



File No. D07-12-16-0048

October 19, 2018

Luca Diaconescu
34 Glencairn Avenue
Ottawa, ON K1S 1M6

Subject: Site Plan Control Application
559 Riverdale Avenue

The City has approved the Site Plan Control application received on April 22, 2016, subject to Owner of the subject lands entering into a Site Plan Agreement.

It is important to note that this Site Plan Control Approval will lapse if certain requirements are not fulfilled by October 31, 2019. Specific details of the requirements will be provided to you once it has been indicated that the Owner is prepared to enter into an agreement with the City. These requirements may include, but are not limited to the following:

- Site Plan Agreement is signed.
- Security in the form of a Letter of Credit – in the City's standard format and wording, certified cheque or bank draft is provided.
- Certificate of Liability Insurance provided.
- Any required fees are paid

Please note that the documents referred to above, if not submitted in the City's required format(s), will be returned, resulting in a delay issuing a building permit and/or a commence work order.

The Owner of the subject lands is required to enter into a Site Plan Agreement with the City. Please arrange for legal representation as soon as possible to review this Site Plan Approval and the title to the subject lands. Please note that the City will require that all Agreement(s) entered into with the City shall require postponement(s) of any encumbrance(s) on title at the time of registration of the Agreement(s) with the City on the subject lands, and any lands to be conveyed to the City as a condition of Site Plan Approval are required to be conveyed free and clear of any encumbrance(s) on title.

Also enclosed is a copy of the approved plan(s). We will retain the original site plan(s).

As well, since this approval does not require the preparation and registration of a site plan agreement, you are eligible for partial refund of your application fee, that portion

related to the legal fees associated with preparing and registering an agreement. This refund has been requested and will be forwarded to you in due course.

If you have any questions or concerns, please contact Steve Gauthier by telephone at 613-580-2424, extension 27889 or by e-mail at steve.gauthier@ottawa.ca.

Sincerely,



Steve Gauthier
Planner
Development Review

Enclosures(#)

- c.c. Councillor David Chernushenko
Richard Buchanan, Infrastructure Approvals Project Manager, PIED (include 1 set of approved/signed mylars)
Matthew.Wilson@ottawa.ca, Development Inspections
Kerry Reed, Environmental Planner
Linda.Carkner@ottawa.ca, Right of Way
John.Buck@ottawa.ca, Building Inspections
Terry Hunt, Program Manager - Permit Approvals (include all final/consolidated approved Geotechnical and/or Slope Stability studies)
Éric Dégagné, Zoning Plan Examiner
Addressing And Signs
Joseph Langiano, Right of Way Agreements Coordinator
Jake.Gravelle@ottawa.ca, By-Law Enforcement
Wendy.Hickson@ottawa.ca, Development Agreement Officer
Joumana.Tannouri@ottawa.ca, Finance
Carole Legault, Co-ordinator, Accessibility Advisory Committee (no plans)
Jake.Lefebvre@mpac.ca, Account Manager, MPAC
OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5
(no attachments)



**SITE PLAN CONTROL APPROVAL APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW – CENTRAL**

Site Location: 559 Riverdale Avenue

File No.: D07-12-16-0048

Date of Application: April 22, 2016

This SITE PLAN CONTROL application submitted by Luca Diaconescu is APPROVED as shown on the following plans:

1. **Site Plan & Information**, Sheet A09, prepared by est Architecture, dated July 1, 2018.
2. **Landscape Plan**, Drawing No. L2, prepared by John K. Szczepaniak Landscape Architect, dated March 14, 2016, revision 5 dated October 17, 2016.
3. **Site Services Control Plan**, Drawing No. W-01, prepared by Arch-Nova Design Inc., revision 3 dated February 2018.
4. **Erosion & Sediment Control and Reinstatement Plan**, Drawing No. W-02, prepared by Arch-Nova Design Inc., February 2018.
5. **West Elevation**, Sheet A25, prepared by est Architecture, dated July 1, 2018.
6. **South Elevation**, Sheet A26, prepared by est Architecture, dated July 1, 2018.
7. **East Elevation**, Sheet A27, prepared by est Architecture, dated July 1, 2018.
8. **North Elevation**, Sheet A28, prepared by est Architecture, dated October 20, 2016.

And as detailed in the following reports:

1. **Assessment of Adequacy of Public Services**, prepared by Arch-Nova Design Inc., Project No. CW-07-15, dated April 2016, updated June 2017.
2. **Geotechnical Report**, prepared by Paterson Group Consulting Engineers, File: PG3465-LET.01, dated July 2, 2015.

And subject to the following Standard and Special Conditions:

Standard Conditions

1. **Site Plan 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. **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.

3. **Designated Substances Survey**

Prior to demolition of the existing building on site, the Owner acknowledges and agrees to submit the findings and recommendations for the proper handling and disposal of waste as identified in a Designated Substances Survey to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, in accordance with Best Management Practices, including but not limited to:

- (a) Asbestos on Construction Projects (O.Reg 838)
- (b) Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste (O.Reg 347)
- (c) Proposed Regulation Respecting Lead on Construction Projects
- (d) Made Under the Occupational Health and Safety Act and Waste Management – PCBs. (O.Reg 362)

4. **Waste Reduction Workplan Summary**

The Owner acknowledges and agrees, prior to the issuance of a building permit, to prepare a waste reduction workplan summary for the construction project, as required by O.Reg 102/94, being "Waste Audits and Waste Reduction Work Plans" made under the *Environmental Protection Act*, RSO 1990, c E.19, as amended and provide a copy of said summary to the General Manager, Planning, Infrastructure and Economic Development.

5. **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.

6. **Construction Fencing**

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

7. **Completion of Works**

The Owner acknowledges and agrees that no building will be occupied on the lands, nor will the Owner convey title to any building until all requirements with respect to completion for 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.

Special Conditions

8. Cash-in-Lieu of Parkland

The Owner shall pay cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, as well as the fee for appraisal services. The monies are to be paid at the time of execution of the Site Plan Agreement.

9. Tree Permit

- (a) The Owner acknowledges and agrees that any tree removal within private property shall be in accordance with an approved Tree Permit and Tree Conservation Report and that a copy of the approved Tree Permit and Tree Conservation Report shall be present on the construction site at all times.
- (b) The Owner further acknowledges and agrees that any trees to be removed from the site shall be in compliance with the Urban Tree Conservation By-law 2009-200, as amended.
- (c) The Owner further agrees that any removal of trees greater than 10cm DBH shall be in accordance with the conditions stated within a Tree Permit duly signed by the Owner and the General Manager, Planning, Infrastructure and Economic Development.
- (d) The Owner further acknowledges that if any trees are to be removed or damaged on abutting properties or straddling a common lot line, written permission must be provided from all affected property owners prior to the issuance of a Tree Permit.

10. Tree Protection Measures

The Owner acknowledges and agrees that all trees to be retained, as shown on the approved Landscape Plan, shall be protected in accordance with the City's required tree protection measures, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. The Owner further acknowledges and agrees to maintain the tree protection measures until construction is complete and/or the City has provided written permission to remove them. The Owner further acknowledges and agrees that, at a minimum, the following tree protection measures, including tree protection barriers and signage, shall be complied with during all on-site Works:

- (a) Under the guidance of an arborist, erect a fence at the critical root zone (CRZ) of trees, defined as 10 centimetres from the trunk of a tree for every centimeter of trunk DBH (i.e., $CRZ = DBH \times 10 \text{ cm}$),
- (b) Not place any material or equipment within the CRZ of the tree,
- (c) Not attach any signs, notices or posters to any tree,
- (d) Not raise or lower the existing grade within the CRZ without approval,
- (e) Not tunnel or bore when digging within the CRZ of a tree,
- (f) Not damage the root system, trunk or branches of any tree, and
- (g) Ensure that exhaust fumes from any and all equipment shall not be directed towards any tree canopy.

11. Trees along the Property Line

The Owner acknowledges that if any trees are to be removed or damaged on abutting properties or straddling a common lot line, written permission must be provided from all affected property owners prior to the issuance of a tree permit.

12. Maintenance and Liability Agreement

The Owner shall enter into a Maintenance and Liability Agreement for all plant and landscaping material, including ornamental grasses, shrubs, sod, and concrete and interlock pathways located within portions of the City's Riverdale Avenue right-of-way. The Maintenance and Liability Agreement shall be registered on title immediately after the registration of this Agreement. The Owner shall assume all maintenance and replacement responsibilities in perpetuity.

13. 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 Site Services Control Plan, Erosion & Sediment Control and Reinstatement Plan, and the Assessment of Adequacy of Public Services report, all approved 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.

14. Stormwater Management Memorandum

Prior to registration of this Agreement, the Owner acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development, with a memorandum prepared by a Professional Engineer, licensed in the Province of Ontario, confirming that the designed roof-top scuppers and associated spill point elevations will be set equivalent to the top of the control weir of the approved roof drain elevation(s). The Owner further acknowledges and agrees that said memorandum shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, and all associated costs shall be the Owner's responsibility.

15. Soil Management

The Owner acknowledges and agrees that if the Owner's Environmental Consultant identifies areas on the site during construction where excess soils, fill and/or debris will be removed, and if through further testing of any of these materials are found to be contaminated, they must be disposed, treated or recycled at a waste disposal site or landfill licensed for that purpose by the Ministry of Environment.

16. Groundwater Management

The Owner acknowledges and agrees that if the Owner's Environmental Consultant test groundwater to be removed from the site during redevelopment, if through further testing the groundwater samples are found to be contaminated, all groundwater must removed, managed or treated in accordance with appropriate Ontario regulations and/or discharged in accordance with the City of Ottawa Sewer Use By-law 2003-514.

17. Site Lighting Certificate

Prior to execution of the Site Plan Agreement, the Owner shall provide a certificate from an acceptable professional engineer, that the site lighting has been designed to meet the following criteria:

- (a) It must be designed using only fixtures that meet the criteria for Full Cut-Off (Sharp cut-off) Classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES) and;
- (b) It must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.

Upon completion of the Works, the Owner must provide certification satisfactory to the City that the site lighting has been constructed in accordance with the approved plans prior to the City releasing any associated securities.

18. Below Grade Parking Areas and Depressed Driveways

- (a) The Owner acknowledges and agrees that during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the road allowance. The Owner further acknowledges and agrees that the City will not take responsibility for flooding claims. The Owner further acknowledges that it is recommended that backwater valves be installed on catch basins located in depressed driveways.
- (b) The Owner acknowledges and agrees that a notice-on-title respecting below grade parking areas and depressed driveways, as contained in Clause 19 hereinafter, 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.

19. Notices on Title – All Units (Below Grade Parking and Depressed Driveways)

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 during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the road allowance. The Purchaser/Lessee further acknowledges being advised that the City of Ottawa will not take responsibility for flooding claims. Backwater valves are recommended for installation on catch basins located in depressed driveways.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clauses, 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.”

20. Residential Waste and Recycling Collection (no curb-side collection)

The Owner acknowledges and agrees that the City will not provide curb-side residential waste collection. The Owner further acknowledges and agrees that residential container waste collection and cart (and/or container) recycling collection will be provided by the City from a centralized refuse room. The Owner shall provide, at its own expense, an adequate storage room or space for residential waste containers and recycling carts (and/or containers). It is recommended that the containers and carts be placed on a concrete floor. The Owner shall provide an adequately constructed road access to the waste/recycling storage room or area suitable for waste/recycle vehicles. Direct access to the containers and carts is required. Any additional services (i.e. winching of containers) may result in extra charges.

21. On-Site Parking

The Owner acknowledges and agrees that the following provision shall be included in any lease, rental agreement, sublet agreement, condominium agreement and/or Agreement of Purchase and Sale governing all or part of the building:

“The purchaser, tenant or sublessee acknowledges the unit being rented/sold may not be provided with any on-site parking. Should a tenant/purchaser have a vehicle for which they wish to have parking, that alternative and lawful arrangements may need to be made to accommodate their parking need at an alternative location. The Purchaser/Tenant/Sublessee acknowledges that 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 purchaser, tenant or sublessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

22. Elevations

The Owner agrees to construct the proposed building in accordance with the approved exterior elevation drawings. The Owner further agrees that any subsequent proposed changes to the approved exterior elevations shall be filed with the General Manager, Planning, Infrastructure and Economic Development, and agreed to by both parties prior to their implementation.

23. Use of Explosives and Pre-Blast Survey

(a) 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 (the "Notification Letter").

(b) The Owner acknowledges and agrees that the Notification Letter(s) shall be in compliance with City Standard S.P. No. F-1201 and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. Pursuant to City Standard S.P. No. F-1201, the Owner or its agents, contractors and subcontractors shall provide written notice to all owners and tenants of any building and/or facility located within a minimum of one hundred and fifty (150) metres from the blasting location at a minimum of fifteen (15) business days prior to any blasting. The Owner further acknowledges and agrees that it shall provide a copy of the Notification Letter(s) to the General Manager, Planning, Infrastructure and Economic Development prior to any blasting activities.

24. Rideau Valley Conservation Authority Approval

The Owner acknowledges and agrees that, pursuant to Section 58(4) of Zoning By-law 2008-250, approval from the Rideau Valley Conservation Authority must be provided for construction within the Flood Plain – Old Ottawa South Area Specific Provision, prior to the issuance of a building permit.

September 27, 2018

Date



Douglas James
Manager, Development Review – Central
Planning, Infrastructure and Economic Development
Department

Enclosure: Site Plan Control Application approval – Supporting Information

SITE PLAN CONTROL APPROVAL APPLICATION

SUPPORTING INFORMATION

File Number: D07-12-16-0048

SITE LOCATION

559 Riverdale Avenue, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The site is located on the east side of Riverdale Avenue, east of Bank Street, in the Old Ottawa South neighbourhood.

The 511 square metre site is currently occupied by a single detached dwelling. The development proposal is for the demolition of the existing dwelling and the construction of a new apartment building with an underground parking garage. The new building will be clad in metal and brick. New landscaping is proposed around the building, including grass and two new trees in the rear yard and pavers and one new tree in the front yard.

The site is zoned R4P – Residential Fourth Density, Subzone P pursuant to Zoning By-law 2008-250, and is designated as General Urban Area pursuant to Schedule B of the Official Plan.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The development supports the policies for the General Urban Area as provided within the Official Plan, by providing increased housing options within a built form that is compatible and sensitive to the surrounding neighbourhood.
- The development is in conformity with Zoning By-law 2008-250, including approval by the Committee of Adjustment (with all opportunities for appeals exhausted) for reduced side yard setbacks, a reduced rear yard setback, reduced parking space length for four parking spaces, rear yard amenity area, and a hardscaped walkway within the front yard.
- Overall, the development represents good planning.

CONSULTATION DETAILS

Councillor Chernushenko has concurred with the proposed conditions of approval.

Public Comments

Summary of Comments - Public

Two members of the public had comments on the development proposal. One had concerns about the scale proposed, potential noise from rooftop terraces and the loss of access to light and sky views. The other noted concerns about the height and shadow impacts, as well as parking for only six cars.

Response to Comments - Public

The height of the proposed development complies with the provisions of the Zoning By-law. With respect to parking, a condition of site plan approval is notice to all purchasers or lessees that parking may not be provided on site.

Technical Agency/Public Body Comments

Comments from technical agencies were standard for Site Plan Control applications and will be addressed in the Site Plan Agreement.

Advisory Committee Comments

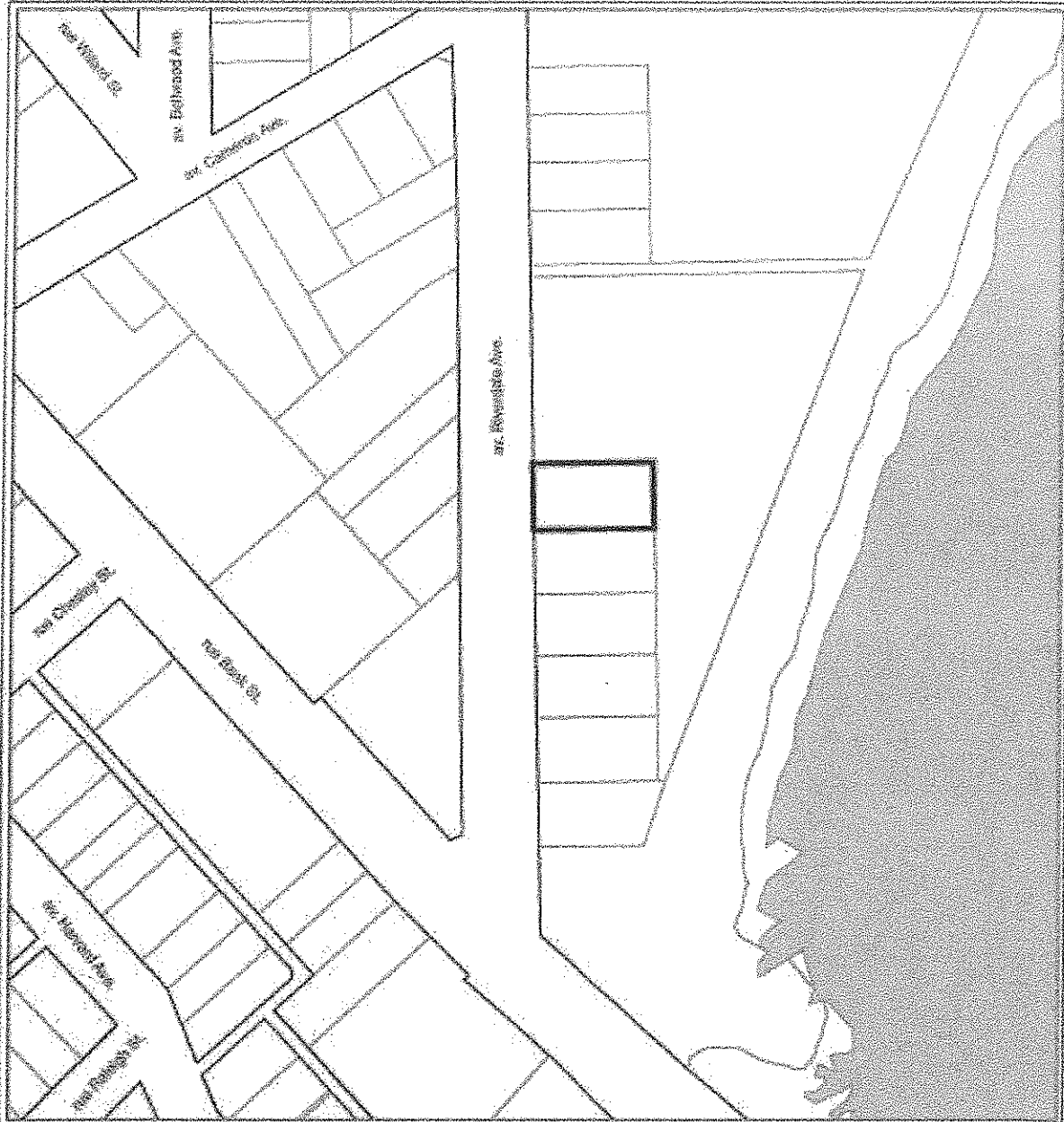
There were no comments received from advisory committees.

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 required revisions to plans and studies.

Contact: Kersten Nitsche - Tel: 613-580-2424, ext. 16616; Fax: 613-560-6006; or e-mail: Kersten.Nitsche@ottawa.ca

Document 1 – Location Map



Ottawa **PLANNING** DESIGN & CONSULTING


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558 av. Riverdale

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REVISION / RÉVISION - 2016 / 05 / 22

LOCATION MAP / PLAN DE LOCALISATION
SITE PLAN / PLAN D'EMPLACEMENT

 558 av. Riverdale Ave.



