Ontario Land Tribunal (OLT-26-000364)
Barrhaven Town Centre v. Ottawa (City)

NCC Appeal Against the City of Ottawa
Comprehensive Zoning By-law (2026-50)

Participant Statement

Hunt Club Community Association
October 2026

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Executive Summary

- *The Hunt Club Community Association (HCCA) strongly **supports City Council's decision** to approve a comprehensive Zoning By-law which applies an appropriate mix of zones to the McCarthy Woods nature corridor.*

- *The HCCA, in collaboration with other community groups, has consistently opposed the position of the National Capital Commission (NCC), which seeks "Development Reserve" zoning for the Southern Corridor, between Merivale and Woodroffe, and urban natural areas near McCarthy Woods that have high ecological, recreational, and cultural value*[1].

- *The zoning which the NCC has now appealed was approved by a large margin at the Committee stage and approved unanimously at the full City Council meeting. The City of Ottawa subsequently offered to negotiate a "framework agreement" with the NCC that would expedite the planning process for selected properties. This offer was not accepted.*

- *As a result, the HCCA expects that the City of Ottawa's legal counsel and expert witnesses will provide a robust defence of City Council's zoning decision. In our view, the NCC's key arguments are inconsistent with the Planning Act, the Official Plan, and its own planning documents, as follows:*

  - ***Under the Planning Act, City Council was not obliged to accept the staff recommendation for "Development Reserve" zones** in Draft 3 of the new Zoning By-law. Instead, City Council voted unanimously to approve a final version, based on Councillor Brockington's compromise motion, which translated the existing mix of zones for the McCarthy Woods corridor to the new Zoning By-law.*

    In fact, City staff were prepared to accept either the Development Reserve zoning preferred by the NCC or the mixed zones in the "Brockington motion" because both approaches would require a further planning process and a specific development proposal to establish the precise zoning for the lands in question.

[1] NCC, *Notice of Appeal*, paragraphs 13-29.

- ***In addition, the approved zoning was fully consistent with Section 6.3.1, Policy 4 (f) of the Official Plan****, which states that within the Neighbourhood designation "the Zoning By-law shall allow…greenspace, including parks, open spaces and natural linkage areas meant to serve as public space". Accordingly, the approved zoning for the McCarthy Woods Corridor includes Greenspace (GRN), Facilities and Open Space (FAC4), Recreation (REC1), and Neighbourhood Mixed Use (NMU4) zones. In the two large NMU4 zones, the NCC retains permission for commercial and light industrial uses "as of right".*

- ***The City Council, moreover, was not required to comply with the NCC's planning documents.*** *Even if were required to do so, the NCC's proposed zoning was inconsistent with its own urban land use designations. In the NCC's Capital Urban Lands Plan, the McCarthy Woods Corridor is designated as a "Regional Interest Land Mass", intended for stewardship and conservation – not development. This designation is still in force and, according to the NCC's own planning documents, its amendment would require public consultations.*

  More broadly, the NCC's planning documents make a clear distinction between the "Capital" and "Non-Capital" realm. Since the McCarthy Woods Corridor is designated as a "regionally significant" part of the "Non-Capital" realm, the NCC should defer to the City of Ottawa's elected representatives on the appropriate zoning for these lands.

- *As noted above, the NCC's properties were not "downzoned" by the approved zoning. The NCC retained the right to seek zoning amendments for specific development proposals and the City of Ottawa was fully prepared to work with the NCC to provide expedited processing for selected properties.*

- *For these reasons, the HCCA recommends that the NCC's appeal should be withdrawn or rejected. Instead of litigating against City Council's decision, the NCC should engage constructively with the City of Ottawa and community groups regarding the future of the McCarthy Woods and Woodroffe-Merivale corridors.*

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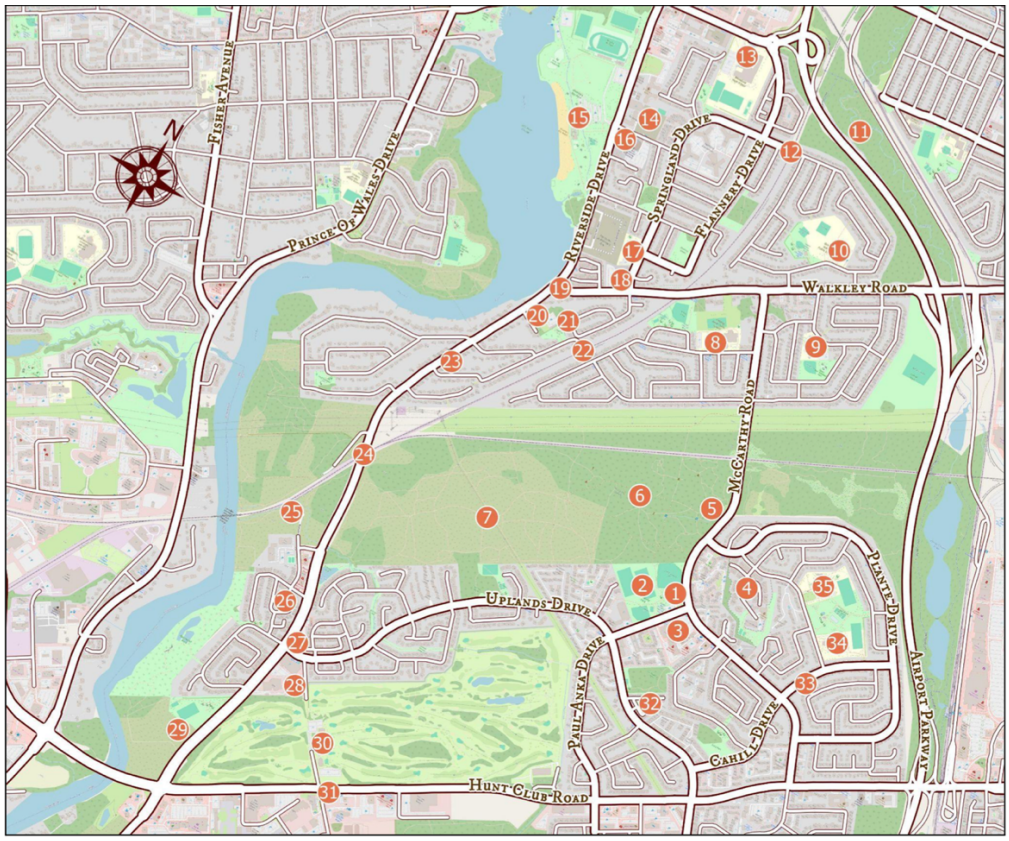
1. Introduction

Hunt Club Community

- **Boundaries.** The HCCA is an incorporated community association that serves approximately 12,000 residents in Ottawa's Outer Urban Transect. This community is bounded by the Rideau River to the west, the Airport Parkway to the east, Hunt Club Road to the south, and the CNR line to the north.

- **Adverse impact of the NCC appeal.** The HCCA is directly affected by the NCC's appeal of the new Zoning By-law. Almost all of the "Rivergate/McCarthy" lands are located within this community, with smaller portions situated in the adjacent Riverside Park and Revelstoke neighbourhoods. Thousands of local residents live next to these lands or a short walk from the woods and meadows in the corridor.

Figure 1
Hunt Club and Riverside Park[2]



[2] *Map of Places and Their History,* www.forgottenottawa.ca

- **HCCA's support for more affordable housing.** In recent years, a large number of housing developments have been approved for the Hunt Club and Riverside Park communities. The HCCA has supported the City's efforts to increase the housing supply and has generally supported the proposed developments. In particular, the HCCA has supported zoning amendments that would permit two 14-storey apartment towers at 3750 North Bowesville Road and has also supported an expansion of the social housing complex at Shearwater Court.

- **Our public support for a major development proposal.** In June 2025, the HCCA supported the Taggart Corporation's proposed zoning amendments for 3930 Riverside Drive, a new housing project that would provide 660 residential units in high-rise apartments, townhomes, and single-family homes. The HCCA made both oral and written submissions in support of this project at the City's Planning and Housing Committee, emphasizing the need for housing and the developer's willingness to work with the community to protect notable trees in the nearby Riverwood Park[3].

- **Our engagement in the new Zoning By-law review.** In 2024-25, members of the HCCA's Planning Committee participated actively in the public consultations on the new Zoning By-law and submitted written questions and comments to City planning staff. The HCCA supported the broad aims of the new By-law, including increased density in the urban area and the creation of "15-minute neighbourhoods". At the same time, the HCCA was the first community association to notice that Drafts 2 and 3 of the new Zoning By-law proposed to apply "Development Reserve" zones to most of the lands in the McCarthy Woods nature corridor.

[3] In June 2025, the Ottawa International Airport Authority appealed the approved zoning amendments to the Ontario Land Tribunal (OLT-25-000604).

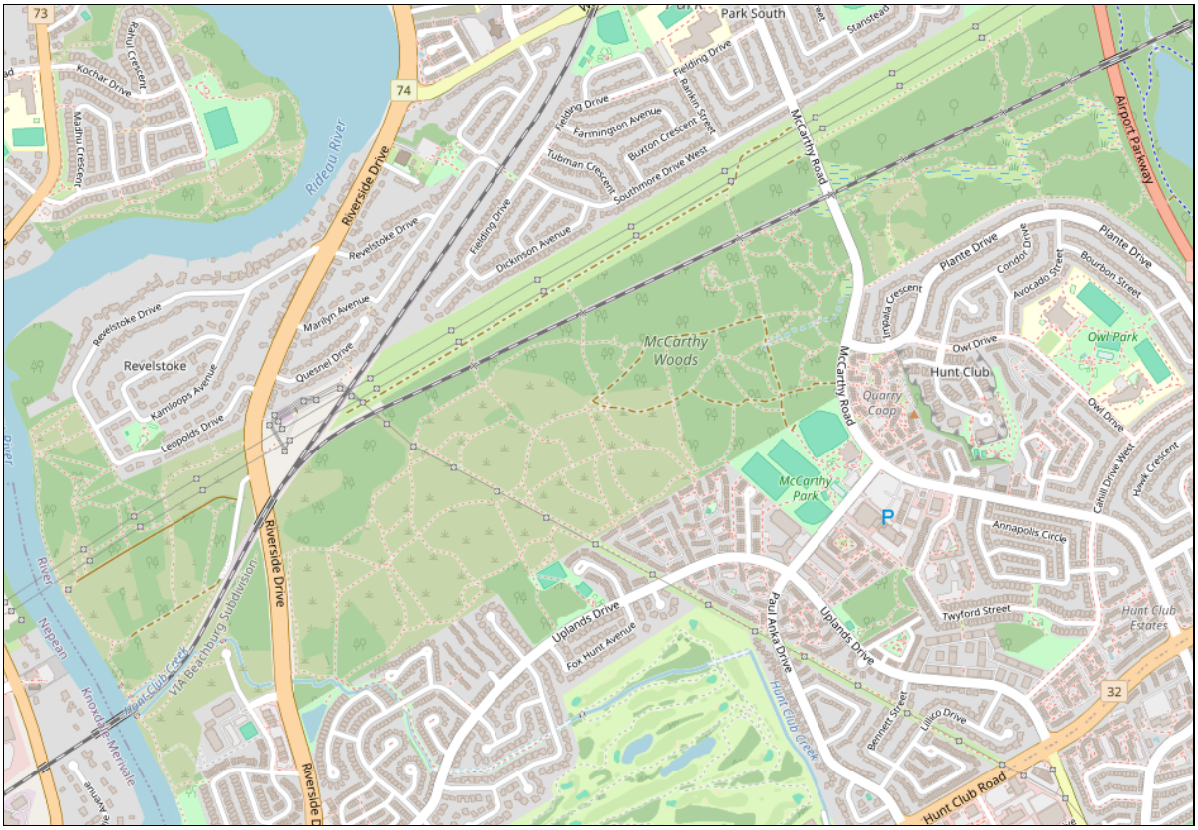
2. Background

McCarthy Woods Corridor

- The NCC's greenspace corridor surrounding McCarthy Woods consists of land that was purchased in the 1950s for a ring road around the southern edge of the city. Over time, this corridor has become an urban natural area that has high ecological, cultural, and recreational value.

- McCarthy Woods, in particular, is one of the largest and most diverse forests in the urban area. The surrounding greenspace stretches from the Rideau River to the Airport Parkway. It includes a mix of riverfront lands, meadows, woodlands, and wetlands. There are many informal recreational trails in this corridor that are well-used by local residents.

Figure 2
McCarthy Woods Corridor



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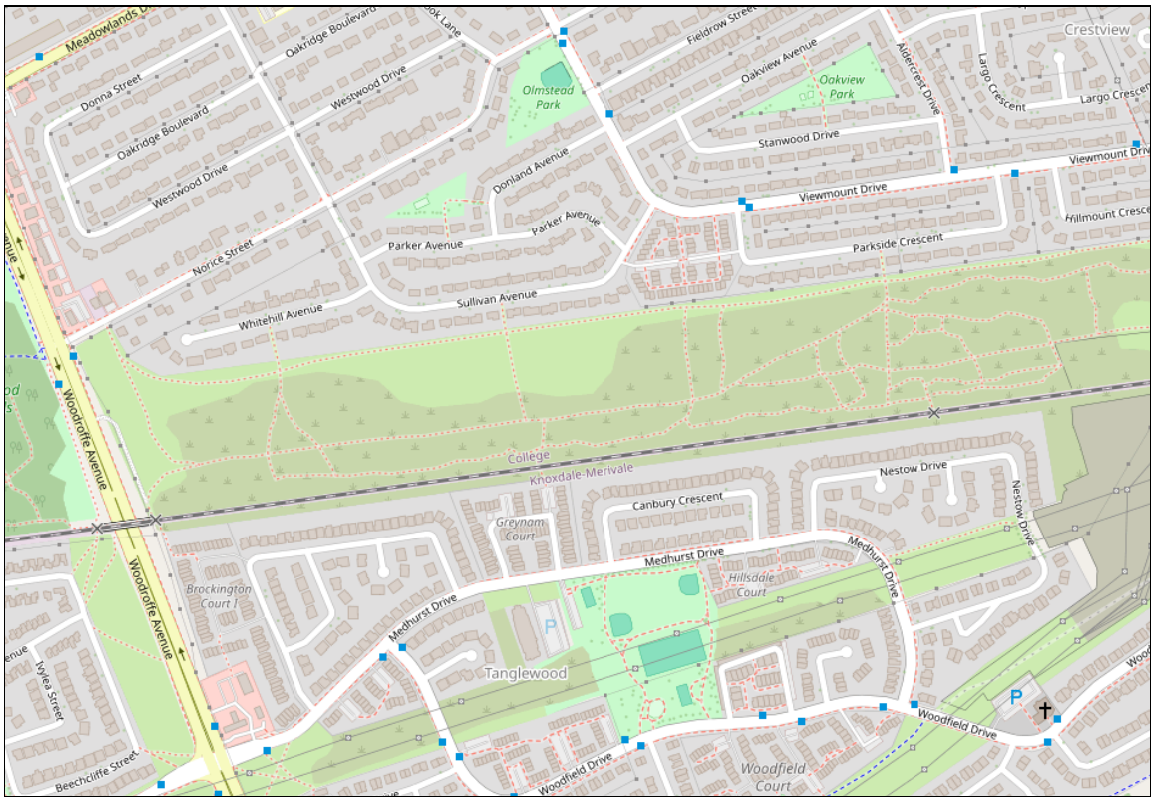
Southern Corridor

- The NCC's "Southern Corridor" is another remnant of the 1950s plan for a ring road. It runs parallel to the CNR rail corridor, between Woodroffe Avenue and Merivale Road. Although it is well-used by local residents, this corridor has lower ecological value than the land surrounding McCarthy Woods.

- The western edge of this corridor is close to a future Light Rail Transit (LRT) station. The NCC has placed this parcel in the Canada Public Land Bank and has designated this land for residential development. Until recently, it was co-operating with City staff on consultations for the Baseline-Merivale Secondary Plan (now on hold).

- In this context, local residents and stakeholders would like to see as much greenspace as possible preserved for public use - such as a pathway commemorating Canada's "Confederation Poets". They are also concerned that the NCC's preferred zoning for this land would pre-empt the public consultations on the Secondary Plan.

Figure 3
Southern Corridor



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Local and regional benefits

Access to natural areas

- The meadows, thickets, and woods in the NCC's greenspaces provide valued access to natural areas for thousands of local residents. In the case of McCarthy Woods, for example, such areas offer an important amenity for residents of the five housing co-ops located within a short walk of the corridor.

- Residents from across the City of Ottawa make use of the greenspace near Revelstoke Drive to launch kayaks and canoes in one of the few points of access to the Rideau River south of Mooney's Bay. Visitors from across the region follow paths down the hill from Old Riverside Drive to the river's edge or stop to admire the view from the limestone lookout.

- In early 2026, the HCCA and the Ottawa South Eco-Action Network carried out a brief survey of persons who use the McCarthy Corridor. Over a few weeks, some 300 respondents shared their experiences and expressed strong support for the conservation of the NCC's lands along the Rideau River and in the natural areas surrounding McCarthy Woods.

- Much like the ravine network in Toronto, the McCarthy Woods corridor provides direct access to natural areas that contribute greatly to the livability of dense urban areas. As the population of the region increases, we will need more such greenspaces – not less.

Climate resilience and ecological value

- The City of Ottawa's studies have shown that McCarthy Woods is a unique urban forest, and that the surrounding meadows provide "prime feeding habitat" for Barred Owls, Cooper's Hawks, and Merlins which live in the woods. Together, the woods and the meadows are an urban natural area of "high" ecological value[4].

- In addition, the McCarthy corridor's urban forests, meadows, and wetlands are valuable parts of the NCC's "green network". They provide a variety of ecosystem services, such as climate regulation, air quality, and wildlife habitat[5].

- These urban forests will need continued protection if the City of Ottawa is going to meet its target of 40% tree canopy cover from Ottawa's Official Plan. The tree canopy in River Ward is already well under this target (25% in 2022).

[4] *Greenspace Master Plan* (2006), Map 1; *Urban Natural Areas Environmental Evaluation Study* (2005).
[5] See the NCC's *Sustainable Development Strategy*, *2023-2027* and its *Forest Strategy, 2021-2026*.

- The McCarthy corridor, moreover, is part of the *"green infrastructure"* that helps to prevent flooding when stormwater management systems (or "grey infrastructure") are overwhelmed – as happened on July 1, 2026, when over 2,000 homes in the City of Ottawa were subjected to flooding damage during a "once in 200 years" rainstorm.

- As the City's population increases, and as extreme weather events become more frequent, this large urban greenspace will become even more important for environmental protection, climate resiliency, and quality of life across the National Capital Region.

Cultural and heritage value

- These greenspaces also have unique cultural significance. Indigenous peoples have been using the Rideau River for thousands of years as a transportation route and gathering place. As part of its conservation mandate, the NCC has a duty of care for these lands.

- The Rideau Canal waterway, which borders on the McCarthy Woods corridor, is a UNESCO World Heritage Site. One of the first log houses to be built in Ottawa, "Ossian Hall", was located within the proposed Development Reserve zone at 3576 Old Riverside Drive. It was built by Captain Andrew Wilson in 1819 and provided an important stopping point for settlers approaching Ottawa along the Rideau River[6].

- The Poets' Pathway, a 35-km pathway commemorating Canada's Confederation Poets, traverses most of these lands and has been financially supported by the City of Ottawa for many years[7]. At the edge of McCarthy Woods, a plaque marks the setting of Archibald Lampman's poem, "the Uplands", which was composed a few days before the poet's death in 1899.

[6] John Sankey, *History of the Hunt Club Community, www.hunt-club.ca;* Glenn Clark, *Historic Gloucester,* Fall 2018, pp. 9-10, www.gloucesterhistory.com; Kevin Ballantyne, *Hunt Club-Riverside Park Timeline,* www.forgottenottawa.ca.

[7] https://www.poetspathway.ca/pathway.htm

3. City of Ottawa's Zoning Decision

Development Reserve Zones

- The City of Ottawa's previous Zoning By-law (2008-250) provided a mix of zones for the NCC's lands in the McCarthy Corridor. The first draft of the new by-law, released in late 2024, largely reflected this zoning.

- At the NCC's request, however, the proposed zoning for most of these parcels was changed to **Development Reserve (DR)** in Drafts 2 and 3 *(see below)*. This zoning would make development a foregone conclusion.

Table 1
New Zoning By-law – Proposed DR Zones

Address	Previous By-law	New By-law - Draft 3
SOUTHERN CORRIDOR		
1497 Woodroffe Avenue	Institutional	**Development Reserve**
1710 Merivale Road	Institutional	**Development Reserve**
MCCARTHY CORRIDOR		
Riverfront – Rideau River		
3869 Revelstoke Dr (woods)	Environmental Protection	Open Space
3869 Revelstoke Dr (meadows)	Open Space	**Development Reserve**
3530 Old Riverside Dr	Open Space	**Development Reserve**
3576 Old Riverside Dr	Leisure	**Development Reserve**
3575 Old Riverside Dr	Development Reserve	Minor Corridor
McCarthy Woods & Meadows		
3545 Riverside Dr (woods)	Environmental Protection	Environmental Protection
3545 Riverside Dr (CNR line)	Light Industrial	Open Space
3545 Riverside Dr (middle)	Light Industrial	**Development Reserve**
3545 Riverside Dr (south)	Leisure	**Development Reserve**
McCarthy Wetlands		
1100 Walkley Road	Light Industrial	**Development Reserve**
3183 McCarthy Road (north)	Light Industrial	**Development Reserve**
3183 McCarthy Road (south)	Open Space	**Development Reserve**
1 Airport Parkway	Open Space	**Development Reserve**

- Development Reserve zoning is a blunt instrument. It is typically used for "under-utilized" or vacant land with no ecological or recreational value. There are very few such zones in Ottawa's urban transects and most parcels are relatively small.

- More typical examples of Development Reserve zones include the NCC's small woodlot at 3575 Old Riverside Drive[8], another NCC property at 1200 Bank Street, and a vacant lot next to OC Transpo's Albion Yard maintenance facility.

- In the case of the McCarthy Woods corridor, some nine parcels were blended together, despite very different topography and facts on the ground. These parcels are not "brownfields" or vacant lots – they are well-utilized for recreational purposes and provide an important natural linkage between the Rideau River and Sawmill Creek.

- Taken together, these 103 hectares in the McCarthy Woods corridor would constitute *by far the largest Development Reserve zone in Ottawa's urban area*. The second largest DR zone is the NCC's Southern Corridor between Merivale and Woodroffe at 44 hectares.

Lack of transparency

- Local community groups were not consulted on the decision to make this sudden change in the proposed zoning. There was no public signage or notice to the affected residents, as would be the case in a normal planning process. No environmental studies were carried out. No public meetings were held on these specific changes.

- According to City staff, these changes were only made after repeated private requests from the NCC – the City's largest property owner:

> Following the release of Draft 1 the National Capital Commission (NCC) provided comments regarding the proposed zoning for the lands and requested a Neighbourhood Zone to align with the Neighbourhood designation in the Official Plan. Staff explained that it would not be possible to apply a Neighbourhood Zone, given a lack of information on potential development.
>
> The NCC followed up with further comments to request the lands be zoned DR – Development Reserve. As their request for a DR zone would not be out of alignment with the policies for the Neighbourhood designation in the Official Plan, staff proposed to zone the lands Development Reserve in the new Zoning By-law[9].

[8] This parcel abuts Riverside Drive and was converted to a Minor Corridor (CM2) zone in the new by-law. The Hunt Club Community Association has no objection to this zoning.
[9] E-mail from City staff to Paul Johanis (Chair, Greenspace Alliance of Canada's Capital), November 3, 2025.

- In effect, the NCC sought to take advantage of a comprehensive zoning by-law review to bypass the usual planning process for 103 hectares of greenspace without regard to the size or condition of this land, its value to the community, or its regional impact.

- As a result, in early 2025, the NCC's proposed "Development Reserve" zones threatened to reverse the existing protections for these lands and took many residents by surprise. The Hunt Club Community Association and its partners expressed strong opposition to both the substance of the proposed zoning and the lack of transparency regarding the planning process for these lands.

Councillor Brockington's motion

- On December 17, 2025, the City's "Joint Planning Committee" considered the final draft of the new Zoning By-law. At this meeting, after consultation with City planning staff, Councillor Riley Brockington tabled a motion which proposed changes to Draft 3 of the zoning map (see Figure 4).

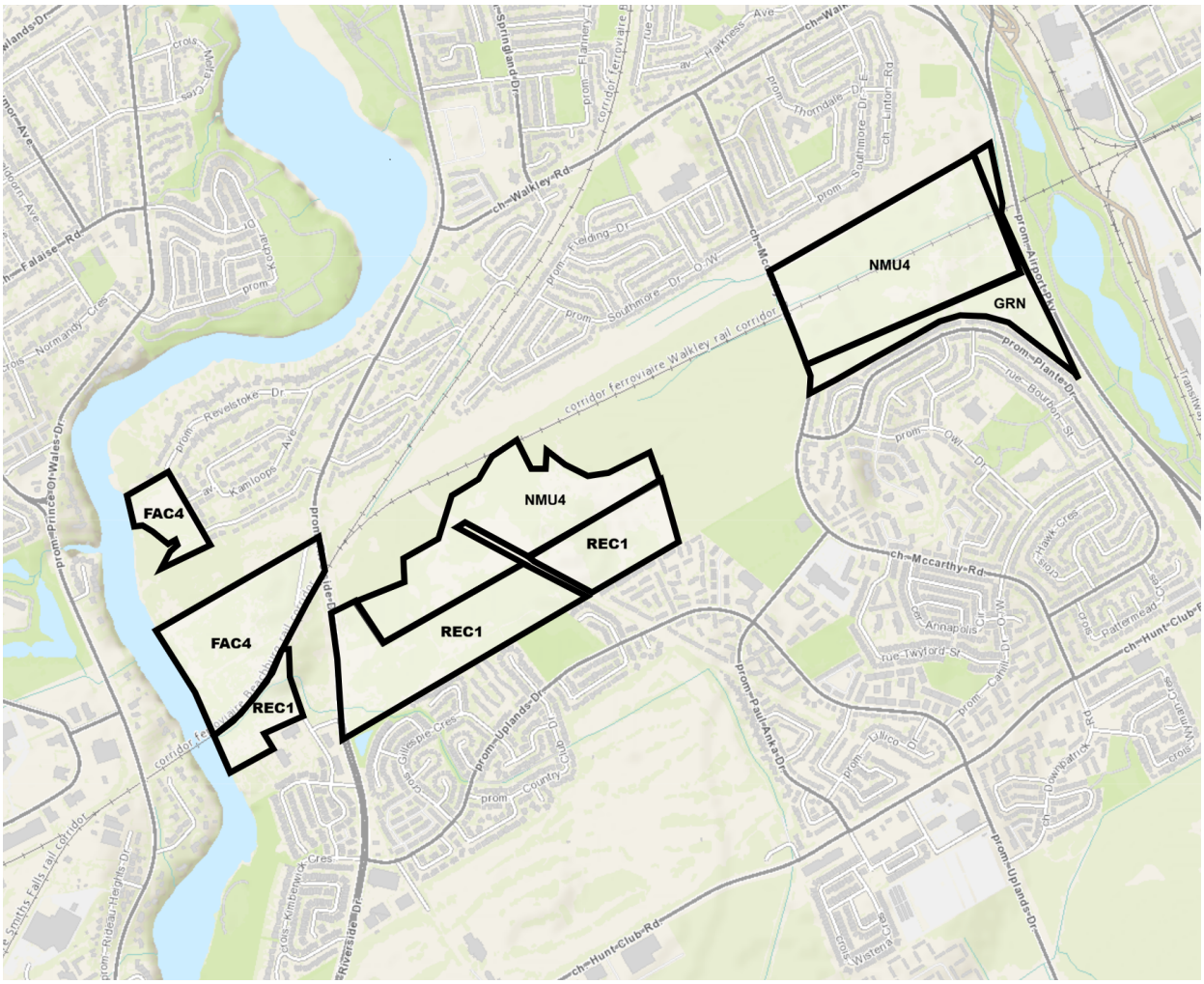
- This motion provided a reasonable compromise - it struck a balance between Draft 1 (preferred by community groups) and Draft 3 of the new Zoning By-law (supported by the NCC).

    - **This motion recognized the value of these lands and the need for due process** by restoring Greenspace (GRN), Open Space (FAC4), or Recreational (REC1) zoning for lands along the Rideau River and near the existing housing. It also restored Institutional zoning for the Southern Corridor until the completion of the Baseline-Merivale Secondary Plan.

    - **At the same time, it did not "downzone" the NCC's properties.** The Light Industrial parcels, in particular, would not be changed to Greenspace, as was the case in the first draft of the new bylaw. Instead, they would be converted to Neighbourhood Mixed Use Subzone 4 (NMU4), which recognizes existing non-residential uses in lands designated as "Neighbourhood" in the Official Plan.

    - **Under this motion, the NCC would retain the ability to apply for changes to these zones at a future date** through the City's streamlined new planning process. At that time, local community groups and other stakeholders would have an opportunity for meaningful public engagement – without development as a foregone conclusion.

Figure 4
McCarthy Corridor – Brockington Motion



Public submissions

- At the Joint Planning Committee, over a quarter of the oral submissions on the final draft of the new Zoning By-law concerned the NCC's proposed Development Reserve zoning. Presentations by individuals and community groups addressed both the substantive issues and the lack of due process described above.

- The delegations which made oral submissions in support of the Brockington motion consisted of local community associations, individual residents, and City-wide community groups, including:

    - **Greenspace Alliance of Canada's Capital** (Paul Johanis)
    - **Community Action for Environmental Sustainability** (Erica Shadlow)
    - **Hunt Club Community Association** (Andrei Grushman)
    - **Riverside Park Community Association** (Dave Coyle)
    - **Ottawa South Eco-Action Network** (Mireille Trent, Marianne Ariganello, Lynne Patenaude)
    - **Poets' Pathway** (Jane Moore, Ben Glossop)
    - **Residents of Revelstoke Drive** (Martha Robinson, Colin Nicholson)

- The NCC did not make any oral submissions at the Joint Planning Meeting. Instead, the NCC's Vice President of Planning sent a letter to Councillors explaining its position and noting that the NCC reserved the right to override municipal planning decisions.

- The Joint Planning Committee considered the submissions of all parties and voted in support of Councillor Brockington's motion by a large margin (11-4). The Committee's recommendations were then referred to the full City Council for a final decision.

Staff recommendation

Contrary to the NCC's contention, City Council was not obliged to accept the staff recommendation in Draft 3 of the new Zoning By-law.

- In its Notice of Appeal, the NCC argues that City Council was obliged to approve the "Development Reserve" zoning that was recommended by City planning staff for these lands in Draft 3 of the new Zoning By-law. To our knowledge, there is no provision in the *Planning Act* that requires City Council to accept staff recommendations on a zoning by-law.

- In fact, the City's planning staff indicated that *they were prepared to support either the NCC's preferred zoning or the mix of zones in the "Brockington motion"*. In both scenarios, they argued, the NCC would be required to return to City Council with a specific development proposal and zoning amendments in order to permit residential uses on these lands.

- At the same time, City planning staff were engaged in negotiations with the federal government to streamline planning processes for the Build Canada Homes initiative. They foresaw the possibility of a "framework agreement" on similar lines that would provide accelerated processing for selected sites owned by the National Capital Commission.

- In a democracy, elected representatives have the right – and the duty – to make decisions on the best available information. On January 28, 2026, the full City Council voted unanimously to approve the new Zoning By-law, including the Joint Planning Committee's recommendation regarding the Brockington motion.

- On February 11, 2026, Councillor Brockington presented an additional motion at City Council which proposed criteria for a "framework agreement" that would enable the NCC and the City "to act as partners to ensure greater alignment and to maximize co-benefits in addressing the need for affordable housing supply". This motion was approved by a vote of 24-1.

Compliance with Official Plan

The zoning approved by City Council for the McCarthy Woods Corridor was fully consistent with the Official Plan.

- As noted above, the City's planning staff indicated that they were prepared to support both the NCC's preferred DR zoning and the Brockington motion that was approved by City Council. It follows that planning staff considered the approved zoning to be consistent with a Neighbourhood designation in the Official Plan.

- In Schedule B3, a map of the Outer Urban Transect, the Official Plan assigns a "Greenspace" designation to McCarthy Woods and a strip of land along the CNR line. The remainder of the corridor is assigned a "Neighbourhood" designation. Within this designation, the NCC contends that City Council was obliged to apply "Development Reserve" zoning.

- In fact, the new Greenspace, Open Space Facility, Recreation, and Neighbourhood Mixed Use zones are also consistent with the City's Official Plan. Section 6.3.1, Policy 4 (f) states that within a Neighbourhood designation:

  > *"the Zoning By-law shall allow…greenspace, including parks, open spaces and natural linkage areas meant to serve as public space".*

- Moreover, the new zoning map includes several examples of other non-DR zones in this Neighbourhood designation. There is a mix of Recreation and Greenspace zones on the site of a former marina at 3600 Rivergate Way, adjacent to the NCC's lands, which is owned by the Department of National Defence. There is also a Greenspace zone which covers the nearby Hackett Pond and Hunt Club Creek east of Riverside Drive.

4. NCC's Planning Framework

The City Council was not required to comply with the NCC's planning documents. Even if it were required to do so, the NCC's proposed zoning was inconsistent with its own land use designations.

National Capital Act

- The NCC was created in the 1950s to provide Canada with a capital worthy of the name. Under the *National Capital Act,* the NCC's legislative mandate is to "prepare plans for and assist in the development, conservation, and improvement of the National Capital Region".

- With respect to its conservation mandate, the NCC has long been an active steward of Gatineau Park, the Greenbelt, the Mer Bleue bog, the Ottawa River shoreline, and other natural areas in the National Capital. For many residents, the NCC's most important mission is the protection of greenspaces and natural areas.

- In parallel with these responsibilities, however, the NCC is also the region's largest landowner, with over 1,200 properties in its real estate portfolio. It is responsible for managing these assets and assisting in the development of other federal properties in the National Capital area.

Plan for Canada's Capital

- The NCC's *Plan for Canada's Capital, 2017-2067* is a key document that guides the long-term planning of the Nation's Capital. According to the NCC, this strategic plan "serves as the foundation for all NCC planning work". It is "the culmination of a national conversation undertaken over several years" and "the most collaborative planning document in the NCC's history" [10].

- One of the Plan's three broad goals is *"a capital that values public green space and promotes environmental sustainability"***.** To this end, the Plan sets out measures for preserving the Capital's "waterways and shorelines", including the Rideau River and the Rideau Canal waterway.

[10] https://ncc-ccn.gc.ca/our-plans/the-plan-for-canadas-capital-2017-2067.

- With respect to the Capital's urban green spaces, the Plan sets out policy directions for the next fifty years. The second item on the list of policy directions refers specifically to the McCarthy Woods corridor (p.56):

  > *As part of its regional interest land mass, the NCC may hold land under federal ownership that does not serve a Capital function, but supports* ***an essential regional function, either in perpetuity or until an appropriate local steward is found who can maintain the lands as open space***.

- The Plan for Canada's Capital is the NCC's over-arching planning document – its equivalent of the City of Ottawa's Official Plan. It is supported by a series of "master plans", including the Core Area Plan, the Greenbelt Master Plan and, in particular, the Capital Urban Lands Plan.

Capital Urban Lands Plan

- In 2015, the NCC held extensive public consultations on its *Capital Urban Lands Plan*, which proposed land use designations for federal properties on urban lands located between the Core Area and the Greenbelt.

- This key planning document draws a distinction between the "Capital" realm of national significance and the "Non-Capital" realm of local or regional significance. Within the Non-Capital realm, most of the surplus NCC lands are designated as "Urban Redevelopment" sites or as "Non-Designated NCC Properties".

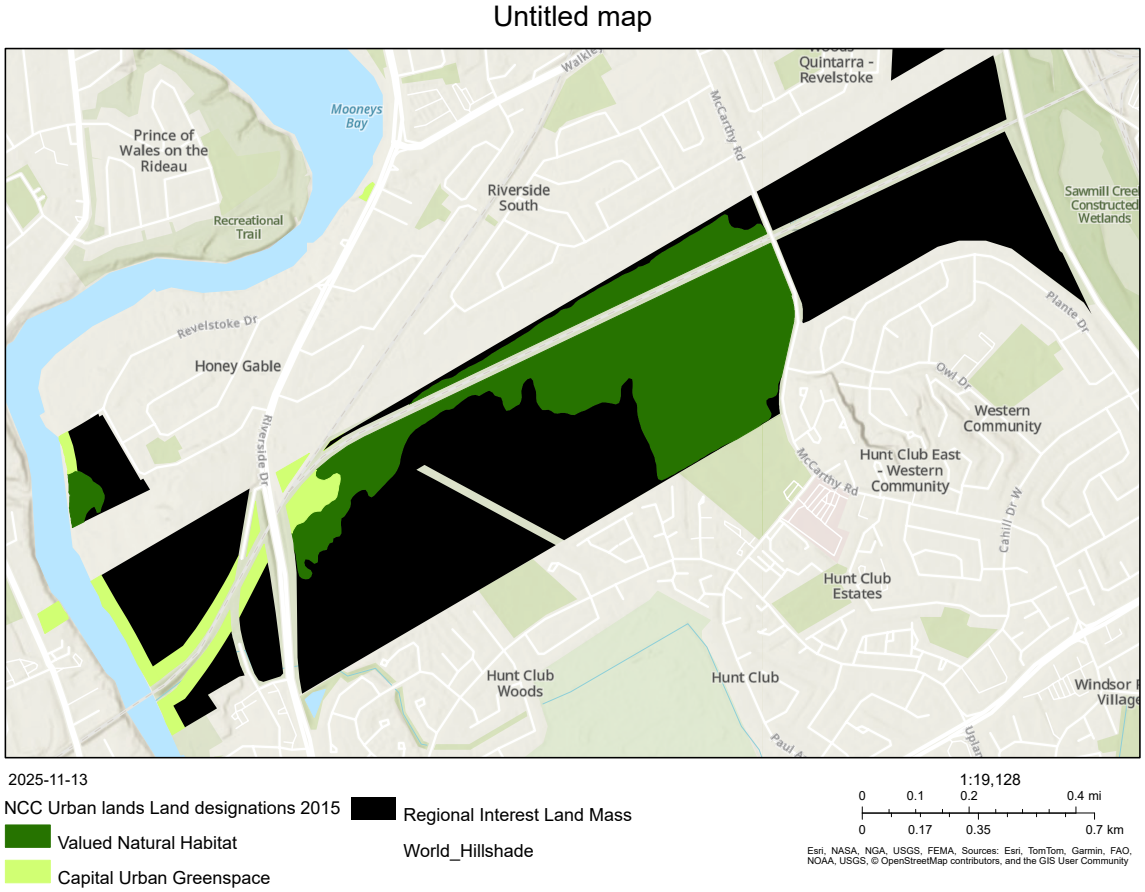
- The Southern Corridor and the McCarthy Woods corridor are both located in the Non-Capital realm. Unlike the Southern Corridor, however, the McCarthy Corridor has <u>not</u> been designated for development, included in the NCC's Lands for Homes initiative, or placed in the Canada Public Land Bank for lease or sale[11].

[11] See *"Lands for Homes"*, www.ncc-ccn.ca, for properties currently awaiting offers from developers.

- In the NCC map below, McCarthy Woods is designated as *"Valued Natural Habitat" (dark green)*. Most of the Rideau Canal waterfront between Revelstoke Drive and Rivergate Way is designated as *"Capital Urban Greenspace" (light green)*.

- The remainder of the McCarthy Woods corridor (some 103 hectares) is designated as a ***"Regional Interest Land Mass"*** *(black)*. This unique designation recognizes that these lands perform "an essential regional function" and require conservation "in perpetuity or until an appropriate local steward is found who can maintain the lands as open space".

Figure 5
NCC's Urban Lands Designations[12]



[12] NCC Hub, *Capital Urban Lands Plan, 2015*, ArcGIS map viewer.

- The full definition of the **Regional Interest Land Mass (RILM)** designation in the Capital Urban Lands Plan clearly establishes that the McCarthy Woods corridor is intended for stewardship and conservation, not development (p.58):

  Based on feedback gathered through public consultation activities conducted in support of the Capital Urban Lands Plan, a select group of Non-Designated NCC Properties were observed to support regionally-significant public interests. Properties supporting regionally-significant recreational, ecological or infrastructure-support functions have been identified as part of the Regional Interest Land Mass (RILM) Overlay.

  The purpose of this designation is to safeguard the public use of the RILM lands over the long-term and to conserve the public interest functions they support. Whereas the Capital Realm identifies lands that support essential Capital functions, RILM lands are understood to serve a secondary role in support of the development, conservation and improvement of the broader National Capital Region.

  Over time, the NCC will explore options to transfer NCC-owned RILM properties to another appropriate steward, such as a municipality or land conservation trust, for continued use in the public interest. The RILM is a tool for the NCC to identify and appropriately manage sites that play an important regional role, but that are not a part of the Capital Realm.

- To date, the NCC's properties in the McCarthy Woods corridor are the only ones that have been designated as a Regional Interest Land Mass. By proposing to develop these lands, the NCC is abandoning its commitment to safeguard their public use and to conserve their "recreational" and "ecological" functions for the long term.

- This planning document, moreover, makes a clear distinction between "Capital" and "Non-Capital" realms. Since the McCarthy Woods corridor is designated as a *"regionally significant"* part of the Non-Capital realm, it follows that the NCC should defer to the City of Ottawa's elected representatives on the appropriate zoning for these lands.

- **Amendment process**. The land use designations in the Capital Urban Lands Plan can be changed at any time in accordance with the following process (p. 91):

  Any amendment must be justified that it is in the public interest, consistent with the Plan for Canada's Capital and the general objectives of this Plan, and results in a land use that is compatible to its context.

  Depending on the scope of the proposed amendment, public consultation activity may be required. Decisions in this regard rest with the office of the Executive Director, Capital Planning. If plan amendment is deemed necessary, it will be subject to approval by the NCC's Board of Directors.

- Over the past eleven years, only a few changes have been made to the Plan. The most recent such amendment was approved by the NCC's Board of Directors in a closed meeting on February 24, 2026. Without public consultation, it changed the designation of three sites in the National Capital region to *"Urban Redevelopment"* in support of the NCC's Lands for Homes initiative[13].

- The NCC's Board, however, did <u>not</u> take this opportunity to amend the *"Regional Interest Land Mass"* designation for the McCarthy corridor. In view of the size and importance of the McCarthy Woods corridor, an amendment of this scope would likely have required extensive "public consultation activity".

- This RILM designation was still in force on January 28, 2026, when City Council approved the Brockington motion - and it has not been amended to this day. As a result, the NCC's proposed Development Reserve zoning for the McCarthy corridor directly contradicts its own planning documents.

[13] *Capital Urban Lands Plan*, Appendix 3, p. 116. This latest change was acknowledged on the NCC's website, but the location of the sites in question has not been disclosed to the public.

Conclusion

- **The approved zoning was good public policy.** In our view, Councillor Brockington's motion regarding McCarthy Woods and the Southern Corridor was a reasonable compromise. This motion was consistent with the Official Plan, was acceptable to City staff, and was approved by an almost unanimous vote of the full City Council.

- The Mayor and City Councillors carefully considered the NCC's proposed zoning and decided to adopt a different approach. They had every right to do so. At the same time, City Council offered the NCC an opportunity to negotiate a "framework agreement" that would accelerate the approval process for key NCC properties.

- The NCC's properties were not "downzoned" by this motion and the NCC retained the right to seek zoning amendments for specific development proposals in the future, subject to the regular planning processes and public consultations.

- **The NCC's key arguments do not have merit.** The NCC has argued that City Council was obliged to accept the staff recommendation in the final draft of the new Zoning By-law, that the approved zoning was contrary to the Official Plan, and that it was not consistent with the NCC's planning documents. In our view:

    - ***The zoning approved by City Council was fully consistent with Section 6.3.1, Policy 4(f), of the Official Plan.***

    - ***Under the Planning Act, City Council was not obliged to accept the staff recommendation in Draft 3 of the new Zoning By-law.***

    - ***City Council was not required to comply with the NCC's planning documents. Even if it were required to do so, the NCC's proposed zoning was inconsistent with its own land use designations.***

- For these reasons, the HCCA recommends that the NCC's appeal should be withdrawn or rejected. Instead of litigating against City Council's decision, the NCC should engage constructively with the City of Ottawa and community groups regarding the future of the McCarthy Woods corridor.