



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

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Site Location: 180 Main Street

File No.: D07-12-22-0160

Date of Application: November 8, 2022

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This SITE PLAN CONTROL application submitted by Rosaline J. Hill Architect Inc., on behalf of Andrew Lay & Xin Hui Su, is APPROVED as shown on the following plan(s):

1. **Site Plan**, drawing A1.0, prepared by Rosaline J. Hill Architect Inc., dated November 2022, revision no. 2, dated March 2, 2023.
2. **Tree Conservation Report & Landscape Plan**, drawing no. L.1, prepared by James B. Lennox & Associates Inc., dated August 2022, revision no. 4, dated March 2, 2023.
3. **Elevations**, drawing no. A2.1, prepared by Rosaline J. Hill Architect Inc., dated November 2022, revision no. 2, dated March 2, 2023.
4. **Proposed Site Grading and Servicing Plan**, drawing no. G-1, prepared by T.L. MAK Engineering Consultants Ltd., dated August 2022, revision no. 2, dated March 1, 2023.
5. **Proposed Erosion and Sediment Control Plan**, drawing no. ESC-1, prepared by T.L. MAK Engineering Consultants Ltd., dated August 2022, revision no. 2, dated March 1, 2023.
6. **Storm Drainage Area Plan**, drawing no. D-1, prepared by T.L. MAK Engineering Consultants Ltd., dated August 2022, revision no. 2, dated March 1, 2023.
7. **Proposed Rooftop Stormwater Management Plan**, drawing no. SWM-1, prepared by T.L. MAK Engineering Consultants Ltd., dated August 2022, revision no. 2, dated March 1, 2023.

And as detailed in the following report(s):

1. **Geotechnical Desktop Review**, report no. PG6472-1, prepared by Paterson Group Inc., dated November 7, 2022.
2. **Geotechnical Review Memorandum**, file no. PG6472-MEMO.01, prepared by Paterson Group Inc., dated January 10, 2023.
3. **Geotechnical Review Memorandum**, file no. PG6472-MEMO.02, prepared by Paterson Group Inc., dated January 31, 2023.
4. **Serviceability Report**, reference file no. 822-100, dated October 2022, report no. R-822-100A (revision no. 1), dated February 2023.

5. **Phase I - Environmental Site Assessment**, report no. PE5706-1, prepared by Paterson Group Inc., dated May 6, 2022.
6. **Storm Drainage Report**, reference file no. 822-100, report no. R-822-100, prepared by T.L. Mak Engineering Consultants Ltd., dated October 2022, revision 1 dated February 2023.
7. **Traffic Noise Assessment Memorandum**, file no. 22-312, prepared by Gradient Wind Engineering Inc., dated October 28, 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**

#### **2. 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.

#### **3. 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 will not be provided with any on-site parking. Should the Purchaser/Lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements will need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The Purchaser/Lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa cannot be guaranteed now or in the future; and that the Purchaser/Lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

“The Purchaser/Lessee covenants with the Vendor/Lessor that the above clause, verbatim, shall be included in all subsequent agreements of purchase and sale and

lease agreements for the lands described herein, which covenant shall run with the said lands.”

4. **Noise Control Attenuation Measures**

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved 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 for the residential spaces 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 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 clause 5 below.

5. **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 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.”

### 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. The monies are to be paid at the time of execution of the Site Plan Agreement.

7. **Notice on Title - School Accommodation**

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 Ottawa-Carleton District School Board has pupil accommodation concerns for this dwelling unit. The Purchaser/Lessee agrees to inform prospective purchasers or tenants in all subsequent agreements of purchase and sale and lease agreements that school accommodation pressures exist in the Ottawa-Carleton District School Board, which are currently being addressed by the utilization of portable classrooms and/or by directing students to school outside their community.”

“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.”

**And subject to the following General and Special Conditions, which will be subject to a Letter of Undertaking:**

**General Conditions**

8. **Execution of Letter of Undertaking**

The Owner shall execute the City's standard Letter of Undertaking and satisfy the conditions contained within this Delegated Authority Report. In the event the Owner fails to execute the required Letter of Undertaking and submit any required fees and/or securities within six months, this approval shall lapse.

9. **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.

10. **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.

11. **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.

12. **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.

13. **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.

14. **Development Charges**

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

15. **Designated Substances Survey**

Prior to demolition of any existing buildings located on the lands described in Schedule "A" herein, the Owner acknowledges and agrees to complete a designated substances survey and submit the findings and recommendations for the proper handling and disposal of waste as identified in said survey, to the satisfaction of the General Manager, Planning, Real Estate 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**

### **Access**

#### **16. 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.

#### **17. 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.

## **ENGINEERING**

### **Geotechnical Engineering and Soils**

#### **18. 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 Desktop Review, (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.

## **Civil Engineering**

### 19. **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.

### 20. **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.

### 21. **Inlet Control Devices (ICDs)**

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



## Site Lighting

### 22. Site Lighting Certificate

- (g) 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); and
  - (ii) it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- (h) 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.



June 23, 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**

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**File Number:** D07-12-22-0160

### **SITE LOCATION**

180 Main Street, and as shown on Document 1.

### **SYNOPSIS OF APPLICATION**

The property is located on the western side of Main Street, in Old Ottawa East, across the street from Saint Paul University. The area is characterized by a mix of uses, including commercial and retail spaces, low-rise to mid-rise residential, and institutional uses, such as Saint Paul University and Immaculata High School. 180 Main Street is currently occupied by a two-storey duplex building that will be demolished as part of the redevelopment.

The proposal seeks to construct a three-storey mixed-use building with commercial space (restaurant) on the ground floor and five residential units above, consisting of one bachelor unit, three one-bedroom units, and one two-bedroom unit. The proposal does not include on-site parking but does include eight bicycle parking spaces in the basement storage unit, accessible both by elevator and stairs. The proposal also includes separate dedicated garbage rooms in the basement for both residential and commercial uses. An entrance to the restaurant is located facing the street, whereas principal entrance to residential use is located facing northern interior lot line. Rear yard is divided between residential and commercial uses, half of it is accessible by tenants and can be used as an amenity area. The remaining area of the rear yard is dedicated to the restaurant as a decorative feature (with no access to customers). The building is neighbouring and to be attached to the existing mixed-use building at 184 Main Street. The proposed building is designed as an extension of the existing one at 184 Main Street (in terms of architectural articulation and finishes). A lot line relocation and, as a result, an application to the Committee of Adjustment for Consent (severance) will be required to accommodate the proposed redevelopment.

A Zoning By-law Amendment application (D02-02-22-0104) was submitted in order to obtain relief from some zoning provisions. A Zoning By-law Amendment was recommended for approval at Planning and Housing Committee on May 17, 2023 (Report ACS2023-PRE-PS-0060) and approved at City Council on May 24, 2023. By-law 2023-234 rezoned the subject site from Traditional Mainstreet Zone, Subzone 7, Urban Exception 2182 (TM7[2182]) to Traditional Mainstreet Zone, Subzone 7, Urban Exception 2872 (TM7[2872]) to include the following exception:

- Minimum of 22% of the ground floor façade facing the main street, measured from the average grade to a height of 4.5m, must comprise transparent windows; and where ground floor façade is angled on the corner of the building, it is deemed to face the main street.
- Minimum rear yard setback: 4m

- An active entrance serving a non-residential use(s) occupying any part of the ground floor can be set back 9.1m from the front wall, and no active entrance for a residential use is required to face the main street.

### **Residential Units and Types**

<b>Dwelling Type</b>	<b>Number of Units</b>
Apartment	5 (five)

### **Related Applications**

The following applications are related to this proposed development:

- Zoning By-law Amendment - D02-02-22-0104

### **DECISION AND RATIONALE**

This application is approved for the following reasons:

- The subject site is located within the Inner Urban Transect of the Official Plan and is further designated as Mainstreet Corridor. The Inner Urban Transect is generally planned for mid- to high-density and mixed-use development. Policies speak to maintaining and enhancing an urban pattern of built form, prioritizing walking and cycling, and providing direction to hubs, corridors and neighbourhoods. The development proposal represents a gentle intensification, contributes to full range of services along Main Street and supports the growth of 15-minute neighbourhoods.
- The subject site is located within the Old Ottawa East Secondary Plan area and is designated as Mainstreet in Policy Area 2. This proposal complies with the maximum building height established in the Secondary Plan, contributes to low-rise character along west side of Main Street and will help support the mainstreet corridor activities.
- The subject site is located within the Old Ottawa East Community Design Plan area. The development proposal supports the intensification targets and diversity goals of the Plan by providing mix of uses and diversifying housing supply. It also maintains a maximum height of six-storeys.
- The development is subject to Urban Design Guidelines for Development along Traditional Mainstreets. It contributes to the creation of a complete street by forming natural, logical extensions of the existing city street network, particularly with adjacent development at 184 Main Street. The proposal retains active façade and contributes to an inviting, safe, and accessible streetscape with emphasis on the ground floor.
- The proposal adheres to all zoning provisions of the TM7[2872] zoning (Traditional Mainstreet Zone, Subzone 7, Urban Exception 2872), as varied through •Zoning By-law Amendment application D02-02-22-0104.

- The proposed low-rise mixed-use building is considered to represent 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 Shawn Menard 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**

#### Summary of Comments –Technical

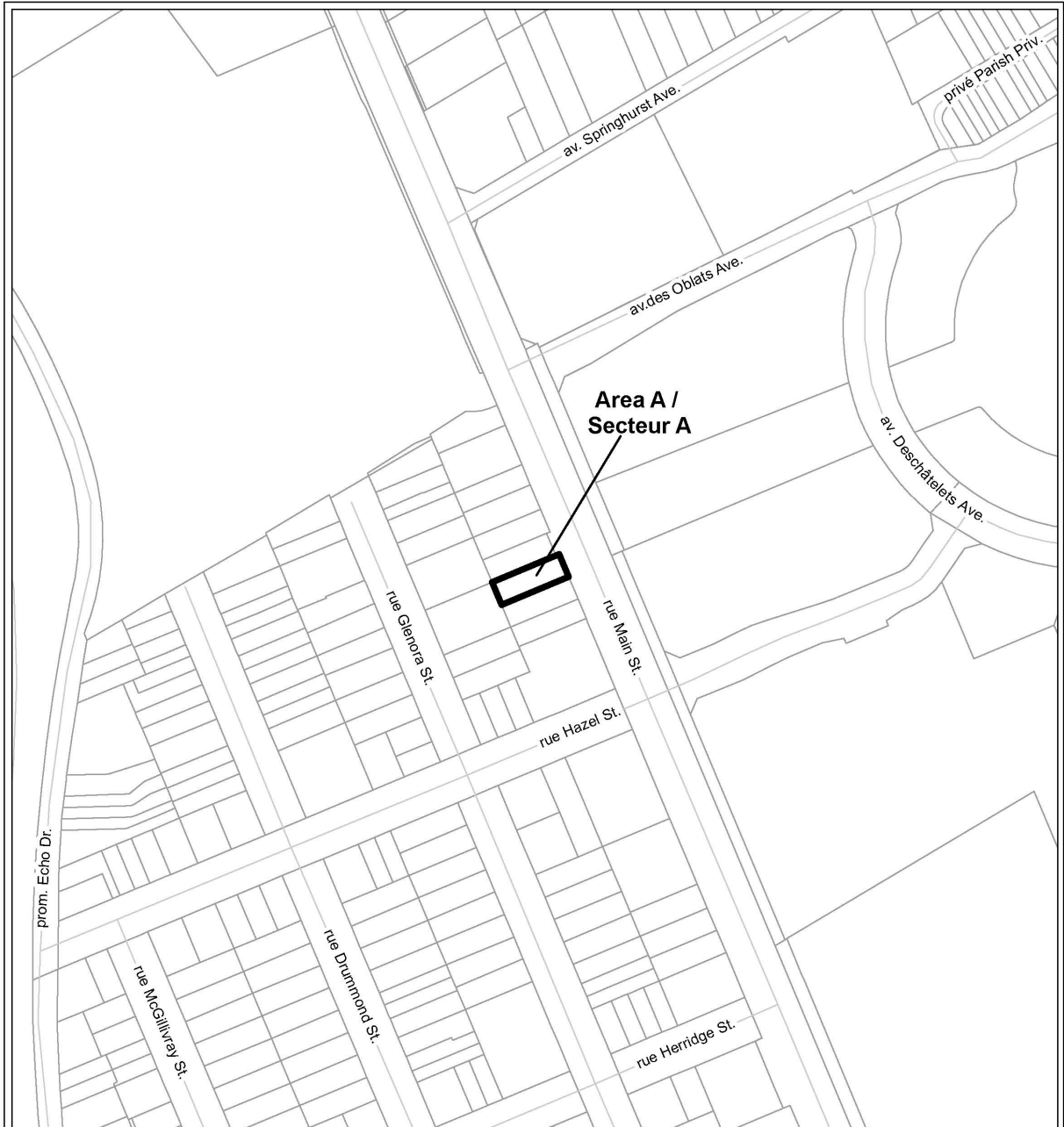
N/A




## **APPLICATION PROCESS TIMELINE STATUS**

This Site Plan application was processed by the On Time Decision Date.

**Contact:** M Masha Wakula, Tel: 613-580-2424, ext. 27029 or e-mail:  
[mmashawakula.vakula@ottawa.ca](mailto:mmashawakula.vakula@ottawa.ca)

# Document 1 – Location Map



		<b>LOCATION MAP / PLAN DE LOCALISATION</b> <b>ZONING KEY PLAN / SCHÉMA DE ZONAGE</b> <b>SITE PLAN / PLAN DE EMPLACEMENT</b>	
D02-02-22-0104	22-1232-X	<b>180 rue Main Street</b>   <b>Area A to be rezoned from TM7[2182] to TM7[XXXX]</b> <b>Le zonage du secteur A sera modifié de TM7[2182] à TM7[XXXX]</b>	
D07-12-22-0160			
I:\CO\2022\Zoning\Main_180		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission.                  THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartiennent à Terranet Enterprises Inc. et                  à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans                  autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>		 NOT TO SCALE	
REVISION / RÉVISION - 2022 / 12 / 19			