

**3. Modification to Official Plan Amendment No.136, regarding Minimum Building Heights in Kanata Town Centre**

**Changement à la modification du Plan officiel no 136 concernant la hauteur minimale des bâtiments au centre-ville de Kanata**

**Committee recommendation**

**That Council approve a modification to Official Plan Amendment N<sup>o</sup> 136, to be approved by the Local Planning Appeal Tribunal, as attached as Document 1.**

**Recommandation du Comité**

**Que le Conseil municipal approuve un changement à la modification du Plan officiel n<sup>o</sup> 136, laquelle doit être approuvée par le Tribunal d'appel de l'aménagement local, comme indiqué dans le document 1 ci-joint.**

**Documentation/Documentation**

1. Director's report, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development Department, dated March 16, 2020 (ACS2020-PIE-EDP-0006)

Rapport du Directeur, Développement économique et planification à long terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté 16 mars 2020 (ACS2020-PIE-EDP-0006)

2. Extract of draft Minutes, Planning Committee, April 9, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 9 avril 2020

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
9 April 2020 / 9 avril 2020**

**and Council  
et au Conseil  
22 April 2020 / 22 avril 2020**

**Submitted on March 16, 2020  
Soumis le 16 mars 2020**

**Submitted by  
Soumis par:**

**Don Herweyer  
Director / directeur**

**Economic Development and Long Range Planning / Développement économique  
et planification à long terme**

**Contact Person  
Personne ressource:**

**Taavi Siitam, Planner / Urbaniste, Community Planning / Planification  
Communautaire**

**613-580-2424, 27788, Taavi.Siitam@ottawa.ca**

**Ward: KANATA NORTH (4) / KANATA  
NORD (4) KANATA SOUTH (23) /  
KANATA-SUD (23)**

**File Number: ACS2020-PIE-EDP-0006**

**SUBJECT: Modification to Official Plan Amendment No.136, regarding Minimum  
Building Heights in Kanata Town Centre**

**OBJET: Changement à la modification du Plan officiel n° 136 concernant la  
hauteur minimale des bâtiments au centre-ville de Kanata**

## REPORT RECOMMENDATIONS

**That Planning Committee recommend that Council approve a modification to Official Plan Amendment No. 136, to be approved by the Local Planning Appeal Tribunal, as attached as Document 1.**

## RECOMMANDATIONS DU RAPPORT

**Que le Comité de l'urbanisme recommande au Conseil municipal d'approuver un changement à la modification du Plan officiel n° 136, laquelle doit être approuvée par le Tribunal d'appel de l'aménagement local, comme indiqué dans le document 1 ci-joint.**

## BACKGROUND

On September 10, 2014, Council adopted Official Plan amendment (OPA) 136 which amends the Kanata Town Centre Secondary Plan to implement the policies of OPA 150, as they relate to the Kanata Town Centre Building Heights. Following its adoption, OPA 136, Section 5.7.5.9, 2.f.i.(a) was appealed by Richcraft Homes regarding their property at 143 Didsbury Road.

One of the policies that was introduced in OPA 136 stated "A minimum building height of three storeys is required". This requirement can be found in Section 5.7.5.9 Maximum Building Heights, sub-sections 2.a.i, 2.b.i, 2.c.i, 2.d.i, 2.e.i, and 2.f.i.(a). The policy was formed on the basis of OPA 150 which required a "minimum of four storeys for residential and office development". However, a lesser height of three storeys was selected through the Secondary Plan study process. Richcraft Homes is opposed to the OPA 136 policy, 2.f.i.(a) because it requires minimum building height irrespective of use.

The Richcraft Homes appeal is presently before the Local Planning Appeal Tribunal. Its resolution has been delayed pending the results of the appeals to OPA 150. Now that appeals to OPA 150 have been resolved, this report can advance the resolution of this subject OPA 136 appeal.

## DISCUSSION

This report recommends that the policies requiring a minimum building height of three storeys within OPA 136 be modified to require a minimum building of three storeys for residential and office uses only. The amendment would modify OPA Section 5.7.5.9 Maximum Building Heights, Policies 2.a.i, 2.c.i, 2.d.i, 2.e.i, and 2.f.i.a by replacing the

text “minimum building height of three storeys is required” with the text “a minimum of three storeys is required for residential and office development”.

Planning staff does not believe that this modification will impact the long-term goals of this site and the area in order to provide intensification that will support future public transit, rather the modification could provide some additional commercial flexibility. If approved, the modification would be submitted to the Local Planning Appeal Tribunal where, if accepted, it would resolve the appeal by Richcraft Homes.

Office and residential uses are the main drivers of employment and density; therefore, it is important to ensure these uses are developed in the area at a transit-supportive level. Permitting one- or two- storeys of residential or office uses over this area could undermine the ability to sustain transit. Hence, maintaining the minimum building is of importance for those uses. Conversely, requiring commercial or retail uses, which are a lesser density, to develop at a minimum building height, for example three or more storeys, would not result in the desired density outcome.

Further, by making the modification other commercial or retail uses, such as a restaurant, will not be restricted to service the area and allow businesses to grow and respond to market demands. If the policy remained as previously approved, it would require a developer to undertake a development that included residential or office uses at a time when there may not be demand for such development. This could potentially undermine the financial feasibility of a commercial enterprise.

The modification of the policy would not impact the broader goal and direction of intensification in the area. Landholders would still need to meet Official Plan density targets over the area. In the interim, the modified policy would allow for flexibility in built form and to respond to the market needs until demand for higher and better uses emerge.

Staff recommend that the Official Plan amendment, attached as Document 1 to this report, be approved.

## **RURAL IMPLICATIONS**

These policies do not impact rural land.

## **CONSULTATION**

The public was notified of this proposed amendment in accordance with the City's procedures. The Appellant(s) to OPA 136 who originally appealed this policy requirement were also notified of the amendment.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor Sudds is aware of this report.

## **LEGAL IMPLICATIONS**

There are no legal impediments to the adoption of the recommendation in this report. Should the report be adopted, Legal Services will submit the language to the Local Planning Appeal Tribunal for approval.

## **RISK MANAGEMENT IMPLICATIONS**

No risks have been identified as being associated with this policy change.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental impacts associated with this report.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic growth and diversification
- Integrated transportation

**SUPPORTING DOCUMENTATION**

Document 1 – Proposed Word Modification to OPA 136

**DISPOSITION**

Legal Services will bring the adopted amendment to OPA 136 to the Local Planning Tribunal for approval.

**Document 1**

Modify Section 5.7.5.9 Maximum Building Heights, Policies 2.a.i, 2.c.i, 2.d.i, 2.e.i, and 2.f.i.a by replacing the text “minimum building height of three storeys is required” with the text “a minimum of three storeys is required for residential and office development”.