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## Site Plan Control and Zoning By-law Amendment

525 Legget Drive and 359 Terry Fox Drive



Prepared for: Wesley Cover International

Engineering excellence.

Planning progress.

Liveable landscapes.

**Site Plan Control and Zoning By-law Amendment**  
**525 Legget Drive and 359 Terry Fox Drive**

Prepared By:

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October 1, 2021

Novatech File: 120202  
Ref: R-2021-123

October 1, 2021

City of Ottawa  
Planning, Infrastructure and Economic Development Department  
110 Laurier Avenue West, 4<sup>th</sup> Floor  
Ottawa, ON K1P 1J1

**Attention: Lisa Stern, Planner II**

**Reference: Site Plan Control and Zoning By-law Amendment - 525 Legget Drive and 359 Terry Fox Drive**  
**Our File No.: 120202**

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Novatech has prepared this Planning Rationale on behalf of Wesley Cover International (Brookstreet Hotel) to support Site Plan Control and Zoning By-law Amendment applications for a site on two municipal addresses – 525 Legget Drive and 359 Terry Fox Drive.

Brookstreet Hotel proposes a 30-storey apartment building with a restaurant on a new parcel to be created from 525 Legget Drive and 359 Terry Fox Drive immediately east of the existing Brookstreet Hotel and parking structure. Primary access will be through a driveway from Terry Fox Drive over what is currently 359 Terry Fox Drive. The new parcel of land containing the apartment building and driveway will be severed via a separate application to the Committee of Adjustment.

A Zoning By-law amendment is required to permit the use and to establish the building height and setbacks.

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 was retained by Wesley Clover International (Brookstreet Hotel) to prepare a Planning Rationale in support of Site Plan Control and Zoning By-law Amendment applications to allow for the development of a 30 storey apartment building and a restaurant on a new parcel to be created from 525 Legget Drive, being the Brookstreet Hotel, and 359 Terry Fox Drive immediately east of the existing Brookstreet Hotel and parking structure. Access will be through from a driveway from Terry Fox Drive over what is currently 359 Terry Fox Drive. The new parcel of land containing the apartment building and driveway access will be severed via a separate application to the Committee of Adjustment.

The current City of Ottawa Official Plan (OP) requires that a Secondary Planning process be undertaken before residential use in this Urban Employment Area will be supported. The Draft OP, expected to be adopted by Council in later October and potentially approved by the Ministry of Municipal Affairs in early 2022, includes a completely new set of policies for a Kanata North Economic District, formerly the designated Urban Employment Area of the Kanata North Business Park, which seeks to improve the mix of uses, including residential uses in new “Activity Centres”. The City of Ottawa, with their Urban Design consultants from Stantec, consulted extensively with the landowners and businesses in the Kanata North Business Park throughout 2020 and early 2021 and drafted the new policies for the Draft Official Plan (Draft OP). Accordingly, these applications for Site Plan Control and Zoning By-law Amendment are being filed in advance of the Draft OP, with the intention being that they can be approved soon after the full approval of the Draft OP. More detail about the policies of the Kanata North Economic District and how the project conforms to the policies is contained in Section 5.2 below.

As noted, the new parcel (the “Subject Site”) will be severed from 525 Legget Drive and 359 Terry Fox Drive. The existing legal description for both parcels is extensive, largely as result of the very rapid development of the lands in the late 1990’s and early 2000’s when the technology boom was at its peak, and because 525 Legget Drive and 359 Terry Fox Drive are part of an overall planned campus of buildings that are either physically connected or located in proximity to each other. The base legal description for both parcels is comprised of two registered subdivisions being 4M-642 and 4M-1096. Numerous legal reference plans were layered on the sites that reflect previous consent applications for severance, lot line adjustments, servicing, and access easements or to bridge the gap between the two registered subdivisions.

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.

## **2.0 DEVELOPMENT PROPOSAL**

### **2.1 Pre-Application Consultation**

A pre-application consultation meeting was held with City Staff on February 22, 2021 to discuss the proposed development and application submission requirements. It was determined that applications for Site Plan Control and a Zoning By-law Amendment would be required. Following the meeting, the City provided comments which have been considered and integrated into the proposed design, as described below.

### **2.2 The 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 6,819m<sup>2</sup> 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 accompanying the 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.

Wesley Clover International (Brookstreet Hotel) proposes to construct a 30 storey apartment building that will be physically connected to and integrated with the Brookstreet Hotel. The new building will be primarily an apartment building but will include an extension to the existing Brookstreet Hotel ballroom on the second floor with a balcony overlooking the adjacent Marshes Golf Course and ponds, and a ground floor patio space adjacent to one of the ponds.

The Brookstreet apartment residence will provide a unique residential rental accommodation within the Kanata North Economic District, Canada's largest technology park employing over 20,000 people locally. The rental units will offer apartments within short walking or cycling distance of major employers in the technology sector, while acting as the catalyst for one of the "Activity Centres" within the Kanata North Economic District as described in the City of Ottawa's Draft OP. The residential tower will also be directly connected to the Brookstreet Hotel, a full-service Canadian Automobile Association (CAA) rated "Four Diamond" facility making it a mixed-use building. The facilities of the Brookstreet Hotel will be available to residents, accessible via an internal connection. Tenants will have access to all amenities, such as restaurants, fitness

facilities, spa, golf course, meetings, and events, providing a very distinctive experience to its residents. There will be 256 apartments, including studios and one-, two- and three-bedroom apartments. Two levels of underground parking will be used by residents, providing 130 bicycle racks and 110 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 still complied with.

A portion of the parking structure will be reconfigured to provide an additional 197 resident parking spaces (the total number of resident spaces is 307) and residents' storage lockers. Access to the resident spaces will be controlled separate from the rest of the parking structure. Fifty two visitor and 36 restaurant parking spaces will be provided.

A 358m<sup>2</sup> 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 north west (full size renders in application documents)

## 2.3 Zoning By-law Amendment

Subject to discussion with the City of Ottawa, Novatech recommends that the Zoning By-law be amended to a Residential R5F Zone to permit the high-rise apartment building. Further refinement of the zoning is anticipated through review and discussion with the City staff but the R5F sub-zone is recommended because it most closely reflects the proposal and is seen to conform closer to the proposed draft Official Plan policies for the Kanata Economic District. A site-specific exception will also be required to address the unique characteristics of the parcel and setbacks. Recommendations on changes to the R5F and site-specific exception are included below:

Zoning Provision (Apartment Dwelling, High Rise)	Proposed R5F [xxxx] H(115)	Provided
Minimum Lot Width (m)	15 (exception)	18
Minimum Lot Area (m <sup>2</sup> )	540	6819
Maximum Building Height (m)	115	111.1
Minimum Front Yard Setback (m)	3	169
Minimum Corner Side Yard Setback (m)	3	NA
Minimum Rear Yard Setback (m)	0m (exception)	5m
Minimum Interior Side Yard Setback (m)	0m (exception)	0m (west), 2.2m (east)
Section 163 (9) Min. landscape area (% of lot area)	30%	49%
Section 110 landscaped buffer in parking lot	1.5 m	4.4m

## 2.4 Parkland Dedication

It is proposed to provide cash in lieu of parkland. Part of the site has been subject to two previous plans of subdivision at which point cash in lieu was paid based on commercial/industrial uses. For this part, an uplift from the existing commercial use rate to the residential rate will be provided. A small part of the site was not subject to a plan of subdivision and the full residential amount will be paid. It will be necessary to calculate this prior to any approval.

## 3.0 CONTEXTUAL ANALYSIS

### 3.1 Site Location and Local Context

A parcel (the "Subject Site") will be created by severance for the proposal. It will be approximately 6,819m<sup>2</sup> 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.

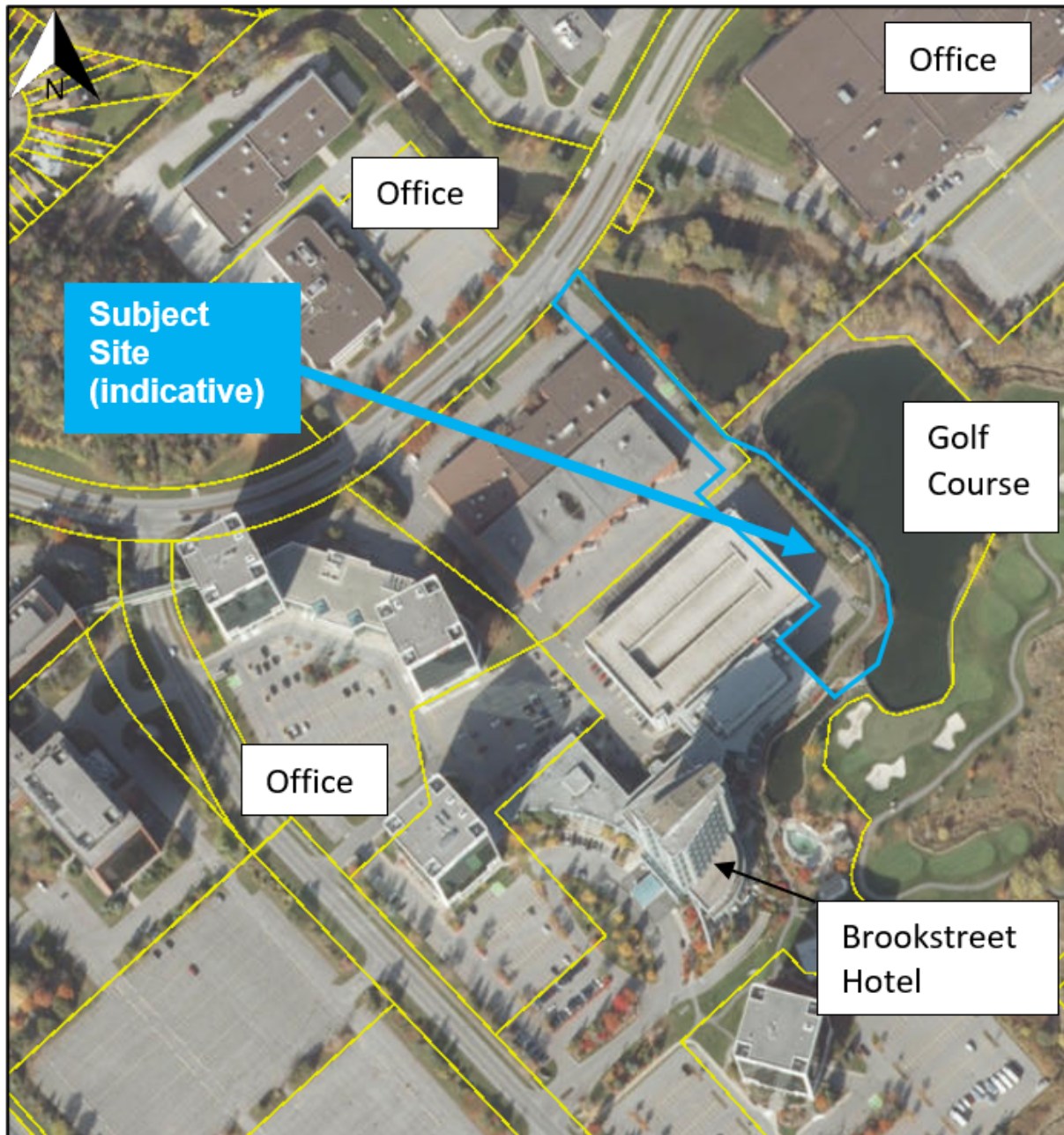


Figure 2: Subject site and surrounding area

## 4.0 PLANNING CONTEXT

### 4.1 City of Ottawa Official Plan

As outlined in the introduction, the proposal is supported by the new draft OP, expected to be adopted by Council in October 2021, soon after the filing of the applications, and approved by the Ministry of Municipal Affairs and Housing in in early 2022.

The City of Ottawa has released a document entitled “*Transition of In-stream Applications*” as part of the draft Official Plan to give guidance on how applications filed around the time of adoption of the new Official Plan should be addressed. This document sets out a policy related to Council’s anticipated adoption of a new Official Plan on October 27, 2021 to reflect a new comprehensive ten-year Official Plan and states:

***Zoning By-law amendments that conform to the new Official Plan but not the current Official Plan***

*Council can pass the by-law after the new Official Plan is adopted but it only comes into force if the relevant policies authorizing it are approved by the Minister. Pursuant to the Planning Act, section 24, subsections (2) and (2.1) Council may pass a by-law that does not conform with the official plan but will conform to the new Official Plan once it comes into effect. If the new Official Plan does not come into effect the by-law has no force and effect.*

Accordingly, it is intended that the proposal will be assessed against the applicable sections of the new Official Plan after it is approved by the Ministry of Municipal Affairs and Housing in early 2022.

Furthermore, this is logical since the subject site’s designation in the current OP does not support the proposal. An assessment against all the provisions of the current OP is not considered relevant if the proposal is not supported by this document at the highest level. Per Section 3.6.5 of the current OP, the subject site is within an Urban Employment Area. 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 here, Policy 9 under Site Specific Exemptions 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 2).

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 no applicable Secondary Plan (or Community Design Plan) for the site, so to meet this requirement, one would need to be prepared. The typical duration of this process is not compatible with the implementation of the draft OP, so it is not practical or useful to commence this process. Instead, an area specific policy for the Kanata North Economic District (including the subject site) that permits residential development will form part of the draft OP.

Accordingly, the most applicable OP is the new Draft OP, which will be assessed below.

Schedule B5 - Suburban (West) Transect designates the subject site as part of the Kanata North Economic District (yellow). March Road is a Mainstreet Corridor with Transitway Stations (blue):

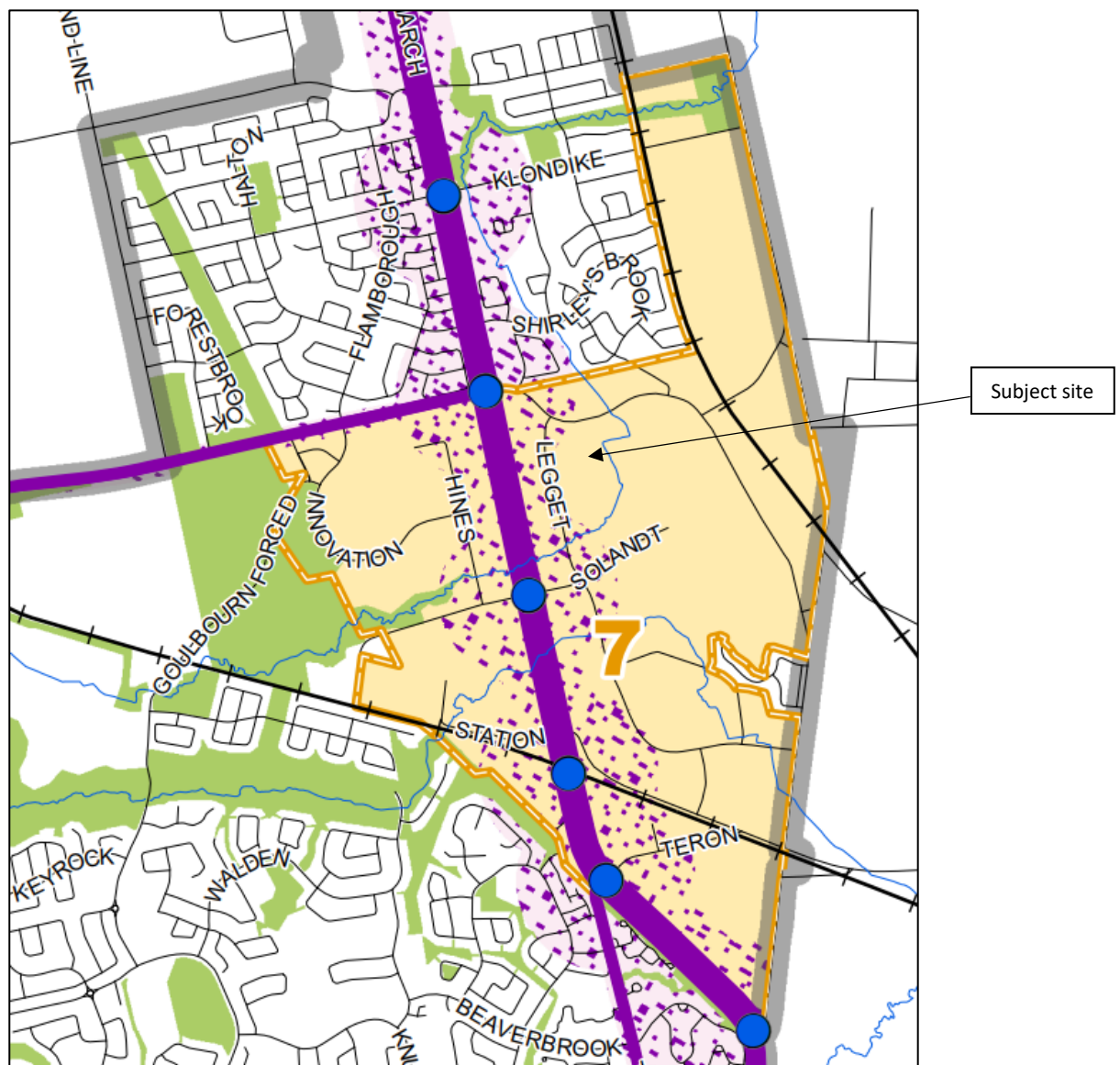


Figure 3 – Designations on and around the subject site

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

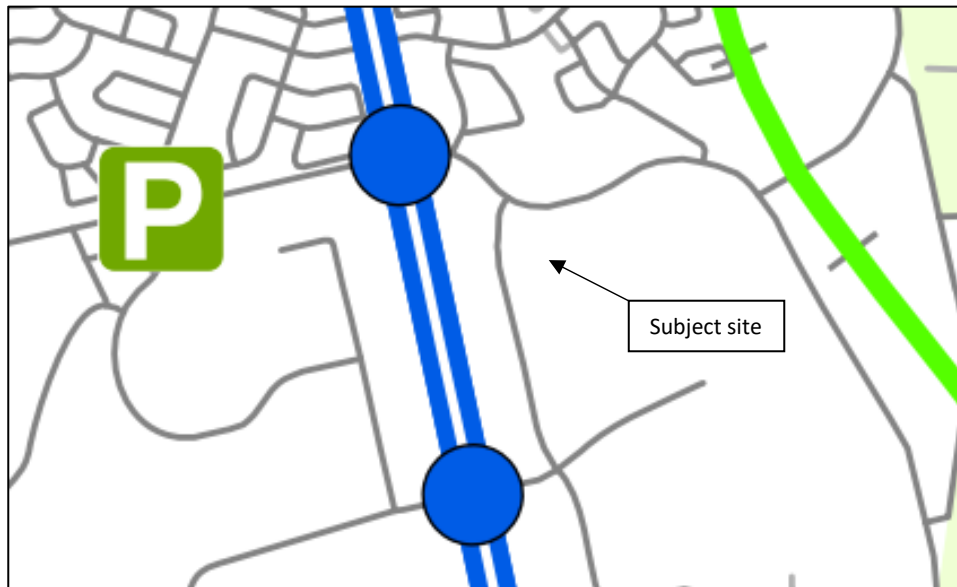


Figure 4 – Transit close to the subject site

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:

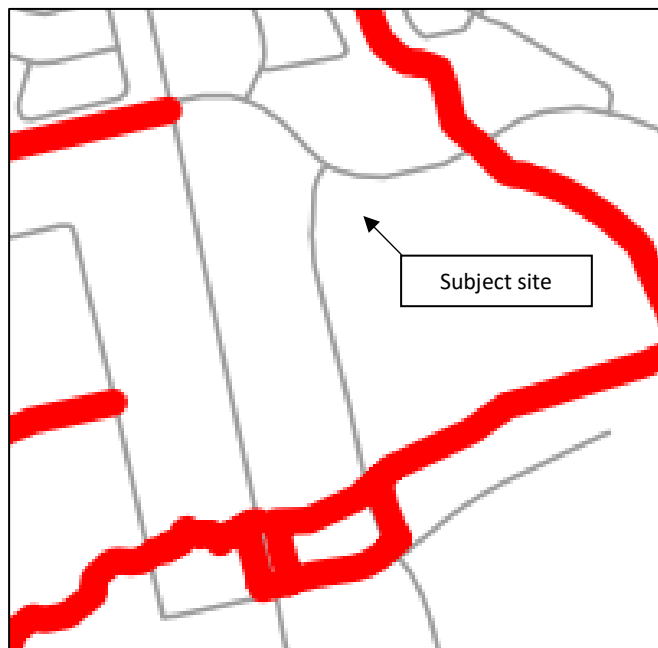


Figure 5 – Major Pathways close to the site

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):

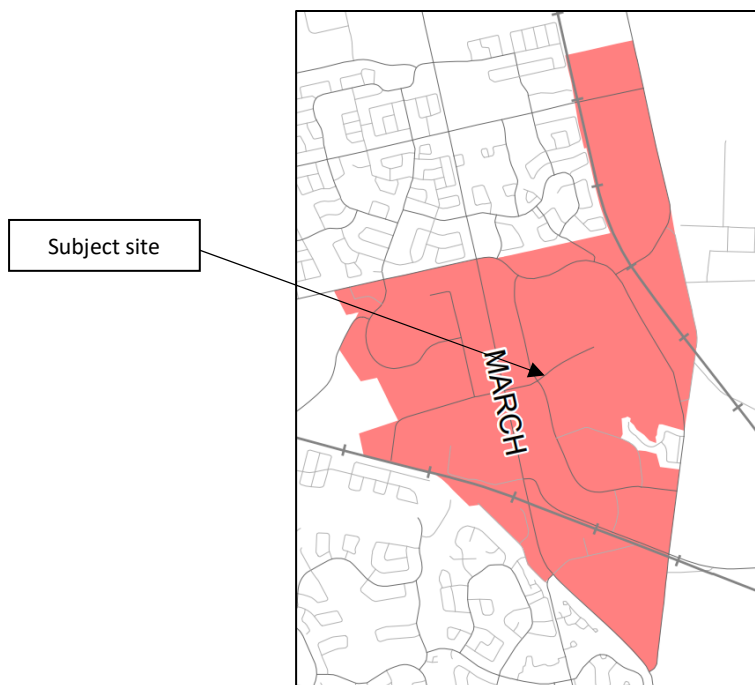


Figure 7 – Design Priority Areas

Schedule C11-A - Natural Heritage System (West) designates the subject site as urban area.  
Schedule C12 - Urban Greenspace does not show any green space on or near the subject site.  
Schedule C15 - Environmental Constraints shows unstable slopes on Shirley's Brook so the south of the site (these three schedules are not shown here)



#### 4.2 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]. It is proposed to rezone the subject site to R5F with a 'H' height limit suffix and an exception. The R5F Zone is seen to conform closer to the proposed draft Official Plan policies as outlined in Section 4.1 below.

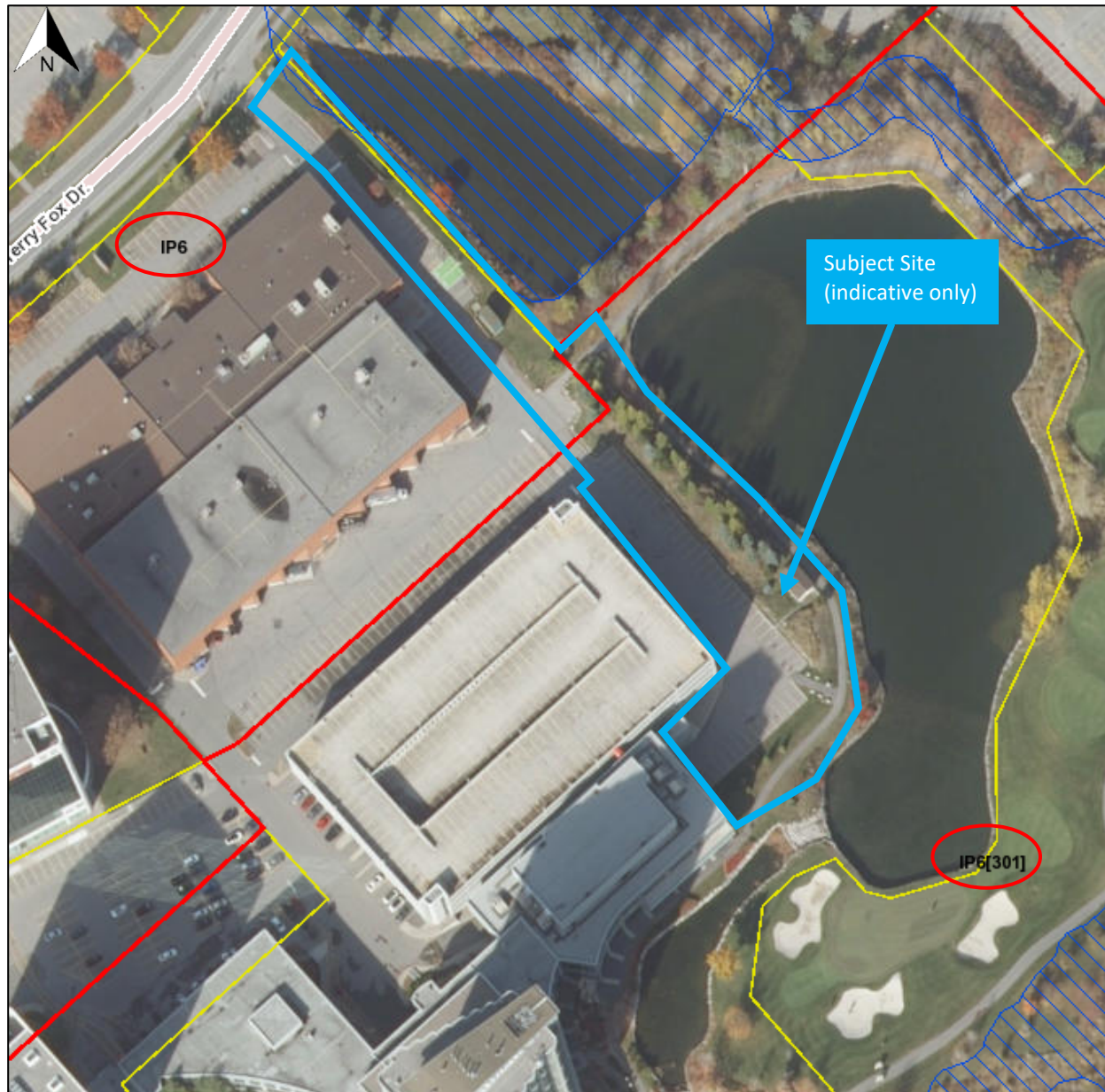


Figure 8: Existing zoning on the subject site

## 5.0 PLANNING POLICY

### 5.1 Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 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.

#### 5.1.1 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 1.4 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 and included in this submission 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 256 dwellings within 600m of a future BRT station.

### **5.1.2 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.

### **5.1.3 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 forms part of this application. 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.

## **5.2 City of Ottawa Official Plan**

As described previously, the Draft OP is expected to be in effect in early 2022. In short, it supports this proposal more fulsomely than the current OP does and is therefore the most relevant OP to this proposal.

More specifically, the Draft OP includes Special Districts at Section 6.6. The subject site is in one of two Special Economic Districts, entitled the Kanata North Economic District. 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 2 outlines how the Zoning By-law should achieve this:

*The intent is that wherever possible, land use changes that support the district's economic role will not require an Official Plan amendment. The Zoning By-law will broaden land use permissions, reduce required setbacks, reduce on-site parking requirements and establish minimum/maximum floor space index ratios.*

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.

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. A Design Brief forms part of the application. The Draft OP suggests that the proposal will be subject to Urban Design Review Panel (UDRP); however, these policies are still not approved by Council and through discussions with City staff, the requirement for UDRP may be eliminated/exempted.

*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.

*4) Amenity areas shall be provided in residential development in accordance with the Zoning By-law and applicable design guidelines. These areas should serve the needs of all age groups, and consider all four seasons, taking into account future climate conditions. The following amenity area requirements apply for mid-rise and high-rise residential*

- a) *Provide protection from heat, wind, extreme weather, noise and air pollution; and*
- b) *With respect to indoor amenity areas, be multi-functional spaces, including some with access to natural light and also designed to support residents during extreme heat events, power outages or other emergencies.*

The proposal provides communal indoor and outdoor amenity areas at ground and roof top level. Private balconies are also provided. Amenity areas comply with the Zoning By-law. A wind study will accompany the application. A noise study was not required, and the City application process does not require studies for weather or pollution.

*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).

### 5.3 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 750m<sup>2</sup> (Diagram 2-8);*

The floor plate of the proposal is approximately 880m<sup>2</sup>. Although it exceeds 750m<sup>2</sup>, 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.



## **6.0 CONCLUSION**

It is our assessment that the proposed development is consistent with the Provincial Policy Statement, conforms to the City of Ottawa's Official Plan (insofar as it is applicable) and to the Draft Official Plan, which is anticipated to be in effect when the Site Plan will be approved as addressed in the noted transition policies. The proposal respects the Urban Design Guidelines for High-rise Buildings. The proposed amendment to the Zoning By-Law 2008-250 to accommodate the height and setbacks of the proposed building can be approved as it is consistent with policy and allows for diversification of uses in the Kanata North Business Park and provides much needed housing within walking distance of major employers.

This planning rationale, along with the associated Design Brief and technical studies, supports the proposed development. The proposed development is compatible in scale with the existing development and functions well within the surrounding context. The proposed development is an appropriate and desirable addition to the neighbourhood and represents good planning.

Sincerely,

### **NOVATECH**

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