



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

Site Location: 3368 Carling Avenue

File No.: D07-12-16-0016

Date of Application: November 9, 2016

This SITE PLAN CONTROL application submitted by Cardel Homes Inc. Ottawa Division, is APPROVED as shown on the following plan(s):

1. **Site Plan**, A1.0, prepared by Rosaline J. Hill Architect Inc., dated 2020-07-27, revision 9 dated 2021-05-06.
2. **West Elevation**, A2.1, prepared by Rosaline J. Hill Architect, dated 2020-07-27, revision 9 dated 2021-05-06.
3. **North Elevation**, A2.2, prepared by Rosaline J. Hill Architect, dated 2020-07-27, revision 9 dated 2021-05-06.
4. **East Elevation**, A2.3, prepared by Rosaline J. Hill Architect, dated 2020-07-27, revision 9 dated 2021-05-06.
5. **South Elevation**, A2.3, prepared by Rosaline J. Hill Architect, dated 2020-07-27, revision 9 dated 2021-05-06.
6. **Tree Conservation Plan**, TC1, prepared by FoTenn Planning & Design, dated 2020-10-30, revision 2 dated 2021-05-06.
7. **Landscape Plan**, L1, prepared by FoTenn Planning & Design, dated 2020-10-30, revision 2 dated 2021-05-06.
8. **Landscape Details**, L1, prepared by FoTenn Planning & Design, dated 2020-10-30, revision 2 dated 2021-05-06.
9. **Grading Plan**, 3368 Carling Avenue, Plan GP-1, prepared by Stantec, 16.01.08, Revision 6 dated 21.05.05.

10. **Site Servicing Plan**, 3368 Carling Avenue, Plan SSP-1, prepared by Stantec, 16.01.08, Revision 6 dated 21.05.05.
11. **Stormwater Management Plan**, 3368 Carling Avenue, Plan SD-1, prepared by Stantec, 16.01.08, Revision 6 dated 21.05.05..
12. **Sediment & Erosion Control Plan**, 3368 Carling Avenue, Plan ES/DS-1, prepared by Stantec, 16.01.08, Revision 6 dated 21.05.05.

And as detailed in the following report(s):

1. **Servicing Report**, 3368 Carling Avenue, prepared by Stantec, dated April 6, 2021.
2. **Geotechnical Investigation Report**, Proposed Multi-Storey Building 3368 Carling Avenue, prepared by patersongroup. dated September 15, 2020.
3. **Geotechnical Assessment – Retaining Wall Global Stability Proposed Multi-Storey Building**, prepared by patersongroup, dated February 2, 2021.
4. **Transportation Brief**, prepared by Stantec, dated August 25, 2016.
5. **3368 Carling Avenue Transportation Brief Update**, prepared by Stantec, dated September 17, 2020.

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

General Conditions

1. Execution of Agreement Within One Year

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

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. Barrier Curbs

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

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, 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.

7. 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.

8. 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.

9. Elevations

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevation Plans, referenced in Schedule "E" herein. The Owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevation Plans shall be filed with the General Manager, Planning, Infrastructure and Economic Development and agreed to by both the Owner and the City prior to the implementation of such changes. No amendment to this Agreement shall be required.

10. 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.

Special Conditions

11. 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.

12. Snow Storage

In addition to the requirements of Clause 17 of Schedule "C" of this Agreement, the Owner further acknowledges and agrees that any portion of the subject lands which is intended to be used for snow storage shall not interfere with the servicing of the subject lands. The Grading and Drainage Plan 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. Waste and Recycling Collection (Standard Collection)

a) 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.

14. Installation of Signs on Private Property

The Owner acknowledges and agrees it shall obtain approval from the Chief Building Official, Building Code Services prior to installation of any signs on the subject lands. The Owner further acknowledges and agrees that any such signs shall be installed in a location to the satisfaction of the Chief Building Official, Building Code Services and the General Manager, Planning, Infrastructure and Economic Development, and in accordance with the City's Permanent Signs on Private Property By-law No. 2016-326, as amended.

15. Road Widening

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete frontage of the lands on Carling Avenue, from the existing centreline of pavement/the abutting right-of-way. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner acknowledges and agrees to provide an electronic copy of the Transfer and a copy of the deposited reference plan to the City Clerk and Solicitor prior to the execution of this Agreement by the City. All costs shall be borne by the Owner.

16. Noise Study

The Owner agrees to prepare and implement a 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.

17. 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.

18. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top and in-ground stormwater inlet control devices, as recommended in the approved 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.

19. 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.

20. 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.

21. 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 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.

22. 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.

23. Below Grade Parking Area and Depressed Driveways

- b) 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 shall 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.

- c) The Owner acknowledges and agrees that a notice-on-title respecting below grade parking areas and depressed driveways, as contained in **Clause 23** 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.

24. 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 shall not be liable 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.”

25. 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 Landscape 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.

26. Tree Conservation Report

The Owner acknowledges and agrees to abide by the Tree Conservation Report and Tree Specifications as listed in the approved report for retained trees on and off site.

27. 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.

28. Reimbursement of Site Servicing Works

The Owner acknowledges and agrees that the servicing of this property has been coordinated through the City's Design and Construction Branch and these works are now complete. The Owner shall pay \$12,607.16 for works already completed by the City regarding the Crystal Beach, Conniston, Ullswater, Hexam, Bedale and Carling Avenue Sewer Project. The monies are to be paid at the same time as Schedule C fees.

June 9, 2021

Date



Erin O'Connell
Manager, Development Review, West
Planning, Infrastructure and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information

SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-16-0016

SITE LOCATION

The property is located at 3368 Carling Avenue, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site is located on the south side of Carling east of Bedale Drive and is currently vacant. It is predominantly surrounded by low density residential dwellings to the east, west and south and Dick Bell Park on the north side of Carling.

The applicant is proposing to build a three-storey residential building containing 15 rental units and 19 parking spaces (16 are underground for tenants and three surface spaces are provided for visitors). The proposed access to the parking garage and surface parking spaces will be from Bedale Drive.

In the original submission, the applicant was proposing a similar product, however, required a number of variances, which were denied by the Committee of Adjustment. The applicant had amended their proposal based on community opposition and a minor variance application was approved by the Committee of Adjustment in August 2020 for the following:

- To reduce the minimum required landscape buffer at the rear property line from 3 metres to 2.5 metres;
- To reduce the required resident parking spaces by two (providing 16 parking spaces for 15 apartments instead of 18 spaces); and
- To permit the storage of garbage in four outdoor sheds rather than in a building.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal conforms to the provisions of the General Urban Area designation of the Official Plan;
- The proposal conforms to all relevant provisions of the Zoning By-law, including those specific to the LC[2127] zone and in accordance with the City Council decision; and
- The application as proposed represents good and desirable planning.

PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2009-95, is being satisfied within this approval through the taking of cash-in-lieu of parkland as detailed in the above conditions.

CONSULTATION DETAILS

Councillor's Concurrence

Councillor Theresa Kavanagh was aware of the application related to this report.

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.

Summary of public comments and responses

Several comments were received regarding the original submission in 2016. Since the time of submission, the applicant has changed the application due to comments from residents and the City.

Comments received included concerns regarding the overlook of the proposed balconies, the reduction of required parking spaces, location of garbage and recycling, and the retention of the cedar hedge.

The applicant has made changes in order to address residents and staff concerns by way of reducing the number of balconies on the south façade; increased the number of parking spaces; four small garbage sheds will be located at the base of the parking ramp and out of sight; and a greater landscape buffer has been provided in order to retain as much of the cedar hedge as possible.

Technical Agency/Public Body Comments

N/A

Advisory Committee Comments

N/A

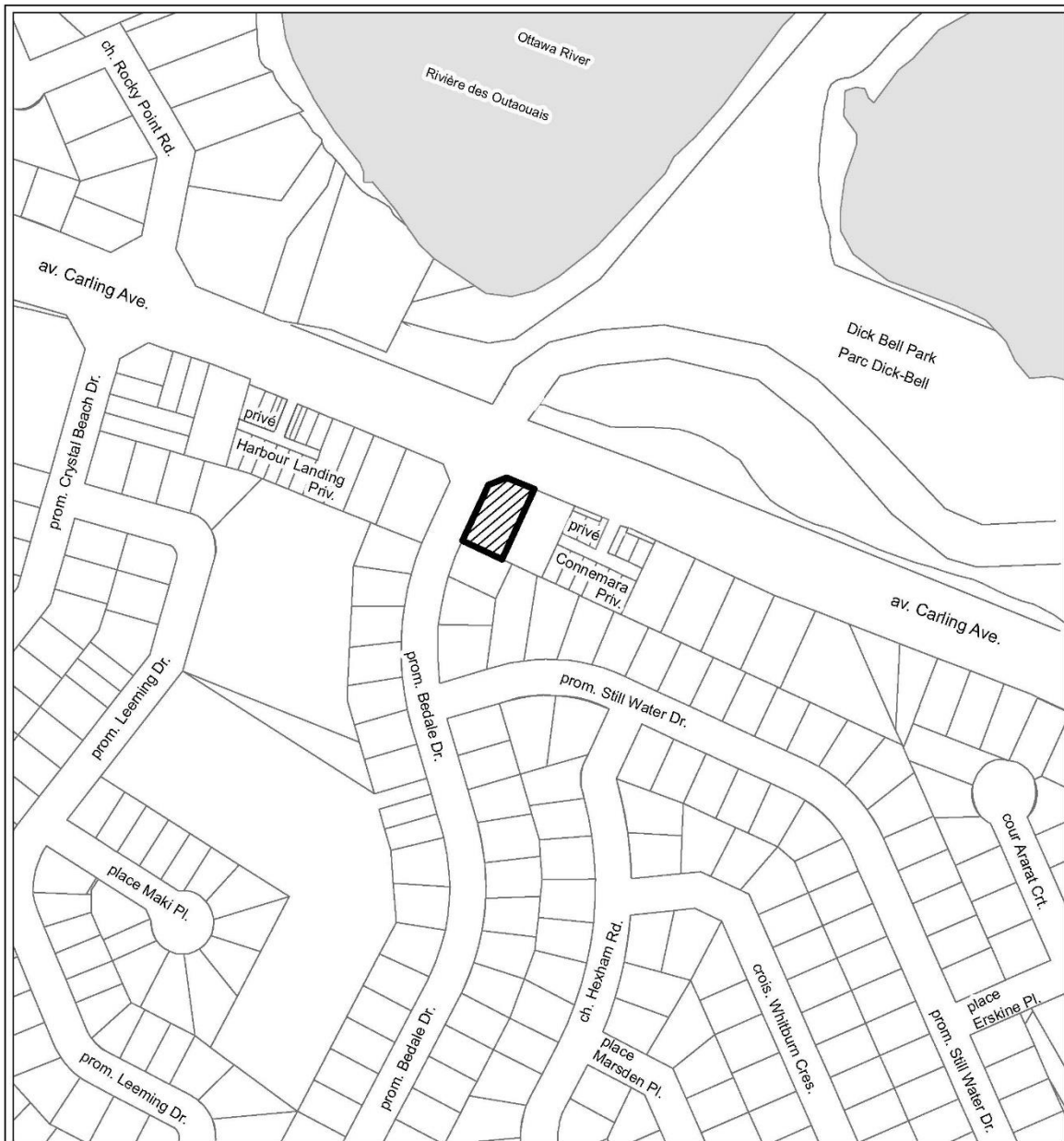
APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date established

for the processing of an application that has Manager Delegated Authority due to the complexity of issues associated with the project.

Contact: Laurel McCreight Tel: 613-580-2424, ext. 16587, fax 613-580-2576 or e-mail: laurel.mccreight@ottawa.ca

Document 1 – Location Map



D07-12-16-0016 Site Plan 16-0201-C
 D07-04-16-0002 Condo

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REVISION / RÉVISION - 2016 / 02 /12

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



3368, av. Carling Ave.

