



**SITE PLAN CONTROL APPLICATION
DELEGATED AUTHORITY REPORT
PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Location: 255 Metcalfe Street

File No.: D07-12-22-0143

Date of Application: September 29, 2022

This SITE PLAN CONTROL application submitted by NOVATECH Engineers, Planners & Landscape Architects, on behalf of Falsetto Homes Inc., is APPROVED as shown on the following plan(s):

1. **Site Plan – 255 Metcalfe Street**, Drawing No. 121185-SP, prepared by NOVATECH Engineers, Planners & Landscape Architects, dated OCT 14/22, revision 3 dated DEC 08/22.
2. **Window Well Guards**, Drawing No. A1.4, prepared by Muzaiko Architecture, dated 2021.06.10, revision B dated 2022.06.27.

And as detailed in the following report(s):

1. **255 Metcalfe Street Basement Apartments – Assessment of Adequacy of Public Services Report (Watermain Only)**, prepared by NOVATECH Engineers, Planners & Landscape Architects, dated September 23, 2022.
2. **Roadway Traffic Noise Brief**, prepared by Gradient Wind Engineers & Scientists, dated September 28th, 2022.
3. **Phase I Environmental Site Assessment – 255 Metcalfe Street, City of Ottawa, Ontario**, prepared by Kollaard Associates, dated December 9, 2022.

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

Requirements

1. The Owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than five million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

Scoped Site Plan Agreement Conditions

1. Execution of Agreement Within One Year

The Owner shall enter into this Scoped 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. Noise Control Attenuation Measures

The Owner covenants and agrees that it shall retain the services of a professional engineer licensed in the Province of Ontario to ensure that the recommendations of the Noise Brief, referenced in Schedule "E" herein (the "Report"), are fully implemented. The Owner further acknowledge and agrees that it shall provide the General Manager, Planning, Real Estate and Economic Development Department with confirmation issued by the professional engineer that the Owner has complied with all recommendations and provisions of the Report, prior to building occupancy, which confirmation shall be to the satisfaction of the General Manager, Planning, Real Estate and Economic Development Department.

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Noise brief, referenced in Schedule "E" of this Agreement, as follows:

- (a) each new unit is to be equipped with central air conditioning;
- (b) further to subsection (b) above, the location and installation of any outdoor air conditioning device(s) shall comply with the noise criteria of the Ministry of the Environment, Conservation and Parks' Publication NPC-216, dated 1993, and the Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands.
- (c) prior to the issuance of a building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound levels within the City's and the Ministry of the Environment, Conservation and Parks' noise criteria;
- (d) notice respecting noise shall be registered against the lands, at no cost to the City, and a warning clause shall be included in all agreements of purchase and sale or lease agreements, as detailed in paragraph 3 below.

3. **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 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.”

4. **On-Site Parking**

- (a) The Owner acknowledges and agrees that units within the proposed building(s) may 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 may 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 5 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.

5. **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 acknowledges being advised that the unit being sold/rented may 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 may 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.”

6. **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.

And subject to the following General and Special Conditions through Letter of Undertaking:

General Conditions

7. **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, Real Estate and Economic Development.

8. **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.

9. **Reinstatement of City Property**

The Owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Real Estate 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.

10. **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, Real Estate and Economic Development.

11. **Development Charges**

The Owner shall pay development charges to the City in accordance with the bylaws of the City.

Special Conditions

Waste Collections

12. **Waste Collection**

The Owner acknowledges and agrees that residential cart (and/or container) garbage, recycling, and organic waste collection will be provided by the City from a centralized refuse room or area. The Owner shall provide, at its own expense, adequate storage for the containers and carts and acknowledges it is recommended that they be placed on a concrete floor. The Owner shall provide an adequately constructed road for direct access to the garbage/recycling/organic waste storage room or area suitable for garbage/recycle/organic waste collection vehicles. Any additional services (i.e., winching of containers) may result in extra charges.

March 9, 2023

Date



Adrian van Wyk
Planner I, Development Review, Central
Planning, Real Estate and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-22-0143

SITE LOCATION

255 Metcalfe Street, located on the south-east corner of Metcalfe Street and Maclaren Street, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject property includes an eight-storey apartment building on a relatively flat, squared-shaped parcel. To the south of the building is an open area of gravel. The building has frontage on Metcalfe Street and Maclaren Street. A minimal corner side yard (Maclaren Street) includes some tree plantings, shrubs and window wells.

The property is located in a high-density area of Centretown and within the boundary of the Centretown Heritage Conservation District. It is surrounded by mid- and high-rise apartment- and office buildings. Metcalfe Street is designated as an Arterial Road and a Design Priority Corridor; Maclaren Street is designated as a Local Road.

The applicant proposes to add three basement units within the existing building. The building footprint will not be expanded – existing storage rooms will be converted to accommodate the new dwelling units. No additional vehicular parking spaces or amenity areas are proposed to be associated with the new units. The new units will be located along the Maclaren Street side of the building and new window wells will provide access to light and air for the new units.

New exterior elements associated with the new units include black iron guard rails and “stepped” window wells. No other exterior changes are proposed to the building.

The new units will be serviced on existing municipal infrastructure, as with the rest of the building.

The creation of the new units were non-compliant with respect to the minimum required amenity area and number of parking spaces under the Zoning By-law. Minor Variances (D08-02-23/A-00001) have been approved to seek relief from the applicable provisions of the Zoning By-law.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal is consistent with the policies of the Official Plan (2022) – in particular, with respect to the Downtown Core Transect (Section 5.1) and Minor Corridors (Section 6.2), as it accommodates additional residential density within an existing mid-rise building. Furthermore, the proposal is consistent with the Strategic Directions (Section 2) of the Official Plan and City-Wide Policies (Section 4) and implements the Growth Management Framework (Section 3). The proposal supports the City’s housing needs by making efficient use of existing facilities and infrastructure and respects the established character and context of the area.
- The proposal is consistent with the policies of the Central and East Downtown Core Secondary Plan (2022) – in particular, with respect to the Corridor designation (Section 2.4) and the Centretown Character Area (Section 4.4). The proposal respects and maintains the existing character of the area (specifically, the Central Character Area), accommodates new residential growth within an existing building and makes efficient use of existing facilities and infrastructure. Furthermore, the proposal is consistent with the Secondary Plan’s General policies (Section 3) with respect to built form, development, heritage and urban design.
- The proposal is consistent with the guidelines of the Centretown Community Design Plan (2013). Section 6 of the CDP contemplates this site as one of residential mixed use with a height limit of nine storeys. The existing footprint of the building will not be changed through this proposal. The proposal also respects the Heritage Approach (Section 6.5) guidelines of the CDP.
- It is the Department’s opinion that the proposal represents good planning.

PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2022-280, 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 Comments

Councillor Ariel Troster was aware of the application related to this report.

Public Comments

This application was not 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

All technical agency correspondences and requirements were forwarded to the applicant during the review of the Site Plan Control application, and the applicant was advised, where applicable, to contact technical agencies directly for additional information and requirements.

Advisory Committee Comments

N/A

APPLICATION PROCESS TIMELINE STATUS




This Site Plan application was not processed by the On Time Decision Date due to additional required approvals.

Contact: Adrian van Wyk Tel: 613-580-2424, ext. 21607 or e-mail:

Adrian.vanwyk@ottawa.ca

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
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I:\CO\2022\Site\Metcalfe_255		 rue 255 Metcalfe St	
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REVISION / RÉVISION - 2022 / 10 / 07		 <small>NOT TO SCALE</small>	