



**SITE PLAN CONTROL APPROVAL APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW, URBAN SERVICES**

Site Location: 71 Russel Avenue

File No.: D07-12-18-0140

Date of Application: September 18, 2018

This SITE PLAN CONTROL application submitted by Zuzana Keslerova, SDS Architect, on behalf of 2614385 Ontario Inc., is APPROVED as shown on the following plan(s):

1. **Location Plan, Site Plan, Zoning Information, Legend & Proposed Rendering**, prepared by Susan D. Smith Architect, job # 35, dated January 2018, Revision # 3, dated June 26, 2019.
2. **Landscape Plan, Notes & Details**, drawing number L1, prepared by WSP Group, dated June 2019, Revision # 3, dated June 26, 2019.
3. **Tree Conservation Report**, drawing number TCR, prepared by James B. Lennox & Associates Inc., dated May 2019, Revision # 2, dated June 24, 2019.
4. **Servicing, Grading & Drainage and Sediment & Erosion Control Plan**, drawing number C101, prepared by McIntosh Perry, Project Number CP-18-0176, dated June 4, 2018, revision 8 dated June 26, 2019.

And as detailed in the following report(s):

1. **Servicing and Stormwater Management Report**, prepared by McIntosh Perry Consultants Ltd., Project Number OCP-18-0176, Revision 4 dated March 8, 2019.
1. **Geotechnical Report**, prepared by WSP Group, Project Number 181-05178-00, dated October 2018.

And subject to the following Requirements, Standard and Special Conditions:

Standard 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. 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 Department.

3. Designated Substance Survey

Prior to demolition of the existing building on the subject lands, the Owner shall submit the findings and recommendations for the proper handling and disposal of waste as identified in a designated substances survey, to the City. Such survey shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department and be in accordance with best management practices. The survey shall address but not be limited to:

- (a) *Asbestos on Construction Projects. (O.Reg 278/05);*
- (b) *Lead on Construction Projects (ISBN 0-7794-6774-4) made under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended;*
- (c) *Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste. (O.Reg 347);*
- (d) *Proposed Regulation Respecting Lead on Construction Projects made under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended; and*
- (e) *Waste Management – PCBs. (O.Reg 362)*

4. 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.

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 Department, 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 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 Department.

7. **Extend Internal Walkways**

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 Department.

8. **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 approved drawings of a design professional, such drawings to be approved by the General Manager, Planning, Infrastructure and Economic Development Department.

9. **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 Department. Such sidewalk(s) shall be constructed to City Standards.

Special Conditions

1. **Permanent Encroachment Agreement**

The Owner(s) shall enter into a Permanent Encroachment Agreement to permit (description of existing encroachment) to remain within the City's road allowance. The costs of preparation and registration of the encroachment agreement will be borne by the Owner(s).

2. **Joint Use and Maintenance Agreement**

The Owner acknowledges and agrees that should the site be severed in the future, that it shall ensure that the future Owner of the freehold units shall enter into a Joint Use and Maintenance Agreement which shall be binding upon the owners and all subsequent purchasers to deal with the joint use, maintenance

and liability of the common elements, including but not limited to the private roadway and concrete sidewalks; common grass areas; common party walls, exterior walls; common structural elements such as the roof, foundations; common parking areas; and watermain for the mutual benefit and joint use of the owners; and any other elements located in the common property; and the private Agreement shall be filed with the General Manager, Planning, Infrastructure and Economic Development Department.

The Owner shall file with the General Manager, Planning, Infrastructure and Economic Development Department, an opinion from a solicitor authorized to practice law in the Province of Ontario that the private Agreement is binding upon the owners of the land and all subsequent purchasers to deal with the matters referred to in Paragraph (a).

The Joint Use, Maintenance and Liability Private Agreement shall be registered on the Owner's land at no cost to the City, and a copy shall be provided to the City.

3. **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.

4. **Completion of Works**

The Owner acknowledges and agrees that no building (or no new building if existing building on site) 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 Department, 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 Department, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development Department for such conveyance and/or occupancy in writing.

5. Waste and Recycling Collection

Residential Units

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.

6. 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 Report (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.

7. Cash in Lieu of Parkland

Upon execution of this Agreement, the Owner shall pay cash-in-lieu of parkland in the amount of \$115,616.40 as referenced in Schedule "B" herein. The Owner shall also pay the parkland appraisal fee of \$500.00 plus H.S.T. of \$65.00, as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2009-95, as amended, 40% of said funds collected shall be directed to City wide funds, and 60% shall be directed to Ward 15 funds.

8. Tree Protection

The Owner acknowledges and agrees that all trees to be retained, as shown on the approved Landscape Plan and identified in the Tree Conservation Report, referenced in Schedule "E" herein, shall be protected in accordance with the City's required tree protection measures. At a minimum, the following tree protection measures shall be applied during all on-site works:

- (a) Erect a fence at the critical root zone (CRZ) of trees, defined as ten (10 cm) centimetres from the trunk for every centimetre of trunk DBH (i.e., $CRZ = DBH \times 10cm$);

- (b) Do not place any material or equipment within the CRZ of the tree;
- (c) Do not attach any signs, notices or posters to any tree;
- (d) Do not raise or lower the existing grade within the CRZ without the approval of the General Manager, Planning, Infrastructure and Economic Development Department;
- (e) Tunnel or bore when digging within the CRZ of a tree;
- (f) Do not damage the root system, trunk or branches of any tree; and
- (g) Ensure that exhaust fumes from all equipment are not directed towards any tree's canopy.

9. Tree Permit

Owner acknowledges and agrees that any trees to be removed shall be removed in accordance with the approved Tree Permit and/or the Tree Conservation Report referenced in Schedule "E" hereto, and in accordance with the City's Urban Tree Conservation By-law, being By-Law No. 2009-200, as amended. The Owner further agrees that a copy of the approved Tree Permit and/or Tree Conservation Report shall be posted on the construction site at all times until Approval is granted by the City for such Works (or during tree removal, grading, construction, and any other site alteration activities).

10. 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.

11. 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.

12. **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.

June 26, 2019

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: D07-12-18-0140

SITE LOCATION

71 Russel Avenue.

SYNOPSIS OF APPLICATION

The subject property is located on the east side of Russell Avenue near the intersection with Osgoode Street. The nearest major roads are Laurier Avenue East to the north, and King Edward Avenue to the west. The property is just over 600 m from the Ottawa University Transit Station, and four blocks from the University.

The subject site is surrounded by residential multi-unit buildings. The typology of the street is a combination of low-rise apartment buildings, and homes, some with significant heritage features. There is a significant grade change on the property which will be utilized to provide an accessible covered entrance at the front of the building.

The proposed development consist of a 16 unit residential apartment building containing a mix of 1, 2 and 3 bedroom units with two parking spots, and landscaped amenity space in the rear yard. Bicycle racks will be provided in the north side yard, as well as in the basement. A total of 22 bicycle parking spaces will be provided.

The proposed building will be four storeys, clad with brick and masonry components at the front and side facades. Tandem parking will be located in the side yard, leaving the entire rear yard to be soft landscaped.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The site is designated General Urban Area in the Official Plan which permits many types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses.
- The site is zoned R4S[480] – Residential Fourth Density Subzone S with Exception, which allows for a low rise apartment dwelling. The proposed

development is also subject to the Mature Neighbourhoods Overlay (Section 139).

- The proposed development is in keeping with Section 2.5.1 of the Official Plan in that it contributes to enhance the established community and coexists with existing development without causing undue adverse impact on surrounding properties.
- Staff is of the opinion that the proposed development will contribute to ensure a full range and choice of housing types in the community while limiting the impact on the immediately abutting properties.

URBAN DESIGN REVIEW PANEL

The Site Plan Control application was not subject to the Urban Design Review Panel process.

CONSULTATION DETAILS

Councillor Leiper has concurred with the proposed conditions of approval.

Public Comments

Summary of Comments - Public

- Concerns were raised with regard to additional on street parking potentially resulting from the proposed development.

Response:

Staff indicated that the subject development is just over the 600 radius of the Ottawa University Transit Station, four blocks from the University, and in close proximity to neighbourhood services, which would likely attract occupants using modes of transportation other than vehicles.

- Concerns were raised with regard to the compatibility of the proposed development with the streetscape and neighbourhood character.

Response:

Although the proposed use is complying with the existing zoning, Staff indicated that a revised design that better integrates the streetscape and neighbourhood character would be required from the proponent.

- The immediately abutting neighbours expressed their concern with intrusion of privacy onto their backyard caused by overlooking windows.

Response:

Staff indicated that although the proposed development was in full compliance with the increased rear yard setback introduced under the Infill Phase II Study, the proponent will be required to enclose the proposed rear exterior staircases.

Technical Agency/Public Body Comments

No concerns were raised.

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.

Contact: Steve Gauthier Tel: 613-580-2424, ext.27889, fax 613-580-2576 or e-mail: steve.gauthier@ottawa.ca