

**Subject: Official Plan Amendment and Zoning By-law Amendment – 359 Kent Street, 436 and 444 MacLaren Street**

**File Number: ACS2023-PRE-PS-0123**

**Report to Planning and Housing Committee on 15 November 2023  
and Council 24 January 2024**

**Submitted on September 13, 2023 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

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**Ward: Somerset (14)**

**Objet: Modification du Plan officiel et modification du Règlement de zonage  
– 359, rue Kent et 436 et 444, rue MacLaren**

**Dossier : ACS2023-PRE-PS-0123**

**Rapport au Comité de la planification et du logement**

**le 15 novembre 2023**

**et au Conseil le 24 janvier 2024**

**Soumis le 13 septembre 2023 par Derrick Moodie, Directeur, Services de la  
planification, Direction générale de la planification, des biens immobiliers et du  
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**Quartier: Somerset (14)**

## REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve:
  - a. an amendment to the Official Plan for 436 and 444 MacLaren Street and 359 Kent Street to permit a Landmark Building of 27 storeys with a privately-owned public space as detailed in Document 2; and
  - b. an amendment to Zoning By-law 2008-250 for 436 and 444 MacLaren Street and 359 Kent Street to rezone the site from Residential Fourth Density (R4) to General Mixed Use (GM) to permit a 27-storey Landmark Building with site-specific provisions and a Holding Symbol, as detailed in Documents 3 and 4.
  
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 December 19, 2023 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 ce qui suit :
  - a. une modification du Plan officiel visant les 436 et 444, rue MacLaren et le 359, rue Kent, afin de permettre la construction d'un bâtiment d'intérêt de 27 étages et l'aménagement d'un espace public appartenant à des intérêts privés, comme l'expose en détail le document 2; et
  - b. une modification du Règlement de zonage visant les 436 et 444, rue MacLaren et le 359, rue Kent afin de faire passer la désignation de l'emplacement de Zone résidentielle de densité 4 (R4) à Zone polyvalente générale (GM) et ainsi permettre la construction d'un bâtiment d'intérêt de 27 étages assujetti à des dispositions propres à l'emplacement et d'un symbole d'aménagement différé, comme l'exposent en détail les documents 3 et 4.

- 2. Que le Comité de la planification et du logement donne son approbation à ce 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 du 19 décembre, 2023 à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.**

## **EXECUTIVE SUMMARY**

### **Staff Recommendation**

Staff recommend approval of an Official Plan Amendment and a Zoning By-law Amendment for 436 MacLaren Street, 444 MacLaren Street, and 359 Kent Street to permit the development of a 27-storey Landmark Building on the site.

Through the Official Plan Amendment, two site-specific policies will be added to the Central and East Downtown Core Secondary Plan to permit the proposed Landmark Building via the provisions of the recommended zoning applicable to the site and to require the provision of a privately-owned public space.

The Zoning By-law Amendment will rezone the site from Residential Fourth Density (R4) to a General Mixed Use (GM) zone to permit the proposed Landmark Building. A site-specific exception will prohibit surface parking, increase the minimum bicycling parking requirement, detail maximum building heights and minimum yard setbacks, and implement a Holding Symbol. The Holding Symbol will require that the Landmark Building policies are met, such as the provision of a privately-owned public space and institutional uses, the requirement for sustainable building and construction methods, and the requirement for retention of heritage resources. All permitted uses are prohibited unless the Holding Symbol is met, which serves to limit development on the subject site to what has been presented by the Applicant team. However, the existing buildings on the site will be permitted to change uses, to another permitted use, without meeting the provisions of the Holding Symbol, which serves to allow for continued use of the site leading up to its redevelopment.

## Applicable Policy

The following policies support these applications:

- The proposed development meets the criteria for Landmark Buildings as outlined in the Central and East Downtown Core Secondary Plan, including frontage on three streets, the provision of a significant institutional use, retention of existing heritage resources on the site, reconstruction and integration of a significant heritage resource into the Landmark Building design, appropriate transition to the surrounding neighbourhood, commitment to a sustainable design and construction methods, and architectural design that has undergone specialized design review. Furthermore, the development is subject to the Community Benefits Charge By-law.
- The proposed development generally supports the policies for Minor Corridors within the Downtown Transect. The development supports the evolution of 15-minute neighbourhoods, contributes to community character, and permits appropriate small-scale non-residential uses.

## Other Matters

The entirety of the site is located within the Centretown Heritage Conservation District (HCD), designated under Part V of the *Ontario Heritage Act*. All buildings on the site are considered as 'contributing buildings' pursuant to the Centretown Heritage Conservation District Plan, which was adopted in 2022. Through the development application process, Heritage staff conducted an evaluation of the existing Legion building at 359 Kent Street and determined that it has significant cultural heritage value.

Development within a Heritage Conservation District, including alteration, demolition, or restoration, requires approval by Council through a Heritage Permit. The Applicant team has submitted a Heritage Permit for alteration of 359 Kent Street in order to incorporate the Legion building into the proposed Landmark Building design. The recommended zoning provisions ensure that all three existing buildings will remain as integral components of the overall site redevelopment.

The application for Heritage Permit will be considered by the Building Heritage Sub-Committee on December 12, 2023, with both reports (Heritage Permit, Official Plan and Zoning amendments) intended for consideration by City Council on December 19, 2023.

## **Public Consultation/Input**

As a proposed Landmark Building, a Council-approved public engagement strategy was required as a component of the development application process. This strategy was approved by Council on March 23, 2022 through Report [ACS2022-PIE-PS-0017](#). The Applicant team carried out public engagement and consultation in accordance with the approved strategy.

Approximately 60 comments were received regarding the proposed development. Of these comments, the majority were not in support of the proposed development and cited concerns with the height, heritage, greenspace, and the building design.

Comments in support of the development noted the need for additional housing within the downtown core.

## **RÉSUMÉ**

### **Recommandation du personnel**

Le personnel recommande d'approuver la modification du Plan officiel et du Règlement de zonage visant le 436, rue MacLaren, le 444, rue MacLaren et le 359, rue Kent et ainsi permettre la construction d'un bâtiment d'intérêt de 27 étages.

Grace à la modification du Plan officiel, deux politiques propres à l'emplacement seront ajoutées au Plan secondaire du cœur et de l'est du centre-ville afin de permettre la présence du bâtiment d'intérêt proposé, par le biais des dispositions du zonage recommandé pour cet emplacement, et afin d'exiger l'aménagement d'un espace public appartenant à des intérêts privés.

La modification du Règlement de zonage fera passer la désignation de l'emplacement de Zone résidentielle de densité 4 (R4) à Zone polyvalente générale (GM) afin de permettre la construction du bâtiment d'intérêt proposé. Une exception propre à l'emplacement interdira toute place de stationnement de surface, augmentera le taux minimal de places de stationnement pour vélos, définira en détail les hauteurs de bâtiment maximales et les retraits minimaux, et mettra en place un symbole d'aménagement différé. Ce symbole d'aménagement différé a pour objet d'assurer le respect des politiques relatives aux bâtiments d'intérêt, notamment la création d'un espace public appartenant à des intérêts privés et la présence d'utilisations institutionnelles, l'application de méthodes durables de construction et la conservation des ressources patrimoniales. Toutes les utilisations autorisées sont interdites jusqu'à ce que les exigences du symbole d'aménagement différé soient satisfaites, permettant

ainsi de limiter l'aménagement sur l'emplacement visé à ce qui a été présenté par l'équipe du requérant. Toutefois, les bâtiments présents sur place pourront changer de vocation, au profit d'une autre utilisation autorisée, sans nécessairement respecter les dispositions du symbole d'aménagement différé. Cette exception permettra de maintenir l'activité actuelle sur l'emplacement jusqu'à son réaménagement.

### **Politique applicable**

Les politiques suivantes sont favorables à ces demandes :

- L'aménagement proposé satisfait aux critères relatifs aux bâtiments d'intérêt décrits dans le Plan secondaire du cœur et de l'est du centre-ville, notamment en ce qui concerne les façades sur rue, la création d'une utilisation institutionnelle d'importance, la conservation des ressources patrimoniales existantes sur place, la reconstruction et l'intégration d'une ressource patrimoniale d'importance dans la conception du bâtiment d'intérêt, la transition appropriée vers le secteur environnant, l'application de méthodes durables de construction et la création d'une conception architecturale ayant fait l'objet d'un examen particulier. De plus, l'aménagement est assujéti au Règlement municipal sur les redevances pour avantages communautaires.
- L'aménagement proposé respecte globalement les politiques sur les couloirs mineurs du transect du cœur du centre-ville. Il est favorable à l'évolution d'un quartier du quart d'heure, contribue au caractère de la collectivité et permet la présence d'utilisations non résidentielles de petite échelle.

### **Autres questions**

La totalité de l'emplacement se trouve dans le district de conservation du patrimoine (DCP) du centre-ville, désigné en vertu de la partie V de la *Loi sur le patrimoine de l'Ontario*. Tous les bâtiments occupant l'emplacement sont considérés comme contribuant au caractère du plan de district de conservation du patrimoine du centre-ville Plan, adopté en 2022. Lors du processus de demande d'aménagement, le personnel responsable du patrimoine a procédé à l'évaluation de l'édifice de la Légion, situé au 359, rue Kent, et a été considéré comme ayant une grande valeur au plan du patrimoine culturel.

Tout aménagement dans un district de conservation du patrimoine, y compris les interventions de modification, de démolition ou de restauration, doit être approuvé par le Conseil par le biais d'un permis patrimonial. L'équipe du requérant a présenté une

demande de permis patrimonial en vue de modifier le 359, rue Kent pour intégrer l'édifice de la Légion dans la conception du bâtiment d'intérêt proposé. Les dispositions de zonage recommandées permettent de s'assurer que les trois bâtiments existants continueront de faire partie intégrante du réaménagement de l'emplacement dans son ensemble.

### **Consultation et commentaires du public**

Puisque le projet concerne un bâtiment d'intérêt, une stratégie de participation du public, approuvée par le Conseil, a dû être mise en place dans le cadre du processus de demande d'aménagement. Cette stratégie a été approuvée par le Conseil le 23 mars 2022 (rapport [ACS2022-PIE-PS-0017](#)). L'équipe du requérant a donc procédé à des activités de participation et de consultation du public, conformément à la stratégie approuvée.

Une soixantaine de commentaires ont été reçus concernant l'aménagement proposé. La plupart de ces commentaires étaient défavorables au projet et soulevaient des préoccupations entourant la hauteur de bâtiment, le patrimoine, les espaces verts et la conception du bâtiment. Les commentaires favorables au projet faisaient mention du besoin de logements supplémentaires au cœur du centre-ville.

## **BACKGROUND**

### **Site location**

359 Kent Street, 436 MacLaren Street, and 444 MacLaren Street

### **Owner**

359 Kent Street Ltd.

### **Applicant**

Fotenn Consultants Inc.

### **Architect**

Hobin Architecture

### **Description of site and surroundings**

The subject site consists of three properties being 359 Kent Street, 436 MacLaren Street, and 444 MacLaren Street. The site is 3,603 square metres in area with frontage

on Kent Street to the west, MacLaren Street to the north, and Gilmour Street to the south. The site is currently occupied by a five-storey office building (the Legion building) and surface parking at 359 Kent Street and two two-and-a-half storey former residential buildings, currently being used for offices, with rear yard surface parking at 436 and 444 MacLaren Street.

The area surrounding the property is characterized by a mix of uses and building typologies. To the north, a variety of mid- to high-rise apartment buildings can be found along MacLaren Street. Further north is the downtown Central Business District. To the east of the site are commercial and residential uses containing a mix of low-, medium-, and high-rise buildings. The area south of the site is predominantly residential, with some non-residential uses along Kent Street, including health services, institutional buildings, and restaurants. To the west, across Kent Street, is a low-rise residential neighbourhood. Dundonald Park is approximately 200 metres northwest of the site.

### **Summary of proposed development**

The proposed development includes the retention of the existing buildings at 436 and 444 MacLaren Street, the redevelopment of 359 Kent Street with a 27-storey Landmark Building, and landscaping of the subject site to provide a privately-owned public space (POPS) with pedestrian connections.

The Landmark Building is proposed to be primarily residential with approximately 289 dwelling units and will consist of a four- and five-storey podium with a tower oriented to the southwest corner of the site at Kent Street and Gilmour Street. The podium will include the reconstruction of the five-storey Legion building at the southwest corner of the site with transition to a new four-storey red-brick podium to the east of the site fronting on Gilmour Street. Within the podium, an institutional or community use will be located in the reconstructed Legion building along the Kent Street frontage with ground-oriented residential uses located within the four-storey portion along Gilmour Street. The ground-floor institutional or community use will be connected to the POPS on the north side of the podium, which will provide a pedestrian and open space connection to both 436 and 444 MacLaren Street, as well as to the MacLaren Street and Kent Street rights-of-way. The POPS will also replace the existing surface parking at the rear of 436 MacLaren Street. The retained building at 436 MacLaren Street intends to be used for local community-based organizations serving the 2SLBTQIA+ community either through a community centre or office space, and the building at 444 MacLaren Street may remain as an office use or may be used for a restaurant with an outdoor patio.



Vehicular and service access to the proposed Landmark Building will be provided at the east end of the building from Gilmour Street. A total of 207 parking spaces (178 residential and 29 visitor) are proposed within four levels of underground parking. Bicycle parking (248 spaces) will be provided at ground level and within the underground parking.

### **Summary of requested Official Plan Amendment**

The recommended Official Plan Amendment is to amend the Central and East Downtown Core Secondary Plan to permit a Landmark Building of up to 27 storeys on the subject site subject to the provisions of the site zoning and to require the provision of a privately-owned public space on the subject site.

### **Summary of requested Zoning By-law Amendment**

The site is currently zoned Residential Fourth Density, Subzone UD, Exception 479 (R4UD[479]), which permits low-rise residential development up to four storeys in height. The requested Zoning By-law Amendment is to rezone the site to a General Mixed Use (GM) zone to permit the development of a 27-storey Landmark Building.

Details of the recommended zoning provisions include the following:

- Rezone the subject site to General Mixed Use, Urban Exception XXXX, Schedule YYY, Holding Symbol (GM[XXXX] SYYY – h).
- A new Urban Exception XXXX to identify site-specific zoning provisions including, but not limited to:
  - Limit non-residential uses to ensure the development serves the local community.
  - Prohibit surface parking.
  - Increase the number of required bicycle parking spaces to a minimum of one per unit.
  - Prohibit all uses, except a change of use within the existing buildings, until the Holding Symbol is lifted.
- Create a new zoning schedule to identify required minimum yard setbacks, minimum building setbacks, and maximum building heights for new development on the site.

- Add a Holding Symbol to ensure the Landmark Building policies are implemented through the required final Site Plan Control process, including the requirement to provide institutional or community uses and a privately-owned public space, implementation of a sustainability strategy, and review by the Special Design Review Panel.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Official Plan Amendment and Zoning By-law Amendment applications.

As a Landmark Building, the Applicant team was also required to prepare a public consultation strategy pursuant to the policies of the Central and East Downtown Core Secondary Plan. Council adopted the public consultation strategy on March 23, 2022 through Report [ACS2022-PIE-PS-0017](#).

The public consultation strategy outlines the key stakeholders and work plan including public consultation meetings, submissions to the Special Design Review Panel, and check-in points with the Built Heritage Committee.

Pursuant to the adopted public consultation strategy, three virtual meetings were held with each of the stakeholder groups. During the application process, the Applicant also attended the Built Heritage Committee twice to discuss the proposed development. Finally, the Applicant attended the Special Design Review Panel three times throughout the development application process.

Approximately 60 comments were received by staff. The majority of comments from stakeholders expressed concern with the height of the proposed development. Concerns regarding height focused on shadow impacts, compatibility with the neighbourhood, and setting a precedent for high-rise development in this neighbourhood. Comments were also received with respect to the Legion building with some stakeholders in support of its reconstruction and reinstatement, and others not in support. Comments received in support of the development cited the need for additional housing.

For this proposal's consultation details, see Document 5 of this report.

## **Official Plan Designation(s) and Policies**

The subject site is located within the Downtown Core Transect and the majority of the site is designated as a Minor Corridor with an Evolving Neighbourhood Overlay pursuant to Schedule B1 of the Official Plan. Policies applicable to the subject site are as follows:

### **Section 2.2.1: Intensification and Diversifying Housing Options**

Residential growth within Ottawa is to be directed to the built-up urban areas to support 15-minute neighbourhoods. Residential intensification is to be directed to hubs, corridors and surrounding neighbourhoods in order to support and access services and amenities.

### **Section 2.2.4: Healthy and Inclusive Communities**

The development of 15-minute neighbourhoods with a range of housing options, services, and amenities is to be encouraged. The 15-minute neighbourhood will vary within different contexts with the key attributes including, but not limited to, a mix of housing options, densities that support local shops and services, public spaces such as community centres and libraries, neighbourhood commercial uses, access to healthy food, and supportive housing. Urban design is to be high quality with a human scale that creates a sense of place.

### **Section 3.2: Support Intensification**

Intensification represents 51 per cent of the targeted amount of residential growth for the urban area and may occur in a variety of forms and heights, including high-rise development. Intensification is to be directed to hubs and corridors in order to support 15-minute neighbourhoods and is encouraged on former commercial sites.

### **Section 4.5: Cultural Heritage and Archaeology**

The conservation of heritage resources is recognized as an integral component of planning and decision making for the City. To acknowledge this importance within Ottawa's cultural landscape, Owners of built heritage resources will be encouraged to enter into a heritage easement in order to provide additional protection for retention. The City will also consider relocation and reconstruction of a heritage resource and will require that potential impacts on a heritage resource will be assessed when development is proposed in close proximity.

#### Section 4.6: Urban Design

For new high-rise development, height transition is to be achieved through massing, stepping down, and setbacks and in consideration of the existing and planned context. High-rise buildings are to be composed of a well-defined base, middle and top with floorplates generally limited to 750 square metres for residential buildings. Site planning on Corridors shall generally be located to frame the street with clearly visible main entrances. Servicing and utilities are to be internalized and space should be accommodated on site for trees.

#### Section 5.1: Downtown Core Transect

Development within the Downtown Core Transect is intended to maintain and enhance the urban pattern of built form, while continuing to develop as a 15-minute neighbourhood with alternative transportation modes prioritized. The tallest buildings and greatest densities are to be located within this transect with development along Minor Corridors in this transect generally having a minimum height of two storeys and maximum height of nine storeys. Greater heights may be permitted pursuant to a Secondary Plan provided that the development achieves appropriate height transition and includes stepbacks.

#### Section 6.2: Corridors

Generally, the 'Corridor' designation applies to lands along specific streets that are planned for a higher density of development, a greater degree of mixed uses, and a higher level of transit services, and includes two sub-designations: mainstreet and minor. Along a corridor, the corridor designation may be extended to a lot on a side street to the average depth of the designation on the rest of the block. Development on Minor Corridors may be single use within residential-only or commercial-only buildings but may also include mixed-use buildings that are primarily residential with commercial uses that support the local community.

#### **Central and East Downtown Core Secondary Plan**

The subject site is located within the Centretown area of the Central and East Downtown Core Secondary Plan as detailed on Schedule A and within the Central character area of Centretown as detailed on Annex 1. The subject site is designated as both 'Corridor' and 'Local Mixed-Use' (Schedule B) and has a maximum permitted building height of nine storeys (Schedule C), except where the Landmark Building

policies allow for consideration of taller buildings. Policies applicable to the subject site are as follows:

#### Section 3.1: Built Form

Development is to contribute to an active street life through design, function, and activity. Weather protection features should be incorporated into design, where appropriate.

#### Section 3.3.2: Mobility – Development

Protected bicycle parking is to be provided for residents and visitors. New development should incorporate loading and other vehicular access into its design to minimize impacts with vehicular access not permitted from a corridor. Alternative transportation modes should be prioritized, and surface and front yard parking prohibited. Pedestrian connectivity is to be enhanced through large sites during redevelopment.

#### Section 3.4: Heritage

Development is to be consistent with the Centretown Heritage Conservation District Plan. To ensure consistency and to understand impacts, a heritage impact assessment may be required for a development application.

#### Section 4.4.4: Centretown Principles and Objectives

The principles and objectives for the Centretown area include maintaining and respecting the character of the neighbourhood, accommodating residential growth, accommodating a diverse population, reinforcing and promoting commercial activity, enhancing the public realm, prioritizing and improving walking, cycling and transit use, and promoting design excellence.

#### Section 4.4.6: Centretown Public Realm

Centretown's public realm is to be improved through the creation of new parks, POPS, and other public spaces. The creation of these new spaces can be achieved through the development approvals process, which shall include consideration of POPS that are located mid-block.

#### Section 4.4.9: Centretown Land Use and Site Development

The subject site is located within the Centretown 'Central' character area (Annex 1). For sites within the Central character area designated as 'Corridors' on streets other than

Elgin Street and Bank Street, the Minor Corridor policies of Volume 1 of the Official Plan apply. Commercial uses are encouraged and permitted within the base of apartment and office buildings, as well as within heritage houses. However, these corridors are expected to generally maintain a residential form with buildings set back from the right-of-way with landscaped front yards or restaurant patios. For sites designated as Local Mixed-Use within the Central character area, non-residential uses are to be restricted to small-scale locally-oriented commercial uses.

Within Centretown, development is permitted to deviate from the height limits and built form policies under special circumstances. This type of development – a ‘Landmark Building’ – must have frontage on three streets, provide a significant park or public institutional use, not result in a new net shadow on existing public open space, not require demolition of a designated heritage resource, and demonstrate leadership and advances in sustainable design. A Landmark Building is subject to an architectural design competition or special design review process, cannot exceed 27 storeys, and is subject to the community benefit policies of the Official Plan.

### **Other applicable policies and guidelines**

The Council-approved [Urban Design Guidelines for High-rise Buildings](#) provide a framework with which to review high-rise development. They are intended to guide review with respect to compatibility of existing and planned context, creation of human-scaled streets and public spaces, and coordination of development with transit and site services such as parking and utilities, among others.

### **Heritage**

The entirety of the site is located within the Centretown Heritage Conservation District (HCD). Development within a Heritage Conservation District, including alteration, demolition, or restoration, requires approval by Council through a Heritage Permit.

### **Special Design Review Panel**

In accordance with the Secondary Plan policies for a Landmark Building, the Zoning By-law Amendment application was subject to review by a Special Design Review Panel (SDRP). The Special Design Review Panel was comprised of four expert design professionals with experience both within Canada and internationally.

A total of three review sessions were held with the SDRP. See Document 9 for the SDRP recommendations.

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

- Integration of the Legion building at 359 Kent Street into the design of the landmark building
- Simplification of the tower expression, including removal of the crown element and singular expression on all four sides
- Reduction in the podium height to four storeys and removal of a podium canopy feature
- Improved site porosity and connectivity through a privately-owned public space

The recommended zoning provisions require another review of the proposed Landmark Building and site development by the Special Design Review Panel through the Site Plan Control application process.

## **Planning rationale**

### Official Plan

The proposed development on the subject site is consistent with the policies of the Official Plan. As an underutilized site on a Corridor within the Downtown Core Transect, the subject site is appropriate for intensification. The redevelopment of the subject site with a high-rise building supports the evolution of 15-minute neighbourhoods through the addition of housing options within an area close to existing services, amenities, and transit. The subject site is approximately 850 m from Lyon and Parliament O-Train stations and is approximately 200 m from Bank Street, which is a major bus corridor. Centretown offers many services and amenities including a grocery store within one block on Bank Street (Sections 2.2.1, 2.2.4, 3.2, 5.1 and 6.2).

Along with increasing housing options, the proposed development will further contribute to local services and amenities through on-site institutional and community uses and open space (Section 2.2.4). Pursuant to the Landmark Building policies, a significant park or institutional use must be provided and, as such, the recommended zoning provisions ensure that this will be required within the Landmark Building and within 436 MacLaren Street.

With respect to urban design (Section 4.6 and the Urban Design Guidelines for High-rise Buildings), the proposed development incorporates the key elements of a high-rise building including a well-defined podium, middle, and top. The podium is of an

appropriate height with the five-storey reconstructed Legion building at the southwest corner of the site abutting Kent Street and Gilmour Street, transitioning to a four-storey podium to the east of the site. The podium height is consistent with the context of the existing development to the east of the subject site and respects the HCD. The proposed podium on the east portion of the site and the retention of 436 and 444 MacLaren Street provide appropriate separation and transition of built form from the existing low-rise context to the north and east of the tower, and the inclusion of active entrances within the low-rise podium along Gilmour Street ensures a human scale is maintained along the street. The tower also provides appropriate separation from future development across Kent Street to the west or across Gilmour Street to the south by being located at the southwest corner of the site. The tower portion of the proposed development presently has a floorplate of approximately 850 square metres, which is larger than the typical maximum of 750 square metres. The recommended zoning identifies the general tower location and maximum height within the zoning schedule but provides flexibility to ensure final design can proceed through the subsequent Site Plan Control and Special Design Review Panel review while also ensuring the floorplate does not exceed its current proposal of 850 square metres.

The proposed redevelopment and Landmark Building are also consistent with the policies for heritage conservation (Section 4.5). The Landmark Building includes the reconstructed Legion building as the podium and the retained buildings at 436 and 444 MacLaren Street will be linked to the Landmark Building through the privately-owned public space and also through complementary uses.

#### Central and East Downtown Core Secondary Plan

The proposed development is consistent with the policies of the Central and East Downtown Core Secondary Plan, including the policies for a Landmark Building.

The proposed development will contribute to an active street along all three frontages. This will be achieved through new active entrances along Gilmour Street and through the POPS that will link both Kent Street and MacLaren Street to the new Landmark Building as well as to the uses within 436 and 444 MacLaren Street. The elimination of surface parking along Gilmour Street and in the rear of 436 MacLaren Street will prioritize pedestrians and increase porosity through the site. Impacts to pedestrians will also be reduced by integrating vehicular entry to the subject site into the design of the building at the east end of the Gilmour Street frontage (Sections 3.1, 3.3.2 and 4.4.6).



An important component of the proposed development is the retention and reconstruction of existing heritage resources. The existing heritage resources at 436 and 444 MacLaren Street are to be retained and will only be permitted for small non-residential uses that serve the local community. The existing heritage resource at 359 Kent Street is to be reconstructed and integrated into the design of the Landmark Building. Together, the integration of these three heritage resources into the overall site redevelopment respects and maintains the character of the community, while also allowing for intensification on the site (Sections 3.4 and 4.4.4). Furthermore, the built form of the proposed Landmark Building respects the community character with a four-storey red brick podium that provides height transition to the existing context east of the site along Gilmour Street.

The 27-storey height of the proposed development is appropriate as a Landmark Building within Centretown. Pursuant to Policy 4.4.9(55), the proposed development is consistent with the Landmark Building policies as follows:

- Frontage on three streets: The subject site has three frontages; Kent Street, MacLaren Street, and Gilmour Street.
  - The recommended zoning provisions ensure that frontage on three streets is maintained and required for the final step of a Site Plan Control application.
- Provision of a significant park or institutional use: The proposed Landmark Building includes the provision of institutional or community space within the reconstructed Legion building within the ground floor fronting Kent Street. Furthermore, 436 MacLaren Street will be used as either office or community centre space by a local community group. The site development also includes a POPS that links the interior ground floor institutional/community space within the Legion building to the MacLaren Street and Kent Street rights-of-way, as well as to 436 MacLaren Street.
  - It is the opinion of staff that these two indoor institutional/community spaces linked by the POPS adequately address this policy within the Centretown context. The provision of a POPS is important within the Centretown area, which is deficient in public parks. With respect to the institutional and community spaces, the Applicant has already begun discussions with both the Ward Councillor and local community groups to understand the needs of the community and how these spaces can meet

those needs. Preliminary ideas include a library kiosk within the Legion building and co-working space for local community-based organizations servicing the 2SLGBTQIA+ community within 436 MacLaren Street.

- The proposed zoning details include a Holding Symbol that ensures that these indoor and outdoor institutional and community spaces will be provided.
- No new net shadow impact on existing public open space: As per the shadow study undertaken by the Applicant, there is no net shadow impact on Dundonald Park northwest of the subject site except early in the morning before 8am and only during the summer months.
  - Staff are of the opinion that this minimal shadowing does not negatively impact the enjoyment or use of Dundonald Park.
- Retention of significant heritage resource: All three existing buildings on the subject site were identified as 'contributing buildings' within the Centretown Heritage Conservation District Plan. The buildings at 436 and 444 MacLaren Street are proposed to be retained and the Legion building at 359 Kent Street is proposed to be reconstructed and incorporated into the design of the new Landmark Building. The reconstruction of the Legion building represents further evaluation by Heritage staff and public feedback, which identified this building as being culturally significant.
  - As these heritage resources are integral to the design of the Landmark Building and the functioning of the site, the proposed zoning details include a zoning schedule and provisions that ensure the existing buildings at 436 and 444 MacLaren Street remain.
- Sustainable design and energy efficiency: Through the Official Plan Amendment and Zoning By-law Amendment process for the proposed Landmark Building, the Applicant has developed a sustainability strategy.
  - The proposed zoning details require the Site Plan agreement to include conditions specific to the various components of the Applicant's sustainability strategy.
- Special Design Review Panel review: The proposed development has been reviewed by a Special Design Review Panel three times throughout the course of

the Official Plan Amendment and Zoning By-law Amendment application processes.

- As a Site Plan Control application process will still be required, the proposed zoning details include the requirement for a Special Design Review Panel review during that process.
- Maximum height: The proposed height is 27 storeys, which is the permitted height for a Landmark Building.
  - The proposed zoning details include a zoning schedule, which clearly states the maximum permitted height applicable to the site.
  - The zoning schedule also details the required setbacks and stepbacks to ensure the final Site Plan process reflects the development as proposed through the current development applications.
- Provision of a community benefit: The proposed development will be subject to the Community Benefits Charge By-law.

### Heritage

All buildings on the subject site are considered as ‘contributing buildings’ pursuant to the Heritage Conservation District Plan, which was adopted by Council in 2022. Heritage staff have been involved through the Official Plan and Zoning By-law Amendment process for the proposed site development and Landmark Building.

An evaluation of the Legion building at 359 Kent Street conducted by Heritage staff determined that it has significant cultural heritage evaluation. With this evaluation, and through public feedback, the proposed development has evolved from the original submission where the Legion Building was proposed to be demolished, to the current proposal that includes reconstruction and integration of the Legion Building as a main feature of the Landmark Building.

As with the reconstruction of the Legion building, the retention of the buildings at 436 and 444 MacLaren Street maintains the existing character along the site’s streetfront. Furthermore, the existing building at 436 MacLaren Street is to be used for a local community group. Together with the POPS and the institutional use within the high-rise building, these MacLaren Street buildings are an integral component of the Landmark Building development. As such, the recommended zoning provisions include a zoning schedule that ensures these buildings are retained.

### Recommended Zoning Details

As detailed in the proposed zoning details, all uses on the site are prohibited unless the provisions of the Holding Symbol have been met. This serves to limit development on the site to what has been presented through the Official Plan Amendment and Zoning By-law Amendment applications. However, a change of use within the existing buildings on the site is permitted to ensure that use of the site can continue within the interim.

The recommended zoning provisions also detail site-specific setbacks, stepbacks, and heights to ensure that development is in keeping with the development proposal that has been presented through the Official Plan and Zoning By-law Amendments applications.

Finally, the Holding Symbol details the requirements for institutional or community space, a privately-owned public space, requirement for sustainability measures, and further review by a Special Design Review Panel at the time of Site Plan Control to ensure that the Landmark Building policies are met through the subsequent Site Plan Control process.

### **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 associated with this report.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Ariel Troster provided the following comments:

The Landmark building policy creates a series of challenging requirements for all parties – for the city, applicant and community. This policy creates a stringent bar – we can only wish that all large-scale development could be required to provide the same level of sustainability leadership, design excellence, sensitivity to heritage, and civic benefit that a Landmark application requires. I am extremely appreciative of the many, many hours of work that the community has put into consultation and feedback. Similarly, I also appreciate the commitment of the applicant to a multitiered consultation process, and for their willingness to collaborate on the civic aspects in particular. I truly feel this project has been enriched through these collaborative approaches. I look forward to

continuing to work with staff, the applicant, and the community through the site plan process to deliver real and tangible community benefits.

As this is the first Landmark application that has come before Planning and Housing, I hope that this represents a high level of benefit and collaborative approach for each subsequent Landmark application to attempt to clear.

### **LEGAL IMPLICATIONS**

There are no legal implications associated with implementing the report recommendation.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications.

### **ASSET MANAGEMENT IMPLICATIONS**

Servicing capacity requirements to be confirmed at time of site plan. No information provided to validate capacity

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications. In the event the applications are refused and appealed, it would be necessary to retain an external planner and an external parking expert. These expenses would be funded from within Planning Services operating budget. The proposed development will be subject to the Community Benefits Charge By-law.

### **ACCESSIBILITY IMPACTS**

The development will be required to meet the accessibility criteria as detailed within the Ontario Building Code. The Accessibility for Ontarians with Disabilities Act requirements for site design also apply and will be implemented through the subsequent Site Plan Control application and Building Permit processes.

### **ECONOMIC IMPLICATIONS**

The policies for a Landmark Building require that the development include an institutional or community use that significantly contributes to the community. Pursuant to this policy, the recommended zoning provisions require that 185 square metres within the ground floor of the high-rise building be provided for this institutional or community use. Furthermore, the recommended zoning provisions require that the existing building

at 436 MacLaren Street must be used as office space or a community centre for a local community group. Discussions between the Owner and Ward Councillor regarding specific groups or tenants have begun ideas including an Ottawa Public Library kiosk with a social enterprise café and coworking space for local community-based organizations serving the 2SLGBTQIA+ community.

## **ENVIRONMENTAL IMPLICATIONS**

As a Landmark Building, the development must demonstrate leadership and advances in sustainable design. As such, the recommended zoning provisions require that the Owner:

- complete and submit a Materials Emissions Assessment for the building structure and envelope in accordance with the CaGBC Zero Carbon Building Standard Version 2 methodology for the upfront carbon lifecycle stage;
- complete and submit a construction demolition and waste management plan;
- submit a final report summarizing the results of the construction demolition and waste management plan; and
- enroll in the Better Buildings Ottawa program for a minimum of 24 months.

The development will also be required to meet any Council-adopted development standards in effect at the time of Site Plan Control application submission.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more liveable for all.
- A city that is green and resilient
- A city with a diversified and prosperous economy

## **APPLICATION PROCESS TIMELINE STATUS**

These applications (Development Application Numbers: D01-01-21-0015 and D02-02-21-0095) were not processed by the "On Time Decision Date" established for the processing of Official Plan amendments and Zoning By-law amendments due to the required public engagement strategy and the complexity of the proposed policy and zoning amendments.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Official Plan Amendment

Document 3 Details of Recommended Zoning

Document 4 Zoning Schedule

Document 5 Consultation Details

Document 6 Site Plan Excerpt

Document 7 Civic Use Space and POPS Offering Plan (full-size held on file separately with City Clerk)

Document 8 Renderings

Document 9 Special Design Review Panel Comments (held on file separately with City Clerk)

Document 10 Sustainability Strategy (held on file separately with City Clerk)

## **CONCLUSION**

Overall, the development of a Landmark Building on the underutilized subject site represents good planning through appropriate intensification within a target area for growth. The provision of institutional and community spaces together with housing options will contribute to and support 15-minute neighbourhoods. Furthermore, the institutional and community spaces, together with the retention of existing heritage resources and provision of a privately-owned public space, will define this site as a focal point within the local community.

## **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.

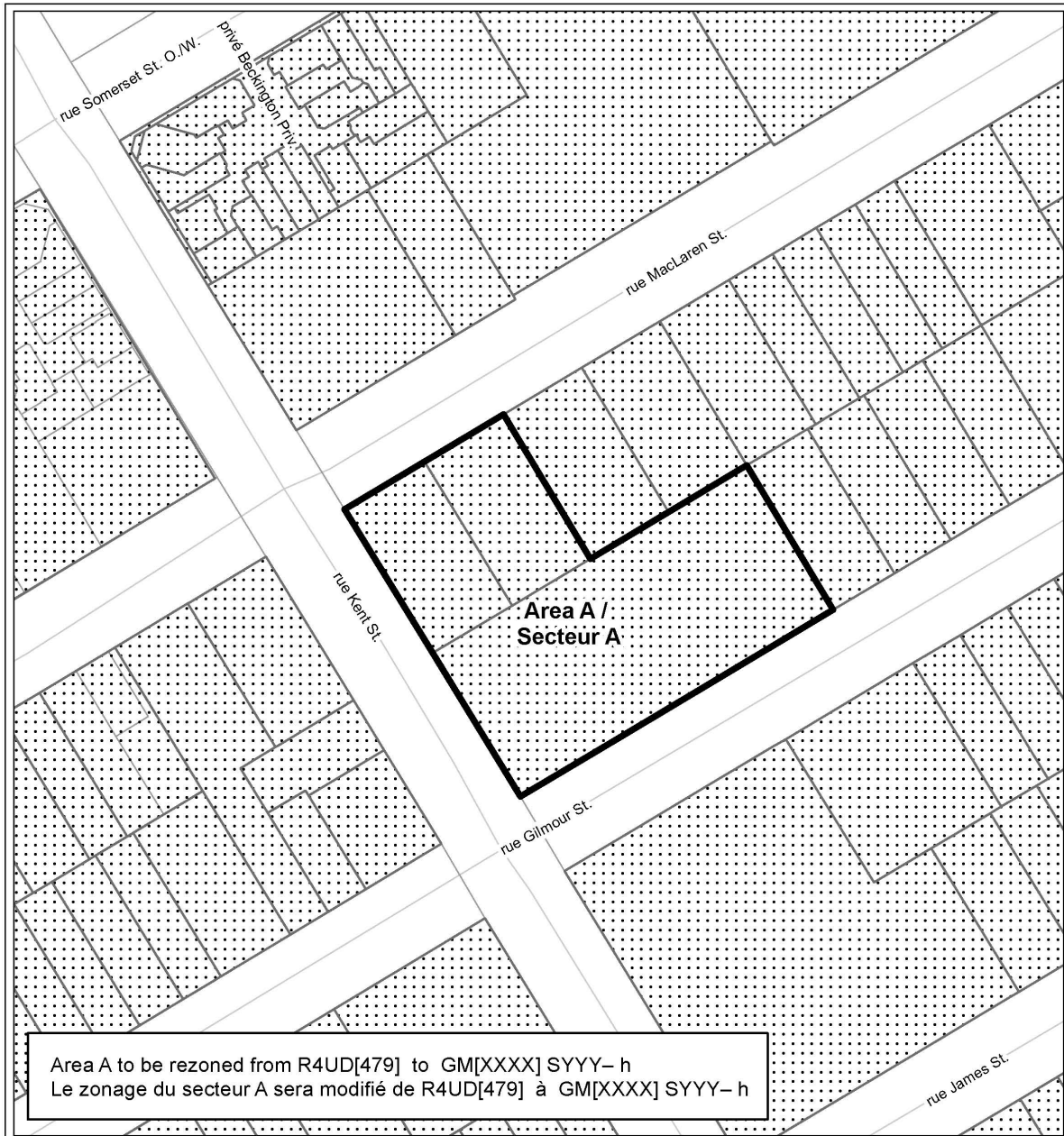
Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

*Note: A Minor correction was made to this report further to the City Clerk's Delegated Authority, as set out in Schedule C, Section 8 of Delegation of Authority By-Law 2023-67. Document 2, Part B, Section 2 of the Report corrected "Central Area Secondary Policy Plan" to the "Central and East Downtown Core Secondary Plan" prior to publication of the Final Council Agenda of January 24, 2024.*



Document 1 – Location Map



Area A to be rezoned from R4UD[479] to GM[XXXX] SYYY– h  
 Le zonage du secteur A sera modifié de R4UD[479] à GM[XXXX] SYYY– h

		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-21-0095	23-0911-X	<b>359 rue Kent Street, 436, 444 rue MacLaren Street</b>	
I:\CO\2023\Zoning\Kent_359_MacLaren_436_444..._Ver2			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission.                  THIS IS NOT A PLAN OF SURVEY</small>		Heritage (Section 60) Patrimoine (Article 60)	
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
REVISION / RÉVISION - 2023 / 10 / 04		NOT TO SCALE	

**Document 2 – Official Plan Amendment**

Official Plan Amendment XX to the

Official Plan for the

City of Ottawa

## INDEX

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### **THE STATEMENT OF COMPONENTS**

**PART A – THE PREAMBLE** introduces the actual amendment but does not constitute part of Amendment XX to the Official Plan for the City of Ottawa.

**PART B – THE AMENDMENT** constitutes Amendment XX to the Official Plan for the City of Ottawa.

### **PART A – THE PREAMBLE**

Purpose

Location

Basis

Rationale

### **PART B – THE AMENDMENT**

Introduction

Details of the Amendment

Implementation and Interpretation

## **PART A – THE PREAMBLE**

### **1. Purpose**

The purpose of this amendment is to amend the Central and East Downtown Core Secondary Plan within Volume 2A of the Official Plan to permit the development of a landmark high-rise building at 436 MacLaren Street, 444 MacLaren Street, and 359 Kent Street. The summary of proposed amendments is as follows:

Add a site-specific policy for 436 MacLaren Street, 444 MacLaren Street, and 359 Kent Street within Section 4.4.6 – Public Realm to require the provision of a privately-owned public space with a minimum area of 525 square metres for any development of a high-rise building.

- a. Add a site-specific policy for 436 MacLaren Street, 444 MacLaren Street, and 359 Kent Street within Section 4.4.9 – Land Use and Site Development to permit the development of a Landmark Building up to 27 storeys in height.

### **2. Location**

The proposed Official Plan Amendment includes changes only applicable to 436 and 444 MacLaren Street and 359 Kent Street. The subject lands are located on the east side of Kent Street between MacLaren Street to the north, Gilmour Street to the south, and 430 MacLaren Street and 437 Gilmour Street to the east.

### **3. Basis**

The amendment to the Official Plan was requested by the Applicant in order to develop a high-rise Landmark Building of 27 storeys, including underground parking, privately-owned public space, and site landscaping.

### **4. Rationale**

The proposed Official Plan amendment to the Secondary Plan represents good planning through appropriate intensification within a target area for growth. The provision of institutional and community spaces together with housing options will contribute to and support 15-minute neighbourhoods. Furthermore, the institutional and community spaces, together with the retention of existing heritage resources and provision of a privately-owned public space, will define this site as a focal point within the local community.

## **PART B – THE AMENDMENT**

### 1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment XX to the Official Plan for the City of Ottawa.

### 2. Details

The City of Ottawa Official Plan, Volume 2A, **Central and East Downtown Core Secondary Plan** is hereby amended as follows:

- 2.1 Section 4.4.6 – Public Realm is amended by adding a new policy as follows:

“Any future development of 436 MacLaren Street, 444 MacLaren Street, and 359 Kent Street with a high-rise building will include a minimum of 525 square metres of the lot area as a privately-owned public space. Approval of a site plan for such development will be required.

- 2.2 Section 4.4.9 – Land Use and Site Development is amended by adding a new policy as follows:

“In the case of the properties municipally addressed as 436 MacLaren Street, 444 MacLaren Street, and 359 Kent Street, any high-rise building development on the site shall be considered as a Landmark Building and is only permitted in accordance with the zoning provisions of the GM[XXXX] SYYY – h zone, By-law 2023-XX, or as amended.”

### 3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

### Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 359 Kent Street, 436 MacLaren Street, and 444 MacLaren Street are as follows:

1. Rezone the lands as shown on Document 1.
2. Add a new Schedule YYY to Part 17 as per Document 4.
3. Amend Section 349, Urban Exceptions, by adding a new Urban Exception XXXX as follows:
  - a. In Column II, “Applicable Zones”, add the text “GM [XXXX] SYYY – h”
  - b. In Column IV, “Exception Provisions – Land uses prohibited”, add the text “All uses except existing uses until the holding symbol is removed”.
  - c. In Column V, “Exception Provisions – Provisions”, as provisions similar in effect to the following:
    - Properties subject to Urban Exception XXXX are considered as one lot for zoning purposes.
    - Despite Section 187(1), only the following non-residential uses are permitted:
      - Artist studio
      - Community centre
      - Community health and resource centre
      - Daycare
      - Instructional facility
      - Library
      - Medical facility
      - Office
      - Personal service business
      - Restaurant
      - Retail food store
      - Retail store

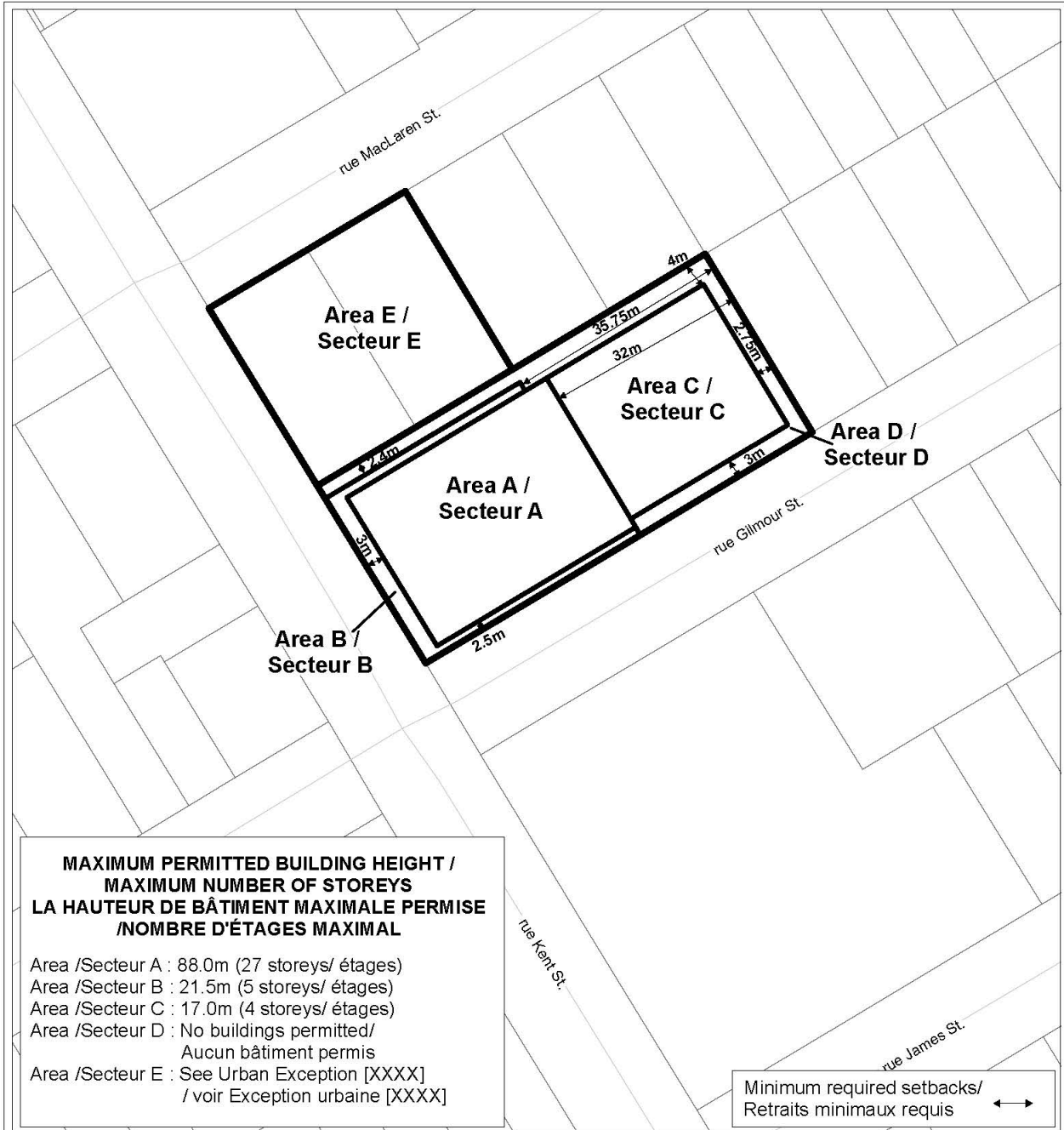
- Minimum aisle width in parking garage: 6.0 metres
- Required residential bicycle parking: Minimum of 1 space per dwelling unit.
- Despite Section 111, a bicycle parking space must have access from an aisle having a minimum width of 1.2 metres.
- Section 187(3)(g) does not apply.
- Section 187(3)(h) does not apply, but all areas not used for vehicular access or bicycle parking must be landscaped with either hard or soft landscaping.
- Surface parking is prohibited.
- Heritage Overlay provisions do not apply.
- Maximum permitted building heights and minimum setbacks are as per Schedule YYY.
- Maximum building heights of Schedule YYY do not apply to permitted projections under Section 65. Projections are permitted in accordance with Section 65.
- Despite Section 65, projections into a required setback required by Schedule YYY are not permitted above the fifth storey.
- Permitted projections listed in Section 64 are not subject to the height limits set out in Schedule YYY but shall not exceed a maximum projection above the height limit of 7.5 metres.
- Area A on Schedule YYY permits a projection above the height limit that may include indoor amenity space with associated washroom facilities with a maximum cumulative floor area of 100 square metres and a maximum projection above the height limit of 7.5 metres.
- Area C on Schedule YYY permits a projection above the height limit for an exit stair with a maximum projection above the height limit of 3.0 metres.
- For Area E on Schedule YYY, the existing buildings, municipally addressed as 436 and 444 MacLaren Street, are permitted in this location and limited to existing heights and setbacks as established as of **the date of Council approval** or as approved through a Heritage Permit.
- Within Area E on Schedule YYY, no new buildings are permitted except for an accessory building or structure in accordance with Section 55.

- The Holding Symbol does not apply to a change of use from an existing use to one permitted through Column III of Exception XXXX or Section 187(2) within any building legally existing on the site as of **the date of Council approval**.
- The Holding Symbol shall not be lifted until a Site Plan Control application is approved for 359 Kent Street, 436 MacLaren Street, and 444 MacLaren Street, including the execution of a Site Plan Agreement pursuant to Section 41 of the Planning Act, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development, and will satisfy the following:
  - Provision of a privately-owned public space with a minimum area of 525 square metres with soft and hard landscaping that links development of a building with a height of ten or more storeys to the Kent Street and MacLaren Street rights-of-way and is generally in accordance with Civic Use and POPS Offering, Drawing No. A200, prepared by Hobin Architecture, Revision 3 dated July 28, 2023 as attached to Report AC2023-PRE-PS-0123 as Document 7 – Civic Use and POPS Offering Plan.
  - The tower floorplate will be reviewed at the time of Site Plan Control and will generally be in accordance with the policies of the Official Plan and consider direction provided by the Special Design Review Panel, but in no case shall be greater than 850 square metres.
  - The development of a building with a height of ten or more storeys shall include space within the new building with a minimum gross floor area of 185 square metres, on the ground floor and along the Kent Street frontage for a non-residential use. Permitted non-residential uses within this space will be limited to community centre, community health and resource centre, daycare, library, or museum.
  - Approval of a Heritage Permit application under the *Ontario Heritage Act* to permit construction within the Heritage Conservation District, including alteration, reconstruction, and demolition, as applicable.
  - The Owner shall demonstrate that the development meets the requirements of the 2023 Tier 1 High Performance Development Standard (HPDS), and that the development is compliant with the Tier 1 energy performance requirements.



- The Site Plan Control application and applicable submission materials shall be reviewed by the Special Design Review Panel, which review shall focus on the refinement of the tower design and materiality in response to the recommendations of the Special Design Review Panel from April 14, 2023, as well as detailed design of the required privately-owned public space, institutional and civic uses, and sustainable design measures in accordance with the Landmark Building policies of the Central Area and East Downtown Core Secondary Plan.
- Inclusion of site-specific conditions within the Site Plan Agreement to address the following:
  - Prior to Final Occupancy for a building with a height of ten or more storeys, execution of a Lease Agreement for 436 MacLaren Street and/or 444 MacLaren Street for a community centre or office use, limited to a community-based organization, which tenancy shall begin within one year of execution of the Lease Agreement.
  - Registration of an unencumbered easement for public access to the required privately-owned public space.
  - Registration of an unencumbered easement with a minimum width of 2.50 metres for public access from MacLaren Street to the required privately-owned public space.
  - Completion and submission of a Materials Emissions Assessment for the building structure and envelope in accordance with the CaGBC Zero Carbon Building Standard Version 2 methodology for the upfront carbon lifecycle stage.
  - Completion and submission of a Construction Demolition and Waste Management Plan.
  - Submission of a Final Report summarizing the results of the Construction Waste Management Plan within six months of Final Occupancy.
  - Enrollment in the Better Buildings Ottawa program within three months of Final Occupancy.
  - Participation in the Better Buildings Ottawa program for a minimum of 24 months.

Document 4 – Zoning Schedule



D02-02-21-0095      23-0862-D

I:\CO\2023\ZKP\Kent\_359\_MacLaren\_436\_444\_...Schedule

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**This is Schedule XXX to Zoning By-law No. 2008-250  
Annexe XXX au Règlement de zonage n° 2008-250**

This is Attachment \_\_\_ to By-law Number \_\_\_\_\_, passed \_\_\_\_\_, 2023  
 Pièce jointe n° \_\_ du Règlement municipal n° \_\_\_\_\_, adopté le \_\_\_\_ 2023

## Document 5 – Consultation Details

### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Council-approved Public Consultation Strategy for this development. Three virtual meetings were held with each of the identified stakeholders, including the general public, Heritage Ottawa, and the Centretown Community Association.

Staff received approximately 60 public comments during the comment period. Below is a summary of the comments along with staff a staff response.

#### 1. Building Height

- Generally, comments received regarding height expressed concerns with impact on views, shadowing impacts, impact on community character and setting a precedent. Some examples of comments include:
  - Building height obstructing southern view.
  - Too high for this area and shadowing will negatively affect the ambience of the area.
  - The building height is comparable to the commercial/retail feel like Metcalfe and O'Connor. Also comparable to high rises in Toronto, which does not fit the official plan in terms of height and office/retail use.
  - Increasing building height does not fit the residential neighbourhood.
  - The height will prevent Ottawa from remaining a human scale city.
  - High buildings can cause claustrophobia, putting nearby residents at risk.
  - Taggart is asking to build 25 per cent higher than other landmark buildings and far beyond what the what the official plan allows.

#### Staff Response:

The Secondary Plan permits the development of a 27-storey Landmark Building on the subject site. Staff have reviewed the proposed development in detail and support the proposed height as the development meets the policies for development of a Landmark Building as described herein.

#### 2. Inadequate 'civic' utility or function

- The building does not contribute exceptionally to the public realm or contribute the identity of the area.
- The “public space” provided is less than an apartment, which won’t be able to accommodate any serious public use.

Staff Response:

The proposed development includes the provision of an institutional or community use within the podium, a privately-owned public space, and provision of a community use within the retained heritage resource at 436 MacLaren Street. The recommended zoning provisions require that these institutional or community uses are confirmed through the Site Plan Control process.

3. Sustainability/energy efficiency

- The height of the building cut a significant portion of sunlight which helps to keep adjacent homes warm in the winter months without excessive heating.
- What are the effects of the sun glare off the windows? Has a sun study been completed?
- They have indicated they will be replacing landscape with hard landscape patio extending around historic properties which is not more sustainable or energy efficient. It also does not indicate measures are taken for the increase in runoff.
- Energy efficiency was not discussed at all. Will this building be LEED certified?
- Are any other energy efficient technologies being used other than the grass roof?
- Mid-rise buildings can help reduce CO2 since they use less materials in their creation and therefore create less carbon in the first place. As the capital of Canada, the City of Ottawa should strive to lead the way in sustainability and carbon emissions. The current design does not do this.

Staff Response:

The Holding Symbol will require the inclusion of conditions within the Site Plan Agreement to ensure that sustainable design and construction methods are implemented.

#### 4. Greenspace and Trees

- Reducing landscaping when city aims to increase greenspace is not acceptable.
- The proposed increase to the building footprint is taking away from greenspace.
- The “common gardens” looks like it was added as an afterthought and will likely not be viewed as a public greenspace.
- The surface parking spaces behind the retained building requires a tremendous amount of asphalt for only four parking spaces. This needs to be converted to landscaped area to compliment the added density.
- An asset to the neighbourhood is greenery and trees which mix well with the low-rise buildings and houses, and this appearance will be lost with the addition of a high-rise building.
- This project will have adverse environmental affected due to the removal of healthy trees.
- The new trees proposed on site do not provide the same tree canopy and shade for pedestrians on sidewalks, or provide the same benefits for wildlife.
- The city should restrict the building to less than 27 storeys and require for existing mature trees to be maintained to mitigate the disruption of this development.
- The planters look much smaller than the trees canopies envisioned. They appear to just be decorative trees with compact spreads.

#### Staff Response:

The majority of the subject site is currently paved or hard surfaced. Through the redevelopment, a privately-owned public space will introduce additional soft landscaping on the site. The removal of surfacing parking for the MacLaren portion of the site will also introduce the opportunity for tree planting.

#### 5. Parking/Travel Modes

- Amount of parking will increase traffic in this quiet residential area
- Traffic volume will generate safety concerns.

- The building is promoting more car-oriented travel and ignoring the opportunity to reduce parking to encourage public transit or modes of active transportation.
- There is already limited parking for those who live in the area and for the guests of residents, and the developer isn't providing sufficient parking for the number of units.
- I would like to ensure that the city ensures appropriate transit services and bike lanes for the area. Developer should ensure there are sufficient bike racks for residents of the development and those who frequent the shops.
- The depressed curbs at the parking garage driveway should be continuous to give more effectively present the idea that cars need to give way to pedestrians on the sidewalk.

Staff Response:

- The site is in close proximity to transit, which supports 15-minute neighbourhoods and decreases dependency on cars. To further support active transportation, the zoning provisions require that a minimum of one bicycle parking space be provided for each dwelling unit, which exceeds the provisions of the Zoning By-law.

6. Construction/Demolition

- Concerned about the impacts of dynamite and blasting on homes in the area. Some homes are over 100 years old with heritage elements that may be compromised.
- These homes are filled with delicate heritage details such as crown molding, plaster rosettes and vintage stained glass and the developer has not taken this into account.
- Construction will disrupt the streets and residents' daily lives.
- How will blasting during excavation and demolition affect the basements of houses across Kent Street and sewer systems?
- The developer does not intend to start construction for another 5 years, do they intend to let these buildings deteriorate in the meantime?

Staff Response:

At the time of construction, the developer will be required to adhere to all regulations for blasting. Additionally, a construction traffic management plan will be required prior to construction.

## 7. Heritage Character

- Does not fit the heritage status mainly consisting of single or multi-unit homes.
- Heritage structures in the heritage district are architecturally significant and worth preserving.
- There is no assessment of how this building would complement the neighbourhood and its heritage character, including consulting with CAs, historians, councillors, and residents.
- Removing a heritage building is against the landmark building requirement number 7. Additionally, retaining the heritage buildings at 444 and 436 MacLaren appear to be a distraction from the building at 359 Kent.
- While of course there is a need for high density development, there are plentiful lots downtown that could serve this purpose without destroying the unique architectural styles and character that is slowly being lost in Ottawa.

### Staff Response:

Through the Official Plan Amendment and Zoning By-law Amendment application process, Heritage staff have worked closely with Planning staff to review the development proposal and consider input received through consultation. The existing heritage resources at 436 and 444 MacLaren Street are an important part of the community's heritage character and will be required to be retained in order to permit the development of a Landmark Building. Furthermore, the Legion building was determined to have significant cultural value and will be reconstructed and integrated into the design of the Landmark Building. The zoning schedule and zoning provisions ensure that these heritage resources are retained and reconstructed as an integral component of the Landmark Building development.

## 8. Neighbourhood Character and Building Design

- High rise is not compatible with neighbourhood and will set a precedent for develops to develop on neighbouring streets.

- Quality of life, including walkability and a sense of community, of the neighbourhood is sustained by the current low-density nature of housing.
- The context of the broader neighbourhood needs to be understood to provide an “iconic” landmark”, while it does not meet the key criteria for a landmark
- This building would detract from the close-knit community of homeowners who work hard to maintain their homes and gardens, creating a welcoming place for young families. This building would not be regarded as an improvement to the space, as it would take away privacy and negate the enjoyment of residents.
- The proposal does not respect or complement the existing character of the area, which is contemplated by section 3.4.7 of the secondary plan.
- Those living north of the prospective development will be living next to “a wall of brick”.
- A more modest building design for the site that is more aligned with the character of the Centretown community would be preferred by residents.
- Claiming this tower as “an iconic piece of architecture” is dubious as its height is the only reason it “acts as a beacon” for the community. Excessive height does not create a landmark building.
- Stripping the top three storeys off of the 359 Kent would preserve the outside of the building and integrate it along with the two MacLaren houses into a larger structure with the rest of the site in a manner that preserves the charm and aesthetic.
- Creating a building that does not fit the heritage character but creating a similar façade with building materials does not mean it fits the character.
- At the very least, development should incorporate these heritage buildings into their design to preserve this special aesthetic, as seen in multiple cases around the city.
- The proposed courtyard design is isolated, blocked-off, and with limited views of the street, posing concerns about safety. Nothing was mentioned regarding lighting or other security features.

Staff Response:



It is the opinion of staff that the proposed development complements the existing neighbourhood character through the retention of 436 and 444 MacLaren Street, the reconstruction of the Legion building at 359 Kent Street, and the inclusion of a four-storey red brick podium that transitions to the east along Gilmour Street. The current site is currently characterized by a surface parking lot along the Gilmour Street frontage; the proposed development will introduce active entrances and enliven the streetfront through pedestrian and resident activity.

#### 9. Affordable Housing

- A combination of affordable housing, more family sized units, and more climate change mitigation efforts need to be implemented.
- The talk about “real” affordability relative to the market falls short. Failing to contribute to affordable housing, proceeds should be donated towards the city’s homeless problem.
- Building luxury buildings when affordable housing is needed.

#### Staff Response:

Discussion regarding the provision of affordable housing units will be undertaken at the time of Site Plan Control.

#### 10. Comments in support

- Very nice site and building design. Especially keeping heritage house facades.
- In favour of what is recommended for the two adjacent heritage buildings on MacLaren and cleaning up the area.
- As a local resident I wanted to voice my support for the project. Anything to get more housing supply.
- More housing is a good reason to build.
- Density is better for the environment and climate change considerations.
- Let's get another 405 units of housing! I'm all for it! I applaud this brave developer proposing to make productive use of the heritage land.
- In full support of this building. Good density, great mixed used setup.

- If we want Ottawa to be more livable, affordable, denser, and more climate, immigrant, and refugee friendly, we should ask every new building proponent to double their proposed height – why NOT go to 50 or 60 storeys?
- It is a smart looking, modern building which is close to many amenities. We need more of these buildings in the core if we wish to become a greener more sustainable city.
- We need more people living in the core of the city and this is a good first step in achieving that goal.
- High-rise mixed-use buildings are exactly what we need in Ottawa to rapidly increase the supply of housing units, while also providing amenities within a reasonable distance of that housing.

Staff Response:

Comments noted.

Heritage Ottawa Comments

1. Letter dated July 11, 2022 (David Flemming)

Heritage Ottawa was pleased to have had an opportunity to meet with the proponents of this project on June 14. We also had an opportunity to view a different version at the Built Heritage Sub-Committee Meeting on June 20. Our comments are based on the version considered at the June 14 meeting.

We feel that there needs to be more consideration of whether a Landmark Building is appropriate for this location and how it would contribute to an energy-efficient or sustainable example of intensification as suggested by the Landmark policy.

We are mindful of the language in the Centretown HCD management plan which states "Landmark buildings must provide a suitable transition to ensure the conservation of the cultural heritage value not only of nearby properties but also of the heritage attributes of the District **in its entirety**." (Policy 5, in Section 9.5). It is our opinion that neither the proposal we reviewed at the meeting of June 14 nor the design tabled at the BHSC meeting meet the conditions of this policy.

It is important to note that any application for Landmark status shall be the subject of an architectural design competition and not a single design submitted by the proponent and shall be subject of "a rigorous review process."

We were disappointed that the height of the tower exceeded the 27-storeys allowed as part of the Landmark provisions of the secondary plan. We do not feel that the additional height is appropriate as a density transfer for the setbacks at the ground and podium levels.

Further, we are not convinced that this development will “ensure that new buildings are contextually appropriate and respect the cultural heritage value of the designated place” as stated in the Landmark Buildings section of the Centretown and Minto Park HCD Plan (p.41).

If approved, this building would be the tallest in Centretown and would not be consistent with the Secondary Plan sections on Landmark Buildings (Sec. 3.9.5.5) which states that Landmark Buildings “will not set precedents for other development.” We fear that such a massive building in this location would lead to other excessively high developments in this section of Centretown.

Apart from the above, we feel that the treatment approach for the two heritage properties on MacLaren Street, especially the interface of these buildings with the podiomed tower, is adequate to meet the standards noted in the Cultural Heritage Impact Statement.

Heritage Ottawa does not support either of the proposed designs for a Landmark Building on this site for the reasons noted above but look forward to participating in any subsequent planning for a new construction on this property.

#### Staff Response

Through the development application process, the proposed development has evolved to be consistent with the Landmark Building policies, including a maximum height of 27 storeys. The development has been reviewed by the Special Design Review Panel, which have provided comments related to the integration of the Legion building and simplification of the tower design. Staff are of the opinion that the design is appropriate as a Landmark Building within the Centretown context and the recommended zoning provisions ensure that the detailed design will be further reviewed by the Special Design Review Panel through the Site Plan Control process.

#### Centretown Community Organization Comments and Responses

1. Letter dated July 19, 2022 (Mary Huang)

The developer has stated the proposed 34-storey building at 359 Kent is a work-in-progress and will be revised. However, the developer has made a formal application and the City has requested comment. The Centretown Community

Association (CCA) wishes to respond to the building the developer currently is proposing.

The proposed design has merits. It retains the two beautiful Victorian brick houses and space for mature trees along MacLaren. It attempts to provide an interesting ground-level experience for passersby.

However, the Centretown Community Association has major concerns. The 34-storey building is far too high for this location. As well, the proposed building fails to qualify as a landmark building under the city's Landmark Buildings Policy.

The site is zoned R4. The developer proposes to go to nine times the zoning height. Such height is incompatible with the surrounding neighbourhood. The streets surrounding this site have magnificent brick heritage houses, with a smattering of low-rise and mid-rise office and residential buildings.

The proposed building is NOT a landmark building. It fails to meet the most significant criteria of the Landmark Buildings Policy.

The policy states a landmark building shall have "iconic" architecture. The proposed building is ordinary. The tower is a rectangular block of balconies.

In the documentation supporting the application, the developer says this skyscraper tower will be a "beacon" for the city, visible from a great distance and dominating its skyline. Yet this tower is ordinary, even unsightly.

The policy states a landmark building is required to "demonstrate leadership and advances in sustainable design and energy efficiency." The developer, to this date, has made no proposal to meet this requirement. Given this strong and clearly stated requirement of the policy, we are surprised the developer has submitted a formal application silent on this matter.

The Landmark Buildings Policy sets a height cap of 27 storeys. The developer proposes 34 storeys. To so massively exceed the permitted height sets a precedent — that there is no height cap. The policy's height cap is eliminated. The developer must respect the cap.

The Landmark Buildings Policy requires the developer to include elements to address "cultural or community" needs. Ottawa faces a huge affordable-housing problem and the city has declared a housing emergency. In a public meeting, the developer's team said consideration will be given to including a substantial portion of affordable housing. We encourage the developer in this effort. The proposal must include affordable housing.

The proposed building fails to meet the most profound requirements of the Landmark Buildings Policy. The CCA opposes the proposal.

2. Letter dated April 18, 2023 (Mary Huang)

The Centretown Community Association (CCA) recently received a presentation by Taggart's team on the newest design proposal for 359 Kent.

The design has merits. It retains the two beautiful Victorian brick houses and space for mature trees along MacLaren. It attempts to provide an interesting ground-level experience for passersby. As well, Taggart is paying attention to the imperative that the building provide "leadership" in sustainable design and energy efficiency.

However, the Centretown Community Association opposes the development. The 30-storey building is far too high for this location. As well, the proposed building fails to qualify as a landmark building under the city's Landmark Buildings Policy.

The site is zoned R4. The developer proposes to go to almost eight times the zoning height. Such height is incompatible with the surrounding neighbourhood. The streets surrounding this site have magnificent brick heritage houses, with a smattering of low-rise and mid-rise office and residential buildings.

The proposed building is NOT a landmark building. It fails to meet the most significant criteria of the Landmark Buildings Policy.

The policy states a landmark building shall have "iconic" architecture. Both the pedestal and tower of this design are conventional and ordinary. The tower is a block with balconies and glass. We are unable to see what is "iconic" about this design.

We would point out that unique and visually interesting design is being built elsewhere in Ottawa. Look at the tower now under construction at 400 Albert, of similar height to what is being proposed. With its curving walls, ample setbacks, unique facade, and elegant pedestal, this design is far more "iconic"— even though it is not governed by the Landmark Buildings Policy. Iconic design is attainable; it is being created right here in Ottawa right now. But not in this proposal.

The policy states a landmark building is required to "demonstrate leadership and advances in sustainable design and energy efficiency." We are pleased Taggart now is addressing this requirement. The Taggart team has presented a smattering of interesting ideas. However, this requirement is the foundation of the policy; the developer must make a powerful commitment to meeting a specific standard, such as net-zero.

The development could make a greater contribution to sustainability. We encourage the developer to plant more large trees, with ample space for roots, near MacLaren and along Gilmour.

The developer states 26 trees will be removed. Given this large reduction in the urban canopy, we encourage the developer to reinstate a comparable canopy by planting twice as many trees. They can be planted on the site, and at nearby locations to be determined in collaboration with the City's Urban Forestry Unit and the CCA's NeighbourWoods team.

The landscape plan shows much hardscape: concrete, pavement, pavers. As much as possible, permeable cover should be utilized, to minimize the building's contribution to the heat-island effect.

Why a fake waterfall? Why not a real one?

The Landmark Buildings Policy sets a height cap of 27 storeys. The developer proposes 30 storeys. Exceeding the permitted height sets a precedent — that there is no height cap. The policy's height cap is eliminated. The developer should be required to respect the cap.

The Landmark Buildings Policy requires the developer include elements to address cultural or community needs. Ottawa faces a huge affordable-housing shortage and the city has declared a housing emergency. The developer's team said consideration will be given to including a substantial portion of affordable housing. We encourage the developer in this effort. The proposal must include affordable housing.

The CCA opposes the proposal. Thank you for considering our comments.

Sincerely,

Mary Huang

President,

Centretown Community Association

c.c. Ariel Troster, Councillor, Somerset Ward,

Joel Harden, MPP, Ottawa Centre

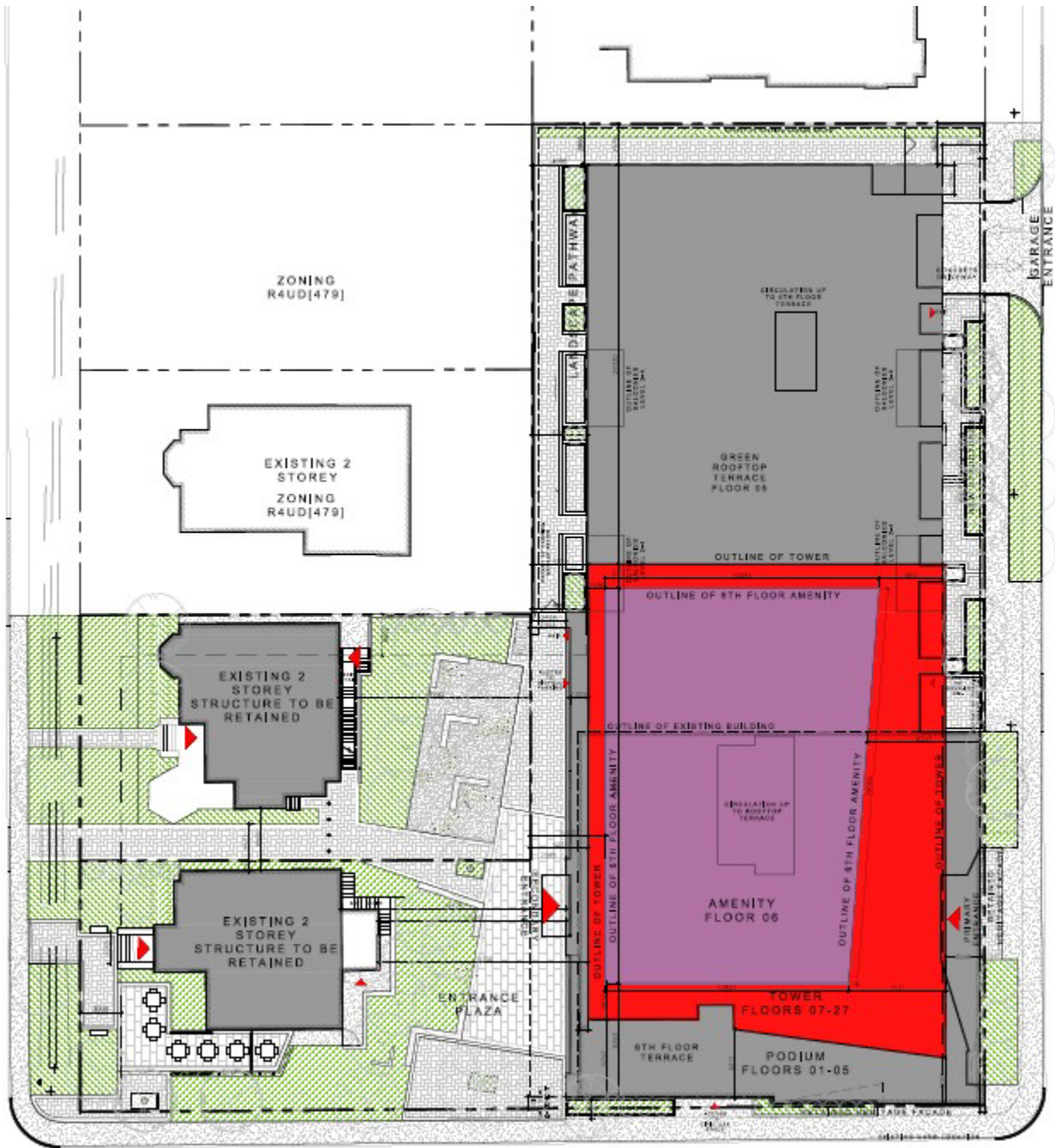
Yasir Naqvi, MP, Ottawa Centre

Kyle Kazda, Development Manager, Taggart Realty Management

Staff Response

Through the development application process, the proposed development has evolved to be consistent with the Landmark Building policies, including a maximum height of 27 storeys. The development has been reviewed by the Special Design Review Panel, which have provided comments related to the integration of the Legion building and simplification of the tower design. Staff are of the opinion that the design is appropriate as a Landmark Building within the Centretown context and the recommended zoning provisions ensure that the detailed design will be further reviewed by the Special Design Review Panel through the Site Plan Control process. The Site Plan Control process will also allow for detailed review for the provision of affordable housing and how tree-planting can be incorporated.

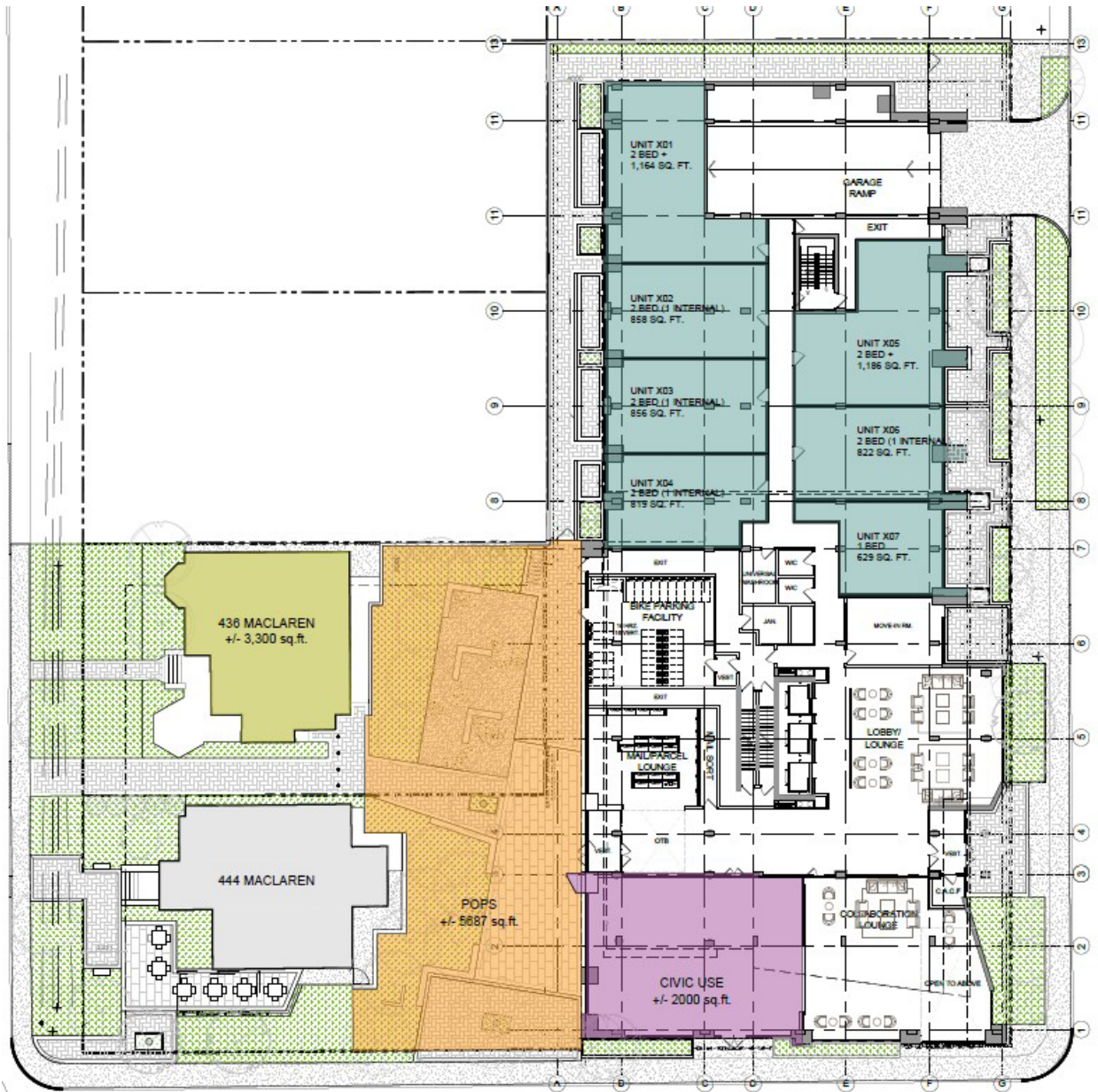
Document 6 – Site Plan Excerpt





### Document 7 – Civic Use Space and POPS Offering Plan

Note: Full-size Civic Use Space and POPS Offering Plan is held on file separately with City Clerk



Document 8 – Renderings





