



## **359 Kent Street, 436 and 444 MacLaren Street, Ottawa**

Planning Rationale Addendum No. 1  
Official Plan and Zoning By-law Amendment  
March 16, 2023



Prepared for 359 Kent Street Ltd.

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March 2023

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# 1.0 Introduction

## 1.1 Basis for Addendum

The following is an addendum to the Fotenn Planning Rationale and Design Brief dated September 7, 2021. The primary purpose of this addendum is to provide more specialized development information relevant to the enclosed resubmission and to assess the resubmission against the revised Official Plan policies, as approved by the Minister of Municipal Affairs and Housing (MMAH) in November 2022. In doing so, this addendum also summarizes the many significant changes to the development since the original submission in response to engagement and review processes.

This addendum is also intended to address outstanding comments from the Official Plan Amendment (D01-01-21-0015) and Zoning By-law Amendment (D02-02-21-0095) applications by outlining the approach and design thinking, and addressing the technical comments through the design revisions. It is Fotenn's opinion that unless explicitly mentioned, the findings of the September 2021 Planning Rationale and Design Brief still apply, in general and specific terms, to the revised development proposal.

It should also be noted that, while a discussion of the City of Ottawa's new Official Plan is provided herein, Fotenn remains of the opinion that, given the applications were submitted under the former Official Plan, those are the policies which apply to this development.

## 1.2 Summary of Applications

In September 2021, Fotenn submitted Official Plan Amendment (D01-01-21-0015) and Zoning By-law Amendment (D02-02-21-0095) applications on behalf of 359 Kent Street Ltd. For their lands at 359 Kent Street, and 436 and 444 MacLaren Street.

The Official Plan Amendment (OPA) sought to amend the Centretown Secondary Plan. The OPA would amend specific provisions of the Landmark Building policies in section 3.9.5.5 to recognize the proposed building height of 34 storeys and permit office use within the three (3) storey podium.

The Zoning By-law Amendment proposed to amend the zoning of the subject property from "General Mixed Use Zone, Exception XXXX, Schedule YYY (GM[XXXX]S(YYY))". A new site-specific zoning schedule is intended to establish permitted building heights and required setbacks while the site-specific exception would provide the necessary relief from specific provisions of the current zone.

As with all Landmark Buildings and per the Centretown Secondary Plan, 359 Kent Street and their project team have engaged in a robust review and public consultation program as part the application review process to date. To date, this has included:

- / Two (2) meetings with an international panel of architects on a Special Design Review Panel (SDRP);
- / A project website with opportunities for ongoing public feedback and posting of project updates;
- / A public consultation workshop where the public was invited to share their thoughts and opinions on the built form and public realm and public use components of the project; and,
- / Several rounds of stakeholder consultation meetings with the Centretown Citizens' Community Association, Heritage Ottawa, the Built Heritage Sub-Committee, the Ward Councillor and City staff.

The comments and opinions shared throughout this process, and the first round of technical circulation comments received from the technical circulation of the applications has been assessed and incorporated into the current second submission of the project. Consultation with the SDRP, stakeholders and the broader community will continue over the coming weeks and months as the review process continues.

## Inventory of Changes

The following outlines the key design changes arising since the original September 2021 submission. These are provided in response to the extensive consultation and review that has been undertaken since the original submission. Consultation has included meetings and events with the Centretown Citizens' Community Association, Heritage Ottawa, the City of Ottawa's Built Heritage Sub-Committee, City of Ottawa Planning, Urban Design and Heritage staff, and a Special Design Review Panel established specifically to review and provide input on the proposed development of a landmark building on the subject property. Engagement and consultation is ongoing with these groups as the design of the building is refined.

The biggest change to the design has been the retention and integration of the Legion House facade into the revised development. The Legion House was identified by the City as an important building within the Centretown Heritage Conservation District and through investigation and research, the intention is to document and store the limestone cladding from the existing south and west facades to be used in cladding the podium of the new building. The facade will be reconstructed in the same place as it sits today, and will form the five (5) storey podium of the new building.



Figure 1: View of the Proposed Development and Retained Heritage Facade from Kent/Gilmour

Previously, the civic space required as a part of a Landmark Building was proposed for one of the retained heritage homes at 436 MacLaren Street. Through the design revisions, the home at 436 MacLaren will remain as office space and a more prominent, 2,000 square foot space is proposed at the southwest corner of the development, along Kent Street, for the civic use. The user of the civic space will be confirmed at the time of Site Plan approval and will be required to meet the criteria of a community or cultural facility. Given the unknown operating requirements of the user, two alternate spaces are proposed: one in the amenity space along Gilmour Street, and the other in the originally proposed 436 MacLaren house.

The architecture of the proposed development has been significantly revised, informed largely by the retention of the Legion House facade and the sustainability goals of the project, to become a landmark in Centretown. The design of the tower contrasts the retained facade and while still featuring an interesting and varied architecture. The overall height of the tower has been reduced from 34 storeys to 30 storeys, and the podium has been reduced from 8 storeys to 5 storeys.

Several comments were received regarding the desire for tree planting and greening the site. Street trees are proposed within structured soils along Gilmour adjacent to the new podium and significant tree planting and landscaping is proposed between the new tower and 444 MacLaren Street to mark the arrival space and “outdoor foyer” of the proposed building. The existing asphalt areas around 436 and 444 MacLaren Street have been reduced and removed to the extent possible to improve the public realm adjacent to the subject property.



Figure 2: View of Proposed Development from Kent/MacLaren

## 3.0 Policy and Regulatory Framework

### 3.1 Provincial Policy Statement

The revised development is consistent with the policies of the Provincial Policy Statement (PPS), as described in the Planning Rationale prepared by Fotenn Consultants and dated September 7, 2021.

### 3.2 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for the way that the city will develop until 2046 when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the city will accommodate this growth over time and set out the policies to guide the development and growth of the City.

#### 3.2.1 Transect and Land Use Designation

Schedule A divides the City into six (6) concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from most urban (the Downtown Core) to least urban (Rural).

The subject property is located within the Downtown Core Transect. This Transect is the "historic, geographical, physical, cultural, symbolic and employment hub of the National Capital Region". The City intends to maintain and enhance an urban pattern of built form, site design, and mix of uses in this Transect while prioritizing walking, cycling, and transit within, and to and from the core. The tallest buildings and the greatest densities should be within the Downtown Core.

Policy 5.1.1.2 states that the Downtown Core shall continue to develop as healthy 15-minute neighbourhoods within a highly mixed-use environment, where:

- / Hubs and a dense network of Corridors provide a full range of services;
- / A high concentration of employment is maintained and increased;
- / Existing and new cultural assets are supported, including those that support music and nightlife; and
- / Residential densities are sufficient to support the desired full range of services.

**The subject property is located within the ideal 15-minute neighbourhood of the City. Centretown is an urban neighbourhood with services and amenities in walking distance including schools, grocery stores, recreation facilities, parks, and more. The subject property is approximately 500 metres south of the central business district, and one block west of Bank Street which has frequent bus service providing north-south connections into the core and to Parliament transit station. The proposed residential densities will support these services and drive the provision of more services within the neighbourhood while also contributing public space within the new development, and significantly upgrading the public realm adjacent to the site.**

Policy 5.1.1.4 states that the public realm in the Downtown Core should be of a consistently high quality that compensates for the smaller public, private and semi-private spaces available in the core.

**The public realm components of the proposed development has been designed to drastically improve the current condition, and contribute to a comfortable and enjoyable environment on the edges of the site. Along the Gilmour Street frontage, a widened sidewalk allows space for street trees and the retained heritage facade provides a feature entry to the new building. Structured soils will be used to encourage tree growth.**

**Along Kent Street, the space between the retained heritage facade and the heritage building at 444 MacLaren Street has been heavily landscaped to provide an arrival space at the main entrance to the new tower, and to provide softscaping**

**along the street edges. The layout of the underground parking garage leaves space for planting trees with sufficient soil volumes to foster full tree growth.**

Policy 5.1.1.6 notes that the Downtown Core is planned for higher-density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot, or parking garage accessed by a common driveway. Policies limit private approaches and the privatization of curb spaces to maximize the curb space available for street parking and landscaping.

**All parking is proposed below-grade as part of the proposed development. Existing rear yard parking (4 spaces) behind 436 MacLaren Street will remain to serve the existing converted office space. This area is proposed for landscaping improvements to minimize the hard surface area and add plantings where possible.**

Policy 5.1.2.2 shall prioritize walking and cycling for short trips, and cycling and transit for longer trips, such that convenience and safety for pedestrians, cyclists and transit users shall take priority over private motor vehicle access and movement in the Downtown Core.

The subject property is designated “Minor Corridor” on Schedule B1 of the Official Plan. Per policy 5.1.4.4, on Minor Corridors within the Downtown Core, all buildings are required to have active entrances facing the corridor. Minimum building heights of 2 storeys are required while maximum heights are generally in the mid-rise range between 7 and 9 storeys, except where a Secondary Plan or Area-Specific Policy permit greater or lower heights and are subject to appropriate height transitions and setbacks. The height of these buildings shall:

- a. Shall, with respect to the wall heights directly adjacent to a street, be proportionate to the width of the abutting right of way and consistent with the objectives in the urban design section on Mid-rise and High-rise built form in Subsection 4.6.6, Policies 7), 8) and 9);
- b. May be limited further on lots too small to accommodate an appropriate height transition; and
- c. May be increased to generally 15 storeys within 100 metres walking distance of a rapid transit station.

The corridor designation applies to bands of land along specified streets whose function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs.

**The proposed development proposes a building height of 30 storeys, conforming to the policy intent of the Centretown Secondary Plan, which currently permits heights of 27 storeys for landmark buildings. The requested Official Plan Amendment would permit the greater height on the subject property.**

**Broadly, the Official Plan directs density to Hubs around transit stations and linear Corridors across the City. Hubs are areas centred on planned or existing rapid transit stations and/or frequent street transit stops. The planned function of Hubs is to concentrate a diversity of functions, a higher density of development, a greater degree of mixed uses and a higher level of public transit connectivity than the areas abutting and surrounding the Hub. It is worth noting that Hubs are spread across the City, focused on a rapid transit network designed to move people from the suburbs to the downtown core.**

**The largest Hub in the City is located one block north of the subject property at Somerset Street. The downtown core Hub is the City’s main employment centre and the heart of the City. The subject property is located adjacent to this Hub therefore the greater densities and heights are appropriate. Further, densities and heights within the Hub are restricted by Parliamentary view protections which limit the height of buildings closer to Parliament Hill. The tallest buildings want to be located further north, yet they cannot because of these height restrictions, resulting in a distribution of density. Instead of pushing density to other parts of the City, building density in proximity to the downtown core, in proximity to existing employment, services and amenities, represents the best planning approach. The additional residential densities will further help support the provision of a full range of services in the downtown core, even as the traditional workplace model changes because of the COVID-19 pandemic.**

The Minor Corridor designation generally applies to lots abutting the corridor subject to a maximum depth of 120 metres from the centreline of the corridor street (Policy 6.2.1.1).

**The entirety of the subject property is located within 120 metres of the centreline of Kent Street.**

Per Policy 6.2.1.2, the tallest buildings and highest densities shall be located along the Corridor subject to setbacks where appropriate. Development shall also ensure appropriate transitions in height, use, site design and development character through the site, where the Corridor designation meets abutting designations.

Per 6.2.1.3, Corridors will generally permit residential uses and non-residential uses that integrate with a dense, mixed-use urban environment.

Where a site abuts both a Corridor and a side street, development shall address the Corridor as directed by the general policies governing Minor Corridors and vehicular access shall generally be provided from the side street (Policy 6.2.1.4).

**The proposed development concentrates the high-rise building along the Kent Street corridor, stepping down along Gilmour to a five (5) storey podium that transitions to the surrounding context and down to the existing heritage homes along MacLaren Street. The proposed building also retains the existing street wall along Kent Street in the form of the heritage facade at 359 Kent Street and provides a generous tower setback (3.6 to 6.4 metres) to maintain the pedestrian scale along Kent Street.**

### 3.2.2 Growth Management Framework

Ottawa's population is projected to grow by 40 per cent between 2018 and 2046 with 51% of that growth targeted to occur through intensification within the built-up areas of the City. This overall intensification target is anticipated to be achieved through a gradual increase in intensification over the life of the Official Plan (stepping from 40% in 2018 up to 60% by 2046).

Intensification is anticipated to occur in a variety of built forms and height categories, from Low-rise to High-Rise 41+ buildings, provided density requirements are met. The Official Plan defines four (4) height categories, including:

- / Low-rise: up to and including 4 storeys;
- / Mid-rise: between 5 and 9 full storeys;
- / High-rise: between 10 and 40 full storeys; and,
- / High-rise 41+: 41 full storeys or taller.

Residential intensification is permitted in all designations where development is permitted and should occur in a variety of dwelling unit sizes to provide housing choice (per policy 3.2.8). The Official Plan defines two broad dwelling size categories:

- / Small-household dwellings are units with up to 2 bedrooms and are typically within apartment-built forms; and,
- / Large-household dwellings are units with three or more bedrooms, or an equivalent floor area, and are typically within ground-oriented built forms.

Table 3a of the Official Plan sets out minimum densities and large dwellings requirements for Minor Corridors. In the Downtown Core Transect, the target residential density range for intensification is 80 to 120 dwellings per net hectare. There is no minimum target for large dwelling units along Minor Corridors.

**The proposed development seeks to add 322 units on the subject property, which has a net area of 0.3 hectares resulting in a density of 1,073 dwelling units per net hectare.**



### 3.2.3 Urban Design

Urban Design concerns the design of both the built form and the public realm. Urban design plays an important role in supporting the City's objectives such as building healthy 15-minute neighbourhoods, growing the urban tree canopy and developing resilience to climate change. New development should be designed to make healthier, more environmentally sustainable living accessible for people of all ages, genders, and social statuses.

Section 4.6 of the Official Plan contemplates an urban design framework to outline the City's urban design program. The subject property is identified as a Tier 2 – National and Regional Design Priority Area (DPA) per Table 5 – Design Priority Areas of the Official Plan, as it is on a Minor Corridor within the Downtown Core Transect. Tier 2 areas are of national and regional importance to defining Ottawa's image. These areas support moderate pedestrian volumes and are characterized by their regional attractions related to leisure, entertainment, nature or culture.

Policy 4.6.1.5 states that development within DPAs shall consider four season comfort, enjoyment, pedestrian amenities, beauty and interest through the appropriate use of the following elements:

- / The provision of colour in building materials, coordinated street furniture, fixtures and surface treatments, greening and public art, and other enhanced pedestrian amenities to offset seasonal darkness, promote sustainability and provide visual interest;
- / Lighting that is context appropriate and in accordance with applicable standards and guidelines; and
- / Mitigating micro-climate impacts, including in the winter and during extreme heat conditions in the summer, on public and private amenity spaces through such measures as strategic tree planting, shade structures, setbacks, and providing south facing exposure where feasible.

Policy 4.6.2.1 notes that the visual integrity and symbolic primacy of the Parliament Buildings from specific routes and viewpoints. Development shall not visually obstruct the foreground of views of the Parliament Buildings and other national symbols from viewpoints noted on Schedule C6A and no buildings can exceed an angular plane height defined by Schedule C6B.

**The parliamentary view protections do not directly impact the subject property. The proposed height of 30 storeys has been determined to be below a projection of the angular plane described on Schedule C6B (Figure 3).**

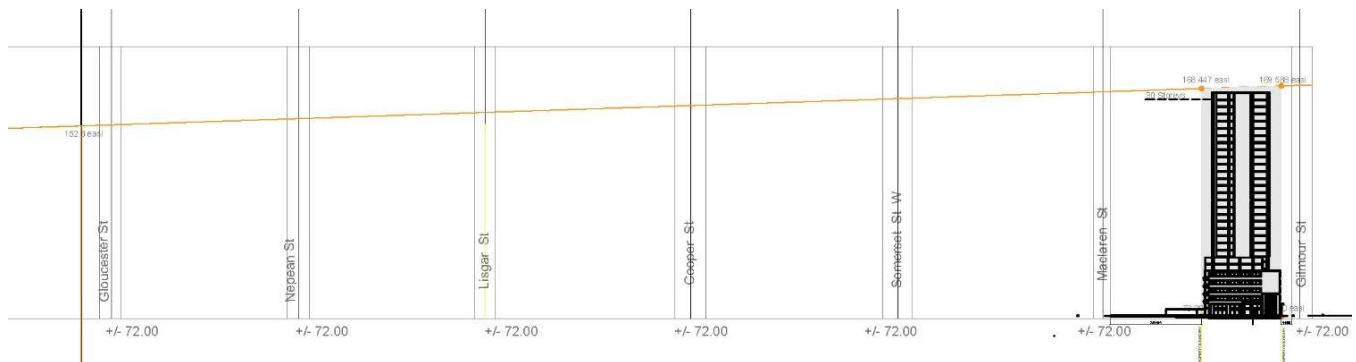


Figure 3: Viewplane Analysis along Kent Street

Policy 4.6.2.3 states that development which includes a high-rise building shall consider the impacts of the development on the skyline by demonstrating that the proposed building contributes to a cohesive silhouette comprised of a diversity of building heights and architectural expressions and the visual impact from key vantage points identified on Schedule C6A.

Policy 4.6.4.1 states that innovative, sustainable, and resilient design practices and technologies in site planning and building design will be supported by the City's High Performance Design Standard. Further, policy 4.6.4.2 states that the City

will assess opportunities to conserve energy, reduce peak demand, and provide resilience to power disruptions as part of new developments.

**A preliminary Sustainability Program for the proposed development has been developed which includes concepts for solar power generation integrated into the building facade, geothermal energy systems, and interior living walls. An important component is also the educational features that could accompany these systems to partner with academic institutions, participate in industry programs, and educate building residents.**

Policy 4.6.5.2 states that development along Corridors shall respond to context, Transect area and overlay policies. The development should generally be located to frame the adjacent street, park, or greenspace, and should provide an appropriate setback within the street context, with clearly visible main entrances from public sidewalks. Visual impacts associated with above grade utilities should be mitigated.

Policy 4.6.5.3 encourages designs to minimize the potential for conflict between vehicles and pedestrians and to improve the attractiveness of the public realm by internalizing all servicing, loading areas, mechanical equipment, and utilities into the design of the building, and by accommodating space on the site for trees, where possible.

**The proposed development effectively frames the streets and internalizes building services. The proposed development also limits vehicular access to the site to one location along Gilmour Street and includes significant improvements to the public realm along all street frontages consisting of street trees and planting along Gilmour Street and tree planting and greenspace in the arrival space proposed between the new building and the retained heritage house at 436 MacLaren Street.**

Policy 4.6.6 contains policies related to enabling the sensitive integration of new development into existing neighbourhoods. Policy 4.6.6.2 states that transition between mid and high-rise buildings and adjacent properties designated as neighbourhood will be achieved by providing a gradual change in height and massing, through the stepping down of buildings, setbacks, and generally be guided by the application of an angular plane as may be set out by the Zoning By-law or Council-approved Plans or design guidelines.

**The proposed development is intended to be a landmark building which, by definition in the Secondary Plan policies, is expected to stand out from its surroundings and depart from the typical built form requirements of the Secondary Plan. The proposed development pushes the height and density of the tower to the southwest corner of the site and provides generous setbacks above the fifth storey. The five (5) storey podium frames the corner of Kent and Gilmour and carries along the Gilmour Street frontage. The pattern, rhythm and materiality of the podium reflects the surrounding community.**

Where two or more high-rise buildings exist within the immediate context, new high-rise buildings should provide for variation in building heights, per policy 4.6.6.3.

**There is an existing 22 storey high-rise building at 415 MacLaren Street, northeast of the proposed development. The proposed 30 storey building height would provide variation in the building heights.**

Policy 4.6.6.4 states that amenity areas shall be provided within residential development to serve the needs of all age groups, and in consideration of all seasons.

**Amenity space is envisioned within the proposed development atop the podium (at level 6) and on the rooftop. Private amenity spaces will be provided in the form of balconies integrated into the tower.**

Per 4.6.6.8, 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 sizes should generally be limited to 750 square metres for residential

buildings and 2,000 square metres for commercial buildings with larger floorplates permitted with increased separation distances. Space at-grade should be provided for soft landscaping and trees.

Per 4.6.6.9, separation distance between high-rise towers should be provided to ensure privacy, light, and sky views for residents. Generally, a separation of 23 metres is preferred, though lesser separation distance may be permitted in accordance with Council approved design guidelines. Where the planned context would allow for high-rise buildings, development proposals should demonstrate and consider this.

**The proposed development has a slender tower shape with a floorplate of 830 square metres. The increased floorplate size is appropriate given separation provided to other planned or existing high-rise buildings. Contextually, the blocks to the north or south along Kent Street could be proposed with high-rise buildings under the landmark policy, but lands to the east are planned for mid-rise built form. The increased floorplate is appropriate given this greater separation and the maintenance of sky views and sunlight given the towers slender form.**

### 3.3 Centretown Community Design Plan (2013)

#### 3.3.1 Built Form Guidelines

High-rise development in Centretown is expected to generally comply with the Community Design Plan's (CDP's) built form guidelines for tall buildings. Tall Landmark Buildings may depart from these parameters. The guidelines are contained in Section 6.4.4 of the CDP and the relevant guidelines are noted below. The guidelines note that tall buildings are comprised of three (3) parts: a podium, a tower, and a top. The guidelines are provided for each of these parts.

##### Podium

- / The podium for the building is five (5) storeys (below the recommended 6);
- / The podium achieves the mid-rise transition to the existing low-rise to the east, with a 3 metre setback;
- / The podium street facades are well articulated and blank walls have been avoided;

##### Top

- / The top of the building will contribute to the City skyline with a different articulation and reduced size;
- / The mechanical penthouse has been architecturally integrated into the building design;

##### Tower

- / The tower sits on a podium with generous setbacks;
- / The tower has a maximum floorplate size of 830 square metres;
- / The tower steps back from the podium below specifically along Kent and Gilmour and from the planned mid-rise to the east along Gilmour Street;
- / The tower has no blank walls; and,
- / The tower utilizes a mix of materials, articulation, and integrated balconies.

**The proposed development responds to the built form guidelines of the CDP for tall buildings. The proposed development includes key design elements that respect the guidelines for tall buildings including a highly articulated podium and base of the building that transitions well to the existing and planned context which includes six (6) and nine (9) storeys) to the east, a highly articulated facade on all four (4) sides of the building, a strong, podium-middle-top relationship, and a mix of materials and integrated balconies. The development also recognizes the planned context for the area to the east which is intended to intensify over time with mid-rise built form. As such, the tower separation to 430 MacLaren is less than 10 metres as suggested by the guidelines (proposed at 3 metres). The reduced separation is appropriate given the planned context for these lands as mid-rise buildings.**

### 3.4 Central and East Downtown Core Secondary Plan (2022)

The subject property is designated "Corridor" in the newly consolidated Central and East Downtown Core Secondary Plan. This Secondary Plan integrates the policies of the former Centretown Secondary Plan, discussed in detail within the

September 2021 Planning Rationale prepared by Fotenn, with language changes to reflect revised terminology (e.g. “Corridor”).

Consistent with the former Secondary Plan, policies regarding Landmark Buildings in Centretown have been carried forward and continue to apply to the subject property. Section 4.4.9(55) of the Secondary Plan maintains the previous policy language and permission for Landmark Buildings subject to a set of specific criteria. The revised proposal is evaluated against these criteria below. Landmark Buildings shall:

<b>(a) Only be permitted on large corner lots with frontage on three streets, except in the Centretown South Character Area, where frontage on two streets is required;</b>	The subject property is a large corner lot with an area of 3,603 square metres and has frontage on three public streets (Kent, MacLaren, and Gilmour).
<b>(b) Not be permitted in Local Neighbourhood or Corridor designations;</b>	The subject property is designated “Corridor” on Schedule B of the Secondary Plan.
<b>(c) Notwithstanding the provisions of (b) above, proposals for the development of potential Landmark buildings will continue to be considered on any lots where they would have been considered on October 26, 2021. These lots are those designated “Corridor” in the following locations:  ii. Either side of Kent Street between Somerset Street and James Street, excluding lots whose front lot line is on Somerset Street</b>	The subject property is within one of the “Corridor” designated areas that are permitted to have landmark buildings, being located on the east side of Kent Street south of Somerset Street and north of James Street and with no frontage on Somerset Street.
<b>(d) In the Local Mixed-Use designation, only be considered on properties fronting O’Connor, Metcalfe and Kent Streets and only if the proposed development, along with any park/public open space component, is massed to those streets</b>	Not applicable to the subject property (which is designated “Corridor”).
<b>(e) Provide and deliver a significant, publicly accessible and publicly owned park and/or a significant public institutional use, such as a cultural or community facility, on the site. Where an institutional use is not proposed, the open space shall comprise of a contiguous area that is a minimum of approximately 40 per cent of the area of the subject site</b>	The proposed development integrates 2,000 square feet of space at the ground floor and at the prominent Kent and Gilmour Street corner for the significant public institutional use. The user of the civic space will be confirmed at the time of Site Plan approval and will be required to meet the criteria of a community or cultural facility. Given the unknown operating requirements of the user, two alternate spaces are proposed: one in the amenity space along Gilmour Street, and the other in the originally proposed 436 MacLaren house.

and have frontage on at least two streets;	
<b>(f) Not result in a new net shadow impact on an existing public open space greater than that which would be created by the base height condition;</b>	The nearest existing public open space with the potential to be impacted by the proposed development is Dundonald Park to the west. The shadow study completed shows that the park will be minimally impacted by shadows only during the summer months, between 7am and 8am. Per the City's shadow study terms of reference, the park space is not impacted as the minimal shadows do not result in 50% of the park space being case in shadow for five (5) or more hours during the September test date.
<b>(g) Conform to the built form policies of this Plan applicable to tall buildings (Subsection 4.4 Policy 44 and Section 4.4 Policy 48) where the landmark includes tall building element for residential uses incorporated into the design of a landmark building and only with respect to such uses;</b>	<p>Policy 44 of Section 4.4 describes the land use designations of the Centretown Central Character Area, including the corridor designation applicable to the subject property.</p> <p>Policy 48 contains a site-specific height limit which does not apply to the subject property.</p> <p>As noted in the September 2021 Planning Rationale, it is understood that this criteria is intended to refer to the built form guidelines of the Community Design Plan (CDP). These guidelines have been reviewed above.</p> <p><i>(Note: previously these policies included specific guidelines however they were removed from the Secondary Plan through the OMB decision)</i></p>
<b>(h) Not require the demolition of a designated heritage building and shall respect the cultural heritage value of the site and its setting through the retention of its significant heritage resources;</b>	The proposed development will not require the demolition of a designated heritage building and respects the cultural heritage value of the conservation district. The converted dwellings along MacLaren Street are being retained and incorporated into the project and the revised proposal also retains the Legion House facade along Kent and Gilmour Streets, integrating it into the podium of the new building.
<b>(i) Demonstrate leadership and advances in sustainable design and energy efficiency;</b>	The revised proposal includes a Sustainability Strategy being conceived by a sustainability consultant together with the owners and is intended to ensure that the proposed development demonstrates leadership and advancement in sustainable design.
<b>(j) Be subject to an architectural design competition that includes City representation on the selection jury and/or, at the City's discretion, be subject to the City's specialized design review process within the framework of the Urban Design Review Panel, process to exercise a detailed peer review of landmark buildings;</b>	The proposed development continues to be subject to a Specialized Design Review Panel. Two (2) meetings have taken place to date, with a third planned for mid-April 2023. Feedback received from the Panel to date has been integrated into the revised design.
<b>(k) Be subject to the provisions as per Policy 15, Section 11 of Volume 1 of the Official Plan for community benefits, and as per Section 4.4, Policy 54 of this secondary plan, with</b>	It has been assumed that this policy is referring to Policy 15 in Section 11.6 of the Official Plan. It, together with Policy 54 of the Secondary Plan, specify that increases in height and density will be subject to Section 37. Policy 16 of Section 11.6 in the Official Plan states that policy 15 no longer applies once Council has

<p><b>the public open space or institution taken into account when determining the appropriate community benefit under Policy 15, Section 11 of Volume 1 of the Official Plan;</b></p>	<p>enacted a Community Benefits Charge (CBC) By-law. The Council of the City of Ottawa enacted the CBC By-law by by-law 2022-307 on August 31, 2022.</p> <p>The proposed development will be subject to the provisions of the Community Benefits Charge By-law. The value of the charge, and the timing of payment, would be at the time of a future Site Plan Control application.</p>
<p><b>(l) Fully respect the requirements of the Visual Integrity and Symbolic Primacy of the Parliament Buildings and Other National Symbols guidelines related to building height restrictions; and,</b></p>	<p>The view analysis prepared by Hobin Architecture confirms that the proposed development, at 30 storeys, would be below the protected view plane. Hobin has extrapolated the view plane that restricts heights north of Gloucester Street to ensure that the proposed building height is below the view plane and will not impact the visual integrity or symbolic primacy of Parliament from the identified view points.</p>
<p><b>(m) Not exceed a height of 27 storeys</b></p>	<p>The appropriateness of a building over 30 storeys was discussed in detail in the September 2021 Planning Rationale. Those arguments remain valid, with regards to the intention of the Community Design Plan to take into account existing built form context, federal height controls, appropriate transition and the creation of a varied skyline in determining appropriate building height.</p> <p>Recent changes at the Provincial level have highlighted the need for Ontario to add 1.5 million homes over the next decade, with most of that growth expected to occur in the province’s largest municipalities, including Ottawa. Consistent with the City’s 2022 Official Plan much of this growth (up to 60% by 2046) is to be accommodated through intensification.</p> <p>The City intends for intensification to support “15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors”. Centretown is one such neighbourhood. The subject property is located along a Corridor (Kent) and is one block south of the City’s largest Hub that includes the downtown core. It’s also one block west of Bank Street, another major Corridor. In short, the subject property is the exact location where the City intends to accommodate intensification. Residents will be able to walk to work, schools, grocery stores, daycares, restaurants, and other retail stores. They are also able to walk to the City’s Confederation Line, located less than 800 metres north of the subject property and directly accessible by bus along Bank Street.</p> <p>The Secondary Plan notes that, “while landmark buildings must respect the form and character of their surroundings, they may depart from the built form parameters established for Centretown, but in this regard they will not set precedents for other development, and to be different they must be special”. Landmark buildings are contemplated and expected to depart from the typical form in the area.</p> <p>The Secondary Plan establishes a 27-storey height for Landmark Buildings largely, it appears, based on the viewplane established to protect views of the Parliament Buildings. This viewplane ends at Gloucester Street, permitting heights of 27 storeys. Hobin Architecture has extrapolated the view plane based</p>

	<p>on elevations at Gloucester and street elevations for each block south to ensure that the proposed 30 storey height would conform to the viewplanes and not impact the visual integrity of the Parliament Buildings.</p> <p>The proposed development represents an opportunity to add additional residential units in a low-impact manner, achieving the Province's objectives for additional housing in proximity to existing services, facilities, and amenities, and the City's objectives to foster and support 15-minute neighbourhoods. Further, the additional height does not impact the visual integrity or the symbolic primacy of the Parliament Buildings and is appropriate.</p>
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### 3.5 City of Ottawa Zoning By-law

Per the September 2021 Planning Rationale, the proposed Zoning By-law Amendment would rezone the subject lands to "General Mixed Use, Exception XXXX, Schedule YYY (GM[XXXX]SYYY)" to permit the proposed development. The purpose of the GM zone is to allow residential, commercial, and institutional uses or mixed-use development in the General Urban Area (now "Neighbourhood" designation).

The proposed development is compared to the provisions of the GM zone in the table below. Areas requiring amendment are **bolded and highlighted**:

Zoning Mechanism	GM Zone	Proposed
<b>Minimum Lot Area</b>	No minimum	3,606 m <sup>2</sup>
<b>Minimum Lot Width</b>	No minimum	35.97m
<b>Minimum Setbacks</b>	Front (MacLaren): 3m Corner Side (Kent): 3m Interior Side (east): Abutting 422/430 MacLaren: 5m Abutting 437 Gilmour: No minimum Rear (Gilmour): 3m	Front (MacLaren): >3m <b>Corner Side (Kent): 0m</b> <b>Interior Side (east)</b> <b>Abutting 422/430 MacLaren: 0.63 m (existing); 2.4m (new)</b> Abutting 437 Gilmour: 3m <b>Rear (Gilmour): 0m</b>
<b>Maximum Building Height</b>	18m	<b>102 metres</b>
<b>Maximum Floor Space Index</b>	2.0	<b>6.5</b>
<b>Minimum Width of Landscaped Area</b>	Abutting a Street or residential/institutional zone: 3m Other cases: 0m	<b>Abutting a Street or residential/institutional zone: 0.63m (existing)</b>
<b>Amenity Area</b> 6m <sup>2</sup> /unit, 50% communal	2,430m <sup>2</sup> Communal: 1,215m <sup>2</sup>	The proposed development will satisfy the required amenity area.
<b>Vehicular Parking Spaces</b> Area X on Schedule 1A Minimum: Residential: 0.5/unit after 12 units Visitor: 0.1/unit after the 12 units; maximum 30 spaces Office: 1/100m <sup>2</sup> of GFA Retail: 1.25/100m <sup>2</sup> of GFA	Residential: 155 spaces (322-12* 0.5) Visitor: 30 spaces (322-12*0.1; max 30) Retail: 0 spaces Office: 0 spaces	Residential: 186 Visitor: 30 Retail/Office: None provided

Zoning Mechanism	GM Zone	Proposed
*No parking required if non-residential use is under 200m <sup>2</sup> on the ground floor		
<b>Parking Space Dimensions</b>	2.6m-3.1m by 5.2m Up to 50% may be reduced size spaces: 4.6m long by 2.4m wide	2.6m by 5.2m (typical); 35% small car spaces
<b>Driveway Width</b>	Accessing a parking garage: 6m Accessing a parking lot: 6m	6 metres <b>2.6 metres</b>
<b>Drive Aisle Width</b>	Two-way, within a parking garage: 6m Two-way, parking lot: 6.7m	6 metres 6.7 metres
<b>Bicycle Parking</b> Residential: 0.5 spaces/unit Retail/Office: 1 space/250m <sup>2</sup> of GFA Minimum 50% of spaces must be horizontal at ground level Minimum 25% of spaces must be secure	Residential: 161 spaces Retail: 0 spaces	299 spaces <b>49% horizontal spaces at floor level</b> All spaces indoors
<b>Bicycle Parking Space Dimension</b>	Horizontal: 0.6m x 1.8m Horizontal stacked: 0.37m x 1.8m Vertical: 0.5m x 1.5m	Horizontal: 0.6m x 1.8m Horizontal stacked: 0.37m x 1.8m Vertical: 0.5m x 1.5m
<b>Bicycle Parking Access Aisle Width</b>	1.5m	1.5m

### 3.5.1 Heritage Overlay

The subject property is within a Heritage Conservation District (designated under Part V of the Ontario Heritage Act) and is therefore subject to the Heritage Overlay of the Zoning By-law, as described in Section 60. The proposed development seeks to alter the buildings on the site and will require Heritage approval. Variances from Section 60 would also be required to permit the proposed alterations to the buildings on site.



## 4.0 Requested Amendments

### 4.1 Official Plan Amendment

Consistent with the September 2021 Planning Rationale, a site-specific Official Plan Amendment (OPA) is proposed to the Centretown Secondary Plan. The OPA would:

- / Amend the Tall Landmark Building policy (3.9.5.5) to:
  - Permit a maximum height of 30 storeys for a landmark building at 359 Kent Street, 436 and 444 MacLaren Street.

**As discussed above, the proposed amendment is appropriate. The proposed height respects the symbolic primacy of the Parliament Buildings and all protected viewplanes. A landmark building is anticipated to depart from the standard built form of Centretown, where it can achieve the objectives for high-rise buildings within the Secondary Plan. The addition floors of height have no adverse impact on the surrounding area and will contribute additional housing units in proximity to central business district, rapid transit, employment uses, and services and amenities, consistent with the objectives of the Official Plan.**

### 4.2 Zoning By-law Amendment

The Zoning By-law Amendment continues to propose that the zoning of the subject property be amended to “General Mixed Use Zone, Exception XXXX, Schedule YYY (GM[XXXX] S(YYY))”. A new site-specific zoning schedule will establish permitted building heights and required setbacks while the site-specific exception will provide the necessary relief from specific provisions of the GM zone as discussed above.

**The proposed amendments to the zoning reflect the subject property’s front lot line being located along MacLaren Street, despite the orientation of the site to three street frontages, and the existing setbacks of the retained dwellings on MacLaren Street. The reduced setbacks will support the principles of good urban design to permit a development that frames the street edge and retains the Legion House facade in its current location. Other amendments relate to the height and density of the building and the proposal for a landmark building. The slightly high percentage of vertical bike parking spaces allows for an efficient bike parking layout that helps the building achieve the proposed 0.93 bike parking spaces per unit.**

## Response to Comments

Comments from the first round of technical circulation for the Official Plan and Zoning By-law Amendment applications were provided June 30, 2022. The following represents a response to the planning-related comments:

- 1.2.1 There is insufficient information or assurance about the proposed 'significant institutional use'. If the applicant cannot provide staff with confidence on what this use will be, and how it will be secured, then the proposal should shift to provide 40% significant public open space. The decision to provide either a 'significant institutional use' or a 'significant public open space' will then guide the overall design and programming of the development. It is understood that this may result in a significant redesign, along with other comments, and as such we appreciated knowing how you would like to proceed so that staff can provide more direct comments.

**The proposed development includes a 2,000 square foot civic space at-grade, in the new building and accessible directly from Kent Street. This space will be offered to a civic user to occupy and contribute to the neighbourhood. The user of the civic space will be confirmed at the time of Site Plan approval and will be required to meet the criteria of a community or cultural facility. Given the unknown operating requirements of the user, two alternate spaces are proposed: one in the amenity space along Gilmour Street, and the other in the originally proposed 436 MacLaren house.**

- 1.3 The proposal does not provide adequate transition to the surrounding neighbourhood. Please refer to the Built Form Guidelines in the Centretown CDP for direction. For example:

- 1.3.1 Provide/demonstrate a 20m separation from the tower to low-density neighbourhood

**The proposed tower provides over 32 metres of separation to the low-rise development to the east along Gilmour Street. The balance of the block, including 422 and 430 MacLaren, is planned for mid-rise development per the Central and East Downtown Core Secondary Plan.**

- 1.3.2 Provide a podium and stepbacks that reflect the surrounding buildings (and in this case the relationship with the HCD). The 8-storey podium does not appear to relate to its surrounding context.

**The proposed podium and tower have been significantly revised, and continue to relate to the existing and planned context surrounding the subject property. The podium has been reduced to five (5) storeys in height, taking its cue from the retained Legion House heritage facade. The tower steps back on all sides from the podium to highlight and distinguish the tower from its base. The proposed podium height is appropriate given the planned context to the east and west of the subject property.**

- 1.3.3 Staff view transition to the east and west as most critical in this context.

**The proposed development achieves transition to the neighbourhood in the west through a variety of means. The proposed tower is separated from the low-rise area west of Kent by the Kent Street right-of-way which is currently approximately 18 metres but is intended to reach 20 metres. Further, the tower is setback an additional 3.6 metres or more from the podium, which is retained on the property line. This setback and stepback above the podium provide transition to the neighbourhood.**

**To the east, the proposed development does the same and steps down to the five (5) storey podium and provides over 32 metres of separation to the abutting lot to the east. The lands along MacLaren and most of the lands along Gilmour are anticipated to change over time with a planned nine (9) storey building height.**

**The development achieves appropriate transition east and west, in addition to north and south, through a variety of means as described in the City's Official Plan and design guidelines.**

- 1.4 Staff are encouraged that re-development of this site could set the stage and be the first to improving the public realm in this area, particularly along Kent.

**Noted. Significant effort has been placed into improving the public realm through the introduction of landscaping, street trees, and an gathering spaces that will set up future improvements to the public realm. Retaining the heritage facade of the Legion House restricts what can be done on the corner, but the balance of the site has been improved significantly.**

- 2.4.5 Policy 3.9.5.5.5 states that a proposed landmark building shall “not result in a new net shadow impact on an existing public open space greater than that which would be created by the base height condition”. The submission package offers no information in this regard.

**The nearest existing public open space with the potential to be impacted by the proposed development is Dundonald Park to the west. The shadow study completed shows that the park will be minimally impacted by shadows only during the summer months, between 7am and 8am. Per the City’s shadow study terms of reference, the park space is not impacted as the minimal shadows do not result in 50% of the park space being case in shadow for five (5) or more hours during the September test date.**

- 2.4.6 Policy 3.9.5.5.7 states that a proposed landmark building shall “not require the demolition of a designated heritage building and shall respect the cultural heritage value of the site and its setting through the retention of its significant heritage resources”. Subject to comments from heritage planning the proposal appears to involve the demolishing of heritage assets on site.

**There are no designated heritage buildings on the subject property, though it falls within a Heritage Conservation District. The revised proposal has been developed through ongoing consultations with City of Ottawa Heritage staff and other heritage-focused stakeholders and retains both the homes along MacLaren Street and the facade of the Legion House at 359 Kent, making it an important component of the building podium and defining element of the project. A Conservation Plan is included in the submission package and can be referenced for details on the retention of the Legion House facades.**

- 2.4.8 Policy 3.9.5.5.11 states that a proposed landmark building shall “fully respect the requirements of the Visual Integrity and Symbolic Primacy of the Parliament Buildings and Other National Symbols guidelines related to building height restrictions”. The submission packages lack information regarding the protection of views of the Parliament Buildings and Other National Symbols. An accurate analysis of views from the various vantage points identified in the Official Plan is required.

**As discussed within this Addendum, the viewplane for the Parliament Building has been extrapolated south to determine what building height would be permitted without impacting the roofline of Parliament. This has directly led to the proposed height of 30 storeys.**

- 2.4.9 Policy 3.9.5.5.12 requires that a proposed landmark building shall “not exceed a height of 27 storeys”. The proposed building is 34 storeys.

**An Official Plan Amendment has been submitted to address this point and permit the proposed 30 storey building. For the reasons discussed within this Addendum report, the proposed height is appropriate for the site.**

## 6.0 Conclusion

In considering the revised development and the applicable policy framework, it is my professional opinion that the revised development proposal represents good planning and is in the public interest as it is consistent with the Provincial Policy Statement, conforms to the City of Ottawa Official Plan, conforms to the intent of the policies of the Central and East Downtown Secondary Plan, meets the applicable urban design guidelines and maintains the general intent of the Zoning By-law, as described within this Addendum and the September 2021 Planning Rationale.

Overall, the revised development continues to advance several key policy objectives at the Provincial and Municipal levels including: optimizing the use of serviced lands within the existing urban boundary, encouraging growth within the urban boundary, developing a property in proximity to rapid public transit with a compact, mixed-use and transit-supportive built form, developing a property in proximity to employment and amenities, and contributing to the range and availability of housing for all ages and incomes.

A handwritten signature in black ink, appearing to read 'Paul Black', written in a cursive style.

Paul Black, MCIP RPP  
Associate