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Residential
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Institutional
Environmental
Restoration

Official Plan Amendment

525 Legget Drive and 359 Terry Fox Drive



Prepared for: Wesley Cover International

Official Plan Amendment
525 Legget Drive and 359 Terry Fox Drive

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May 11, 2022

Novatech File: 120202
Ref: R-2022-098

May 11, 2022

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Attention: Molly Smith, Planner II

**Reference: Official Plan Amendment
525 Legget Drive and 359 Terry Fox Drive
Our File No.: 120202**

Novatech has prepared this Planning Rationale on behalf of Wesley Cover International (Brookstreet Hotel) to support an Official Plan Amendment application for a site on two municipal addresses – 525 Legget Drive and 359 Terry Fox Drive.

Site Plan Control and Zoning By-law Amendment applications for a 30-storey apartment building with a restaurant on a new parcel to be created from 525 Legget Drive and 359 Terry Fox Drive have been filed with the City of Ottawa. City staff have recently issued third review comments on the applications.

An Official Plan Amendment to allow residential use without the need for a Secondary Plan is required. The Official Plan Amendment is intended to bridge a timing gap while the Ministry of Municipal Affairs and Housing considers the new Official Plan, as the new Official Plan supports the proposal.

Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

NOVATECH



James Ireland, MCIP, RPP
Project Planner

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1.0 INTRODUCTION

Novatech has prepared this Planning Rationale on behalf of Wesley Cover International (Brookstreet Hotel) to support an Official Plan Amendment application for a site on two municipal addresses – 525 Legget Drive and 359 Terry Fox Drive.

An Official Plan Amendment to allow residential use without the need for a Secondary Plan is required. The Official Plan Amendment is intended to bridge a timing gap while the Ministry of Municipal Affairs and Housing considers the new Official Plan, as the new Official Plan supports the proposal.

2.0 DEVELOPMENT PROPOSAL

The development will be located on a proposed new parcel that will have frontage on Terry Fox Drive. The new parcel will be approximately 6,819m² and will contain the access driveway from Terry Fox Drive to the proposed apartment building and associated landscaping and pathways. A proposed property line for the new parcel is shown on the Site Plan and is based on a draft legal 4R reference plan that accompanied the Site Plan and Zoning By-law Amendment applications. The new parcel of land containing the apartment building and driveway access will be severed via a separate application to the Committee of Adjustment.

A 30 storey apartment building that will be physically connected to and integrated with the Brookstreet Hotel is proposed. Since the initial submission of the Site Plan and Zoning By-law Amendment applications, City comments have resulted in minor changes to the building. The proposal currently with the City has 253 apartments, including studios and one-, two- and three-bedroom apartments. Two levels of underground parking will be used by residents, providing 128 bicycle racks and 111 resident vehicle parking spaces along with storage lockers. Amenity areas are provided on the ground floor and roof top.

Two vehicular connections will be made from the apartment building to the existing parking structure at 525 Legget Drive. The parking structure will not be on the severed lot and will remain as part of 525 Legget Drive. The parking structure currently provides shared parking for the surrounding uses. This is permitted by Section 206 (6) c) of the Zoning By-law states that the provisions of Section 100(1)(c) of the Zoning By-law do not apply. This section normally requires that parking be on the same lot as the use or building for which they are provided. There is sufficient capacity in the structure and surrounding parcels that all parking rates are complied with. A portion of the parking structure will be reconfigured to provide an additional 193 resident parking spaces (the total number of resident spaces is 304). Access to the resident spaces will be controlled separate from the rest of the parking structure. Fifty one visitor and 42 restaurant parking spaces will be provided.

A 360m² restaurant is proposed for the top floor of the apartment building that will be open to the public. It is also intended that signage will be provided at the top of the building. The signage shown on the 3D renderings submitted with the application is indicative only and will be resolved through the application process. Signage has a separate approval process in accordance with the City of Ottawa Sign By-law.



Figure 1: Render of the proposal looking northwest

3.0 SITE DESCRIPTION AND SURROUNDING USES

A parcel (the “Subject Site”) will be created by severance for the proposal. It will be approximately 6,819m² with frontage to Terry Fox Drive and will contain the new apartment building along with a reconfigured access driveway and landscaping. The parcel will be severed from two existing parcels, 525 Legget Drive and 359 Terry Fox Drive which are in the Kanata North Business Park close to the intersection of Legget Drive and Terry Fox Drive. 525 Legget is a 5.56 ha parcel containing the 18 storey Brookstreet Hotel, a stormwater management (SWM) pond and a five-storey parking structure used by the hotel and various other surrounding uses. The new building will be constructed as an extension to the Brookstreet hotel that will wrap around the existing parking structure and adjacent to the existing stormwater pond. 359 Terry Fox Drive is a 1.76 ha lot that will accommodate the reconfigured driveway access. The existing light industrial building will remain unchanged, with its access maintained.

North of the site across Terry Fox Drive is a two-storey light industrial/office building. To the east of 359 is another stormwater pond and light industrial/office building at 349 Terry Fox Drive. Further east, and on the other side of the stormwater pond from the Subject Site is the Marshes Golf Course. To the south of the Subject Site is a 10 storey office building at 535 Legget Drive. To the west across Legget Drive is a large surface parking lot servicing the neighbouring offices for Nokia at 600 March Road.

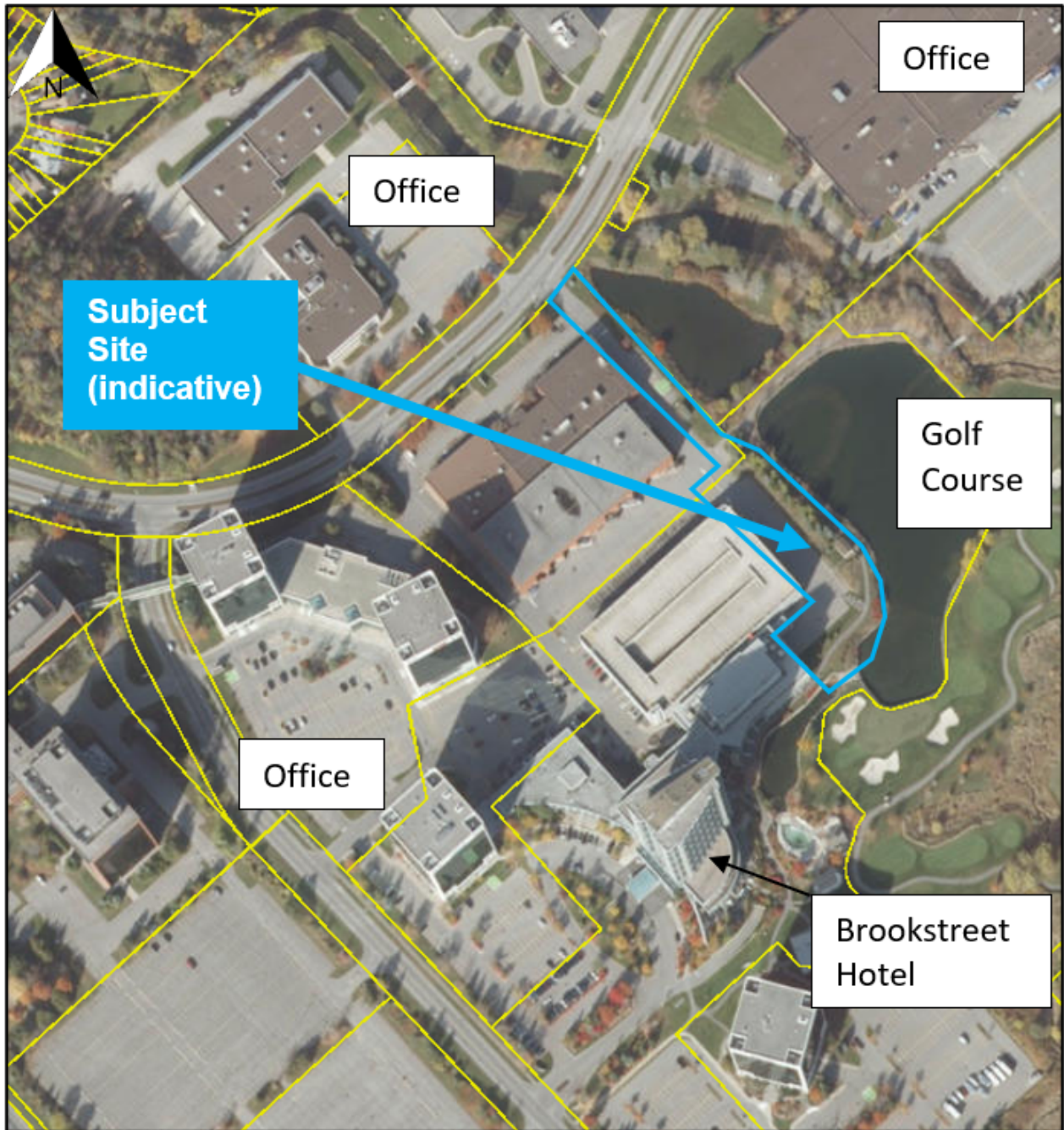


Figure 2: Subject site and surrounding area

The legal description for 525 Legget Drive is comprised of the following:

PART OF LOT 8 CONCESSION 4 (MARCH) AND PART OF BLOCKS 10 AND 11 PLAN 4M1096 PARTS 2 AND 4 PLAN 4R16648 AND PARTS 6, 8, 10 AND 15 PLAN 4R17106 AND PARTS 11 AND 13 PLAN 4R17106 EXCEPT PARTS 1 AND 2 PLAN 4R18407, OTTAWA. TOGETHER WITH A RIGHT OF WAY AS IN N343754. SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 1 AND 2 PLAN 4R13076, PARTS 1 TO 5,9 PLAN 4R17106, PARTS 1, 5 AND 6 PLAN 4R16648 AS IN OC155462. TOGETHER WITH AN EASEMENT OVER PARTS 2 TO 7 PLAN 4R12934, PART 1 PLAN 4R12934 EXCEPT PART 15 PLAN 4R17106, PARTS 1 AND 2 PLAN 4R13076, PARTS 1 TO 5 PLAN 4R17106, PARTS 1, 5 AND 6 PLAN 4R16648, PARTS 4, 5 AND 9 PLAN 4R17106, 8 TO 19 AND 23 TO 25 PLAN 4R12934 EXCEPT LANDS IN PLAN 4M1096, PART 2 PLAN 5R11487 EXCEPT PART 2 PLAN 4R11623 AS IN OC155463. S/T EASEMENT IN FAVOUR OF PT BLK 16 PL 4M280 BEING PARTS 1 & 2 ON 4R6573 AS IN OC683199. S/T EASEMENT IN FAVOUR OF PT BLK 17 PLAN 4M280 PT 3 PLAN 4R6573 EXCEPT PT 1 PLAN 4R13304 AS IN OC683199. SUBJECT TO AN EASEMENT OVER PTS 2 AND 4 PL 4R16648 AND PTS 6, 8, 10 AND 15 PL 4R17106 AND PTS 11 AND 13 PL 4R17106 EXCEPT PTS 1 AND 2 PL 4R18407 IN FAVOUR OF PT BLK 16 PL 4M280, PTS 1 AND 2 PL 4R6573 AND PT BLK 17 PL 4M280, PT 3 PL 4R6573 SAVE AND EXCEPT PT 1 PL 4R13304 AS IN OC1595063 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 1,2 & 3 PLAN 4R28555 AS IN OC1909585

The legal description for 359 Terry Fox Drive is comprised of the following:

CONSOLIDATION OF VARIOUS PROPERTIES: PART OF BLOCK 2, PLAN 4M642 AND PART OF LOT 8, CONCESSION 4, BEING PARTS 1 TO 7 ON 4R12934, EXCEPT PART 15 ON 4R17106, OTTAWA. SUBJECT TO AN EASEMENT IN FAVOUR OF KANATAHYDRO-ELECTRIC COMMISSION OVER PART 5 ON 4R12934 AS IN LT645982. SUBJECT TO AN EASEMENT IN FAVOUR OF KANATA RESEARCH PARK CORPORATION OVER PART 3 ON 4R12934 AS IN LT1049311. SUBJECT TO AN EASEMENT IN FAVOUR OF PARTS 2 AND 4 ON 4R16648 AND PARTS 6, 8, 10, 11, 13 AND 15 ON 4R17106 AS IN OC155463.

4.0 PLANNING ASSESSMENT

4.1 Provincial Policy Statement 2020

Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” the policies of the *Provincial Policy Statement* (PPS). The PPS is organized into three main policy sections: (1) Building Strong Healthy Communities, (2) Wise Use and Management of Resources, and (3) Protecting Public Health and Safety. The following sub-sections explain how the proposed development is consistent with the applicable PPS policies.

Building Strong Healthy Communities

Section 1.1 of the PPS is focused on managing and directing land use to achieve efficient and resilient development and land use patterns. The relevant policies are addressed below:

Policy 1.1.1 Healthy, liveable and safe communities are sustained by:

- (a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term*
- (b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- (c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- (d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- (e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- (f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- (g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- (h) promoting development and land use patterns that conserve biodiversity; and*
- (i) preparing for the regional and local impacts of a changing climate.*

The proposed development contributes to a healthy, liveable and safe community because it:

- is a compact building form which minimizes land consumption and servicing costs;
- diversifies the housing choice in the area to cater to people of all ages and life stages; and

- does not create environmental or public health and safety concerns or prevent the efficient expansion of settlement areas.

Policy 1.1.3.1 *Settlement areas shall be the focus of growth and development.*

The subject site is in the Settlement Area.

Policy 1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive; and*

The proposed development efficiently uses land and existing infrastructure. The location is close to facilities and supports transit.

Section 1.3 of the PPS provides policies on employment. The relevant policies are addressed below:

1.3.2.2 At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area.

1.3.2.4 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

As part of the approval process for the new Official Plan the City of Ottawa undertook a comprehensive review of employment lands. The *Industrial and Logistics Land Strategy* was adopted by Council on February 10, 2021. City staff have confirmed (in a May 4, 2022 email) that this satisfies the requirement for a comprehensive review. The redesignation in the new Official Plan of the Subject Site and surrounding area from Urban Employment Area to Kanata North Economic District was made on the basis of this comprehensive review. As the intent of this Official Plan Amendment is to implement some of the policies of the Kanata North Economic

District, insofar as this could be considered a conversion of employment lands, it is supported by a comprehensive review. Accordingly, these policies are satisfied.

Section 1.4 of the PPS provides policies on housing. The relevant policies are addressed below:

Policy 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by: permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities;*

The proposed development offers a broad range of apartments (ranging from studio to three bedroom) to accommodate various needs.

(b) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

Appropriate levels of infrastructure and public service facilities exist to support the proposed residential development.

(c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed

The density of the proposed development represents an efficient use of land, resources, infrastructure, and supports the proposed rapid transit station within walking distance (550m) at the intersection of March Road and Terry Fox Drive.

Section 1.6 of the PPS provides policies on infrastructure and public service facilities.

Policy 1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- (a) the use of existing infrastructure and public service facilities should be optimized*

A Servicing Report prepared by Novatech dated September, 2021 was filed with the Site Plan and Zoning By-law Amendment applications. It details how the proposed development will utilize municipal sewage, water and stormwater services. Refer to the reports for details.

Section 1.8 of the PPS provides policies on energy conservation, air quality and climate change.

Policy 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;*

A compact residential built form is proposed at a node based on a future BRT station.

b) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

The proposed development provides 253 dwellings within 600m of a future BRT station.

Wise Use and Management of Resources

Section 2.1 of the PPS provides policies on Natural Heritage.

Policy 2.1.1 Natural features and areas shall be protected for the long term.

The Official Plan does not identify any natural features on or adjacent to the site.

Section 2.2 of the PPS provides policies on Water.

Policy 2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

No sensitive surface or ground water features exist on or adjacent to the subject site.

Section 2.3 of the PPS provides policies on Agriculture.

Policy 2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.

The subject site is not located within or adjacent to prime agricultural land.

Section 2.4 of the PPS provides policies on Minerals and Petroleum.

Policy 2.4.1 Minerals and petroleum resources shall be protected for long-term use.

No mineral or petroleum resources exist on or adjacent to the subject site.

Section 2.5 of the PPS provides policies on Mineral Aggregate Resources.

Policy 2.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.

No mineral aggregate resources exist on or adjacent to the subject site.

Section 2.6 of the PPS provides policies on Cultural Heritage and Archaeology.

Policy 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Policy 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

An Archaeological Resource Assessment was not required by City staff for this application.

Policy 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The subject site is not adjacent to protected heritage property or area of archaeological potential.

Protecting Public Health and Safety

Section 3.1 of the PPS provides policies on Natural Hazards.

Policy 3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;*
- b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and*
- c) hazardous sites.*

The proposed development is not occurring within natural hazard lands or sites.

Section 3.2 of the PPS provides policies on Human-Made Hazards.

Policy 3.2.1 Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

Policy 3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

A Phase 1 Environmental Site Assessment by Paterson dated September 17, 2021 was filed with the Site Plan and Zoning By-law Amendment applications. It concludes that Potential Contaminating Activities or Areas of Potential Environmental Concern associated with the site were identified. Accordingly, a Phase 2 Environmental Site Assessment will be required. The Phase 2 will be completed during the review process for the application for Site Plan Approval.

4.2 City of Ottawa Current Official Plan (2003)

The proposal is assessed against the relevant sections of both the current Official Plan (2003) and the Council approved new Official Plan (OP). The purpose of the Official Plan Amendment (OPA) is to allow in the current Official Plan a development that is supported by the policies in the new OP, specifically those for the Kanata North Economic District (KNED).

Schedule B – Urban Policy Plan of the current OP designates the Subject Site as Urban Employment Area. Per Section 3.6.5 these areas are intended to meet one of the key objectives of the OP which is:

...to ensure that, over the long term, sufficient areas of land are reserved primarily for places of business and economic activity. Uses that support this function consist predominantly of offices, manufacturing, warehousing, distribution, research and development facilities and utilities.

Although residential use is not listed in the objective above, Policy 9 is applicable:

Notwithstanding any provisions of this Plan that prohibit residential uses on lands designated Urban Employment Area, the lands bounded by Legget Drive on the west and south, Herzberg Road and the rail line on the east, and the properties fronting onto the north side of Terry Fox Drive on the north, in addition to the permitted uses in Policy 2 above, residential uses may be permitted by an amendment to the Zoning By-law, provided the following criteria are met...

The keystone requirement in this policy is the Secondary Plan process as outlined at 9) b):

- 2. A Secondary planning process has been prepared to the City's satisfaction and includes the items identified in Policy 5 of Section 2.5.6 of the Official Plan*

There is currently no Secondary Plan for the site, so to meet this requirement one would need to be prepared. The new OP introduces new policies that support the proposal. The development of these policies included extensive public consultation by the City of Ottawa. This was substituted for the Secondary Plan process. Therefore, satisfying this requirement of the current OP is considered unnecessary as the Council approved new OP removes the requirement. Accordingly, removing this requirement from the current OP is the basis of the OPA.

With the exception of Schedule B – Urban Policy Plan, the Schedules in the new OP are generally updated versions of the comparable schedule in the current OP. In the interests of clarity, the other schedules in the current OP have been jettisoned in this rationale in favour of the schedules in the new OP. Similarly, the updated urban design policies in the new OP are assessed here in favour of those in the current OP.

Schedule B5 - Suburban (West) Transect designates the subject site as part of the Kanata North Economic District (yellow):

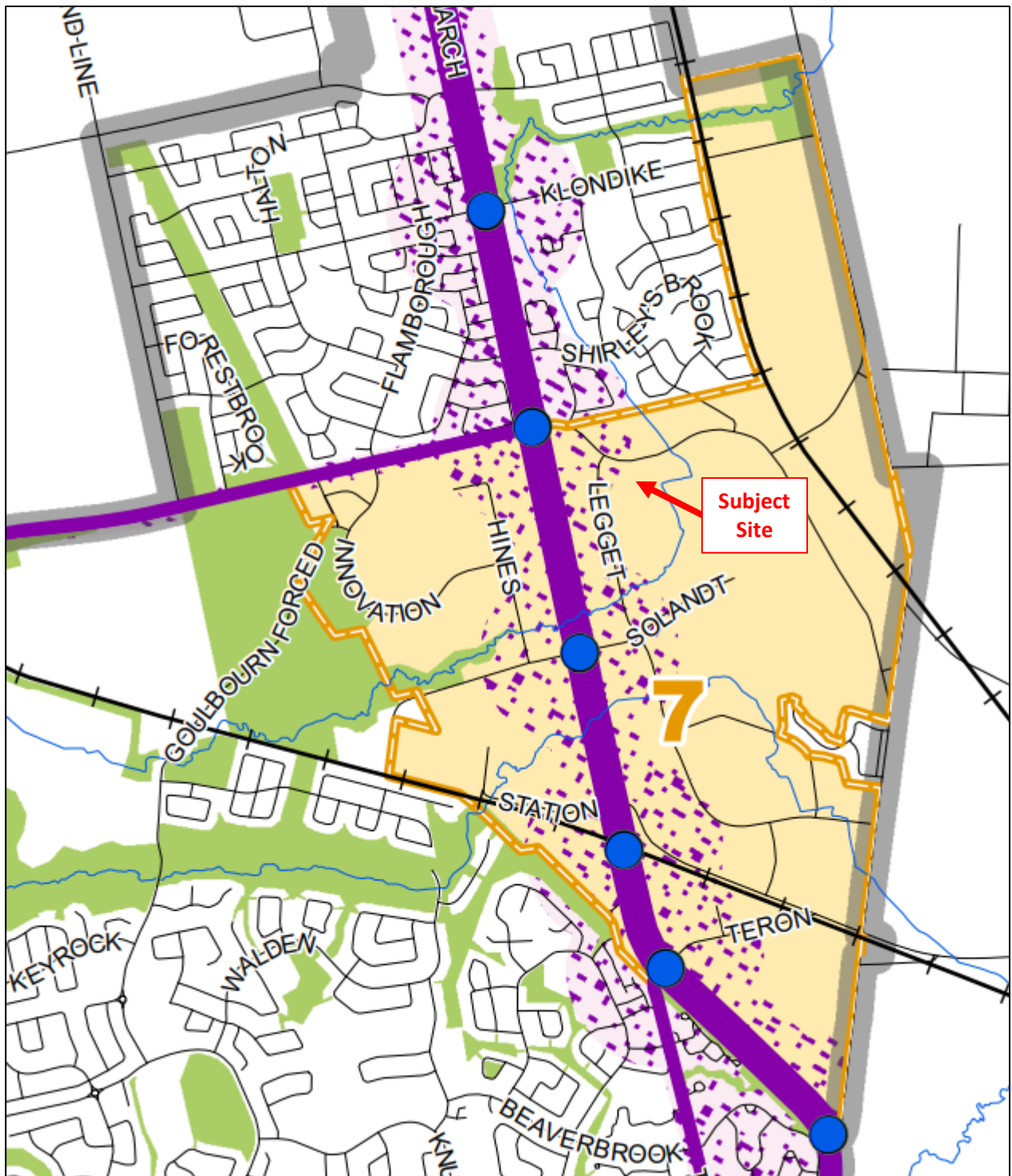


Figure 3: Designations on and around the subject site

Schedule C2 – Transit Network shows Transitway Stations (blue) on the March Road BRT line at the intersections of March Road and Terry Fox Drive and March Road and Solandt Road:

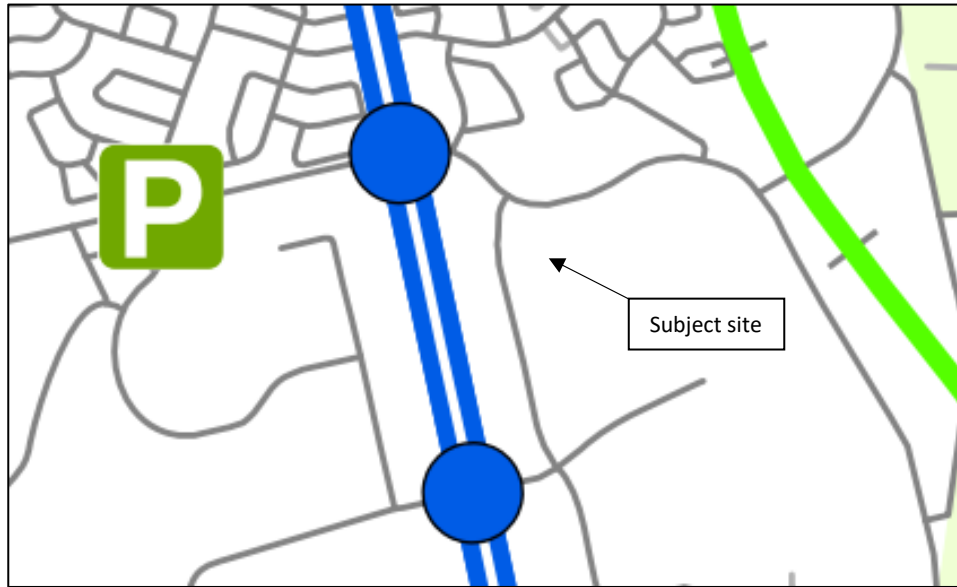


Figure 4: Transit close to the subject site

Schedule C3 - Active Transportation Network shows Major Pathways (red) on Terry Fox Drive to the west of March Road and to the south of the subject site:



Figure 5: Major Pathways close to the site

Schedule C4 – Urban Road Network designates March Road as an arterial (red), Terry Fox Drive as a Major Collector (yellow) and Legget Drive and Solandt Road (green) as Minor Collectors:



Figure 6: Hierarchy of the surrounding roads

C7-A - Design Priority Areas – Urban includes the subject site (pink):

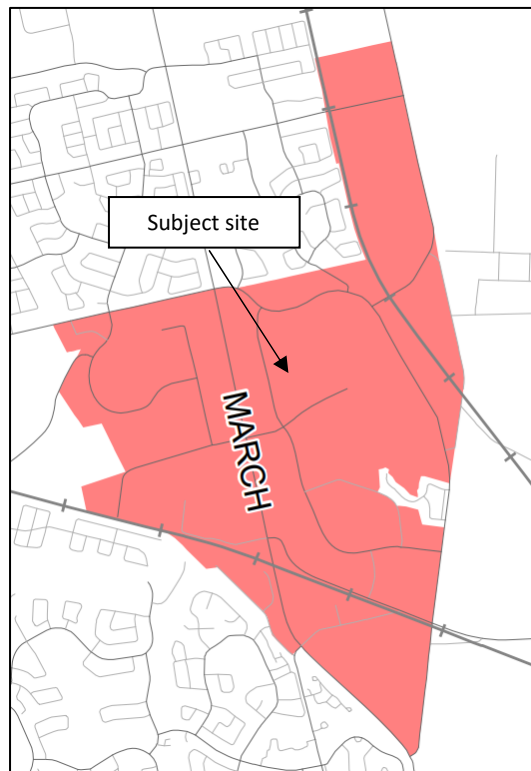


Figure 7: Design Priority Areas

The following Schedules are not shown here:

- Schedule C11-A - Natural Heritage System (West) designates the Subject Site as Urban Area. It is not affected by any of the Overlays or Sub-Designations which represent Natural Heritage features.
- Schedule C12 - Urban Greenspace does not show any green space on or near the Subject Site.
- Schedule C15 - Environmental Constraints does not designate the Subject Site as having any environmental constraints.

Assessment against Section 6.6 Special Districts

The Subject Site is in one of two Special Economic Districts detailed in Section 6.6, entitled the KNED. The importance of the district and its planning challenges are at Section 6.6.3.2:

Kanata North Economic District is a globally significant technology innovation cluster and a major contributor to Canada and Ottawa's respective economies. As of 2020, it represents Canada's largest research and innovation cluster, with approximately 500 hectares of land and over 24,000 tech jobs and over 540 companies. It was developed in the 1970s and followed the leading planning concepts of the day for greenfield office parks.

Kanata North has sustained growth since its inception, but in order to maintain its competitiveness, a number of planning-related challenges require solutions. Enhancing mobility options, mixed-use development and urban design will contribute to the quality of life for those who live, work, learn and play in Kanata North and boost its ability to compete for talent. Allow for the potential consideration of pilot projects that promote the district as a living lab, such as autonomous vehicles. Designation as a Special District will provide opportunity, through land use planning, to maintain the district as an economic generator over the next 25 years.

Policy sets out two Activity Centres in the District. The subject site is in the northern one, defined as within 600m of the future BRT station at the intersection of Terry Fox Drive and March Road.

Objective 1 d) supports residential use in the Activity Centres:

Permit a wide range of uses within the district. These include residential, employment, commercial and institutional land uses. However, the land outside of the activity centres, March Road and Legget Drive should generally be focused on employment and ancillary uses

Objective 4 focuses on the Activity Centres:

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. Residential and mixed-use buildings should generally have a minimum height of four storeys;

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 cafes, 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 proposal is an excellent and ground-breaking example of what the above policies are trying to achieve in the Activity Centres and more broadly in the Special District. This is not surprising given that this project evolved during the process to develop the Special District policies and details of the project were shared with the City and the consulting team on the Draft OP policies. It represents high density housing at a location that could be considered infill (the building will be built on an existing at-grade parking lot) that is desirable due to its proximity to the pond and golf course. It is close to future transit and existing facilities such as the Brookstreet Hotel and the small commercial cluster at 555 Legget Drive Blackwood Business Centre. It will also contribute to a catchment area of residents that will encourage additional retail and services. It is likely that many of the residents of the building will work in the Kanata North Business Park and will be able to walk or cycle to work. Rental apartments are generally considered more affordable compared with like condominiums. A broad range of apartment sizes caters to a wide range of people and budgets.

Assessment against Section 4.6 City Wide Policies – Urban Design

Section 4 of the Draft OP sets out City Wide Policies. Section 4.6 covers Urban Design. Relevant policies are addressed below:

4.6.1 Promote design excellence in Design Priority Areas

The proposal is in a Design Priority Area. Policy 1) c) is applicable:

c) Development review within the KNED will be guided by applicable policies of the Plan, including the Special Economic District policies contained in Section 6.6.3.2, and use of the UDRP will be optional.

The application will not make use of the UDRP. An assessment is made against the applicable policies of the Plan below.

4.6.6 Enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its considering liveability

1) To minimize impacts on neighbouring properties and on the public realm, transition in building heights shall be designed in accordance with applicable design guidelines. In addition, the Zoning By-law shall include transition requirements for Mid-rise and High-rise buildings, as follows:

- a) Between existing buildings of different heights;*
- b) Where the planned context anticipates the adjacency of buildings of different heights;
 - I. Within a designation that is the target for intensification, specifically: Built form transition between a Hub and a surrounding Low-rise area should occur within the Hub; and*
 - II. Built form transition between a Corridor and a surrounding Low-rise area should occur within the Corridor.**
- 2) Transitions between Mid-rise and High-rise buildings, and adjacent properties designated as Neighbourhood on the B-series of schedules, will be achieved by providing a gradual change in height and massing, through the stepping down of buildings, and setbacks from the Low-rise properties, generally guided by the application of an angular plane as may be set in the Zoning By-law or by other means in accordance with Council-approved Plans and design guidelines.*

The proposal is assessed against the Urban Design Guidelines for High-Rise Buildings in the following section. Kanata North Business Park has a character typical of technology or business parks developed in the 1990s and 2000s, with a mix of low and mid-rise modern office buildings set on large lots with at grade parking and extensive landscaped areas. An appropriate angular plane is provided via the 18 storey Brookstreet Hotel and 10 storey 'Tower D' at 535 Legget Drive. The low rise buildings to the north and east are industrial/office buildings owned by the applicant. On this basis, the existing transition plane is considered appropriate.

8) High-rise buildings shall be designed to respond to context and transect area policies, and should be composed of a well-defined base, middle and top. Floorplate size should generally be limited to 750 square metres for residential buildings and 2000 square metres for commercial buildings with larger floorplates permitted with increased separation distances. Space at-grade should be provided for soft landscaping and trees.

9) High-rise buildings shall require separation distances between towers to ensure privacy, light and sky views for residents and workers. Responsibilities for providing separation distances shall be shared equally between owners of all properties where High-rise buildings are permitted. Maximum separation distances shall be achieved through appropriate floorplate sizes and tower orientation, with a 23 metre separation distance desired, however less distance may be permitted in accordance with Council approved design guidelines.

The tower is well setback from Terry Fox Drive and Legget Drive. It has reduced setbacks where it connects to the existing hotel and alongside the stormwater pond, which, along with the Marshes Golf Course, provides large separation from neighbouring buildings. A highly articulated glazed façade presents to the east and south. A more slender, varied form is seen from the west and north. The building has a distinctive roofline. Due to the relatively flat site and the proximity of

existing buildings, grading changes are minimal. The architecture is in keeping with the architectural style of the Kanata North Business Park generally and the neighbouring Brookstreet Hotel specifically, with expressed balconies, large areas of glazing and high quality materials.

As the location of the building is internal to streets and public areas, the primary outlook is to the golf course where the podium presents a clearly delineated four storey podium. The podium aligns with and reflects the design of the podium of the adjacent Brookstreet Hotel. The tower steps back from the podium and is separated from the 18 storey Brookstreet Hotel by approximately 90m. Any future tower on 359 Terry Fox Drive could achieve the required separation.

10) Development proposals that include High-rise buildings shall demonstrate the potential for future High-rise buildings or High-rise 41+ buildings on adjacent lots or nearby lots in accordance with the relevant policies of this Plan.

The proposal does not affect the potential for 41+ storeys on adjacent lots (noting that 525 Legget Drive is already developed with a high-rise building, the Brookstreet Hotel).

4.3 Proposed Official Plan Amendment

Subject to discussion with City staff we recommend that the current OP be amended as set out in this section. It is also requested that wording also be included along the lines of: *'Notwithstanding other policies in this Official Plan...'* This will ensure that the intent of the OPA is not compromised by any other policies.

Again, it is noted that the proposal is broadly supported by the KNED policies in the new OP. However, it is not intended to replicate these policies in the OPA. It is only intended to make minor changes to the current OP to allow the proposal.

Policy 9 at section 3.6.5 of the OP requires that a Secondary Plan be prepared in advance of a residential use on the Subject Site. This policy should be amended to remove this requirement.

3.6.5 – Urban Employment Area

The designation of the Subject Site as Urban Employment Area will not change. Policy 9 in this section requires that a Secondary Plan be prepared before residential use is permitted. This policy should be amended to remove the Secondary Plan requirement. These changes are set out below in red:

9. *Notwithstanding any provisions of this Plan that prohibit residential uses on lands designated Urban Employment Area, the lands bounded by Legget Drive on the west and south, Herzberg Road and the rail line on the east, and the properties fronting onto the north side of Terry Fox Drive on the north, in addition to the permitted uses in Policy 2 above, residential uses may be permitted by an amendment to the Zoning By-law, provided the following criteria are met:*
 - a. *At least 50 per cent of the lands identified above will be devoted to employment uses;*
 - ~~b. *A Secondary planning process has been prepared to the City's satisfaction and includes the items identified in Policy 5 of Section 2.5.6 of the Official Plan*~~
 - c. *The proposed housing is in the form of townhouses, stacked townhouses or apartments.*
 - d. *Residential uses are linked to adjacent areas by roads and pathways;*
 - e. *Any demand that residential uses will create for additional amenities and services has been assessed and the means of addressing such demands has been identified;*
 - f. *The applicable policies in Section 4 have been satisfied;*
 - g. *The amelioration of potential adverse impacts from adjacent non-residential lighting, noise, odour, dust or traffic can be achieved on-site as part of the development;*
 - ~~h. *Ancillary uses within a building containing a permitted use, such as café and restaurant, are in the area generally within 600m of the planned transitway station at Terry Fox Drive.*~~

The changes above are consistent with the policy directions for the KNED in the new OP.

4.4 City of Ottawa Zoning By-law 2008-250

The Subject Site is currently in the Business Park Industrial Zone (IP6). 525 Legget Drive also has an exception, 301. In IP6[301] a restaurant is a permitted use. High-rise apartment dwelling is not a permitted use in IP6 or in IP6[301].

The concurrent Zoning By-law Amendment application (City File: D02-02-21-0123) proposes to rezone the subject site (refer to Zoning By-law Amendment application for details).

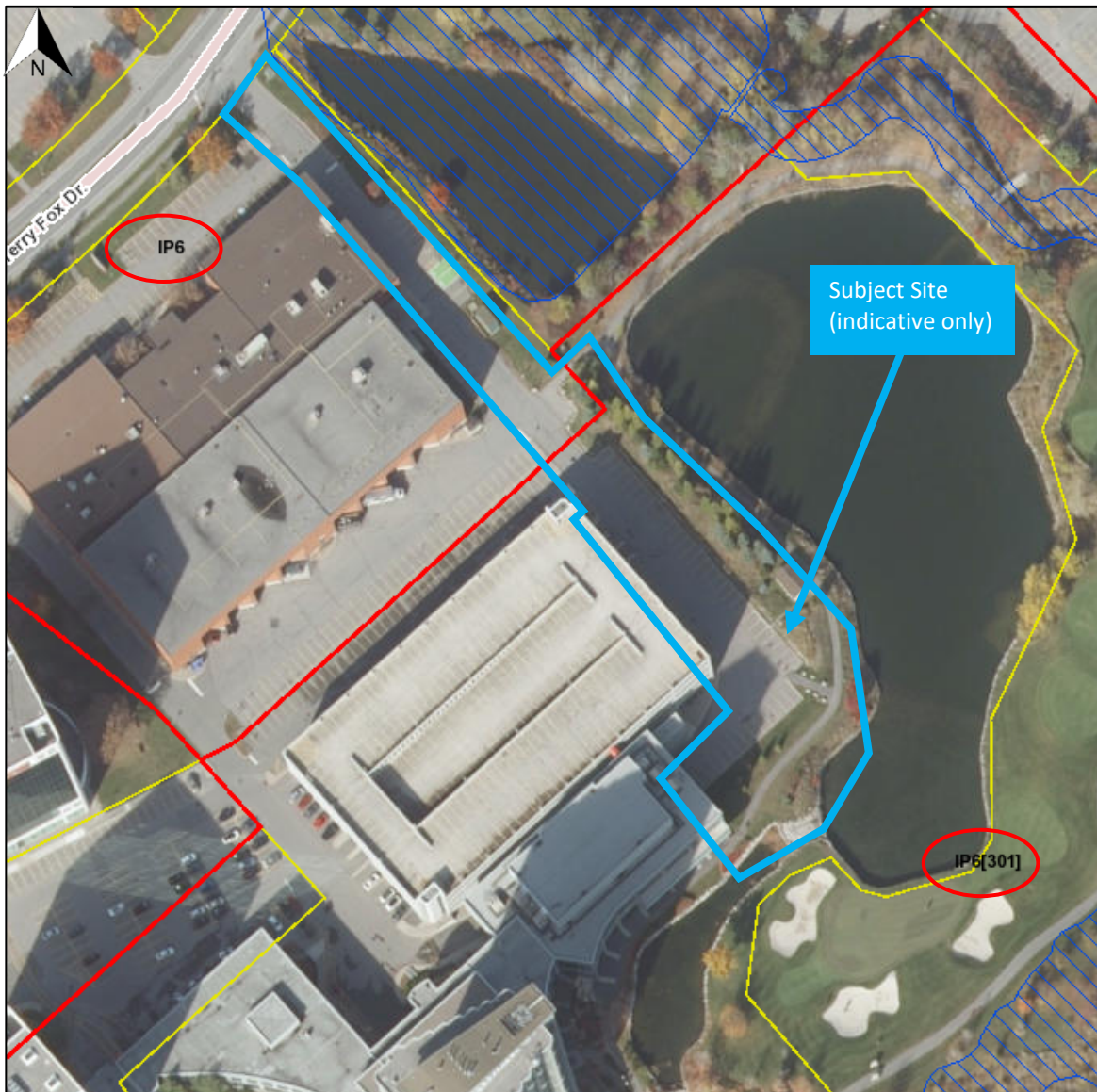


Figure 8: Existing zoning on the subject site

4.5 Urban Design Guidelines for High-Rise Buildings

Approved by City Council in 2018, the City of Ottawa's Urban Design Guidelines for High-Rise Buildings are to be used during the review of development proposals to promote and achieve appropriate high-rise development. The design guidelines will be applied wherever high-rise residential buildings are proposed. Following is an assessment of the proposal against the applicable sections of the guidelines.

Context

An angular plane, typically 45°, measured from the relevant property lines, should be used to provide a frame of reference for transition in scale from proposed high-rise buildings down to lower scale areas.

An appropriate angular plane is provided via the 18 storey Brookstreet Hotel and 10 storey 'Tower D' at 535 Legget Drive. The low rise buildings to the north and east are office buildings owned by the applicant. On this basis, the existing transition plane is considered appropriate.

Built Form

Depending on the function and context, high-rise buildings can take many different forms to serve both the experience and expression functions:

a. high-rise building that includes three distinctive and integrated parts – base, middle, and top is generally accepted as a good approach to built form design in order to effectively achieve many urban design objectives.

The proposal has a base, middle, and top consistent with this policy.

Placement:

- 2.13 *Place the base of a high-rise building to form continuous building edges along streets, parks, and public spaces or Privately Owned Public Space (POPS):*
- a. where there is an existing context of streetwall buildings, align the facades of the base with adjacent building facades;*
 - b. in the absence of an existing context of streetwall buildings, create a new streetwall condition to allow for phased development and evolution.*

The proposal presents a continuous building edge to the SWM pond and the golf course (Privately Owned Public Space)

Articulation and materials:

- 2.20 *Respect the character and vertical rhythm of the adjacent properties and create a comfortable pedestrian scale by:*
- a. breaking up a long façade vertically through massing and architectural articulation to fit into the existing finer grain built form context (Figure 2-13);*

- b. determining appropriateness of larger-scale façades in certain areas, such as along the ceremonial routes (Figure 2-14); and*
- c. introducing multiple entrances, where possible, through creative store layout and organization where a large format retail use is located on the ground floor.*

The façade of the podium is not over-large and does not front a street. Notwithstanding this, the podium is broken up with vertical glazing.

- 2.24 Encourage small tower floor plates to minimize shadow and wind impacts, loss of skyviews, and allow for the passage of natural light into interior spaces (Figure 2-15):
- a. the maximum tower floor plate for a high-rise residential building should be 750m² (Diagram 2-8);*

The floor plate of the proposal is approximately 880m². Although it exceeds 750m², the design minimises the visual impact. The floor plate also incorporates an extension of the Brookstreet Hotel ballroom space, which is a commercial space. The design is ‘hinged’ around a corner and varied forms are used, particular on the facades viewed from the surrounding streets to minimise the appearance of bulk. The large tower separation distances able to be achieved also assist.

- 2.29 Step back the tower, including the balconies, from the base to allow the base to be the primary defining element for the site and the adjacent public realm, reducing the wind impacts, and opening skyviews:
- a. a step back of 3m or greater is encouraged.*
 - b. the minimum step back, including the balconies, should be 1.5m; and*

The upper floors are setback approximately 2.9m from the podium on the most visible south and east facades.

- 2.35 *The top should be integral to the overall architecture of a high-rise building, either as a distinct or lighter feature of the building or a termination of the continuous middle portion of the tower.*

The top of the building reflects the shape of the building but is smaller and lighter with large areas of glazing.

- 2.36 *Integrate roof-top mechanical or telecommunications equipment, signage, and amenity spaces into the design and massing of the upper floors.*

All services and signage are integrated into the building form.

5.0 CONCLUSION

It is our assessment that the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conform to the City of Ottawa's new OP. The Official Plan Amendment effectively introduces some of the KNED policies to the current OP, bridging a timing gap while the Ministry of Municipal Affairs and Housing considers the new OP.

The proposal respects the Urban Design Guidelines for High-rise Buildings.

This planning rationale supports the proposed amendment. The proposed amendment is compatible in use and scale with the existing development and function well within the surrounding context. The amendment is consistent with the Council approved new OP, is appropriate and desirable and represent good planning.

Sincerely,

NOVATECH

A handwritten signature in blue ink, appearing to read 'James Ireland', is positioned above the typed name.

James Ireland, MCIP, RPP
Project Planner