



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

Site Location: 50 The Driveway

File No.: D07-12-22-0100

Date of Application: June 19, 2022

This SITE PLAN CONTROL application submitted by Main and Main Asset Management Inc., on behalf of the Canadian Nurses Association, is APPROVED as shown on the following plan(s):

1. **Site Plan**, Drawing No. A1-00, prepared by Hobin Architecture, dated 2023-04-27, revision 7 dated 230427.
2. **Elevations**, Drawing No. A3-00, prepared by Hobin Architecture, dated 230424, revision 8 dated 230424.
3. **Elevations**, Drawing No. A3-01, prepared by Hobin Architecture, dated 230424, revision 8 dated 230424.
4. **Landscape Plan**, Sheet Number L1.0, prepared by CSW, dated 15 June, 2021, revision 9 dated 26 Apr, 2023.
5. **Landscape Details**, Sheet Number L2.0, prepared by CSW, dated 15 June, 2021, revision 9 dated 26 Apr, 2023.
6. **Landscape Details**, Sheet Number L2.1, prepared by CSW, dated 15 June, 2021, revision 9 dated 26 Apr, 2023.
7. **Landscape Details**, Sheet Number L2.2, prepared by CSW, dated 15 June, 2021, revision 9 dated 26 Apr, 2023.
8. **Tree Conservation Report**, Sheet Number TCR 01, prepared by CSW, dated July, 2021, revision 6 dated 15 May, 2023.
9. **Tree Conservation Report**, Sheet Number TCR 02, prepared by CSW, dated July, 2021, revision 6 dated 15 May, 2023.
10. **Tree Conservation Report**, Sheet Number TCR 03, prepared by CSW, dated July, 2021, revision 6 dated 15 May, 2023.
11. **Site Grading Plan**, Drawing No. SG-01, prepared by Lithos, dated Nov 29, 2022, revision 2 dated Mar 27, 2023.
12. **Site Servicing Plan**, Drawing No. SS-01, prepared by Lithos, dated Nov 29, 2022, revision 2 dated Mar 27, 2023.
13. **Erosion Control & Removals – Reinstatement Plan**, Drawing No. EC-01, prepared by Lithos, dated Nov 29, 2022, revision 2 dated Mar 27, 2023.

14. **Details Drawing Plan**, Drawing No. DD-01, prepared by Lithos, dated Nov 29, 2022, revision 2 dated Mar 27, 2023.

And as detailed in the following report(s):

1. **50 The Driveway SPA – TIA Report**, prepared by Parsons, dated January 12, 2023, revision 6 dated March 14, 2023.
2. **Functional Servicing and Stormwater Management Report**, prepared by Lithos, dated January 16th, 2023, revision dated March 27th, 2023.
3. **Roadway Traffic Noise Assessment**, prepared by Gradient Wind, dated July 5, 2021, revision dated January 12, 2023.
4. **Pedestrian Level Wind Study**, prepared by Gradient Wind, dated June 30, 2021.
5. **Site Servicing Report – 50 the Driveway, Ottawa ON**, prepared by J.L. Richards, dated May 2, 2023.
6. **Phase II Environmental Site Assessment – 50 The Driveway, Ottawa, Ontario**, prepared by Paterson Group, dated July 16, 2021.
7. **Phase I-Environmental Site Assessment – 50 The Driveway, Ottawa, Ontario**, prepared by Paterson Group, dated July 9, 2021.
8. **Geotechnical Investigation – Proposed Multi-Storey Building, 50 The Driveway, Ottawa, Ontario**, prepared by Paterson Group, dated July 16, 2021.
9. **Geotechnical Design Summary Details**, prepared by Paterson Group, dated February 3, 2023.

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. 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, Real Estate and Economic Development.

3. 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.

4. **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.

5. **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.

6. **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, Real Estate and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

7. **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, Real Estate and Economic Development.

8. **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, Real Estate 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, Real Estate and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Real Estate 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, Real Estate 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.

9. **Development Charges**

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

Special Conditions

10. **Professional Engineering Inspection**

The Owner shall have competent Professional Engineering inspection personnel on-site during the period of construction, to supervise the Works, and the General Manager, Planning, Real Estate 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, Real Estate 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, Real Estate 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, Real Estate and Economic Development.

Roads Right-of-Way and Traffic

11. **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.”

Access

12. **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, Real Estate and Economic Development.

13. **Private Access**

The Owner acknowledges and agrees that all private accesses to Roads shall comply with the City’s Private Approach By-Law being By-Law No. 2003-447 as amended, or as approved through the Site Plan control process.

Noise

14. **Noise Control Attenuation Measures**

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Roadway Traffic Noise Assessment, referenced in Schedule “E” of this Agreement, as follows:

- (a) each unit is to be equipped with central air conditioning;
- (b) each unit is to be fitted with a forced air heating system and ducting, and shall be sized to accommodate central air conditioning;
- (c) 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.
- (d) 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. A letter shall be prepared by a qualified professional and provided to the General Manager, Planning, Real Estate and Economic Development confirming the plans submitted for building permit issuance have incorporated any and all mitigation measures to achieve the required indoor sound levels;

- (e) upon completion of the development and prior to occupancy and/or final building inspection, a Professional Engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, shall be retained to visit the lands, inspect the installed noise control measures and satisfy themselves that the installed recommended interior noise control measures comply with the measures in the Roadway Traffic Noise Assessment referenced in Schedule "E" hereto. The Professional Engineer shall prepare, sign and stamp a letter to the General Manager, Planning, Real Estate and Economic Development (the "Certification Letter") stating that they certify acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development;
- (f) 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 16 below.

15. **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 B – Increasing Roadway Traffic

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that despite the inclusion of noise control features in this development and within building units, noise levels from 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 C – Forced Air Heating System and Ducting

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the Purchaser/Lessee 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."

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges and agrees it shall identify the location and install any outdoor air conditioning device(s) so as to 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."

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."

"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."

16. **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 Roadway Traffic Noise Assessment 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, Real Estate 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, Real Estate 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:

All of the information required in subsections (a) and (b) above shall be submitted to the General Manager, Planning, Real Estate and Economic Development, and shall be to their satisfaction.

ENGINEERING

Geotechnical Engineering and Soils

17. 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, Real Estate 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, Real Estate and Economic Development.

18. Record of Site Condition

Prior to the issuance of any building permit, the Owner shall submit to the General Manager, Planning, Real Estate 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* ("*O.Reg. 153/04*"), as amended, and such RSC shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all or part of the site is 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* which shall be at the sole discretion of the Chief Building Official.

Where available information reveals that contamination extends into a City right-of-way and submission of an RSC is not possible, a building permit may be issued, at the sole discretion of the Chief Building Official, on a phased basis:

- (a) where the Owner has executed an off-site management agreement with the City to remediate the right-of-way and the site or;
- (b) where the Owner has completed remediation Work on the right-of-way to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

Groundwater

19. Groundwater Management

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 be 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.

Civil Engineering

20. Below Grade Parking Area and Depressed Driveways

- (a) 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 be liable for flooding claims. The Owner further acknowledges that it is recommended that backwater valves be installed on catch basins located in depressed driveways.
- (b) The Owner acknowledges and agrees that a notice-on-title respecting below grade parking areas and depressed driveways, as contained in Clause 22 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.

21. 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."

22. **Stormwater Management Memorandum**

Prior to registration of this Agreement, the Owner acknowledges and agrees to provide the General Manager, Planning, Real Estate 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, Real Estate and Economic Development, and all associated costs shall be the Owner's responsibility.

23. **Protection of City Sewers**

(a) Prior to the issuance of a building permit, the Owner shall, at its expense:

- (i) provide the General Manager, Planning, Real Estate and Economic Development with the engineering report from a Professional Engineer, licensed in the Province of Ontario, which report shall outline the impact of the proposed building's footing and foundation walls, on the City sewer system, that crosses the Lewis and Driveway frontages (the "City Sewer System") and the impact of the existing City Sewer System on the building's footing and foundation walls;
- (ii) obtain a legal survey acceptable to the General Manager, Planning, Real Estate and Economic Development and the City's Surveyor, showing the existing City Sewer System within Lewis and Driveway and the location of the proposed building and its footings in relation to the City Sewer System;
- (iii) obtain a video inspection of the City Sewer System within Lewis and Driveway prior to any construction to determine the condition of the existing City Sewer System prior to construction on the lands and to provide said video inspection to the General Manager, Planning, Real Estate and Economic Development.

(b) Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Real Estate and Economic Development:

- (i) obtain a video inspection of the existing City Sewer System within Lewis and Driveway to determine if the City Sewer System sustained any damages as a result of construction on the lands; and
- (ii) assume all liability for any damages caused to the City Sewer System within Lewis and Driveway and compensate the City for the full amount of any required repairs to the City Sewer System.

24. **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 Functional 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.

25. **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, Real Estate 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.

26. **Water Demand for Fire Fighting**

The Owner acknowledges and agrees that the City's boundary conditions were provided for the subject development site setting out the available municipal water supply. The Owner further acknowledges and agrees that prior to building permit issuance, a letter shall be prepared by a qualified Building Code professional, licensed in the Province of Ontario, and provided to the General Manager, Planning, Real Estate and Economic Development confirming the plans submitted for building permit issuance have incorporated any and all requirements of the Fire Underwriters Survey, 2020, or as amended, to achieve the low construction coefficient used within the proposed building design.

Site Lighting

27. **Site Lighting Certificate**

(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, Real Estate 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.

PLANNING AND OTHER

Planning and Design

28. Heritage

- (a) The Owner agrees to provide the final details of final cladding materials for Heritage staff approval prior to the issuance of a Building Permit.
- (b) The Owner agrees to continue to work with Heritage staff on the design of the interpretative wall screens for the Lewis Street façades and provide the final design for approval by Heritage staff prior to the issuance of a Building Permit.
- (c) The Owner agrees to continue to work with Heritage staff on the details of the interpretative plaques, including review by various stakeholders, and provide the final text/design for approval by Heritage staff prior to the issuance of a Building Permit.
- (d) The Owner agrees that the lighting for the lantern will be –
 - (i) limited to down lighting with dimmable fixtures,
 - (ii) warm white or amber tones (e.g <3000K), and
 - (iii) limited to a maximum of 1900 lumens (per photometric report, dated Nov 22,2022) programed to activate at sunset and lower in intensity beginning at midnight to deactivate at sunrise.
- (e) The Owner acknowledges and agrees to enter into a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the City, for the purposes of the conservation of the cultural heritage values and attributes of the existing property at 50 The Driveway, as of the date of Council approval. The cultural heritage values and attributes will be identified through the heritage easement agreement. The easement will reflect the final elevations, site/landscape plans, lighting, and interpretation plans, to be approved through conditions of Site Plan Control and secured via a Site Plan Agreement or within the Heritage Easement Agreement. Council approval and execution of the Heritage Easement Agreement is required prior to lifting the holding symbol

29. **Section 37 Contribution**

In accordance with Subsection 33 of Part 19 of the Zoning By-law 2008-250, the Owner acknowledges and agrees to contribute the public benefits ("Section 37 funds") noted below, through this agreement, which will comprise a combination of public benefits including monies that would be paid to the City to be used for defined capital projects and facilities/works to be undertaken by the owner with the total value of the benefits to be secured being \$200,000 to the City, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Ottawa, calculated from March 23rd, 2022 to the date of payment.

- (a) The specific benefits to be secured and provided are: Ward 14 specific account for affordable housing: \$200,000
- (b) Notwithstanding the foregoing, the Owner and the City may modify or amend this condition, from time to time upon the consent of the City and the Owner, without further amendment to those provisions of the Zoning By-law which identify the facilities, services and matters to be secured.
- (c) The payment of Section 37 funds shall be provided prior to the issuance of a Building Permit for the proposed development.

15. **Exterior Elevations Drawings**

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevations Plans, referenced in Schedule "E" herein. The Owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevations Plans shall be filed with the General Manager, Planning, Real Estate 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.

Waste Collections

30. **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.

Parkland

31. **Cash-in-Lieu of Parkland**

Upon execution of this Agreement, the Owner shall pay cash-in-lieu of parkland in the amount referenced in Schedule "B" herein. The Owner shall also pay the parkland appraisal fee of \$800.00 plus H.S.T. of \$104.00, as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2022-280, as amended, 40% of said funds collected shall be directed to City wide funds, and 60% shall be directed to Ward 14 funds.

May 26, 2023

Date



Andrew McCreight
Manager (A), 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: D07-12-122-0100

SITE LOCATION

50 The Driveway, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject property has a frontage of 44.2 metres along Lewis Street and a lot depth of 75.2 metres for a total site area of 2,860 m². The subject property is currently occupied by the two (2) storey Canadian Nurses Association building.

The area surrounding the subject property is characterized by residential uses in a mix of building typologies. To the north and east of the subject property are National Capital Commission (NCC) lands containing a multi-use pathway and greenspace with mature trees, and the Queen Elizabeth Driveway that borders the Rideau Canal. South of the subject property is the German Embassy and other residential uses characterized by low-rise residential buildings. West of the subject property are a variety of residential uses and typologies including a 17-storey apartment building, low-rise apartment buildings, townhomes, and single-detached homes.

The proposal seeks to redevelop the subject property with a nine (9) storey, 77-unit mid-rise apartment building containing a mix of 54 two-bedroom units and 23 one-bedroom units. The existing heritage character and attributes of the building currently occupying the property are to be maintained and integrated into the new development. A total of 97 vehicular parking spaces and 77 bicycle parking spaces are to be included.

Residential Units and Types

Dwelling Type	Number of Units
Apartment	77

Related Applications

The following applications are related to this proposed development:

- Official Plan Amendment – D01-01-21-0012
- Zoning By-law Amendment – D02-02-21-0072

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal is consistent with the Official Plan policies for the Downtown Core Transect (Section 5.1) and the Rideau Canal Special District designation (Section 6.6). The proposal will maintain and enhance the urban character of the Downtown Core and will assist in supporting active transportation. The proposal also respects the cultural heritage landscape of the Rideau Canal and reinforces its existing physical character.
- The proposal is generally consistent with the land use and built form guidelines of Centretown Community Design Plan (2013). The proposal enhances the residential character of the Golden Triangle and is designed as a context-sensitive mid-rise building with appropriate transitions to adjacent low-rise uses.
- The proposal conforms with the provisions of the R5B[2763] S451-h zone. A site-specific Zoning By-law Amendment was approved by City Council on March 23, 2033.
- The proposed conditions of approval give effect to the site-specific Zoning By-law provisions for this site and their fulfilment will enable the lifting of the holding symbol on this property.
- The proposed site design 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.

URBAN DESIGN REVIEW PANEL

The Site Plan Control application was subject to the Urban Design Review Panel process. A formal review meeting was held on July 8, 2022.

The panel's recommendations from the formal review meeting are:

Summary

- The Panel thanked the proponent for their presentation and recognized the fine design and the challenges of integrating heritage elements into the design, including the lantern.
- The Panel supports the project and appreciates the team's efforts to retain and reinstate parts of the building.
- The Panel appreciates the history behind the heritage element. Some Panel members expressed their preference for maintaining the heritage element at grade. There is strong support for the curvilinear expression, and the Panel provided different suggestions on how to integrate the lantern element and the treatment of the vertical element. The Panel also provided comments regarding

the treatment of the stairs and their integration into the building.

Integration of Heritage Elements 3

- The Panel appreciates the preservation of the front steps, but they are no longer associated with the building entrance and do not lead to any common areas of the building. The proponent could consider incorporating a moat element surrounding the stairs and introducing water to improve the stairs' treatment and give them a new feel.
- The Panel questions the integration of the lantern with the building as it currently has a gothic feeling. The proponent should consider bringing down the vertical lines from the lantern, capping the stone expression at two storeys, and providing enough space between the lantern and the penthouse for the lantern to be celebrated.
- A Panel member was not in support of the proposed lantern's location as it appears out of place and is too close to the parapet edge of the building. Its current height is also very prominent, which was not the intent. The intent was to have an effect of a quiet glow and not a beacon floating above the tree canopy.
- There was a suggestion to place the heritage piece in the landscape.

Architectural Expression

- The Panel questioned the vertical expression, given that the building currently has three languages. The vertical element should pick up the language of the heritage building and allude to the heritage element rather than creating a third language.
- The Panel appreciates the curvature of the upper floors as they provide a strong horizontal line and suggests bringing the curvature around the vertical element to resonate more with the lantern.

The Panel was successful in aiding in the implementation of the following:

- The addition of landscape elements to improve the interface between the public realm and the heritage building.
- Refinement of the corner expression of the building and balconies to better integrate the historic lantern within the new building.

CONSULTATION DETAILS

Councillor's Comments

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

- Concerns with increased traffic

The proposed residential building is expected to produce less traffic impacts than the current commercial use at full capacity, as noted in the applicant's Transportation Impact Assessment. The property is also within 600m of the UOttawa LRT Station and the multi-use pathways of the Rideau Canal.

- Concerns with maintaining the existing tree canopy.

The applicant has worked with the City and the National Capital Commission to ensure that the impacts to existing trees are minimized. New trees are proposed to be planted on site.

- Concerns about noise during construction.

Construction activities will be required adhere to the City's noise by-laws.

Technical Agency/Public Body Comments

Summary of Comments – Technical

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

Summary of Comments – Advisory Committees

N/A

APPLICATION PROCESS TIMELINE STATUS



This Site Plan application was not processed by the On Time Decision Date due to the complexity of planning issues relating to design, landscaping and heritage.

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

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Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
D07-12-22-0100	22-0623-K		
I:\CO\2022\Site\TheDriveway_50			
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