Subject: Zoning By-Law Amendment – 1200 Maritime Way

File Number: ACS2023-PRE-PS-0106

Report to Planning and Housing Committee on 6 September 2023

and Council 13 September 2023

Submitted on August 24, 2023 by Derrick Moodie, Director, Planning Services, Planning, Real Estate and Economic Development

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Ward: Kanata North (4)

Objet: Modification du Règlement de zonage – 1200, voie Maritime

Dossier: ACS2023-PRE-PS-0106

Rapport au Comité de la planification et du logement

le 6 septembre 2023

et au Conseil le 13 septembre 2023

Soumis le 24 août 2023 par Derrick Moodie, Directeur, Services de la planification, Direction générale de la planification, des biens immobiliers et du développement économique

Personne ressource : Lisa Stern, urbaniste, Examen des demandes d'aménagement ouest

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REPORT RECOMMENDATIONS

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1200 Maritime Way, as shown in Document 1, to permit the development of 28 and 30 storey high rise buildings, as detailed in Document 2.
- 2. That Planning and Housing Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the Planning Act 'Explanation Requirements' at the City Council Meeting of September 13, 2023," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

- 1. Que le Comité de la planification et du logement recommande au Conseil d'approuver une modification du Règlement de zonage n° 2008-250 pour la propriété située au 1200, voie Maritime, comme le montre le document 1, en vue de permettre l'aménagement de deux tours de 28 et de 30 étages, comme l'explique en détail le document 2.
- Que le Comité de la planification et du logement donne son approbation afin que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux "exigences d'explication" aux termes de la Loi sur l'aménagement du territoire, à la réunion du Conseil municipal prévue le 13 septembre 2023 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

BACKGROUND

Learn more about link to Development Application process - Zoning Amendment

For all the supporting documents related to this application visit the <u>link to</u> <u>Development Application Search Tool</u>.

Site location

1200 Maritime Way

Owner

2771881 Ontario Limited

Applicant

2771881 Ontario Limited

Architect

NEUF Architects

Description of site and surroundings

The site is a 1.28 hectares vacant lot located on the south side of Maritime Way, north of Highway 417.

Surrounding land uses include:

- To the north across Maritime Way is a five-storey hotel (Marriott Towne Place Suites), a 1.64-hectare lot that is currently vacant and the 'William's Court' residential complex which comprises five buildings, five to 12 storeys in height.
- To the west is 'Timberwalk', a recently completed seven-storey retirement home, and across Kanata Avenue, the main commercial portion of the Kanata Town Centre, is a ten-storey hotel and a large retail area further west, including a Walmart.
- To the east are vacant sites for development along Maritime Way, beyond which is a stormwater management pond.
- To the south is Highway 417.

Summary of proposed development

The proposed development consists of two (2) high-rise buildings arranged in a 'V' shape, containing a total of 615 dwellings and 398 square metres of commercial space fronting Maritime Way. The eastern building is 28 storeys, the western building is 30 storeys, and they are each set on a seven-storey podium. The roof of each podium is planned as amenity space. The buildings are connected by an underground parking

garage with 617 vehicle spaces and 314 bicycle stalls. Access is obtained from Maritime Way.

This rezoning application is accompanied by a Site Plan Control Application D07-12-21-0017.

Summary of requested Zoning By-law amendment

The subject site is split-zoned Mixed Use Centre Subzone 5 with site-specific heights up to 35 metres (MC5 H(35)) and Mixed Use Centre Subzone 15 with site-specific exception 2165 and a holding provision (MC15[2165]-h). Site-specific exception 2165 adds hotel as a permitted use, permits heights up to 20 storeys, amends site-specific performance standards and requires the approval of a Site Plan Control Application. The purpose of the Mixed Use Centre Zones is to ensure developments provide a mix of uses in a compact and pedestrian-oriented built form.

The requested Zoning By-law amendments are with respect to performance standards; the land use is otherwise permitted. The applicant has requested relief as follows for the proposed development:

- Remove the split zoning of the property and rezone the entire property MC zone.
- The boundaries of the exception should be considered one lot for zoning purposes.
- Add a new zoning schedule to regulate maximum building heights and permit two high-rise buildings with heights of 87.5 metres (28 storeys) and 93.5 metres (30 storeys) and define a podium.
- Require 398 square metres of commercial space on the site at grade.
- Add minimum front yard and corner side yard setbacks for surfaced parking of 10 metres.
- Eliminate Townhouse Dwelling and Stacked Dwellings as uses.

As described in Document 2, the proposal will result in several Zoning By-law amendments. Schedule YYY, as shown in Document 3, incorporates maximum building heights and stepbacks for the proposed development within Areas A, B, C, D and E.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. In addition, a virtual public information meeting was held by the Councillor's Office on March 9, 2021.

Comments were received from 45 residents during the application review process, and some residents sent multiple comments. Concerns were raised with respect to the impact of construction on the existing residents of the site, traffic impacts on surrounding roadways, parking impacts on roadways in Kanata Town Centre and the impact of an additional high-rise building in the area.

For this proposal's consultation details, see Document 4 of this report.

Official Plan designation(s)

The area is designated as a Town Centre in the suburban transect (Schedule B5). Kanata Town Centre is also designated as a Protected Major Transit Station Area (PMTSA) on Schedule C1 of the Official Plan. The site is located within 600 metres of Terry Fox Station, which is identified as a future rapid transit station on Schedule C2. 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. Appropriate development densities are required to create the critical mass essential to make transit viable.

The subject lands are within the boundaries of the Kanata Town Centre Secondary Plan (Annex 6) and are designated Central Business District. The Kanata Town Centre Secondary Plan provides direction to create an active, vibrant core area containing a diverse mix of urban uses arranged in a form and a scale that is both human and appropriate to its function.

Other applicable policies and guidelines

The Urban Design Guidelines for Transit Oriented Development apply to all development within a 600-metre walking distance of a transit station. These guidelines state that people are more likely to choose transit if they can easily walk between

destinations at the beginning and end of their trip. This can be achieved through providing increased densities, mixed uses and pedestrian-oriented design within easy walking distances of high-quality transit. The guidelines speak to land use, site layout, built form, pedestrians and cyclists, vehicles and parking, and streetscape and the environment.

The Urban Design Guidelines for High-rise Buildings aim to promote high-rise buildings that contribute to views and vistas and enhance the character and the image of the city, while creating human-scaled, pedestrian-friendly streets, and attractive public spaces that contribute to liveable, safe and healthy communities.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, held on June 4th, 2021, which was open to the public.

The panel's recommendations, found in Document 5, from the formal review of the Zoning By-law Amendment application included:

- Given the scale of development, the Panel believes more emphasis on the pedestrian realm and exterior amenity area is required.
- Viewed from a distance the towers also appear to merge, creating a solid wall.
 Explore tower placement options, such as situating the towers at opposite ends of the podiums, to improve sky views and access to daylight and consider a floorplate size closer to 750 square metres.

The panel was successful in aiding in the implementation of the following:

- The location of the towers on the podiums were changed due to separation distance, daylight, and viewing angle recommendations made by the Panel.
- The dark tops on the towers were eliminated to improve the illusion of towers disappearing into the sky.
- Pedestrian connectivity and active amenity space in the courtyard between the buildings were improved.
- Commercial floor space was provided and brought closer to Maritime Way.

Planning rationale

This application has been reviewed under the Official Plan (2022).

The Official Plan increases the share of future growth within existing built-up areas to avoid or delay expansions to the urban boundary. The Plan envisions directing residential intensification towards Hubs, Corridors and surrounding neighbourhoods. (Policies 2.2.1.1, 3.2.3). Town Centres are intended to be the most important and largest Hub of their suburban community and are planned for at least 10,000 jobs each. High-rise buildings are anticipated in the central area of a Town Centre (5.4.1.2.d).

The proposed development complies with the Official Plan by providing 615 units and 398 square metres of additional commercial floor area in a high-rise form to help achieve the intensification targets of the Kanata Town Centre PMTSA. A Transportation Impact Assessment and Site Servicing Report were submitted in support of the application showing that there is adequate capacity from a transportation and servicing perspective.

<u>Urban Design</u>

Section 4.6 of the Official Plan sets out urban design guidance with the intent of achieving design excellence and innovation, while also being sensitive to the integration of new developments within existing neighbourhoods. These policies seek to minimize impacts on neighbouring properties and on the public realm. High-rise buildings are intended to be designed to respond to the context and transect area policies, and to have a well articulated base, middle and top. The proposal responds to the Official Plan and Guidelines for High-Rise Buildings by providing appropriate transitions and building separations. While Official Plan speaks to generally adhering to a 750 square metre tower floor plate, the westerly tower has a slightly larger footprint at 900 square metres, while the easterly tower has a slightly smaller floor plate at approximately 650 square metres. Due to the site's location adjacent to Highway 417 and the generous separation distances provided between the two towers, there are limited impacts related to views, shadows or wind anticipated as a result of the larger floor plate proposed. The proposal will provide a pleasant street frontage by providing commercial space along Maritime Way, by buffering the public realm from the highway, and by providing internal amenity space along the Kanata Avenue building frontage to help activate the building edge.

Kanata Town Centre Area

The site is located within the Kanata Town Centre Secondary Plan and is designated as Central Business District on Schedule B-1.

5.7.5.1 Central Business District

It is the intent of this designation that these lands become an urban place that provides for employment uses, complemented by higher density residential uses. The proposal supports the vision of the Central Business District and Kanata Avenue policies by providing commercial uses at grade facing Maritime Way.

5.8 Maximum Building Heights

The Plan states heights shall be consistent with Schedule B-2. Schedule B-2 anticipates heights up to 30 storeys on the property.

Zoning Bylaw

The subject site is split-zoned Mixed Use Centre Subzone 5 with site-specific heights up to 35 metres (MC5 H(35)) and Mixed Use Centre Subzone 15 with site-specific exception 2165 and a holding provision (MC15[2165]-h). The rezoning proposes to:

- Remove the split zoning of the property and rezone the entire property MC zone.
 - For clarity, it is recommended that the property move to a single zone. The rezoning will have the effect of removing the holding provision from part of the property. The purpose of the holding symbol is to ensure that a site plan control application has been brought forward to the Urban Design Review Panel. A site plan control application has been submitted concurrently with the subject rezoning application and was brought forward to Urban Design Review Panel in June 2021. After review by the Panel, significant improvements were made to the design. As such, staff have no concerns.
- Consider the exception area one lot for zoning purposes.
 - This is a technical amendment to ensure that should the two towers be severed, the proposed zoning provisions will still apply.
- Increase heights to 87.5 metres (28 storeys) and 93.5 metres (30 storeys) and define a podium.
 - As discussed above, the site is appropriate for a high-rise building up to 30 storeys due to its location near the Terry Fox rapid transit station and adjacent the highway. The height schedule also implements a seven-storey podium transitioning down to one storey along Maritime Way. The proposed height is appropriate and compatible with existing and planned development in the area.

Require 398 square metres of commercial space on the site at grade.

Commercial space is provided along Maritime Way to help achieve the employment targets of the Town Centre policies and ensure that the Kanata Town Centre is a walkable and transit supportive 15-minute neighbourhood.

 Require minimum front yard and corner side yard setbacks for surfaced parking of 10 metres.

This provision is carried forward from the existing MC5 zone on the site and will ensure that parking is well set back and screened from public roadways.

Eliminate Townhouse Dwelling and Stacked Dwellings as uses.

Lower density housing types have been removed to ensure that the population targets for the Town Centre can be met.

In summary, the proposed Zoning By-law amendment conforms with the Official Plan and aligns with the relevant guidelines. The rezoning will enable site-specific zone provisions to permit the proposed development that recognize its unique context. The proposed amendments and supporting site development are appropriate and represent good planning.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications to this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Curry provided the following comment:

Community consultations indicated support for density but concern for the height of the buildings. However, given the buildings' location next to the 417, and the allowance of this height in the new Official Plan, if the height of these buildings is to be allowed anywhere, this would be a good location. Community concerns during this consultation, and other consultations on Maritime Way and nearby streets, have included requests for adequate parking. This development and recommendation have taken those concerns into account. The entire Kanata North Town Centre area is being built out with similar

apartment buildings having commercial below thus creating opportunities for more businesses and services within walking distance of many residents.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. The *Accessibility for Ontarians with Disabilities Act* requirements for site design will also apply and will be reviewed through the Site Plan Control application.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0009) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexities of urban design and engineering.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Recommended Zoning Schedule

Document 4 - Consultation Details

Document 5 – Urban Design Review Panel Recommendations

Document 6 – Development Proposal

CONCLUSION

The proposed development introduces intensification in a manner which conforms to the Official Plan and is consistent with the relevant design guidelines. The development fits within the existing and planned context and is a compatible use. The Zoning By-law Amendment is recommended for approval.

DISPOSITION

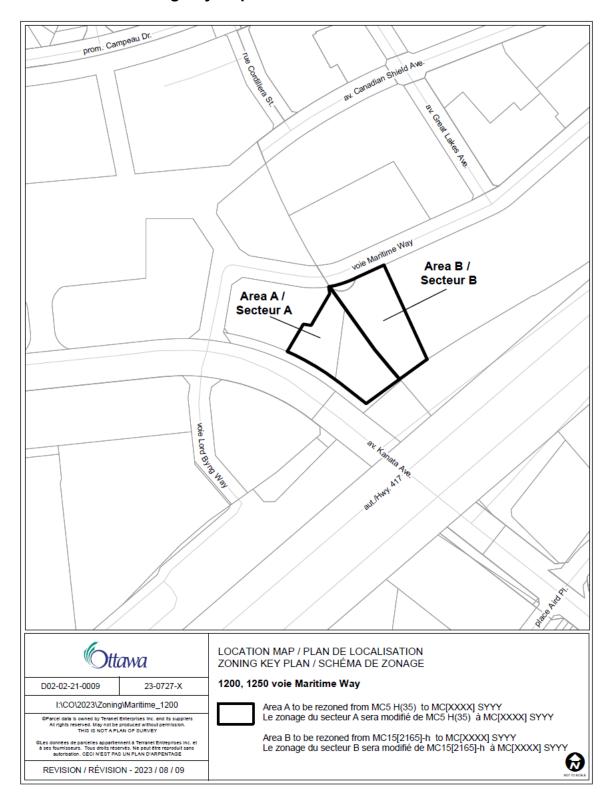
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 - Zoning Key Map

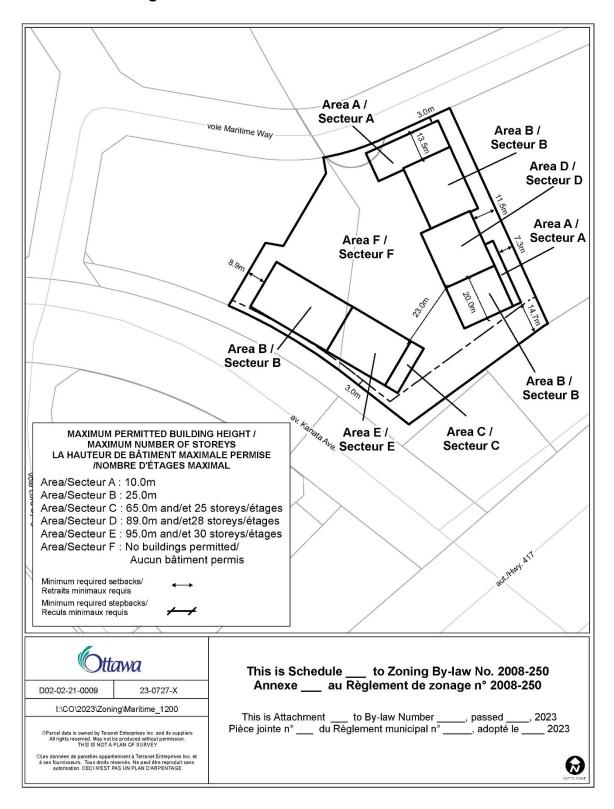


Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1200 Maritime Way:

- 1. Rezone the lands, as shown in Document 1.
- 2. Amend Part 17, Schedules, by adding a new Schedule 'YYY', as shown in Document 3
- 3. Amend Section 239, Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect as follows:
 - a. In Column II, add "MC[XXXX] SYYY
 - b. In Column IV, Townhouse Dwellings and Stacked Dwellings
 - c. In Column V, include provisions similar in effect to the following:
 - i. Section 93 One Lot for Zoning Purposes applies to the area of this exception
 - ii. Maximum permitted heights and setbacks are as per Schedule YYY
 - iii. Minimum non-residential area required on the ground floor of the site: 398 square metres
 - iv. Minimum landscape buffer for surface parking from any public street: 10 metres

Document 3 - Zoning Schedule



Document 4 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. In addition, a virtual public information meeting was held by the Councillor's Office on March 9, 2021.

Comments were received from 45 residents during the application review process, and some residents sent multiple comments.

Public Comments and Responses

Comment:

Built Form/Architecture:

- The height of the development will threaten the privacy of neighboring buildings.
- The building is too tall and out of character with surrounding development.
- Concern about materiality.

Response

The height and scale of the building was reviewed in accordance with the Official Plan and key design guidelines, as discussed in this report. This location represents a significant opportunity for intensification in proximity to transit, and the specific policies in the Official Plan that allow for the consideration of taller buildings have been satisfied.

The setbacks provided to surrounding properties and Kanata Avenue are consistent with the regulations for high rise buildings in the Zoning Bylaw, provide adequate space for sidewalks, facilitate tree planting within the road right-of-way, and provide active street frontages to create a pleasant pedestrian environment.

The Official Plan provides direction for urban design and compatibility, outlining, in a broad nature, design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character of the community. Staff will continue working with the applicant through the site plan control application to refine materiality; however, *Bill 23, More Homes Built Faster Act, 2022* limits the municipality's oversight on the exterior design of buildings including materials.

Transportation:

- The additional units will create traffic issues in Kanata Town Centre.
- Not enough parking has been provided on site.
- Concern about potential for on-street parking.

Response:

The Official Plan encourages intensification and development where there are opportunities to support alternative modes of travel from the car. The site is located close to the Terry Fox rapid transit station.

No reductions to the permitted parking rates have been requested; in addition, visitor parking is also provided to discourage visitors from parking on local streets. In support of the application, a Transportation Impact Assessment (TIA) was submitted and reviewed by staff, who found the report to be satisfactory.

Other concerns:

Concerns about noise/nuisance due to construction and blasting.

Response:

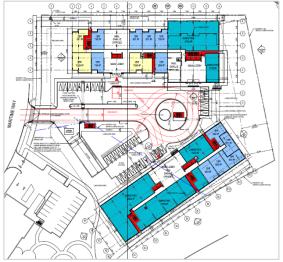
The construction of the proposed development is required to follow all applicable City and Provincial regulations and industry best practices relating to safety, noise, dust, blasting and construction. Construction activity must adhere to relevant City by-laws, including the Noise By-law, Traffic and Parking By-law and Encroachments on City Highways By-law. If issues are experienced during construction, a concerned citizen may contact 311 to report non-compliance with the by-laws.

As part of the Site Plan Control application, detailed plans and studies will be required that will address noise and geotechnical matters. Furthermore, Site Plan Control approval will contain conditions with respect to blasting.

Document 5 - Urban Design Review Panel Recommendations

1200 MARITIME WAY | Formal Review | Zoning By-law Amendment and Site Plan Control Application | Claridge Homes; NEUF Architect(e)s; NOVATECH; James B. Lennox & Associates Inc.





Summary

- The Panel is supportive of the podium and tower model, the building's orientation and relationship with Kanata Avenue are appreciated.
- The height and density proposed are generally supported, but the Panel would not support a "tower in the park" approach, or a development surrounded by parking.
- The Panel believes the proposal would have benefitted from an informal preconsultation and expressed concerns regarding the tower separation between the two buildings, floor plate size, façade treatment, pedestrian experience, the relationship to Maritime Way and the proximity to the adjacent lot.

Context and Site Plan

- The Panel suggested that an informal and more comprehensive discussion should have taken place to examine the context and development implications prior to a Formal UDRP Review. The Panel recommends the proponent returns to the UDRP for a second Formal Review.
- The Panel considers the proposal a "tower in the park" approach. Further thought should be given to the proposal's contribution to the vision of Kanata and its surrounding context.
- The Panel appreciates the presence of the podium on Kanata Way as it reinforces the street. However, the proponent should consider the area's future context, including the evolution of the street and how the development would provide access to exterior amenities, schools, recreation, future LRT and how the frontage along the highway would evolve.

- Provide a landscape treatment that connects the Kanata Way path to the development and further explore the relationship to Maritime Way, as the building is perpendicular to the street.
- The Panel expressed concerns with the adjacency of the northeast tower to the
 property line and the lack of setback that will compromise the potential
 development on the adjacent lot. Explore alternative tower placements and
 consider the potential of future development on the adjoining lot to ensure proper
 separation distance is maintained.
- Further understanding of the proposed massing and the tower placement is needed. Given the scale of development, the Panel believes more emphasis on the pedestrian realm and exterior amenity area is required.

Massing, Articulation and Tower Orientation

- The separation distance between the towers and the floorplate size is a concern. The Panel believes the separation distance between the towers is insufficient and will affect liveability of the units.
- Viewed from a distance the towers also appear to merge together, creating a solid wall. Explore tower placement options, such as situating the towers at opposite ends of the podiums, to improve sky views and access to daylight and consider a floorplate size closer to 750 square metres.
- Consider aligning the towers orthogonally to improve highway and Maritime Way views between them. Currently the towers will appear at odd angles from each other when viewed from a distance.
- The Panel recommends further exploration of the façade treatment to differentiate the podium and tower. Consider a base-middle-top approach with a more sculpted top and step back from the podium and create a strong distinction between the base and tower articulation.
- The buildings will be prominent markers on the skyline for quite some time.
 Consider defining a skyline element to create a dramatic effect to improve the view from the highway.
- There is an opportunity to have a better treatment of the top by integrating the mechanical penthouse.
- Examine a 2 to 5 or 2 to 6 proportion of podium.

Materiality

- The proponent should continue exploring how to achieve a greater degree of definition and clarity. Currently, there are two to three different palettes that create a "patchwork" aesthetic.
- The podium needs a stronger presence. Use noble materials to ground the podium and consider how the two-storey units relate to the street and public realm.
- Eliminate the dark tops on the towers as they draw attention to their height instead of creating the illusion that the towers are disappearing into the sky.

 Reconsider the dark horizontal brick in the towers as it creates compatibility issues in a tall tower context. Consider having brick only at the podium level.

Landscape Design and Public Realm

- The Panel's primary concern with the public realm approach is the courtyard's functionality. The courtyard typology is supported; however, its current primary function is to move cars through the development rather than providing a pedestrian experience. Explore the courtyard typology as a landscape treatment for pedestrian use.
 - Create a more active amenity space between the towers and use the towers to frame the courtyard.
 - Consider tucking the ramp under the building to minimize parking and paving surrounding the courtyard.
- The proposed landscape is undefined, limiting what can be offered as exterior amenities
 to the remnant areas of the site. The proponent should provide a landscaping treatment
 at the base and edge of the building and explore a more deliberate approach for the
 programming of exterior amenities.

Sustainability

 Further thought should be given to sustainability measures. The proponent should consider a broader site integration of stormwater management features, such as parkettes.

Document 6 – Development Proposal

