



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

Site Location: 105 and 109 Henderson Avenue

File No.: D07-12-18-0072

Date of Application: May 8, 2018

This SITE PLAN CONTROL application submitted by TC United Group, on behalf of Michael McGinn, is APPROVED as shown on the following plan(s):

1. **Site Plan & Statistics**, drawing no. SP-01, prepared by project1Studio, project no. 1717, revision 14, dated 2020-07-22.
2. **North & West Elevations**, drawing no. A201, prepared by project1Studio, project no. 1717, revision 8, dated 2020-07-30.
3. **South & East Elevations**, drawing no. A202, prepared by project1Studio, project no. 1717, revision 8, dated 2020-07-30.
4. **Erosion Control Plan and Detail Sheet**, drawing no. EC/DS-1, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 4, dated 20.06.16.
5. **Grading Plan**, drawing no. GP-1, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 4, dated 20.06.16.
6. **Site Servicing Plan**, drawing no. SSP-1, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 4, dated 20.06.16 (P.Eng stamp dated 20.06.16).
7. **Storm Drainage Plan**, drawing no. GP-1, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 4, dated 20.06.16.
8. **Existing Conditions and Removals Plan**, drawing no. EX-1, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 3, dated 20.06.03.
9. **Tree Preservation Plan**, drawing no. L100, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 4, dated 20.06.05.

10. **Landscape Plan**, drawing no. L200, prepared by Stantec, project no. 160401351, dated 18.03.06, revision 4, dated 20.06.05.

And as detailed in the following report(s):

1. **Noise Impact Assessment Study**, prepared by Swallow Acoustic Consultants Inc., project number SACL #SW18026.10, 105-109 Henderson Avenue, dated March 30, 2020
2. **Servicing Report**, prepared by Stantec, 105-109 Henderson Avenue, Project # 160401351, dated February 11, 2020.
3. **Geotechnical Report**, prepared by McIntosh Perry, 105-109 Henderson, Project No. CP-17-0638, dated July 2018-Revised (P.Eng. stamp dated July 27, 2018).
4. **Phase One Environmental Site Assessment**, prepared by McIntosh Perry, 105-109 Henderson, Project No. CP-17-0638, dated February 1, 2018, revised July 22, 2019.

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

General Conditions

1. **Site Plan Agreement**

The Owner shall enter into a standard site development agreement consisting of the following conditions. In the event the Owner fails to enter into such agreement within one year, this approval shall lapse.

2. **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 and 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. **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 Department. Such sidewalk(s) shall be constructed to City Standards.

7. **Maintenance and Liability Agreement**

The Owner shall be required to enter into a maintenance and liability agreement for all plant and landscaping material placed in the City right-of-way and the Owner shall assume all maintenance and replacement responsibilities in perpetuity.

8. **Construction Fencing**

The Owner shall install construction fencing, at its expense, in such a location as may be determined by the General Manager, Planning, Infrastructure and Economic Development.

9. **Completion of Works**

The Owner acknowledges and agrees that no new building will be occupied on the lands, nor will the Owner convey title to any building 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, conveyance and/or 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 conveyance and/or occupancy in writing.

10. **Snow Storage**

Any portion of the lands which is intended to be used for snow storage shall be shown on the approved Site Plan or as otherwise approved by the General Manager, Planning, Infrastructure and Economic Development Department. The grading and drainage patterns and/or servicing of the site 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.

11. **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 (the "Report"), referenced in

Schedule "E" herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure 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, Infrastructure and Economic Development.

Special Conditions

12. 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 prior to the issuance of building permit.

13. Elevations

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved exterior elevation drawings. The Owner further agrees that any subsequent proposed changes to the approved exterior elevations shall be filed with the General Manager, Planning, Infrastructure and Economic Development Department, and agreed to by both parties prior to their implementation of such changes.

14. Existing Building Preservation

The owner acknowledges and agrees that the existing buildings at 105 and 109 Henderson Avenue are located within the Sandy Hill Cultural Heritage Character Area, and will be preserved generally in accordance with the approved plans, as shown on the Site Plan, Elevations, and Existing Conditions and Removals Plan, subject to the following conditions.

a) General

- i. The Owner acknowledges and agrees to conserve and protect the existing historic buildings during the construction project for the portions identified on the Existing Conditions and Removals Plan. The historic buildings are to be incorporated into the new construction according to the approved plans and will include the re-instatement of wood siding, and the retention and repair of the existing windows. The porches will be rebuilt in wood and will be enlarged, however, will respect the design and proportions of the existing porches. All work will be completed to the satisfaction of the General Manager, Planning Infrastructure and Economic Development Department.
- ii. The Owner further agrees to maintain these houses in good condition in order to preserve their heritage character.

b) Relocation

The Owner acknowledges and agrees to relocate the existing historic buildings on the site without dismantling them. New foundations will be installed to ensure the structural integrity and longevity of the historic houses. Prior to the issuance of a building permit, the Owner agrees to provide details regarding the relocation method and plans for approval to the satisfaction of the General Manager, Planning Infrastructure and Economic Development Department.

15. Noise Impact Assessment

The Owner(s) shall implement the noise control attenuation measures recommended in the approved noise study relating to stationary noise.

(a) The proposed construction of the exterior wall at R1 on the 3rd floor is as follows:

- 13 mm Fiber Cement Panels
- 1x3" Wood Strapping
- 32mm Mineral Fibre Board Insulation
- Air/moisture barrier
- 13mm Glass Mat Gypsum Sheathing
- 2x6" Wood Studs @ 40mm O.C.
- 140mm Mineral Fibre Batt Insulation
- 6mil Polyethylene Vapour Barrier
- 16mm Type X Gypsum Board

The above construction is expected to meet STC 51.

(b) Window construction consisting of 3 mm glass (13 mm airspace) 3 mm glass is expected to be sufficient to allow indoor levels to meet 43 dBA in the living room areas of the 3rd floor units when the windows are closed. The proposed glazing construction is expected to meet STC 30.

(c) Prior to issuance of building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound level criteria.

(d) Notices-on-Title respecting noise:

"Purchasers/tenants are advised that sound levels due to the neighbouring transformer station are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows to remain closed."

and

"Purchaser/Tenants of the apartment units of this 3 storey apartment building are advised that despite this inclusion of noise control features in this development and within building units, noise levels from sound levels due to the neighbouring transformer station may be of concern, occasionally interfering with some activities of the dwelling occupants, as the outdoor sound level exceed the City of Ottawa's and the Ministry of the Environment's noise criteria."

and

“The transferee covenants with the transferor, and the lessee covenants with the lessor, that the above clause’s, verbatim, shall be included in all subsequent agreements of purchase and sale, lease agreements, and Transfers/Deeds conveying the lands described herein, which covenant shall run with the said lands and is for the benefit of the owner of the adjacent road.”

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 Traffic Noise Feasibility Study, prepared by Swallow Acoustic Consultants Ltd. dated March 30, 2020, referenced in Schedule “E” hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment and Climate Change) or noise thresholds identified in the City’s Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the City’s Development Inspection Program Manager (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 Department.
- 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 Department, and shall be to his satisfaction.

17. Protection of City Sewers

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, Infrastructure and Economic Development Department 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 Henderson Avenue frontage (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, Infrastructure and Economic Development Department and the City's Surveyor, showing the existing City Sewer System within Osgoode Street and Somerset Street East 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 Osgoode Street and Somerset Street East 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, Infrastructure and Economic Development Department.

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

- (i) obtain a video inspection of the existing City Sewer System within Osgoode Street and Somerset Street East 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 Osgoode Street and Somerset Street East compensate the City for the full amount of any required repairs to the City Sewer System.

18. Soil Management

The Owner acknowledges and agrees to retain an environmental consultant to identify areas on the subject lands where excess soils, fill and/or construction debris will be removed. If through further testing any of these materials are found to be contaminated, the Owner acknowledges and agrees to dispose, treat or recycle these materials at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment and Climate Change.

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.

20. 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 Site Servicing Plan, Dwg SSP-1, prepared by Stantec Consulting Ltd., revision 4, dated June 18, 2020, Storm Drainage Plan. Dwg SD-1, prepared by Stantec Consulting Ltd., revision 4, dated June 18, 2020, Site Servicing & Stormwater Management Report, prepared by Stantec Consulting Ltd., revision 2, dated February 12, 2020 and Site Servicing & Stormwater Management Report Appendices, prepared by Stantec Consulting Ltd., revision 2, dated February 11, 2020, 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.

21. Private Storm Sewer Connection to City Sewer System

The Owner acknowledges and agrees that any new storm sewers to be installed as part of this development shall not be connected to the City's existing storm sewer system until such time as either:

- a. a certificate of conformance and As-Built drawing(s) have been received from a Professional Engineer, licensed in the Province of Ontario, certifying that all required inlet control devices have been properly installed to City Standards or Specifications, and that the storm sewer system has been installed in accordance with the approved engineering drawings for site development and City Sewer Design Guidelines. The inlet control devices shall be free of any debris; or
- b. a flow limiting orifice plate, designed by a Professional Engineer licensed in the Province of Ontario and to the satisfaction of the City, has been installed at the storm water outlet prior to connecting any upstream storm sewers. Such orifice plate shall not be removed until subsection (a) above has been satisfied and approved by the General Manager, Planning, Infrastructure and Economic Development Department.

22. Stormwater Management Memorandum

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

23. 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 Department, 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 Department, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure and Economic Development Department, 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 Department.

24. 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 Site Servicing Plan, Dwg SSP-1, prepared by Stantec Consulting Ltd., revision 4, dated June 18, 2020, Storm Drainage Plan. Dwg SD-1, prepared by Stantec Consulting Ltd., revision 4, dated June 18, 2020, Site Servicing & Stormwater Management Report, prepared by Stantec Consulting Ltd., revision 2, dated February 12, 2020 and Site Servicing & Stormwater Management Report Appendices, prepared by Stantec Consulting Ltd., revision 2, dated February 11, 2020, referenced in Schedule "E" herein.

The Owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department 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 Site Servicing Plan, Dwg SSP-1, prepared by Stantec Consulting Ltd., revision 4, dated June 18, 2020, Storm Drainage Plan. Dwg SD-1, prepared by Stantec Consulting Ltd., revision 4, dated June 18, 2020, Site Servicing & Stormwater Management Report, prepared by Stantec Consulting Ltd., revision 2, dated February 12, 2020 and Site Servicing & Stormwater Management Report Appendices, prepared by Stantec Consulting Ltd., revision 2, dated February 11, 2020, referenced in Schedule "E" herein.

25. 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.

26. Tree Protection

The Owner acknowledges and agrees that all trees to be retained, as shown on the approved Landscape Plan and identified in the Tree Conservation Report, referenced in Schedule "E" herein, shall be protected in accordance with the City's required tree

protection measures. At a minimum, the following tree protection measures shall be applied during all on-site works:

- (a) Erect a fence at the critical root zone (CRZ) of trees, defined as ten (10 cm) centimetres from the trunk for every centimetre of trunk DBH (i.e., $CRZ = DBH \times 10cm$);
- (b) Do not place any material or equipment within the CRZ of the tree;
- (c) Do not attach any signs, notices or posters to any tree;
- (d) Do not raise or lower the existing grade within the CRZ without the approval of the General Manager, Planning, Infrastructure and Economic Development Department;
- (e) Tunnel or bore when digging within the CRZ of a tree;
- (f) Do not damage the root system, trunk or branches of any tree; and
- (g) Ensure that exhaust fumes from all equipment are not directed towards any tree's canopy.

27. Tree Permit

The Owner acknowledges and agrees that any trees to be removed shall be removed in accordance with the approved Tree Preservation Plan referenced in Schedule "E" hereto, and in accordance with the City's Urban Tree Conservation By-law, being By-Law No. 2009-200, as amended. The Owner further agrees that a copy of the approved Tree Permit and/or Tree Preservation Plan shall be posted on the construction site at all times until Approval is granted by the City for such Works.

28. City-owned Street Tree Protection during Service Installation

The Owner acknowledges and agrees that installing the underground 200mm PVC CB lead, as shown on the approved Site Servicing Plan, next to Tree #2 shown on the approved Tree Preservation Plan, will not occur until staff from Forestry Services attends the site and works with the site contractor to determine the excavation limits and/or bore strategy for this installation. The approach to install the infrastructure shall be agreed upon by both parties.

29. 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 will 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 the condition 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.

30. 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."

31. Site Lighting Certificate

- a. The owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
 - i. it must be designed using only fixtures that meet the criteria for full cut-off (sharp cut-off) classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES);
 - ii. and it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- b. The owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the owner shall provide certification satisfactory to the General Manager, Planning, Infrastructure and Economic Development, from a Professional Engineer, licensed in the Province of Ontario, that the site lighting has been constructed in accordance with the owner's approved design plan.

32. Traffic Management Plan

Should the owner wish to use a portion of the City's road allowance for construction staging, prior to obtaining a building permit, the property owner must obtain an approved Traffic Management Plan from the Manager, Traffic Management,

Transportation Services Department. The City has the right for any reason to deny use of the Road Allowance and to amend the approved Traffic Management Plan as required.

August 13, 2020

Date



for

Saide Sayah
Manager, Development Review, Central
Planning, Infrastructure and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-18-0072

SITE LOCATION

105 and 109 Henderson Avenue, and as shown on Document 1.

SYNOPSIS OF APPLICATION

105 and 109 Henderson Avenue is located on the east side of Henderson Avenue, between Osgoode Street and Somerset Street East. These properties currently have single-detached buildings on site, neither of which have a heritage designation but are located within the Sandy Hill Cultural Heritage Character Area.

The site has a lot width of 21.2 metres and lot area of 654 square metres. Located within the Sandy Hill neighbourhood, the site is surrounded by a variety of low-rise residential uses, and is within a Residential Fourth Density Zone, Subzone S, and Urban Exception 480 (R4S [480]). This site permits a wide range of residential units from single-detached to low-rise apartments.

The purpose of Site Plan is to a new three-storey apartment building containing twenty dwelling units, two on-site visitor parking spaces, and 15 bicycle parking spaces. The proposed development incorporates preserving the front portion of the existing homes, which are of heritage interest, and adding an addition to the rear resulting in a low-rise apartment.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The application is consistent with the “General Urban Area” designation of the Official Plan, providing a low-rise apartment building through intensification in a built form with quality urban design and compatibility.
- The application meets the general intent and purpose of the R4S [480] zone. Minor Variance application D08-02-18/A-00444 authorized variances associated with reduced front, side and rear yard setbacks, and reduced amenity area. As subsequent appeal to the Local Planning Appeal Tribunal authorized the request to reduce the residential parking from four to none.

- While the existing homes are not heritage designated, they are located within the Sandy Hill Cultural Heritage Character Area, and through this review and approval of this application the front portions of the existing buildings will be preserved and incorporated into the design of the new building. The outcome is similar in effect to a process akin to these buildings being designated.
- The application provides for additional dwelling units and housing choices, with a variety of unit types, within an established neighbourhood and will be developed in a compatible manner respecting the existing land use patterns, built forms neighbourhood character. This includes preservation of front portions of the existing homes, landscaped front yards, rear yard amenity area, and building materiality.
- Site challenges such landscaping, waste managements, security, and compatibility have been addressed through the Site Plan process.
- A Site Plan application is required to ensure that the subject site is developed in accordance with the approval and to City Standards, and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

CONSULTATION DETAILS

Councillor's Concurrence

Councillor Fleury 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

Few public comments were submitted, but concerns raised included concerns about the building not fitting within the vibe of the area, and that the new building should be reconsidered to fit better within this beautiful street.

Response:

Considerable effort was made by staff and applicant/owner team to ensure that the existing buildings and the street presence character is maintained. The front portions of these homes will be maintained and continue to serve as the predominate built form addressing the street. The rear addition fits within the overall design and height of surrounding buildings.

Action Sandy Hill

Action Sandy Hill (ASH) formally submitted comments during the initial comments. These comments are summarized as follows:

- ASH is pleased to see that the developer proposes to retain the two existing houses on the two properties but notes that, as a result, it is asking for a reduced setback at the back of the properties in order to achieve the desired mass for its new construction.
- ASH would like to see other options explored that would mitigate the overlook effect or eliminate the need for the variance for a reduced rear yard setback, such as stepback the upper storeys, move the building forward to avoid rear variance, or redesign the additional between the existing buildings.
- ASH wants to make sure that the trade-off inherent in this application – preservation of existing houses in return for reduced rear-yard set-back – does not set a precedent for other applications that may offer a less attractive trade-off or none at all. The protection of rear yard setbacks was an important issue arising from Infill 2 and the intent of these setbacks need to be maintained.
- We do not believe that 10 bicycle parking spots are sufficient for a resident population of 40-plus, particularly in downtown neighbourhoods where modal shares for cycling are considerably higher than the city-wide average. As the City encourages active transportation, including bicycling, we strongly believe that it should also require new developments to provide secure, sheltered, parking for bicycles.

Response:

Staff acknowledge that preservation of the existing homes was a priority of this development and this contributed to need for some of the variances required. The rear yard setback is consistent with the abutting properties and the surrounding properties most consist of rear yard parking area, in addition to the abutting property being a hydro utility building. Staff had no concerns with the proposed rear yard setback and rear yard amenity area. Bicycle parking was increased to 15 spaces, will be covered, and the rear yard will be secured by access gates and fencing.

Technical Agency/Public Body Comments

All technical agency correspondence was forwarded to the applicant, and the applicant was advised to contact technical agencies directly for additional information.

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 delays associated with the Minor Variance and Local Planning Appeal Tribunal process, and further revisions leading up to final details for approval.

Contact: Andrew McCreight Tel: 613-580-2424, ext. 22568, or e-mail: Andrew.McCreight@ottawa.ca

Document 1 – Location Map



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

D07-12-18-0072

18-0662

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REVISION / RÉVISION - 2018 / 05 / 18



105 ave Henderson Avenue
109 ave Henderson Avenue



NOT TO SCALE