

**SITE PLAN CONTROL APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW, SOUTH**

Site Location: 1545 Bank Street

File No.: D07-12-18-0159

Date of Application: December 06, 2018

This SITE PLAN CONTROL application submitted by Novatech Consulting, on behalf of FES Group, is APPROVED as shown on the following plan(s):

1. **Site Plan**, 1545 Bank Street, Plan SP-01, prepared by Chmiel architects, dated 18-10-18, revision 10, dated 19-11-06.
2. **Level P1 Floor Plan**, 1545 Bank Street, Plan A100-1, prepared by Chmiel architects, revision 7, dated 19-08-26.
3. **Level P2 Floor Plan**, 1545 Bank Street, Plan A100-2, prepared by Chmiel architects, revision 7, dated 19-08-26.
4. **West Elevation**, 1545 Bank Street, Plan A200 prepared by Chmiel architects, dated 18-10-18, revision 5, dated 19-10-11.
5. **South Elevation**, 1545 Bank Street, Plan A201 prepared by Chmiel architects, dated 18-10-18, revision 5, dated 19-10-11.
6. **East Elevation**, 1545 Bank Street, Plan A202 prepared by Chmiel architects, dated 18-10-18, revision 5, dated 19-10-11.
7. **North-East Elevation (Rear Elevation 1)**, 1545 Bank Street, Plan A203 prepared by Chmiel architects, dated 18-10-18, revision 5, dated 19-10-11.
8. **North-East Elevation (Rear Elevation 2)**, 1545 Bank Street, Plan A204 prepared by Chmiel architects, dated 18-10-18, revision 6, dated 19-10-11.
9. **North Elevation (Side Elevation)**, 1545 Bank Street, Plan A205 prepared by Chmiel architects, dated 18-10-18, revision 5, dated 19-10-11.
10. **Landscape Plan**, 1545 Bank Street, Plan L.1, prepared by James B Lennox & Associates Inc., dated September 2018, revision 6, dated 10/30/2019.
11. **Grading and Erosion Control Plan**, 1545 Bank Street, No. 118019-GR, Prepared by Novatech, dated Oct 18/18, revision 7, dated Nov. 5/19.
12. **General Plan of Services**, 1545 Bank Street, No. 118019-GP, Prepared by Novatech, dated Oct 19/18, revision 5, dated Nov. 5/19.
13. **Storm Drainage Area Plan**, 1545 Bank Street, No. 118019-STM, Prepared by Novatech, dated Oct 19/18, revision 2, dated May 29/19.

And as detailed in the following report(s):

1. **Stationary Noise Feasibility Assessment**, 1545 Bank St., prepared by GradientWind, dated May 8, 2019.
2. **Traffic Noise Assessment**, 1545 Bank St., prepared by GradientWind, dated October 25, 2018.
3. **Transportation Impact Assessment**, 1545 Bank St., prepared by Novatech, dated November 19, 2018.
4. **Site Servicing and Stormwater Management Design Brief**, 1545 Bank St., prepared by Novatech, dated October 19, 2018.
5. **Geotechnical Investigation**, 1545 Bank St., prepared by patersongroup, dated July 25, 2018.
6. **Phase I – Environmental Site Assessment**, 1545 Bank St., prepared by patersongroup, dated July 20, 2018.
7. **Phase II – Environmental Site Assessment**, 1545 Bank St., prepared by patersongroup, dated August 27, 2018.

Requirements

1. The Owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than five million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

General Conditions

1. Agreement

The Owner shall enter into a standard site development agreement consisting of the following conditions. In the event the Owner fails to enter into such agreement within one year, this approval shall lapse.

2. Execution of Agreement Within One Year

The Owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event that the Owner fails to sign this Agreement and complete the conditions to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the approval shall lapse.

3. Permits

The Owner shall obtain such permits as may be required from municipal or provincial authorities and shall file copies thereof with the General Manager, Planning, Infrastructure and Economic Development.

4. **Barrier Curbs**

The Owner acknowledges and agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with the drawings of a design professional, such drawings to be approved by the General Manager, Planning, Infrastructure and Economic Development.

5. **Water Supply For Fire Fighting**

The Owner shall provide adequate water supply for fire fighting for every building. Water supplies may be provided from a public water works system, automatic fire pumps, pressure tanks or gravity tanks.

6. **Reinstatement of City Property**

The Owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, any property of the City, including, but not limited to, sidewalks, curbs and boulevards, which is damaged as a result of the subject development.

7. **Construction Fencing**

The Owner acknowledges and agrees to install construction fencing, at its expense, in such a location as may be determined by the General Manager, Planning, Infrastructure and Economic Development.

8. **Construct Sidewalks**

The Owner shall design and construct sidewalk(s) within public rights-of-way or on other City owned lands to provide a pedestrian connection from or to the site as may be determined by the General Manager, Planning, Infrastructure and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

9. **Extend Internal Walkway**

The Owner shall extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the Owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

10. **Maintenance and Liability Agreement**

The Owner shall be required to enter into a maintenance and liability agreement for all plant and landscaping material placed in the City right-of-way and the Owner shall assume all maintenance and replacement responsibilities in perpetuity.

11. **Completion of Works**

The Owner acknowledges and agrees that no building or no new building (if existing building on site that is to be occupied during construction) shall be occupied on the lands, nor will the Owner convey title to any building until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, conveyance and/or occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, the aforesaid

Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development for such conveyance and/or occupancy in writing.

12. **Development Charges**

The Owner shall pay development charges to the City in accordance with the by-laws of the City.

13. **Snow Storage**

Any portion of the lands which is intended to be used for snow storage shall be shown on the approved Site Plan or as otherwise approved by the General Manager, Planning, Infrastructure and Economic Development Department. The grading and drainage patterns and/or servicing of the site shall not be compromised by the storage of snow. Snow storage areas shall be setback from property lines, foundations, fencing or landscaping a minimum of 1.5 metres. Snow storage areas shall not occupy driveways, aisles, required parking spaces or any portion of a road allowance.

14. **Exterior Lighting**

All exterior lighting proposed for the subject lands shall be installed only in the locations and in accordance with specifications shown on the approved plans referenced herein unless otherwise approved in writing by the General Manager, Planning, Infrastructure and Economic Development Department. Sharp cut-off fixtures or in exceptional circumstances only, an alternative fixture design approved by the General Manager, Planning, Infrastructure and Economic Development Department, shall be used to minimize possible lighting glare onto adjacent properties. It is noted that exterior lighting includes exterior building lighting.

Special Conditions

15. **Road Widening**

The Owner(s) shall convey, at no cost to the City, a road widening across the complete Bank Street frontage measuring 18.75 meters from the existing centerline of pavement. The exact widening must be determined by legal survey. The Owner shall provide an electronic copy of the Deed and a copy of the Deposited Reference Plan indicating the widening, prior to execution of the agreement by the City. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys and will have been submitted to the City Surveyor for review prior to its deposit in the Registry Office. The City will not register the Deed for the road widening until after the City has issued the related building permit.

16. **Traffic Impact Study/Brief**

The Owner(s) has undertaken a Transportation Impact Assessment for this site, prepared by Novatech, Project No. R-2018-120, dated November 19, 2018 to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and establish the site design features

needed to support system-wide transportation objectives. The Owner shall ensure, that the recommendations of the Transportation Impact Assessment are fully implemented, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

17. **Private Approach Detail**

The Owner acknowledges and agrees that all private accesses to Roads, including temporary construction access to the subject lands, shall comply with the City's Private Approach By-Law being By-Law No. 2003-447 as amended, or as approved through the Site Plan control process.

18. **Provision for Transit Passenger Standing Areas/Shelter Pads and Shelters**

The Owner(s) shall locate, design and construct, at no cost to the City of Ottawa, paved transit passenger standing areas/shelter pads and shelters to the specifications of the City of Ottawa.

19. **New Trees**

All trees to be planted in the City Right-of-Way shall be done so in Siva Cells or technological equivalent, to the satisfaction of the Program Manager Planning, Infrastructure and Economic Development Department.

20. **On-Site Parking**

- (a) The Owner acknowledges and agrees that units within the proposed building(s) may not be provided with on-site parking. In the event any future tenant or purchaser wishes to have parking, the Owner acknowledges that alternative and lawful arrangements may need to be made to address parking needs at an alternate location and such arrangements are solely the responsibility of the person seeking parking. The Owner further acknowledges and agrees the availability and regulations governing on-street parking vary; that access to on-street parking, including through residential on-street parking permits issued by the City cannot be guaranteed now or in the future; and that a tenant or purchaser intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.
- (b) The Owner acknowledges and agrees that a notice-on-title respecting on-site parking, as contained in the Clause below, shall be registered on title to the subject lands, at the Owner's expense, and a warning clause shall be included in all agreements of purchase and sale and lease agreements.

21. **On-Site Parking - Notice on Title**

The Owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees that all agreements of purchase and sale or lease agreements shall contain the following clauses, which shall be covenants running with the subject lands:

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that the unit being sold/rented may not be provided

with any on-site parking. Should the Purchaser/Lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements may need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The Purchaser/Lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa cannot be guaranteed now or in the future; and that the Purchaser/Lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clause, verbatim, shall be included in all subsequent agreements of purchase and sale and lease agreements for the lands described herein, which covenant shall run with the said lands.”

22. Fencing

The Owner acknowledges and agrees that a new 1.8m solid wood ‘screen’ fence will be installed around the property as per the approved Landscape Plan. The existing fence in that location will be removed.

23. Roof Top Amenity Barrier

The Owner acknowledges and agrees that the physical barrier on the roof-top amenity space will be set back from the edge of the building, to limit opportunities for overlook into adjacent yards.

24. Noise, Penthouse Mechanical System

The Owner acknowledges and agrees that a solid noise wall flush with the mechanical penthouse façade will be installed as per the approved Stationary Noise Assessment report.

25. Noise, Cooling Tower

The Owner acknowledges and agrees that a Whisper Quiet Fan will be installed for the cooling tower, as per the approved Stationary Noise Assessment report.

26. Noise Control Attenuation Measures

The Owner covenants and agrees that is shall retain the services of a professional engineer licensed in the Province of Ontario to ensure that the recommendations of the Stationary Noise Assessment, referenced in Schedule “E” herein (the “Report”), are fully implemented. The Owner further acknowledge and agrees that is shall provide the General Manager, Planning Infrastructure and Economic Development Department with confirmation issued by the professional engineer that the Owner has complied with all recommendations and provisions of the Report, prior to building occupancy, which confirmation shall be to the satisfaction of the General Manager, Planning Infrastructure and Economic Development Department.

27. Notice on Title – Noise Control Attenuation Measures

The Owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees that all agreements of purchase and sale or lease agreements

shall contain the following clauses, which shall be covenants running with the subject lands:

Type B – Increasing Roadway Traffic

“The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that despite the inclusion of noise control features in this development and within building units, noise levels from increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa’s and the Ministry of the Environment, Conservation and Parks’ noise criteria.”

To help address the need for sound attenuation this development has been designed so as to provide an indoor environment that is within provincial guidelines. Measures for sound attenuation include:

- STC multi-pane glass glazing elements
- Upgraded exterior walls achieving STC 45 or greater

Type D – Central Air Conditioning

“The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa’s and the Ministry of the Environment, Conservation and Parks’ noise criteria.”

28. **Certification Letter for Noise Control Measures**

- a) The Owner acknowledges and agrees that upon completion of the development and prior to occupancy and/or final building inspection, it shall retain a Professional Engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, to visit the lands, inspect the installed noise control measures and satisfy himself that the installed recommended interior noise control measures comply with the measures in the Traffic Noise Assessment referenced in Schedule “E” hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment and Climate Change) or noise thresholds identified in the City’s Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the City’s Development Inspection Program Manager (the “Certification Letter”) stating that he certifies acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.
- b) The Certification Letter shall be unconditional and shall address all requirements as well as all relevant information relating to the development, including project name, lot numbers, building identification, drawing numbers, noise study report number, dates of relevant documents and in particular reference to the documents used for the building permits and site grading applications. The Certification Letter(s) shall bear the certification stamp of a Professional Engineer, licensed in the Province of

Ontario, and shall be signed by said Professional Engineer, and shall be based on the following matters:

- (i) Actual site visits, inspection, testing and actual sound level readings at the receptors;
 - (ii) Previously approved Detailed Noise Control Studies, Site Plan and relevant approved Certification Letters (C of A) or Noise thresholds of the City's Environmental Noise Control Guidelines; and
 - (iii) Non-conditional final approval for release for occupancy.
- c) All of the information required in subsections (a) and (b) above shall be submitted to the General Manager, Planning, Infrastructure and Economic Development Department, and shall be to his satisfaction.

29. Garbage Collection - Commercial

The Owner acknowledge and agrees to provide the following sentence in all purchase/lease agreements for the commercial spaces:

"The commercial units must accommodate appropriately sized waste and recycling containers within their individual units, which will then be collected by a private waste-collection company, at the Owners/leasees expense.

30. Waste and Recycling Collection - Residential

The Owner acknowledges and agrees that the City will provide waste collection and cart (and/or container) recycling collection for the residential units. The Owner shall provide an adequate storage room or space for waste containers and recycling carts (and/or containers). The Owner acknowledges and agrees that it is recommended that the containers and carts be placed on a concrete floor. The Owner shall provide an adequate constructed road access to the waste/recycling storage room or area suitable for waste/recycling vehicles as direct access to the containers and carts is required. The Owner acknowledges and agrees that any additional services (i.e. winching of containers) may result in extra charges.

31. Geotechnical Investigation

The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation (the "Report"), referenced in Schedule "E" herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure and Economic Development Department with confirmation issued by the geotechnical engineer that the Owner has complied with all recommendations and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

32. Use of Explosives and Pre-Blast Survey

The Owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled Use of Explosives, as amended. Prior to any blasting

activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the Owner's expense, for all buildings, utilities, structure, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection.

33. Groundwater Management

The Owner acknowledges and agrees to retain an environmental consultant to test groundwater to be removed from the site during and after redevelopment. If through further testing the groundwater samples are found to be contaminated, all contaminated groundwater must be removed, managed or treated in accordance with appropriate Ontario regulations and/or discharged in accordance with the City's Sewer Use By-Law, being By-law No. 2003-514, as amended.

34. Snow Storage (Special Condition)

In addition to the requirements of Clause 17 of Schedule "C" of this Agreement, the Owner acknowledges and agrees that any portion of the subject lands which is intended to be used for snow storage shall not interfere with the servicing of the subject lands.

35. Off-Site Contamination Management Agreement

The Owner acknowledges and agrees that where contamination emanating from the site and impacting the City's rights-of-way is discovered during the course of the Works, the Owner shall notify the Manager, Realty Services immediately in writing and agrees to enter into an Off-Site Management Agreement with the City to address the contamination in the rights-of-way. The Owner shall be responsible for all associated costs with the Off-Site Management Agreement, which agreement shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

36. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top and in-ground stormwater inlet control devices, as recommended in the approved Site Servicing and Stormwater Management Design Brief, referenced in Schedule "E" herein. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity, and shall provide said records to the City upon its request.

37. Private Storm Sewer Connection to City Sewer System

The Owner acknowledges and agrees that any new storm sewers to be installed as part of this development shall not be connected to the City's existing storm sewer system until such time as either:

- (a) a certificate of conformance and As-Built drawing(s) have been received from a Professional Engineer, licensed in the Province of Ontario, certifying that all required inlet control devices have been properly installed to City Standards or Specifications, and that the storm sewer system has been installed in accordance

with the approved engineering drawings for site development and City Sewer Design Guidelines. The inlet control devices shall be free of any debris; or

- (b) a flow limiting orifice plate, designed by a Professional Engineer licensed in the Province of Ontario and to the satisfaction of the City, has been installed at the storm water outlet prior to connecting any upstream storm sewers. Such orifice plate shall not be removed until subsection (a) above has been satisfied and approved by the General Manager, Planning, Infrastructure and Economic Development Department.

38. Professional Engineering Inspection

The Owner shall have competent Professional Engineering inspection personnel on-site during the period of construction, to supervise the Works, and the General Manager, Planning, Infrastructure and Economic Development Department, shall have the right at all times to inspect the installation of the Works. The Owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development Department, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure and Economic Development Department, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

39. Stormwater Works Certification

Upon completion of all stormwater management Works, the Owner acknowledges and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to ensure that all measures have been implemented in conformity with the approved Plans and Reports, referenced in Schedule "E" herein. The Owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved Plans and Reports referenced in Schedule "E" herein.

40. Site Dewatering

The Owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.

41. Hydro Ottawa

1. The owner is advised that there is medium voltage overhead infrastructure to the North and East sides of the property.
 - a. The Owner shall ensure that no personnel or equipment encroaches within three meters (3.0m) of the Hydro Ottawa overhead medium voltage distribution lines, unless approved by Hydro Ottawa. The Owner shall contact Hydro Ottawa prior to commencing work when proposing to work

within 3.0m of Hydro Ottawa distribution lines. No such work shall commence without approval of Hydro Ottawa.

- b. The Applicant is advised that permanent structures located within the "restricted zone" surrounding overhead lines are prohibited. This zone is defined by Hydro Ottawa's standard OLS0002 "Overhead High Voltage Clearances to Adjacent Building", which can be found at <http://www.hydroottawa.com/residential/renovating/guide/clearances/>. This standard complies with the requirements of the Ministry of Labour's Occupational Health & Safety Act, the Ontario Building Code, and the Ontario Electrical Safety Code. Permanent structures include buildings, signs (even lit signs when open for maintenance), antennas, pools, and fences.
2. The Owner is advised that there is underground infrastructure along the East side of Bank St.
 - a. The Owner shall arrange for an underground electricity cable locate by contacting Ontario One Call at 1-800-400-2255, not less than seven (7) working days prior to excavating. There shall be no mechanical excavation within one and a half meters (1.5m) of any Hydro Ottawa underground plant unless the exact position of plant is determined by hand digging methods. Direct supervision by Hydro Ottawa forces, and protection or support of the underground assets shall be at the Owner's expense.
3. If the change in grade is more than three tenths of a meter (0.3m) in the vicinity of proposed or existing electric utility equipment. Hydro Ottawa requests to be consulted to prevent damages to its equipment.
4. The Owner shall ensure that any landscaping or surface finishing does not encroach into existing or proposed Hydro Ottawa overhead or underground assets or easement. When proposing to plant trees in proximity of existing power lines, the Owner shall refer to Hydro Ottawa's free publication "Tree Planting Advice" which can be found at <https://hydroottawa.com/outages/safety/safety-outside/planting-trees>. The shrub or tree location and expected growth must be considered. If any Hydro Ottawa related activity requires the trimming, cutting or removal of vegetation, or removal of other landscaping or surface finishing, the activity and the re-instatement shall be at the owner's expense.
5. The Owner shall contact Hydro Ottawa to arrange for disconnecting the service from the distribution system and removal of all Hydro Ottawa assets at least ten (10) business days prior to demolition/removal of the serviced structure.
6. The Owner shall be responsible for all costs for feasible relocations, protection or encasement of any existing Hydro Ottawa plant.
7. The Owner shall convey, at their cost, all required easements as determined by Hydro Ottawa.
8. The Owner shall enter an Installation and Service agreement with Hydro Ottawa.

9. The Owner shall comply with Hydro Ottawa's Conditions of Service and thus should be consulted for the servicing terms. The document, including referenced standards, guidelines and drawings, may be found at <http://www.hydroottawa.com/residential/rates-and-conditions/conditions-of-service/>. The Owner should consult Hydro Ottawa prior to commencing engineering designs to ensure compliance with these documents.

December 10, 2019

Date



Lily Xu
A/Manager, Development Review, South
Planning, Infrastructure and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information

SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-18-0159

SITE LOCATION

1545 Bank Street, as shown on Document 1.

SYNOPSIS OF APPLICATION

- The proposal is for an eight-storey (25 metres in height), mixed-use building on a vacant, former, commercial plaza site at the corner of Bank Street and Evans Boulevard.
- The adjacent properties along Bank Street (an arterial road) to the north, south and west are commercial sites with restaurants, banks, and retail uses. The abutting property to the east, along Evans Blvd. (a local road), is a converted dwelling that is used for commercial purposes. The remainder of Evans Blvd. is comprised of single detached dwellings.
- The site is being developed with ground floor commercial units having direct pedestrian access on Bank Street, while pedestrian access to the 140 residential units will be off of Evans Blvd. Vehicular access to the underground parking garage for 70 vehicles and 70 bicycles is to be located off of Evans Blvd. Amenity space for the residents will be provided through a roof-top terrace, rear, at grade courtyard as well as on some private balconies.
- The building has been designed to be sensitive to the low-density, detached dwellings along Evans Blvd and Willowdale Ave., by stepping the building down at the back. Brick has been used to be compatible with materials in the community

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal meets the intent of the Arterial Mainstreet designation in the Official Plan by bringing higher residential density, along with conveniently located commercial uses to an existing, vacant parcel of land within the urban boundary.
- The proposal meets the intent of the Alta Vista/Faircrest/Riverview Secondary Plan by ensuring new development is visually and functionally compatible with existing developments and that the neighbourhood is consulted on new applications.
- The proposal meets the intent of the Bank Street Community Design Plan by promoting high quality, mixed-use development that is more cycling and pedestrian friendly.

- The proposal is in conformity with the City of Ottawa's Zoning By-law.
- "Urban Design Guidelines for Developments along Arterial Mainstreets (2006)" has been referenced to ensure major objectives such as – creating a compatible development, comfortable pedestrian environment, high quality of built form, strong street edge, broad range of uses – are being achieved.
- All of the conditions are standard for this form of development.
- The proposal represents good planning and design.

URBAN DESIGN REVIEW PANEL

The Site Plan Control application was subject to the Urban Design Review Panel process. A formal review meeting was held on January 11, 2019.

The panel's recommendations from the formal review meeting are:

Urban Design Review Panel Recommendations | January 11th, 2019

1545 Bank | Formal Review | Site Plan application to construct an eight storey residential building with commercial uses at grade | FES Group; chmiel architects; Novatech Engineering Consultants Ltd.

Summary

- The Panel is supportive of many of the big moves associated with this proposal, such as the introduction of retail at the corner to animate Bank Street, the residential and parking garage entrance off Evans Avenue, as well as the street tree treatments and associated streetscape amenities.
- The Panel sees this project as precedent and context setting as this will be a building that starts to establish an urban character in a suburban area. Given this context, the building will serve as a long view termination from many vantage points for many years to come and the Panel suggests that all four elevations be designed to reflect this visibility. Further consideration should also be given to transition this building from the commercial character of Bank Street to the low-rise established residential neighbourhood to the east, is required.

Transition and Architectural Expression

- The Panel is concerned with the compatibility of this building relative to the the low-rise residential neighbourhood to the east. There is particular concern because this will likely be an isolated building for the short-to-long term, and the prospect of development on the adjacent dental office site is very low.
 - The Panel suggests lowering the corner of the building along Evans Avenue to serve as a height transition. This will set an important precedent for how new buildings on Bank Street respond to the adjacent residential areas.
- The Panel feels very strongly that the blank end wall are not appropriate, and that design alterations are required in order to improve these long view conditions and to create a positive transition toward both the residential neighbourhood to the east, and the adjacent property to the north along Bank Street.
 - Lower the wing of the building along Evans Avenue to four or six storeys, and redesign the units so that they wrap the corner. Introduce glazing and consider wrapping balconies to this side façade, as a gesture to the residential neighbourhood. Consider some smaller units to avoid

significant reductions to the unit count. In order to achieve these revisions to the Evans side façade, it will be necessary to simplify the structural grid of the building, opening up efficiencies. This can be achieved by:

- Relocating the elevator shafts to line up with the main portion of the building along Bank Street;
- Moving the mechanical penthouse to the north, parallel with Bank Street, and away from the residential area;
- Relocating the staircase to an internal location.
- The Panel suggests paying more attention to the north façade and avoid the appearance of 'slicing' off the building. Wrap the materials and architectural detailing from the Bank Street façade to this side wall.
- Once it is relocated to the main portion of the building, the Panel recommends lowering the mechanical penthouse. The mechanical penthouse could be integrated towards the corner of the building along an axis, thus easing the bulkiness in relation to both the commercial property to the north, and the residential area to the east.
- The Panel agrees that the overall approach to the design of the front façade, a base of three stories with five stories above, is appropriate. Consider, however, stepping back or introducing a terrace at the top floor.
- The Panel suggests exploring rooftop lighting schemes that can help emphasize the architecture of the building.

Materiality

- To ensure the building has a more residential and less commercial look, the Panel suggests using brick, natural materials, and other colour accents.
 - Specifically, the Panel recommends more brick cladding (particularly on the lower portions of the building) in order to reflect the character of the adjacent residential neighbourhood, and better integrate the building into its surroundings.
- The Panel suggests articulating a stronger top, middle and bottom expression through material changes, which can help to break up the massing of the building.

Public Realm and Amenity

- The Panel appreciates the public space associated with the café at the corner, and generally is supportive of the proposed public realm initiatives. With appropriate coordination of the hydro pads, gas metres, grills, and the bus stop, the overall impact on the adjacent streets can be quite positive.
 - Add street furniture and coordinated lighting to further enhance the public realm.
 - Ensure coordination with the City as it relates to road widening intentions.
- The Panel has some concern with the disconnect between where the new sidewalk meets the existing sidewalk to the north of the site. Also, ensure that the pedestrian flow, is smooth at the corner of Bank and Evans, as the dogleg at the corner seems to be slightly awkward.
- The Panel has some concerns with the limited setback between this site and the adjacent dental practice property on Evans. Requirements for shoring and screening may require more space on this side.
- The Panel suggests adding more lighting or introducing bollards to better establish an urban condition that attracts people to the site.
- Consider introducing sustainable initiatives such as adding a garden to the rooftop amenity space.

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

1. The penthouse has been relocated to the Bank St. elevation to remove additional height abutting the low-density residential units.
2. The elevation along Evans Blvd and the north wall of Bank Street now have additional glazing.
3. The materials have been adjusted so that a darker brick is used for the first three floors to provide scale and texture. The upper floors have lighter colours to lessen the apparent weight of the building.
4. The bus stop along Bank Street has been integrated into the site.
5. The required road-widening along Bank Street has been incorporated into the drawings.
6. Some of the Bank St. facing units were reduced slightly in size to allow a 30cm setback at the pinch point along Evans Blvd abutting the converted residential dwelling.
7. Rooftop planters have been added.

ROAD MODIFICATIONS

N/A

CONSULTATION DETAILS

Councillor's Concurrence

Councillor Jean Cloutier is aware of Staff's recommendation and has concurred with the proposed conditions of approval.

Public Comments

This application was subject to public circulation under the Public Notification and Consultation Policy. There were public comments received online and staff considered these comments.

Summary of public comments and responses

A public open house meeting was chaired by Councillor Cloutier on Wednesday, March 20, 2019 at the Jim Durrell Recreation Centre. Approximately fifty people were in attendance. The main comments are as follows:

1. Transportation and Access

Residents are concerned about cut-through traffic along Evans Blvd, between Bank Street and Heron Road as well as access into the proposed underground parking garage.

City Response: The Transportation Impact Assessment was reviewed by staff, who agree with the findings that the increase in traffic along Evans will be minimal and that there is adequate road capacity to handle the additional volume. A potential 'pork chop' median at the end of the driveway was also considered to force traffic to turn right out of the parking garage and proceed to Bank Street. This option was determined to be unsafe as it would then force vehicles who wanted to go south on Bank Street, to either manage a left-hand turn from Evans Blvd onto Bank Street, or to turn right on Bank Street and then perform a u-turn in front of the Blue Heron Mall. Both of these movements are considered to be potentially unsafe, when a user is forced into these situations. As per the City's public "Design Review for Bank Street" in 2016, access to this site was limited to Evans Blvd (as opposed to Bank Street) and the proposed location has been located at the furthest location to provide the best sightlines possible.

2. Sidewalks

Residents indicated that they feel unsafe without sidewalks along Evans Blvd and are concerned with the safety of pedestrians using the street to access the many schools and shops located within close proximity.

City Response: The Applicant is placing a sidewalk along the Evans Blvd frontage of its property to provide safe pedestrian access. The Applicant is not responsible for providing sidewalks along the entire length of Evans Blvd, as those are private properties.

3. Lack of Parking

Residents are concerned over the lack of vehicular parking spaces for residents and visitors, and for customers of the commercial units.

City Response: The City is trying to create a more sustainable City and reduce reliance on private vehicles. As such, requirements for vehicular parking along 'mainstreets' developments (such as Bank Street), have been reduced to encourage residents, visitors and customers to walk, cycle and take transit. The Applicant is providing the required number of vehicular parking spaces for tenants and visitors of the building as per the City of Ottawa Zoning By-law. No vehicular parking is required for the commercial units, due to their location along an arterial road. Those that chose to drive their cars to the site will need to use standard on-street parking, as per other areas in the City.

4. Noise

Residents are concerned over potential human noise from the rear-yard and roof-top amenity spaces, especially during the summer months. They are also concerned over noise from the HVAC system.

City Response: A new board-on-board fence will be installed along the property line of to help decrease the potential noise from the rear amenity space. The barrier of the roof-top amenity space will be set back from the edge of the roof to lessen any potential visual intrusion into abutting rear yards. Noise from the HVAC system will be buffered via the use of a penthouse noise barrier.

5. Size of Units

Residents are concerned that the size of the units will result in a mostly transient population who will not be connected to the community and local neighbours.

City Response: The City requested that the units be a variety of sizes to complement the community, however, the City has no ability to force a developer to do so. The Developer responded to our comments with a market study that studio and one-bedroom units are under-provided in this area and the Developer is seeking to fill this gap in the market.

6. Garbage

Residents are concerned over how garbage will be stored and removed from site.

City Response: The residential garbage will be stored in a garbage room in the basement and will be removed on a regular basis by the City – who will be instructed to park on the driveway when accessing the garbage bins. Each commercial tenant will be required to store their own garbage internal to their unit and will have private garbage collection accessed off Bank Street.

7. Lack of response to UDRP comments:

The residents requested that the applicant be made to comply with the UDRP comment to step-down the building along Evans Blvd.

City Response: Many of the UDRP comments were incorporated. The Applicant has shifted the penthouse structure away from the Evans Blvd/Willowdale Ave. side of the property to lessen the height impact but have not stepped-down the building as suggested by City staff and the UDRP due to land constraints on the property (Ottawa

Hydro easement and City Road widening). The UDRP comments are not requirements but are suggestions for the Applicant and the City to consider.

8. Type of Retail

Residents are concerned that 'cash-money' type units may operate from this site.

City Response: Commercial tenants are determined by the property Owner only and are not subject to review by City Staff. However, all uses must comply with the City of Ottawa Zoning By-law for the Arterial Mainstreet, Exception 1913 (AM [1913]) zone which permits such uses as animal hospital, bank, instructional facility, medical facility, restaurant, retail store etc. Payday loan establishments are also permitted in this zone. City staff are currently doing a full review of "payday loan establishments" to develop tools to limit their concentration in certain areas and within certain types of buildings.

9. Dramatic Increase to Population

Residents are concerned with the combined population density from the new developments at 1161 Heron Road and the subject lands at 1545 Bank Street and their impact on infrastructure and traffic.

City Response: City staff have reviewed and accepted the results of the "Site Servicing and Stormwater Management Design Brief" and the "Transportation Impact Assessment" that provide statistics showing that there is adequate capacity in both the existing infrastructure and road network to support the Heron Road and Bank Street proposals.

Technical Agency/Public Body Comments

Summary of Comments –Technical

Hydro Ottawa notified the Applicant of the three metre easement and subsequent restrictions to the north and east sides of the property.

Response to Comments –Technical

These and all other technical comments were provided to the Applicant, who designed their site accordingly.

Advisory Committee Comments

N/A

APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority due to workload issues and delays in receiving revised plans.

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Document 1 – Location Map

