



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

Site Location: 250 Besserer Street

File No.: D07-12-19-0078

Date of Application: May 9, 2019

This SITE PLAN CONTROL application submitted by Nico Church (Fotenn Consultants Inc.) on behalf of 250 Besserer Limited Partnership, is APPROVED as shown on the following plan(s):

1. **Site Plan**, prepared by Hobin Architecture, Dwg. A1.00, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
2. **Basement Floor Plan**, prepared by Hobin Architecture, Dwg. A2.01, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
3. **Ground Floor Plan**, prepared by Hobin Architecture, Dwg. A2.02, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
4. **Level 1 Floor Plan**, prepared by Hobin Architecture, Dwg. A2.03, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
5. **Level 2 Floor Plan (Typical unit plan levels 2-9)**, prepared by Hobin Architecture, Dwg. A2.04, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
6. **Level 9 - Penthouse Plan**, prepared by Hobin Architecture, Dwg. A2.06, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
7. **Roof Plan**, prepared by Hobin Architecture, Dwg. A2.07, Project #1917, dated February 04, 2020.
8. **Elevations**, prepared by Hobin Architecture, Dwgs. A3.01 and A3.02, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
9. **3D Elevations Streetview – Fence detail**, prepared by Hobin Architecture, dated June 2, 2020.
10. **Building Section**, prepared by Hobin Architecture, Dwgs. A4.01 and A4.02, Project #1917, dated May 6, 2019, Revision E dated February 04, 2020.
11. **Landscape Plan**, prepared by Levstek Consultants, Dwg. L1.01, Project #1158, dated April 2019, Revision 7 dated January 29, 2020.
12. **Level 9 Amenity**, prepared by Levstek Consultants, Dwg. L1.01, Project #1158, dated April 2019, Revision 7 dated January 29, 2020.

13. **Grading-Services Plan**, prepared by IBI Group, Dwg# 001, Project No. 120228, Revision 5, dated February 4, 2020
14. **General Notes and Legend**, prepared by IBI Group, Dwg# 010, Project No. 120228, Revision 5, dated February 4, 2020
15. **Erosion and Sedimentation Plan**, prepared by IBI Group, Dwg# 900, Project No. 120228, Revision 5, dated February 4, 2020

And as detailed in the following report(s):

1. **Geotechnical Investigation**, prepared by Paterson Group, Report PG4821-1, Revision 4, dated February 24, 2020.
2. **Phase I Environmental Site Assessment**, prepared by Paterson Group Inc., Report PE4550-2, dated April 10, 2019.
3. **Phase II Environmental Site Assessment**, prepared by Paterson Group Inc., Report PE4550-3, dated April 10, 2019.
4. **Roadway Traffic Noise Assessment**, prepared by Gradient Wind Engineering Inc., Report 19-066-Traffic Noise, dated May 6, 2019
5. **Pedestrian Level Wind Study**, prepared by Gradient Wind Engineering Inc., Report 19-066-PLW dated May 6, 2019
6. **Site Servicing & Stormwater Management Report**, prepared by IBI Group, Project 120228-5.2.2, Revision 3, dated February 4, 2020

And subject to the following Standard and Special Conditions:

Standard Conditions

1. **Site Plan Development 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. **Construction of Internal Walkways**
The Owner acknowledges and agrees to 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.
4. **Barrier Curbs**
The Owner agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with a design professional and such drawing to be approved by the General Manager, Planning, Infrastructure and Economic Development Department.

5. Water Supply for Fire Fighting

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

6. Reinstatement of City Property

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

7. Construction Fencing

The Owner shall be required 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.

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 new building will be occupied on the lands 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, 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 occupancy in writing.

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, the Owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the Owner has complied with this provision.

Nothing in this clause shall be construed as prohibiting or preventing the approval of a consent for severance and conveyance for the purposes of obtaining financing.

12. 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.

13. Development Charges

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

14. Development Charges – Instalment Option

- a) The Owner acknowledges that for building permits issued after January 15, 2010, payment of non-residential development charges, excluding development charges for institutional developments, may be calculated in two (2) installments at the option of the Owner, such option to be exercised by the Owner at the time of the application for the building permit. The non-discounted portion of the development charge shall be paid at the time of issuance of the building permit and the discounted portion of the development charge shall be payable a maximum of two (2) years from the date of issuance of the initial building permit subject to the following conditions:
 - i. a written acknowledgement from the Owner of the obligation to pay the discounted portion of the development charges;
 - ii. no reduction in the Letter of Credit below the amount of the outstanding discounted development charges; and

- iii. indexing of the development charges in accordance with the provisions of the City's Development Charges By-law, as amended.
- b. The Owner further acknowledges and agrees that Council may terminate the eligibility for this two (2) stage payment at any time without notice, including for the lands subject to this Agreement and including for a building permit for which an application has been filed but not yet issued.
- c. For the purposes of this provision,
 - i. "discounted portion" means the costs of eligible services, except fire, police and engineered services, that are subject to 90% cost recovery of growth-related net capital costs for purposes of funding from development charges. The 10% discounted portion, for applicable services, must be financed from non-development charge revenue sources.
 - ii. "non-discounted portion" means the costs of eligible services, fire, police and engineered services, that are subject to 100% cost recovery of growth-related net capital costs for purposes of funding from development charges.

15. Designated Substances Survey

Prior to demolition of any existing buildings located on the lands described in Schedule "A" herein, the Owner acknowledges and agrees to complete a designated substances survey and submit the findings and recommendations for the proper handling and disposal of waste as identified in said survey, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development, and in accordance with Best Management Practices. The survey shall address, but not be limited to:

- a. O.Reg. 278/05: Designated Substance - Asbestos on Construction Projects and in Buildings and Repair Operations under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended (O.Reg. 278/05);
- b. Guideline - Lead on Construction Projects, prepared by the Ontario Ministry of Labour - Occupational Health and Safety Branch, published September 2004 and revised April 2011, as amended;
- c. O.Reg. 213/91: Construction Projects under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended (O.Reg. 213/91);
- d. Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste, prepared by the Ontario Ministry of the Environment, Conservation and Parks, published April 1995 and revised January 2016,

as amended, to be used in conjunction with R.R.O. 1990, Reg. 347: General-Waste Management under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended (R.R.O. 1990, Reg. 347);

- e. R.R.O. 1990, Reg. 362: Waste Management – PCB's under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended (R.R.O. 1990, Reg. 362).

Special Conditions

1. Permanent Features

The Owner acknowledges and agrees that no permanent features shall be permitted above and below grade within the City's widened right-of-way or corner sight triangle, including commercial signage, except as otherwise shown on the approved Site Plan referenced in Schedule E" herein.

2. Transportation Study/Brief

The Owner has undertaken a Transportation Brief and an Addendum for this site, which Brief and Addendum are referenced in Schedule "E" herein, to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and to establish the site design features needed to support system-wide transportation objectives. The Owner shall ensure that the recommendations of the Transportation Brief, and Addendum, are fully implemented, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

3. On-Site Parking

- (a) The Owner acknowledges and agrees that units within the proposed building(s) will 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 will 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 Clause 4 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.

4. **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 acknowledge being advised that the unit being rented will 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 will 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.”

5. **Private Approach Detail**

The Owner agrees that all private approaches, including temporary construction access to the subject lands, shall be designed and located in accordance with and shall comply with the City’s Private Approach By-Law, being By-law No. 2003-447, as amended, and shall be subject to approval of the General Manager, Planning, Infrastructure and Economic Development.

6. **Noise Study**

The Owner agrees to prepare and implement a stationary noise study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department. The Owner shall implement the noise control attenuation measures recommended in the approved noise study.

7. **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 Noise Impact Assessment Study referenced in Schedule "E" hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment, Conservation and Parks) or noise thresholds identified in the City's Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the General Manager, Planning, Infrastructure and Economic Development (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.

- (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, and shall be to his satisfaction.

8. 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 A – Increasing Roadway Traffic

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that noise levels due to increasing roadway/rail/air 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."

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."

Ending Paragraph

"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."

9. **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 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.

10. **Geotechnical - Encroachments**

The geotechnical report has recommended a method of shoring that may encroach onto the adjacent property or onto the City right-of-way. Please note that the applicant is required to obtain the approval of the adjacent property Owner and/or receive municipal consent for any works within the right-of-way prior to the installation of any encroachments. For encroachments within the ROW the applicant shall ensure that there will be no conflicts between the proposed shoring method and the municipal services or utilities in the ROW.

11. **Soil Management**

The Owner acknowledges and agrees to retain an environmental consultant to identify areas on the subject lands where excess soils, fill and/or construction

debris will be removed. If through further testing any of these materials are found to be contaminated, the Owner acknowledges and agrees to dispose, treat or recycle these materials at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks.

12. Retaining Wall

The Owner agrees to submit to the General Manager, Planning, Infrastructure and Economic Development, prior to issuance of a building permit, details of the retaining walls which are greater than one metre in height, as shown on the approved Grading-Services Plan referenced in Schedule "E" hereto, which shall be designed and prepared by a Professional Structural Engineer, licensed in the Province of Ontario, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. The Owner shall provide confirmation to the General Manager, Planning, Infrastructure and Economic Development that the Professional Structural Engineer has inspected and confirmed that the retaining walls have been constructed in accordance with the approved retaining wall details.

The Owner further agrees that the retaining wall along the westerly property line abutting King Edward Avenue shall not exceed 40 cm in height.

13. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground stormwater inlet control devices, as recommended in the approved Site Servicing and Stormwater Management Report, 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.

14. 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, 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, 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, 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.

15. 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 Site Servicing and Stormwater Management Report, and Grading-Services Plan referenced in Schedule “E” herein. The Owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development 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 Site Servicing and Stormwater Management Report and Grading-Services Plan referenced in Schedule “E” herein.

16. 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.

17. 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.

18. Pedestrian crossing on King Edward Avenue

The owner acknowledges and agrees to conduct a full detailed analysis, to the City’s satisfaction, and in consultation with the local Councillor, of a pedestrian/bicycle crossing on the north side of the intersection of King Edward Avenue and Besserer Street. The owner further acknowledges and agrees that the full detailed analysis will be at his expense.

The owner acknowledges and agrees to design and construct to City specifications, and in consultation with the local Councillor, requiring further concurrence prior to work beginning on the intersection and prior to occupancy, the recommended signalized pedestrian/bicycle crossing, including all necessary road and/or infrastructure modifications, on the north side of the intersection of King Edward Avenue and Besserer Street. The owner further acknowledges and agrees that the design and construct of the signalised pedestrian/bicycle crossing, including all necessary road and/or infrastructure modifications, will be at his expense.

19. No cut through traffic measures on Besserer Street

The owner acknowledges and agrees to conduct a full detailed analysis, to the City's satisfaction, and in consultation with the local Councillor, of potential improvements to the no cut through traffic measures, which are to include safety measures for pedestrians and cyclists, on the east side of the intersection of King Edward Avenue and Besserer Street. The owner further acknowledges and agrees that the full detailed analysis will be at his expense.

The owner acknowledges and agrees to design and construct to City specifications, and in consultation with the local Councillor, requiring further concurrence prior to work beginning and prior to occupancy, any recommended improvements to the no cut through traffic measures to the east side of the intersection of King Edward Avenue and Besserer Street. The owner further acknowledges and agrees that the design and construction of recommended improvements, including all necessary road and/or infrastructure modifications, will be at his expense.

20. Integration measures of the building access with the recommended improvements

The owner acknowledges and agrees to conduct a full detailed analysis, to the City's satisfaction, and in consultation with the local Councillor, for an integrated design of the proposed building access with the recommended improvements to the no cut through traffic measures and pedestrian crossing on the east side of the intersection of King Edward Avenue and Besserer Street. The owner further acknowledges and agrees that the full detailed analysis will be at his expense.

The owner acknowledges and agrees to design and construct, to City specifications, and in consultation with the local Councillor, requiring further concurrence prior to work beginning and prior to occupancy, the recommended landscaping and grading works/modifications to ensure proper integration of the proposed building access with the recommended improvements to the no cut through traffic measures and pedestrian crossing on the east side of the intersection of King Edward Avenue and Besserer Street. The owner further acknowledges and agrees that the design and construction of the recommended landscaping and grading measures, including all necessary road and/or infrastructure modifications, will be at his expense.

21. Waste Collection

Container waste collection and cart (and/or container) recycling collection will be provided privately. The owner shall ensure that garbage pick up is scheduled within a two-hour window and that no garbage will be placed outside until the beginning of that window of time. The owner shall provide an adequate storage room or space for 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.

22. Local Planning Appeal Tribunal settlement

The Owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees to implement the conditions of the Local Planning Appeal Tribunal settlement reached with the Appellant on January 23, 2020. The Settlement is referenced as Schedule "E" herein.

June 9th 2020

Date



Saide Sayah
Manager, Development Review
Central Area
Planning, Infrastructure and Economic Development
Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-19-0078

SITE LOCATION

250 Besserer Street

SYNOPSIS OF APPLICATION

The property is situated in the Sandy Hill neighbourhood, at the southeast corner of Besserer Street and King Edward Avenue.

The subject site, known municipally as 250 Besserer Street, is square with equal frontages of 30.18 metres along both Besserer Street and King Edward Avenue. There is significant grade change across the site, with the high point at the south of the site. 250 Besserer Street is currently occupied by a three-storey office building, a commercial parking lot, and a small garage. Directly to the West of the site, is King Edward Avenue, a four lane north-south arterial road. On the other side of King Edward Avenue there is a mix of uses including ground floor commercial, a church, several high-rise residential buildings, and the Ottawa Little Theatre. East of the site, along Besserer Street, is a two-storey single-detached dwelling, a seven-storey apartment building, and a neighbourhood of low- to mid-rise residential buildings. To the north, across Besserer Street, a designated heritage building at 251 Besserer Street. One block further to the north, is Rideau Street, a mixed-use corridor. Directly to the south is a designated heritage building. Further to the south, is a predominantly residential low- and mid-rise neighbourhood, known as Sandy Hill and University of Ottawa's main campus.

The intent of the site plan application is to demolish the existing office building and garage to construct a height-storey apartment building along Besserer Street. Vehicular access to the site is proposed from Besserer Street. Ninety-nine bicycle spaces are proposed in the basement of the new building, and an additional twelve spaces are proposed on City property. No vehicular parking is proposed for residents, and nine spaces will be provided for visitors in the underground parking garage. Rear yard terraces and a rooftop patio are proposed as amenity space for tenants.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The property is designated General Urban Area in the Official Plan. This designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses.
- The site is located in the Mature Neighbourhood Overlay and zoned R5B [2608] H(29.5) Residential Fifth Density Subzone B with Exception, which zone allows for a apartment building.
- The proposed development is in compliance with all performance standards of the R5B [2608] H(29.5) zone and all provisions of the Mature Neighbourhood Overlay.
- The proposed development reflects good planning principles.

URBAN DESIGN REVIEW PANEL

The property is not located within a Design Priority Area.

CONSULTATION DETAILS

Councillor Mathieu Fleury indicated the following:

“Specific concerns on heritage:

- Does the cladding/brickwork/building material “fit” with the adjacent HCD?

As for general comments:

- Would like to see sidewalk levelling on the King Edward side
- All garbage and move in/out trucks needs to be internal - please confirm a large garbage truck can fit through the parking garage entrance without having to alter the height or width of the opening.
- Cycling plan - with storage for up to 99 bikes, is there a viable bike route planned for the tenants - crossing at King Edward is dangerous and backtracking towards Nelson is not likely. Besserer, west of King Edward is a one way the other way. Rideau and King Edward is the Interprovincial truck

route. What did the transportation analysis determine when it came to traffic, bike traffic and pedestrians at this intersection?

- Rooftop amenities – remove roof top as applicant did not satisfy diversity of units (such as 2 bedrooms).

On the rooftop; could the mechanicals be minimized and covered to not look like a mechanical room – to make more aesthetically pleasing? Glass is one example. For residents on the west, east and south sides.

- The King Edward and Besserer intersection is not safe, with close to 200 people living at this location, will this applicant improve the intersection for pedestrian and cycling safety?”

Public Comments

Public and Community Organization Comments and Responses

Comment:

The architecture of the proposed project is not in keeping with the character of the neighbourhood.

Response:

The applicant was required through negotiations with Staff to improve the proposed design and materiality of the building to better integrate with the neighbourhood character.

Comment:

The proposal is aiming at one demographic (students), therefore not contributing to a range of adequate housing.

Response:

The applicant indicated that the proposed building is not a purpose-built student residence and provides a range of unit types intended for market rental. The Department views the land-use as an apartment dwelling, mid-rise and does not zone for the users of the building.

Comment:

The roof-top amenity space is a concern.

Response:

The roof-top amenity space is setback from the roof edge and is purposely located to the north and will be buffered for its most part by the roof-top access and the mechanical penthouse.

Comment:

There is a concern with curbside garbage collection.

Response:

Garbage trucks will be private pickup. Curbside collection is consistent with the context along Besserer Street and with urban contexts across the city, in particular for smaller sites like this one on a secondary street. Pickup frequency is expected to be limited and its timing can be managed due to the private service. Waste management will continue to be reviewed through the Site Plan application

Technical Agency/Public Body Comments

No concerns were raised by any technical agency.

Advisory Committee Comments

The Accessibility Advisory Committee indicated:

1. The elevator should go to the roof-top so those in wheelchairs or with mobility limitations can access the roof top.
2. The proposed building does not seem to be set up for a tenant with mobility limitations (permanent or temporary) in terms of accessible parking spaces. Only one accessible visitor parking space is provided.

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 and shortage of staff.

Contact: Steve Gauthier - Tel: 613-580-2424, ext.27889; Fax: 613-560-6006; or email: steve.gauthier@ottawa.ca