

Planning and Economic Development Committee
Comité de l'urbanisme et de l'expansion économique

Agenda 16
Ordre du jour 16

Tuesday, September 26, 2000 - 9:15 a.m.
Le mardi 26 septembre 2000 - 9 h 15

Victoria Hall, First Level
Bytown Pavilion, City Hall

Salle Victoria, niveau 1
Pavillon Bytown, hôtel de ville



City of
Ville d' **Ottawa**

**Confirmation of Minutes
Ratification des procès-verbaux**

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Procès-verbal 16 (Le 12 septembre 2000)

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Councillor/Conseiller Shawn Little, Vice-Chairperson/Vice-président

Councillor/Conseiller Stéphane Émard-Chabot

Councillor/Conseiller A. Higdon

Councillor/Conseiller Ron Kolbus

AML

Backgrounder

September 5, 2000

ACS2000-PW-PLN-0111

1. Ontario Municipal Board Appeals against By-law Number 5-2000, as amended, and amendments to the *Zoning By-law, 1998*, as they relate to the Central Area.

Appels interjetés à la Commission des affaires municipales de l'Ontario contre le Règlement municipal 5-2000, modifié, et modifications au Règlement municipal sur le zonage de 1998 au sujet de l'aire centrale.

Issue

- Following the adoption of By-law Number 5-2000 which amended the *Zoning By-law, 1998*, with respect to the Central Area zoning, on January 19, 2000, five appeals were filed against this amending by-law.
- The City needs to establish a position on these appeals prior to the Ontario Municipal Board hearing, November 14 to 17, 2000.

What's New

- Since the close of the appeal period on February 10, 2000, staff have been reviewing the details of the appeals, and have sought to resolve them.
- A request was made to the Ontario Municipal Board to approve the unappealed portions of By-law Number 5-2000. The Ontario Municipal Board issued an order approving By-law Number 5-2000 except for those portions under appeal.
- A number of technical anomalies to By-law Number 5-2000 were also identified and By-law Number 113-2000 was enacted by City Council on June 7, 2000.
- Identification of some additional anomalies to the *Zoning By-law, 1998*, as amended by By-law Number 5-2000 have also been identified.

Impact

- If Council is unable to support the staff recommendations contained in this report, then planning consultants would need to be retained to support Council's position on these matters at the Ontario Municipal Board.

Contact: Author Jean-Guy Bisson - 244-5300 ext. 3317

Communications Officer - Don Lonie - 244-5300 ext.3103 - pager 760-5653



September 5, 2000

ACS2000-PW-PLN-0111
(File: PD071-LBT3105/0327.145)Department of Urban Planning and Public
WorksWard/Quartier
City Wide

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

1. Ontario Municipal Board Appeals against By-law Number 5-2000, as amended, and amendments to the *Zoning By-law, 1998*, as they relate to the Central Area.

Appels interjetés à la Commission des affaires municipales de l'Ontario contre le Règlement municipal 5-2000, modifié, et modifications au Règlement municipal sur le zonage de 1998 au sujet de l'aire centrale.

Recommendations

1. That the amendments with respect to appeals against By-law Number 5-2000, as amended by By-law Number 113-2000, be APPROVED, as detailed in Document 1.
2. That the amendments with respect to anomalies to the *Zoning By-law, 1998*, as amended by By-law Number 5-2000, be APPROVED, as detailed in Document 2.

September 5, 2000 (2:28p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

September 6, 2000 (10:41a)


Approved by
John S. Burke
Chief Administrative Officer

JGB:jgb

Contact: Jean-Guy Bisson - 244-5300 ext. 1-3317
Dave Leclair - 244-5300, ext. 1-3871

Financial Comment

N/A.


September 5, 2000 (1:44p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

Following the adoption of By-law Number 5-2000 which amended the *Zoning By-law, 1998*, with respect to the Central Area zoning, on January 19, 2000, five appeals were filed against this amending by-law. The purpose of this report is to establish the City's position on those appeals prior to the Ontario Municipal Board hearing and to address some technical anomalies that were identified during the resolution of the appeals process.

Recommendation No. 1

Since the close of the appeal period on February 10, 2000, staff have been reviewing the details of the appeals, and have sought to resolve them. Meetings were held with the appellants with the aim of having the appeals narrowed down, clarified or disposed of. The staff recommendations contained in Document 1 result from this resolution process. As part of this process, the appellants signified their consent to staff's description of their appeals and a request was made to the Ontario Municipal Board to approve the unappealed portions of By-law Number 5-2000. A motion to that effect was heard by the Board on July 10, 2000, after which the Board issued an order approving By-law Number 5-2000 except for those portions under appeal. The Board has also set aside four days, November 14 to 17, 2000, for a hearing with respect to any remaining unresolved appeals.

A number of technical anomalies to By-law Number 5-2000 were also identified and needed to be corrected before the by-law was sent to the Board for approval. The issues were primarily matters of a technical nature, dealing with anomalies found in the text, schedules and maps, and with the clarification of planning intent and information. As a result, amending By-law Number 113-2000 was enacted by City Council on June 7, 2000. One appeal was made against this by-law. The appeal was filed by one of the appellants to By-law Number 5-2000. The main purpose of the appeal was to prevent the substitution of a zoning map to adversely affect the appellant's initial appeal. The second appeal has been consolidated with the appeals to By-law Number 5-2000.

Recommendation No. 2

The resolution of appeals process also allowed the identification of some additional anomalies to the *Zoning By-law, 1998*, as amended by By-law Number 5-2000. The staff recommendations detailed in Document 2 deal with those technical anomalies.

These anomalies are technical in nature as they relate to omissions and clarification of provisions affecting properties located in the Central Area. The purpose of these changes is to maintain the intent of the former zoning.

These modifications are not related to any of the appeals made against By-law Number 5-2000 as amended.

The recommendations are considered reasonable and acceptable from a land use planning perspective. It must be noted that if Council is unable to support the staff recommendations contained in this report, then planning consultants would need to be retained to support Council's position on these matters at the O.M.B.

Consultation

All of the appellants appeared at the Ontario Municipal Board motion-hearing held on July 10, 2000, and expressed no objections to the approval of the unappealed portion of By-law Number 5-2000 as amended by By-law Number 113-2000. As well, meetings were held with all appellants to discuss possible resolution of their appeals, and copies of this submission were circulated to all appellants prior to today's meeting.

Notice of the amending by-laws will be given and will be subject to the appeal periods pursuant to the *Planning Act*. Should there be any appeals to the amendments associated with recommendation No. 1, such appeals would be consolidated with the Ontario Municipal Board hearing scheduled for November 14 to 17, 2000, so as to avoid two hearings on the same properties.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the Region of Ottawa-Carleton, Development Approvals Division, of City Council's decision.

Office of the City Solicitor to forward the implementing by-law to City Council.

Department of Urban Planning and Public Works to prepare and circulate the implementing by-law.

List of Supporting Documentation

- Document 1 Summary of Appeals to By-law Number 5-2000 Related to the Central Area and Staff Recommendations.
- Document 2 Details of Proposed Amendments to Correct Anomalies to *Zoning Bylaw, 1998*, as Amended by By-law Number 5-2000.
- Document 3 Revised Neighbourhood Monitoring Area Map No. 13-2.
- Document 4 Revised Schedule 225.
- Document 5 Revised Neighbourhood Monitoring Area Map No. 9-3.

Part II - Supporting Documentation

Document 1

SUMMARY OF APPEALS TO BY-LAW NUMBER 5-2000 RELATED TO THE CENTRAL AREA AND STAFF RECOMMENDATIONS

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
1. Mr. David Gladstone	a) Neighbourhood Monitoring Areas 13-5 and 13-6	The absence of provisions for protecting the built heritage along Bank and Sparks Streets	The heritage overlay was applied only to those properties that are individually designated or located in a designated heritage district at the time of passing of the by-law. However, on May 17, 2000, City Council approved the designation of two heritage districts, one centred on Sparks St. and the other on Bank St.. The notification and final approval by the Board are to take place this Fall after which the zoning by-law will be amended to implement the heritage regulations affecting these heritage districts (Sections 14 - 19).	No further amendments to this amending by-law required
	b) Add a new provision	Eliminate required parking for residential zones in LeBreton Flats	The zoning maintains the current parking requirements for residential uses near transitway stations. However, as a result of recommendations emanating from the Downtown Revitalisation Action Plan, parking requirements for certain residential uses in the Core Area of the Central Area and along Bank Street, Bronson Avenue, Elgin Street and Somerset Street were deleted by amending By-law Number 101-2000. LeBreton Flats was not affected by this modification. Given that the residential zones in LeBreton Flats are located within 400 metres from a transit station and that the LeBreton Flats area is within walking and cycling distance from the Core Area, it is not necessary to require parking for the residential areas of LeBreton Flats. The appellant agrees with this resolution of his appeal. The NCC also concurs with this change.	AMENDMENT PROPOSED: That Sections 48a, 49a and 50a of <i>Zoning By-law, 1998</i> , as amended, be modified to include the residential R6K and R7D zones of the LeBreton Flats, thus not requiring parking in those zones.

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
	c) None (Subject provision contained in amending By-law Number 6-2000 which is also before the Board)	Attendant/tandem parking being permitted	New tandem parking (attendant parking) provisions were not included in this by-law but were established under By-law Number 6-2000. Only the general provisions on tandem parking set out under provision 66 of <i>Zoning By-law, 1998</i> , which applies throughout the city, were carried forward. Consequently, this aspect of the appeal to By-law Number 5-2000 is not relevant. The City has agreed to allow Mr. Gladstone's appeal to By-law Number 5-2000 to, instead, be heard in conjunction with By-law Number 6-2000 as it relates to tandem parking.	No further amendments to this amending by-law required
2. Region of Ottawa-Carleton	a) Section 604d	Delete Section 604d and replace with regulations such as building height to limit uses to the existing building.	The subject property corresponds to the Thomson-Perkins Mill which is not designated under the Heritage Act. It is surrounded by the Ottawa River, the Western Parkway and the Portage Bridge. The existing building currently accommodates a restaurant (The Mill) and public parking is also accommodated on site. Both uses were non-conforming under the previous P zone. The subject property is located in an area designated as "Waterway Corridor" under the Official Plan. The EW6 allows a limited range of commercial uses to reflect the existing uses and allows some form the redevelopment, but does not define any development regulations given the site constraints and its isolated location. To restrict development to the existing building would unduly limit the development potential of the property. However, in order to ensure that the scale of redevelopment is limited and more in keeping with the policies set out under the Waterway Corridor designation, new development standards, which standards were developed with the ROC and the NCC, are being recommended.	<p>AMENDMENT PROPOSED:</p> <p>That the provisions of Section 604d of the EW6 zone be deleted and replaced by the following provisions:</p> <ul style="list-style-type: none"> i) minimum required lot area: no minimum ii) minimum required lot frontage: no minimum iii) minimum setback from the shore: 0 iv) minimum setback in all other cases: 0 v) maximum building height: 12.2 vi) maximum lot coverage: 20% vii) Section 11 does not apply (setbacks from the water's edge)

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
	b) Column III of Tables 51, 52 and 53	Amend Column III of Tables 51, 52 and 53 to indicate not only the minimum requirements but also maximum parking requirements.	It was not within the mandate of the Central Area Zoning Review to undertake a comprehensive review of the parking requirements for the Central Area. It relied on the "City of Ottawa - 1995 Central Area Parking Study Update" dated October 1996 and prepared by Delcan Corporation. The study concluded that there was no pressing need to update the parking requirements in the Central Area. Nevertheless, a joint study involving the Region, the City of Ottawa and other municipalities is being undertaken to examine parking requirements for employment centres, major institutional areas and high rise residential areas in the vicinity of transitway stations.	OUTSTANDING
3. Metcalfe Realty Ltd	Definition of "gross floor area" set out under <i>Zoning By-law, 1998</i> , as it relates to 88 Metcalfe Street and 119-121 Slater Street	The new zoning affecting 88 Metcalfe Street and 119-121 Slater Street has less development potential than under the previous zones due to the revised definition of "gross floor area". The same development potential should be retained under the new zoning.	The new zoning By-law 5-2000 did not modify the definitions of "ground floor" and "gross floor area" as set out under <i>Zoning By-law, 1998</i> . Both are to be applied in the same manner as every where else in the City. The current definition of "gross floor area" results from the resolution of an appeal to a proposed new definition of "gross floor area" and was not appealed when it was established under an amending zoning by-law (184-99). The difference between the definition of "gross floor area" in By-law Number Z-2K and the new definition is that the floor area below grade is now part of the calculation of the total gross floor area. Similarly, the difference between the definition of "ground floor" in By-law Number Z-2K and the new definition is that the floor area "at or nearest grade" (above or below) is considered to be the ground floor whereas, under the previous definition, only the floor "level with or immediately above grade" was considered to be the ground floor. In both cases, this was considered as an inconsistency under By-law Number Z-2K as the uses accommodated below grade have the same land use impact as if they were located above grade.	PROCEED TO THE OMB

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
4. Arnon Corporation	a) Sections 401d, 401e & 401f as they relate to 60 Queen St., and 66 Queen St.	The requirement that 50% of the ground floor to be occupied by specific pedestrian-oriented uses and that those uses have separate pedestrian access to the public street, as set out under Sections 401d, 401e and 401f, should be removed for those properties. The buildings at 60 and 66 Queen Street either do not have or are not designed to have such uses on the ground floor with pedestrian access to the public street.	Official Plan policy 1.3.3a)iii), Vol. II state that City Council shall “ <i>require pedestrian-oriented uses at grade along pedestrian corridors, including Albert, Slater, and Metcalfe Streets, and along other streets, retail uses at grade, or similar appropriate uses which contribute to pedestrian activity or interest, ...</i> ” The policy direction here is to provide, on the one hand, pedestrian-oriented uses along pedestrian corridors and, on the other hand, retail uses along other streets. The existing buildings do have retail and restaurant uses on the ground floor with direct access to the street. These uses conform with these provisions.	PROCEED TO THE OMB
	b) Sections 401d, 401e & 401f as they relate to the Slater/Laurier Parking Facility	The requirement that 50% of the ground floor to be occupied by specific pedestrian-oriented uses and that those uses have separate pedestrian access to the public street, as set out under Sections 401d, 401e and 401f, should be removed for those properties. It is our opinion that such restrictions were not intended to apply to every street within the Central Area, but rather to those streets specifically intended in the Official Plan.	Official Plan policy 1.3.3a)iii), Vol. II state that City Council shall “ <i>require pedestrian-oriented uses at grade along pedestrian corridors, including Albert, Slater, and Metcalfe Streets, and along other streets, retail uses at grade, or similar appropriate uses which contribute to pedestrian activity or interest, ...</i> ” The policy direction here is to provide, on the one hand, pedestrian-oriented uses along pedestrian corridors and, on the other hand, retail uses along other streets. Retail and service commercial uses are considered to be pedestrian-oriented uses. Pedestrian-oriented uses are uses which principal entrances are located on the perimeter of a building, are directly accessible to pedestrian walking along public rights-of-way, and are provided continuously along the street (Policy 1.3.3b, Vol. II). Consequently, the lands in question should continue to be subject to these provisions.	PROCEED TO THE OMB

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
Arnon Corporation (Cont'd)	c) R6M SCH.197 zone on the south side of Besserer Street between Waller and Cumberland Steets.	<p>i) The floor space index of (4.0) was removed and allows density to be determined through building height and the residential zone regulations. Such regulations are still under appeal, making it difficult to determine their effect on the permitted density. A site specific zoning should be established for this parcel to ensure the allowable development density.</p> <p>ii) Schedule 197 incorrectly labels Block "L" whereas that block is labelled Block "P" under the previous zone.</p>	<p>i) The residential zone regulations are now in effect as the related appeals have now been resolved (By-law Number 184-99). The removal of the floor space index and the use of the building height and regulations in defining the development potential is the approach now used in defining the residential zones throughout the City. The R6M is a subzone which was specifically created to maintain the intent of the previous zoning affecting this property. Under the previous R7-x(4.0)[33] zone, development was governed by yard requirements, parking, floor space index and building heights. Non-residential uses were also limited to a floor space index of 1.5. Under the new R6M SCH. 197 zone, the floor space index was removed but similar yard and parking requirements, the same building height and the same restriction of 1.5 floor space index for non-residential uses apply. As a result, a similar building envelope is defined within which development can occur. In the absence of a floor space index for residential uses, the building envelope could essentially be "filled", providing for significantly greater development potential, while still maintaining the former building envelope.</p> <p>ii) Schedule 197 has been amended to correct this typographical error as a result of By-law Number 113-2000.</p>	<p>PROCEED TO THE OMB</p> <p>No further amendments required</p>
	d) R7B F(8.0)H(64) zone affecting 475 Laurier Avenue West	The new R7B F(8.0)H(64) zone permits a specific list of non-residential uses on the ground floor but fails to permit office as one of those uses. The by-law should be amended to permit up to 93 sq. m. of office space on the ground floor in the R7B zone.	The previous R7-x(5.0)[51] zoning, established in 1998 by order of the OMB, listed the conditional non-residential uses to be permitted on the ground floor and does not include office uses. Office uses are permitted only on specific sites. The conditional non-residential uses are permitted at 475 Laurier Avenue West but the subject site is not one of the properties identified for office use. The new R7B F(8.0)H(64) zone, therefore, maintains the intent of the previous zoning. This request, therefore, constitutes a rezoning application and should not be entertained through the appeal resolution	PROCEED TO THE OMB

APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
			process.	
5. Miss Lois K. Smith	a) Schedule 225	Move the numeral "6" located in the "Inlet" area of Schedule 225 to just under the "20" to comply with its location on OPA 27.	This is a typographical error and should be corrected.	AMENDMENT PROPOSED: On Schedule 225, move the numeral "6" to just under the numeral "20" so it corresponds to coordinate "20" as shown on Document 4.
	b) Neighbourhood Monitoring Area No. 13 (Attachment 7)	Attachment 7 for Neighbourhood Monitoring Area No. 13 should include the relevant portion of Lemieux Island.	Lemieux Island is not part of Neighbourhood Monitoring Area No. 13 as the westerly boundary corresponds to the C.P.R. right-of-way which abuts Lemieux Island. All of the C.P.R. right-of-way should be shown on Neighbourhood Monitoring Area No. 9-3	AMENDMENT PROPOSED: Modify Neighbourhood Monitoring Area Number 9-3 to show all of the C.P.R. right-of-way abutting Lemieux Island and indicate the same ES2 zoning on these lands as for to the rest of the island as shown on Document 5.
	c) Neighbourhood Monitoring Area No. 13-1 (Attachment 8)	The words "SCH. 225" should be added to the EW zone to the north of the "Inlet".	The words "SCH. 225" were be added to the subject lands as a result of By-law Number 113-2000.	No further amendments required
	d) Neighbourhood Monitoring Area 13-2 (Attachment 9)	The boundaries of the EW zones on Map 13-2 are incomplete and need to made complete	The waterways constitute natural barriers in defining zone boundaries. Nevertheless, for clarity of the information on the zoning map, the zone boundaries could be shown between the islands on Map 13-2	AMENDMENT PROPOSED: Modify Neighbourhood Monitoring Area 13-2 to show the zone boundaries between the islands as shown on Document 3.

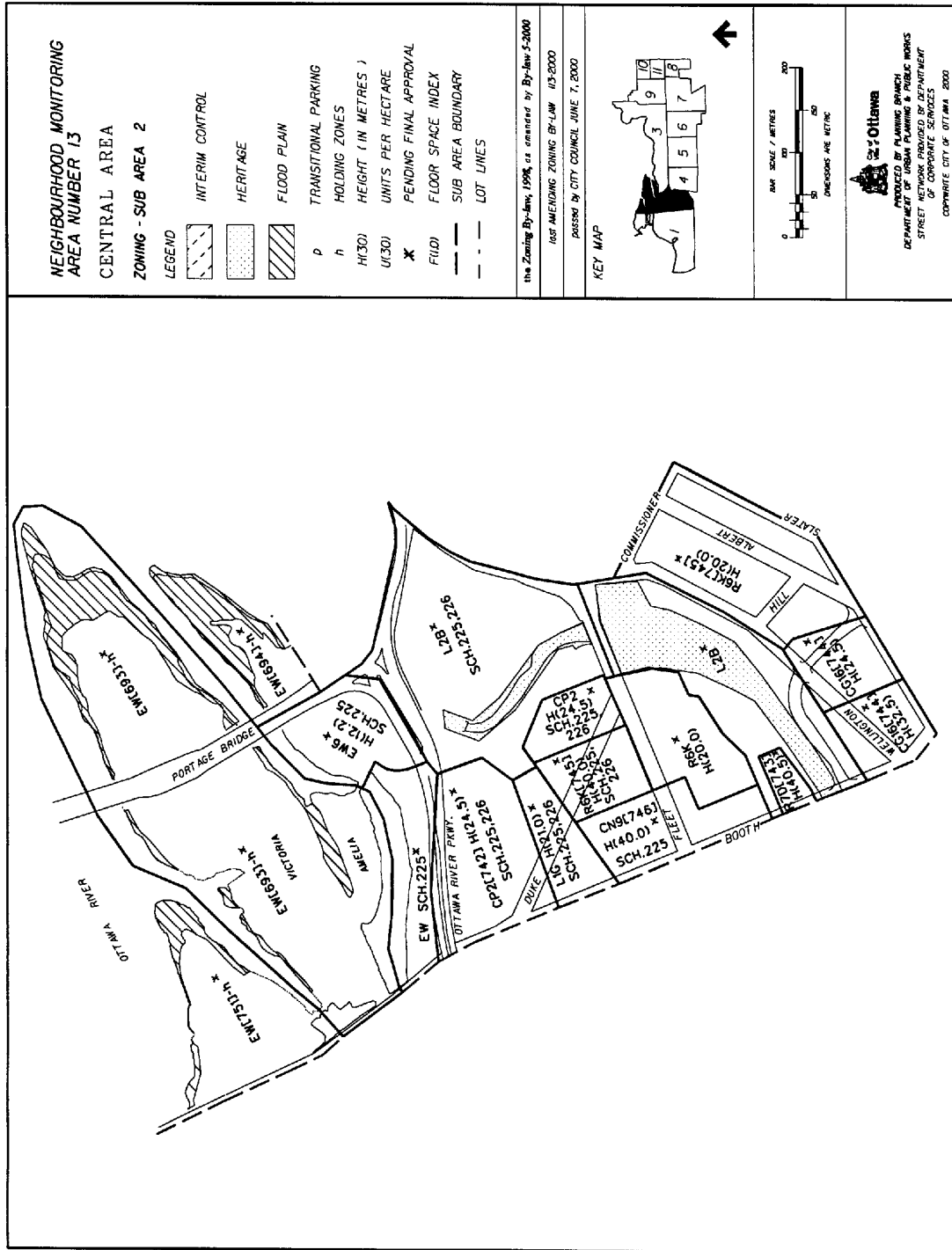
APPELLANT	ZONING BY-LAW REFERENCE	PARTICULARS OF APPEAL	DISCUSSION	RECOMMENDATIONS
Miss Lois K. Smith (cont'd)	e) Minimum building height set out in Table 280K of the R6K subzone.	I strongly object to the minimum building height of 20 meters and 6 storeys re: LeBreton Boulevard. Alternatively, I would accept a commemorative wall on the "western" border of that subzone (along Preston Street).	This issue of building heights in LeBreton Flats has been addressed by the OMB in dealing with a similar appeal to OPA 27 made by the appellant. Table 280K is in keeping with those height controls. Furthermore, the City has no authority to negotiate such a compensation for the withdrawal of an appeal. The NCC does not support the appellant's proposition.	PROCEED TO THE OMB

**DETAILS OF PROPOSED AMENDMENTS TO CORRECT
ANOMALIES TO ZONING BY-LAW, 1998,
AS AMENDED BY BY-LAW NUMBER 5-2000**

Issue Number	Reference	Proposed Amendment	Objective of Amendment
1	Table 147 - Separation Areas for Special Needs House	<ul style="list-style-type: none"> - Add the R6K, R6L and R6M subzones to row viii of Table 147 - add to Table 147 a new row listing the R7, R7A, R7B, R7C and R7D zones under Column I, and the figures 200, 130 and 90 under Columns II, III and IV respectively 	<ul style="list-style-type: none"> - To apply appropriate separation area regulations to the special needs house listed under the new R6 subzones and R7 zone and subzones
2	Section 433 CE5 Subzone	<ul style="list-style-type: none"> - Add “dwelling unit” as a listed permitted use to the CE5 subzone 	<ul style="list-style-type: none"> - The CE5 subzone replaced the former G zone and, as the intent of that zone was to allow a wide range of uses, including residential uses, provided they were owned or operated by a federal, provincial, regional or municipal government, stand alone residential uses or mixed residential/ commercial uses were possible developments. “Apartment building” and “high rise apartment building” are already listed as permitted uses in the CE5 subzone. Adding “dwelling unit” would, therefore, maintain the intent of the former zone.

Issue Number	Reference	Proposed Amendment	Objective of Amendment
3	Pat XV - Exceptions and Map 13-10	<ul style="list-style-type: none"> - create a new exception that will: <ul style="list-style-type: none"> a) add medical facility and office as permitted uses; and b) limit the medical facility , office and the uses listed under Section 280n to the ground floor only and to a cumulative total gross floor area of 1,150 square metres c) allow all required parking for the non-residential uses to be provided on any other lots - add this new exception to the R6L F(3.0) SCH. 204 zone located at the north west corner of Clarence Street and Cumberland Street 	<ul style="list-style-type: none"> - To implement the intent of the R5-x(3.0) [174] zone under the previous Zoning By-law Z-2K
4	Map 13-7	<ul style="list-style-type: none"> - To establish the heritage overlay over the Cartier Drill Hall building on Map 13-7 	<ul style="list-style-type: none"> - To correct an anomaly and to implement the designation of the Cartier Drill Hall under the Heritage Act
5	Map 13-8	<ul style="list-style-type: none"> - To change the R5D SCH. 199 zone affecting an area north of Laurier Avenue East and west of King Edward Avenue shown on Map 13-8 to an R6L SCH. 199 zone 	<ul style="list-style-type: none"> - To correct an anomaly by allowing high rise apartment in a zone which allows buildings of up to 18.9 metres in height

Issue Number	Reference	Proposed Amendment	Objective of Amendment
6	Part XV - Exceptions Exception [704]	<p>- To delete the third provision detailed under Column IV of Exception 704 of the <i>Zoning By-law, 1998</i>, as amended by By-law Number 5-2000, and replace it by the following provision:</p> <p>“- the total cumulative gross leasable area of the following commercial uses must not exceed half of the permitted gross floor area: amusement centre, artist studio, automated teller, bank, bar, bingo hall, bowling alley, broadcasting station, catering establishment, cinema, club, computer/data centre, convenience store, hotel, instructional facility, laboratory, laundromat, medical facility, nightclub, office, parking garage, personal service business, pool hall, post office, printing shop, production studio, public hall, recreational and athletic facility, repair shop, research and development centre, restaurant, fast food, restaurant, full service, restaurant, take-out, retail food store, retail store, small batch brewery and theatre”</p>	- To implement the intent of the R0-x-tp(7.0) [28] zone under the previous Zoning By-law Z-2K.



September 7, 2000

ACS2000-PW-PLN-0125
(File: LTB1100/0120)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

2. Proposed Amendments to Planning-Related By-laws

Modifications proposées aux règlements municipaux liés à l'urbanisme

Recommendation

That by-laws be brought forward for passage to repeal and replace the Planning-related By-laws listed at Document 1.



September 12, 2000 (2:43p)

Edward Robinson
Commissioner of Urban Planning & Public
Works

PB:pb

Contact: Paul Blanchett - 244-5300 ext. 1-3320

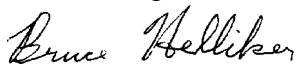


September 13, 2000 (10:05a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

These changes are administrative and there are no financial implications.



September 11, 2000 (2:01p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The various planning related-by-laws of the City (detailed in Document 1) contain terms that are out of date given the passage of the *Zoning By-law, 1998*. For example, these planning-related by-laws rely on definitions found in the now repealed Zoning By-law Number Z-2K . In addition to changing terms, it is also necessary to re-format and modernize the by-laws in order to be consistent with the by-law drafting style and content of the current *Zoning By-law, 1998*. Also, the planning-related by-laws need to be re-written to modernize the by-laws' format, to make the by-laws more user friendly, and correct anomalies. Although the changes are technical, it is necessary to obtain Committee and Council authority to amend the various by-laws.

Consultation

Since the recommendation in the report is for the sole purpose of changing terms and correcting anomalies, no public consultation was carried out. Notice of the proposed amendments was, however, advertised in the local newspapers on the Friday prior to the Planning Committee and Economic Development meeting.

Disposition

Department of Urban Planning and Public Works to draft the implementing by-laws.

Office of the City Solicitor to forward the implementing by-laws to City Council.

List of Supporting Documentation

Document 1 List of Planning-related By-laws

Part II - Supporting Documentation

LIST OF PLANNING-RELATED BY-LAWS

Document 1

1. By-law Number 71-93, the Parkland By-law,
2. By-law Number 242-94, the Demolition Control By-law,
3. By-law Number 250-94, the Condominium and Subdivision Approval By-law,
4. By-law Number 251-94, the Agreements-in-lieu of Parking By-law, and
5. By-law Number 278-94, the Site Plan Control By-law.

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September 15, 2000

ACS2000-PW-PLN-0136
(File: OCS3049/120)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona
OT6 - Somerset

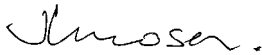
- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

3. Downtown Revitalization Action Plan Zoning Implementation
**Plan d'action sur la revitalisation du centre-ville - Mise en oeuvre des
zonages**

Recommendation

That recommendations 1, 2, and 3, to eliminate Floor Space Index (FSI) in the downtown area, and recommendations 6, 7, and 8, to rezone a portion of the Canal and the area bounded by Wellington Street, the MacKenzie King Bridge, Elgin Street and the Canal, contained in Document 1 of the submission entitled "Downtown Revitalization Action Plan Zoning Implementation" and dated June 28, 2000 (ACS2000-PW-PLN-0084), dealt with at the August 2, 2000 Council meeting, be WITHDRAWN.



September 15, 2000 (10:52a)

for/ Edward Robinson
Commissioner of Urban Planning and
Public Works



September 15, 2000 (11:09a)


Approved by
John S. Burke
Chief Administrative Officer

ED:ed

Contact: Elizabeth Desmarais - 244-5300 ext. 1-3503

Financial Comment

This report is administrative and there are no financial implications.


September 15, 2000 (10:26a)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

On August 2, 2000, City Council dealt with Planning and Economic Development Committee's Downtown Revitalization Action Plan Zoning Implementation Report (ACS2000-PW-PLN-0084) and passed a motion which referred the recommendation to eliminate Floor Space Index (FSI) back to staff. The motion directed staff to consult with representatives of the National Capital Commission (NCC) and the Region of Ottawa-Carleton and that staff report back to Planning and Economic Development Committee on September 26, 2000 on the status of these consultations.

Staff can report that it met with representatives of both the NCC and the Region, as well as a representative of Public Works Canada to discuss the benefits of, and concerns with, the removal of FSI as a regulation within the downtown area.

Those present at the meeting expressed concern with the relative "quickness" in process and though they were not opposed to the idea of removing FSI, they felt that more in-depth analysis, modelling, and an extensive public consultation process should occur prior to any final decision regarding the removal of this regulatory tool. Although staff are of the opinion that the removal of FSI is considered to be good planning in order to achieve the downtown revitalization objectives, given current priorities, staff are not in a position to pursue any extensive FSI review at this time. Therefore, the Department recommends that Planning and Economic Development Committee withdraw its July 25, 2000 recommendations to Council regarding the removal of FSI in the downtown area.

In addition, at the July 25, 2000 Planning and Economic Development Committee meeting, PEDC deferred its decision on the rezoning of the Canal, the Union Station site, and the area south of Wellington to the MacKenzie King Bridge pending further public consultation. It should be noted that both the Canal area and the Union Station Site lie outside of the boundary which had been established for the Downtown Revitalization Summit, and as such

neither the Ward Councillor nor representatives from the Bruyère/Strathcona Ward were included in the Summit, nor in subsequent mailing lists regarding the Action Plan and disposition of recommendations contained therein. They were, however, involved in discussions prior to the July 2000 report containing the rezoning recommendations. Again, it is felt by the Department that insufficient time is available for comprehensive public consultation, and though staff believe their zoning recommendations are sound land use planning ones, it is believed that such consultation would be best handled by the new City. Therefore, recommendations 6, 7 and 8 should be withdrawn.

The Ottawa Transition Board and the General Manager, Development Services of the new City of Ottawa have been kept apprised of the work concerning the Downtown Revitalization Initiative and it is hoped that the new City will continue the work begun in 2000.

Consultation

Staff met with representatives of the National Capital Commission and the Region of Ottawa-Carleton as per Council's direction at City hall on August 31, 2000 and extended an invitation to include a representative of Public Works Canada who also attended. All Downtown Revitalization Summit participants, as well as those in attendance at the August meeting have been forwarded a copy of this report.

Disposition

Department of Urban Planning and Public Works to inform National Capital Commission, Region of Ottawa-Carleton, and Public Works and Government Services Canada of Council's decision.

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September 5, 2000

ACS2000-PW-PLN-0059
(File: OSP2000/003)

Department of Urban Planning and Public
Works

Ward/Quartier
OT6 - Somerset

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique

Action/Exécution

4. Site Plan Control - 333 Preston Street **Plan d'emplacement - 333, rue Preston**

Recommendation

That the Site Plan Control application (OSP2000/003) to permit a mixed-use development at 333 Preston Street be **APPROVED**, subject to the conditions contained in Document 1, and as shown on the following plans:

1. **"Site Plan - Commerce Plaza, Phase II, Preston Street"** Drawing Number 02, prepared by Murray & Murray Associates Inc., Architects & Planning Consultants, dated January 7, 2000, revised August 29, 2000, and dated as received by the City of Ottawa on August 30, 2000,
2. **"Ground Level Plan (Parking Level P-1) - Commerce Plaza, Phase II, Preston Street"** Drawing Number 03, prepared by Murray & Murray Associates Inc., Architects & Planning Consultants, dated January 7, 2000, revised August 29, 2000, and dated as received by the City of Ottawa on August 30, 2000, and
3. **"Landscape Site Plan - Commerce Plaza, Phase II, Preston Street"** Drawing Number 9920-04, prepared by Douglas Associates, Landscape Architects Ltd., dated December, 1999, revised August 29, 2000, and dated as received by the City of Ottawa on August 30, 2000.



September 6, 2000 (9:54a)

Edward Robinson
Commissioner of Urban Planning and Public
Works

GH:gh

Contact: Gordon Harrison - 244-5300 ext. 1-3868




September 6, 2000 (12:38p)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

Subject to Planning and Economic Development Committee approval, the required financial security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.


September 5, 2000 (1:38p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The subject property, which is 21 060.97 square metres in area, is bounded by the Queensway off-ramp to the north, Rochester Street to the east, Aberdeen Street to the south and Preston Street to the west. Presently situated on the eastern edge of the site is a 12-storey office building with podium and underground parking (Phase 1). Located on the balance of the property are existing surface parking lots.

The purpose of this application, which was submitted by City Gate Corporation on behalf of Sakto Corporation, is to receive Site Plan Control approval for the balance of the land (Phase 2). It is still undetermined whether the remaining development proposed for these lands will itself be phased further.

The application consists of a major mixed-use development of the following:

- Block A - an existing 12-storey office tower of approximately 12 454.74 square metres,
- Block B - a five-storey + attic residential building fronting Aberdeen Street of approximately 8 991.75 square metres and containing 101 dwelling units (61 two bedroom and 40 one-bedroom units),
- Block C - a 16-storey office tower of approximately 20 588.38 square metres, and
- Block D - a five-storey mixed-use building fronting Preston Street of approximately 8,987.01 square metres containing a possible 28 retail bays, offices, a fitness centre, and 30 apartment dwelling units (21 two-bedroom and 9 one-bedroom units).

There are currently four zoning designations on the property consisting of Neighbourhood Linear Commercial and General Commercial zones.

On July 30, 1999, the Committee of Adjustment approved minor variances for this development consisting of an increase in floor space index in the CG2[661] F(2.0) zone, to permit dwelling units above the ground floor in the CN3[509] F(2.0) zone, and to permit a residential access/entrance, lobby, and elevators of 100 square metres on the ground floor of the CN3[509] F(2.0) and CN[598] F(2.0) H(18.3) zones.

All parking is contained within a four-storey, below-grade parking garage. Phase I currently has 265 associated parking spaces. The total parking required is 1,076 spaces while 1,373 spaces will be provided.

The Department is recommending **APPROVAL** of the application for the following reasons:

- The proposal conforms to policies in the Official Plan as they pertain a Neighbourhood Linear Commercial designation (Policy 6.4i), Chapter 6.0, Vol. II) for the lands abutting Preston Street and a Secondary Employment Centre designation(Policy 6.4g), Chapter 6.0, Vol. II) for the balance of the landholding. These designations were approved May 22, 1996, at the completion of the Preston/Champagne Secondary Planning Study.
- The proposal provides for off-street public parking during business hours and a surplus during non-business hours within a four-level underground parking structure. The results of the Preston Street Parking Survey completed by the City in May 2000, showed that there is a high occupancy rate of the existing on-street parking spaces in the immediate area of this site, especially during lunch and dinner hours. It is staff's opinion that this new development will be a good and desirable location to accommodate public parking, thereby achieving the City's objectives of accommodating short-term, off-street parking in the Preston Street area south of the Queensway. It is also intended that this parking structure will have 24 hour security.
- The podium and edges of the site will be adequately landscaped with a variety of plant materials. Consideration has been given to avoiding concealment spots caused by the inappropriate planting of large trees and shrubs.
- Amenity areas for ground floor apartment units will be private and achieved by at-grade changes, such as low walls, and the introduction of wide planting beds between the private space and the more public spaces of the development.
- The applicant is providing a 4.5 metre setback along Preston Street which is considerably wider than the zero metre requirement under the By-law. This will allow for greater opportunity for pedestrian interest/activity along Preston Street, such as the possible future use of this setback for outdoor patios.
- Adequate transportation measures have been introduced resulting in new turning lanes and signalization at the intersections of Aberdeen Street, Rochester and Preston Streets.

- Although this development is being constructed by a private corporation, access to the large open space within this development will be available to the public. Given the change in grade, this open space may not be entirely visible from Preston Street, but will be accessible from the five-storey, mixed-use building on Preston Street and along the driveway entrance leading to the office tower.
- It is proposed that the existing bus stop along Preston Street near this site be relocated to in front of the main entrance to the mixed-use building fronting Preston Street.
- The exterior lighting shown on the site plan is effectively positioned around the building and in the open space to ensure a secure pedestrian environment.
- A detailed Microclimate Study, investigating wind and snow conditions, was undertaken which is recommending that for certain areas of the site canopies and vertical wind screens be installed to mitigate any negative impacts.
- The attachment contains several conditions requiring that mitigation measures be undertaken prior to the issuance of a building permit which will ensure that the site is environmentally clean.

Economic Impact Statement

Fiscal/Economic Impact Statement

The statement that is provided presents a consolidated statement of fiscal and economic impacts associated with the development on this site. The development consists of a new office tower comprising 20 588 square metres, an apartment building and residential units totalling 131 units plus commercial and retail totalling 6 000 square metres. When this site is finally completed it is estimated to attract \$34.3 million dollars of construction investment based upon existing building rates. The development is estimated to generate 470 person years of employment from direct and indirect jobs due to construction activity and a further 730 permanent new jobs resulting from business activity. Annual property tax revenues to the city are estimated to be just over \$116,000. This development will bring net benefits to the City.

FISCAL/ECONOMIC IMPACT STATEMENT

333 Preston St	Est Investment:	\$34,263,800
CITY COSTS:	2000	2001-2009
Extraordinary Costs **	\$0	\$0
Admin & Services	\$4,170	\$45,200
Inspection & Control	\$5,000	\$54,200
Roadways, parking	\$47,610	\$515,800
Garbage & Storm Sewer Maint.	\$4,400	\$47,700
Social & Family Services	\$970	\$10,500
Rec & Culture	\$9,390	\$101,700
Planning & Development	\$3,790	\$41,100
	Sub-total	\$75,330 \$816,100
CITY REVENUES:		
Property Tax	\$116,040	\$981,400
Building Permit	\$181,400	\$0
Tax from Indirect Impacts	\$89,630	\$732,800
License/Permit	\$21,220	\$229,900
	Sub-total	\$408,290 \$1,944,100
	NET TO CITY	\$332,960 \$1,128,000
EMPLOYMENT		
New Jobs (excl. construction)		730
Net New Jobs (construction) ***		170
New Jobs (indirect/induced)		300
	Total	1210

* Present value at a discount rate of 8.5%

** Includes:

*** After excess capacity has been absorbed

Environmental Impact

The Municipal Environmental Evaluation Process Checklist (MEEP) was completed and potential environmental impacts were identified, but these can be satisfactorily mitigated. Several studies were submitted including environmental, soils, air quality, noise and transportation. A Storm Water Management Plan will be implemented.

Consultation

Two comments were received from the local community association and BIA which generally supported redevelopment of this property.

Disposition

Department of Urban Planning and Public Works to notify the owner (Sakto Corporation, 333 Preston Street, Suite 810, Ottawa, K1S 5N4) and agent (City Gate Corporation, 333 Preston Street, Suite 820, Ottawa, K1S 5N4), the Region of Ottawa-Carleton, Plans Administration Division, and all interested parties of Planning and Economic Development Committee's decision.

Office of the City Solicitor to prepare the Site Plan Control agreement.

List of Supporting Documentation

- | | |
|------------|--|
| Document 1 | Conditions of Site Plan Control Approval |
| Document 2 | Site Plan |
| Document 3 | Ground Level Plan |
| Document 4 | Landscape Site Plan |
| Document 5 | Municipal Environmental Evaluation Process Checklist (on file with the City Clerk) |
| Document 6 | Consultation Details |

Part II - Supporting Documentation

Document 1

Conditions for Site Plan Control Approval

PART I - CONDITIONS TO BE SATISFIED PRIOR TO THE EXECUTION OF THE REQUIRED AGREEMENT

STANDARD CONDITIONS

STC 1.2.1 - Landscape Elements Estimate by Landscape Architect

The Owner(s) must provide a detailed itemized estimate prepared by a Landscape Architect, of the value of all required landscaping, in accordance with the Canadian Nurseries Association, to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Gordon Harrison, 244-5300, ext. 1-3868, Planning Branch)

STC 1.3 - Posting of Financial Securities for Landscape Elements

The Owner(s) must post Security in the amount of 100% of the value of the landscape elements as identified in the detailed itemized estimate, including estimates for new landscape elements on private and municipal and/or regional property, which shall be retained in the custody of the City Treasurer, (no security will be taken for existing municipal and regional road allowance trees because they are already protected by the Trees By-law (By-law Number 55-93, as amended) and the Road Cut By-law (By-law Number 31-91 as amended). For the purposes of this condition, Security means cash, certified cheque, or subject to the approval of the City Treasurer, bearer bonds of the Government of Canada (except Savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds provided that the interest coupons are attached to all bonds, or letters of credit, with an automatic renewal clause, issued by a chartered bank, credit unions and caisse populaires, trust companies or some other form of financial security (including Performance Bonds from institutions acceptable to the City Treasurer).

Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor)

PART 2 - CONDITIONS TO BE INCLUDED IN THE REQUIRED SITE PLAN CONTROL AGREEMENT

SPECIFIC CONDITIONS

1. The Owner(s) acknowledges and agrees that the City shall hold in its possession landscaping security until completion of the works in accordance with the approved plan(s) to the satisfaction of the City. The Owner(s) hereby covenants and agrees:

- (i) that it shall be responsible to arrange for the transfer or replacement of landscaping security provided to the City prior to the sale or transfer of the Owner's lands, and
- (ii) that if the landscaping security has not been replaced prior to the sale or transfer of the Owner's lands, the new registered owner(s) may utilize the security for any works as approved by the City which have not been completed pursuant to the Plan(s), and for this purpose, the City Treasurer is hereby authorized to call in Letters of Credit or other security provided. The balance of security held, if any, will be refunded to the Owner(s) who provided the security, upon completion of the works to the satisfaction of the City.

STANDARD CONDITIONS

STC 2.1 - Installation and Planting of Landscape Elements

The Owner(s) shall install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free-standing ground-supported signs, steps, lamps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

STC 2.2 - Reinstatement of Damaged City Property, Including Sidewalks and Curbs

The Owner(s) shall reinstate to the satisfaction of the Commissioner of Urban Planning and Public Works, any property of the City or Regional of Ottawa-Carleton, including sidewalks and curbs, that is damaged as a result of the subject development. This reinstatement shall be at the expense of the Owner(s). (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

STC 2.9 - Release of Financial Securities for Landscape Elements

When requested by the Owner(s), the Security shall be released by the City Treasurer when authorized by the Commissioner of Urban Planning and Public Works according to City Council policy, provided that the landscape elements have been installed and planted in accordance with the Site Plan Control Approval, and that all plant materials are in good and healthy condition. (Contact John Honshorst, 244-5300, ext. 1-3868, Planning Branch)

STC 2.11 - Task Oriented Lighting for Areas Other Than Those Used For Vehicular Traffic or Parking

The Owner(s) agree that on-site lighting, in addition to lights used to illuminate any area used for vehicular traffic or parking, shall be task-oriented and shall be installed in such a manner that there will not be any spillover or glare of lights onto abutting properties.

STC 2.12 - Storage of Snow

The Owner(s) agrees that snow stored on landscaped areas shall be in a well-drained area where the storage will not result in over-spillage onto abutting lots nor destruction to planting areas.

STC 2.13 - Requirement for Maintenance and Liability Agreement

The Owner(s) shall enter into a Maintenance and Liability Agreement with the City for the installation of decorative landscaping or interlocking pavers on City property. The costs of preparation and registration of the agreement will be borne by the Owner(s). (Two-party Maintenance and Liability Agreements are needed for trees and pavers on regional roads, i.e., Preston and Rochester Streets, and a two-party agreement is needed for pavers and trees on municipal streets, i.e., Aberdeen Street) (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 2.16.2 - Release of Site Plan Control Agreement for Non-residential or Mixed Use Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than five years after the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

PART 3 - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT**SPECIFIC CONDITIONS**

1. That prior to the disturbance of any soils on site, the Registered Owner(s) must prepare a sediment and erosion control plan to the satisfaction of the Manager, Environmental Management Branch, appropriate to site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with current Best Management Practices for Erosion and Sediment Control. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)
2. That prior to the issuance of a building permit, the Registered Owner(s) must submit the results of the off-site investigation as described in A Remedial Action Plan (RAP), dated July 21, 2000 by Conestoga-Rovers to prove to the satisfaction of the Manager, Environmental Management Branch that no off-site contamination has a resulted from this property. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)

3. That prior to the issuance of a building permit, the Registered Owner(s) must submit a copy of the Record of Site Condition (RSC), prepared in accordance with the *Guideline for Use at Contaminated Sites in Ontario (Revised February 1997)* and acknowledged by the Ministry of the Environment, to the Manager, Environmental Management Branch. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)
4. That prior to the issuance of a building permit, the Registered Owner(s) must prepare a Waste Audit Summary for the construction project as required by Ontario Regulation 102/94 of the Environmental Protection Act and provide a copy to the Manager, Environmental Management Branch. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)
5. That prior to the issuance of a building permit, the Registered Owner(s) must submit a noise study certified by a qualified individual, preferably a Professional Engineer with experience in environmental acoustics. The study shall be to the satisfaction of the Manager, Environmental Management Branch and shall comply with the MOE Publication LU-131, Noise Assessment Criteria in Land Use Planning. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)

STANDARD CONDITIONS

STC 3.1.1 - Signing of Site Plan Control Agreement

The Owner(s) must sign a Site Plan Control Agreement including the conditions to be included in the agreement. When the Owner(s) fails to sign the required agreement and complete the conditions to be satisfied prior to the signing of the agreement within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor).

STC 3.2 - Approval of Private Sewer Systems, Lot Grading and Drainage Plan(s)

The Owner(s) must submit a plan(s) showing the private sewer systems and lot grading and drainage which indicates:

- i) the methods that surface water will be self-contained and directed to catch basins, storm sewers, swales and or ditches, and then conveyed to the public storm, combined sewer system or City ditches unless otherwise directed by the Commissioner of Urban Planning and Public Works;
- ii) by calculation, that the stormwater runoff from this site will not exceed the design capacity of the City sewer system. The allowable runoff coefficient is 0.4. For further information contact Kamal Toeg at 244-5300, ext 3833;
- iii) that all sanitary wastes shall be collected and conveyed to a public sanitary or combined sewer; and

- iv) that all private storm and sanitary sewers required to service the subject site are completely separated from each other and conveyed to the public storm, sanitary or combined sewer, except in the designated Combined Sewer Area;

to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 4 - CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AND DURING CONSTRUCTION/DEVELOPMENT

SPECIFIC CONDITIONS

1. That the Registered Owner(s) must have its engineering consultant certify that the approved erosion and sediment control plan have been implemented and monitored during all phases of site preparation and construction in accordance with current Best Management Practices for Erosion and Sediment Control. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)
2. That the Registered Owner(s) have its engineering consultant certify that the waste or contaminated soil removed from the site and that exceeds Table "F" of the *Guideline for Use at Contaminated Sites in Ontario (Revised February 1997)* has been disposed of at a site approved for that purpose by the Ministry of Environment. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)
3. That the Registered Owner(s) must implement waste reduction as outlined in the Waste Audit Summary as submitted to the Manager, Environmental Management Branch. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)
4. That the Registered Owner(s) shall implement the noise control measures recommended in the approved noise study and have its engineering consultant certify the design and construction of the required measures. (Contact Greg Montcalm, 244-5300, ext. 1-3883, Environmental Management Branch)

STANDARD CONDITIONS

STC 4.3 - Approval of Work on Municipal Property or Easements

The Owner(s) must receive written approval from the Director of Engineering prior to any work commencing on City or Regional property or easements. A description of the proposed work along with twenty-four (24) copies of the plan illustrating the work must be submitted and will be circulated to all underground utilities for their comments, prior to any approval. (Contact Larry Lalonde, 244-5300, ext. 1-3820, Engineering Branch)

STC 4.4 - Approval for Construction Related to Private Approaches

The Owner(s) must receive written approval from the Commissioner of Urban Planning and Public Works for any construction related to a private approach within the road allowance. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.5 - Notification of Construction or Alteration of Private Approach

The Owner(s) must notify the Commissioner of Urban Planning and Public Works in writing when the construction or alteration of any private approach servicing this development will commence. Lack of notification may result in the City requiring changes to the private approach at the expense of the Owner. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.6 - Construction Materials on Public Road Allowances

The Owner(s) must ensure that:

- i) construction vehicles are to be loaded and driven in such a manner so that the contents will not fall, spill or be deposited on any road that has been given preliminary or final acceptance for use during construction;
- ii) all spills, dirt, mud, stone or other transported material from the road must be removed at the end of each day;
- iii) the road is cleaned immediately should this material pose a hazard to vehicles or pedestrians, and in the event of a dispute, the Commissioner of Urban Planning and Public Works will be the judge of what constitutes a hazard. In the event the material is not removed as required, it may be removed by the City at the expense of the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon, 244-5300, ext 1-3507, Building Code Services Division)

STC 4.8 - Pumping of Liquids Into Sewers During Construction

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must obtain authorization from the Commissioner of Urban Planning and Public Works prior to the pumping of any liquid or liquid with sediment into sanitary, storm or combined sewers during construction. Failure to obtain authorization may result in the owner(s) having to bear the full cost of removing all sediment and debris downstream from the construction site. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.9 - Inspection of Service Connections

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must contact the Department of Urban Planning and Public Works, Sewer Operations Inspections staff, to view the connection of deep services to municipal sewer lines. Compliance regarding service connections can only be determined if this inspection has been carried out. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.10 - Requirements for Catch Basins and Storm Lines to Catch Basins

The Owner(s) must ensure that:

- i) catch basins should be the trap type to prevent odours from the street coming back towards the building, since the Preston Street has a combined sewer; and
- ii) storm lines to catch basins should have check valves to prevent back flow should the City sewer surcharge during a heavy storm or spring run-off. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.11 - Requirement for Grease Trap

The Owner(s), in accordance with the Sewer By-law (By-law Number 163-73, as amended), must install a grease trap on the internal sanitary plumbing system when a restaurant is established. (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

STC 4.15 - Reinstatement of Redundant Accesses

The Owner(s) must reinstate the sidewalk and curb at the redundant access and maintain a curb face equal to or better than the existing adjacent curbs with all costs borne by the Owner(s). (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.17 - Planting of Trees in Hard Surfaced Areas

The Owner(s) must ensure that any tree to be located in a hard surfaced area must be planted in accordance with the "Guidelines for Hard Surface Planting" in accordance with the Trees By-law (By-law Number 55-93, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.18 - Planting of Trees in Road Allowance

The Owner(s) must ensure that any new road allowance tree(s) be planted as follows:

- i) 0.6 metres from the property line, pursuant to the Standard Locations for Utility Plant (referred to as the CR-90), as approved by the City;
- ii) utility clearances are required prior to planting and/or staking;
- iii) wire baskets and burlap used to hold the root ball and rope that is tied around the root collar are to be removed at the time of the planting of the tree(s);
- iv) guying of the tree(s) is not acceptable;
- v) the tree(s) must meet the requirements set out by the Canadian Nursery Standards; and

vi) tree stakes are to be removed prior to the release of the financial securities for the landscape elements. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.19 - Requirement for "As Built" Drawings of Private Sewer Systems, Lot Grading and Drainage

The Owner(s) must provide the Department of Urban Planning and Public Works with "As Built" drawings of all private sewer systems, lot grading and drainage, prior to the issuance of a final occupancy permit. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 5 - FOR THE INFORMATION OF THE REGISTERED OWNER(S)

STI 1 - Additional Requirements

This approval only relates to Site Plan Control matters and the owner must still abide by all other municipal by-laws, statutes and regulations.

STI 3 - Release of Existing Site Plan Control Agreement(s)

The existing site plan control agreement(s) may be eligible for release according to the City Council approved policy, at the cost of the Owner(s). (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

STI 4 - Changes to the Site Plan Control Approval

Changes to the Site Plan Control Approval may require a new approval according to the provisions of the Site Plan Control By-law.

STI 5 - Permit Required for Signs

This Site Plan Control Approval does not constitute approval of any sign. The Owner(s) must procure separate sign permits for all signs in accordance with the Signs By-law (By-law Number 311-90, as amended). Further, according to the Site Plan Control By-law, where proposed ground signs are not indicated on an approved plan(s), the Owner must seek Site Plan Control Approval to reflect the intended sign(s) prior to the issuance of the required sign permits. (Contact Jim Denyer, 244-5300, ext. 1-3499, Planning Branch)

STI 7 - Maintenance of Municipal Boulevard

In accordance with the Use and Care of Streets By-law (By-law Number 165-73, as amended) the Owner(s) and or prospective owner(s) will be responsible for the maintenance of the municipal boulevard. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 8 - Prohibition of Storage of Snow on Road Allowance

No snow is to be deposited on the road allowance as per the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 11 - RMOC Jurisdiction

Preston and Rochester Streets are under the jurisdiction of the Region of Ottawa-Carleton.

REGION OF OTTAWA-CARLETON**ROC Registered Agreement Required**

The Owner(s) is advised that an agreement must be entered into with the Region of Ottawa-Carleton and the Owner(s) (Contact: Millie, Mason, Legal Department, 560-6025, ext. 1224) which will include the following conditions:

ROC -Other Conditions and Information**TRANSPORTATION****Road Widenings**

- T1 a) In accordance with the Regional Official Plan, the Region has a widening requirement across the complete Preston Street frontage measuring 11.5 metres from the existing centreline of pavement to bring the existing Preston Street right-of-way to 23 metres.
- T1 b) In accordance with the Regional Official Plan, the Region has a widening requirement across the complete Rochester Street frontage measuring 11.5 metres from the existing centreline of pavement to bring the existing Rochester Street right-of-way to 23 metres.

Note: The exact widenings must be determined by legal survey. The owner shall provide Reference Plans for registration, indicating the widenings. Such reference plans must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys and will be submitted to the Region for review prior to its deposit in the Registry Office. The widenings must be conveyed to the Region of Ottawa-Carleton prior to construction on the site or on the regional road. The conveyance will be at no cost to the Region.

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T2 In accordance with the Regional Official Plan, an additional widening is required at the following intersections to provide 4.5 by 4.5 metre corner triangle measured from the widened street lines:

Aberdeen Street/Preston Street
Aberdeen Street/Rochester Street
Preston Street/Sakto Driveway

T3 No permanent features will be permitted above and below-grade within the widened right-of-way or corner triangle, including commercial signage.

T4 In accordance with the Regional Official Plan, the owner shall construct a concrete sidewalk to regional standards and specifications across the frontages of the development.

Vehicular Access

T8 In accordance with the Regional Regulatory Code, the grade of the access should not exceed 2% for a distance of 6 meters from the widened streetline.

T9 The proposed access should be constructed having a depressed curb and continuous concrete sidewalk across the access.

T12 The owner has completed a Transportation Impact Study for this site. The Region is reviewing this Study and will contact the Owners and the Owner's Consultant following completion of the Environment and Transportation Department review.

T13 The owner is responsible for all costs such as those associated with the public roadway modifications including final design construction drawings, traffic signal plants and sidewalks. The final design and specifications shall be to the satisfaction of the Environment and Transportation Commissioner.

T14 The owner shall be required to enter into a Traffic Signal Agreement with the Region to provide for the ongoing maintenance of proposed signals recommended until such time as the Ministry of Transportation's traffic signal warrants are met and Regional Council approves the assumption of these costs.

Public Transit

T15 The owner shall locate, design and construct, at no cost to the Region, paved transit passenger standing areas/shelter pads and shelters to the specifications of the Region.

- T17 The owner shall relocate/adjust those OC-Transpo's lay-by/bus stops which will be impacted by the proposed new roadworks and private approaches to the site.

Landscaping

- T18 In accordance with the Regional Regulatory Code, any trees removed from the Regional Road right-of-way, must be replaced at the owner's expense and/or appropriate compensation provided.
- T19 The owner shall be required to enter into a maintenance and liability agreement for all plant material placed in the Regional Road right-of-way and the owner shall assume all maintenance and replacement responsibilities in perpetuity.

ENVIRONMENT

Stormwater Management

- SWM4 The owner agrees to prepare and implement an erosion and sediment control plan to the satisfaction of the local municipality, appropriate to the site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control.

Industrial Waste

- IW2 Any sanitary or storm drainage from the site must comply with the provision of Section 5.2 of the Regional Regulatory Code.
- IW3 Prior to discharge of sewage into the sewer system, a Waste Survey Report required by Section 5.2.5 of the Regional Regulatory code must be completed and submitted to the Industrial Waste Section, 800 Green Creek Drive, Gloucester. For information, contact Industrial Waste Inspector at 560-6086, Extension 3326.

Water

- W2 The details for water servicing and metering shall be in accordance with the Regional Regulatory Code.

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- W4 In accordance with the Regional Regulatory Code, all existing services that will not be utilized, shall be capped at the watermain by the Region. The owner shall be responsible for all applicable costs.
- W5 In accordance with the Regional Regulatory Code, no driveway shall be located within 3.0 metres of an existing fire hydrant. No objects, including vegetation, shall be placed or planted within a 3.0 metre corridor between a fire hydrant and the curb nor a 1.5 radius beside or behind a fire hydrant.
- W9 The owner shall be required to co-ordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-ground, below-ground) through liaison with the appropriate electrical, gas, water, sewer, telephone and cablevision authorities and including on-site drainage facilities and streetscaping - such location being to the satisfaction of all affected authorities.

Finance

- RDC The owner, heirs, successors and assigns shall ascertain if development charges are payable pursuant to the Regional Development Charges By-law and any amendment or revision thereto.

For the advice of the applicant and/or the City of Ottawa the following comments/conditions will apply:

ENVIRONMENT

Water

- W1 Fire flow records indicate a flow of 1416 IGPM at 20 PSI from the hydrant located at Preston Street and Aberdeen Street. This test was performed in April 1999. This flow reflects system conditions on the test day; however, there are variations in flow and pressure depending on the time of day. The owner may be required to undertake an engineering analysis of the water supply certified by a Professional Engineer to ensure that the water supply meets municipal/regional standards.
- W3 The owner shall submit drawings for approval prior to tendering and make application to the Regional Environment and Transportation Department for the water permit prior to the commencement of construction.
- W7 The owner shall satisfy the requirements of the Building Code with respect to hydrants(s).

Solid Waste

- SW4 Waste collection and recycling collection will not be provided by the Region. The applicant should make appropriate arrangements with a private contractor for waste collection and recycling collection. (Block A, Block C, Block D Retail/Commercial).
- SW5 The owner should consult a private contractor regarding any access requirements for waste collection and/or recycling collection. (Block A, C, D)
- SW6 The owner shall provide adequate storage space for waste containers and recycling bins to the satisfaction of the Environment and Transportation Commissioner. Waste collection and recycling collection will be provided by the Region and requires direct access to the containers. Any additional services (i.e. winching of containers) may result in extra charges. (Block B, Block D Residential/Apartments).

OTTAWA HYDRO

Ottawa Hydro, Engineering Department should be contacted regarding the necessity of providing a transformer and vault, pad mounted transfer and easements. (Contact Daniel Desroches, 738-5499, ext. 210)

BELL CANADA

Bell Canada should be contacted three months in advance of any construction. (Contact Rick Watters, 742-5769)

ROGERS OTTAWA

Rogers Ottawa Cablevision be contacted in planning stages to arrange facilities. (Contact Jeff Niles, 247-4519)

MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

The Registered Owner(s) contact the District Supervisor, Ministry of Transportation and Communications to obtain a permit to build.

Contact the District Landscaping Supervisor, Ministry of Transportation and Communications to obtain approval for landscaping within the Highway right-of-way.

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The Registered Owner(s) must submit a traffic impact study identifying any possible impacts to Highway #417.

The Registered Owner(s) require a Sign Permit for any signing within 400 metres of Highway #417 and visible from the highway.

The Registered Owner(s) must submit a drainage/storm water management report to ensure drainage is not directed toward Highway #417.”

The Registered Owner(s) require an Illumination Permit showing the amount of light on the Ministry’s right-of-way, as a result of the proposed development.

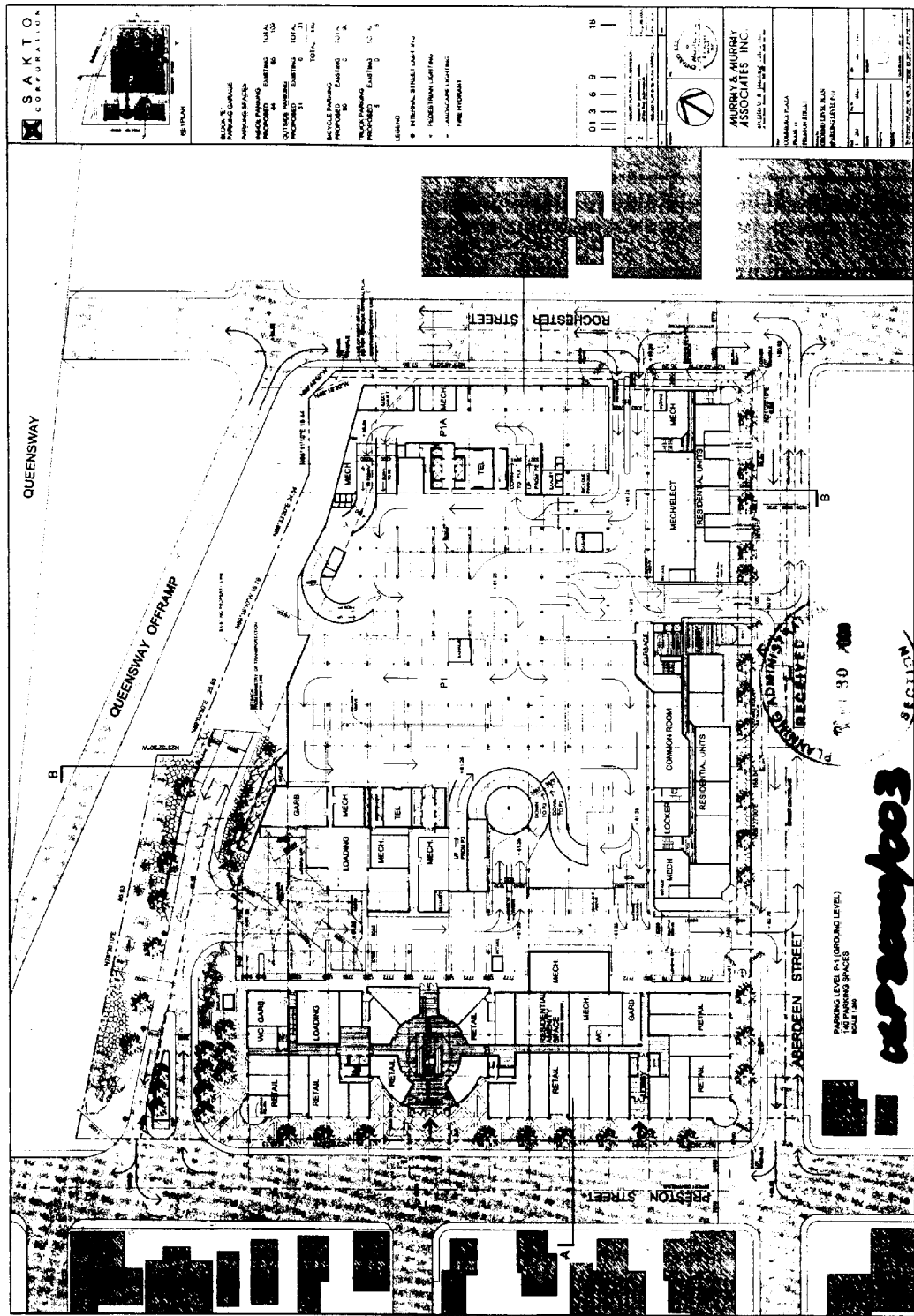
The Registered Owner(s) review and consider the possible relocation of the sign at the bottom of the eastbound off-ramp to Rochester Street due to the possibility of sight line interference based on the design speed of this ramp.

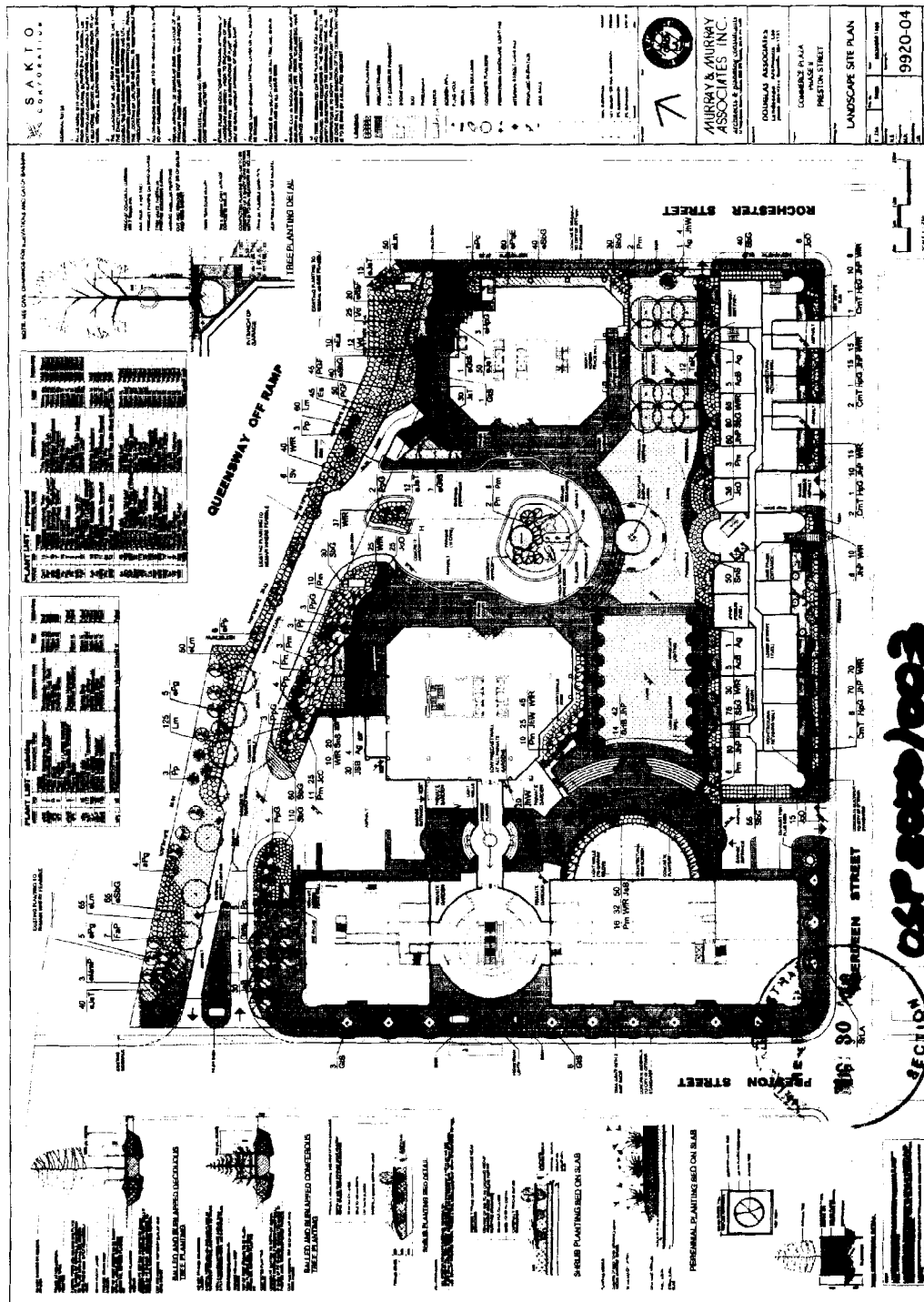
OC TRANSPO

Contact OC Transpo if the proposal results in any changes to the existing situation.

CANADA POST CORPORATION

Canada Post Corporation’s delivery policy, postal service to this site location will be via lock box assembly or mailroom supplied, installed and maintained by owner. (Contact: Jacques Lachance , Delivery Planning Officer, 734-1497)





CONSULTATION DETAILS

Document 6

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with Early Notification Procedure P&D/PPP/N&C#2 approved by City Council for Site Plan Control applications.

PUBLIC INPUT

Two comments were received, both in support of the application. They included the following:

Preston Street BIA - This Board expressed their support of the development and the Committee of Adjustment variances being sought. The letter indicated that the variances will facilitate an excellent project that will bring new commercial and residential units to the Preston Street area. They congratulated Sakto Corporation for initiating such an exciting new development in the City.

Dalhousie Community Association - This community association indicated that they were generally pleased with the plans for the Commerce Plaza project. There were a few concerns pertaining to the proposal which included the assurance that the new built form along Aberdeen included a setback and scale compatible with the residential community to the south, i.e., ground level or walk-up access to units), that Aberdeen be retained as a residential street by limiting commercial and service vehicles, and that each new business within the retail buildings for Preston Street be accessible from the street.

Response:

Block B along Aberdeen Street consists of a five-storey + attic walk-up apartment building of approximately 8 991.75 square metres containing 101 dwelling units (61 two-bedroom and 40 one-bedroom units). Several of these units will have driveways and garages fronting Aberdeen Street which will provide for a more pedestrian scale to the street. It is intended that the frontage of Aberdeen Street within this site will be retained, for the most part, as a residential street. However, both ends of Aberdeen Street will permit commercial and service vehicle activity, such as an underground parking garage exit located close to Rochester Street and a rear service lane for the Preston Street mixed-use building located off Preston Street.

Supplemental Notification and Consultation

The Environmental Advisory Committee and the Disabled Issues Advisory Committee were sent a copy of the technical circulation, however, no comments were received .

City Councillor's Comments

Councillor Elisabeth Arnold provided the following comments:

1. The proposed development contains a great number of on-site parking spaces (1,070 inside) which is in excess of what the zoning by-law requires. This is an opportunity to investigate a public/private partnership to fulfil City Council's plans for a public parking facility to serve the Preston Street commercial area. \$1 million has been identified to initiate these plans. The City should investigate the co-ordination of public parking within the 333 Preston Street parking garage
2. I support the inclusion of mixed uses within the development, particularly the residential apartment blocks. It would be preferable to have greater community access to the interior landscaped amenity and open space, rather than having it walled off from the surrounding area.
3. The tree planting along Preston Street is not adequate. They should be planted in beds rather than holes in the concrete sidewalk. A mixture of species that will attain some height and canopy is desirable. This planting could add significant relief to the arid environment of Preston Street.
4. If the individual retail units on the Preston Street frontage are converted to eating establishments, the sidewalk in front of them should be designed in a way that will accommodate future outdoor patios and not impede pedestrian traffic, or intrude upon the residential parts of the development.
5. There needs to be outdoor bicycle parking in a prominent and usable location in addition to the bicycle parking within the parking structure.

Response

1. The Zoning By-law requires 1,070 parking spaces for the development and the applicant is proposing to provide 1,373 spaces including possibly an additional floor of several hundred spaces. Since there were additional parking spaces provided, staff requested the consideration of a joint participation in the parking component of this development. Staff and the developer met to discuss this issue, however, it was already the developer's intent to accommodate public parking within a 24 hour underground garage that will contain the appropriate security. The applicant indicated that they intend to make every effort to accommodate off-site customers and area parking needs; however, the allotment will be driven by negotiated lease agreements. They indicated further that an exact percentage allotted to public parking was impossible to provide, however, they anticipate public parking to be available during business hours and a surplus during non-business hours.

The results of the Preston Street Parking Survey, completed by the City in May 2000, showed high occupancy rates of the existing on-street parking spaces in the area, especially during lunch and dinner hours. It is staff's opinion that the new development is an excellent location to satisfy the present parking demands south of the Queensway.

2. The change in grade of the site makes it difficult to provide easy access to the upper level from Preston Street. Nevertheless, this level will be accessible through the mixed-use building facing Preston Street, along the primary access driveway leading from Preston Street to the new office tower and from Rochester Street .
3. The tree planting is intended to be provided in a continuous trench along Preston Street. The Honeylocust tree was selected because of its ability to withstand the stresses of streetscape conditions and because its foliage has a higher degree of transparency that allows store signs to be seen from the street and filtered sunlight to reach the sidewalks than is the case of other tree species. A mixture of tree planting is proposed throughout the balance of the site.
4. The design of the Preston Street sidewalk area has not been finalized as the tenant retail space has not been determined/assigned. Staff is also of the opinion that it is desirable that this sidewalk be designed in a way that pedestrians are not relegated to the outside curb, and in a way that acknowledges future outdoor patios within this area. In order to address this, the applicant is proposing a 4.5 metre setback from the Preston Street property line (the By-law permits the building to have a zero metre setback). Such a setback will provide for a wider pedestrian right-of-way to accommodate the different streetscape activities envisioned for this street.
5. Public bicycle parking will be provided at street level, at a location close to the south side of the driveway entrance from Preston Street to the office tower. As well, several post-type bicycle racks will be installed between the street trees on Preston Street (these will also serve to protect the trees during snow clearing operations). These locations are shown on the Landscape Plan.

Regional Councillor

The Regional Councillor, Diane Holmes, indicated that she supports the mixed uses, however, added that the amount of parking appears to far exceed the zoning by-law requirement and is contrary to the Region's Official Plan goal to discourage low occupancy private car travel to and from the Central Area. She believes that the Region and OC Transpo should agree to work together to develop an effective Transportation Demand Management program.

In terms of landscaping along Preston Street, Councillor Holmes stated that the tree planting design should avoid the typical “evenly spaced lollipops in a straight line” approach and use clustering, and re-think the use of honeylocusts as a street tree as it will not provide much impact for the overall streetscape, and plant street trees in the ground as opposed to within planters.

She mentioned that the landscaped open space at the interior of site is gated and inaccessible to the surrounding area. She is in favour of making it visually accessible from some points, and preferably publicly accessible.

The Councillor supports retail and potentially larger eating establishments along Preston Street. The layout of the sidewalk areas, however, should be designed, she believes, in a way that pedestrian traffic is not relegated to the outside curb adjacent to the busy traffic, and in a way that acknowledges its likely future use for outdoor patios.

Finally, Councillor Holmes feels there is a need for both public visitor’s bicycle parking at grade and tenant’s bike parking within the underground garage. She stated cycle parking must be in highly visible locations where there is surveillance.

Response:

In response to the additional parking exceeding the by-law requirement and contrary to the Regional Official Plan goal, the applicant intends to provide public parking in an area where a shortage of on-street parking has been identified by staff following a recent City survey. The provision of public parking will alleviate the present demand in the area.

In terms of street planting, it is necessary to plant the trees in a straight line along the Preston Street frontage because of space limitations resulting from the underground parking garage. There is only a narrow strip in which to plant the trees between the garage wall and the property line. A check or notch is to be made in the wall and roof of the garage for the new plantings. The trees in the interior of the site will be planted over the garage roof. As there is not enough vertical depth to plant them at grade, they will be planted in raised planters.

In terms of accessibility to the open spaces on site, these spaces will not be gated or fenced and will be open to the public from several points around the site. Commerce Plaza is, however, private property and as such, the amenities are intended primarily for residents and tenants of the office building. Given the change in grade level across the site it is difficult to make the podium physically accessible from Preston Street, nevertheless, it will be visually accessible from this point. Access to the upper level of the podium containing the open space will be through the mixed-use building facing Preston Street, along the primary access driveway at the northern edge of the site leading to the new office tower and from Rochester Street.

The remaining issues raised by the Regional Councillor have been addressed in the response to Councillor Arnold's comments.

APPLICATION PROCESS TIMELINE STATUS

The application which was submitted on January 20, 2000, was subject to a project management timeline, as recommended by the "A Better Way Task Force", and a process chart which established critical milestones was prepared. A Mandatory Information Exchange was not undertaken by staff since the proponent undertook Pre-consultation .

This application was not processed within the twelve week timeframe established for the processing of Site Plan Control Approval applications for which approval authority is delegated to the Director of Planning and where Early Notification is applicable. Given the large scale of the project, a number of issues required resolution before staff could proceed with an approval report.

September 12, 2000

ACS2000-PW-PLN-0117
(File: OSP2000/046)

Department of Urban Planning and Public
Works

Ward/Quartier
OT1 - Britannia-Richmond

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique

Action/Exécution

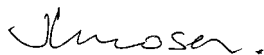
5. Site Plan Control - 2200 - 2214 Carling Avenue
Plan d'emplacement - 2200 - 2214, avenue Carling

Recommendation

That the Site Plan Control Application (OSP2000/046) be **APPROVED**, as shown on the following plan:

“Site / Landscape Plan, Tim Hortons - 2200 Carling Avenue”, Drawing Number L-01, prepared by Douglas Associates, dated June, 2000, as revised to August 30, 2000, and dated and received by the City of Ottawa on August 21, 2000;

subject to the conditions contained in Document 1.



September 18, 2000 (2:37p)

for/ Edward Robinson
Commissioner of Urban Planning and
Public Works



September 18, 2000 (3:00p)


Approved by
John S. Burke
Chief Administrative Officer

PMcD:pmcd

Contact: Prescott McDonald - 244-5300 ext. 1-3854

Financial Comment

Subject to Planning and Economic Development Committee approval, the required financial security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.


September 18, 2000 (2:10p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

This Site Plan Control application relates to 2200 - 2214 Carling Avenue which is located on the south side of Carling Avenue, between Fairlawn and Woodroffe Avenues. The property has a lot area of approximately 2 857 m² and its current development consists of two, one-storey commercial buildings occupied by retail and restaurant uses. The property is located along a District Linear Commercial Area and abuts low density residential housing at the rear.

The applicant proposes to replace the commercial building containing a restaurant use with a 56 m² drive-through restaurant. The drive-through operation will also accommodate drop-in pedestrian customers. A total of six on-site parking spaces will be provided, specifically for this development, as well as bicycle parking and a loading area. The drive-through component has been adequately separated from the on-site traffic circulation and complies with the zoning by-law's performance standards. This operation will have only one point of ingress and egress from Carling Avenue.

Site treatments includes landscaping along Carling Avenue, consisting of a planting of boulevard trees and shrubbery, with a similar treatment internal to the site development. Along the rear property line are a number of existing trees which will be maintained and be pruned back. Additionally there will be a solid, two-metre high wooden fence extending partially along the rear and side property lines. The fence has been purposefully designed to mitigate against on-site vehicular headlights and noise emissions from the restaurant's order board.

The recommendation is for APPROVAL based on the review and determination that the site plan represents a functional, efficient and sensitive development of the site, satisfying the intent of the Official Plan Policies in Section 4.7 dealing with Linear Commercial Areas, in particular, the policy on Development Guidelines for Linear Commercial Areas.

Consultation

The Glabar Park Community Alliance and a local resident expressed concerns relating to traffic, noise and lighting which have been responded to in Document 5 of this report.

Disposition

Department of Urban Planning and Public Works to notify the owner (Sanco Limited, 350 O'Connor Street, Suite 203, , Ottawa, Ontario, K1P 5M4), tenant (The TDL Group Limited, 874 Oakville, Ontario, L6K 2Y1) and agent (Holzman Consultants Incorporated, 1076 Castle Hill Crescent, Ottawa, Ontario, K2C 2A8) of the Planning and Economic Development Committee's decision.

List of Supporting Documentation

- | | |
|------------|---|
| Document 1 | Conditions for Site Plan Control Approval |
| Document 2 | Location Plan |
| Document 3 | Site Plan |
| Document 4 | Municipal Environmental Evaluation Process Checklist (on file with City Clerk) |
| Document 5 | Compatibility with Public Participation Policy/Input from Other Departments and Other Government Agencies |

Part II - Supporting Documentation

Document 1

PART I - CONDITIONS TO BE SATISFIED PRIOR TO THE EXECUTION OF THE REQUIRED AGREEMENT

STANDARD CONDITIONS

STC 1.1 - Evaluation of Specific Existing Private Trees to be Retained

The Owner(s) must submit a statement specifying the species, size, health and structural stability for the existing tree(s) which are to be retained, to the satisfaction of the Commissioner of Urban Planning and Public Works. The inspection of this existing tree(s) and statement must be prepared by a person having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist. (Contact Prescott McDonald, 244-5300, ext. 1- 3854, Planning Branch)

STC 1.2.1 - Landscape Elements Estimate by Landscape Architect

The Owner(s) must provide a detailed itemized estimate prepared by a Landscape Architect, of the value of all required landscaping, in accordance with the Canadian Nurseries Association Standard, to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Prescott McDonald, 244-5300, ext. 1- 3854, Planning Branch)

STC 1.3 - Posting of Financial Securities for Landscape Elements

The Owner(s) must post Security in the amount of 100% of the value of the landscape elements as identified in the detailed itemized estimate, including estimates for new landscape elements on private and municipal and/or regional property, and a Tree Compensation Deposit for the existing trees to be retained on private property, which shall be retained in the custody of the City Treasurer, (no security will be taken for existing municipal and regional road allowance trees because they are already protected by the Trees By-law (By-law Number 55-93, as amended) and the Road Cut By-law (By-law Number 31-91 as amended). For the purposes of this condition, Security means cash, certified cheque, or subject to the approval of the City Treasurer, bearer bonds of the Government of Canada (except Savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds provided that the interest coupons are attached to all bonds, or letters of credit, with an automatic renewal clause, issued by a chartered bank, credit unions and caisse populaires, trust companies or some other form of financial security (including Performance Bonds from institutions acceptable to the City Treasurer). (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor)

PART 2 - CONDITIONS TO BE INCLUDED IN THE REQUIRED SITE PLAN CONTROL AGREEMENT

SPECIFIC CONDITIONS

1. The Owner(s) acknowledges and agrees that the City shall hold in its possession landscaping security until completion of the works in accordance with the approved plan(s) to the satisfaction of the City. The Owner(s) hereby covenants and agrees:
 - (i) that it shall be responsible to arrange for the transfer or replacement of landscaping security provided to the City prior to the sale or transfer of the Owner's lands, and
 - (ii) that if the landscaping security has not been replaced prior to the sale or transfer of the Owner's lands, the new registered owner(s) may utilize the security for any works as approved by the City which have not been completed pursuant to the Plan(s), and for this purpose, the City Treasurer is hereby authorized to call in Letters of Credit or other security provided. The balance of security held, if any, will be refunded to the Owner(s) who provided the security, upon completion of the works to the satisfaction of the City. (Contact Prescott McDonald, 244-5300, ext. 1- 3854, Planning Branch)

STANDARD CONDITIONS

STC 2.1 - Installation and Planting of Landscape Elements

The Owner(s) shall install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free-standing ground-supported signs, steps, lamps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

STC 2.2 - Reinstatement of Damaged City Property, Including Sidewalks and Curbs

The Owner(s) shall reinstate to the satisfaction of the Commissioner of Urban Planning and Public Works, any property of the City or Region of Ottawa-Carleton, including sidewalks and curbs, that is damaged as a result of the subject development. This reinstatement shall be at the expense of the Owner(s). (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

STC 2.9 - Release of Financial Securities for Landscape Elements

When requested by the Owner(s), the Security shall be released by the City Treasurer when authorized by the Commissioner of Urban Planning and Public Works according to City Council policy, provided that the landscape elements have been installed and planted in accordance with the Site Plan Control Approval, and that all plant materials are in good and healthy condition. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch, and/or where there are landscape elements on the road allowance, John Honshorst, 244-5300, ext. 1-3763, Operations Branch.)

STC 2.10 - Retention and Release of Financial Securities for Specific Existing Private Trees Which Were to be Retained and Protected

- i) The Tree Compensation Deposit shall be retained for a period of three (3) years during which time the deposit is non-retrievable, unless otherwise determined by the Commissioner of Urban Planning and Public Works. The period of time during which the money is non-retrievable shall only commence upon occupancy of the development, or as otherwise determined by the Commissioner of Urban Planning and Public Works.
- ii) To request a release of the Tree Compensation Deposit, the Owner(s) shall provide the Commissioner of Urban Planning and Public Works with a certified inspection and statement indicating:
 - a) whether the specific tree(s) remains structurally stable and healthy;
 - b) to what extent a tree(s) is damaged during construction;
 - c) whether the tree(s) will die primarily as a result of development;
 - d) whether or not an existing tree(s) will require replacement, primarily as a result of the effects of development.
- iii) The required inspection and statement shall be conducted by a person(s) having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist.
- iv) The terms of the release of the Tree Compensation Deposit shall be determined by the Commissioner of Urban Planning and Public Works upon review of the certified inspection and statement.
- v) When determined by the Commissioner of Urban Planning and Public Works, based on the acceptance of the certified, inspection and statement addressing the need for possible tree removal; the Owner(s) shall replace the tree(s), by either:

- a) one or more new deciduous tree(s) with a combined caliper size equal to those removed, but in no case shall each replacement deciduous tree be less than seventy-five (75) millimetres caliper,
- b) one or more new coniferous tree(s) with a combined height of not less than that of the height of the tree to be removed, with each specimen not less than one point five (1.5) metres, except when prescribing species, varieties or cultivars which are normally less than ten (10) metres high at maturity, or
- c) a combination of the above. (Contact Prescott McDonald, 244-5300, ext 1- 3854, Planning Branch)

STC 2.11 - Task Oriented Lighting for Areas Other Than Those Used For Vehicular Traffic or Parking

The Owner(s) agree that on site lighting, in addition to lights used to illuminate any area used for vehicular traffic or parking, shall be task oriented and shall be installed in such a manner that there will not be any spillover or glare of lights onto abutting properties.

STC 2.12 - Storage of Snow

The Owner(s) agrees that snow stored on landscaped areas shall be in a well drained area where the storage will not result in over-spillage onto abutting lots nor destruction to planting areas.

STC 2.16.2 - Release of Site Plan Control Agreement for Non-residential or Mixed Use Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than five years after the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

PART 3 - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

SPECIFIC CONDITIONS

1. That prior to the issuance of a building permit, the Owner(s) must prepare a sediment and erosion control plan to the satisfaction of the Manager, Environmental Management Branch, appropriate to site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with current Best Management Practices for Erosion and Sediment Control.

CONTACT: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Br.

2. That prior to demolition of the existing buildings on site, the Owner(s) must submit the findings and recommendations for the proper handling and disposal of waste as identified in a Designated Substances Survey to the satisfaction of the Manager, Environmental Management Branch in accordance with current Best Management Practices as outlined including but not limited to those in the following documents:
- Asbestos on Construction Projects (O.Reg 838),
 - Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste (O.Reg 347),
 - Proposed Regulation Respecting Lead on Construction Projects Made Under the Occupational Health and Safety Act, 1996, and,
 - Waste Management - PCBs.(O.Reg. 362).

STANDARD CONDITIONS

STC 3.1.1 - Signing of Site Plan Control

The Owner(s) must sign a Site Plan Control Agreement including the conditions to be included in the agreement. When the Owner(s) fails to sign the required agreement and complete the conditions to be satisfied prior to the signing of the agreement within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor).

STC 3.1.2 - Signing of Letter of Undertaking

The Owner(s) must sign a Letter of Undertaking. When the Owner(s) fails to sign the required undertaking and complete the conditions required prior to the signing of the undertaking within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact: Prescott McDonald , 244-5300, ext. 1-3854, Planning Branch)

STC 3.2 - Approval of Private Sewer Systems, Lot Grading and Drainage Plan(s)

The Owner(s) must submit a plan(s) showing the private sewer systems and lot grading and drainage which indicates:

- i) the methods that surface water will be self-contained and directed to catch basins, storm sewers, swales and or ditches, and then conveyed to the public storm, combined sewer system or City ditches unless otherwise directed by the Commissioner of Urban Planning and Public Works;
- ii) by calculation, that the stormwater runoff from this site will not exceed the design capacity of the City sewer system. The allowable runoff coefficient is 0.4, (if the uncontrolled stormwater runoff exceeds the requirement specified, an application to the Ministry of Energy and the Environment for stormwater management will be required);
- iii) that all sanitary wastes shall be collected and conveyed to a public sanitary or combined

sewer; and

- iv) that all private storm and sanitary sewers required to service the subject site are completely separated from each other and conveyed to the public storm, sanitary or combined sewer, except in the designated Combined Sewer Area;

to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 4 - CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AND DURING CONSTRUCTION/DEVELOPMENT

SPECIFIC CONDITIONS

1. Prior to the issuance of any occupancy permit, the Owner(s) shall require that the site servicing contractor perform field tests for quality control of all sanitary sewers. Specifically the leakage testing shall be completed in accordance with OPSS 410.07.15, 410.07.15.04 and 407.07.26. The field tests shall be performed in the presence of a certified professional engineer who shall submit a certified copy of the tests results to the satisfaction of the Director of Engineering Branch. (Contact: Bruce Coombe, 244-5300, ext. 3461, Engineering Branch)
2. That the Owner(s) must have its engineering consultant certify the approved erosion and sediment control plan have been implemented and monitored during all phases of site preparation and construction in accordance with current Best Management Practices for Erosion and Sediment Control. (Contact: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Branch)
3. That the Owner(s) must and have its engineering consultant certify the the approved Designated Substances Survey has been implemented during demolition and construction. (Contact: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Branch)

STANDARD CONDITIONS

STC 4.2 - Protection of Existing Private Trees and Shrubs Prior to and During Demolition and/or Construction

The Owner(s) must undertake protective measures to the satisfaction of the Commissioner of Urban Planning and Public Works, prior to commencement of and during demolition and/or construction, to ensure against damage to any roots, trunks or branches of all existing private trees and shrubs, as shown on the Site Plan Control Approval, which are to be retained and

protected. These measures shall consist of the following protective construction fencing around the dripline of the individual or group of trees. (Contact: Neil Dillon for inspection, 244-5300, ext.1-3507, Building Code Services Division)

STC 4.3 - Approval of Work on Municipal Property or Easements

The Owner(s) must receive written approval from the Director of Engineering prior to any work commencing on City or Regional property or easements. A description of the proposed work along with twenty-four (24) copies of the plan illustrating the work must be submitted and will be circulated to all underground utilities for their comments, prior to any approval. (Contact Larry Lalonde, 244-5300, ext. 1-3820, Engineering Branch)

STC 4.4 - Approval for Construction Related to Private Approaches

The Owner(s) must receive written approval from the Commissioner of Urban Planning and Public Works for any construction related to a private approach within the road allowance. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.5 - Notification of Construction or Alteration of Private Approach

The Owner(s) must notify the Commissioner of Urban Planning and Public Works in writing when the construction or alteration of any private approach servicing this development will commence. Lack of notification may result in the City requiring changes to the private approach at the expense of the Owner. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.6 - Construction Materials on Public Road Allowances

The Owner(s) must ensure that:

- i) construction vehicles are to be loaded and driven in such a manner so that the contents will not fall, spill or be deposited on any road that has been given preliminary or final acceptance for use during construction;
- ii) all spills, dirt, mud, stone or other transported material from the road must be removed at the end of each day;
- iii) the road is cleaned immediately should this material pose a hazard to vehicles or pedestrians, and in the event of a dispute, the Commissioner of Urban Planning and Public Works will be the judge of what constitutes a hazard. In the event the material is not removed as required, it may be removed by the City at the expense of the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon, 244-5300, ext 1-3507, Building Code Services Division)

STC 4.7 - Submission of Survey Plan Upon Pouring of Foundation(s)

The Owner(s) must submit to the Chief Building Official, a certified building location survey including foundation elevations, upon completion of the foundation, to ensure interim compliance with the Zoning By-law and the approved private sewer system, lot grading and

drainage plan(s). (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

STC 4.8 - Pumping of Liquids Into Sewers During Construction

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must obtain authorization from the Commissioner of Urban Planning and Public Works prior to the pumping of any liquid or liquid with sediment into sanitary, storm or combined sewers during construction. Failure to obtain authorization may result in the owner(s) having to bear the full cost of removing all sediment and debris downstream from the construction site.

(Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.9 - Inspection of Service Connections

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must contact the Department of Urban Planning and Public Works, Sewer Operations Inspections staff, to view the connection of deep services to municipal sewer lines.

Compliance regarding service connections can only be determined if this inspection has been carried out. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.11 - Requirement for Grease Trap

The Owner(s), in accordance with the Sewer By-law (By-law Number 163-73, as amended), must install a grease trap on the internal sanitary plumbing system when a restaurant is established. (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

STC 4.15 - Reinstatement of Redundant Accesses

The Owner(s) must reinstate the sidewalk and curb at the redundant access and maintain a curb face equal to or better than the existing adjacent curbs with all costs borne by the Owner(s). (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.18 - Planting of Trees in Road Allowance

The Owner(s) must ensure that any new road allowance tree(s) be planted as follows:

- i) 0.6 metres from the property line, pursuant to the Standard Locations for Utility Plant (referred to as the CR-90), as approved by the City;
- ii) utility clearances are required prior to planting and/or staking;
- iii) wire baskets and burlap used to hold the root ball and rope that is tied around the root collar are to be removed at the time of the planting of the tree(s);
- iv) guying of the tree(s) is not acceptable;
- v) the tree(s) must meet the requirements set out by the Canadian Nursery Standards; and

- vi) tree stakes are to be removed prior to the release of the financial securities for the landscape elements. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.19 - Requirement for "As Built" Drawings of Private Sewer Systems, Lot Grading and Drainage

The Owner(s) must provide the Department of Urban Planning and Public Works with "As Built" drawings of all private sewer systems, lot grading and drainage, prior to the issuance of a final occupancy permit. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 5 - FOR THE INFORMATION OF THE REGISTERED OWNER(S)

STI 1 - Additional Requirements

This approval only relates to Site Plan Control matters and the owner must still abide by all other municipal by-laws, statutes and regulations.

STI 4 - Changes to the Site Plan Control Approval

Changes to the Site Plan Control Approval may require a new approval according to the provisions of the Site Plan Control By-law.

STI 6 - Compensation for Damaged or Lost Municipal Trees

In accordance with the provisions set out in The Trees and Road Cut By-laws, (By-law Number 165-73, as amended) compensation will be required if any municipal/regional tree is damaged or lost. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 7 - Maintenance of Municipal Boulevard

In accordance with the Use and Care of Streets By-law (By-law Number 165-73, as amended) the Owner(s) and or prospective owner(s) will be responsible for the maintenance of the municipal boulevard. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 8 - Prohibition of Storage of Snow on Road Allowance

No snow is to be deposited on the road allowance as per the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

REGION OF OTTAWA-CARLETON

ROC Registered Agreement Required

The Owner(s) is advised that an agreement must be entered into with the Region of Ottawa-Carleton and the Owner(s) (Contact Millie, Mason, Legal Department, 560-6025, ext. 1224) which will include the following conditions:

ROC -Other Conditions and Information

TRANSPORTATION

Road Widenings

- T1 In accordance with the Regional Official Plan, the Region has a widening requirement across the complete Carling Avenue frontage measuring 20 meters from the existing centerline of pavement to bring the existing Carling Avenue right-of-way to 40 meters. The exact widening must be determined by legal survey. The owner shall provide a Reference Plan for registration, indicating the widening. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys and will be submitted to the Region for review prior to its deposit in the Registry Office. The widening must be conveyed to the Region of Ottawa-Carleton prior to construction on the site or on the regional road. The conveyance will be at no cost to the Region.
- T3 No permanent features will be permitted above and below-grade within the widened right-of-way, including commercial signage.
- T4 In accordance with the Regional Official Plan, the owner shall construct a concrete sidewalk to regional standards and specifications across the frontage of the development.

Vehicular Access

- T6 The owner is responsible to reinstate the existing Carling Avenue private approach that has been proposed to be closed..
- T9 The proposed access should be constructed having a depressed curb and continuous concrete sidewalk across the access.
- T12 The owner shall undertake a Transportation Impact Study for this site. The purpose of the study will be to estimate the anticipated traffic volumes associated with the development, investigate the expected impact on the road system and determine the road modifications and other measures required to accommodate the development.

- T13 The owner is responsible for all costs such as those associated with the public roadway modifications including final design construction drawings, traffic signal plants and sidewalks.

Landscaping

- T18 In accordance with the Regional Regulatory Code, any trees removed from the regional road right-of-way, must be replaced at the owner's expense and/or appropriate compensation provided.
- T19 The owner shall be required to enter into a maintenance and liability agreement for all plant material placed in the regional road right-of-way and the owner shall assume all maintenance and replacement responsibilities in perpetuity.

ENVIRONMENT

Stormwater Management

- SWM4 The owner agrees to prepare and implement an erosion and sediment control plan to the satisfaction of the local municipality, appropriate to the site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, et cetera) and during all phases of site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control.

Industrial Waste

- IW2 Any sanitary or storm drainage from the site must comply with the provision of Section 5.2 of the Regional Regulatory Code.
- IW3 Prior to discharge of sewage into the sewer system, a Waste Survey Report required by Section 5.2.5 of the Regional Regulatory Code must be completed and submitted to the Industrial Waste Inspector at 560-6086, Extension 3326.

Water

- W2 The details for water servicing and metering shall be in accordance with the Regional Regulatory Code. The owner shall pay all related costs, including the cost of connecting, inspection, disinfecting and the supply and installation of water meters by Regional personnel.
- W4 In accordance with the Regional Regulatory Code, all existing services that will not be utilized, shall be capped at the watermain by the Region. The owner shall be responsible for all applicable costs.

- W5 In accordance with the Regional Regulatory Code, no driveway shall be located within 3.0 m of an existing fire hydrant. No objects, including vegetation, shall be placed or planted within a 3.0 m corridor between a fire hydrant and the curb nor a 1.5 m radius beside or behind a fire hydrant.
- W9 The owner shall be required to co-ordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-ground, below-ground) through liaison with the appropriate electrical, gas, water, sewer, telephone and cablevision authorities and including on-site drainage facilities and streetscaping - such location plan being to the satisfaction of all affected authorities.

Finance

- RDC The owner, heirs, successors and assigns shall ascertain if development charges are payable pursuant to the Regional Development Charges By-law and any amendment or revision thereto.

The following comments are for the advice of the Applicant and the City of Ottawa:

ENVIRONMENT

Water Services

- W1 Fire flow records indicate a flow of 739 IGPM at 20 PSI from the hydrant located at 2220 Carling Avenue. This test was performed in June 1998. This flow reflects system conditions on the test day; however there are variations in flow and pressure depending on the time of day. The owner may be required to undertake an engineering analysis of the water supply, certified by a professional engineer to ensure that the water supply meets municipal/regional standards.
- W3 The owner shall submit drawings for approval prior to tendering and make application to the Regional Environment and Transportation Department for the water permit prior to the commencement of construction.
- W7 The owner shall satisfy the requirements of the Building Code with respect to hydrants(s).

Sewer

- S1 As the proposed development is located within an area tributary to a regional collectorsewer system which has been assessed by the Region to be at capacity, the owner shall, prior to applying for a building permit, liaise with the Region in the identification of extraneous wet weather flow sources. Where flow removal cannot be

achieved on site, removal of extraneous flows will be conducted through a flow removal program co-ordinated by the Region and area municipality within the area tributary to the affected Regional facility.

Solid Waste

SW4 Waste collection and recycling collection will not be provided by the ROC. The applicant should make appropriate arrangements with a private contractor for waste collection and recycling collection.

SW5 The owner should consult a private contractor regarding any access requirements for waste collection and/or recycling collection.

ENBRIDGE-CONSUMERS GAS

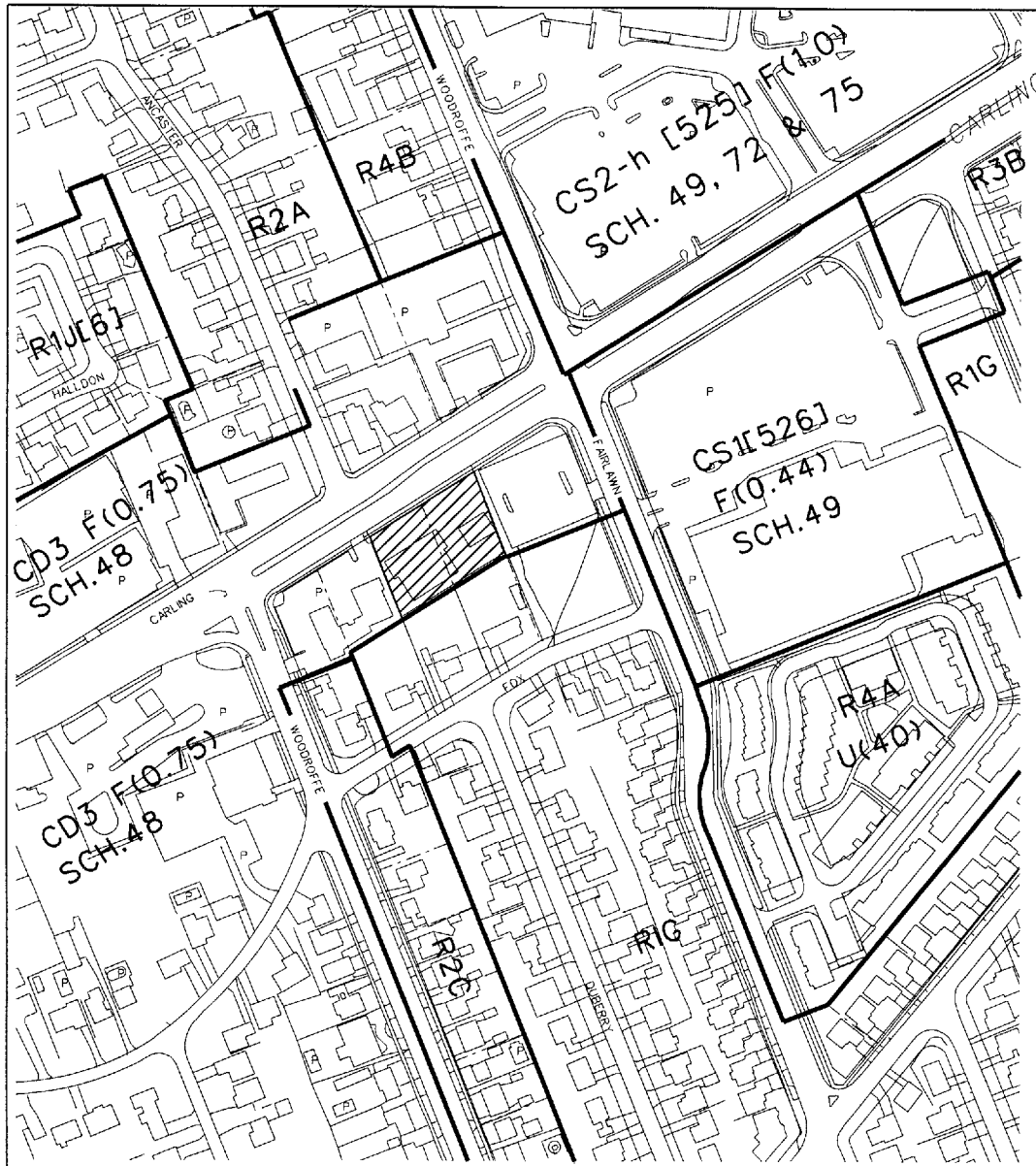
Enbridge-Consumers Gas should be contacted regarding the necessity of providing easements or servicing requirements. (Contact Gary Roth, Engineering Department, 742-4636)




OTTAWA HYDRO

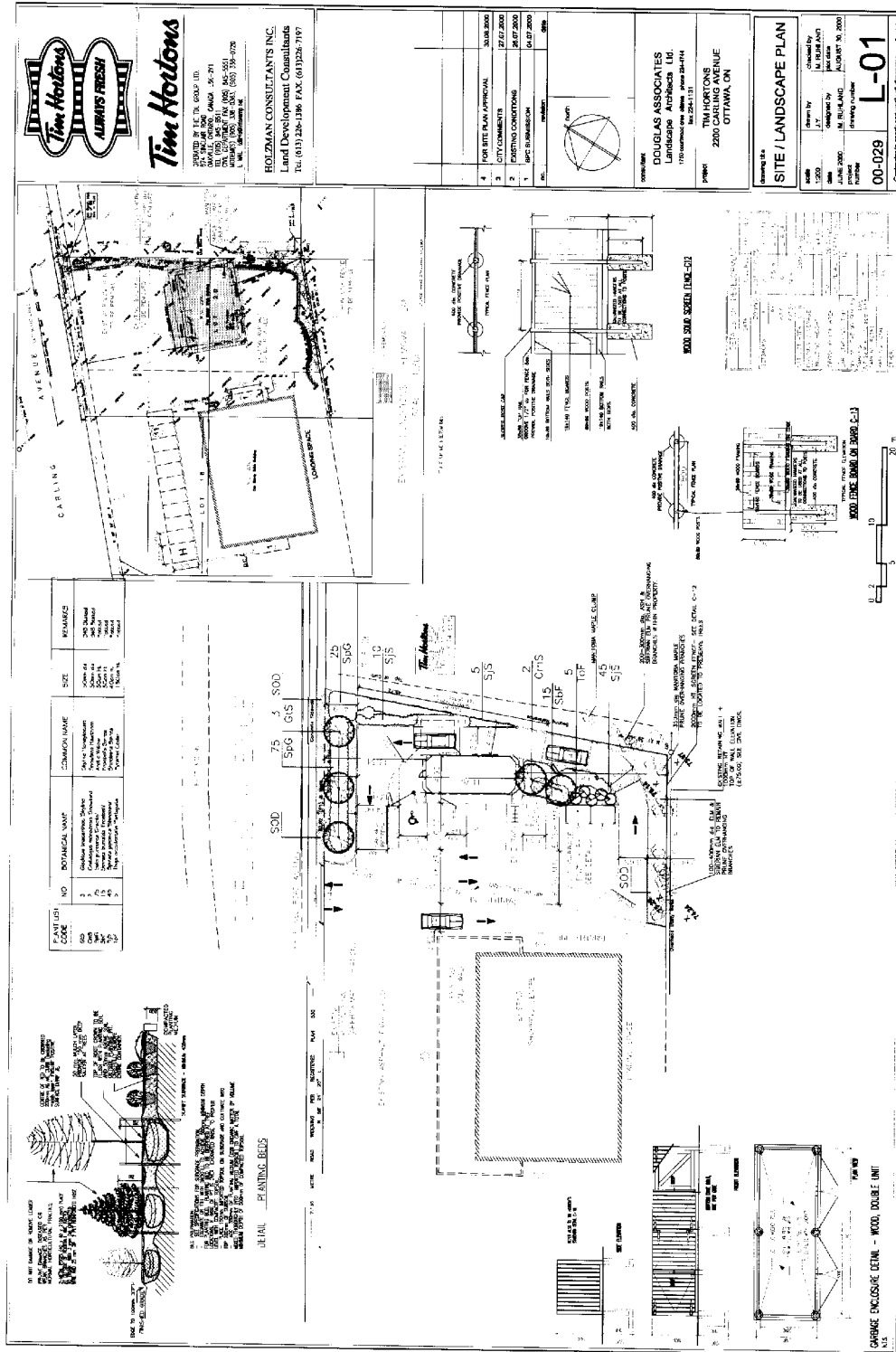
Ottawa Hydro, Engineering Department should be contacted regarding the necessity of providing a transformer and vault, pad mounted transfer and easements. (Contact Daniel Desroches, 738-5499, ext. 210)

BELL CANADA

Bell Canada should be contacted three months in advance of any construction. (Contact Rick Watters, 742-5769)



 <p>City of Ottawa</p> <p>Produced by Planning Branch Department of Urban Planning & Public Works <i>Street Network Layer Provided by Department of Corporate Services</i></p> <p>DSP 2000-046 L-0238-00</p> <p>F:\CO\CAR2200L.DGN</p> <p>AUG. 23, 2000</p> <p>REVISION DATE</p>	 <p>LOCATION MAP SITE PLAN 2200-2214 CARLING AVENUE</p>	 <p>SCALE N.T.S. METRES</p>
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NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures carried out in accordance with early notification procedure P&D/PPP/N&C #2 approved by City Council for Site Plan Applications.

Public Input

Glabar Park Community Alliance

The Glabar Park Community Alliance have concerns about: increased traffic, the noise factor and the hours of operation.

The primary concern for the community is the amount of traffic that this type of operation will generate. Tim Hortons is a very popular establishment. This particular intersection is already extremely busy. This was recently documented when the Woodroffe Avenue Traffic Transportation study (WATTS) was presented to Regional Council. The study also pointed out that the amount of traffic using the Lenester/Woodroffe intersection is already at critical levels. This proposal will only add to a bad situation.

We believe many northbound and westbound cars will use the Canadian Tire overflow parking lot at the Fairlawn/Carling corner. Customers will 'run' into the restaurant and avoid the drive-through. The WATTS suggested changes to the intersection, reducing the number of southbound lanes to one and creating a left turn lane for northbound cars. We believe this proposal will add to the congestion.

Northbound cars that do use the drive-through will not have a lot of space to make the right turn into the left lanes. We believe this will add to congestion on Carling Avenue.

Fox Crescent between Woodroffe and Fairlawn currently has peak hour restrictions that have not been effective, according to residents on Fox. Again, we have concerns that this drive-through will lead to more cars cutting through on Fox and Dubarry. We would expect the City to undertake remedial action to eliminate this. The WATTS recommended the closure of Fox at Woodroffe but all this will do is increase the traffic on Dubarry.

We would like to be informed about the hours of operation for this drive-through. The concern is noise. The proposal does not indicate any fencing on the east side, thereby allowing the order speaker to project toward the community. Some kind of buffer should be installed to muffle the sound.

Response

Ward Councillor Ron Kolbus requested that the applicant provide the City with a site traffic assessment on the drive-through restaurant. The following is an executive summary of that traffic assessment prepared by D.J. Halpenny and Associated Limited which responds to the Community Association's traffic concerns:

“The study determined that the construction of a Tim Horton Drive-Through restaurant replacing the existing doughnut restaurant, would have a minor impact on the operation of Carling Avenue and the Carling/Fairlawn intersection. The findings and conclusions of the report are as follows:

1. As most of the site generated trips would be pass-by trips during the peak hour of operation, the restaurant would add little additional new traffic to the surrounding roadways.
2. The site access points are located at distance from the Carling/Fairlawn intersection which would allow safe access to the eastbound Carling Avenue left turn lane, and would result in a minor impact on the operation of the roadway.
3. There is sufficient on-site storage for vehicles at both the order speaker and pick-up window, so that any vehicular queueing which may occur during peak hours of operation would not result in any impact on the traffic flow on Carling Avenue.
4. The Site plan proposes sufficient on-site parking spaces which would accommodate walk-in patrons.”

It should also be noted that a second egress leading directly from the drive-through window has been deleted. By deleting this egress, exiting traffic to Carling Avenue heading northbound onto Woodroffe Avenue will have a greater distance to veer over to the left hand turning lane.

Regarding noise, the site plan has been modified to provide a two-metre high solid wood fence which will mitigate the drive-through order board's noise levels into the adjacent residential area. Finally, the hours of operation for a restaurant cannot be regulated through Site Plan Control.

General Public

One telephone inquiry was received expressing the following concerns:

- vehicular headlight penetration into residential rear yards;
- noise levels from the drive-through order board; and
- pedestrian cut through from an adjacent vacant lot which tends to be used as a hang-out for youths.

Response

As indicated above, a solid board fence will be provided which will mitigate against noise levels from the order board, as well as prevent vehicular headlights from penetrating rear yards. Regarding the pedestrian cut-through concern, the applicant has agreed extend fencing the entire length of the side yard in a effort to discourage this type of movement.

INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES

COUNCILLOR'S COMMENTS

Councillor Ron Kolbus is aware of this application.

APPLICATION PROCESS TIMELINE STATUS

This application, which was submitted on July 5, 2000 was not subject to a project management timeline because the Early Notification process was not applicable. Staff delegated authority was removed from this application and consequently this application was not processed within eight to ten weeks, in line with the Planning Branch's Operations Manual. However, this application was processed within the 70 to 110 calender day timeframe established for the processing of a Site Plan Control application to be considered by Planning and Economic Development Committee.

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September 19, 2000

ACS2000-PW-PLN-0121
(File: OSP2000/038)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5- Bruyère-Strathcona

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- Action/Exécution

6. Site Plan - 125 Wurtemberg Street

Plan d'emplacement - 125, rue Wurtemberg

Recommendations

That the Site Plan Control Application (OSP2000/038) be **APPROVED**, as shown on the following plans:

1. "Site Plan, Falling Waters, 125 Wurtemberg Street", Drawing Number A1.0, prepared by Barry Padolsky Architect Ltd., dated August 16, 2000, as revised to August 30, 2000, and dated and received by the City of Ottawa on August 31, 2000;
2. "Landscape Plan, Falling Waters, 125 Wurtemberg Street", Drawing Number L-1, prepared by James B. Lennox and Associates, dated May 26, 2000, as revised to August 29, 2000 and dated and received by the City of Ottawa on August 31, 2000;

subject to the conditions contained in Document 1.



September 20, 2000 (8:45a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 20, 2000 (9:33a)


Approved by
John S. Burke
Chief Administrative Officer

PM:pm

Contact: Prescott McDonald - 244-5300 ext. 1-3854

Financial Comment

Subject to Planning and Economic Development Committee approval, the required security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released .


September 20, 2000 (8:19a)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

This Site Plan Control application relates to the property known as 125 Wurtemberg Street, located between Heney and Rideau Streets, opposite MacDonald Gardens Park. The property has a lot area of approximately 3 360 m² and its current development consists of a three-storey, 27-unit senior's residence. This property fronts onto the Rideau River, with a rear yard which has a steep embankment down to the river. Adjacent development consists of a 12-storey apartment building to the north, and a two-storey embassy to the south. Surrounding area development is comprised of primarily high-rise apartments on the east side of Wurtemberg Street and a City park and low density residential on the west side of the street.

The applicant proposes to demolish the existing seniors residence and construct a 13 storey, 48-unit apartment building. A total of 71 parking spaces will be provide on-site, 68 within an underground parking garage and three surface parking spaces. Loading for the building will be provided at the front of the building's pedestrian entrance. Amenity areas will be in the form of a common terrace area facing the Rideau River and private balconies for individual dwelling units.

Site treatment focuses on enhancement of the streetscape, a landscape buffering along the southerly property line and a landscaped amenity area at the rear of the property facing the river. Along the Wurtemberg Street frontage, planting will consist of a combination of continuous boulevard trees and shrubbery. This treatment continues along the southerly property line which will provide a landscaped buffer to the neighbouring embassy. A decorative fence and riverstone ground cover is being proposed along the northerly property line, adjacent to an existing high-rise apartment. The rear yard amenity area will have a combination of grass and interlocked patio areas with a planting of low to medium height shrubs and deciduous trees.

The site and landscape plans have been reviewed and represent a functional, efficient and aesthetically sensitive development of the site which satisfies the intent of the City of Ottawa Official Plan Policies in Sections 3.6.2 k) and l) for locating and assessing Minor Residential Development proposals. Additionally, the development proposal adequately addresses the goals and objectives found in Section 6.6 for Waterway Corridors in providing a nine-metre-wide easement along the Rideau River thereby contributing to the Greenway System as a leisure resource. Based on the above, the Department's recommendation is for APPROVAL of this site plan.

This site plan approval will require the Owner to enter into an agreement as a result of a surface easement conveyance and required securities for existing trees to be retained.

Environmental Impact

A Municipal Environmental Evaluation Report (MEER) was submitted to the City addressing potential development impacts on the Rideau River and its river bank. The City and Rideau Valley Conservation Authority (RVCA) have requested that this study be revised in order to clarify and address some outstanding environmental and geotechnical concerns. As such, a condition of Site Plan approval is that the MEER be resubmitted to the satisfaction of the City and RVCA prior to the commencement of construction activities.

Disposition

Department of Urban Planning and Public Works to notify the owner (Ottawa Jewish Home for the Aged, 125 Wurtemberg Street, Ottawa, Ontario, K1N 8L9), and the agent (Claridge Homes Inc., 210 Gladstone Avenue, Suite 2001, Ottawa, Ontario, K2P 0Y6, Attn: Jim Burghout) of the Planning and Economic Development Committee's decision.

List of Supporting Documentation

Document 1	Conditions for Site Plan Control Approval
Document 2	Location Plan
Document 3	Site Plan
Document 4	Landscape Plan
Document 5	Municipal Environmental Evaluation Process Checklist (on file with City Clerk)
Document 6	Compatibility with Public Participation Policy/Input from Other Departments and Other Government Agencies

Part II - Supporting Documentation

Document 1

PART I - CONDITIONS TO BE SATISFIED PRIOR TO THE EXECUTION OF THE REQUIRED AGREEMENT

STANDARD CONDITIONS

STC 1.1 - Evaluation of Specific Existing Private Trees to be Retained

The Owner(s) must submit a statement specifying the species, size, health and structural stability for the existing trees which are to be retained, to the satisfaction of the Commissioner of Urban Planning and Public Works. The inspection of this existing tree(s) and statement must be prepared by a person having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist. (Contact Prescott McDonald, 244-5300, ext. 1- 3854, Planning Branch)

STC 1.2.1 - Landscape Elements Estimate by Landscape Architect

The Owner(s) must provide a detailed itemized estimate prepared by a Landscape Architect, of the value of all required landscaping, including the value of all or any specific existing trees to be retained, in accordance with the Canadian Nurseries Association Standard, to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)

STC 1.3 - Posting of Financial Securities for Landscape Elements

The Owner(s) must post Security in the amount of 100% of the value of the landscape elements as identified in the detailed itemized estimate, including estimates for new landscape elements on private and municipal and/or regional property, and a Tree Compensation Deposit for all or any specific existing trees to be retained on private property, which shall be retained in the custody of the City Treasurer, (no security will be taken for existing municipal and regional road allowance trees because they are already protected by the Trees By-law (By-law Number 55-93, as amended) and the Road Cut By-law (By-law Number 31-91 as amended). For the purposes of this condition, Security means cash, certified cheque, or subject to the approval of the City Treasurer, bearer bonds of the Government of Canada (except Savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds provided that the interest coupons are attached to all bonds, or letters of credit, with an automatic renewal clause, issued by a chartered bank, credit unions and caisse populaires, trust companies or some other form of financial security (including Performance Bonds from institutions acceptable to the City Treasurer). (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor)

PART 2 - CONDITIONS TO BE INCLUDED IN THE REQUIRED SITE PLAN CONTROL AGREEMENT

SPECIFIC CONDITIONS

1. The Owner(s) acknowledges and agrees that the City shall hold in its possession landscaping security until completion of the works in accordance with the approved plan(s) to the satisfaction of the City. The Owner(s) hereby covenants and agrees:
 - (i) that it shall be responsible to arrange for the transfer or replacement of landscaping security provided to the City prior to the sale or transfer of the Owner's lands, and
 - (ii) that if the landscaping security has not been replaced prior to the sale or transfer of the Owner's lands, the new registered owner(s) may utilize the security for any works as approved by the City which have not been completed pursuant to the Plan(s), and for this purpose, the City Treasurer is hereby authorized to call in Letters of Credit or other security provided. The balance of security held, if any, will be refunded to the Owner(s) who provided the security, upon completion of the works to the satisfaction of the City. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)
2. The Owner(s) shall grant at no cost a surface easement of nine metres in width along the eastern property line (top of bank) within six months of the signing of this agreement, to allow for the future development of the Rideau River Trail. The Owner(s) shall provide at no cost to the City, a Legal Survey (Reference Plan) acceptable to the City Surveyor, setting out the above surface easement as Part(s) on said plan. (Contact Paul Landry, 244-5300, ext. 1- 4042, Department of Community Services)
3. That the Registered Owner shall prepare plans, provide financial security and undertake, at no cost to the City, landscape improvements to MacDonald Gardens Park to the satisfaction of the Commissioner of Community Services. Said financial security shall replace and be equal to the value of the required cash-in-lieu of parkland payment attributable to the proposed development. (Contact Paul Landry, 244-5300, ext. 1-4042, Department of Community Services)
4. That the landscape improvements to MacDonald Gardens Park are to be determined by the Department of Community Services in consultation with the local community and are to be completed by the Registered Owner prior to the issuance of the first Occupancy Permit in the subject development. (Contact Paul Landry, 244-5300, ext. 1-4042, Department of Community Services)

5. That the Owner shall submit a Geotechnical Engineering slope stability report to confirm the appropriateness of the proposed development at this location and the recommendations stemming from this report be appropriately implement during construction to the satisfaction of the Commissioner of Commissioner of Urban Planning and Public Works and the Rideau Valley Conservation Authority. (Contact: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Branch and Glen McDonald 692-3571, ext. 133, Rideau Valley Conservation Authority)
6. That the owner shall revise the site plan to reflect an access to the common rear yard amenity area for people with mobility problems to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)

STANDARD CONDITIONS

STC 2.1 - Installation and Planting of Landscape Elements

The Owner(s) shall install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free-standing ground-supported signs, steps, lamps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

STC 2.2 - Reinstatement of Damaged City Property, Including Sidewalks and Curbs

The Owner(s) shall reinstate to the satisfaction of the Commissioner of Urban Planning and Public Works, any property of the City or Region of Ottawa-Carleton, including sidewalks and curbs, that is damaged as a result of the subject development. This reinstatement shall be at the expense of the Owner(s). (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

STC 2.9 - Release of Financial Securities for Landscape Elements

When requested by the Owner(s), the Security shall be released by the City Treasurer when authorized by the Commissioner of Urban Planning and Public Works according to City Council policy, provided that the landscape elements have been installed and planted in accordance with the Site Plan Control Approval, and that all plant materials are in good and healthy condition. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch, and/or where there are landscape elements on the road allowance, John Honshorst, 244-5300, ext. 1-3763, Operations Branch.)

STC 2.10 - Retention and Release of Financial Securities for Specific Existing Private Trees Which Were to be Retained and Protected

- i) The Tree Compensation Deposit shall be retained for a period of three (3) years during which time the deposit is non-retrievable, unless otherwise determined by the Commissioner of Urban Planning and Public Works. The period of time during which the money is non-retrievable shall only commence upon occupancy of the development, or as otherwise determined by the Commissioner of Urban Planning and Public Works.
- ii) To request a release of the Tree Compensation Deposit, the Owner(s) shall provide the Commissioner of Urban Planning and Public Works with a certified inspection and statement indicating:
 - a) whether the specific tree(s) remains structurally stable and healthy;
 - b) to what extent a tree(s) is damaged during construction;
 - c) whether the tree(s) will die primarily as a result of development;
 - d) whether or not an existing tree(s) will require replacement, primarily as a result of the effects of development.
- iii) The required inspection and statement shall be conducted by a person(s) having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist.
- iv) The terms of the release of the Tree Compensation Deposit shall be determined by the Commissioner of Urban Planning and Public Works upon review of the certified inspection and statement.
- v) When determined by the Commissioner of Urban Planning and Public Works, based on the acceptance of the certified, inspection and statement addressing the need for possible tree removal; the Owner(s) shall replace the tree(s), by either:
 - a) one or more new deciduous tree(s) with a combined caliper size equal to those removed, but in no case shall each replacement deciduous tree be less than seventy-five (75) millimetres caliper,
 - b) one or more new coniferous tree(s) with a combined height of not less than that of the height of the tree to be removed, with each specimen not less than one point five (1.5) metres, except when prescribing species, varieties or cultivars which are normally less than ten (10) metres high at maturity, or
 - c) a combination of the above. (Contact Prescott McDonald, 244-5300, ext 1- 3854, Planning Branch)

STC 2.11 - Task Oriented Lighting for Areas Other Than Those Used For Vehicular Traffic or Parking

The Owner(s) agree that on site lighting, in addition to lights used to illuminate any area used for vehicular traffic or parking, shall be task oriented and shall be installed in such a manner that there will not be any spillover or glare of lights onto abutting properties.

STC 2.12 - Storage of Snow

The Owner(s) agrees that snow stored on landscaped areas shall be in a well drained area where the storage will not result in over-spillage onto abutting lots nor destruction to planting areas.

STC 2.16.1 - Release of Site Plan Control Agreement for Residential Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

STC 2.16.2 - Release of Site Plan Control Agreement for Non-residential or Mixed Use Developments

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than five years after the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

PART 3 - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT**SPECIFIC CONDITIONS**

- 1 That prior to the issuance of building or demolition permits, the Owner shall submit a revised Municipal Environmental Evaluation Report (MEER) to address concerns related to the impacts of this development on the river and river bank to the satisfaction of both the Commissioner of Urban Planning and Public Works and the Rideau Valley Conservation Authority. This revised MEER shall satisfactorily respond to, but not necessarily be limited to, concerns related to impacts on underlying soil compaction (clay) by heavy construction equipment, the cutting back of the slope (if required), a Geotechnical Engineering Assessment of the impacts of the proposed works on the shoreline, clarification on removal and replacement of site vegetation, and development impacts on fish spawning and habitat. (Contact: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Branch and Glen McDonald 692-3571, ext. 133, Rideau Valley Conservation Authority)
2. That the Owner shall submit a Geotechnical Engineering slope stability report to confirm the appropriateness of the proposed development at this location to the satisfaction of the Commissioner of Urban Planning and Public Works and the Rideau Valley

Conservation Authority. (Contact: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Branch and Glen McDonald 692-3571, ext. 133, Rideau Valley Conservation Authority)

3. The Owner(s) shall grant at no cost to the City, a surface easement of nine metres in width along the eastern property line (top of bank indicated on the site plan) within six months of the signing of this agreement, to allow for the future development of the Rideau River Trail. The Owner(s) shall provide at no cost to the City, a Legal Survey (Reference Plan) acceptable to the City Surveyor, setting out the above surface easement as Part(s) on said plan. (Contact Paul Landry, 244-5300, ext. 1- 4042, Department of Community Services)
4. That the Owner shall prepare plans, provide financial security and undertake, at no cost to the City, landscape improvements to MacDonald Gardens Park to the satisfaction of the Commissioner of Community Services Said financial security shall replace and be equal to the value of the required cash-in-lieu of parkland payment attributable to the proposed development. (Contact Paul Landry, 244-5300, ext. 1- 4042, Department of Community Services)
5. That the landscape improvements to MacDonald Gardens Park are to be determined by the Department of Community Services in consultation with the local community and are to be completed by the Registered Owner prior to the issuance of the first Occupancy Permit in the subject development. (Contact Paul Landry, 244-5300, ext. 1- 4042, Department of Community Services)

STANDARD CONDITIONS

STC 3.1.1 - Signing of Site Plan Control Agreement

The Owner(s) must sign a Site Plan Control Agreement including the conditions to be included in the agreement. When the Owner(s) fails to sign the required agreement and complete the conditions to be satisfied prior to the signing of the agreement within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor).

STC 3.2 - Approval of Private Sewer Systems, Lot Grading and Drainage Plan(s)

The Owner(s) must submit a plan(s) showing the private sewer systems and lot grading and drainage which indicates:

- i) the methods that surface water will be self-contained and directed to catch basins, storm sewers, swales and or ditches, and then conveyed to the public storm, combined sewer system or City ditches unless otherwise directed by the Commissioner of Urban Planning and Public Works;

- ii) by calculation, that the stormwater runoff from this site will not exceed the design capacity of the City sewer system. The allowable runoff coefficient is 0.4, (if the uncontrolled stormwater runoff exceeds the requirement specified, an application to the Ministry of Energy and the Environment for stormwater management will be required);
- iii) that all sanitary wastes shall be collected and conveyed to a public sanitary or combined sewer; and
- iv) that all private storm and sanitary sewers required to service the subject site are completely separated from each other and conveyed to the public storm, sanitary or combined sewer, except in the designated Combined Sewer Area;

to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 4 - CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AND DURING CONSTRUCTION/DEVELOPMENT

SPECIFIC CONDITIONS

1. Prior to the issuance of any occupancy permit, the Owner(s) shall require that the site servicing contractor perform field tests for quality control of all sanitary sewers. Specifically the leakage testing shall be completed in accordance with OPSS 410.07.15, 410.07.15.04 and 407.07.26. The field tests shall be performed in the presence of a certified professional engineer who shall submit a certified copy of the tests results to the satisfaction of the Director of Engineering Branch. (Contact : Bruce Coombe, 244-5300, ext. 3461, Engineering Branch)
2. That the Owner shall have the Geotechnical Eningeer certify that the recommendations have been implemented as per the slope stability report during the appropriate predetermined phases of constuction to the satisfaction of the Commissioner of Commissioner of Urban Planning and Public Works and the Rideau Valley Conservation Authority. (Contact: Greg Montcalm, 244-5300, ext. 3883, Environmental Management Branch and Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch and Glen McDonald 692-3571, ext. 133, Rideau Valley Conservation Authority)

STANDARD CONDITIONS

STC 4.2 - Protection of Existing Private Trees and Shrubs Prior to and During Demolition and/or Construction

The Owner(s) must undertake protective measures to the satisfaction of the Commissioner of Urban Planning and Public Works, prior to commencement of and during demolition and/or construction, to ensure against damage to any roots, trunks or branches of all existing private trees and shrubs, as shown on the Site Plan Control Approval, which are to be retained and

protected. These measures shall consist of placement of a construction fence which shall extend along the top of the river embankment. (Contact Neil Dillon for inspection, 244-5300, ext.1-3507, Building Code Services Division)

STC 4.3 - Approval of Work on Municipal Property or Easements

The Owner(s) must receive written approval from the Director of Engineering prior to any work commencing on City or Regional property or easements. A description of the proposed work along with twenty-four (24) copies of the plan illustrating the work must be submitted and will be circulated to all underground utilities for their comments, prior to any approval. (Contact Larry Lalonde, 244-5300, ext. 1-3820, Engineering Branch)

STC 4.4 - Approval for Construction Related to Private Approaches

The Owner(s) must receive written approval from the Commissioner of Urban Planning and Public Works for any construction related to a private approach within the road allowance. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.5 - Notification of Construction or Alteration of Private Approach

The Owner(s) must notify the Commissioner of Urban Planning and Public Works in writing when the construction or alteration of any private approach servicing this development will commence. Lack of notification may result in the City requiring changes to the private approach at the expense of the Owner. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.6 - Construction Materials on Public Road Allowances

The Owner(s) must ensure that:

- i) construction vehicles are to be loaded and driven in such a manner so that the contents will not fall, spill or be deposited on any road that has been given preliminary or final acceptance for use during construction;
- ii) all spills, dirt, mud, stone or other transported material from the road must be removed at the end of each day;
- iii) the road is cleaned immediately should this material pose a hazard to vehicles or pedestrians, and in the event of a dispute, the Commissioner of Urban Planning and Public Works will be the judge of what constitutes a hazard. In the event the material is not removed as required, it may be removed by the City at the expense of the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon, 244-5300, ext 1-3507, Building Code Services Division)

STC 4.7 - Submission of Survey Plan Upon Pouring of Foundation(s)

The Owner(s) must submit to the Chief Building Official, a certified building location survey including foundation elevations, upon completion of the foundation, to ensure interim compliance with the Zoning By-law and the approved private sewer system, lot grading and drainage plan(s). (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

STC 4.8 - Pumping of Liquids Into Sewers During Construction

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must obtain authorization from the Commissioner of Urban Planning and Public Works prior to the pumping of any liquid or liquid with sediment into sanitary, storm or combined sewers during construction. Failure to obtain authorization may result in the owner(s) having to bear the full cost of removing all sediment and debris downstream from the construction site. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.9 - Inspection of Service Connections

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must contact the Department of Urban Planning and Public Works, Sewer Operations Inspections staff, to view the connection of deep services to municipal sewer lines. Compliance regarding service connections can only be determined if this inspection has been carried out. (Contact Sewer Inspector, 798-8892, Operations Branch)

STC 4.15 - Reinstatement of Redundant Accesses

The Owner(s) must reinstate the sidewalk and curb at the redundant access and maintain a curb face equal to or better than the existing adjacent curbs with all costs borne by the Owner(s). (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

STC 4.18 - Planting of Trees in Road Allowance

The Owner(s) must ensure that any new road allowance tree(s) be planted as follows:

- i) 0.6 metres from the property line, pursuant to the Standard Locations for Utility Plant (referred to as the CR-90), as approved by the City;
- ii) utility clearances are required prior to planting and/or staking;
- iii) wire baskets and burlap used to hold the root ball and rope that is tied around the root collar are to be removed at the time of the planting of the tree(s);
- iv) guying of the tree(s) is not acceptable;
- v) the tree(s) must meet the requirements set out by the Canadian Nursery Standards; and
- vi) tree stakes are to be removed prior to the release of the financial securities for the landscape elements. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STC 4.19 - Requirement for "As Built" Drawings of Private Sewer Systems, Lot Grading and Drainage

The Owner(s) must provide the Department of Urban Planning and Public Works with "As Built" drawings of all private sewer systems, lot grading and drainage, prior to the issuance of a final occupancy permit. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

PART 5 - FOR THE INFORMATION OF THE REGISTERED OWNER(S)

1. The Composite Utility Plan(s) and/or Site Servicing & Grading Plan(s) submitted with the Site Plan Control Application must be considered as preliminary only.

The Owner(s) will be required to comply with the Private Sewer Systems, Lot Grading and Drainage Plan(s) approved by Engineering Branch. (Contact: Bruce Coombe, 244-5300, ext. 3461, Engineering Branch)

STI 1 - Additional Requirements

This approval only relates to Site Plan Control matters and the owner must still abide by all other municipal by-laws, statutes and regulations.

STI 4 - Changes to the Site Plan Control Approval

Changes to the Site Plan Control Approval may require a new approval according to the provisions of the Site Plan Control By-law.

STI 7 - Maintenance of Municipal Boulevard

In accordance with the Use and Care of Streets By-law (By-law Number 165-73, as amended) the Owner(s) and or prospective owner(s) will be responsible for the maintenance of the municipal boulevard. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 8 - Prohibition of Storage of Snow on Road Allowance

No snow is to be deposited on the road allowance as per the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

STI 9 - Cash-in-Lieu of Stormwater Management

Cash-in-lieu of stormwater management for water quality may be required as the site is located within the Rideau River Watershed Area. (Contact Jim Dempsey, 244-5300, ext. 1-3498, Engineering Branch)

REGION OF OTTAWA-CARLETON

ROC Registered Agreement Required

The Owner(s) is advised that an agreement must be entered into with the Region of Ottawa-Carleton and the Owner(s) (Contact Millie, Mason, Legal Department, 560-6025, ext. 1224) which will include the following conditions:

ROC -Other Conditions and Information

The following Regional conditions are required to be included in a Regional Site Plan Agreement:

ENVIRONMENT

Water

- W2 The details for water servicing and metering shall be in accordance with the Regional Regulatory Code. The owner shall pay all related costs, including the cost of connecting, inspection, disinfecting and the supply and installation of water meters by regional personnel.
- W4 In accordance with the Regional Regulatory Code, all existing services that will not be utilized, shall be capped at the watermain by the Region. The owner shall be responsible for all applicable costs.
- W5 In accordance with the Regional Regulatory Code, no driveway shall be located within 3.0 m of an existing fire hydrant. No objects, including vegetation, shall be placed or planted within a 3.0 m corridor between a fire hydrant and the curb nor a 1.5 m radius beside or behind a fire hydrant.
- W9 The owner shall be required to co-ordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-ground, below-ground) through liaison with the appropriate electrical, gas, water, sewer, telephone and cablevision authorities and including on-site drainage facilities and streetscaping - such location plan being to the satisfaction of all affected authorities.
- W11 The owner shall register a Common Elements Agreement on Title, setting forth the obligations between the co-owners of the common elements for the operation and maintenance of the private watermain, private hydrants and private water services. The agreement shall be to the satisfaction of the Regional Solicitor.
- W12 The Purchase and Sale Agreement shall include a clause to the satisfaction of the Regional Solicitor advising all prospective purchasers that the property is serviced by a private common water supply.
- W13 The owner shall design and construct all private watermains within the subject lands to the satisfaction of the Region of Ottawa-Carleton. The registered owner shall pay all related costs, including the cost of connection, inspection and disinfection by Regional Personnel.

Stormwater Management

SWM4 The owner agrees to prepare and implement an erosion and sediment control plan to the satisfaction of the local municipality, appropriate to the site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with the current Best Management Practices for Erosion and Sediment Control.

Solid Waste

SW6 The owner shall provide adequate storage space for waste containers and recycling bins to the satisfaction of the Environment and Transportation Commissioner. Waste collection and recycling collection will be provided by the ROC and requires direct access to the containers. Any additional services (i.e. winching of containers) may result in extra charges.

SW8 The owner shall provide an adequately constructed road access suitable for waste/recycle vehicles to the satisfaction of the Regional Environment and Transportation Commissioner.

Finance

RDC The owner, heirs, successors and assigns shall ascertain if development charges are payable pursuant to the Regional Development Charges By-law and any amendment or revision thereto.

The following comments are for the advice of the Applicant and the City of Ottawa:

ENVIRONMENT

Water

W1 Fire flow records indicate a flow of 2045 IGPM at 20 PSI from the hydrant located on Wurtemberg Street. This test was performed in July 1998. This test reflects system conditions on the test date; however, there may be variations in flow and pressure depending on the time of day. The owner may be required to undertake an engineering analysis certified by a professional engineer, to ensure that the water supply meets municipal/regional standards.

W3 The owner shall submit drawings for approval prior to tendering and make application to the Regional Environment and Transportation Department for the water permit prior to the commencement of construction.

- W7 The owner shall satisfy the requirements of the Building Code with respect to hydrants(s).
- W10 The owner shall note that the Ministry of Environment approval may be required for any on-site stormwater management facility to service this project. No construction of these works shall commence until the owner has secured a certificate of approval from the Ministry of Environment.

Sewer

- S1 As the proposed development is located within an area tributary to a regional collector sewer system which has been assessed by the Region to be at capacity, the owner shall, prior to applying for a building permit, liaise with the region in the identification of extraneous wet weather flow sources. Where flow removal cannot be achieved in site, removal of extraneous flows will be conducted through a flow removal program coordinated by the region and area municipality within the area tributary to the affected regional facility.

ENBRIDGE-CONSUMERS GAS

Enbridge-Consumers Gas should be contacted regarding the necessity of providing easements or servicing requirements. (Contact Gary Roth, Engineering Department, 742-4636)

OTTAWA HYDRO

Ottawa Hydro, Engineering Department should be contacted regarding the necessity of providing a transformer and vault, pad mounted transfer and easements. (Contact Daniel Desroches, 738-5499, ext. 210)

BELL CANADA

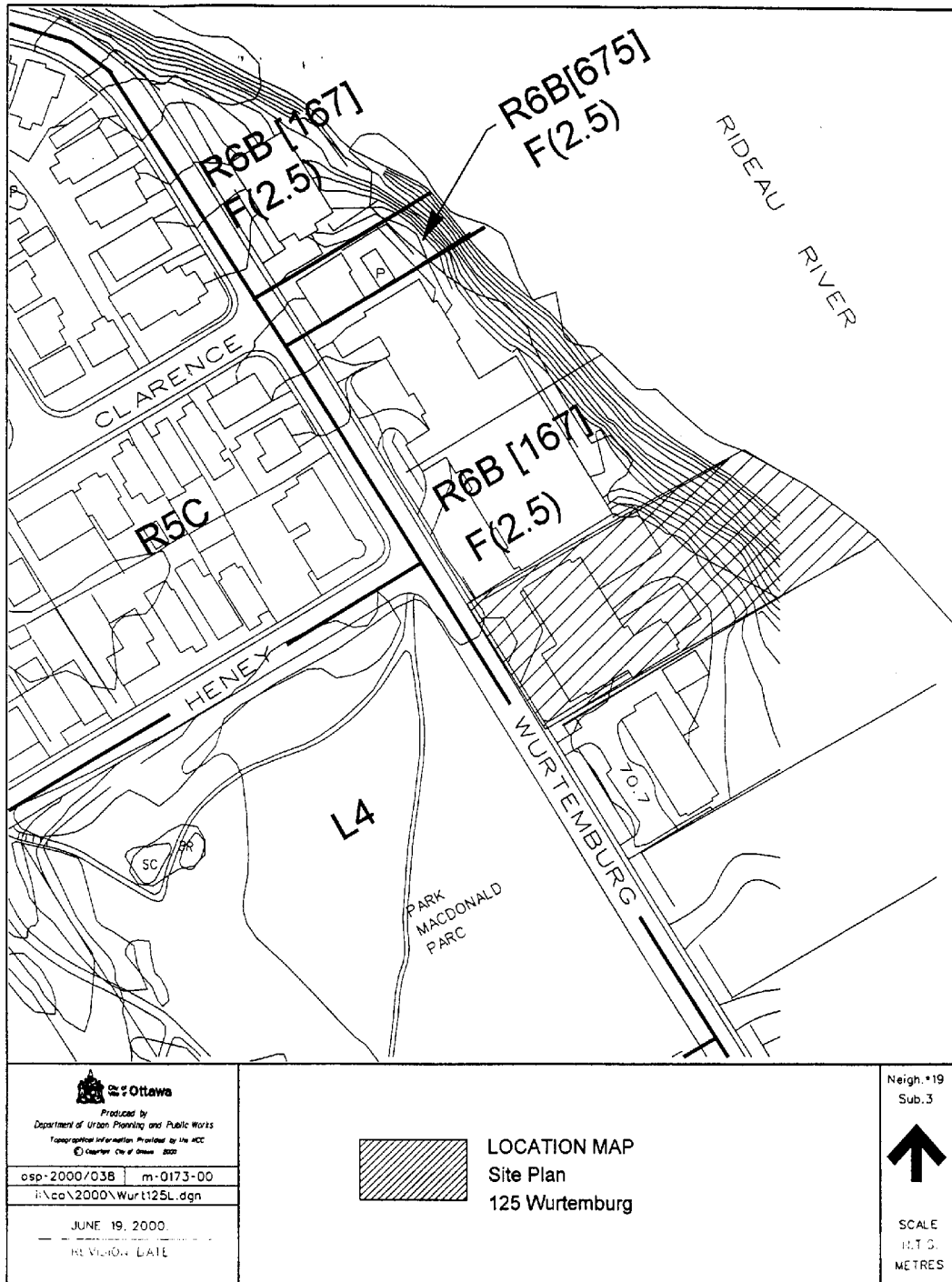
Bell Canada should be contacted three months in advance of any construction. (Contact Rick Watters, 742-5769)

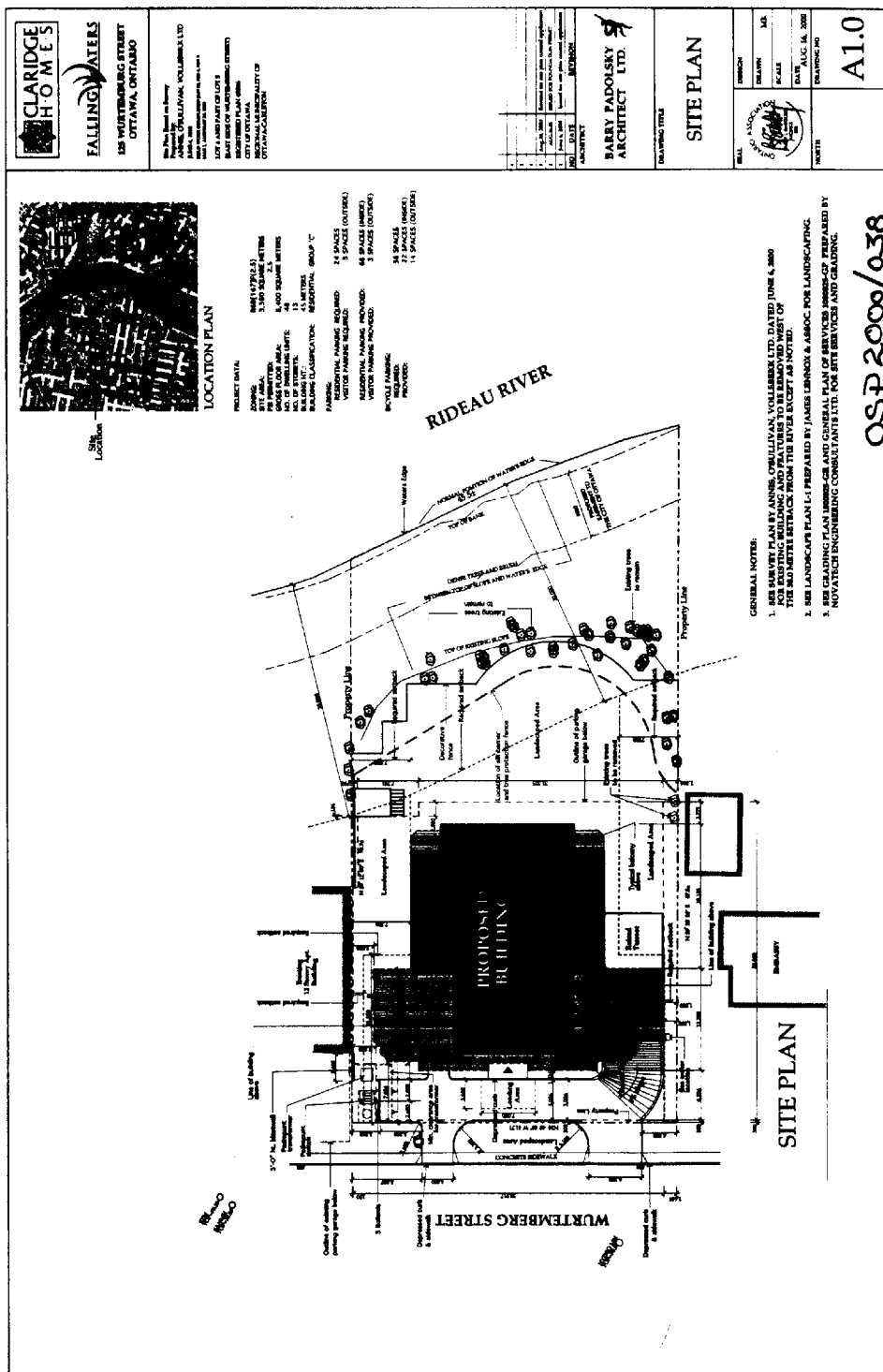
ROGERS OTTAWA

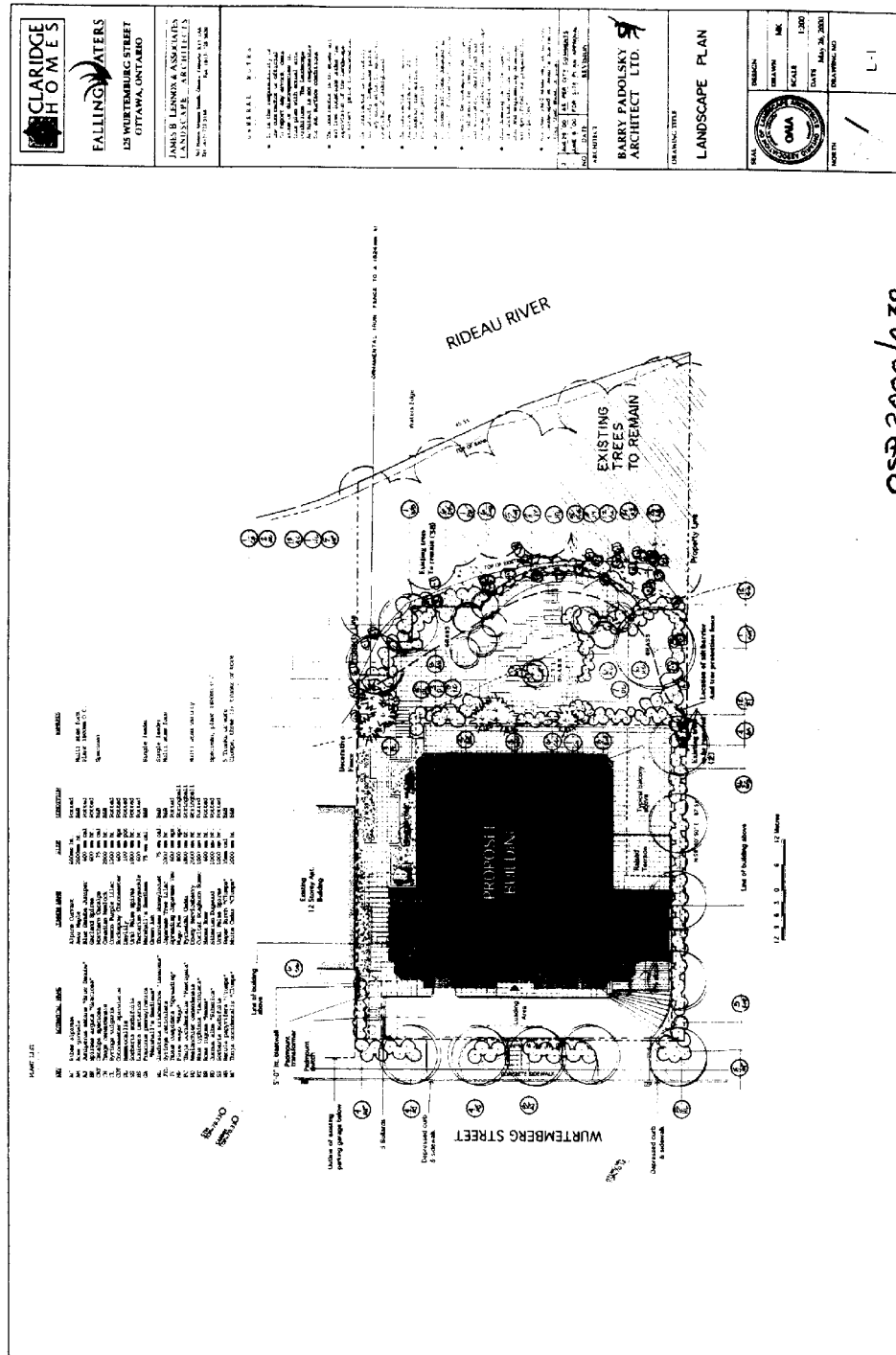
Rogers Ottawa Cablevision be contacted in planning stages to arrange facilities. (Contact Dave Hart, 247-4562)

CANADA POST CORPORATION

Lock box assembly or mailroom supplied, installed and maintained by owner. The centralized mailroom or lock box assembly must be install according to Canada Post standards (Contact Denis Souliere - Delivery Planner at 734-1508)







COMPATIBILITY WITH PUBLIC PARTICIPATION POLICY

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures carried out in accordance with early notification procedure P&D/PPP/N&C #2 approved by City Council for Site Plan Applications.

Public Input

One written response with three signatures had no objection to this development provided that there were 74 on-site parking spaces being provided.

Response

This development proposal provides for 72 parking space, 55 space above what the zoning by-law requires.

Disability Issues Advisory Committee

Please confirm that there are no steps at the main entry and access is provided to all main floor amenities at the main doors and at the side doors near the visitor parking and the bike racks. Also please indicate whether there is access for people with mobility problems into the landscaped area at the rear of the building.

Response

All main floor amenities are accessible for people with mobility problems. As a recommended condition of site plan control approval, the applicant is required to revise the site plan to reflect an access for people with mobility problems to the common rear yard amenity area.

INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES

COUNCILLOR'S COMMENTS

Councillor Stéphane Émard-Chabot has no objections to this application.

APPLICATION PROCESS TIMELINE STATUS

This application which was received on June 12, 2000, was subject to a project management timeline, as recommended by the “A Better Way Task Force Report”. A process chart, which established critical milestones, was prepared and circulated as part of the technical and early notification process. This application was processed within the 70 to 110 calendar day timeframe established for the processing of Site Plan Control Approval applications and is being considered at the targeted Planning and Economic Development Committee meeting date.

An Information Exchange was not undertaken as pre-consultation was not requested by the identified community associations.

September 8, 2000

ACS2000-PW-PLN-0128
(File: JPD4840/CARI 1565)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
 - City Council / Conseil municipal
- Action/Exécution

7. Signs By-law Minor Variance - 1565 Carling Avenue

Demande de dérogation mineure au Règlement municipal sur les enseignes - 1565, avenue Carling

Recommendations

1. That the application to vary the Signs By-law 36-2000, to permit logo wall signage on the south facade of the top storey at 1565 Carling not conforming to the design criteria and with a combined signage area of 16 square metres instead of the maximum permitted area of 14 square metres, be APPROVED.
2. That the application to vary the Signs By-law 36-2000, to permit logo wall signage on the east facade of the top storey at 1565 Carling not conforming to the design criteria, be APPROVED.



September 12, 2000 (2:25p)

Edward Robinson
Commissioner of Urban Planning & Public
Works

PB:pb

Contact: Paul Blanchett - 244-5300 ext. 1-3320




September 13, 2000 (10:26a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.


September 11, 2000 (9:15a)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

The property is located on Carling and is just north of the Queensway. Adjacent area land uses are primarily commercial development. Residential development prevails north of the development but is separated from the use by a substantial distance. This is designated as a District 4 Commercial Use Zone under the Signs By-law. Illumination is permitted for this signage. The signs will face the commercial uses on Carling and the Queensway. This building was granted a minor variance in May of 1998 to have logo wall signage on the south facade of the building . Two variance applications were received this summer for two separate logo signs on the same building.

Recommendation 1

Relief is requested from the area limitations of the by-law to permit over-sized illuminated logo wall signs on the south facade that, combined with the existing "PageNet" sign on the same storey, would slightly exceed the by-law area limitations. On a top storey of a building, logo wall signage is permitted up to 10% of the wall area on the particular facade of that top storey. The "Clarica" sign was built to replace the "Met-Life" sign approved with a variance to the by-law. This new sign was built larger and requires another variance for area. Combined with the existing "PageNet" sign, the total existing logo signage on the property is now 16 square metres in area which exceeds the by-law and the amount allowed in the 1998 minor variance approved by Council. The intent of this provision is to limit logo wall signage so that it would not negatively impact on adjacent uses as well as limiting signage areas for design reasons. As the "PageNet" sign was built lower on the facade, a design variance is necessary as the two signs will not be aligned. It is felt that the variance is minor in nature given the type of signage installed for this building.

With regard to size of the proposed signage, the total coverage does not seem excessive given the scale of the building and when compared to other logo signage in this area. The applicant feels that the variances are necessary to identify major tenants in this building as well as to maximize advertising and exposure for their respective companies. It was also noted, given the distance from the Queensway, that larger letters would be needed to catch people's attention.

In light of the above, the Department feels that the variances would not have a detrimental impact on the community and would be in keeping with the general purpose and intent of the by-law. Since the transportation divisions of the Province, City and the Region had no objections, the Department feels the signage is acceptable. As such, approval of the application is recommended.

Recommendation 2

Another variance application was made for signage on the east facade of the same building for a large tenant named Zhone. The sign will be of similar size to the Clarica sign installed on the south side of the building. A variance is required as the Zhone sign will not be aligned with the original sign "PageNet" which is installed lower on the building. It is felt that this variance is minor as the Zhone sign will actually align with the existing Clarica sign in Recommendation 1.

In light of the above, the Department feels that the variance is minor in nature and approval of the application is recommended.

Details of Requested Minor Variances

1. Relief from sections 51, 200 and 201 of By-law Number 36-2000 to allow signs on the south facade beyond the design criteria and oversized logo wall signage with a total combined area of 16 square metres, whereas the by-law only allows an area of up to 10% of the wall area for the subject storey (14 square metres).
2. Relief from section 51 of By-law Number 36-2000 to allow signage on the east facade which does not comply with the design and uniform alignment of other signage.

Consultation

In response to the standard early notification to area residents, community and business groups and the ward Councillor, four responses were received, three with no objection and one concerned with the scale of the signage. The Ward Councillor is aware of this application.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the agents, Trans-Canada Signs Inc., 9310 Parkway Blvd, Anjou, Montreal, Quebec, H1J 1N7 and Claude Neon Ltd., 2265 St. Laurent Blvd., Ottawa, Ontario. K1T 4G3; and the owner of the property, Bentall Real Estate Services, 606-1410 Blair Rd., Gloucester, Ontario, K1J 9L8 of City Council's decision.

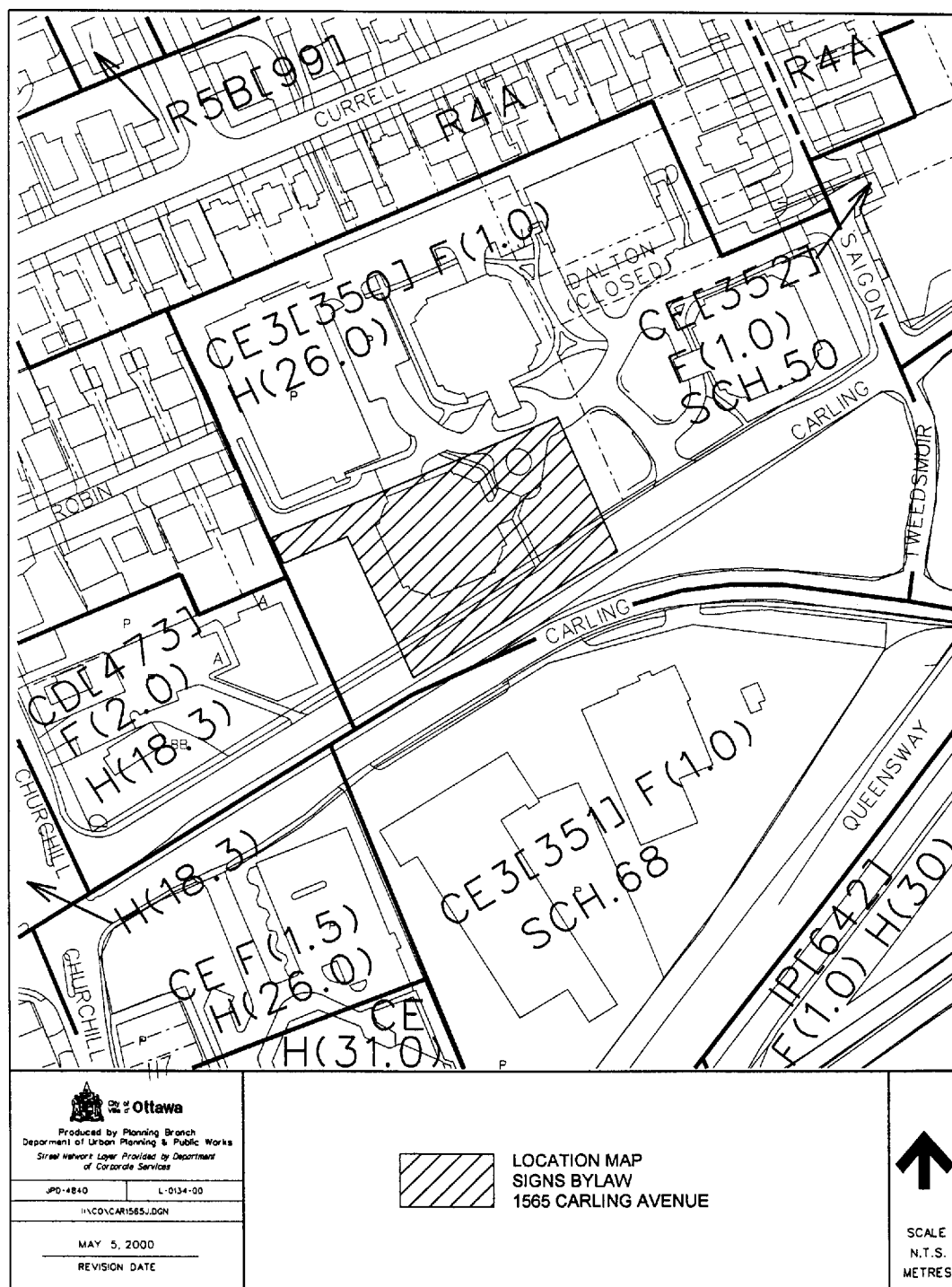
List of Supporting Documentation

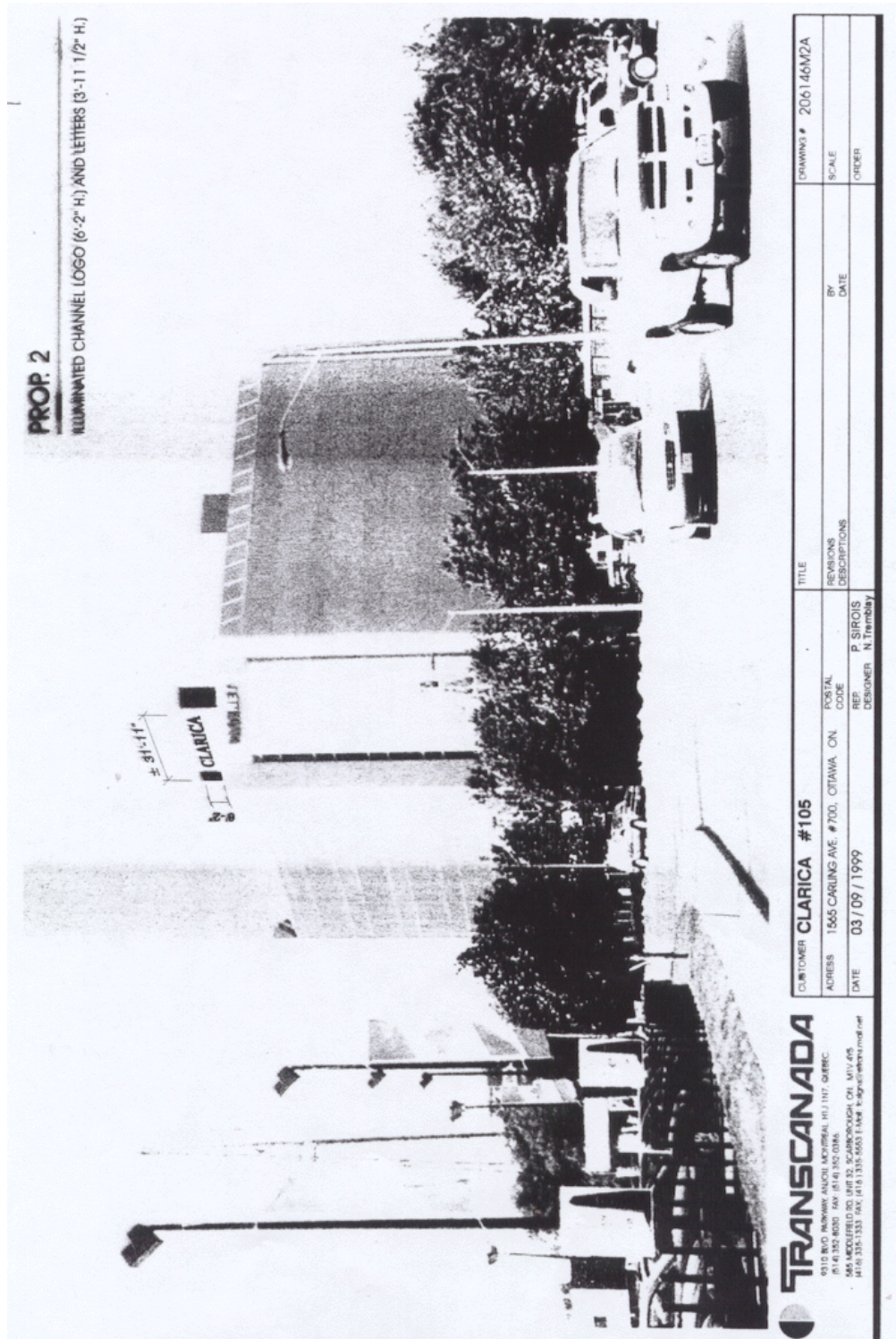
Document 1	Location Map
Document 2	Photo
Document 3	Elevation/Site Plan Recommendation 1
Document 4	Elevation/Site Plan Recommendation 2

Part II - Supporting Documentation

Location Map

Document 1





September 12, 2000

ACS2000-PW-PLN-0132
(File: JPD4840/RUSE 1895)

Department of Urban Planning and Public
Works

Ward/Quartier
OT10 - Alta Vista - Canterbury

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

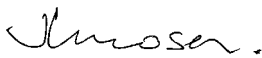
Action/Exécution

8. Signs By-law Minor Variance - 1895 Russell Road

Demande de dérogation mineure au Règlement municipal sur les enseignes - 1895, chemin Russell

Recommendations

1. That the application to vary sections 142 and 143 of the Signs By-law 36-2000, to permit an oversized illuminated ground sign with an area of 3.0 square metres instead of the maximum permitted area of 0.9 square metres to be within 7.0 metres of a residential zone instead of the minimum setback of 30 metres, be REFUSED.
2. That the application to vary sections 142 and 143 of the Signs By-law 36-2000, to permit an oversized ground sign, with exterior illumination or interior reversed illumination, and with an area of 2.4 square metres instead of the maximum permitted area of 0.9 square metres to be within 10.0 metres of a residential zone instead of the minimum setback of 30 metres, be APPROVED, with the condition that the sign will have no illumination between the hours of 11 p.m. and 7 a.m.



September 13, 2000 (8:30a)

for/ Edward Robinson
Commissioner of Urban Planning and
Public Works



September 13, 2000 (9:47a)


Approved by
John S. Burke
Chief Administrative Officer

PB:pb

Contact: Paul Blanchett - 244-5300 ext. 1-3320

Financial Comment

N/A.


September 12, 2000 (4:33p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

The property is located in a leisure zone on Russell Road just near Smyth. This property has the Demsey Community Centre located towards the back of the site and not visible from the street. A smaller non-illuminated ground sign exists near the street access entrance of the centre (see Document 1). Adjacent area land uses are primarily residential development. This location is designated as a District 3 Institutional Use Zone under the Signs By-law.

Recommendation 1

The City's Department of Community Services has applied to the City of Ottawa for a minor variance to Signs By-law 36-2000, requesting relief from the area and location provisions. Approval of this application would permit an increase to the maximum permitted sign face area for a ground sign to a total area of 3.0 square metres from the 0.9 square metres permitted, and also reduce the setback from an illuminated ground sign to a residential property to 7.0 metres from the minimum 30 metres required. The intent of these provisions is to lessen the impact of signage on adjacent uses that have a proximity to the institutional signage.

The applicant feels that the existing non-illuminated ground sign has too low a profile to give visible identity to a presence of the facility to the community and to passing traffic on Russell Road. Further, the applicant believes that given the minimal frontage available for a sign on Russell Road, it is critical to replace the existing sign with a larger, higher illuminated sign to properly market the community centre to the public, as well as to provide a street address for 911 service.

With regard to the area of the proposed ground signage, it would appear to be excessive for this site given the proximity to adjacent residential uses. The scale of the requested sign may set a precedent for large signs on this streetscape. A smaller sign similar to the scale of the existing sign would be preferred in this case. Regarding the setback, it is felt that the sign should have a similar setback to the existing sign and not be moved closer to the adjacent

semi-detached homes on Russell. The sign would also be located on top of a small hill which would increase any light spillover to the residential area.

In light of the above, the Department feels that the variance for the existing ground signage would have a detrimental impact on the community based on the excessive scale, and would not be in keeping with the general purpose and intent of the by-law. As such, refusal of the application is recommended.

Recommendation 2

The Department is of the opinion that approval of a smaller sign with a larger setback to the residential area would be more acceptable for this site. Approval is recommended to allow a sign with a reduced scale of 2.4 square metres which would be over twice the area allowed for this site. However, given the constraints of the narrow frontage for this site, the maximum signage allowed for this site would have been larger if the configurations of the lot would have been more standard. It is also recommended that signage on this site have exterior illumination or interior reversed illumination as these types of illumination have less impact on the adjacent properties. Reversed illumination consists of illumination only through the lettering or graphics of an opaque sign face. It is also recommended that the sign be setback a minimum distance of 10 metres to be similar to the setback of the existing ground sign on site. This approval is recommended on the condition that the sign have no illumination between the hours of 11 p.m. and 7 a.m. to lessen the impact on the adjacent residential neighbourhood on Russell Road.

In light of the above, the Department feels that the recommended variance for the ground signage would be in keeping with the general purpose and intent of the by-law. As such, approval of the recommended variance is suggested.

Consultation

In response to the standard early notification to area residents, community and business groups, and the Ward Councillor, twelve responses were received, seven in agreement, two with no objections and three who were opposed. The Ward Councillor supports this application. Concerns reflected were on the sign's illumination, proximity to residential areas and that the sign would be out of character and not consistent with the residential uses near the site.

Response to Consultation

Based on concerns for adjacent residential uses, the Department recommends refusal of the application. However, given the fact that the community centre needs enhanced visibility, the Department is of the opinion that a reduced-scale sign as suggested in recommendation 2 would be more appropriate for this location and would be more in keeping with the intent of the by-law.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the City of Ottawa, Department of Community Services, Attention: Paul Landry, 111 Sussex Drive , Ottawa, Ontario, K1N 5A1 of City Council's decision.

List of Supporting Documentation

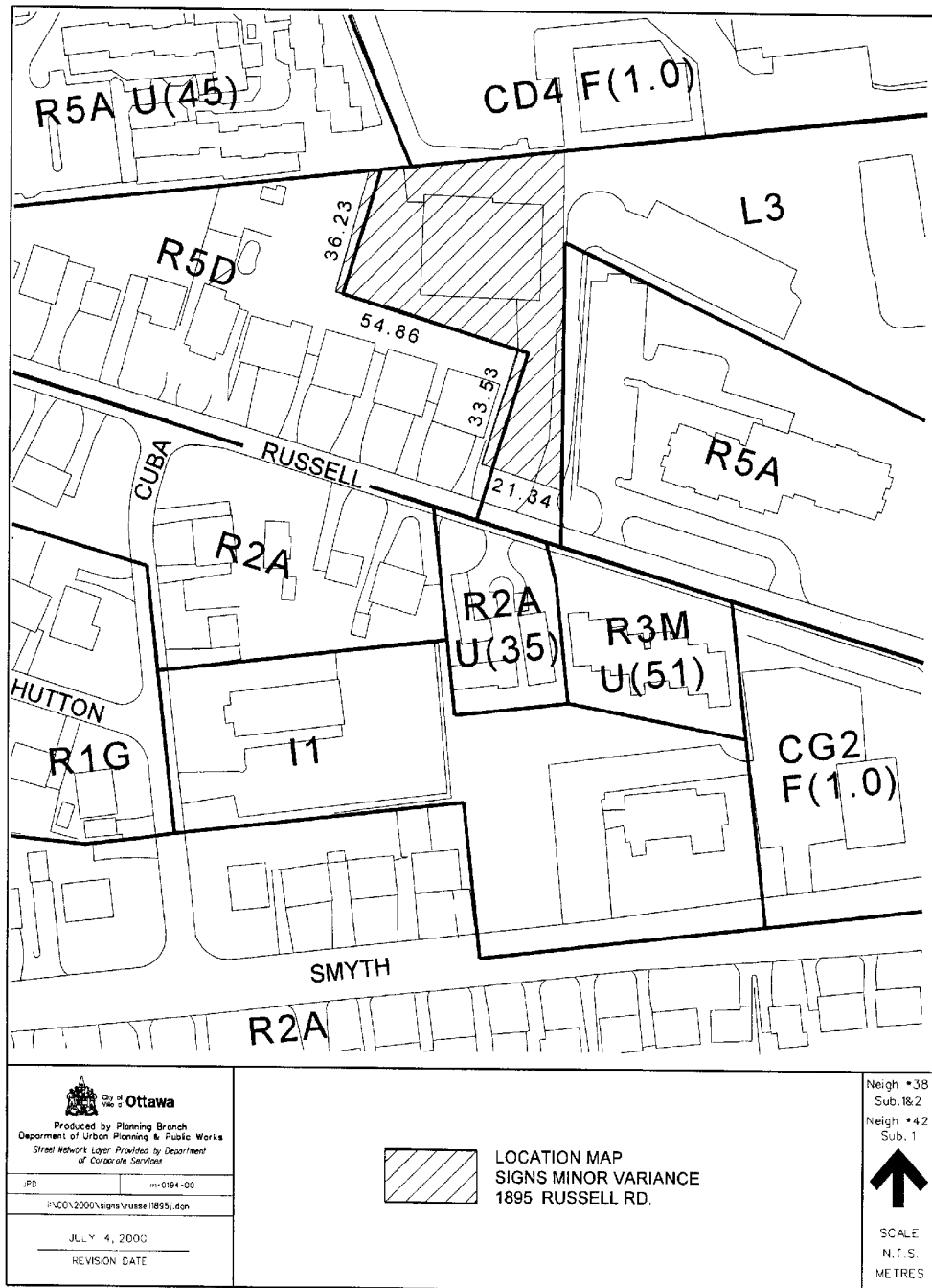
- | | |
|------------|-----------------------------------|
| Document 1 | Photo of existing on-site signage |
| Document 2 | Location Map |
| Document 3 | Site Plan |
| Document 4 | Elevation of Proposed Signage |

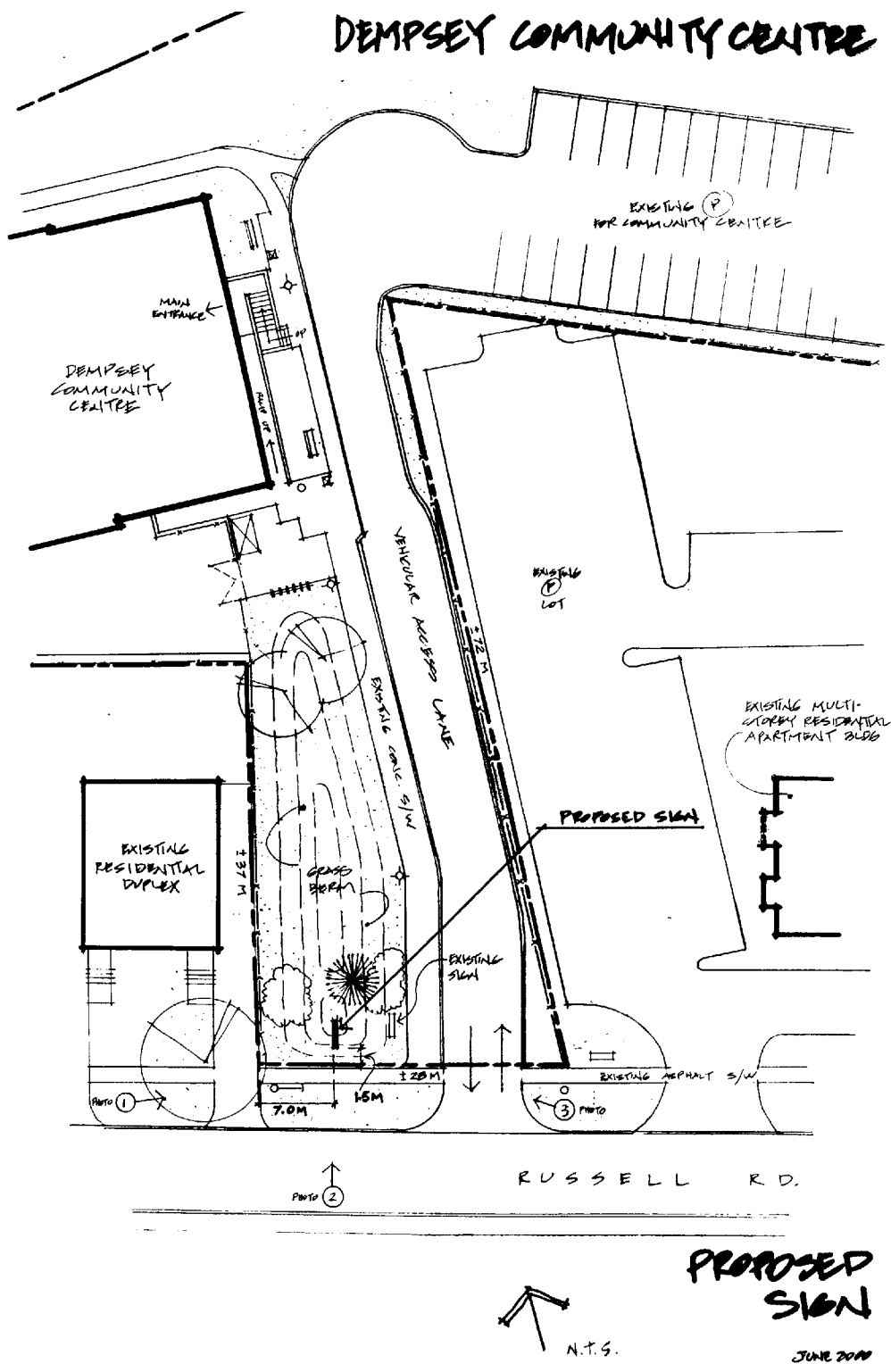
Part II - Supporting Documentation

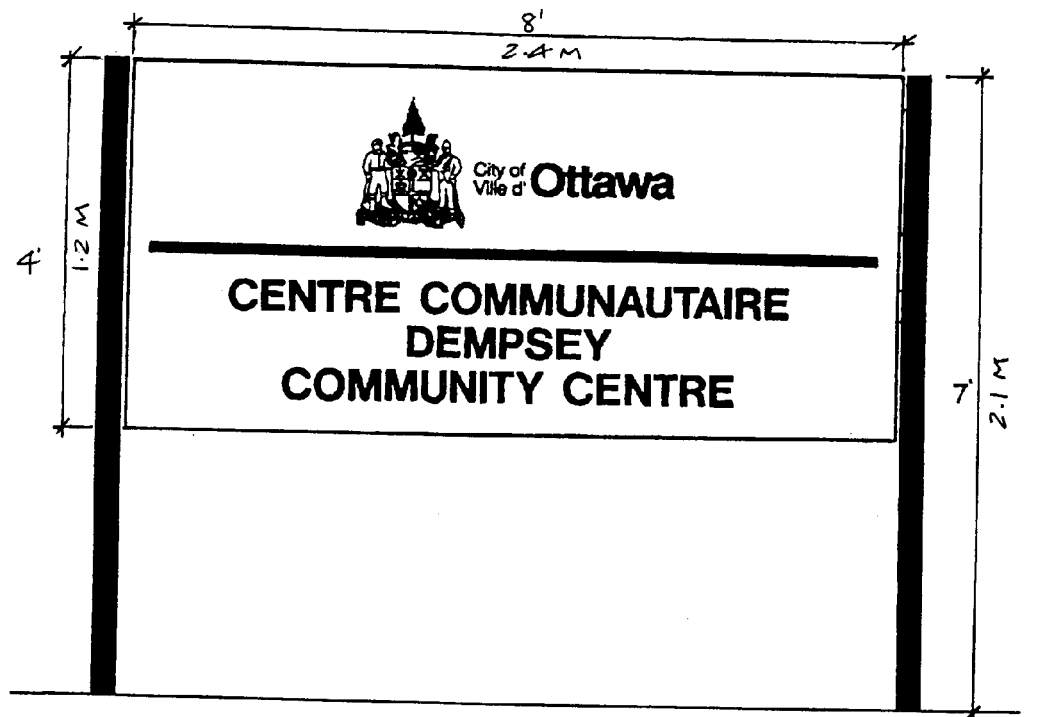
Photo of existing on-site signage

Document 1









ELEVATION (N.T.S.)

September 7, 2000

ACS2000-PW-PLN-0127
(File: JPD4840/ CARI 2045)

Department of Urban Planning and Public
Works

Ward/Quartier
OT1 - Britannia-Richmond

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

**9. Signs By-law Amendment Application - 2045-2055 Carling Avenue
Modification de l'Arrêté municipal sur les enseignes - 2045-2055,
avenue Carling**

Recommendation

That the application to amend the Signs By-law 36-2000, requesting relief from the signs permitted, illumination provisions, area and dimension sections of the by-law to permit the installation of two ground-mounted identification signs, with exterior illumination, as detailed in Document 1, be APPROVED, subject to the sign having no illumination between the hours of 10 p.m. and 7 a.m.



September 12, 2000 (3:00p)

Edward Robinson
Commissioner of Urban Planning & Public
Works

PB:pb

Contact: Paul Blanchett - 244-5300 ext. 1-3320



September 19, 2000 (8:55a)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

N/A.



September 8, 2000 (11:38a)

for Marian Simulik
Acting City Treasurer

CP:cds

Executive Report

Reasons Behind Recommendation

Approval of this application would permit the installation of two illuminated ground-mounted signs for the Somerset Towers apartment site. The signs would identify the apartment use and provide information. Each sign would be illuminated by the use of an exterior flood light shining toward the signs.

The application is requested in a District 2 Use zone of the Signs By-law. Ground signs are not permitted for residential uses in this zone. The proposed signs will each have an area of 3 square metres and have a height of 2 metres. In a District 2 Use zone, the maximum coverage for other uses regarding ground signs is 5 square metres to a maximum height of 1.5 metres. Further, the signs will be separated by a distance of 15 metres whereas the minimum separation distance for ground signs is 30 metres.

The property is located on a highly travelled portion of Carling Avenue and is zoned high-rise apartment residential in the Zoning By-law. Adjacent area land uses are primarily low density residential development. The site is also near a shopping centre. Separation to adjacent residential uses is substantial given the size of the lot and the width of Carling Avenue. The applicant believes that the signs will have landscape elements that soften the look and add aesthetically to the appearance from the street. In addition, the applicant feels that they give the building some presence and identification that can be seen by both directions of traffic.

Regarding the signs, the Department feels that, given the large property and the relatively small scale of the signs, approval of the signs is recommended; however, a timer condition is recommended to reduce illumination of the signs to lessen the potential impact on the adjacent residential uses in the area. Further, the Department is of the opinion that in this case identification of the site is necessary in order to promote ease in finding the site for visitors and emergency vehicles. The signs are not offensive and the lighting will be insignificant given the suggested restrictions and the large setback to adjacent uses.

In light of the above, subject to the recommended condition, the Department feels that the by-law amendment would not have a detrimental impact on the community and would be in keeping with the general purpose and intent of the by-law. As such, approval of the application is recommended subject to the necessary condition to mitigate the effects of the sign.

Consultation

In response to the standard early notification to area residents, community and business groups and the Ward Councillor, twenty-one responses were received, with seven in support, thirteen not in support and one had no objection. The Ward Councillor is aware of the application.

Consultation Details

In response to the circulation, comments were provided as follows:

- There is far too much light pollution in this city already
- We do not want more lights shining into our houses
- Access is difficult and signs will make it worse
- I would not want to have to look at two huge signs every time I went into the building
- This is a residential neighbourhood with many single family homes .

Response to Consultation Details

The Department is of the opinion that the signs will not create a significant impact to the community as they are relatively small in scale, they will be separated from residential by a substantial distance and the lighting will be limited by being lit externally and restricted after 10 p.m. as noted in the conditional approval.

Disposition

1. Department of Corporate Services, Statutory Services Branch to notify the agent/applicant, Cole & Associates Architects Inc., 1327A Wellington Street, Ottawa, Ontario, K1Y 3B6; and the owner, Commvesco Levinson-Viner, 1339 Wellington Street, Ottawa, Ontario, K1Y 3B8 of City Council's decision.
2. Office of the City Solicitor to forward to City Council the amending by-law resulting from City Council's decision.
3. Department of Urban Planning and Public Works to prepare the amending by-law.

List of Supporting Documentation

Document 1	Details of By-law Amendment
Document 2	Location Plan
Document 3	Site Photo
Document 4	Elevation/Site Plan

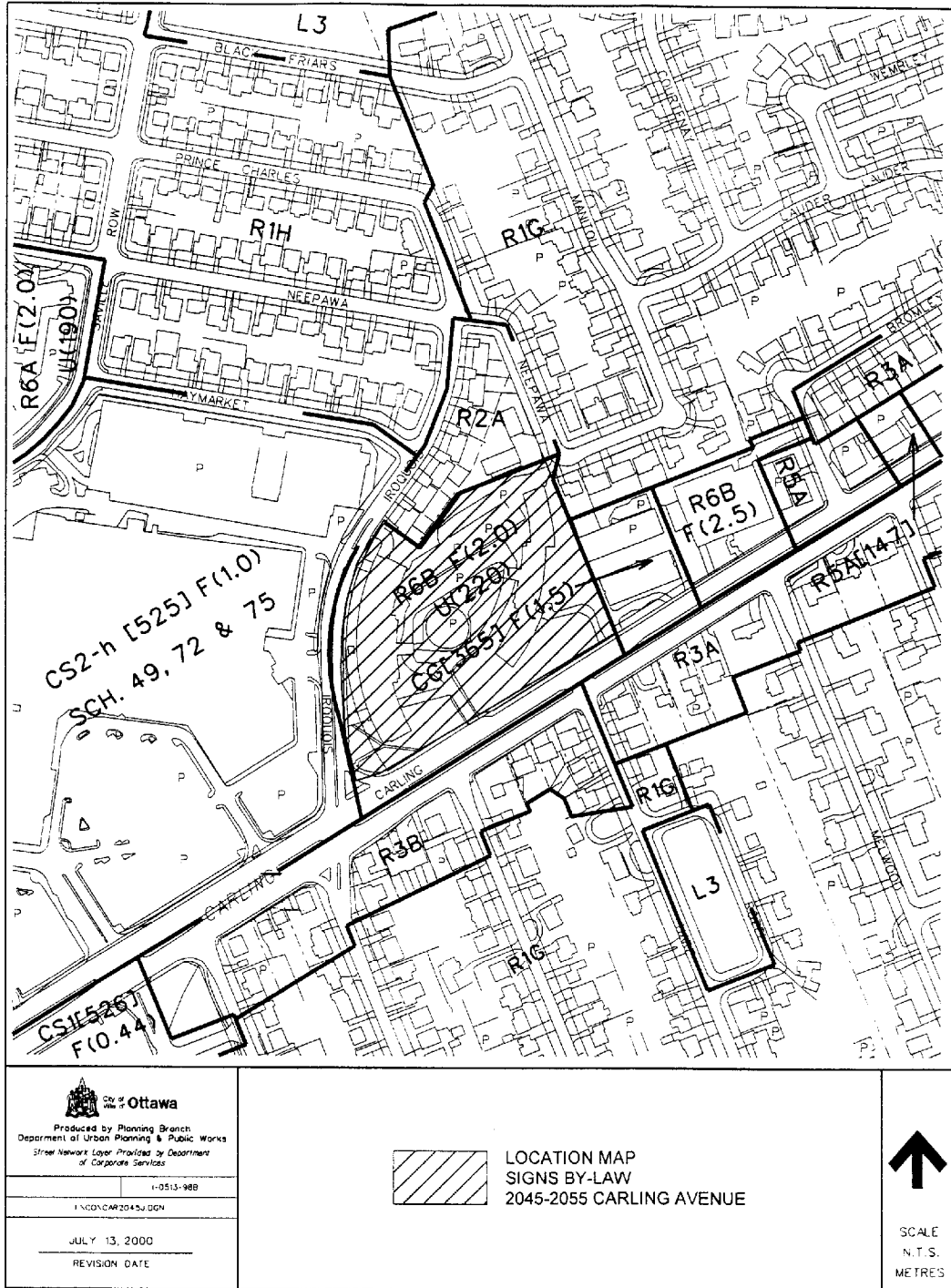
Part II - Supporting Documentation

Details of By-law Amendment

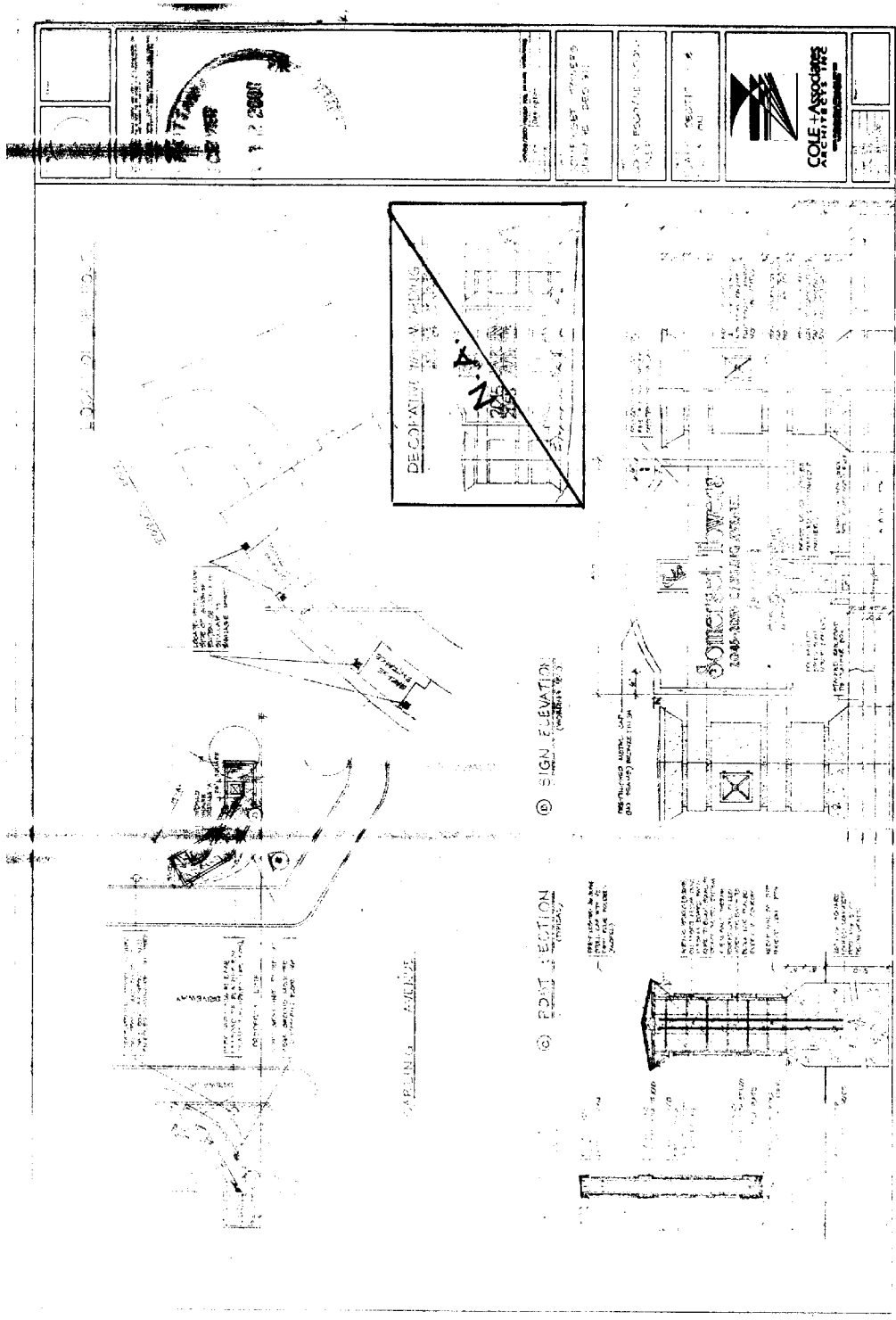
Document 1

Relief from sections 65, 68, 69, 70, 121 and 123 of By-law 36-2000 to permit two ground-mounted identification signs, with exterior illumination, in a District 2 Use Zone provided that the signs:

- have no illumination between the hours of 10 p.m. and 7 a.m.
- are located a minimum distance of 1 metre from the property line
- each have a maximum sign area limitation of 3 square metres
- each have a maximum dimension height limitation of 2 metres, and
- are separated by a minimum distance of 15 metres.







September 8, 2000

ACS2000-PW-PLN-0118
(File: TSB2000/006)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

**10. Lane Closure - Between 462, 470 Island Park Drive and 457, 459
Brennan Avenue**

**Fermeture de ruelle - Entre les 462, 470, promenade Island Park et les
457, 459, avenue Brennan**

Recommendation

That the application to close a portion of the lane between the homes located on Island Park Drive and Brennan Avenue be REFUSED.



September 13, 2000 (7:22a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 13, 2000 (10:01a)

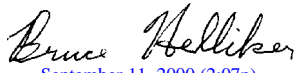
Approved by
John S. Burke
Chief Administrative Officer

DJ:dj

Contact: Douglas James 244-5300 ext. 3856

Financial Comment

N/A.



September 11, 2000 (2:07p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

Background

A lane closure application has been initiated by the property owners of 462 Island Park Drive.

The applicants have requested to close a specific portion of the lane running between Brennan Avenue and Island Park Drive, south of Byron Avenue. This is an open lane which is used by abutting property owners on both Island Park Drive and Brennan Avenue for pedestrian and vehicular purposes. The lane, which is covered in grass, is also maintained by the abutting property owners. Located under the lane are a number of services, including a City sanitary sewer, a natural gas line, Rogers Cable and an Ottawa Hydro line.

The portion of the lane proposed to be closed is located between 462 and 470 Island Park Drive, as well as 457 and 459 Brennan Avenue. The dimensions of the portion of the lane proposed to be closed measure approximately 18 metres in length and five metres in width, as shown on the attached location map. The portion of the lane to the south, which was unique as it ran through the middle of 470 Island Park Drive (Mexican Embassy), has been closed and deeded to the embassy. Further to the south, to Iona Street, the lane is still open.

The applicants have indicated that they would like the lane closed for the following reasons: “We are applying to have the portion of the lane which abuts the rear of our house and property at 462 Island Park Drive closed so we may purchase a portion of the lane”.

The Department is recommending that the lane not be closed for the following reasons.

Engineering

There is a nine-inch City sanitary sewer running through the lane from approximately the mid-point of the portion to be closed, north to Byron Avenue. The Engineering Branch has recommended against closure of this lane, or any of the lanes in the Island Park area that contain City services, as work on these services is done through the lanes. Keeping the lane in the City’s possession would ensure ease of access to these services.

While any purchase agreement with the abutting property owners would require the lane to remain clear and unencumbered from any structure, including a fence or shed, history has shown that this is not always the case, necessitating the periodic removal of such structures. While the removal of these structures must be at the expense of the land owners, it is an unnecessary source of conflict between property owners and the City.

It should be noted that in 1979, with the closure of the portion of the lane within the lands owned by the Mexican Embassy, Council also discussed the possibility of closing all the lane, north to Byron Avenue. However, they declined closure as it was considered impractical to close this portion of the lane unless the sanitary sewer was removed. Given that the sewer is still in this location and the concerns expressed by the Engineering Branch about the closure of the lane are still valid today, it is the Department's position that it would be in the City's best interest to continue to own the lane.

In addition to the foregoing, the property at 470 Island Park Drive (Mexican Embassy) has experienced service connection problems to the City sanitary sewer. This service is presently provided to this property from across Island Park Drive. The Engineering Branch has indicated that one of the solutions to address this problem is to service the property through the sewer located in the lane. If the lane were closed by this application, then solving the Embassy's problem by connecting to the sewer in the lane would not be an option. In addition to prohibiting a potential solution to the Embassy's present sewer problems, closing the lane would prohibit access to the lane from 470 Island Park Drive. The Mexican Embassy presently has access to the lane via an unlocked gate.

Use of the Lane

The subject lane is presently open, well-used and maintained by abutting property owners. A site check by City staff indicates that people walk in the lane, children play there, and vehicles use the northern portion of the lane to service abutting properties. For example, a property owner on Island Park Drive recently used the lane for equipment to access his property to build an in-ground pool. The grass in the lane is cut and there are some small gardens on its periphery. Consequently, it serves a function to the neighbourhood and is accessible to all. Closing and selling this, or other portions of the lane, would create pockets of private property, thereby destroying the community function that the lane presently provides.

As mentioned, the portion of the lane surrounded by the Mexican Embassy was closed in 1979.

In making that decision, City Council determined that this situation is unique. The lands owned by the Mexican Embassy were the only property that straddles the lane. While not fenced off, these lands had been integrated into the Mexican Embassy lands without any complaints from the neighbourhood. It was, and remains the Department's opinion, that the existence of the lane in the middle of the Mexican Embassy would have already created a sense of private lands, causing people not to use that portion. Consequently, it is the Department's position that the closure of the lane through the Mexican Embassy lands did not harm the functioning of the lane and the role it plays in the surrounding community. This, however, would not be the case if the subject portion of the lane were to be closed.

Amenity Area

The applicant has indicated that they wish to close the portion of the lane opposite their home so they may purchase the property. Typically the portion of the lane closed is added to the rear yards of properties and a structure such as a fence is constructed around the land, making the rear yard amenity area larger. The existence of many services in the lane and the requirement for access to these services, negates the ability of the applicant to construct any structure, such as a fence, which would increase the area of their rear yard while maintaining their privacy. Consequently, the benefit which is usually standard with the closure of a lane cannot be enjoyed in this situation.

Future Use of the Lane

It is the Department's concern that approval of this application could lead to future applications to close other small portions of the lane. This in turn, could create a "checkerboard" pattern of publically-owned and privately-owned portions of the lane where the City would be responsible for various and perhaps unconnected pieces, with some sections inaccessible by the public as they would be separated by private property. Closure of any lane should only be considered comprehensively for its entire length, as opposed to a piecemeal pattern presented in this application. However, for reasons mentioned earlier in this submission, it is unlikely that the Department would recommend closure of the entire lane, should such an application be submitted for consideration.

Economic Impact Statement

As the Department is recommending that the lane not be closed, there is no Economic Impact.

Consultation

Three responses were received as a result of the circulation to abutting property owners. The applicants indicated they were in favour of the approval while two other responses from abutting property owners indicated they were opposed to the closing of the lane. The concerns expressed relate to access to utilities in the lane, security of the Mexican Embassy, losing the value of having an open and travelled lane and loss of access to a travelled lane. A summary of the expressed concerns are outlined in Document 2.

Disposition

Department of Corporate Services

1. Statutory Services Branch to notify the Region of Ottawa-Carleton, Plans Administration Division and everyone listed on the last page of City Council's decision.

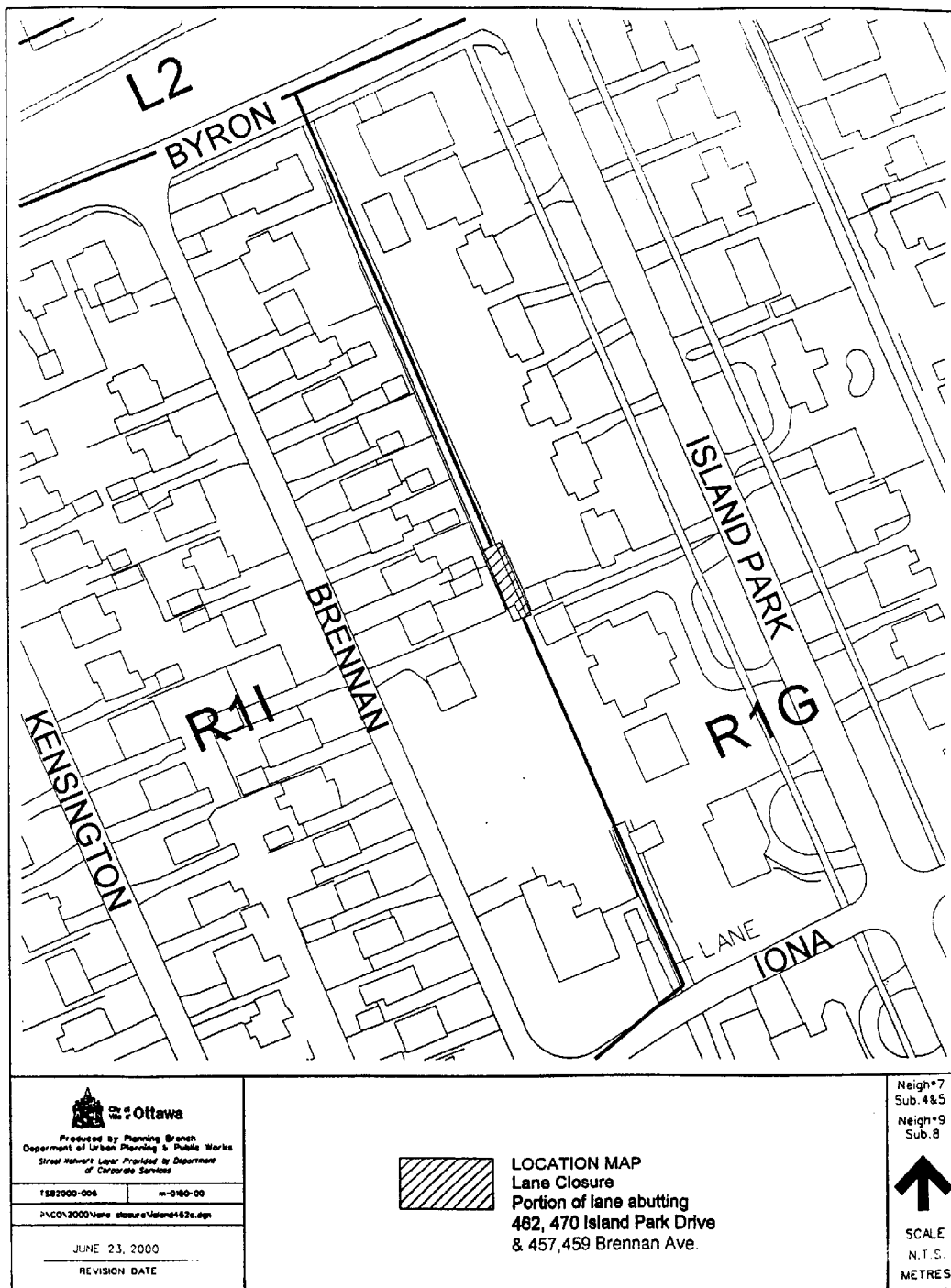
List of Supporting Documentation

Document 1 Location Map
Document 2 Consultation Details

Part II - Supporting Documentation

Location Map

Document 1



NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with the Early Notification Procedure P&D\PPP\N&C#4 approved by City Council for Lane Closures.

SUMMARY OF PUBLIC INPUT

Three responses were received as a result of the circulation to the four abutting property owners. No responses were received as a result of the circulation to concerned community groups. Two of the respondents were opposed to the proposal while one was in favour. A summary of reasons in favour and opposition and a response to the reasons in favour, are presented below.

Reasons in Favour of the Lane Closing

1. Security of my property. Currently the lane offers access to my property for anyone to enter from the rear.

Response

All people whose property abuts the lane have either constructed fences or have mature hedges to allow for privacy and security of their properties. As the existence of many services in the lane (e.g. sewer, natural gas, etc.) necessitate easements, and as no structures such as fences can be built over the easements, closing the lane would not increase the security for abutting properties.

2. The lane is presently not maintained and consequently grass and weeds have grown to make the lane unsightly.

Response

Site investigations conducted by staff have indicated that the lane is open, used by abutting residents and is well maintained, including the portion subject to this application.

3. The Mexican Embassy to the south has the lane gated. Therefore, closure of the laneway at my property will not affect the pedestrian through-traffic.

Response

The gate at the northern end of the Mexican Embassy (470 Island Park Drive) is open. Closing the lane would prohibit access to the lane from 470 Island Park Drive, making it the first property not to have access to the portion of the lane running to Byron Avenue.

4. Closing the lane will provide privacy to my property.

Response

As mentioned, because of the many easements required in the lane and the fact that no structures such as fences can be constructed in the easement, closing the lane will not increase the privacy of the applicant's property. It should also be noted that it appears new fencing has recently been constructed along the rear portion of the applicant's property.

5. The laneway is used for walking pets and many times the waste is not removed, resulting in a health hazard.

Response

The City's "poop and scoop" by-law regulates the collection of animal faeces.

6. People currently exit to Island Park Drive from the lane, between my property and the Mexican Embassy.

Response

The small space between two existing garages could be closed by a gate on private property.

7. People smoking in the lane could be a fire hazard.

Response

It is the Branch's opinion that smoking in the lane would not create a fire hazard.

Reasons in Opposition to the Closing of the Lane

1. There are utilities such as sewer, natural gas, water, hydro and cable located in the laneway.
2. Over the years people have had the sewers back up and a new system had to be installed. Every foot of the laneway is needed for this work.
3. If the lane is closed, I would not have the access to the lane I readily enjoy today.
4. I believe that the restricted access to the lane which would result for this proposal would lower my property values.

5. I have worked very hard to maintain the lane for many years, including mowing the lawn and planting ground cover. Approving this proposal would remove a lot of the work I have undertaken.
6. This lane is a benefit to the community, if it is not broken, do not fix it.
7. I recently purchased the property I live in and this lane in the rear was seen as a positive.
8. I would hate to see a dividing fence erected in the lane. This would restrict access to the rest of the lane as well as the services which are provided there.

APPLICATION PROCESS TIMELINE STATUS

This application was submitted on June 13, 2000, and was subject to a project management timeline, as recommended by the “A Better Way Task Force”. A process chart which establishes critical milestones, was established and circulated as part of the technical circulation and early notification process. This application was delayed slightly in order to obtain all comments from technical agencies.

COUNCILLOR’S COMMENTS

Councillor Little is aware of the application.

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September 11, 2000

ACS2000-PW-PLN-0131
(File: OHD4300 RIDEAU 126)

Department of Urban Planning and Public
Works

Ward/Quartier
OT5 - Bruyère-Strathcona

- Local Architectural Conservation
Advisory Committee / Comité consultatif
local sur la conservation de l'architecture
- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

**11. Designation of the former Ogilvy's Department Store, 126 Rideau
Street, under Part IV of the Ontario Heritage Act.**

**Désignation de l'ancien grand magasin Ogilvy, 126, rue Rideau, en
vertu de la Partie IV de la *Loi sur le patrimoine de l'Ontario***

Recommendation

That the former Ogilvy's Department Store, 124-126 Rideau Street, be designated under Part IV of the Ontario Heritage Act according to the Statement of Reason for Designation, below.



September 11, 2000 (2:06p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

SC:sc

Contact: Sally Coutts - 244-5300 ext. 1-3474



September 11, 2000 (2:26p)


Approved by
John S. Burke
Chief Administrative Officer

***Local Architectural Conservation Advisory Committee Recommendation -
September 19, 2000***

- ▶ *The Committee concurs and so recommends.*

Financial Comment

Subject to City Council approval, funds in the amount of \$1,200.00 for statutory advertising will be made available by the Department of Corporate Services - Public Information Statutory Advertising subactivity account 2231731.


September 11, 2000 (1:45p)

for Marian Simulik
Acting City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

The former Ogilvy's Department Store ceased to function as a full-service department store in 1992 when Robinson's vacated the premises. At that time, the Department of Urban Planning and Public Works advised the then-owners of the building that if the building were retained, rather than demolished as a part of the site of the proposed parking lot, the Department would not recommend its designation. Since then, Ogilvy's has been purchased by Viking Rideau and that firm has submitted an application to demolish it to permit the expansion of the Rideau Centre eastward. Viking Rideau is aware of the Department's commitment to maintaining this part of Rideau Street's heritage and to the building's designation under the Ontario Heritage Act but has, nevertheless, applied for a demolition permit rather than incorporate the building as part of the Rideau Centre's expansion.

In addition to the Department's commitment to the proposed designation, the City of Ottawa Official Plan, Section 1.12, Rideau Street, encourages low-scaled, pedestrian oriented commercial development along Rideau Street and states that

City Council shall ensure the protection, conservation and enhancement of heritage resources on Rideau Street, and shall ensure that the design of development respects and is sensitive to, such heritage features ...

The designation of the former Ogilvy's would respect the above Official Plan policies.

STATEMENT OF REASON FOR DESIGNATION

The former Ogilvy's Department Store has both historical and architectural significance. It was built by Charles Ogilvy in 1906-1907, with additions in 1917, 1931 and 1934. Born in 1861, Ogilvy emigrated to Canada from Scotland in 1863, immediately moving to Ottawa where his father opened a stationery shop. Ogilvy began his career at the firm of Elliott and Hamilton, Dry Goods. In 1887, Ogilvy left that firm to establish his own dry goods shop on Rideau Street. By 1906 he had prospered sufficiently to build a new store. Business continued to grow and Ogilvy's eventually became a flourishing department store with branches in Ottawa's suburbs. This evolution parallels the North America-wide development of the department store as the most important retail phenomenon of the late 19th and 20th centuries. Ottawa was unique among Canadian cities because its two leading local department stores, Ogilvy's and Freiman's, were sufficiently successful to discourage the entry of national chains into the city until the 1960s.

Ogilvy's was built in four stages. The original dry goods store, designed by prominent Ottawa architect W.E. Noffke and completed in 1907, was a rectangular structure with five bays facing Rideau Street and seven bays facing Nicholas Street. In 1917, it was extended back eight more bays to Besserer Street, also to plans by Noffke. The fourth and fifth floors, designed by Ottawa architect A.J. Hazelgrove, were added in 1931 and 1933 respectively. The addition of the top two storeys and the resulting removal of the original third floor cornice transformed Ogilvy's from a conservative design to a modern design more typical of 1930s commercial architecture.

The building is a large, flat-roofed, rectangular buff-coloured brick, steel-framed structure, highly regular in style and detail. Character-defining features of the building include the use of the Greek key motif on the spandrel panels and secondary cornice, the metal cornice, the wood-framed windows, the "Tree of Life" panels and the distinctive rounded northeast corner. Its prominent corner location, anchoring the end of an important block of Rideau Street, also contributes to its heritage value.

The interior of the building, the interior's structure and the west facade are not included in this designation.

Consultation

The owner of the building, Viking Rideau, has been encouraged to include the north, east and south facades of this prominent Ottawa building in its re-development plans for this block of Rideau Street, but as yet, has not agreed to do so. Similar successful incorporation of heritage facades was used in the redevelopment of 99 Rideau, east of the Bay and opposite the Rideau Centre, as well as in the redevelopment of Zellers at the corner of Sparks and O'Connor Streets. Viking Rideau is aware of the Department of Urban Planning and Public Works' intention to recommend the building for designation.

An “Intention to Designate” is published in Ottawa’s daily newspapers as a requirement of the Ontario Heritage Act. Anyone wishing to object to the proposed designation may do so within thirty days of the publication of the “Intention to Designate.” If there are objections, a Conservation Review Board hearing is scheduled to hear them and report to Council. Council then can either uphold the intention to designate or withdraw it. If Council upholds the designation, a further 180-day period for negotiation ensues before a demolition permit would be issued . Recent changes in the City of Ottawa Act, however, permit Council to further withhold the issuance of a demolition permit until a building permit for new development on the site has been approved.

Disposition

1. Department of Corporate Services, Statutory Services Branch to advertise and notify the owners (Viking Rideau Corporation, 50 Rideau Street, Ottawa, Ontario K1N 9J7, attention: Mr. Donald Maclellan) and the Ontario Heritage Foundation (10 Adelaide Street East, 3rd Floor, Toronto, Ontario, M5C 1J3) of City Council’s intention to designate the Former Ogilvy’s at 124-126 Rideau Street.
2. Office of the City Solicitor to prepare the designation by-law and submit it to City Council for enactment.

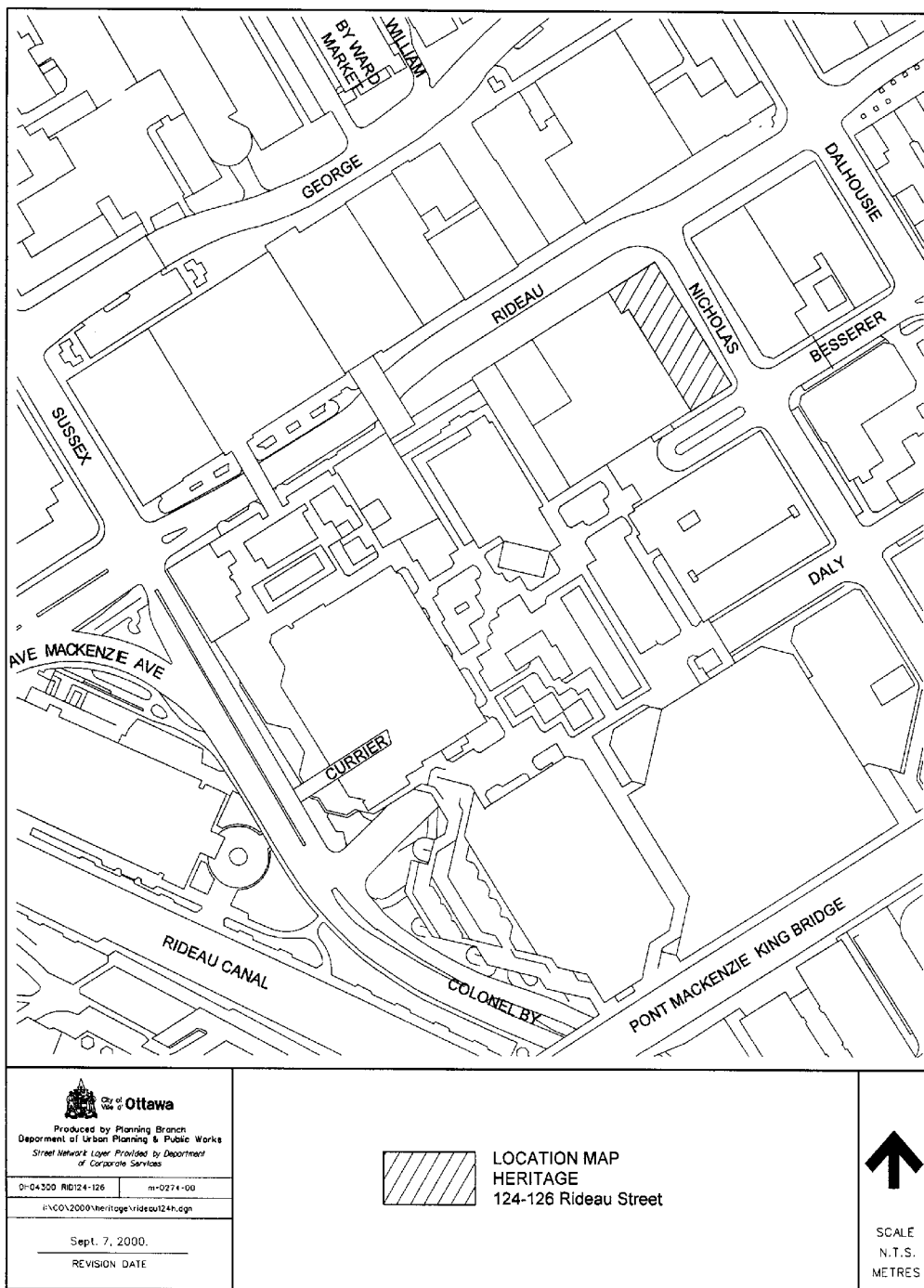
List of Supporting Documentation


- | | |
|------------|-------------------------------------|
| Document 1 | Location Map |
| Document 2 | Heritage Survey and Evaluation Form |
| Document 3 | Historical Photograph |

Part II - Supporting Documentation

Location Map

Document 1






City of
Ville d'**Ottawa**

HERITAGE SURVEY AND EVALUATION FORM

MUNICIPAL ADDRESS: 114-126 Rideau Street	BUILDING NAME: Former Ogilvy's Department Store		
LEGAL DESCRIPTION: P3922	LOT: 12-13-14	BLOCK: Rideau S	PLAN:
DATE OF CONSTRUCTION: 1906-07	ADDITIONS: 1917, 1931, 1933		
ORIGINAL USE: Department Store	PRESENT USE: Store		
ORIGINAL OWNER: Central Area	PRESENT OWNER:		

VIEW: -
SOURCE:
DATE:
NEGATIVE NO:



PHASE ONE EVALUATION

POTENTIAL SIGNIFICANCE	CONSIDERABLE	SOME	LIMITED	NONE	
History					
Architecture					
Environment (landmark or design compatibility)					
Phase One Score /9	Potential Heritage Building Yes/No		Potential Heritage District Yes/No		
Phase Two Classification	Group	1	2	3	4

114-126 Rideau Street

Page 1

HISTORY

*Prepared By: S. Coutts Date: July
1992/ August
2000*

DATE OF CONSTRUCTION 1907, Additions 1917,1931, 1934**TRENDS**

Charles Ogilvy's Ltd. grew from a small dry goods store into a large, Ottawa-based chain of stores between its founding in 1887 and Ogilvy's death in 1950. The large department store is a phenomenon of the late 19th century and early 20th centuries and shopping at one was considered a progressive and up-to-date thing to do. To further enhance the shopping experience, many of these stores were designed with considerable attention to architectural detail, and featured lavish interiors and elaborate display windows. Ogilvy's progress from a small dry goods store to a large department store is typical of many of the earliest department stores, including the T. Eaton Company and the Robert Simpson Co. of Toronto, which both started as small dry goods stores.

EVENTS N/A**PERSONS/INSTITUTIONS**

Ogilvy's is associated with its founder, Charles Ogilvy, one of Ottawa's leading merchants during the first half of the 20th century. Ogilvy was born in Edinburgh in 1861 and emigrated to Canada in 1863 with his parents. The family initially settled in Ottawa where his father established James Ogilvy, Books and Stationary. In November, 1887 after leaving the dry goods firm of Elliott and Hamilton where he had been working for some years, Charles Ogilvy opened his own dry goods store at 92 Rideau Street. His original tiny store prospered and in 1906, after a number of additions, Ogilvy hired Ottawa architect W.E. Noffke to design a brand new facility further east along Rideau. The building was enlarged in 1917, 1931 and 1934. Eventually Ogilvy built two more large department stores, a woodworking shop in Westboro and a number of small satellite stores adjacent to his Rideau Street facility.

Ogilvy and his wife had no children but were active in the community life of the store and its social club for many years. Like many business leaders of his day, Ogilvy was also involved in community work and was active in the establishment of the Union Mission. He died in 1947.

SUMMARY/COMMENTS ON HISTORICAL SIGNIFICANCE

Unlike many Canadian cities, Ottawa was the site of two successful local department stores, Freiman's and Ogilvy's for many years prior to the establishment of national chains here in the 1960s. The significance of Ogilvy's is derived from the role that Charles Ogilvy played in the retail history of the city and the association of the store with the North America-wide growth of department stores.

HISTORICAL SOURCES

City of Ottawa Archives, Ogilvy Papers

ARCHITECTURE

*Prepared By: S. Coutts Date: July
1992/*

ARCHITECTURAL DESIGN (Plan, Storeys, Roof, Windows, Material, Details, etc.)

Ogilvy's was built in four stages from 1907-33. The original store, designed by W.E. Noffke, was a three storey structure with five bays facing Rideau Street and seven facing Nicholas Street. In 1917, the store was expanded south seven bays to Besserer, again to designs by W.E. Noffke. In 1931, the cornice was removed and a fourth storey added and, in 1934, a fifth storey was added, bringing the building to its present configuration.

The ground floor was originally distinguished by large plate glass windows with prismatic glass transom windows. On the second and third stories, brick piers with channelled bases divided the facades into bays, each containing tri-partite wooden sash windows. A secondary cornice separated the ground floor from the upper storeys. Galvanized metal spandrel panels incised with a Greek key motif separated the second and third storey windows. A narrow band, also incised with a

Greek key motif, forms part of the sill of the second storey windows.

Other details of the building included a large crest embellished with the intertwined initials "CO," on the curved north-east corner of the building, canvas awnings and two marquees, one at the principle entrance on Sussex and the other at the Nicholas Street entrance.

Each subsequent addition to Ogilvy's was designed to be compatible with the character of the original structure and all additions to the building were skilfully integrated into the original structure. For example, the two additional stories designed by Hazelgrove function as attic stories and are separated from the lower stories by a modified cornice which again repeats the Greek key motifs of the spandrel panels. The new cornice, also in galvanized metal, is simple in design and execution.

ARCHITECTURAL STYLE

The 1907 portion of Ogilvy's was built using modern steel frame construction techniques but it illustrated Noffke's conservative approach to design. Although the building demonstrated some familiarity with recent stylistic trends in commercial architecture, the simple rectilinear grid established by the regularly spaced piers that separated the Chicago type tri-partite windows, Noffke's conservatism is evident in the use of ornament such as the Greek Key patterned spandrel panels, the elaborate cornice and the escutcheon featuring an intertwined "CO" on the building's rounded corner. At the turn of the century, the design of retail establishments was often influenced by the work of American architect Louis Sullivan, whose buildings featured regular fenestration, (often with tri-partite Chicago windows), subdued decoration and a strong vertical emphasis.

The additions to Ogilvy's produced a building much more modern in character, with an simple galvanized metal Art Deco cornice and stylized "Tree of Life" terra cotta panels and smooth, slender brick piers.

DESIGNER/BUILDER/ARCHITECT

Original store, 1907: W.E. Noffke, South extension, 1917: W.E. Noffke, Fourth floor, 1931: A.J. Hazelgrove Fifth floor, 1934: A.J. Hazelgrove. Both architects were extremely busy Ottawa architects responsible for many of the city's important buildings. W.E. Noffke, one of the city's best known architects had a long and distinguished and was responsible, among other for the Blackburn Building, 1908-13, the Central Post Office, 1937, the Champagne Baths, 1922, and many private residences.

A.J. Hazelgrove, although not as well known as Noffke, also had a long and distinguished career. He worked frequently for Ogilvy designing projects as varied as the stores decorations to honour the 1939 Royal Visit to the Westboro woodworking factory and the parking lot attendant's hut. His other projects included a number of post-WWII Ottawa schools, including Ridgemount and the High School of Commerce, hospitals including the Children's Hospital of Eastern Ontario and many other commercial buildings and private residences.

ARCHITECTURAL INTEGRITY

The original integrity of Ogilvy's has been compromised by some significant interventions, although its basic character survives and could easily be enhanced. Interventions that have affected the structure include; the re-cladding of the building at street level, and the installation of new store fronts. Minor interventions include changes to the pilasters in the original portion of the building from channelled brick to smooth brick, (probably completed in the 1940s or 50s as part of an renovation project which included the installation of new vitrilite cladding at the ground floor level), and minor changes to the detail of the cornice.

OTHER

The original Ogilvy's was one of Ottawa's first concrete and steel frame buildings. Steel frame construction was perfected in the 1880s and soon proved well-suited to the department store function because it allowed for the large expanses of uninterrupted floor space and large window areas required by the department store. In addition, its steel frame construction allowed for the easy expansion of Ogilvy's when necessary.

SUMMARY/COMMENTS ON ARCHITECTURAL SIGNIFICANCE

Ogilvy's is a significant example of early 20th century department store architecture and is associated with two notable Ottawa architects, W.E. Noffke and A.J. Hazelgrove. Its distinctive windows, subdued decorative motifs and buff coloured brick continue to make a significant contribution to Rideau Street. In addition, the building's construction in four stages is an interesting illustration of the adaptability of concrete and steel frame construction techniques.

ENVIRONMENT	Prepared By:	Date:
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HERITAGE CONSERVATION DISTRICT NAME (if any)

N/A

VIEW:
SOURCE:
DATE:
NEGATIVE NO:

COMPATIBILITY WITH HERITAGE ENVIRONS

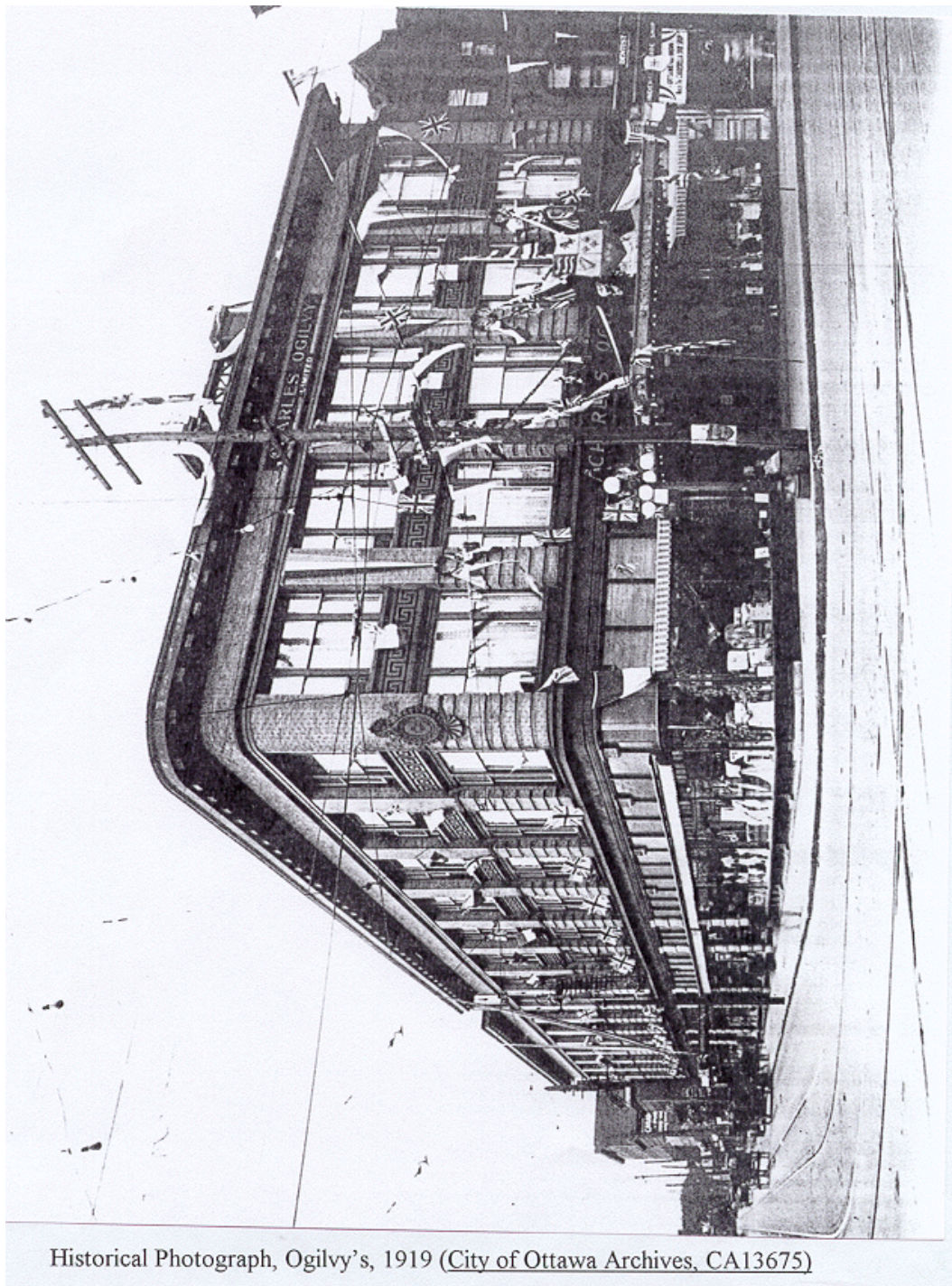
Although significantly larger than its two and three storey neighbours, Ogilvy's is compatible with the late 19th and early 20th century structures that are a feature of Rideau Street between Sussex Drive and King Edward Avenue. Recent additions to the streetscape such as the Rideau Centre are not, however, compatible with the heritage character of the building.

COMMUNITY CONTEXT/LANDMARK STATUS

Ogilvy's is a landmark of considerable local significance because of its long history as one of Ottawa's main department stores and its location on what was once the city's most important retail street.

SUMMARY/COMMENTS ON ENVIRONMENTAL SIGNIFICANCE

Ogilvy's, despite drastic changes to its environs, remains one of the most important buildings on Rideau Street, significantly contributing to the street's character. Its loss would have a serious negative impact on Rideau Street.



Historical Photograph, Ogilvy's, 1919 ([City of Ottawa Archives, CA13675](#))



September 15, 2000

CC2Z2000201

(File: ACC3320/2000)

Ward/Quartier

OT5 - Bruyère-Strathcona

12. Relief of Development Fees - 231-239 Clarence Street

Dispense des redevances d'aménagement - 231-239, rue Clarence

CENTRETOWN AFFORDABLE HOUSING DEVELOPMENT CORPORATION

P.O. Box 2787 • Station D • Ottawa, Ontario • K1P 5W8 • (613) 235-2408, ext. 229 • fax: (613) 235-4026

September 7, 2000

Councillor Elisabeth Arnold
Chair, Planning and Economic Development Committee
City of Ottawa
111 Sussex Drive
Ottawa, Ontario
K1N 5A1

Dear Councillor Arnold,

**Re: Request for Planning Committee Agenda Item
Relief of Development Fees; 231-239 Clarence Street**

The Centretown Affordable Housing Development Corporation (CAHDCO) has submitted a Site Plan application to construct a thirty unit affordable leasehold project at 231-249 Clarence Street. In order to ensure affordability, we have chosen a leasehold tenure for the project.

Because the leasehold can be mortgaged, the monthly cost to residents will be lower than the cost of comparable housing on the conventional rental market.

Our client group for the project is households with annual incomes in the 25th to 40th percentiles (\$25,000/year and \$36,000/year in Ottawa).

These are households currently paying rents of \$650 to \$950 per month in non-profit housing, possibly more in the private rental market and would be eligible for a housing subsidy were they living in an affordable housing project.

CAHDCO will use a long-term leasehold tenure to ensure the units are affordable to the first purchaser and remain affordable to subsequent purchasers.

While this is a leasehold "ownership" model, the leasehold ensures the properties will always revert to CAHDCO who will chose subsequent owners based on meeting the low income criteria.

-1-

It is not intended that the properties will be sold on the open market and thus affordability will always be maintained.


In order to keep these units as affordable as possible, we are asking for relief from City charges and levies. These include the City's planning application fees, Cash-In-Lieu of Parkland Levy, building permit fees and (should it be required) cash-in-lieu of parking fee. Could you please ensure this request is put on the agenda for Planning and Economic Development Committee?

In the last few years, the City has exempted non-profit housing organizations from development fees and charges. The development of this project will free up badly needed subsidized rental units, allowing CAHDCO to achieve its affordable housing objectives and the City of Ottawa to fulfil its Official Plan policies regarding increased central area residential densities, mix of tenures and affordability.

CAHDCO was established in 1996 by Centretown Citizens Ottawa Corporation (CCOC), a community based, member and tenant directed, non-profit housing organization. For the past four years, CCOC and CAHDCO have been pursuing the challenges presented in creating affordable housing in the absence of government housing programs. CCOC created CAHDCO as a non-profit corporation, to undertake, in part, the development of affordable home ownership through a long-term lease mechanism.

Thank you for your consideration of our request for relief from development fees and charges. Please do not hesitate to contact our Project Coordinator, Dennis Carr at 235-2408, ext. 229, if you have any questions regarding this matter.

Yours truly,


Elizabeth MacKenzie
President, CAHDCO

cc. Stephane Emard-Chabot, Councillor Bruyere-Strathcona Ward
Ted Robinson, Commissioner, Urban Planning and Public Works