



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

Site Location: 129 Main Street

File No.: D07-12-18-0175

Date of Application: November 22, 2018

This SITE PLAN CONTROL application submitted by Robert Verch - RLA Architecture, is APPROVED as shown on the following plan(s):

- **Site Plan**, 129 Main Street, sheet number SP-1, prepared by Roderick Lahey Architect Inc., revision 16 dated January 23, 2020.
- **Landscape Plan**, 129 Main Street, sheet number L-1, prepared by Kellak Designs, revision 9 dated January 23, 2020.
- **Basement Plan**, 129 Main Street, sheet number A100, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **Ground Floor Plan**, 129 Main Street, sheet number A101, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **Level 2-5 Floor Plan**, 129 Main Street, sheet number A102, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **Sixth Floor Plan**, 129 Main Street, sheet number A104, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **Roof Plan**, 129 Main Street, sheet number A105, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **Overall Section**, 129 Main Street, sheet number A106, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **West & East Elevations**, 129 Main Street, sheet number A108, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **North & South Elevations**, 129 Main Street, sheet number A109, prepared by Roderick Lahey Architect Inc., revision 9 dated February 17, 2020.
- **Existing Conditions Plan**, 129 Main Street, Drawing No.: EX-1, prepared by DSEL, Project No.: 15-813, dated December 2018, revision 5 dated February 20, 2020.
- **Grading Plan**, 129 Main Street, Drawing No.: GP-2, prepared by DSEL, Project No.: 15-813, dated December 2018, revision 5 dated February 20, 2020.

- **Site Servicing Plan**, 129 Main Street, Drawing No.: SSP-1, prepared by DSEL, Project No.: 15-813, dated December 2018, revision 5 dated February 20, 2020.
- **Erosion Control Plan**, 129 Main Street, Drawing No.: EC-1, prepared by DSEL, Project No.: 15-813, dated December 2018, revision 5 dated February 20, 2020.
- **Stormwater Management Plan**, 129 Main Street, Drawing No.: SWM-1, prepared by DSEL, Project No.: 15-813, dated December 2018, revision 5 dated February 20, 2020.

And as detailed in the following report(s):

- **Site Servicing and SWM Study Memorandum**, Proposed Amendment to 129 Main Street Site Plan Application, File No.: **15-813**, prepared by DSEL., dated 2018-12-12.
- **Geotechnical Investigation**, Proposed Mix-Use Building, 129 Main Street, Report No.: **PG2036-1**, Paterson Group, dated July 25, 2018.
- **Phase I-Environmental Site Assessment**, 129 Main Street, Ottawa Ontario, Report No.: **PE1071-2**, prepared by Paterson Group Inc., dated July 26, 2018.
- **Traffic Noise Assessment**, 129 Main Street, Ottawa Ontario, Report No.: **GWE10-018-Traffic Noise**, prepared by Gradient Wind Engineering Inc., dated September 20, 2018.

And subject to the following Standard and Special Conditions:

Standard Conditions

1. Site Plan Development 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 Department.

3. Extend Internal Walkways

The Owner shall extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the Owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

4. Barrier Curbs

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

5. Water Supply for Fire Fighting

The Owner shall provide adequate water supply for fire fighting for every building. Water supplies may be a public water works system, automatic fire pumps and pressure tanks or gravity tanks.

6. Reinstatement of City Property

The Owner shall reinstate at its expense, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, any property of the City, including, but not limited to, sidewalks and curbs, boulevards, that are damaged as a result of the subject development.

7. Construction Fencing

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

8. 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.

9. Completion of Works

The Owner Acknowledges and Agrees that no 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 Department, 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. Provided that 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 Department, the aforesaid Works are proceeding satisfactorily toward completion. The consent of the General Manager, Planning, Infrastructure and Economic Development Department for such conveyance and/or occupancy shall be obtained in writing by the Owner.

10. Development Charges

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

11. 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.

12. Exterior Lighting

All exterior lighting proposed for the subject lands shall be installed only in the locations and in accordance with specifications shown on the approved plans referenced herein unless otherwise approved in writing by the General Manager, Planning, Infrastructure and Economic Development Department. Sharp cut-off fixtures or in exceptional circumstances only, an alternative fixture design approved by the General Manager, Planning, Infrastructure and Economic Development Department, shall be used to minimize possible lighting glare onto adjacent properties. It is noted that exterior lighting includes exterior building lighting.

13. Erosion and Sediment Control

The Owner agrees to implement the Erosion and Sediment Control Plan to provide protection for the receiving storm sewer during construction activities. This plan, to be used during construction, is intended to ensure that no sediment and/or associated pollutants are discharged to a receiving water course which could degrade water quality and/or impair fish or other aquatic habitat. The methods used should be regularly maintained to ensure effectiveness of the method and compliance with provincial/federal legislation pertaining to water quality and habitat.

14. Works on City Road Allowances

Any works required to be done by the Owner on the City road allowances, shall be according to the specifications and by-laws of the City, The Owner, or its contractor, shall be required to obtain all the necessary permits for road cuts prior to disruption of the City road allowances and it is further understood and agreed that the aforementioned cuts shall be reinstated to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

15. Street Cleaning

On a continuous basis during development, the Owner shall maintain all streets within the area in order that they are clear of mud, dust and other material, resulting from vehicles involved in development to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department. The Owner shall prevent the 'flushing' of dirt and debris associated with development works into any sewers. Upon any default by the Owner to so maintain the streets, the General Manager, Planning, Infrastructure and Economic Development Department may, in his/her discretion, arrange for the required cleaning to be

performed and the cost incurred by the City in doing shall be recovered by the City.

16. Approvals

The Owner shall obtain all necessary approvals from the Ministry of the Environment, Conservation and Parks as may be required. In addition, the Owner shall obtain all other permits, licenses and approvals from all other federal, provincial or regulatory agencies, as may be required.

17. Performance of Works

The Owner shall ensure that the performance of Works required as a result of this Agreement, whether by the Owner or its employees, servants, agents, contractors or subcontractors, shall be so performed as not to constitute a nuisance or disturbance to abutting or nearby properties or the owners thereof. The Owner shall comply with and ensure that all of its contractors and subcontractors comply with any written instructions issued by the City concerning any such nuisance or disturbance regardless of whether such instructions require positive action or discontinuance of action.

Special Conditions

1. Permanent Features

The Owner acknowledges and agrees that no permanent features shall be permitted above and below grade within the City's widened right-of-way, including commercial signage, except as otherwise shown on the approved Site Plan referenced in "Schedule E" herein.

2. 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, Infrastructure and Economic Development.

3. Noise Study

The Owner agrees to prepare and implement a noise study in compliance with the City of Ottawa Environmental Noise Control Guidelines to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department. The Owner shall implement the noise control attenuation measures recommended in the approved noise study.

4. 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 Assessment 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 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, measure the noise levels from the automated garage from outside the building, and satisfy himself that the noise levels comply with the City of Ottawa Noise By-law. Should the permitted noise levels be exceeded, the Owner agrees to do the necessary modifications, at its own costs, to the automated garage to bring it to compliance with the City of Ottawa Noise-Bylaw.
- c) 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.
- d) 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.

5. 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) 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 and Climate Change's Publication NPC-216 entitled Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands.
- c) prior to the issuance of a building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound levels within the City's and the Ministry of the Environment and Climate Change's noise criteria;
- d) notice respecting noise shall be registered against the lands, at no cost to the City, and a warning clause shall be included in all agreements of purchase and sale or lease agreements, as detailed in paragraph ___ below.

6. 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:

7. 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 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 To help address the need for sound attenuation, this development includes:"

- STC rated multi-pane glazing elements
 - West and North façade: STC 33
- STC rated exterior walls
 - North and West façade: STC 52

8. 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."

9. Ending Paragraph

"The Purchaser/Lessee covenants with the Vendor/Lessor that the above clauses, verbatim, shall be included in all subsequent agreements of purchase and sale, and lease agreements for the lands described herein, which covenant shall run with the said lands."

10. 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, Infrastructure and Economic Development Department 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 Department.

11. Record of Site Condition

Prior to the issuance of a building permit, the Owner shall submit to the General Manager, Planning, Infrastructure 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, as amended ("O.Reg. 153/04"), and shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all or part of the site will be 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. No further works will be permitted until the RSC is submitted. Where available information reveals that contamination extends into a City right-of-way and submission of a RSC is not possible, a building permit may be issued 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, Infrastructure and Economic Development.

12. 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 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 Springhurst Ave. 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 and the City's Surveyor, showing the existing City Sewer System within Springhurst Ave. 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 Springhurst Ave. 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, Infrastructure 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, Infrastructure and Economic Development:
- i. obtain a video inspection of the existing City Sewer System within Springhurst Ave. 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 Springhurst Ave. and compensate the City for the full amount of any required repairs to the City Sewer System.

13. Requirement for a Grease Trap

In accordance with the City's Sewer Use By-law, being By-law No. 2003-514, as amended, the Owner acknowledges and agrees to install a grease trap on the internal sanitary plumbing system when a restaurant is established on the lands.

14. Use of Explosives and Pre-Blast Survey

The Owner acknowledges and agrees that any blasting activities will conform to the City's Standard S.P. No. F-1201 entitled Use of Explosives, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the Owner's expense, for all buildings, utilities, structures, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter

to the owner or occupant and owner with a formal request for permission to carry out an inspection.

15. Retaining Wall

The Owner acknowledge and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to inspect any retaining walls on the subject lands and confirm that the retaining walls have been constructed in accordance with the retaining wall details. No features of the wall shall encroach onto the adjacent property.

16. 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); and
 - ii. 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 Department, 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.

17. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground stormwater control devices, as recommended in the approved Site Servicing and SWM Study Memorandum 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.

18. 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;

19. 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.

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, 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 Plans and Reports referenced in Schedule "E" herein.

21. Site Dewatering

The Owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary/combined sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.

22. Permit to Take Water

The Owner acknowledges and agrees to obtain an approved temporary Permit to Take Water application from the Ministry of the Environment, Conservation and Parks in accordance with O. Reg. 387/04/ Water Taking and Transfer under

Ontario Water Resources Act, R.S.O. 1990, c.O.40 prior to starting the project to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development if deemed to be required.

23. Utility Clearance

The Owner acknowledges and agrees to obtain all necessary utility clearances prior to construction and file copies thereof with the General Manager, Planning, Infrastructure and Economic Development.

24. Pre and Post Construction Surveys

- a) The Owner acknowledges and agrees to undertake a pre and post inspection of the property at 55 Springhurst Ave. The Owner acknowledges and agrees that the standard inspection procedure shall include the provision of an explanatory letter to the owners and or occupants of 55 Springhurst Ave., with a formal request for permission to carry out the inspections. The Owner acknowledges and agrees that the inspections shall be carried out by a structural engineer, licensed in the Province of Ontario, and such inspections shall be agreed to by both the General Manager, Planning and Growth Management for the purpose of documenting existing baseline structural conditions.
- b) The pre and post construction survey shall include, as a minimum, the following information:
 - i. identification and description of existing differential settlements, including visible cracks in walls, floors, and ceiling, including a diagram, if applicable, room-by-room. All other apparent structural and cosmetic damage or defect must be noted. Defects shall be described, including dimensions, wherever possible; and
 - ii. photographs or video as necessary for recording areas of significant concern.
- c) The Owner acknowledges and agrees to arrange visits by the structural engineer referred to in paragraph (a) herein to the property at 55 Springhurst Ave. every ten (10) working days during excavation and construction, to monitor any change from the baseline established in the above-mentioned pre-construction survey.
- d) The Owner shall provide five full days written notice to the owners and residents of 55 Springhurst Ave., prior to commencing any construction and, if requested, the Owner shall cause its representatives to meet with representatives of 55 Springhurst Ave. within the five-day period.

25. Stormwater Management System

The Owner agrees to maintain in good working order the required stormwater system as recommended in the approved Site Servicing and SWM Study

Memorandum referenced in Schedule “E” hereto. The Owner acknowledges and agrees to assume all maintenance and replacement responsibilities in perpetuity, including inspection and debris build-up removal every 12 months, and to keep all records of inspection and maintenance in perpetuity and make said records available for inspection upon demand by the City.

26. Water Plant and Sewer Services

The Owner acknowledges and agrees that the water plant and sewer service within the lands is a private system, including Private Services and sewer services and appurtenances, and the Owner acknowledges and agrees that it is responsible for the operation, maintenance and/or replacement, in perpetuity, of the Private Services and sewer system, including the Private water service, private sanitary and storm sewer infrastructure (collectively the “private system”) which are located on the lands and that the Owner will retain copies of all the associated Work and maintenance contracts, and make said contracts available for inspection upon demand by the City.

27. Maintenance and Liability Agreement for Landscaping

The Owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for all plant and landscaping material (except municipal trees), decorative paving and street furnishings placed in the City’s right-of-way along Main Street in accordance with City Specifications, and the Maintenance and Liability Agreement shall be registered on title, at the Owner’s expense, immediately after the registration of this Agreement. The Owner shall assume all maintenance and replacement responsibilities in perpetuity.

28. Underground Storage Systems

- a) The Owner acknowledges and agrees that the underground storage systems within the subject lands, shown as Triton S-29 or approved equivalent on the Site Servicing Plan SSP-1, referenced in Schedule “E” herein, are private and the Owner is solely responsible for the operation, maintenance and or replacement in perpetuity.
- b) The Owner acknowledges and agrees to conduct routine inspection and maintenance of the underground storage systems and any noted deficiencies to the systems must be completed immediately. The Owner further acknowledges and agrees that the inspections records and repair records shall be kept on file and produced to the City should they be requested.
- c) The Owner acknowledges and agrees that such information shall be provided to all prospective purchasers and included in all agreements of Purchase and Sales.

29. 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.

30. Waste Collection

Container waste collection and cart (and/or container) recycling collection will be provided by the City. The owner shall provide an adequate storage room or space for waste containers and recycling carts (and/or containers). It is recommended that the containers and carts be placed on a concrete floor. The owner shall provide an adequately constructed road access to the waste/recycling storage room or area suitable for waste/recycle vehicles. Direct access to the containers and carts is required. Any additional services (i.e. winching of containers) may result in extra charges.

31. Elevations

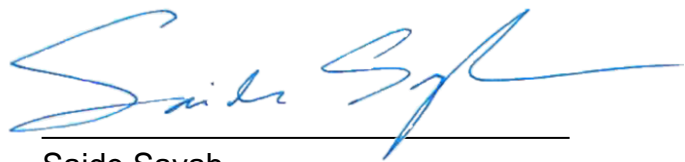
The owner acknowledges and agrees to construct the proposed building in accordance with the approved Elevations Plans. The owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevations Plans shall be filed with the General Manager, Planning, Infrastructure and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

32. Opaque screening

The owner acknowledges and agrees to provide opaque screening to ensure that headlights from car entering and exiting the automated garage do not spill on adjacent properties.

January 25th 2021

Date



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

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-18-0175

SITE LOCATION

129 Main Street.

SYNOPSIS OF APPLICATION

The subject property is located in the Old Ottawa East neighbourhood, more specifically on the north-east intersection of Main Street and Springhurst Avenue.

The property has an area of 1,414.63 square metres, is currently vacant, and has limited vegetation. The surrounding lands consist of institutional and residential land uses including mixed use development, residential dwellings, and Immaculata Highschool to the west.

A previous Site Plan Control Application was approved in 2014, implementing the permissions obtained by an Ontario Municipal Board decision made on a Minor Variance Application in 2008.

The Current Site Plan Revision proposes a revised layout, building footprint, and an increase in height by two storeys. More specifically, the proposed development will consist of a 20 metres high six-storey mixed-use building. The sixth storey will feature stepbacks of 2.37 metres along Main Street and 2 metres along Springhurst Avenue. Minor Variances were granted by the Committee of Adjustment on June 14, 2019 to allow for the stepbacks to be provided at the sixth storey rather than above the fourth storey or 15 metres.

The building will include 37 one-bedroom units and 16 two-bedroom units. Four (4) commercial units are proposed on the ground floor. Thirty-eight (38) parking spaces will be provided through an automated parking system, three (3) of which will be for visitors. Thirty-seven (37) bicycle parking will also be provided, 10 of which at grade. There will be a 116 m² of outdoor communal amenity space at grade along with a 134 m² communal exterior roof top. Private patios will represent a total of 650 m².

DECISION AND RATIONALE

This application is approved for the following reasons:

- As per Schedule B of the Official Plan, the site is designated as Traditional Mainstreet (Section 3.6.3), a target area for intensification, and a designation that promotes street-level animation and pedestrian-friendly environments. The proposed six-storey mixed-use building provides improvements along the public right-of-way including a bike lane and landscaping. The building's active commercial entrances with generous glazing also provides improvement the Main Street Public realm.
- The proposed development is consistent with the Traditional Mainstreet designation of the Old Ottawa East Secondary Plan.
- The site is located in the Mature Neighbourhood Overlay and zoned TM7 [1839] Traditional Mainstreet Subzone 7 with Exception, which zone allows for a mixed-use building.
- The proposed development was granted minor variances on June 14, 2019 by the Committee of Adjustment to allow for stepbacks to be provided at the sixth storey rather than above the 4th storey or 15 metres, whichever is the lesser. This application is consistent with the Committee of Adjustment decision.
- The proposed development is in compliance with all other performance standards of the TM7 [1839] zone and all provisions of the Mature Neighbourhood Overlay.
- The proposed development reflects good planning principles.

URBAN DESIGN REVIEW PANEL

Although the property is located within a Design Priority Area, Staff did not require the applicant to present the revised proposal to the Urban Design Review Panel (UDRP).

CONSULTATION DETAILS

This application was not subject to public consultation.

Technical Agency/Public Body Comments

No concerns were raised by any technical agency.

Advisory Committee Comments

No concerns were raised by the Advisory Committee.

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 workload and shortage of staff.

Contact: Steve Gauthier - Tel: 613-580-2424, ext.27889; Fax: 613-560-6006; or email: steve.gauthier@ottawa.ca