

November 6, 2024

This document is presented in the language it was provided.  
Ce document est présenté dans la langue dans laquelle il a été fourni.

Committee of Adjustment  
City of Ottawa  
101 Centrepointe Drive  
Ottawa, ON K2G 5K7

**Attention: Michel Bellemare, Secretary-Treasurer**

**Reference: 2 Leikin Drive, 20 Leikin Drive, 99 Bill Leathem Drive  
Minor Variance Application  
Novatech File: 124123**

**Committee of Adjustment**  
Received | Reçu le

2024-11-08

City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Novatech has been retained by Medusa General Partner Inc., the owner of 2 Leikin Drive, 20 Leikin Drive and 99 Bill Leathem Drive (together the Subject Site), to prepare this letter in support of a minor variance application to facilitate the development of 290,999.58 m<sup>2</sup> light industrial building on the Subject Site. Accordingly, please find enclosed:

- Completed application form.
- An email from the Planning Forester dated November 4, 2024 confirming a TIR is not required
- Survey Plan by AOV dated August 9, 2024.
- The full architectural package / Urban Design Brief by GKC Architects dated October 30, 2024 that was filed with the concurrent Site Plan Control application (D07-12-24-0139, deemed complete October 31, 2024) to provide context. It also includes the Site Plan.
- Elevations and a Section by GKC Architects dated October 30, 2024.
- An email from City staff dated October 28, 2024 confirming how the building height should be measured.

**One minor variance is required, to increase the maximum building height from the required 22 metres (Table 204E (v) in Zoning By-law 2008-250) to 29.5 metres.**

It is requested that any approval include the standard wording below to allow some flexibility as the development goes through Site Plan approval:

*This application is granted subject to "the size and location of the proposed construction being in accordance with the plans filed, as they relate to the variance(s) sought".*

### **Existing Conditions**

The Subject Site comprises three parcels totalling 30.58 ha as set out below. The unopened sections of Bill Leathem Drive and Paragon Avenue still show on the plan at Figure 1 below, although they have been incorporated into the Subject Site. A PIN consolidation of the parcels below will be undertaken.

Municipal Address	Area	Legal Description
2 Leikin Drive	11.05 ha	PART OF LOTS 18 AND 19 CONCESSION 1, RF, NEPEAN CITY OF OTTAWA
20 Leikin Drive	10.18 ha	CONSOLIDATION OF VARIOUS PROPERTIES PT LTS 18 & 19 CON 1 RF, PT 3 4R-8388 AND PTS 7, 8 & 9 4R-8276, S/T N311767, NEPEAN
99 Bill Leathem Drive	7.25 ha	PART OF LOTS 18 AND 19 CONCESSION 1 RF, PART 5 PLAN 4R8388 AND PARTS 4, 5 AND 6 PLAN 4R8276, EXCEPT PART 4 PLAN 4R8388, AND EXCEPT PARTS 5, 6 AND 7 PLAN 4R23595, NEPEAN. S/T N311767 CITY OF OTTAWA
<i>Former unopened roads</i>	<i>2.10 ha</i>	<i>FIRSTLY: PART OF LOT 19, CONCESSION 1, NEPEAN (RIDEAU FRONT), PART 13 ON PLAN 4R-9089 SAVE AND EXCEPT PART 3 ON PLAN 4R-11133 AND SAVE AND EXCEPT PART 4 ON PLAN 4R-23595; SECONDLY: PART OF LOT 19, CONCESSION 1, NEPEAN (RIDEAU FRONT), PART 25 ON PLAN 4R-9089 SAVE AND EXCEPT PARAGON AVENUE ON PLAN 4M-1354; <b>SUBJECT TO AN EASEMENT OVER PART 1 ON PLAN 4R33538 AS IN OC2334579 CITY OF OTTAWA</b></i>
<b>TOTAL</b>	<b>30.58 ha</b>	

The easement highlighted in bold above is for the sanitary sewer that runs through the Subject Site. This will be relocated and is subject to ongoing discussion with City staff. A Hydro line will also be re-located and is subject to ongoing discussion with Hydro Ottawa. There is no formal easement for this. Neither of these are relevant to the minor variance application.

Surrounding land uses are as follows:

To the **north** and **west** is the Federally owned National Capital Greenbelt. The Greenbelt land to the north is zoned Agricultural (AG) and the Greenbelt land to the west is zoned Rural Countryside (RU). Both are currently farmed. Directly to the **north** and cut out from the Greenbelt is 2852 Merivale Road, a small parcel which appears to be used as a small depot for landscape supplies and is zoned Light Industrial with an exception (II [1873]). To the **south** and **east** are lots in the same business park, including a furniture store at 2 Bill Leathem Drive, an Enbridge Gas and Canada Post Depot at 90 Bill Leathem Drive and a three-storey office building at 61 Bill Leathem Drive. Further to the **east** is a large building that is occupied by the Royal Canadian Mounted Police (RCMP) National Headquarters, large residential lots and the Rideau River. Further to the **south** is Barrhaven Creek and the Davidson Heights Community, an urban residential neighbourhood developed approximately 20 years ago.

## Proposal

A 290,999.58 m<sup>2</sup> light industrial building is proposed, with associated loading bays, parking and stormwater management facilities. The five storey building has a footprint of 60,701.92 m<sup>2</sup>. Levels two through five are allocated for operational facilities, while the ground floor houses 1,553.3 m<sup>2</sup> of office space.

The development includes 59 loading docks for non-refrigerated trailers and a fenced truck yard accommodating 482 trailers, for a combined capacity of 541. A total of 1,185 car parking spaces and 291 bike racks are provided. Access for cyclists connects Leikin Drive and Paragon Avenue to the facility's main entrance. Pedestrian access is routed through a traffic circle on Bill Leathem Drive, Paragon Avenue, and Longfields Drive.

Confirmation of the correct way to measure the maximum building height was provided by the City Zoning Plan Examiner. This was summarized in an email dated October 28, 2024, enclosed and excerpted below:

*"I've confirmed with my colleagues that the building height would be measured the average grade to the top of the roof membrane. The parapet, as shown on the plans, and the stairway penthouse would be considered permitted projects above the building height."*



Figure 1: Subject Site and Surrounding Area

## Rationale

The minor variances meet the four tests for minor variances under Section 45(1) of the *Planning Act* which are:

1. The general intent and purpose of the Official Plan must be maintained;
2. The general intent and purpose of the Zoning By-law must be maintained;
3. The variance must be desirable in the opinion of the Committee for the appropriate development of the land, building, or structure; and
4. The variance must be a minor variance from the provisions of the Zoning By-law;

***The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.***

Pursuant to Schedule B6 - Suburban (Southwest) Transect, the Subject Site is designated Mixed Industrial. Section 6.5 sets out the intent for neighbourhoods:

*Mixed Industrial areas are clusters of economic activity that are less impactful and provide a broader range of non-residential uses than Industrial areas. These areas can provide a transition between Industrial and Logistics areas and Neighbourhoods, Hubs or Corridors, and provide a supply of land for non-residential sensitive uses and smaller-scale light industrial and commercial uses. This designation corresponds to the office activities within employment areas as defined within the Provincial Policy Statement. Where applicable, these areas can contribute to 15-minute neighbourhoods through the location of neighbourhood-based uses.*

*Mixed Industrial areas are characterized by a broad mix of uses including small-scale office, light industrial, wholesale, small contractors, small-scale commercial service uses and non-residential sensitive uses such as places of worship, indoor recreational uses and stand-alone licensed care centres that would otherwise not be permitted on lands designated Industrial and Logistics. Because the primary uses are not considered a nuisance or have high impacts, these areas can diversify more than Industrial and Logistics areas and can blend more into surrounding neighbourhoods.*

The proposed minor variance facilitates a development that is consistent with the designation, as it is a less impactful light industrial use. On the pre-application consultation feedback form, the file lead Krishon Walker confirmed consistency with the Official Plan:

*“The Mixed Industrial designation preamble makes note of smaller-scale light industrial, however further review of the OP policy suggests that light industrial may be permitted regardless of scale.”*

The minor variances allow the Subject Site to develop as per the submitted Site Plan which conforms with the City of Ottawa Official Plan. The minor variances maintain the general intent and purpose of the Official Plan.

***The second test for a minor variance is that the general intent and purpose of the Zoning By-law maintained.***

The subject site is currently zoned Light Industrial subzone 9 with an exception (IL9 [2707]). The purpose of the zone is to:

*(1) permit a wide range of low impact light industrial uses, as well as office and office-type uses in a campus-like industrial park setting, in accordance with the Employment Area designation of the Official Plan or, the General Urban Area designation where applicable;*

*(2) allow in certain Employment Areas or General Urban Areas, a variety of complementary uses such as recreational, health and fitness uses and service commercial (e.g. convenience store, personal service business, restaurant, automobile service station and gas bar), occupying small sites on individual pads or in groupings as part of a small plaza, to serve the employees of the Employment or General Urban Area, the general public in the immediate vicinity, and passing traffic;*

The requested minor variance facilitates the development of a light industrial building, which is a permitted use under the IL9 zoning. The 22 m maximum building height is a legacy of the former Industrial Business Campus Zone in the City of Nepean Zoning By-law 100-2000, which pre-dates amalgamation. The draft 2025 Zoning By-law retains the 22 m maximum building height on the Subject Site.

The proposed height reflects the need for the building's operations to be arranged over five levels, an increasingly necessary and common layout quite different from traditional version of these buildings which are on one level.

The increased building height will have a minimal impact on the surrounding properties, which are light industrial and office uses, along with the Greenbelt to the north. The closest residential dwelling is 200 metres to the east. The enclosed shadow analysis confirms that on March 20 and September 22 shadow does not leave the Subject Site before 4pm and by 5.30pm only a portion of the vacant properties within the business park to the southeast are affected.

To visually reduce its scale, the building's facade incorporates vertical projections for stairwells and elevators. Sand and light gray cladding combined with zinc gray vertical accents provide a modern aesthetic that lightens the building's visual mass.

The proposed development meets all other zoning provisions. The minor variance meets the general intent and purpose of the Zoning By-law 2008-250.

***The third test for a minor variance is that the minor variance is considered desirable for the use of the property.***

An increased building height is desirable for the use of the property. The taller building height is an operational requirement of a building of this size (footprint 60,701.92 m<sup>2</sup>, floor area 290,999.58 m<sup>2</sup>). The building's operations need to be arranged over five levels, an increasingly necessary and common layout quite different from traditional version of these buildings which are on one level. Arranging the necessary floor area on one level would result in a building with a prohibitively large footprint.

***The fourth test for a minor variance is that the variance is considered minor in nature.***

Except for the requested minor variance, the proposal complies with all provisions of the Zoning By-Law. The proposed increase in the building height to 29.5 m has a minor impact due to the location of the Subject Site in a business park away from residential uses and the location of the building itself on a large parcel, which allows for generous setbacks (the smallest setback is the setback to Paragon Avenue which is 32.72 m).

The requested variance is considered minor in nature.

**Conclusion**

The proposed development maintains the general intent and purpose of the City of Ottawa Official Plan and Zoning By-law 2008-250. The requested variance is considered desirable for the use of the land and is minor in nature. The proposed development represents good land use planning.

Sincerely,

**NOVATECH**



James Ireland, MCIP, RPP  
Project Manager