

December 16<sup>th</sup>, 2025  
Revised January 7<sup>th</sup>, 2026

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

Committee of Adjustment  
Received | Reçu le

**2026-01-08**

City of Ottawa | Ville d'Ottawa  
Comité de dérogation

**Attention: Michel Bellemare, Secretary - Treasurer**

Dear Mr. Bellemare:

**Reference: 360 Terry Fox Drive  
Application for Consent (Severance and Easement)  
Our File No. 125028**

Novatech has been retained by the owner of the property 360 Terry Fox Drive (the "Subject Site") to prepare and file an application for Consent. The proposed Consent is for a Severance application to create a new lot and an easement application to establish servicing and vehicular access. A separate concurrent Consent application will be submitted for 362 Terry Fox Drive for a lot line adjustment to convey a portion of 362 Terry Fox to the Subject Site and for easements to establish servicing and vehicular access.

This letter describes the existing conditions of the site and its surrounding context, outlines the proposed severance and easement application, and provides a rationale in support of the application.

*Figure 1: Location of the Subject Site. (Source: GeoOttawa).*



## Site and Context

### Site

The Subject Site is located in the South March neighbourhood within Ward 4 – Kanata North in the City of Ottawa (Figure 1). The Subject Site is an interior lot located on the north side of Terry Fox Drive (Figure 2). The Subject Site has approximately 68.35 metres of frontage and 267.27 metres of frontage along the north side of Terry Fox Drive, a lot depth of 175.67 metres, and a lot area of approximately 3.8 hectares. The Subject Site is legally known as BLOCK 3 ON PLAN 4M642 EXCEPT PART 1 ON PLAN 4R7013 AND PART 1 ON PLAN 4R7014 AND PARTS 1, 2, 3 AND 4 ON PLAN 4R12024, KANATA. SUBJECT TO AN EASEMENT IN FAVOUR OF KANATA HYDRO-ELECTRIC COMMISSION, OVER PART 3 ON PLAN 4R6130, AS IN LT623394. SUBJECT TO AN EASEMENT IN FAVOUR OF THE CORPORATION OF THE CITY OF KANATA, OVER PARTS 2 AND 5 ON PLAN 4R8855, AS IN LT866060; SUBJECT TO AN EASEMENT IN FAVOUR OF KANATA RESEARCH PARK CORPORATION OVER PTS 1,2,5,6 ON 4R9178, AS IN LT912063 SUBJECT TO AN EASEMENT IN FAVOUR OF PART BLOCK 3 PLAN 4M-642 PART 1 4R7014 AS IN OC2805437 TOGETHER WITH AN EASEMENT OVER PART BLOCK 3 PLAN 4M642 PART 1 4R7014 AS IN OC2805468.

The Subject Site is developed with a two-storey office building with a surface parking lot that is shared with the abutting property to the south.

Figure 2: Subject Site. (Source: GeoOttawa).



Figure 3: Streetview of Subject Site. (Source: Google Maps).



### **Surrounding Context**

The abutting property to the south of the Subject Site is developed with a two-storey office building that shares a parking lot with the office building on the Subject Site. The Subject Site is located within an area that is characterized by office buildings to the south and to the west of Terry Fox Drive and residential buildings to the north. The adjacent properties to the east, south, and southwest are developed with office buildings and surface parking lots. The adjacent properties to the north are low-rise residential dwellings, comprised mostly of townhouse dwellings.

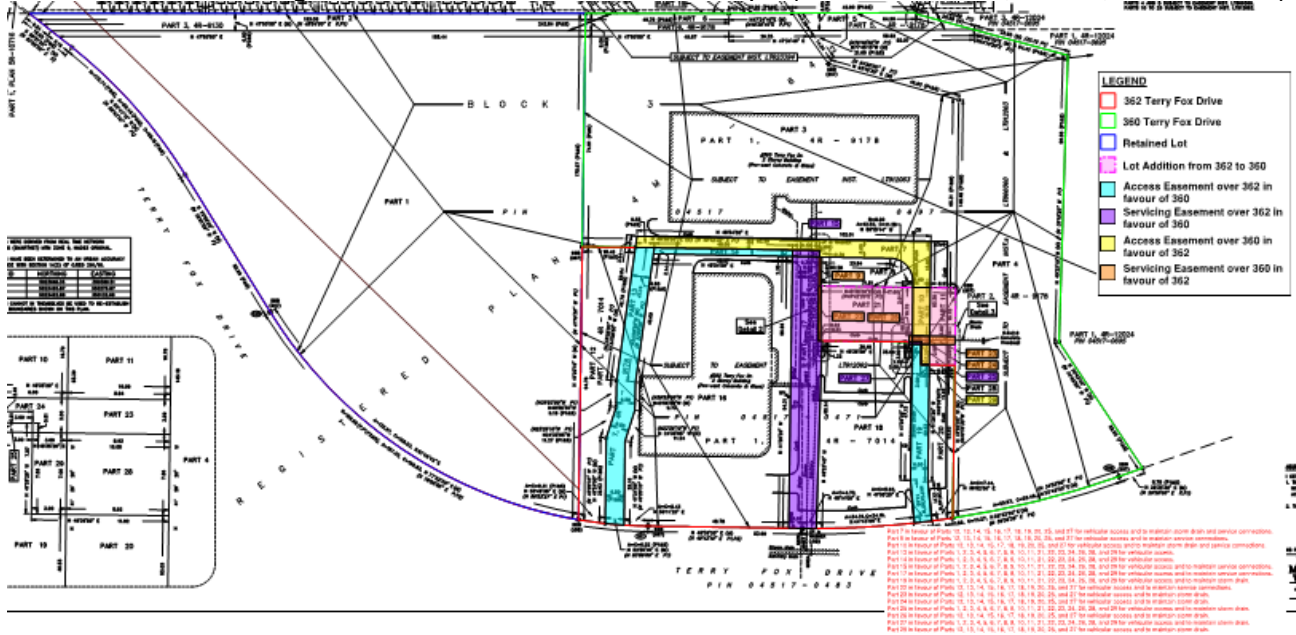
Shirley's Brook runs through the easterly portion of the Subject Site. Part of the Kanata Marshes golf course is located to the south and to the east of the site.

### **Proposed Development**

The proposed Consent application is to sever a portion of the Subject Site for future development. The proposed severed lot is identified as Parts 3, 4, 5, 6, 7, 8, 9, 10, 11, 21, 22, 23, 24, 26, 28, 29 on the Draft Reference Plan. The retained lands are identified as Parts 1 and 2. An easement over Parts 7, 9, 10, 22, 23, 24, 26, and 29 is requested (Figure 4).

The easement over Parts 7, 9, 10, 22, and 29 would be for vehicular access and to maintain the existing storm drain and sanitary, storm, and water service connections. The easements over Parts 23 and 26 would be to maintain the existing storm drain out to Shirley's Brook. The easement over Part 24 would be for vehicular access and to maintain the existing storm drain out to Shirley's Brook. Figure 4 indicates access easements in yellow and servicing easements in orange. The retained lot (Parts 1 and 2) is outlined in blue. The severed lot is outlined in green.

Figure 4: Draft Reference Plan Excerpt. (Source: Fairhall, Moffat, & Woodland).



## Consent Applications

### Severance Application:

This application will sever a portion of the Subject Site, identified as Parts 3, 4, 5, 6, 7, 8, 9, 10, 11, 21, 22, 23, 24, 26, 28, 29 on the Draft Reference Plan. The severed lot will have an area of 18,940 square metres, a lot width of approximately 68.35 metres, and a lot depth of approximately 175 metres.

### Easement Application:

This application proposes easements over Parts 7, 9, 10, 22, 23, 24, 26, and 29 of the Subject Site in favour of 362 Terry Fox Drive, which is identified as Parts 12, 13, 14, 15, 16, 17, 18, 19, 20, 25, and 27 after the Lot Line Adjustment.

## Consent Rationale

### Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on October 20<sup>th</sup>, 2024.

Section 3.6, Policy 2 of the PPS states that:

*2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*

360 Terry Fox Drive and 362 Terry Fox Drive have access to existing municipal services along Terry Fox Drive. The proposed lot will have access to municipal services. The consent application includes

proposed easements over the existing service connection on the Subject Site connecting to Shirley's Brook.

Section 5.2, Policy 3d states that:

3. *Development and site alteration shall not be permitted within:*
- d) *a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*

Part of the easterly portion of the Subject Site is in the Floodplain. The portion of the Subject Site within the Floodplain will not be affected by the proposed severance, which proposes to sever off the vacant portion of the site to the west of the existing buildings. The proposed consents will have no impact on the Floodplain.

**The proposed consents are consistent with the Provincial Planning Statement (2024).**

### **Planning Act**

Subsection 53(1) of the Planning Act states:

*"53(1) An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser'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. 2021, c. 25, Sched. 24, s. 4 (1)."*

The proposed consents will not necessitate the construction of new public infrastructure, including roads and services. The proposed severance results in the creation of one new lot for future development. The proposed easements are to provide continued access to servicing infrastructure and vehicular access over the site in favour of 362 Terry Fox Drive. A 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 consents have regard for the following matter(s) of provincial interest:

- the orderly development of safe and healthy communities

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

The Subject Site is located within the City of Ottawa's urban boundary. The proposed consent is for the severance of a vacant portion of the Subject Site to create one new lot for future development. The consent is not premature and is in the public interest, as it results in the creation of a new developable lot from an existing landholding. The proposed easements allow for the owner of 362 Terry Fox Drive to have vehicular access over a portion of the site and to have continue access to maintain the shared storm drain running through the Subject Site. The easements are not premature and are in the public interest.

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

The Subject Site is designated as part of the Kanata North Economic District in the City of Ottawa Official Plan. Section 6.6.3.2 of the Official Plan provides policy direction for the Kanata North Economic District. The policies for the Kanata North Economic District are aimed transitioning the district from a car-oriented business park to a mixed-use innovation district, with a broader range of uses served by sustainable transportation modes. The highest densities are planned for areas within 600 metres of the planned transit stations along Terry Fox Drive and Station Road. The Subject Site is located within 600 metres of the planned transit station along Terry Fox Drive and March Road.

Section 6.6.3.2, Policy 4 states that:

*4) The planned function of the activity centres is to concentrate a diversity of uses, a higher density of development and a greater degree of mixed uses near the rapid transit. The goal of encouraging these complete communities is to invite residents of all income levels, to have places to live, work, learn and play and to access daily needs without a car. The following policies apply to activity centres:*

*a) Each of the activity centres includes the area generally within 600 metres of the planned Transitway stations at Terry Fox Drive and Station Road. These areas shall develop high densities of jobs and housing and permit up to high-rise buildings consistent with applicable Urban Design Guidelines. Buildings should generally have a minimum height of four storeys; [Amendment 33, By-law 2024-396, September 18, 2024]*

*b) Each of the activity centres should include a signature urban plaza which may be a privately-owned public space and will be framed by buildings with additional at grade private spaces for cafés, restaurants and other arts, entertainment and makerspaces. Through the development application process, the urban plazas will be planned, designed and programmed to celebrate the Kanata North Economic District. Locate the highest-density and mixed uses as close as possible to signature urban plazas and within walking distance of transit stations;*

*c) Encourage a broad range of dwelling sizes, including market and affordable housing;*

*d) In addition to the establishment of urban plazas, as the number of residents increase through development, additional public parks as part of parkland dedication may be required. Their design shall suit the scale of development and include amenities that reflect the culture of the Kanata North Economic District and meet recreation needs of residential developments;*

*e) Development shall not require minimum parking; and*

*f) Prohibit new non transit-supportive land uses that are oriented primarily to the automobile such as automotive parts, repair and service, car dealerships, car washes, drive-through facilities, gas/service stations.*

The proposed severance application supports the planned function of activity centres to concentrate a diversity of uses, a higher density of development, and a greater degree of mixed uses within proximity to future rapid transit. The severance supports future development of the site with a broad mix of uses to support a high density of jobs and housing.

The easement application allows for the owner of 362 Terry Fox Drive to have continued vehicular and servicing access through the Subject Site. The proposed severance and easements generally conform with the policy direction for the Kanata North Economic District.

The proposed severance and easement applications conform to the policies of the City of Ottawa's Official Plan.

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

The proposed severance application supports the creation of one new lot from a vacant, undeveloped portion of the existing property. The severance supports the future development of a mix of high density uses to support the future transit station at March Road and Terry Fox Drive. The proposed easement will allow for continued vehicular access over the site and maintenance access to the existing storm outlet and servicing connection on the property in favour of 362 Terry Fox Drive. The Subject Site is suitable for the proposed severance and easements.

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

No affordable housing units are 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;***

The consent applications do not propose any new highways.

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

The proposed severance supports the creation of a 2.0-hectare lot for future development near a future public transit station. The proposed severance line divides the site approximately in half, allowing for sufficiently sized lot to support the existing office use. The proposed easement allows for continued vehicular and service access over the severed lot in favour of the 362 Terry Fox Drive.

The consents result in lot shapes and dimensions that are appropriate based on the existing lot fabric and which meet the requirements of the Zoning By-law.

***(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;***

There are easements over portions of the severed and retained lots that are proposed to be maintained. Apart from the existing and proposed easements, there are no other restrictions or proposed restrictions on the lots, beyond the provisions of the Zoning By-law.

***(h) conservation of natural resources and flood control;***

Part of the eastern portion of the Subject Site is subject to the Floodplain Overlay as identified in the City of Ottawa Zoning By-law. The Floodplain Overlay corresponds with Shirley's Brook which runs through the site to the east of the existing office building. The proposed severance application is to sever the existing office building from the vacant land to the west for future development of the retained lands. The retained lot and the developed portion of the severed lot are located outside of the Floodplain Overlay. The creation of the new lot for future development is not anticipated to have any impact on Shirley's Brook. The proposed easement over Part 23, 24, and 26 in favour of 362 Terry Fox Drive allow for continued maintenance access to the existing storm drain that outlets to Shirley's Brook. The easements are to ensure continued shared access for maintenance and will have no impact on Shirley's Brook. The easement application will not alter the service itself in any way.

***(i) the adequacy of utilities and municipal services;***

The Subject Site has access to municipal sanitary, stormwater, and water servicing along Terry Fox Drive. The service connection for the Subject Site and the adjacent property to the south (362 Terry Fox Drive) are provided under the shared driveway and drive aisle. The proposed easement over Part 7, 9, 10, 22, 24, and 29 allow for the owners of 362 Terry Fox Drive to have access to the storm drain connecting to Terry Fox Drive. The proposed easement over Parts 23, 24, and 26 allow for the owners of 362 Terry Fox Drive to have continued access to the storm drain that outlets to Shirley's Brook.

***(j) the adequacy of school sites;***

Approval of the consent application is not anticipated to have an impact on the adequacy of school sites.

***(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 area of land is proposed to be conveyed or dedicated for public purposes as a result of the proposed consent applications.

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

Approval of the severance application results in the creation of one new parcel for future development from an existing lot. The severance supports future development that will be higher density and more efficient. Approval of the easements ensures continued vehicular and servicing access over 360 Terry Fox in favour of 362 Terry Fox.

***(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 proposed development is not subject to site plan control.

**The proposed consents meet the criteria set out in Section 51(24) of the Planning Act.**

## **Conclusion**

The proposed severance and easement applications at 360 Terry Fox Drive meet the criteria of Section 51(24) of the Planning Act. The consent applications are consistent with the policies of the Provincial Planning Statement. The consent applications meet the intent of the Official Plan. The proposed severance allows for the creation of one new lot for future development from a vacant portion of the existing lot. The proposed easements ensure that 362 Terry Fox will have vehicular access over the Subject Site and access to the existing servicing connections through the Subject Site for maintenance.

The consent application represents good land use planning.

In support of the consent applications, please find enclosed:

- Cover Letter (one copy)
- Complete Consent Application Form (one original copy)
- Signed Consent Authorization Form (one original copy)
- Application fee
- Draft Reference Plan (one 8.5x11 copy and one 11x17 copy)
- Parcel Abstract for 360 Terry Fox Drive (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

**NOVATECH**



Arjan Soor, M.PL  
Planner