUNAUTAIRE D'OTTAWA

AGENT: Nelligan O'Brien Payne LLP – Attention: Brian Hebert  
Fotenn Planning & Design – Attention: Saide Sayah and Kenneth Blouin

SUBJECT LANDS: *Firstly*: Block N, Plan 4M-153, City of Ottawa (PIN 04059-0119),  
*Secondly*: Block O, Plan 4M-153, City of Ottawa (PIN 04059-0118),  
*Thirdly*: Block P, Plan 4M-153, City of Ottawa (PIN 04059-0120),  
*Fourthly*: Block Q, Plan 4M-153, save and except Plan 4M-588, City of Ottawa (PIN 04059-0121), *Fifthly*: Part Lot 5, Concession 2, R.F., as in OT45289, City of Ottawa (PIN 04059-0122)

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**Purpose of Application**

The Applicant acquired title to the Subject Lands from City of Ottawa Non-Profit Housing Corporation (“ONPHC”) as follows:

1. By Transfer OC286090 registered December 29, 2003 comprising the firstly (PIN 04059-0119), secondly (PIN 04059-0118), thirdly (PIN 04059-0120) and fourthly (PIN 04059-0121) described lands, and other lands; and
2. By Transfer OC325567 registered May 3, 2004 comprising the fifthly described lands (PIN 04059-0122), and other lands.

The Subject Lands are comprised of whole blocks on plans of subdivision (the firstly, secondly and thirdly described lands), part of a block on a plan of subdivision (the fourthly described lands) and part of a concession lot (the fifthly described lands). The conveyance of the firstly, secondly and thirdly described lands by Transfer OC286090 complies with the subdivision provisions of the *Planning Act*. At the time that ONPHC conveyed the fourthly described lands to the Applicant, it also owned the fifthly described lands. However, the fifthly described lands were inadvertently not conveyed to the Applicant until approximately four (4) months later by Transfer OC325567. The conveyance of the fourthly described lands by Transfer OC286090, independent of the adjacent fifthly described lands, both of which parcels are parts of lots, contravened the subdivision provisions of the *Planning Act*. Given the invalid conveyance of the fourthly described lands by Transfer OC286090, the subsequent conveyance of the fifthly described lands by Transfer OC325567, independent



of the adjacent fourthly described lands, both of which parcels are parts of lots, also contravened the subdivision provisions of the *Planning Act*.

The Applicant requests that the Committee of Adjustment issue a Certificate of Validation pursuant to Section 57(1) of the Planning Act providing that the contravention of Section 50 of the Planning Act in Transfers OC286090 and OC325567, does not have and shall be deemed never to have had the effect of preventing the conveyance of or creation of any interest in the lands comprising PINs 04059-0121 and 04059-0122.

**Legal Description**

*Firstly:* Block N, Plan 4M-153, T/W OT8347 (see LT101248), OT8844 (see LT101249), OT9030 (see LT101250), s/t LT153446, LT264506, LT356656, City of Ottawa (PIN 04059-0119)

*Secondly:* Block O, Plan 4M-153, T/W OT8347 (see LT101248), OT8844 (see LT101249), OT9030 (see LT101250), s/t LT356656, subject to easement in gross as in OC2776124, City of Ottawa (PIN 04059-0118)

*Thirdly:* Block P, Plan 4M-153, s/t OT45289 (see LT101252), LT153446, LT264506, LT356656, City of Ottawa (PIN 04059-0120)

*Fourthly:* Block Q, Plan 4M-153, save and except Plan 4M-588, City of Ottawa (PIN 04059-0121)

*Fifthly:* Part Lot 5, Concession 2, R.F., as in OT45289, s/t and t/w ROW as in OT45289, s/t NS229527, City of Ottawa (PIN 04059-0122)

**Chain of Title (Ownership)**

<b>04059-0118 Block O, Plan 4M-153</b>	<b>04059-0119 Block N, Plan 4M-153</b>	<b>04059-0120 Block P, Plan 4M- 153</b>	<b>04059-0121 Block Q, Plan 4M-153, except Plan 4M-588</b>	<b>04059-0122 Part Lot 5, Con 2, RF, as in OT45289</b>
October 28, 1981 – Transfer LT273016 from The Corporation of the City of Ottawa to City of Ottawa Non- Profit Housing Corporation	October 28, 1981 – Transfer LT273016 from The Corporation of the City of Ottawa to City of Ottawa Non- Profit Housing Corporation	October 28, 1981 – Transfer LT273016 from The Corporation of the City of Ottawa to City of Ottawa Non- Profit Housing Corporation	August 10, 1988 – Transfer LT573874 from The Corporation of the City of Ottawa to City of Ottawa Non- Profit Housing Corporation <sup>1</sup>	October 28, 1981 – Transfer NS134483 from The Corporation of the City of Ottawa to City of Ottawa Non- Profit Housing Corporation
December 29, 2003 - Transfer OC286090 from City of Ottawa Non-Profit Housing Corporation to Ottawa Community Housing Corporation <sup>2</sup>				May 3, 2004 - Transfer OC325567 from City of Ottawa Non-Profit Housing Corporation to

	Ottawa Community Housing Corporation <sup>3</sup>
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Notes:

1. Upon registration of Transfer LT573874, title to the lands comprising PIN 04059-0121 merged title with to the lands comprising PIN 04059-0122 as both Transfer LT573874 and Transfer NS134483 included parts of lots (i.e. lands that were not the whole of a lot on a plan of subdivision).
2. The conveyance of the lands comprising PIN 04059-0121 independent of the lands comprising PIN 04059-0122 by Transfer OC286090 was a violation of the Planning Act as the Transferor retained ownership of abutting lands that was part of a concession lot. Transfer OC286090, in so far it purported to convey title to the lands comprising PIN 04059-0121, is therefore invalid.
3. If Transfer OC286090 is invalid insofar as it relates to PIN 04059-0121, then Transfer OC325567 which conveyed the lands comprising PIN 04059-0122 would also be invalid – insofar as it relates to PIN 04059-0122 - on the basis that the conveyance of the lands comprising PIN 04059-0122 independent of the lands comprising PIN 04059-0121 would be a violation of the Planning Act as the Transferor retained ownership of abutting lands that was part of a lot (i.e. lands that were not the whole of a lot on a plan of subdivision).

**Outstanding Encumbrances**

- Charge OC1892388 and General Assignment Rents OC1892389 in favour of Ontario Infrastructure and Lands Corporation registered against PINs 04059-0118, 04059-0119, 04059-0120, and 04059-0122. These encumbrances are to be discharged and replaced with a new Charge and General Assignment of Rents to be registered against the severed lands described in Application 3 of 3 (severed parcel - existing townhouse development) after the severance has been approved and the severance Transfer has been registered
- Charge in favour of City of Ottawa registered as instrument number OC2776126 against PINs 04059-0120, 04059-0121, and 04059-0122. This encumbrance is to be discharged and replaced with a new Charge to be registered against the severed lands described in Application 2 of 3 (severed parcel – new development) after the severance has been approved and the severance Transfer has been registered

**Subsequent Title Registrations**

- OC1135995 Notice of Airport Zoning Regulation (04059-0118, 04059-0119, 04059-0120, 04059-0121, 04059-0122)
- OC2776125 Notice of Contribution Agreement (04059-0120, 04059-0121, 04059-0122)
- OC2776126 Charge (04059-0120, 04059-0121, 04059-0122)
- OC1892388 Charge (04059-0118, 04059-0119, 04059-0120, 04059-0122)
- OC1892389 General Assignment of Rents (04059-0118, 04059-0119, 04059-0120, 04059-0122)

OC2842986 Application to Delete right of way as in OT45289 (04059-0120, 04059-0122)  
OC2776124 Transfer of Easement to City of Ottawa (04059-0118)  
OC2788472 Land Registrar's Order (Amends Description) (04059-0119)

**Registered Plans**

4R-1640  
4D54 – expropriation plan  
NS28816 – expropriation plan  
4M-153  
4M-588

**Enclosures**

1. Application Form
2. Detailed cover letter/schedule to Application
3. Parcel abstract pages
4. Transfer/Deeds
5. Outstanding Encumbrances
6. Subsequent title registrations
7. Draft reference plan highlighted to show subject lands and owners of abutting lands
8. Registered plans
9. Application fee - \$2,170.00 payable to City of Ottawa

