

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

---

Site Location: 1068 Cummings Avenue

File No.: D07-12-19-0121

Date of Application: July 9, 2019

---

This SITE PLAN CONTROL application submitted by Fotenn Consultants, on behalf of Huntington Properties, is APPROVED as shown on the following plan(s):

1. **Site Plan, A1.01**, prepared by Hobin Architects Inc., revision 6, dated August 12th, 2020.
2. **Landscape Plan, L1**, prepared by James Lennox & Associates, Revision 11, August 12th, 2020.
3. **Tree Conservation Plan, TCR**, prepared by James Lennox & Associates Inc, revision 5, dated August 12th, 2020
4. **Detail Sheet, DS-1**, prepared by DSEL engineering Ltd., revision 4, dated August 12th, 2020.
5. **Existing Conditions Plan, EX-1**, prepared by DSEL engineering Ltd., revision 4, dated August 12th, 2020.
6. **Grading Plan, GP-1**, prepared by DSEL engineering Ltd., revision 4, dated August 12th, 2020.
7. **Site Servicing Plan, SSP-1**, prepared by DSEL engineering Ltd., revision 4, dated August 12th, 2020.
8. **Erosion Control Plan, EC-1**, prepared by DSEL engineering Ltd., revision 4, dated August 12th, 2020.
9. **Storm Drainage Plan, SWM-1**, prepared by DSEL engineering Ltd., revision 4, dated August 12th, 2020.

And as detailed in the following report(s):

1. **Site Servicing & Storm Water Management Report**, prepared by DSEL Engineering Ltd., dated May 2020
2. **Geotechnical Investigation – Proposed Multi-Storey Development**, prepared by Paterson Group, Project # PG4875-1, dated December 18, 2019.

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

## **Requirements**

### **General Conditions**

1. 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. 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 and Growth Management Branch.
3. Snow storage shall not interfere with approved grading and drainage patterns or servicing. 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.
4. The Owner covenants and agrees that on completion of all stormwater management Works, the Owner shall provide certification to the City through a professional engineer that all measures have been implemented in conformity with the approved plans and Design Brief.
5. The Owner agrees that the parking areas (and entrances) shall have barrier curbs and shall be constructed in accordance with a design professional and approved by the General Manager, Planning and Growth Management Branch.
6. The Owner shall provide adequate water supply for firefighting for every building. Water supplies may be provided from a public water works system, automatic fire pumps, pressure tanks or gravity tanks.
7. The Owner shall have competent professional engineering inspection personnel on-site during the period of construction and the General Manager, Planning and Growth Management Department shall have the right at all times to inspect the installation of the Works. Should it be found in the sole opinion of the General Manager, Planning and Growth Management 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 approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning and Growth Management Department order all work in the project to be stopped.
8. The Owner acknowledges and agrees that while under construction, any water discharged to the sanitary sewer due to dewatering shall meet the requirements of the City of Ottawa Sewer Use By-law.

9. 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 and Growth Management Branch.
10. The Owner shall reinstate at its expense, to the satisfaction of the General Manager, Planning and Growth Management Branch, any property of the City, including, but not limited to, sidewalks and curbs, boulevards, that are damaged as a result of the subject development.
11. 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.
12. The Owner shall pay development charges to the City in accordance with the by-laws of the City.
13. (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.

**14.** 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**

**15.** The Owner agrees to install the stormceptor EF08 or approved equivalent as identified on the approved Site Servicing Plan referenced in Schedule “E” hereto. The Owner acknowledges that the performance of the storm water pollutant control device is based upon regular maintenance intervals recommended by the manufacturer, and that ownership of the stormceptor requires that the Owner shall have a licensed waste management company perform the required maintenance. The Owner further acknowledges and agrees to keep all records of inspection and maintenance in perpetuity and make said records available for inspection upon demand by the City and/or the provincial regulatory bodies.

**16.** 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.

17. The Owner acknowledges and agrees that the Water Plant within the lands is a Private Watermain and appurtenances to be maintained by the Owner. The Owner performing maintenance on critical infrastructure, such as private watermains shall maintain adequate records as proof of having done so in accordance with applicable regulations and that the records shall be retained for review by the City and or the Fire Department when requested.
18. The Owner acknowledges and agrees that if dewatering is required in excess of 50,000 litres per day on site for approved works that they shall apply to the MOECC for a dewatering activity discharge approval. Furthermore, all cost shall be borne by the Owner.
19. The Owner agrees and acknowledges that should buried materials such as concrete and asphalt or undesirable cobbles and materials be excavated on site they shall be removed from the excavations and be removed off site as per the direction of the on-site geotechnical engineer.
20. The Owner shall have competent professional engineering inspection personnel on-site during the period of construction and the General Manager, Planning, Infrastructure & Economic Development Department shall have the right at all times to inspect the installation of the Works. Should it be found in the sole opinion of the General Manager, Planning, Infrastructure & 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 approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure & Economic Development Department may order all work in the project to be stopped.
21. The Owner shall grant to the City a Blanket Easement over the lands, with the right and licence of free, uninterrupted, unimpeded and unobstructed access to the City, its servants, agents, contractors, and sub-contractors, to enter on and to pass at any and all times, on, over, along and upon the Lands with or without vehicles, supplies, machinery and equipment for all purposes necessary or convenient to construct, maintain, repair and replace the Watermains, Service Posts and fire hydrants at the Owner's expense. The Owner acknowledges and agrees that notwithstanding the rights granted to the City under the grant of easement, the Owner remains responsible at all times for the maintenance, inspection, alteration, repair, replacement and reconstruction of the utility in the said lands during their term of use.
22. Prior to the issuance of a building permit, the Owner shall submit to the General Manager, Planning, Infrastructure and Economic Development, and the Chief Building Official a Record of Site Condition ("RSC") completed in accordance with the Environmental Protection Act, R.S.O. 1990, c. E.19, O.Reg. 153/04, as amended ("O.Reg. 153/04"), and shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all or part of the site will be suitable for the proposed use in accordance with O.Reg. 153/04.

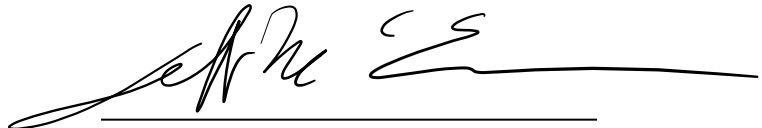
The City may issue a building permit on a phased basis to allow for site investigation and remediation activities if permitted by O.Reg. 153/04. No further Works will be permitted until the RSC is submitted.

- 23.** 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.
- 24.** The Owner acknowledge and agrees to retain an environment consultant to determine and delineate the full lateral extent of the impacted ground water and prior to insurance of any building permits implement a remediation program or risk assessment of the impacted groundwater in accordance with Ontario regulations.
- 25.** 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 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.
- 26.** The Owner agrees to remove/decommission any on-site monitoring wells, if not required for future groundwater monitoring process, in accordance with O.Reg. 903 (as amended), under the Ontario Water Resources Act."
- 27.** City's Sewer Use By-law, being By-law No. 2003-514, as amended, the Owner acknowledges and agrees to install a grease trap on the internal sanitary plumbing system when a restaurant is established on the lands.
- 28.** (a) In addition to the requirements contained in clause 19 of Schedule "C" hereto, the Owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
  - (i) 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);
  - (ii) and it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- (b) The Owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the Owner shall provide certification satisfactory to the General Manager, Planning, Infrastructure and Economic Development, from a Professional Engineer, licensed in the Province of Ontario, that the site lighting has been constructed in accordance with the Owner's approved design plan.

- 29.** 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.
- 30.** The Owner acknowledges and agrees that any trees to be removed shall be removed in accordance with an approved Tree Permit and Tree Conservation Report, and in accordance with the City's Urban Tree Conservation By-law, being By-Law No. 2009-200, as amended. The Owner further acknowledges and agrees that a copy of the approved Tree Permit and Tree Conservation Report shall be posted on the construction site at all times until Approval is granted by the City for such Works.
- 31.** 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.

September 9<sup>th</sup>, 2020

\_\_\_\_\_  
Date



\_\_\_\_\_  
Jeff McEwen  
Manager, Development Review, East  
Planning, Infrastructure and Economic  
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information

## **SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION**

---

**File Number:** D07-12-19-0121

### **SITE LOCATION**

1068 Cummings Avenue is located on the west side of Cummings Avenue and the south side of Caron Street, and as shown on Document 1.

### **SYNOPSIS OF APPLICATION**

- For the past 50 years, light industrial uses have operated on the subject site. There is a large industrial building and other smaller buildings on the 1.5 ha property. The site has approximately 157 metres of frontage on Cummings Avenue and another 94 metre fronting on Caron Street to the north. Caron Street is a private road providing access from Cummings Avenue to a low-rise residential development to the west of the site. To the north of Caron Street is Cummings Park and there are more residential homes on the east side of Cummings Avenue. There is another industrial building located on the property that abuts the site to the south.
- The surrounding neighbourhood is characterized as low-rise residential with most buildings being under 3-storeys in height, save and expect two residential towers located on the south side of Donald Street. To the west is a large strip of commercial property on the east side of St. Laurent Avenue and there is a large park/greenspace to the east next to the Aviation Parkway.
- The proposed building will consist of three six-storey towers connected by two 2-storey breezeways. The towers are oriented with one end fronting onto Cummings Avenue and the breezeways are parallel to the street. There will be some parking and a drop-off loop in front of the two southern tower and the main entrance will face the street on the breezeway between them. More parking, the service entrance, and the access to the underground parking area is located on the south side of the building. The north and west sides of the building, along with the courtyards between the tower, are fenced in creating a private amenity area.
- The site is serviced by municipal water, sanitary and stormwater pipes. Services have been sized appropriately and a stormceptor will be installed to remove total solids from the stormwater going into the storm sewer.

### **DECISION AND RATIONALE**



This application is approved for the following reasons:

- The proposal is in conformity with the General Urban Policies of the City of Ottawa Official Plan.
- The property was the subject of a Zoning By-law Amendment. The amendment rezoned the property to permit proposed building detailed in this site plan. The zoning was approved by Council and is now in affect.
- The site is to be developed on full municipal services. Buildings location, landscaping and parking reflect good site plan design principles

## **CONSULTATION DETAILS**

### **Councillor's Concurrence**

Councillor Tim Tierney was aware of Staff's recommendation. Councillor 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.

### **Technical Agency/Public Body Comments**

#### Summary of Comments –Technical

N/A

### **Advisory Committee Comments**

#### Summary of Comments – Advisory Committees

N/A

## **APPLICATION PROCESS TIMELINE STATUS**

This Site Plan application was processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority

**Contact:** Steve Belan Tel: 613-580-2424, ext. 27591, fax 613-580-2576 or e-mail: Steve.Belan@ottawa.ca

## Document 1 – Location Map

